

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 27<sup>th</sup> 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. 76<sup>th</sup> 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. 76<sup>th</sup> 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 Ruckert & 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.

Common Council Meeting Agenda

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**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

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. 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.

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.

Alderwoman Wilhelm moved to return to the regular order of business. Seconded by Alderman Nelson. All voted Aye; motion carried.

Letters from Pack 538, Den 3 Wolves and parents regarding West Marquette Avenue extension were placed on file.

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.

- 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.
- Approval of the Consent Agenda was seconded by Alderman Barber. All voted Aye; motion carried.
- 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.

- 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 Realty 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.

<p style="text-align: center;"><b>APPROVAL</b></p>	<p style="text-align: center;"><b>REQUEST FOR COUNCIL ACTION</b></p>	<p style="text-align: center;"><b>MEETING DATE</b> <i>1/21/2020</i></p>
<p style="text-align: center;"><b>REPORTS AND RECOMMENDATIONS</b></p>	<p style="text-align: center;"><b>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></p>	<p style="text-align: center;"><b>ITEM NUMBER</b> <i>G.1.(a)</i></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.

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.

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.

**COUNCIL ACTION REQUESTED**

**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.**



**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](mailto:julie.schmitz@stryker.com)  
Phone Number

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

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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.

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

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, dual 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

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 #  
 PO #  
 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:	<b>\$29,622.99</b>
TAX:	<b>\$0.00</b>
<b>ORDER TOTAL:</b>	<b><u>\$29,622.99</u></b>

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

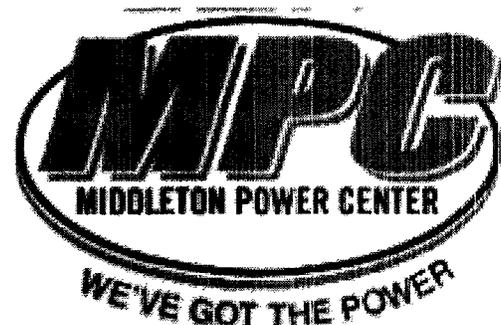
Subtotal 28,778 00

**CHARGES**

Freight +350.00

Setup Charges +400 00

**TOTAL USD \$ 29,528.00**



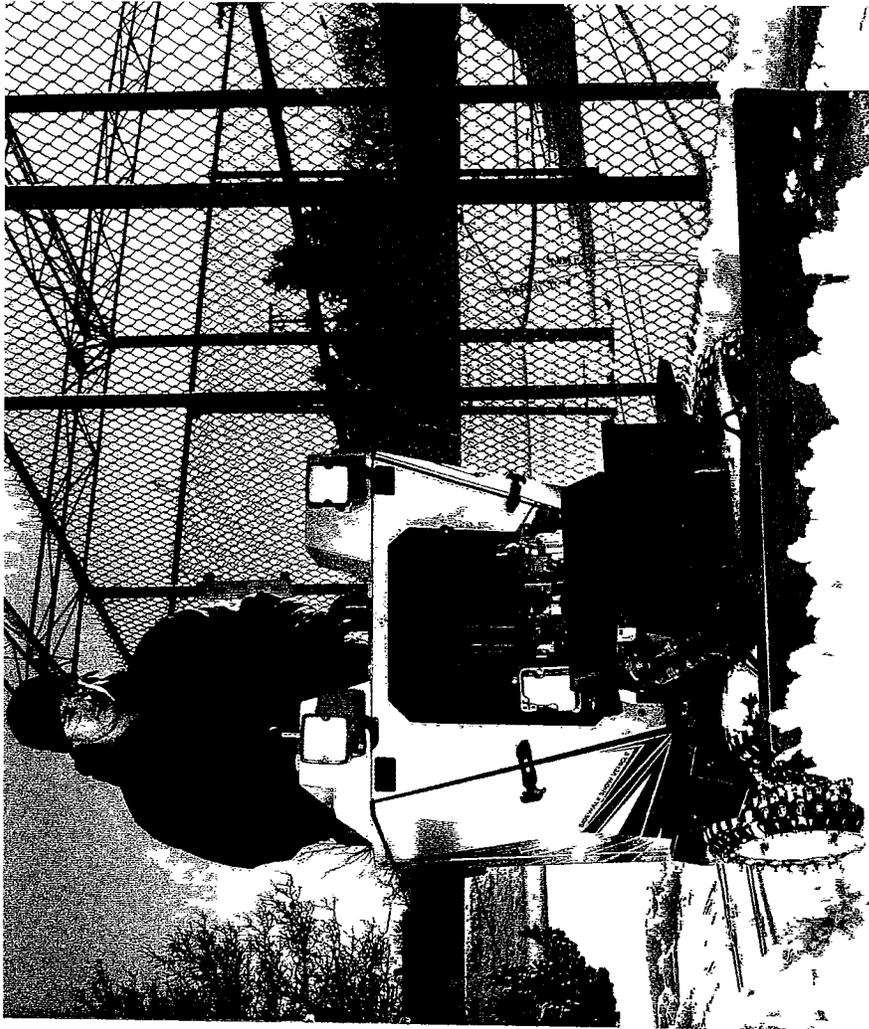
# ATTACHMENTS



## BROOMS

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

\*Engine Speed 3200 rpm



## SNOW BLOWERS

<b>Tractor</b>	3400 & 4500	SSV		
<b>Model</b>	KD482	KD602	KD722	ND420
<b>Working Width</b>	48'	60'	72'	42"
<b>Blade Height</b>	22"	22"	22"	22"
<b>Blade Angle</b>	+/-30°	+/-30°	+/-30°	+/-30°
<b>Weight</b>	163 lb	203 lb	225 lb	165 lb

# DEICING SOLUTIONS



## SSV DROP SPREADER

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



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

**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

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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

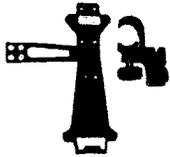
Quote Number: 00053533

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@seilerinst.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. I. (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

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

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.

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<p style="text-align: center;"><b>APPROVAL</b></p> <p style="text-align: center;"><i>Slw</i></p>	<p style="text-align: center;"><b>REQUEST FOR COUNCIL ACTION</b></p>	<p style="text-align: center;"><b>MEETING DATE</b></p> <p style="text-align: center;"><i>1/21/2020</i></p>
<p style="text-align: center;"><b>REPORTS &amp; RECOMMENDATIONS</b></p>	<p style="text-align: center;"><b>FRANKLIN POLICE DEPARTMENT DONATIONS</b></p>	<p style="text-align: center;"><b>ITEM NUMBER</b></p> <p style="text-align: center;"><i>G.1.(f)</i></p>

The Franklin Police Department has received the following donation:

General Police Donation

Daniel & Sandra Hay - \$3000.00

**COUNCIL ACTION REQUESTED**

Respectfully request that the above donations be approved for deposit into the Police Donation account.

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<b>APPROVAL</b> <i>slw</i> <i>pk</i>	<b>REQUEST FOR COUNCIL ACTION</b>	<b>MEETING DATE</b> <b>JAN 21, 2020</b>
<b>REPORTS &amp; RECOMMENDATIONS</b>	<b>List of Donations for October, November, &amp; December 2019 to Police, Fire, and Parks</b>	<b>ITEM NUMBER</b> <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
<b>Fund 28 DONATIONS FUND</b>			
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
	<b>Total</b>		<b>5,200.00</b>
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
	<b>Total</b>		<b>8,200.00</b>
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
	<b>Total</b>		<b>480.00</b>
<b>TOTAL FOR FUND 28 DONATIONS FUND</b>			<b>17,900.25</b>

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

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.

