

CITY OF FRANKLIN  
COMMON COUNCIL MEETING\*  
FRANKLIN CITY HALL – COMMON COUNCIL CHAMBERS  
9229 WEST LOOMIS ROAD, FRANKLIN, WISCONSIN  
AGENDA\*\*  
TUESDAY, MARCH 3, 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 February 17, 2020.
- D. Hearings.
- E. Organizational Business.
- F. Letters and Petitions.
- G. Reports and Recommendations:
  - 1. Consent Agenda:
    - (a) Request Common Council Approval to Allow the Fire Department to Dispose of Decommissioned Self Contained Breathing Apparatus (SCBA) and Related Parts and Equipment by Selling them at Auction.
    - (b) Authorize the Director of Health and Human Services to Sign a Contract with Consultant TTJ Group, LLC on Behalf of Volition Franklin to Deliver Social Media Training for Coalitions.
    - (c) Request from the Director of Health and Human Services to Allow the Completion of the Application for Healthy Communities Designation for the City in 2020.
  - 2. Presentation of a Draft Public Facilities Needs Assessment and Impact Fee Study for Parks Facilities, Library Facilities, Law Enforcement and Municipal Court Facilities, Transportation System Facilities and Fire Protection and Emergency Medical Service Facilities, Setting Impact Fees for Same, Exempting Pubic Schools Institutional Development from Paying Impact Fees, Setting a Basis for Annual Increases of Impact Fees, Establishing a Method of Addressing Affordable Housing and the Payment of Impact Fees, and Directing a Public Hearing to be Held for Public Comment on the Needs Assessment and Impact Fees Ordinance Amendment.
  - 3. Establish Sanitary Sewer User Fee for 2020.
  - 4. Donation of Franklin Historical Society's Barn Museum.
  - 5. A Resolution Conditionally Approving a 3 Lot and 1 Outlot Certified Survey Map, Being Parcel 1 of Certified Survey Map No. 5285, as Recorded in the Register of Deeds Office for Milwaukee County as Document No. 6286497, Being a Part of the Northeast 1/4 and Northwest 1/4 of the Southwest 1/4 of Section 36, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin (JHB Properties, LLC, Owner) (3617 West Elm Road).

## Common Council Meeting Agenda

March 3, 2020

Page 2

6. A Resolution Imposing Conditions and Restrictions for the Approval of a Special Use for a One-Family Residential Dwelling Use Upon Property Located at 9323 West Puetz Road (Kevin M. Spiegl and Sondra J. Spiegl, Applicants).
7. A Resolution Authorizing Certain Officials to Execute an Agreement with Graef-USA, Inc. for Professional Architectural and Engineering Services for the Pleasant View Park Master Plan Update, in the amount of \$19,900.
8. A Resolution to Issue a Change Order 02 for Pleasant View Park Pavilion (4901 W. Evergreen Street) in the Amount of \$6,407.47.
9. A Resolution to Enter into a Memorandum of Understanding With the Wisconsin Department of Transportation for the Construction of a Future Private Driveway Connection on the West Side of S. Lovers Lane (STH 100) for 10001 W. Church Street (Tax ID No. 795-9999-007).
10. Direction to Staff for Wisconsin Department of Transportation Project on S. Lovers Lane (U.S. 45 / STH 100) from W. Rawson Avenue to W. College Avenue.
11. An Ordinance to Amend Ordinance 2019-2398, an Ordinance Adopting the 2020 Annual Budgets for the Capital Improvement Fund to Carryforward a \$20,000 Appropriation for a Concept Design for Public Works Facility Improvements.
12. A Resolution for a Professional Service Agreement with (Barrientos Design and Consulting, Inc. or Graef-USA, Inc.) for a Phase 1- Needs Analysis and Concept Design on Department of Public Works Facility Improvements (7979 W. Ryan Road) for (\$15,892 or \$20,000).
13. An Ordinance to Amend Ordinance 2019-2398, An Ordinance Adopting the 2020 Annual Budgets for the Sanitary Sewer Fund Providing Additional Resource and Capital Expenditure Appropriations for the Purchase of a Truck.
14. An Ordinance to Amend Ordinance 2018-2345, An Ordinance Adopting the 2019 Annual Budgets for General, Solid Waste, St. Martin's Fair, Civic Celebrations, Police Grant Funds for The City of Franklin for Fiscal Year 2019 to Provide Appropriations for Actual Performance to Amended Budget for Calendar Year 2019.

### H. Licenses and Permits.

Miscellaneous Licenses from License Committee Meeting of March 3, 2020.

### I. Bills.

Request for Approval of Vouchers and Payroll.

### J. Adjournment.

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

\*\*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.]

Common Council Meeting Agenda

March 3, 2020

Page 3

REMINDERS:

March 5	Plan Commission Meeting	7:00 p.m.
March 17	Common Council Meeting	6:30 p.m.
March 19	Plan Commission Meeting	7:00 p.m.
April 6	Common Council Meeting and Committee of the Whole	6:30 p.m.
April 7	Spring Election & Presidential Preference Primary	7:00 a.m.-8:00 p.m.
April 9	Plan Commission Meeting	7:00 p.m.

**BLANK PAGE**

C.

CITY OF FRANKLIN  
COMMON COUNCIL MEETING  
FEBRUARY 17, 2020  
MINUTES

ROLL CALL

A. The regular meeting of the Common Council was held on February 17, 2020 and called to order at 6:30 p.m. by Mayor Steve Olson in the Franklin City Hall Council Chambers, 9229 W. Loomis Road, Franklin, Wisconsin. On roll call, the following were in attendance: Alderman Mark Dandrea, Alderman Dan Mayer, Alderwoman Kristen Wilhelm, Alderman Steve F. Taylor, Alderman Mike Barber, and Alderman John R. Nelson. Also present were City Engineer Glen Morrow, City Attorney Jesse A. Wesolowski and City Clerk Sandra Wesolowski.

CITIZEN COMMENT

B. Citizen comment period was opened at 6:31 p.m. and closed at 6:45 p.m.

MINUTES  
FEBRUARY 4, 2020

C. Alderman Barber moved to approve the minutes of the regular Common Council meeting of February 4, 2020 as presented at this meeting. Seconded by Alderman Nelson. All voted Aye; motion carried.

MAYORAL  
APPOINTMENTS

E. Alderman Barber moved to confirm the following Mayoral Appointment: Amy Marzofka, 7950 S. 61st Street, Ald. Dist. 5, Board of Health (2-year unexpired term expiring 04/30/2020). Seconded by Alderwoman Wilhelm. All vote Aye; motion carried.

W. MARQUETTE AVE.  
ROAD EXTENSION

G.1. Alderwoman Wilhelm moved to commence the extension of W. Marquette Avenue to S. 51st Street as a City public works improvement; while awaiting the end-of-February Wisconsin Department of Transportation grant announcement, negotiate developer donations of street right-of-way and street engineering design specifications, estimated per the grant application at \$216,650. In furtherance of the subdivision developments by the developers, Council determination at Final Plat shall be to deny access to W. Marquette Avenue, and with any future access request and approval, a City Engineer's Report for special assessments pursuant to Wisconsin Statutes and Municipal Code shall be applied to each new benefitting lot. The previously required 6-foot land dedication shall be adhered to, avoiding the buffer tree line while accommodating curb and gutter and a south-side sidewalk from S. 49th Street to Pleasant View School; and approval to advertise for bid in coordination with the Aldermanic District Representative is granted by the Common Council to meet a project completion timeline of Fall 2020. Seconded by Alderman Nelson.

Alderwoman Wilhelm moved to amend the motion to include "for curb, gutter, roadway and sidewalk" to the last sentence following

'approval to advertise for bid'. Seconded by Alderman Nelson. All voted Aye; motion carried.

Alderman Wilhelm moved to call the question. Seconded by Alderman Nelson.

On roll call for the main motion as amended, Alderman Nelson, Alderman Taylor and Alderman Wilhelm voted Aye; Alderman Barber, Alderman Mayer and Alderman Dandrea voted No. Motion failed due to the lack of a majority vote.

Following determination there was no vote on the motion to call the question, Mayor Olson called for a voice vote on the motion to call the question. All voted Aye; motion carried.

As the prior vote on the main motion was invalid due to the absence of a vote on the motion to call the question, Mayor Olson called for a roll call vote on the main motion as amended. Alderman Nelson and Alderman Wilhelm voted Aye; Alderman Barber, Alderman Taylor, Alderman Mayer, and Alderman Dandrea voted No. Motion failed due to the lack of a majority vote.

Alderman Wilhelm left the room at 8:00 p.m.

Alderman Wilhelm returned at 8:02 p.m.

Alderman Taylor then moved to table the extension of W. Marquette Avenue to S. 51st Street until the City receives information regarding the Wisconsin Department of Transportation grant. Seconded by Alderman Mayer. All voted Aye; motion carried.

AGREEMENT FOR  
LAW ENFORCEMENT  
SERVICES FOR THE  
2020 DNC

G.2. Alderman Mayer moved to approve and authorize City officials to sign the Intergovernmental Agreement for Law Enforcement Services for the 2020 Democratic National Convention. Seconded by Alderman Taylor. All voted, Aye; motion carried.

AGREEMENT WITH  
MILWAUKEE FOR  
EMERGENCY SERVICES  
FOR THE DNC

G.3. Alderman Mayer moved to approve an Intergovernmental Agreement with the City of Milwaukee, which would allow for reimbursement of wages for Franklin Fire Department employees who may volunteer to assist with Emergency Services staffing at the Democratic National Convention. Seconded by Alderman Wilhelm. All voted Aye; motion carried.

HISTORICAL SOCIETY  
BARN DONATION

G.4. Alderman Taylor moved to suspend the regular order of business to allow Jim Luckey to speak. Seconded by Alderman Mayer. All voted Aye; motion carried.

Alderman Taylor moved to return to the Common Council at their meeting of March 3, 2020, with a cost estimate, Memorandum of Understanding for Maintenance, Operations and Ownership relating to acceptance from the Franklin Historical Society to the City of Franklin of the Barn Museum building in Lions Legend Park. Seconded by Alderman Mayer. All voted Aye; motion carried.

RES. 2020-7592  
RYANWOOD MANOR  
WATER EASEMENTS

G.5. Alderwoman Wilhelm moved to adopt Resolution No. 2020-7592, A RESOLUTION FOR ACCEPTANCE OF EASEMENTS FOR RYANWOOD MANOR SANITARY SEWER, WATER MAIN, STORM DRAINAGE, AND STORM WATER MANAGEMENT ACCESS ON THE NORTHWEST CORNER OF SOUTH 76TH STREET AND WEST OAKWOOD ROAD. Seconded by Alderman Nelson. All voted Aye; motion carried.

RES. 2020-7593  
CONSERVATION  
EASEMENT AT S.  
SCEPTER DR. AND W.  
CHURCH ST. (BODNER  
PROPERTY  
MANAGEMENT, LLC,  
APPLICANT)

G.6. Alderwoman Wilhelm moved to adopt Resolution No. 2020-7593, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO ACCEPT A CONSERVATION EASEMENT FOR AND AS PART OF THE APPROVAL OF A SPECIAL USE FOR FIVE 8-UNIT MULTI-FAMILY RESIDENTIAL APARTMENT BUILDINGS (40 UNITS) USE UPON PROPERTY LOCATED AT APPROXIMATELY SOUTH SCEPTER DRIVE AND WEST CHURCH STREET (WILLIAM BODNER, MANAGING MEMBER, BODNER PROPERTY MANAGEMENT, LLC, APPLICANT), subject to review and approval by the Department of City Development and technical corrections by the City Attorney. Seconded by Alderman Dandrea. All voted Aye; motion carried.

RES. 2020-7594  
LANDSCAPE  
BUFFERYARD  
EASEMENT AT S.  
SCEPTER DR. AND W.  
CHURCH ST. (BODNER  
PROPERTY  
MANAGEMENT, LLC,  
APPLICANT)

G.7. Alderwoman Wilhelm moved to adopt Resolution No. 2020-7594, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO ACCEPT A LANDSCAPE BUFFERYARD EASEMENT FOR AND AS PART OF THE APPROVAL OF A SPECIAL USE FOR FIVE 8-UNIT MULTI-FAMILY RESIDENTIAL APARTMENT BUILDINGS (40 UNITS) USE UPON PROPERTY LOCATED AT APPROXIMATELY SOUTH SCEPTER DRIVE AND WEST CHURCH STREET (WILLIAM BODNER, MANAGING MEMBER, BODNER PROPERTY MANAGEMENT, LLC, APPLICANT), subject to review and approval by the Department of City Development and technical corrections by the City Attorney. Seconded by Alderman Taylor. All voted Aye; motion carried.

RES. 2020-7595  
CONDO PLAT FOR  
10504 W. CORTEZ CIR.  
(NISENBAUM HOMES &

G.8. Alderman Nelson moved to adopt Resolution No. 2020-7595, A RESOLUTION CONDITIONALLY APPROVING A CONDOMINIUM PLAT FOR THE CORTEZ CONDOMINIUMS DEVELOPMENT AT 10504 WEST CORTEZ CIRCLE

REALTY, INC,  
APPLICANT)

(GREGORY D. NISENBAUM, PRESIDENT OF NISENBAUM HOMES & REALTY, INC., APPLICANT). Seconded by Alderman Mayer. All voted Aye; motion carried.

PAYMENTS TO TI  
INVESTORS OF  
FRANKLIN  
APARTMENTS LLC

G.9. Alderwoman Wilhelm moved to authorize the scheduled \$360,005 Municipal Revenue Obligation principal and interest payment on March 2, 2020 and a \$400,000 prepayment on the Municipal Revenue Obligation due to TI Investors of Franklin Apartments LLC on that same date. Seconded by Alderman Dandrea. All voted Aye; motion carried.

RES. 2020-7596  
PUBLIC RIGHT-OF-WAY  
W. STATESMAN WAY

G.10. Alderwoman Wilhelm moved to adopt Resolution No. 2020-7596, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO ACCEPT THE ROADWAY AND INFRASTRUCTURE OF THE DEDICATED PUBLIC RIGHT-OF-WAY PER THE RECORDED CERTIFIED SURVEY MAP NO. 9014 WITH STREET NAME WEST STATESMAN WAY. Seconded by Alderman Dandrea. All voted Aye; motion carried.

ORD. 2020-2417  
PARKING  
RESTRICTIONS W.  
ROBINWOOD LN./  
S. MISSION DR.

G.11. Alderman Mayer moved to adopt Ordinance No. 2020-2417, AN ORDINANCE TO REMOVE REFERENCES TO: THE EAST SIDE OF SOUTH MISSION DRIVE FROM §245-5.F.; THE WEST SIDE OF SOUTH MISSION DRIVE FROM §245-5.D.(4); AND THE NORTH SIDE OF WEST ROBINWOOD LANE FROM §245-5.F.; THEN ADD ALL THREE LOCATIONS PLUS THE SOUTH SIDE OF WEST ROBINWOOD LANE, 50 FEET EAST AND 50 FEET WEST OF CENTERLINE OF SOUTH MISSION DRIVE RIGHT-OF-WAY TO §245-5.D.(6) FROM 8:00 A.M. TO 9:30 A.M. AND 3:00 P.M. TO 4:00 P.M. ON SCHOOL DAYS, as amended and subject to technical corrections. Seconded by Alderman Taylor. All voted Aye; motion carried.

RES. 2020-7597  
AGREEMENT  
W/EHLERS-AMEND THE  
BOUNDARY OF TID 6

G.12. Alderman Nelson moved to adopt Resolution No. 2020-7597, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO EXECUTE AN AGREEMENT WITH EHLERS & ASSOCIATES, INC. FOR TAX INCREMENTAL DISTRICT SERVICES AND AMENDMENT PROFESSIONAL SERVICES in the amount of \$15,000 for all three phases of Tax Incremental District No. 6 amendment, with Phases 2 and 3 planned for upon Council review of Feasibility Phase 1, or other action as deemed appropriate by the Common Council. Seconded by Alderman Taylor. All voted Aye; motion carried.

RES. 2020-7598  
REIMBURSE LOOMIS &  
RYAN, INC. & VICTORY

G.13. Alderman Nelson moved to adopt Resolution No. 2020-7598, A RESOLUTION TO REIMBURSE LOOMIS & RYAN, INC. FOR OVERSIZING WATER MAIN INSTALLED AS PART OF TAX

OF THE LAMB RE: TID 6  
WATER MAIN  
INSTALLATION

INCREMENTAL DISTRICT NO. 6 AND THE RYAN MEADOWS SUBDIVISION, ALSO DIRECT STAFF TO MAKE INITIAL PARTIAL PAYMENT OF \$38,443.77 TO LOOMIS & RYAN, INC. IN 2020. IN ADDITION, REIMBURSE VICTORY OF THE LAMB AS PART OF THE DEVELOPMENT AGREEMENT ADOPTED IN RESOLUTION 2015-7123 FOR THE FULL AMOUNT OF OVERSIZING A WATER MAIN \$19,410.83. Seconded by Alderman Taylor. All voted Aye; motion carried.

MMSD EXTENSION ON  
S. 27 ST. FROM W.  
OAKWOOD RD. TO W.  
SOUTH COUNTY LINE  
RD.

G.14. Alderman Taylor moved to direct the Mayor to send a letter of support to the Milwaukee Metropolitan Sewerage District for extension of metropolitan interceptor sewer on South 27th Street from West Oakwood Road to West South County Line Road. Seconded by Alderman Dandrea. All voted Aye; motion carried.

WISDOT HWY 100,  
W. RAWSON AVE. TO  
W. COLLEGE AVE.

G.15. Alderman Nelson moved to table the Wisconsin Department of Transportation Highway 100 (from W. Rawson Avenue to W. College Avenue) stock pile issue, content-sensitive solution elements, sidewalks, and crosswalks until after the February 27, 2020 Wisconsin Department of Transportation public information meeting. Seconded by Alderman Mayer. All voted Aye; motion carried.

RELOCATE LIGHTING  
ON W. RAWSON AVE.

G.16. Alderman Mayer moved to authorize staff to direct WE Energies and Pro-Electric, if needed, to relocate lighting to accommodate Milwaukee County's reconditioning project of West Rawson Avenue for not to exceed \$20,000 from the 2020 contingency funds. Seconded by Alderman Dandrea. On roll call, Alderman Dandrea, Alderman Mayer, Alderwoman Wilhelm, Alderman Barber, and Alderman Nelson voted Aye; Alderman Taylor voted No. Motion carried.

PROPOSAL WITH  
INDUSTRIAL ROOFING  
SERVICES, INC.

G.17. Alderman Barber moved to authorize the Director of Inspection Services to execute all four proposals with Industrial Roofing Services, Inc. for Visual Hardscape Surveys (\$9,050), Visual Roof Surveys (\$9,050), Visual Window & Wall Surveys (\$9,825), and Visual HVAC Mechanical Surveys (\$9,850) of the multiple City facilities as outlined in each proposal (all totaling \$37,775) using General Fund contingency appropriations, which shall be accepted with the preparation by City staff of the City standard form services agreement, with provisions relevant to the proposals, for execution and delivery by the Mayor, the Director of Finance and Treasurer and the City Clerk. Seconded by Alderman Nelson. All voted Aye; motion carried.

ORD. 2020-2418  
BUDGET

G.18. Alderman Barber moved to adopt Ordinance No. 2020-2418, AN ORDINANCE TO AMEND ORDINANCE 2019-2398, AN

AMENDMENTS

ORDINANCE ADOPTING THE 2020 ANNUAL BUDGETS FOR THE GENERAL FUND, DEVELOPMENT FUND, CAPITAL OUTLAY FUND, EQUIPMENT REPLACEMENT FUND, STREET IMPROVEMENT FUND, CAPITAL IMPROVEMENT FUND, TAX INCREMENTAL DISTRICT NO. 4, TAX INCREMENTAL DISTRICT NO. 5, TAX INCREMENTAL DISTRICT NO. 6, TAX INCREMENTAL DISTRICT NO. 7 FUND, AND SANITARY SEWER FUNDS FOR THE CITY OF FRANKLIN FOR FISCAL YEAR 2020 TO APPROVE BUDGET ENCUMBRANCES FROM THE 2019 BUDGET AS AMENDMENTS TO THE 2020 BUDGET. Seconded by Alderman Dandrea. On roll call, all voted Aye; motion carried.

2021 ANNUAL  
BUDGET PREPARATION  
SCHEDULE

G.19. Alderman Barber moved to adopt the 2021 Annual Budget Preparation Timetable, dated February 17, 2020, as presented, subject to any future regular meeting schedule changes if so made by the Common Council. Seconded by Alderman Dandrea. All voted Aye; motion carried.

LICENSES AND  
PERMITS

H. Alderman Taylor moved to approve the following license recommendations from the License Committee meeting of February 17, 2020:

Grant Class B Combination license in compliance with all State and Municipal regulations to JAX on 27th, Agent William C Rushman, 6357 S. 27th St., subject to payment, surrender of former owner's license, providing City water results and recommendation of approval of zoning compliance application requesting opening time of 7:00 a.m.; and

Grant Operator Licenses to Alexis A Albrecht, 5891 Tower Rd., #3, Greendale; Marc D Barbeau, 4235 Erie St. #410; Gavin L Ingebrigtson, 7131 Madison Ct.; Amber M Ishaque, 9031 W Lisbon Ave.; Linda Rueth, N114 W15141 Vicksburg Ave., Germantown; Kimberly Schultz, 4040 S Kinnickinnic Ave., #15, St Francis.

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

VOUCHERS AND  
PAYROLL

I. Alderman Dandrea moved to approve the following: City vouchers with an ending date of February 13, 2020 in the amount of \$2,245,667.55; and Payroll dated February 14, 2020 in the amount of \$384,239.53 and payments of the various payroll deductions in the amount of \$210,852.47 plus City matching payments; and estimated payroll dated February 28, 2020 in the amount of \$386,000.00 and payments of the various payroll deductions in the amount of \$526,000.00, plus City matching payments; property tax vouchers

with an ending date of February 13, 2020 in the amount of \$16,257,998.40; and the release payment to Chicago Title Insurance Company in the amount of \$10,000.00; the release of payment to Loomis & Ryan LLC in the amount of \$38,443.77; and the release of payment to Victory of the Lamb Church in the amount of \$19,410.83. Seconded by Alderman Barber. On roll call, all voted Aye. Motion carried.

CLOSED SESSION  
TID 6 MIXED-USE

G.20. Alderman Nelson moved to enter closed session at 8:40 p.m. pursuant to Wis. Stat. § 19.85(1)(e), to deliberate upon the Tax Incremental District No. 6 Mixed-Use Industrial, Commercial, Retail, Single-Family Residential and Open Space Uses Project Development, and a Second Amendment to Tax Assessment Agreement (Tax Incremental District No. 6) between the City of Franklin and Strauss Investments, LLC, the negotiation of provisions and terms and the investing of public funds in relation thereto, for competitive and bargaining reasons, and to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate. Seconded by Alderman Dandrea. All voted Aye; motion carried.

RES. 2020-7599  
TAX ASSESSMENT  
AGREEMENT SECOND  
AMENDMENT TID 6  
STRAUS INVESTMENTS,  
LLC

Upon reentering open session at 9:03 p.m., Alderman Nelson moved to adopt Resolution No. 2020-7599, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO EXECUTE A SECOND AMENDMENT TO TAX ASSESSMENT AGREEMENT (TAX INCREMENTAL DISTRICT NO. 6) WITH STRAUSS INVESTMENTS, LLC. Seconded by Alderman Taylor. All voted Aye; motion carried.

ADJOURNMENT

J. Alderman Taylor moved to adjourn the meeting at 9:04 p.m. Seconded by Alderman Nelson. All voted Aye; motion carried.

**BLANK PAGE**

<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>3/03/2020</i></p>
<p><b>REPORTS AND RECOMMENDATIONS</b></p>	<p><b>Request Common Council approval to allow the Fire Department to dispose of decommissioned Self Contained Breathing Apparatus (SCBA) and related parts and equipment by selling them at auction.</b></p>	<p><b>ITEM NUMBER</b></p> <p><i>G.1.(a)</i></p>

The Fire Department is seeking council approval to dispose of approximately 16 SCBA harnesses, 45 facepieces, and assorted parts and equipment; along with a fill station appliance and non-operational air compressor.

The Self Contained Breathing Apparatus (SCBA) is the air bottle, harness, and face mask that firefighters wear in order to be able to survive in heat, smoke, and toxic environments. The Fire Department was awarded an Assistance for Firefighters Grant (AFG) in FY 2018 to replace all of the Departments Self Contained Breathing Apparatus. This equipment was purchased and recently put into service. The Department is seeking permission to dispose of the outdated equipment that it replaces. The previous SCBAs date to 2005, and are no longer compliant with current industry standards. They are of minimal value, since they cannot legally be placed in service in the US without significant factory refurbishment.

The department was forced to replace the associated air compressor and fill station in 2018. The previous compressor broke down and was deemed to be unrepairable by the service contractor. While the fill station may retain some value, the compressor and storage bottles would likely only recoup scrap metal value.

The Fire Department proposes selling the items on the online auction site [wisconsinsurpluss.com](http://wisconsinsurpluss.com), with any funds recovered being credited to the Capital Outlay Fund. Staff recommends approval.

### **COUNCIL ACTION REQUESTED**

**Motion to approve Fire Department request to dispose of decommissioned Self Contained Breathing Apparatus, with associated parts and fill appliances, by sending them to auction, with any proceeds returned to the Equipment Replacement Fund.**

**BLANK PAGE**

<b>APPROVAL</b> <i>slw</i>	<b>REQUEST FOR COUNCIL ACTION</b>	<b>MEETING DATE</b> <b>March 3, 2020</b>
<b>Reports and Recommendations</b>	<b>Authorize the Director of Health and Human Services to sign a contract with consultant TTJ Group, LLC on behalf of Volition Franklin® to deliver social media training for coalitions.</b>	<b>ITEM NUMBER</b> <i>G.1.(b)</i>

**Background:** Volition Franklin® (VF) representatives have operated social media pages on since 2012. Studies have shown that individuals, especially youth, receive their information first from social media sources. In order to ensure VF messaging is more effective in reaching its target audiences as well as increase its numbers of followers additional training is needed for the staff that manage these accounts. A consultant from TTJ Group, LLC will provide a two day training to select members of VF to enhance their social media presence.

**Analysis:** While flyers, newsletters, and website information are adequate to initially inform Franklin residents about VF events and messaging, they are often one-time notifications that can easily be forgotten. Social media allows for a more real-time transfer of information to a greater number of the public as well as provides an opportunity for instant feedback. A Pew Research Center report from 2019 suggests adults now get their news from social media first 28% of the time while more than half of youth (54%) get their information from social media. Formal training from a consultant will allow VF to manage their presence on these platforms more effectively and efficiently to improve messaging and increase followers.

- Options:**
1. Authorize the Director of Health and Human Services to sign the TTJ Group, LLC contract.
  2. Decline the contract.
  3. Table or postpone approval of the contract to a future date.

**Recommendation:** The Director of Health and Human Services recommends approval to sign the contract with TTJ Group, LLC on behalf of Volition Franklin®.

**Fiscal Note:** The contract for the consultant is \$2,800 and will be paid with funds from the Drug Free Communities Grant. There is no fiscal impact to the City of Franklin for these services.

**COUNCIL ACTION REQUESTED**

The Director of Health and Human Services requests a motion to allow the signing of the contract with TTJ Group, LLC for consultant services on social media training by coalitions.

Health Department: CD

**TTJ Group, LLC**  
Consulting, Training, Grant Writing and Technical Assistance

**CONSULTANT AGREEMENT**

THIS CONSULTANT AGREEMENT (“**Agreement**”) is made this 14<sup>th</sup> day of January 2020 (the “**Effective Date**”), by and between the TTJ Group, LLC (“**Consultant**”) and City of Franklin, Health Department Volition Coalition (“**VC**”).

WHEREAS, the parties desire to enter into a working relationship; and

WHEREAS, the parties have agreed as to various matters concerning such working relationship, and with a written memorandum of their agreement;

NOW, THEREFORE, in consideration of the mutual covenants and promises hereinafter set forth, the parties hereby agree as follows:

**I. Term and Termination of Agreement**

A. The term of this Agreement shall be from the Effective Date and continuing until terminated as set forth in this Section I, below, or April 30, 2020 (the “**Expiration Date**”), or until the contracted Services have been completed, whichever occurs first. Notwithstanding the foregoing, this Agreement shall remain in effect with respect to any Schedules then in effect on the date of termination or Expiration Date until the date on which such Schedules are themselves terminated or are otherwise completed.

B. Either party shall have the right at any time to terminate this Agreement and/or any Schedule without cause upon fifteen (15) days written notice. In event of such termination, Consultant’s sole and exclusive remedy shall be limited to payment (on a pro-rata basis if fixed fee) for Services rendered and expenses properly incurred through the date of termination.

C. Either party shall have the right to terminate this Agreement and/or any Schedule(s) immediately in the event of a material breach of this Agreement and/or any Schedule(s) by the other party, which breach remains uncured for a period of ten (10) days after written notice reasonably specifying the nature of the breach is given to the breaching party.

**II. Duties**

A. Consultant agrees to provide VC with the services specified below, or in one or more engagement schedules (each individually a “**Schedule**”) as are signed from time to time by the parties hereto, which Schedules shall be sequentially numbered and are incorporated into and form a part of this Agreement. Such services are hereinafter referred to as “**Services**”. In the event of any ambiguity or conflict between any of the terms and conditions of this Agreement and the terms and conditions of any Schedule, the terms and conditions of this Agreement shall control, unless the parties expressly provide in such Schedule that a specific provision in this Agreement is amended, in which case this Agreement shall be so amended, but only with respect to such Schedule. Nothing in this Agreement shall be construed as precluding or limiting in any way the right of VC to obtain from, or provide to, any person or entity, such products, deliverables, consulting or other services of any kind as VC in its sole discretion may deem appropriate from time to time.

**TTJ Group, LLC**  
Consulting, Training, Grant Writing and Technical Assistance

**B. Franklin Wisconsin Volition Coalition shall:**

- Provide leadership and guidance of on the training from TTJ Group, LLC.
- Pay a total of \$2,800.00 paid at the completion of the training and upon the signing of this contract for professional services provided by TTJ Group, LLC.
- Provide a staff person who will be responsible for consistent communication and information when requested.
- Identify secure training locations for the following dates: April 9 &10, 2020 in Franklin, Wisc.
- Provide be responsible for the training recruitment process for each of the training dates
- Communicate with Mr. Tracy Johnson, Managing Partner or Associate to define and describe task order(s) for project(s) where TTJ GROUP, LLC expertise will be used.

**C. Consultant shall:**

- **Deliverable #1 – Deliverable #1 – Providing a training on Social Media for Coalitions**  
Participants will identify and develop strategies to engage effectively with social media groups. They will be involved with introspective discussion and activities as well as how the Coalition as a full body can continue to be engaged with all segments of the population. Participants will be given proven strategies and resources that can be replicated. Below are the areas to be covered:

**A) Onsite training for 1.5 day for Volition Franklin staff**

**B) Onsite training for 1.5 hours for Volition Franklin Coalition members**

**A) Volition Franklin staff - April 9, 2020 (Day 1) (9 am -3pm)**

- Creating a social media strategy plan
- Assess current social media channels and its data
- Identify what's working successfully and identifying any areas to improve
- Identify Social Media Goals and objectives
- Discuss and identify the specific audience –  
What are their interests, perceptions, objections, barriers, etc.  
This will allow us to create content that is relevant for the audience selected.
- Develop an effective social media strategy plan (based on the components above)

**B) Training for Coalition members – April 9, 2020 (Day 1) (6pm-7:30pm) (1.5 hrs)**

- Empowering coalition members  
Share and engage with social media posts

**TTJ Group, LLC**  
Consulting, Training, Grant Writing and Technical Assistance

**Amplify Volition Franklin brand**  
Increase visibility, reach and engagement.

Learning Objectives for the Coalition members are the following:

- Importance of sharing content to a particular audience
- How to give context to your posts to stand out when sharing in social media
- How to amplify your message when sharing content by using video and images

**A) Volition Franklin Coalition staff – April 10, 2020 (Day 2) (9am -12pm)**

Identify content creation strategies based on the strategy plan

Learning Objectives for the Staff are the following:

- Different types of content to create based on specific goals
- The elements you'll content need to be sharable and engaging
- Using video as part of your content strategy to generate engagement
- How to measure your reach and visibility and enhance your content creation strategy

Will provide the final PowerPoint presentations by **April 5, 2020**, close of business day to Volition representatives.

