

CITY OF FRANKLIN
COMMON COUNCIL MEETING
FRANKLIN CITY HALL – COMMON COUNCIL CHAMBERS
9229 WEST LOOMIS ROAD, FRANKLIN, WISCONSIN
AGENDA*
TUESDAY, JANUARY 21, 2020 AT 6:30 P.M.

- A. Call to Order and Roll Call.
- B. Citizen Comment Period.
- C. Approval of Minutes - Regular Common Council Meeting of January 7, 2020.
- D. Hearings.
- E. Organizational Business:
- F. Letters and Petitions.
- G. Reports and Recommendations:
 - 1. Consent Agenda:
 - (a) Request Common Council Approval to Authorize Purchase and Installation of PowerLoad Cot System Upgrade in Med Unit 113, Not to Exceed the Approved Appropriation of \$26,850.
 - (b) Purchase of a Snow Removal Tractor from Waldschmidt's Town & Country Mart for \$29,622.99.
 - (c) A Resolution to Purchase Survey Equipment from Seiler Geospatial Division for \$6,088.72.
 - (d) Authorize Staff to Solicit Department of Public Works Equipment Considered in the 2020 Highway Equipment Replacement and Capital Outlay Funds and for the Board of Public Works to Review and Approve.
 - (e) Reschedule Common Council Meetings Due to Spring Elections
 - (f) A Donation from Daniel and Sandra Hay in the Amount of \$3,000 to be Deposited into the Police Donation Account.
 - (g) List of Donations for October, November and December 2019 to Police, Fire and Parks Department.
 - 2. Project Updates for Ballpark Commons.
 - 3. Authorize the Director of Health and Human Services to Transition the 0.8 Part-time Registered Sanitarian Position to a Full-time Position Beginning March 1, 2020.
 - 4. An Ordinance Amendment to Update Chapter 169, License and Permits Associated with the Health Department.
 - 5. Franklin Senior Citizens, Inc. Program Update.
 - 6. Franklin Senior Citizens Travel Program Update for 2019 Year End.
 - 7. An Ordinance to Amend the Unified Development Ordinance Text at Table 15-3.0603 Standard Industrial Classification Title No. 7999 "Amusement and Recreation Services,

- not Elsewhere Classified,” to Allow for Such Use as a Special Use in the B-2 General Business District, B-3 Community Business District and the B-4 South 27th Street Mixed-Use Commercial District (Linda B. Scherrer, RYT200 (Registered Yoga Teacher at the 200 Hour Level), RMT (Reiki Master Teacher), Certified Essential Oils Coach (Ancient Apothecary & Young Living Oils), Owner of Inner Wisdom & Wellness, LLC, Applicant, Betty Buss, Property Owner).
8. A Resolution Imposing Conditions and Restrictions for the Approval of a Special Use for a Yoga, Reiki and Essential Oils, Meditation and Mindfulness Instruction Studio Use Upon Property Located at 7127 S. 76th Street (Franklin Village Multi-Tenant Building) (Linda B. Scherrer, RYT200 (Registered Yoga Teacher at the 200 Hour Level), RMT (Reiki Master Teacher), Certified Essential Oils Coach (Ancient Apothecary & Young Living Oils), Owner of Inner Wisdom & Wellness, LLC, Applicant, Betty Buss, Property Owner).
 9. A Resolution Authorizing the Installation of a Monument Sign Within the 30 Foot Landscape Planting Buffer Plat Restriction in The Glen at Park Circle Condominiums Development (7614 Park Circle Way) (Park Circle LLC, Applicant).
 10. A Resolution Authorizing the Installation of a Monument Sign with the Stormwater Management Access Easement Plat Restriction in the Ryanwood Manor Single-Family Residential Development (Generally at the Northwest Corner of W. Oakwood Road and S. 76th Street) (Oakwood at Ryan Creek, LLC, Applicant).
 11. An Ordinance to Amend Unified Development Ordinance §15-3.0103.A.3. Split Zoning of Newly Created Lots Not Allowed, to Provide for and Except Certain Minor Land Divisions Involving an Established Residential Use Not Currently Intended for Redevelopment (City of Franklin, Applicant).
 12. An Ordinance to Amend Unified Development Ordinance §15-3.0501.C. Exclusions (When Natural Resource Protection and Site Intensity and Capacity Calculations Are Not Required), to Provide for and Exclude Certain Minor Land Divisions Involving an Established Residential Use Not Currently Intended for Redevelopment (City of Franklin, Applicant).
 13. Report from the Director of Administration on Impact Fee Administration and 2019 Year-End Activity.
 14. Data Collection for an Enhanced Capital Improvement Plan (“CIP”).
 15. A Resolution of Support for the S. 116th Street Trail in the WISDOT 2020-2024 Transportation Alternatives Program (Tap).
 16. Direction to Staff to Delineate Wetlands, Make Application to Wisconsin Department of Natural Resources, and if Allowed, Have Staff Prepare and Obtain Property Owner Waivers and Authorize Department of Public Works to Perform Needed Work on Private Property (8531 and 8635 S. 116th Street) for the Purposes of Alleviating Flooding on S. 116th Street.
 17. A Resolution to Authorize Execution of a Final Change Order No. 3 for Rawson Homes Drainage Improvements and Water Main Relay in the Amount of -\$167,607.23.
 18. Request to Bid Surface Paving of Rawson Homes Neighborhood.
 19. A Resolution to Authorize Graef-USA, Inc. to Create a Pleasant View Park Masterplan Update for \$5,000.

20. A Resolution Authorizing Certain Officials to Execute a Public Improvements Development Agreement With the Developer of Ryan Meadows.
21. Update on the City Hall Roof, HVAC, and Fascia Wood Replacement Project and Authorization of a Change Order to Remove the Paneling from the Common Council Chambers for \$10,013, of a Quote from Stu's Flooring, Inc., to Replace Common Area Baseboard for \$1,599, and Authorization to Refinish the Common Area Floors for an Amount Not-To-Exceed \$2,500.
22. An Ordinance to Add to the Municipal Code Section 245-5 D.(4) Establishing Parking Restrictions on South Side of W. Robinwood Lane, 50 Feet East and 50 Feet West of Centerline of S. Mission Drive Right-of-Way.
23. Financial Report on Tax Incremental Financing District 4 for Calendar 2019.
24. Direction to Staff on Special Assessments for Infrastructure Improvements in Tax Increment District No. 4.
25. A Resolution to Award Franklin Corporate Park – Wastewater Pumping Station to Staab Construction Corp. in the Amount of \$867,000.
26. A Resolution to Award Franklin Corporate Park – S. Hickory Street Corridor Utility Improvements to Super Excavators, Inc. in the Amount of \$4,058,768.
27. A Resolution to Authorize Task Order No. 7 to Ruekert & Mielke, Inc.'s Contract for Franklin Corporate Park, Phase 1 Dated November 4, 2014, for Construction Services Related to S. Hickory Street Corridor Utility Improvements and Pump Station Projects for an Hourly, Time and Materials Contract for \$413,750.
28. A Resolution to Authorize Terracon a Contract for Construction Observation and Testing Services Related to S. Hickory Street Corridor Utility Improvements and Pump Station Projects for an Hourly, Time and Materials Contract for \$40,000.
29. Request to Bid Franklin Corporate Park- Elm Road Improvements.
30. Potential Land Acquisitions on Elm Road for Tax Incremental District No. 4 Franklin Corporate Park. The Common Council may enter closed session pursuant to Wis. Stat. § 19.85(1)(e), for market competition and bargaining reasons, to deliberate and consider terms relating to potential property acquisition for Elm Road roadway improvements for the Tax Incremental District No. 4 Franklin Corporate Park and the investing of public funds and governmental actions in relation thereto and to effect such acquisition, and reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate.
31. Agreement for Purchase and Sale of Real Estate for 8.61 +/- acres of the property located at 3548 South County Line Road (Tax Key No. 979-9999-000) for the development of public improvements for Tax Incremental District No. 4 Franklin Corporate Park. The Common Council may enter closed session pursuant to Wis. Stat. § 19.85(1)(e), for market competition and bargaining reasons, to deliberate and consider terms relating to potential property acquisition for the development of public improvements for the Tax Incremental District No. 4 Franklin Corporate Park and the investing of public funds and governmental actions in relation thereto and to effect such acquisition, and reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate.

Request for Approval of Vouchers and Payroll.

I. Licenses and Permits.

Miscellaneous Licenses from License Committee Meeting of January 21, 2020.

J. Adjournment.

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

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

REMINDERS:

January 23	Plan Commission Meeting	7:00 p.m.
February 4	Common Council Meeting	6:30 p.m.
February 6	Plan Commission Meeting	7:00 p.m.
February 18	Spring Primary	7:00 p.m.-8:00 p.m.
February 18	Common Council Meeting	6:30 p.m.
February 20	Plan Commission Meeting	7:00 p.m.

CITY OF FRANKLIN
COMMON COUNCIL MEETING
JANUARY 7, 2020
MINUTES

- | | | |
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| ROLL CALL | A. | The regular meeting of the Common Council was held on January 7, 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, Alderwoman Kristen Wilhelm, Alderman Mike Barber, and Alderman John R. Nelson. Excused was Alderman Steve F. Taylor. Also present were City Engineer Glen Morrow, Dir. of Administration Mark Lubberda, City Attorney Jesse A. Wesolowski and City Clerk Sandra Wesolowski. |
| CITIZEN COMMENT | B.1. | Citizen comment period was opened at 6:32 p.m. and closed at 6:57 p.m. |
| W. MARQUETTE AVE.
EXTENSION LETTERS | F. | <p>Alderwoman Wilhelm moved to refer to the City Attorney to develop a fair and equitable plan for the extension of West Marquette Avenue and return to the last Common Council meeting in February 2020. Seconded by Alderman Barber. All voted Aye; motion carried.</p> <p>Alderwoman Wilhelm, seconded by Alderman Mayer, moved to suspend the regular order of business to allow Liz Charewicz to speak. All voted Aye; motion carried.</p> <p>Alderwoman Wilhelm moved to return to the regular order of business. Seconded by Alderman Nelson. All voted Aye; motion carried.</p> <p>Letters from Pack 538, Den 3 Wolves and parents regarding West Marquette Avenue extension were placed on file.</p> |
| MARK LUBERDA
PROCLAMATION | B.2.(a) | Mayor Olson and Council President Dandrea presented a Proclamation in Recognition of the Service of Mark W. Lubberda. |
| JOEL DIETL
PROCLAMATION | B.2.(b) | Mayor Olson and Council President Dandrea presented a Proclamation in Recognition of the Service of Joel E. Dietl. |
| MINUTES
DECEMBER 3, 2019 | C.1. | Alderman Barber moved to approve the minutes of the regular Common Council meeting of December 3, 2019 as corrected at this meeting. Seconded by Alderman Dandrea. All voted Aye; motion carried. |
| MINUTES
DECEMBER 17, 2019 | C.2. | Alderman Barber moved to approve the minutes of the regular Common Council meeting of December 17, 2019 as presented at this meeting. Seconded by Alderman Mayer. All voted Aye; motion carried. |

HEARINGS
PUBLIC SCHOOL
IMPACT FEES

- D. A public hearing was called to order at 7:42 p.m. regarding a proposed Ordinance to amend §92-9. of the Municipal Code pertaining to impact fees for the purpose of exempting public schools from application of each of the various impact fees, suspending the automatic annual rate increases for each of the various impact fee rate increases imposed under §92-9.L., and incorporating required statutory increases, primarily pursuant to 2017 Wisconsin Act 243. The public hearing was closed at 7:47 p.m.

ORD. 2020-2404
IMPACT FEES

- G.2. Alderman Mayer moved to adopt Ordinance No. 2020-2404, AN ORDINANCE TO AMEND §92-9. OF THE MUNICIPAL CODE PERTAINING TO IMPACT FEES FOR THE PURPOSE OF EXEMPTING PUBLIC SCHOOLS FROM APPLICATION OF EACH OF THE VARIOUS IMPACT FEES, SUSPENDING THE AUTOMATIC ANNUAL RATE INCREASES FOR EACH OF THE VARIOUS IMPACT FEE RATE INCREASES IMPOSED UNDER §92-9.L., AND INCORPORATING REQUIRED STATUTORY INCREASES, PRIMARILY PURSUANT TO 2017 WISCONSIN ACT 243. Seconded by Alderman Barber.

Alderman Mayer moved to amend the main motion to table Ordinance No. 2020-2404. Seconded by Alderman Barber.

Alderman Mayer withdrew his motions and Alderman Barber withdrew his seconds.

It was then moved by Alderwoman Wilhelm to adopt Ordinance No. 2020-2404, AN ORDINANCE TO AMEND §92-9. OF THE MUNICIPAL CODE PERTAINING TO IMPACT FEES FOR THE PURPOSE OF INCORPORATING STATUTORY AMENDMENTS, PRIMARILY PURSUANT TO 2017 WISCONSIN ACT 243 as amended and subject to technical corrections. Seconded by Alderman Barber. All voted Aye; motion carried.

CONSENT AGENDA

- G.1. Alderman Dandrea moved to approve the following consent agenda items:

POLICE DEPT.
DONATIONS

- G.1.(a) Accept the following donations for the Franklin Police Department for deposit into their respective accounts: Walmart in the Amount of \$5,000 to be deposited in the Police Donations-General Account; Elaine Sievert in the amount of \$200 to be deposited in the Police Donations, K9 Account.

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| RES. 2020-7570
WATER MAIN
EASEMENT 8225 W.
FOREST HILL AVE. | G.1.(b) | Adopt Resolution No. 2020-7570, A RESOLUTION FOR ACCEPTANCE OF A WATER MAIN EASEMENT FOR 8225 W. FOREST HILL AVENUE (FOREST PARK MIDDLE SCHOOL), TAX KEY NO. 838-9978-000. |
| RES. 2020-7571
WATER MAIN
EASEMENT
10155 S. 57TH ST. | G.1.(c) | Adopt Resolution No. 2020-7571, A RESOLUTION TO AUTHORIZE STAFF TO EXECUTE AND RECORD THE ATTACHED WATER MAIN EASEMENT FROM 10155 S. 57TH STREET (FRANKLIN PROPERTIES, LLC), TAX KEY NO. 931-0008-001. |
| RES. 2020-7572
WATER MAIN
EASEMENT
5801 W. FRANKLIN DR. | G.1.(d) | Adopt Resolution No. 2020-7572, A RESOLUTION TO AUTHORIZE STAFF TO EXECUTE AND RECORD THE ATTACHED WATER MAIN EASEMENT FROM 5801 W. FRANKLIN DRIVE (ZETA COMPANY LLP), TAX KEY NO. 931-0006-001. |
| RES. 2020-7573
WATER MAIN
EASEMENT
5695 W. FRANKLIN DR. | G.1.(e) | Adopt Resolution No. 2020-7573, A RESOLUTION TO AUTHORIZE STAFF TO EXECUTE AND RECORD THE ATTACHED WATER MAIN EASEMENT FROM 5695 W. FRANKLIN DRIVE (CP PROPERTIES, LLP), TAX KEY NO. 899-0016-001. |
| RES. 2020-7574
WATER MAIN
EASEMENT
10179 S. 57TH ST. | G.1.(f) | Adopt Resolution No. 2020-7574, A RESOLUTION TO AUTHORIZE STAFF TO EXECUTE AND RECORD THE ATTACHED WATER MAIN EASEMENT FROM 10179 S. 57TH STREET (GHN FRANKLIN, LLC), TAX KEY NO. 931-0008-002. |
| RES. 2020-7575
WATER MAIN
EASEMENT
5251 W. FRANKLIN DR. | G.1.(g) | Adopt Resolution No. 2020-7575, A RESOLUTION TO AUTHORIZE STAFF TO EXECUTE AND RECORD THE ATTACHED WATERMAIN EASEMENT FROM 5251 W. FRANKLIN DRIVE (S & C ELECTRIC COMPANY), TAX KEY NO. 931-0013-002. |
| RES 2020-7576
WATER MAIN
EASEMENT
10125 S. 52ND ST. | G.1.(h) | Adopt Resolution No. 2020-7576, A RESOLUTION TO AUTHORIZE STAFF TO EXECUTE AND RECORD THE ATTACHED WATER MAIN EASEMENT FROM 10125 S. 52ND STREET (BRIDGESTONE CAPITAL, LLC) TAX KEY NO. 931-0013-003. |
| <p>Approval of the Consent Agenda was seconded by Alderman Barber.
All voted Aye; motion carried.</p> | | |
| ORD. 2020-2405
AMEND UDO TO | G.3. | Alderman Nelson moved to adopt Ordinance No. 2020-2405, AN ORDINANCE TO AMEND THE UNIFIED ORDINANCE |

REZONE TO R-3
9132 S. 92ND ST.

(ZONING MAP) TO REZONE A PORTION OF A CERTAIN PARCEL OF LAND FROM C-1 CONSERVANCY DISTRICT TO R-3 SUBURBAN/ESTATE SINGLE-FAMILY RESIDENCE DISTRICT (9132 SOUTH 92ND STREET) (APPROXIMATELY 1.94 ACRES) (MATT TALBOT RECOVERY SERVICES, INC., APPLICANT). Seconded by Alderman Dandrea. All voted Aye; motion carried.

RES. 2020-7577
AWARD S. 68TH ST.
VERTICAL
ALIGNMENT
IMPROVEMENTS
PROJECT

G.4. Alderman Barber moved to adopt Resolution No. 2020-7577, A RESOLUTION TO AWARD THE S. 68TH STREET VERTICAL ALIGNMENT IMPROVEMENTS PROJECT TO THE WANASEK CORPORATION FOR \$298,430. Seconded by Alderman Mayer. All voted, Aye; motion carried.

RES. 2020-7578
AWARD 2020 LOCAL
STREET
IMPROVEMENT
PROGRAM

G.5. Alderman Barber moved to adopt Resolution No. 2020-7578, A RESOLUTION AWARDED CONTRACT TO THE LOW BIDDER, STARK PAVEMENT CORPORATION, IN THE AMOUNT OF \$1,000,000, FOR THE 2020 LOCAL STREET IMPROVEMENT PROGRAM. Seconded by Alderman Mayer. All voted, Aye; motion carried.

RECRUITMENT OF
DIR. OF ADMIN AND
PLANNING MANAGER

G.6. Alderman Barber moved to authorize the Mayor to execute professional services proposals with GovHR USA for recruitment of a Director of Administration and a Planning Manager, incorporating an Addendum addressing boilerplate language, which are subject to change as determined by the City Attorney, and to authorize release of each initial payment as set forth in the proposal. Seconded by Alderman Dandrea.

Alderwoman Wilhelm moved to amend the motion for Phase I to include: One-on-one or group interviews will be conducted with *each* elected official *unless declined*, appointed officials... Seconded by Alderman Nelson. All voted Aye; motion carried.

On the main motion to authorize execution of the proposal as amended, all voted Aye; motion carried.

DEPT. OF ADMIN. AND
PLANNING AND
ZONING ASSIGNMENT
OF RESPONSIBILITIES

G.7. Alderwoman Wilhelm moved to accept the update on the on-going operations in the Department of Administration and in Planning and Zoning and assignment of responsibilities. Seconded by Alderman Barber. All voted Aye; motion carried.

DESIGNATE ASSOC.
PLANNER AS INTERIM
ZONING ADMIN.

G.8. Alderwoman Wilhelm moved to designate the Associate Planner as the Interim Zoning Administrator as such duties pertain to administration and enforcement of the Unified Development

Ordinance. Seconded by Alderman Barber. All voted Aye; motion carried.

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| TRANSFER OF DEPT.
OF ADMIN. LAPTOP TO
M. LUBERDA UPON
SEPARATION | G.9. | Alderman Mayer moved to authorize the transfer of ownership of the existing Department of Administration laptop computer to Mark Luberda upon separation as the Director of Administration. Seconded by Alderman Barber. All voted Aye; motion carried. |
| ORD. 2020-2406
APPROPRIATIONS FOR
STATION SPECIFIC
ALERTING SYSTEM | G.10. | Alderman Mayer moved to adopt Ordinance No. 2020-2406, AN ORDINANCE TO AMEND ORDINANCE 2019-2398, AND ORDINANCE ADOPTING THE 2020 ANNUAL BUDGET FOR THE CAPITAL IMPROVEMENT FUND TO PROVIDE FOR CARRY FORWARD OF APPROPRIATIONS FOR THE STATION SPECIFIC ALERTING SYSTEM. Seconded by Alderman Dandrea. On roll call, all voted Aye. Motion carried. |
| PURCHASE SOFTWARE
AND HARDWARE AND
INSTALLATIONS FROM
US DIGITAL DESIGNS | G.11. | Alderman Mayer moved to authorize execution of a contract with US Digital Designs for an amount not to exceed \$184,126.43 for purchase of software and hardware and software installation and programming for a fire station alerting system, subject to technical corrections. Seconded by Alderman Nelson. All voted Aye; motion carried. |
| REVISED RATES OF
SERVICE FOR
INSPECTION | G.12. | Alderman Barber moved to approve the revised rates of service for street and utility construction inspection of years 2020 and 2021. Seconded by Alderman Dandrea. All voted Aye; motion carried. |
| ORD. 2020-2407
PUBLIC SAFETY
SERVICES DURING THE
DNC | G.13. | Alderman Mayer moved to adopt Ordinance No. 2020-2407, AN ORDINANCE TO AMEND ORDINANCE 2019-2398, AN ORDINANCE ADOPTING THE 2020 ANNUAL BUDGETS FOR THE GENERAL FUND TO PROVIDE APPROPRIATIONS FOR PUBLIC SAFETY SERVICES DURING THE 2020 DEMOCRATIC NATIONAL CONVENTION. Seconded by Alderman Nelson. On roll call, all voted Aye. Motion carried. |
| ORD. 2020-2408
RECLASSIFY
APPROPRIATIONS TO
QUARRY MONITORING
SERVICES | G.14. | Alderman Barber moved to adopt Ordinance No. 2020-2408, AN ORDINANCE TO AMEND ORDINANCE 2019-2345, AN ORDINANCE ADOPTING THE 2019 ANNUAL BUDGETS FOR THE GENERAL FUND TO RECLASSIFY \$6,400 OF CONTINGENCY APPROPRIATIONS TO QUARRY MONITORING SERVICES. Seconded by Alderwoman Wilhelm. On roll call, all voted Aye. Motion carried. |
| ORD. 2020-2409
CARRYOVER UNUSED | G.15. | Alderwoman Wilhelm moved to adopt Ordinance No. 2020-2409, AN ORDINANCE TO AMEND ORDINANCE 2019-2398, AN |

2019 APPROPRIATIONS
FOR INSP. SVCS.

ORDINANCE ADOPTING THE 2020 ANNUAL BUDGETS FOR THE GENERAL FUND TO CARRYOVER \$78,300 OF UNUSED 2019 APPROPRIATIONS FOR THE INSPECTION DEPARTMENT. Seconded by Alderman Barber. On roll call, all voted Aye. Motion carried.

ORD. 2020-2410
CARRYOVER UNUSED
2019 APPROPRIATIONS
FOR PLANNING DEPT.

G.16. Alderman Dandrea moved to adopt Ordinance No. 2020-2410, AN ORDINANCE TO AMEND ORDINANCE 2019-2398, AN ORDINANCE ADOPTING THE 2020 ANNUAL BUDGETS FOR THE GENERAL FUND TO CARRYOVER \$44,000 OF UNUSED 2019 PLANNING DEPARTMENT APPROPRIATIONS. Seconded by Alderman Mayer. On roll call, all voted Aye. Motion carried.

NOV. 2019
FINANCIAL REPORT

G.17. Alderman Dandrea moved to receive and place on file the November 2019 Monthly Financial Report. Seconded by Alderman Mayer. All voted Aye; motion carried.

COMMITTEE OF THE
WHOLE
RECOMMENDATIONS

G.18.(a) Upon Recommendation of the Committee of the Whole, Alderman Mayer moved to direct the Mayor and Fire Chief and any additional staff to continue efforts to improve efficiency and services to our constituents via the methods and options described in the Wisconsin Policy Forum report "Got Your Back" and any additional opportunities that may occur within the budget and authority in existence, and bring back any items that would exceed current authorities or budgets. Seconded by Alderman Dandrea. All voted Aye; motion carried.

G.18.(b) Upon Recommendation of the Committee of the Whole, Alderman Nelson moved to refer the landfill complaint monitoring, tracking and handling to staff and Alderman Nelson for improvements. Seconded by Alderman Mayer. All voted Aye; motion carried.

LICENSES AND
PERMITS

H. Alderman Nelson moved to approve the following license recommendations from the License Committee meeting of January 7, 2020:

Hold Operator License applications for appearance of Ema I Cavaliere, 4119 108th St., Franksville; and Jessica L Neu, 3539 80th St., Franksville;

Grant Operator Licenses to Heather A Bandle, 11430 W Swiss St., Apt B; Jeanne E Howell, S45W25670 Red Oak Ct., Muskego; Pamela J Jablonski, 10500 W Pallottine Dr., Greenfield; Jennifer N Knight, 4536 W Hilltop Ln.; Michelle M Rocha, 8457 S Breaburn Dr., Oak Creek; Erica A Schwebe, 2610 S 78th St., West Allis;

Molly A Tengel, 731 60th St., Caledonia; Laken L Williams, 7409 S 46th St.; Walter Wolley, 7112 S 47th Pl.;

The Police Incident Reports from May 1, 2019 thru December 31, 2019 were reviewed and placed on file with request for appearance from Dairyland Retail Group, LLC, Agent Elizabeth Evans, 7610 W Rawson Ave.; Ryan Fuel LLC, Agent Kavita Khullar, 5120 W Ryan Rd.; Wisconsin CVS Pharmacy LLC, Agent Samantha Jo Klaphake, 5220 W Rawson Ave.; Ultra Mart Foods, LLC, Agent Ricky Kloth, 7201 S 76th St.; The Bowery, LLC, Agent Roger Hein, 3023 W Ryan Rd.; Irish Cottage of Franklin LLC, Agent Jenny Jennings, 11433 W Ryan Rd.; Iron Mike's Bar LLC, Agent Michael Pues, 6357 S 27th St.; The Landmark of Franklin LLC, Agent Lorie Beth Knaack-Helm, 11401 W Swiss St.

Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.

VOUCHERS AND
PAYROLL

- I. Alderman Dandrea moved to approve the following:
City vouchers with an ending date of January 3, 2020 in the amount of \$5,531,498.97; Payroll dated December 20, 2019 in the amount of \$417,169.33 and payments of the various payroll deductions in the amount of \$441,306.07 plus City matching payments; and estimated payroll dated January 3, 2020 in the amount of \$383,664.17 and payments of the various payroll deductions in the amount of \$207,726.14 plus City matching payments; and estimated payroll dated January 17, 2020 in the amount of \$455,000.00 and payments of the various payroll deductions in the amount of \$241,000.00 plus City matching payments; and property tax vouchers with an ending date of December 30, 2019 in the amount of \$44,721,827.29; and the release of payment to Wesolowski, Reidenbach & Sajdak for legal services, not to exceed \$30,000; and the release of payment to "RE/MAX Reality for the benefit of Wendt Family Trust and Lorraine C. Wendt Survivor's Trust" in the amount of \$5,000.00; and the release of payment to First American Title Insurance Company in the amount of \$10,000.00. Seconded by Alderman Nelson. On roll call, all voted Aye. Motion carried.

CLOSED SESSION
TID 4 FRANKLIN
CORPORATE PARK

- G.19. Alderman Barber moved to enter closed session at 8:59 p.m. pursuant to Wis. Stat. §19.85(1)(e), for market competition and bargaining reasons, to deliberate and consider terms relating to potential property acquisitions for the development of public improvements for the Tax Incremental District No. 4 Franklin Corporate Park: Agreement for Purchase and Sale of Real Estate, and Counter-offer for 7.1 +/- acres of the property located at 3617 West Oakwood Road (Tax Key No. 950-9997-001); and Agreement

for Purchase and sale of Real Estate, and Counter-offer for 8.61 +/- acres of the property located at 3548 South County Line Road (Tax Key No. 979-9999-000); and the investing of public funds and governmental actions in relation thereto and to effect such acquisitions, and to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate. Seconded by Alderman Nelson. All voted Aye; motion carried.

Upon reentering open session at 9:14 p.m., Alderman Dandrea moved to authorize the execution and delivery by the City of the Agreement for Purchase and Sale of Real Estate upon the appraised price obtained by the City, for the approximately 7.1 +/- acres of the property located at 3617 West Oakwood Road, and to accept and deliver the Seller's Counter-Offer thereto with a change of the date for delivery thereof to the date of City acceptance delivery, in form and content as presented within the meeting agenda packet for this meeting. Seconded by Alderman Nelson. All voted Aye; motion carried.

Alderman Barber moved to authorize the execution and delivery by the City of the Agreement for Purchase and Sale of Real Estate upon the appraised price obtained by the City, for the approximately 8.61 +/- acres of the property located at 3548 South County Line Road, in form and content as presented within the meeting agenda packet for this meeting, and with regard to the Seller's Counter-Offer thereto as presented within the meeting agenda packet for this meeting, to authorize the execution and delivery of a Counter-Offer to Seller's Counter-Offer, as discussed in closed session and to proceed accordingly. Seconded by Alderman Nelson. All voted Aye; motion carried.

ADJOURNMENT

J. Alderman Barber moved to adjourn the meeting at 9:17 p.m. Seconded by Alderman Nelson. All voted Aye; motion carried.

APPROVAL	REQUEST FOR COUNCIL ACTION	MEETING DATE 1/21/2020
REPORTS AND RECOMMENDATIONS	Request Common Council Approval to Authorize Purchase and Installation of PowerLoad Cot System Upgrade in Med Unit 113, Not to Exceed the Approved Appropriation of \$26,850.	ITEM NUMBER G.1. (a)
<p>The Fire Department is seeking council approval to act on an agreement for the purchase and installation of a Stryker PowerLoad cot system upgrade for Med 113, at a cost not to exceed the approved appropriation of \$26,850.</p> <p>This is a hydraulic mechanism that self-loads the cot into the back of the ambulance. This system is rapidly becoming an industry standard in injury prevention, as loading the cot into the ambulance is a common cause of back, shoulder, and repetitive use injuries. Loading the cot (with patient) into the back of the ambulance requires lifting the cot and patient (commonly exceeding 400 pounds, and on occasion as much as 500 pounds in combined weight) to nearly shoulder level. This can be especially difficult on uneven, sloped, or icy terrain. The PowerLoad system would significantly reduce, if not completely eliminate the potential for injury at this point in the patient care process.</p> <p>This request along with the scheduled ambulance replacement in 2020 (which will include the upgraded system from the factory) will mean that the two units which make the vast majority of patient transports will be equipped with this system.</p>		
<p style="text-align: center;">COUNCIL ACTION REQUESTED</p> <p>Motion to Approve Fire Department Authorization to Purchase and Install a Stryker PowerLoad Cot System Upgrade for Med 113, at a cost not to exceed the Approved 2020 Capital Outlay Request of \$26,850.</p>		

Fire: AJR



PWR LOAD + 6506 COMPAT KIT

Quote Number 10115222
Version 1
Prepared For FRANKLIN FIRE DEPT
Attn

Remit to P O Box 93308
Chicago, IL 60673-3308
Rep Julie Schmitz
Email jule.schmitz@stryker.com
Phone Number

Quote Date 01/16/2020
Expiration Date 04/15/2020

Delivery Address

Name: FRANKLIN FIRE DEPT
Account #: 1185416
Address 8901 W DREXEL AVE
FRANKLIN
Wisconsin 53132-9725

End User - Shipping - Billing

Name: FRANKLIN FIRE DEPT
Account #: 1185416
Address: 8901 W DREXEL AVE
FRANKLIN
Wisconsin 53132-9725

Bill To Account

Name FRANKLIN FIRE DEPT
Account # 1185416
Address: 8901 W DREXEL AVE
FRANKLIN
Wisconsin 53132-9725

Equipment Products:

#	Product	Description	Qty	Sell Price	Total
1.0	639005550001	MTS POWER LOAD	1	\$22,820.00	\$22,820.00
2.0	6506700001	6506 PWRLD COMPAT UPGRADE KIT	1	\$1,497.41	\$1,497.41
Equipment Total					\$24,317.41

ProCare Products:

#	Product	Description	Qty	Sell Price	Total
3.0	77100003	Cot Upgrade or Install	1	\$310.00	\$310.00
ProCare Total.					\$310.00

Price Totals:

Grand Total. \$24,627.41

Prices: In effect for 60 days.

Terms: Net 30 Days

Ask your Stryker Sales Rep about our flexible financing options.



PWR LOAD + 6506 COMPAT KIT

Quote Number 10115222
Version 1
Prepared For FRANKLIN FIRE DEPT
Attn

Remit to P O Box 93308
Chicago, IL 60673-3308
Rep Julie Schmitz
Email julie.schmitz@stryker.com
Phone Number

Quote Date 01/16/2020
Expiration Date 04/15/2020

AUTHORIZED CUSTOMER SIGNATURE


Deal Consummation: This is a quote and not a commitment. This quote is subject to final credit, pricing, and documentation approval. Legal documentation must be signed before your equipment can be delivered. Documentation will be provided upon completion of our review process and your selection of a payment schedule.

Confidentiality Notice: Recipient will not disclose to any third party the terms of this quote or any other information, including any pricing or discounts, offered to be provided by Stryker to Recipient in connection with this quote, without Stryker's prior written approval, except as may be requested by law or by lawful order of any applicable government agency.

Terms: Net 30 days. FOB origin. A copy of Stryker Medical's standard terms and conditions can be obtained by calling Stryker Medical's Customer Service at 1-800-Stryker.

In the event of any conflict between Stryker Medical's Standard Terms and Conditions and any other terms and conditions, as may be included in any purchase order or purchase contract, Stryker's terms and conditions shall govern.

Cancellation and Return Policy: In the event of damaged or defective shipments, please notify Stryker within 30 days and we will remedy the situation. Cancellation of orders must be received 30 days prior to the agreed upon delivery date. If the order is cancelled within the 30 day window, a fee of 25% of the total purchase order price and return shipping charges will apply.

APPROVAL 	REQUEST FOR COUNCIL ACTION	MEETING DATE 1/21/2020
REPORTS & RECOMMENDATIONS	Purchase of a Snow Removal Tractor from Waldschmidt's Town & Country Mart for \$29,622.99	ITEM NUMBER A.1.(b)

The adopted 2020 Capital Outlay Budget has \$30,000 for a multi-function, commercial-grade tractor for snow removal at City Hall, the Library, and the Police Department, when needed. The following description of the selection process was prepared by Bob Tesch, the Operations Supervisor in the Municipal Buildings Department.

"When looking at a replacement, nine pieces of equipment from six manufacturers were considered with a set of parameters used to evaluate all equipment. All equipment considered have engines of 18-22 horsepower motors, equipped with both a snow-blower and broom attachment and the needed controls to operate all attachments. In addition to the set minimum equipment requirements, additional beneficial and add-on equipment was also considered and evaluated. Such add-ons included 4-wheel drive, front-wheel drive, zero-turn capabilities, heated cabs, ice melt spreaders, safety lights, snow blades, and the ability to change components in a reasonable time. Any add-ons would only be considered if the addition of the added equipment/component would enhance the performance and flexibility of the equipment and could be added within the approved budgeted amount. Among the nine pieces of equipment considered were also two commercial stand-on type units specifically designed for snow removal on sidewalks. These two units, while having the required attachments and horsepower, also have a smaller footprint and zero-turn capabilities allowing for better mobility on sidewalks.

After evaluating all of the equipment researched, Common Council approval is requested for the purchase of a Ventrac Sidewalk Snow Vehicle manufactured by the Ventrac Corporation of Orrville, Ohio. This unit being a stand-on unit, while it does not have a cab (has a windscreen only), is to be equipped with all safety and work lights, two-stage snow blower, duel directional rotary broom, 42" snow blade, integrated drop spreader to allow for the application of ice melting materials during the snow removal process, and all needed components and weight transfer to operate all attachments. The Ventrac Sidewalk Snow Vehicle can be fully equipped as listed above within the approved budgeted amount."

As planned for in the budget, the quoted unit has attachable broom, blade, and snowblower. It also has a drop spreader for salt, which allows one-step plow-and-salt versus the current two-step process. It is a stand-on unit with a windscreen instead of a cab with a seat. It has a good turning radius, and its narrowness will allow it to continue to be used for sidewalks even as cars pull up to the curb in the parking lot. It is commercial grade. The department will be much more efficient with this unit. The state does not have this product or a comparable product available at state-bid prices.

Three Ventrac vendors were contacted. Two provided quotes: Middleton Power Center quoted \$29,528 and Waldschmidt Town and Country quoted \$29,622.99. Although the quote is about \$95

more, Bob Tesch recommends and requests Waldschmidt be approved. Waldschmidt is in Menomonee as opposed to the Madison area so will be better for parts, repairs, and supplies over time. Additionally, Bob has had positive experiences with Waldschmidt. Staff recommends approval. Payment is upon delivery and includes shipping, setup, and training.

COUNCIL ACTION REQUESTED

Motion to authorize the Operations Supervisor to execute a quotation and purchase order with Waldschmidt's Town & Country for a Ventrac SSV 2100CC Sidewalk Snow Vehicle, with attachments, for \$29,622.99 and to authorize release of the check.

Q U O T A T I O N

PAGE 1

WALDSCHMIDT'S TOWN & COUNTRY MART
N94 W17937 APPLETON AVE
MENOMONEE FALLS, WI 53051
Phone # (262)251-1400
Fax # (262)251-1491

PHONE # (414)427-7636
CELL #
ALT #
P O #
TERMS **Cash**
SALES TYPE **Quote**

DATE **1/2/2020**
ORDER # **1298339**
CUSTOMER # **23505**
CP **7**
LOCATION **1**
STATUS **Active**

BILL TO 23505

CITY OF FRANKLIN
9229 W LOOMIS RD
FRANKLIN, WI 53132

SHIP TO

CITY OF FRANKLIN
9229 W LOOMIS RD
FRANKLIN, WI 53132

MFR	PRODUCT NUMBER	DESCRIPTION	QTY	PRICE	NET	TOTAL
VEN	39 61100	SSV 2100C SIDEWALK SNOW VEHICLE 18 5 V-TWIN KAW	1	\$11,645 00	\$11,645 00	\$11,645 00
VEN	70 6011-99	PTO & WEIGHT TRANSFER KIT(BROOM/ BLOWER SSV)	1	\$1,145 00	\$1,145 00	\$1,145 00
VEN	70 6006	12-VOLT SSV FRONT SWITCH & PLUG, KIT (BROOM & BLOWER)	1	\$260 00	\$260 00	\$260 00
VEN	39 65110	ND420 BLADE 42" SSV	1	\$1,345 00	\$1,345 00	\$1,345 00
VEN	39 65100	NJ380 BROOM 38" HYDRO DRIVE (REV OPTION)	1	\$3,625 00	\$3,625 00	\$3,625 00
VEN	70 8192	NJ/NX 12V ACTUATOR KIT	1	\$285 00	\$285 00	\$285 00
VEN	39 65115	NX340 SNOWBLOWER	1	\$4,350 00	\$4,350 00	\$4,350 00
VEN	70 8192	NJ/NX 12V ACTUATOR KIT	1	\$285 00	\$285 00	\$285 00
VEN	70 6007	STROBE LIGHT, KIT SSV	1	\$285 00	\$285 00	\$285 00
VEN	70 6001	NA130 DROP SPREADER SSV	1	\$3,998 00	\$3,998 00	\$3,998 00
VEN	70 6009	NW300 SSV WINDSCREEN	1	\$1,299 99	\$1,299 99	\$1,299 99
****	FREIGHT	FREIGHT (INCOMING)	1	\$450 00	\$450 00	\$450 00
****	SETUP/PREP VEN	SETUP/PREP/FREIGHT VENTRAC EQUIPMENT	1	\$650 00	\$650 00	\$650 00

Prices reflected on this invoice are valid for 30 days

We appreciate the opportunity to quote you these item(s)

SUBTOTAL:	\$29,622.99
TAX:	\$0.00
ORDER TOTAL:	<u>\$29,622.99</u>

Authorized By _____



Pricing Quote

Quote #. 40538-19352

Date Quoted December 19, 2019

Quote Expires. January 18, 2020

Prepared For:

Robert Tesch
City of Franklin
9229 W. Loomis Rd.
Franklin, WI 53132

Prepared By:

Middleton Power Center
3230 Parmenter St.
Middleton, WI 53562

Thank you for the opportunity to quote the following Ventrac product(s) for your review. I have added the items that we feel would best serve your needs. Please feel free to contact me with any questions.

QTY	Model #	Description	Unit Price	Total
1	2100C (39 61100)	Ventrac Tractor NT, 2100C SSV Kawasaki FS600V	11,645 00	11,645 00
1	70 6006	Accessory 12V SWITCH & PLUG Kit, 12V Front NT	260 00	260 00
1	70 6011-99	Accessory SSV ACCESSORIES KIT Kit, Accessory Opt 2100C Factory	1,145 00	1,145 00
1	70 6005	Accessory REAR WORK LIGHTS Kit, Rear Work Lights NT	260 00	260 00
1	70 6007	Accessory Kit, Strobe Light NT	285 00	285 00
1	NW300 (70 6009)	Accessory Windscreen, NW300 for 2100	1,295 00	1,295 00
1	NX340 (39 65115)	Attachment SNOW BLOWER NX, NX340 Snowblower	4,350 00	4,350 00
1	70 8192	Accessory Kit, 12V Actuator KJ/NX/NJ	285 00	285 00
1	NJ380 (39 65100)	Attachment BROOM NJ, NJ380 Broom	3,625 00	3,625 00
1	70.8192	Accessory Kit, 12V Actuator KJ/NX/NJ	285 00	285 00
1	ND420 (39.65110)	Attachment SNOW PLOW ND, ND420 42" Snow Plow	1,345 00	1,345 00
1	NA130 (70 6001)	Accessory SPREADER, DROP SSV NA, NA130 Drop Spreader	3,998 00	3,998 00

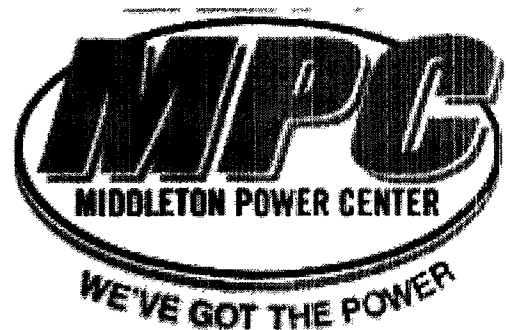
Subtotal 28,778 00

CHARGES

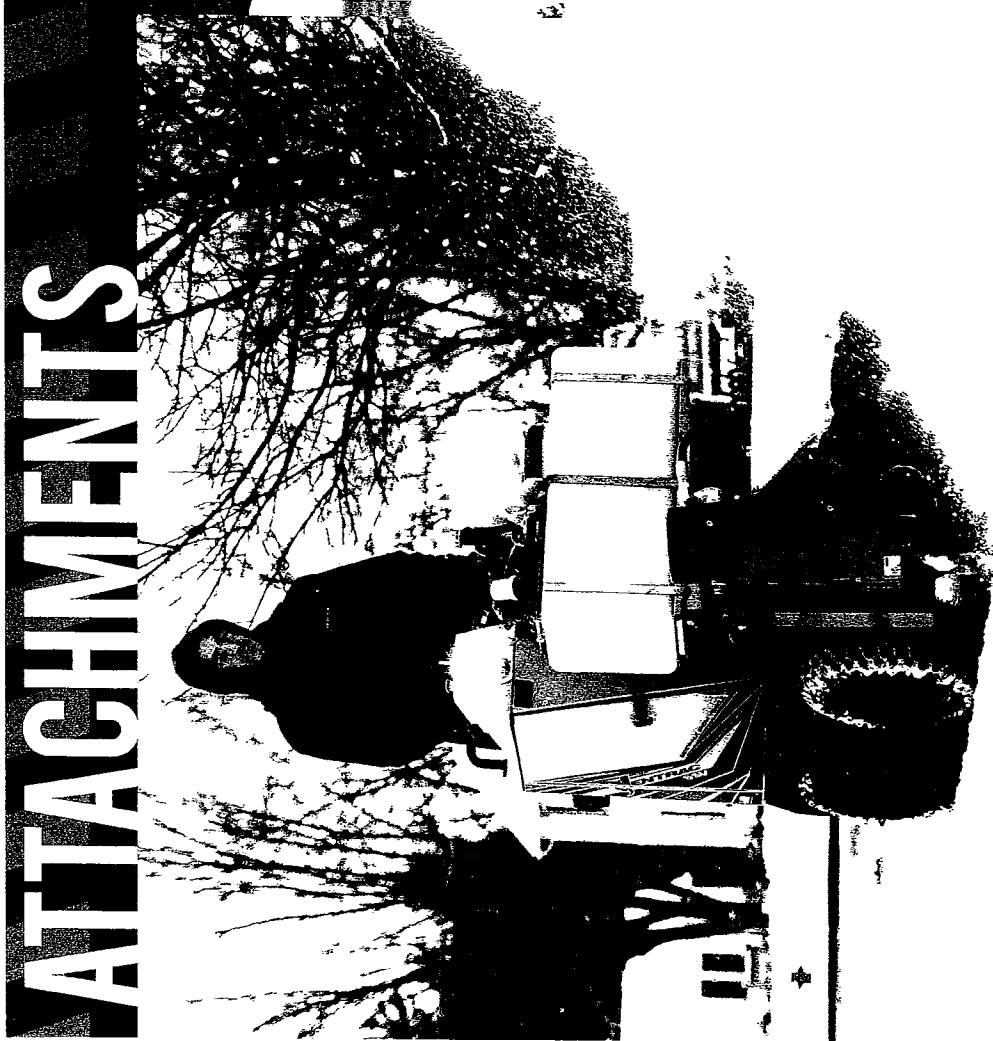
Freight +350.00

Setup Charges +400 00

TOTAL USD \$ 29,528.00



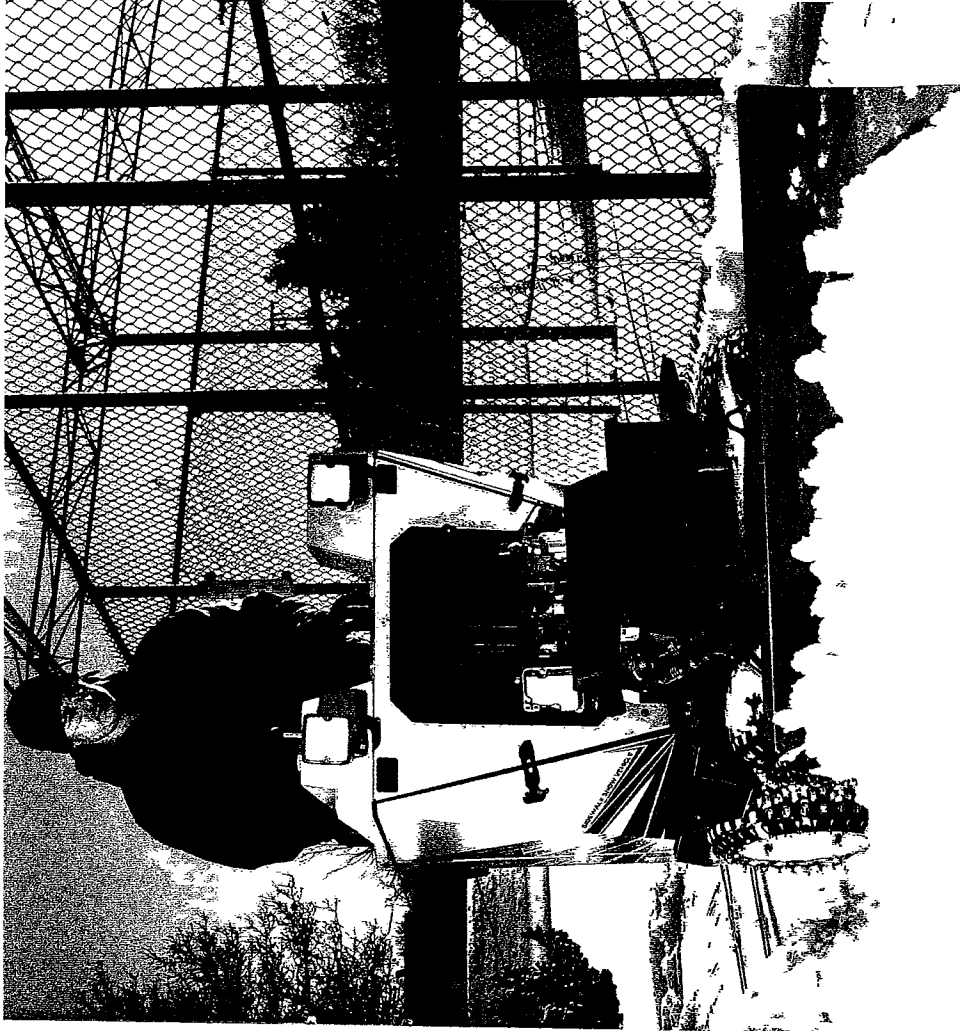
ATTACHMENTS



11' BROOMS

Tractor	4500	3400	SSV
Model	HB580	LB540	NB380
Broom Width	58"	54"	38"
Broom Speed	220 rpm*	300 rpm*	290 rpm*
Weight	382 lb	240 lb	350 lb

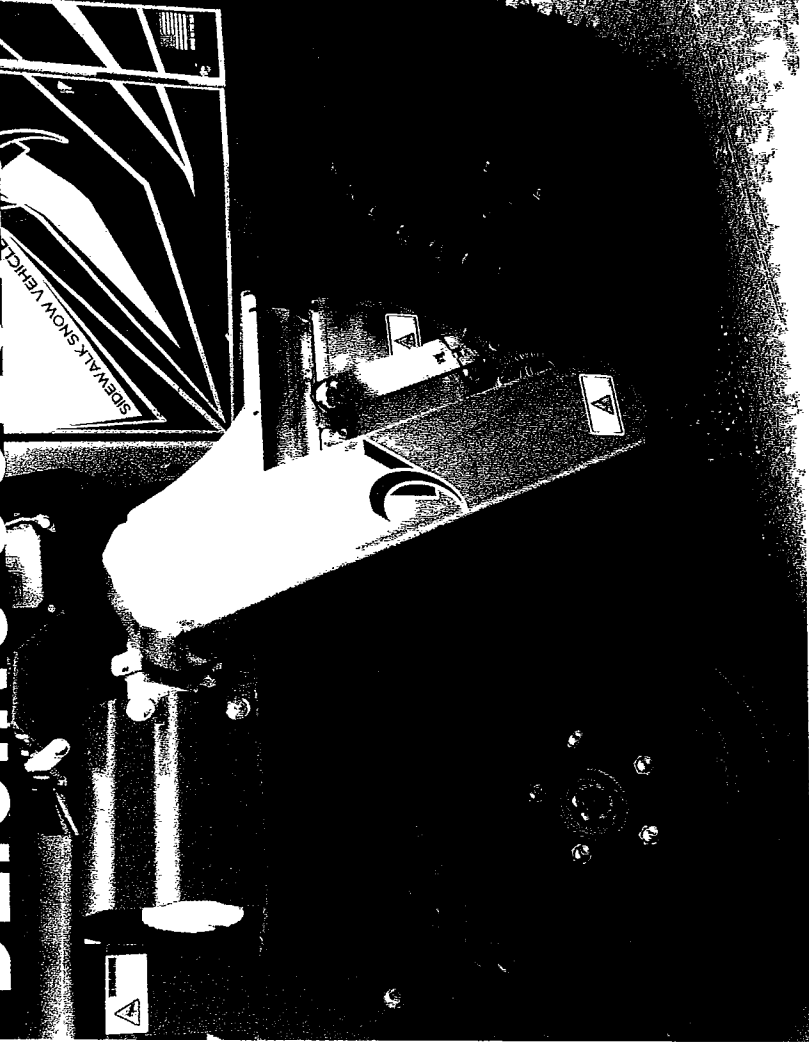
*Engine Speed 3200 rpm



11' BLADES

Tractor	3400 & 4500	SSV
Model	KD482	ND420
Working Width	48'	42"
Blade Height	22"	22'
Blade Angle	+/-30°	+/-30°
Weight	163 lb	165 lb

DEICING SOLUTIONS



SSV DROP SPREADER

Tractor	SSV
Model	NA130
Drop Width	34"
Spreading Distance	-
Material Capacity	13 ft ³ / 100 lb



APPROVAL <i>Shw</i>	REQUEST FOR COUNCIL ACTION	MTG. DATE January 21, 2020
Reports & Recommendations	RESOLUTION TO PURCHASE SURVEY EQUIPMENT FROM SEILER GEOSPATIAL DIVISION FOR \$6,088.72	ITEM NO. A. 1. (c)

BACKGROUND

The Engineering Department utilizes surveying equipment on a daily basis for the benefit of other departments and the public. Some daily activity includes construction staking, setting of manholes at correct elevations, location of property lines, developing construction as-builts, determining limits of drainage issues, setting culvert pipes, locating edges of flagged environmental features, etc. The Staff has ability to use this equipment that would undoubtedly cost hundreds of thousands of dollars if these services were contracted to consultants.

A key component in the surveying capabilities are to utilize GPS technologies. The current GPS equipment uses a controller for Staff to collect and retrieve data in the field. The current controller is almost 10 years old and uses outdated technology. If the current equipment were to break, there are no parts available for repairs. In fact, the current model in use has a touch screen that has stopped functioning and requires extra effort to perform any task.

ANALYSIS

Seiler is a reputable and well-known company that supplies surveying equipment. Their regional Milwaukee office is located in Franklin the business park. Seiler has been supplying Franklin with surveying equipment for many decades and continues to provide excellent customer service to the City.

The attached quotation includes a Trimble TSC7 controller with necessary and accessories for a total of \$6,088.72. Most of our surveying equipment is supplied from Seiler. Staff did not solicit other quotes because this equipment is compatible with the other surveying equipment used by the City and Seiler has demonstrated excellent service on all other equipment. Note that this quote includes an \$830.28 discount that Seiler has offered to us as a long-time customer.

This quote has been provided to the Director of Information Technology and he has no objection to the equipment. It is compatible to other City equipment and is not expected to interfere with other information technology hardware or software.

OPTIONS

- A. Authorize Staff to purchase GPS Controller and Accessories from Seiler for \$6,088.72; or
- B. Provide further direction to staff.

FISCAL NOTE

In anticipation of this expenditure, the 2020 Engineering Capital Outlay fund includes \$7,000 for survey data collector- replacement.

RECOMMENDATION

(Option A) Resolution 2019-_____ a resolution to authorize staff to purchase survey equipment from Seiler Geospatial Division for \$6,088.72.

Engineering Department: GEM

STATE OF WISCONSIN : CITY OF FRANKLIN : MILWAUKEE COUNTY

RESOLUTION NO. 2020- _____

RESOLUTION TO PURCHASE SURVEY EQUIPMENT FROM
SEILER GEOSPATIAL DIVISION FOR \$6,088.72

WHEREAS, the Engineering Department utilizes GPS surveying instruments on a daily basis to provide various services to other departments and the public; and

WHEREAS, Seiler, a company located in the Franklin Business Park, is a reputable and well-known company that supplies surveying equipment; and

WHEREAS, the current controller for the GPS surveying technologies is almost 10-years old with parts that are broken and unable to be fixed; and

WHEREAS, replacement of this equipment was considered in the 2020 budget for Engineering Capital Outlay funds.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that Staff be authorized to purchase survey equipment from Seiler Geospatial Division for \$6,088.72.

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

PASSED AND ADOPTED by the Common Council of the City of Franklin on the _____ day of _____, 2020.