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<p><b>APPROVAL</b> <i>Slw</i></p>	<p><b>REQUEST FOR COUNCIL ACTION</b></p>	<p><b>MEETING DATE</b> <b>January 21, 2020</b></p>
<p><b>Reports and Recommendations</b></p>	<p><b>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.</b></p>	<p><b>ITEM NUMBER</b> <i>M. 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.

**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.

- 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

**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.

**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.

**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

<p style="text-align: center;"><b>APPROVAL</b></p> <p style="text-align: center;"><i>Slw</i></p>	<p style="text-align: center;"><b>REQUEST FOR COUNCIL ACTION</b></p>	<p style="text-align: center;"><b>MEETING DATE</b></p> <p style="text-align: center;">January 21, 2020</p>
<p style="text-align: center;">Reports and Recommendations</p>	<p style="text-align: center;">Ordinance Amendment to update Chapter 169, License and Permits associated with the Health Department</p>	<p style="text-align: center;">ITEM NUMBER</p> <p style="text-align: center;">M.4.</p>

**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]

<b>Retail Food Establishment Annual License Fees</b>	<b>Current Fees</b>	<b>Proposed Fees</b>
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

<b>Retail Food Establishment Pre-Inspection Fees</b>	<b>Current Fees</b>	<b>Proposed Fees</b>
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

<b>Retail Food Establishment Reinspection Fee</b>	<b>Current Fees</b>	<b>Proposed Fees</b>
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

<b>Restaurant/Mobile Annual License Fees</b>	<b>Current Fees</b>	<b>Proposed Fees</b>
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

<b>Restaurant Pre-Inspection Fees</b>	<b>Current Fees</b>	<b>Proposed Fees</b>
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

<b>Restaurant Reinspection Fees</b>	<b>Current Fees</b>	<b>Proposed Fees</b>
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

<b>Restaurant and Retail Miscellaneous License/Service Fees</b>	<b>Current Fees</b>	<b>Proposed Fees</b>
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

<b>Temporary and Mobile Licenses and Fees</b>	<b>Current Fees</b>	<b>Proposed Fees</b>
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

<b>School Kitchen/Department of Public Instruction Fees</b>	<b>Current Fees</b>	<b>Proposed Fees</b>
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

<b>Swimming Pool License and Fees</b>	<b>Current Fees</b>	<b>Proposed Fees</b>
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

<b>Hotel/Motel Licenses and Fees</b>	<b>Current Fees</b>	<b>Proposed Fees</b>
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

<b>New Fees</b>	<b>Current Fees</b>	<b>Proposed Fees</b>
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.”

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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
<b>Retail Food Establishment Reinspection Fees</b>	
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
<b>Restaurant/Mobile License Fees</b>	
Prepackaged	\$315.50
Simple Full Service	\$460.00
Moderate Full Service	\$505.00
Complex Full Service	\$711.00
Additional Prep Area	\$120.00
<b>Restaurant Pre-Inspection Fees</b>	
Prepackaged	\$130.00
Simple Full Service	\$165.00
Moderate Full Service	\$265.00
Complex Full Service	\$365.00
<b>Restaurant Reinspection Fees</b>	
Prepackaged	\$155.00
Simple Full Service	\$180.00
Moderate Full Service	\$230.00
Complex Full Service	\$280.00
<b>Restaurant and Retail Miscellaneous License/Service Fees</b>	
Operating without a license	\$749.00
Operating without a certified food manager	\$150.00
Late License Application	\$100.00
Duplicate License	\$20.00

<b>Mobile and Temporary Licenses and Fees</b>	
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
<b>School Kitchen/Department of Public Instruction Fees</b>	
Production kitchen site	\$579.00
Satellite kitchen site	\$243.00
School pre-inspection	\$250.00
School reinspection	\$200.00
<b>Swimming Pool License and Fees</b>	
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
<b>Lodging Establishment License Fees</b>	
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 \_\_\_\_\_

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<p><b>APPROVAL</b></p> 	<p><b>REQUEST FOR COUNCIL ACTION</b></p>	<p><b>MEETING DATE</b></p> <p><b>1/21/2020</b></p>
<p><b>REPORTS &amp; RECOMMENDATIONS</b></p>	<p><b>Franklin Senior Citizens, Inc. Program Update</b></p>	<p><b>ITEM NUMBER</b></p> <p><b>N.5.</b></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.

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.

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.

Mr. Fred Knueppel, President of the Franklin Senior Citizens, Inc., will attend the January 21, 2020 Common Council meeting.

**COUNCIL ACTION REQUESTED**

This item is being provided at the direction of the Common Council for its information. No action is being requested.

## 2019 Franklin Senior Citizens, Inc. Activities

### Breakdown of Reported Expenditures and Reimbursement by City

Annual Appropriation

\$10,000

Month	Franklin Seniors Social				Business Luncheon				Office, Misc., and Computer Center Costs	Total Program Cost Reimbursement (01.0521.5723)
	Combined Program Cost	Participant Co-Pay (\$2 Each)	Program Cost Reimbursement	Seniors Attendance	Combined Program Cost	Participant Cost (Approx. \$5 Each)	Program Cost Reimbursement (\$4.50 Each)	Seniors Attendance		
January	125.13	(42.00)	83.13	21	807.42	(425.00)	382.42	85	93.38	558.93
February	137.92	(44.00)	93.92	22	807.42	(425.00)	382.42	0	106.72	583.06
March	145.49	(44.00)	101.49	22	902.41	(475.00)	427.41	95	106.72	635.62
April	165.99	(54.00)	111.99	27	987.90	(520.00)	467.90	104	120.06	699.95
May	383.51	(48.00)	335.51	24	949.90	(500.00)	449.90	100	120.06	905.47
June	130.55	(46.00)	84.55	23	949.90	(500.00)	449.90	100	106.72	641.17
July	140.15	(55.00)	85.15	27	902.41	(475.00)	427.41	95	120.06	632.62
August	188.49	(56.00)	132.49	28	1,365.05	(849.00)	516.05	100	120.06	768.60
September	134.95	(52.00)	82.95	26	911.90	(480.00)	431.90	96	106.72	621.57
October	156.89	(50.00)	106.89	25	997.40	(525.00)	472.40	105	133.40	712.69
November	137.48	(48.00)	89.48	24	943.92	(400.00)	543.92	80	93.38	726.78
December	273.37	(54.00)	219.37	27	1,061.91	(450.00)	611.91	90	93.38	924.66
<b>TOTALS</b>	<b>\$2,119.92</b>	<b>-\$593.00</b>	<b>\$1,526.92</b>	<b>296</b>	<b>\$11,587.54</b>	<b>-\$6,024.00</b>	<b>\$5,563.54</b>	<b>1,050</b>	<b>\$1,320.66</b>	<b>\$8,411.12</b>
Avg / Event	\$176.66	-\$49.42	\$127.24	24.7	\$965.63	-\$502.00	\$463.63	87.5		
<b>Remaining Balance for 2019</b>										<b>\$1,588.88</b>

<p style="text-align: center;"><b>APPROVAL</b></p> 	<p style="text-align: center;"><b>REQUEST FOR COUNCIL ACTION</b></p>	<p style="text-align: center;"><b>MEETING DATE</b></p> <p style="text-align: center;"><b>1/21/2020</b></p>
<p style="text-align: center;"><b>REPORTS &amp; RECOMMENDATIONS</b></p>	<p style="text-align: center;"><b>Franklin Senior Citizens Travel Program Update for 2019 Year End</b></p>	<p style="text-align: center;"><b>ITEM NUMBER</b></p> <p style="text-align: center;">N.6.</p>