- **Deliverable #2 – Meet with Volition Coalition Representatives**

Meet (via conference calls) with the representatives of Volition Coalition representatives to develop a customized training design and format. Discuss the content and workshop structure to ensure expectations are delivered.

- **Deliverable #3 – Follow up services**

We will answer additional questions after the training should any additional questions arise from the training

D. Payment of undisputed fees for Services shall be made **five (5) days** after Volition Coalition receipt of invoice submitted by Consultant. Total payment includes payments for both days

**Total costs for services: \$ 2,800.00**

All payments are mailed as Follows (unless instructed otherwise):

Tracy T Johnson  
201 E. Round Grove Rd., 1128  
Lewisville, Texas 75067

### **III. AMENDMENTS**

Any amendments to this Agreement shall be in writing, signed by the parties.

## TTJ Group, LLC

Consulting, Training, Grant Writing and Technical Assistance

### IV. INDEPENDENT CONTRACTOR RELATIONSHIP

Consultant is an independent contractor, and is not an employee, servant, agent, partner, or joint venture of VC. Neither party to this Agreement will have any authority to bind or represent the other party. VC is not responsible for withholding, and shall not withhold, FICA or any other employment-related taxes of any kind from any payments made to Consultant. Neither Consultant, its employees, nor any subcontracted personnel shall be entitled to receive any benefits which employees of VC are entitled to receive, nor shall Consultant, its employees or subcontracted personnel be entitled to receive from or through VC workers' compensation, unemployment compensation, medical insurance, life insurance, paid vacations, paid holidays, pension, profit sharing or Social Security on account of Services performed under this Agreement.

Consultant is responsible for overseeing and managing the tasks and functions for the Services provided under this Agreement. Consultant shall make reasonable efforts to honor specific requests by VC with regard to Consultant's Employees, including replacements thereof, who are assigned to perform Services and any other aspect of obtaining the desired results under this Agreement.

## TTJ Group, LLC

Consulting, Training, Grant Writing and Technical Assistance

### V. OWNERSHIP RIGHTS IN WORK PRODUCTS AND NON-COMPETE

As between VC and Consultant, and subject to the Prime Agreement, the parties agree that to the fullest extent possible, VC shall have ownership of all Intellectual Property Rights and other property rights in and to all work product generated as a result of the Services contracted in this Agreement, including without limitation, all products, reports, programs, software, code, documentation, deliverables, business concepts, business methods, business processes, business adaptations, charts, graphs, diagrams and other materials, regardless of whether existing in or on paper, electronic or other form or media (collectively "Work Product") generated, and all such work product shall be left with VC upon completion of the contracted Services.

For purposes of this Agreement, "Intellectual Property Rights" shall mean worldwide ownership of all copyrights, all rights of authorship, all patent rights, all rights of inventor ship, all trademark and service mark rights, all rights in trade secret and proprietary information, all rights in data and compilations of data, all rights of attribution and integrity and other moral rights, and all other Intellectual Property Rights of any type under state or federal law of the United States or any other nation or international treaty or law, as well as all rights in applications for registration of these rights and all licenses to these rights.

All Work Product shall be deemed to be "work-made-for-hire" under the United States Copyright Act, as amended, provided that, if such work product does not qualify as "work-made-for-hire" under the United States Copyright Act, as amended, then Consultant irrevocably transfers, assigns and conveys all worldwide right, title and interest in and to the Work Product to VC. Consultant agrees to execute, sign and deliver to VC all documents reasonably requested by VC in connection with such assignment of rights, and upon request, Consultant will cooperate with VC to establish, perfect, assert or defend VC rights and interests in such Work Product. Consultant warrants that no other party shall have any rights whatsoever therein.

### VI. INDEMNIFICATION

To the fullest extent permitted by law, Consultant shall indemnify, defend and hold harmless VC, its trustees, officers, employees and Affiliates from and against all claims, demands, suits, actions, losses, damages, injuries, liabilities, expenses, judgments, liens, encumbrances, orders, fines, penalties and awards, including, without limitation, reasonable attorney's fees, expert witness fees and court costs, (all of which are collectively referred to as "Claims") arising out of any of the following:

A. Consultant's performance of Services and provision of the Deliverables, Consultant's failure to perform under this Agreement and/or Consultant's breach of this Agreement.

B. Claims relating to bodily injury to or death of any person or damage to real property and/or tangible or intangible personal property, incurred while Consultant is performing Services and to the extent caused by the negligent or willful acts or omissions of Consultant, its Employees, Permitted Subcontractors or agents in the performance of the Services hereunder.

C. Claims arising out of any disputes between Consultant and Consultant's employees and/or Permitted Subcontractors, including without limitation, Employee Related

**TTJ Group, LLC**  
Consulting, Training, Grant Writing and Technical Assistance

Claims. "Employee Related Claims" means any pending, threatened or future action, suit, arbitration, inquiry, proceeding or investigation by or before a court, arbitrator, governmental or other regulatory or administrative agency or commission, whether civil, criminal or other, and whether known or unknown, fixed or contingent, or matured or un-matured at the Effective Date or at any time before or after the Effective Date for any and all Claims, incurred in connection with the Agreement that arise in connection with or relate to any of Consultant's or any of its Permitted Subcontractor's employees or classification of employees, the terms or conditions of such employment, any accident, illness, injury or other harm of any nature arising in connection with or relating to such employment, or the termination of such employment.

**VII. WARRANTIES**

Consultant warrants that (a) Consultant, its Employees and Permitted Subcontractors, if any, shall have and maintain the requisite technical knowledge, skills, abilities, licenses and qualifications to provide the Services and Deliverables, (b) Consultant shall comply with all applicable local, state and federal ordinances, laws and regulations in providing the Services and Deliverables, (c) all Services to be performed hereunder will be performed in good faith and in a good, professional, workmanlike, competent and timely manner, in conformity with all applicable standards and the requirements of this Agreement and the respective Schedules, and (d) Consultant's performance of Services does not and will not violate the terms and conditions of any other contract or obligation of Consultant.

**VIII. GOVERNING LAW**

The formation, interpretation and performance of this Agreement and any disputes arising out of it shall be governed by the substantive and procedural laws of the State of Texas and, to the extent applicable, the laws of the United States of America. This Agreement is deemed to be executed in Texas and the parties hereby consent to the jurisdiction of the State and Federal Courts located in Texas for such disputes. All litigation arising out of this Agreement must be brought in Courts located in Denton County, Texas.

**IX. NOTICES**

Any notice and/or other communication required or provided for under this Agreement shall be provided in writing, in the English language, and shall be deemed given when either personally delivered, sent by Certified U.S. Mail return receipt requested, delivered by courier or transmitted by facsimile and confirmed in writing, to the other party at the address set forth below, or to such other address as may be provided in writing for the delivery of notices hereunder upon ten (10) days prior written notice:

If to VC:	Volition Coalition City of Franklin, Health Department 7830 North Point Blvd. Suite 200 Franklin, WI 27106.
-----------	---

**TTJ Group, LLC**  
Consulting, Training, Grant Writing and Technical Assistance

If to Consultant:      **TTJ Group, LLC**  
201 E. Round Grove Rd.1128  
Lewisville, Texas 75067

**X. FORCE MAJEURE**

Neither party shall be liable for the non-performance of its obligations under this Agreement for a maximum period of sixty (60) days if such non-performance is caused by acts of civil or military authority, civil disturbance, war, terrorism, explosions, fires, earthquakes, floods or other acts of God ("Force Majeure Event"). The party so affected shall give notice to the other party and shall do everything reasonably possible to resume performance. If the period of non-performance exceeds sixty (60) days from the receipt of notice of the Force Majeure Event, the party whose ability to perform has not been so affected may terminate the Agreement and/or any applicable Schedule(s) upon written notice.

**XI. ASSIGNMENT**

Consultant shall neither assign nor transfer any rights or obligations under this Agreement Without the prior written consent of VC. Any attempted assignment in contravention of this Section shall be null and void.

**XII. PERMITTED SUBCONTRACTORS TO BE BOUND**

Consultant will not permit any Permitted Subcontractor to perform any of the Services or participate in the creation or development of any of the Deliverables unless and until Consultant has entered into a written subcontract with such Permitted Subcontractor containing provisions at least as protective of VC Confidential Information, proprietary rights and rights in the intellectual property and Deliverables as are provided in this Agreement. Consultant will remain responsible for obligations performed by Permitted Subcontractors to the same extent as if such obligations were performed by Consultant's Employees.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals the day and year first above written.

**City of Franklin Health Dept:**

**TTJ Group, LLC Consultant:**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

City of Franklin Health Dept

Tracy Johnson

Print Name

Print Name

\_\_\_\_\_  
Title

Managing Partner

Title

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

**BLANK PAGE**

<b>APPROVAL</b> <i>slw</i>	<b>REQUEST FOR COUNCIL ACTION</b>	<b>MEETING DATE</b> <b>March 3, 2020</b>
<b>Reports and Recommendations</b>	<b>The Director of Health and Human Services requests a motion to allow the completion of the application for Healthy Communities Designation for the City in 2020.</b>	<b>ITEM NUMBER</b> <i>G. I. (c)</i>

**Background:** The Wisconsin Healthy Communities Designation is a program offered by the Mobilizing Action Toward Community Health (MATCH) group with the University of Wisconsin Population Health Institute. The program is intended to recognize and encourage achievements in health improvement and promote cross sector cooperation to enhance health improvement efforts within communities. Communities that apply and receive the Healthy Community Designation will have a concrete way of demonstrating the quality of life in their community

**Analysis:** Being a healthy community means more than healthy eating and active living, it includes having high quality education and jobs, safe and affordable housing, and a strong infrastructure. Investing in health across all policies and programs is an investment in economic vitality. Based on the designation criteria, and discussions with the Economic Development Director, Franklin is an excellent candidate for the Healthy Community Designation at the Silver Level based on our community commitment to health and wellness through encouraging and improving healthy behaviors; offering a wide array of clinical care settings; strong social and economic support in education, employment, and housing; and numerous recreational opportunities in our physical environment.

- Options:**
1. Allow the application for the Healthy Communities Designation to move forward.
  2. Decline the invitation to apply for Healthy Communities Designation

**Recommendation:** The Director of Health and Human Services recommends accepting and submitting the application for Franklin to be considered for the Healthy Communities Designation in 2020.

**Fiscal Note:** There is no direct fiscal impact to applying for or receiving the Healthy Community Designation. The designation provides a framework to ensure future development and programing continues to focus on creating a community of health and wellness around the key priority areas of: healthy behaviors, clinical care, social and economic support, and the physical environment to help drive economic vitality.

**COUNCIL ACTION REQUESTED**

The Director of Health and Human Services requests a motion to allow the completion of the application for Healthy Communities Designation for the City in 2020.

Health Department: CD

**Community Name:** Franklin

**Community Type:** City

**Lead Applicant Organizations:** Economic Development Department and Health Department

**Primary Contacts:** Courtney Day

We are submitting our Letter of Interest to be considered for the Wisconsin Healthy Communities Designation at the Silver Level. The City of Franklin, with a population of 35,779, is located in southwestern Milwaukee County with a mix of rural and suburban charm. Franklin offers family-oriented country tranquility amidst the bustle of metropolitan life. Constructing hundreds of residential units over the last three years, Franklin is a great place to raise a family or retire with housing choices for every taste and budget. With 33 percent of land ready for development, there's plenty of room for businesses to grow and flourish as well. Our most recent development is Ballpark Commons, a mixed-use district which will feature everything from office space and housing to family entertainment and recreational opportunities.

The Community Health Assessment completed in 2015 indicated physical activity, nutrition, mental health, and substance use as the four health priority areas for the community. Since then, the Health Department and community partners have worked to improve the quality of life for all residents by developing, offering, and promoting a variety of options to improve mental and physical wellbeing. Residents have the ability to increase physical activity through programs offered with the Park and Recreation Department, the Polonia and Croatian Soccer Leagues, as well as additional adult and youth recreation league sports. Kayla's Playground, a true community success story brought together 1500 volunteers over 9 days to construct a place where children of all abilities can play together. For those seeking to spend more time in nature, Franklin offers a free summer concert series at Lions Legend Park, the ability to stroll through the Boerner Botanical Garden or the Conservancy for Healing and Heritage trails, and direct access to the Oak Leaf Trail system for biking and walking.

We believe we deserve recognition at the Silver Level because our community continues to address and excel in the health and wellness of all four health factor priority areas identified. From identifying and improving healthy behaviors through community coalitions Volition Franklin, Fit Franklin, and adult health education classes, to offering a wide array of clinical care from clinical to hospital settings; to our strong social and economic support factors of the 10<sup>th</sup> ranked public school system in the State, almost 94% of residents with at least a high school education, a low 2.9% unemployment rate, and job opportunities from retail to food service to industrial to professional, to an extensive public trail and park system and numerous recreational opportunities in our physical environment. Our partners include multiple municipal departments, the school district, private businesses, medical systems, and community coalitions working toward a common theme of improving the health and wellness of all that touch our community. Through tracking and trending data we ensure all individuals of our community have access to the tools and resources to live their best life. Franklin, Wisconsin, the place to be inspired, get active, and celebrate quality of life!!



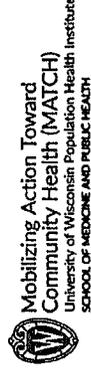
# Wisconsin Healthy Communities Designation Criteria

Criteria*	Bronze	Silver	Gold
	<i>The criteria in silver is intended to build on bronze, and gold builds on silver and bronze.</i>		
<b>Defining health broadly</b>	2/4 health factor priority areas represented overall number of community accomplishments ~ 3-5	3/4 health factor priority areas represented overall number of community accomplishments ~ 5-7.	4/4 health factor priority areas represented: overall number of community accomplishments ~ 7-9
<b>Committing to sustainable and comprehensive long-term solutions</b>	Community is building capacity toward sustainable and comprehensive long-term solutions through policy, systems, and environment change.	Demonstrated work toward sustainable and comprehensive long-term solutions, through policy, systems, and environment change	Sustainable and comprehensive long-term solutions have been implemented, through policy, systems, and environment change.
<b>Creating conditions that give everyone a fair and just opportunity to reach their best possible health</b>	Commitment to equitable and fair opportunity for health is stated and conversations are underway across sectors, including with those who have had limited opportunity/poor health.	A plan is developed that addresses equitable and fair opportunities for health in the community, which includes a focus on addressing the social determinants of health.	A plan is being implemented that addresses equitable and fair opportunities for health in the community and the community is addressing the social determinants of health.
<b>Harnessing the collective power of leaders, partners, and community members</b>	Partners (local leaders, diverse agencies, community members) are identified, engaged, and evidence of activity and action exists.	Diverse partners are working together on shared priorities Strategies for building leadership capacity have been identified.	Diverse partners are working together systematically and strategically for overall community well-being and sustainable leadership capacity has been built and formalized.
<b>Securing and making the most of available resources including dollars, people power, etc.</b>	- Initial funding has been identified. - Community is engaged in conversations to explore further resources.	- Some diverse funding is in place - Community is building capacity to leverage dollars, partners, and assets, and is engaged in planning around sustained funding and resources	Sustainable and diverse resources have been secured and maximized, including, but not limited to dollars, partners, and assets. This can be demonstrated by, but not limited to strategic investments, relationship agreements, etc. that move a community beyond the status quo.
<b>Measuring and sharing progress and results**</b>	Tracking process measures This looks like actively soliciting constructive feedback about the process and asking for input on how change efforts are being experienced from those not part of the decision-making team, but impacted by the efforts of the team	Evidence of tracking outcomes and building toward data-driven decision-making and learning	- Full tracking plan of outcomes in place that includes sustainable infrastructure and dissemination of results. - Implementing continuous quality improvement through data-driven decision-making and emergent learning

\*These six criteria areas are adapted from the Robert Wood Johnson Foundation Culture of Health Prize criteria.

\*\*We recognize that the ability to measure outcomes might be limited for certain initiatives, particularly in smaller communities.

Updated November 2019





## Wisconsin Healthy Communities Designation Program Guide - January 2020

The **Wisconsin Healthy Communities Designation** recognizes and encourages achievements in health improvement in Wisconsin communities, and promotes cooperation across multiple sectors. The designation program is offered by the University of Wisconsin Population Health Institute's Mobilizing Toward Community Health (MATCH) Group in collaboration with diverse statewide groups.

**Ensuring that everyone in our communities has a fair opportunity to be healthy** reaches well beyond the traditional work of health care providers and public health departments. When communities invest time, effort, and other resources into community conditions that support health, they are also investing in their economic vitality. But being a healthy community means more than healthy eating and active living. It also means having high quality education and jobs that provide adequate income, affordable and safe housing and transit options, and clean air and water. Communities that pay attention to the many factors that influence health have a better chance of improving health

Communities that apply for and receive the **Healthy Communities Designation** will have a concrete way to demonstrate the quality of life in their community. The application process is designed to boost existing health improvement efforts by providing guidance on the types of strategies and initiatives that have been shown to work, as well as by encouraging applicants to increase the degree of collaboration among diverse stakeholder groups in their communities.

---

### PROGRAM GUIDE CONTENTS

CONTACT INFORMATION	2
2019 – 2020 APPLICATION TIMELINE	2
ELIGIBILITY	2
APPLICATION REQUIREMENTS	2
DESIGNATION CRITERIA	3
LETTERS OF INTEREST	4
FULL APPLICATION	4
FAQs	7

---



## CONTACT INFORMATION

Wisconsin Healthy Communities Designation website: [www.wihealthycommunities.org](http://www.wihealthycommunities.org)  
Contact program staff: [wihealthycommunities@wisc.edu](mailto:wihealthycommunities@wisc.edu)

---

## 2019 – 2020 APPLICATION TIMELINE

- Letters of Interest: Due on January 27, 2020
  - Full Application Phase: February 14 - April 17, 2020
  - Review Period: May - July 2020
  - Communities Notified: Late Summer 2020
  - Recognition Event: September 9 - 11, 2020 (in conjunction with the [2020 Healthiest State Summit](#))
- 

## ELIGIBILITY

Any self-defined, local, place-based community in Wisconsin is eligible to apply. This includes neighborhoods, municipalities, counties, regions\*, Federally recognized tribes or state-designated Indian reservations.

*\* Regions are defined as a geographically contiguous municipalities, counties, and/or reservations. If you have questions about the eligibility of a regional application, please contact the Healthy Communities Designation program staff: [wihealthycommunities@wisc.edu](mailto:wihealthycommunities@wisc.edu).*

---

## APPLICATION REQUIREMENTS

Applications must be submitted on behalf of the **entire community through a collaborative process**. Applications may **not** be submitted by single individuals or single organizations.

While one organization should serve as the lead applicant\*, multiple organizations are expected to collaborate on the application. Collaborating organizations must provide Letters of Support during the full application phase.





*\*If a community coalition serves as the lead applicant, they must have a co-applicant that is a governing organization with a permanent mailing address.*

---

## DESIGNATION CRITERIA

In order to earn a designation, communities must demonstrate that they are following the *guiding principles* below. The guiding principles reflect the criteria from the Robert Wood Johnson Foundation Culture of Health Prize and have been modified for this designation program. While the two programs are unrelated, it is our hope that the *Wisconsin Healthy Communities Designation* offers an additional way for communities to be recognized for progress on their local efforts.

1. **Defining health broadly** to engage in efforts to address locally identified health needs (ideally those identified in community health needs assessments conducted by the local health department and/or local hospitals). This includes the following:
  1. Identifying needs/initiatives in more than one of the following health categories: *health behaviors, clinical care, social & economic factors, and physical environment*
  2. Considering the potential reach and impact of initiatives (e.g., initiatives can be either targeted to specific subgroups or the entire population). More targeted initiatives should be expected to achieve greater health improvements).
2. **Committing to sustainable and comprehensive long-term solutions.** This includes implementing initiatives from the program's curated checklist of evidence-based approaches to enhancing health that works towards sustainable and long-term solutions.
3. **Creating conditions that give everyone a fair and just opportunity to reach their best possible health.** Applicants should demonstrate their commitment to advancing health equity by creating conditions where all residents have the opportunity to be healthy.
4. **Harnessing the collective power of leaders, partners, and community members.** Applicants should be able to demonstrate how residents, government, business, and non-profit organizations are working together to improve health.
5. **Securing and making the most of available resources including dollars, people, power, etc.**
6. **Measuring and sharing progress and results.**

Each tier of designation (gold, silver, bronze) has different requirements in terms of what communities must demonstrate about each of the guiding principles. **Communities should**



carefully review the **program criteria** to determine which tier or level (gold, silver, bronze) is most appropriate based on where they are in their health improvement efforts.

---

## LETTERS OF INTEREST

The first step in the application process is to submit a Letter of Interest (LOI). Program staff and advisors will use LOIs to assess community eligibility, determine if any follow-up is needed prior to the full application phase, and to help connect neighboring and/or overlapping communities who are working in similar geographic areas but may not be aware of each other's efforts.

**Letters of Interest are due on January 27, 2020.**

During this phase, communities should connect with partners and identify collaborating organizations who will be named on the application and who will provide Letters of Support.

Letters of Interest are submitted electronically and include the following information:

- Community Name
  - Community Type (e.g. neighborhood, municipality, county, region)
  - Lead Applicant Organization
  - Primary Contact
  - Community Description (200 words)
  - Information about why your community is applying (200 words)
  - What level (gold, silver, bronze) you intend to apply for
  - Why your community meets this designation level (300 words)
  - Self-assessment checklist related to program criteria
- 

## FULL APPLICATION

After the Letter of Interest phase, eligible communities will receive detailed instructions and a link to the online application form on February 14, 2020.

### Application Contents

While the application will differ by tier (gold, silver, bronze), it will include the following sections:

- Community information



- In this section, you will be asked to briefly describe your community and how you have assessed your community's needs and resources.
- **Community accomplishments/initiatives**
  - The number of initiatives you include will depend on the tier (gold: 7-9, silver 5-7, bronze: 3-5). It is encouraged to include initiatives that are especially focused on the social determinants of health.
  - **What Works for Health strategy & evidence rating**
    - For each initiative, indicate whether it is included in the What Works for Health Wisconsin database or whether it is an alternative Community Innovation submission (an approach implemented in your community that does not appear on the strategy list or has an evidence rating of 'insufficient evidence' or 'mixed evidence'). If it is in What Works for Health, list the strategy name, evidence rating, and relevant health factor area from What Works for Health (Health Behaviors, Clinical Care, Social & Economic Factors, Physical Environment).
    - Find instructions for navigating the What Works for Health Wisconsin database [here](#).
  - **Description**
  - **Reach/Target audience**
    - \*Reach\* refers to the amount of community members and the areas of the community that are affected by this initiative.
  - **Goals/objectives**
  - **Implementation rationale**
    - Why was this initiative started? How did it come about?
  - **Stakeholder involvement & collaborators**
    - Please address the following: persons and organizations involved, timeline, description of implementation efforts, and plans for the initiative's sustainability.
  - **Data collection & dissemination**
    - How are you tracking success, outcomes, and other measures for this initiative?
  - **Sustainability**
    - How will this initiative be sustained? How are you leveraging resources to ensure its sustainability?
  - **Health equity**
    - Does this initiative advance health equity? If so, how?
- **Commitment and action to equitable and fair opportunity to health (health equity efforts)**



- We consider health equity efforts to mean actions towards supporting fair and just opportunities for health for all members of your community.
- Gold/Silver: Has your community developed or implemented a plan to support such efforts?
- Bronze: How has your community expressed a commitment to addressing health equity?
- **Sustainable & long-term solutions**
  - How is your community building capacity to work on policy, systems and environment change?
- **Sustainable leadership capacity**
  - How is your community planning to build sustainable leadership capacity?

### Application Platform

The Wisconsin Healthy Communities Designation uses Award Force, an online award platform, for managing applications. Your community's lead applicant will receive an invitation to apply with a link to the online application. The lead applicant, co-applicant (if applicable) and collaborators are all welcome to create Award Force accounts to help ensure easy collaboration among multiple partners. A printable application will also be made available.

### Application Guidance

The application will include word counts for each section, in addition to hints and resources. You should discuss early on with collaborators what you would like to highlight under each section. Reviewers are looking for evidence-based programs that have been effective in your community in improving health and health equity. Each tier of the designation has different requirements in terms of what communities must demonstrate about the quantity and quality of an initiative's *results* (in other words, the change produced because of the effort). Communities striving to earn the highest level of designation will need to demonstrate more robust, substantial health effects resulting from their implemented initiatives. They will also need to provide the data they gathered to support the claim that their initiatives had such an effect. Consult the program criteria to see expectations for each tier. Sample applications are provided on the Wisconsin Healthy Communities Designation website as examples of what types of questions could be asked of you.

You are required to reference the most relevant What Works for Health strategy and evidence rating for each community accomplishment/initiative highlighted in your application. It is expected that your initiatives are evidence-based. However, reviewers will accept a 'Community Innovation Submission', defined as an approach implemented in your community that does not appear on the What Works for Health strategy list or has an evidence rating of 'insufficient



evidence' or 'mixed evidence.' Find instructions for navigating the What Works for Health database [here](#).

Your community can submit additional documents relating to your initiatives or other community-wide work. However, your application must stand alone separate from those materials.

Each collaborating organization is required to submit a Letter of Support for the application. Letters of Support can be attached to your application as a PDF in Award Force.

We recommend that communities carefully review the program criteria and aim for the tier that seems the most appropriate. However, if reviewers determine that your application doesn't meet the requirements for the tier you applied for, they may recommend a designation at a lower level.

### **Focus on Health Equity**

The Wisconsin Healthy Communities Designation has a unique focus on health equity. The program relies on the following definition of health equity "Health equity means that everyone has a fair and just opportunity to be healthy. This requires removing obstacles to health such as poverty, discrimination, and their consequences, including powerlessness and lack of access to good jobs with fair pay, quality education and housing, safe environments, and health care." (Braveman, Arkin, Orleans, Proctor, Plough, 2017). We anticipate every community to be at different levels in their journey to advance health equity. Prior to completing your application, it applicants are encouraged to view the [Health Equity Training Modules](#), created by MATCH and the Wisconsin Center for Public Health (WICPHET).

---

## **FAQs**

### **Why should communities apply?**

Ensuring that everyone in our communities has a fair opportunity to be healthy reaches well beyond the traditional work of health care providers and public health departments. When communities invest time, effort, and other resources into community conditions that support health, they are also investing in their economic vitality. But being a healthy community means more than healthy eating and active living. It also means having high quality education and jobs that provide adequate income, affordable and safe housing and transit options, and clean air and water. Communities that pay attention to the many factors that influence health, including the social determinants of health, have a greater chance of creating conditions where all residents have the opportunity to be healthy.



Communities that apply for and receive the **Healthy Communities Designation** will have a way to demonstrate the quality of life in their community. The application process is designed to boost existing health improvement efforts by providing guidance on the types of strategies and initiatives that have been shown to work, as well as by encouraging applicants to increase the degree of collaboration among diverse stakeholder groups in their communities.

### **What makes a community *healthy*?**

While there is no simple equation that can differentiate a healthy community from an unhealthy one, a **healthy community is one that broadly assesses its needs and subsequently examines and addresses the *multiple factors* that determine health:**

- **Health Behaviors** – including diet and exercise, alcohol and drug use, tobacco use, and sexual activity;
- **Clinical Care** – including access to care and quality of care,
- **Social & Economic Factors** – including education, employment, income, family and social support, and community safety; and
- **Physical Environment** – including air and water quality, housing, and transit.

**The Wisconsin Healthy Communities Designation recognizes and encourages local efforts to improve the overall health of the community.** Designation-worthy efforts are those that display the community's broad vision of health and that are *sustainable* in nature. In other words, the changes that result from community efforts aren't one-time occurrences; instead, effects are likely ongoing because efforts target policy, systems, or environmental changes.

Each community is its own "expert," knowing more about its strengths, weaknesses, resources, and needs than anyone else. With that in mind, there isn't a cut-and-dried recipe for community health. The Designation is designed to recognize local community success and to serve as a *guide* that communities can use to expand and enhance their health improvement efforts. As part of the application process, communities use the [Works for Health Wisconsin database](#) to highlight their evidence-based initiatives for local health improvement. They are also encouraged to use it as part of their ongoing community health improvement processes to identify fitting new initiatives based on their assessed needs and resources.

### **Doesn't a program like this already exist?**

There are several programs that recognize and encourage community health, but they each tend to focus on a limited area of well-being. What sets the Wisconsin Healthy Communities Designation apart is its decision to incentivize and recognize communities that are working to advance a broad view of health. This broader perspective acknowledges the reality that factors such as individual behavior, education and employment opportunities, transportation, and air and water quality **all influence health** as much or more than more traditional areas of focus (such as access to health care and improved health behaviors). ***Recognizing this broader picture of health is what sets us apart.***





### How many communities can “win”?

This is a *designation* program rather than a prize program, which means each applicant that meets the program’s criteria will earn a healthy community designation. **There is no maximum number of communities that can earn this designation.**

### We have existing information about our work. Is it OK to attach these materials to the application?

Communities are encouraged to upload existing documents and insert website links that they believe are relevant and useful for their application’s review. Communities may also submit material relevant for each initiative they include. **However, the written application *must be able to stand alone*** and provide the review committee with a thorough description of the initiative. Additional documents and links are intended only for supplemental and validation purposes.

### What are the reviewers looking for?

The Healthy Communities Designation reviewers will determine whether your community earns designation. This tiered approach allows the acknowledgement of communities’ early, limited efforts (bronze status) while providing more distinguished recognition for more comprehensive, long-lasting efforts (silver or gold status).

Each tier of designation has different requirements in terms of what communities must demonstrate about the quantity and quality of an initiative’s *results* (in other words, the change produced because of the effort). Communities striving to earn the highest level of designation will need to demonstrate more robust, substantial health effects resulting from their implemented initiatives. They will also need to provide the data they gathered to support the claim that their initiatives had such an effect.

The program’s application process is designed to be a beneficial experience for all communities, regardless of the designation status obtained. Filling out the application requires community members— from prominent local figures, to community organizers, to other passionate residents—to join together to identify and review the health improvement initiatives implemented that address the community’s identified health needs. Ideally, this process will prompt investigation by these invested community members into the degree of change resulting from their implemented initiatives; potential avenues for further growth; and new opportunities for targeted efforts.

Communities should refer to the [full program criteria grid](#) and [application guidance](#) for complete information.

### What happens if the reviewers determine that our community doesn’t meet the criteria for the tier we applied for? Are we considered for a lower tier?





We recommend that communities carefully review the program criteria and aim for the tier that seems the most appropriate. However, if reviewers determine that your application doesn't meet the requirements for the tier you applied for, they may recommend a designation at a lower level.

### What happens if my community earns a designation?

- Communities that earn a Healthy Communities Designation (at any tier) will receive.
  - A graphic/logo with the year of the community's receipt, to be used on community produced materials;
  - One road sign or banner (community's choice) to display in the community, with the option to purchase additional products;
  - A communication toolkit with sample press releases and other material to share your community's news,
  - An invitation to attend a recognition event, at which community members will be honored for their health efforts alongside other communities earning designation, and
  - Access to and participation in a network of other Healthy Community designees, through which communities can collaborate, encourage one other, and share successes (and stumbling blocks) experienced during their health improvement efforts.

Each community's designation status will be valid for three years. Designated communities will have the opportunity to re-apply to maintain their status or apply for a higher status before their three-year designation expires.