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____



Sales Quotation



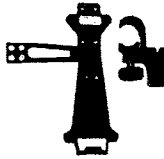

Quote Number: 00053533

Contact Name: Ronnie Asuncion
E-mail: rasuncion@franklinwi.gov
Phone: (414) 425-7510

Date Issued: 01/07/20
Expiration Date: 02/29/20

Ship To: City of Franklin, WI
 9229 West Loomis Road
 franklin, WI 53132
 United States

Bill To: City of Franklin, WI
 9229 West Loomis Road
 Franklin, WI 53132
 United States

Quantity	Part Number	Description	List Price	Sale Price	Subtotal
1 00	TSC7-1-1111-00	Trimble TSC7 controller - QWERTY keypad, USB/Serial boot, Worldwide region, Standalone  INCLUDES. Power supply with cable, Screen protector, Hand strap, 1 set of two batteries, Stylus with tether, Quick start guide Trimble Access to be relinquished from existing TSC3 SN RS0TC15525	\$4,800.00	\$4,800 00	\$4,800 00
1.00	110238-00-1	Trimble EM120 2 4GHz Module 	\$1,500.00	\$1,500 00	\$1,500 00
1 00	121349-01-1	Trimble TSC7 Accessory - Pole Mount 	\$199 00	\$199 00	\$199.00
1 00	121358-01-1	Trimble TSC7 Accessory - Ext. Battery Charger w/ Int Cord, Battery 2-pack 	\$420 00	\$420.00	\$420.00
1.00	SI-TNL-DISCOUNT	SEILER DISCOUNT	Undefined	\$-830 28	\$-830 28

Total Price: \$6,088 72



Sales Quotation

Quote Number: 00053533

This is not an invoice Applicable sales tax and/or shipping charges will apply.

Please Contact Us:

Name: Steve Grady
Address: 9755 Airways Court
Franklin
Wisconsin, 53132
United States
Phone: (414) 423-0780
Mobile: (262) 219-2952
E-mail: sgrady@seilernst.com

Your signature below acknowledges acceptance of terms and conditions of this quote Please sign and return via email or fax

Signature: _____

Date: _____

Name: _____

Title: _____

Terms: Net 30 Days

Net 30 upon approved credit Major credit cards accepted and financing options available

"This sale, service, or rental is exclusively subject to and governed by the Terms and Conditions of Sale referred to in the related quotation and at <https://www.seilergeo.com/general-terms-and-conditions/> which are hereby incorporated by reference "

APPROVAL	REQUEST FOR COUNCIL ACTION	MEETING DATE January 21, 2020
REPORTS & RECOMMENDATIONS	AUTHORIZE STAFF TO SOLICIT DPW EQUIPMENT CONSIDERED IN THE 2020 HIGHWAY EQUIPMENT REPLACEMENT AND CAPITAL OUTLAY FUNDS AND FOR THE BOARD OF PUBLIC WORKS TO REVIEW & APPROVE	ITEM NUMBER M. 1.(d)

BACKGROUND

Within the approved 2020 Public Works Department budget, in the Equipment Replacement and Capital Outlay Funds, is the replacement of the following pieces of equipment:

- One (1) 3/4 -Ton Pickup Truck- Capital Outlay Funds
- One (1) Stainless Steel V-box Salt Spreader- Capital Outlay Funds
- One (1) Tandem Axle Dump Truck with Snowplow, Patrol Wing, and Salt Spreader- Equipment Replacement Fund
- One (1) 1-Ton 4x4 with dump box, plow, and spreader- Equipment Replacement Fund
- One (1) Pickup or SUV, 4-wheel drive- Equipment Replacement Fund
- One (1) Hydraulic Excavator- Equipment Replacement Fund
- One (1) Portable Air Compressor- Equipment Replacement Fund

As past practice, price quotes will be requested. Received quotes will be reviewed and approved by the Board of Public Works.

ANALYSIS

The 2020 budget anticipated:

1. *3/4 Ton Pickup Truck. Amount approved in the 2020 budget for this item is \$45,000.00.
2. *Stainless Steel V-box Salt Spreader. Amount approved in the 2020 budget for this item is \$24,500.00.
3. Tandem Axle Dump Truck w/Snowplow, Patrol Wing, and Salt Spreader. Amount approved in the 2020 budget for this item is \$240,000.00.
4. One Ton 4x4 with Dump Box, Plow, and Spreader. Amount approved in the 2020 budget for this item is \$93,000.00.
5. Pick-up or SUV. Amount approved in the 2020 budget for this item is \$47,000.00.
6. Hydraulic Excavator. Amount approved in the 2020 budget for this item is \$197,000.00.
7. Portable Air Compressor. Amount approved in the 2020 budget for this item is \$32,000.00.

*Note: Items 1 and 2 are the from Capital Outlay Funds and Finance would prefer to see these items purchased later this year

OPTIONS

- (A) Authorize Staff to solicit all of the above equipment for the Board of Public Works to review and approve. Or
- (B) Authorize Staff to solicit only the items found in the Equipment Replacement Fund (items 3-7), and have the Board of Public Works review and approve when available; or
- (C) Authorize Staff to solicit the items found in the Equipment Replacement Fund (items 3-7) now and the items found in Capital Outlay Fund (Items 1-2) when Director of Finance advises Staff that there are sufficient funds available, and have the Board of Public Works review and approve when available, or
- (D) Provide other direction to Staff

FISCAL NOTE

These purchases are included in the 2020 approved budget as indicated above.

RECOMMENDATION

Authorize Staff to solicit bids for the replacement equipment now and the capital outlay funds when available. The Board of Public Works would review and approve when appropriate.

COUNCIL ACTION REQUESTED

(Option C) Direct Staff to solicit bids for the replacement equipment now and the capital outlay funds when available. The Board of Public Works would review and approve when appropriate.

DPW:KS & GEM

APPROVAL	REQUEST FOR COUNCIL ACTION	MEETING DATE 01-21-20
REPORTS & RECOMMENDATIONS	Reschedule Common Council Meetings Due to Spring Elections	ITEM NUMBER G.I.(e)

The Common Council shall reschedule the following Common Council meetings:

February 18, 2020 to February 17, 2020 and April 7, 2020 to April 6, 2020 due to the Spring Elections.

COUNCIL ACTION REQUESTED

Motion to reschedule the Common Council meeting of February 18, 2020 and April 7, 2020 due to the Spring Elections to February 17, 2020 and April 6, 2020.

OR

As directed.

CLERKDEPT

APPROVAL <i>Slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE <i>1/21/2020</i>
REPORTS & RECOMMENDATIONS	FRANKLIN POLICE DEPARTMENT DONATIONS	ITEM NUMBER <i>G.I.(f)</i>
<p>The Franklin Police Department has received the following donation:</p> <p><u>General Police Donation</u> Daniel & Sandra Hay - \$3000.00</p> <p>COUNCIL ACTION REQUESTED</p> <p>Respectfully request that the above donations be approved for deposit into the Police Donation account.</p>		

APPROVAL <i>slw</i> <i>pk</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE JAN 21, 2020
REPORTS & RECOMMENDATIONS	List of Donations for October, November, & December 2019 to Police, Fire, and Parks	ITEM NUMBER <i>G.I. (9)</i>

Background

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

COUNCIL ACTION REQUESTED

Motion to acknowledge and accept donations received during Oct, Nov., & Dec. 2019 to the Police, Fire, and Parks.

City of Franklin, WI
Donations
Oct 1, 2019 to Dec 31, 2019

		Reference #	Credits
Fund 28 DONATIONS FUND			
12/26/2019	HAY, DANIEL FIRE DONATION-MISCELLANEOUS	150904	3,000.00
10/02/2019	FRANKLIN POLICE CITIZEN ACADEMY ALU	148582	5,000.00
12/16/2019	SIEVERT, ELAINE CANINE DONATIONS-POLIC	150584	200.00
	Total		5,200.00
10/15/2019	SPANG, ROSE	148895	200.00
12/16/2019	WALMART	150586	5,000.00
12/26/2019	HAY, DANIEL Other Police Donations	150904	3,000.00
	Total		8,200.00
10/23/2019	BRENWOOD RESIDENTS FIRE PREVENTION DONATION	149190	1,020.25
	DONATN-KAYLA PLAYGRD		
10/08/2019	RUELLE, LYNN	148715	80.00
10/08/2019	GLAESNER, CHERYL	148727	80.00
10/16/2019	MILLIES, MICHAEL	148956	40.00
10/21/2019	MITTAG, EDWARD	149115	40.00
10/21/2019	MITTAG, EDWARD	149115	40.00
10/21/2019	MITTAG, EDWARD	149115	40.00
10/30/2019	MILLS, NATALIE	149411	40.00
10/30/2019	MILLS, NATALIE	149412	40.00
10/30/2019	FINNEGAN, HEATHER	149413	40.00
10/30/2019	MURPHY, MARK Kayla's Playground	149415	40.00
	Total		480.00
TOTAL FOR FUND 28 DONATIONS FUND			17,900.25

APPROVAL <i>Skw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE January 21, 2020
REPORTS & RECOMMENDATIONS	Project Updates for Ballpark Commons	ITEM NUMBER <i>G.2.</i>

Representatives from Ballpark Commons will present an update on the development.

COUNCIL ACTION REQUESTED

No action requested. This presentation is only for providing updates on the Ballpark Commons project.

APPROVAL <i>Slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE January 21, 2020
Reports and Recommendations	Authorize the Director of Health and Human Services to transition the 0.8 part time Registered Sanitarian position to a full-time position beginning March 1, 2020.	ITEM NUMBER <i>A.3.</i>
<p>Background: The Franklin Health Department has been an Agent for the Wisconsin Department of Agriculture, Trade, and Consumer Protection since 2007 conducting the licensing and inspection services for all food, hotel, motel, and public pools within the community. With increases in the number of establishments coming to Franklin as well as more special events and additional requirements from the Agent Program it was determined the Health Department required an increase in Sanitarian staff to ensure food, water, and lodging safety. A request was granted in the 2020 Franklin Budget to add an additional part time Sanitarian to the Health Department.</p> <p>Analysis: In looking at vacancies for similar positions across the region and the State it is clear that the part time Registered Sanitarian position has been difficult to fill and retain long term. At the same time a current staff member expressed interest in increasing hours to become full time. Increasing the hours of the current Registered Sanitarian will provide continuity of services to our clients, eliminate the time that would be needed to onboard a new hire, increase retention to the position, and allow for greater coverage of all environmental health concerns addressed in the personnel request submitted with the most recent budget. This change will also generate a small cost saving to the City.</p> <p>Options: 1. Allow the change in Health Department Personnel by removing the 0.5 position added in the 2020 budget and allowing the current Registered Sanitarian to move from part time to full time. 2. Decline the request and continue with the projected 2020 Health Department Personnel Budget</p> <p>Recommendation: The Director of Health and Human Services recommends allowing the changes within the Health Department by removing the part time position added in the 2020 Budget and transitioning the current part time Registered Sanitarian to a full-time position.</p> <p>Fiscal Note: The adopted personnel budget for the Health Department in 2020 with the addition of the part time Registered Sanitarian is \$628,585. With the removal of this part time position, and the change to allow the current Registered Sanitarian as a full-time position, the new personnel budget would be \$613,108 with a cost savings of \$15,477.</p>		

COUNCIL ACTION REQUESTED

The Director of Health and Human Services requests a motion to authorize the transition of the part time Registered Sanitarian position to a full-time position beginning March 1, 2020.

Health Department: CD

APPROVAL <i>Slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE January 21, 2020
Reports and Recommendations	Ordinance Amendment to update Chapter 169, License and Permits associated with the Health Department	ITEM NUMBER H.4.

Background: The Health Department acts as an agent for the State of Wisconsin Department of Agriculture and Consumer Protection (DATCP) to license and inspect all local food, lodging, and public water attraction facilities. Various fees fund these Health Department inspection services. While licensing fees were updated in 2018, the fees associated with inspections, late fees, and duplicate licensing have not been addressed since their inception in 2009. Likewise, new types of establishments are now licensed under the Agent Contract where fees have not been previously established.

Analysis: Certain types of inspection services can take anywhere from 4-8 hours per occurrence per vendor based on their complexity including Plan Review, Pre-Inspection, and Reinspection. As Franklin continues to expand commercially and welcome special events and mobile food vendors to the area the need for these services by the Sanitarian staff continues to increase.

Our State Agent contract also requires the Sanitarians to inspect and license the following categories of business; micro markets, tourist rooming houses, bed and breakfasts, as well as educational and temporary campgrounds. These types of businesses have not yet been identified within Franklin, however to be proactive we are requesting to add licensing and inspection fees for them now as a proactive measure.

These additions and changes are not meant to be punitive to businesses in Franklin, but rather to encourage the vendors to abide by the terms and conditions of the license they are requesting, the appropriate State regulations for that license, as well as appropriately compensate the Health Department staff for the time invested and quality of the food, lodging, and water safety services they provide.

- Options:**
1. Approve the proposed ordinance amendment to update Chapter 169 License and Permits
 2. Reject the proposed ordinance amendment to update Chapter 169 License and Permits

Recommendation: The Director of Health and Human Services recommends approval of the ordinance amendment to update Chapter 169, License and Permits.

Fiscal Note: The 2020 City of Franklin Budget approved additional staffing for the Health Department to assist with the increase in licensed establishment requests within the community. The proposed changes will assist in allowing the health department inspection services to remain funded through these fees and ensure proper licensing and inspection.

COUNCIL ACTION REQUESTED

The Director of Health and Human Services requests approval of the ordinance amendment to update Chapter 169, License and Permits associated with the Health Department

Health Department: CD

Franklin Chapter 169, Licenses and Permits

Ch. 138 Health Department

[Amended 12-1-1998 by Ord No 98-1521, 12-15-1998 by Ord No 98-1526, 2-3-2009 by Ord No 2009-166, 4-7-2009 by Ord No 2009-1969, 11-18-2014 by Ord No 2014-2154, 6-6-2017 by Ord No 2017-2275, 4-2-2018 by Ord No 2018-2320]

Retail Food Establishment Annual License Fees	Current Fees	Proposed Fees
Food sales greater than \$1 million and process potentially hazardous foods (TCS foods)	\$1,514.50	no change
Food sales at least \$25,000 and less than \$1 million and process potentially hazardous foods (TCS foods)	\$733.50	no change
Food sales of at least \$25,000 and processes non-potentially hazardous foods (non-TCS foods)	\$503.00	no change
Food sales less than \$25,000 and processes food - potentially hazardous (TCS foods) or non-potentially hazardous food (non-TCS foods)	\$256.00	no change
Not engaged in food processing	\$219.50	no change

Retail Food Establishment Pre-Inspection Fees	Current Fees	Proposed Fees
Food sales greater than \$1 million and process potentially hazardous foods (TCS foods)	\$445.00	\$460.00
Food sales at least \$25,000 and less than \$1 million and process potentially hazardous foods (TCS foods)	\$210.00	\$225.00
Food sales of at least \$25,000 and processes non-potentially hazardous foods (non-TCS foods)	\$145.00	\$160.00
Food sales less than \$25,000 and processes food - potentially hazardous (TCS foods) or non-potentially hazardous food (non-TCS foods)	\$115.00	\$130.00
Not engaged in food processing	\$75.00	\$90.00

Retail Food Establishment Reinspection Fee	Current Fees	Proposed Fees
Food sales greater than \$1 million and process potentially hazardous foods (TCS foods)	\$250.00	\$280.00
Food sales at least \$25,000 and less than \$1 million and process potentially hazardous foods (TCS foods)	\$200.00	\$230.00
Food sales of at least \$25,000 and processes non-potentially hazardous foods (non-TCS foods)	\$150.00	\$180.00
Food sales less than \$25,000 and processes food - potentially hazardous (TCS foods) or non-potentially hazardous food (non-TCS foods)	\$125.00	\$155.00
Not engaged in food processing	\$75.00	\$105.00

Restaurant/Mobile Annual License Fees	Current Fees	Proposed Fees
Prepackaged	\$315.50	no change
Simple Full Service	\$460.00	no change
Moderate Full Service	\$505.00	no change
Complex Full Service	\$711.00	no change
Additional Prep Area	\$120.00	no change

Restaurant Pre-Inspection Fees	Current Fees	Proposed Fees
Prepackaged	\$115.00	\$130.00
Simple Full Service	\$150.00	\$165.00
Moderate Full Service	\$250.00	\$265.00
Complex Full Service	\$350	\$365.00

Restaurant Reinspection Fees	Current Fees	Proposed Fees
Prepackaged	\$125.00	\$155.00
Simple Full Service	\$150.00	\$180.00
Moderate Full Service	\$200.00	\$230.00
Complex Full Service	\$250.00	\$280.00

Restaurant and Retail Miscellaneous License/Service Fees	Current Fees	Proposed Fees
Operating without a license	\$749.00	no change
Operating without a certified food manager	\$150.00	no change
Late License Application	\$85.00	\$100.00
Duplicate License	\$15.00	\$20.00

Temporary and Mobile Licenses and Fees	Current Fees	Proposed Fees
Mobile Retail License Fee (Franklin Only)	\$170.00	no change
Temporary Restaurant License Fee (Franklin Only)	\$170.00	no change
Mobile Retail Inspection Fee (State)	\$75	no change
Mobile Restaurant Inspection Fee (State)	\$125.00	no change
Temporary Restaurant Inspection Fee (State)	\$125.00	no change
Late Application Fee	\$85.00	\$100.00
Retail Service Base License Fee	\$150.00	\$175.00

School Kitchen/Department of Public Instruction Fees	Current Fees	Proposed Fees
Production kitchen site	\$579.00	no change
Satelite kitchen site	\$243.00	no change
School pre-inspection	\$250.00	no change
School reinspection	\$200.00	no change

Swimming Pool License and Fees	Current Fees	Proposed Fees
Swimming Pool License	\$465.00	no change
Swimming Pool Pre-Inspection	\$150.00	\$165.00
Swimming Pool Reinspection	\$125.00	\$155.00
Swimming Pool Late Application	\$85.00	\$100.00
Swimming Pool Duplicate License	\$15.00	\$20.00
Whirlpool License	\$465.00	no change
Operating Without a License	\$749.00	no change

Hotel/Motel Licenses and Fees	Current Fees	Proposed Fees
Hotel/Motel Base License (5-30 rooms)	\$404.00	no change
Hotel/Motel Base License (31-99 rooms)	\$558.00	no change
Hotel/Motel Base License (100-199 rooms)	\$738.00	no change
Hotel/Motel Base License (200+ rooms)	\$900.00	no change
Hotel/Motel Pre-Inspection	\$380.00	\$395.00
Hotel/Motel Reinspection	\$230.00	\$260.00
Hotel/Motel Late Application	\$85.00	\$100.00
Hotel/Motel Duplicate License	\$15.00	\$20.00
Operating Without a License	\$749.00	no change

New Fees	Current Fees	Proposed Fees
Micro Market License Single Location	N/A	\$44.00
Micro Market License Multiple Locations	N/A	\$66.00
Bed & Breakfast License	N/A	\$195.00
Bed & Breakfast Pre-Inspection	N/A	\$75.00
Tourist Rooming Houses License	N/A	\$165.00
Tourist Rooming House Pre-Inspection	N/A	\$75.00
Educational Campground License	N/A	\$200.00
Educational Campground Pre-Inspection	N/A	\$85.00
Temporary Campground License	N/A	\$200.00
Temporary Campground Pre-Inspection	N/A	\$85.00
Repeat Plan Review Charge (per occurrence)	N/A	\$100.00

ORDINANCE NO. 2020 - _____

AN ORDINANCE TO AMEND § 169-1 OF THE MUNICIPAL CODE, "LICENSES REQUIRED" TO
UPDATE THE HEALTH DEPARTMENT LICENSE CATEGORIES AND FEES AS REFERRED TO
BY § 138-28 OF THE MUNICIPAL CODE, "FEES."

WHEREAS, § 138-28. of the Municipal Code of the City of Franklin provides that "[t]he fees for licensure and for services and activities performed by the Health Department in carrying out its responsibilities under this code shall be determined by ordinance of the Common Council, as may be modified from time to time as it so shall determine, and shall be set forth in Chapter 169 of this code"; and

WHEREAS, the Common Council having found and determined that such amendment is necessary to correct identified omission and allow the Health Department to update its application forms, which is part of its operating budget.

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

SECTION 1: § 169-1. of the Municipal Code of the City of Franklin, Wisconsin, is hereby amended, under the section indicating fees for Chapter 138, entitled "Health Department" to read as follows:

"Retail Food Establishment Annual License Fees

Food sales greater than \$1 million and process potentially hazardous foods (TCS foods)	\$1,514.50
Food sales at least \$25,000 and less than \$1 million and process potentially hazardous foods (TCS foods)	\$733.50
Food sales of at least \$25,000 and processes non-potentially hazardous foods (non-TCS foods)	\$503.00
Food sales less than \$25,000 and processes food - potentially hazardous (TCS foods) or non-potentially hazardous food (non-TCS foods)	\$256.00
Not engaged in food processing	\$219.50
Micro Market Single Location	\$44.00
Micro Market Multiple Locations	\$66.00

Retail Food Establishment Pre-Inspection Fees

Food sales greater than \$1 million and process potentially hazardous foods (TCS foods)	\$460.00
Food sales at least \$25,000 and less than \$1 million and process potentially hazardous foods (TCS foods)	\$225.00

Food sales of at least \$25,000 and processes non-potentially hazardous foods (non-TCS foods)	\$160.00
Food sales less than \$25,000 and processes food - potentially hazardous (TCS foods) or non-potentially hazardous food (non-TCS foods)	\$130.00
Not engaged in food processing	\$90.00
Retail Food Establishment Reinspection Fees	
Food sales greater than \$1 million and process potentially hazardous foods (TCS foods)	\$280.00
Food sales at least \$25,000 and less than \$1 million and process potentially hazardous foods (TCS foods)	\$230.00
Food sales of at least \$25,000 and processes non-potentially hazardous foods (non-TCS foods)	\$180.00
Food sales less than \$25,000 and processes food - potentially hazardous (TCS foods) or non-potentially hazardous food (non-TCS foods)	\$155.00
Not engaged in food processing	\$105.00
Restaurant/Mobile License Fees	
Prepackaged	\$315.50
Simple Full Service	\$460.00
Moderate Full Service	\$505.00
Complex Full Service	\$711.00
Additional Prep Area	\$120.00
Restaurant Pre-Inspection Fees	
Prepackaged	\$130.00
Simple Full Service	\$165.00
Moderate Full Service	\$265.00
Complex Full Service	\$365.00
Restaurant Reinspection Fees	
Prepackaged	\$155.00
Simple Full Service	\$180.00
Moderate Full Service	\$230.00
Complex Full Service	\$280.00
Restaurant and Retail Miscellaneous License/Service Fees	
Operating without a license	\$749.00
Operating without a certified food manager	\$150.00
Late License Application	\$100.00
Duplicate License	\$20.00

Mobile and Temporary Licenses and Fees	
Mobile Retail License Fee	\$170.00
Temporary Restaurant License Fee	\$170.00
Mobile Retail Inspection Fee	\$75.00
Mobile Restaurant Inspection Fee	\$125.00
Temporary Restaurant Inspection Fee	\$125.00
Late Application Fee	\$100.00
Retail Service Base License Fee	\$175.00
School Kitchen/Department of Public Instruction Fees	
Production kitchen site	\$579.00
Satellite kitchen site	\$243.00
School pre-inspection	\$250.00
School reinspection	\$200.00
Swimming Pool License and Fees	
Swimming Pool License	\$465.00
Swimming Pool Pre-Inspection	\$165.00
Swimming Pool Reinspection	\$155.00
Swimming Pool Late Application	\$100.00
Swimming Pool Duplicate License	\$20.00
Whirlpool License	\$465.00
Operating Without a License	\$749.00
Lodging Establishment License Fees	
Tourist Rooming House License	\$165.00
Tourist Rooming House Pre-Inspection	\$75.00
Bed and Breakfast License	\$195.00
Bed and Breakfast Pre-Inspection	\$75.00
Hotel/Motel Base License (5-30 rooms)	\$404.00
Hotel/Motel Base License (31-99 rooms)	\$558.00
Hotel/Motel Base License (100-199 rooms)	\$738.00
Hotel/Motel Base License (200+ rooms)	\$900.00
Hotel/Motel Pre-Inspection	\$395.00
Hotel/Motel Reinspection	\$260.00
Educational Campground License	\$200.00
Educational Campground Pre-Inspection	\$85.00
Temporary Campground License	\$200.00
Temporary Campground Pre-Inspection	\$85.00
Late Application	\$100.00
Duplicate License	\$20.00
Operating Without a License	\$749.00

Plan Review

Repeat Plan Review Charge (per occurrence)

\$100.00

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

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

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

Introduced at a regular meeting of the Common Council of the City of Franklin this _____ day of January, 2020, by _____.

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


APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk


AYES _____ NOES _____ ABSENT _____

APPROVAL 	REQUEST FOR COUNCIL ACTION	MEETING DATE 1/21/2020
REPORTS & RECOMMENDATIONS	Franklin Senior Citizens, Inc. Program Update	ITEM NUMBER N.5.
<p>At their February 17, 2015 meeting, the Common Council directed that the Franklin Senior Citizens, Inc. organization attend and give a status update on the organization semi-annually (January and July). Attached is correspondence on 2019 statistics and activities of the Franklin Senior Citizens, Inc. organization.</p> <p>Their activities are funded through the City's general "Recreation" operating fund. For 2019, \$10,000 was adopted for supporting the Franklin Senior Citizens, Inc. activities; which include funding a portion of the cost of their monthly business meeting luncheon at Root River Center, a monthly social luncheon at Brenwood Park Senior Apartments (minus the Seniors co-pay of \$2 each), and miscellaneous operating supply costs and IT tech room support services.</p> <p>For 2019, \$8,411.12 was expended from the \$10,000 City adopted budget for Senior Citizen Activities, leaving an unspent balance of \$1,589 (see attached spreadsheet). A general breakout is as follows: Monthly Business Luncheon, \$5,563.54; Monthly Social Luncheon, \$1,526.92; Supplies, IT Tech Support Services, and Other Expenses, \$1,320.66.</p> <p>Mr. Fred Knueppel, President of the Franklin Senior Citizens, Inc., will attend the January 21, 2020 Common Council meeting.</p> <p style="text-align: center;">COUNCIL ACTION REQUESTED</p> <p>This item is being provided at the direction of the Common Council for its information. No action is being requested.</p>		

Breakdown of Reported Expenditures and Reimbursement by City

\$10,000

Remaining Balance for 2019	\$1,588.88
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APPROVAL 	REQUEST FOR COUNCIL ACTION	MEETING DATE 1/21/2020
REPORTS & RECOMMENDATIONS	Franklin Senior Citizens Travel Program Update for 2019 Year End	ITEM NUMBER 13.6.

To fulfill the June 19, 2007 directive of the Common Council requesting that an update of the Franklin Seniors Travel Program be prepared semi-annual, attached is correspondence from Mr. Basil Ryan on January through December 2019 trip statistics and activities.

The 2019 adopted budget for the Senior Travel Program was \$12,000. At their meeting of May 7, 2019, the Council directed the Finance Director to bring forward a 2019 budget modification to re-appropriate \$1,450 of unused 2018 appropriations, establishing a total 2019 budget for the Senior Travel Program of \$13,450.

Per the attached report from Mr. Basil Ryan, seven (7) trips were taken for the period January 1, 2019 through December 31, 2019 where the bus transportation for each was paid by the City, expending \$13,560 against the \$13,450 Senior Travel Program Budget for 2019, over spending by \$110.

Per Mr. Ryan's letter, due to the tremendous attendance, the travel program budget for 2019 experienced a shortage of \$1,550: \$110 as noted above and another \$1,440 invoice paid by Mr. Ryan for an extra bus needed for the August 28, 2019 trip. Mr. Ryan is hopeful that the City will reimburse the remaining \$1,440 shortfall.

The City's "Recreation" General Fund operating budget consists of both the Senior Citizen Travel account for \$13,450 and the Senior Citizen Activities account for \$10,000 - a total of \$23,450. For 2019, the Senior Citizen Activities Recreation Operating Account (01.0521.5723) expenditures totaled \$8,411.12, underspent by \$1,589. If the City paid the complete Senior Citizen Travel 2019 expenditure amount of \$15,000, which includes the \$1,550 shortfall, the "Recreation" General Fund operating budget for these two accounts would still have an unspent balance of \$39 (\$23,450 - \$8,411.12 - \$15,000 = \$38.88).

COUNCIL ACTION REQUESTED

Motion to accept and file the Senior Travel Program 2019 year-end report.

OR

Motion to accept and file the Senior Travel Program 2019 year-end report and for the City to pay the full Senior Travel expenditures for 2019 totaling \$15,000, which includes the shortfall amount of \$1,550, from the "Recreation" Senior Citizen Travel account, and to send a letter indicating that such overages may not be covered in the future without prior approval.

January 14, 2020

Mayor and Common Council Members

Franklin City Hall

9229 West Loomis Road

Franklin, WI 53132

Ladies and Gentlemen

The Franklin Senior Travelers submit the following report for July December 2019 activity. Franklin Senior Travelers were active in August, September and November. A variety of trips were held during this period.

August – Best Little Chicken Ranch, White Pines Playhouse, Conover Square Antique Mall, Oregon, IL – 125 seniors

September – Buddy Holly, Fireside Theatre, Fort Atkinson – 131 seniors

November – Andrew & His Sisters-A World War II Tribute, White Pines Playhouse, Oregon, IL – 142 seniors

The Franklin Senior Travel program continues to experience tremendous success and growth with many **NEW Franklin seniors** participating on trips for the first time. The program has seniors with varying interests and the program tries to cater to all of their concerns and needs.

The Franklin Senior Travelers 2019 budget is \$12,000 plus \$1,450 carry over from 2018 for a total of \$13,450. At the mid-year report, \$7,230 was remaining in the budget with six months to go but only three trips planned prior to year-end. It was anticipated that the travel program participation would be extremely successful, requiring three buses for each trip. These attendance numbers speak volumes to the success of the program and the increased participation of the Franklin senior community. The Franklin seniors are limited to fewer trips because of the overwhelming response of the Franklin senior community involvement on trips. The number of Franklin senior participants on the last three trips clearly demonstrates that problem. It's a nice problem to have, but you can see that the program's growth is limited because of its financial constraints.

Every year the Franklin Senior Travelers have requested an increase to accommodate the growing success of the program. As a result of the tremendous attendance in 2019, the travel program budget experienced a shortage of \$1,550. We hope the City of Franklin will reimburse the shortfall.

The City of Franklin should be proud of the partnership's success. There are more great trips planned for our Franklin seniors in 2020. Franklin Senior Travelers, along with the help of the City of Franklin, look forward to continued success in providing Franklin's seniors with affordable trips. These trips allow seniors to look forward to new activities, being involved, and sharing their experiences with other Franklin seniors.

Sincerely,

Basil Ryan

Franklin Senior Travelers

Attachment

2019 FRANKLIN SENIOR TRAVELERS BUS TRANSPORTATION BUDGET

Date	Trip Description	Bus Cost	Paid By	Balance
				13,450
1/16/2019	Legends of Country, Fireside	1,720	City of Franklin	11,730
February	NO TRIP - BUDGET CONSTRAINTS	N/A		N/A
3/13/2019	My Fair Lady, Fireside	1,720	City of Franklin	10,010
4/30/2019	Beat It! Back to 80's, Sunset Playhouse	1,060	City of Franklin	8,950
5/30/2019	That's What I Call Rock & Roll, Fireside	1,720	City of Franklin	7,230
June	NO TRIP - BUDGET CONSTRAINTS	N/A		N/A
July	NO TRIP - BUDGET CONSTRAINTS	N/A		N/A
8/28/2019	Best Little Chicken Ranch, White Pines Playhouse	1,940	City of Franklin	5,290
"	" " "	1,440		3,850
9/25/2019	Buddy Holly, Fireside	2,490	City of Franklin	1,360
October	NO TRIP - BUDGET CONSTRAINTS	N/A		N/A
11/6/2019	Andrew & His Sisters, World War II Tribute	2,910	City of Franklin	-1,550
December	NO TRIP - BUDGET CONSTRAINTS	N/A		N/A
YEAR-END TOTAL				(-1,550)
2019 budget is \$12,000				
TOTAL 2019 budget including 2018 carry over \$13,450				



Thank you for choosing Go Riteway! Below is a receipt of the charges for your trip.

Name.	FRANKLIN SENIOR TRAVELLERS
Passengers:	33
Direction.	Bus Charter
Pickup Location	Franklin 53132
Dropoff Location	Illinois
Pickup Date	Wednesday August 28 2019
Pickup Time.	08:00 AM
Reservation Number:	2541588

Base Fare:	\$1315.00
Fuel Surcharge:	25.00
Gratuitty:	100.00

Total Fare: \$1440.00

Amount \$1440.00 Date 08/23/19 09:27

Important Information.

This is a receipt only. Please read your confirmation email for important arrival and departure instructions and our cancellation policy.

Rep: Daniel

APPROVAL <i>slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 01/21/20
REPORTS & RECOMMENDATIONS	AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE TEXT AT TABLE 15-3.0603 STANDARD INDUSTRIAL CLASSIFICATION TITLE NO. 7999 “AMUSEMENT AND RECREATION SERVICES, NOT ELSEWHERE CLASSIFIED”, TO ALLOW FOR SUCH USE AS A SPECIAL USE IN THE B-2 GENERAL BUSINESS DISTRICT, B-3 COMMUNITY BUSINESS DISTRICT AND THE B-4 SOUTH 27TH STREET MIXED-USE COMMERCIAL DISTRICT (LINDA B. SCHERRER, RYT200 (REGISTERED YOGA TEACHER AT THE 200 HOUR LEVEL), RMT (REIKI MASTER TEACHER), CERTIFIED ESSENTIAL OILS COACH (ANCIENT APOTHECARY & YOUNG LIVING OILS), OWNER OF INNER WISDOM & WELLNESS, LLC, APPLICANT, BETTY BUSS, PROPERTY OWNER)	ITEM NUMBER 6, 7.
<p>At the January 9, 2020, regular meeting, the Plan Commission carried a motion to recommend approval of an Ordinance to amend the Unified Development Ordinance text at table 15-3.0603 standard industrial classification title No. 7999 “amusement and recreation services, not elsewhere classified”, to allow for such use as a Special Use in the B-2 General Business District, B-3 Community Business District and the B-4 South 27th Street Mixed-Use Commercial District.</p> <p style="text-align: center;">COUNCIL ACTION REQUESTED</p> <p>A motion to adopt Ordinance 2020-_____, to amend the Unified Development Ordinance text at table 15-3.0603 standard industrial classification title No. 7999 “amusement and recreation services, not elsewhere classified”, to allow for such use as a Special Use in the B-2 General Business District, B-3 Community Business District and the B-4 South 27th Street Mixed-Use Commercial District.</p>		

STATE OF WISCONSIN

CITY OF FRANKLIN

MILWAUKEE COUNTY

[Draft 12-31-19]

ORDINANCE NO. 2020-_____

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE TEXT AT TABLE 15-3.0603 STANDARD INDUSTRIAL CLASSIFICATION TITLE NO. 7999 “AMUSEMENT AND RECREATION SERVICES, NOT ELSEWHERE CLASSIFIED”, TO ALLOW FOR SUCH USE AS A SPECIAL USE IN THE B-2 GENERAL BUSINESS DISTRICT, B-3 COMMUNITY BUSINESS DISTRICT AND THE B-4 SOUTH 27TH STREET MIXED-USE COMMERCIAL DISTRICT

(LINDA B. SCHERRER, RYT200 (REGISTERED YOGA TEACHER AT THE 200 HOUR LEVEL), RMT (REIKI MASTER TEACHER), CERTIFIED ESSENTIAL OILS COACH (ANCIENT APOTHECARY & YOUNG LIVING OILS), OWNER OF INNER WISDOM & WELLNESS, LLC, APPLICANT, BETTY BUSS, PROPERTY OWNER)

WHEREAS, Table 15-3.0603 of the Unified Development Ordinance sets forth the permitted and special uses in the nonresidential zoning districts; and

WHEREAS, Linda B. Scherrer, RYT200, RMT, Certified Essential Oils Coach, owner of Inner Wisdom & Wellness, LLC having applied for a text amendment to Table 15-3.0603 Standard Industrial Classification Title No. 7999 “Amusement and recreation services, not elsewhere classified”, to allow for such use as a Special Use in the B-2 General Business District, B-3 Community Business District and the B-4 South 27th Street Mixed-Use Commercial District; and

WHEREAS, the Plan Commission having reviewed the proposed amendment to allow for Standard Industrial Classification Title No. 7999 “Amusement and recreation services, not elsewhere classified”, as a Special Use in the B-2 General Business District, B-3 Community Business District and the B-4 South 27th Street Mixed-Use Commercial District, and having held a public hearing on the proposal on the 9th day of January, 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 is consistent with the 2025 Comprehensive Master Plan of the City of Franklin, Wisconsin and will serve to further orderly growth and development and promote the health, safety and welfare of the Community.

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

SECTION 1: Table 15-3.0603 of the Unified Development Ordinance of the Municipal Code of the City of Franklin, Wisconsin, only as it pertains

to. Standard Industrial Classification Title No. 7999 "Amusement and recreation services, not elsewhere classified", is hereby amended as follows: insert "S" (Special Use) in the B-2, B-3 and the B-4 column.

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

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

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

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



REPORT TO THE PLAN COMMISSION

Meeting of January 9, 2020

Unified Development Ordinance text amendment and Special Use

RECOMMENDATION: City Development Staff recommends approval of the proposed Unified Development Ordinance (UDO) text amendment and Special Use application submitted by Inner Wisdom and Wellness, LLC.

Project Name:	Inner Wisdom and Wellness, Yoga studio.
Project Address:	City-wide (UDO text amendment). 7127 S 76 th Street (Special Use).
Applicant:	Linda Scherrer. Inner Wisdom and Wellness, LLC.
Property Owner:	Betty Buss. Franklin Village Properties, LLC.
Zoning:	B-3 – Community Business District.
2025 Future Land Use:	Commercial
Use of Surrounding Properties:	Commercial (B-2 General Business District, B-3 Community Business District and Planned Development District No. 16).
Applicant's Action Requested:	Approval of the proposed UDO text amendment and Special Use.

INTRODUCTION:

On November 13, 2019, Linda Scherrer of Inner Wisdom and Wellness, LLC submitted applications for Unified Development Ordinance text amendment and Special Use related to a proposed Yoga Studio at 7127 S 76th Street.

UNIFIED DEVELOPMENT ORDINANCE (UDO) TEXT AMENDMENT:

The applicant is requesting to amend the UDO Table 15-3.0603, specifically changing the Standard Industrial Classification (SIC) Code 7999 "Amusement and Recreation Services, Not Elsewhere Classified" from Not Permitted to Special Use in the B-2, B-3 and B-4 zoning districts. Said SIC code contains a broad range of recreational uses, including but not limited to bathing beaches, swimming pools, riding academies and schools, carnival operation, exposition operation, horse shows, picnic grounds operation, rental of rowboats and canoes, shooting galleries and yoga instruction.

It is noted that the proposed text amendment, if granted, would apply to all properties in the City of Franklin zoned B-2 General Business District, B-3 Community Business District and B-4 South 27th Street Mixed Use Commercial District. Please see the locator map of areas in the City of Franklin zoned B-2, B-3 and B-4 (included).

Table 15-3.0603 of the Unified Development Ordinance (UDO) sets forth those uses which are permitted and special uses in all nonresidential zoning districts in the City of Franklin. Use

designations are based on the Standard Industrial Classification Manual (1987, or latest edition) published by the Executive Office of the President, Office of Management and Budget. The description and example of uses of the SIC codes which are the subject of this proposed Text Amendment have been included in the Plan Commission packets.

The SIC Title 7999 “Amusement and Recreation Services, Not Elsewhere Classified” is from Division I. Services and Major Group 79: Amusement and Recreation Services. This SIC code encompasses a broad range of recreational uses, as discussed above. Some of these uses such as Judo, Karate and Yoga instruction are similar to those uses under SIC Title 7991 “Physical Fitness Facilities” which are defined as “establishments primarily engaged in operating reducing and other health clubs, spas, and similar facilities featuring exercise and other active physical fitness conditioning”. SIC Title 7991 is permitted in the B-4 district and may be permitted in the B-2 and B-3 districts through a special use application.

The “Special Use” review process, allows such requests to be brought forward to the Plan Commission and Common Council for individual review, this process would help to ensure compatibility of land uses under SIC Title 7999 with the B-2, B-3 and B-4 districts throughout the City. Such items such as size of operation, hours of operations, amount of storage permitted on-site, and other items which may affect the general health, safety and welfare may better be upheld. Therefore, *Staff recommends approval of the proposal to designate SIC Title No. 7999 as special use in the B-2, B-3 and B-4 districts.*

SPECIAL USE:

This application is sought to allow for the operation of a yoga and reiki business in the Franklin Village multi-tenant building located in the B-3 Community Business District, unit 7127 with 1,546 square feet of floor area. This special use request is subject to the approval of the concurrent UDO text amendment.

The applicant is not proposing exterior improvements to the site other than a roof sign, to be permitted separately. According to information provided by the applicant, this project includes yoga instruction, reiki and meditation session as well as “essential oils” retail and instruction. The proposed hours of operation are Monday through Saturday.

This proposal is consistent with the City of Franklin 2025 Comprehensive Master Plan (CMP), which identifies the subject property as “Commercial”. Additionally, a yoga studio in the existing multitenant commercial building is consistent with the B-3 district intent, per UDO Section 15-3.0303 the B-3 Community Business District is intended to “provide for relatively large groupings of retail sales and customer service establishments in a community-serving shopping area”.

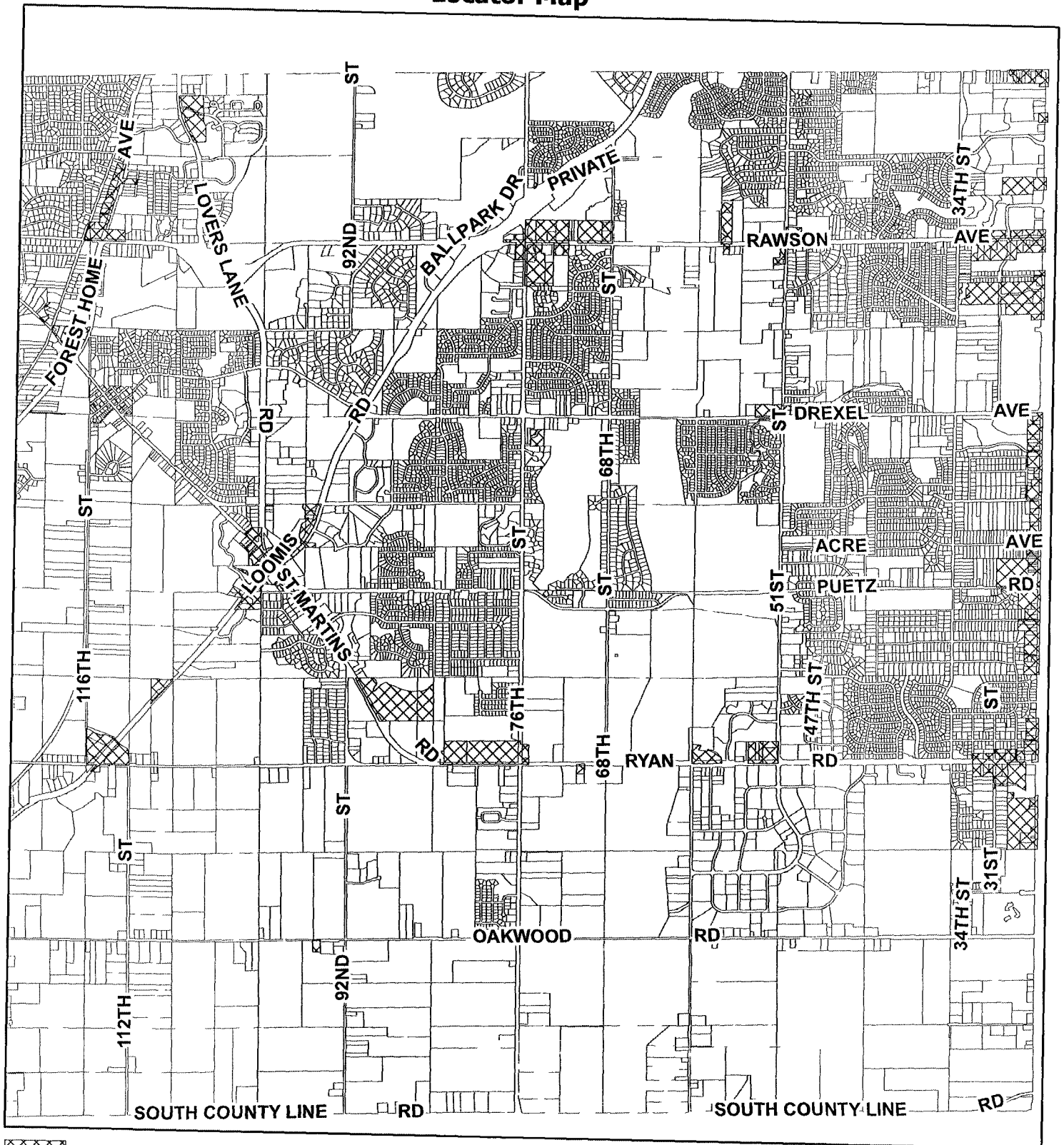
STAFF RECOMMENDATION

City Development Staff recommends approval of a Unified Development Ordinance Text Amendment to Table 15-3.0603 to allow for:

- Standard Industrial Classification Title No. 7999 “Amusement and Recreation Services, Not Elsewhere Classified” as a special use in the B-2 General Business District, B-3 Community Business District and B-4 South 27th Street Mixed Use Commercial District.

If the Unified Development Ordinance Text Amendment is granted, City Development Staff recommends approval of a Special Use to allow for Yoga Instruction at 7127 S 76th Street, subject to the conditions of approval set forth in the attached draft resolution.

Locator Map



 B-2, B-3 and B-4 Zoning Districts

0 0.5 1 2 Miles

1 48,000



Department of City Development
City of Franklin
9229 W Loomis Road
Franklin, WI-53132





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Description for 7999: Amusement and Recreation Services, Not Elsewhere Classified

Division I Services | Major Group 79 Amusement And Recreation Services

Industry Group 799 Miscellaneous Amusement And Recreation

7999 Amusement and Recreation Services, Not Elsewhere Classified

Establishments primarily engaged in the operation of sports, amusement, and recreation services, not elsewhere classified, such as bathing beaches, swimming pools, riding academies and schools, carnival operation, exposition operation, horse shows, picnic grounds operation, rental of rowboats and canoes, and shooting galleries. Establishments primarily engaged in showing or handling animals at shows or exhibitions are classified in Agricultural Services, Industry Group 075.

- Aerial tramways, amusement or scenic
- Amusement concessions
- Amusement rides
- Animal shows in circuses, fairs, and carnivals
- Archery ranges, operation of
- Astrologers
- Baseball instruction schools
- Basketball instruction schools
- Bath houses, independently operated
- Bathing beaches, public
- Betting information services
- Billiard parlors
- Bingo parlors
- Boat rental, pleasure
- Boats, party fishing operation of
- Bookies
- Bookmakers, race
- Bowling instruction
- Bridge club, nonmembership
- Bridge instruction
- Cable lifts, amusement or scenic operated separately from lodges
- Canoe rental
- Card rooms
- Carnival operation
- Cave operation
- Circus companies
- Concession operators, amusement devices and rides
- Day camps
- Exhibition operation
- Exposition operation
- Fairs, agricultural operation of
- Fireworks display service
- Fishing piers ant lakes, operation of
- Fortune tellers

- Gambling establishments not primarily operating coin-operated
- Gambling machines, except coin-operated operation of
- Game parlors, except coin-operated
- Games, teaching of
- Gocart raceway operation
- Gocart rentals
- Golf courses, miniature operation of
- Golf driving ranges
- Golf professionals not operating retail stores
- Golf, pitch-n-putt
- Gymnastics instruction
- Handball courts, except membership club
- Horse shows
- Houseboat rentals
- Hunting guides
- Ice skating rink operation
- Judo instruction
- Karate instruction
- Lifeguard service
- Lotteries, operation of
- Lottery club and ticket sales to individuals
- Moped rental
- Motorcycle rental
- Natural wonders, tourist attraction commercial
- Observation tower operation
- Off-track betting
- Pack trains for amusement
- Parachute training for pleasure
- Phrenologists
- Picnic grounds operation
- Ping pong parlors
- Pool parlors
- Racquetball courts, except membership clubs
- Rental of beach chairs and accessories
- Rental of bicycles
- Rental of golf carts
- Rental of rowboats and canoes
- Rental of saddle horses
- Riding academies and schools
- Riding stables
- River rafting, operation of
- Rodeo animal rental
- Rodeos, operation of
- Roller skating rink operation
- Scenic railroads for amusement
- Schools and camps, sports instructional
- Scuba and skin diving instruction
- Shooting galleries
- Shooting ranges, operation of
- Skating instruction, ice or roller
- Skeet shooting facilities, except membership clubs
- Ski instruction
- Ski lifts, cable lifts, and ski tows operated separately from lodges
- Ski rental concessions
- Slot-car racetracks
- Sporting goods rental
- Sports instructors, professional golf, skiing, swimming, etc.
- Sports professionals
- Swimming instruction
- Swimming pools, except membership
- Tennis clubs, nonmembership
- Tennis courts, outdoor and indoor operation of, nonmembership

- Tennis professionals
- Ticket sales offices for sporting events, contract
- Tourist attractions, natural wonder commercial
- Tourist guides
- Trampoline operation
- Trapshooting facilities, except membership club
- Waterslides, operation of
- Wave pools, operation of
- Wax figure exhibitions
- Yoga instruction

[SIC Search](#) [Division Structure](#) [Major Group Structure](#)

UNITED STATES
DEPARTMENT OF LABOR

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**Response to Staff Comments
Inner Wisdom & Wellness, LLC**

Date: December 26, 2019
To: Department of City Development
From: Linda Scherrer, Inner Wisdom and Wellness, LLC.
RE: Application for Rezoning and Comprehensive Master Plan Amendment

Response to the staff comments are as follows for the Unified Development Ordinance text amendment and Special Use applications for a proposed Yoga Studio at 7127 S 76th Street, submitted on November 13, 2019.

City Development Department comments

- 1. Please review legal description, submitted legal description is referring to Waukesha County.**
Description changed from Waukesha County to Milwaukee County
- 2. The project narrative (pages 2 and 4) indicates that Yoga instruction is under Standard Industrial Classification (SIC) 7991 "Amusement and Recreation Services, Not Elsewhere Classified", please correct the SIC code to 7999.**
Corrected code to 7999
- 3. Please indicate the proposed hours of operation.**
Tentative schedule is as follows:

Inner Wisdom & Wellness Yoga Schedule (tentative)

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
9:00AM-7:00PM Private Yoga, Group Yoga or Reiki by appointment	9 15AM-10:15AM Hatha Yoga 11:00AM-2:00PM Private Yoga, Group Yoga or Reiki by appointment	10 00AM-11 00AM Yin Yoga 12 00AM-2:00PM Private Yoga, Group Yoga or Reiki by appointment	9:15AM-10:15AM Hatha Yoga 11 00AM-2 00PM Private Yoga, Group Yoga or Reiki by appointment	12:00PM-4:00PM Private Yoga, Group Yoga or Reiki by appointment	10:00AM-11 00AM Hatha Yoga 11 30AM-12 30PM Yin Yoga Potential Workshops 1 00PM-4 00PM	CLOSED

4. Please provide square footage of unit 7127.
1,546 sq. ft.

5. Is Yoga instruction the principal use? Are Reiki and meditation sessions, as well as essential oils retail and instruction accessory uses? Please confirm.

Yes, Yoga is the primary use for the space. Reiki, meditation sessions, essential oils retail and instruction are accessory uses.

6. Please provide more information about the retail sales. Is it limited to essential oils? How much of the tenant space will be devoted to such sales, display, and storage?

Retail sales include items such as: essential oils, essential oil diffusers, candles & candle holders, incense, soaps, body scrubs, salt lamps, selenite lamps, sage, tumbled stones, jewelry (earrings, necklaces, bracelets), Yoga mats, Yoga carry bags, Yoga mat cleaner.

Approximately 40 sq. ft. will be dedicated to retail sales & display.

Approximately 70 sq. ft. will be dedicated to storage, which is in the back area of the space.

7. Please provide more information about the classes on how to create homemade essential oils, do these classes involve hands on work with the materials and chemicals? If so, detailed information is required.

The description in my narrative states that "Some of my classes will cover the creation of homemade chemical-free household cleaners and the use of essential oils to proactively strengthen the immune system." I will use recipes from Young Living or Dr. Josh Axe to teach others how to create essential oil products such as a cleaning spray, fabric softener, or a rollerball for headaches. These recipes call for essential oils to be mixed into carrier oils such as Coconut Oil or Jojoba Oil, and for the cleaning spray, vinegar is added. Some essential oil workshops may have hands on work by participants, but there are no hazardous chemicals involved.

8. It is noted that CBD oil is a different use (SIC code 5999), which is a permitted use in the B-3 district, but it should be included in the project narrative.

I included this statement in the project narrative recognizing that CBD oil is allowed.

9. Please indicate approximate number of employees.

Zero

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



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

Date of Application _____

UNIFIED DEVELOPMENT ORDINANCE (UDO) TEXT AMENDMENT APPLICATION

Complete, accurate and specific information must be entered Please Print

Applicant (Full Legal Name[s])

Name Linda Barbara Scherrer
Company Inner Wisdom & Wellness, LLC
Mailing Address 4058 W. Puetz Rd.
City / State Franklin, WI Zip 53132
Phone 414-935-8960
Email Address innerwisdomandwellness@gmail.com

Applicant is Represented by (contact person)(Full Legal Name[s])

Name _____
Company _____
Mailing Address _____
City / State _____ Zip _____
Phone _____
Email Address _____

Project Property Information (if applicable)

Property Address 7127 S. 76th Street
Property Owner(s) Betty Buss
Mailing Address 7231 SCAMBRIDGE DR
City / State Franklin, WI Zip 53132
Email Address bettybuss@aol.com

Tax Key Nos 9550038001
Existing Zoning B-3
Existing Use VACANT / Victory Creek Accounting previous
Proposed Use Yoga Studio
CMP Land Use Identification Commercial

UDO Text Amendment submittals for review must include and be accompanied by the following

- ☒ This Application form accurately completed with original signature(s) Facsimiles and copies will not be accepted
☒ Application Filing Fee, payable to City of Franklin ☒ \$200
☒ Seven (7) copies of a written Project Narrative including a full description of the proposed text amendment
(Include the proposal's intent, impacts, and consistency with the Comprehensive Master Plan)

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

- Upon receipt of a complete submittal, staff review will be conducted within ten business days
- Requires a Class II Public Hearing notice at Plan Commission
- Unified Development Ordinance Text Amendment requests require Plan Commission review and recommendation and Common Council approval
- The City's Unified Development Ordinance (UDO) is available at www.franklinwi.gov

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.)

Betty Buss
Signature Property Owner
BETTY BUSS
Name & Title (PRINT)
Date 11/11/2019

Linda B. Scherrer
Signature Applicant
Linda B. Scherrer - Business Owner
Name & Title (PRINT)
Date 11-13-19

Signature Property Owner

Name & Title (PRINT)
Date _____

Signature Applicant's Representative

Name & Title (PRINT)
Date _____

Business Summary for Inner Wisdom & Wellness, LLC

Background:

My name is Linda Scherrer, owner of Inner Wisdom and Wellness, LLC. I am a life-long resident of Franklin, former 25 year middle school teacher from Forest Park, and now first year entrepreneur! I am an FHS graduate of the Class of 1989 and I remember the excitement when the McDonald's first went up on 76th & Rawson. I have seen this community grow and expand, yet treasure and protect its green spaces and woods. My family and I are fortunate to live across from The Franklin Woods, which I remember was preserved in part, due to a neighborhood petition that my parents and countless others signed.

Serving as a middle school teacher, I was able to touch the lives of almost 3000 students and maintain a positive reputation with the school district and Franklin parents. The best part of teaching for me was always the students. I found the most joy helping and getting to know the students entrusted to my care. Over the years, I saw more and more students struggle with anxiety, depression, anger outbursts, impulsivity and stress. It made me want to do more to help than I could in the classroom.