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
<b>February</b>	<b>NO TRIP - BUDGET CONSTRAINTS</b>	<b>N/A</b>		<b>N/A</b>
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
<b>June</b>	<b>NO TRIP - BUDGET CONSTRAINTS</b>	<b>N/A</b>		<b>N/A</b>
<b>July</b>	<b>NO TRIP - BUDGET CONSTRAINTS</b>	<b>N/A</b>		<b>N/A</b>
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
<b>October</b>	<b>NO TRIP - BUDGET CONSTRAINTS</b>	<b>N/A</b>		<b>N/A</b>
11/6/2019	Andrew & His Sisters, World War II Tribute	2,910	City of Franklin	-1,550
<b>December</b>	<b>NO TRIP - BUDGET CONSTRAINTS</b>	<b>N/A</b>		<b>N/A</b>
<b>YEAR-END TOTAL</b>				<b>(-1,550)</b>
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 TRAVELERS  
Passengers: 33  
Direction. Bus Charter  
Pickup Location Franklin 63132  
Dropoff Location Illinois  
Pickup Date Wednesday August 28 2019  
Pickup Time. 08:00 AM  
Reservation Number: 2541888

**Base Fare:** \$1315.00  
**Fuel Surcharge:** 25.00  
**Gratuuity:** 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

<b>APPROVAL</b>  <i>slw</i>	<b>REQUEST FOR COUNCIL ACTION</b>	<b>MEETING DATE</b>  01/21/20
<b>REPORTS &amp; RECOMMENDATIONS</b>	<b>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 &amp; YOUNG LIVING OILS), OWNER OF INNER WISDOM &amp; WELLNESS, LLC, APPLICANT, BETTY BUSS, PROPERTY OWNER)</b>	<b>ITEM NUMBER</b>  <i>6, 7.</i>

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.

**COUNCIL ACTION REQUESTED**

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.

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.

<b>Project Name:</b>	Inner Wisdom and Wellness, Yoga studio.
<b>Project Address:</b>	City-wide (UDO text amendment). 7127 S 76 <sup>th</sup> Street (Special Use).
<b>Applicant:</b>	Linda Scherrer. Inner Wisdom and Wellness, LLC.
<b>Property Owner:</b>	Betty Buss. Franklin Village Properties, LLC.
<b>Zoning:</b>	B-3 – Community Business District.
<b>2025 Future Land Use:</b>	Commercial
<b>Use of Surrounding Properties:</b>	Commercial (B-2 General Business District, B-3 Community Business District and Planned Development District No. 16).
<b>Applicant's Action Requested:</b>	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 27<sup>th</sup> 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”.

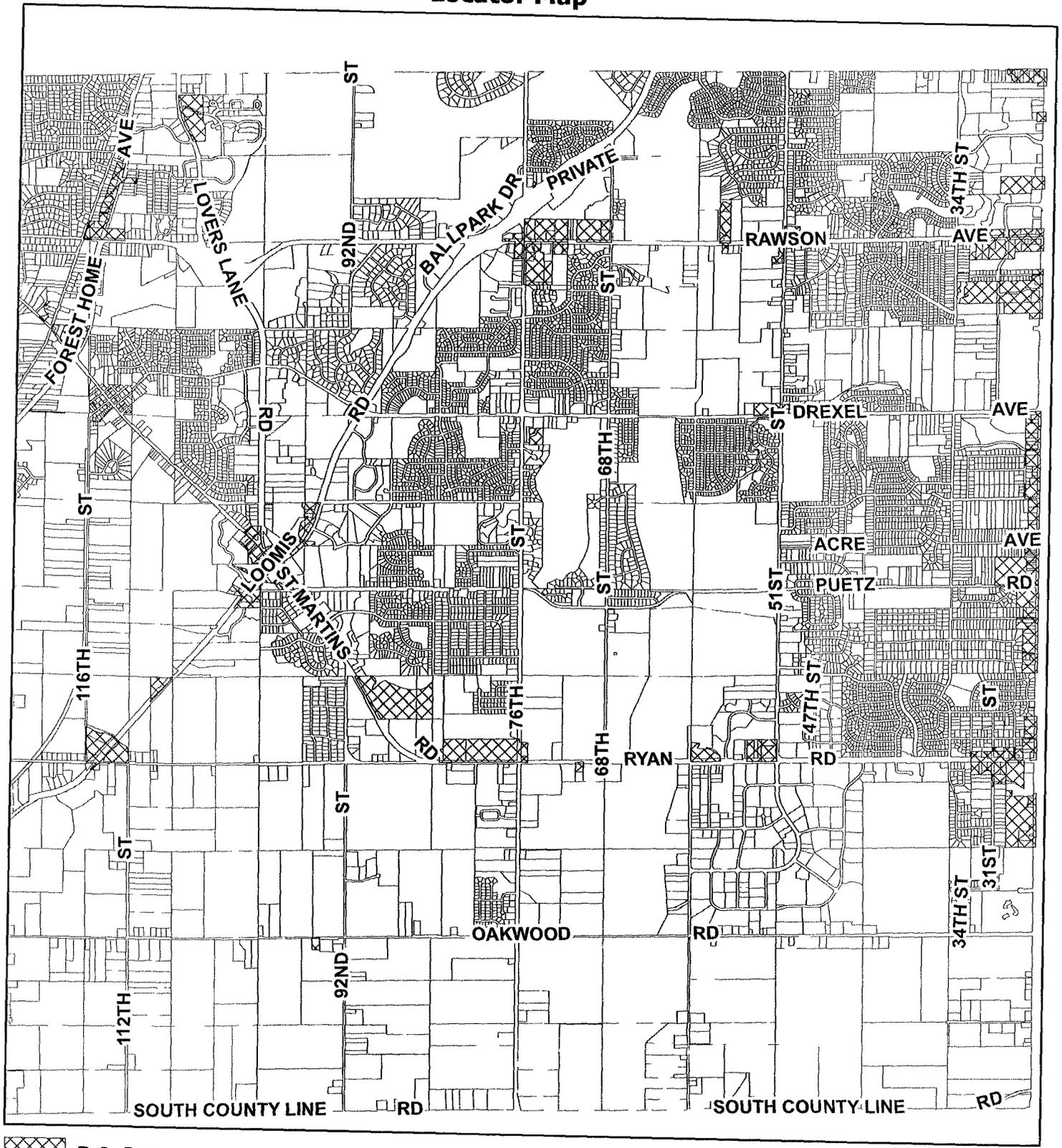
#### **STAFF RECOMMENDATION**

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

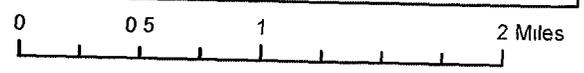
- Standard Industrial Classification Title No. 7999 “Amusement and Recreation Services, Not Elsewhere Classified” as a special use in the B-2 General Business District, B-3 Community Business District and B-4 South 27th Street Mixed Use Commercial District.