---

The Wisconsin Healthy Communities Designation is a program of the University of Wisconsin Population Health Institute's Mobilizing Action Toward Community Health (MATCH) Group. The Wisconsin Healthy Communities Designation program is funded by the Wisconsin Partnership Program at the UW School of Medicine and Public Health.

For additional information, please visit [wihealthycommunities@wisc.edu](mailto:wihealthycommunities@wisc.edu) or contact [www.wihealthycommunities.org](http://www.wihealthycommunities.org).



## **2020 Silver Application**

*Please note - This PDF application is provided so that you may see the questions in the HCD application Guidance for the questions is only provided in Award Force. Should questions or guidance change during the application process, it will only be changed in Award Force, not this PDF.*

<b>Application Home Screen</b>
Important Reminders: <ul style="list-style-type: none"><li>- Application deadline: April 24, 2020</li><li>- Please read through all instructions and questions carefully.</li><li>- Reference the <u>designation tier criteria</u> throughout the application process.</li><li>- This application is specific to the tier you are applying for. If you determine that a different designation tier is appropriate for your community, please contact program staff.</li><li>- If you have any questions on the application process, please contact the Healthy Communities Designation team by email, <a href="mailto:whealthycommunities@wisc.edu">whealthycommunities@wisc.edu</a>.</li></ul> Resources: <ul style="list-style-type: none"><li>- Helpful resources to reference through the application process can be found <a href="#">here</a>.</li><li>- Hints and guidance are incorporated throughout the application.</li></ul>
<b>1. Start</b>
<b>Question</b>
Designation Level (Select One): <ul style="list-style-type: none"><li><input type="checkbox"/> Bronze</li><li><input type="checkbox"/> Silver</li><li><input type="checkbox"/> Gold</li></ul>
Application Name:
<b>2. Applicant Information</b>
<b>Question</b>
Community Name:
Community Type (Select One): <ul style="list-style-type: none"><li><input type="checkbox"/> Neighborhood</li></ul>

- Municipality
- Town
- County
- Region
- Tribe

Estimated Population.

Lead Applicant Organization:

Mailing Address.

Primary Contact Person:

Primary Contact's Title & Organization:

Primary Contact's Phone Number:

Primary Contact's Email Address:

Collaborators:

I am applying as a community coalition that does not have 501c3 status or a permanent mailing address.

- Yes
- No

Coalition Co-Applicant:

Coalition Co-Applicant Mailing Address:

Coalition Co-Applicant Contact Person:

Coalition Co-Applicant Contact Person Title:

Coalition Co-Applicant Contact Person Phone Number:

Coalition Co-Applicant Contact Person Email Address.

### 3. Community Information

#### Question

Community Description: Please provide a brief description of your community, including location, composition, context, and other details that make your community unique.  
(Max. 450 words)

Community Needs & Resources. Describe how your community has assessed its community health needs and resources and identify what the key needs/priorities are.  
(Max 400 words)

#### 4. Community Initiatives

In this section, identify 5-7 initiatives that your community has implemented. It is encouraged to include initiatives that address the social determinants of health, include multi-sector partnerships, and/or are addressing your community's priority health needs.

For each initiative, indicate whether it is included in the [What Works for Health database](#) or whether it is an alternative 'Community Innovation Submission' (an approach implemented in your community that does not appear on the strategy list or has an evidence rating of 'insufficient evidence' or mixed evidence'.

These [instructions](#) describe how to navigate the What Works for Health database.

#### Question

Initiative 1 Name:

Please check one:

- In What Works for Health Database
- Community Innovation Submission

What Works for Health Strategy Name:

What Works for Health Evidence Rating (Select One:)

- Scientifically supported
- Some evidence
- Expert opinion
- Insufficient evidence
- Mixed evidence

Which category of [health factors](#) does this initiative address?

- Health Behaviors
- Clinical Care
- Social & Economic Factors
- Physical Environment

Brief initiative description *(Max. 150 words)*

Why did your community decide to implement this initiative? *(Max. 200 words)*

Initiative Partners:

Goals and objectives for **this** initiative:

Describe the reach of this initiative. If reach is limited to a specific group in your community, please indicate why. *(Max 150 words)*

Describe the target audience of this initiative. *(Max. 150 words)*

Implementation & Sustainability Details *(Max. 300 words)*

How are you measuring success for this initiative? <i>(Max. 300 words)</i>
Does this initiative advance health equity? If so, how? <i>(Max. 200 words)</i>
INITIATIVE QUESTIONS REPEAT FOR INITIATIVES 2-7 <i>*Initiatives 6 &amp; 7 optional</i>
<b>5. Health Equity</b>
<b>Question</b>
Silver applicants must meet the minimum threshold for health equity - demonstrating a commitment to and actions that show the importance of equitable and fair opportunity for health. [Select all that apply]:
<input type="checkbox"/> We have a clearly stated commitment to equitable and fair opportunity for health. <input type="checkbox"/> Health equity conversations are occurring across multiple sectors <input type="checkbox"/> Those who have had limited opportunity/poor health are included in conversations
Has your community developed a plan to support health equity efforts? Please describe your efforts. <i>(Max. 400 words)</i>
<b>6. Sustainable and Long-Term Solutions</b>
<b>Question</b>
How has your community demonstrated work on policies, systems, and environmental change? <i>(Max. 300 words)</i>
<b>7. Securing and Making the Most of Available Resources</b>
<b>Question</b>
How is your community securing and making the most of available resources including dollars, people, power, etc. [Select all that apply]:
<input type="checkbox"/> Some diverse funding is in place. <input type="checkbox"/> Community is building capacity to leverage dollars, partners, and assets.
Please briefly describe your community's efforts, as selected above. <i>(Max. 300 words)</i>
<b>8. Sustainable Leadership</b>
<b>Question</b>
How is your community planning to build sustainable leadership capacity? <i>(Max. 300 words)</i>
<b>Letters of Support</b>
Communities are required to demonstrate evidence of diverse support for their application by uploading

letters of support from various community stakeholders, including collaborators and co-applicants (if applicable). The purpose of submitting letters of support is to demonstrate a commitment for sustained community collaboration to improve health and quality of life.

- Collaborators listed at the beginning of the application must provide letters of support that attest to their collaboration in the application process.
- If you have a required co-applicant, the co-applicant must also provide a letter of support.

**Please upload a single PDF document that includes all of your community's letters of support.**

### **Optional Supplemental Materials**

You may upload any relevant documents and/or include website links you believe would be helpful for reviewers as they assess this application (e.g., news report, needs assessment, evaluation report, etc.). Such submissions should serve only as additional support and should not take the place of the information requested elsewhere in the application. The application should be able to stand alone.

*Add attachments*

*Add link or video*

**BLANK PAGE**

<p>APPROVAL <i>Slw</i> <i>PAK</i></p>	<p>REQUEST FOR COUNCIL ACTION</p>	<p>MEETING DATE Mar 3, 2020</p>
<p>REPORTS &amp; RECOMMENDATIONS</p>	<p><b>Presentation of a draft Public Facilities Needs Assessment and Impact Fee Study for Parks Facilities, Library Facilities, Law Enforcement and Municipal Court Facilities, Transportation System Facilities, and Fire Protection and Emergency Medical Service Facilities, setting Impact Fees for same, exempting Public Schools Institutional development from paying Impact Fees, setting a basis for annual increases of Impact Fees, establishing a method of addressing Affordable Housing and the payment of Impact Fees, and directing a Public Hearing to be held for Public comment on the Needs Assessment and Impact Fees Ordinance Amendment</b></p>	<p>ITEM NUMBER  <i>G.2.</i></p>

**Background**

Attached is a draft Public Facilities Needs Assessment and Impact Fee Study. Page 1 provides the Purpose and Background for the Study. The Study addresses Parks, Library, Law Enforcement, Fire Protection and Transportation public facilities needs. Other facility needs, such as Water and Sanitary Sewer, will be addressed in a study later in 2020.

The Study addresses other issues, which require direction from the Common Council on related matters associated with impact fees. Such issues as the imposition of impact fees on Institutional development, the financial calculation amount projection process by which impact fees change from year to year, and how impact fees apply to new affordable housing.

**Analysis**

The draft Study establishes revised impact fees for single-family, two-family, multi-family, commercial and industrial developments. The revised fees generally decline from historical levels, except for industrial development.

The Study recommends the fees for Single-family and Two-family developments as follows:

	Current	Proposed	Change
Parks facilities	\$3,774	\$1,928	(1,846)
Library facilities	1,069	330	(739)
Law Enforcement facilities	973	510	(463)
Fire Protection facilities	523	445	(78)
Transportation facilities	101	651	550
Total	6,440	3,864	(2,576) (40%)
Water	2,640	TBD	
Sanitary Sewer (limited area)	3,277	TBD	
Total	12,357	TBD	

The Study recommends the fees for Commercial Development (assumes 30,000 sq ft) as follows:

	Current	Proposed	Change
Law Enforcement facilities	\$7,440	\$5,190	(2,250)
Fire Protection facilities	4,110	4,530	420
Transportation facilities	8,520	6,600	(1,920)
Total	20,070	16,320	(3,750) (19%)

The Study recommends the fees for Industrial Development (assumes 75,000 sq ft) as follows:

	Current	Proposed	Change
Law Enforcement facilities	\$4,875	\$6,375	1,500
Fire Protection facilities	2,700	5,550	2,850
Transportation facilities	5,550	8,100	2,250
Total	13,125	20,025	6,900 53%

The increase in Industrial fees stems from the reduced development in the study.

On November 5, 2013, Resolution No. 2013-6924 was unanimously adopted directing staff to prepare an ordinance for the "exemption of public schools districts from application of impact fees applicable to institutional or non-residential development." Such ordinance was considered by the Common Council on January 7, 2020 following a Public Hearing at that meeting. The discussion involved the then forthcoming updated Study; no action was taken on the ordinance. Attached is a memo from Ruckert Mielke dated February 23, 2020 addressing this issue. It states that "growth in schools depends on growth in the other classes, especially residential" development, which "causes school districts to grow, so this new development should bear the cost for that growth, since growth in schools simply would not happen without growth in these classes." The draft Study includes a statement that no growth is forecast for institutional development (pg 3 – paragraph under Table 2), "so R/M recommends that fees for this class [institutional] be dropped."

A separate ordinance would be needed to exempt the institutional class of public schools development from the Water and Sewer impact fees, as those are not included in the current draft Study. That ordinance should be made retroactive to January 1, 2013 in reference to Resolution No. 2013-6924. Several Institutional developments occurred after January 1, 2013. The Franklin Public Middle School project permit application was made in October, 2017. A local church paid \$3,770 in impact fees in June, 2018. Should the Council choose to exempt the Middle School project as requested by the Franklin School District and the intention of the Resolution 2013-6924, then setting the Impact fee at zero for the Institutional class effective January 1, 2017 would accomplish that goal.

Annual Increases – the Study (page 4) addresses the issue of periodic increases in the amount of the impact fees. Currently, impact fees are increased 5% per year, effective January 1. From 2004, when the impact fees were reset, the impact fees have risen 208%. The result is that impact fees have risen faster than inflation.

The Study offers the use of the U.S. Census Bureau's Construction Price Index (CPI) for single-family houses as an alternate measure of residential construction cost increases. Had this measure been selected in 2004, impact fees would have risen 143%, much less than the 5% each year.

How to reasonably maintain the amount of impact fees over time is one part of the equation. The housing index might better match the increase in construction costs that the impact fees are designed to generate and compensate.

Another factor in the impact fee index equation, is monitoring the assumptions about City growth used to generate the impact fee. See table 10 on page 9 of the Study. Included in the Parks impact fee determination, are several factors that should be monitored over time. If actual growth or density varies significantly from that in the Study, then the fees collected will either exceed those needed to support the growth facilities or not recover those costs.

Since 2004, when the Fire, Law Enforcement, Library and Transportation fees were set, new development growth has significantly lagged that in the prior study. As a result, Fire, Law Enforcement and Library fee collections have under performed that which was projected in the study, such that the City has had to tax all residents through debt service levy to recover the shortfalls.

The Study suggests (page 2) that "Franklin could adopt a policy to revise its fees if a three-year average growth rate rises above 2 percent, or double what is forecast. When conditions change significantly, Franklin should update its fees." The Finance Committee recognized this concept when it recommended in the fall of 2018 that the Impact Fee Study be updated. Setting a policy that would cause a Needs Assessment to be completed every 5 to 7 years would cause changes in planning and growth patterns to be considered in re-setting impact fees.

On page 19 of the Study, a discussion of Housing Affordability was included. Table 25 indicates that the proposed fee raises the affordability of the average single-family development by 1%. The metrics change however, when a much smaller development occurs, then the impact fee becomes a greater determinate of affordability. The Study indicates that the City has the option of waiving or reducing the impact fee for low income housing.

### **COUNCIL ACTION REQUESTED**

Requested action:

1. Accept the Public Facilities Needs Assessment and Impact Fee Study draft with any changes the Council deems appropriate and direct that a Public Hearing be held to consider input and adopt a revised Impact Fee Ordinance;
2. Provide direction on the form of any annual increase escalator:
  - a. the study provides an option of the U.S. Census Bureau's Construction Price Index for single-family houses, or
  - b. such other method the Council deems appropriate;
3. Create a policy that would cause a Needs Assessment to be completed every 5 to 7 years,
4. Exempt the Institutional class of development which includes schools (retroactive to 2017); and set the impact fee amount for the class at \$0 (based upon the historical lack of development in the class);
5. Provide direction on the provision for housing affordability in the Study:
  - a. waiving the impact fee for those single-family developments with a construction cost of \$120,000 or less, or
  - b. reducing the impact fee by some percentage for those single-family developments with a construction cost of \$120,000 or less,
6. Such other direction the Council deems appropriate

To: City of Franklin Common Council  
From: Edward Maxwell, M.B.A., Ruckert & Mielke  
Date: February 23, 2020  
Re: Imposing Impact Fees on the School Districts

Whether to charge impact fees to public schools amounts to a policy decision. The City of Franklin can impose impact fees on the school districts or abstain from doing so depending on what it deems best.

While Wisconsin Statute s. 66.0617 does not automatically exempt public schools from impact fees, it does not prohibit such an exemption either.

The current study proposes eliminating the “institutional” category under which schools fall, so it does not anticipate that revenue from public school projects. Thus no one would pay more in impact fees if the public schools are exempted.

If the Franklin school district is required to pay impact fees, all property owners would pay more since the cost of those fees would be passed through to them via higher property taxes. The cost of the fees would thereby be spread throughout the whole community rather than being borne by the specific parties that benefit, as is the intent of the Wisconsin Statutes. Requiring the Franklin school district to pay the impact fees waters down the intended application of these fee upon developers, who bring about growth.

Franklin could exempt all three public school districts within the City on the grounds that growth in schools depends on growth in the other classes, especially residential. In other words, new development in other classes causes school districts to grow, so this new development should bear the cost for that growth, since growth in schools simply would not happen without growth in these classes.

If Franklin decides to create a policy to exempt public schools, Ruckert & Mielke recommends that the City consult with its municipal attorney to confirm that no changes are needed to its municipal code beyond adding a sentence that exempts the public schools from being charged impact fees.

# Public Facilities Needs Assessment and Impact Fee Study



**PREPARED FOR:**

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

**PREPARED BY:**

**Ruekert & Mielke, Inc.**  
4001 Nakoosa Trail, Suite 200  
Madison, WI 53714

**Public Facilities Needs Assessment and Impact Fee Study**

*February 2020*



© 2019 Copyright Ruekert & Mielke, Inc.

## TABLE OF CONTENTS

PURPOSE AND BACKGROUND.....	1
GENERAL.....	2
Growth Forecast.....	2
Service Area.....	4
Annual Increases.....	4
PARKS FACILITIES.....	5
LIBRARY FACILITIES.....	12
LAW ENFORCEMENT AND MUNICIPAL COURT FACILITIES.....	12
TRANSPORTATION SYSTEM FACILITIES.....	14
FIRE PROTECTION AND EMERGENCY MEDICAL SERVICES FACILITIES.....	17
HOUSING AFFORDABILITY.....	19
SUMMARY AND NEXT STEPS.....	20

## PUBLIC FACILITIES NEEDS ASSESSMENT AND IMPACT FEE STUDY

### PURPOSE AND BACKGROUND

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

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

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

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

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

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

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

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

GENERAL

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

Growth Forecast

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

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

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

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

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

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

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

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

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

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

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

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

Land Use	Development (Acres)	Percent of Category
Residential	486	72.3
Commercial	88	13.0
Industrial	99	14.7
Total	673	100.0

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

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

\* Source: City of Franklin Unified Development Ordinance.

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

### Service Area

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

### Annual Increases

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

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

## PARKS FACILITIES

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

Table 5 inventories existing parks facilities.

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

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

Public Facilities Needs Assessment and Impact Fee Study

Table 6 - Previously Planned Parks Projects Detail  
Parks and Recreation Facilities Needs Assessment  
Capital Improvement Plan

	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	Total
Improvement / Land Acquisition												
Southwest Park Development					2,848,807	2,848,807	2,848,807					5,697,613
Planned Trails, Bicycle Routes, & Linkages-Development	350,000	507,356	507,356	507,356	507,356							2,379,425
Pleasant View Neighborhood Park-Development	150,000											150,000
Christine Rathke (Formerly Quarry View Park)-Development	2,027											2,027
Forest Hill Neighborhood Park-Development				1,757,770								1,757,770
Hillcrest Neighborhood Park-Development			2,147,757									2,147,757
Mini-Park #1							347,603					347,603
Mini-Park #2							347,603					347,603
Mini-Park #3								347,603				347,603
Mini-Park #4									347,603			347,603
Mini-Park #5										347,603		347,603
Meadowlands Park Development	42,156											42,156
Franklin Woods Nature Center Development					756,282							756,282
Mission Hills Neighborhood Wetlands Development	47,299										207,931	207,931
Muir Woods Special Park Development											117,042	117,042
Victory Creek Park-Development												
Park Improvements - Development	250,000	278,358										528,358
All-Inclusive Park - Development	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
<b>Total</b>	<b>5841,482</b>	<b>5,785,714</b>	<b>52,655,114</b>	<b>52,265,127</b>	<b>51,263,639</b>	<b>52,848,807</b>	<b>53,544,013</b>	<b>53,47,603</b>	<b>53,47,603</b>	<b>53,47,603</b>	<b>53,24,974</b>	<b>515,571,678</b>

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

## Public Facilities Needs Assessment and Impact Fee Study

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

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

Project	Cost	Acres
<b>Community Parks</b>		
Southwest Park-Development	\$ 5,697,613	200
Park Improvements - Development	528,358	-
Subtotal	6,225,971	200
<b>Neighborhood Parks</b>		
Forest Hill Neighborhood Park--Development	1,757,770	40
Pleasant View Neighborhood Park-Development	150,000	14
Christine Rathke (Formerly Quarry View Park)-Development	2,027	9
Hillcrest Neighborhood Park-Development	2,147,757	20
Subtotal	4,057,555	83
<b>Mini Parks</b>		
Mini-Park #1	347,603	3
Mini-Park #2	347,603	3
Mini-Park #3	347,603	3
Mini-Park #4	347,603	3
Mini-Park #5	347,603	3
Subtotal	1,738,016	15
<b>Special Parks</b>		
Meadowlands Park-Development	42,156	15
Mission Hills Neighborhood Wetlands-Development	47,299	15
Franklin Woods Nature Center--Development	756,282	40
Victory Creek Park--Development	117,042	85
Mahr Woods Special Park-Development	207,931	30
Subtotal	1,170,711	185
<b>Trails</b>		
	Cost	Linear Feet
Planned Trails, Bicycle Routes & Linkages-Development	2,379,425	43,547
Subtotal	2,379,425	43,547
Total \$		15,571,678

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

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

Community Parks	36%
Neighborhood Parks	47%
Mini Parks	43%
Special Parks	36%
Trails	62%

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

Category	Total Project Cost	% Eligible	\$ Eligible
Community Parks	\$ 6,225,971	36%	\$ 2,241,350
Neighborhood Parks	4,057,555	47%	1,907,051
Mini Parks	1,738,016	43%	747,347
Special Parks	1,170,711	36%	421,456
Trails	2,379,425	62%	1,475,244
Total			\$ 6,792,447

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

Public Facilities Needs Assessment and Impact Fee Study

Forecast 2030 Population	39,406				
Estimated Current Population	<u>36,516</u>				
Population Growth	2,890				
Costs Eligible for Impact Fees	\$ 6,792,447				
Less Existing Park Fund Balance	<u>4,982,477</u>				
Costs to be Charged through Impact Fees	\$ 1,809,970				
Recommended Fee per Person	\$ 626				
Development Type	Assumed People per Unit	Forecast Units	People per Development Type	Recommended Fee per Development Type	Total Forecast Fees
Single-family or Two-family Dwelling Unit *	3.08	723	2,225	\$ 1,928	\$ 1,393,677
Multi-family Dwelling Unit **	2.00	<u>332</u>	665	\$ 1,253	416,293
Total		1,055	2,890		\$ 1,809,970

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

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

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

Category	Service Standard (per 1,000 Population)	Population		2040 Population	
		Estimate	Current Goal	Estimate	2040 Goal
Regional and Multi-Community Parks (Acres)	92	36,516	3,364	43,576	4,014
Community Parks (Acres)	10		371		443
Neighborhood Parks (Acres)	6		206		246
Mini Parks (Acres)	1		43		51
Special Parks (Acres)	10		378		452
Trails (Linear Feet)	2,576		94,051		112,235

Category	Inventory including Planned Projects	Current Deficiency	Additions	New Growth Additions	Portion
					Eligible for Impact Fees
Regional and Multi-Community Parks (Acres)	3,364	-	-	-	N/A
Community Parks (Acres)	371	-	-	-	N/A
Neighborhood Parks (Acres)	206	-	-	-	N/A
Mini Parks (Acres)	43	-	-	-	N/A
Special Parks (Acres)	378	-	-	-	N/A
Trails (Linear Feet)	94,051	-	-	-	N/A

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

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

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

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

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

Table 12 - Service Standards for EXAMPLE New Projects

Category	Service Standard (per 1,000 Population)	Population Estimate	Current Goal	Population Estimate	2040 Goal
Regional and Multi-Community Parks (Acres)	92	36,516	3,364	43,576	4,014
Community Parks (Acres)	10		371		443
Neighborhood Parks (Acres)	6		206		246
Mini Parks (Acres)	1		43		51
Special Parks (Acres)	10		378		452
Trails (Linear Feet)	2,576		94,051		112,235

Category	Inventory with Planned Projects	Current Deficiency	Additions	New Growth Additions	Portion Eligible for Impact Fees
Regional and Multi-Community Parks (Acres)	3,364	-	-	-	N/A
Community Parks (Acres)	371	-	-	-	N/A
Neighborhood Parks (Acres)	206	-	50	40	80%
Mini Parks (Acres)	43	-	6	6	100%
Special Parks (Acres)	378	-	-	-	N/A
Trails (Linear Feet)	94,051	-	30,000	18,184	61%

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

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

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

## Public Facilities Needs Assessment and Impact Fee Study

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

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

Forecast 2040 Population	43,576				
Estimated Current Population	36,516				
Population Growth	7,060				
Costs Eligible for Impact Fees *	\$ 9,828,619				
Less Existing Park Fund Balance	4,982,477				
Costs to be Charged through Impact Fees	\$ 4,846,142				
Recommended Fee per Person	\$ 686				
		Assumed	Forecast	People per	Recommended Fee
Development Type		People per Unit	Units	Development Type	per Development Type
Single-family or Two-family Dwelling Unit **		3.08	1,766	5,436	\$ 2,113
Multi-family Dwelling Unit ***		2.00	812	1,624	\$ 1,373
Total			2,578	7,060	\$ 4,846,142

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

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

LIBRARY FACILITIES

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

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

Forecast 2040 Population	43,576				
Estimated Current Population	36,516				
Population Growth	7,060				
Costs Eligible for Impact Fees *	\$ 1,030,992				
Less Existing Library Fund Balance	273,291				
Costs to be Charged through Impact Fees	\$ 757,701				
Recommended Fee per Person	\$ 107				
	Assumed People	Forecast	People per	Recommended Fee	Total Forecast
Development Type	per Unit	Units	Development Type	per Development Type	Fees
Single-family or Two-family Dwelling Unit **	3.08	1,766	5,436	\$ 330	\$ 583,430
Multi-family Dwelling Unit ***	2.00	812	1,624	\$ 215	\$ 174,271
Total		2,578	7,060		\$ 757,701

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

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

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

LAW ENFORCEMENT AND MUNICIPAL COURT FACILITIES

Franklin plans to continue to impose impact fees to fund the law enforcement and municipal court facility that was completed in December 2001. Since this facility was incorporated in the prior study to service new growth, Franklin can impose impact fees to pay the debt on this facility. The prior impact fee study established how much of the expansion's cost could be attributed to new

## Public Facilities Needs Assessment and Impact Fee Study

growth. Franklin used the staffing level standards from the 1998 Facility Needs Assessment to determine future facility space needs. For more detail on the background, standards, and determination of the division of costs between new growth and existing deficiencies, please see chapter 6 of the original study.

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

Costs Eligible for Impact Fees *	\$	1,937,952			
Less Existing Police Fund Balance		320,456			
Costs to be Charged through Impact Fees	\$	1,617,497			
<b>Share of Costs</b>					
Residential		72.3%	\$	1,169,670	
Commercial		13.0%		210,556	
Industrial		14.7%		237,271	
Total		100.0%	\$	1,617,497	
<b>Residential Forecast</b>					
Forecast 2040 Population		43,576			
Estimated Current Population		36,516			
Population Growth		7,060			
Fee per Person	\$	166			
Development Type	Assumed People per Unit	Forecast Units	People per Development Type	Recommended Residential Fees	Subtotal Forecast Fees
Single-family or Two-family Dwelling Unit **	3.08	1,766	5,436	\$ 510	\$ 900,646
Multi-family Dwelling Unit ***	2.00	812	1,624	\$ 331	269,024
Total		2,578	7,060		\$ 1,169,670
* This total is the remaining debt attributable to the new growth portion of the new facility's cost.					
** Extrapolated based on US Census data and Milwaukee Metropolitan Sewage District data.					
*** Assumes 2 people per unit on average.					
<b>Commercial and Industrial Forecast</b>					
Land Use	Forecast Incremental Building Floor Area (sq ft)	Recommended Fee per 1,000 Sq Ft	Subtotal Forecast Fees		
Commercial	1,220,437	\$ 173	210,556		
Industrial	2,793,540	\$ 85	237,271		
			\$ 447,827		
			Total Forecast Fees	\$	1,617,497

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

The police chief indicated that the police department may need to expand the parking lot at some point. If Franklin decides to plan for a parking lot, this study can be amended to include the cost of that project. The previous standard was created on overall facility space in proportion

to population served. A standard for the parking lot could be created on vehicle storage space in proportion to population served.

## TRANSPORTATION SYSTEM FACILITIES

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

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

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

Source: Department of Transportation Traffic Count Map

NA: not available

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

Project	Cost
W Oakwood Road Improvements	\$ 7,433,048

2017 estimate from R.A. Smith updated for inflation

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

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

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

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

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

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

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

Public Facilities Needs Assessment and Impact Fee Study

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

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

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

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

FIRE PROTECTION AND EMERGENCY MEDICAL SERVICES FACILITIES

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

Table 21 inventories existing fire protection and EMS facilities.

Fire Station No. 1 Facility Space	Area (Square Feet)
Subtotal Station Space	8,029
Fire Station No. 2 Facility Space	Area (Square Feet)
Subtotal Station Space	8,186
Fire Station No. 3 Facility Space	Area (Square Feet)
Subtotal Station Space	7,230
<b>Total Station Space</b>	<b>23,445</b>

Source: 2002 Impact Fee Study

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

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

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

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

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

Public Facilities Needs Assessment and Impact Fee Study

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

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

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

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

	Estimated Cost	New Growth Share	New Growth Cost		
Cost for New Station	\$ 2,226,754	62.70%	\$ 1,396,065		
Debt for Fire Station #3 *			247,240		
Less Existing Fire and Rescue Services Fund Balance			231,987		
<b>Total Eligible for Impact Fees</b>			<b>\$ 1,411,318</b>		
<b>Share of Costs</b>					
Residential	72.3%	\$ 1,020,575			
Commercial	13.0%	183,717			
Industrial	14.7%	207,026			
<b>Total</b>	<b>100.0%</b>	<b>\$ 1,411,318</b>			
<b>Residential Forecast</b>					
Forecast 2040 Population	43,576				
Estimated Current Population	36,516				
Population Growth	7,060				
Fee per Person	\$ 145				
Development Type	Assumed People per Unit	Forecast Units	People per Development Type	Recommended Residential Fees	Subtotal Forecast Fees
Single-family or Two-family Dwelling Unit **	3.08	1,766	5,436	\$ 445	\$ 785,843
Multi-family Dwelling Unit ***	2.00	812	1,624	\$ 289	\$ 234,732
<b>Total</b>		<b>2,578</b>	<b>7,060</b>		<b>\$ 1,020,575</b>
* This total is the remaining debt attributable to the new growth portion of the new facility's cost.					
** Extrapolated based on US Census data and Milwaukee Metropolitan Sewage District data.					
*** Assumes 2 people per unit on average.					
<b>Commercial and Industrial Forecast</b>					
Land Use	Forecast Incremental Building Floor Area (sq ft)	Recommended Fee per 1,000 Sq Ft	Subtotal Forecast Fees		
Commercial	1,220,437	\$ 151	\$ 183,717		
Industrial	2,793,540	\$ 74	207,026		
			\$ 390,743		
			<b>Total Forecast Fees</b>	<b>\$</b>	<b>1,411,318</b>

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

HOUSING AFFORDABILITY

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

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

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

\* Typical new house price estimate provided by City staff

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

The statutes allow municipalities to waive or reduce impact fees for low-income housing, provided others who are charged impact fees are not forced to make up the difference. As an example, if a new residential unit is 40 percent or less of the cost of new residential units in the prior year, Franklin could charge the owner 40 percent of the standard impact fees. This option can be included in the revised ordinances that Franklin adopts to implement the fees in this study.

## SUMMARY AND NEXT STEPS

To fund the facilities needed by growth in the near future, we recommend revising the City's impact fees. Table 26 summarizes the proposed fees.

Type of Impact Fee	Single-family or Two-family Dwelling Unit	Multi-family Dwelling Unit	Commercial Unit (per 1,000 sq ft)	Industrial Unit (per 1,000 sq ft)
Parks	\$1,928	\$1,253	N/A	N/A
Library	\$330	\$215	N/A	N/A
Transportation	\$651	\$423	\$220	\$108
Law Enforcement	\$510	\$331	\$173	\$85
Fire Protection	\$445	\$289	\$151	\$74

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

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

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

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

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

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

APPROVAL <i>slw</i> <i>pk</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE March 3, 2020
REPORTS & RECOMMENDATIONS	2020 Sanitary Sewer User Fee	ITEM NUMBER <i>G.3.</i>

**Background**

The City adjusts its Sanitary Sewer rate annually to include the rate change MMSD makes Jan 1. At the same time, the sanitary sewer rate is adjusted for cost changes reflected in the annual budget. This local fee provides the resources to maintain the local sanitary sewer system. MMSD provides a Cost Manual which provides the information to determine the sewer charge for Franklin sewer customers.

All residents are charged a fixed rate, regardless of the water volume used. Commercial Customers are provided the fixed charge and then a charge based upon the water usage. The MMSD charge has three components, a fixed connection fee, a fixed Hazardous Waste Disposal fee and a volumetric charge

**Analysis**

Local Sanitary Sewer rates are recommended to increase \$8.93 (3.9%) per year for residential customers. The increase will fund both local and MMSD cost increases. Local costs are budgeted to rise 3.8% and represent approximately 34% of total operating costs. That increase in local costs requires additional resources to fund them. As noted in Sept 4, 2018, a large sanitary sewer project to install gravity flow sewers in the Industrial Park and removing the lift station there, will require debt financing and cause rates to increase to service that debt. The project is coordinating with the Waukesha water project and may occur in 2020 or 2021. Investment in new equipment will exceed the available resource for the third straight year.