As a proactive means of combating my own stress levels and keeping myself and my family healthy, I learned Yoga, Reiki, and how to use Essential Oils. I truly love the city of Franklin, as my roots are firmly planted here. When I decided to no longer serve the community as a middle school teacher, I immediately searched for a location in Franklin where I could open my business and continue serving the citizens of Franklin. On August 13, 2019, I signed a lease with Betty Buss at Franklin Village for the space at 7127 S 76th Street. I want to help people live healthier lives through stress reduction and wellness practices such as Yoga, Reiki, and Essential Oils. My qualifications are that I am an RYT200 (Registered Yoga Teacher at the 200 hour level) and an RMT (Reiki Master Teacher) as well as a Certified Essential Oils Coach (Ancient Apothecary & Young Living Oils).

Goal:

The goal of Inner Wisdom & Wellness, LLC is to help people of all ages in the community live their best life by providing services that reduce stress and optimize health. Over 90% of all disease can be attributed back to stress as a causal factor. Stress affects both your physical and mental health. According to Dr. Michael Ashworth, Ph.D. 75%-90% of doctor visits today are for stress-related ailments and complaints. Stress has been linked to the six leading causes of death, heart disease, cancer, lung ailments, accidents, cirrhosis of the liver and suicide. According to the Occupational Safety and Health Administration, stress has been declared a hazard of the workplace.

At Inner Wisdom & Wellness, I will offer Hatha Yoga (traditional yoga) and Yin Yoga (more on the ground poses and longer holds). I will be responsive to the community and potentially add Restorative Yoga, Chair Yoga, or Vinyasa Flow Yoga. I will also offer Private Yoga instruction and Private Group Yoga sessions. In addition, I will offer Reiki sessions and teach classes on

Essential Oils and other wellness techniques for stress reduction such as meditation and mindfulness. There will also be a small selection of products for purchase such as essential oils, diffusers, salt lamps, and small gift items including bracelets, earrings and candles.

Yoga:

Yoga relaxes the body and mind and contributes to optimal health and wellness. Scientific studies support the following benefits of yoga decreases stress, relieves anxiety, reduces inflammation, improves heart health, improves quality of life, fights depression, reduces chronic pain, promotes better sleep, improves flexibility and balance, improves breathing, relieves migraines, promotes healthy eating habits, and increases strength. Yoga is also something that everybody can do because you meet your body where you are at and there are modifications for every posture (asana). The physical practice of Yoga, which includes breathework, meditation, setting an intention, being aware of the body and calming the mind can be physically, mentally, and emotionally healthy for you. We only have one body to carry us through this life. Yoga helps us find inner peace, take care of ourselves and enjoy healthy, happy living.

*I realize Yoga is zoned under Franklin Standard Industrial Classification Code 7999 Amusement and Recreation Not Classified Elsewhere, but I do not plan on offering Aerial Yoga in my place of business.

Reiki:

Reiki is a Japanese stress reduction and relaxation technique that promotes healing. It is administered by "laying on hands" and is based on the idea that an unseen "life force energy" flows through us and is what causes us to be alive. If our "life force energy" is low, then we are more likely to get sick or feel stress, and if it is high, we are more capable of being happy and healthy.

Similar to hormones, the energy field is present in the human body and though it can't be seen, the effects can be felt. Energy can stagnate in the body where there has been physical injury or emotional pain, and in time these blocks can cause illness. Reiki works to help the flow of energy and remove blocks in a way similar to acupuncture or acupressure, but is administered by the laying on of hands or hands above the client. The client lies fully clothed on a massage table or sits in a comfortable chair while the Reiki practitioner uses hands on or hands above the body applying the standard Reiki hand positions to direct the flow of energy.

Reiki is used in hospitals and clinics throughout the United States and has gained popularity because it improves patient care. "Reiki sessions cause patients to heal faster with less pain," says Marilyn Vega, RN, a private-duty nurse at the Manhattan Eye, Ear and Throat Hospital in New York. "Reiki accelerates recovery from surgery, improves mental attitude and reduces the negative effects of medication and other medical procedures." In our local area, Reiki Training is offered by Aurora Health Care at St. Luke's Medical Center and Sinai Medical Center. The Integrative Medicine physicians seek out Reiki practitioners to perform Reiki on cancer patients at Aurora Cancer Care Centers.

Reiki is a simple, natural and safe method of healing and energy work that can be used on anyone. For example, I used it on student having a panic attack in my classroom and it helped her calm down in just over one minute. Reiki works in conjunction with all other medical or therapeutic techniques and studies have shown that Reiki enhances the body's ability to relieve pain, anxiety, and reduce fatigue. Reiki has been used to treat symptoms of depression, headaches, tension, nausea, general aches and pains, and other conditions. Additional Reiki benefits include enhanced quality of life with improved sleep patterns, self confidence, and improved mood. It is a very relaxing and calming experience that helps reduce stress, give oneself clarity, and bring the body back into balance to reduce the chance of illness and to restore a general sense of well being.

Essential Oils:

Essential Oils are plant extracts that are made by steaming or pressing various parts of a plant (bark, flowers, leaves, fruit). Essential oils capture the life force - the essence of a plant that provides healing properties and fragrance. Essential Oils have many uses. Aromatherapy has been around for centuries and people today use essential oils aromatically in diffusers to replace chemically laden household sprays and scented candles. Essential Oils may also be applied topically to the body for example, on the wrists or bottom of feet to treat minor symptoms, aches or pains. Essential Oils can also be used internally, but only if they are certified organic and food grade quality. Some people use organic food grade essential oils in cooking or to flavor their water. Essential Oils can also be used as a safer, non toxic, more environmentally friendly alternative to household cleaning and laundry products. The growing popularity of essential oils can be attributed to health conscious consumers noting its positive impact without the harmful side effects caused by synthetic chemicals.

A couple years ago, I took a course through Dr. Josh Axe to become a Certified Essential Oil Coach. The online course taught me all about the chemical properties, safety, and uses of essential oils to treat symptoms of all kinds, including headaches, allergies, digestive issues, anxiety, ADHD, colds, flu, cold sores and eczema. I recently became a member of Young Living Essential Oils to sell their brand. In addition to selling the essential oils, I would like to offer classes to educate others on the use of essential oils. Some of my classes will cover the creation of homemade chemical-free household cleaners and the use of essential oils to proactively strengthen the immune system. I was informed that CBD oil is a different use (SIC code 5999) but is allowed in the B-3 district. Both Young Living and Ancient Nutrition (Dr. Josh Axe) offer organic CBD oils.

Meditation:

Meditation is the practice of quieting the mind of scattered thoughts that may be causing you stress and learning to focus your attention. According to the Mayo Clinic article, *Meditation: A simple, fast way to reduce stress*, meditation can benefit your emotional well being and your overall health. These emotional benefits include new perspectives on a stressful situation, stress-management skills, greater self awareness, focus on the present, reduced negative

emotions, increased imagination and creativity and increased patience and tolerance. The Mayo Clinic also claims that meditation may help people manage conditional symptoms of anxiety, asthma, cancer, chronic pain, depression, heart disease, high blood pressure, irritable bowel syndrome, sleep problems, and tension headaches.

Mindfulness:

Mindfulness techniques are a form of meditation. According to Psychology Today, "mindfulness is the self-regulation of attention with an attitude of curiosity, openness, and acceptance." According to a Harvard Health Article, practicing mindfulness will improve wellbeing by focusing on fully engaging in the moment, resulting in less worry, less regret and improved mental health. The article also claims stress relief, heart disease treatment, reduced blood pressure and chronic pain, improved sleep and gastrointestinal difficulty alleviation through mindfulness.

Recent discoveries regarding the harmful effects multitasking has on learning and brain functionality, in addition to social media's manipulatory design have contributed to rising levels of depression and anxiety, especially exhibited in the younger population. Mindfulness activities such as yoga, guided meditations, reciting positive affirmations, practicing breathing techniques and connecting with nature are beneficial towards achieving optimal health and wellness for all

UDO Text Amendment & Special Use:

I am proposing to change the table classification from not permitted to special use in B-2, B-3, B-4 to be consistent with other uses. I am requesting that Yoga, which is currently classified as 7999 Amusement & Recreation Services Not Elsewhere Classified, be allowed in the B-3 district. This would permit a Yoga Studio at 7127 S. 76th Street, currently zoned B-3, to operate without disruption amongst the neighboring commercial businesses such as Cho-Sun Taekwondo, Lulu's Dog Pawlor, Rhythm of Life Chiropractic and Curves for Women to name a few.

Interior Business Modifications:

Installation of Vinyl flooring (that resembles hardwood) in the front 1089.28 square feet of the interior building space. Floor cost is \$3,749.91 plus installation which is \$1,455.00.

Exterior Building Modifications:

Building sign to be consistent with current lighted signs in Franklin Village (yellow letters in daytime, red letters in evening) to cost \$4,629.00. Sign has received City of Franklin approval as of 10/4/2019. Sign says Yoga (lotus flower logo in the center) Reiki

Site Improvement Cost: N/A

APPROVAL <i>slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 01/21/20
REPORTS & RECOMMENDATIONS	A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR A YOGA, REIKI AND ESSENTIAL OILS, MEDITATION AND MINDFULNESS INSTRUCTION STUDIO USE UPON PROPERTY LOCATED AT 7127 SOUTH 76TH STREET(FRANKLIN VILLAGE MULTI-TENANT BUILDING) (LINDA B. SCHERRER, RYT200 (REGISTERED YOGA TEACHER AT THE 200 HOUR LEVEL), RMT (REIKI MASTER TEACHER), CERTIFIED ESSENTIAL OILS COACH (ANCIENT APOTHECARY & YOUNG LIVING OILS), OWNER OF INNER WISDOM & WELLNESS, LLC, APPLICANT, BETTY BUSS, PROPERTY OWNER)	ITEM NUMBER <i>G. 8.</i>

At the January 9, 2020, regular meeting, the Plan Commission carried a motion to recommend approval of a Resolution imposing conditions and restrictions for the approval of a Special Use for a yoga, reiki and essential oils, meditation and mindfulness instruction studio use upon property located at 7127 South 76th Street.

COUNCIL ACTION REQUESTED

A motion to adopt Resolution 2020-_____, imposing conditions and restrictions for the approval of a Special Use for a yoga, reiki and essential oils, meditation and mindfulness instruction studio use upon property located at 7127 South 76th Street (Franklin Village Multi-tenant building) (Linda B. Scherrer, RYT200 (Registered Yoga Teacher at the 200 hour level), RMT (Reiki Master Teacher), certified essential oils coach (ancient apothecary & young living oils), owner of Inner wisdom & wellness, LLC, applicant, Betty Buss, property owner).

RESOLUTION NO. 2020-_____

A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR A YOGA, REIKI AND ESSENTIAL OILS, MEDITATION AND MINDFULNESS INSTRUCTION STUDIO USE UPON PROPERTY LOCATED AT 7127 SOUTH 76TH STREET (FRANKLIN VILLAGE MULTI-TENANT BUILDING) (LINDA B. SCHERRER, RYT200 (REGISTERED YOGA TEACHER AT THE 200 HOUR LEVEL), RMT (REIKI MASTER TEACHER), CERTIFIED ESSENTIAL OILS COACH (ANCIENT APOTHECARY & YOUNG LIVING OILS), OWNER OF INNER WISDOM & WELLNESS, LLC, APPLICANT, BETTY BUSS, PROPERTY OWNER)

WHEREAS, Linda B. Scherrer, RYT200, RMT, Certified Essential Oils Coach, owner of Inner Wisdom & Wellness, LLC, having petitioned the City of Franklin for the approval of a Special Use within a B-3 Community Business District under Standard Industrial Classification Title No. 7999 "Amusement and recreation services, not elsewhere classified" to allow for a Yoga, Reiki and Essential Oils, meditation and mindfulness instruction studio use, upon property located in the Franklin Village multi-tenant building at 7127 South 76th Street (Franklin Village), bearing Tax Key No. 755-0038-001, more particularly described as follows:

Lots 1 thru 4, Block 4 in RAWSON HOMESITES, being a subdivision of a part of the Northeast 1/4 of Section 9, Township 5 North, Range 21 East and Outlots 1 and 2 in FRANKLIN PLAZA SUBDIVISION, being a redivision of part of Lot 1 in Block 3 in Rawson Homesites, that portion of Rawson Homesites, and the abutting streets vacated by Circuit Court Action Case No. 397644 amended document recorded February 21st, 1973 in Reel 705, Image 1011 as Document No. 4741471 and by City of Franklin Resolution No. 92-3889 recorded January 27th, 1993 in Reel 2957, Image 226 as Document No. 6722050, part of Whitnall Park Terrace Condominium, Lot 2, Lot 3, Outlot 3 and Outlot 4 in Whitnall Park Terrace Replat and lands all being a part of the Northeast 1/4 and Southeast 1/4 of the Northeast 1/4 of Section 9, Township 5 North, Range 21 East, all in the City of Franklin, Milwaukee County, Wisconsin; and

WHEREAS, such petition having been duly referred to the Plan Commission of the City of Franklin for a public hearing, pursuant to the requirements of §15-9.0103D. of the Unified Development Ordinance, and a public hearing having been held before the Plan Commission on the 9th day of January, 2020, and the Plan Commission thereafter having determined to recommend that the proposed Special Use be approved, subject to certain conditions, and the Plan Commission further finding that the proposed Special Use upon

LINDA B. SCHERRER, RYT200, RMT, CERTIFIED ESSENTIAL OILS COACH,
OWNER OF INNER WISDOM & WELLNESS, LLC – SPECIAL USE
RESOLUTION NO. 2020-_____

Page 2

such conditions, pursuant to §15-3.0701 of the Unified Development Ordinance, will be in harmony with the purposes of the Unified Development Ordinance and the Comprehensive Master Plan; that it will not have an undue adverse impact upon adjoining property; that it will not interfere with the development of neighboring property; that it will be served adequately by essential public facilities and services; that it will not cause undue traffic congestion; and that it will not result in damage to property of significant importance to nature, history or the like; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the petition of Linda B. Scherrer, RYT200, RMT, Certified Essential Oils Coach, owner of Inner Wisdom & Wellness, LLC, for the approval of a Special Use for the property particularly described in the preamble to this Resolution, be and the same is hereby approved, subject to the following conditions and restrictions:

1. That this Special Use is approved only for the use of the subject property by Linda B. Scherrer, RYT200, RMT, Certified Essential Oils Coach, owner of Inner Wisdom & Wellness, LLC, successors and assigns, as a Yoga, Reiki and Essential Oils, meditation and mindfulness instruction studio use, which shall be developed in substantial compliance with, and operated and maintained by Linda B. Scherrer, RYT200, RMT, Certified Essential Oils Coach, owner of Inner Wisdom & Wellness, LLC, pursuant to those plans City file-stamped December 27, 2019 and annexed hereto and incorporated herein as Exhibit A.
2. Linda B. Scherrer, RYT200, RMT, Certified Essential Oils Coach, owner of Inner Wisdom & Wellness, LLC, successors and assigns, shall pay to the City of Franklin the amount of all development compliance, inspection and review fees incurred by the City of Franklin, including fees of consults to the City of Franklin, for the Linda B. Scherrer, RYT200, RMT, Certified Essential Oils Coach, owner of Inner Wisdom & Wellness, LLC Yoga, Reiki and Essential Oils, meditation and mindfulness instruction studio, within 30 days of invoice for same. Any violation of this provision shall be a violation of the Unified Development Ordinance, and subject to §15-9.0502 thereof and §1-19. of the Municipal Code, the general penalties and remedies provisions, as amended from time to time.
3. The approval granted hereunder is conditional upon Linda B. Scherrer, RYT200, RMT, Certified Essential Oils Coach, owner of Inner Wisdom & Wellness, LLC and

the Yoga, Reiki and Essential Oils, meditation and mindfulness instruction studio use for the property located at 7127 South 76th Street (Franklin Village): (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.

BE IT FURTHER RESOLVED, that in the event Linda B. Scherrer, RYT200, RMT, Certified Essential Oils Coach, owner of Inner Wisdom & Wellness, LLC, successors or assigns, or any owner of the subject property, does not comply with one or any of the conditions and restrictions of this Special Use Resolution, following a ten (10) day notice to cure, and failure to comply within such time period, the Common Council, upon notice and hearing, may revoke the Special Use permission granted under this Resolution.

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

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

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

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

Introduced at a regular meeting of the Common Council of the City of Franklin this

LINDA B. SCHERRER, RYT200, RMT, CERTIFIED ESSENTIAL OILS COACH,
OWNER OF INNER WISDOM & WELLNESS, LLC – SPECIAL USE
RESOLUTION NO. 2020-_____

Page 4

_____ 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 _____



Date of Application _____

SPECIAL USE / SPECIAL USE AMENDMENT APPLICATION

Complete, accurate and specific information must be entered Please Print

Applicant (Full Legal Name(s))

Name Linda Barbara Scherrer
Company Inner Wisdom + Wellness, LLC
Mailing Address 4058 W Puetz Rd
City / State Franklin, WI Zip 53132
Phone 414-935-8960
Email Address innerwisdomandwellness@gmail.com

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

Name _____
Company _____
Mailing Address _____
City / State _____ Zip _____
Phone _____
Email Address _____

Project Property Information

Property Address 7127 S 76th Street
Property Owner(s) Betty Buss

Tax Key Nos 7550038001

Mailing Address 7231 S. Cambridge Dr
City / State Franklin, WI Zip 53132
Email Address bettybuss@aol.com

Existing Zoning B-3
Existing Use Vacant / Victory Luck Accounting previously
Proposed Use Yoga Studio
Future Land Use Identification Commercial

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

Special Use/Special Use Amendment submittals for review must include and be accompanied by the following

- ☒ This Application form accurately completed with original signature(s) Facsimiles and copies will not be accepted
- ☐ Application Filing Fee, payable to City of Franklin ☐ \$1000 Special Use Amendment
- ☐ \$1500 New Special Use over 4,000 square feet ☒ \$750, New Special Use under 4,000 square feet
- ☒ Legal Description for the subject property (WORD doc or compatible format)
- ☒ One copy of a response to the General Standards, Special Standards (if applicable), and Considerations found in Section 15.3.0701(A), (B), and (C) of the Unified Development Ordinance available at www.franklinwi.gov
- ☒ Seven (7) complete collated sets of Application materials to include
- ☐ One (1) original and six (6) copies of a written Project Summary, including description of any new building construction and site work, interior/exterior building modifications or additions to be made to property, site improvement costs, estimate of project value and any other information that is available
- ☐ Three (3) folded full size, drawn to scale copies (at least 24" x 36") of the Site Plan/Site Plan Amendment package (The submittal should include only those plans/items as set forth in Section 17-7.0101, 15.7.0301 and 15.5.0402 of the Unified Development Ordinance that are impacted by the development. (e.g., Site Plan, Building Elevations, Landscape Plan, Outdoor Lighting Plan, Natural Resource Protection Plan, etc.)
- ☐ Four (4) folded reduced size (11"x17") copies of the Site Plan/Site Plan Amendment package
- ☐ One colored copy (11"x17") of the building elevations, if applicable
- ☐ Three copies of the Natural Resource Protection Plan and report, if applicable (see Section 15.4.0102 & 15.7.0201 of the UDO)
- ☐ Email (or CD ROM) with all plans/submittal materials Plans must be submitted in both Adobe PDF and AutoCAD compatible format (where applicable)

- Upon receipt of a complete submittal, staff review will be conducted within ten business days
- Special Use/Special Use Amendment requests require Plan Commission review, a Public Hearing and Common Council approval

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.)

Betty Buss
Signature: Property Owner
Name & Title (PRINT) BETTY BUSS
Date 11/14/2019

Linda B. Scherrer
Signature: Applicant
Name & Title (PRINT) Linda B. Scherrer - Business owner
Date 11-13-19

Signature: Property Owner
Name & Title (PRINT)
Date

Signature: Applicant's Representative
Name & Title (PRINT)
Date

Legal Description of Property at 7127 S. 76th Street, Franklin, WI 53132

(Copied from Plat of Survey. Survey number 010487. Prepared for Roger Buss)

January 2, 2002

LOCATION_____South 76th Street, Franklin, WI

LEGAL DESCRIPTION

Lots 1 thru 4, Block 4 in RAWSON HOMESITES, being a subdivision of a part of the Northeast $\frac{1}{4}$ of Section 9, Township 5 North, Range 21 East and Outlots 1 and 2 in FRANKLIN PLAZA SUBDIVISION, being a redivision of part of Lot 1 in Block 3 in Rawson Homesites, that portion of Rawson Homesites, and the abutting streets vacated by Circuit Court Action Case No.397644 amended document recorded February 21st, 1973 in Reel 705, Image 1011 as Document No.4741471 and by City of Franklin Resolution No. 92-3889 recorded January 27th, 1993 in Reel 2957, Image 226 as Document No.6722050, part of Whitnall Park Terrace Condominium, Lot 2, Lot 3, Outlot 3 and Outlot 4 in Whitnall Park Terrace Replat and lands all being a part of the Northeast $\frac{1}{4}$ and Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 9, Township 5 North, Range 21 East, all in the City of Franklin, Milwaukee County, Wisconsin.

DIVISION 15-3.0700
REGULATIONS

SPECIAL USE STANDARDS AND

SECTION 15-3.0701

GENERAL STANDARDS FOR SPECIAL USES

- A. ***General Standards.*** No special use permit shall be recommended or granted pursuant to this Ordinance unless the applicant shall establish the following:
1. **Ordinance and Comprehensive Master Plan Purposes and Intent.** The proposed use and development will be in harmony with the general and specific purposes for which this Ordinance was enacted and for which the regulations of the zoning district in question were established and with the general purpose and intent of the City of Franklin Comprehensive Master Plan or element thereof.

Response: The Yoga Studio (a commercial business) will be consistent with the Comprehensive Master Plan, which has this location (7127 S. 76th Street) zoned for commercial business.
 2. **No Undue Adverse Impact.** The proposed use and development will not have a substantial or undue adverse or detrimental effect upon or endanger adjacent property, the character of the area, or the public health, safety, morals, comfort, and general welfare and not substantially diminish and impair property values within the community or neighborhood.

Response: There will be no undue adverse impact. On the contrary, the Yoga Studio will enhance the general welfare of the community and its location will compliment the adjacent businesses such as Taekwondo, chiropractic care, and the women's physical fitness facility.
 3. **No Interference with Surrounding Development.** The proposed use and development will be constructed, arranged, and operated so as not to dominate the immediate vicinity or to interfere with the use and development of neighboring property in accordance with the applicable zoning district regulations.

Response: There will be no interference with the surrounding development. There will be no construction or build out needed. When the Yoga Studio is in use it will be a quiet, peaceful place with soft music and an opportunity for citizens to relax and calm their stress.
 4. **Adequate Public Facilities.** The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities including public water supply system and sanitary sewer, police and fire protection, refuse disposal, public parks, libraries, schools, and other public facilities and utilities or the applicant will provide adequately for such facilities.

Response: The property at 7127 S. 76th Street has service to all those essential public facilities.

5. **No Traffic Congestion.** The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets. Adequate measures will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

Response: The Yoga Studio will not cause undo traffic congestion. Yoga sessions are offered throughout the week, mornings and evenings, perhaps bringing in possibly 10 people/cars to the area as an estimate.

6. **No Destruction of Significant Features.** The proposed use and development will not result in the destruction, loss, or damage of any natural, scenic, or historic feature of significant importance.

Response: The Yoga Studio requires no exterior changes or build out, so there will be no destruction of significant features.

7. **Compliance with Standards.** The special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Common Council pursuant to the recommendations of the Plan Commission. The proposed use and development shall comply with all additional standards imposed on it by the particular provision of this Division and Ordinance authorizing such use.

Response: I am applying for a UDO text amendment so the Yoga Studio will be compliant with the zoning district.

- B. **Special Standards for Specified Special Uses.** When the zoning district regulations authorize a special use in a particular zoning district and that special use is indicated as having special standards, as set forth in Section 15-3.0702 and 15-3.0703 of this Division, a Special Use Permit for such use in such zoning district shall not be recommended or granted unless the applicant shall establish compliance with all such special standards.

Response: Non applicable in this case.

- C. **Considerations.** In determining whether the applicant's evidence establishes that the foregoing standards have been met, the Plan Commission and the Common Council shall consider the following:

1. **Public Benefit.** Whether and to what extent the proposed use and development at the particular location requested is necessary or desirable to provide a service or a facility that is in the interest of the public convenience or that will contribute to the general welfare of the neighborhood or community.

Response: A Yoga Studio will absolutely benefit the health and well being of the community. Over 90% of all disease can be attributed back to stress as a causal factor. Yoga relaxes the body and mind and contributes to optimal health and wellness. Scientific studies support the following benefits of yoga: decreases stress, relieves anxiety, reduces inflammation, improves heart health, improves quality of life, fights depression, reduces chronic pain, promotes better sleep, improves flexibility and balance, improves breathing, relieves migraines, promotes healthy eating habits, and increases strength, according to Rachel Link, MS, RD in an article written for Healthline. Yoga is also something that everybody can do because you meet your body where you are at and there are modifications for every posture (asana). The physical practice of Yoga, which includes breathework, meditation, setting an intention, being aware of the body, and calming the mind can be physically, mentally, emotionally, and spiritually healthy for you. We only have one body to carry us through this life. Yoga helps us take care of ourselves and enjoy healthy, happy living. Healthy citizens = public benefit.

2. **Alternative Locations.** Whether and to what extent such public goals can be met by the location of the proposed use and development at some other site or in some other area that may be more appropriate than the proposed site.

Response: I have already signed a lease for the property at 7127 S. 76th Street, which is in the B-3 district. It is a 2 year lease with option to renew for a 3 year lease. I was told Yoga is typically placed in a manufacturing or industrial district in Franklin. However, I am aware that Balanced Wellness, a yoga studio previously located at 9733 W. St. Martins Road in Franklin, was in a B-3 district and allowed to operate having secured a special use permit.

3. **Mitigation of Adverse Impacts.** Whether and to what extent all steps possible have been taken to minimize any adverse effects of the proposed use and development on the immediate vicinity through building design, site design, landscaping, and screening.

Response: There will be no changes made to the exterior building other than a lighted sign to match the other lighted signs in Franklin Village. Sign was approved by City of Franklin as of October 4, 2019.

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

Response: I do not believe this applies, as the Yoga Studio seems like a very compatible use with the surrounding businesses in the Franklin Village such as Cho Sun Taekwondo, Curves for Women, Rhythm of Life Chiropractic, P&A Nails & Spa, LuLu's Dog Pawlor, etc.

Form completed by: Linda Scherrer, Inner Wisdom & Wellness, LLC 414-935-8960

January 2, 2002

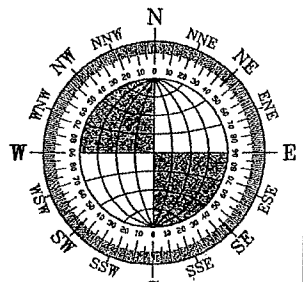
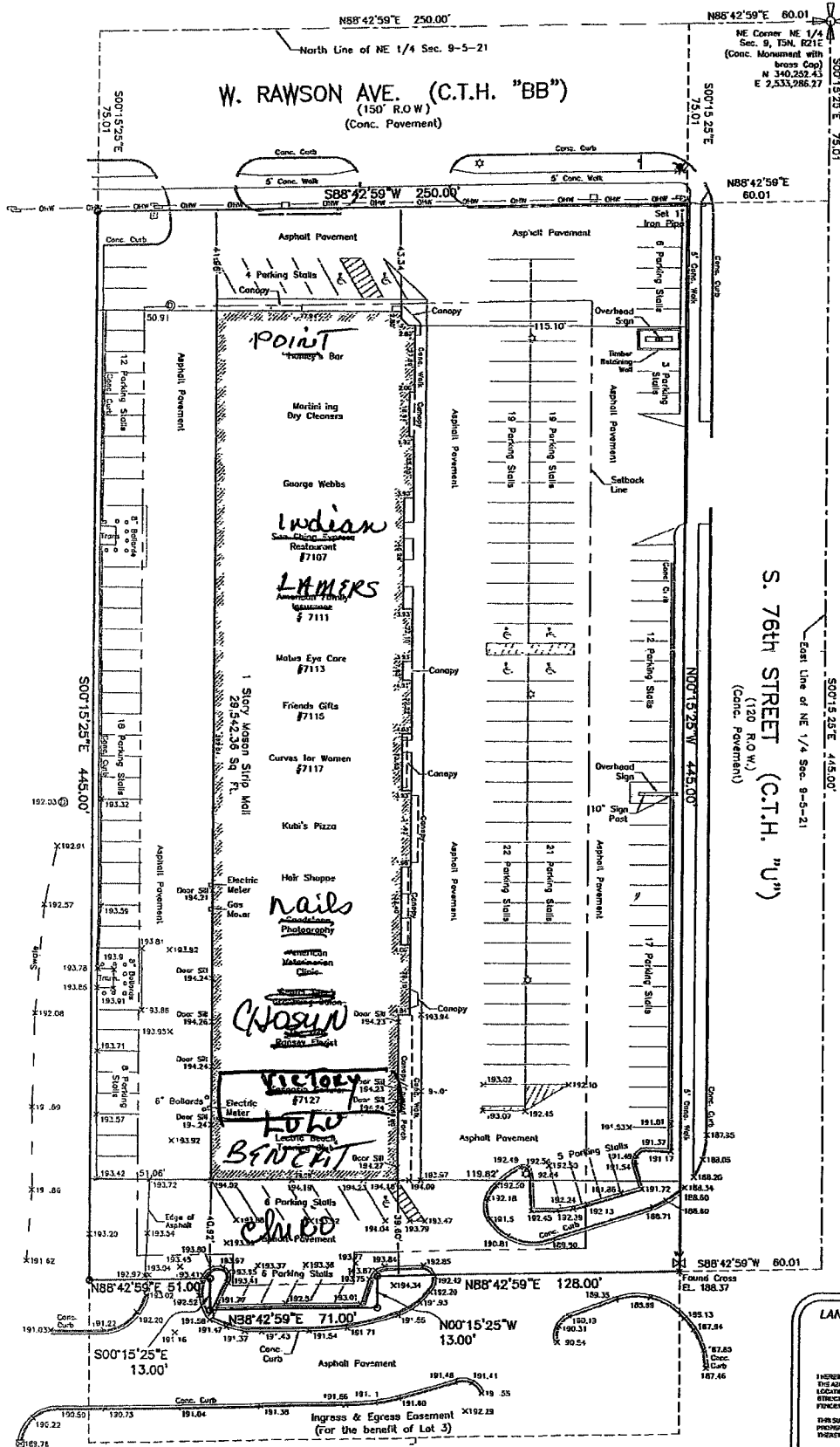
PLAT OF SURVEY

Survey No. 010487
Roger Buss

LOCATION: South 76th Street, Franklin, Wisconsin

LEGAL DESCRIPTION:

Lots 1 thru 4, Block 4 in RAWSON HOMESITES, being a subdivision of a part of the Northeast 1/4 of Section 9, Township 6 North, Range 21 East and Outlots 1 and 2 in FRANKLIN PLAZA SUBDIVISION, being a redivision of part of Lot 1 in Block 3 in Rawson Homesites, that portion of Rawson Homesites, and the abutting streets vacated by Circuit Court Action Case No. 397644 amended document recorded February 21st, 1973 in Real 705, Image 1011 as Document No. 4741471 and by City of Franklin Resolution No. 82-3889 recorded January 27th, 1993 in Real 2957 Image 226 as Document No. 672050, part of Whitnall Park Terrace Condominium, Lot 2, Lot 3, Outlot 3 and Outlot 4 in Whitnall Park Terrace Replat and lands all being a part of the Northeast 1/4 and Southeast 1/4 of the Northeast 1/4 of Section 9, Township 5 North, Range 21 East, all in the City of Franklin, Waukesha County, Wisconsin.



LANDCRAFT SURVEY AND ENGINEERING, INC.

REGISTERED LAND SURVEYORS AND CIVIL ENGINEERS
2077 SOUTH 115TH STREET WEST ALLIS, WI 53227
PH: (414) 601-0674 FAX: (414) 604-0677
LANDCRAFT@GEEVISC.COM

I HEREBY CERTIFY THAT I HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY AND THAT THE ABOVE MAP IS A TRUE REPRESENTATION THEREOF AND SHOWS THE SIZE AND LOCATION OF THE PROPERTY. THE EXTERIOR BOUNDARIES, THE LOCATION OF ALL PUBLIC INTERESTS AND DISPOSITION OF ALL PRINCIPAL BUILDINGS THEREON, BOUNDARY PINNACLES, APPARENT EASEMENTS AND ADJACENT AND NEARBY ENCUMBRANCES, IF ANY. THIS SURVEY IS MADE FOR THE EXCLUSIVE USE OF THE PRESENT OWNERS OF THE PROPERTY, AND ALSO THOSE WHO PURCHASE, MORTGAGE, OR GUARANTEE THE TITLE HEREIN WITHIN ONE (1) YEAR FROM THE DATE HEREOF.

SIGNED: *William R. Henrichs*
William R. Henrichs, Registered Land Surveyor S-2419

APPROVAL <i>slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 01/21/20
REPORTS & RECOMMENDATIONS	A RESOLUTION AUTHORIZING THE INSTALLATION OF A MONUMENT SIGN WITHIN THE 30 FOOT LANDSCAPE PLANTING BUFFER PLAT RESTRICTION IN THE GLEN AT PARK CIRCLE CONDOMINIUM DEVELOPMENT (7614 PARK CIRCLE WAY) (PARK CIRCLE LLC, APPLICANT)	ITEM NUMBER <i>G, 9.</i>

At the January 9, 2020, regular meeting, the Plan Commission carried a motion to recommend approval of a Resolution authorizing the installation of a monument sign within the 30 foot landscape planting buffer plat restriction in The Glen at Park Circle Condominium development.

COUNCIL ACTION REQUESTED

A motion to adopt Resolution 2020-_____, authorizing the installation of a monument sign within the 30 foot landscape planting buffer plat restriction in The Glen at Park Circle Condominium development.

STATE OF WISCONSIN

CITY OF FRANKLIN

MILWAUKEE COUNTY

[Draft 12-31-19]

RESOLUTION NO. 2020-_____

A RESOLUTION AUTHORIZING THE INSTALLATION OF A MONUMENT SIGN
WITHIN THE 30 FOOT LANDSCAPE PLANTING BUFFER PLAT RESTRICTION IN
THE GLEN AT PARK CIRCLE CONDOMINIUM DEVELOPMENT
(7614 PARK CIRCLE WAY)
(PARK CIRCLE LLC, APPLICANT)

WHEREAS, The Glen at Park Circle Condominium Plat prohibits the building of structures within the 30 foot "Landscape Planting Buffer" described thereon; and

WHEREAS, Park Circle LLC having applied for a release of the 30 foot "Landscape Planting Buffer" easement restriction upon their property to the extent necessary to install an entrance monument sign along the 76th Street frontage at 7614 Park Circle Way (the northwest corner of West Park Way Circle and South 76th Street), such property being zoned R-8 Multiple-Family Residence District, bearing Tax Key No. 896-1001-000, more particularly described as follows:

Part of Lot 1 of Certified Survey Map No. 9027, recorded in the Register of Deeds office for Milwaukee County as Document No. 10767865, being a part of the Southeast 1/4 of the Northeast 1/4 of Section 28, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin, bounded and described as follows: Beginning at the northeast corner of Lot 1 of said Certified Survey Map No. 9027; Thence South 00°15'12" East along the east line of said Lot 1, 126.00 feet to the north right of way line of West Park Circle Way; Thence South 89°44'48" West along said north right of way line, 225.62 feet to a point of curvature; Thence northwesterly 147.32 feet along the arc of a curve to the right, whose radius is 970.00 feet and whose chord bears North 85°53'54" West, 147.32 feet; Thence North 08°42'18" East, 116.23 feet; Thence North 89°44'48" East and then along north line of said Lot 1, 354.41 feet to the Point of Beginning; and

WHEREAS, the 30 foot "Landscape Planting Buffer" easement restriction upon the Final Plat for The Glen at Park Circle Condominium Development and its accompanying restriction of the building of structures is a restriction which was imposed by the Franklin Common Council in its approval of the Final Plat; and

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

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

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the installation of the proposed monument sign of the type and specifications as described and only upon the location as set forth within the plans accompanying the application of Park Circle LLC filed on December 30, 2019, be and the same is hereby authorized and approved and that the "Landscape Planting Buffer" easement restriction as it would otherwise apply to such installation upon the subject property only, is hereby waived and released, subject to the following conditions:

1. The sign footprint shall not exceed 16 square feet.
2. In case the City of Franklin would need to utilize, modify, or otherwise maintain the landscape bufferyard easement, the property owner shall allow appropriate access to the easement area, including, if necessary, the removal of the sign within the easement, for such maintenance purposes.
3. Access to the easement shall be granted by the property owner whenever requested by the City. The City shall be held harmless in the event that any damage would occur to the sign due to its location within the easement or by City maintenance of the easement.

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

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

Introduced at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 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 January 9, 2020****Sign review and Miscellaneous application**

RECOMMENDATION: City Development Staff recommends approval of the Sign review and Miscellaneous application submitted by Park Circle, LLC., subject to the conditions in the draft resolutions.

Project Name:	Park Circle subdivision monument sign
Project Location:	7614 Park Circle Way /Tax Key No. 896 1001 000
Property Owner:	Park Circle, LLC.
Applicant:	Eric Obarski. Park Circle, LLC.
Current Zoning:	R-8 Multiple-Family Residence District
2025 Comprehensive Plan:	Commercial
Applicant's Action Requested:	Recommendation to approve the Miscellaneous application, and approval of the Sign review.

Introduction

The Park Circle subdivision monument sign project consists of 3 applications:

- Sign review, a subdivision monument sign for the Glen at Park Circle condominium development. The sign is generally located at the northwest corner of W. Park Way Circle and S. 76th Street.
- Miscellaneous application, to allow for the installation of a subdivision monument sign within a 30 foot landscape bufferyard easement.
- Sign variance, from the Municipal Code Section 210-4(C)(5)(a) to allow for a monument sign with a base width of 16 inches and a face width of 66 inches, while the minimum base width for such proposed sign is 33 inches. To be reviewed and approved by the Board of Zoning and Building appeals.

Background

On May 30, 2019, the applicant, Park Circle, LLC, filed a sign review application to allow for a subdivision monument sign for the Glen at Park Circle condominium development. On August 22, 2019, the City Development Department sent a memorandum to the applicant, including but not limited to the following information:

- City Development Department: "The proposed sign is located within a 30-foot landscape buffer easement, please revise the location of the sign".
- Inspection Services Department: "It appears from the "Sign Review" Application that the proposed monument sign for Park Circle violates the following Sign Code provisions:
 - 210-4(5)(a) – Base width
 - 210-4(5)(d)[5] – Vision triangle."

City Development Staff noted that the proposed sign location is within a landscape bufferyard easement and informed the applicant that in order to allow for a sign within such easement, a Miscellaneous application is required to be submitted for review by the Plan Commission and review and approval by the Common Council.

The Inspection Services Department noted the proposed sign does not comply with Section 210-4(C)(5)(a) "Base width" of Municipal Code. In this case, a sign variance is required to allow for the proposed sign.

The applicant submitted an application for a sign variance on November 22 and a Miscellaneous application on December 5, 2019.

Project Description and Analysis

Sign review:

The sign face is 2'-8" x 5'-6" (14.67 square feet) and constructed of cedar with raised lettering. It is suspended from an aluminum support and attached to two 8" x 8" white oak timbers with an overall height of 5-feet. Per Municipal Code Section 210-4(C)(5)(c) the maximum area of a monument sign is 120 square feet, the proposed sign complies with this restriction.

The sign is located outside of the vision triangle. The sign would have lighting but the applicant did not provide details.

Miscellaneous application:

According to the Landscape Plan associated with the Special Use (Resolution no. 2017-7305), within the landscape buffer easement "the building of structures hereon is prohibited". The definition of "structure" per the Unified Development Ordinance (UDO) §15-11.0103 is: "Anything constructed or erected which requires location on the ground, including a fence or free-standing wall. A sign, billboard, or other advertising medium, detached or projecting, shall be construed to be a structure".

The sign footprint is approximately 15.12 square feet, while the area of the easement is 3,780 square feet.

This landscape buffer is located along 76th street, the applicant stated that "with the entrance of the development located on 76th Street and the entire length of the frontage being restricted it creates an unusual circumstance with no other location being possible". It is noted that there are alternative locations for the proposed sign, but these locations are farther from 76th Street.

Sign variance:

This application is currently scheduled for the February 19, 2020, regular meeting of the Board of Zoning and Building appeals. No action is required from the Plan Commission.

Recommendation

Staff recommends approval of the Sign review and Miscellaneous applications subject to the conditions in the draft resolutions.

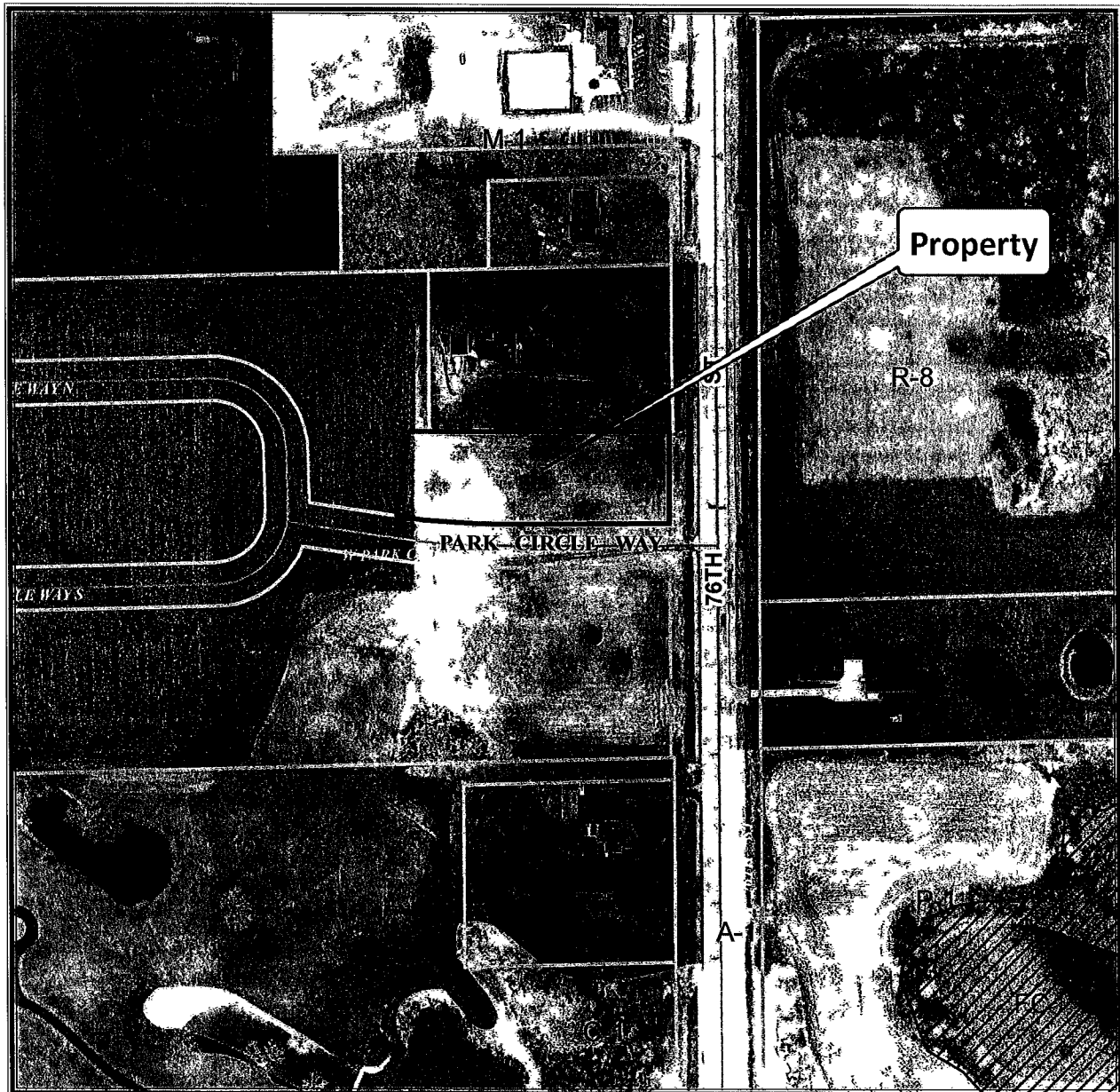
Recommended Motions

Motion to approve the Sign review application and a motion to recommend approval of the Miscellaneous application.

Suggestions

Staff suggests that the proposed sign shall be maintained by the Association, Park Circle Condominium Association, Inc.

7614 Park Circle Way
TKN: 896 1001 000



Planning Department
(414) 425-4024

0 130 260 520 Feet

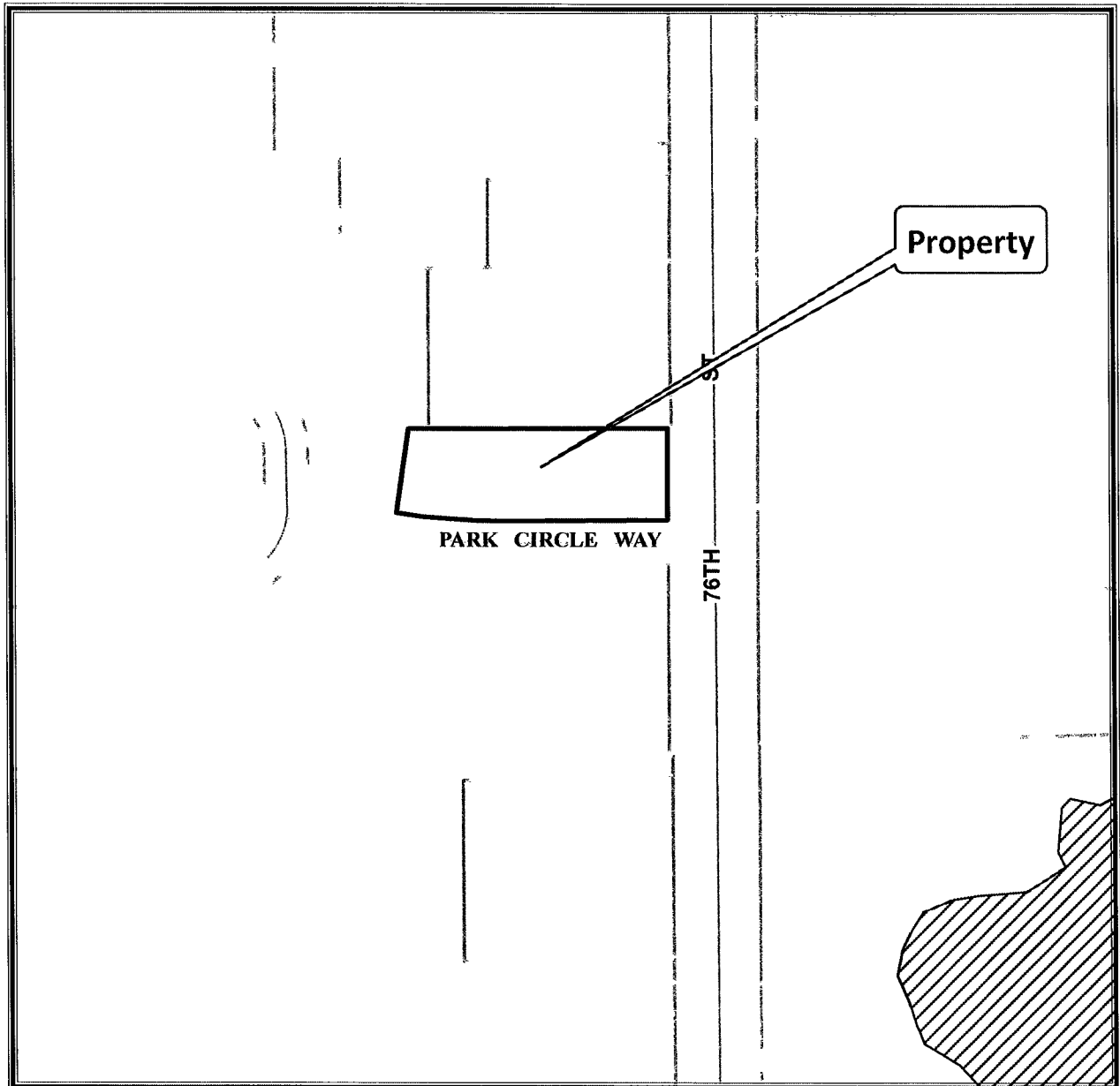
This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor. This map is provided for informational purposes only and may not be sufficient or appropriate for legal engineering or surveying purposes.



2017 Aerial Photo



7614 Park Circle Way
TKN: 896 1001 000



Planning Department
(414) 425-4024

0 130 260 520 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.

MEMORANDUM

Date. December 20, 2019

To: Eric Obarski
Park Circle, LLC

From: City of Franklin, Department of City Development

RE: Sign Review, Miscellaneous application and Sign variance.

Please be advised that the Department of City Development has reviewed the above applications. Staff comments are as follows for the Sign Review Application submitted by Park Circle, LLC, on May 30, Sign variance submitted on November 22, and Miscellaneous application submitted on December 5, 2019.

Sign review

1. As noted in previous memorandum dated August 22, 2019, no lighting is mentioned in the application materials, please clarify whether associated lighting is proposed or not.

The sign will have lighting It has not been determined if this will be solar or hard wired, specific details will be included with the sign permit application.

Miscellaneous application (to allow for a sign within a 30 landscape bufferyard easement).

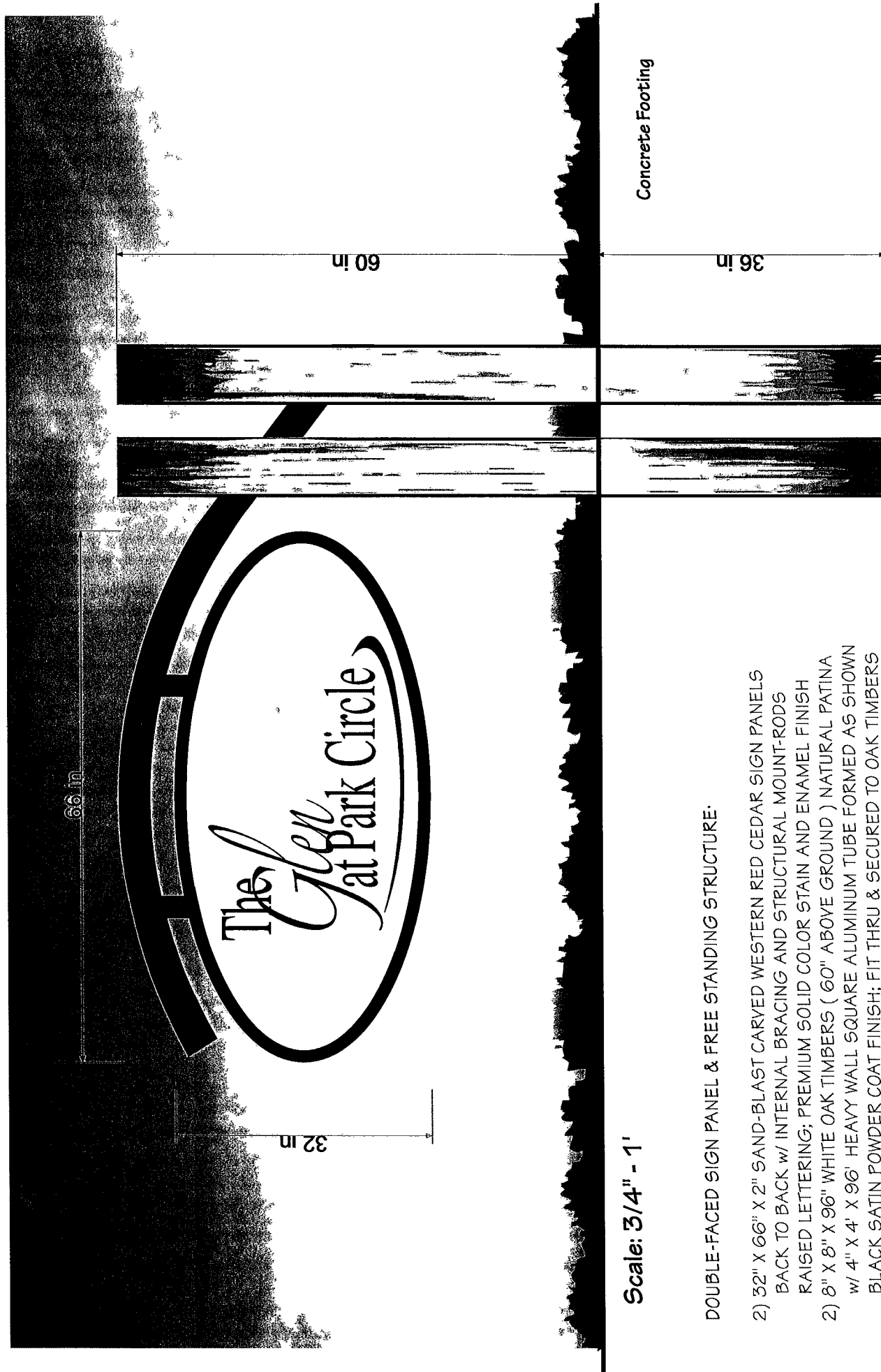
2. Is the footprint of the proposed sign 6 square feet? Please confirm.

Our designer's calculations show 15.12 square feet A dimensioned drawing is included

Sign variance (reduced base width).

3. Is the base width of the proposed sign 16 inches? Please confirm.

The actual part touching the ground is (2) 8" X 8" posts with 4" separation the two



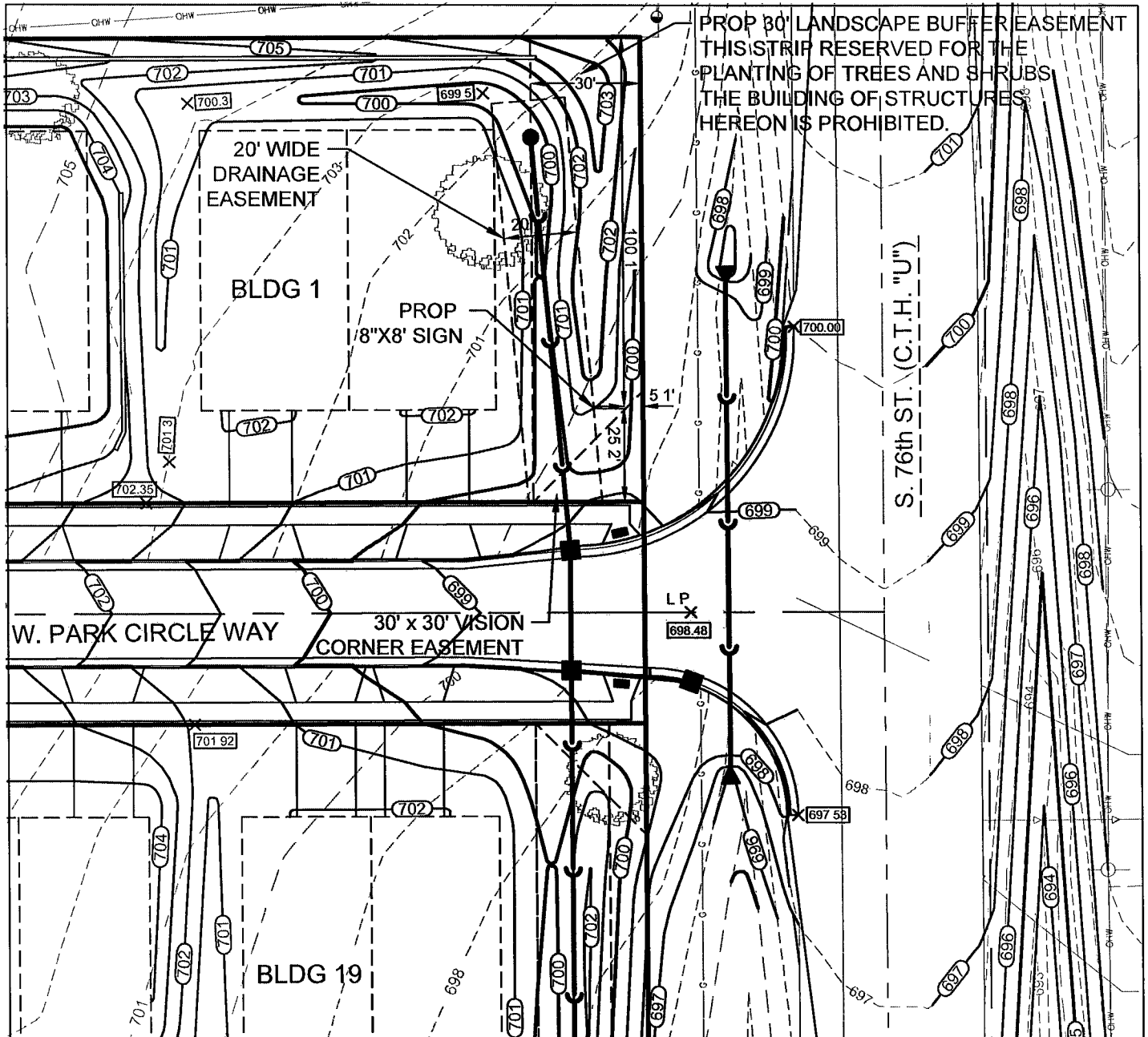
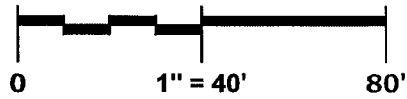
Scale: 3/4" = 1'

DOUBLE-FACED SIGN PANEL & FREE STANDING STRUCTURE.