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 76<sup>th</sup> 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



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

Occupational Safety and Health Administration  
200 Constitution Ave NW  
Washington, DC 20210  
☎ 800-321-6742 (OSHA)  
TTY  
[www.OSHA.gov](http://www.OSHA.gov)

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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.**

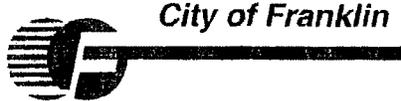
The description in my narrative states that “Some of my classes will cover the creation of homemade chemical-free household cleaners and the use of essential oils to proactively strengthen the immune system.” I will use recipes from Young Living or Dr. Josh Axe to teach others how to create essential 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



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

## UNIFIED DEVELOPMENT ORDINANCE (UDO) TEXT AMENDMENT APPLICATION

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

<p><b>Applicant (Full Legal Name[s])</b>          Name <u>Linda Barbara Scherrer</u>          Company <u>Inner Wisdom + Wellness, LLC</u>          Mailing Address <u>4058 W. Puetz Rd.</u>          City / State <u>Franklin, WI</u> Zip <u>53132</u>          Phone <u>414-935-8960</u>          Email Address <u>innerwisdomandwellness@gmail.com</u></p> <p><b>Project Property Information (if applicable)</b>          Property Address <u>7127 S. 76th Street</u>          Property Owner(s) <u>Betty Buss</u>          Mailing Address <u>7231 SCAMBRIDGE DR</u>          City / State <u>Franklin, WI</u> Zip <u>53132</u>          Email Address <u>bettybuss@aol.com</u></p>	<p><b>Applicant is Represented by (contact person)(Full Legal Name[s])</b>          Name _____          Company _____          Mailing Address _____          City / State _____ Zip _____          Phone _____          Email Address _____</p> <p>Tax Key Nos <u>9550038001</u>          Existing Zoning <u>B-3</u>          Existing Use <u>VACANT / Victory Creek Accounting previous</u>          Proposed Use <u>Yoga Studio</u>          CMP Land Use Identification <u>Commercial</u></p>
<p><b>UDO Text Amendment submittals for review must include and be accompanied by the following</b></p> <p><input checked="" type="checkbox"/> This Application form accurately completed with original signature(s) Facsimiles and copies will not be accepted</p> <p><input checked="" type="checkbox"/> Application Filing Fee, payable to City of Franklin <input checked="" type="checkbox"/> \$200</p> <p><input checked="" 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 )</p>	

- \*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](http://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 breathwork, 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

<p style="text-align: center;"><b>APPROVAL</b></p> <p style="text-align: center;"><i>slw</i></p>	<p style="text-align: center;"><b>REQUEST FOR COUNCIL ACTION</b></p>	<p style="text-align: center;"><b>MEETING DATE</b></p> <p style="text-align: center;">01/21/20</p>
<p><b>REPORTS &amp; RECOMMENDATIONS</b></p>	<p><b>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 &amp; YOUNG LIVING OILS), OWNER OF INNER WISDOM &amp; WELLNESS, LLC, APPLICANT, BETTY BUSS, PROPERTY OWNER)</b></p>	<p><b>ITEM NUMBER</b></p> <p><i>G. 8.</i></p>

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)

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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-\_\_\_\_\_

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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

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

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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.

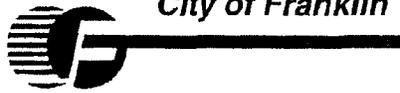
APPROVED:

\_\_\_\_\_  
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

<b>Applicant (Full Legal Name(s))</b> Name <u>Linda Barbara Scherrer</u> Company <u>Inner Wisdom + Wellness, LLC</u> Mailing Address <u>4058 W Puetz Rd</u> City/State <u>Franklin, WI</u> Zip <u>53132</u> Phone <u>414-935-8960</u> Email Address <u>innerwisdomandwellness@gmail.com</u>	<b>Applicant is Represented by (contact person)(Full Legal Name(s))</b> Name _____ Company _____ Mailing Address _____ City/State _____ Zip _____ Phone _____ Email Address _____
<b>Project Property Information</b> Property Address <u>7127 S 76th Street</u> Property Owner(s) <u>Betty Buss</u> Mailing Address <u>7231 S. Cambridge Dr</u> City/State <u>Franklin, WI</u> Zip <u>53132</u> Email Address <u>bettybuss@aol.com</u>	Tax Key Nos <u>7550038001</u> Existing Zoning <u>B-3</u> Existing Use <u>Vacant / Victory Lark Accounting previously</u> Proposed Use <u>Yoga Studio</u> Future Land Use Identification <u>Commercial</u>

\*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](http://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)

N/A  
N/A

- 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  
BETTY BUSS  
 Name & Title (PRINT)  
 Date 11/14/2019