The proposed local rate increase will generate the resources necessary to operate the sanitary sewer system.

Effective Jan 1, 2020, MMSD is raising its rates by 3.7%. The prior year the rate increase was 2.2%.

The total proposed Franklin residential rate is:

**Residential Sewer Bill**

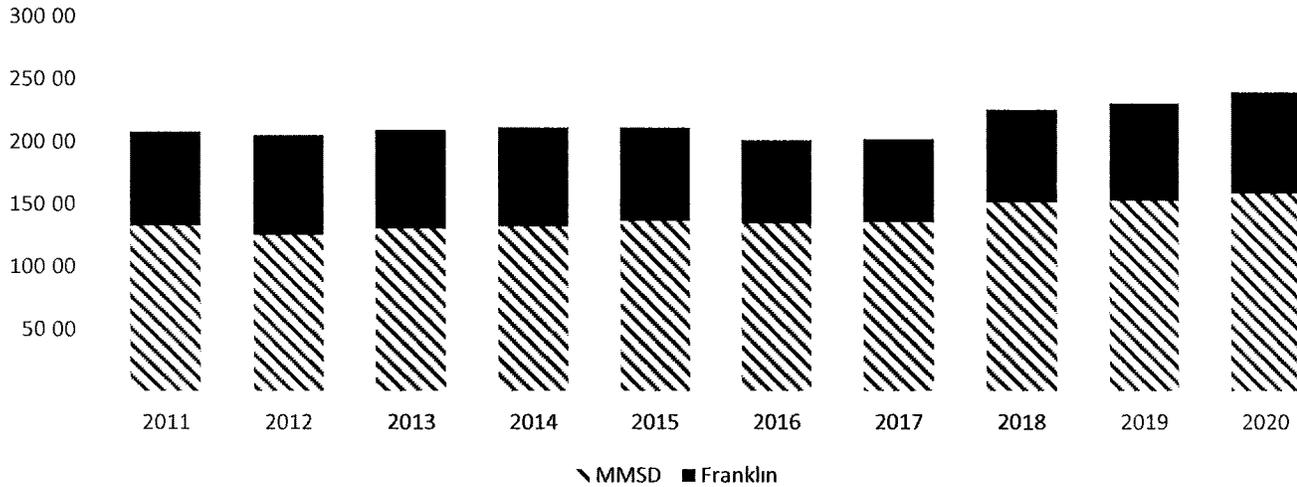
	2019	2018	Inc (Dec)
Franklin Charge	80.93	77.91	\$3.02 - 3.9%
Volumetric Charge (Variable)	120.57	115.16	4.7%
Connection Charge (Fixed)	33.13	32.44	2.1%
Hazardous Waste Disposal	4.98	5.17	(3.7)%
Total MMSD charge	158.68	152.77	\$5.91 - 3.7%
Total Annual Charge	239.61	230.68	\$8.93 - 3.9%
<b>Quarterly Residential Billing</b>	<b>59.90</b>	<b>57.67</b>	<b>\$2.23 - 3.9%</b>

An average Commercial customer using 82,000 of water will see an increase of 5.9%.

There are currently 10,443 Sewer customers – 9,286 of those are single family or Multi-family residences. Note that Sanitary Sewer bills are combined with water charges (for properties utilizing both services). The Water Utility does not anticipate any rate increase in 2020

A history of the combined residential sewer charge is represented below.

### Annual Residential Sewer Charges



### Recommendation

Staff recommends the rate change.

### Fiscal Impact

The proposed 2020 residential rate increase is greater than the budgeted 1.6% rate increase, but is required to generate the resources to pay MMSD for processing the sewerage.

The fund has \$3.4 million in capital projects for 2020. The Sewer Fund rate policy needs to be re-examined in light of the pending Industrial Park project. As noted in the Sept 2018 sanitary sewer rate discussion, that investment will require a borrowing. The cash requirement of that borrowing will necessitate an increase to the sanitary sewer rates. The Finance Committee will again review this issue and report back in Q2 of 2020.

### COUNCIL ACTION REQUESTED

Motion to adopt a quarterly 2020 Residential Sanitary Sewer charge of \$59.90 and a fixed Commercial Connection charge of \$12.50 plus a \$3.5250195 per thousand gallons charge effective January 1, 2020 as provided by Municipal Code 207-14 H (3)(b)

<b>APPROVAL</b> <i>slw</i>	<b>REQUEST FOR COUNCIL ACTION</b>	<b>MEETING DATE</b> <b>March 3, 2020</b>
<b>REPORTS &amp; RECOMMENDATIONS</b>	<b>DONATION OF FRANKLIN HISTORICAL SOCIETY'S BARN MUSEUM</b>	<b>ITEM NUMBER</b> <i>G.4.</i>

**BACKGROUND**

At the February 17, 2020, Common Council meeting:

*HISTORICAL SOCIETY BARN DONATION G 4 Alderman Taylor moved to suspend the regular order of business to allow Jim Luckey to speak. Seconded by Alderman Mayer. All voted Aye, motion carried*

*Alderman Taylor moved to return to the Common Council at their meeting of March 3, 2020, with a cost estimate, Memorandum of Understanding for Maintenance, Operations and Ownership relating to acceptance from the Franklin Historical Society to the City of Franklin of the Barn Museum building in Lions Legend Park. Seconded by Alderman Mayer All voted Aye; motion carried*

**ANALYSIS**

Staff met with Mr. Jim Luckey on February 18 and discussed the process to move forward. After consultation with Director of Inspection Services, Staff determined that painting should not be done in 2020. The new lumber should be allowed to age one more year and a painting project should occur in 2021.

For 2020, electrical and ADA items need to be done for building occupancy. It is anticipated that both of these items will total around \$20,000. Mr. Luckey planned to reach out to local trades for quotes on these two items. To date, he is still awaiting on some quotes.

**OPTIONS**

- A. Table this item for a future meeting; or
- B. Refer back to Staff with additional direction.

**FISCAL NOTE**

There is approximately \$40,000 allowance to complete the project.

**COUNCIL ACTION REQUESTED**

(OPTION A) return to Common Council at a later date with a cost estimate, Memorandum of Understanding for Maintenance, Operations and Ownership relating to acceptance from the Franklin Historical Society to the City of Franklin of the Barn Museum building in Lions Legend Park.

Engineering: GEM

<p><b>APPROVAL</b></p> <p><i>Slw</i></p>	<p><b>REQUEST FOR COUNCIL ACTION</b></p>	<p><b>MEETING DATE</b></p> <p><del>02-17-20</del></p>
--	--	---

<p><b>REPORTS &amp; RECOMMENDATIONS</b></p>	<p><b>Donation of Franklin Historical Society's Barn Museum</b></p>	<p><b>ITEM NUMBER</b></p> <p><del>G.4.</del></p>
---	---	--

The Franklin Historical Society is requesting that the City of Franklin accept their donation of the Barn Museum building in the Lions Legend Park. In addition, they are asking that budgeted funds be used to complete the requirements in the City's inspection report, as shown in the supporting documents for this item.

(Mayor Olson recommends acceptance of the donation subject to approval and execution of a future Operations/Maintenance and Use Agreement between Franklin Historical and the City.)

**COUNCIL ACTION REQUESTED**

Motion to accept from the Franklin Historical Society to the City of Franklin the Barn Museum building in Lions Legend Park (subject to approval and execution of a future operations/maintenance and use Agreement between Franklin Historical and the City.)

Or as directed



Franklin Historical Society  
P O Box 320012  
Franklin, WI 53132

414-421-6539

February 6, 2020

Mayor Steve Olson & Franklin Common Council  
City of Franklin  
9229 West Loomis Road  
Franklin, WI. 53132

RE: Donation of Franklin Historical Society's Barn Museum

Dear Mayor Steve Olson & Franklin Common Council Members,

The Franklin Historical Society is honored at this time to donate to the City of Franklin our barn museum building in the City of Franklin's Lions Legend Park.

We would request that the city accept this donation and use some of the funds budgeted to complete the current requirements in the City of Franklin's inspection report. A copy of the report will be presented with this letter.

The barn museum brings great value to our fine city, and it is our hope that it can be completed for this year's Fourth of July's Civic Celebration to open the museum to all in Franklin. Thank you.

A handwritten signature in cursive script that reads "James J. Luckey".

James J. Luckey  
President Franklin Historical Society

# CITY OF FRANKLIN

## INSPECTION REPORT

9229 W Loomis Road, Franklin, Wisconsin 53132

Phone (414) 425-0084

Fax (414) 425-7513

**REPORT DATE:**

1/29/20

**PERMIT NO.:**

I20182739

**INSPECTION DATE:**

1/29/20

**Owner:**

City Of Franklin  
9229 W Loomis Rd  
Franklin, WI, 53132

**Contractor:**

Vesel Services LLC  
dba Vesel Contractors  
215 27 St  
Caledonia WI 50108  
enc@veselcontractors.com  
FAX #

**PARCEL NO.:** 802-9995-001

**ADDRESS :** 8038 S Legend Dr

**INSPECTION TYPE:** B - Final Building

**INSPECTION RESULT:** Incomplete

**INSPECTION RESULT OR DESCRIPTION OF CORRECTION REQUIRED:**

Legend Park Historical Barn

- Install an ADA compliant landing at the exit door ( Same elevation on each side and not subject to future frost action Size to be door width + 18 inch approach x 60 in .depth Slope of 25 in / foot allowed )
- Paint or stain the exterior surfaces of the structure ( Pine wood cladding is not rough-sawn as noted in the wall sections)
- Install "Exterior building lights "shown on the elevations
- Complete all outstanding design/build electrical work required
- Provide update on the barn lightning supression system noted on the building plans ( Not a code required item)

-TEMPORARY OCCUPANCY UNTIL APRIL 30, 2020

**INSPECTOR:** Ted Juerisson

**CORRECTIONS  
EXPLAINED TO:**

**CORRECTION DATE:**

<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;">03/03/20</p>
<p style="text-align: center;"><b>REPORTS &amp; RECOMMENDATIONS</b></p>	<p style="text-align: center;"><b>A RESOLUTION CONDITIONALLY APPROVING A 3 LOT AND 1 OUTLOT CERTIFIED SURVEY MAP, BEING PARCEL 1 OF CERTIFIED SURVEY MAP NO. 5285, AS RECORDED IN THE REGISTER OF DEEDS OFFICE FOR MILWAUKEE COUNTY AS DOCUMENT NO. 6286497, BEING A PART OF THE NORTHEAST 1/4 AND NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 36, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN (JHB PROPERTIES, LLC, OWNER) (3617 WEST ELM ROAD)</b></p>	<p style="text-align: center;"><b>ITEM NUMBER</b></p> <p style="text-align: center;"><i>6.5,</i></p>

At its February 20, 2020, meeting the Plan Commission recommended approval of a resolution conditionally approving a 3 lot and one outlot certified survey map, being Parcel 1 of Certified Survey Map No. 5285, as recorded in the Register of Deeds office for Milwaukee County as Document No. 6286497, being a part of the Northeast 1/4 and Northwest 1/4 of the Southwest 1/4 of Section 36, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin, more specifically, of the property located at 3617 West Elm Road (immediately north of the proposed lift station for Planned Development District No. 39 (Mixed Use Business Park)), bearing Tax Key No. 979-9997-000.

To address the Plan Commission motion above, Condition No. 12 in the attached draft resolution has been added, requiring the applicant to provide an area suitable for DPW truck turning movements at the terminus of Birch St. if a driveway is not built in nine (9) months.

**COUNCIL ACTION REQUESTED**

A motion to adopt Resolution No. 2020-\_\_\_\_\_, conditionally approving a 3 lot and 1 outlot Certified Survey Map, being Parcel 1 of Certified Survey Map No. 5285, as recorded in 3 the Register of Deeds Office for Milwaukee County as Document No. 6286497, being a part of the Northeast ¼ and the Northwest ¼ of the Southwest ¼ of Section 36, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin. (JHB Properties, LLC, Owner) (3617 W. Elm Road)

STATE OF WISCONSIN

CITY OF FRANKLIN

MILWAUKEE COUNTY

*[Draft 2-12-20]*

*[Redraft 2-26-20]*

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

A RESOLUTION CONDITIONALLY APPROVING A 3 LOT AND 1 OUTLOT CERTIFIED SURVEY MAP, BEING PARCEL 1 OF CERTIFIED SURVEY MAP NO. 5285, AS RECORDED IN THE REGISTER OF DEEDS OFFICE FOR MILWAUKEE COUNTY AS DOCUMENT NO. 6286497, BEING A PART OF THE NORTHEAST 1/4 AND NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 36, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN  
(JHB PROPERTIES, LLC, OWNER)  
(3617 WEST ELM ROAD)

---

WHEREAS, the City of Franklin, Wisconsin, having received an application for approval of a certified survey map, such map being Parcel 1 of Certified Survey Map No. 5285, as recorded in the Register of Deeds office for Milwaukee County as Document No. 6286497, being a part of the Northeast 1/4 and Northwest 1/4 of the Southwest 1/4 of Section 36, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin, more specifically, of the property located at 3617 West Elm Road (immediately north of the proposed lift station for Planned Development District No. 39 (Mixed Use Business Park)), bearing Tax Key No. 979-9997-000, JHB Properties, LLC, applicant; said certified survey map having been reviewed by the City of Franklin Plan Commission and the Plan Commission having recommended approval thereof pursuant to certain conditions; and

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

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

1. That any and all objections made and corrections required by the City of Franklin, by Milwaukee County, and by any and all reviewing agencies, shall be satisfied and made by the applicant, prior to recording.
2. That all land development and building construction permitted or resulting under this Resolution shall be subject to impact fees imposed pursuant to §92-9. of the Municipal Code or development fees imposed pursuant to §15-5.0110 of the Unified Development Ordinance, both such provisions being applicable to the development

JHB PROPERTIES, LLC – CERTIFIED SURVEY MAP  
RESOLUTION NO. 2020-\_\_\_\_\_

Page 2

and building permitted or resulting hereunder as it occurs from time to time, as such Code and Ordinance provisions may be amended from time to time.

3. Each and any easement shown on the Certified Survey Map shall be the subject of separate written grant of easement instrument, in such form as provided within the *City of Franklin Design Standards and Construction Specifications* and such form and content as may otherwise be reasonably required by the City Engineer or designee to further and secure the purpose of the easement, and all being subject to the approval of the Common Council, prior to the recording of the Certified Survey Map.
4. JHB Properties, LLC, successors and assigns, and any developer of the JHB Properties, LLC 3 lot and 1 outlot certified survey map project, shall pay to the City of Franklin the amount of all development compliance, inspection and review fees incurred by the City of Franklin, including fees of consults to the City of Franklin, within 30 days of invoice for same. Any violation of this provision shall be a violation of the Unified Development Ordinance, and subject to §15-9.0502 thereof and §1-19. of the Municipal Code, the general penalties and remedies provisions, as amended from time to time.
5. The approval granted hereunder is conditional upon JHB Properties, LLC and the 3 lot and 1 outlot certified survey map project for the property located at 3617 West Elm Road: (i) being in compliance with all applicable governmental laws, statutes, rules, codes, orders and ordinances; and (ii) obtaining all other governmental approvals, permits, licenses and the like, required for and applicable to the project to be developed and as presented for this approval.
6. The applicant shall make any necessary technical corrections to the CSM, subject to approval of Planning Staff, prior to recording.
7. The applicant shall make any necessary technical corrections to the NRPP, subject to approval of Planning Staff, prior to recording of the CSM.
8. The applicant shall submit written Conservation Easement documents for those natural resources to be protected under this Plan for Common Council review and approval prior to the recording of the CSM.
9. Removed trees on Hickory shall be replaced under the standards of Unified Development Ordinance §15-8.0204F., and the applicant shall verify the number of trees that will be provided, prior to approval of any site plan application.
10. Any driveway through Outlot 1 will be subject to the review and approval of the Engineering Department.

JHB PROPERTIES, LLC – CERTIFIED SURVEY MAP  
RESOLUTION NO. 2020-\_\_\_\_\_

Page 3

- 11. Recordation of the CSM is subject to Engineering Department overall approval of stormwater plans.
- 12. The applicant shall provide a commitment that if a driveway is not created in nine (9) months they will install a hammer head (temporary t).

BE IT FURTHER RESOLVED, that the Certified Survey Map, certified by owner, JHB Properties, LLC, be and the same is hereby rejected without final approval and without any further action of the Common Council, if any one, or more than one of the above conditions is or are not met and satisfied within 180 days from the date of adoption of this Resolution.

BE IT FINALLY RESOLVED, that upon the satisfaction of the above conditions within 180 days of the date of adoption of this Resolution, same constituting final approval, and pursuant to all applicable statutes and ordinances and lawful requirements and procedures for the recording of a certified survey map, the City Clerk is hereby directed to obtain the recording of the Certified Survey Map, certified by owner, JHB Properties, LLC, with the Office of the Register of Deeds for Milwaukee County.

Introduced at a regular meeting of the Common Council of the City of Franklin this 3rd day of March, 2020.

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

APPROVED:

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

ATTEST:

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

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

 **CITY OF FRANKLIN**   
**REPORT TO THE PLAN COMMISSION**

**Meeting of February 20, 2020**

**Certified Survey Map**

**RECOMMENDATION:** Department of City Development staff recommends approval of the Certified Survey Map (CSM).

<b>Project Name:</b>	JHB Properties
<b>General Project Location:</b>	3617 W. Elm Road
<b>Property Owner:</b>	JHB Properties, LLC
<b>Applicant:</b>	Scott Biller, JHB Properties, LLC
<b>Agent:</b>	Matt Carey, Pinnacle Engineering Group
<b>Current Zoning:</b>	PDD 39
<b>2025 Comprehensive Plan:</b>	Recreational and Areas of Natural Resources
<b>Use of Surrounding Properties:</b>	PDD 39 to the South, East, and the eastern quarter of the northern property line; P-1 (Park) to the West and the western portion of the northern property line.
<b>Applicant's Action Requested:</b>	Approval of Certified Survey Map (CSM)

- Staff recommendations are *underlined in italics* and included in the draft ordinance.
- Staff suggestions are only underlined and are not included in the draft ordinance.

### **INTRODUCTION**

On November 1, 2016, the Franklin Common Council approved the creation of Planned Development District 39, the Franklin Business Park. The Business Park is intended to attract businesses requiring larger lots and buildings to locate in Franklin. The City is currently investing in public infrastructure for the park including sanitary sewer service; this Certified Survey Map (CSM) is located in the middle of the western portion of the park, immediately north of the proposed lift station.

On December 20, 2019, the applicant submitted an application for a CSM to create four buildable lots and four outlots from this 80 acre parcel. §15-9.0309 stipulates that a CSM may consist of *not more than four (4) total lots*; this first version of the CSM with eight (8) total lots was therefore not approvable by either the City or other evaluating agencies. The applicant proposes instead to submit two separate CSMs to be recorded in succession. The proposed CSMs meet the requirements of §15-7.0701 and WI §236.02 (12) to perform multiple divisions, namely that they not result in more than five (5) lots smaller than 1.5 acres in five years. The current application before the Plan Commission is the first of these divisions (to be referred to as CSM A). The subsequent CSM application (to be referred to as CSM B) has been submitted pending evaluation. A draft of CSM B is provided *for reference only*

CSM A consists of 4 total lots: a stormwater outlot (Outlot 1), Lot 1 and 2 are buildable lots, and Lot 3 which will be divided by CSM B. The draft of CSM B is provided; it consists of two buildable lots and two outlots: Outlot 2 will contain two storm water detention ponds, wetland and woodland with buffers, and Outlot 4 woodland and wetland. Detailed site plans for the full development of buildable parcels were not provided.

According to §15-9.0309.C. of the Unified Development Ordinance (UDO), the Common Council shall approve, approve conditionally and thereby require resubmission of corrected Certified Survey Map, or reject such Certified Survey Map within 90 days from the date of filing of the map unless time is extended by agreement with the Subdivider. The applicant submitted this CSM application on December 20, 2019, so March 19, 2020, is the 90-day deadline for this application.

## **PROJECT DESCRIPTION AND ANALYSIS:**

### **Certified Survey Map**

The proposed CSM (CSM A) divides one existing lot into four proposed lots. The subject property is owned by JHB Properties, LLC and is approximately 80 acres in area. The proposed Lot 1 would have approximately 8 acres, and Lot 2 approximately 8.2 acres. Lot 3, which will be divided by CSM B, is approximately 55.26. Lot 1, Lot 2, and Lot 3, meet the minimum lot area and lot width requirements for PDD 39 – 40,000 square feet. Outlot 1 is a planned stormwater area consisting of two ponds connected by a pipe. The CSM dedicates right-of-way (ROW) for three public roads. ROW for Hickory St. is shown to be 120' including an 80' road and 40' for utilities. Aspen Way and Birch are 80' wide. The project also includes internal utilities and a pedestrian path.

The applicant is aware that it will be necessary to submit a subsequent application for the second set of divisions and has already done so. Staff suggests that conservation areas in Lot 3 be set aside in outlots in future divisions.

The current version of the CSM requires a few minor technical corrections detailed in Staff Comments. Staff recommends that approval of the CSM be conditioned upon technical corrections being made by the applicant prior to recording.

### **Design Standards for Land Divisions**

§15-5.0103.B. requires that temporary termination of streets longer than 250 feet that are intended to be extended at a later date shall be accomplished with a temporary cul-de-sac or a temporary "t." The Department of Public Works does not view this as necessary for this project, with the understanding that a soon-to-be developed driveway on Lot 2 will be made available to Public Works as a turnaround for department vehicles. Current candidates for the site propose a driveway. DPW requests the applicant provide a commitment that if a driveway is not created in nine (9) months they will install a hammer head (temporary t).

### **Natural Resource Protection Plan**

The applicant has supplied a Natural Resource Protection Plan (NRPP) which is based on the NRPP being drafted by the City for the portion PDD 39 west of the proposed Hickory Street. The City's NRPP has not yet been finalized. Disturbances to trees for the street must be mitigated under the requirements of this NRPP.

This 80-acre parcel contains several areas of natural resources including mature woodland, and wetlands. It also includes SEWRPC Environmental Corridor which makes up the majority of land west of the proposed S. Birch. The applicant must provide mitigation for areas of disturbance of natural resource features beyond what is allowed, and protect that which is to remain. The applicant proposes to remove 17.4% (or less) of the mature woodland, as permitted by UDO. No disturbances by the applicant are proposed to wetlands. Those areas disturbed as part of the essential services installation are not required to be mitigated by the applicant. Tree species prohibited by ordinance or considered to be noxious also do not require mitigation. *Disturbances on Hickory shall be restored prior to approval of any site plan application*

The applicant has provided conservations easement exhibits for Plan Commission review. *Per §15-4 0102 K, the applicant shall submit written Conservation Easement documents for those natural resources to be protected under this Plan for Common Council review and approval and recording with the Milwaukee County Register of Deeds prior to the recording of the CSM.*

*Staff recommends that the NRPP be subject to technical corrections for staff approval, prior to recording of the CSM*

### **Landscaping and Mitigation**

Mitigation of trees removed for the development of S. Hickory is required; the applicant is not responsible for mitigation of trees removed for essential services, or for trees species designated as noxious or prohibited by City ordinance. *Staff recommends that the applicant verify the number of mitigation trees that will be provided under the standards of §15-8 0204 F.* The applicant has provided revised tree mitigation information that does not include noxious or prohibited trees which was submitted too late for inclusion in Plan Commission materials.

### **Stormwater Management**

The applicant proposes four (4) stormwater detention ponds as part of this development. The stormwater ponds in the conservation area Lot 3 are adjacent to wetlands; ponds in Outlot 1 are connected by a pipe. Staff notes that the proposed drive through Outlot 1 may not be above the high water line for these ponds. Future driveways will be subject to site plan review. *Staff recommends that any driveway through Outlot 1 be subject to the review and approval of the Engineering Department. Staff further recommends that recordation of the CSM be subject to Engineering's overall approval of stormwater plans.*

### **STAFF RECOMMENDATION:**

The Department of City Development staff recommends approval of the Certified Survey Map, subject to technical corrections and the conditions in the draft resolution.

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

A RESOLUTION CONDITIONALLY APPROVING A 3 LOT AND 1 OUTLOT CERTIFIED SURVEY MAP, BEING PARCEL 1 OF CERTIFIED SURVEY MAP NO. 5285, AS RECORDED IN THE REGISTER OF DEEDS OFFICE FOR MILWAUKEE COUNTY AS DOCUMENT NO. 6286497, BEING A PART OF THE NORTHEAST 1/4 AND NORTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 36, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN  
(JHB PROPERTIES, LLC, OWNER)  
(3617 WEST ELM ROAD)

---

WHEREAS, the City of Franklin, Wisconsin, having received an application for approval of a certified survey map, such map being Parcel 1 of Certified Survey Map No. 5285, as recorded in the Register of Deeds office for Milwaukee County as Document No. 6286497, being a part of the Northeast 1/4 and Northwest 1/4 of the Southwest 1/4 of Section 36, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin, more specifically, of the property located at 3617 West Elm Road (immediately north of the proposed lift station for Planned Development District No. 39 (Mixed Use Business Park)), bearing Tax Key No. 979-9997-000, JHB Properties, LLC, applicant; said certified survey map having been reviewed by the City of Franklin Plan Commission and the Plan Commission having recommended approval thereof pursuant to certain conditions; and

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

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

1. That any and all objections made and corrections required by the City of Franklin, by Milwaukee County, and by any and all reviewing agencies, shall be satisfied and made by the applicant, prior to recording.
2. That all land development and building construction permitted or resulting under this Resolution shall be subject to impact fees imposed pursuant to §92-9. of the Municipal Code or development fees imposed pursuant to §15-5.0110 of the Unified Development Ordinance, both such provisions being applicable to the development and building permitted or resulting hereunder as it occurs from time to time, as such

JHB PROPERTIES, LLC – CERTIFIED SURVEY MAP  
RESOLUTION NO. 2020-\_\_\_\_\_

Page 2

Code and Ordinance provisions may be amended from time to time.

3. Each and any easement shown on the Certified Survey Map shall be the subject of separate written grant of easement instrument, in such form as provided within the *City of Franklin Design Standards and Construction Specifications* and such form and content as may otherwise be reasonably required by the City Engineer or designee to further and secure the purpose of the easement, and all being subject to the approval of the Common Council, prior to the recording of the Certified Survey Map.
4. JHB Properties, LLC, successors and assigns, and any developer of the JHB Properties, LLC 3 lot and 1 outlot certified survey map project, shall pay to the City of Franklin the amount of all development compliance, inspection and review fees incurred by the City of Franklin, including fees of consults to the City of Franklin, within 30 days of invoice for same. Any violation of this provision shall be a violation of the Unified Development Ordinance, and subject to §15-9.0502 thereof and §1-19. of the Municipal Code, the general penalties and remedies provisions, as amended from time to time.
5. The approval granted hereunder is conditional upon JHB Properties, LLC and the 3 lot and 1 outlot certified survey map project for the property located at 3617 West Elm Road: (i) being in compliance with all applicable governmental laws, statutes, rules, codes, orders and ordinances; and (ii) obtaining all other governmental approvals, permits, licenses and the like, required for and applicable to the project to be developed and as presented for this approval.
6. The applicant shall make any necessary technical corrections to the CSM, subject to approval of Planning Staff, prior to recording.
7. The applicant shall make any necessary technical corrections to the NRPP, subject to approval of Planning Staff, prior to recording of the CSM.
8. The applicant shall submit written Conservation Easement documents for those natural resources to be protected under this Plan for Common Council review and approval prior to the recording of the CSM.
9. Removed trees on Hickory shall be replaced under the standards of Unified Development Ordinance §15-8.0204F., and the applicant shall verify the number of trees that will be provided, prior to approval of any site plan application.
10. Any driveway through Outlot 1 will be subject to the review and approval of the Engineering Department.

JHB PROPERTIES, LLC – CERTIFIED SURVEY MAP  
RESOLUTION NO. 2020-\_\_\_\_\_

Page 3

11. Recordation of the CSM is subject to Engineering Department overall approval of stormwater plans.

BE IT FURTHER RESOLVED, that the Certified Survey Map, certified by owner, JHB Properties, LLC, be and the same is hereby rejected without final approval and without any further action of the Common Council, if any one, or more than one of the above conditions is or are not met and satisfied within 180 days from the date of adoption of this Resolution.

BE IT FINALLY RESOLVED, that upon the satisfaction of the above conditions within 180 days of the date of adoption of this Resolution, same constituting final approval, and pursuant to all applicable statutes and ordinances and lawful requirements and procedures for the recording of a certified survey map, the City Clerk is hereby directed to obtain the recording of the Certified Survey Map, certified by owner, JHB Properties, LLC, with the Office of the Register of Deeds for Milwaukee County.

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

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

APPROVED:

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

ATTEST:

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

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

**City of Franklin**  
**Department of City Development**

Date: January 22, 2020

To: JHB Properties, LLC

From: City Development Staff

RE: 3617 W Elm Road – Certified Survey Map – Staff Comments

---

Please be advised that City Staff has reviewed the above application. Department comments are as follows for the Certified Survey Map submitted by JHB Properties, LLC and date stamped by the City of Franklin on December 20, 2019.

**Department of City Development**

Lots 1, 2, 3, and 4 all meet the minimum lot area and lot width requirements for the business park area of PDD 39 (§15-3.0444.B.).

**Unified Development Ordinance (UDO) Requirements**

**Certified Survey Map (CSM)**

Division 15-7.0700: Certified Survey Map describes the required elements of a CSM:

1. Please be aware that §15-7.0701: General Standards for CSMs, requires that the standards of Part 8: Improvements and Construction be met for all development resulting from this CSM.  
PEG- Understood.
2. As required by §15-7.0702.A-E, please depict existing watercourses, drainage ditches, and other features pertinent to proper land division including natural features and their setbacks and buffers, and all lands reserved for future acquisition.  
PEG- As discussed at the meeting on 1/30/20, the topo survey to be used as the basemap was flown and picked up via LIDAR, therefore some features may not have been picked up. However, all relevant natural resource features have been delineated and included on the NRPP and CSM.
3. Please show the date of the Certified Survey Map with all dates of revision on its face, as required by §15-7.0702.H.  
PEG- Dates shown as requested.
4. §15-7.0702.J. requires that the CSM include the name and address of the owner, Subdivider, and Land Surveyor.  
PEG- Owner info included on CSM.
5. §15-7.0702.K requires that the entire area contiguous to the proposed Certified Survey Map owned or controlled by the Subdivider shall be included on the Certified Survey Map. Please depict the immediate surrounding area.

- PEG- Surrounding area shown on CSM.
6. Please include existing zoning and zoning boundary lines of each parcel, per §15-7.0702.M.  
PEG- Requested info added to CSM.
7. Please indicate the location of Soil Percolation Tests conducted in accordance with Chapters ILHR 83 and 85 of the Wisconsin Administrative Code as required by §15-7.0702.O. Note that the results of the tests must be submitted along with the CSM.  
PEG- Does not apply to this project as no septic tanks are proposed.
8. Please depict any proposed deed restriction, and landscape or conservation easements, required by §15-7.0702.P. Deed restrictions and/or conservation easements as required by this Ordinance shall be filed with the CSM. Please submit easement(s) for recording.  
PEG- Requested info shown on the CSM. Easement documents attached.

### **Design Standards for Land Divisions**

UDO Division 15-5.0100: Design Standards for Land Divisions governs the arrangement of and access to roads, right-of-way and other infrastructure, and the dimensions of lots and easements.