- 2) 32" X 66" X 2" SAND-BLAST CARVED WESTERN RED CEDAR SIGN PANELS
BACK TO BACK w/ INTERNAL BRACING AND STRUCTURAL MOUNT-RODS
RAISED LETTERING; PREMIUM SOLID COLOR STAIN AND ENAMEL FINISH
- 2) 8" X 8" X 96" WHITE OAK TIMBERS (60" ABOVE GROUND) NATURAL PATINA
w/ 4" X 4" X 96" HEAVY WALL SQUARE ALUMINUM TUBE FORMED AS SHOWN
BLACK SATIN POWDER COAT FINISH; FIT THRU & SECURED TO OAK TIMBERS
ASSEMBLED AND INSTALLED IN LANDSCAPE w/ CONCRETE ANCHOR

SIGN EXHIBIT - PARK CIRCLE

GRAPHICAL SCALE (FEET)

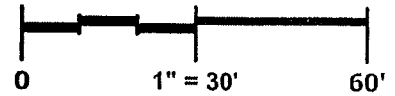


DATE: 05-21-19

EXHIBIT "C"

SIGN

GRAPHICAL SCALE (FEET)



LOT 1
C S M NO 9027

20' WIDE DRAINAGE EASEMENT

30' WIDE LANDSCAPE
BUFFER EASEMENT

30' X 30'
VISION
CORNER
EASEMENT

8" X 8' SIGN

0.3

5.1

0.3

25.2'

SOUTH 76TH STREET
COUNTY TRUNK HIGHWAY "U"

WEST PARK CIRCLE WAY



Prepared By

PINNACLE ENGINEERING GROUP

20725 WATERTOWN ROAD 1 SUITE 100

BROOKFIELD, WI 53186

OFFICE (262) 754-8888

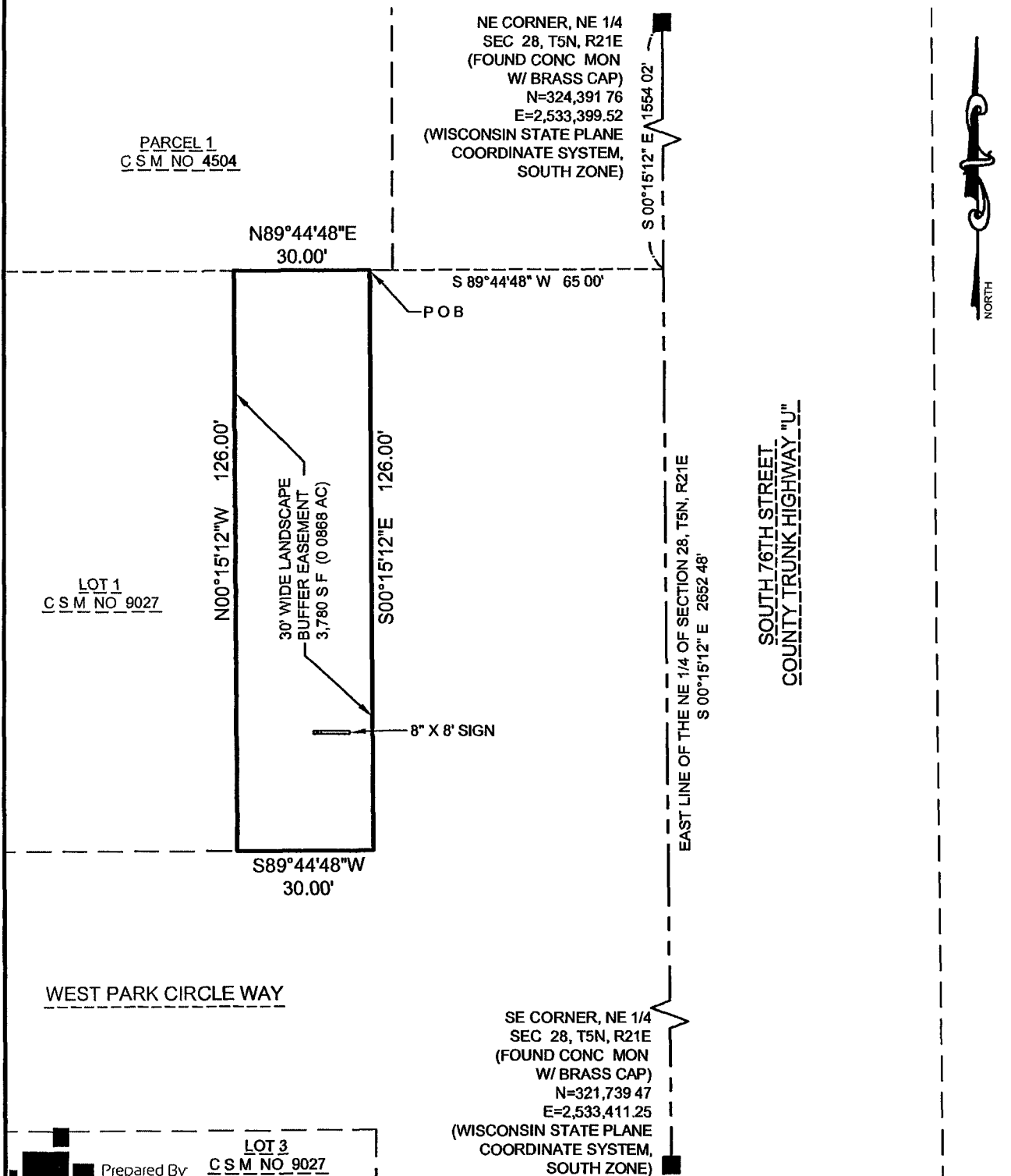
This instrument drafted by John P. Konopacki, PLS-License No. S-2461

DATE: OCTOBER 7, 2019

PEG JOB #901.00

SHEET 1 OF 1

GRAPHICAL SCALE (FEET)



Prepared By C S M NO. 9027 LOT 3

PINNACLE ENGINEERING GROUP
20725 WATERTOWN ROAD | SUITE 100
BROOKFIELD, WI 53186
OFFICE (262) 754-8888

This instrument

DATE: OCTOBER 7, 2019

PEG JOB#901.00
SHEET 1 OF 1

EXHIBIT "A"

Legal Description of 30' Wide Landscape Buffer Easement:

Part of Lot 1 of Certified Survey Map No. 9027, as recorded in the Register of Deeds Office for Milwaukee County as Document No 10767865, being a part of the Southeast Quarter (SE 1/4) of the Northeast Quarter (NE 1/4) of Section 28, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin, bounded and described as follows:

Beginning at the northeast corner of said Lot 1; thence South 00°15'12" East along the east line of said Lot 1 and the west right-of-way line of South 76th Street (County Trunk Highway U) 126.00 feet to the southeast corner of said Lot 1 and the north right-of-way line of West Park Circle Way; thence South 89°44'48" West along said north right-of-way line 30.00 feet; thence North 00°15'12" West 126.00 feet to the north line of said Lot 1; thence North 89°44'48" East along said north line 30.00 feet to the place of beginning.

APPROVAL <i>slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 01/21/20
REPORTS & RECOMMENDATIONS	A RESOLUTION AUTHORIZING THE INSTALLATION OF A MONUMENT SIGN WITHIN THE STORMWATER MANAGEMENT ACCESS EASEMENT PLAT RESTRICTION IN THE RYANWOOD MANOR SINGLE-FAMILY RESIDENTIAL DEVELOPMENT (GENERALLY AT THE NORTHWEST CORNER OF WEST OAKWOOD ROAD AND SOUTH 76TH STREET) (OAKWOOD AT RYAN CREEK, LLC, APPLICANT)	ITEM NUMBER <i>G, 10.</i>
<p>At the January 9, 2020, regular meeting, the Plan Commission carried a motion to recommend approval of a Resolution authorizing the installation of a monument sign within the stormwater management access easement plat restriction in the Ryanwood Manor single-family residential development.</p> <p style="text-align: center;">COUNCIL ACTION REQUESTED</p> <p>A motion to adopt Resolution 2020-_____, authorizing the installation of a monument sign within the stormwater management access easement plat restriction in the Ryanwood Manor single-family residential development.</p>		

STATE OF WISCONSIN

CITY OF FRANKLIN

MILWAUKEE COUNTY

[Draft 12-31-19]

RESOLUTION NO. 2020-_____

A RESOLUTION AUTHORIZING THE INSTALLATION OF A
MONUMENT SIGN WITHIN THE STORMWATER MANAGEMENT
ACCESS EASEMENT PLAT RESTRICTION IN THE RYANWOOD MANOR
SINGLE-FAMILY RESIDENTIAL DEVELOPMENT
(GENERALLY AT THE NORTHWEST CORNER OF WEST
OAKWOOD ROAD AND SOUTH 76TH STREET)
(OAKWOOD AT RYAN CREEK, LLC, APPLICANT)

WHEREAS, the Ryanwood Manor Subdivision Plat prohibits the building of structures within the stormwater management access easement described thereon; and

WHEREAS, Oakwood at Ryan Creek, LLC having applied for a release of the stormwater management access easement restriction upon their property to the extent necessary to install an entrance monument sign at the northwest corner of West Oakwood Road and South 76th Street, specifically within Outlot 2, such property being zoned R-5 Suburban Single-Family Residence District, bearing Tax Key No. 934-9992-010, more particularly described as follows:

Outlot 2 of Ryanwood Manor subdivision, being a part of the Northeast 1/4 and Southeast 1/4 of the Southeast 1/4 of Section 28, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin; and

WHEREAS, the stormwater management access easement restriction upon the Final Plat for the Ryanwood Manor single-family residential development and its accompanying restriction of the building of structures is a restriction which was imposed by the Franklin Common Council in its approval of the Final Plat; and

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

WHEREAS, the Common Council having considered the request for the release of the stormwater management access easement restriction only so as to allow for the subject monument sign installation, and having considered the proposed location of and type of monument sign to be installed upon the subject property in conjunction with existing and required landscaping on the property, and that the proposed monument sign will not create any adverse impact upon the aesthetic or buffering purposes of the landscape bufferyard.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the installation of the proposed monument sign of the type and specifications as described and only upon the location as set forth within the plans accompanying the application of Oakwood at Ryan Creek, LLC filed on December 30, 2019, be and the same is hereby authorized and approved and that the stormwater management access easement restriction as it would otherwise apply to such installation upon the subject property only, is hereby waived and released.

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

1. The sign footprint shall not exceed 32 square feet.
2. In case the City of Franklin would need to utilize, modify, or otherwise maintain the stormwater management access easement, the property owner shall allow appropriate access to the easement area, including, if necessary, the removal of the sign within the easement, for such maintenance purposes.
3. Access to the easement shall be granted by the property owner whenever requested by the City. The City shall be held harmless in the event that any damage would occur to the sign due to its location within the easement or by City maintenance of the easement.

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

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

RESOLUTION NO. 2020-_____

Page 3

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

**CITY OF FRANKLIN****REPORT TO THE PLAN COMMISSION****Meeting of January 9, 2020****Sign review and Miscellaneous application**

RECOMMENDATION: City Development Staff recommends approval of the Sign review and Miscellaneous application submitted by Oakwood at Ryan Creek, LLC., subject to the conditions in the draft resolutions.

Project Name:	Ryanwood Manor subdivision monument sign
Project Location:	NW Corner of Oakwood Rd and 76th Street /Tax Key No. 896 1001 000
Property Owner:	Oakwood at Ryan Creek, LLC.
Applicant:	Eric Obarski. Oakwood at Ryan Creek, LLC.
Current Zoning:	R-5 – Suburban Single-Family Residence District
2025 Comprehensive Plan:	Residential
Applicant's Action Requested:	Recommendation to approve the Miscellaneous application, and approval of the Sign review.

Introduction

The Ryanwood Manor subdivision monument sign project consists of 2 applications:

- Sign review, a subdivision monument sign for the Ryanwood Manor development. The sign is generally located at the northwest corner of Oakwood Rd. and S. 76th Street, specifically within outlot 2.
- Miscellaneous application, to allow for the installation of a a subdivision monument sign within a stormwater management access easement.

Background

On July 31, 2019, the applicant, Oakwood at Ryan Creek, LLC., filed a sign review application to allow for a subdivision monument sign. On October 7, 2019, the City Development Department sent a memorandum to the applicant with the following information:

- Per Ryanwood Manor final plat recorded with the Milwaukee Register of Deeds on 6/11/2019 (Doc. #10878187), Sheet 3 of 7, the proposed sign is located in Outlot 2, a stormwater management access easement. As stated in note 8 of the recorded plat, "Construction of any building, grading, or filling in said outlots is prohibited unless approved by the City of Franklin".

On December 5, 2019, the applicant submitted a Miscellaneous application to allow for the installation of a sign within said easement.

Project Description and Analysis

Sign review:

The sign face is 10'-9" by 3'-4" (35.83 square feet) and constructed of weathered cedar within steel frame, lettering is made of steel. It is supported by steel rails and posts mounted on split-faced granite veneer column and wall, with an overall height of 7'-1". Per Municipal Code Section 210-4(C)(5)(c) the maximum area of a monument sign is 120 square feet, the proposed sign complies with this restriction.

The sign is located outside the 60 feet vision triangle. The sign would have lighting but the applicant did not provided details.

Miscellaneous application:

This application is to allow for the installation of a subdivision monument sign within a stormwater management access easement. The sign footprint is approximately 31.17 square feet, while the area of the easement is approximately 2.69 acres (117,176 square feet).

The applicant stated that the proposed sign "is going to be the main subdivision monument and idetifying feature because of the lack of space and visibility near the two subdivision entrances and the increased exposure on the corner of Oakwood and 76th Street".

Recommendation

Staff recommends approval of the Sign review and Miscellaneous applications subject to the conditions in the draft resolutions.

Recommended Motions

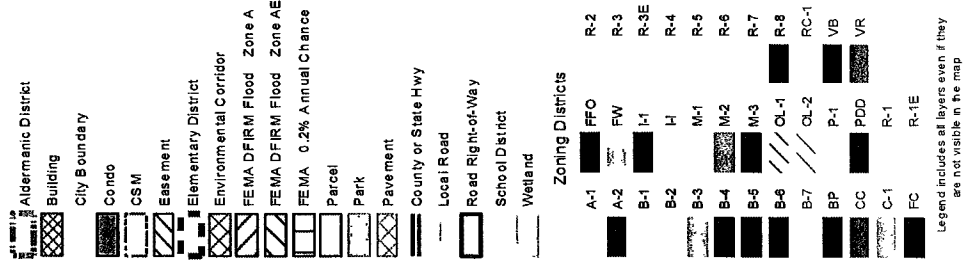
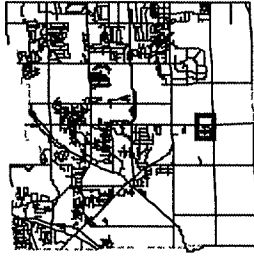
Motion to approve the Sign review application and a motion to recommend approval of the Miscellaneous application.

Suggestions

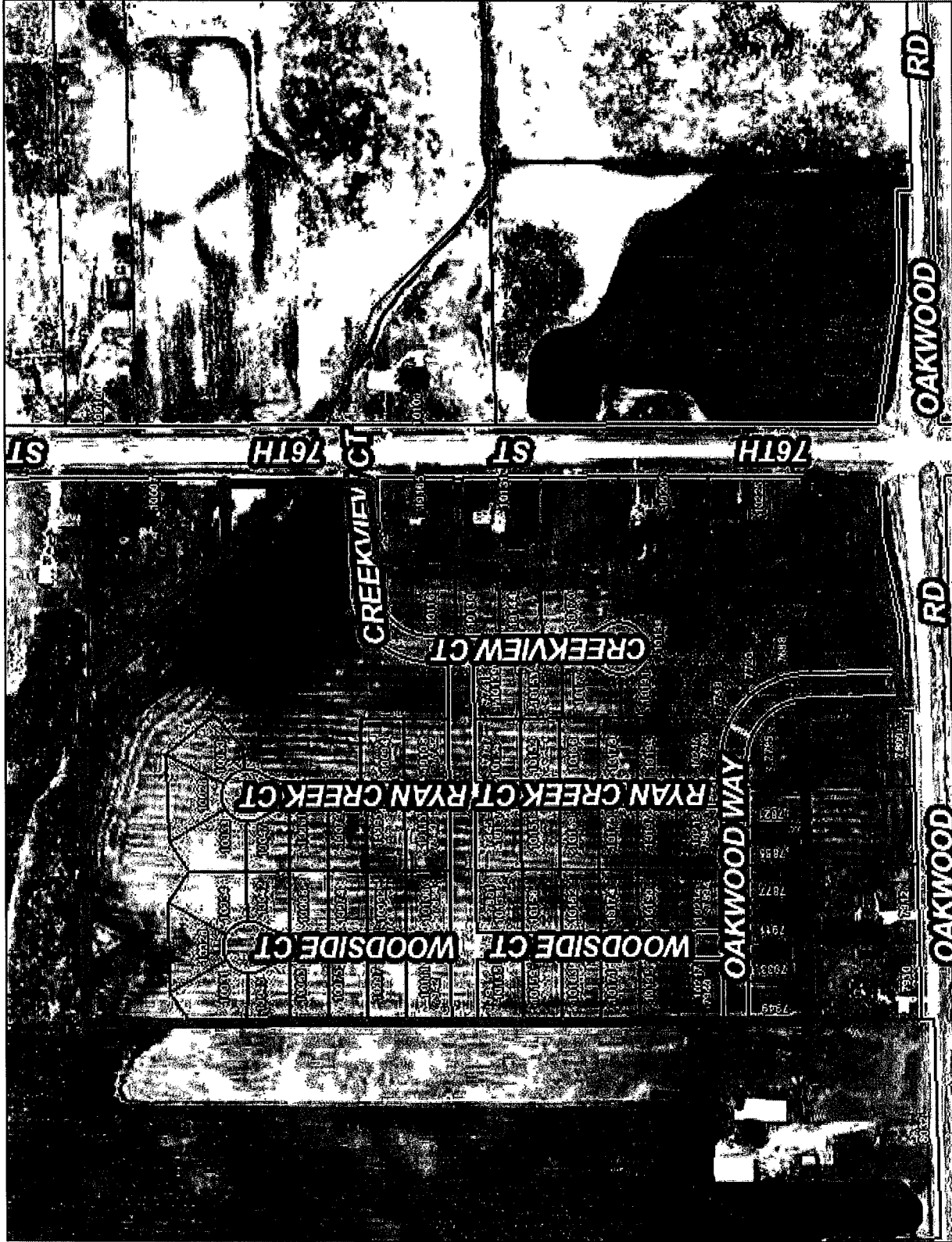
Staff suggests that the proposed sign shall be maintained by the Ryanwood Manor Homeowners Association.

Franklin Public Property Viewer

Overview Map



Map Printed 1/3/2020

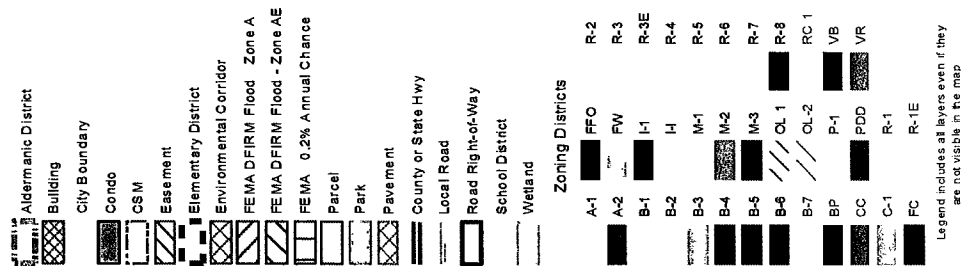
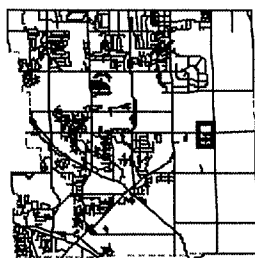


(C) City of Franklin, WI



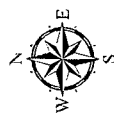
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Overview Map



Legend includes all layers even if they are not visible in the map

Map Printed 1/3/2020

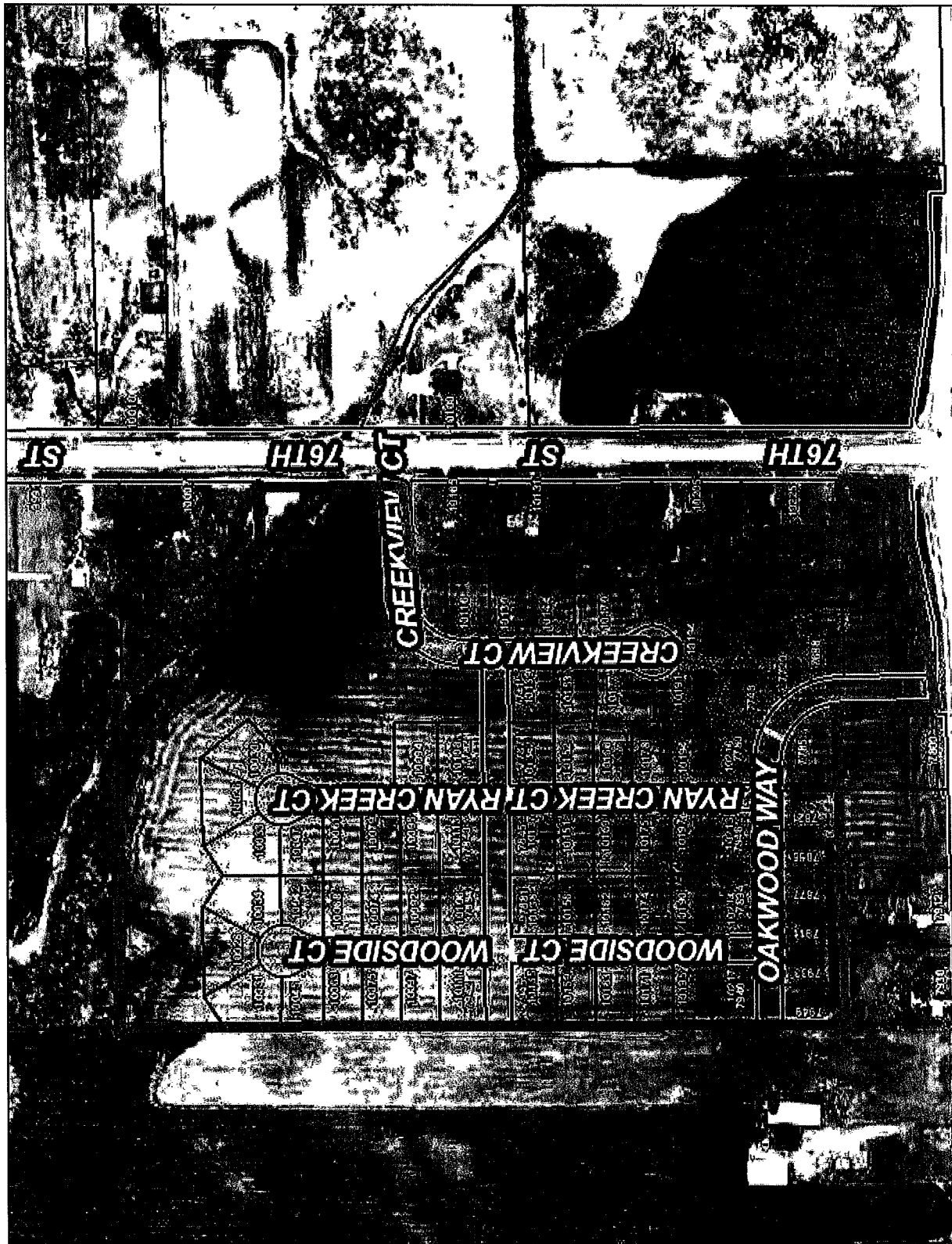


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(C) C. v. of Franklin W.

Franklin

9229 W Loomis Rd Franklin WI 53132
www.franklinwi.gov



MEMORANDUM

Date: December 20, 2019

To: Eric Obarski
Oakwood at Ryan Creek, LLC

From: City of Franklin, Department of City Development

RE: Application for Sign Review and Miscellaneous application to allow for a sign within a stormwater management access easement, Ryanwood Manor.

Please be advised that the Department of City Development has reviewed the above applications. Staff comments are as follows for the Sign Review Application submitted by Oakwood at Ryan Creek, LLC on July 30, 2019, and Miscellaneous application submitted on December 5, 2019.

Department of City Development Staff Comments

1. It is noted that a variance is not the appropriate application to allow for a sign within an easement, please revise cover letter accordingly. Done
2. As noted in previous memorandum dated October 7, 2019, no lighting is mentioned in the application materials, please clarify whether associated lighting is proposed or not.
The sign will have lighting It has not been determined if this will be solar or hard wired, specific details will be included with sign permit application
3. Is the footprint of the proposed sign 35 square feet? Please confirm.
Our designer's calculations come to 31 17 square feet.



December 2nd, 2019

Planning Department

9229 West Loomis Road

Franklin, WI 53132

Enclosed please find our application for the placement of the Ryanwood Manor subdivision monument. Oakwood at Ryan Creek LLC is requesting permission to place the subdivision entrance monument within the Stormwater Management Access easement on the corner of 76th street and Oakwood Road.

As part of the approval process of this project a detailed landscaping plan and exhibit was presented at the February 7th 2019 planning commission and February 19th common council meeting. This color exhibit showed a large entrance monument feature, including fountain, located on the South East corner of the project. This is going to be the main subdivision monument and identifying feature because of the lack of space and visibility near the two subdivision entrances and the increased exposure on the corner of Oakwood and 76th. After applying for the subdivision monument permit we learned that the location was inside of a Stormwater Management Access Easement would require approval. We are now applying for the needed approval to allow the construction of the Monument as planned and presented to the Plan Commission and Common Council. We have verified that the sign is not located in the vision corner and meets all required setbacks.

We are requesting approval of the following:

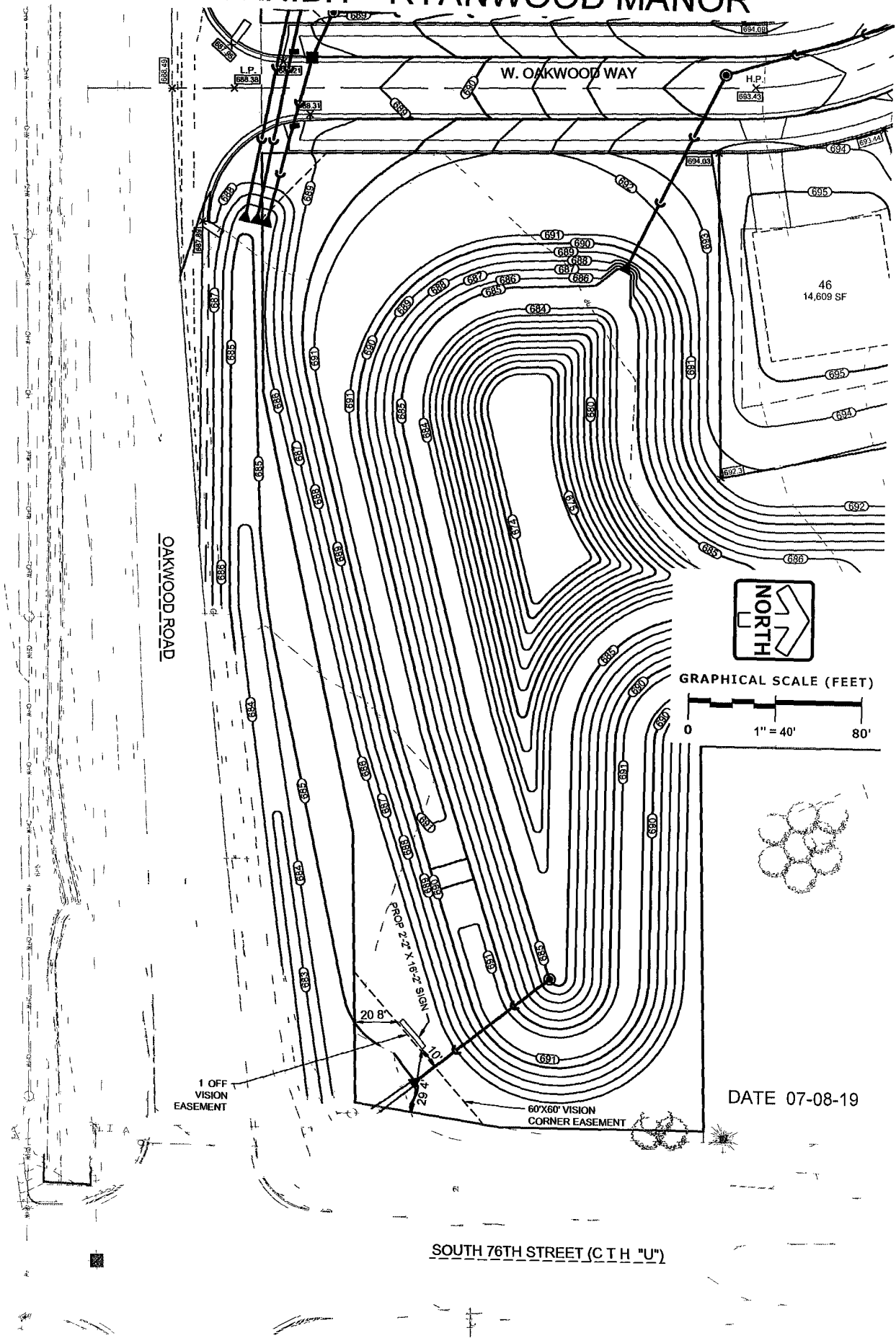
- 1) The location of the monument per the enclosed exhibit within the Stormwater Management Access Easement

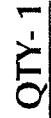
Thankyou,

Eric Obarski

Oakwood at Ryan Creek LLC

SIGN EXHIBIT - RYANWOOD MANOR





GRAND MONUMENT SIGN

ELEVATIONS



APPROVAL <i>slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 01/21/20
REPORTS & RECOMMENDATIONS	AN ORDINANCE TO AMEND UNIFIED DEVELOPMENT ORDINANCE §15- 3.0103.A.3. SPLIT ZONING OF NEWLY CREATED LOTS NOT ALLOWED, TO PROVIDE FOR AND EXCEPT CERTAIN MINOR LAND DIVISIONS INVOLVING AN ESTABLISHED RESIDENTIAL USE NOT CURRENTLY INTENDED FOR REDEVELOPMENT (CITY OF FRANKLIN, APPLICANT)	ITEM NUMBER 6, 11.
<p>At the January 9, 2020, regular meeting, the Plan Commission carried a motion to recommend approval of an Ordinance to amend Unified Development Ordinance §15-3.0103.A.3. split zoning of newly created lots not allowed, to provide for and except certain minor land divisions involving an established residential use not currently intended for redevelopment.</p> <p style="text-align: center;">COUNCIL ACTION REQUESTED</p> <p>A motion to adopt Ordinance 2020-_____, to amend Unified Development Ordinance §15-3.0103.A.3. split zoning of newly created lots not allowed, to provide for and except certain minor land divisions involving an established residential use not currently intended for redevelopment.</p>		

STATE OF WISCONSIN

CITY OF FRANKLIN

MILWAUKEE COUNTY

[Draft 12-31-19]

ORDINANCE NO. 2020-_____

AN ORDINANCE TO AMEND UNIFIED DEVELOPMENT
ORDINANCE §15-3.0103.A.3. SPLIT ZONING OF NEWLY CREATED
LOTS NOT ALLOWED, TO PROVIDE FOR AND EXCEPT CERTAIN MINOR
LAND DIVISIONS INVOLVING AN ESTABLISHED RESIDENTIAL USE NOT
CURRENTLY INTENDED FOR REDEVELOPMENT
(CITY OF FRANKLIN, APPLICANT)

WHEREAS, §15-3.0103.A.3. Split Zoning of Newly Created Lots Not Allowed of the Unified Development Ordinance requires in part that the split zoning of any newly created lot or parcel into more than one zoning district shall not be allowed, except for the AO, FW, FC, FFO, and SW Districts, and;

WHEREAS, the City of Franklin having applied for a text amendment to §15-3.0103.A.3. of the Unified Development Ordinance to provide for and except certain minor land divisions involving an established residential use not currently intended for redevelopment, such division being for the purpose of providing additional land to an adjoining tax incremental district mixed-use development including industrial and commercial uses, for such remaining established residential dwelling building use parcel or parcels only; and

WHEREAS, the Plan Commission having reviewed the proposed amendment, and having held a public hearing on the proposal on the 9th day of January, 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 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: §15-3.0103 DISTRICT BOUNDARIES, specifically §15-3.0103.A.3. Split Zoning of Newly Created Lots Not Allowed of the Unified Development Ordinance of the Municipal Code of the City of Franklin, Wisconsin is hereby amended to read as follows:

3. Split Zoning of Newly Created Lots Not Allowed. The split zoning of any newly created lot or parcel into more than one zoning district

shall not be allowed except for the AO, FW, FC, FFO, and SW Districts, and for and upon an application for certified survey map approval for the purpose of providing additional land to an adjoining tax incremental district mixed-use development including industrial and commercial uses, where lots are being created from a parcel or parcels, upon which there exists an established residential dwelling building use, such established use parcel or parcels not being the subject of current further development application, for such remaining established residential dwelling building use parcel or parcels only.

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

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

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

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



REPORT TO THE PLAN COMMISSION

Meeting of January 9, 2020

Unified Development Ordinance Text Amendment

RECOMMENDATION: City Development Staff recommends denial of the proposed Unified Development Ordinance (UDO) Text Amendment.

Project Name: Amendment to UDO Section 15-3.0103.A.3. "Split Zoning of Newly Created Lots Not Allowed", to provide for and except certain Minor Land Divisions involving an established residential use not currently intended for redevelopment.

Project Address: City-wide.

Applicant: Mayor Steve Olson.

Applicant's Action Requested: Approval of the proposed UDO text amendment.

UNIFIED DEVELOPMENT ORDINANCE (UDO) TEXT AMENDMENT:

This is a city-sponsored application for a Unified Development Ordinance Text Amendment to amend Section 15-3.0103.A.3. "Split Zoning of Newly Created Lots Not Allowed", to provide for and except certain Minor Land Divisions involving an established residential use not currently intended for redevelopment, specifically (see highlighted text):

The split zoning of any newly created lot or parcel into more than one zoning district shall not be allowed, except for the AO, FW, FC, FFO, and SW Districts, and for and upon an application for certified survey map approval for the purpose of providing additional land to an adjoining tax incremental district mixed-use development including industrial and commercial uses, where lots are being created from a parcel or parcels, upon which there exists an established residential dwelling building use, such established use parcel or parcels not being the subject of current further development application, for such remaining established residential dwelling building use parcel or parcels only.

BACKGROUND:

On October 10, 2019, Bear Development, LLC submitted applications for a rezoning, land division variance and certified survey map. Among the conditions of approval, City Development staff recommended the following:

The applicant shall apply for a Rezoning from the City to rezone the proposed Lot 2 to a single zoning district, and to remove the C-1 Conservancy District, prior to recording of the subject Certified Survey Map. If said rezoning is approved, the applicant shall revise the Certified Survey Map according to City procedures and requirements.

During the December 5, 2019, regular meeting of the Plan Commission, Bear Development, LLC requested to defer any rezoning classification of Lot 2 to the time of development because this Lot is not under his ownership.

If adopted, this UDO Text Amendment would exclude Lot 2 of said certified survey map (CSM) of the requirement to rezone to a single zoning district.

STAFF RECOMMENDATION

City Development Staff recommends denial of a Unified Development Ordinance Text Amendment to amend Section 15-3.0103.A.3. “Split Zoning of Newly Created Lots Not Allowed”, to provide for and except certain Minor Land Divisions involving an established residential use not currently intended for redevelopment.

In this regard, it can be noted that:

- Staff informed the applicant that split lot zoning was not allowed by the UDO by email dated October 18, 2019 and in the Staff Comments Memo dated October 31, 2019.
- The subject CSM is related to a proposed development which has not yet been submitted for City review or approval. As such, more than enough time was available to address this issue without a UDO Text Amendment.
- The prohibition against split lot zoning (except for floodplain and other similar natural resource related features) is a long-standing common zoning practice throughout many communities in Wisconsin (including the City’s previous zoning ordinance). Where allowed, such split lot zoning typically follows physical features such as roads, railroads, or rivers.
- The prohibition against split lot zoning is also for the benefit of existing and future property owners such that confusion about the location of the zoning boundary, applicable setbacks and other zoning district standards, etc. can be avoided.



Date of Application: 12/12/2019

UNIFIED DEVELOPMENT ORDINANCE (UDO) TEXT AMENDMENT APPLICATION

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

Applicant (Full Legal Name[s]) Name <u>Mayor Steve Olson</u> Company <u>City of Franklin</u> Mailing Address <u>9229 W Loomis Road</u> City / State <u>Franklin, WI</u> Zip <u>53132</u> Phone <u>414-425-7529</u> Email Address <u>Solson@franklinwi.gov</u>	Applicant is Represented by: (contact person)(Full Legal Name[s]) Name <u>not applicable</u> Company <u>not applicable</u> Mailing Address <u>not applicable</u> City / State <u>not applicable</u> Zip <u>not applicable</u> Phone <u>not applicable</u> Email Address <u>not applicable</u>
Project Property Information: (if applicable) Property Address <u>City-wide</u> Property Owner(s) <u>not applicable</u> Mailing Address <u>not applicable</u> City / State <u>Franklin, WI</u> Zip <u>not applicable</u> Email Address <u>not applicable</u>	Tax Key Nos <u>not applicable</u> Existing Zoning <u>not applicable</u> Existing Use <u>not applicable</u> Proposed Use <u>not applicable</u> CMP Land Use Identification <u>not applicable</u>

UDO Text Amendment submittals for review must include and be accompanied by the following:

☒ This Application form accurately completed with original signature(s) Facsimiles and copies will not be accepted

☐ Application Filing Fee, payable to City of Franklin ☐ \$200

☐ Seven (7) copies of a written Project Narrative, including a full description of the proposed text amendment.
(Include the proposal's intent, impacts, and consistency with the Comprehensive Master Plan.)

Franklin

DEC 12 2019

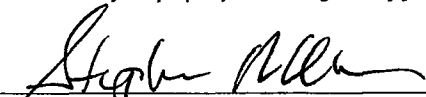
City Development

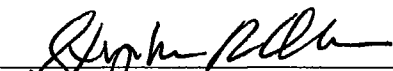
*The 2025 Comprehensive Master Plan Future Land Use Map is available at <http://www.franklinwi.gov/Home/Resources/Documents/Maps.htm>

- Upon receipt of a complete submittal, staff review will be conducted within ten business days
- Requires a Class II Public Hearing notice at Plan Commission
- Unified Development Ordinance Text Amendment requests require Plan Commission review and recommendation and Common Council approval
- The City's Unified Development Ordinance (UDO) is available at www.franklinwi.gov

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) Stephen R. Olson Mayor
Date 12/13/19


Signature - Applicant
Name & Title (PRINT) Stephen R. Olson Mayor
Date 12/13/19

Signature - Property Owner
Name & Title (PRINT) _____
Date _____

Signature - Applicant's Representative
Name & Title (PRINT) _____
Date _____

CITY OF FRANKLIN
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT THE PLAN COMMISSION OF THE CITY OF FRANKLIN will conduct a public hearing on Thursday, January 9, 2020, at 7:00 p.m., or as soon thereafter as the matter may be heard, in the Common Council Chambers at the Franklin City Hall, 9229 West Loomis Road, Franklin, Wisconsin 53132, to hear public comment regarding an application by the City of Franklin, for a proposed Ordinance to Amend Unified Development Ordinance §15-3.0103.A.3. Split Zoning of Newly Created Lots Not Allowed, to Provide for and Except Certain Minor Land Divisions Involving an Established Residential Use Not Currently Intended for Redevelopment, specifically: The split zoning of any newly created lot or parcel into more than one zoning district shall not be allowed, except for the AO, FW, FC, FFO, and SW Districts, and for and upon an application for certified survey map approval for the purpose of providing additional land to an adjoining tax incremental district mixed-use development including industrial and commercial uses, where lots are being created from a parcel or parcels, upon which there exists an established residential dwelling building use, such established use parcel or parcels not being the subject of current further development application, for such remaining established residential dwelling building use parcel or parcels only. This public hearing is being held pursuant to the requirements of §62.23(7)(d)2. of the Wisconsin Statutes and Division 15-9.0200 of the City of Franklin Unified Development Ordinance. A copy of the proposed Unified Development Ordinance Text Amendment ordinance in draft form is available and open for inspection by the public in the office of the City Clerk at Franklin City Hall, 9229 West Loomis Road, Franklin, Wisconsin 53132, during normal business hours. The public is invited to attend the public hearing and to provide input. The proposed draft ordinance is subject to revisions following public hearing and the further consideration by the Plan Commission and the City of Franklin Common Council.

Dated this 11th day of December, 2019.

Sandra L. Wesolowski
City Clerk

N.B. Class II

Please publish 12/25/19 and 1/1/20

APPROVAL <i>slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 01/21/20
REPORTS & RECOMMENDATIONS	AN ORDINANCE TO AMEND UNIFIED DEVELOPMENT ORDINANCE §15-3.0501.C. EXCLUSIONS (WHEN NATURAL RESOURCE PROTECTION AND SITE INTENSITY AND CAPACITY CALCULATIONS ARE NOT REQUIRED), TO PROVIDE FOR AND EXCLUDE CERTAIN MINOR LAND DIVISIONS INVOLVING AN ESTABLISHED RESIDENTIAL USE NOT CURRENTLY INTENDED FOR REDEVELOPMENT (CITY OF FRANKLIN, APPLICANT)	ITEM NUMBER <i>G, 12.</i>
<p>At the January 9, 2020, regular meeting, the Plan Commission carried a motion to recommend approval of an Ordinance to amend Unified Development Ordinance §15-3.0501.C. exclusions (when natural resource protection and site intensity and capacity calculations are not required), to provide for and exclude certain minor land divisions involving an established residential use not currently intended for redevelopment.</p> <p style="text-align: center;">COUNCIL ACTION REQUESTED</p> <p>A motion to adopt Ordinance 2020-_____, to amend Unified Development Ordinance §15-3.0501.C. exclusions (when natural resource protection and site intensity and capacity calculations are not required), to provide for and exclude certain minor land divisions involving an established residential use not currently intended for redevelopment.</p>		

STATE OF WISCONSIN

CITY OF FRANKLIN

MILWAUKEE COUNTY

[Draft 12-31-19]

ORDINANCE NO. 2020-_____

AN ORDINANCE TO AMEND UNIFIED DEVELOPMENT
ORDINANCE §15-3.0501.C. EXCLUSIONS (WHEN NATURAL RESOURCE
PROTECTION AND SITE INTENSITY AND CAPACITY CALCULATIONS ARE NOT
REQUIRED), TO PROVIDE FOR AND EXCLUDE CERTAIN MINOR LAND
DIVISIONS INVOLVING AN ESTABLISHED RESIDENTIAL USE NOT CURRENTLY
INTENDED FOR REDEVELOPMENT
(CITY OF FRANKLIN, APPLICANT)

WHEREAS, §15-3.0501.C. Exclusions (When Natural Resource Protection and Site Intensity and Capacity Calculations Are Not Required) of the Unified Development Ordinance specifies certain development circumstances under which natural resource protection and site intensity and capacity calculations are not required; and

WHEREAS, the City of Franklin having applied for a text amendment to §15-3.0501.C. of the Unified Development Ordinance to additionally provide for and except certain minor land divisions involving an established residential use not currently intended for redevelopment, such division being for the purpose of providing additional land to an adjoining tax incremental district mixed-use development including industrial and commercial uses, for such remaining established residential dwelling building use parcel or parcels only; and

WHEREAS, the Plan Commission having reviewed the proposed amendment, and having held a public hearing on the proposal on the 9th day of January, 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 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: §15-3.0501 NATURAL RESOURCE PROTECTION AND SITE
 INTENSITY AND CAPACITY CALCULATIONS FOR
 RESIDENTIAL AND NONRESIDENTIAL USES REQUIRED,
 specifically §15-3.0501.C. Exclusions (When Natural Resource
 Protection and Site Intensity and Capacity Calculations Are Not
 Required) of the Unified Development Ordinance of the Municipal

Code of the City of Franklin, Wisconsin is hereby amended to add the following at the end of the current existing text:

A Natural Resource Protection Plan (and related requirements, such as the submission of conservation easements, etc.) shall not be required with an application for certified survey map approval for the purpose of providing additional land to an adjoining tax incremental district mixed-use development including industrial and commercial uses, where lots are being created from a parcel or parcels, upon which there exists an established residential dwelling building use, such established use parcel or parcels not being the subject of current further development application, for such remaining established residential dwelling building use parcel or parcels only, provided with regard to such remaining established residential dwelling building use parcel or parcels that: i) in lieu of the Natural Resource Protection Plan submission requirement, the Certified Survey Map application shall show upon its face the existence of any natural resource features, as identified in §15-4.0102, located on the parcels of the Certified Survey Map based upon the "best available" information; (ii) that a Natural Resource Protection Plan must be submitted upon any further development of the "remaining established residential dwelling building use parcel or parcels"; and iii) the following note shall be placed upon the face of such Certified Survey Map: "The Natural Resource Features identified herein upon lot[s] [number[s]] are not based upon field surveys. In the event of further land division or development of lot[s] [number[s]] with any such Natural Resource Feature, a complete NRPP with field surveys is required for said parcel".

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

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

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

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

ORDINANCE NO. 2020-____
Page 3

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 _____



REPORT TO THE PLAN COMMISSION

Meeting of January 9, 2020

Unified Development Ordinance Text Amendment

RECOMMENDATION: City Development Staff recommends denial of the proposed Unified Development Ordinance (UDO) Text Amendment.

Project Name: Amendment to UDO Section 15-3.0501.C. "Exclusions (When Natural Resource Protection and Site Intensity and Capacity Calculations Are Not Required)", to provide for and exclude certain Minor Land Divisions involving an established residential use not currently intended for redevelopment.

Project Address: City-wide.

Applicant: Mayor Steve Olson.

Applicant's Action Requested: Approval of the proposed UDO text amendment.

UNIFIED DEVELOPMENT ORDINANCE (UDO) TEXT AMENDMENT:

This is a city-sponsored application for a Unified Development Ordinance Text Amendment to amend Section 15-3.0501.C. "Exclusions (When Natural Resource Protection and Site Intensity and Capacity Calculations Are Not Required)", to provide for and exclude certain Minor Land Divisions involving an established residential use not currently intended for redevelopment, specifically:

A Natural Resource Protection Plan (and related requirements, such as the submission of conservation easements, etc.) shall not be required with an application for certified survey map approval for the purpose of providing additional land to an adjoining tax incremental district mixed-use development including industrial and commercial uses, where lots are being created from a parcel or parcels, upon which there exists an established residential dwelling building use, such established use parcel or parcels not being the subject of current further development application, for such remaining established residential dwelling building use parcel or parcels only, provided with regard to such remaining established residential dwelling building use parcel or parcels that: i) in lieu of the Natural Resource Protection Plan submission requirement, the Certified Survey Map application shall show upon its face the existence of any natural resource features, as identified in §15-4 0102, located on the parcels of the Certified Survey Map based upon the "best available" information; (ii) that a Natural Resource Protection Plan must be submitted upon any further development of the "remaining established residential dwelling building use parcel or parcels"; and iii) the following note shall be placed upon the face of such Certified Survey Map. "The Natural Resource Features identified herein upon lot[s] [number[s]] are not based upon field surveys. In the event of further land division or development of lot[s] [number[s]] with any such Natural Resource Feature, a complete NRPP with field surveys is required for said parcel"

BACKGROUND:

On October 10, 2019, Bear Development, LLC submitted applications for a rezoning, land division variance and certified survey map. Among the conditions of approval, City Development staff recommended the following:

The applicant shall submit a written conservation easement document and a conservation easement restriction note on the face of the Certified Survey Map in conjunction with the "Natural Resource Protection Plan", subject to review and approval by the Department of City Development, prior to recording the Certified Survey Map. The Conservation Easement shall be reviewed by City staff, and approved by the Common Council, for recording with the Milwaukee County Register of Deeds Office concurrently with recording of the Certified Survey Map.

During the December 5, 2019, regular meeting of the Plan Commission, Bear Development, LLC requested to postpone the delineation of outlots and conservation easement to the time of development, especially for Lot 2 which is not under his ownership and is not part of the proposed rezoning.

If adopted, this UDO Text Amendment would exclude Lot 2 of said certified survey map (CSM) of the requirement of Site Intensity and Capacity Calculations, and the Natural Resource Protection Plan for Lot 2 is allowed to be based on "best available" information.

STAFF RECOMMENDATION

City Development Staff recommends denial of a Unified Development Ordinance Text Amendment to amend Section 15-3.0501.C. "Exclusions (When Natural Resource Protection and Site Intensity and Capacity Calculations Are Not Required)", to provide for and exclude certain Minor Land Divisions involving an established residential use not currently intended for redevelopment.

In this regard, it can be noted that:

- Staff informed the applicant that site capacity and intensity calculations (and associated detailed delineations and conservation easements) were required by the UDO in the Staff Comments Memo dated October 31, 2019.
- The subject CSM is related to a proposed development which has not yet been submitted for City review or approval. As such, more than enough time was available to address this issue without an UDO Text Amendment.
- The requirement for detailed natural resource delineations, conservation easements (or other similar mechanism), and for the related site capacity and intensity calculations were added to the City's Unified Development Ordinance in 1998.
- The City's policy to require outlots for the additional protection of natural resource features extends to the Common Council's consideration of numerous natural resource encroachment problems associated with the Woodlands of Franklin subdivision plat in 2009.
- The requirement for detailed natural resource delineations, conservation easements, etc., is also for the benefit of existing and future property owners such that confusion about the location of and restrictions associated with natural resource features can be avoided. In

numerous instances, property owners will not be aware of such natural resource restrictions per a note or approximate delineation on their plat, but will be aware of such restrictions due to detailed mapping on a plat of survey, by a Conservation Easement designation, or by an outlot designation.



Date of Application 12/12/2019

UNIFIED DEVELOPMENT ORDINANCE (UDO) TEXT AMENDMENT APPLICATION

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

Applicant (Full Legal Name[s]) Name <u>Mayor Steve Olson</u> Company <u>City of Franklin</u> Mailing Address <u>9229 W Loomis Road</u> City / State <u>Franklin WI</u> Zip <u>53132</u> Phone <u>414-425-7529</u> Email Address <u>Solson@franklinwi.gov</u>		Applicant is Represented by. (contact person)(Full Legal Name[s]) Name <u>not applicable</u> Company <u>not applicable</u> Mailing Address <u>not applicable</u> City / State <u>not applicable</u> Zip <u>not applicable</u> Phone <u>not applicable</u> Email Address <u>not applicable</u>	
Project Property Information. (if applicable) Property Address <u>City-wide</u> Property Owner(s) <u>not applicable</u> Mailing Address <u>not applicable</u> City / State <u>Franklin, WI</u> Zip <u>not applicable</u> Email Address <u>not applicable</u>		Tax Key Nos <u>not applicable</u> Existing Zoning <u>not applicable</u> Existing Use <u>not applicable</u> Proposed Use <u>not applicable</u> CMP Land Use Identification <u>not applicable</u>	
UDO Text Amendment submittals for review must include and be accompanied by the following: <input checked="" type="checkbox"/> This Application form accurately completed with original signature(s) Facsimiles and copies will not be accepted <input type="checkbox"/> Application Filing Fee, payable to City of Franklin <input type="checkbox"/> \$200 <input type="checkbox"/> Seven (7) copies of a written Project Narrative, including a full description of the proposed text amendment (Include the proposal's intent, impacts, and consistency with the Comprehensive Master Plan)			

Franklin

DEC 12 2019

City Development

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

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

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

Signature, Property Owner
Name & Title (PRINT) Stephen R. Olson Mayor
Date 12/13/19

Signature, Applicant
Name & Title (PRINT) Stephen R. Olson Mayor
Date 12/23/19

Signature Property Owner
Name & Title (PRINT)
Date

Signature Applicant's Representative
Name & Title (PRINT)
Date

CITY OF FRANKLIN
NOTICE OF PUBLIC HEARING


NOTICE IS HEREBY GIVEN THAT THE PLAN COMMISSION OF THE CITY OF FRANKLIN will conduct a public hearing on Thursday, January 9, 2020, at 7:00 p.m., or as soon thereafter as the matter may be heard, in the Common Council Chambers at the Franklin City Hall, 9229 West Loomis Road, Franklin, Wisconsin 53132, to hear public comment regarding an application by the City of Franklin, for a proposed Ordinance to Amend Unified Development Ordinance §15-3.0501.C. Exclusions (When Natural Resource Protection and Site Intensity and Capacity Calculations Are Not Required), to Provide for and Exclude Certain Minor Land Divisions Involving an Established Residential Use Not Currently Intended for Redevelopment, specifically: A Natural Resource Protection Plan (and related requirements, such as the submission of conservation easements, etc.) shall not be required with an application for certified survey map approval for the purpose of providing additional land to an adjoining tax incremental district mixed-use development including industrial and commercial uses, where lots are being created from a parcel or parcels, upon which there exists an established residential dwelling building use, such established use parcel or parcels not being the subject of current further development application, for such remaining established residential dwelling building use parcel or parcels only, provided with regard to such remaining established residential dwelling building use parcel or parcels that: i) in lieu of the Natural Resource Protection Plan submission requirement, the Certified Survey Map application shall show upon its face the existence of any natural resource features, as identified in §15-4.0102, located on the parcels of the Certified Survey Map based upon the "best available" information; (ii) that a Natural Resource Protection Plan must be submitted upon any further development of the "remaining established residential dwelling building use parcel or parcels"; and iii) the following note shall be placed upon the face of such Certified Survey Map: "The Natural Resource Features identified herein upon lot[s] [number[s]] are not based upon field surveys. In the event of further land division or development of lot[s] [number[s]] with any such Natural Resource Feature, a complete NRPP with field surveys is required for said parcel". This public hearing is being held pursuant to the requirements of §62.23(7)(d)2. of the Wisconsin Statutes and Division 15-9.0200 of the City of Franklin Unified Development Ordinance. A copy of the proposed Unified Development Ordinance Text Amendment ordinance in draft form is available and open for inspection by the public in the office of the City Clerk at Franklin City Hall, 9229 West Loomis Road, Franklin, Wisconsin 53132, during normal business hours. The public is invited to attend the public hearing and to provide input. The proposed draft ordinance is subject to revisions following public hearing and the further consideration by the Plan Commission and the City of Franklin Common Council.

Dated this 11th day of December, 2019.

Sandra L. Wesolowski
City Clerk

N.B. Class II

Please publish 12/25/19 and 1/1/20

APPROVAL 	REQUEST FOR COUNCIL ACTION	MEETING DATE 1/21/2020
REPORTS & RECOMMENDATIONS	Report from the Director of Administration on Impact Fee Administration and 2019 Year-End Activity	ITEM NUMBER G.13.