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 \_\_\_\_\_

**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      SPECIAL USE STANDARDS AND REGULATIONS**

**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

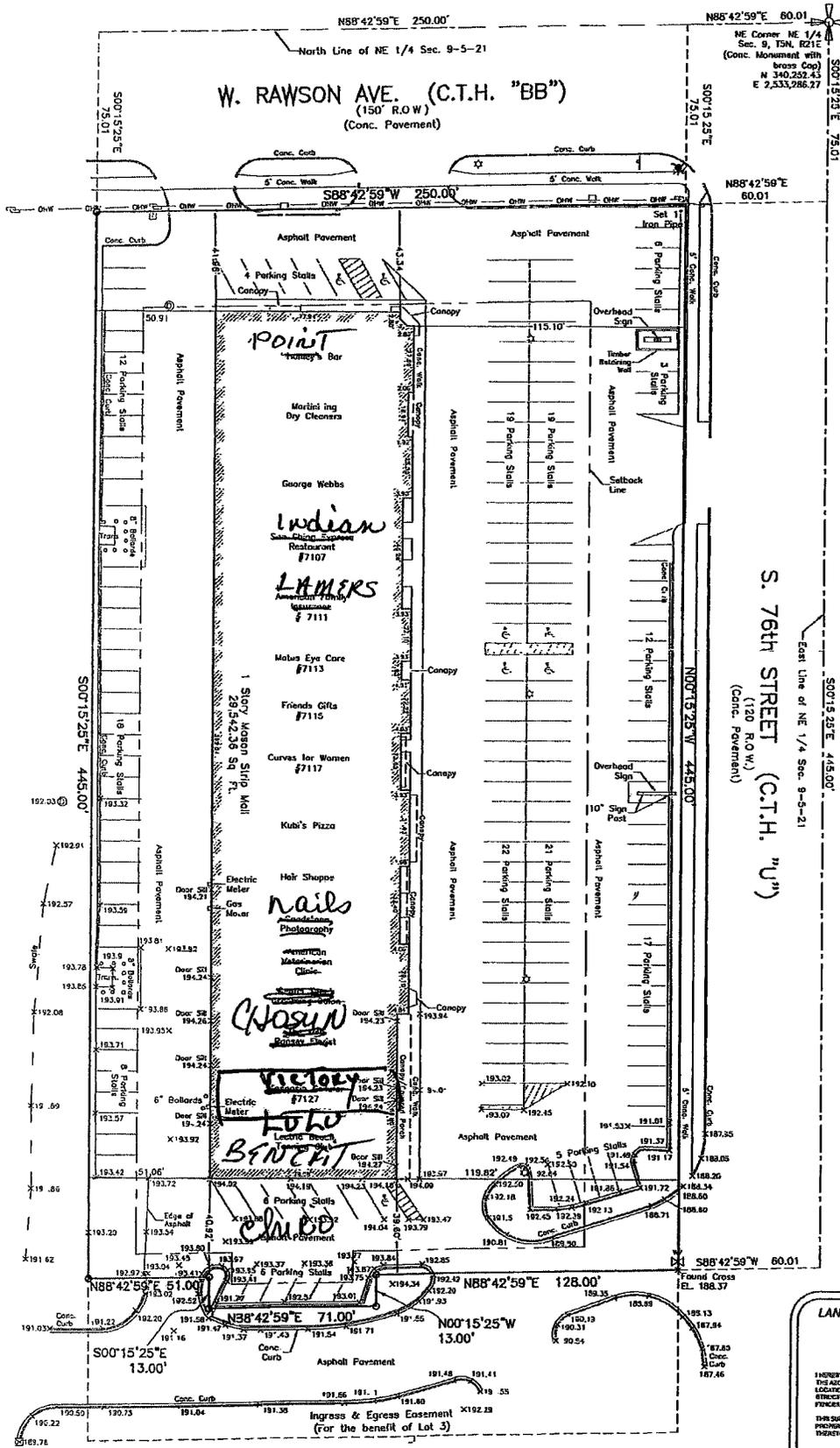
# PLAT OF SURVEY

Survey No. 010487  
Roger Buss

LOCATION: South 76th Street, Franklin, Wisconsin

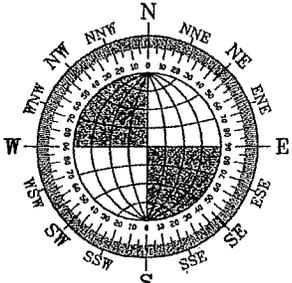
## LEGAL DESCRIPTION:

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. 397844 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. 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, Waukesha County, Wisconsin.



- LEGEND:**
- ☉ Telephone Pedestal
  - ☆ Light Pole
  - ⊗ Hydrant
  - ⊕ Utility Pole
  - Found 1 Iron Pipe
  - ⊞ Round Catch Basin
  - ⊞ Square Catch Basin
  - ⊕ Water Valve
  - ⊖ Traffic Light

**Setback Requirements:**  
 Front = 40 feet  
 Side = 10 feet  
 Rear = 20 feet  
 Zoned B3



SCALE: 1" = 30'

**LANDCRAFT SURVEY AND ENGINEERING, INC**  
 REGISTERED LAND SURVEYORS AND CIVIL ENGINEERS  
 2077 SOUTH 161ST STREET WEST ALLIS, WI 53227  
 PH (414) 604-0674 FAX (414) 604-0677  
 LANDCRAFT@VEPCO.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. ITS EXTENT BEING SUBJECT TO THE LOCATION OF ALL UTILITY INTERFERING AND OBSTRUCTIVE OF ALL PRINCIPAL BUILDINGS THEREON, BOUNDARY FINISH, APPURTENANCES AND ADJACENT AND HEREBY ENDORSEMENT THEREOF.

THIS SURVEY IS MADE FOR THE EXCLUSIVE USE OF THE PRESENT OWNERS OF THE PROPERTY, AND ALSO THESE 1500 PURCHASE, MORTGAGE, OR GUARANTEE THE TITLE THEREIN WITHIN ONE (1) YEAR FROM THE DATE HEREON.

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

<p style="text-align: center;"><b>APPROVAL</b></p> <p style="text-align: center;"><i>slw</i></p>	<p style="text-align: center;"><b>REQUEST FOR COUNCIL ACTION</b></p>	<p style="text-align: center;"><b>MEETING DATE</b></p> <p style="text-align: center;">01/21/20</p>
<p style="text-align: center;"><b>REPORTS &amp; RECOMMENDATIONS</b></p>	<p style="text-align: center;"><b>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)</b></p>	<p style="text-align: center;"><b>ITEM NUMBER</b></p> <p style="text-align: center;"><i>G, 9.</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 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.

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

Page 3

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.

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

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**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 Commssion 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 Muncipal 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 provided 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 76<sup>th</sup> street, the applicant stated that "with the entrance of the development located on 76<sup>th</sup> Street and the entire length of the frontage beign restricted it creates an unusual cistrumstance with no other location being possible". It is noted that there are alternative locations for the proposed sign, but these locations are farther from 76<sup>th</sup> 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.