9. Note that §15-5.0101 requires proposed roads to either conform to the official map of adopted plan for their layout in that part of the city, or meet the standards of §15-5.0101.B. Please verify that proposed roads meet these standards.  
PEG- Standards are met.
10. Roads must meet the dimensional standards of §15-5.0103. Birch and Aspen meet the requirements for collector streets (80 feet). Hickory, which is 120 feet wide, does not meet the standards for an arterial street (130 feet).  
PEG- As discussed, the Hickory ROW is not 80 feet wide because of the proposed utility corridor and natural resources along the east side of the road. It is not considered to be an arterial.
11. §15-5.0103.B. requires that temporary termination of streets longer than 250 feet intended to be extended at a later date shall be accomplished with a temporary cul-de-sac or a temporary “t.”  
PEG- As confirmed by Glen Morrow, the current design is acceptable without a turnaround or temporary T.
12. Note that per §15-5.0105.B, the Plan Commission may require pedestrian facilities for blocks over 900’ in length. Ordinance 2016-2288 further requires a safe, interconnected and pedestrian-friendly network of public streets, private roads, sidewalks and trails.  
PEG- As confirmed by Glen Morrow, the current design is acceptable.
13. §15-5.0105.D requires the creation of mid-block utility easements on rear lot lines where practicable. Please depict proposed utility easements.  
PEG- As discussed, only the “known” easements that are being dedicated now need to be shown on the CSM. As the individual lots get constructed, and the future easement locations are finalized, then the easements will get dedicated.

14. Note that when lots larger than the minimum size lot are created, §15-5.0106.J requires they be designed as to allow for future division. Minimum lot size in PDD 39 is 40,000 square feet.  
PEG- Understood.
15. Note that the standards of §15-5.0107 apply to all roads and future roads on the proposed lots, as will the standards of §15-5.0108 apply to setbacks.  
PEG- Understood.

### **Natural Resource Protection Plan**

Division 15-4.0100 governs the preservation of natural resources. All development in the City of Franklin shall comply with the natural resource protection standards set forth in Table 15-4.0100, and be described by a Natural Resource Protection Plan as defined by Division 15-7.0200.

16. As required by §15-4.0102.K, please submit conservation easement(s) for those natural resources to be protected under this plan.  
PEG- Conservation Easement documents are included with this resubmittal.
17. Per the requirements of Table 15-4.0100, disturbances to or removal of wetlands or wetland setbacks require a Natural Resource Special Exception. If a wetland has been exempted by the Wisconsin Department of Natural Resources, please provide documentation of the exemption and indicate the exemption on the NRPP.  
PEG- Only grading within the outside, 50' wetland setback is proposed. No grading within the 30' wetland buffer is proposed, except for the future intersection of Hickory and Elm, which is being designed by others. This is acceptable as long as it is stabilized and restored correctly. Table 15-4.0100 only references the wetland buffer and not the wetland setback area.
18. Please provide complete information about all natural resources as required by §15-4.0102. If a type of natural resources is not present, indicate that on the NRPP. Please provide copies of wetland delineations for city records.  
PEG- NRPP updated accordingly, see legend and notes under the legend.  
Wetland Delineation Report is included with the resubmittal.
19. Please indicate the location of the proposed CSM, per §15-7.0201.B, and the names, addresses and telephone numbers of the owners, subdividers, lessee and/or developer per §15-7.0201.C of the UDO.  
PEG- NRPP updated accordingly.
20. Please show the location of all proposed lot lines, right-of-way lines and easements per Section §15-7.0201-F of the UDO.  
PEG- NRPP updated accordingly.
21. Please show the location, ownership, widths, and names of all existing and previously platted streets, right-of-ways, parks, and other public or open spaces location within or adjacent to the subject property per §15-7.0201.G.  
PEG- NRPP updated accordingly.
22. Please show the location and dimensions of all permanent easements on the subject property boundary lines and adjacent to the site, as required by §15-7.0201.H

PEG- NRPP updated accordingly.

23. §15-7.0201.J requires that those natural resource features that will be disturbed and those that will be preserved are graphically and numerically depict on the NRPP. Please clarify which markings indicate areas of disturbance. Staff recommends a complete legend on the NRPP.  
PEG- NRPP updated accordingly. Those to be disturbed are highlighted in red. This includes future impact to mature woodlands at the north side of Lot 5 and the south side of Lot 4. Wetland setback grading impacts are highlighted in green.
24. Per Section §15-7.0201.K of the UDO, please provide a graphic illustration and notes relating those natural resource features to be preserved in perpetuity using conservation easements.  
PEG- Impact areas are color coded as indicted in the response for Comment #24. Refer to the legend and notes under the legend on the NRPP.

### **Site Intensity and Capacity Calculations**

Site Intensity and Capacity Calculations are required by §15-7.0201.N.

25. Landscaping and Floor Area Ratios (LSR and FARs) do not match with the standards of ORD 2016-2238 governing PDD 39. Please verify that the correct ratios were used in the site intensity calculations of table 15-3.0505.  
PEG- Calcs have been updated accordingly

### **Landscaping and Mitigation**

Division 15-5.0300 stipulates landscaping requirements stemming from bufferyards, parking and areas where vegetative mitigation is required under §15-4.0103.

26. Note that the standards of §15-4.0103 will apply to future parking facilities.  
PEG- Understood
27. Please indicate any landscape bufferyard easements graphically per §15-7.0301.F. Lots adjacent to arterial streets must include a 30 foot bufferyard as required by §15-5.0102.A. If Hickory is an arterial street, Lot 1 and Lot 3 must show the bufferyard.\  
PEG- As previously discussed, Hickory is not an arterial road. Therefore, no bufferyards are proposed.
28. Mitigation of trees removed for the development of S. Hickory is required. Please verify the number of mitigation trees that will be provided under the standards of §15-8.0204.F.  
PEG- Mitigation is provided for those trees impacted by the S. Hickory ROW. All other proposed tree removals for this project do not require tree mitigation per 2/4/20 phone discussion as the overall removal limit is less than 30% as shown on the NRPP. Would the City consider reducing the mitigation requirement for trees that are deemed as “nuisance trees” such as cottonwoods or box elders? See email sent to Marion Ecks on 2/4/20.

## **Staff Recommendations**

### **CSM**

29. Please consolidate notes in one location on the face of the Plat.  
PEG- CSM updated accordingly.
30. The CSM should be corrected to not show the 30% of the mature woods that they can cut down. Depicted woodlands should match with the NRPP.  
PEG- CSM updated to match the NRPP.
31. The CSM should be corrected to remove the 25' woodland buffer, unless that is the actual dripline of the woods. In that case, it must be included as part of the woodlands, not as a separate buffer.  
PEG- Woodland buffer has been removed.
32. The CSM needs to show the conservation easement boundary, and include a note about the conservation easement.  
PEG- CSM shows the conservation easement as requested.
33. Staff recommends that no part of a conservation easement be located on an individual parcel (but rather within outlots).  
PEG- Understood. All conservation easement are located within outlots.
34. Proposed grading contours appear to extend into Wetland Buffers/Conservation Easements. These areas do not allow grading or filling.  
PEG- Proposed grading extends into the outside, 50' wetland setback, not the 30' wetland buffer. This is allowable.
35. Staff recommends buildings be setback a minimum of six (6) feet from a conservation easement boundary to allow construction of the building without disturbance or impact to the protected resource feature.  
PEG- Understood.
36. Please illustrate the vision triangle.  
PEG- Vision triangles have been added to the CSM.

### **Design Standards for Land Divisions**

37. The proposed stub of Aspen Way west of S. Birch Street must be removed and the curb and gutter and sidewalk run straight through.  
PEG- As discussed during the 1/30/20 meeting, the driveway stub can remain and be utilized for snow plowing.
38. Note that §15-5.0106.D requires that lots created meet the dimensional standards of the City of Franklin UDO for the zoning district they are in. All four proposed lots meet these standards. Outlots 2 and 3 do not; outlots are not required to meet the dimensional standards.  
PEG- Understood

### **Natural Resource Protection Plan (NRPP)**

39. Please include a legend on the NRPP.  
PEG- Legend has been added.
40. Please label areas of disturbance.  
PEG- Disturbance areas are now indicated.

41. In the Conservation Easement Document, please provide individual exhibit(s) for all natural resources that are to be protected as part of this development. This includes but is not limited to wetland buffers and wetlands.  
PEG- Conservation Easement documents provided as part of resubmittal.
42. Staff recommends buildings be setback a minimum of six (6) feet from a conservation easement boundary.  
PEG- Understood

### **Landscaping and Mitigation**

43. Note that the standards of §15-4.0103 will apply to future parking facilities.  
PEG- Understood

### **Site Plan**

44. It is recommended that the applicant provide site plans for proposed development.  
PEG- Future site plans will be provided once a user is under identified. All referenced site plans are concept level and just for reference/planning purposes.
45. Note that in PDD 39 (ORD2016-2238) Special Use approval is required for all buildings larger than 40,000 square feet.  
PEG- Understood.
46. PDD 39 (ORD2016-2238) further requires cross-access for both pedestrian and vehicular circulation. Staff recommends that the applicant depict cross access on the CSM, and submit easements for review and approval.  
PEG- Understood. Easements will need to be dedicated in the future once individual lots are constructed.

### **Project Summary**

47. Staff recommends that the project summary includes an explanation of plans for each of the four lots and outlots.  
PEG- The four lots are concept site plans for planning purposes. Once known users are online and formal site plans are developed, they can be provided to the City for review.
48. Please verify that the amount of right-of-way dedicated for public roads is correct.  
PEG- Yes, it is correct.

### **Other**

49. Please clarify the proposed names of streets. Hickory is listed as S. Hickory Lane on some documents, an S. Hickory St. on others; Birch is likewise indicated with different names on different documents.  
PEG- All documents checked and updated accordingly.

### **Engineering Comments**

Before recommending its approval, the applicant has to comply with the following conditions:

- Must resolve the technical omissions and deficiencies identified by Milwaukee County. Upon receipt of the comments from Milwaukee County, the City comments may be revised to reflect changes required by the County.  
PEG- Understood.
- Must resolve all the environmental issues such as mitigation of wetlands and woodlands with the Department of Natural Resources and only show the approved mitigated boundary of the NRPP on this proposal.  
PEG- Understood. No wetland impacts are proposed within the NRPP. Tree mitigation for S. Hickory Street is included.
- Must show all the easements that will be bound between the City and the Developer and submit all the necessary documents for review and approval.  
PEG- Easements shown and easement documents provided with this resubmittal.
- Must show the traffic visibility at all intersections per Franklin UDO requirements.  
PEG- Vision triangles added to NRPP.

### **Police Department Comments**

The Franklin Police Department has reviewed the Certified Survey Map for 3617 W Elm Road.

The Police Department has no issues with this request.

### **Fire Department Comments**

The fire department has no comments or concerns regarding the proposed CSM at this location.

### **Milwaukee County**

Attached, please find Milwaukee County comments.



REGISTER OF DEEDS

*Milwaukee County*

ISRAEL RAMÓN • Register of Deeds

January 6, 2020

City of Franklin Planning Department  
Attn: Gail M. Olsen, City Development Secretary  
9229 W. Loomis Road  
Franklin, WI 53132-9728

**\$75.00 Review Fee Paid**

RE: Preliminary Review of Certified Survey Map  
That Part of NE ¼ & NW ¼ of SW ¼ of SEC 36 T 5N, R21E, City of Franklin, County  
of Milwaukee, State of Wisconsin

**Tax Key Number (s): 979-9997**

**Owners(s): JGB PROPERTIES, LLC**

**Comment:** Please refer to state stats 236.34 regarding maximum number of lots (4). The diagram currently shows a total of 8 lots.

PEG- Previous guidance from the City of Franklin was that this was allowed. However, it was determined on 2/4/20 by the City that this was no longer an acceptable approach. Two separate CSMs are now proposed, both of which have a maximum of 4 lots.

**Comment:** Will South Birch be dedicated for R-O-W?

PEG- Yes it is.

Sincerely,

A handwritten signature in black ink, appearing to read "Rosita Ross".

Rosita Ross

Real Property Supervisor

[Rosita.Ross@MilwaukeeCountywi.gov](mailto:Rosita.Ross@MilwaukeeCountywi.gov)

414-278-4047

Cc file

Ronnie Asuncion, Engineering Technician  
John P. Konopacki

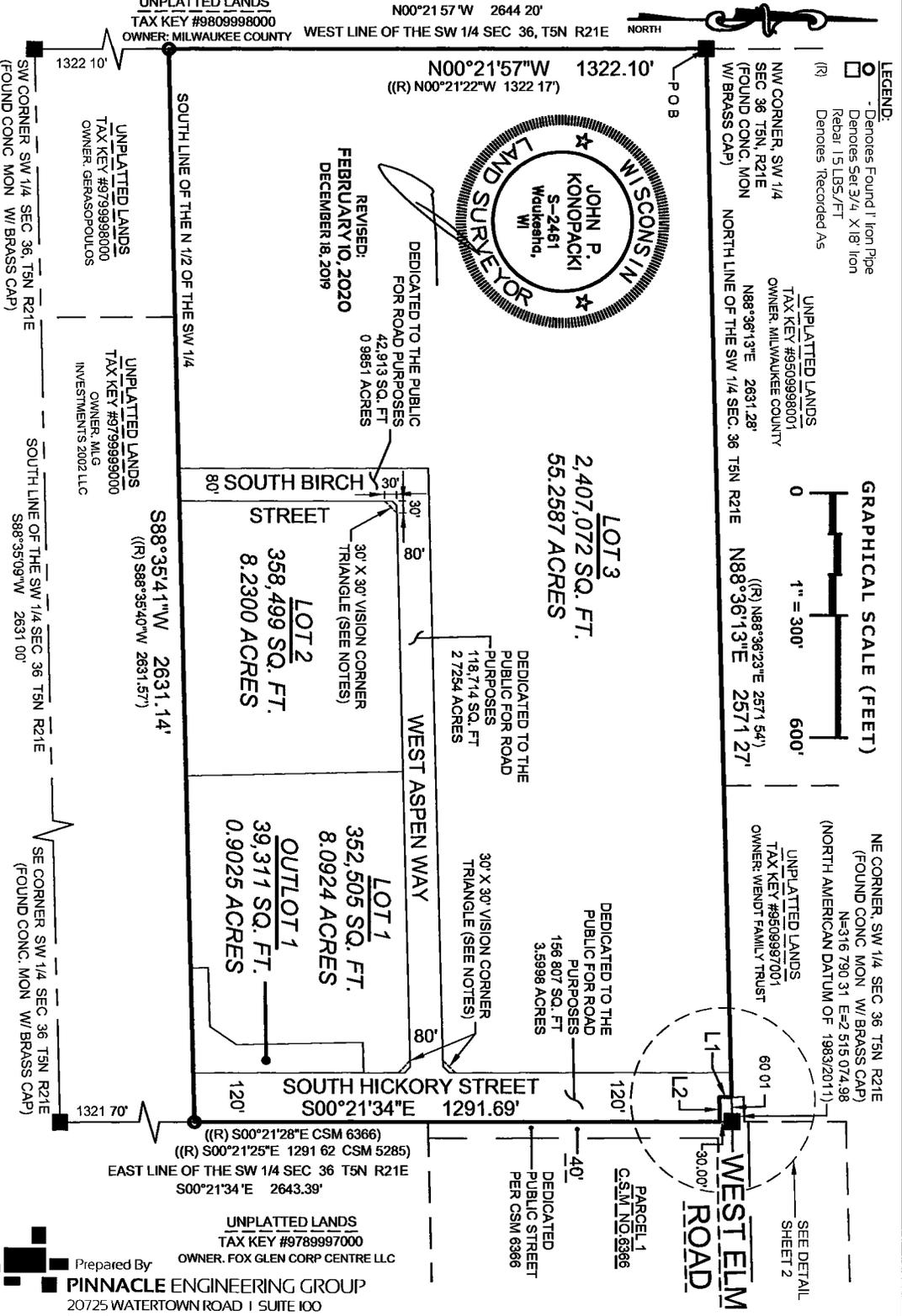
# CSM

# A

This is the CSM currently under review

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

Being Parcel 1 of Certified Survey Map No 5285 in the Northeast 1/4 and Northwest 1/4 of the Southwest 1/4 of Section 36, Township 5 North Range 21 East, in the City of Franklin, Milwaukee County Wisconsin



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. S-2461

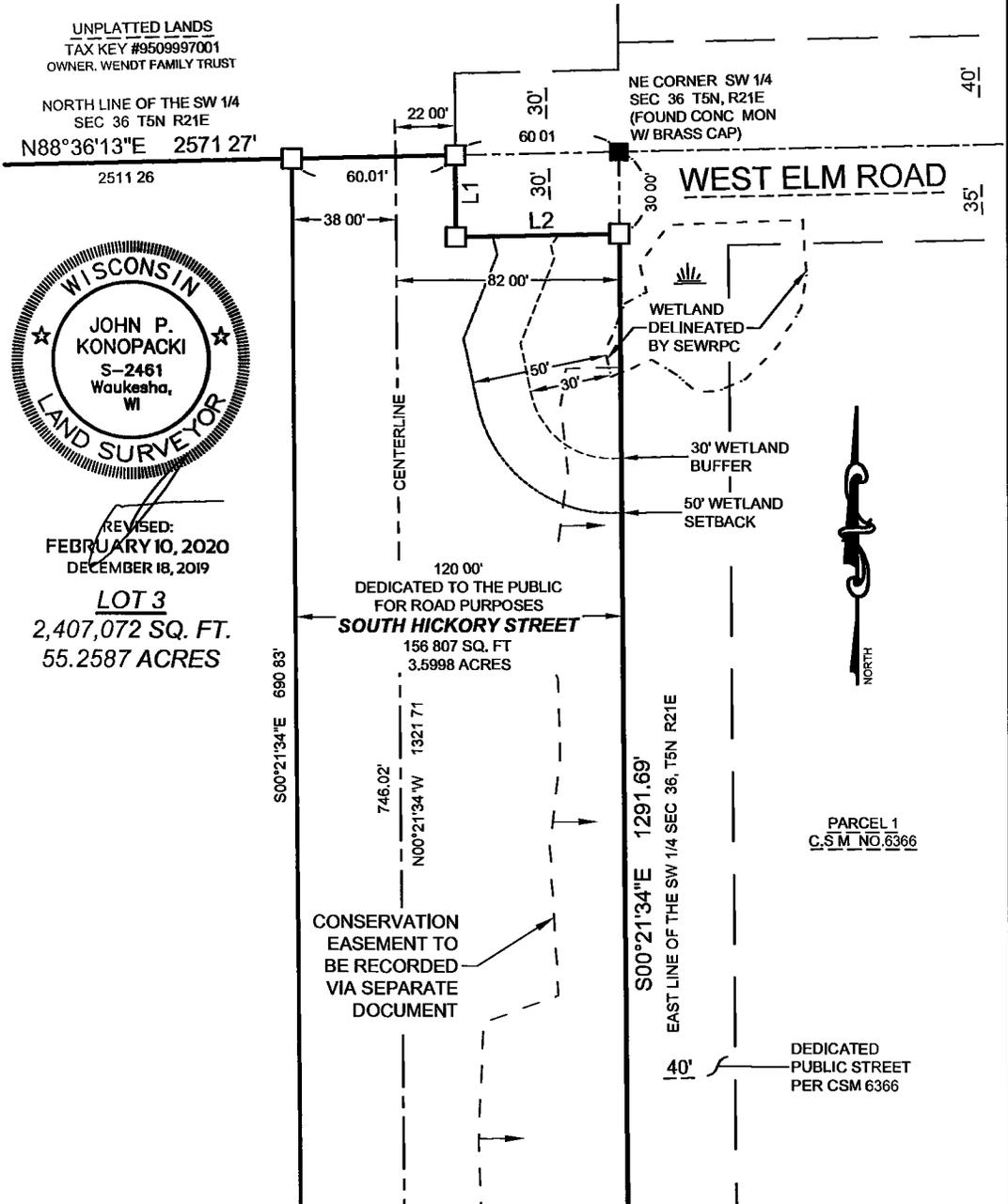
PEG JOB#1827.00  
SHEET 1 OF 9

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

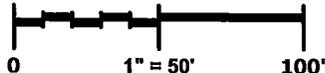
Being Parcel 1 of Certified Survey Map No 5285 in the Northeast 1/4 and Northwest 1/4 of the Southwest 1/4 of Section 36 Township 5 North Range 21 East, in the City of Franklin, Milwaukee County Wisconsin

- LEGEND:**
- - Denotes Found 1" Iron Pipe
  - - Denotes Set 3/4" X 18" Iron Rebar 15 LBS./FT
  - ▭ - Denotes Wetland

**DETAIL**  
SCALE 1"=50'



GRAPHICAL SCALE (FEET)



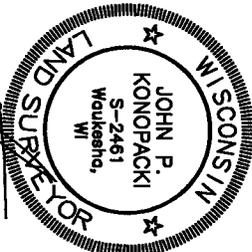
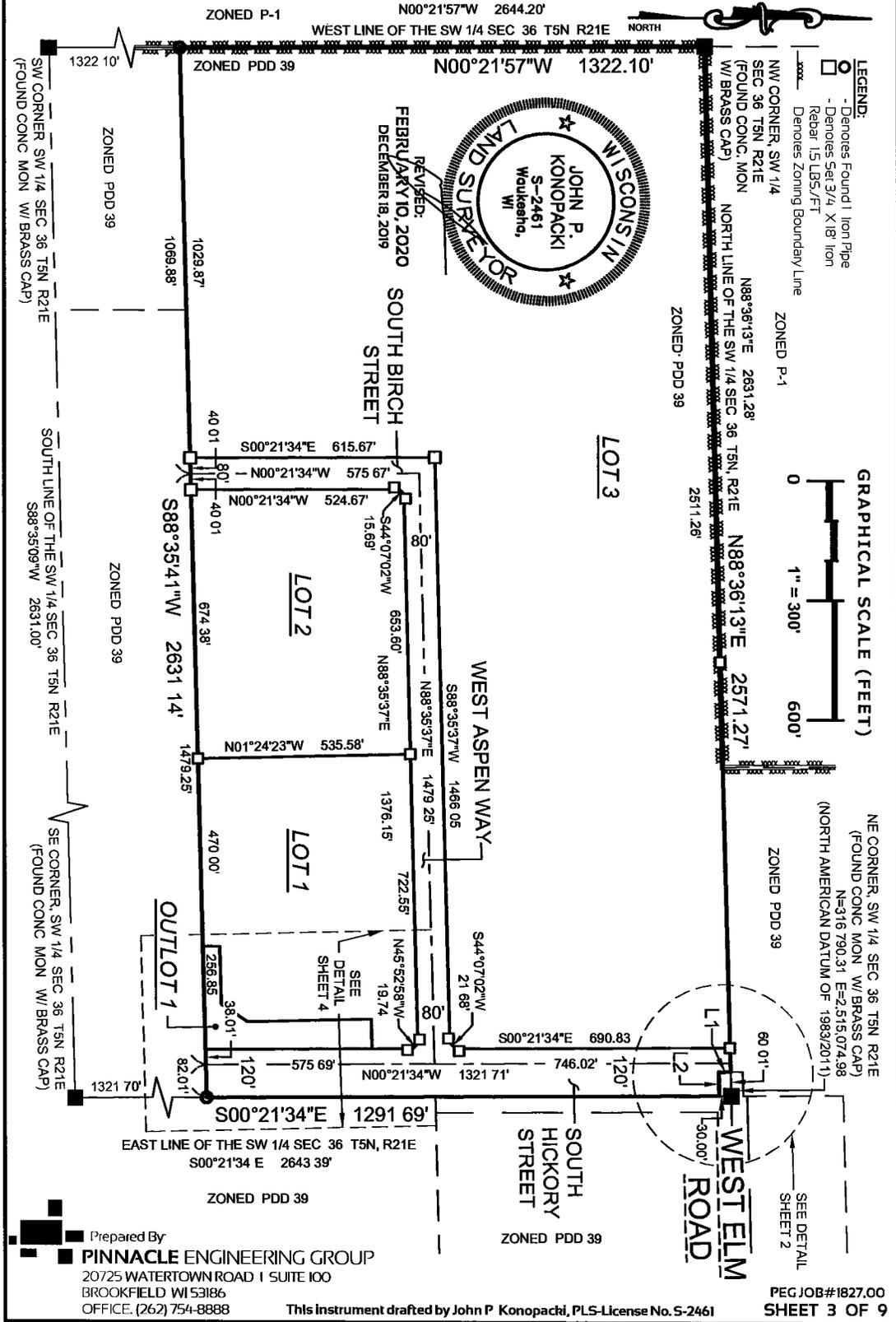
Prepared By  
**PINNACLE ENGINEERING GROUP**  
20725 WATERTOWN ROAD | SUITE 100  
BROOKFIELD WI 53186  
OFFICE (262) 754-8888

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

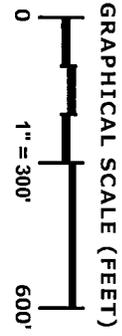
PEG JOB#1827.00  
**SHEET 2 OF 9**

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

Being Parcel 1 of Certified Survey Map No 5285 in the Northeast 1/4 and Northwest 1/4 of the Southwest 1/4 of Section 36, Township 5 North Range 21 East, in the City of Franklin, Milwaukee County Wisconsin



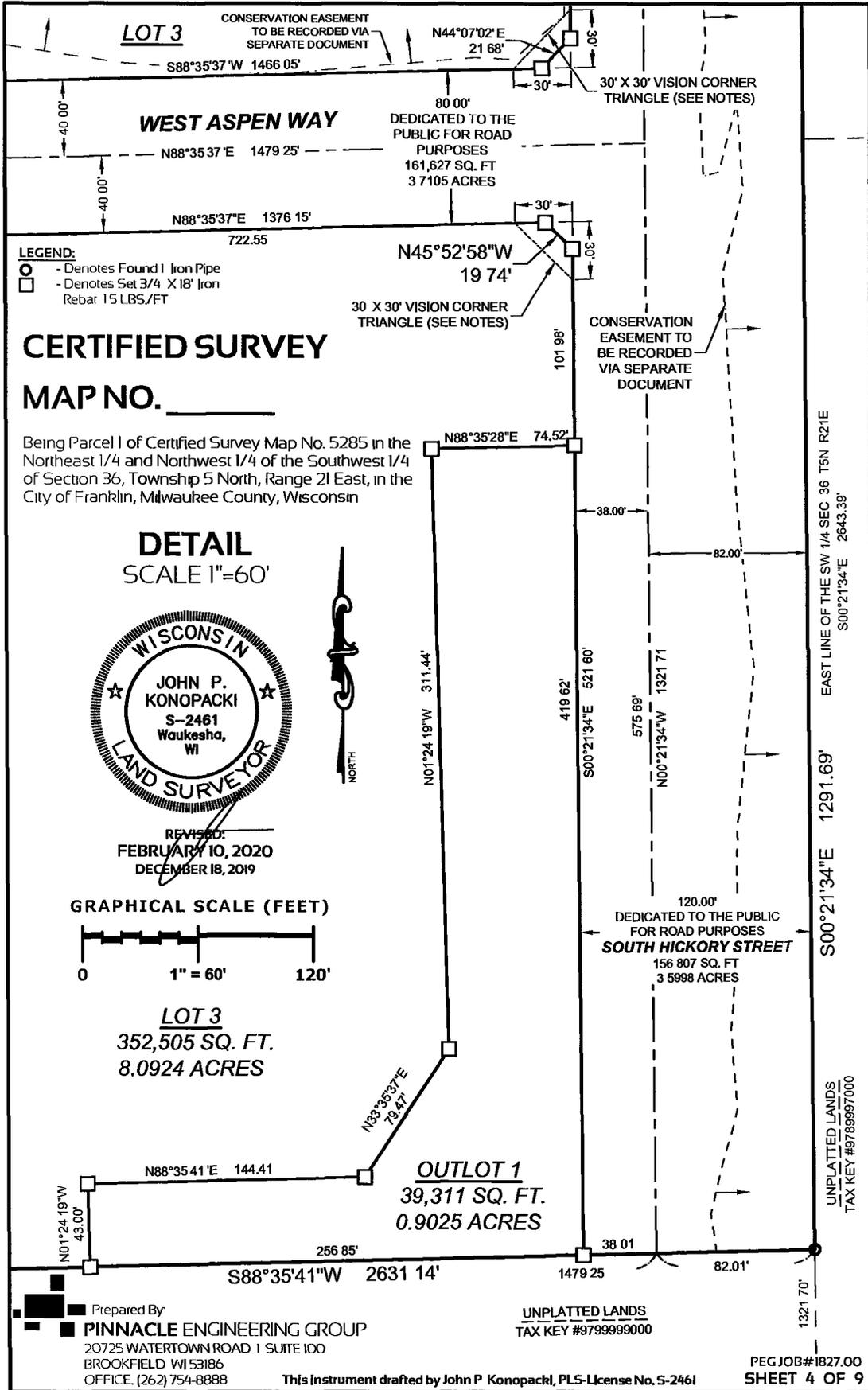
**LEGEND:**  
 □ Denotes Found 1 Iron Pipe  
 - Denotes Set 3/4 X 1/8 Iron Rebar 1.5 LBS./FT  
 --- Denotes Zoning Boundary Line



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. S-2461

PEG JOB#1827.00  
**SHEET 3 OF 9**

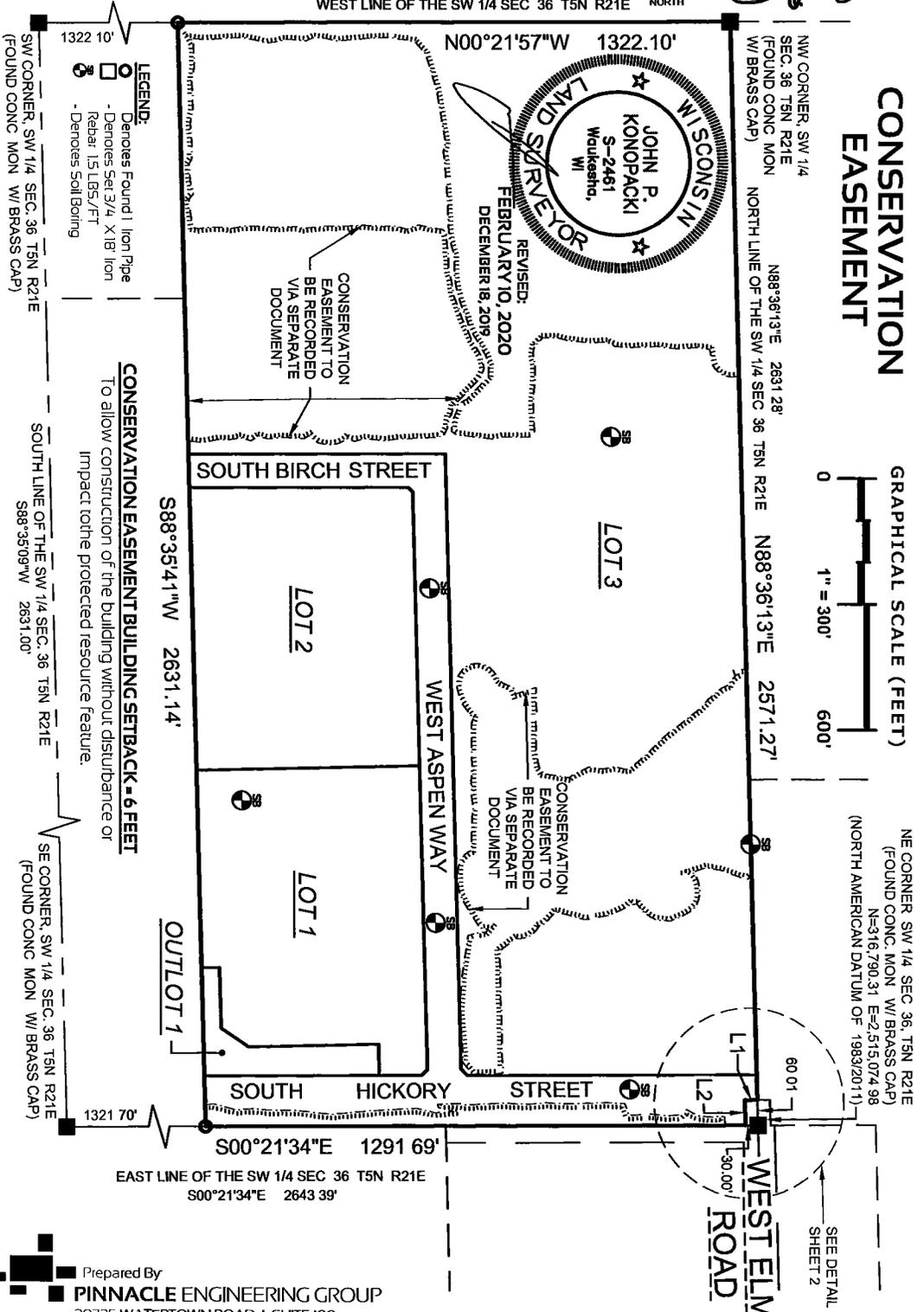


# CERTIFIED SURVEY MAP NO. \_\_\_\_\_

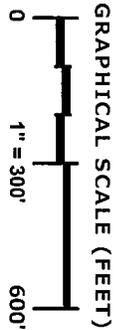
Being Parcel 1 of Certified Survey Map No 5285 in the Northeast 1/4 and Northwest 1/4 of the Southwest 1/4 of Section 36, Township 5 North, Range 21 East, in the City of Franklin Milwaukee County Wisconsin

N00°21'57"W 2644.20'

WEST LINE OF THE SW 1/4 SEC 36 T5N R21E NORTH



## CONSERVATION EASEMENT



NE CORNER SW 1/4 SEC 36, T5N R21E  
(FOUND CONC MON W/ BRASS CAP)  
N=316,790.31 E=2,515,074.98  
(NORTH AMERICAN DATUM OF 1983/2011)

SEE DETAIL SHEET 2

PEG JOB#1827.00  
SHEET 5 OF 9

- LEGEND:**
- Denotes Found Iron Pipe
  - Denotes Set 3/4" X 18" Iron Rebar 15.1 LBS/FT
  - ⊗ Denotes Soil Boring

**CONSERVATION EASEMENT BUILDING SETBACK - 6 FEET**  
To allow construction of the building without disturbance or impact to the protected resource feature.