Report from the Director of Administration:

Annually the Director of Administration is charged with providing a report on impact fees. Generally, this happens in conjunction with and as part of the annual budget process as the information in such a report is contained therein. On a couple of occasions, a separate report has been prepared. Given that my position will be vacant when you receive this report, it will take some time to fill the vacancy, and there are matters still underway relative to impact fees, I thought it was appropriate to provide a final report.

Attached, please find updated reports prepared by Paul Rotzenberg that show the status and activity for each of the various impact fees. Greater detail is provided on the Parks fee due to the continued efforts to ensure use of the fees remain within the time periods provided for in the statutes and ordinance. The reports provide a 2019 year-end closeout. In general, this information has not deviated substantially from that information presented in the budget, except in one manner which is discussed below. Additionally, I will discuss one other outstanding issue.

Parks Impact Fee Eligible Expenditures: There has been a recent development in the application of expenditures against impact fee records. Recently, the City Attorney reported that expenditures, meaning cash payments, in TIF districts can occur after the "expenditure period" provided certain standards were met, which included the existence of an executed contract. In short, statutes provide that the TIF resources can be considered expended at the point that there is a contractual commitment. Given that conclusion, I investigated this issue relative to the expenditure of impact fees. I reached the conclusion that the same standard applied, meaning the funds are considered "used" when a contractual commitment and encumbrance have been recorded. As the impact fee section of the statute does not have the same specific allowance as the TIF section, I provided the City Attorney with a detailed explanation of my administrative determination as to the interpretation and application of the applicable statute.

In summary, I indicated the following to the City Attorney. First, current statute specifies or clarifies that impact fees only have to be "used" which effectively occurs when a contract is executed because the encumbrance means the funds and appropriation cannot be used for another purpose. It is essentially used up or fully committed already. This interpretation is consistent with the new statutory language that allows an individual to defer payment by a bond. In such a case, even though the City does not have the cash in hand it is required to track the resource as if received and to start the clock on its use. This is very analogous but it is with a revenue instead of an expense. The conclusion is that it is the contractual accrual or commitment that counts, not the cash accounting. Such an interpretation also avoids the illogical conclusion that a valid, legally executed contract supported by impact fees could have the impact fees expire leaving the contractual commitment unfunded and the taxpayers, who are intended to be protected by the impact fee statute in the first place, holding the bag. That makes no sense. (Which is probably why the TIF law is structured the way it is.)

In very brief summary, the City Attorney reviewed and investigated my conclusion and noted that there is no further statutory or administrative rule guidance on the issue and that the current term "use" (and forms

thereof) had previously been “spent.” As such, the Attorney consulted with the League of Wisconsin Municipalities as to whether my conclusion was appropriate. Curt Witynski, Deputy Executive Director, indicated that there was no legislative discussion distinguishing any statutory intent as to interpretation or the change from “spent” to “used.” His words were “I can tell you that the issue was not discussed by legislators and lobbyists when the language was being argued over.” He concludes that we have provided “a reasonable argument for interpreting the law.” Despite extensive effort, the City Attorney has been unable to identify a clear legislative or court-provided prohibition to this reasonable conclusion.

As such, I have directed the Finance Director to prepare the attached documents reflecting encumbered funds as used up for the purposes of tracking impact fee use timelines. For administrative purposes, the City would use GAAP standards for encumbrances and the DOR’s TIF standards (Established financing, Signed contract, and/or Signed developer’s agreement) as determining if the funds are “used” for purposes of this statute. The City Attorney advises that there is a risk to such interpretation because there are no court cases determining it is the definitive interpretation. The risk would be limited to any encumbrances that ultimately fall outside of an expenditure period, and interest on those amounts, and would require an individual with standing to pursue a suit on the matter, which suit would then have to be lost by the City. **As noted, I believe it is a reasonable and very defensible and appropriate determination; but if the Council believes otherwise, the Finance Director should be given clear direction to follow a cash accounting interpretation.**

The result is that 2019 expenditures and current encumbrances record as used up all of the necessary Park Impact Fee resources needed through July 2020 and most of that needed for August 2020. As such, the 2020 budgeted park items need to proceed with that timeframe in mind.

School Districts and Impact Fees: I have concluded that the issue of a School District’s impact fee exemption remains unresolved for two reasons. First, although the Common Council did not state so specifically when it did not approve the ordinance exempting schools from impact fees, the discussion on the items not approved as part of that ordinance seemed to indicate the goal was to wait for the full Impact Fee Study to be prepared. Second, the Council previously took specific action directing that the Franklin School District could continue to defer the payment on their most recent permits until the issue was resolved. I specifically noted at the January 7th meeting that the deferment remained in place until resolved, to which the Common Council provided no further direction. For those reasons, the issue remains unresolved because the school district must be exempted or the deferral must be terminated. If it is unresolved, the apparent reason must be pending the results of the full impact study. As such, I am advising the consultant on the Impact Fee Facility Needs Study that they will need to address the issue of school district exemption from impact fees within their Facility Needs Study or within an attached document, if they determine that to be more appropriate. If the Common Council believes I have inaccurately interpreted the prior actions, a motion should be made to forward this report and the issue of the prior deferment of the Franklin School District impact fee to a subsequent Common Council meeting.

COUNCIL ACTION REQUESTED

Receive and file or as otherwise determined by the Common Council.

City of Franklin
Summary of Park Impact Fee Availability
12/31/19 - Preliminary

		Spent	Current Impact Fees		
		By	Impact Fee	Interest	Expenditures
					Net Total
2019					
	1st Qtr	2028	56,316 00	35,883 44	0 00
	2nd Qtr	2028	113,421 00	39,030 07	0 00
	3rd Qtr	2028	57,520 00	27,086 40	102,932 46
	4th Qtr	2028	721,645 00	12,231 93	176,326 42
	2019		948,902 00	114,231 84	279,258 88
2018	2018		869,037 00	47,964 42	202,038 51
2017	2017		66,591 00	33,123 42	661 26
2016	Total		209,983 00	28,120 12	212,221 99
2015	Total		137,670 00	55,558 15	607,299 51
2014	Total		184,592 00	133,563 95	626,182 10
2013	Total		317,206 00	84,950 58	124,912 10
2012	Total		263,398 00	102,473 34	-
2011	Total		163,106 00	44,506 30	-
2010	Total		145,479 00	66,273 18	46 87
2009	Total		80,215 00	86,651 98	5,459 02
2008	Total		133,074 00	95,987 90	10,913 04
2007	1st Qtr	2020	56,660 00	46,373 12	-
	2nd Qtr	2020	70,825 00	36,677 27	-
	3rd Qtr	2020	53,559 00	48,371 51	1,800 00
	4th Qtr	2020	39,662 00	41,384 48	822,097 23
	Total		220,706 00	172,806 38	823,897 23
2006	Total		646,907 00	144,950 45	392,618 08
2005	Total		1,006,696 00	63,382 62	471,251 40
2004	Total		1,028,255 00	17,433 14	28,523 46
2003	Total		668,917 00	6,283 52	-
2002	Total		275,620 00	3,114 10	-
Total			7,366,354 00	1,301,375 39	3,785,283 45
	Spent		3,753,880 00		4,882,445 94

City of Franklin
Monthly Park Impact Fees Collected
27.0000.4291

Spent thru 12/31/2019


Month	Collected Year & Month												
	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
Jan	25,497	34,866	6,250	-	-	20,842	7,598	5,632	2,816	-	-	9,765	31,667
Feb	8,499	14,880	11,465	3,281	83,871	10,851	3,799	5,632	5,914	12,002	6,342	3,423	13,864
Mar	22,664	8,928	3,125	3,281	10,335	14,468	18,995	8,448	3,098	9,045	6,342	17,115	10,785
Apr	14,165	5,952	3,125	76,578	10,335	10,851	83,610	43,696	8,871	6,030	6,342	3,423	77,471
May	11,332	11,904	6,250	3,281	-	7,234	18,995	5,632	54,874	119,591	9,513	77,676	10,785
Jun	45,328	2,976	6,250	16,405	10,335	36,170	22,794	21,168	14,785	9,045	3,171	87,945	25,165
Jul	22,396	20,832	15,625	13,124	13,780	94,259	26,593	16,896	2,957	6,030	9,513	145,083	25,165
Aug	14,165	8,928	12,500	9,843	6,890	21,702	43,066	14,080	11,828	9,045	6,342	81,099	28,760
Sep	16,998	5,952	3,125	9,843	-	3,617	30,400	19,712	11,828	18,090	9,513	77,676	3,595
Oct	22,664	11,904	9,375	-	3,445	18,085	40,528	26,800	14,785	3,015	-	13,692	678,505
Nov	11,332	2,976	-	3,281	17,225	21,702	15,196	8,448	5,914	12,060	-	13,692	14,380
Dec	5,666	2,976	3,125	6,562	6,890	3,617	5,632	8,448	-	6,030	9,513	338,448	
Total	220,706	133,074	80,215	145,479	163,106	263,398	317,206	184,592	137,670	209,983	66,591	869,037	920,142

Regular Holding Period is 10 years from date collected

Per Resolution 2016-7177 - Holding period extended to 13 years for fees collected after April 10, 2006 this extended holding period ends Dec 31, 2022

2020 Budget - Projects	
Project	Impact Fees
Pleasant View Improvements	70,500
Park land Acquisition	247,500
Overflow Parking - Kayla's Playground	117,500
Trails, Bicycle routes & connectivity	186,000
Total	621,500

L:\41803 VOL11 Finance\Impact Fees\Monthly PARK Impact Fees Collected-2004 forward.xlsx Collections Summary

APPROVAL 	REQUEST FOR COUNCIL ACTION	MEETING DATE 1/21/2020
REPORTS & RECOMMENDATIONS	Data Collection for an Enhanced Capital Improvement Plan (CIP)	ITEM NUMBER 13.14.

The Mayor's Recommended 2020 Budget and the Adopted Budget included the following statement.

"The Mayor proposes that the City will undertake a much more comprehensive review of its facilities and facility needs and prepare, during 2020, a comprehensive Capital Improvement Plan. It will address roofs, parking lots, and HVAC systems. It will address park system needs and equipment. It is intended to be a comprehensive document with at least a 10-year perspective. This will enable a clear prioritization of needs to be addressed on an annual basis. A process recommendation will be developed during the remainder of 2019."

The vacancy in the Director of Administration (DOA) position will hinder this development, but it is possible to begin the data gathering needed, so that detailed information is available in the second quarter for inputting into a CIP. The goal is to use professional services to investigate the state and status of our facilities.

The City has used Industrial Roofing Services, Inc. (IRS) for its roof inspections and design. They performed very well for the City Hall project in 2019 and the Fire Department project a couple years ago. Besides roofs, they can evaluate exterior walls, windows, doors, parking lots, and exterior ADA compliance. Their proposals are broken down into the three disciplines: roofs, hardscapes, and window and wall. Each identifies the scope of the work involved. Their reports are detailed and will be very useful for a CIP. RS will evaluate the 7 main buildings (City Hall, Police Department, Library, DPW, and three Fire Stations) and have incorporated the accessory buildings associated with them. The City Hall, for example, has two accessory buildings (garages) and there are 9 overall. Some park shelters were also included.

The attached proposals could exclude Ken Windl Park from the roof and wall review based on budgeted work that will already occur this year. Also the proposals would need to be modified to try to expand the "annual budget summary" information to a 10 year period, as opposed to 5 year.

HVAC systems also need to be evaluated since that is a major component and unexpected failures are troublesome and costly. IRS also does such evaluations and a quote is being prepared, but will likely be in the same general area as the other disciplines. A sample quote that shows the scope of review is attached, but it does not contain pricing.

In both cases, detailed reviews, anticipated schedules, and project cost estimates are provided. If approved and given the vacancy at DOA, the Mayor will direct the Department of Inspection Services to review the work product for accuracy, thoroughness, and clarity.

It was originally anticipated that these could be funded through the Professional Services appropriations in the DOA, since it was not uncommon for some of these appropriations to go

unused. However, with the vacancy at DOA, it is quite possible that professional services like a labor attorney or benefits attorney will need to be contracted during the period of vacancy. Additionally, the costs estimates have come in higher than anticipated, particularly due to the HVAC reviews.

Therefore, if the effort is to move forward, **it would be necessary to use General Fund contingency appropriations.** Backing out the two portions of Ken Windl and assuming a 10-year budget scope does not increase the cost, the combined total cost of the attached proposals would be \$27,275. The HVAC review would be an additional \$5,000 to \$10,000 (each is a little more complex, but not every structure has HVAC – and only part of City Hall needs review).

Ultimately, a lack of accurate information could hamper the effectiveness of an enhanced Capital Improvement Plan, so one could argue the information is necessary. Fine-tuning the scope and the proposals could reduce the cost if buildings were excluded. For example, if the City weren't interested in the accessory buildings being reviewed. At these prices, however, one thorough review is recommended. The Director of Administration does not believe that the City will find an alternative contractor that will provide as much detail for this level of cost.

In addition to an evaluation of existing buildings, the 2020 budget document indicated that \$20,000 would be spent during 2019 on a Needs Analysis for a "Highway Building addition." The budget book estimated the building itself would be a \$2,000,000 addition with \$100,000 in design work. The appropriation for the Needs Analysis was never established in 2019, so a contract was not executed in the midst of all of the other tasks. The funding, therefore, fell to the bottom line or fund balance of the Capital Improvement Fund. Unless instructed otherwise, the Finance Director will bring forward a budget modification to carry this funding forward to 2020, and the City Engineer will bring a consultant and contract forward to prepare the Needs Analysis. Having such a needs analysis is useful because it will provide a much more accurate assessment of the building needs and potential costs. This will enable the building and its costs to be worked into the full CIP with the appropriate funding and timing considerations. [Note: This review would not eliminate the need for the above evaluation. The IRS review will be more detailed in certain aspects and they would coordinate with the needs assessment contractor, thereby aiding that review.]

Conclusion: Authorizing these actions will allow field work and data collection to move forward despite the vacancy in the Department of Administration. This will then help create an opportunity for the desired CIP enhancement to proceed. Ultimately \$32,000 to \$40,000 of General Fund contingency would be needed. If approved, the HVAC proposal would be finalized and the other two modifications noted above would occur to the attached proposal and they would be brought back for approval.

COUNCIL ACTION REQUESTED

Motion to authorize the staff to prepare any revisions to the attached proposal and to obtain a completed proposal for HVAC inspections with Industrial Roofing Services, Inc., and to return the same to the Common Council for approval, acknowledging that as much as \$32,000 to \$40,000 in General Fund contingency appropriations would be required.

Or, another such motion as the Common Council shall determine.



IRS

Industrial Roofing Services, Inc.

13000 West Silver Spring Drive

Butler, Wisconsin 53007

Phone: (262) 432-0500

Fax: (262) 432-0504

www.irsroof.com

Proposal for

VISUAL ROOF SURVEYS

of

**MULTIPLE FACILITIES PER
ATTACHED FACILITY LIST**

Submitted by

W. RYAN WILKE, PE

Prepared for

Mr. Mark Luberda

City of Franklin
9229 W. Loomis Road
Franklin, WI 53132

December 11, 2019

The logo for Industrial Roofing Services, Inc. (IRS) is positioned at the top left of the page. It consists of the letters "IRS" in a bold, sans-serif font, with a stylized graphic of a roof structure to its right.

Industrial Roofing Services, Inc.

13000 West Silver Spring Drive

Butler, Wisconsin 53007

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Fax: (262) 432-0504

www.irsroof.com

December 11, 2019

Mr. Mark Luberda
City of Franklin
9229 W. Loomis Road
Franklin, WI 53132

Subject: Proposal to complete Visual Roof Surveys of Multiple Facilities per Attached Facility List.

Dear Mr. Luberda:

Industrial Roofing Services, Inc. is pleased to submit the following proposal to perform Visual Roof Surveys of each roof area of the facilities indicated on the attached listing. These surveys and their accompanying summaries will provide you with the information necessary to plan required roofing work during the next five (5) years, creating a roof management program to facilitate proactive asset management practices that result in reduced life-cycle costs of new and existing roof.

The results of these surveys will be available for your review through a secure client login via our Web Based Asset Management Program at www.irsroof.com. Secure, web based access to the information gathered during this survey along with our observations and recommendations provide easy access to all information necessary to effectively manage your roof assets.

IRS shall supply all services necessary to provide the following information:

Roof Plan Drawing: IRS will create a scaled, CAD-generated roof plan of each facility to identify individual roof areas and determine total square footage for the purpose of establishing budgets. All perimeters will be shown on the plan.

Roof Conditions and Photographs: IRS will examine each roof system's general appearance to analyze flashing conditions, membrane surface conditions, general drainage characteristics, excessive traffic patterns, etc., and to identify the presence of any contaminants and/or previous repairs. The adjoining building walls will also be examined for conditions that could affect the performance of the roof system. Conditions of each roof area will be confirmed and documented with photographs.

Recommendations and Estimated Costs: Based on the existing construction and conditions of each roof area, IRS will establish recommendations and estimated costs for all roofing work that may be required over the next five (5) years.

Annual Budget Summary: The recommendations and budgets will be compiled into a summary for any necessary maintenance and capital roofing expenditures over the next five (5) years.

Mr. Lubberda
December 11, 2019
Page 2

FEES

Industrial Roofing Services, Inc. shall provide the above-described services for each of the facilities buildings on the attached "Facility List" for the lump sum fee of Nine Thousand Seven Hundred Dollars (\$9,700).

AUTHORIZATION

To acknowledge acceptance of this proposal, please return a signed copy of the Authorization page with any paperwork (i.e. a purchase order or signed contract) to our corporate headquarters:

Industrial Roofing Services, Inc.
13000 West Silver Spring Drive
Butler, WI 53007
Fax: (262) 432-0504

Upon receipt of a purchase order or signed contract we will enter the information in our system and schedule the work to be completed.

Should you have any questions regarding this proposal, please do not hesitate to call. We appreciate this opportunity and look forward to working with you on this project.

Sincerely yours,
INDUSTRIAL ROOFING SERVICES, INC.

W. Ryan Wilke, PE

W. Ryan Wilke, PE
Sr. Project Manager

tlr

Acknowledged by:

Name Title Date: _____

Mr. Luberda
December 11, 2019
Page 3

FACILITY LIST

<u>Site Name</u>	<u>Site Address</u>	<u>Survey Cost</u>
City Hall	9229 W. Loomis Road	\$975.00
City Hall – Storage Garage	9229 W. Loomis Road	Included
City Hall – Storage Building	9229 W. Loomis Road	Included
Fire Station #1	8901 W Drexel Ave Fire Station #1	\$975.00
Fire Department Garage	8901 W Drexel Ave Fire Station #1	Included
DPW Garage	7979 W Ryan Rd.	\$1,500.00
Salt Storage Shed	7811 W Ryan Rd Public Works	Included
Stock Garage	7811 W Ryan Rd Public Works	Included
Public Works Garage	7811 W Ryan Rd Public Works	Included
Sign Shed	7811 W Ryan Rd Public Works	Included
Salt dome	7811 W Ryan Rd Public Works	Included
Fire Station #3	4755 W Drexel Ave Fire Station #3	\$875.00
Fire Station #3 Garage	4755 W Drexel Ave Fire Station #3	Included
Fire Station #2	9911 S 60th St Fire Station #2	\$875.00
Police Department	9455 W. Loomis Road	\$1,500.00
Public Library	9151 W. Loomis Road	\$1,250.00
Lions Legend Park	8050 Legend Drive Lions	\$550.00
Vernon E Barg Pavilion	8717 W Drexel Ave Lions	\$550.00
Ken Windl Park	11615 W Rawson Ave	\$650.00
	Total	\$9,700.00



IRS

Industrial Roofing Services, Inc.

13000 West Silver Spring Drive

Butler, Wisconsin 53007

Phone: (262) 432-0500

Fax: (262) 432-0504

www.irsroof.com

Proposal for

VISUAL HARDSCAPE SURVEYS

Of

**MULTIPLE FACILITIES PER
ATTACHED FACILITY LIST**

Submitted by

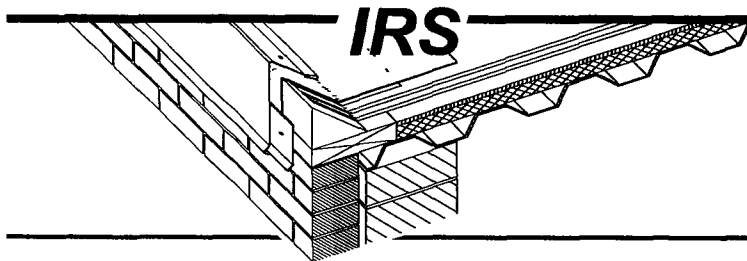
W. RYAN WILKE, PE

Prepared for

Mr. Mark Luberda

City of Franklin
9229 W. Loomis Road
Franklin, WI 53132

December 11, 2019



Industrial Roofing Services, Inc.

13000 West Silver Spring Drive

Butler, Wisconsin 53007

Phone: (262) 432-0500

Fax: (262) 432-0504

www.irsroof.com

December 11, 2019

Mr. Mark Luberd,
City of Franklin
9229 W. Loomis Road
Franklin, WI 53132

SUBJECT: Proposal to Complete Visual Hardscape Surveys of Multiple Facilities per Attached Facility List.

Dear Mr. Luberd:

Industrial Roofing Services, Inc. is pleased to submit the following proposal to perform Visual Hardscape Surveys of the facilities indicated on the attached listing. This survey and the accompanying summaries will provide you with the information necessary to plan for any required hardscape work during the next five (5) years, creating a hardscape management program to facilitate proactive asset management practices that result in reduced life-cycle costs of new and existing hardscape assets.

The results of these surveys will be available for your review through a secure client login via our Web Based Asset Management System at www.irsroof.com. Secure, web based access to the information gathered during these surveys along with our observations and recommendations provide easy access to all information necessary to effectively manage your facilities hardscape assets.

IRS shall supply all services necessary to provide the following information:

Site Plan Drawings: IRS will create a CAD-generated site plan drawing of each facility as part of this proposal to identify individual hardscape areas and determine total square footage for the purpose of establishing budgets. The site plan drawings shall be representative of critical lot dimensions and show your hardscapes in relationship to main and secondary buildings, drainage receptor locations, parking layout, including ADA parking stalls, light pole positions, curbing, islands, adjoining roads, etc., to provide you with a graphic representation of the site discussed within the survey report.

Safety Concerns: We will identify any areas needing immediate attention to correct deficiencies which may pose a safety concern.

Hardscape Conditions and Photographs: IRS will examine the condition of each hardscape area, noting and documenting observed conditions, general drainage characteristics, excessive traffic patterns, etc. Conditions of each hardscape area will be confirmed and documented with photographs. The identification of current conditions and the status of one's assets are important in developing a long-term hardscape asset management strategy. IRS will provide you with an overall assessment of appearance and conditions of each site. This may include observations of surrounding topography, which may adversely impact base or sub-base drainage of your hardscapes. Americans with Disabilities Act (ADA) compliance will also be noted.

Mr. Lubberda
December 11, 2019
Page 2

Site Statistics: We will provide you with specific dimensions noting square footage, number of parking and handicap stalls, number of drainage components and light poles plus additional information as needed.

Paser Rating: We will evaluate the general condition of your hardscape areas using the **Pavement Surface Evaluation and Rating System (1-10 -- 10=best)**. Use of this standardized rating system provides the consistency and uniformity necessary for effective prioritization of spending in the most fiscally responsible manner possible for the protection and maintenance of your assets.

Recommendations and Budgets: Based on the existing construction and conditions of each hardscape area, IRS will establish recommendations and accurate budget figures for both maintenance and/or capital expenditures which may be required over the next five (5) years.

Annual Budget Summary: The recommendations and budgets will be compiled into a summary for any necessary maintenance and capital roofing expenditures over the next five (5) years.

Mr. Luberda
December 11, 2019
Page 3

FEES

Industrial Roofing Services, Inc. shall provide the above-described services for each of the facilities buildings on the attached "Facility List" for the lump sum fee of Nine Thousand Fifty Dollars (\$9,050).

AUTHORIZATION

To acknowledge acceptance of this proposal, please return a signed copy of the Authorization page with any paperwork (i.e. a purchase order or signed contract) to our corporate headquarters:

Industrial Roofing Services, Inc.
13000 West Silver Spring Drive
Butler, WI 53007
Fax: (262) 432-0504

Upon receipt of a purchase order or signed contract we will enter the information in our system and schedule the work to be completed.

Should you have any questions regarding this proposal, please do not hesitate to call. We appreciate this opportunity and look forward to working with you on this project.

Sincerely yours,
INDUSTRIAL ROOFING SERVICES, INC.

W. Ryan Wilke, PE

W. Ryan Wilke, PE
Sr. Project Manager

tlr

Acknowledged by:

Name Title Date: _____

Mr. Luberd
December 11, 2019
Page 4

FACILITY LIST

Site Name	Site Address	Survey Cost
City Hall	9229 W. Loomis Road	\$1,100.00
City Hall – Storage Garage	9229 W. Loomis Road	Included
City Hall – Storage Building	9229 W. Loomis Road	Included
Fire Station #1	8901 W Drexel Ave Fire Station #1	\$650.00
Fire Department Garage	8901 W Drexel Ave Fire Station #1	Included
DPW Garage	7979 W Ryan Rd.	\$1,500.00
Salt Storage Shed	7811 W Ryan Rd Public Works	Included
Stock Garage	7811 W Ryan Rd Public Works	Included
Public Works Garage	7811 W Ryan Rd Public Works	Included
Sign Shed	7811 W Ryan Rd Public Works	Included
Salt dome	7811 W Ryan Rd Public Works	Included
Fire Station #3	4755 W Drexel Ave Fire Station #3	\$650.00
Fire Station #3 Garage	4755 W Drexel Ave Fire Station #3	Included
Fire Station #2	9911 S 60th St Fire Station #2	\$650.00
Police Department	9455 W. Loomis Road	\$1,500.00
Public Library	9151 W. Loomis Road	\$1,250.00
Lions Legend Park	8050 Legend Drive Lions	\$550.00
Vernon E Barg Pavilion	8717 W Drexel Ave Lions	\$550.00
Ken Windl Park	11615 W Rawson Ave	\$650.00
	Total	\$9,050.00



IRS

Industrial Roofing Services, Inc.

13000 West Silver Spring Drive

Butler, Wisconsin 53007

Phone: (262) 432-0500

Fax: (262) 432-0504

www.irsroof.com

Proposal for

VISUAL WINDOW AND WALL SURVEY

Of

MULTIPLE FACILITIES PER

ATTACHED FACILITY LIST

Submitted by

W. RYAN WILKE, PE

Prepared for

Mr. Mark Luberd

City of Franklin
9229 W. Loomis Road
Franklin, WI 53132

December 11, 2019

**IRS****Industrial Roofing Services, Inc.**

13000 West Silver Spring Drive

Butler, Wisconsin 53007

Phone: (262) 432-0500

Fax: (262) 432-0504

www.irsroof.com

December 11, 2019

Mr. Mark Luberda
City of Franklin
9229 W. Loomis Road
Franklin, WI 53132

SUBJECT: Proposal for a Visual Window and Wall Surveys of Multiple Facilities per Attached Facility List.

Dear Mr. Luberda:

Industrial Roofing Services, Inc. is pleased to submit the following proposal to perform a visual survey of the exterior windows and walls of the facilities indicated on the attached listing. This survey and the accompanying summary will provide you with the information necessary to plan for necessary repair work during the next five (5) years, creating a window and wall management program to facilitate proactive asset management practices that result in reduced life-cycle costs of new and existing wall systems.

The results of this survey will be available for your review through a secure client login via our Web Based Asset Management Program at www.irsroof.com. Secure, web based access to the information gathered during this survey along with our observations and recommendations provide easy access to all information necessary to effectively manage your window and wall assets.

IRS shall supply all services necessary to provide the following information:

Building Elevation Drawings: IRS will create CAD-generated drawings of building elevations. The elevation drawings will also be used to determine square footage and lineal footage for the purpose of establishing budgets and locate deficiencies on individual elevations.

Wall Conditions and Photographs: IRS will examine each building elevation's general appearance and locate identified problem areas on the elevation drawings, if applicable. Photographs of deficiencies will be taken and included as part of the survey.

Window Conditions and Photographs: IRS will examine the windows installed on each building elevation to identify their general appearance, condition, construction. Problem windows will be located on the elevation drawings, if applicable. Photographs of observed deficiencies will be taken and included as part of the survey.

Written Report: IRS will compile the data gathered during the survey into a written report relating to the window and walls conditions in general and on individual building elevations, identifying the types and locations of any observed deficiencies.

Recommendations and Estimated Costs: Based on the existing construction and conditions, IRS will establish recommendations and an opinion of probable cost for all work that may be required over the next five (5) years.

Mr. Luberda
December 11, 2019
Page 2

FEES

Industrial Roofing Services, Inc. shall provide the above-described services for each of the facilities buildings on the attached "Facility List" for the lump sum fee of Nine Thousand Eight Hundred Twenty-Five Dollars (\$9,825).

AUTHORIZATION

To acknowledge acceptance of this proposal, please return a signed copy of the Authorization page with any paperwork (i.e. a purchase order or signed contract) to our corporate headquarters:

Industrial Roofing Services, Inc.
13000 West Silver Spring Drive
Butler, WI 53007
Fax: (262) 432-0504

Upon receipt of a purchase order or signed contract we will enter the information in our system and schedule the work to be completed.

Should you have any questions regarding this proposal, please do not hesitate to call. We appreciate this opportunity and look forward to working with you on this project.

Sincerely yours,
INDUSTRIAL ROOFING SERVICES, INC.

W. Ryan Wilke, PE

W. Ryan Wilke, PE
Sr. Project Manager

tlr

Acknowledged by:

Name

Title

Date: _____

Mr. Luberda
 December 11, 2019
 Page 3

FACILITY LIST

<u>Site Name</u>	<u>Site Address</u>	<u>Survey Cost</u>
City Hall	9229 W. Loomis Road	\$1,100.00
City Hall – Storage Garage	9229 W. Loomis Road	Included
City Hall – Storage Building	9229 W. Loomis Road	Included
Fire Station #1	8901 W Drexel Ave Fire Station #1	\$975.00
Fire Department Garage	8901 W Drexel Ave Fire Station #1	Included
DPW Garage	7979 W Ryan Rd.	\$1,500.00
Salt Storage Shed	7811 W Ryan Rd Public Works	Included
Stock Garage	7811 W Ryan Rd Public Works	Included
Public Works Garage	7811 W Ryan Rd Public Works	Included
Sign Shed	7811 W Ryan Rd Public Works	Included
Salt dome	7811 W Ryan Rd Public Works	Included
Fire Station #3	4755 W Drexel Ave Fire Station #3	\$875.00
Fire Station #3 Garage	4755 W Drexel Ave Fire Station #3	Included
Fire Station #2	9911 S 60th St Fire Station #2	\$875.00
Police Department	9455 W. Loomis Road	\$1,500.00
Public Library	9151 W. Loomis Road	\$1,250.00
Lions Legend Park	8050 Legend Drive Lions	\$550.00
Vernon E Barg Pavilion	8717 W Drexel Ave Lions	\$550.00
Ken Windl Park	11615 W Rawson Ave	\$650.00
	Total	\$9,825.00



IRS

Industrial Roofing Services, Inc.

13000 West Silver Spring Drive

Butler, Wisconsin 53007

Phone: (262) 432-0500

Fax: (262) 432-0504

www.irsroof.com

Revised Proposal for

VISUAL HVAC MECHANICAL

SURVEY

of

MULTIPLE FACILITIES PER ATTACHED FACILITY LIST

Franklin, WI

Submitted by

W. RYAN WILKE, PE

Prepared for

Mr. Mark Lubenda

**City of Franklin
9229 W. Loomis Road
Franklin, WI 53132**

January 17, 2020

The logo for Industrial Roofing Services, Inc. (IRS) features a stylized cross-section of a roof structure. It shows a brick wall on the left, a wooden roof deck in the middle, and a corrugated metal roof panel on the right. The letters "IRS" are prominently displayed in a bold, sans-serif font across the top of the roof structure.

Industrial Roofing Services, Inc.
13000 West Silver Spring Drive
Butler, Wisconsin 53007
Phone: (262) 432-0500
Fax: (262) 432-0504
www.irsroof.com

January 17, 2020

Mr. Mark Luberda
City of Franklin
9229 W. Loomis Road
Franklin, WI 53132

SUBJECT: Revised Proposal for a Visual HVAC Mechanical Survey for Multiple Facilities per Attached Facility List, located in Franklin, WI.

Dear Mr. Luberda:

Industrial Roofing Services, Inc. is pleased to submit the following proposal to perform Visual HVAC Mechanical Surveys on your facilities. The surveys and the accompanying Survey Reports will provide you with the information required to plan for any replacement of HVAC mechanical equipment and improve budget forecasting for capital expenditures. The proposal has been revised to reflect a correction of the addresses for the Norcross properties as shown on the attached facility list.

IRS shall supply all services necessary to provide the following information:

HVAC Mechanical Plan Drawings: IRS will create a scaled, CAD-generated roof plan of each facility to identify individual HVAC units and determine quantity and capacity of the units for the purpose of establishing budgets.

HVAC Unit Conditions and Photographs: IRS will examine each HVAC unit to analyze condenser and evaporator coil conditions and overall general condition. Conditions of each HVAC unit will be confirmed and documented with photographs.

Recommendations and Budgets: IRS will establish recommendations and accurate budget figures based on the existing HVAC equipment's age and condition. Probable costs and schedules will be provided for any HVAC equipment requiring replacement.

Executive Management Summary: IRS will develop a projection to plan for capital expenditures for the next five years.

FEES

Industrial Roofing Services, Inc. shall provide the above-described services for each of the facilities buildings on the attached "Facility List" for the lump sum fee of TBD (\$TBD).

AUTHORIZATION

To acknowledge acceptance of this proposal, please return a signed copy of the Authorization page with any paperwork (i.e. a purchase order or signed contract) to our corporate headquarters:

Industrial Roofing Services, Inc.
13000 West Silver Spring Drive
Butler, WI 53007
Fax: (262) 432-0504

Upon receipt of a purchase order or signed contract we will enter the information in our system and schedule the work to be completed

Should you have any questions regarding this proposal, please do not hesitate to call. We appreciate this opportunity and look forward to working with you on this project.

Sincerely yours,
INDUSTRIAL ROOFING SERVICES, INC.

W. Ryan Wilke, PE

W. Ryan Wilke, PE
Sr. Project Manager

tlr

Acknowledged by:

Name Title Date: _____

FACILITY LIST

Site Name	Site Address	Survey Cost
City Hall	9229 W. Loomis Road	TBD
City Hall – Storage Garage	9229 W. Loomis Road	
City Hall – Storage Building	9229 W. Loomis Road	
Fire Station #1	8901 W Drexel Ave Fire Station #1	TBD
Fire Department Garage	8901 W Drexel Ave Fire Station #1	
DPW Garage	7979 W Ryan Rd.	TBD
Salt Storage Shed	7811 W Ryan Rd Public Works	
Stock Garage	7811 W Ryan Rd Public Works	
Public Works Garage	7811 W Ryan Rd Public Works	
Sign Shed	7811 W Ryan Rd Public Works	
Salt dome	7811 W Ryan Rd Public Works	
Fire Station #3	4755 W Drexel Ave Fire Station #3	TBD
Fire Station #3 Garage	4755 W Drexel Ave Fire Station #3	
Fire Station #2	9911 S 60th St Fire Station #2	TBD
Police Department	9455 W. Loomis Road	TBD
Public Library	9151 W. Loomis Road	TBD
Lions Legend Park	8050 Legend Drive Lions	TBD
Vernon E Barg Pavilion	8717 W Drexel Ave Lions	TBD
Ken Windl Park	11615 W Ransom Ave	TBD
	Total	\$00.00

APPROVAL	REQUEST FOR COUNCIL ACTION	MTG. DATE January 21, 2020
Reports & Recommendations	RESOLUTION OF SUPPORT FOR THE S. 116TH STREET TRAIL IN THE WISDOT 2020-2024 TRANSPORTATION ALTERNATIVES PROGRAM (TAP)	ITEM NO. 15.

BACKGROUND

The Transportation Alternatives Program (TAP) is a legislative program that was authorized in Fixing America's Surface Transportation Act (or "FAST Act"), the federal transportation act that was signed into law on December 4, 2015. With certain exceptions, projects that met eligibility criteria for the Safe Routes to School Program, Transportation Enhancements, and/or the Bicycle & Pedestrian Facilities Program are eligible TAP projects.

All TAP projects require sponsors to pay 20% of approved projects costs- i.e. 80% of the project would be covered by the grant. TAP projects must commence within four years of the award date.

Staff has been working with Alderman Nelson to prepare an application for the S. 116th Street Trail. This project was included in a WISDOT Multimodal Local Supplement Application (MLS) that would pay 90% of the project costs. Awards for the MLS projects have not been announced and Staff understands that over 1,200 projects were submitted for consideration.

ANALYSIS

The 116th Street Trail is an eligible TAP project. This trail would extend from W. Loomis Road / Waukesha County line vicinity along the WE Energies easement (Inner Urban Rail corridor) northeast to S. 116th Street and up the west side of S. 116th Street in the WE Energies easement to the St. Martins area and connect to the current paved trail. The total length is about 12,900 feet.

The deadline for the TAP application is January 24, 2020. Staff is still completing the grant and may have a rough draft ready for the Common Council meeting on January 21. A resolution of support is required for an application and a copy is due on April 17, 2020. The grant application will be completed with the assistance of Alderman Nelson.

Although they cannot be submitted with the TAP application, the application will include reference letters of support from the City of Muskego and Milwaukee County.

FISCAL NOTE

The request will be for design/permitting (\$100,000) and construction (\$1,500,000) of the total project. The City's 20% share would be \$320,000.

OPTIONS

- A. Authorize Staff to submit application and sign resolution of support. Or
- B. Refer back to Staff with further direction.

COUNCIL ACTION REQUESTED

(Option A) Resolution 2020-_____ a resolution of support for the S. 116th Street Trail in the WISDOT 2020-2024 Transportation Alternatives Program (TAP) and authorize staff to submit.

Engineering: GEM

STATE OF WISCONSIN: CITY OF FRANKLIN: MILWAUKEE COUNTY

RESOLUTION NO. 2020- _____

A RESOLUTION OF SUPPORT FOR THE
S. 116TH STREET TRAIL IN THE WISDOT 2020-2024
TRANSPORTATION ALTERNATIVES PROGRAM (TAP)

WHEREAS, the City of Franklin values the quality of life for all ages of its residents; and

WHEREAS, trails are an important opportunity to provide exercise and opportunity to traverse the City in a safe manner on a pedestrian and bicycle facility; and

WHEREAS, the S. 116th Street Trail has long been considered a potential project and has appeared on numerous City, County, and Regional trail masterplans; and

WHEREAS, the trail has garnered support from other agencies including the City of Muskego and Milwaukee County Parks; and

WHEREAS, the Wisconsin Department of Transportation (WISDOT) is soliciting projects for the 2020-2024 Transportation Alternatives Program (TAP).

NOW, THEREFORE BE IT RESOLVED by the Mayor and Common Council of the City of Franklin that the Mayor and City Clerk are hereby support the submittal of the S. 116th Street Trail to WISDOT for consideration in the 2020-2024 Transportation Alternatives Program (TAP).

Introduced at a regular meeting of the Common Council on the _____ day of _____, 2020 by Alderman _____.

Passed and adopted by the Common Council on the _____ day of _____, 2020.

APPROVED:

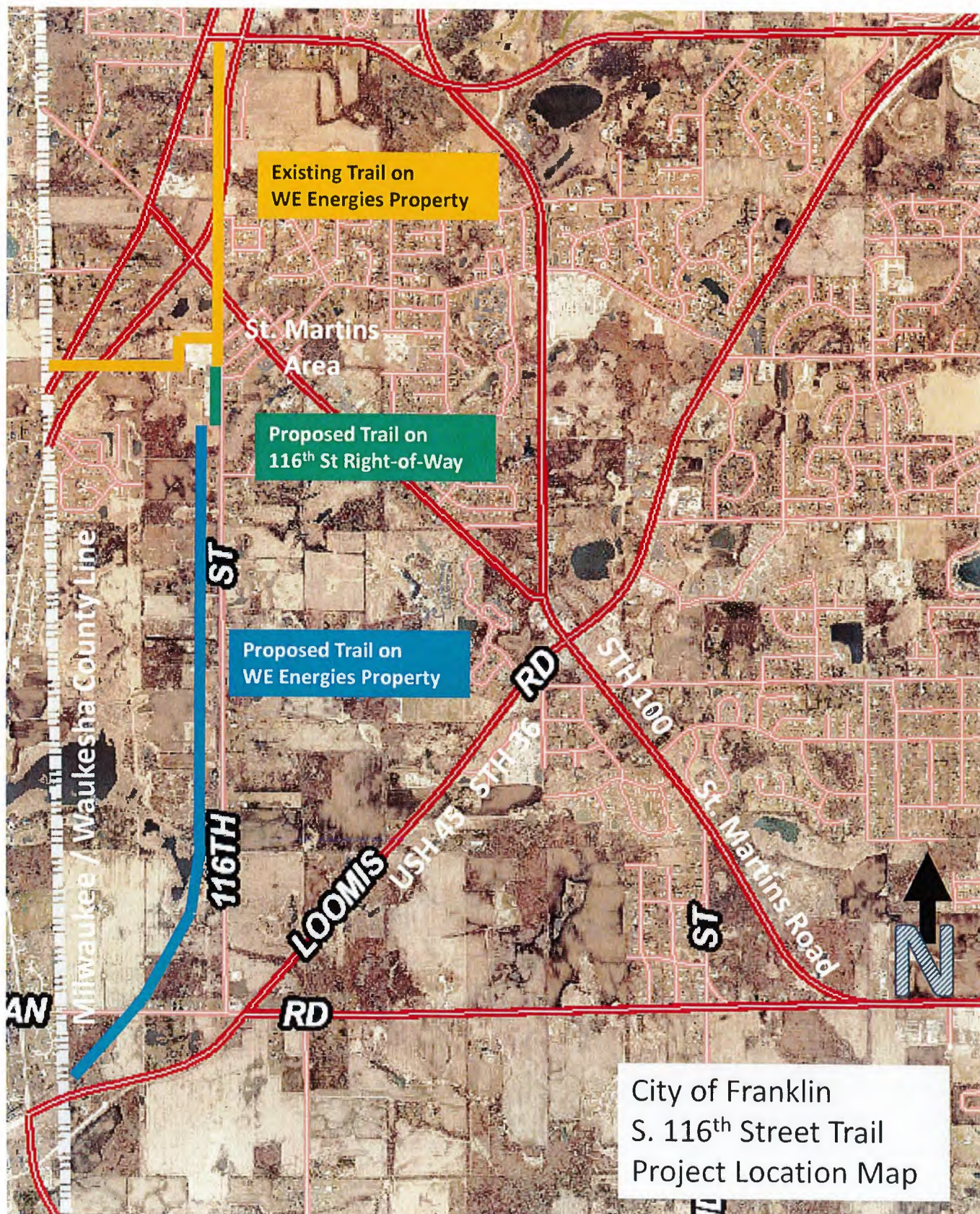
Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

Engineering/GEM



APPROVAL	REQUEST FOR COUNCIL ACTION	MTG. DATE
<i>slw</i>		January 21, 2020
Reports & Recommendations	DIRECTION TO STAFF TO DELINEATE WETLANDS, MAKE APPLICATION TO WDNR, AND IF ALLOWED, HAVE STAFF PREPARE AND OBTAIN PROPERTY OWNER WAIVERS AND AUTHORIZE DPW TO PERFORM NEEDED WORK ON PRIVATE PROPERTY (8531 AND 8635 S. 116TH STREET) FOR THE PURPOSES OF ALLEVIATING FLOODING ON S. 116TH STREET	ITEM NO. <i>S.116.</i>

BACKGROUND

Residents and the traveling public on S. 116th Street have at least two significant drainage concerns. These concerns are affecting the public right of way and standing water in the vicinity of 8570 and 8628 S. 116th Street. The flooding was significant enough in December 2019 that the road was closed to through traffic.

ANALYSIS

It is believed that S. 116th Street serves as an east-west drainage divide and any water that backs up to the road from either direction should have an outlet to the opposite direction.

A situation concerning a pond on the east side behind several properties (8628-8666 S. 116th Street) was involved in litigation for many years and the City understands that the issue will soon be resolved, although the details as to the fix are confidential. The pond has grown such that not only is it impeding the full use of private back yards, but it has backed up drainage from S. 116th Street.

It is believed that the west side has obstruction(s) that impede the free flow of water towards the Ryan Creek. These obstructions may include, but are not limited to, blockages in ditches, built up yard/landscaping, and vegetative growth.

Given that the east side may have an unknown resolution with an unknown time frame, Staff recommends that City efforts to scrape and clean the Flanigan and Steier properties are the most expedient to resolve flooding on S. 116th Street.

Staff started exploring the necessary steps to use DPW equipment and work on the private properties. These efforts will include waivers by the property owners to allow City to work on their properties and will include a permit from WDNR. Preliminary discussions with both property owners indicate that they are open to a limited DPW effort on their properties but would like to participate in defining the actual work. Unfortunately, WDNR was not as accommodating and will require that any disturbance to the land on the west side will require a permit approval which includes a wetland delineation/determination. Since the growing season has ended the City will need to wait until spring to have that completed. WDNR also mentioned that raising the road is a likely preferred activity than disturbance to the private properties.

With Common Council's authorization, Staff will continue to work with the land owners, obtain their permission for wetland delineation, and make a request to SEWRPC to schedule the work in the spring.

OPTIONS

- A. Authorize Staff to proceed with efforts to delineate wetlands, make application to WDNR, and if allowed, have Staff prepare and obtain property owner waivers and authorize DPW to perform needed work on private property for the purposes of alleviating flooding on S. 116th Street; or
- B. Provide further direction to staff.

FISCAL NOTE

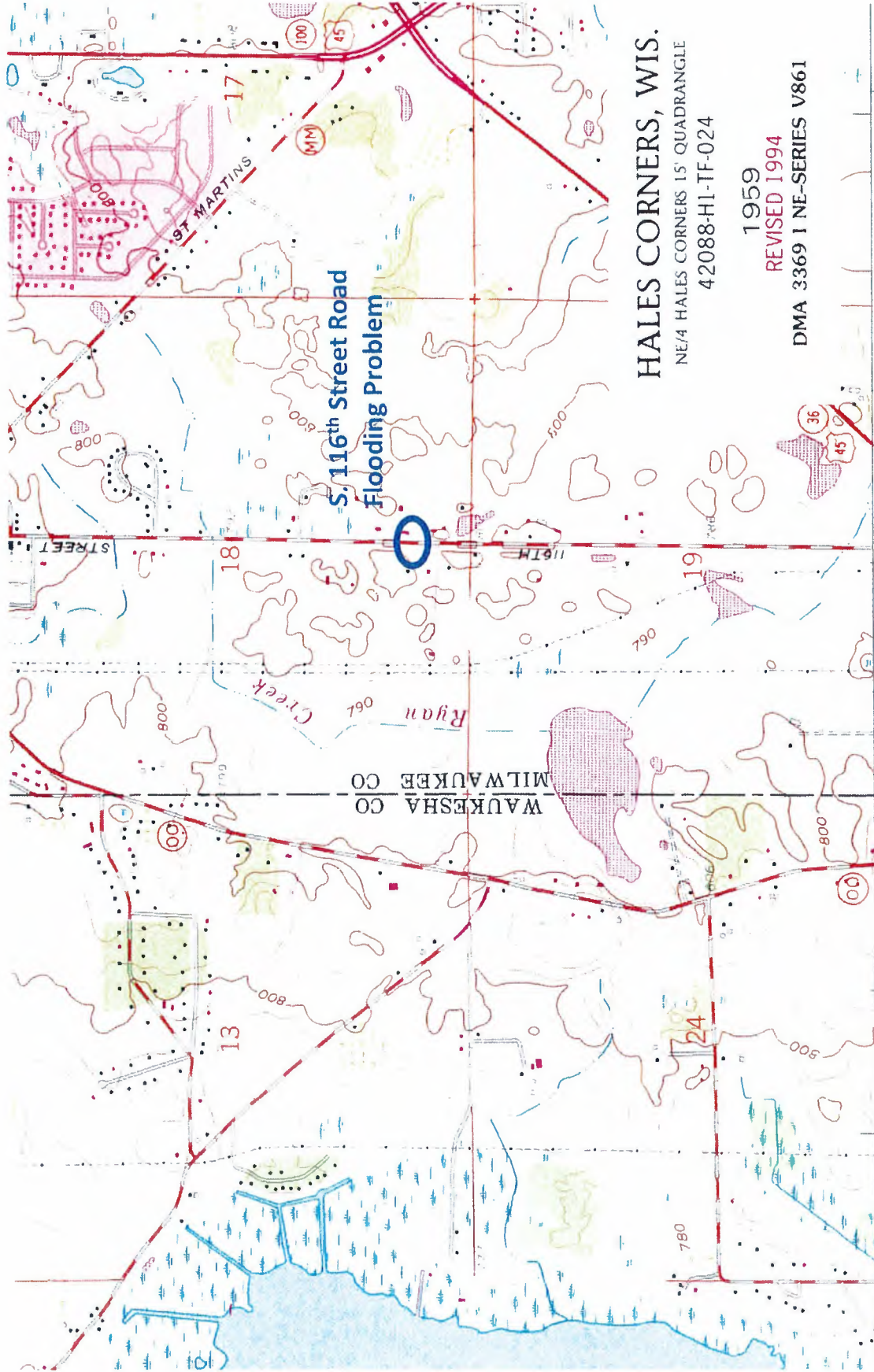
These efforts are anticipated to be incorporated in existing 2020 engineering and DPW budgets. SEWRPC offers delineation as a service. Although unknown at this time, it could take a 4-man crew two days of effort plus related equipment wear/tear (less than \$5,000 value).

If this work on private property isn't allowed by WDNR, raising the road may be required which costs are yet to be determined but would be substantially more.

RECOMMENDATION

(Option A) Authorize Staff to proceed with efforts to delineate wetlands, make application to WDNR, and if allowed, have Staff prepare and obtain property owner waivers and authorize DPW to perform needed work on private property (8531 and 8635 S. 116th Street) for the purposes of alleviating flooding on S. 116th Street.

Engineering Department: GEM



HALES CORNERS, WIS.

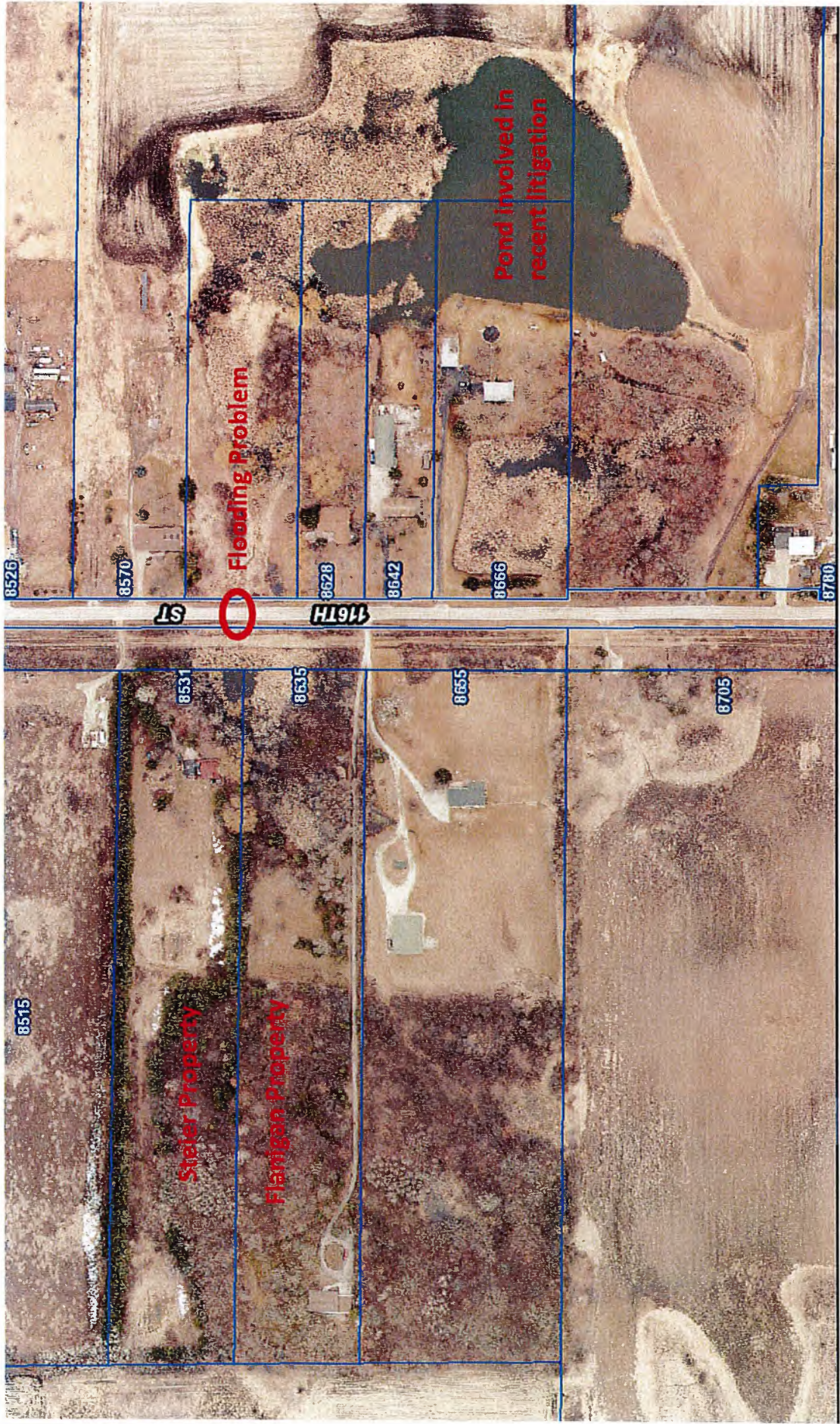
NE/4 HALES CORNERS 15' QUADRANGLE

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APPROVAL	REQUEST FOR COUNCIL ACTION	MTG. DATE January 21, 2020
Reports & Recommendations	RESOLUTION TO AUTHORIZE EXECUTION OF A FINAL CHANGE ORDER NO. 3 FOR RAWSON HOMES DRAINAGE IMPROVEMENTS AND WATER MAIN RELAY IN THE AMOUNT OF -\$167,607.23	ITEM NO. 8.17.

BACKGROUND

Dorner, Inc. is the contractor for the Rawson Homes Drainage Improvements and Water Main Relay project in the vicinity of S. 36th Street, S. 37th Place, W. Madison Boulevard, W. Minnesota Avenue, & W. Marquette Avenue. City Staff is self-performing many functions from inspection to some construction activities to stretch the Milwaukee Metropolitan Sewerage District (MMSD) funding.

The unit price contract is completed and this Council Action is to issue the final change order.

ANALYSIS

The attached Change Order No. 3 reflects the final quantities on this unit price contract. A summary of the contract amounts is as follows:

\$2,261,745.70 Original Bid Amount
 -\$ 232,784.50 Change Order No. 1
 -\$ 2,772.30 Change Order No. 2
-\$167,607.23 Change Order No. 3
 -\$403,164.03 Sub-total of Change Orders
 \$1,858,581.67 Final Contract Amount

There are three funding sources. A final summary of these sources is as follows:

	Total	MMSD- Green	MMSD-PPII	Franklin Water
Original Bid:	\$2,261,745.70	\$439,502.25	\$648,621.75	\$1,239,657.50
Final Project:	<u>\$1,858,581.67</u>	<u>\$407,240.00</u>	<u>\$427,107.25</u>	<u>\$1,162,351.70</u>
Net Savings:	\$403,164.03	\$32,262.25	\$221,514.50	\$77,305.80

OPTIONS

- A. Authorize execution of Change Order No. 3 in the amount of \$167,607.23 making the total project costs \$1,858,581.67. Or,
- B. Refer back to Staff with further direction.