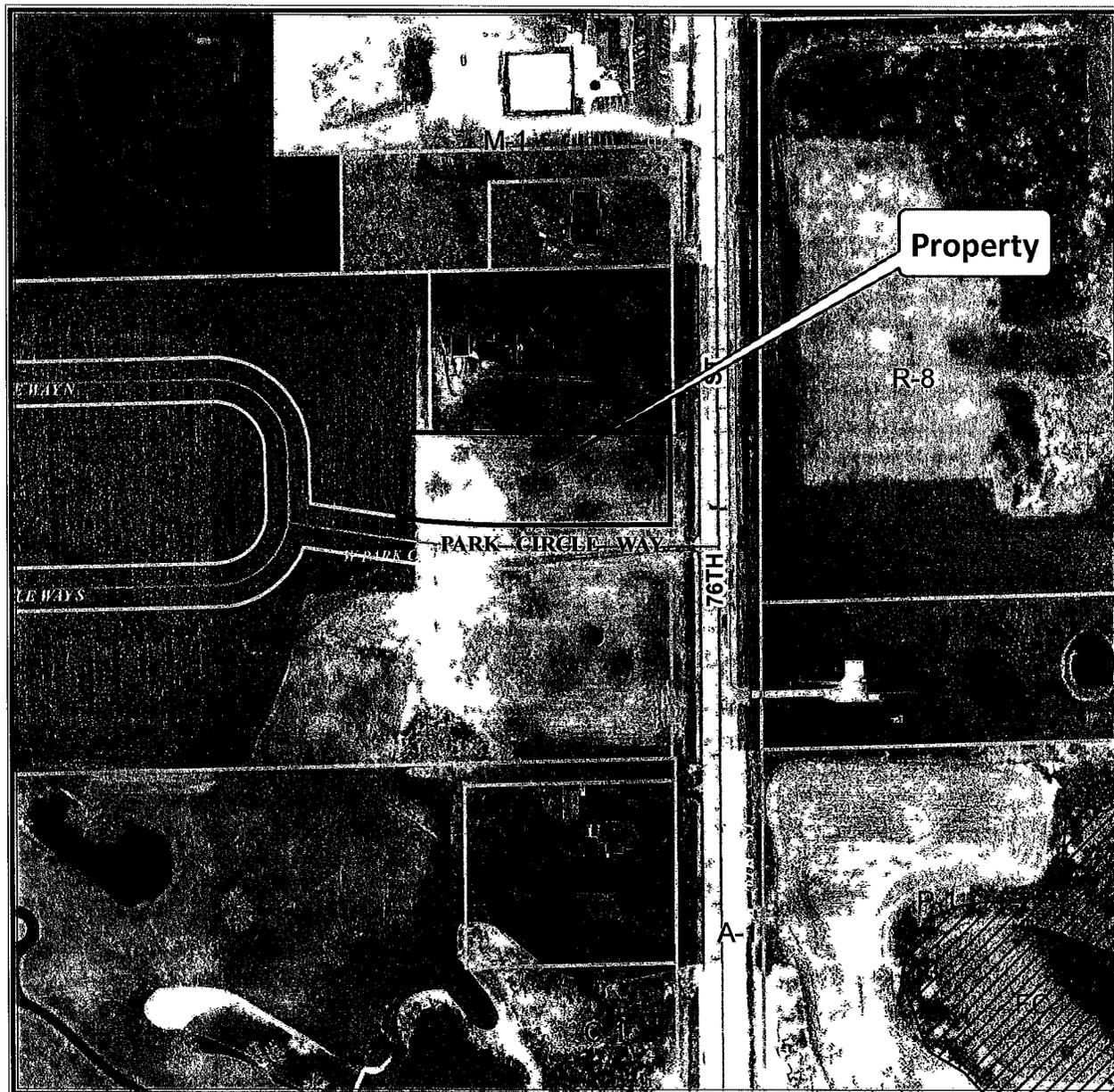
**Recommended Motions**

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

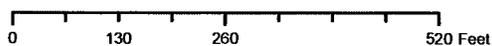
**Suggestions**

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

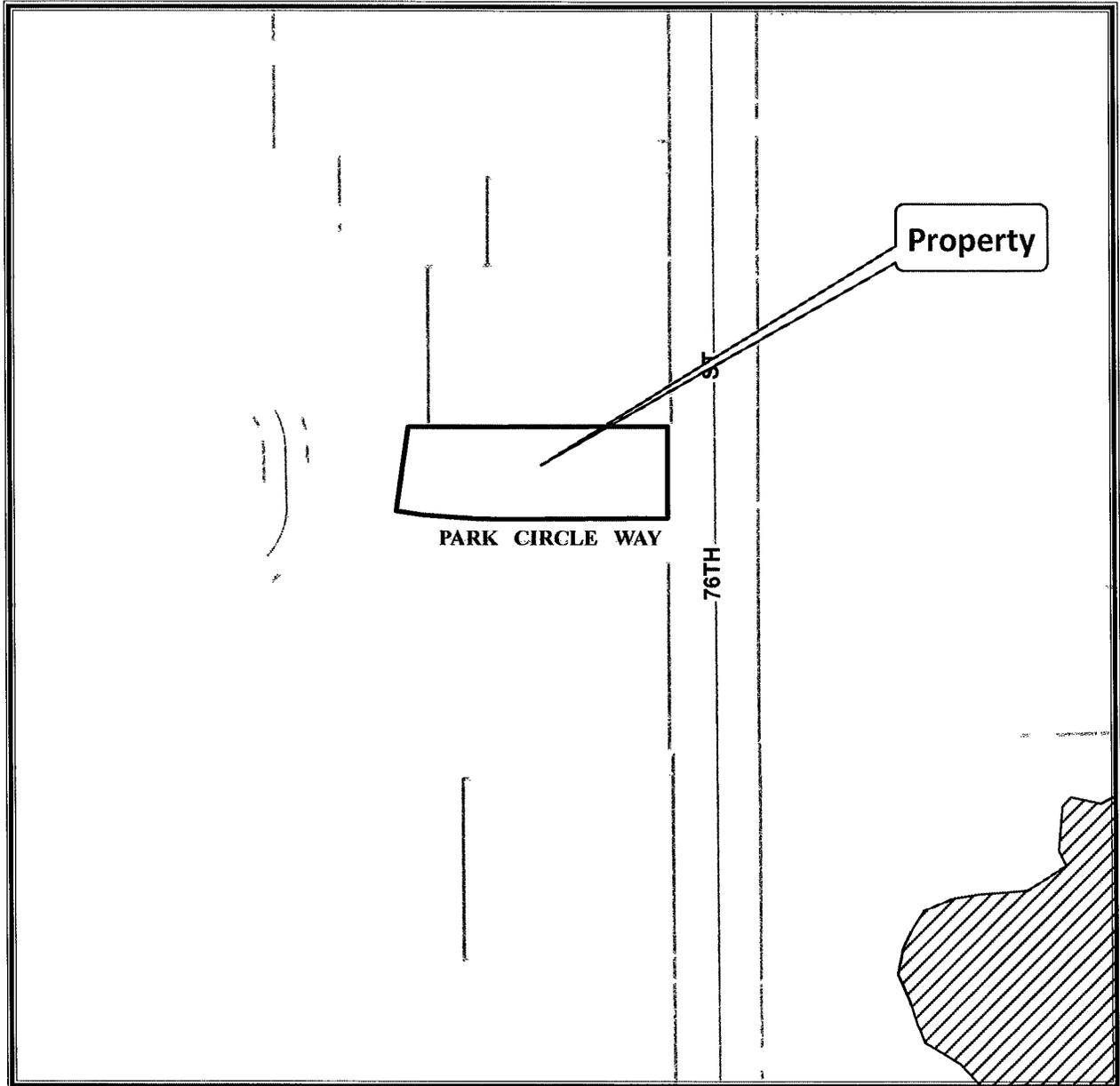


2017 Aerial Photo

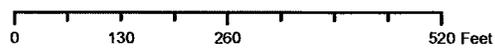
*This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor. This map is provided for informational purposes only and may not be sufficient or appropriate for legal engineering or surveying purposes.*



7614 Park Circle Way  
TKN: 896 1001 000



Planning Department  
(414) 425-4024



2017 Aerial Photo

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

## 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.

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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 between 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

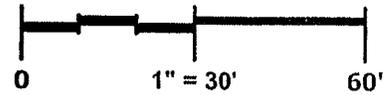
Concrete Footing



# 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

25.2'



SOUTH 76TH STREET  
COUNTY TRUNK HIGHWAY "U"