CONSERVATION EASEMENT TO BE RECORDED VIA SEPARATE DOCUMENT

CONSERVATION EASEMENT TO BE RECORDED VIA SEPARATE DOCUMENT

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. S-2461

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

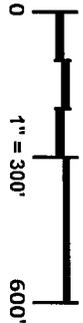
Being Parcel 1 of Certified Survey Map No 5285 in the Northeast 1/4 and Northwest 1/4 of the Southwest 1/4 of Section 36 Township 5 North Range 21 East, in the City of Franklin, Milwaukee County Wisconsin

N00°21'57"W 2644.20'

WEST LINE OF THE SW 1/4 SEC 36 T5N R21E NORTH

## WETLAND DETAIL

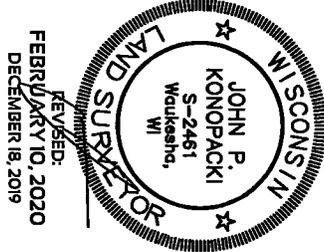
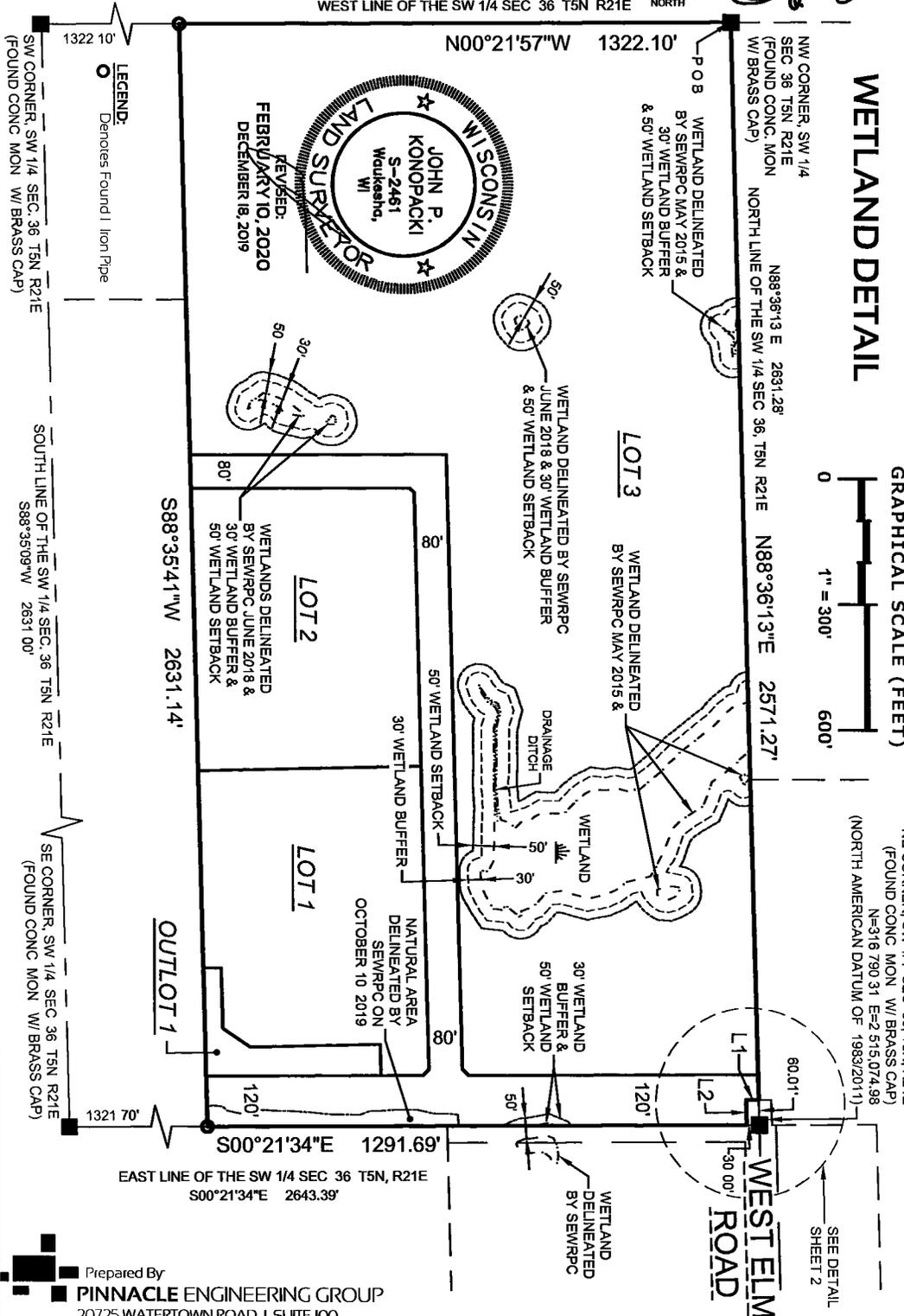
GRAPHICAL SCALE (FEET)



NE CORNER, SW 1/4 SEC 36, T5N, R21E  
(FOUND CONC MON W/ BRASS CAP)  
N=316 790.31 E=2 515,074.98  
(NORTH AMERICAN DATUM OF 1983/2011)

SEE DETAIL SHEET 2

PEG JOB#1827.00  
SHEET 6 OF 9



Prepared By  
**PINNACLE ENGINEERING GROUP**  
20725 WATERTOWN ROAD 1 SUITE 100  
BROOKFIELD WI 53186  
OFFICE: (262) 754-8888

This Instrument drafted by John P. Konopacki, PLS-LIcense No. 5-2461

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

Being Parcel 1 of Certified Survey Map No 5285 in the Northeast 1/4 and Northwest 1/4 of the Southwest 1/4 of Section 36, Township 5 North, Range 21 East, in the City of Franklin Milwaukee County Wisconsin

**SURVEYOR'S CERTIFICATE**

STATE OF WISCONSIN)  
WAUKESHA COUNTY) SS

I John P. Konopacki, Professional Land Surveyor do hereby certify:

That I have surveyed mapped and divided Parcel 1 of Certified Survey Map No. 5285 as recorded in the Register of Deeds office for Milwaukee County as Document No 6286497 being a part of the Northeast 1/4 and Northwest 1/4 of the Southwest 1/4 of Section 36 Township 5 North, Range 21 East, in the City of Franklin Milwaukee County Wisconsin described as follows.

Beginning at the northwest corner of the Southwest 1/4 of said Section 36  
Thence North 88°36'13" East along the north line of said Southwest 1/4 2571.27 feet to the west right of way line of West Elm Road,  
Thence South 00°21'34" East along said west right of way line, 30.00 feet to the south right of way line of said West Elm Road  
Thence North 88°36'13" East along said south right of way line 60.01 feet to the east line of said Southwest 1/4  
Thence South 00°21'34" East along said east line 1291.69 feet to the south line of the North 1/2 of said Southwest 1/4  
Thence South 88°35'41" West along said south line, 2631.14 feet to the west line of said Southwest 1/4,  
Thence North 00°21'57" West along said west line 1322.10 feet to the Point of Beginning

Dedicating that portion of the subject property as graphically shown for public right of way purposes

Containing 3,475,821 square feet (79.7939 acres) of land Gross and 3,157,387 square feet (72.4836 acres) of land Net more or less.

That I have made such survey land division and map by the direction of JHB PROPERTIES LLC, owner of said land

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

That I have fully complied with the provisions of s 236.34 of the Wisconsin State Statutes and the City of Franklin Unified Development Ordinance Division - 15 in surveying mapping and dividing the land with in this certified survey map.

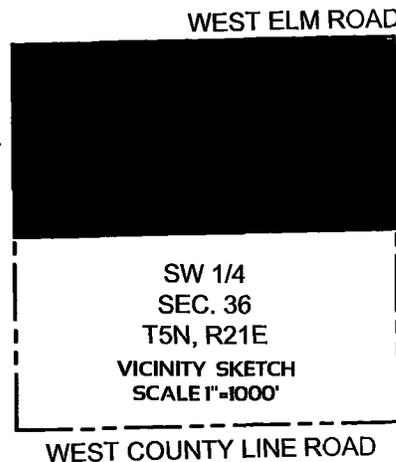
Date FEBRUARY 10, 2020  
DECEMBER 18 2019



\_\_\_\_\_  
John P. Konopacki  
Professional Land Surveyor S-2461

LINE TABLE		
LINE NO	BEARING	DISTANCE
L1	S00°21'34" E	30.00'
(RECORDED)	S00°21'25"E	
L2	N88°36'13" E	60.01
(RECORDED)	N88°36'23"E	

Subject Property  
Zoning PPD 39  
Tax Key Number  
979-9997-000



Owner/Subdivider  
JHB PROPERTIES LLC  
Attn: Scott Biller  
5158 S. Marquette Ct.  
New Berlin, WI 53151

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. S-2461

PEG JOB# 1827.00  
SHEET 7 OF 9

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

Being Parcel 1 of Certified Survey Map No 5285 in the Northeast 1/4 and Northwest 1/4 of the Southwest 1/4 of Section 36 Township 5 North Range 21 East, in the City of Franklin Milwaukee County Wisconsin

## OWNER'S CERTIFICATE OF DEDICATION

JHB PROPERTIES LLC, a Limited Liability Company duly organized and existing under and by virtue of the laws of the State of Wisconsin, as owner, does hereby certify that said limited liability company caused the land described on this certified survey map to be surveyed divided, mapped and dedicated as represented on this certified survey map.

JHB PROPERTIES LLC, as owner does further certify that this certified survey map is required by Chapter 236 of the Wisconsin State Statutes to be submitted to the following for approval or objection

1 City of Franklin

IN WITNESS WHEREOF the said JHB PROPERTIES LLC has caused these presents to be signed by \_\_\_\_\_, at \_\_\_\_\_, (name - print) \_\_\_\_\_, (title) \_\_\_\_\_, at \_\_\_\_\_, (city) \_\_\_\_\_, \_\_\_\_\_ County Wisconsin on this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

In the presence of JHB PROPERTIES LLC

\_\_\_\_\_  
Name (signature) - Title

STATE OF WISCONSIN)  
\_\_\_\_\_ COUNTY) SS

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, (name) \_\_\_\_\_, (title) \_\_\_\_\_, of the above named limited liability company to me known to be the person who executed the foregoing instrument, and to me known to be such \_\_\_\_\_ (title) of said limited liability company and acknowledged that they executed the foregoing instrument as such officer as the deed of said limited liability, by its authority

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

## CONSENT OF CORPORATE MORTGAGEE

\_\_\_\_\_, a corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin mortgagee of the above described land does hereby consent to the surveying dividing mapping and dedication of the land described in the foregoing affidavit of John P. Konopacki surveyor and does hereby consent to the above certification of owners

IN WITNESS WHEREOF the said \_\_\_\_\_ has caused these presents to be signed by \_\_\_\_\_ its President, and its corporate seal to be hereunto affixed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

\_\_\_\_\_  
Date \_\_\_\_\_ President \_\_\_\_\_

STATE OF WISCONSIN)  
\_\_\_\_\_ COUNTY) SS

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, to me known to be the person who executed the foregoing instrument and to me known to be such officer of said corporation and acknowledged the same.

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



REVISED:  
FEBRUARY 10, 2020  
DECEMBER 18, 2019

Prepared By  
**PINNACLE ENGINEERING GROUP**  
20725 WATERTOWN ROAD 1 SUITE 100  
BROOKFIELD WI 53186  
OFFICE (262) 754-8888

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

PEG JOB#1827.00  
SHEET 8 OF 9

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

Being Parcel I of Certified Survey Map No 5285 in the Northeast 1/4 and Northwest 1/4 of the Southwest 1/4 of Section 36, Township 5 North Range 21 East, in the City of Franklin Milwaukee County Wisconsin

## CITY OF FRANKLIN COMMON COUNCIL APPROVAL

Approved and dedication accepted by the Common Council of the City of Franklin by Resolution No \_\_\_\_\_  
Signed this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_

\_\_\_\_\_  
Steve Olson Mayor

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

### NOTES:

All measurements have been made to the nearest one-hundredth of a foot.  
All angular measurements have been made to the nearest one second.

Bearings referenced to the Wisconsin State Plane Coordinate System, South Zone (N.A.D. 1927). The north line of the Southwest 1/4 of Section 36 Township 5 North, Range 21 East bears N88°36'13"E.

VISION CORNER TRIANGLE: No Obstructions Permitted. No visual obstructions, such as structures, parking, or vegetation, shall be permitted between the heights of 2.5 feet and 10 feet above the plane through the mean curb grades within the triangular space.

PUBLIC WATER MAIN: Future Public Water Main easements to be recorded via separate document.

CONSERVATION EASEMENT: Conservation Easement to be recorded via separate document.

CROSS ACCESS EASEMENT: Future Cross Access Easements to be recorded via separate document.



REVISED:  
FEBRUARY 10, 2020  
DECEMBER 18, 2019



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. S-2461

PEG JOB#1827.00  
SHEET 9 OF 9

Parcel 1 of Certified Survey Map No. 5285, as recorded in the Register of Deeds office for Milwaukee County as Document No. 6286497, being a part of the Northeast 1/4 and Northwest 1/4 of the Southwest 1/4 of Section 36, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin, described as follows:

Beginning at the northwest corner of the Southwest 1/4 of said Section 36; Thence North  $88^{\circ}36'13''$  East along the north line of said Southwest 1/4, 2571.27 feet to the west right of way line of West Elm Road; Thence South  $00^{\circ}21'34''$  East along said west right of way line, 30.00 feet to the south right of way line of said West Elm Road; Thence North  $88^{\circ}36'13''$  East along said south right of way line, 60.01 feet to the east line of said Southwest 1/4; Thence South  $00^{\circ}21'34''$  East along said east line, 1291.69 feet to the south line of the North 1/2 of said Southwest 1/4; Thence South  $88^{\circ}35'41''$  West along said south line, 2631.14 feet to the west line of said Southwest 1/4; Thence North  $00^{\circ}21'57''$  West along said west line, 1322.10 feet to the Point of Beginning.

# CSM

# B

*Reference only* - This CSM will  
be reviewed at a later date

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

Being Lot 3 Certified Survey Map No. \_\_\_\_\_ in the Northeast 1/4 and Northwest 1/4 of the Southwest 1/4 of Section 36, Township 5 North Range 21 East, in the City of Franklin, Milwaukee County Wisconsin

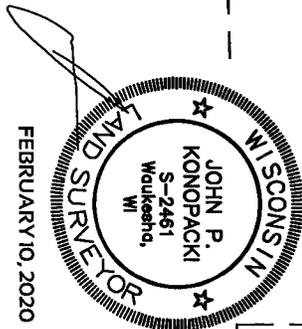
UNPLATTED LANDS  
TAX KEY #9809998000 N00°21'57"W 2644.20'  
OWNER: MILWAUKEE COUNTY WEST LINE OF THE SW 1/4 SEC 36 T5N R21E NORTH

1322.10'  
SW CORNER SW 1/4 SEC. 36 T5N, R21E  
(FOUND CONC MON W/ BRASS CAP)

UNPLATTED LANDS  
TAX KEY #9799998000  
OWNER: GERASOPOULOS

UNPLATTED LANDS  
TAX KEY #9799999000  
OWNER: MLC INVESTMENTS 2002 LLC

GRAPHICAL SCALE (FEET)  
0 1" = 300' 600'



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

**OUTLOT 3**  
1,244,442 SQ. FT.  
28,5684 ACRES

SOUTH BIRCH STREET

WEST ASPEN WAY

SOUTH HICKORY STREET

**LOT 5**  
485,122 SQ. FT.  
11,1369 ACRES

**OUTLOT 2**  
451,910 SQ. FT.  
10,3744 ACRES

**LOT 4**  
225,598 SQ. FT.  
5,1790 ACRES

WEST ELM ROAD

PARCEL 1  
C.S.T. NO 5386

NW CORNER, SW 1/4 SEC. 36 T5N, R21E  
(FOUND CONC. MON. W/ BRASS CAP)

UNPLATTED LANDS  
TAX KEY #9509998001  
OWNER: MILWAUKEE COUNTY

N88°36'13"E 2631.28'  
NORTH LINE OF THE SW 1/4 SEC 36 T5N R21E

NE CORNER, SW 1/4, SEC. 36 T5N, R21E  
(FOUND CONC. MON W/ BRASS CAP)  
N=316 790 31 E=2 515 074.98  
(NORTH AMERICAN DATUM OF 1983/2011)  
UNPLATTED LANDS  
TAX KEY #9509997001  
OWNER: WENDT FAMILY TRUST

LEGEND:  
○ Denotes Found 1' Iron Pipe  
● Denotes Found 3/4' Iron Rod

615.67'  
S00°21'34"E

LOT 2  
C.S.M. NO. \_\_\_\_\_  
OWNER: JHB PROPERTIES LLC

LOT 1  
C.S.M. NO. \_\_\_\_\_  
OWNER: JHB PROPERTIES LLC

STORM SEWER EASEMENT TO BE RECORDED VIA SEPARATE DOCUMENT

30' X 30' VISION CORNER TRIANGLE (SEE NOTES)

40'

38'

82'

82'

122'

122'

690.83'

120.02'

38'

122'

122'

122'

122'

122'

122'

122'

122'

122'

122'

122'

122'

122'

122'

122'

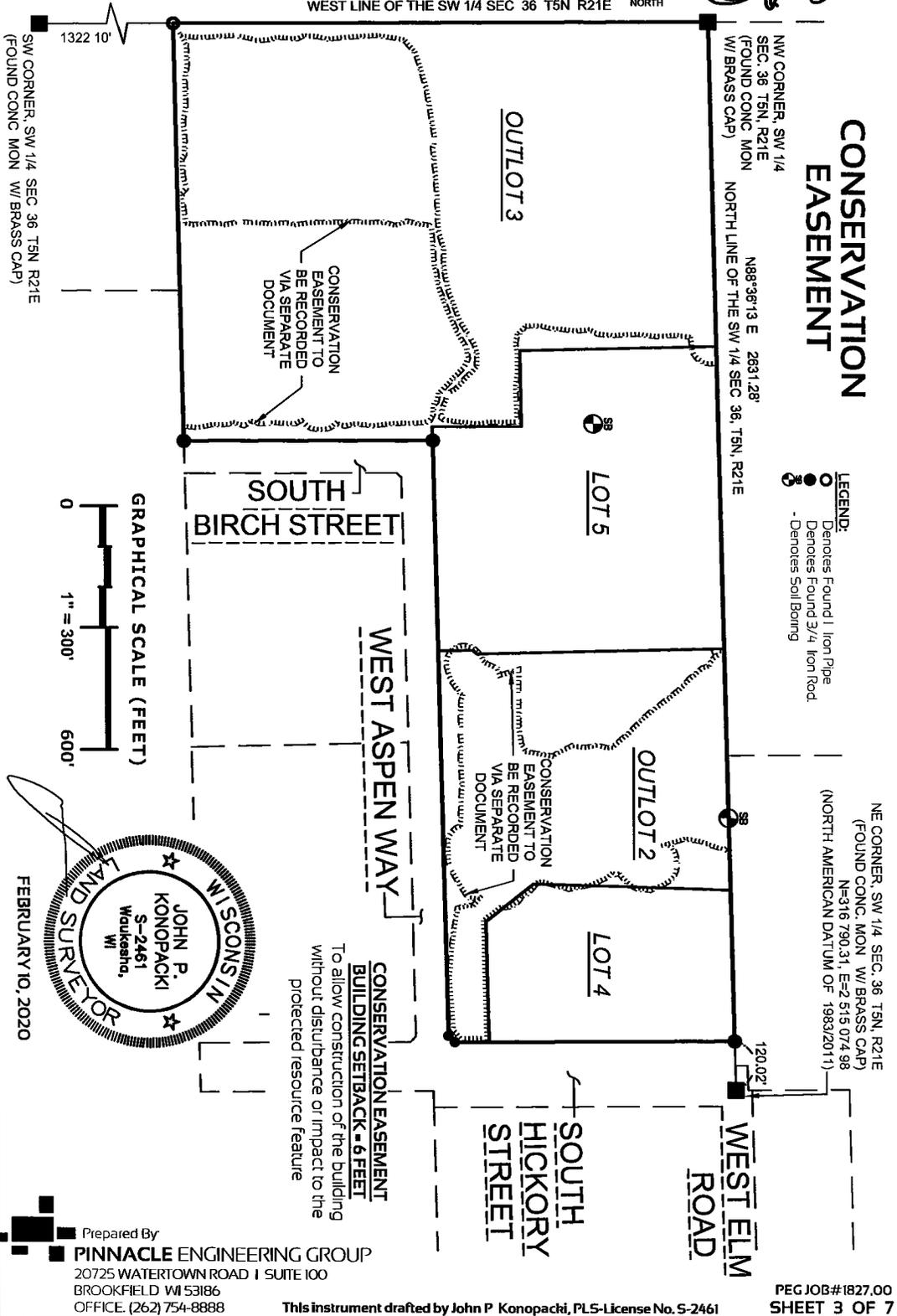


# CERTIFIED SURVEY MAP NO. \_\_\_\_\_

Being Lot 3 Certified Survey Map No \_\_\_\_\_ in the Northeast 1/4 and Northwest 1/4 of the Southwest 1/4 of Section 36 Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin

N00°21'57"W 2644.20'

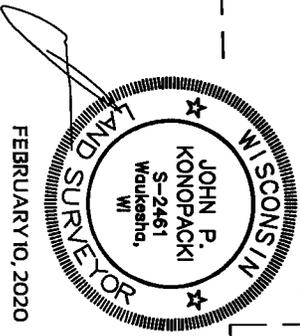
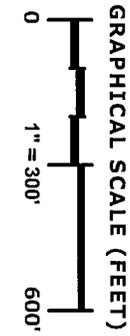
WEST LINE OF THE SW 1/4 SEC 36 T5N R21E NORTH



## CONSERVATION EASEMENT

- LEGEND:**
- Denotes Found 1" Iron Pipe
  - Denotes Found 3/4" Iron Rod
  - ⊗ Denotes Soil Boring

NE CORNER, SW 1/4 SEC. 36 T5N, R21E  
(FOUND CONC. MON W/ BRASS CAP)  
N=316 790.31; E=2 515 074.98  
(NORTH AMERICAN DATUM OF 1983/2011)



**CONSERVATION EASEMENT BUILDING SETBACK = 6 FEET**  
To allow construction of the building without disturbance or impact to the protected resource feature

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. S-2461

PEG JOB#1827.00  
SHEET 3 OF 7

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

Being Lot 3 Certified Survey Map No. \_\_\_\_\_ in the Northeast 1/4 and Northwest 1/4 of the Southwest 1/4 of Section 36, Township 5 North Range 21 East, in the City of Franklin Milwaukee County, Wisconsin

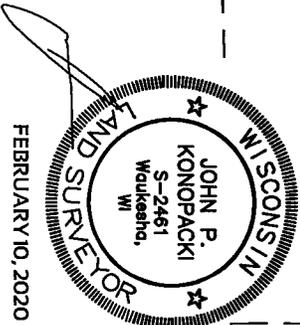
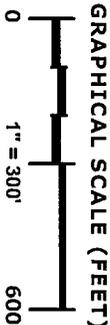
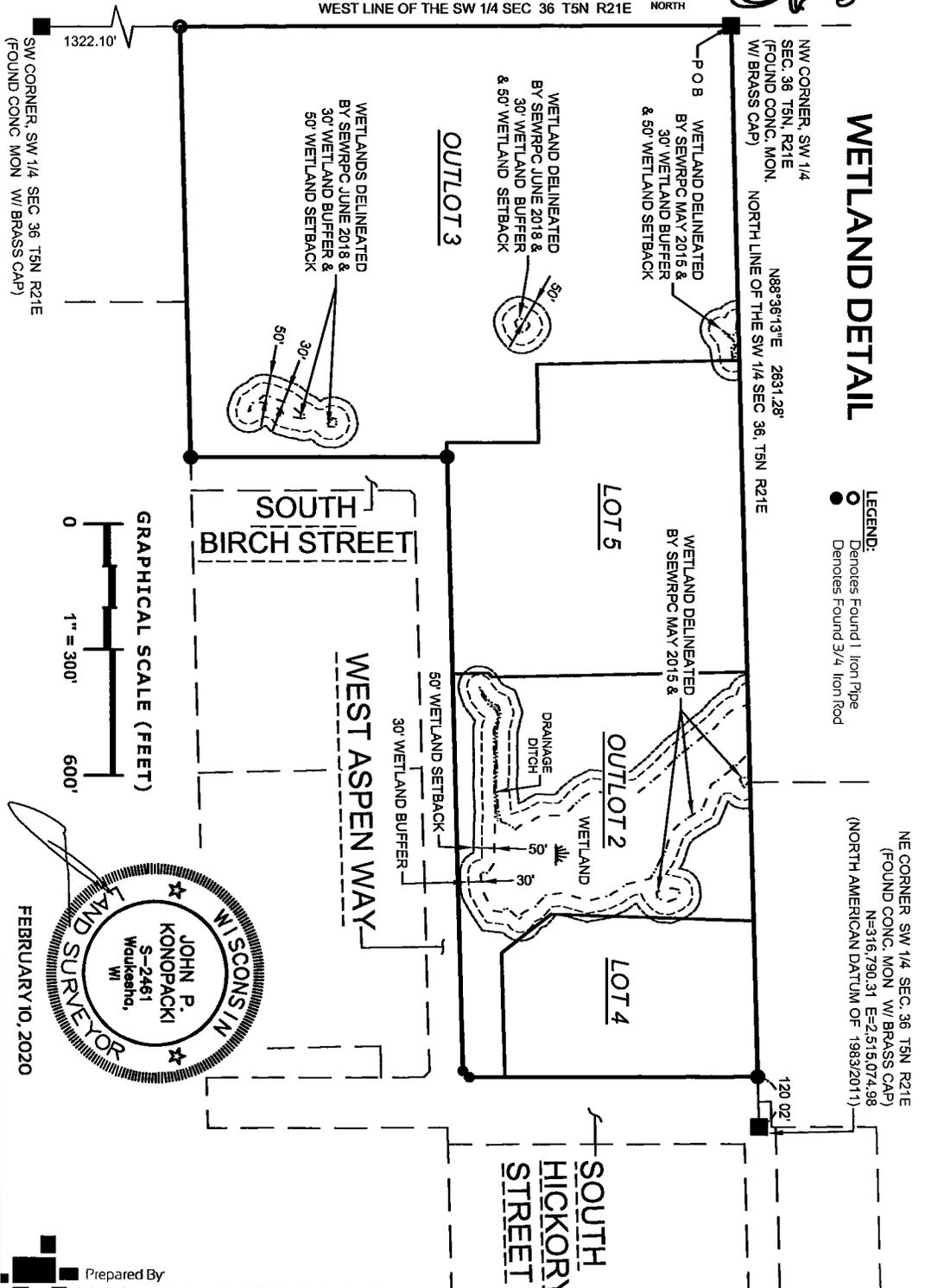
N00°21'57"W 2644.20'

WEST LINE OF THE SW 1/4 SEC 36 T5N R21E

NORTH

## WETLAND DETAIL

**LEGEND:**  
 ○ Denotes Found 1 Iron Pipe  
 ● Denotes Found 3/4 Iron Rod



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. S-2461

PEG JOB#1827.00  
 SHEET 4 OF 7

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

Being Lot 3 Certified Survey Map No \_\_\_\_\_ in the Northeast 1/4 and Northwest 1/4 of the Southwest 1/4 of Section 36, Township 5 North Range 21 East, in the City of Franklin, Milwaukee County Wisconsin

## SURVEYOR'S CERTIFICATE

STATE OF WISCONSIN)  
WAUKESHA COUNTY) SS

I, John P. Konopacki Professional Land Surveyor do hereby certify:

That I have surveyed mapped and divided Lot 3 of Certified Survey Map No \_\_\_\_\_, as recorded in the Register of Deeds office for Milwaukee County as Document No. \_\_\_\_\_, being a part of the Northeast 1/4 and Northwest 1/4 of the Southwest 1/4 of Section 36 Township 5 North Range 21 East, in the City of Franklin Milwaukee County Wisconsin described as follows.

Beginning at the northwest corner of the Southwest 1/4 of said Section 36  
Thence North 88°36'13" East along the north line of said Southwest 1/4, 2511.26 feet to the west right of way line of South Hickory Street;  
Thence South 00°21'34" East along said west right of way line 690.83 feet  
Thence South 44°07'02" West 21.68 feet to the north right of way line of West Aspen Way  
Thence South 88°35'37" West along said north right of way line, 1466.05 feet to the west right of way line of South Birch Street;  
Thence South 00°21'34" East along said west right of way line, 615.67 feet to the south line of said Lot 3,  
Thence South 88°35'41" West along said south line 1029.87 feet to the west line of said Southwest 1/4  
Thence North 00°21'57" West along said west line 1322.10 feet to the Point of Beginning

Containing 2,407,072 square feet (55.2587 acres) of land more or less.

That I have made such survey land division and map by the direction of JHB PROPERTIES LLC owner of said land

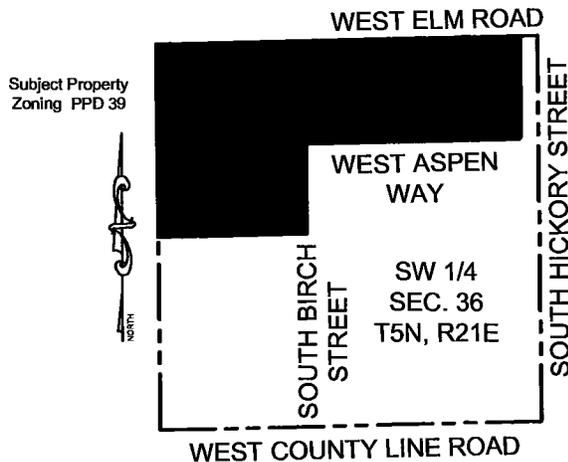
That such plat is a correct representation of all the exterior boundaries of the land surveyed and the land division thereof made

That I have fully complied with the provisions of s 236.34 of the Wisconsin State Statutes and the City of Franklin Unified Development Ordinance Division - 15 in surveying mapping and dividing the land with in this certified survey map.