FISCAL NOTE

Staff is working with MMSD to finalize and close out the funding agreements. These agreements may appear at a future Common Council meeting.

RECOMMENDATION

(OPTION A) Resolution 2020-_____ a resolution to authorize execution of a final Change Order No. 3 for Rawson Homes Drainage Improvements And Water Main Relay in the amount of -\$167,607.23

Engineering Department: GEM

STATE OF WISCONSIN: CITY OF FRANKLIN: MILWAUKEE COUNTY

RESOLUTION NO. 2020 -

A RESOLUTION TO AUTHORIZE EXECUTION OF A
FINAL CHANGE ORDER NO. 3 FOR
RAWSON HOMES DRAINAGE IMPROVEMENTS AND WATER MAIN RELAY
IN THE AMOUNT OF -\$167,607.23

WHEREAS, Dorner, Inc. (Luxemburg, WI) was awarded a contract to construct subsurface drainage system and water main relay project in the Rawson Homes area of Franklin for \$2,261,745.70; and

WHEREAS, the project has been constructed and all items in the unit price contract have been audited for final quantities and the resulting final cost was found to be \$1,858,581.67.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Common Council of the City of Franklin that it would be in the best interest of the City to execute Change Order No. 3 for a savings of \$167,607.23.

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

PASSED AND ADOPTED by the Common Council of the City of Franklin on the
_____ day of _____, 2020.

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____
GEM/db

CHANGE ORDER
CITY OF FRANKLIN
DEPARTMENT OF ENGINEERING

Change Order No: 03

Dated: January 21, 2020

PROJECT NAME RAWSON HOMES DRAINAGE IMPROVEMENTS AND WATER MAIN RELAY

PROJECT LOCATION 36th St., 37th Pl., Madison Blvd., Minnesota Ave., & Marquette Ave.

CONTRACTOR: Dorner Inc.

Nature of the Changes:

- Final quantities as required and measured for project
- (see attached spreadsheet)

These changes result in the following adjustment of Contract Price and Contract Time: (CITY CONTRACT ONLY)

Original Contract Price \$2,261,745.70

Contract price prior to this Change Order \$2,026,188.90

Net DECREASE resulting from this Change Order \$ 167,607.23

Current contract price including this Change Order \$1,858,581.67

(\$403,164.03 decrease from Original)

Net (Increase/Decrease) in time resulting from this Change Order Increase 0 calendar days

The above changes are Approved by:

Mayor

City Clerk

Contractor:

By: Stephen R. Olson

By: Sandra L. Wesolowski

By: _____

Date: _____

Date: _____

Date: _____

Director of Finance & Treasurer

City Attorney

By: Paul Rotzenberg

By: Jesse A. Wesolowski

Date: _____

Date: _____

RAWSON HOMES DRAINAGE IMPROVEMENTS AND WATER MAIN RELAY

Final Change Order

				Original Bid		Final			
ITEM #	ITEM DESCRIPTION	UNIT	QTY	UNIT \$	TOTAL	INSTALLED QTY	NET CHANGE	NET COST	Change Order
1	Traffic control	L.S	1	\$5,500.00	\$5,500.00	0	1	\$0.00	(\$5,500.00)
2	Inlet sediment guards type B	EA	40	\$70.00	\$2,800.00		-40	\$0.00	(\$2,800.00)
3	Manufactured ditch checks	EA	8	\$135.00	\$1,080.00		-8	\$0.00	(\$1,080.00)
4	Tracking pad	TON	210	\$25.00	\$5,250.00		-210	\$0.00	(\$5,250.00)
5	Silt fence	L.F	450	\$2.70	\$1,215.00		-450	\$0.00	(\$1,215.00)
6	10-inch HDPE perforated drain tile w/ filter sock	L.F	395	\$36.00	\$14,220.00		-395	\$0.00	(\$14,220.00)
6.1	10-inch HDPE perforated drain tile w/ filter sock	L.F	0	\$35.00	\$0.00	391	391	\$13,685.00	\$13,685.00
8	12-inch HDPE perforated drain tile w/ filter sock	L.F	685	\$38.70	\$26,509.50		-685	\$0.00	(\$26,509.50)
8.1	12-inch HDPE perforated drain tile	L.F		\$37.70	\$0.00	999	999	\$37,662.30	\$37,662.30
9	12-inch PVC yard drain w/ beehive grate	EA	6	\$900.00	\$5,400.00	2	-4	\$1,800.00	(\$3,600.00)
9.1	12-inch ADS Yard Drain	EA	0	\$900.00	\$0.00	3	3	\$2,700.00	\$2,700.00
10	15-inch HDPE perforated drain tile w/ filter sock	L.F	2390	\$41.40	\$98,946.00	0	-2390	\$0.00	(\$98,946.00)
10.1 blend	15-inch HDPE perforated drain tile	L.F	0	\$40.10	\$0.00	3365	3365	\$134,936.50	\$134,936.50
11	15-inch PVC yard drain w/ beehive grate	EA	26	\$1,035.00	\$26,910.00		-26	\$0.00	(\$26,910.00)
11 BLEND	15" PVC YARD DRAIN	EA	0	\$1,057.75	\$0.00	37	37	\$39,136.75	\$39,136.75
11.1	15" ADS YARD DRAIN	EA		\$800.00		6	6	\$4,800.00	\$4,800.00
12	6-inch HDPE storm sewer w/ spoil backfill	L.F	70	\$31.50	\$2,205.00	60	-10	\$1,890.00	(\$315.00)
13	12-inch RCP CL III storm sewer w/ spoil backfill sewer	L.F	20	\$51.30	\$1,026.00	9	-11	\$461.70	(\$564.30)
14	15-inch RCP CL IV storm sewer w/ granular backfill	L.F	65	\$57.60	\$3,744.00	60.5	-4.5	\$3,484.80	(\$259.20)
15	18-inch RCP CL III storm sewer w/ spoil backfill	L.F	35	\$56.70	\$1,984.50	0	-35	\$0.00	(\$1,984.50)
16	21-inch RCP storm sewer w/spoil backfill	L.F	45	\$54.90	\$2,470.50	271	226	\$14,877.90	\$12,407.40
17	10-inch RCP end section w/ trash grate	EA	2	\$877.50	\$1,755.00		-2	\$0.00	(\$1,755.00)
17.1	10" ADS END SECTION	EA	0	\$400.00	\$0.00	2	2	\$800.00	\$800.00
18.1	12" ADS END SECTION	EA		\$500.00	\$0.00	1	1	\$500.00	\$500.00
20	21-inch RCP end section w/ trash grate	EA	1	\$1,575.00	\$1,575.00	2	1	\$3,150.00	\$1,575.00
21	Concrete collar for drain tile	C.Y	10	\$250.00	\$2,500.00		-10	\$0.00	(\$2,500.00)
22	Swale construction	L.F	3550	\$16.00	\$56,800.00	4884.5	1334.5	\$78,152.00	\$21,352.00
23	2'x3' catch basin	EA	4	\$1,900.00	\$7,600.00	3	-1	\$5,700.00	(\$1,900.00)
26	Asphalt walking path	S.Y	400	\$60.00	\$24,000.00		-400	\$0.00	(\$24,000.00)
29	Asphalt driveway replacement	S.Y	250	\$65.00	\$16,250.00	0	-250	\$0.00	(\$16,250.00)
30	Concrete driveway replacement	S.Y	60	\$105.00	\$6,300.00		-60	\$0.00	(\$6,300.00)
31	Gravel driveway replacement	S.Y	40	\$44.50	\$1,780.00		-40	\$0.00	(\$1,780.00)
32	Restoration (topsoil seed hydromulch)	S.Y	2450	\$6.40	\$15,680.00	8213.72	5763.72	\$52,567.81	\$36,887.81
33	Asphaltic concrete trench patch	S.Y	50	\$87.00	\$4,350.00		-50	\$0.00	(\$4,350.00)
34	Sanitary lateral repair	L.F	60	\$250.00	\$15,000.00		-60	\$0.00	(\$15,000.00)
14-D	USE OWNER MILLINGS	L.F	65	(\$2.00)	(\$130.00)	4552.1	4487.1	(\$9,104.20)	(\$8,974.20)
24-D	72" STORM MH IN LIEU OF MECH SEP #1	EA	1	\$6,500.00	\$6,500.00	0	1	\$0.00	(\$6,500.00)
36	Manufactured ditch checks	EA	9	\$155.00	\$1,395.00	11	2	\$1,705.00	\$310.00
37	8-inch PVC water main w/ granular backfill	L.F	1890	\$77.00	\$145,530.00	0	-1890	\$0.00	(\$145,530.00)
37 BLEND	8" PVC WATER MAIN W/GRAN BF	L.F		\$77.08		7279	7279	\$561,065.32	\$561,065.32
38	8-inch water valve	EA	9	\$1,550.00	\$13,950.00	30	21	\$46,500.00	\$32,550.00
39	Hydrant assembly w/ valve	EA	4	\$4,600.00	\$18,400.00		-4	\$0.00	(\$18,400.00)
39 BLEND	HYDRANT ASSEMBLY W/VALVE	EA		\$4,639.58		13	13	\$60,314.54	\$60,314.54
40	6-inch hydrant lead w/ granular backfill	L.F	45	\$78.00	\$3,510.00	100.5	55.5	\$7,839.00	\$4,329.00
41	6-inch hydrant lead w/ spoil backfill	L.F	15	\$46.00	\$690.00	35	20	\$1,610.00	\$920.00
42	1 1/4-inch water service w/ granular backfill	L.F	550	\$85.50	\$47,025.00	1323	773	\$113,116.50	\$66,091.50
43	1-1/4-inch water service w/ spoil backfill	L.F	560	\$58.00	\$32,480.00	2380	1800	\$136,880.00	\$104,400.00
44	1 1/4-inch tap, saddle and corporation valve	EA	34	\$650.00	\$22,100.00	104	70	\$67,600.00	\$45,500.00
45	1 1/4-inch curb valve and box	EA	34	\$280.00	\$9,520.00	104	70	\$29,120.00	\$19,600.00
46	Pipe Insulation	S.F	1020	\$3.00	\$3,060.00	128	-892	\$384.00	(\$2,676.00)
47	Restoration (topsoil, seed, hydromulch)	S.Y	400	\$8.50	\$3,400.00	2941.37	2541.37	\$25,001.65	\$21,601.65
48	Asphaltic concrete trench patch	S.Y	1660	\$25.00	\$41,500.00	0	-1660	\$0.00	(\$41,500.00)
37-D	Use Owner-provided millings and trucking for top two feet of trench backfill: 8-inch PVC water main w/ granular backfill (Bid Item #37).	L.F	1890	(\$8.58)	(\$16,216.20)	8027.5	6137.5	(\$68,875.95)	(\$52,659.75)
40-D	Use Owner-provided millings and trucking for top two feet of trench backfill: 6-inch hydrant lead w/ granular backfill (Bid Item #40).	L.F	45	(\$8.58)	(\$386.10)		-45	\$0.00	\$386.10
42-D	Use Owner-provided millings and trucking for top two feet of trench backfill: 1 1/4-inch water service w/ granular backfill (Bid Item #42).	L.F	550	(\$8.58)	(\$4,719.00)		-550	\$0.00	\$4,719.00
49	Traffic control	L.S	1	\$5,500.00	\$5,500.00	0	-1	\$0.00	(\$5,500.00)
50	Inlet sediment guards type B	EA	40	\$70.00	\$2,800.00		-40	\$0.00	(\$2,800.00)
51	Manufactured ditch checks	EA	8	\$155.00	\$1,240.00		-8	\$0.00	(\$1,240.00)
52	12-inch HDPE perforated drain tile w/ filter sock	L.F	810	\$38.70	\$31,347.00		-810	\$0.00	(\$31,347.00)
53	12-inch PVC yard drain w/ beehive grate	EA	11	\$900.00	\$9,900.00		-11	\$0.00	(\$9,900.00)
54	15-inch HDPE perforated drain tile w/ filter sock	L.F	1160	\$40.50	\$46,980.00		-1160	\$0.00	(\$46,980.00)
55	15-inch PVC yard drain w/ beehive grate	EA	14	\$1,100.00	\$15,400.00		14	\$0.00	(\$15,400.00)
56	18-inch HDPE perforated drain tile w/ filter sock	L.F	1150	\$45.00	\$51,750.00		-1150	\$0.00	(\$51,750.00)
57	18-inch PVC yard drain w/ beehive grate	EA	13	\$1,350.00	\$17,550.00		-13	\$0.00	(\$17,550.00)
58	18-inch RCP CL III storm sewer w/granular backfill	L.F	50	\$68.50	\$3,425.00	34	16	\$2,329.00	(\$1,096.00)
59	21-inch RCP storm w/spoil backfill	L.F	235	\$54.90	\$12,901.50		-235	\$0.00	(\$12,901.50)
60	21-inch RCP end section w/ trash grate	EA	1	\$1,575.00	\$1,575.00		-1	\$0.00	(\$1,575.00)
61	Swale construction	L.F	3150	\$16.00	\$50,400.00		-3150	\$0.00	(\$50,400.00)
62	2'x3' catch basin	EA	1	\$1,900.00	\$1,900.00		-1	\$0.00	(\$1,900.00)
63	60-inch storm inlet/manhole	EA	1	\$2,500.00	\$2,500.00	2	1	\$5,000.00	\$2,500.00
66	Asphalt driveway replacement	S.Y	230	\$65.00	\$14,950.00		-230	\$0.00	(\$14,950.00)

RAWSON HOMES DRAINAGE IMPROVEMENTS AND WATER MAIN RELAY

Final Change Order

				Original Bid		Final			
ITEM #	ITEM DESCRIPTION	UNIT	QTY	UNIT \$	TOTAL	INSTALLED QTY	NET CHANGE	NET COST	Change Order
67	Concrete driveway replacement	S Y	10	\$135.00	\$1,350.00		-10	\$0.00	(\$1,350.00)
68	Gravel driveway replacement	S Y	50	\$35.00	\$1,750.00		-50	\$0.00	(\$1,750.00)
69	Restoration (topsoil, seed hydromulch)	S Y	2250	\$6.40	\$14,400.00		-2250	\$0.00	(\$14,400.00)
70	Asphaltic concrete trench patch	S Y	35	\$87.00	\$3,045.00		-35	\$0.00	(\$3,045.00)
58-D	Use Owner-provided millings and trucking for top two feet of trench backfill 18-inch RCP CL III storm sewer w/ granular backfill (Bid Item #58).	L F	50	(\$2.00)	(\$100.00)		-50	\$0.00	\$100.00
65-D	48-inch storm manhole in lieu of mechanical separator #2 (Bid Item #65)	EA	1	\$5 000.00	\$5 000.00		-1	\$0.00	(\$5,000.00)
72	Manufactured ditch checks	EA	11	\$155.00	\$1,705.00		-11	\$0.00	(\$1,705.00)
73	8-inch PVC water main w/ granular backfill	L F	2150	\$77.00	\$165,550.00		-2150	\$0.00	(\$165,550.00)
74	8-inch water valve	EA	7	\$1,550.00	\$10,850.00		-7	\$0.00	(\$10,850.00)
75	Hydrant assembly w/ valve	EA	1	\$4,700.00	\$4,700.00		-1	\$0.00	(\$4,700.00)
76	6-inch hydrant lead w/ granular backfill	L F	5	\$78.00	\$390.00		-5	\$0.00	(\$390.00)
77	6-inch hydrant lead w/ spoil backfill	L F	5	\$46.00	\$230.00		-5	\$0.00	(\$230.00)
78	1 1/4-inch water service w/ granular backfill	L F	460	\$85.50	\$39,330.00		-460	\$0.00	(\$39,330.00)
79	1-1/4-inch water service w/ spoil backfill	L F	510	\$58.00	\$29,580.00		-510	\$0.00	(\$29,580.00)
80	1 1/4-inch tap, saddle and corporation valve	EA	31	\$650.00	\$20,150.00		-31	\$0.00	(\$20,150.00)
81	1 1/4-inch curb valve and box	EA	31	\$280.00	\$8,680.00		-31	\$0.00	(\$8,680.00)
82	Pipe Insulation	S F	900	\$3.00	\$2,700.00		-900	\$0.00	(\$2,700.00)
83	Restoration (topsoil seed hydromulch)	S Y	350	\$8.50	\$2,975.00		-350	\$0.00	(\$2,975.00)
84	Asphaltic concrete trench patch	S Y	1750	\$25.00	\$43,750.00		-1750	\$0.00	(\$43,750.00)
73-D	Use Owner-provided millings and trucking for top two feet of trench backfill 8-inch PVC water main w/ granular backfill (Bid Item #73).	L F	2150	(\$8.58)	(\$18,447.00)		-2150	\$0.00	\$18,447.00
76-D	Use Owner-provided millings and trucking for top two feet of trench backfill 6-inch hydrant lead w/ granular backfill (Bid Item #76).	L F	5	(\$8.58)	(\$42.90)		-5	\$0.00	\$42.90
78-D	Use Owner-provided millings and trucking for top two feet of trench backfill: 1 1/4-inch water service w/ granular backfill (Bid Item #78).	L F	460	(\$8.58)	(\$3,946.80)		-460	\$0.00	\$3,946.80
87	Manufactured ditch checks	EA	5	\$155.00	\$775.00		-5	\$0.00	(\$775.00)
88	8-inch PVC water main w/ granular backfill	L F	620	\$78.00	\$48,360.00		-620	\$0.00	(\$48,360.00)
89	8-inch water valve	EA	3	\$1,550.00	\$4,650.00		-3	\$0.00	(\$4,650.00)
90	Hydrant assembly w/ valve	EA	2	\$4,600.00	\$9,200.00		-2	\$0.00	(\$9,200.00)
91	6-inch hydrant lead w/ granular backfill	L F	15	\$78.00	\$1,170.00		-15	\$0.00	(\$1,170.00)
92	6-inch hydrant lead w/ spoil backfill	L F	15	\$46.00	\$690.00		-15	\$0.00	(\$690.00)
93	1 1/4-inch water service w/ granular backfill	L F	180	\$85.50	\$15,390.00		-180	\$0.00	(\$15,390.00)
94	1-1/4-inch water service w/ spoil backfill	L F	180	\$58.00	\$10,440.00		-180	\$0.00	(\$10,440.00)
95	1 1/4-inch tap, saddle and corporation valve	EA	11	\$650.00	\$7,150.00		-11	\$0.00	(\$7,150.00)
96	1 1/4-inch curb valve and box	EA	11	\$280.00	\$3,080.00		-11	\$0.00	(\$3,080.00)
97	Pipe Insulation	S F	330	\$3.00	\$990.00		-330	\$0.00	(\$990.00)
98	Restoration (topsoil, seed, hydromulch)	S Y	130	\$8.50	\$1,105.00		-130	\$0.00	(\$1,105.00)
99	Asphaltic concrete trench patch	S Y	540	\$28.00	\$15,120.00		-540	\$0.00	(\$15,120.00)
88-D	Use Owner-provided millings and trucking for top two feet of trench backfill 8-inch PVC water main w/ granular backfill (Bid Item #88).	L F	620	(\$8.58)	(\$5,319.60)		-620	\$0.00	\$5,319.60
91-D	Use Owner-provided millings and trucking for top two feet of trench backfill. 6-inch hydrant lead w/ granular backfill (Bid Item #91).	L F	15	(\$8.58)	(\$128.70)		-15	\$0.00	\$128.70
93-D	Use Owner-provided millings and trucking for top two feet of trench backfill 1 1/4-inch water service w/ granular backfill (Bid Item #93).	L F	180	(\$8.58)	(\$1,544.40)		-180	\$0.00	\$1,544.40
101	Manufactured ditch checks	EA	8	\$155.00	\$1,240.00	0	-8	\$0.00	(\$1,240.00)
102	Silt fence	L F	350	\$3.50	\$1,225.00		-350	\$0.00	(\$1,225.00)
103	8-inch PVC water main w/ granular backfill	L F	1340	\$77.00	\$103,180.00		-1340	\$0.00	(\$103,180.00)
104	8-inch PVC water main w/ spoil backfill	L F	135	\$55.00	\$7,425.00		-135	\$0.00	(\$7,425.00)
105	8-inch water valve	EA	4	\$1,550.00	\$6,200.00		-4	\$0.00	(\$6,200.00)
106	Hydrant assembly w/ valve	EA	3	\$4,725.00	\$14,175.00		-3	\$0.00	(\$14,175.00)
107	6-inch hydrant lead w/ granular backfill	L F	10	\$78.00	\$780.00		-10	\$0.00	(\$780.00)
108	6-inch hydrant lead w/ spoil backfill	L F	20	\$46.00	\$920.00		-20	\$0.00	(\$920.00)
109	1 1/4-inch water service w/ granular backfill	L F	190	\$85.50	\$16,245.00		-190	\$0.00	(\$16,245.00)
110	1 1/4-inch water service w/ spoil backfill	L F	310	\$58.00	\$17,980.00		-310	\$0.00	(\$17,980.00)
111	1 1/4-inch tap, saddle and corporation valve	EA	16	\$650.00	\$10,400.00		-16	\$0.00	(\$10,400.00)
112	1 1/4-inch curb valve and box	EA	16	\$280.00	\$4,480.00		-16	\$0.00	(\$4,480.00)
113	Pipe Insulation	S F	480	\$3.00	\$1,440.00		-480	\$0.00	(\$1,440.00)
114	Restoration (topsoil, seed, hydromulch)	S Y	310	\$8.50	\$2,635.00		-310	\$0.00	(\$2,635.00)
115	Asphaltic concrete trench patch	S Y	1025	\$28.00	\$28,700.00		-1025	\$0.00	(\$28,700.00)
103-D	Use Owner-provided millings and trucking for top two feet of trench backfill: 8-inch PVC water main w/ granular backfill (Bid Item #103).	L F	1340	(\$8.58)	(\$11,497.20)		-1340	\$0.00	\$11,497.20
107-D	Use Owner-provided millings and trucking for top two feet of trench backfill: 6-inch hydrant lead w/ granular backfill (Bid Item #107).	L F	10	(\$8.58)	(\$85.80)		-10	\$0.00	\$85.80
109-D	Use Owner-provided millings and trucking for top two feet of trench backfill: 1 1/4-inch water service w/ granular backfill (Bid Item #109).	L F	190	(\$8.58)	(\$1,630.20)		-190	\$0.00	\$1,630.20
117	Manufactured ditch checks	EA	7	\$155.00	\$1,085.00		-7	\$0.00	(\$1,085.00)

RAWSON HOMES DRAINAGE IMPROVEMENTS AND WATER MAIN RELAY
Final Change Order

				Original Bid		Final			
ITEM #	ITEM DESCRIPTION	UNIT	QTY	UNIT \$	TOTAL	INSTALLED QTY	NET CHANGE	NET COST	Change Order
118	Silt fence	L F	1360	\$3.00	\$4,080.00		1360	\$0.00	(\$4,080.00)
119	8-inch PVC water main w/ granular backfill	L F	1420	\$77.00	\$109,340.00		-1420	\$0.00	(\$109,340.00)
120	8-inch PVC water main w/ spoil backfill	L F	50	\$90.00	\$4,500.00		-50	\$0.00	(\$4,500.00)
120 BLEND	8" PVC WATER MAIN W/SPOIL BF	L F		\$64.45	\$0.00	67	67	\$4,318.15	\$4,318.15
121	8-inch water valve	EA.	6	\$1,550.00	\$9,300.00		-6	\$0.00	(\$9,300.00)
122	Hydrant assembly w/ valve	EA.	2	\$4,600.00	\$9,200.00		-2	\$0.00	(\$9,200.00)
123	6-inch hydrant lead w/ granular backfill	L F	10	\$78.00	\$780.00		-10	\$0.00	(\$780.00)
124	6-inch hydrant lead w/ spoil backfill	L F	15	\$46.00	\$690.00	0	-15	\$0.00	(\$690.00)
125	2-inch air release	EA.	1	\$1,550.00	\$1,550.00	2	1	\$3,100.00	\$1,550.00
126	1 1/4-inch water service w/ granular backfill	L F	125	\$85.50	\$10,687.50		-125	\$0.00	(\$10,687.50)
127	1-1/4-inch water service w/ spoil backfill	L F	330	\$58.00	\$19,140.00		-330	\$0.00	(\$19,140.00)
128	1 1/4-inch tap, saddle and corporation valve	EA	9	\$650.00	\$5,850.00		-9	\$0.00	(\$5,850.00)
129	1 1/4-inch curb valve and box	EA	9	\$280.00	\$2,520.00		-9	\$0.00	(\$2,520.00)
130	Pipe Insulation	S F	270	\$3.00	\$810.00		-270	\$0.00	(\$810.00)
131	Restoration (topsoil seed hydromulch)	S Y	260	\$8.50	\$2,210.00		-260	\$0.00	(\$2,210.00)
132	Asphaltic concrete trench patch	S Y	1040	\$28.00	\$29,120.00		1040	\$0.00	(\$29,120.00)
119 D	Use Owner-provided millings and trucking for top two feet of trench backfill 8-inch PVC water main w/ granular backfill (Bid Item #119).	L F	1420	(\$8.58)	(\$12,183.60)		-1420	\$0.00	\$12,183.60
123-D	Use Owner-provided millings and trucking for top two feet of trench backfill 6-inch hydrant lead w/ granular backfill (Bid Item #123).	L F	10	(\$8.58)	(\$85.80)		10	\$0.00	\$85.80
126-D	Use Owner-provided millings and trucking for top two feet of trench backfill. 1 1/4-inch water service w/ granular backfill (Bid Item #126)	L F	125	(\$8.58)	(\$1,072.50)		125	\$0.00	\$1,072.50
T&M 5-22	Lower Sanitary Sewer Lateral	L.S		\$567.00	\$0.00	1	1	\$567.00	\$567.00
T&M 7-2	Added Soils to Ditch	L.S		\$8,696.91	\$0.00	1	1	\$8,696.91	\$8,696.91

Total Change Order

(\$403,164.03)

APPROVAL <i>Slw</i>	REQUEST FOR COUNCIL ACTION	MTG. DATE January 21, 2020
Reports & Recommendations	REQUEST TO BID SURFACE PAVING OF RAWSON HOMES NEIGHBORHOOD	ITEM NO. 15.18.

BACKGROUND

Pursuant to Municipal Code section 19.11, Common Council must authorize the solicitation of bids for public construction that exceeds \$25,000.

A significant amount of work in the Rawson Homes neighborhood (area roughly bounded by: W. Rawson Avenue to the north; S. 35th Street to the east; W. Marquette Avenue to the south; and S. 37th Street to the west) occurred in 2019 that included new watermain, new storm improvements, and a full depth reconstruction of the pavement. This neighborhood was left with a intermediate pavement base for the winter and it is anticipated that some settling will occur in the 2019-2020 winter. Per the plan, DPW is planning to fix any trench settlement issues in the spring/early summer that may occur and a paving contractor will finish the road reconstruction by installing two inches of pavement surface and DPW will finish the asphalt driveway approaches.

OPTIONS

- A. Direct Staff to proceed to advertise this project. Note that the bid will return to Common Council for awarding project. Or,
- B. Refer back to Staff with further direction.

FISCAL NOTE

The approved appropriations are \$200,000 within the 2020 Local Road Improvement Plan for this project.

RECOMMENDATION

(Option A) Direct Staff to solicit contractors per compliance with applicable public works bidding requirements for the Surface Paving of Rawson Homes Neighborhood.

Engineering Department: GEM

APPROVAL <i>Slw</i>	REQUEST FOR COUNCIL ACTION	MTG. DATE January 21, 2020
Reports & Recommendations	RESOLUTION TO AUTHORIZE GRAEF TO CREATE A PLEASANT VIEW PARK MASTERPLAN UPDATE FOR \$5,000	ITEM NO. 15.19.

BACKGROUND

The general infrastructure of Pleasant View Park (4901 W. Evergreen Street) was mostly developed in 2015. Pieces of the development plan are still under construction or have yet to be implemented. Since the planning of the park, the Parks Commission, among others, have questioned if the initial development plan is still adequate. Per the July 8, 2019, Parks Commission meeting:

Alderman Nelson moved and Vice Chair Musolf seconded a motion to approve \$30K design planning and layout for the development of Pleasant View Park in 2019. On voice vote, all voted 'aye' Motion carried (5-0-0)

Furthermore, at the July 16, 2019, Common Council meeting:

PLEASANT VIEW PARK SITE PLAN FOR DEVELOPMENT G.5. Alderwoman Wilhelm moved to direct the Director of Administration, working with Alderwoman Wilhelm, to prepare a contract and scope of services for an update to the site plan for development of Pleasant View Park, including but not limited to landscape plan, lighting, and picnic tables. Seconded by Alderman Barber. All voted Aye, motion carried.

ANALYSIS

GRAEF, the consultant who provided the original Pleasant View park plan and detail design for the park's infrastructure has worked with Staff and Alderwoman Wilhelm to develop the attached scope for an update to the masterplan. The cost for this work is a lump sum, not to exceed \$5,000. The project will include meeting with the elected officials, a neighborhood meeting, and two meetings with the Parks Commission. A final product is expected on March 30, 2020.

Working with Alderwoman Wilhelm, she expressed a desire for the agreement to include a landscape plan for spring, review the future connecting trail for plan incorporation, and shared the residents' desire to retain the ball field.

OPTIONS

- A. Authorize GRAEF to update the Pleasant View Park masterplan. Or,
- B. Refer back to Staff with further direction.

FISCAL NOTE

The approved appropriations are \$150,000 within the 2020 Pleasant View Park Improvement budget for this project. This effort is eligible for 47% park impact fees.

RECOMMENDATION

(Option A) Resolution 2020-_____ a resolution to authorize GRAEF to create a Pleasant View Park masterplan update for \$5,000.

Engineering Department: GEM

STATE OF WISCONSIN : CITY OF FRANKLIN : MILWAUKEE COUNTY

RESOLUTION NO. 2020- _____

RESOLUTION TO AUTHORIZE GRAEF TO CREATE A
PLEASANT VIEW PARK MASTERPLAN UPDATE FOR \$5,000

WHEREAS, the City of Franklin developed the significant infrastructure at Pleasant View Park (4901 W. Evergreen Street) in 2015; and

WHEREAS, the park has had several, but not all, features constructed and/or installed; and

WHEREAS, the Parks Commission would like to consider if the initial development plans are still relevant to the current and future needs of the City; and

WHEREAS, GRAEF is a competent and qualified engineering consultant who has particular knowledge regarding this project since they designed the park and the initial master plan.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that GRAEF be authorized a notice to proceed to create a Pleasant View Park masterplan update for \$5,000.

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

PASSED AND ADOPTED by the Common Council of the City of Franklin on the _____ day of _____, 2020.

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

AGREEMENT

between
the City of Franklin
and
Graef-USA Inc
For

Professional Architectural and Engineering Services

This AGREEMENT, made and entered into this ____ day of _____, between the City of Franklin, 9229 West Loomis Road, Franklin, Wisconsin 53132 (hereinafter "CLIENT") and Graef-USA Inc. (hereinafter "CONSULTANT"), whose principal place of business is 275 W Wisconsin Avenue, Suite 300, Milwaukee, WI 53203.

WITNESSETH

WHEREAS, the CONSULTANT is duly qualified and experienced as a municipal services consultant and has offered services for the purposes specified in this AGREEMENT; and

WHEREAS, in the judgment of CLIENT, it is necessary and advisable to obtain the services of the CONSULTANT to provide the **Pleasant View Park Master Plan Update**, as described in **Attachment A**;

NOW, THEREFORE, in consideration of these premises and the following mutual covenants, terms, and conditions, CLIENT and CONSULTANT agree as follows:

- A. This AGREEMENT may only be amended by written instrument signed by both CLIENT and CONSULTANT.

I. BASIC SERVICES AND AGREEMENT ADMINISTRATION

- A. CONSULTANT shall provide services to CLIENT for the Pleasant View Park Master Plan Update, as described in CONSULTANT's proposal to CLIENT dated January 13, 2020, annexed hereto and incorporated herein as **Attachment A**.
- B. CONSULTANT shall serve as CLIENT's professional representative in matters to which this AGREEMENT applies. CONSULTANT may employ the services of outside consultants and subCONSULTANTS when deemed necessary by CONSULTANT to complete work under this AGREEMENT following approval by CLIENT.
- C. CONSULTANT is an independent CONSULTANT and all persons furnishing services hereunder are employees of, or independent subCONSULTANTS to, CONSULTANT and not of CLIENT. All obligations under the Federal Insurance Contribution Act (FICA), the Federal Unemployment Tax Act (FUTA), and income tax withholding are the responsibility of CONSULTANT as employer. CLIENT understands that express AGREEMENTS may exist between CONSULTANT and its employees regarding extra work, competition, and nondisclosure.

- D During the term of this AGREEMENT and throughout the period of performance of any resultant AGREEMENT, including extensions, modifications, or additions thereto, and for a period of one (1) year from the conclusion of such activity, the parties hereto agree that neither shall solicit for employment any technical or professional employees of the other without the prior written approval of the other party

II. FEES AND PAYMENTS

CLIENT agrees to pay CONSULTANT, for and in consideration of the performance of Basic Services further described in **Attachment A**, for a Lump Sum Fee of **\$5,000.00**, subject to the terms detailed below:

- A. CONSULTANT may bill CLIENT and be paid for all work satisfactorily completed hereunder on a monthly basis. CLIENT agrees to pay CONSULTANT's invoice within 30 days of invoice date for all approved work.
- B. Total price will not exceed budget of **\$5,000.00**. For services rendered, monthly invoices will include a report that clearly states the hours and type of work completed and the fee earned during the month being invoiced
- C. In consideration of the faithful performance of this AGREEMENT, the CONSULTANT will not exceed the fee for Basic Services and expenses without written authorization from CLIENT to perform work over and above that described in the original AGREEMENT
- D. Should CLIENT find deficiencies in work performed or reported, it will notify CONSULTANT in writing within thirty (30) days of receipt of invoice and related report and the CONSULTANT will remedy the deficiencies within thirty (30) days of receiving CLIENT's review. This subsection shall not be construed to be a limitation of any rights or remedies otherwise available to CLIENT.

III. MODIFICATION AND ADDITIONAL SERVICES

- A. CLIENT may, in writing, request changes in the Basic Services required to be performed by CONSULTANT and require a specification of incremental or decremental costs prior to change order agreement under this AGREEMENT. Upon acceptance of the request of such changes, CONSULTANT shall submit a "Change Order Request Form" to CLIENT for authorization and notice to proceed signature and return to CONSULTANT. Should any such actual changes be made, an equitable adjustment will be made to compensate CONSULTANT or reduce the fixed price, for any incremental or decremental labor or direct costs, respectively. Any claim by CONSULTANT for adjustments hereunder must be made to CLIENT in writing no later than forty-five (45) days after receipt by CONSULTANT of notice of such changes from CLIENT.

IV. ASSISTANCE AND CONTROL

- A Glen Morrow will coordinate the work of the CONSULTANT, and be solely responsible for communication within the CLIENT's organization as related to all issues originating under this AGREEMENT.
- B CLIENT will timely provide CONSULTANT with all available information concerning PROJECT as deemed necessary by CONSULTANT.
- C. CONSULTANT will appoint, subject to the approval of CLIENT, Michael N Paulos, PE CONSULTANT's Project Manager and other key providers of the Basic Services. Substitution of other staff may occur only with the consent of CLIENT

V. TERMINATION

- A. This AGREEMENT may be terminated by CLIENT, for its convenience, for any or no reason, upon written notice to CONSULTANT. This AGREEMENT may be terminated by CONSULTANT upon thirty (30) days written notice. Upon such termination by CLIENT, CONSULTANT shall be entitled to payment of such amount as shall fairly compensate CONSULTANT for all work approved up to the date of termination, except that no amount shall be payable for any losses of revenue or profit from any source outside the scope of this AGREEMENT, including but not limited to, other actual or potential agreements for services with other parties.
- B. In the event that this AGREEMENT is terminated for any reason, CONSULTANT shall deliver to CLIENT all data, reports, summaries, correspondence, and other written, printed, or tabulated material pertaining in any way to Basic Services that CONSULTANT may have accumulated. Such material is to be delivered to CLIENT whether in completed form or in process. CLIENT shall hold CONSULTANT harmless for any work that is incomplete due to early termination
- C. The rights and remedies of CLIENT and CONSULTANT under this section are not exclusive and are in addition to any other rights and remedies provided by law or appearing in any other article of this AGREEMENT

VI. INSURANCE

The CONSULTANT shall, during the life of the AGREEMENT, maintain insurance coverage with an authorized insurance carrier at least equal to the minimum limits set forth below.

A. Limit of General/Commercial Liability	\$1,000,000
B Automobile Liability Bodily Injury/Property Damage	\$1,000,000
C Excess Liability for General Commercial or Automobile Liability	\$10,000,000
D. Worker's Compensation and Employers' Liability	\$500,000
E. Professional Liability	\$2,000,000

Upon the execution of this AGREEMENT, CONSULTANT shall supply CLIENT with a suitable statement certifying said protection and defining the terms of the policy issued, which shall specify

that such protection shall not be cancelled without thirty (30) calendar days prior notice to CLIENT, and naming CLIENT as an additional insured for General Liability.

VII. INDEMNIFICATION AND ALLOCATION OF RISK

- A To the fullest extent permitted by law, CONSULTANT shall indemnify and hold harmless CLIENT, CLIENT'S officers, directors, partners, and employees from and against costs, losses, and damages (including but not limited to reasonable fees and charges of engineers, architects, attorneys, and other professionals, and reasonable court or arbitration or other dispute resolution costs) caused solely by the negligent acts or omissions of CONSULTANT or CONSULTANT'S officers, directors, partners, employees, and consultants in the performance of CONSULTANT'S services under this AGREEMENT
- B. To the fullest extent permitted by law, CLIENT shall indemnify and hold harmless CONSULTANT, CONSULTANT'S officers, directors, partners, employees, and consultants from and against costs, losses, and damages (including but not limited to reasonable fees and charges of engineers, architects, attorneys, and other professionals, and reasonable court or arbitration or other dispute resolution costs) caused solely by the negligent acts or omissions of CLIENT or CLIENT'S officers, directors, partners, employees, and consultants with respect to this AGREEMENT
- C. To the fullest extent permitted by law, CONSULTANT'S total liability to CLIENT and anyone claiming by, through, or under CLIENT for any injuries, losses, damages and expenses caused in part by the negligence of CONSULTANT and in part by the negligence of CLIENT or any other negligent entity or individual, shall not exceed the percentage share that CONSULTANT'S negligence bears to the total negligence of CLIENT, CONSULTANT, and all other negligent entities and individuals.
- D In addition to the indemnity provided under Paragraph VII.B, and to the fullest extent permitted by law, CLIENT shall indemnify and hold harmless CONSULTANT and CONSULTANT'S officers, directors, partners, employees, and consultants from and against injuries, losses, damages and expenses (including but not limited to all fees and charges of engineers, architects, attorneys, and other professionals, and all court or arbitration or other disputes resolution costs) caused by, arising out of, or resulting from an unexpected Hazardous Environmental Condition, provided that (i) any such injuries, losses, damages and expenses is attributable to bodily injury, sickness, disease, or death, or to injury to or destruction of tangible property, including the loss of use resulting therefrom, and (ii) nothing in this Paragraph shall obligate CLIENT to indemnify any individual or entity from and against the consequences of that individual or entity's own negligence or willful misconduct.
- E Nothing contained within this AGREEMENT is intended to be a waiver or estoppel of the contracting municipality CLIENT or its insurer to rely upon the limitations, defenses, and immunities contained within Wisconsin law, including those contained within Wisconsin Statutes §§ 893 80, 895 52, and 345 05 To the extent that indemnification is available and enforceable, the municipality CLIENT or its insurer shall not be liable in indemnity or contribution for an amount greater than the limits of liability for municipal claims established by Wisconsin Law.

VIII. TIME FOR COMPLETION

CONSULTANT shall commence work immediately having received a Notice to Proceed from CLIENT on or before January 22, 2020 and complete project on or before as of March 30, 2020.

IX. DISPUTES

This AGREEMENT shall be construed under and governed by the laws of the State of Wisconsin. The venue for any actions arising under this AGREEMENT shall be the Circuit Court for Milwaukee County.

X. RECORDS RETENTION

CONSULTANT shall maintain all records pertaining to this AGREEMENT during the term of this AGREEMENT and for a period of 3 years following its completion. Such records shall be made available by the CONSULTANT to CLIENT for inspection and copying upon request.

XI. MISCELLANEOUS PROVISIONS

- A. Professionalism The same degree of care, skill and diligence shall be exercised in the performance of the services as is possessed and exercised by a member of the same profession, currently practicing, under similar circumstances, and all persons providing such services under this AGREEMENT shall have such active certifications, licenses and permissions as may be required by law.
- B. Pursuant to Law Notwithstanding anything to the contrary anywhere else set forth within this AGREEMENT, all services and any and all materials and/or products provided by CONSULTANT under this AGREEMENT shall be in compliance with applicable governmental laws, statutes, decisions, codes, rules, orders, and ordinances, be they Federal, State, County or Local.
- C. Conflict of Interest. CONSULTANT warrants that neither it nor any of its affiliates has any financial or other personal interest that would conflict in any manner with the performance of the services under this Agreement and that neither it nor any of its affiliates will acquire directly or indirectly any such interest. CONSULTANT warrants that it will immediately notify the CLIENT if any actual or potential conflict of interest arises or becomes known to the CONSULTANT. Upon receipt of such notification, a CLIENT review and written approval is required for the CLIENT to continue to perform work under this Agreement.

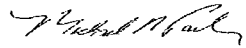
XII. CONTROLLING TERMS AND PROVISIONS

The aforesaid terms and provisions shall control over any conflicting term or provision of any CONSULTANT proposal, Attachment, Exhibit, and standard terms and provisions annexed hereto.

IN WITNESS WHEREOF, the parties have caused this AGREEMENT to be executed on the day and year first above written.

CITY OF FRANKLIN, WISCONSIN

GRAEF-USA INC.

BY 

BY _____
Stephen R Olson, Mayor

PRINT NAME Michael N Paulos

TITLE Principal

DATE _____

DATE January 10, 2020

BY _____
Sandra L Wesolowski, City Clerk

DATE _____

BY _____
Paul Rotzenberg, Director of Finance and
Treasurer

DATE _____

APPROVED AS TO FORM

Jesse A Wesolowski, City Attorney

DATE _____



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

Professional Services Agreement

ATTACHMENT A

January 13, 2020

Mr. Glen Morrow
Director of Public Works
City of Franklin
9229 W. Loomis Road
Franklin, WI 53132

Subject: **Pleasant View Park Master Plan Update
Professional Services Agreement**

Dear Mr. Morrow:

Per your request, Graef-USA Inc. (GRAEF) is pleased to provide this proposal for services the City of Franklin (Client).

This proposal is for professional services for performing a Master Plan Update at Pleasant View Park. This proposal is Attachment A of the Agreement between the City of Franklin and GRAEF that includes all Terms and Conditions. For this project, GRAEF proposes to provide the following Basic Services:

- Participate in a meeting with staff and elected official(s) (1 meeting)
- Participate in a neighborhood meeting (1 meeting)
- Parks Commission meeting attendance (2 meetings)
- Conceptual Site Plan Layout, showing pickle ball courts, picnic tables, volleyball courts, playground equipment, benches and conceptual landscape plan (1 Conceptual Layout Plan)
- Review stormwater management plan for allowable additional impervious area

For this project, it is our understanding Client will provide the following services, items and/or information:

- Provide vision/goals for Pleasant View Park
- Provide venue for meetings and invite appropriate staff/residents

GRAEF will endeavor to perform the proposed Basic Services per the following schedule

- | | |
|---|-------------------|
| • Notice to Proceed | January 22, 2020 |
| • Staff and Elected Official(s) Meeting | February 10, 2020 |
| • Neighborhood Meeting | February 10, 2020 |



- January 13 2020

APPROVAL	REQUEST FOR COUNCIL ACTION	MTG. DATE January 21, 2020
Reports & Recommendations	A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO EXECUTE A SUBDIVISION DEVELOPMENT AGREEMENT WITH THE DEVELOPER OF RYAN MEADOWS	ITEM NO. A. 20,

BACKGROUND

Pursuant to the approval of the final plat for Ryan Meadows, the developer, Loomis and Ryan, Inc. is ready to proceed with the development. The development is called Ryan Meadows and it is necessary to enter into a subdivision development agreement at an estimated cost of \$10,206,255.87. This development is located within Tax Increment District No. 6 (TID 6) and the TID 6 development agreement is dated November 29, 2018.

ANALYSIS

The final plat for Ryan Meadows was adopted by Common Council on September 17, 2019, with Resolution 2019-7547. Approval of this subdivision development agreement is required.

Note that this agreement includes oversizing costs for the 16-inch and 12-inch water mains to be paid from water impact fees.

OPTIONS

It is recommended that the Common Council approve the enclosed standard form of the subdivision development agreement with specific items contained in Exhibit "E" attached.

FISCAL NOTE

Municipal services and contingencies are accepted with percentages and are included in bond.

RECOMMENDATION

Motion to adopt Resolution No. 2020- _____ a authorizing certain officials to execute a subdivision development agreement with the developer of Ryan Meadows upon review and acceptance by City Attorney.

Department of Engineering GEM

STATE OF WISCONSIN: CITY OF FRANKLIN: MILWAUKEE COUNTY

RESOLUTION NO. 2020- _____

A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO EXECUTE A
SUBDIVISION DEVELOPMENT AGREEMENT WITH THE DEVELOPER OF
RYAN MEADOWS

WHEREAS, the Common Council at its regular meeting on September 17, 2019 recommended approval of the subdivision final plat subject to the execution of a Subdivision Development Agreement for Ryan Meadows; and

WHEREAS, this development is located within Tax Increment District No. 6 (TID 6) and the TID 6 development agreement is dated November 29, 2018; and

WHEREAS, it is in the best interest of the City of Franklin to provide an orderly planned development in the subdivision known as Ryan Meadows; and

WHEREAS, the developer of the subdivision is willing to proceed with the installation of the improvements provided for in the Subdivision Development Agreement; and

WHEREAS, the Subdivision Development Agreement includes oversizing costs for 16-inch and 12-inch water mains to be paid from water impact fees.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Common Council of the City of Franklin that the Mayor and City Clerk are hereby authorized and directed to execute the Subdivision Development Agreement on behalf of the City with the developer of the subdivision.

BE IT FURTHER RESOLVED that the City Clerk is directed to record the Subdivision Development Agreement with the Register of Deeds for Milwaukee County.

Introduced at a regular meeting of the Common Council on the _____ day of _____, 2020 by Alderman _____.

Passed and adopted by the Common Council on the _____ day of _____, 2020.

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

Engineering/GEM

CITY OF FRANKLIN

WISCONSIN

DEVELOPMENT AGREEMENT

FOR

RYAN MEADOWS

January __, 2020

**DEVELOPMENT AGREEMENT
FOR
RYAN MEADOWS**

ARTICLES OF AGREEMENT (THIS "Agreement") made and entered into this _____ day of January, 2020, by and between LOOMIS AND RYAN, INC., a Wisconsin corporation, hereinafter called the "Developer" 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 Developer desires to improve and develop certain lands located in the City as described on attached Exhibit "A" (the "Development"), and for that purpose cause the installation of certain public improvements, hereinafter described in this Agreement and the exhibits hereto (the "Improvements"); and

WHEREAS, the Developer and the City have entered in that certain Tax Incremental District No. 6 Development Agreement dated November 29, 2018 (as amended, the "TIF Agreement") providing that as a condition of approving the Development, that Developer make and install, or have made and have installed, the Improvements; and

WHEREAS, the public works schedule and budget of the City does not now include the Improvements for the Development 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 Development will best promote the health, safety and general welfare of the community, and hence is willing to approve the Development provided the Developer proceed with the installation of the Improvements in and as may be required for the Development, on the terms and conditions set forth in this Agreement and the TIF 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 Development 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 Developer 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 Developer 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 Developer periodically as the Improvements are completed as provided in the Improvements Contracts. The total estimated cost of the Improvements is \$10,206,255.87 as itemized in attached Exhibit "D".
5. To assure compliance with all of Developer's obligations under this Agreement, prior to the issuance of any building permits, the Developer shall file with the City a Financial Guarantee (the "Financial Guarantee", which will be in the form of a Performance Bond) in the initial amount of \$8,856,255.87 (\$10,206,255.87 less 90% of the total cost of the water main already installed, upon inspection and acceptance by the City, which total cost was \$1,500,000.00), 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 Developer 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 Developer 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 Developer for all the completed Improvements, the Financial Guarantee shall be released and surrendered by the City to the Developer, and thereafter the Developer 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 Developer 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 Improvement 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 Developer, 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 Developer, described in

Paragraph five (5) above. It is understood between the parties to this Agreement, that billings for the Improvement 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.

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 Development. Demand for said extension shall be sent by registered letter with a return receipt, with a copy to the Developer. 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) 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 Development, easements will be dedicated for the use of the Electric Company, the Telephone Company and Cable Company to provide utility services to the Development. 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 Development 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 Developer 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 Developer agrees that it shall be fully responsible for all the Improvements in the Development 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 Developer. The Developer's obligations under this Paragraph 8., as to any improvement, terminates upon acceptance of that improvement by the City.
- 9. The Developer shall take all reasonable precautions to protect persons and property of others on or adjacent to the Development 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 Development, 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 Developer 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 Developer 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 Developer promptly, in writing, notice of the alleged loss, damage or injury.
- 11. Except as otherwise provided in Paragraph 12. below, the Developer 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 Developer or any subcontractor retained by the Developer;

- (b) the negligent or willfully wrongful construction of the Improvements by the Developer or by any of said subcontractors;
 - (c) the negligent or willfully wrongful operation of the Improvements by the Developer during the Construction Period;
 - (d) the violation by the Developer or by any of said subcontractors of any applicable law, rule, regulation, order or ordinance; or
 - (e) the infringement by the Developer or by any of said subcontractors of any patent, trademark, trade name or copyright.
12. Anything in this Agreement to the contrary notwithstanding, the Developer 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 Developer 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 Developer's obligations under said guaranty upon acceptance of the Improvements by the City, the Developer 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 Developer 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 Developer and all subcontractors retained by the Developer 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 Developer or by any subcontractor retained by the Developer or by anyone directly or indirectly employed by either the Developer 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 Developer 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 Developer 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 Developer has paid all of the Improvements Costs, at which time the Developer shall have no further obligations under this Agreement except for the one (1) year guaranty under Paragraph 13.
16. The Developer and the City hereby agree that the cost and value of the Improvements will become an integral part of the value of the Development and that no future lot assessments or other types of special assessments of any kind will be made against the Development by the Developer or by the City for the benefit of the Developer, to recoup or obtain the reimbursement of any Improvement Costs for the Developer.
17. Execution and performance of this Agreement shall be accepted by the City as adequate provision for the Improvements required by the TIF Agreement.
18. Penalties for Developer's failure to perform any or all parts of this Agreement shall be in accordance with Division 15-9.055, Violations, Penalties, and Remedies of the Unified Development Ordinance and §1-19. Penalty provisions of the City of Franklin Municipal Code, as amended from time to time, in addition to any other

remedies provided by law or in equity so that the City may obtain Developer'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. Developer 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 Developer 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.]

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.

MILWAUKEE COUNTY)

Personally came before me this ____ day of _____, 2019, 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 _____, 2019.

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
DEVELOPMENT AGREEMENT
FOR
RYAN MEADOWS**

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

EXHIBIT "A"
TO
DEVELOPMENT AGREEMENT
FOR
RYAN MEADOWS

<p>LEGAL DESCRIPTION OF DEVELOPMENT</p>
--

Lots 1 through 82 and Lot 84 of Ryan Meadows Subdivision, located in the City of Franklin, County of Milwaukee, State of Wisconsin.

EXHIBIT "B"
TO
DEVELOPMENT AGREEMENT
FOR
RYAN MEADOWS

<p>GENERAL DESCRIPTION OF REQUIRED DEVELOPMENT IMPROVEMENTS</p>
--

Description of improvements required to be installed to develop the Ryan Meadows Development.

- *S Denotes contract for improvements to be awarded, financed and paid for by the Developer in lieu of special assessments.
- *C Denotes contract for improvements to be awarded by the City, but financed and paid for by the Developer in accordance with this agreement.
- (N.A.) Denotes improvement is not required to be installed in the Development.
- (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 Development in conformance with the approved grading plan. *S
- 2. Grading of the streets within the Development 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 Development, 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 Development 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 Development, 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 Development 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 Development to the approved grade and in accordance with the City specifications. *S
10. Concrete sidewalks in the Development 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 Development 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 Development and drainage basin area 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
DEVELOPMENT AGREEMENT
FOR
RYAN MEADOWS

GENERAL DEVELOPMENT REQUIREMENTS

I **GENERAL**

- A. The Developer 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 Development 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 Development shall be served by a water main.
 - 2. The Developer 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 Development 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 Developer'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 Development 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 Development shall be served by a sanitary sewer.
2. Laterals shall be laid to the lot line of each and every lot.
3.
 - a) The Developer shall provide for the extension of the sanitary sewer system to abutting properties by laying sewer pipe to the exterior lot lines of the Development 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 Development as described in Section IV. B. 3.(a) above, the City is hereby granted the right to install said extensions within the Development at the expense of the Developer. All costs for installing sewer systems outside of the boundaries of the Development 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 Development 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, catch basins, inlets, leads, open swales, retention basins and absorption ponds 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 Developer'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 an engineer or architect registered in the State of Wisconsin.

D. Responsibility of Discharged Water

1. The Developer shall be responsible for the storm drainage until it crosses the exterior property line of the Development 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 Developer of the Development will, in the opinion of the City Engineer, cause water problems downstream from the Development which will reasonably require special consideration, the Developer 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 Development 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 Development certification. The 2" A/C surface course shall be installed when 90% of the lots within the Development have been built upon or at the discretion of the City Engineer.

Before the final lift of asphalt can be installed within a Development the Developer 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 Developer'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 Developer.

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

D. Snow Removal and Ice Control

The responsibility for snow removal and ice control on all streets within the Development shall lie with the Developer 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 lined invert open channel, unless otherwise agreed upon by the Developer and the City.
 - b) Side slopes no steeper than 4:1.
 - c) Landscaped in accordance with the applicable City regulations and/or approvals conditions for the Development for landscaping requirements or, in the case of storm sewer, as directed by the City Engineer.
2. Pedestrian
 - a) The pedestrian walks shall be paved as required by the 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 Development 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 Developer 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 Developer fail to take said action by said date, it is agreed that the City, at its option and at the expense of the Developer, 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 Development improvements, a fee equal to two-and-one-fourth percent (2¼ %) of the cost of the improvements as estimated by the City Engineer at the time of submission of improvement plans and specifications, to partially cover the cost to the City of checking and reviewing such plans and specifications provided that cost does not exceed \$250,000.00; a fee equal to one-and-three-fourth percent (1¾ %) of such cost, if the cost is in excess of \$250,000.00, but not in excess of \$500,000.00; and one-and-one-fourth percent (1¼ %) of said cost in excess of \$500,000.00. At the demand of the Developer 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 Developer. 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 Developer agrees to pay the City the actual charge plus five (5%) percent for administration and overhead.

EXHIBIT "D"
TO
DEVELOPMENT AGREEMENT
FOR RYAN MEADOWS

ESTIMATED IMPROVEMENT COSTS

All improvement costs, including but not limited to preparation of plans, installation of facilities and inspection shall, subject to funding through the TIF Agreement, be borne by the Developer 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)	\$1,418,530.00
Sanitary System	\$1,335,617.00
Water System (On-Site)	\$1,158,595.00
Water System (Off-Site)	\$1,500,000.00
Storm Sewer System	\$1,157,396.00
Paving (including sidewalk)	\$1,907,769.00
Loomis Road Off-Site Roadways	\$1,000,000.00
Street Trees (177 x \$400/lot)	\$70,800.00
Street Lights (30) @ approximately \$5,000/ea.	\$150,000.00
Street Signs	\$8,000.00
Underground Electric, Gas and Telephone	\$499,543.87
Retention Basin	Included in Grading
SUBTOTAL	\$10,206,255.87
Engineering/Consulting Services	\$ 127,578.14
Municipal Services (7% of Subtotal)	\$714,437.56
Contingency Fund (20% of Subtotal)	\$2,041,250.17
TOTAL:	\$13,089,516.74

Total: _____/100 Dollars.