WEST PARK CIRCLE WAY



Prepared By

**PINNACLE ENGINEERING GROUP**

20725 WATERTOWN ROAD | SUITE 100

BROOKFIELD, WI 53186

OFFICE (262) 754-8888

This instrument drafted by John P. Konopacki, PLS-License No. 5-2461

DATE: OCTOBER 7, 2019

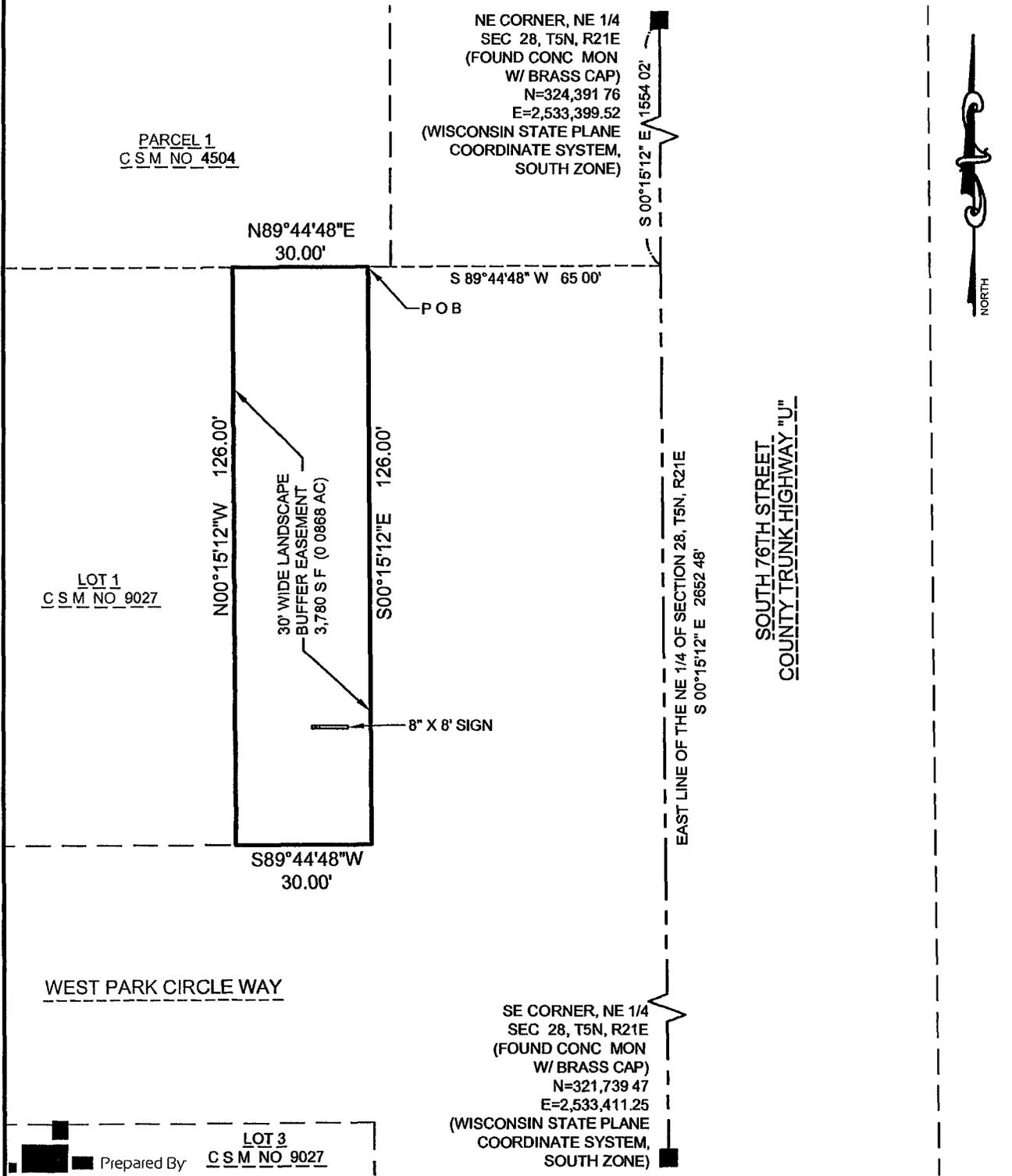
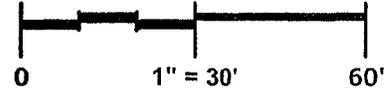
PEG JOB # 901.00

SHEET 1 OF 1

# EXHIBIT "B"

## 30' WIDE LANDSCAPE BUFFER EASEMENT

GRAPHICAL SCALE (FEET)



PARCEL 1  
C S M NO 4504

NE CORNER, NE 1/4  
SEC 28, T5N, R21E  
(FOUND CONC MON  
W/ BRASS CAP)  
N=324,391.76  
E=2,533,399.52  
(WISCONSIN STATE PLANE  
COORDINATE SYSTEM,  
SOUTH ZONE)

LOT 1  
C S M NO 9027

30' WIDE LANDSCAPE  
BUFFER EASEMENT  
3,780 S.F. (0.0868 AC)

POB

8" X 8" SIGN

WEST PARK CIRCLE WAY

SE CORNER, NE 1/4  
SEC 28, T5N, R21E  
(FOUND CONC MON  
W/ BRASS CAP)  
N=321,739.47  
E=2,533,411.25  
(WISCONSIN STATE PLANE  
COORDINATE SYSTEM,  
SOUTH ZONE)

SOUTH 76TH STREET  
COUNTY TRUNK HIGHWAY "U"

Prepared By **LOT 3**  
C S M NO 9027  
**PINNACLE ENGINEERING GROUP**  
20725 WATERTOWN ROAD | 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

# 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 76<sup>th</sup> 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.

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<p style="text-align: center;"><b>APPROVAL</b></p> <p style="text-align: center;"><i>slw</i></p>	<p style="text-align: center;"><b>REQUEST FOR COUNCIL ACTION</b></p>	<p style="text-align: center;"><b>MEETING DATE</b></p> <p style="text-align: center;">01/21/20</p>
<p style="text-align: center;"><b>REPORTS &amp; RECOMMENDATIONS</b></p>	<p style="text-align: center;"><b>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)</b></p>	<p style="text-align: center;"><b>ITEM NUMBER</b></p> <p style="text-align: center;"><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.

**COUNCIL ACTION REQUESTED**

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.

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.

---

<b>Project Name:</b>	Ryanwood Manor subdivision monument sign
<b>Project Location:</b>	NW Corner of Oakwood Rd and 76th Street /Tax Key No. 896 1001 000
<b>Property Owner:</b>	Oakwood at Ryan Creek, LLC.
<b>Applicant:</b>	Eric Obarski. Oakwood at Ryan Creek, LLC.
<b>Current Zoning:</b>	R-5 – Suburban Single-Family Residence District
<b>2025 Comprehensive Plan:</b>	Residential
<b>Applicant's Action Requested:</b>	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 Muncipal 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 76<sup>th</sup> Street".

## **Recommendation**

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

## **Recommended Motions**

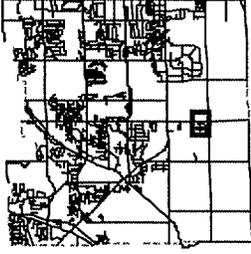
Motion to approve the Sign review application and a motion to recommend approval of the Miscellaneous application.

## **Suggestions**

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

# Franklin Public Property Viewer

# Overview Map



	Aldermanic District		Building
	City Boundary		Condo
	CS M		Easement
	Elementary District		Environmental Corridor
	FEMA DFIRM Flood Zone A		FEMA DFIRM Flood Zone AE
	FEMA 0.2% Annual Chance		Parcel
	Park		Pavement
	County or State Hwy		Local Road
	Road Right-of-Way		School District
	Wetland		