Date FEBRUARY 10, 2020



  
John P. Konopacki  
Professional Land Surveyor S-2461



Owner/Subdivider  
JHB PROPERTIES LLC  
Attn: Scott Biller  
5158 S. Marquette Ct.  
New Berlin, WI 53151

Prepared By  
**PINNACLE ENGINEERING GROUP**  
20725 WATERTOWN ROAD | SUITE 100  
BROOKFIELD WI 53186  
OFFICE: (262) 754-8888

VICINITY SKETCH  
SCALE 1"=1000'

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

PEG JOB#1827.00  
SHEET 5 OF 7

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

Being Lot 3 Certified Survey Map No \_\_\_\_\_ in the Northeast 1/4 and Northwest 1/4 of the Southwest 1/4 of Section 36, Township 5 North Range 21 East, in the City of Franklin, Milwaukee County Wisconsin

## OWNER'S CERTIFICATE

JHB PROPERTIES LLC, a Limited Liability Company duly organized and existing under and by virtue of the laws of the State of Wisconsin, as owner does hereby certify that said limited liability company caused the land described on this certified survey map to be surveyed divided and mapped as represented on this certified survey map

JHB PROPERTIES LLC as owner does further certify that this certified survey map is required by Chapter 236 of the Wisconsin State Statutes to be submitted to the following for approval or objection

1 City of Franklin

IN WITNESS WHEREOF the said JHB PROPERTIES LLC has caused these presents to be signed by \_\_\_\_\_ (name - print) \_\_\_\_\_, (title) \_\_\_\_\_, at \_\_\_\_\_ (city) \_\_\_\_\_ County Wisconsin on this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

In the presence of JHB PROPERTIES LLC

\_\_\_\_\_  
Name (signature) - Title

STATE OF WISCONSIN)  
\_\_\_\_\_ COUNTY) SS

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, (name) \_\_\_\_\_, (title) \_\_\_\_\_, of the above named limited liability company to me known to be the person who executed the foregoing instrument and to me known to be such \_\_\_\_\_ (title) of said limited liability company and acknowledged that they executed the foregoing instrument as such officer as the deed of said limited liability, by its authority

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

## CONSENT OF CORPORATE MORTGAGEE

\_\_\_\_\_, a corporation duly organized and existing under and by virtue of the laws of the State of Wisconsin, mortgagee of the above described land does hereby consent to the surveying dividing and mapping of the land described in the foregoing affidavit of John P. Konopacki surveyor, and does hereby consent to the above certification of owners.

IN WITNESS WHEREOF, the said \_\_\_\_\_, has caused these presents to be signed by \_\_\_\_\_ its President, and its corporate seal to be hereunto affixed this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_.

\_\_\_\_\_  
Date \_\_\_\_\_ President \_\_\_\_\_

STATE OF WISCONSIN)  
\_\_\_\_\_ COUNTY) SS

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, \_\_\_\_\_ to me known to be the person who executed the foregoing instrument and to me known to be such officer of said corporation and acknowledged the same

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



FEBRUARY 10, 2020

Prepared By  
**PINNACLE ENGINEERING GROUP**  
20725 WATERTOWN ROAD 1 SUITE 100  
BROOKFIELD WI 53186  
OFFICE (262) 754-8888

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

PEG JOB# 1827.00  
SHEET 6 OF 7

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

Being Lot 3 Certified Survey Map No \_\_\_\_\_ in the Northeast 1/4 and Northwest 1/4 of the Southwest 1/4 of Section 36 Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County Wisconsin

## CITY OF FRANKLIN COMMON COUNCIL APPROVAL

Approved and dedication accepted by the Common Council of the City of Franklin by Resolution No \_\_\_\_\_  
Signed this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_

\_\_\_\_\_  
Steve Olson Mayor

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

### NOTES:

All measurements have been made to the nearest one-hundredth of a foot.  
All angular measurements have been made to the nearest one second.  
Bearings referenced to the Wisconsin State Plane Coordinate System, South Zone (N.A.D. 1927). The north line of the Southwest 1/4 of Section 36 Township 5 North, Range 21 East bears N88°36'13" E.  
VISION CORNER TRIANGLE. No Obstructions Permitted. No visual obstructions, such as structures, parking, or vegetation, shall be permitted between the heights of 25 feet and 10 feet above the plane through the mean curb grades within the triangular space.  
PUBLIC WATER MAIN: Future Public Water Main easements to be recorded via separate document.  
STORM SEWER EASEMENT Storm Sewer Easement to be recorded via separate document.  
CONSERVATION EASEMENT Conservation Easement to be recorded via separate document.  
CROSS ACCESS EASEMENT Future Cross Access Easements to be recorded via separate document.



FEBRUARY 10, 2020



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. S-2461

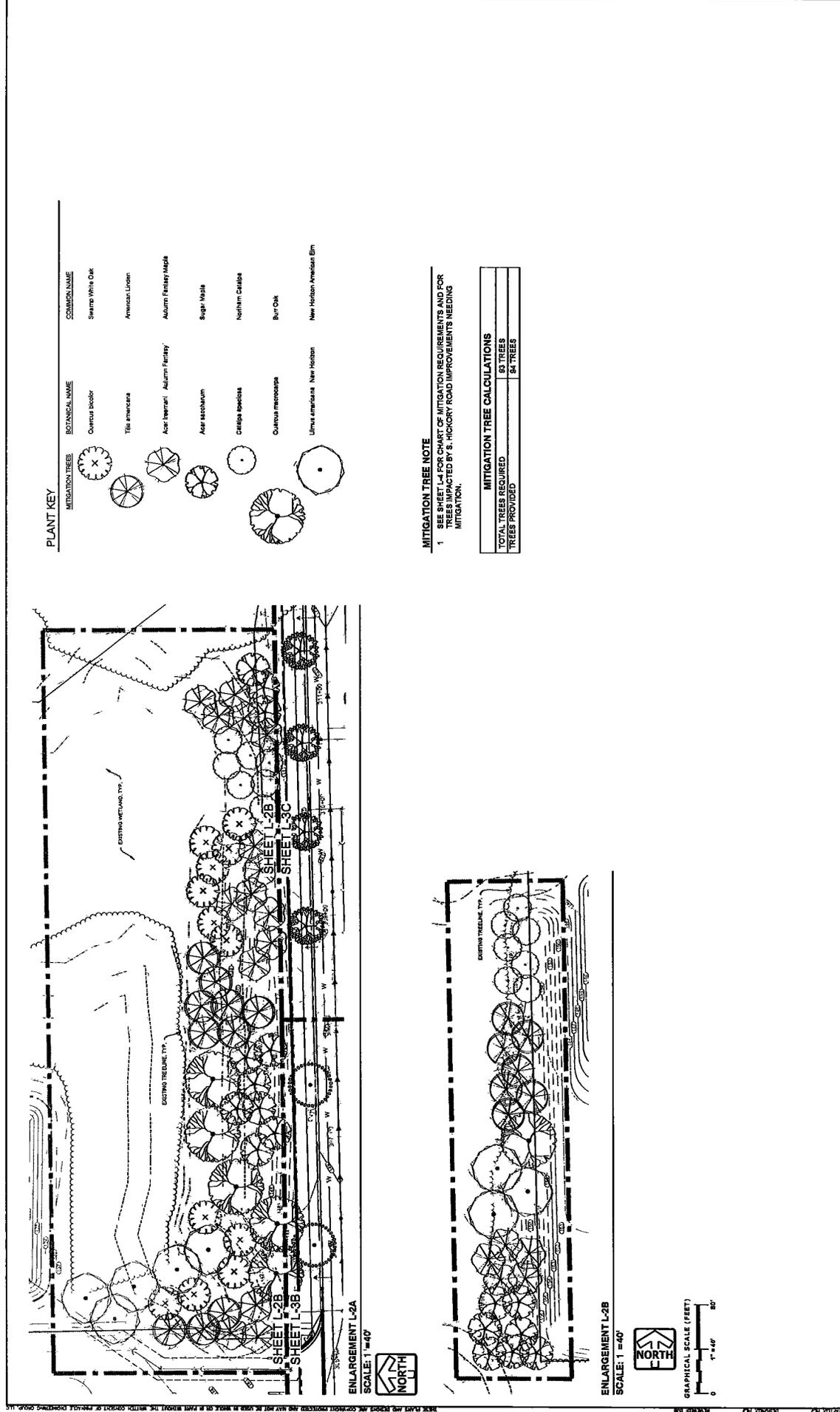
PEG JOB#1827.00  
SHEET 7 OF 7

Lot 3 of Certified Survey Map No. \_\_\_\_\_, as recorded in the Register of Deeds office for Milwaukee County as Document No. \_\_\_\_\_, being a part of the Northeast 1/4 and Northwest 1/4 of the Southwest 1/4 of Section 36, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin, described as follows:

Beginning at the northwest corner of the Southwest 1/4 of said Section 36;  
Thence North  $88^{\circ}36'13''$  East along the north line of said Southwest 1/4, 2511.26 feet to the west right of way line of South Hickory Street; Thence South  $00^{\circ}21'34''$  East along said west right of way line, 690.83 feet; Thence South  $44^{\circ}07'02''$  West, 21.68 feet to the north right of way line of West Aspen Way; Thence South  $88^{\circ}35'37''$  West along said north right of way line, 1466.05 feet to the west right of way line of South Birch Street; Thence South  $00^{\circ}21'34''$  East along said west right of way line, 615.67 feet to the south line of said Lot 3; Thence South  $88^{\circ}35'41''$  West along said south line, 1029.87 feet to the west line of said Southwest 1/4; Thence North  $00^{\circ}21'57''$  West along said west line, 1322.10 feet to the Point of Beginning.







**FRANKLIN CORPORATE PARK**  
 FRANKLIN, WI

PLANNING DESIGN DELIVER

**PINNACLE ENGINEERING GROUP**  
 ENGINEERING • INTRINSIC RESOURCES • SURVEYING

PROJECT: 151019137-00-WI/CAD/SHEETS/151027-00-WI/STREET TREE PLAN.DWG

NO.	DATE	DESCRIPTION	BY	CHK

REVISIONS

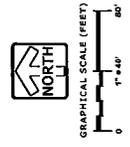
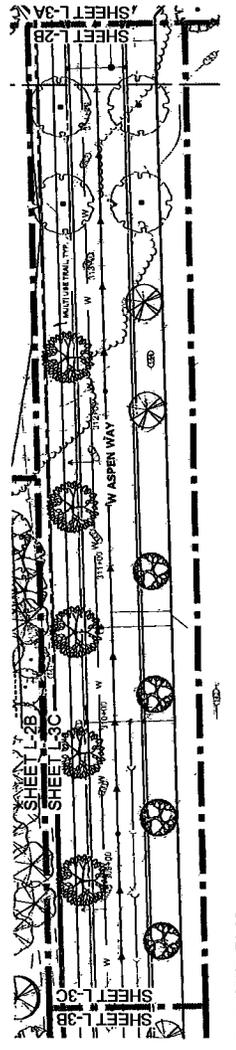
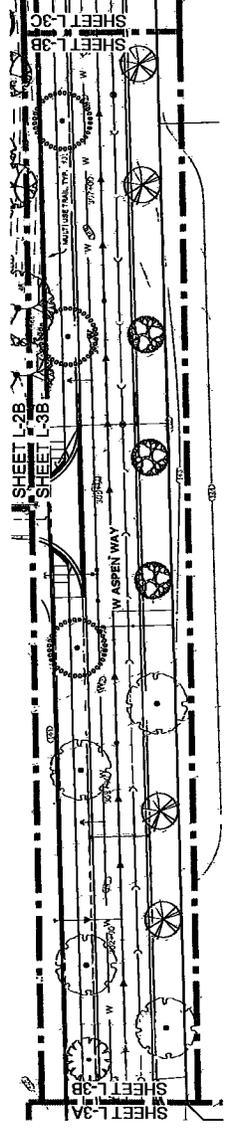
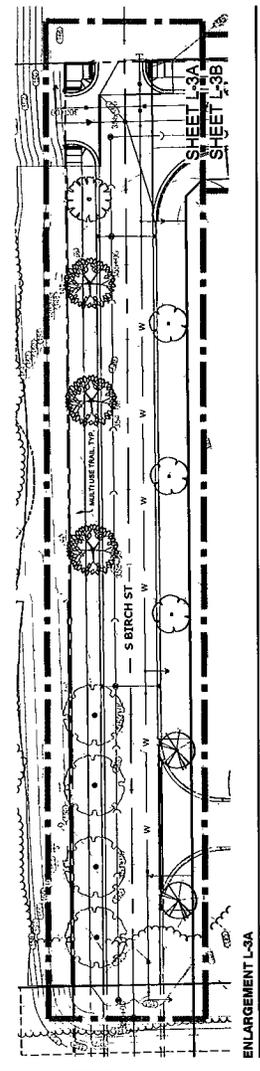
ADDRESS: CITY COMMENTS: DALLAS

PROJECT NO. 151027-00  
 DATE 12/19/13  
 SCALE 1" = 40'

SHEET L-2  
 L-5

TREE	BOTANICAL NAME	COMMON NAME
	<i>Castilleja occidentalis</i>	Chicagoland
	<i>Quercus bicolor</i>	Precision SENTRY
	<i>Quercus macrocarpa</i>	Native TM
	<i>Gymnocladia dioica</i>	Eggnose
	<i>Ulmus x Accolade</i>	Accolade Elm
	<i>Aesculus hippocastanum</i>	Burrwhite
	<i>Quercus bicolor</i>	Native TM
	<i>Geukensia laevis</i>	Impatiens
	<i>Tilia cordata</i>	Greenish
	<i>Quercus laevis</i>	White

**STREET TREE NOTE**  
 1 ALL TREES ALONG MULTI USE TRAIL MUST MAINTAIN A MINIMUM VERTICAL CLEARANCE. WHEN BRANCHING BEGINS ENCRANCHING INTO THE 8' TREES MUST BE PRUNED TO PROVIDE PROPER CLEARANCE.



SHEET L-3 L-5	REVISIONS ADDRESS: CITY COMMENTS: DATE	STREET TREE ENLARGEMENT	FRANKLIN CORPORATE PARK FRANKLIN, WI	PLAN   DESIGN   DELIVER	Pinnacle Engineering Group ENGINEERING. NATURAL RESOURCES. SURVEYING.	PROJECT: 2301917-00-WI-CO-04-SHEET-1237-00-WI STREET TREE PLAN-2/WS
	PROJECT NO.: 2301917-00 DATE: 02/28/2023 DRAWN BY: JAC CHECKED BY: JAC PROJECT MANAGER: JAC					



STREET TREES	BOTANICAL NAME	COMMON NAME	SIZE	QTY
	<i>Celtis occidentalis</i>	Chickadee	1.75 Cal.	3
	<i>Gingko biloba</i>	Princeton Sentry	7.5 Cal.	6
	<i>Gleditsia inaequalis</i>	Honey Locust	1.75 Cal.	8
	<i>Syringia oblata</i>	Princeton Sentry	1.75 Cal.	13
	<i>Ulmus x Acobola</i>	Acobola Elm	1.75 Cal.	18
	<i>Azalea japonica</i>	Horse Chestnut	2 Cal.	3
	<i>Gingko biloba</i>	Magyar	2 Cal.	6
	<i>Gleditsia inaequalis</i>	Impatiens	2 Cal.	0
	<i>Tilia cordata</i>	Grassens Littleleaf	2 Cal.	0
MITIGATION TREES	BOTANICAL NAME	COMMON NAME	SIZE	QTY
	<i>Tilia americana</i>	American Linden	2 Cal.	17
	<i>Acer nemorale</i>	Swamp White Birch	2 Cal.	20
	<i>Acer saccharum</i>	Sugar Maple	2 Cal.	7
	<i>Castalia speciosa</i>	Northern Catalpa	2 Cal.	14
	<i>Quercus bicolor</i>	Swamp White Oak	2 Cal.	13
	<i>Quercus macrocarpa</i>	Burr Oak	2 Cal.	8
	<i>Ulmus americana</i>	New Horizon	2 Cal.	8

**PLANT SCHEDULE**

STREET TREES	BOTANICAL NAME	COMMON NAME	SIZE	QTY
	<i>Celtis occidentalis</i>	Chickadee	1.75 Cal.	3
	<i>Gingko biloba</i>	Princeton Sentry	7.5 Cal.	6
	<i>Gleditsia inaequalis</i>	Honey Locust	1.75 Cal.	8
	<i>Syringia oblata</i>	Princeton Sentry	1.75 Cal.	13
	<i>Ulmus x Acobola</i>	Acobola Elm	1.75 Cal.	18
	<i>Azalea japonica</i>	Horse Chestnut	2 Cal.	3
	<i>Gingko biloba</i>	Magyar	2 Cal.	6
	<i>Gleditsia inaequalis</i>	Impatiens	2 Cal.	0
	<i>Tilia cordata</i>	Grassens Littleleaf	2 Cal.	0
MITIGATION TREES	BOTANICAL NAME	COMMON NAME	SIZE	QTY
	<i>Tilia americana</i>	American Linden	2 Cal.	17
	<i>Acer nemorale</i>	Swamp White Birch	2 Cal.	20
	<i>Acer saccharum</i>	Sugar Maple	2 Cal.	7
	<i>Castalia speciosa</i>	Northern Catalpa	2 Cal.	14
	<i>Quercus bicolor</i>	Swamp White Oak	2 Cal.	13
	<i>Quercus macrocarpa</i>	Burr Oak	2 Cal.	8
	<i>Ulmus americana</i>	New Horizon	2 Cal.	8

**GENERAL PLANTING NOTES**

- THE LAYOUT OF ALL INDIVIDUAL TREES SHALL BE STAKED BY THE CONTRACTOR IN ADVANCE OF INSTALLATION. FLAGGING, STRAKES, OR PAINT MAY BE USED TO DELINEATE LOCATIONS AS SCALDED FROM THE PLANS. AN ANGLE OF 90 DEGREES SHALL BE MAINTAINED AT ALL CORNERS. LOCATIONS WITH THE CONTRACTOR AND MAKE MINOR ADJUSTMENTS AS NECESSARY TO MAINTAIN THE PLANT MATERIAL QUANTITIES AND PLANTING DATES AS SHOWN ON THE PLANS.
- NO PLANT MATERIAL OR PLANT SIZE SUBSTITUTIONS WILL BE ACCEPTED UNLESS APPROVAL BY THE LANDSCAPE ARCHITECT. ANY CHANGES SHALL BE SUBMITTED TO THE LANDSCAPE ARCHITECT IN WRITING PRIOR TO INSTALLATION.
- ALL BIRCH STOCK SHALL BE NURSERY GROWN IN A CLAY LOAM SOIL FOR A MINIMUM OF THREE GROWING SEASONS WITHIN 200 MILES OF PROJECT LOCATION IN A ZONE COMPATIBLE WITH USDA HARDINESS ZONE 5A.
- ALL PLANT MATERIAL SHALL COMPLY WITH STANDARDS DESCRIBED IN AMERICAN STANDARD OF NURSERY STOCK (ANSI Z60.1) AND SHALL BE INSPECTED AND APPROVED BY THE LANDSCAPE ARCHITECT PRIOR TO DELIVERY TO THE PROJECT SITE. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND LICENSES NECESSARY FOR THE INSTALLATION OF THIS PLAN.
- THE CONTRACTOR IS TO REVIEW ALL SITE ENGINEERING DOCUMENTS PRIOR TO INSTALLATION. ANY CONFLICTS MUST BE REPORTED TO THE LANDSCAPE ARCHITECT. THESE LANDSCAPE DRAWINGS ARE FOR THE INSTALLATION OF PLANT MATERIALS ONLY UNLESS OTHERWISE STATED.
- THE CONTRACTOR SHALL PROVIDE WATERING AND MAINTENANCE SERVICES FOR A PERIOD OF 90 DAYS AFTER INSTALLATION. THE CONTRACTOR SHALL SUBMIT A WATERING AND MAINTENANCE SCHEDULE TO THE OWNER IN WRITING WITH ONGOING WATERING AND MAINTENANCE INSTRUCTIONS.
- PLANT MATERIALS SHALL BE GUARANTEED FOR A PERIOD OF THREE (3) YEARS FROM TIME OF OWNER ACCEPTANCE. UP TO TWO (2) REPLACEMENTS PER TREE PER YEAR WILL BE REQUIRED DURING THE WARRANTY PERIOD EXCEPT IN THE EVENT OF FAILURE TO COMPLY WITH THE SPECIFIED REQUIREMENTS. THE CONTRACTOR IS RESPONSIBLE TO CONDUCT A FINAL WALK THROUGH WITH THE LANDSCAPE ARCHITECT AND OR OWNERS REPRESENTATIVE TO ANSWER QUESTIONS, PROVIDE INSTRUCTIONS, AND ENSURE THAT PROJECT REQUIREMENTS HAVE BEEN MET.
- FOR SEEDING AND EROSION CONTROL, REFER TO CIVIL PLANS.

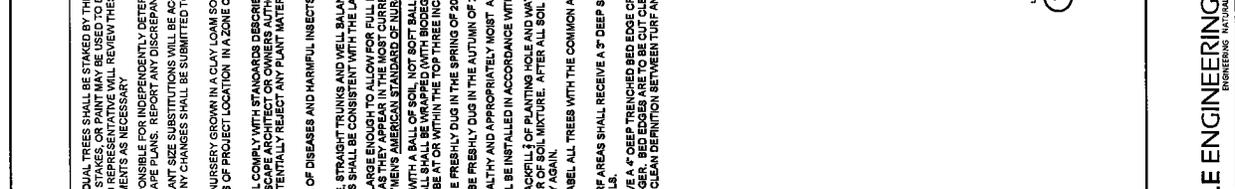
**PLANTING SOIL NOTES**

- TREE HOLES SHALL BE FILLED WITH A PREPARED PLANTING MIXTURE OF 1 PART TOPSOIL, 2 PARTS PLANTING SOIL MIX.
- THOROUGHLY BLEND PLANTING SOIL MIX FOR PLANTING BED AREAS. (1 PART EXISTING SOIL, 1 PART TOPSOIL, 1 PART ORGANIC SOIL AMENDMENT, 2.8 POUNDS PER CUBIC YARD OF 4-4-4 ANALYSIS SLOW-RELEASE FERTILIZER)

**STREET TREE NOTE**

- ALL TREES ALONG MULTI-USE TRAIL MUST MAINTAIN 8' MINIMUM VERTICAL CLEARANCE, WHEN BRANCHING BEGINS ENCRoACHING INTO THE 8' TREES MUST BE PRUNED TO PROVIDE PROPER CLEARANCE.

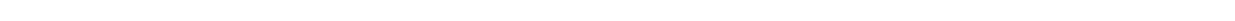
**1 TREE PLANTING**



**2 TREE PLANTING ON SLOPE**



**3 TRENCHED BED EDGE**



**SECTION 15-3.0502**

**CALCULATION OF BASE SITE AREA**

The *base site area* shall be calculated as indicated in Table 15-3.0502 for each parcel of land to be used or built upon in the City of Franklin as referenced in Section 15-3.0501 of this Ordinance.

**Table 15-3.0502**

**WORKSHEET FOR THE CALCULATION OF BASE SITE AREA  
FOR BOTH RESIDENTIAL AND NONRESIDENTIAL DEVELOPMENT**

<b>STEP 1:</b>	Indicate the total gross site area (in acres) as determined by an actual on-site boundary survey of the property	79.79 acres
<b>STEP 2:</b>	Subtract ( - ) land which constitutes any existing dedicated public street rights-of-way, land located within the ultimate road rights-of-way of existing roads, the rights-of-way of major utilities, and any dedicated public park and/or school site area.	- 0 acres
<b>STEP 3:</b>	Subtract ( - ) land which, as a part of a previously approved development or land division, was reserved for open space.	- 0 acres
<b>STEP 4:</b>	In the case of " <i>Site Intensity and Capacity Calculations</i> " for a proposed residential use, subtract ( - ) the land proposed for nonresidential uses, <i>or</i> In the case of " <i>Site Intensity and Capacity Calculations</i> " for a proposed nonresidential use, subtract ( - ) the land proposed for residential uses	- 0 acres
<b>STEP 5:</b>	Equals "Base Site Area"	= 79.79 acres

**SECTION 15-3.0503**

**CALCULATION OF THE AREA OF NATURAL  
RESOURCES TO BE PROTECTED**

All land area with those natural resource features as described in Division 15-4.0100 of this Ordinance and as listed in Table 15-3.0503 and lying within the *base site area* (as defined in Section 15-3.0502), shall be measured relative to each natural resource feature present. The actual land area encompassed by each type of resource is then entered into the column of Table 15-3.0503 titled "Acres of Land in Resource Feature." The acreage of each natural resource feature shall be multiplied by its respective *natural resource protection standard* (to be selected from Table 15-4.0100 of this Ordinance for applicable agricultural, residential, or nonresidential zoning district) to determine the amount of resource protection land or area required to be kept in open space in order to protect the resource or feature. The sum total of all resource protection land on the site equals the *total resource protection land*. The *total resource protection land* shall be calculated as indicated in Table 15-3.0503.

Table 15-3.0503

WORKSHEET FOR THE CALCULATION OF RESOURCE PROTECTION LAND

Natural Resource Feature	Protection Standard Based Upon Zoning District Type (circle applicable standard from Table 15-4.0100 for the type of zoning district in which the parcel is located)			Acres of Land in Resource Feature	
	Agricultural District	Residential District	Non-Residential District.		
Steep Slopes					
10-19%	0 00	0 60	0 40	X 0 = =	0
20-30%	0 65	0 75	0 70	X 0 = =	0
+ 30%	0 90	0 85	0 80	X 0 = =	0
Woodlands & Forests					
Mature	0 70	0 70	0 70	X 32.18 = =	22.53
Young	0 50	0 50	0 50	X 0 = =	0
Lakes & Ponds	1	1	1	X 0 = =	0
Streams	1	1	1	X 0 = =	0
Shore Buffer	1	1	1	X 0 = =	0
Floodplains	1	1	1	X 0 = =	0
Wetland Buffers	1	1	1	X 2.69 = =	2.69
Wetlands & Shoreland Wetlands	1	1	1	X 2.97 = =	2.97
<b>TOTAL RESOURCE PROTECTION LAND</b> (Total of Acres of Land in Resource Feature to be Protected)					<b>28.19</b>

*Note* In conducting the calculations in Table 15-3 0503, if two or more natural resource features are present on the same area of land, only the most restrictive resource protection standard shall be used. For example, if floodplain and young woodlands occupy the same space on a parcel of land, the resource protection standard would be 1 0 which represents the higher of the two standards

**SECTION 15-3.0505**

**CALCULATION OF SITE INTENSITY AND CAPACITY  
FOR NONRESIDENTIAL USES**

In order to determine the maximum floor area which may be permitted on a parcel of land zoned in a nonresidential zoning district, the site intensity and capacity calculations set forth in Table 15-3.0505 shall be performed.

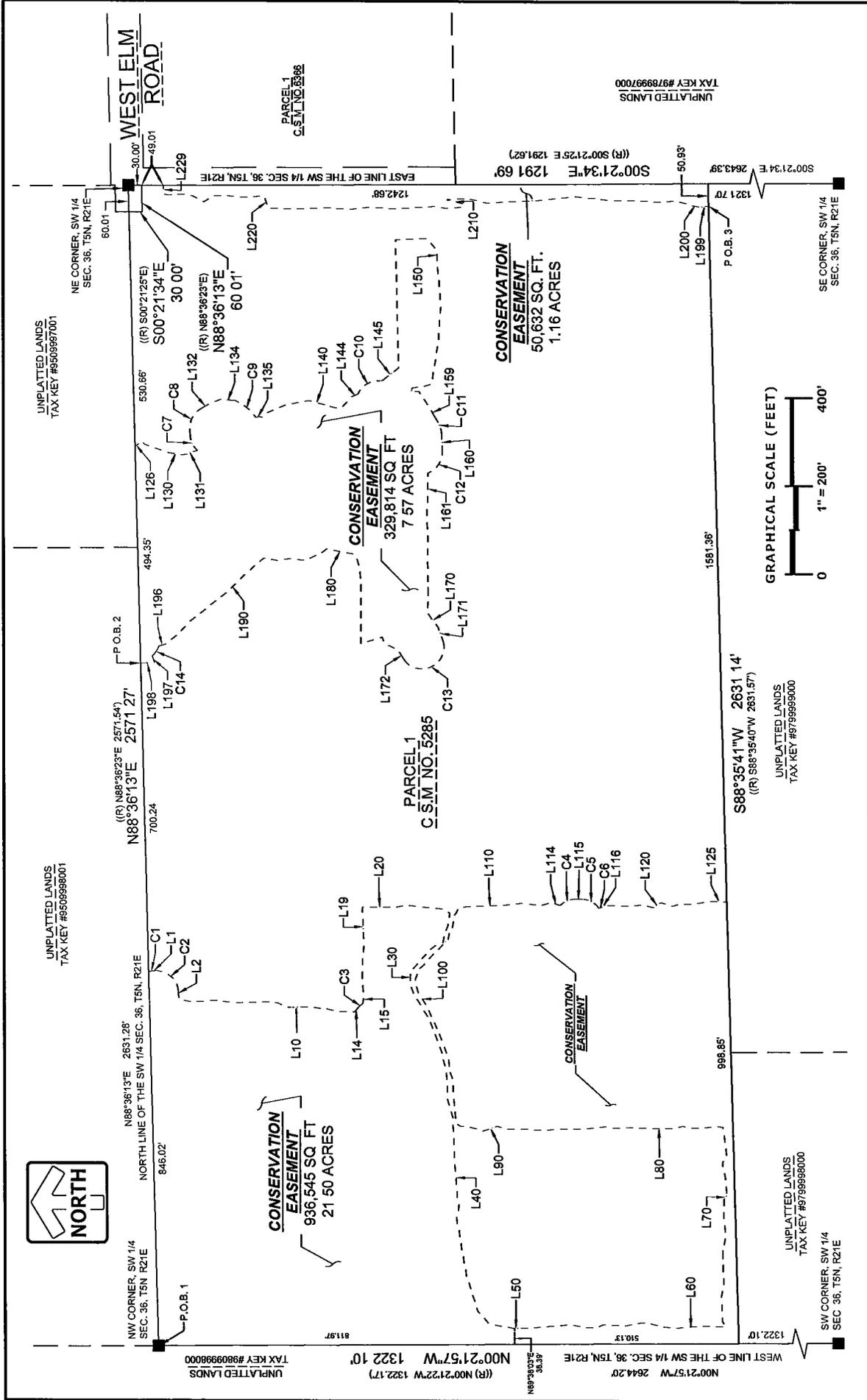
**A. Maximum Permitted Floor Area for a Retail Building:**

- 1 Notwithstanding the provisions of Table 15-3.0505, no individual retail building in any of the following districts shall exceed a total of 125,000 gross square feet of floor area, including all roofed area.
  - a. B-1 Neighborhood Business District
  - b. B-2 General Business District
  - c. B-3 Community Business District
  - d. B-5 Highway Business District
  
- 2 Notwithstanding, any other provision of this Ordinance, no special use permit, special exception or variance may be approved or granted that would allow a retail building to exceed the size limits of this subparagraph (1) and no nonconforming use or structure may be expanded in any manner that would increase its nonconformance with the limits of subparagraph (1).