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

EXHIBIT "E"
TO
DEVELOPMENT AGREEMENT
FOR

RYAN MEADOWS

ADDITIONAL DEVELOPMENT REQUIREMENTS
--

1. The Developer agrees that it shall pay to the City of Franklin for thirty (30) 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 Developer 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 Developer 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 Developer agrees to pay the City for street trees planted by the City on newly platted streets within Ryan Meadows 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 Developer, the Developer'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 Developer will require that the owners of said lots install concrete driveway approaches, as required by the Franklin Building Inspector.
6. The Developer shall be responsible for cleaning up the debris that has blown from buildings under construction within the Development. The Developer shall clean up all debris within forty-eight (48) hours after receiving a notice from the City Engineer.
7. The Developer 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 Developer shall clean the roadways within forty-eight (48) hours after receiving a notice from the City Engineer.
8. Prior to commencing site grading, the Developer 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 Developer shall maintain the erosion

and siltation control until such time that vegetation sufficient to equal pre-existing conditions has been established.

9. The Developer 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 Developer shall install a 16-inch diameter water main on Loomis & Ryan Roads, 12-inch diameter water main on Monarch Drive and Bergamont Drive from the existing water main located at 11120 Loomis Drive, northeast of the Development. The City shall reimburse to the Developer 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 Developer which may reimburse to the Developer 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 Loomis and Ryan Roads installed by the Developer. The pro-ratio shall be upon a front foot basis. Such non-oversize cost reimbursement shall only be made by the City to the Developer 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 Developer such pro-rated costs if received as aforesaid.
11. Intentionally Omitted.
12. The Developer shall inform the persons purchasing lots of their obligation to cut weeds to conform to the City's noxious weed ordinance.
13. The Developer 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 Developer and/or owners association.
14. The Developer 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 UDO, prior to recording of the Final Plat. The Developer 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 systems

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, Developer 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 112th Street.



17. The Developer shall provide for the connection to the existing 112th Street and install any necessary curb and gutter and pavement.

EXHIBIT "F"
TO
DEVELOPMENT AGREEMENT
FOR
RYAN MEADOWS

CONSTRUCTION SPECIFICATIONS

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

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

APPROVAL 	REQUEST FOR COUNCIL ACTION	MEETING DATE 1/21/2020
REPORTS & RECOMMENDATIONS	Update on the City Hall Roof, HVAC, and Fascia Wood Replacement Project and Authorization of a Change Order to Remove the Paneling from the Common Council Chambers for \$10,013, of a Quote from Stu's Flooring, Inc., to Replace Common Area Baseboard for \$1,599, and Authorization to Refinish the Common Area Floors for an Amount Not-To-Exceed \$2,500	ITEM NUMBER 

The intent of this Council Action Sheet is to provide an update on the City Hall Roof, HVAC, and Fascia Wood Replacement Project and some additional recommendations.

1. As previously reported, the project is largely completed and has moved into the punch list and close-out phase, with the exception of landscaping which was mutually agreed to delay until spring. The Director of Inspection Services indicates that about 10 punch list items remain. The attached document shows that the project is currently \$30,982.59 under the total budget of \$1,775,000. The change orders as previously reported are listed in the middle of the attachment and amounted to \$33,022. Compared to the contractor's contract of \$1,470,400, change orders were 2.25% of the construction project, which is excellent. Note that the change orders and percentage do not include the other items that we squeezed into this budget using other vendors, such as carpeting, asbestos removal, mud jacking, etc.; but all of these costs are included in the total amount under budget.
2. The extension of the contract for the spring landscaping does add extra work for Quorum, the architect, that was not anticipated in their contract. Fortunately, their contract was a time and materials contract for Phase II, the construction phase. They did have savings throughout and believe they can finish this added work only using the funding already encumbered with their original P.O. Essentially, some sub-contractor savings were more than any other overruns, leaving enough funding to cover the added work for the extended period.
3. With the available project funding remaining (30,982.59), staff recommends the following additional actions, for less than \$14,100, be authorized:
 - a. Remove and repair Common Council Chamber paneling. Such a project was recently discussed and received positive comments by the Aldermen. As such, a change order was requested from our current contractor. If the Common Council wants the project to move forward, Selzer-Ornst provided a change order proposal that would remove the existing paneling, replace or repair the drywall behind it as necessary, adjust electrical as needed, apply two coats of paint, and add new base molding. It also includes adding some drywall above the ceiling tiles to cover some insulation and eliminate an apparent long-standing code violation. The price is \$10,013. The work takes about 2 weeks, but would not require closing the room as messes would be cleaned and tools/materials moved to the side of the room during that period. [Note: Their work does not involve any painting or application of a logo.]

- b. The Director of Administration recommends replacing the base board (cove base) in the common areas of the project area. A copy of the area is attached. The base board has been beat up over the years and replacing it will freshen up the overall appearance. The darker color used in the Clerk's Office would likely be used. Stu's flooring has provided a quote of \$1,599 for this work which will be done during normal business hours.
 - c. The Director of Administration recommends professionally scrubbing/stripping and reapplying new surface (generally wax) to these same areas. The VCT flooring and Terrazzo flooring, approximately 4,700 square feet, will be addressed. Bob Tesch, Operations Supervisor, has received 3 bids and will evaluate the processes and coating materials involved and select the appropriate vendor. The price is approximately \$2,000, but will not exceed \$2,500.
4. If the items in #3 are approved, the project will still carry an available contingency of slightly over \$16,000 available for the closeout of the project with the spring landscaping. It will also help provide cover should an unexpected bill arrive from our side projects and office moves.
5. The cosmetic damage to the roofing unit was repaired by the manufacturer/contractor so no extended warranty was provided.
6. The budget information reported above includes the purchase of benches and waste and cigarette receptacles which were previously approved by the Common Council, not to exceed \$4,000. They were not yet purchased to ensure the project did not have budget issues. Bob and Scott will now move forward with their acquisition so they are in place when the landscaping is completed.

COUNCIL ACTION REQUESTED

Move as follows:

- 1. To authorize the Director of Inspection Services to approve a change order with Selzer-Ornst for removal of paneling and repair of the walls in the Common Council chambers for \$10,013;
- 2. To authorize Bob Tesch, the Operations Supervisor, to approve a proposal with Stu's Flooring for replacing base board (cove base) in City Hall common areas for \$1,599 and a proposal for floor maintenance and resurfacing for an amount not-to-exceed \$2,500.

Summary of \$1,775,000 City Hall HVAC, Roof & Fascia Wood Replacement Project:

\$1,775,000 includes the following:

Quorum Phase I (Design)	PO 74252	\$	38,620 00
Quorum Phase II (Construction)	PO 74262	\$	139,900 00
Direct City Costs/Staging for Project		\$	14,980 00
Selzer-Ornst Construction	PO 74316		
Base Bid	1,281,500 00		
-Alt #2 Open Air Canopy Over Main Entrance	115,000 00		
-Alt #1 Canopies over 3 Additional Doors	48,000 00		
-Alt #5 Roof Warranty Upgrade to 30 Years	5,400 00		
Alt #7 & #8 Landscaping	20,500 00	\$	1,470,400 00
Contingency for Project		\$	111,100 00
TOTAL PROJECT FUNDING		\$	1,775,000 00

Selzer-Ornst PO 74316 = \$1,581,500

Contract Sum	\$	1,470,400 00
Plus Contingency		111,100 00
	\$	1,581,500 00

Selzer-Ornst Project Details/Summary:

Original Contract Sum: \$ 1,470,400 00

Change Orders:

-PCO2 (Message Board)	\$	4,750 00	
PCO3 (Comm Rm entrance foundation excavation/soils)		2,198 00	
-PCO4 (Screening around rooftop HVAC units)		7,577 00	
-PCO5 (Stairwell firewall continuity/light, int masonry repair, 2 additional lights to north garage door)		8,628 00	
-PCO6 (Cabinet heater electrical connections)		3,498 00	
PCO7 (Fiber cement over garage doors)		4,398 00	
PCO10 (Exterior painting outside of bid scope)		1,973 00	\$ 33,022 00
			\$ 1,503,422.00

New Contract Sum with Change Orders

Selzer-Ornst PO 74316 Total	\$	1,581,500 00
Minus Selzer-Ornst New Contract Sum w/Change Orders		1,503,422 00
Subtotal		78,078 00
Plus Funding for Direct City Costs Portion		14,980 00
Subtotal		93,058 00
Minus Operating Expenses/Add-Ins (see list below)		62,075 41
Remaining Project Funds	\$	30,982.59

Operational Expenses and Add-Ins:

-Ads for Bids, etc	\$	463 00	
Quorum Reimbursable Expenses - Phs I		1,347 68	
-Quorum Reimbursable Expenses Phs II		4,993 22	
Sidewalk Repair (MudTech, LLC)		8,150 00	
-Asbestos Removal (Integrity Environmental)		8,400 00	
Asbestos Window Removal/Install (Lurie Co)		775 00	
-Carpeting Clerk's Area (Stu's)		13,545 00	
Clerk's Office Relocation (C Coakley)		9,450 00	
-Painting Clerk's Office (AM Painting)		2,350 00	
Soils Testing (Giles Engineering)		1,806 00	
Electrical Clerk's Office (STI Electric)		815 00	
-Moving Carts (Reeling Cart)		3,120 00	
Power Outlets-Dept Moves (Grainger)		360 37	
-Monitors & Cables-Dept Moves (CDW G)		2,307 60	
-Ink Cartridge-Dept Moves (CDW G)		192 54	
Benches (2), Waste & Cigarette Receptacles		4,000 00	\$ 62,075.41

**PCO #011**

Selzer-Ornst Co
6222 W State St
Milwaukee, Wisconsin 53213
Phone (414) 258-9900
Fax: (414) 258-3693

Project: 19-102 - Franklin City Hall
9229 W Loomis Rd
Franklin, Wisconsin 53132

Prime Contract Potential Change Order #011: PCO #11

TO:	City of Franklin 9229 W Loomis Rd Franklin, Wisconsin 53132	FROM:	Selzer-Ornst Construction 6222 W State St Milwaukee, Wisconsin 53213
PCO NUMBER/REVISION:	011 / 0	CONTRACT:	1 - Franklin City Hall Prime Contract
REQUEST RECEIVED FROM:	Brett Reynolds (Selzer-Ornst Construction)	CREATED BY:	Kari Lilly (Selzer-Ornst Construction)
STATUS:	Pending - In Review	CREATED DATE:	12/30/2019
REFERENCE:	PCO #11	PRIME CONTRACT CHANGE ORDER:	#011 - PCO #11
FIELD CHANGE:	No		
LOCATION:		ACCOUNTING METHOD:	Amount Based
SCHEDULE IMPACT:		PAID IN FULL:	No
		TOTAL AMOUNT:	\$10,013 00

POTENTIAL CHANGE ORDER TITLE: PCO #11

CHANGE REASON: Existing Condition

POTENTIAL CHANGE ORDER DESCRIPTION: *(The Contract Is Changed As Follows)*

PCO #11

Drywall work in City Hall Chamber Room

Add - Selzer-Ornst Carpentry Labor - \$6,480 00

Remove wood paneling on 2 walls, skim coat existing walls or laminate drywall over existing walls, drywall over existing insulation above ceiling and install new vinyl base on 2 walls where paneling was removed
72hrs x \$90 00/hr

Add - Selzer-Ornst Material - \$950 00

Drywall, drywall finish, vinyl base, dumpster and miscellaneous materials

Add - Craftmaster - \$650 00

Paint 2 walls where new drywall is installed (2 coats)

Add - Lemberg - \$800 00

Remove & replace electrical devices for drywall work to occur

Alternate to replace vinyl base on two additional walls not affected by this change (ADD - \$560 00)

Insurance & Bonds - \$133 00

General Liability - \$90 00

Selzer-Ornst Fee - \$910 00

ATTACHMENTS:

#	Cost Code	Description	Type	Amount
1	6-110 - Rough Carpentry	Selzer-Ornst Carpentry Labor	Labor	\$6,480 00
2	6-110 - Rough Carpentry	Selzer-Ornst Carpentry Materials	Material	\$950 00
3	9-910 - Painting & Coatings	Paint 2 wall where new drywall was installed	Subcontractor	\$650 00
4	16-110 - Electrical	Remove & replace electrical devices for drywall work	Subcontractor	\$800 00
5	1 110 - Insurance & Bonds	Insurance & Bonds	Other	\$133.00



PCO #011

6	1-110 - Insurance & Bonds	General Liability	Other	\$90.00
7	1-500 - CM Fee	Selzer-Ornst Fee	Other	\$910.00
Subtotal				\$10,013.00
Grand Total				\$10,013.00

Chris Hau (Quorum Architects)
3112 W Highland Blvd
Milwaukee, Wisconsin 53208

City of Franklin
9229 W Loomis Rd
Franklin, Wisconsin 53132

Selzer-Ornst Construction
6222 W State St
Milwaukee, Wisconsin 53213

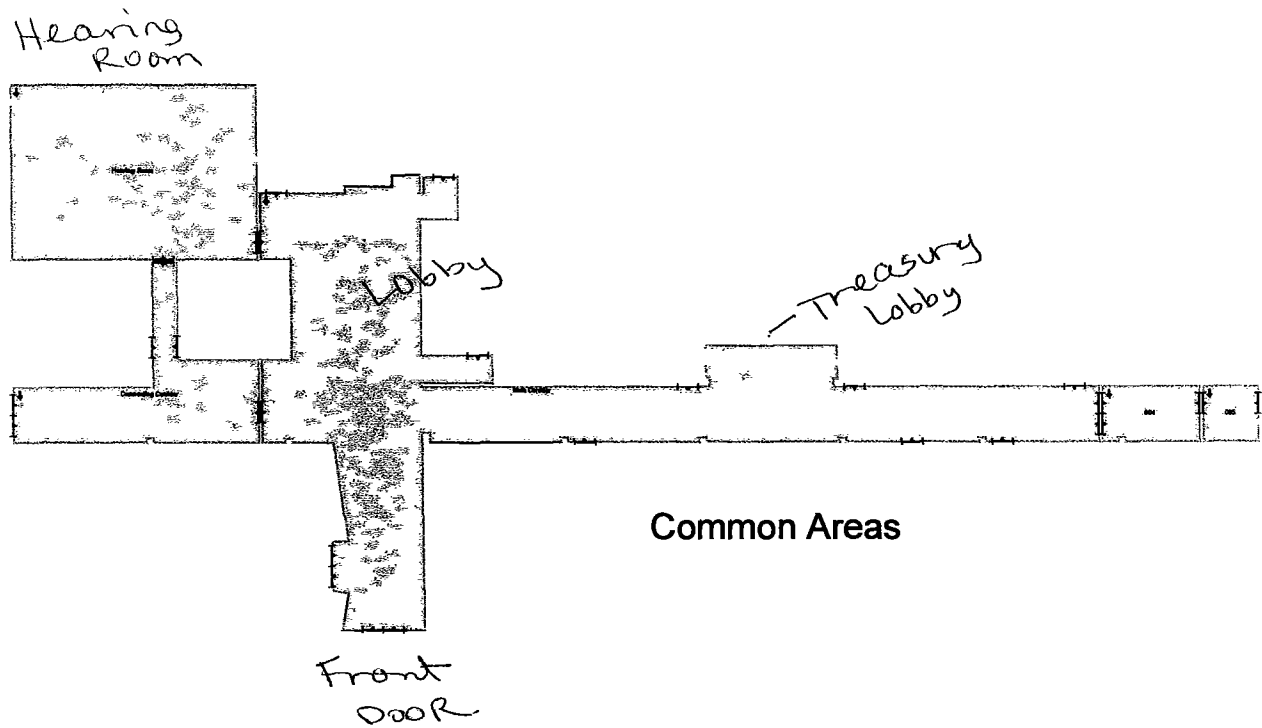
SIGNATURE DATE

SIGNATURE DATE

SIGNATURE DATE

Franklin City Hall

3november16



Covebase 6" ht



None191

APPROVAL	REQUEST FOR COUNCIL ACTION	MTG. DATE January 21, 2020
Reports & Recommendations	ORDINANCE TO ADD TO THE MUNICIPAL CODE SECTION 245-5 D. (4) ESTABLISHING PARKING RESTRICTIONS ON SOUTH SIDE OF W. ROBINWOOD LANE, 50 FEET EAST AND 50 FEET WEST OF CENTERLINE OF S. MISSION DRIVE RIGHT-OF-WAY	ITEM NO. M. 22.

BACKGROUND

In December 2019, the Police Department received an anonymous complaint regarding “*vehicles park directly in front of stop signs on Mission Drive during drop off and pick up of kids at Robinwood drive*”

ANALYSIS

The Police investigated the issue and recommended that no-parking signs be installed on the south side of W. Mission Drive. The issue was presented at the January 14, 2020, Board of Public Works meeting and they are recommending that the Common Council establish 100-feet at this location as “no parking.” The Board of Public Works left any time restrictions to the desire of Alderman Mayer.

Ordinance No. 2004-1809 established no parking on the north side of W. Robinwood Lane 200 feet east of S. Mission Drive but was repealed by Ordinance No. 2007-1910 which established no parking on the north side 300 feet east of S. Mission Drive. All other no-parking restrictions around this intersection restrict from 8:00-9:30 a.m. and 3:00 to 4:00 p.m. on school days.

OPTIONS

- A. Follow Board of Public Works recommendation and restrict parking on the south side of W. Robinwood Lane for 100 feet at S. Mission Drive. or
- B. Give further guidance to Staff.

FISCAL NOTE

Signs and paint for the curb may be accomplished within the existing DPW budget.

RECOMMENDATION

(Option A) Ordinance 2020-_____an ordinance to add to the Municipal Code Section 245-5 D (4) establishing parking restrictions on south side of W. Robinwood Lane, 50 feet east and 50 feet west of centerline of S. Mission Drive right-of-way.

Engineering Department: GEM

STATE OF WISCONSIN: CITY OF FRANKLIN: MILWAUKEE COUNTY

ORDINANCE NO. 2020-_____

ORDINANCE TO ADD TO THE MUNICIPAL CODE SECTION 245-5 D. (4)
ESTABLISHING PARKING RESTRICTIONS ON SOUTH SIDE OF W. ROBINWOOD LANE,
50 FEET EAST AND 50 FEET WEST OF CENTERLINE OF S. MISSION DRIVE RIGHT-OF-WAY

WHEREAS, the Board of Public Works has recommended to Common Council to have 'No Parking' on the south side of W. Robinwood Lane for 100-feet centered from the centerline of S. Mission Drive; and

WHEREAS, other parking in the vicinity of S. Mission Drive and W. Robinwood Lane is restricted from 8:00-9:30 a.m. and 3:00 to 4:00 p.m. on school days; and

WHEREAS, Staff has evaluated the location and determined that parking restrictions as discussed are appropriate; and

WHEREAS, the Common Council concurs with the Board of Public Works and Staff recommendations.

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

SECTION I. Section 245-5(D) (4) of the Municipal Code of the City of Franklin is hereby amended as follows:

ADD:

NAME OF STREET: "W. Robinwood Lane"

SIDES: "South"

LOCATION: "50 feet east and 50 feet west of centerline of S. Mission Drive right-of-way from 8:00-9:30 a.m. and 3:00 to 4:00 p.m. on school days"

INTRODUCED at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2020, by Alderman _____.

PASSED AND ADOPTED by the Common Council of the City of Franklin on the _____ day of _____, 2020.

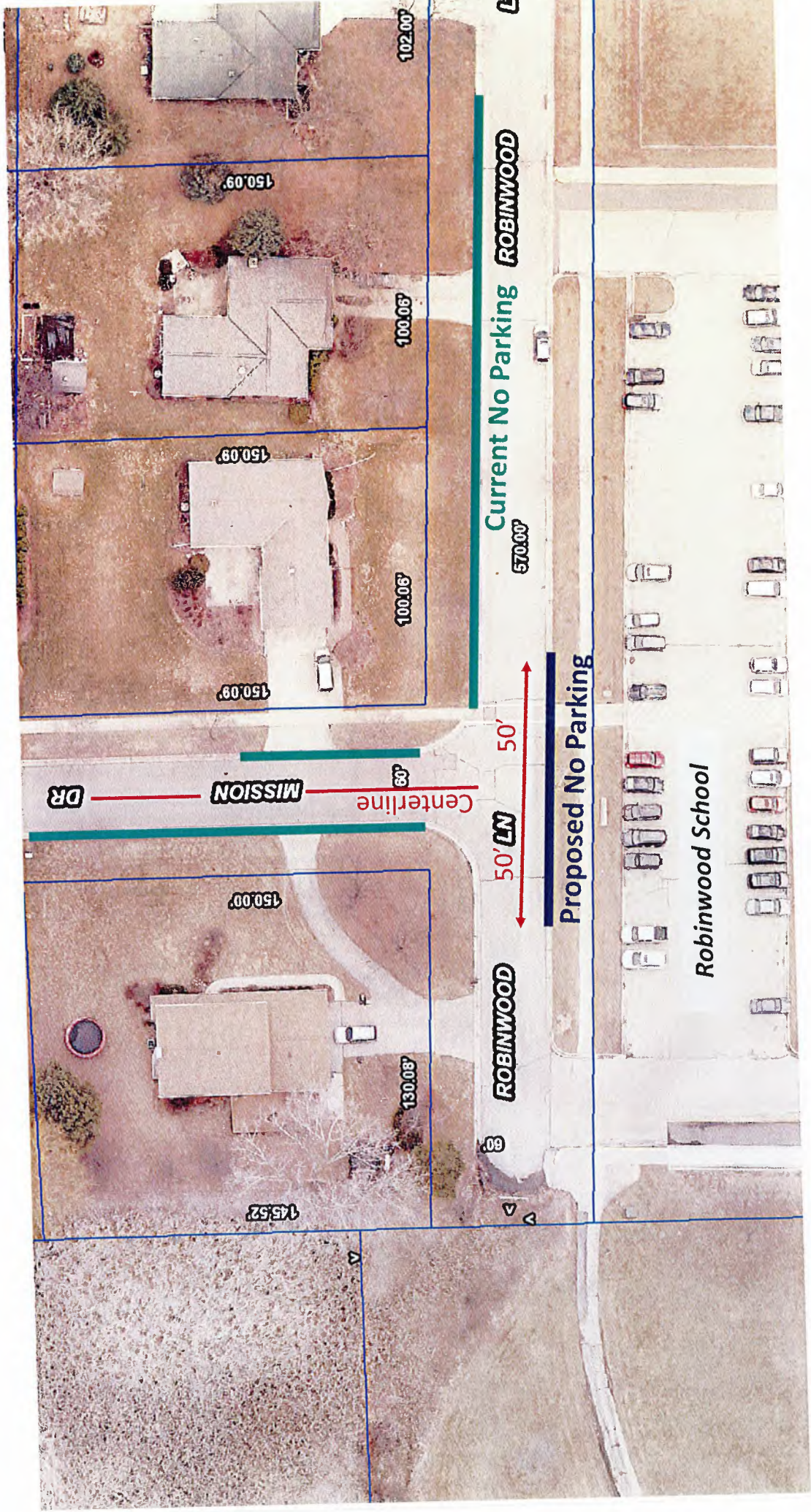
APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES ____ NOES ____ ABSENT ____



APPROVAL <i>PAR</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE Jan 21, 2020
REPORTS & RECOMMENDATIONS	Financial Report on Tax Incremental Financing District 4 for Calendar 2019	ITEM NUMBER <i>M.23,</i>

Background

The Director of Finance & Treasurer's report on TID4 for calendar 2019 is attached for your information.

The Director of Finance & Treasurer and the Economic Development Director will be available to answer any questions.

COUNCIL ACTION REQUESTED

Motion to place on file.

Or

Such action as the Common Council deems appropriate.



City of Franklin

Common Council

**Tax Increment District #4
Cash Flow Model
December 31, 2019**

Issued Jan 17, 2020

Presented by:

Paul Rotzenberg, CPA

City of Franklin Director of Finance & Treasurer

M E M O R A N D U M

DATE: Jan 17, 2020
TO: Common Council
FROM: Paul Rotzenberg, Director of Finance & Treasurer
RE: Report and analysis of TID #4 Cash Flow Projections

Attached is a projection of tax increment revenue, expenditures, debt service payments and the net asset position for TID #4 based upon equalized values released by the Department of Revenue on August, 2019 and the taxes levied in December 2019. This Mixed Use District was formed in June, 2005 and is located in the far southeast corner of the City, from a point one half mile north of Oakwood Rd south to County Line Road, from 27th Street west to 42nd Street. The District has a maximum life of 20 years, with the latest project expenditures can be made is June, 2020. The last year of increment would be 2026, if needed.

Observations:

1. All Phase 1 projects have been completed. The completed costs were in line with the revised estimate for these projects and proceeds have been borrowed and repaid to fund the project costs.
2. The projection includes the potential costs of the Project Plan Phase 2 and Phase 3. These costs will create sanitary sewer, water and street infrastructure necessary to for commercial development of the area.
3. The development assumptions are a major factor in the projected cash flow of the TIF District. The economic slowdown after 2008 had resulted in delaying the projected years in which the various known projects were estimated to be constructed compared to earlier projections. These projections assume that a new TID will be created that substantially overlays existing TID4 such that no new increment will be created for the remaining TID4 life.
4. 2019 had a \$6,198,300 increment. The total increment in this District is now \$52,629,600. This represents 29% of the projected development when the District was formed. Most of the increment has come from the Wheaton Franciscan (kna Ascension) complex and the residential development on the west side of the District.
5. In 2014, Wisconsin Act 145 changed the funding for Technical Colleges. MATC reduced their levy by 36% as a result, and the tax rate for this District declined by \$1.35 or 5.5%. Act 254 provides relief for those TID's which were adversely

impacted by Act 145 by extending the life of the TID by an additional three years
This District would not qualify to use that extension provision.

- 6 The District has two additional project phases authorized. The Common Council authorized in June 2018 an Engineering project to design infrastructure improvements that would form the initial infrastructure for a business park south of W Oakwood Rd By Dec 2019, approximately half of that work was completed
7. The City has investigated additional infrastructure costs involving water and sanitary sewer lines. Approximately \$10.6 million in new project costs are included in these forward looking estimates. Costs include right of way acquisition, sanitary sewer, a lift station, Elm Road widening and utility construction, and right of way and infrastructure costs for a new Hickory Lane.
- 8 The TID expenditure period concludes in June, 2020 Only project costs with firm contractual commitments by that date are eligible TID4 project costs. Should those projects be approved, the District is projected to close in 2025. Just as important as the expenditure period ending, are the financial resources available in TID4. These projections have no contingency moneys available for events that are difficult to predict
- 9 The District has a \$4.2 million fund balance at December 31, 2019. Absent the approval of the proposed project costs, the District would close as it has no remaining unsettled project costs. Notice of a closure is due to the WI Department of Revenue by April 15, 2020 via a Resolution. State law permits half the equalized value of a closing TID for tax relief upon closure, (currently \$26.3 million or 0.6% of the 2019 equalized Franklin tax base).

The analysis is qualified to the following extent:

1. The stated assumptions determine the results of the projection.
- 2 The tax rate assumption is based on the actual equalized tax rate in effect in December 2019 less an assumed decline in tax rates of 1 0% per year. If the tax rate varies from the assumption it could have either a positive or negative impact on these projections.

City of Franklin
TIF #4 Phase I Projection
Projected Cash Flow
December 31, 2019

Year	Revenue						Expenditures				TIF Status			
	Tax Levy	Computer Aid	Misc Revenue	Interest Income 100%	Debt Issued	Total	Project Costs	Admin Expenses	Debt Service		Yearly Cash Activity	Net Cash	Outstanding Debt	Year End Fund Balance
									Interest	Principal				
2005	-	-	-	39,408	2,812,416	2,851,824	179,470	34,844	47,553	-	2,589,957	2,589,957	2,812,416	(222,459)
2006	-	-	-	117,860	116,353	234,213	659,840	35,237	129,485	-	(590,349)	1,999,608	2,928,769	(929,161)
2007	17,702	4,884	294,196	28,754	2,971,231	3,316,767	3,522,075	53,667	116,893	1,500,000	(1,875,868)	123,740	4,400,000	(4,276,260)
2008	236,803	6,862	34,337	9,354	3,700,000	3,987,356	388,006	51,827	187,046	3,100,000	260,477	384,217	5,000,000	(4,615,783)
2009	221,611	5,474	57,051	8,341	600,000	892,477	529,168	28,555	223,924	337,000	(226,170)	158,047	5,263,000	(5,104,953)
2010	1,268,430	3,254	78,217	5,120	-	1,355,021	51,227	9,625	198,646	1,000,000	95,523	253,570	4,263,000	(4,009,430)
2011	836,103	59,197	-	5,849	-	901,149	370,781	9,986	174,163	525,000	(178,781)	74,789	3,738,000	(3,663,211)
2012	909,841	57,003	-	748	3,038,000	4,005,592	-	13,687	144,248	3,738,000	109,657	184,446	3,038,000	(2,853,554)
2013	815,923	46,504	46,374	(3,255)	-	905,545	-	9,444	101,798	875,000	(80,697)	103,749	2,163,000	(2,059,251)
2014	954,727	24,620	18,001	906	-	998,254	46,243	46,728	59,904	925,000	(79,621)	24,128	1,238,000	(1,213,872)
2015	1,009,060	19,631	92,021	404	-	1,121,116	18,278	12,487	14,695	1,000,000	75,656	99,784	238,000	(138,216)
2016	1,289,709	18,043	91,206	(5,035)	-	1,393,923	-	12,505	920	238,000	1,142,498	1,242,282	-	1,242,282
2017	1,013,892	15,960	148,173	18,283	-	1,196,308	22,307	10,284	-	-	1,163,717	2,405,999	-	2,405,999
2018	1,059,413	16,195	132,872	56,083	-	1,284,563	573,883	5,220	-	-	685,460	3,091,459	-	3,091,459
2019	1,011,272	21,413	121,759	122,100	-	1,276,544	142,924	31,656	-	-	1,101,964	4,193,423	-	4,193,423
2020	1,138,902	20,342	73,500	41,934	5,400,000	6,674,679	10,744,000	12,500	60,750	-	(4,142,571)	50,852	5,400,000	(5,349,148)
2021	1,143,034	19,325	50,000	509	-	1,212,868	-	12,500	109,125	1,100,000	(8,757)	42,094	4,300,000	(4,257,906)
2022	1,131,604	18,359	25,000	421	-	1,175,384	-	12,500	84,375	1,100,000	(21,491)	20,603	3,200,000	(3,179,397)
2023	1,120,288	17,441	25,000	206	-	1,162,935	-	12,500	59,625	1,100,000	(9,190)	11,413	2,100,000	(2,088,587)
2024	1,109,085	16,569	25,000	114	-	1,150,768	-	12,500	34,875	1,100,000	3,393	14,806	1,000,000	(985,194)
2025	1,097,994	15,741	25,000	148	-	1,138,883	-	12,500	11,250	1,000,000	115,133	129,939	-	129,939
2026	-	-	-	-	-	-	-	-	-	-	-	129,939	-	129,939
2027	-	-	-	-	-	-	-	-	-	-	-	129,939	-	129,939
2028	-	-	-	-	-	-	-	-	-	-	-	129,939	-	129,939
	17,385,392	#####	1,337,707	448,251	18,638,000	38,216,167	17,248,201	440,752	1,759,275	18,638,000	38,086,228			

Note Phase 1 projected to be fully funded by 2016

Project costs can not be initiated after June 21, 2020

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

Tax Exempt G.O. Bonds	\$ 3,000,000
Improvements Cost	\$ 2,715,000
Capitalized Interest	\$ 259,377
Est Issuance Cost	\$ 24,975
Rounding	\$ 648

[illegible]

City of Franklin
TIF 4 Projection
Projected Revenue
December 31, 2019

Const Year	Incr Year	Rev Year	Full Value Beginning of Year	Total Increment	DOR Adjustment	Inflation & Additional Increment	Cumulative Equalized Increment Value	Tax Rate	Increment Revenue Collected
2005	2006	2007	-	712,021		198,179	910,200	19 45	17,702
2006	2007	2008	910,200	9,725,000		1,059,700	11,694,900	20 25	236,803
2007	2008	2009	11,694,900	19,758,000	(21,300,000)	653,000	10,805,900	20 51	221,611
2008	2009	2010	10,805,900	674,500	46,600,000	446,800	58,527,200	21 67	1,268,430
2009	2010	2011	58,527,200	4,500,000	(23,300,000)	(3,225,300)	36,501,900	22 91	836,103
2010	2011	2012	36,501,900	306,400	2,394,900	847,100	40,050,300	22 72	909,841
2011	2012	2013	40,050,300	710,500		(7,067,300)	33,693,500	24 22	815,923
2012	2013	2014	33,693,500	4,821,486		535,114	39,050,100	24 45	954,727
2013	2014	2015	39,050,100	4,625,800			43,675,900	22 99	1,009,060
2014	2015	2016	43,675,900	9,963,462		634,938	54,274,300	23 76	1,289,709
2015	2016	2017	54,274,300	(10,323,922)		740,922	44,691,300	21 44	1,013,892
2016	2017	2018	44,691,300	2,257,008		645,092	47,593,400	22 26	1,059,413
2017	2018	2019	47,593,400	(1,162,200)			46,431,200	21 78	1,011,272
2018	2019	2020	46,431,200			6,198,300	52,629,500	21 64	1,138,902
2019	2020	2021	52,629,500	-		724,474	53,353,974	21 42	1,143,034
2020	2021	2022	53,353,974	-			53,353,974	21 21	1,131,604
2021	2022	2023	53,353,974	-			53,353,974	21 00	1,120,288
2022	2023	2024	53,353,974	-			53,353,974	20 79	1,109,085
2023	2024	2025	53,353,974	-			53,353,974	20 58	1,097,994
2024	2025	2026	53,353,974	-			53,353,974	20 37	1,087,014
2025	2026	2027	53,353,974	-			53,353,974	20 17	1,076,144
2026	2027	2028	53,353,974	-			53,353,974	19 97	1,065,383
				<u>46,568,055</u>					<u>20,613,933</u>
				Base Equalized Value					
				Increment					\$ 19,817,900
				Total Equalized Value					<u>\$ 43,675,900</u>
				Assessed Value					\$ 63,493,800
				Ratio					\$ 63,328,800
									99.74%
				Wheaton \$4.5M down due to add'l exemption					

Assumptions:

1	Property value inflation	1.00%
2	Property additions	0.00%
3	Mil Rate Inflation	-1.00%
6	Estimated developed value per acre	\$ 500,000
7	Ave Assessed value vacant & improved land	\$ -

City of Franklin
TIF #4 Projection
Development Assumptions
December 31, 2019

Const Year	Project Plan Estimate	Development						Total
		Developer Residential	Developer Commercial	Wheaton Franciscan	Oakwood South	Conway	Additional Lots	
		19,967,049	12,579,974	18,000,000	30,000,000	-	100,000,000	180,547,023
2005	-		712,021					712,021
2006	12,877,813	925,000		8,800,000		-		9,725,000
2007	33,423,756	4,806,300		13,924,000		1,027,700		19,758,000
2008	4,245,454	534,500		140,000		-		674,500
2009	-	-		4,500,000				4,500,000
2010	-	306,400						306,400
2011	-	710,500						710,500
2012	38,000,000	2,663,679						2,663,679
2013	8,000,000	4,050,000		575,800				4,625,800
2014	8,000,000	1,354,000	492,900				8,116,562	9,963,462
2015	8,000,000		-				634,938	634,938
2016	8,000,000		-				2,257,008	2,257,008
2017	7,500,000			(10,100,000)			(10,100,000)	(10,100,000)
2018	7,500,000			6,198,300			6,198,300	6,198,300
2019	7,500,000						-	-
2020	7,500,000						-	-
2021	7,500,000						-	-
2022	7,500,000						-	-
2023	7,500,000						-	-
2024	7,500,000						-	-
	180,547,023	15,350,379	1,204,921	24,038,100	-	1,027,700	11,008,508	52,629,608

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

City of Franklin
TIF #4 Projection
Projected Cost Breakdown
December 31, 2019

Year	Project Costs											Total
	Roundabout MLG/Cov Weaton Way 6917	Traffic Signals Median Recon Intersection 6922	OC Water & Intersection 6921	Construction Oakwood Road 6912	Right of way Oakwood 6911	Fitzsummers Woods/ Dev Incentive	Developer Incentive	Water & Sewer Costs Net	Issuance Cost	S 27th Street S&W	Contingency Marketing Expenses	
Project Plan Estimate	282,400	200,000		1,860,000	200,000	375,000		1,190,000			177,000	4,284,400
2005				152,995	12,600				13,875			179,470
2006	32,947			242,356	384,537	-						659,840
2007	708,680	493,248	129,941	1,898,528	4,200	-		287,478			-	3,522,075
2008	14,877	12,897	16,896	43,689		-		124,974	13,130		161,543	388,006
2009	4,955		(41,000)	158,441		-					55,102	529,168
2010	2,064			105		-					3,950	51,227
2011						-					11,290	370,781
2012						-						-
2013						-				46,243		46,243
2014						-				18,278		18,278
2015						-						-
2016						-				22,307		22,307
2017						-					573,883	573,883
2018						-						
2019										142,924		142,924
2020										10,744,000		10,744,000
2021												-
2022												-
2023												-
	763,523	506,145	105,837	2,496,114	401,337	-	-	412,452	27,005		231,885	17,248,201

APPROVAL <i>slw</i>	REQUEST FOR COUNCIL ACTION	MTG. DATE January 21, 2020
Reports & Recommendations	DIRECTION TO STAFF ON ASSESSMENTS FOR INFRASTRUCTURE IMPROVEMENTS IN TAX INCREMENT DISTRICT NO. 4	ITEM NO. D. 24.

BACKGROUND

Tax Increment District No. 4 (TID 4) is a TID in the southeast corner of the City (area bounded by S. 27th Street, W. Oakwood Road, and W. County Line Road and west of the W. Elm Road terminus). Staff has been directed to bring TID 4 projects under contract on or before June 21, 2020.

Staff is seeking guidance from Common Council on assessing for improvements in TID 4.

ANALYSIS

The current budget for infrastructure in the TID 4 project is as follow:

Franklin Corporate Park Item	Budget
Construction Items	
Hickory Pump Station	\$ 950,000
Hickory Utility Pipes	\$ 4,500,000
Pump Station Equipment	\$ 190,000
Elm Utilities Construction	\$ 2,400,000
Elm Road Storm Drainage	\$ 200,000
Hickory ROW	\$ 350,000
Hickory ROW	\$ 260,000
Phase 1 Tree Mitigation	\$ 25,000
Land Acquisition	
Elm Right of Way	\$ 400,000
Professional Services	
Franklin Corp Park Phase 1	\$ 475,000
Franklin Corp Park Environmental	\$ 34,000
Hickory- Construction Inspection	\$ 420,000
Elm- Construction Inspection	\$ 350,000
Hickory Material Inspection	\$ 40,000
Miscellaneous Consultants	\$ 100,000
Totals:	\$ 10,694,000

Without a detailed study, it is conceivable that 50%-75% could be attributed to benefited properties- approximately \$5 million to \$8 million. However, TIDs are intended to generally create improvements in distressed, underdeveloped, or underutilized parts of a jurisdiction where development might otherwise not occur.

OPTIONS

- A. Direct Staff to prepare Engineer's Report for assessment of improvements in TID4; or
- B. Direct Staff to proceed on improvements for TID 4 without consideration of assessments of benefited properties; Or,
- C. Refer back to Staff with further direction.

FISCAL NOTE

The 2020 Budget includes an \$11 million projects appropriation which provides for projects in TID 4. To be eligible for inclusion in TID 4 projects, and meet the statutory expenditure period ending June 21, 2020, the project must be contracted by that date.

Costs that are recovered by Special Assessments are not eligible TID project costs.

RECOMMENDATION

(Option B) Direct Staff to proceed on improvements for TID 4 without consideration of assessments for any infrastructure improvements in Tax Increments District 4 for benefited properties.

Engineering Department: GEM

APPROVAL <i>slw</i>	REQUEST FOR COUNCIL ACTION	MTG. DATE January 21, 2020
Reports & Recommendations	RESOLUTION TO AWARD FRANKLIN CORPORATE PARK – WASTEWATER PUMPING STATION TO STAAB CONSTRUCTION CORP. IN THE AMOUNT OF \$867,000	ITEM NO. A. 25.

BACKGROUND

Tax Increment District No. 4 (TID 4) is a TID in the southeast corner of the City (area bounded by S. 27th Street, W. Oakwood Road, and W. County Line Road and west of the W. Elm Road terminus). Staff has been directed to bring TID 4 projects under contract on or before June 21, 2020.

On November 5, 2019, Common Council directed Staff to bid the S. Hickory Lane Utility Corridor project, which was bid in two parts: 1) the pump station; and 2) the pipe work. This council action addresses the pump station work, labeled the “Franklin Corporate Park – Wastewater Pumping Station.”

ANALYSIS

Three bids for the project were received on December 11, 2019. Ruekert & Mielke is the design engineer and prepared the attached recommendation of award.

It is recommended to award this project to Staab Construction Corp. Staff has reviewed the attached documents and agree with the recommendation.

Note that without an extension granted by the bidder, the 60-day deadline to award the contract will expire on February 9, 2020.

This is a lump sum contract where the contractor is paid for an all-inclusive project, however, unknown conditions and changes are typical for a project of this magnitude. Approximately 10% contingency is recommended. Therefore, the award will be for \$867,000 but it is recommended that Common Council authorize expenditures of up to \$950,000 for this project.

Any award needs to be contingent on purchase of all property and acquisition of all permits. Both of these issues are expected to be resolved soon.

OPTIONS

- A. Award Bid to Staab Construction Corp. Or,
- B. Refer back to Staff with further direction.

FISCAL NOTE

This project is included in the project plan for TID 4 and the 2020 Budget includes an \$11 million projects appropriation which provides for this project. To be eligible for inclusion in TID 4 projects, and meet the statutory expenditure period ending June 21, 2020, the project must be contracted by that date.

RECOMMENDATION

(Option A) Resolution 2020-_____, a resolution to award the base bid of Franklin Corporate Park – Wastewater Pumping Station to Staab Construction Corp. in the amount of \$867,000, contingent on purchase of all property and acquisition of all permits.

Engineering Department: GEM

STATE OF WISCONSIN: CITY OF FRANKLIN: MILWAUKEE COUNTY

RESOLUTION NO. 2020 - _____

RESOLUTION TO AWARD FRANKLIN CORPORATE PARK –
WASTEWATER PUMPING STATION TO STAAB CONSTRUCTION CORP. IN THE
AMOUNT OF \$867,000

WHEREAS, Franklin adopted Tax Increment District No. 4 (TID 4) on June 21, 2005; and

WHEREAS, the Project Plan for TID 4 includes sewer collection system in the list of approved public works; and

WHEREAS, the City of Franklin advertised and solicited bids for the Franklin Corporate Park – Wastewater Pumping Station project; and

WHEREAS, the low bidder was Staab Construction Corp., with a lump sum price bid of \$867,000; and

WHEREAS, expenses and overruns are budgeted at least 10% of the expenses; and

WHEREAS, Staab Construction Corp. is a qualified public works contractor; and

WHEREAS, it is in the best interest of the City as recommended by the City's staff and consultant to award the contract in the amount of \$867,000 to Staab Construction Corp.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the City of Franklin, that Staab Construction Corp. be awarded the contract for the Franklin Corporate Park – Wastewater Pumping Station project; and

BE IT FURTHER RESOLVED that up to \$950,000 be authorized for payment from the Tax Increment District No. 4 budget; and

BE IT FURTHER RESOLVED that award is contingent on purchase of property from parcels with Tax Key 950 9997 001 and Tax Key 979 9999 000 and also acquisition of all state and local permits; and

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

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 _____

December 13, 2019

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
Wastewater Pumping Station

Dear Mr. Morrow

Bids for the above project were opened on December 11, 2019 at 10:00 a.m. at Franklin City Hall and were as follows:

BIDDER	BASE BID
Staab Construction Corp	\$867,000.00
Super Excavators, Inc.	\$873,909.00
Mid City Corporation	\$1,043,450.00

We reviewed the documentation submitted by the apparent low bidder and found that:

1. The Bid Form has been appropriately completed.
2. We have no objections to the low bidder.
3. Low bidder has successfully completed similar projects over the last several years. R/M has extensive experience working with Staab Construction Corp and can attest to their proficiency in pumping station construction.

On these bases, we recommend that Staab Construction Corporation be awarded the Franklin Corporate Park Wastewater Pumping Station contract in the amount of \$867,000.00, contingent on all easement acquisitions being completed and contingent on receipt of approvals by regulatory agencies having jurisdiction over the project. On all construction projects, and especially complex ones like this, unpredictable factors may increase the final contract amount. For this reason we recommend that the City include a 10 percent contingency when preparing the financial plan for this work.

Our review did not include an evaluation of bidder's current financial condition nor of their permanent safety program.

Should you decide to accept our recommendation, we have prepared the enclosed Notice of Award for your use. After Council approval has been received, please have the appropriate official sign where indicated and forward all three signed copies of the Notice of Award to our office. We will then fill in the date at the top of page one and forward it, with contracts for execution, to the Contractor. One fully completed Notice of Award will be returned to you for your records.



Mr Glen E Morrow, P E
City of Franklin
December 13, 2019
Page 2

Bids remain subject to acceptance until February 9, 2019, unless Bidder agrees to an extension. Please advise us of your award decision, or call if there are any questions.

Respectfully,

RUEKERT & MIELKE, INC

A handwritten signature in black ink, appearing to read 'Mark B. Van Weelden'.

Mark B. Van Weelden, P.E.
Project Engineer
mvanweelden@ruekert-mielke.com

MBV sjs
Encl Notice of Award

cc Calli Berg, CECD EDPF, City of Franklin
Michael Roberts, City of Franklin
Anthony D. Petersen, P.E., Ruekert & Mielke, Inc.

NOTICE OF AWARD

		Date of Issuance	_____
Contract	Franklin Corporate Park Wastewater Pumping Station	Owner	City of Franklin
Bidder	Staab Construction Corporation	Engineer	Ruekert & Mielke, Inc
Address	1800 Laemle Avenue Marshfield, WI 54449	Engineer's Project No	58-10013 205

TO BIDDER

You are notified that your Bid dated December 11, 2019 for the above Contract has been accepted by Owner, contingent on all easement acquisitions being completed and contingent on receipt of approvals by regulatory agencies having jurisdiction over the project. You are the Successful Bidder and are awarded a Contract for

Franklin Corporate Park Wastewater Pumping Station Project

The Contract Price of your Contract is \$ 867,000 00

Two (2) copies of the proposed Contract Documents (except Drawings) accompany this Notice of Award, or have been transmitted or made available to Bidder electronically

Bidder must comply with the following conditions precedent within 15 days of the date of issuance of this Notice of Award

- 1 Deliver to Engineer 1 fully executed counterpart of the Contract Documents
- 2 Deliver with the executed Agreement the Bid security as specified in the Instructions to Bidders (Article 21), General Conditions (Paragraph 6.01), and Supplementary Conditions (Paragraph SC-6.01).
3. Deliver with the executed Agreement certificates and other evidence of insurance as specified in the General Conditions (Article 6) and the Supplementary Conditions modifying Article 6 of the General Conditions

Failure to comply with these conditions within the time specified will entitle Owner to consider you in default, annul this Notice of Award, and declare your Bid security forfeited.

Within 10 days after you comply with the above conditions, Engineer will return to you one fully executed counterpart of the Agreement

Owner: CITY OF FRANKLIN

By _____

Authorized Signature

Title _____

Date _____

Copy Engineer

APPROVAL <i>slw</i>	REQUEST FOR COUNCIL ACTION	MTG. DATE January 21, 2020
Reports & Recommendations	RESOLUTION TO AWARD FRANKLIN CORPORATE PARK – S. HICKORY STREET CORRIDOR UTILITY IMPROVEMENTS TO SUPER EXCAVATORS, INC. IN THE AMOUNT OF \$4,058,768	ITEM NO. <i>M. 26.</i>

BACKGROUND

Tax Increment District No. 4 (TID 4) is a TID in the southeast corner of the City (area bounded by S. 27th Street, W. Oakwood Road, and W. County Line Road and west of the W. Elm Road terminus). Staff has been directed to bring TID 4 projects under contract on or before June 21, 2020.

On November 5, 2019, Common Council directed Staff to bid the S. Hickory Lane Utility Corridor project, which was bid in two parts: 1) the pump station; and 2) the pipe work. This council action addresses the pipe work, labeled the “Franklin Corporate Park – S. Hickory Street Corridor Utility Improvements.”

ANALYSIS

Five bids for the project were received on December 11, 2019. Ruekert & Mielke is the design engineer and prepared the attached “Recommendation of Award” and “Cost Comparisons of Bidders.” The Recommendation of Award discusses the Base Bid and Alternate Bids.

It is recommended to award this project to Super Excavators Inc., but award only the Base Bid. If permitting does not go as anticipated, an additional change order will be added (within the next few months). Staff has reviewed the attached documents and agree with the recommendation.

Note that without an extension granted by the bidder, the 60-day deadline to award the contract will expire on February 9, 2020.

This is a unit price contract where the contractor is paid per the actual amount of work installed, not the anticipated quantities. In addition, a minimum of 10% contingency is recommended. Therefore, the award will be for \$4,058,768 but it is recommended that Common Council authorize expenditures of up to \$4.5 million for this project.

Any award needs to be contingent on purchase of all property and acquisition of all permits. Both of these issues are expected to be resolved soon.

OPTIONS

- A. Award Base Bid only to Super Excavators. Or,
- B. Refer back to Staff with further direction.

FISCAL NOTE

This project is included in the project plan for TID 4 and the 2020 Budget includes an \$11 million projects appropriation which provides for this project. To be eligible for inclusion in TID 4 projects, and meet the statutory expenditure period ending June 21, 2020, the project must be contracted by that date.

RECOMMENDATION

(Option A) Resolution 2020-_____, a resolution to award the base bid of Franklin Corporate Park – S. Hickory Street Corridor Utility Improvements to Super Excavators, Inc. in the amount of \$4,058,768, contingent on purchase of all property and acquisition of all permits.

STATE OF WISCONSIN: CITY OF FRANKLIN: MILWAUKEE COUNTY

RESOLUTION NO. 2020 - _____

RESOLUTION TO AWARD FRANKLIN CORPORATE PARK – S. HICKORY STREET
CORRIDOR UTILITY IMPROVEMENTS TO SUPER EXCAVATORS, INC. IN THE
AMOUNT OF \$4,058,768

WHEREAS, Franklin adopted Tax Increment District No. 4 (TID 4) on June 21, 2005; and

WHEREAS, the Project Plan for TID 4 includes sewer collection system in the list of approved public works; and

WHEREAS, the City of Franklin advertised and solicited bids for the Franklin Corporate Park – S. Hickory Street Corridor Utility Improvements project; and

WHEREAS, the low bidder was Super Excavators, Inc., with a unit price bid of \$4,058,768; and

WHEREAS, expenses and overruns are budgeted at least 10% of the expenses; and

WHEREAS, Super Excavators, Inc. is a qualified public works contractor; and

WHEREAS, it is in the best interest of the City as recommended by the City's staff and consultant to award the contract in the amount of \$4,058,768 to Super Excavators, Inc.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the City of Franklin, that Super Excavators, Inc. be awarded the contract for the Franklin Corporate Park – S. Hickory Street Corridor Utility Improvements project; and

BE IT FURTHER RESOLVED that up to \$4,500,000 be authorized for payment from the Tax Increment District No. 4 budget; and

BE IT FURTHER RESOLVED that award is contingent on purchase of property from parcels with Tax Key 950 9997 001 and Tax Key 979 9999 000 and also acquisition of all state and local permits; and

BE IT FURTHER RESOLVED that the Mayor and City Clerk are authorized and directed to execute a contract with Super Excavators, Inc. on behalf of the City.