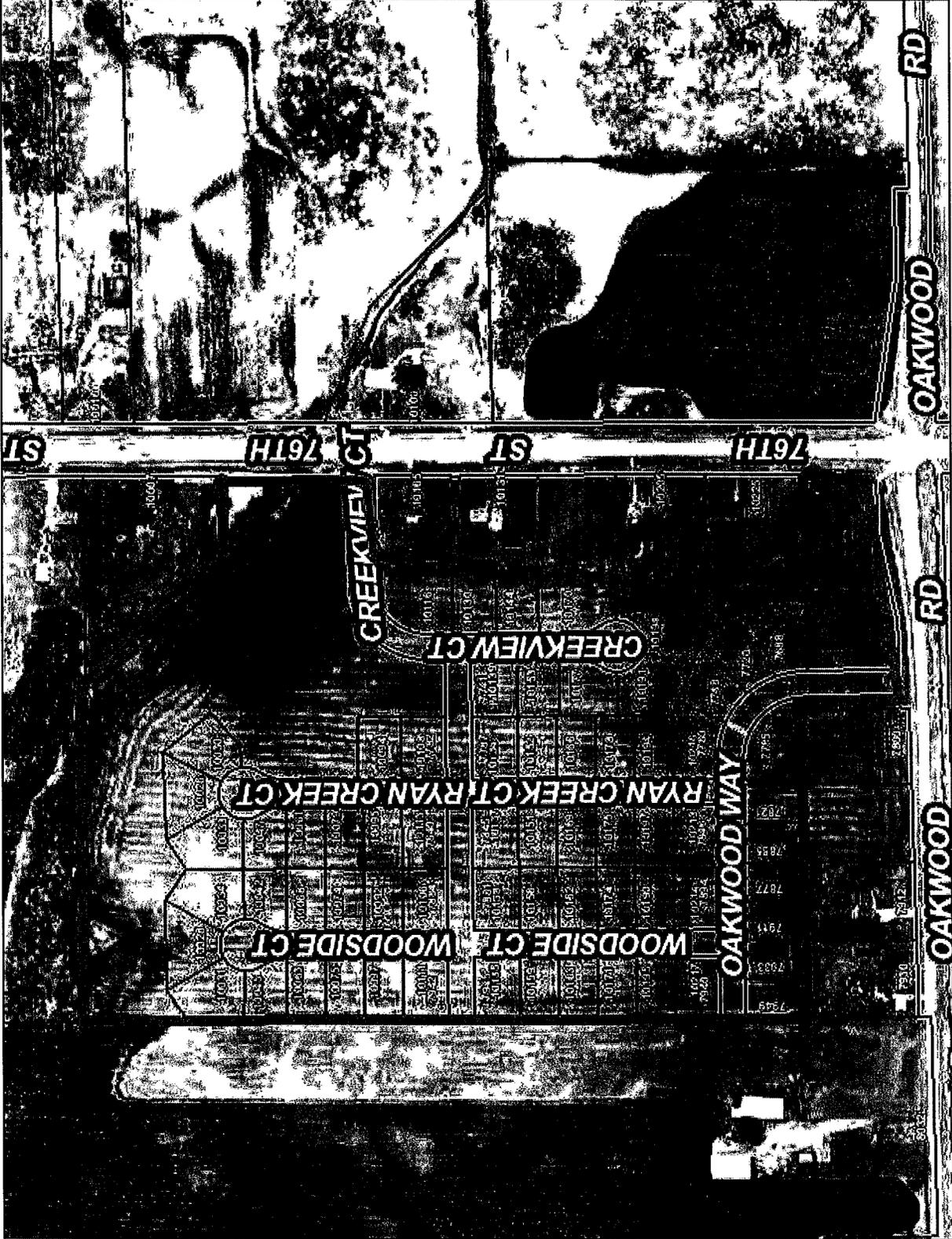
  

	A-1		R-2
	A-2		R-3
	B-1		R-3E
	B-2		H
	B-3		M-1
	B-4		M-2
	B-5		M-3
	B-6		OL-1
	B-7		OL-2
	BP		P-1
	CC		PDD
	C-1		R-1
	FC		R-1E

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



Map Printed 1/3/2020



(C) City of Franklin, WI

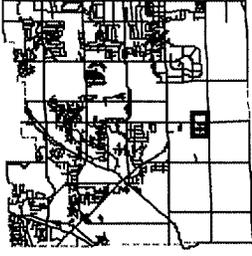
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# Franklin Public Property Viewer

Overview Map

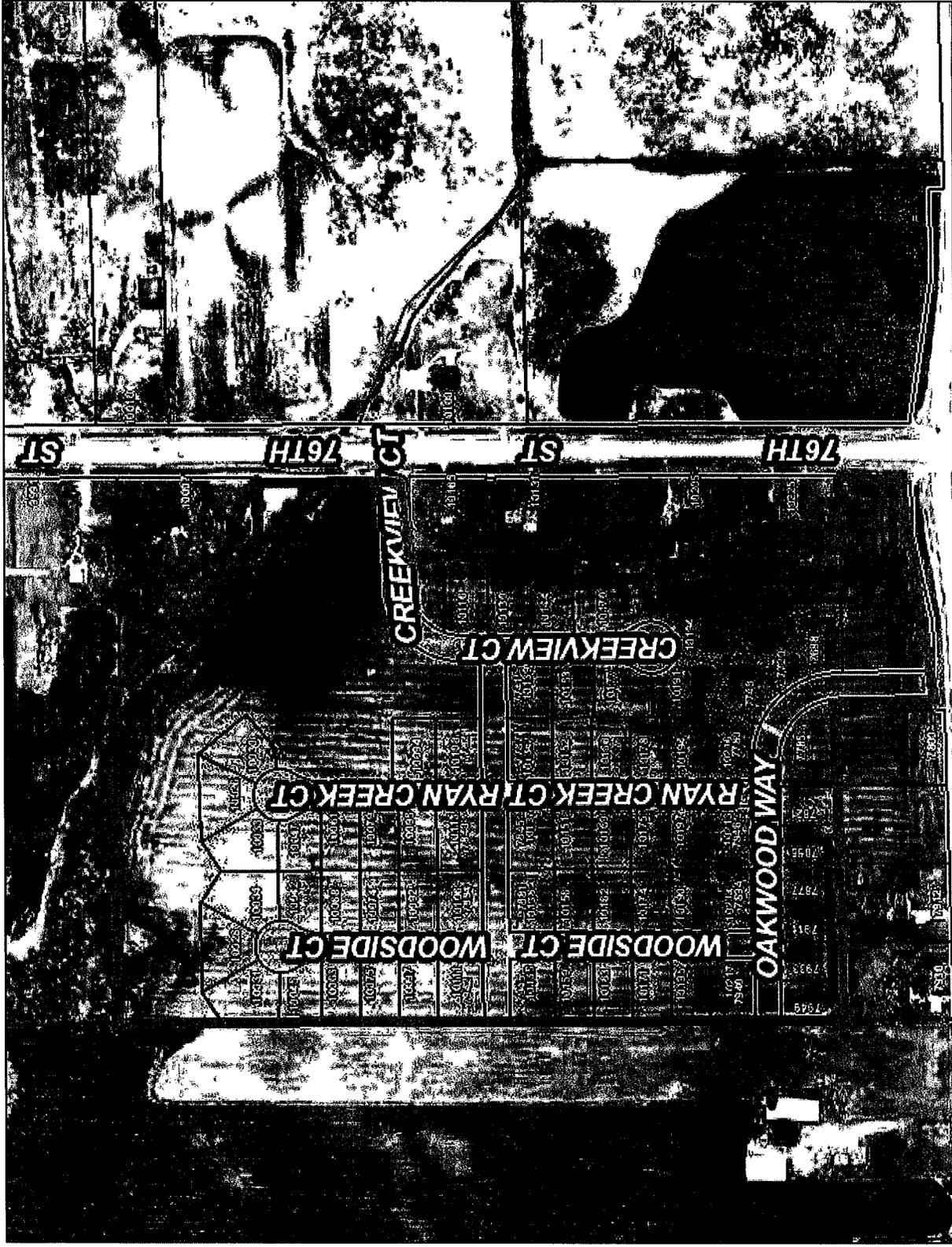


	Aldermanic District
	Building
	City Boundary
	Condo
	CSM
	Easement
	Elementary District
	Environmental Corridor
	FE MA DFIRM Flood - Zone A
	FE MA DFIRM Flood - Zone AE
	FE MA 0.2% Annual Chance
	Parcel
	Park
	Pavement
	County or State Hwy
	Local Road
	Road Right-of-Way
	School District
	Wetland

	A-1		R-2
	A-2		FW
	B-1		I-1
	B-2		I
	B-3		M-1
	B-4		M-2
	B-5		M-3
	B-6		Ok. 1
	B-7		Ok. 2
	BP		P-1
	CC		PDD
	C-1		R-1
	FC		R-1E

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



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## 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.

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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 2<sup>nd</sup>, 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 76<sup>th</sup> street and Oakwood Road.

As part of the approval process of this project a detailed landscaping plan and exhibit was presented at the February 7<sup>th</sup> 2019 planning commission and February 19<sup>th</sup> 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 76<sup>th</sup>. 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 Obariski

Oakwood at Ryan Creek LLC

# SIGN EXHIBIT - RYANWOOD MANOR