Table 15-3.0505

WORKSHEET FOR THE CALCULATION OF SITE INTENSITY AND CAPACITY FOR NONRESIDENTIAL DEVELOPMENT

<p><b>STEP 1:</b></p>	<p><b>CALCULATE MINIMUM REQUIRED LANDSCAPE SURFACE:</b></p> <p>Take <i>Base Site Area</i> (from Step 5 in Table 15-3 0502): <u>79.79</u></p> <p>Multiple by Minimum <i>Landscape Surface Ratio (LSR)</i> (see specific zoning district LSR standard) X <u>0.25</u></p> <p>Equals <b>MINIMUM REQUIRED ON-SITE LANDSCAPE SURFACE</b> =</p>	<p>19.95 acres</p>
<p><b>STEP 2:</b></p>	<p><b>CALCULATE NET BUILDABLE SITE AREA:</b></p> <p>Take <i>Base Site Area</i> (from Step 5 in Table 15-3 0502) <u>79.79</u></p> <p>Subtract <i>Total Resource Protection Land</i> from Table 15-3 0503 or <i>Minimum Required Landscape Surface</i> (from Step 1 above), whichever is greater: <u>- 28.19</u></p> <p>Equals <b>NET BUILDABLE SITE AREA</b> =</p>	<p>51.60 acres</p>
<p><b>STEP 3:</b></p>	<p><b>CALCULATE MAXIMUM NET FLOOR AREA YIELD OF SITE:</b></p> <p>Take <i>Net Buildable Site Area</i> (from Step 2 above). <u>51.60</u></p> <p>Multiple by Maximum <i>Net Floor Area Ratio (NFAR)</i> (see specific nonresidential zoning district NFAR standard): X <u>0.85</u></p> <p>Equals <b>MAXIMUM NET FLOOR AREA YIELD OF SITE</b> =</p>	<p>43.86 acres</p>
<p><b>STEP 4:</b></p>	<p><b>CALCULATE MAXIMUM GROSS FLOOR AREA YIELD OF SITE:</b></p> <p>Take <i>Base Site Area</i> (from Step 5 of Table 15-3 0502): <u>79.79</u></p> <p>Multiple by Maximum <i>Gross Floor Area Ratio (GFAR)</i> (see specific nonresidential zoning district GFAR standard): X <u>0.42</u></p> <p>Equals <b>MAXIMUM GROSS FLOOR AREA YIELD OF SITE</b> =</p>	<p>33.51 acres</p>
<p><b>STEP 5:</b></p>	<p><b>DETERMINE MAXIMUM PERMITTED FLOOR AREA OF SITE:</b></p> <p>Take the <i>lowest</i> of Maximum Net Floor Area Yield of Site (from Step 3 above) or Maximum Gross Floor Area Yield of Site (from Step 4 above)</p> <p>(Multiple results by 43,560 for maximum floor area in square feet)</p>	<p>33.51 acres</p> <p>(<u>1,459,696</u> s.f.)</p>



LINE TABLE			
LINE NO.	BEARING	DISTANCE	
L1	S03°47'00"E	3.48'	
L2	S85°27'37"W	9.66'	
L3	S79°45'14"W	10.15'	
L4	S08°07'07"W	28.83'	
L5	S03°02'38"E	53.44'	
L6	S06°49'16"W	46.01'	
L7	S02°45'37"E	63.34'	
L8	S04°24'29"W	35.06'	
L9	S27°56'14"W	21.36'	
L10	S02°11'38"E	43.30'	
L11	S05°47'59"W	48.83'	
L12	S13°18'18"W	28.85'	
L13	S00°38'18"E	33.83'	
L14	S48°59'54"E	10.86'	
L15	S78°32'22"E	19.01'	
L16	S79°55'38"E	25.16'	
L17	S89°38'20"E	48.72'	
L18	S83°48'11"E	38.81'	
L19	S87°20'03"E	66.49'	
L20	S00°17'57"E	78.24'	
L21	S10°12'16"E	24.37'	
L22	S06°12'51"W	85.31'	
L23	S35°08'23"W	15.05'	
L24	N81°15'57"W	22.86'	
L25	N66°54'53"W	28.85'	
L26	N63°54'34"W	16.22'	
L27	N47°22'25"W	25.16'	
L28	N48°26'55"W	38.25'	
L29	N46°43'26"W	37.80'	
L30	N85°23'05"W	27.86'	
L31	S73°32'20"W	22.84'	
L32	S85°12'58"W	68.23'	
L33	S83°47'05"W	74.02'	
L34	S77°26'01"W	52.21'	
L35	S83°13'27"W	20.07'	
L36	N88°59'23"W	40.28'	
L37	S73°27'28"W	41.06'	
L38	S85°03'57"W	30.86'	
L39	S87°31'43"W	65.17'	
L40	S85°58'08"W	87.83'	
L41	S82°04'00"W	25.75'	
L42	N75°30'01"W	22.83'	
L43	S79°22'33"W	48.77'	
L44	S27°45'48"W	24.36'	
L45	S79°30'43"W	55.04'	
L46	S73°41'32"W	49.26'	

LINE TABLE			
LINE NO.	BEARING	DISTANCE	
L47	S72°13'03"W	39.12'	
L48	S47°57'32"W	36.87'	
L49	S09°03'45"W	58.03'	
L50	S02°06'28"E	53.02'	
L51	S05°03'40"E	76.33'	
L52	S12°34'45"W	27.38'	
L53	S03°19'25"W	28.83'	
L54	S25°21'16"E	16.48'	
L55	S03°54'23"W	46.44'	
L56	S14°16'54"E	24.09'	
L57	S05°38'25"E	25.33'	
L58	S16°21'15"W	23.86'	
L59	S10°03'18"W	37.80'	
L60	S03°56'18"E	84.85'	
L61	S04°28'27"W	37.03'	
L62	N61°02'57"E	14.81'	
L63	N87°38'08"E	54.15'	
L64	S78°29'02"E	33.08'	
L65	N87°04'52"E	41.77'	
L66	N89°05'31"E	27.83'	
L67	S78°16'04"E	33.22'	
L68	N65°38'27"E	53.47'	
L69	S67°34'59"E	33.79'	
L70	S69°44'01"E	11.87'	
L71	N65°41'10"E	39.26'	
L72	N78°05'45"E	35.02'	
L73	S07°20'44"E	16.48'	
L74	N22°27'18"E	67.78'	
L75	N10°14'48"E	14.61'	
L76	N07°43'46"W	30.83'	
L77	N01°32'46"E	31.42'	
L78	N10°53'08"E	15.42'	
L79	N10°25'55"W	32.54'	
L80	N03°40'38"E	44.86'	
L81	N04°10'57"E	32.19'	
L82	N02°44'11"W	44.41'	
L83	N10°24'40"E	21.73'	
L84	N05°18'20"W	50.30'	
L85	N00°40'34"W	54.06'	
L86	N05°12'46"W	39.80'	
L87	N03°42'30"E	41.59'	
L88	N01°33'47"W	34.86'	
L89	N14°52'52"E	28.47'	
L90	N20°12'51"W	30.71'	
L91	N13°30'15"E	28.21'	
L92	N07°40'46"E	27.73'	

LINE TABLE			
LINE NO.	BEARING	DISTANCE	
L93	S32°03'24"E	11.48'	
L94	N64°45'16"E	61.13'	
L95	N85°03'52"E	37.48'	
L96	N88°22'25"E	13.48'	
L97	N81°16'48"E	39.02'	
L98	N89°43'01"E	63.45'	
L99	N85°22'28"E	62.08'	
L100	N87°15'58"E	37.45'	
L101	N78°20'49"E	28.79'	
L102	S85°27'57"E	28.86'	
L103	S48°09'26"E	91.64'	
L104	S77°56'20"E	20.78'	
L105	S45°48'20"E	6.97'	
L106	S62°56'42"E	24.94'	
L107	S62°41'45"E	20.80'	
L108	S12°17'15"E	18.88'	
L109	S01°48'35"E	18.34'	
L110	S02°16'57"E	68.20'	
L111	S07°34'50"E	38.05'	
L112	S05°47'04"W	47.58'	
L113	S15°48'24"E	24.06'	
L114	S18°00'19"W	20.08'	
L115	S00°16'54"W	13.34'	
L116	S33°30'50"E	8.46'	
L117	S02°38'35"W	55.60'	
L118	S05°38'10"E	34.04'	
L119	S17°16'50"W	20.28'	
L120	S30°23'09"E	22.13'	
L121	S17°14'51"W	27.08'	
L122	S16°43'13"E	16.62'	
L123	S00°33'57"E	38.06'	
L124	S10°17'17"E	37.86'	
L125	S04°11'14"W	35.20'	
L126	S11°57'23"E	4.79'	
L127	S41°51'23"E	14.37'	
L128	S50°25'10"W	10.02'	
L129	S19°15'12"W	58.13'	
L130	S09°13'05"W	34.26'	
L131	S17°00'51"E	34.78'	
L132	S25°10'16"E	19.01'	
L133	S22°05'37"E	28.84'	
L134	S04°15'18"W	34.77'	
L135	S11°02'17"E	10.37'	
L136	S28°33'55"W	3.75'	
L137	S35°17'22"E	19.44'	
L138	S23°56'51"E	40.87'	

LINE TABLE			
LINE NO.	BEARING	DISTANCE	
L139	S10°43'24"E	55.85'	
L140	S14°45'55"W	38.87'	
L141	S15°33'09"W	30.88'	
L142	S07°31'52"E	9.33'	
L143	S48°05'53"E	34.94'	
L144	S22°27'20"E	14.69'	
L145	S87°57'09"E	48.42'	
L146	N88°55'37"E	280.85'	
L147	S04°56'52"E	23.28'	
L148	S00°56'54"E	46.35'	
L149	S49°06'02"W	35.24'	
L150	N87°32'25"W	18.83'	
L151	S85°16'15"W	105.73'	
L152	N85°37'48"W	81.28'	
L153	N81°16'39"W	97.52'	
L154	N18°16'15"W	16.73'	
L155	N08°19'01"W	25.48'	
L156	N51°44'55"W	8.71'	
L157	S03°03'44"W	19.53'	
L158	S85°46'08"W	42.58'	
L159	S80°38'55"W	27.99'	
L160	S88°03'47"W	41.61'	
L161	N89°47'16"W	72.59'	
L162	N88°01'23"W	26.85'	
L163	S88°06'37"W	24.75'	
L164	S87°16'01"W	36.52'	
L165	N88°15'54"W	41.11'	
L166	S88°15'54"W	51.35'	
L167	S89°54'03"W	46.71'	
L168	N74°03'50"W	14.63'	
L169	S39°51'03"W	3.84'	
L170	S63°59'05"W	40.55'	
L171	S70°23'54"W	28.86'	
L172	N85°55'23"E	14.80'	
L173	N48°05'48"E	10.84'	
L174	N24°03'30"E	30.52'	
L175	N70°50'12"E	15.51'	
L176	N17°16'51"W	51.51'	
L177	N69°56'10"E	15.127'	
L178	N90°09'15"W	38.12'	
L179	N65°42'08"E	17.79'	
L180	N09°49'59"E	63.46'	
L181	N39°12'43"W	10.04'	
L182	N26°12'59"W	44.30'	
L183	N07°16'02"E	33.54'	
L184	N09°43'09"W	30.87'	

LINE TABLE			
LINE NO.	BEARING	DISTANCE	
L185	N13°27'25"E	26.60'	
L186	N09°04'48"W	7.57'	
L187	N15°33'09"W	22.86'	
L188	N39°23'48"W	25.57'	
L189	N44°15'41"W	27.51'	
L190	N44°15'53"W	36.52'	
L191	N37°38'05"W	38.29'	
L192	N38°38'09"W	40.43'	
L193	N37°52'59"W	30.48'	
L194	N48°20'50"W	31.85'	
L195	N40°10'58"W	41.86'	
L196	N16°19'49"W	15.44'	
L197	S71°18'51"W	16.45'	
L198	N01°23'47"W	31.72'	
L199	N07°38'35"W	19.87'	
L200	N13°05'08"E	24.51'	
L201	N15°53'45"E	31.63'	
L202	N04°29'15"W	40.48'	
L203	N04°53'58"E	39.31'	
L204	N00°16'00"E	65.85'	
L205	N65°17'42"E	85.22'	
L206	N05°42'32"W	86.83'	
L207	N03°12'42"E	116.41'	
L208	N13°34'09"E	44.80'	
L209	N03°18'52"W	45.13'	
L210	S14°38'04"W	37.47'	
L211	S78°04'14"W	8.17'	
L212	N02°45'38"W	87.45'	
L213	N08°37'32"E	29.38'	
L214	N03°21'20"W	87.45'	
L215	N02°14'47"E	64.80'	
L216	N02°38'18"E	58.19'	
L217	N02°03'54"W	86.11'	
L218	N02°25'00"E	43.78'	
L219	N07°11'32"E	29.30'	
L220	N03°08'22"W	54.48'	
L221	N05°52'39"E	32.98'	
L222	N01°43'12"W	26.82'	
L223	N92°30'31"W	25.53'	
L224	N27°22'38"E	30.86'	
L225	N07°39'20"E	27.77'	
L226	N05°00'25"W	23.83'	
L227	N05°00'24"E	13.95'	
L228	N88°41'53"E	20.00'	

CURVE TABLE			
CURVE NO.	LENGTH	RADIUS	CHORD BEARING
C1	10.41'	50.00'	S9°44'46"E
C2	77.86'	50.00'	S40°50'29"W
C3	16.13'	50.00'	S40°45'33"E
C4	39.09'	50.00'	S22°05'21"E
C5	46.15'	50.00'	S26°44'55"W
C6	6.68'	50.00'	S18°22'00"E
C7	41.68'	50.00'	N65°57'42"E
C8	68.89'	54.72'	S86°38'01"E
C9	60.14'	110.17'	S38°27'06"W
C10	67.55'	53.34'	S28°10'41"E
C11	37.89'	64.74'	S88°13'03"W
C12	82.29'	50.00'	N55°14'48"W
C13	147.07'	50.00'	N29°20'21"W
C14	27.57'	50.00'	N55°18'48"W

**LEGAL DESCRIPTION:**

Being a part of Parcel 1 of Certified Survey Map No. 5285, as recorded in the Register of Deeds office for Milwaukee County as Document No. 6286497, being a part of the Northeast 1/4 and Northwest 1/4 of the Southwest 1/4 of the Southwest 1/4 of Section 36, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin, described as follows:

Beginning at the northwest corner of the Southwest 1/4 of said Section 36, thence North 88°36'13" East along the north line of said Southwest 1/4, 846.02 feet to a point on a curve; thence southeasterly 10.41 feet along the arc of said curve to the right, whose radius is 50.00 feet and whose chord bears South 09°44'46" East, 10.39 feet; thence South 09°47'00" East, 3.49 feet to a point on a curve; thence southeasterly 77.86 feet along the arc of said curve to the right, whose radius is 50.00 feet and whose chord bears South 40°50'29" West, 70.25 feet; thence South 85°27'57" West, 9.65 feet; thence South 79°45'14" West, 10.15 feet; thence South 06°07'07" West, 28.63 feet; thence South 03°02'58" East, 53.44 feet; thence South 06°49'16" West, 46.01 feet; thence South 02°45'37" East, 63.34 feet; thence South 04°24'29" West, 35.06 feet; thence South 27°56'14" West, 21.38 feet; thence South 02°11'36" East, 43.90 feet;

thence South 05°47'59" West, 48.83 feet; thence South 13°16'18" West, 29.55 feet; thence South 00°36'18" East, 33.83 feet; thence South 49°59'54" East, 10.96 feet to a point on a curve; thence southeasterly 16.13 feet along the arc of said curve to the left, whose radius is 50.00 feet and whose chord bears South 40°44'33" East, 16.08 feet; thence South 79°52'22" East, 19.01 feet; thence North 79°59'56" East, 25.16 feet; thence South 89°39'20" East, 49.72 feet; thence South 83°48'11" East, 36.81 feet; thence North 87°29'03" East, 88.49 feet; thence South 00°17'57" East, 78.24 feet;

thence South 05°47'59" West, 48.83 feet; thence South 13°16'18" West, 29.55 feet; thence South 00°36'18" East, 33.83 feet; thence South 49°59'54" East, 10.96 feet; thence North 87°29'03" East, 88.49 feet; thence South 00°17'57" East, 78.24 feet; thence South 05°47'59" West, 48.83 feet; thence South 13°16'18" West, 29.55 feet; thence South 00°36'18" East, 33.83 feet; thence South 49°59'54" East, 10.96 feet; thence North 87°29'03" East, 88.49 feet; thence South 00°17'57" East, 78.24 feet; thence South 05°47'59" West, 48.83 feet; thence South 13°16'18" West, 29.55 feet; thence South 00°36'18" East, 33.83 feet; thence South 49°59'54" East, 10.96 feet; thence North 87°29'03" East, 88.49 feet; thence South 00°17'57" East, 78.24 feet; thence South 05°47'59" West, 48.83 feet; thence South 13°16'18" West, 29.55 feet; thence South 00°36'18" East, 33.83 feet; thence South 49°59'54" East, 10.96 feet; thence North 87°29'03" East, 88.49 feet; thence South 00°17'57" East, 78.24 feet;

thence South 05°47'59" West, 48.83 feet; thence South 13°16'18" West, 29.55 feet; thence South 00°36'18" East, 33.83 feet; thence South 49°59'54" East, 10.96 feet; thence North 87°29'03" East, 88.49 feet; thence South 00°17'57" East, 78.24 feet; thence South 05°47'59" West, 48.83 feet; thence South 13°16'18" West, 29.55 feet; thence South 00°36'18" East, 33.83 feet; thence South 49°59'54" East, 10.96 feet; thence North 87°29'03" East, 88.49 feet; thence South 00°17'57" East, 78.24 feet; thence South 05°47'59" West, 48.83 feet; thence South 13°16'18" West, 29.55 feet; thence South 00°36'18" East, 33.83 feet; thence South 49°59'54" East, 10.96 feet; thence North 87°29'03" East, 88.49 feet; thence South 00°17'57" East, 78.24 feet; thence South 05°47'59" West, 48.83 feet; thence South 13°16'18" West, 29.55 feet; thence South 00°36'18" East, 33.83 feet; thence South 49°59'54" East, 10.96 feet; thence North 87°29'03" East, 88.49 feet; thence South 00°17'57" East, 78.24 feet;

thence South 05°47'59" West, 48.83 feet; thence South 13°16'18" West, 29.55 feet; thence South 00°36'18" East, 33.83 feet; thence South 49°59'54" East, 10.96 feet; thence North 87°29'03" East, 88.49 feet; thence South 00°17'57" East, 78.24 feet; thence South 05°47'59" West, 48.83 feet; thence South 13°16'18" West, 29.55 feet; thence South 00°36'18" East, 33.83 feet; thence South 49°59'54" East, 10.96 feet; thence North 87°29'03" East, 88.49 feet; thence South 00°17'57" East, 78.24 feet; thence South 05°47'59" West, 48.83 feet; thence South 13°16'18" West, 29.55 feet; thence South 00°36'18" East, 33.83 feet; thence South 49°59'54" East, 10.96 feet; thence North 87°29'03" East, 88.49 feet; thence South 00°17'57" East, 78.24 feet; thence South 05°47'59" West, 48.83 feet; thence South 13°16'18" West, 29.55 feet; thence South 00°36'18" East, 33.83 feet; thence South 49°59'54" East, 10.96 feet; thence North 87°29'03" East, 88.49 feet; thence South 00°17'57" East, 78.24 feet;

Also  
That part of Parcel 1 of Certified Survey Map No. 5285, as recorded in the Register of Deeds office for Milwaukee County as Document No. 6286497, being a part of the Northeast 1/4 and Northwest 1/4 of the Southwest 1/4 of Section 36, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin, described as follows:

Commencing at the northwest corner of the Southwest 1/4 of said Section 36; thence North 88°36'13" East along the north line of said Southwest 1/4, 1546.26 feet to the Point of Beginning 2;  
Thence continuing North 88°36'13" East along said north line 494.35 feet; thence South 11°57'23" East, 4.79 feet; thence South 41°51'23" East, 14.37 feet; thence South 50°25'10" West, 10.02 feet; thence South 19°15'12" West, 56.13 feet; thence South 09°13'05" West, 54.28 feet;

thence South 17°00'51" East, 34.79 feet to a point on a curve; thence northeasterly 41.68 feet along the arc of said curve to the right, whose radius is 50.00 feet and whose chord bears North 65°57'42" East, 40.48 feet to a point of compound curve; thence southeasterly 88.89 feet along the arc of said curve to the right, whose radius is 50.00 feet and whose chord bears North 65°57'42" East, 88.89 feet; thence South 23°10'15" East, 19.01 feet; thence South 22°05'37" East, 28.94 feet; thence South 04°15'16" West, 34.77 feet to a point on a curve; thence southeasterly 60.14 feet along the arc of said curve to the right, whose radius is 110.17 feet and whose chord bears South 38°27'38" West, 59.39 feet; thence South 11°02'17" East, 10.37 feet; thence South 28°33'56" West, 3.75 feet; thence South 35°17'22" East, 19.44 feet; thence South 23°59'51" East, 40.67 feet; thence South 10°43'24" East, 55.95 feet; thence South 14°34'55" West, 36.87 feet;

thence South 15°33'09" West, 30.88 feet; thence South 07°31'52" East, 9.33 feet; thence South 48°05'53" East, 34.94 feet; thence South 22°27'20" East, 14.69 feet to a point on a curve; thence southeasterly 87.55 feet along the arc of said curve to the right, whose radius is 53.34 feet and whose chord bears South 28°10'41" East, 63.12 feet; thence South 31°59'07" East, 48.42 feet; thence North 88°53'37" East, 200.65 feet; thence South 04°56'52" East, 23.28 feet; thence South 00°56'04" East, 49.35 feet; thence South 49°08'02" West, 35.24 feet; thence North 87°32'25" West, 19.83 feet;

thence South 85°16'13" West, 105.73 feet; thence North 85°37'48" West, 81.29 feet; thence North 81°18'39" West, 97.52 feet; thence North 18°15'51" West, 18.73 feet; thence North 06°19'01" West, 25.48 feet; thence North 51°44'55" West, 8.71 feet; thence South 06°03'14" West, 13.53 feet; thence South 55°46'08" West, 42.56 feet; thence North 60°36'58" West, 27.39 feet to a point on a curve; thence southeasterly 37.99 feet along the arc of said curve to the right, whose radius is 84.74 feet and whose chord bears South 68°13'03" West, 37.86 feet; thence South 68°03'47" West, 41.81 feet to a point on a curve;

thence northeasterly 62.29 feet along the arc of said curve to the right, whose radius is 50.00 feet and whose chord bears North 56°14'48" West, 58.34 feet; thence North 88°47'18" West, 72.53 feet; thence North 68°01'23" West, 26.85 feet; thence South 86°06'37" West, 24.75 feet; thence South 87°16'01" West, 36.52 feet; thence North 88°12'03" West, 41.11 feet; thence South 69°15'54" West, 51.35 feet; thence South 69°54'03" West, 48.71 feet; thence North 74°03'50" West, 14.63 feet; thence South 35°51'03" West, 3.84 feet; thence South 59°59'08" West, 40.35 feet;

thence South 70°23'54" West, 29.86 feet to a point on a curve; thence northeasterly 147.07 feet along the arc of said curve to the right, whose radius is 50.00 feet and whose chord bears North 25°20'21" West, 99.50 feet; thence North 38°55'25" East, 14.40 feet; thence North 48°05'42" East, 10.84 feet; thence North 24°03'39" East, 38.12 feet; thence North 70°50'12" East, 15.51 feet; thence North 17°15'31" West, 51.19 feet; thence North 88°58'10" East, 151.27 feet; thence North 80°09'19" East, 38.12 feet; thence North 56°42'08" East, 17.79 feet; thence North 09°49'59" East, 63.46 feet;

thence North 39°12'43" West, 10.04 feet; thence North 26°12'59" West, 44.30 feet; thence North 07°16'02" East, 33.54 feet; thence North 09°43'09" West, 30.67 feet; thence North 13°27'25" East, 26.60 feet; thence North 09°04'48" West, 7.37 feet; thence North 40°59'04" West, 22.86 feet; thence North 39°23'46" West, 25.57 feet; thence North 44°51'41" East, 27.51 feet; thence North 44°50'53" West, 38.52 feet;

thence North 37°38'05" West, 38.29 feet; thence North 39°38'09" West, 40.43 feet; thence North 37°32'29" West, 30.48 feet; thence North 48°20'50" West, 31.65 feet; thence North 40°10'58" West, 41.69 feet; thence North 16°19'49" West, 15.44 feet to a point on a curve; thence northeasterly 27.87 feet along the arc of said curve to the right, whose radius is 50.00 feet and whose chord bears North 55°16'48" East, 27.22 feet; thence South 71°18'31" West, 16.45 feet; thence North 01°23'47" West, 31.72 feet to the Point of Beginning 2.

Also  
That part of Parcel 1 of Certified Survey Map No. 5285, as recorded in the Register of Deeds office for Milwaukee County as Document No. 6286497, being a part of the Northeast 1/4 and Northwest 1/4 of the Southwest 1/4 of Section 36, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin, described as follows:

Commencing at the northwest corner of the Southwest 1/4 of said Section 36; thence South 00°21'57" East along the west line of said Southwest 1/4, 1322.10 feet to the south line of said Parcel 1; thence North 88°35'41" East along said south line 2560.21 feet to the Point of Beginning 3;

Thence North 07°36'33" West, 19.67 feet; thence North 13°05'08" East, 24.51 feet; thence North 15°33'45" East, 31.83 feet; thence North 04°29'15" West, 40.48 feet; thence North 04°53'56" East, 39.31 feet; thence North 00°16'30" East, 65.65 feet; thence North 08°17'42" East, 83.22 feet; thence North 05°42'32" West, 66.83 feet; thence North 03°12'42" West, 118.41 feet; thence North 13°34'09" East, 44.80 feet; thence North 03°48'32" West, 45.13 feet; thence South 14°36'04" West, 37.47 feet;

thence South 75°04'14" West, 8.47 feet; thence North 02°45'39" West, 44.40 feet; thence North 08°37'33" East, 23.36 feet; thence North 03°21'20" West, 87.45 feet; thence North 02°14'47" East, 64.60 feet; thence North 05°44'36" West, 39.43 feet; thence North 02°39'18" East, 58.19 feet; thence North 02°03'54" West, 86.11 feet; thence North 02°25'07" East, 43.79 feet; thence North 10°11'32" East, 29.30 feet;

thence North 03°08'22" West, 54.49 feet; thence North 06°52'39" East, 32.98 feet; thence North 01°43'12" West, 28.82 feet; thence North 32°30'31" West, 25.53 feet; thence North 27°22'08" East, 30.06 feet; thence North 07°36'20" East, 27.77 feet; thence North 06°03'55" West, 23.93 feet; thence North 08°02'47" East, 13.95 feet; thence North 68°41'33" East, 20.00 feet to the east line of said Southwest 1/4, thence South 00°21'34" East along said east line 1,242.88 feet to the southeast corner of said Parcel 1; thence South 88°35'41" West along the aforesaid south line of Parcel 1, 50.93 feet to the Point of Beginning 3.

**CONSERVATION EASEMENT**

CONN CONSERVATION ENGINEERING GROUP

20725 WATERTOWN ROAD | SUITE 100 | BROOKFIELD, WI 53065 | WWW.PINNACLE-ENG.COM

02/07/2020

PLAN | DESIGN | DELIVER

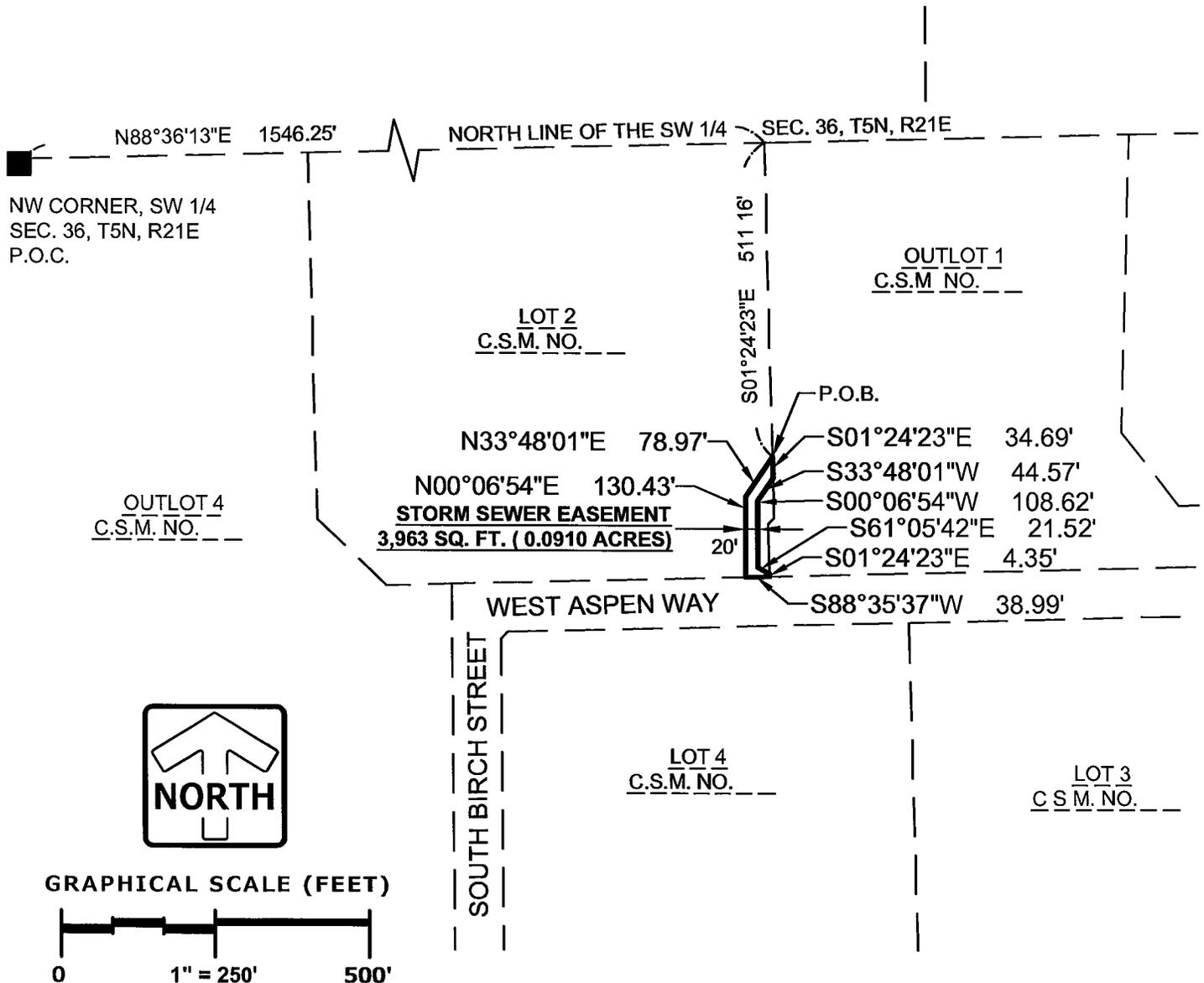
PEGJOB#1827.00

# LEGAL DESCRIPTION:

Being a part of Lot 2 of Certified Survey Map No. \_\_\_\_\_, being a part of the Northeast 1/4 of the Southwest 1/4 of Section 36, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin, described as follows:

Commencing at the northwest corner of the Southwest 1/4 of said Section 36;  
 Thence North 88°36'13" East along the north line of said Certified Survey Map No. \_\_\_\_\_, said line also being the north line of said Southwest 1/4, 1546.25 feet to the northeast corner of said Lot 2; thence South 01°24'23" East along the east line of said Lot 2, 511.16 feet to the Point of Beginning;

Thence continuing South 01°24'23" East along said east line, 34.69 feet; thence South 33°48'01" West, 44.57 feet; thence South 00°06'54" West, 108.62 feet; thence South 61°05'42" East, 21.52 feet to the aforesaid east line of Lot 2; thence South 01°24'23" East, 4.35 feet to the south line of said Lot 2; thence South 88°35'37" West along said south line, 38.99 feet; thence North 00°06'54" East, 130.43 feet; thence North 33°48'01" East, 78.97 feet to the Point of Beginning.



## EXHIBIT

PINNACLE ENGINEERING GROUP

20725 WATERTOWN ROAD | SUITE 100 | BROOKFIELD, WI 53186

WWW.PINNACLE-ENGR.COM

02/03/2020

PLAN | DESIGN | DELIVER

PEG JOB#1827.00