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 _____

COST COMPARISON OF BIDDERS

OWNER: City of Franklin
 PROJECT: Franklin Corporate Park S. Hickory Street Corridor Utility Improvements
 BID OPENING DATE: December 11, 2019

BASE BID			Super Excavators, Inc.		Globe Contractors, Inc.		Donner Inc.		Flucher Excavating, Inc.		Mid City Corporation	
ITEM #	UNIT	QTY	UNIT \$	TOTAL	UNIT \$	TOTAL	UNIT \$	TOTAL	UNIT \$	TOTAL	UNIT \$	TOTAL
1	L.S.	1	\$10,000.00	\$10,000.00	\$5,000.00	\$5,000.00	\$3,978.00	\$3,978.00	\$3,000.00	\$3,000.00	\$9,000.00	\$9,000.00
2	L.F.	9,100	\$2.00	\$18,200.00	\$3.00	\$27,300.00	\$3.10	\$28,210.00	\$2.95	\$26,845.00	\$1.80	\$16,380.00
3	L.F.	1,000	\$2.00	\$2,000.00	\$2.00	\$2,000.00	\$2.10	\$2,100.00	\$2.00	\$2,000.00	\$1.45	\$1,450.00
4	S.Y.	25,000	\$0.50	\$12,500.00	\$0.40	\$10,000.00	\$0.40	\$10,000.00	\$0.34	\$8,500.00	\$0.45	\$11,250.00
5	S.F.	7,000	\$5.00	\$35,000.00	\$3.00	\$21,000.00	\$2.50	\$17,500.00	\$1.15	\$8,050.00	\$4.50	\$31,500.00
6	L.F.	9,050	\$3.00	\$27,150.00	\$5.00	\$45,250.00	\$5.20	\$47,060.00	\$4.85	\$44,787.50	\$2.80	\$25,340.00
7	L.F.	15	\$3.00	\$45.00	\$5.00	\$75.00	\$5.20	\$78.00	\$4.95	\$74.25	\$2.80	\$39.00
8	EA.	10	\$90.00	\$900.00	\$85.00	\$850.00	\$144.00	\$1,440.00	\$85.00	\$850.00	\$85.00	\$850.00
9	S.Y.	3,500	\$1.70	\$5,950.00	\$3.00	\$10,500.00	\$2.80	\$9,800.00	\$1.80	\$6,300.00	\$1.55	\$5,425.00
10	S.Y.	500	\$2.50	\$1,250.00	\$3.00	\$1,500.00	\$2.80	\$1,400.00	\$2.50	\$1,250.00	\$2.25	\$1,125.00
11	L.S.	1	\$21,000.00	\$21,000.00	\$15,000.00	\$15,000.00	\$20,475.00	\$20,475.00	\$18,635.00	\$18,635.00	\$14,000.00	\$14,000.00
12	L.F.	550	\$4.00	\$2,200.00	\$3.00	\$1,650.00	\$5.00	\$2,750.00	\$2.25	\$1,237.50	\$1.50	\$825.00
13	C.Y.	250	\$115.00	\$28,750.00	\$50.00	\$12,500.00	\$48.00	\$12,000.00	\$100.00	\$25,000.00	\$75.00	\$18,750.00
14	L.F.	24	\$230.00	\$5,520.00	\$523.00	\$12,552.00	\$485.00	\$11,620.00	\$483.00	\$11,592.00	\$175.00	\$4,200.00
15	L.F.	350	\$80.00	\$28,000.00	\$88.00	\$30,800.00	\$95.00	\$33,250.00	\$204.00	\$71,400.00	\$150.00	\$52,500.00
16	L.F.	350	\$70.00	\$24,500.00	\$112.00	\$39,200.00	\$100.00	\$35,000.00	\$226.00	\$79,100.00	\$1,000.00	\$350,000.00
17	L.F.	140	\$122.00	\$17,080.00	\$118.00	\$16,520.00	\$125.00	\$17,500.00	\$325.00	\$45,500.00	\$175.00	\$32,500.00
18	L.F.	720	\$280.00	\$201,600.00	\$515.00	\$370,800.00	\$900.00	\$648,000.00	\$780.00	\$561,600.00	\$1,150.00	\$828,000.00
19	L.F.	732	\$1,125.00	\$823,500.00	\$1,205.00	\$882,060.00	\$1,400.00	\$1,024,000.00	\$878.00	\$641,828.00	\$1,175.00	\$860,100.00
20	L.F.	1,986	\$130.00	\$258,180.00	\$178.00	\$352,884.00	\$140.00	\$278,440.00	\$263.00	\$524,848.00	\$1,075.00	\$2,145,700.00
21	L.F.	14	\$2,275.00	\$31,850.00	\$1,075.00	\$15,050.00	\$300.00	\$4,200.00	\$529.00	\$7,406.00	\$2,500.00	\$35,000.00
22	L.F.	915	\$300.00	\$274,500.00	\$295.00	\$269,825.00	\$220.00	\$201,400.00	\$518.00	\$473,970.00	\$1,65.00	\$150,975.00
23	L.F.	2,820	\$210.00	\$592,200.00	\$118.00	\$332,760.00	\$125.00	\$352,500.00	\$228.00	\$643,740.00	\$100.00	\$282,000.00
24	L.F.	8,045	\$55.00	\$442,775.00	\$57.00	\$458,565.00	\$65.00	\$523,225.00	\$138.00	\$1,104,210.00	\$85.00	\$682,625.00
25	EA.	4	\$5,000.00	\$20,000.00	\$6,000.00	\$24,000.00	\$2,815.00	\$11,260.00	\$5,505.00	\$22,020.00	\$2,500.00	\$10,000.00
26	EA.	2	\$25,000.00	\$50,000.00	\$34,000.00	\$68,000.00	\$16,655.00	\$33,310.00	\$26,383.00	\$52,766.00	\$25,000.00	\$50,000.00
27	L.S.	1	\$7,500.00	\$7,500.00	\$30,000.00	\$30,000.00	\$7,327.00	\$7,327.00	\$11,410.00	\$11,410.00	\$15,000.00	\$15,000.00
28	V.F.	169	\$190.00	\$32,110.00	\$390.00	\$66,090.00	\$333.00	\$56,277.00	\$437.00	\$73,889.00	\$610.00	\$103,090.00
29	V.F.	33	\$280.00	\$9,240.00	\$500.00	\$16,500.00	\$393.00	\$12,981.00	\$731.00	\$24,123.00	\$835.00	\$27,555.00
30	V.F.	97	\$400.00	\$38,800.00	\$475.00	\$46,075.00	\$407.00	\$39,478.00	\$583.00	\$56,551.00	\$785.00	\$76,345.00
31	V.F.	33	\$580.00	\$19,140.00	\$1,000.00	\$33,000.00	\$526.00	\$17,358.00	\$819.00	\$27,027.00	\$1,025.00	\$33,825.00
32	EA.	17	\$1,200.00	\$20,400.00	\$700.00	\$11,900.00	\$387.00	\$6,579.00	\$305.00	\$5,585.00	\$750.00	\$12,750.00
33	V.F.	26	\$380.00	\$9,880.00	\$350.00	\$9,100.00	\$169.00	\$4,394.00	\$150.00	\$3,900.00	\$350.00	\$9,100.00
34	L.F.	35	\$200.00	\$7,000.00	\$196.00	\$6,860.00	\$175.00	\$6,125.00	\$311.00	\$10,885.00	\$150.00	\$5,250.00
35	L.F.	670	\$140.00	\$93,800.00	\$135.00	\$90,450.00	\$173.00	\$117,250.00	\$215.00	\$144,050.00	\$175.00	\$117,250.00
36	L.F.	907	\$200.00	\$181,400.00	\$176.00	\$162,032.00	\$225.00	\$181,575.00	\$305.00	\$274,135.00	\$200.00	\$161,400.00
37	L.F.	70	\$150.00	\$10,500.00	\$126.00	\$8,820.00	\$75.00	\$5,250.00	\$207.00	\$14,490.00	\$125.00	\$8,750.00
38	L.F.	470	\$95.00	\$44,650.00	\$78.00	\$36,660.00	\$80.00	\$37,800.00	\$112.00	\$52,640.00	\$150.00	\$70,500.00
39	L.F.	2,540	\$105.00	\$266,700.00	\$98.00	\$248,920.00	\$110.00	\$279,400.00	\$144.00	\$366,768.00	\$175.00	\$444,500.00

COST COMPARISON OF BIDDERS

OWNER: City of Franklin
 PROJECT: Franklin Corporate Park S. Hickory Street Corridor Utility Improvements
 BID OPENING DATE: December 11, 2019

BASE BID				Superi Excavators, Inc.		Globe Contractors, Inc.		Donner, Inc.		Fischer Excavating, Inc.		Mid City Corporation	
ITEM #	ITEM DESCRIPTION	UNIT	QTY	UNIT \$	TOTAL	UNIT \$	TOTAL	UNIT \$	TOTAL	UNIT \$	TOTAL	UNIT \$	TOTAL
40	Hydrant Lead, 6-inch w/Granular Backfill	L.F.	105	\$145.00	\$15,225.00	\$126.00	\$13,230.00	\$200.00	\$21,000.00	\$176.00	\$18,680.00	\$250.00	\$26,250.00
41	Hydrant Lead, 6-inch w/Spill Backfill	L.F.	65	\$92.00	\$5,980.00	\$72.00	\$4,680.00	\$90.00	\$5,850.00	\$125.00	\$8,125.00	\$200.00	\$13,000.00
42	Hydrant Assembly	EA.	17	\$4,700.00	\$79,900.00	\$5,200.00	\$88,400.00	\$6,879.00	\$116,943.00	\$9,520.00	\$161,840.00	\$4,500.00	\$76,500.00
43	Hydrant Extensions, 48-inch	EA.	15	\$1,500.00	\$22,500.00	\$1,900.00	\$28,500.00	\$1,769.00	\$26,535.00	\$2,331.00	\$34,965.00	\$2,000.00	\$30,000.00
44	Water Main Valves, 8-inch Gate	EA.	12	\$1,700.00	\$20,400.00	\$2,000.00	\$24,000.00	\$1,893.00	\$22,716.00	\$1,845.00	\$22,140.00	\$1,500.00	\$18,000.00
45	Water Main Valves, 12-inch Gate	EA.	6	\$3,800.00	\$22,800.00	\$4,000.00	\$24,000.00	\$4,246.00	\$25,476.00	\$4,123.00	\$24,738.00	\$2,750.00	\$16,500.00
46	Water Main Valves, 16-inch Butterfly	EA.	10	\$1,185.00	\$11,850.00	\$1,120.00	\$11,200.00	\$54.00	\$540.00	\$87.00	\$870.00	\$125.00	\$1,250.00
47	Water Service 1-1/4 inch w/Spot Backfill	L.F.	22	\$300.00	\$6,600.00	\$350.00	\$7,700.00	\$662.00	\$14,564.00	\$450.00	\$9,900.00	\$400.00	\$8,800.00
48	1-1/4 inch Tap, Saddle and Corporation Valve	EA.	1	\$300.00	\$300.00	\$300.00	\$300.00	\$432.00	\$432.00	\$400.00	\$400.00	\$279.00	\$279.00
49	1-1/4 inch Curb Valve and Valve Box	EA.	1	\$100.00	\$100.00	\$100.00	\$100.00	\$8.00	\$8.00	\$35.00	\$35.00	\$5.00	\$5.00
50	Pipe Insulation	L.F.	1,155	\$750.00	\$866,250.00	\$500.00	\$577,500.00	\$1,193.00	\$1,377,105.00	\$2,000.00	\$2,311,500.00	\$1,250.00	\$1,443,750.00
51	Permanent Drainage Tile Reconnection	EA.	9	\$85.00	\$765.00	\$75.00	\$675.00	\$80.00	\$720.00	\$85.00	\$765.00	\$95.00	\$855.00
52	Remove and Replace Concrete Curb and Gutter	L.F.	95	\$7.00	\$665.00	\$5.00	\$475.00	\$4.90	\$465.50	\$6.00	\$570.00	\$5.75	\$546.25
53	Remove and Replace Asphaltic Concrete Pavement	S.F.	7,280	\$3,000.00	\$21,840.00	\$3,000.00	\$21,840.00	\$2,877.00	\$20,895.60	\$2,000.00	\$14,600.00	\$3,000.00	\$21,900.00
54	Repairs Disturbed Pavement Markings	L.S.	1	\$3,000.00	\$3,000.00	\$3,000.00	\$3,000.00	\$12.30	\$12.30	\$13.00	\$13.00	\$9.25	\$9.25
55	Topsoil, Seed, Fertilizer and Mulch (Public Right-of-Way)	S.Y.	390	\$24.00	\$9,360.00	\$24.00	\$9,360.00	\$4.00	\$1,560.00	\$1.42	\$544.80	\$0.60	\$234.00
56	Topsoil, Seed, Fertilizer and Mulch (Easement on Wendi Family Trust Parcel)	S.Y.	39 825	\$3.00	\$1,194.75	\$3.00	\$1,194.75	\$4.00	\$1,560.00	\$1.42	\$544.80	\$0.60	\$234.00
57	Topsoil, Seed, Fertilizer and Mulch (Easement on JHB Properties LLC Parcel)	S.Y.	13,610	\$3.50	\$47,685.00	\$3.50	\$47,685.00	\$4.00	\$54,400.00	\$1.87	\$25,362.00	\$1.00	\$13,610.00
58	Topsoil, Seed, Fertilizer and Mulch (Easement on M/G Investments 2002 LLC Parcel)	S.Y.	7,100	\$4.00	\$28,400.00	\$3.40	\$24,140.00	\$4.00	\$28,400.00	\$1.42	\$10,082.00	\$0.60	\$4,260.00
59	Topsoil, Seed and Mulch (Wetland Restoration)	S.Y.	395	\$12.00	\$4,740.00	\$10.00	\$3,950.00	\$10.20	\$4,028.40	\$11.03	\$4,356.85	\$4.10	\$16,195.00
60	Topsoil, Seed and Mulch (Woodland Restoration)	S.Y.	8,215	\$4.00	\$32,860.00	\$5.60	\$45,912.00	\$7.10	\$58,326.50	\$8.08	\$66,377.20	\$3.00	\$24,645.00
TOTAL OF ALL ESTIMATED PRICES (ITEMS 1 - 60)					\$4,058,768.00		\$4,203,337.00		\$4,612,459.50		\$5,816,670.50		\$6,884,000.00
MANDATORY ALTERNATES													
MA-01	Additional Barrier Fence to Remove Wetland From Construction Limits	L.F.	200	\$2.00	\$400.00	\$15.00	\$3,000.00	\$5.30	\$1,060.00	\$2.95	\$590.00	\$1.80	\$360.00
MA-02	Remove Wetland From Construction Limits	L.F.	200	\$3.00	\$600.00	\$8.00	\$1,600.00	\$5.30	\$1,060.00	\$7.95	\$1,590.00	\$2.80	\$560.00
MA-03	Incremental Additional Cost to Install 12-inch Sanitary Sewer Inside 24-inch Min Steel Casing Pipe Augered in Place	L.F.	60	\$750.00	\$45,000.00	\$885.00	\$53,100.00	\$390.00	\$23,400.00	\$482.00	\$28,920.00	\$1,050.00	\$63,000.00
MA-04	Incremental Additional Cost to Install Dual 6-inch Sanitary Force Main Across Wetland By Directionally Drilling in Place Instead of Open Cut Installation	L.F.	170	\$120.00	\$20,400.00	\$268.00	\$45,560.00	\$48.00	\$8,160.00	\$166.00	\$28,220.00	\$325.00	\$55,250.00
MA-05	Incremental Additional Cost to Install 16-inch Water Main Across Wetland By Directionally Drilling in Place Instead of Open Cut Installation	L.F.	80	\$320.00	\$25,600.00	\$400.00	\$32,000.00	\$141.00	\$11,280.00	\$387.00	\$30,960.00	\$550.00	\$44,000.00
TOTAL OF ALL MANDATORY ALTERNATES					\$107,000.00		\$153,040.00		\$53,360.00		\$97,060.00		\$184,130.00
TOTAL OF ALL BID PRICES PLUS ALL MANDATORY ALTERNATE BID PRICES:					\$4,165,768.00		\$4,356,377.00		\$4,665,819.50		\$5,913,730.50		\$7,068,130.00

** Globe's Bid Prices for 1-60 on their Bid Form is \$4,149,116.00.

** Globe's Final total on their Bid Form is \$4,302,158.00

December 13, 2019

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 - S Hickory Street Corridor Utility Improvements
Recommendation of Award

Dear Mr. Morrow:

Bids for the above project were opened on December 11, 2019 at 10:00 a.m. at the Franklin City Hall and were as listed on the attached bid tabulation. The base bid results are as follows.

Base Bid Results	
Bidder	Base Bid
Super Excavators, Inc	\$4,058,768.00
Globe Contractors, Inc	\$4,203,337.00
Dorner, Inc	\$4,612,459.50
Fischer Excavating, Inc	\$5,816,670.50
Mid City Corporation	\$6,884,000.00

Bidders were also required to provide bids for five Mandatory Alternate Bid Items. The alternate bid items are for the additional cost to complete the project in the event that a permit to temporarily disturb wetlands is not issued. Bid results including all Mandatory Alternate Bid items were as follows:

Mandatory Alternate Bid Results			
Bidder	Base Bid	All Mandatory Alternate Bid Items	Total Base Bid And All Mandatory Alternate Bid Items
Super Excavators, Inc.	\$4,058,768.00	\$107,000.00	\$4,165,768.00
Globe Contractors, Inc	\$4,203,337.00	\$153,040.00	\$4,365,377.00
Dorner, Inc	\$4,612,459.50	\$53,360.00	\$4,665,819.50
Fischer Excavating, Inc	\$5,816,670.50	\$97,060.00	\$5,913,730.50
Mid City Corporation	\$6,884,000.00	\$184,130.00	\$7,068,130.00

The permit to allow temporary impact to wetlands has not yet been received. However, we are optimistic that the permit will be issued. Therefore, we recommend award of the Base Bid only at this time. If the



Mr Glen E Morrow, P E
Re S Hickory Street Corridor Utility Improvements - Recommendation of Award
December 13, 2019
Page 2

temporary wetland impact permit is not received, then we will recommend the City of Franklin add the Mandatory Alternate Bid items to the contract by approved change order at a later date using the bid unit prices submitted by Super Excavators, Inc

We reviewed the documentation submitted by the apparent low bidder and found that

1. The Bid Form has been appropriately completed
- 2 We have no objections to the low bidder
- 3 Low bidder has successfully completed similar projects over the last several years

On these bases, we recommend that Super Excavators, Inc be awarded the Franklin Corporate Park - S Hickory Street Corridor Utility Improvements contract in the amount of \$4,058,768 00, contingent on all easement acquisitions being completed and contingent on receipt of approvals by regulatory agencies having jurisdiction over the project This amount is based on the bid unit prices and estimated quantities Actual quantities, and therefore the final contract price, may vary On all construction projects, and especially complex ones like this, unpredictable factors may increase the final contract amount For this reason, we recommend that the City of Franklin include a 10 percent contingency when preparing the financial plan for this work

Our review did not include an evaluation of bidder's current financial condition nor of their permanent safety program

Should you decide to accept our recommendation, we have prepared the enclosed Notice of Award for your use After Council approval has been received, please have the appropriate official sign where indicated and forward a signed copy of the Notice of Award to our office We will then fill in the date at the top of page one and forward it, with contracts for execution, to the Contractor One fully completed Notice of Award will be returned to you for your records

Bids remain subject to acceptance until February 9, 2020, unless Bidder agrees to an extension Please advise us of your award decision, or call if there are any questions

Respectfully,

RUEKERT & MIELKE, INC

Anthony D Petersen, P E (WI, IA)
Senior Project Manager
apetersen@ruekert-mielke.com

ADP adp
Enclosures Bid Tabulation and Notice of Award
cc Calli Berg, CECD, EDFP, City of Franklin
Michael Roberts, City of Franklin
Mark Van Weelden, P E , Ruekert & Mielke, Inc
File

NOTICE OF AWARD

	Date of Issuance	_____
	Owner	City of Franklin
Contract	Franklin Corporate Park – S Hickory Street Corridor Utility Improvements	
Bidder	Super Excavators, Inc	Engineer Ruekert & Mielke, Inc
Address	N59 W14601 Bobolink Avenue Menomonee Falls, WI 53051	Engineer's Project No 58-10013 200

TO BIDDER

You are notified that your Bid dated December 11, 2019 for the above Contract has been accepted by Owner, contingent on all easement acquisitions being completed and contingent on receipt of approvals by regulatory agencies having jurisdiction over the project. You are the Successful Bidder and are awarded a Contract for

Base Bid for Franklin Corporate Park - S Hickory Street Corridor Utility Improvements

The Contract Price of your Contract is \$4,058,768.00

The permit to allow temporary impact to wetlands has not yet been received Therefore, the City of Franklin reserves the right to add the Mandatory Alternate Bid items to the contract by approved change order at a later date using the bid unit prices submitted by Super Excavators, Inc

Two (2) copies of the proposed Contract Documents (except Drawings) accompany this Notice of Award, or have been transmitted or made available to Bidder electronically

Bidder must comply with the following conditions precedent within 15 days of the date of issuance of this Notice of Award

- 1 Deliver to Engineer two (2) fully executed counterparts of the Contract Documents
- 2 Deliver with the executed Agreement the Bid security as specified in the Instructions to Bidders (Article 21), General Conditions (Paragraph 6 01), and Supplementary Conditions (Paragraph SC-6 01)
- 3 Deliver with the executed Agreement certificates and other evidence of insurance as specified in the General Conditions (Article 6) and the Supplementary Conditions modifying Article 6 of the General Conditions

Failure to comply with these conditions within the time specified will entitle Owner to consider you in default, annul this Notice of Award, and declare your Bid security forfeited

Within 10 days after you comply with the above conditions, Engineer will return to you one fully executed counterpart of the Agreement

Owner: City of Franklin

By _____

Authorized Signature

Title _____

Date _____

Copy Engineer

00 51 00-1

12/13/19

~ Franklin City 58-10013 Franklin Corporate Park > 200 Design Engineering - Task Order #5 > Bidding > 00 51 00 Notice of Award - S Hickory Street Corridor Utility Improvements doc~

Ruekert & Mielke, Inc.

APPROVAL <i>Slw</i>	REQUEST FOR COUNCIL ACTION	MTG. DATE January 21, 2020
Reports & Recommendations	RESOLUTION TO AUTHORIZE TASK ORDER NO. 7 TO RUEKERT & MIELKE'S CONTRACT FOR FRANKLIN CORPORATE PARK, PHASE 1 DATED NOVEMBER 4, 2014, FOR CONSTRUCTION SERVICES RELATED TO S. HICKORY STREET CORRIDOR UTILITY IMPROVEMENTS AND PUMP STATION PROJECTS FOR AN HOURLY, TIME AND MATERIALS CONTRACT FOR \$413,750	ITEM NO. <i>Ms. 27.</i>

BACKGROUND

Tax Increment District No. 4 (TID 4) is a TID in the southeast corner of the City (area bounded by S. 27th Street, W. Oakwood Road, and W. County Line Road and west of the W. Elm Road terminus). Staff has been directed to bring TID 4 projects under contract on or before June 21, 2020.

The S. Hickory Street Corridor Utility Improvements and Pump Station projects have been bid and are expected to be awarded elsewhere on this agenda.

ANALYSIS

Staff has reviewed the proposed scope of services and find that they are needed services to complete projects of this magnitude. The task order is written as an hourly time and materials contract and only services provided will be approved for payment.

OPTIONS

- A. Authorize Ruekert & Mielke to perform the services outlined in the attached Task Order No. 7. Or,
- B. Refer back to Staff with further direction.

FISCAL NOTE

This project is included in the project plan for TID 4.

RECOMMENDATION

(Option A) Resolution 2020-_____ a resolution to authorize Task Order No. 7 to Ruekert & Mielke's contract for Franklin Corporate Park, Phase 1 dated November 4, 2014, for construction services related to S. Hickory Street Corridor Utility Improvements and Pump Station projects for an hourly, time and materials contract for \$413,750.

Engineering Department: GEM

STATE OF WISCONSIN : CITY OF FRANKLIN : MILWAUKEE COUNTY

RESOLUTION NO. 2020- _____

RESOLUTION TO AUTHORIZE TASK ORDER NO. 7 TO
RUEKERT & MIELKE'S CONTRACT FOR FRANKLIN CORPORATE PARK, PHASE 1
DATED NOVEMBER 4, 2014, FOR CONSTRUCTION SERVICES RELATED TO
S. HICKORY STREET CORRIDOR UTILITY IMPROVEMENTS AND PUMP STATION
PROJECTS FOR AN HOURLY, TIME AND MATERIALS CONTRACT FOR \$413,750

WHEREAS, RES. 2014-7034 authorized certain officials to execute an agreement with Ruekert & Mielke, Inc. and Hitchcock Design Group for potential business park development engineering and planning services, with costs thereof to be funded by Tax Incremental District No. 4.; and

WHEREAS, Common Council has awarded construction contracts for the S. Hickory Street Corridor Utility Improvements and Pump Station projects; and

WHEREAS, construction administration and inspection services are needed to help the City ensure proper construction of the projects; and

WHEREAS, Ruekert & Mielke is a competent and qualified engineering consultant who has particular knowledge regarding this project.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that Ruekert & Mielke be authorized a notice to proceed on a Task Order No. 7 of a professional service agreement for Franklin Corporate Park, Phase 1 dated November 4, 2014.

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

PASSED AND ADOPTED by the Common Council of the City of Franklin on the
_____ day of _____, 2020.

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

TASK ORDER

This is Task Order No. 7,
consisting of 7 pages
including Exhibits.

Task Order

In accordance with Paragraph 1.01 of the Agreement Between Owner and Engineer for Professional Services – Task Order Edition, dated November 4, 2014 ("Agreement"), Owner and Engineer agree as follows:

1. Background Data

- a. Effective Date of Task Order January 21, 2020
- b. Owner: City of Franklin
- c. Engineer: Ruekert & Mielke, Inc.
- d. Specific Project (title): Franklin Corporate Park
- e. Specific Project (description): S. Hickory Street Corridor Utility Improvements and Pump Station

2. Services of Engineer

- A. The specific services to be provided or furnished by Engineer under this Task Order are as follows:

Project Management

Project Scoping
Coordination with City's Testing Consultant
Internal Project Meetings
Attend Common Council Meetings
Attend Scheduled Progress Meetings
Additional Utility Site Visits by Engineer
Additional Pump Station Site Visits by Engineer

Construction Contract Administration and Staking

Contracts
Preconstruction Conference
Review Contractor Submittals
Prepare Stakeout Data - Utilities
Construction Staking - Utilities
Prepare Stakeout Data - Pump Station
Construction Staking - Pump Station
General Administration
Process Partial Payment Applications
Process Routine Utility Contract Modifications
Process Routine Pump Station Contract Modifications
Process Final Closeout Change Order

Task Order Form

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Issue Substantial Completion
Prepare Punch Lists
Project Closeout Documents
O&M Manual
SCADA Integration
Defective Work

On-Site Construction Review

Utility Construction Review
Pump Station Construction Review
Conduct Erosion Control Inspections
Followup Punchlist Inspections
Measure Final Quantities
Lift Station Startup
Telemetry Testing

Record Drawings

Record Drawing Survey
Prepare DRAFT Record Drawings
Prepare Final Record Drawings

B. Resident Project Representative (RPR) Services

Exhibit D of the Agreement is omitted from this Task Order. The authority and responsibilities of the Resident Project Representative shall follow the General Conditions and Supplementary Conditions of each Construction Contract. The Construction Contracts for both projects are expressly incorporated in this Task Order by reference.

C All of the services included above comprise Basic Services for purposes of Engineer's compensation under this Task Order.

3. Additional Services

A Additional Services that may be authorized or necessary under this Task Order are as follows: None

4. Owner's Responsibilities

Owner shall have those responsibilities set forth in Article 2 of the Agreement and in Exhibit B, subject to the following:

- Acquire real property necessary to construct public underground utility and sewage pump station site improvements along S. Hickory Street corridor.
- Retain consultant to perform testing following Contract Documents.
- Provide Project Manager to coordinate Owner's activities.
- Provide legal services as required for Project.
- Attend Project meetings.
- Coordinate with Owner's Financial Advisors

5. Task Order Schedule

In addition to any schedule provisions provided in Exhibit A or elsewhere, the parties shall meet the following schedule.

- City of Franklin awards construction contracts and commencement of construction phase services: January 21, 2020.
- Notices to Proceed are issued to Contractors on or before: February 3, 2020.
- Contractors achieve substantial completion by: June 19, 2020.
- Projects are ready for final payment and closure of construction contracts by: July 10, 2020.
- Final record drawings completed by: October 30, 2020

6. Payments to Engineer

A. Owner shall pay Engineer for services rendered under this Task Order as follows:

Description of Service		Amount	Basis of Compensation
1	Basic Services Outlined in Above Scope*	\$413,750	Hourly
TOTAL COMPENSATION		\$413,750	Hourly
2	Additional Services (Part 2 of Exhibit A)	Negotiated	Hourly

*Estimated Based on a 5-month continuous construction period.

Compensation items and totals based in whole or in part on Hourly Rates are estimates only. Lump sum amounts and estimated totals included in the breakdown by phases incorporate Engineer's labor, overhead, profit, reimbursable expenses (if any), and Consultants' charges, if any. For lump sum items, Engineer may alter the distribution of compensation between individual phases (line items) to be consistent with services actually rendered, but shall not exceed the total lump sum compensation amount unless approved in writing by the Owner.

B. The terms of payment are set forth in Article 4 of the Agreement and in the applicable governing provisions of Exhibit C.

7. Consultants retained as of the Effective Date of the Task Order:

None.

8. Other Modifications to Agreement and Exhibits:

- Replace Appendices 1 and 2 to Exhibit C in Agreement with the attached:
 - Appendix 1 to Exhibit C - Reimbursable Expenses Schedule – 2020.
 - Appendix 2 to Exhibit C - Standard Hourly Rates Schedule – 2020.
- Omit Exhibit D of the Agreement. Replace

9. Attachments:

- Appendix 1 to Exhibit C - Reimbursable Expenses Schedule – 2020.
- Appendix 2 to Exhibit C - Standard Hourly Rates Schedule – 2020.

10. Other Documents Incorporated by Reference:

Construction Contracts for:

- Franklin Corporate Park – S. Hickory Street Corridor Improvements.
- Franklin Corporate Park Wastewater Pumping Station.

11. Terms and Conditions

Execution of this Task Order by Owner and Engineer shall make it subject to the terms and conditions of the Agreement (as modified above), which Agreement is incorporated by this reference. Engineer is authorized to begin performance upon its receipt of a copy of this Task Order signed by Owner.

The Effective Date of this Task Order is January 21, 2020.

OWNER:

City of Franklin

By: _____

Name: Steve Olson

Title: Mayor

Date: _____

ENGINEER:

Ruekert & Mielke, Inc.

By:  _____

Name: Steven C Wurster, P E

Title: Senior Vice President, COO

Date: January 13, 2020

DESIGNATED REPRESENTATIVE FOR TASK ORDER:

Name: _____

Title: _____

Address: 9229 W Loomis Road
Franklin, WI 53132

Email Address: _____

DESIGNATED REPRESENTATIVE FOR TASK ORDER:

Name: Anthony D. Petersen, P E.

Title: Senior Project Manager

Address: W233 N2080 Ridgeview Parkway
Waukesha, WI 53188-1020

Email Address: apetersen@ruekert-mielke.com

CITY OF FRANKLIN

ATTEST:

By: _____

Name: Sandra L. Wesolowski

Title: City Clerk

Date Signed: _____

APPROVED AS TO FORM:

By: _____

Name: Jesse A Wesolowski

Title: City Clerk

Task Order Form

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Page 5

APPROVAL	REQUEST FOR COUNCIL ACTION	MTG. DATE January 21, 2020
Reports & Recommendations	RESOLUTION TO AUTHORIZE TERRACON A CONTRACT FOR CONSTRUCTION OBSERVATION AND TESTING SERVICES RELATED TO S. HICKORY STREET CORRIDOR UTILITY IMPROVEMENTS AND PUMP STATION PROJECTS FOR AN HOURLY, TIME AND MATERIALS CONTRACT FOR \$40,000	ITEM NO. M.28.

BACKGROUND

Tax Increment District No. 4 (TID 4) is a TID in the southeast corner of the City (area bounded by S. 27th Street, W. Oakwood Road, and W. County Line Road and west of the W. Elm Road terminus). Staff has been directed to bring TID 4 projects under contract on or before June 21, 2020.

The S. Hickory Street Corridor Utility Improvements and Pump Station projects have been bid and are expected to be awarded elsewhere on this agenda.

ANALYSIS

Staff has reviewed the proposed scope of services and find that they are needed services to complete projects of this magnitude. The task order is written as an hourly time and materials contract and only services provided will be approved for payment.

As shown in attachment A of the agreement, the estimated amount of effort is forecasted to be \$34,800. However, there are many factors affecting the amount of effort needed that are beyond the control of Terracon so note that this amount is an estimate of needed services and not a not-to-exceed price. As such, staff recommends that a purchase order of \$40,000 be authorized.

OPTIONS

- A. Authorize Terracon to perform the needed inspection and materials testing services. Or,
- B. Refer back to Staff with further direction.

FISCAL NOTE

This project is included in the project plan for TID 4.

RECOMMENDATION

(Option A) Resolution 2020-_____ a resolution to authorize Terracon a contract for construction observation and testing services related to S. Hickory Street Corridor Utility Improvements and Pump Station projects for an hourly, time and materials contract for \$40,000.

Engineering Department: GEM

STATE OF WISCONSIN : CITY OF FRANKLIN : MILWAUKEE COUNTY

RESOLUTION NO. 2020- _____

RESOLUTION TO AUTHORIZE TERRACON A CONTRACT FOR
CONSTRUCTION OBSERVATION AND TESTING SERVICES RELATED TO
S. HICKORY STREET CORRIDOR UTILITY IMPROVEMENTS AND PUMP STATION
PROJECTS FOR AN HOURLY, TIME AND MATERIALS CONTRACT FOR \$40,000

WHEREAS, Common Council has awarded construction contracts for the S. Hickory Street Corridor Utility Improvements and Pump Station projects within the Tax Incremental District No. 4.; and

WHEREAS, construction inspection and materials testing services are needed to help the City ensure proper construction of the projects; and

WHEREAS, Terracon is a competent and qualified materials testing consultant who has particular knowledge regarding this project.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that Terracon be authorized a notice to proceed for the construction observation and testing services related to S. Hickory Street Corridor Utility Improvements and Pump Station projects for an hourly, time and materials contract for \$40,000.

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

PASSED AND ADOPTED by the Common Council of the City of Franklin on the _____ day of _____, 2020.

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

A G R E E M E N T

This AGREEMENT, made and entered into this ____ day of _____, between the City of Franklin, 9229 West Loomis Road, Franklin, Wisconsin 53132 (hereinafter "CLIENT") and Terracon Consultants, Inc. _____ (hereinafter "CONTRACTOR"), whose principal place of business is _10841 S. Ridgeview Road, Olathe, KS 66061_____.

W I T N E S S E T H

WHEREAS, the CONTRACTOR is duly qualified and experienced as a municipal services contractor and has offered services for the purposes specified in this AGREEMENT; and

WHEREAS, in the judgment of CLIENT, it is necessary and advisable to obtain the services of the CONTRACTOR to provide construction observation and testing services for the Franklin Business Park 27th & Oakwood_____;

NOW, THEREFORE, in consideration of these premises and the following mutual covenants, terms, and conditions, CLIENT and CONTRACTOR agree as follows:

- A. This AGREEMENT may only be amended by written instrument signed by both CLIENT and CONTRACTOR.

I. BASIC SERVICES AND AGREEMENT ADMINISTRATION

- A. CONTRACTOR shall provide services to CLIENT for _ the Franklin Business Park 27th & Oakwood _____, as described in CONTRACTOR's proposal to CLIENT dated _January 8, 2020_____, annexed hereto and incorporated herein as Attachment A.
- B. CONTRACTOR shall serve as CLIENT's professional representative in matters to which this AGREEMENT applies. CONTRACTOR may employ the services of outside consultants and subcontractors when deemed necessary by CONTRACTOR to complete work under this AGREEMENT following approval by CLIENT.
- C. CONTRACTOR is an independent contractor and all persons furnishing services hereunder are employees of, or independent subcontractors to, CONTRACTOR and not of CLIENT. All obligations under the Federal Insurance Contribution Act (FICA), the Federal Unemployment Tax Act (FUTA), and income tax withholding are the responsibility of CONTRACTOR as employer. CLIENT understands that express AGREEMENTS may exist between CONTRACTOR and its employees regarding extra work, competition, and nondisclosure.
- D. During the term of this AGREEMENT and throughout the period of performance of any resultant AGREEMENT, including extensions, modifications, or additions thereto, and for a period of one (1) year from the conclusion of such activity, the parties hereto agree that neither shall solicit for employment any technical or professional employees of the other without the prior written approval of the

other party. A general advertisement or notice of a job listing or opening or other similar general publication of a job search or availability to fill employment positions, including on the internet, shall not be construed as a solicitation or inducement, and the hiring of any such employees or independent contractor who freely responds thereto shall not be a breach of this clause.

II. FEES AND PAYMENTS

CLIENT agrees to pay CONTRACTOR, for and in consideration of the performance of Basic Services further described in Attachment A, [at our standard billing rates] [with a not-to-exceed budget of \$_34,800_____], subject to the terms detailed below:

- A. CONTRACTOR may bill CLIENT and be paid for all work satisfactorily completed hereunder on a monthly basis. CLIENT agrees to pay CONTRACTOR's invoice within 30 days of invoice date for all approved work
- B. Total price will not exceed budget of \$_34,800_____. For services rendered, monthly invoices will include a report that clearly states the hours and type of work completed and the fee earned during the month being invoiced.
- C. In consideration of the faithful performance of this AGREEMENT, the CONTRACTOR will not exceed the fee for Basic Services and expenses without written authorization from CLIENT to perform work over and above that described in the original AGREEMENT.
- D. Should CLIENT find deficiencies in work performed or reported, it will notify CONTRACTOR in writing within thirty (30) days of receipt of invoice and related report and the CONTRACTOR will remedy the deficiencies within thirty (30) days of receiving CLIENT's review. This subsection shall not be construed to be a limitation of any rights or remedies otherwise available to CLIENT.

III. MODIFICATION AND ADDITIONAL SERVICES

- A. CLIENT may, in writing, request changes in the Basic Services required to be performed by CONTRACTOR and require a specification of incremental or decremental costs prior to change order agreement under this AGREEMENT. Upon acceptance of the request of such changes, CONTRACTOR shall submit a "Change Order Request Form" to CLIENT for authorization and notice to proceed signature and return to CONTRACTOR. Should any such actual changes be made, an equitable adjustment will be made to compensate CONTRACTOR or reduce the fixed price, for any incremental or decremental labor or direct costs, respectively. Any claim by CONTRACTOR for adjustments hereunder must be made to CLIENT in writing no later than forty-five (45) days after receipt by CONTRACTOR of notice of such changes from CLIENT.

IV. ASSISTANCE AND CONTROL

- A. _____ will coordinate the work of the CONTRACTOR, and be solely responsible for communication within the CLIENT's organization as related to all issues originating under this AGREEMENT.

- B. CLIENT will timely provide CONTRACTOR with all available information concerning PROJECT as deemed necessary by CONTRACTOR.
- C. CONTRACTOR will appoint, subject to the approval of CLIENT, _____ CONTRACTOR's Project Manager and other key providers of the Basic Services. Substitution of other staff may occur only with the consent of CLIENT, such consent not to be unreasonably withheld.

V. TERMINATION

- A. This AGREEMENT may be terminated by CLIENT, for its convenience, for any or no reason, upon written notice to CONTRACTOR. This AGREEMENT may be terminated by CONTRACTOR upon thirty (30) days written notice. Upon such termination, CONTRACTOR shall be entitled to payment of such amount as shall fairly compensate CONTRACTOR for all work approved up to the date of termination, except that no amount shall be payable for any losses of revenue or profit from any source outside the scope of this AGREEMENT, including but not limited to, other actual or potential agreements for services with other parties.
- B. In the event that this AGREEMENT is terminated for any reason, upon receipt of payment CONTRACTOR shall deliver to CLIENT all data, reports, summaries, correspondence, and other written, printed, or tabulated material pertaining in any way to Basic Services that CONTRACTOR may have accumulated. Such material is to be delivered to CLIENT whether in completed form or in process. CLIENT shall hold CONTRACTOR harmless for any work that is incomplete due to early termination. CONTRACTOR may retain one copy of its work product for its internal record-keeping purposes. CONTRACTOR is not liable for any unauthorized reuse or modification of its work product.
- C. The rights and remedies of CLIENT and CONTRACTOR under this section are not exclusive and are in addition to any other rights and remedies provided by law or appearing in any other article of this AGREEMENT.

VI. INSURANCE

The CONTRACTOR shall, during the life of the AGREEMENT, maintain insurance coverage with an authorized insurance carrier at least equal to the minimum limits set forth below:

A. Limit of General/Commercial Liability	\$3,000,000
B. Automobile Liability: Bodily Injury/Property Damage	\$1,000,000
C. Excess Liability for General Commercial or Automobile Liability	\$10,000,000
D. Worker's Compensation and Employers' Liability	\$500,000
E. Professional Liability	\$2,000,000

Upon the execution of this AGREEMENT, CONTRACTOR shall supply CLIENT with a suitable statement certifying said protection and defining the terms of the policy issued, which shall specify

that such protection shall not be cancelled without thirty (30) calendar days prior notice to CLIENT, and naming CLIENT as an additional insured for General Liability.

VII. INDEMNIFICATION AND ALLOCATION OF RISK

- A. To the fullest extent permitted by law, CONTRACTOR shall indemnify and hold harmless CLIENT, CLIENT'S officers, directors, partners, and employees from and against costs, losses, and damages (including but not limited to reasonable fees and charges of engineers, architects, attorneys, and other professionals, and reasonable court or arbitration or other dispute resolution costs) caused solely by the negligent acts or omissions of CONTRACTOR or CONTRACTOR'S officers, directors, partners, employees, and consultants in the performance of CONTRACTOR'S services under this AGREEMENT.
- B. To the fullest extent permitted by law, CLIENT shall indemnify and hold harmless CONTRACTOR, CONTRACTOR'S officers, directors, partners, employees, and consultants from and against costs, losses, and damages (including but not limited to reasonable fees and charges of engineers, architects, attorneys, and other professionals, and reasonable court or arbitration or other dispute resolution costs) caused solely by the negligent acts or omissions of CLIENT or CLIENT'S officers, directors, partners, employees, and consultants with respect to this AGREEMENT.
- C. To the fullest extent permitted by law, CONTRACTOR'S total liability to CLIENT and anyone claiming by, through, or under CLIENT for any injuries, losses, damages and expenses caused in part by the negligence of CONTRACTOR and in part by the negligence of CLIENT or any other negligent entity or individual, shall not exceed the percentage share that CONTRACTOR'S negligence bears to the total negligence of CLIENT, CONTRACTOR, and all other negligent entities and individuals.
- D. In addition to the indemnity provided under Paragraph VII.B, and to the fullest extent permitted by law, CLIENT shall indemnify and hold harmless CONTRACTOR and CONTRACTOR'S officers, directors, partners, employees, and consultants from and against injuries, losses, damages and expenses (including but not limited to all fees and charges of engineers, architects, attorneys, and other professionals, and all court or arbitration or other disputes resolution costs) caused by, arising out of, or resulting from an unexpected Hazardous Environmental Condition, provided that (i) any such injuries, losses, damages and expenses is attributable to bodily injury, sickness, disease, or death, or to injury to or destruction of tangible property, including the loss of use resulting therefrom, and (ii) nothing in this Paragraph shall obligate CLIENT to indemnify any individual or entity from and against the consequences of that individual or entity's own negligence or willful misconduct.
- E. Nothing contained within this AGREEMENT is intended to be a waiver or estoppel of the contracting municipality CLIENT or its insurer to rely upon the limitations, defenses, and immunities contained within Wisconsin law, including those contained within Wisconsin Statutes §§ 893.80, 895.52, and 345.05 To the extent that indemnification is available and enforceable, the municipality CLIENT or its insurer shall not be liable in indemnity or contribution for an amount greater than the limits of liability for municipal claims established by Wisconsin Law

VIII. TIME FOR COMPLETION

CONTRACTOR shall commence work immediately having received a Notice to Proceed as of _____.

IX. DISPUTES

This AGREEMENT shall be construed under and governed by the laws of the State of Wisconsin. The venue for any actions arising under this AGREEMENT shall be the Circuit Court for Milwaukee County. The prevailing party shall be awarded its actual costs of any such litigation, including reasonable attorney fees.

X. RECORDS RETENTION

CONTRACTOR shall maintain all records pertaining to this AGREEMENT during the term of this AGREEMENT and for a period of 3 years following its completion. Such records shall be made available by the CONTRACTOR to CLIENT for inspection and copying upon request.

XI. MISCELLANEOUS PROVISIONS

- A. Professionalism. The same degree of care, skill and diligence shall be exercised in the performance of the services as is possessed and exercised by a member of the same profession, currently practicing, under similar circumstances, and all persons providing such services under this AGREEMENT shall have such active certifications, licenses and permissions as may be required by law.
- B. Pursuant to Law. Notwithstanding anything to the contrary anywhere else set forth within this AGREEMENT, all services and any and all materials and/or products provided by CONTRACTOR under this AGREEMENT shall be in compliance with all applicable governmental laws, statutes, decisions, codes, rules, orders, and ordinances, be they Federal, State, County or Local.
- C. Conflict of Interest. CONTRACTOR warrants that neither it nor any of its affiliates has any financial or other personal interest that would conflict in any manner with the performance of the services under this Agreement and that neither it nor any of its affiliates will acquire directly or indirectly any such interest. CONTRACTOR warrants that it will immediately notify the CLIENT if any actual or potential conflict of interest arises or becomes known to the CONTRACTOR. Upon receipt of such notification, a CLIENT review and written approval is required for the CLIENT to continue to perform work under this Agreement.

XII. CONTROLLING TERMS AND PROVISIONS

The aforesaid terms and provisions shall control over any conflicting term or provision of any CONTRACTOR proposal, Attachment, Exhibit, and standard terms and provisions annexed hereto.

IN WITNESS WHEREOF, the parties have caused this AGREEMENT to be executed on the day and year first above written.

CITY OF FRANKLIN, WISCONSIN

BY _____
Stephen R. Olson, Mayor

DATE _____

BY _____
Sandra L. Wesolowski, City Clerk

DATE _____

BY _____
Paul Rotzenberg, Director of Finance and
Treasurer

APPROVED AS TO FORM

Jesse A. Wesolowski, City Attorney

DATE _____

Terracon Consultants, Inc.

BY: _____
Andrew J. Wendt, Materials Department Manager

DATE: _____

APPROVAL <i>Slw</i>	REQUEST FOR COUNCIL ACTION	MTG. DATE January 21, 2020
Reports & Recommendations	REQUEST TO BID FRANKLIN CORPORATE PARK- ELM ROAD IMPROVEMENTS	ITEM NO. M.29.

BACKGROUND

Tax Increment District No. 4 (TID 4) is a TID in the southeast corner of the City (area bounded by S. 27th Street, W. Oakwood Road, and W. County Line Road and west of the W. Elm Road terminus). Staff has been directed to bring TID 4 projects under contract on or before June 21, 2020.

In November 2014, Common Council directed Ruekert & Mielke to proceed on the design for improvements to Elm Road (from S. 27th Street westerly to the current terminus / planned S. Hickory Street). Per direction from the City, Ruekert & Mielke's progress has been a series of halting and proceeding. The current emphasis to bring this project to completion is the development of the JHB development located southwest at the terminus of W. Elm Road.

In order to achieve the needed progress by June 21, 2020, staff is working with Ruekert & Mielke to complete the design and solicit bidders.

ANALYSIS

A remaining **conceptual** schedule for the completion of Elm Road is as follows:

<u>Schedule Dates</u>	<u>Event</u>
02/07/2020	50% Design Submittal to Utilities, City Staff and Developer
03/23/2020	90% Plan Drawing Submittal to City
03/30/2020	Final Review Comments Back from City
04/09/2020	Send Advertisement to City
04/10/2020	City Forwards Advertisement to South Now Newspaper by 10 00 a m
04/27/2020	Bidding Documents Complete
04/27/2020	Bidding Documents to Quest
04/29/2020	1st Publication
05/06/2020	2nd Publication
05/13/2020	Bid Opening
05/14/2020	Recommend Award
05/18/2020	Award of Construction Contract (Council Action)
T B D	Send Contracts and Notice of Award to Contractor
T B D	Contracts Returned to R/M
Prior to 06/21/2020	Contracts Fully Executed
T B D	Send Preconstruction Conference Announcement
T B D	Submit Construction Staking Request with Final Plan Drawings to
T B D	Preconstruction Conference
T B D	Construction Staking
T B D	Contract Time Start / Issue Notice to Proceed
T B D	Start Construction
T B D	Milestone 1- Complete Sanitary Sewer and Water Main Utilities
T B D	Milestone 2 - Complete Storm Sewer and Storm Water Management Facilities
T B D	Milestone 3 - Complete 27th Street Intersection
09/24/2021	Substantial Completion Deadline
10/29/2021	Ready for Final Payment Deadline

Pursuant to Municipal Code section 19.11, Common Council must authorize the solicitation of bids for public construction that exceeds \$25,000. The above schedule assumes that Common Council authorizes the solicitation of bids for Elm Road, otherwise a significant amount of effort between now and June would be in vain. Staff recommends that this authorization be considered and given at the earliest opportunity.

OPTIONS

- A. Authorize Staff to solicit for construction of Franklin Corporate Park- W. Elm Road Improvements. Or,
- B. Refer back to Staff with further direction.

FISCAL NOTE

This project is included in the project plan for TID 4 and the 2020 Budget includes an \$11 million projects appropriation which provides for this project. To be eligible for inclusion in TID 4 projects, and meet the statutory expenditure period ending June 21, 2020, the project must be contracted by that date.

RECOMMENDATION

(Option A) Authorize Staff to solicit bids for the construction of Franklin Corporate Park- W. Elm Road.

Engineering Department: GEM

APPROVAL	REQUEST FOR COUNCIL ACTION	MEETING DATE January 21, 2020
REPORTS AND RECOMMENDATIONS	<p>Potential Land Acquisitions on Elm Road for Tax Incremental District No. 4 Franklin Corporate Park. The Common Council may enter closed session pursuant to Wis. Stat. § 19.85(1)(e), for market competition and bargaining reasons, to deliberate and consider terms relating to potential property acquisition for Elm Road roadway improvements for the Tax Incremental District No. 4 Franklin Corporate Park and the investing of public funds and governmental actions in relation thereto and to effect such acquisition, and reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate</p>	<p>ITEM NUMBER</p> <p>Ms. 30.</p>
<p>The City needs to acquire land from each of the 12 parcels that abut Elm Road for the purposes of roadway improvements necessary for Tax Increment District No. 4 Franklin Corporate Park. Appraisals have been completed for six of the parcels, with the remainder expected shortly. Given the nature of the necessary acquisitions, it is anticipated that the purchase price for the remaining six parcels will be in line with the first six. Accordingly, staff will be seeking to have the Council provide negotiating strategy and authorization for all 12 parcels.</p> <p style="text-align: center;">COUNCIL ACTION REQUESTED</p> <p>A motion to enter closed session pursuant to Wis. Stat. § 19.85(1)(e), for market competition and bargaining reasons, to deliberate and consider terms relating to potential property acquisition for Elm Road roadway improvements for the Tax Incremental District No. 4 Franklin Corporate Park and the investing of public funds and governmental actions in relation thereto and to effect such acquisition, and to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate;</p> <p>or</p> <p>A motion to authorize staff to negotiate and enter into purchase agreements consistent with the terms identified during closed session and to authorize appropriate City officials to execute and deliver the same;</p> <p>or</p> <p>Whatever action the Council should otherwise deem appropriate.</p>		

APPROVAL	REQUEST FOR COUNCIL ACTION	MEETING DATE January 21, 2020
REPORTS AND RECOMMENDATIONS	Agreement for Purchase and Sale of Real Estate for 8.61 +/- acres of the property located at 3548 South County Line Road (Tax Key No. 979-9999-000) for the development of public improvements for Tax Incremental District No. 4 Franklin Corporate Park. The Common Council may enter closed session pursuant to Wis. Stat. § 19.85(1)(e), for market competition and bargaining reasons, to deliberate and consider terms relating to potential property acquisition for the development of public improvements for the Tax Incremental District No. 4 Franklin Corporate Park and the investing of public funds and governmental actions in relation thereto and to effect such acquisition, and reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate	ITEM NUMBER M.31.

Following Council action on December 15, 2019 and the January 7, 2020, staff have negotiated with MLG Investments for the purchase of 8.61+/- acres of land from the property located at 3548 South County Line Road including preparing a counteroffer based upon the direction received January 7. As there is not a final outcome on the negotiations at the time of preparing the agenda, and because of the timing needs for the project, this item is on January 21, 2020 agenda so that if a Counter-offer that needs to be acted upon is received between agenda preparation and the meeting such counter-offer can be addressed. Any such counter-offer received will be delivered to the Council as soon as it is received.

COUNCIL ACTION REQUESTED

A motion to enter closed session pursuant to Wis. Stat. § 19.85(1)(e), for market competition and bargaining reasons, to deliberate and consider terms relating to potential property acquisition for the development of public improvements for the Tax Incremental District No. 4 Franklin Corporate Park and the investing of public funds and governmental actions in relation thereto and to effect such acquisition, and to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate;

or

A motion to approve an Agreement for Purchase and Sale of Real Estate, and Counter-offer thereto for 8.61 +/- acres of the property located at 3548 South County Line Road, and to authorize the Mayor, City Clerk and Director of Finance and Treasurer to execute and deliver such Agreements and acceptance of the Counter-offers thereto.

or

Whatever action the Council should otherwise deem appropriate.

APPROVAL BR	REQUEST FOR COUNCIL ACTION	MEETING DATE 1/21/2020
Bills	Vouchers and Payroll Approval	ITEM NUMBER H.

Attached are vouchers dated January 4, 2020 through January 16, 2020. Nos. 176746 through Nos. 177038 in the amount of \$ 4,775,684.16. Included in this listing are EFT's Nos. 4194 through Nos. 4204 Library vouchers totaling \$ 5,238.28, Property Tax refunds totaling \$ 135,991.23 and Water Utility vouchers totaling \$ 48,154.77. Voided checks in the amount of \$ (3,792.76) are separately listed.

Vouchers approved at prior Council meetings that are included in this distribution.

Wesolowski, Reidenbach & Sajdak	Legal Fees	\$ 29,375 14
Re/Max Realty	Earnest Money	\$ 5,000 00
TOTAL		\$34,375.14

Early release disbursements dated January 4, 2020 through January 15, 2020 in the amount of \$ 578,443.38 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.

The net payroll dated January 17, 2020 is \$ 488,434.02 previously estimated at \$ 394,000.00. Payroll deductions dated January 17, 2020 are \$ 389,358.15 previously estimated at \$ 208,000 00

The estimated payroll for January 31, 2020 is \$ 400,000 00 with estimated deductions and matching payments of \$ 414,000.00.

Attached is a list of property tax disbursements EFT's Nos. 289 through Nos. 298 and Nos. 197 through Nos. 199 dated December 31, 2019 through January 16, 2020 in the amount of \$36,461,849.94. \$123,593.78 represents tax refunds, \$16,600,000.00 to temporary investments, \$19,738,256.16 of tax settlements to taxing authorities.

In addition, \$39,820,199.36 was transferred from investment accounts directly to other taxing authorities in settlement of Dec collections.

Approval to release payment to Stark Pavement for Rawson Ave homes pavement project in the amount of \$ 218,981.77.

Approval to release payment to Knight Barry for TID 5 in the amount of \$ 736,105.73.

Approval to release payment to Knight Barry for TID 7 in the amount of \$ 805,899.50.

Approval to release payment to Loomis & Ryan, Inc for TID 6 water main project costs in the amount of \$1,349,996.40 pending approval of outstanding conditions precedent and staff review.

COUNCIL ACTION REQUESTED

Motion approving the following

- City vouchers with an ending date of January 16, 2020 in the amount of \$ 4,775,684.16 and
- Payroll dated January 17, 2020 in the amount of \$ 488,434.02 and payments of the various payroll deductions in the amount of \$ 389,358.15 plus City matching payments and
- Estimated payroll dated January 31, 2020 in the amount of \$ 400,000 00 and payments of the various payroll deductions in the amount of \$ 414,000.00, plus City matching payments and
- Property tax vouchers with an ending date of January 16, 2020 in the amount of \$ 36,461,849.94 and use of investment funds for tax settlements of \$39,820,199.36.
- Approval to release payment to Stark Pavement in the amount of \$ 218,981 77
- Approval to release payment to Knight Barry for TID 5 in the amount of \$ 736,105.73 and
- Approval to release payment to Knight Barry for TID 7 in the amount of \$ 805,899 50.
- Approval to release payment to Loomis & Ryan, Inc for TID 6 in the amount of \$1,349,996.40.

ROLL CALL VOTE NEEDED

<p>APPROVAL</p> <p><i>Slw</i></p>	<p>REQUEST FOR COUNCIL ACTION</p>	<p>MEETING DATE</p> <p>1/21/20</p>
<p>LICENSES AND PERMITS</p>	<p>MISCELLANEOUS LICENSES</p>	<p>ITEM NUMBER</p> <p>I.</p>
<p>See attached listing from meeting of January 21, 2020.</p> <p>COUNCIL ACTION REQUESTED</p>		



414-425-7500

**License Committee
Agenda*
Aldermen's Room
January 21, 2020 – 5:35 p.m.**

1.	Call to Order & Roll Call	Time:
2.	Applicant Interviews & Decisions	
License Applications Reviewed		Recommendations

Type/ Time	Applicant Information	Approve	Hold	Deny
Operator 2019-2020 New 5:40 p.m.	Cavaliere, Ema I 4119 108 th St Franksville, WI 53126 Hideaway Pub & Eatery			
Class A Combination 5:45 p.m.	Dairyland Retail Group, LLC Dba 7-Eleven 7610 W Rawson Ave Elizabeth Evans, Agent			
Class A Combination 5:50 p.m.	Ryan Fuel LLC Dba Andy's on Ryan Rd 5120 W Ryan Rd Kavita Khullar, Agent			
Class A Combination 5:55 p.m.	Wisconsin CVS Pharmacy LLC Dba CVS Pharmacy #5390 5220 W Rawson Ave Samantha Jo Klaphake, Agent			
Class A Combination 6:00 p.m.	Ultra Mart Foods, LLC Dba Pick N Save #6360 7201 S 76 th St Ricky Kloth, Agent			
Operator 2019-2020 New	Behning, Genine M 2362 S 75 th St West Allis, WI 53129 Marcus Showtime Cinema			
Operator 2019-2020 New	Bresette, Tammy M 3912 W Denis Ave Milwaukee, WI 53221 Root River Center			
Operator 2019-2020 New	Donahoe, Alexander M S81W17311 Joel Dr Muskego, WI 53150 Country Lanes			
Operator 2019-2020 New	Furey, Mary E 3333 5 th Ave #6I South Milwaukee, WI 53172 Country Lanes			
Operator 2019-2020 New	Hubred, Elena 5131 S 60 th St Greendale, WI 53129 Walgreens #05884			

Type/ Time	Applicant Information	Approve	Hold	Deny
Operator 2019-2020 New	Jasinski, Sarah L 2460 S 18 th St Milwaukee, WI 53215 Pick 'n Save #6431			
Operator 2019-2020 New	Klamecki, Michael R 12251 W Beloit Rd #3 Greenfield, WI 53228 Marcus Showtime Cinema			
Operator 2019-2020 New	Pitcher, Mary C 7955 S Mission Dr Franklin, WI 53132 Kwik Trip #857			
Operator 2019-2020 New	Shallow, Rebekah L 6125 S Martin Rd New Berlin, WI 53146 Root River Center			
Operator 2019-2020 New	Stachnik, Daniel J 5650 W Wahner Ave #207 Brown Deer, WI 53223 7-Eleven			
3.	Adjournment			
		Time		

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