

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

CITY OF FRANKLIN
COMMON COUNCIL MEETING
FRANKLIN CITY HALL – COMMON COUNCIL CHAMBERS
9229 WEST LOOMIS ROAD, FRANKLIN, WISCONSIN
AGENDA*
TUESDAY, MAY 5, 2020 AT 6:30 P.M.

- A. Call to Order and Roll Call.
- B.
 - 1. Citizen Comment Period.
 - 2. Mayoral Announcements – Franklin Emergency Operation Command Staff.
- C. Approval of Minutes - Regular Common Council Meeting of April 21, 2020.
- D. Hearings.
- E. Organizational Business – Mayoral Appointments:
 - 1. Gene Ninnemann, Weed Commissioner.
 - 2. David Bartels, 8489 S. Golden Lake Court, Ald. Dist. 1 – Parks Commission (3 year term expiring 4/30/2023).
- F. Letters and Petitions.
- G. Reports and Recommendations:
 - 1. A Resolution Imposing Conditions and Restrictions for the Approval of a Special Use for the Installation of a Challenge Tower/Aerial Rope Course Upon Property Located at 7011 South Ballpark Drive, within Planned Development District No. 37 (The Rock Sports Complex/Ballpark Commons) (Michael R. Schmitz, Owner of Rock Snow Park, LLC, Applicant).
 - 2. Request to Purchase Two Water Heaters for the Law Enforcement Center.
 - 3. Authorize Perry Brumm LLC to Construct Retaining Wall Behind Police Department (9455 W. Loomis Road) for \$15,900.
 - 4. A Resolution Approving an Amendment to the Project Plan and Boundaries of Tax Incremental District No. 6, City of Franklin, Wisconsin.
 - 5. A Resolution Approving the Project Plan and Establishing the Boundaries for and the Creation of Tax Incremental District No. 8, City of Franklin, Wisconsin.
 - 6. A Resolution Granting Selective Waiver of Interest and Penalties Associated with Late Payment of the May 31, 2020 Tax Levy Installment to Those Franklin Property Tax Payers Adversely Impacted by the Public Health Emergency and setting a final due date for the 2019 Tax Levy of October 1, 2020

7. A Resolution Imposing Conditions and Restrictions for the Approval of a Special Use to Operate an Arby's Restaurant with a Drive Through Out of an Existing 3,288 Square Foot Restaurant Building Located at 7621 West Rawson Avenue (Carisch, Inc., Applicant).
8. An Ordinance to Amend the Unified Development Ordinance Text at Table 15-3.0603 Standard Industrial Classification Title No. 7539 "Automotive Repair Shops, Not Elsewhere Classified" to Allow for Such Use as a Special Use in the M-1 Limited Industrial District (Pavilion Development Company, Applicant).
9. A Resolution Imposing Conditions and Restrictions for the Approval of a Special Use to Operate an Automotive Minor Repair (Primary Use) and Tire Retail Sales and Installation (Accessory Use) Business Upon Property Located at 10800 West Speedway Drive (Pavilion Development Company, Applicant).
10. An Ordinance to Amend the Unified Development Ordinance Text at §15-3.0307 CC City Civic Center District, Subsection A.9., to Exempt the Property in the Northeastern Corner of the District, Such Property Bearing Tax Key No. 794-9999-009, from the Requirements for Cross-Access for Both Pedestrian and Vehicular Circulation with Adjacent Parcel(s) to the East of the Subject Property (Steven Pagnotta of Bradford Franklin LLC, Applicant).
11. A Resolution Authorizing the Waiver and Release in Part of the Floating Access Easement Upon and Within the Shoppes at Wyndham Village, Previously Approved by Resolution No. 2007-6339, Solely for the Property Located at 9651 West Drexel Ave. (Previously Addressed as 7760 South Lovers Lane Road) (Steve Pagnotta, Managing Member of Bradford Franklin LLC, Applicant, Franklin-Wyndham, LLC, Property Owner).
12. A Resolution Authorizing Certain Officials to Accept a Landscape Bufferyard Easement for and as Part of the Review and Approval of a Daycare Facility Use Upon Property Located at 9651 W Drexel Ave. (Steve Pagnotta, Managing Member of Bradford Franklin LLC, Applicant).
13. A Resolution Conditionally Approving a 2 Lot and 2 Outlot Certified Survey Map, Being 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 (JHB Properties, LLC, Applicant/Property Owner) (3617 West Elm Road).
14. Request from Creative Homes to Change August 16, 2019, Approval that Would Allow Construction and Temporary Occupancy for a Model Home from Lot 3 to Lot 7 of Faithway Reserve (S. 76th Street and W. Faith Drive) and Change the Approval to Alesci Homes.
15. Authorize Vandewalle & Associates, Inc. to Provide Support for Parkland Acquisition Services for a Not-to-Exceed Fee of \$25,000.
16. An Ordinance to Amend Ordinance No. 2019-2398, an Ordinance Adopting the 2020 Annual Budgets for the General Fund, Capital Outlay Fund, Equipment Replacement Fund, Street Improvement Fund, Capital Improvement Fund and Development Fund to Reflect a Landfill Siting Revenue Shortfall of \$1,085,000 and a \$943,000 Milwaukee Metropolitan Sewerage District Grant Resource to the Capital Improvement Fund.
17. Authorization for Purchase of BS&A's Community Development & Complaints Software Including Execution of the Software Licenses and Services Agreement.

Common Council Meeting Agenda

May 5, 2020

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18. An Ordinance to Amend Ordinance No. 2019-2398, an Ordinance Adopting the 2020 Annual Budgets for the General Fund to Carryforward \$78,300 of Unused 2019 Personnel Appropriations in the Inspection Services Department.
19. Report on Expenditures Related to the COVID-19 Public Health Emergency Thru April 29, 2020.
20. List of Donations for March and April, 2020 to Police and Fire Departments.
21. March 2020 Monthly Financial Report.
22. Designation of Official Newspaper.
23. Discussion on Director of Administration Position Candidates. The Common Council may enter closed session pursuant to Wis. Stats. §19.85(1)(c) and (f), to consider employment, promotion, compensation, or performance evaluation data of a public employee over which the Common Council has jurisdiction or exercises responsibility and to consider financial, social or personal histories of specific persons which, if discussed in public, would be likely to have a substantial adverse effect upon the reputation of any person referred to in such histories and may re-enter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate.
24. Confirmation of the Appointment of Margaret (Peggy) A. Steeno as Director of Administration.

H. Licenses and Permits.

Miscellaneous Licenses from License Committee Meeting of May 5, 2020.

I. Bills.

Request for Approval of Vouchers and Payroll.

I. Adjournment.

*Supporting documentation and details of these agenda items are available in the Common Council Meeting Packet on the City of Franklin website www.franklinwi.gov

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

REMINDERS:

May 7	Plan Commission Meeting	7:00 p.m.
May 19	Common Council Meeting	6:30 p.m.
May 21	Plan Commission Meeting	7:00 p.m.
May 25	Memorial Day	City Hall Closed
June 2	Common Council Meeting	6:30 p.m.
June 4	Plan Commission Meeting	7:00 p.m.
June 16	Common Council Meeting	6:30 p.m.
June 18	Plan Commission Meeting	7:00 pm.

CITY OF FRANKLIN
COMMON COUNCIL MEETING
APRIL 21, 2020
MINUTES

ROLL CALL

- A. City Clerk Sandra Wesolowski administered the Oaths of Office to Mayor Steve Olson, Third District Alderwoman Kristen Wilhelm, Fourth District Alderwoman Shari Hanneman, and Sixth District Alderman John R. Nelson.

The regular meeting of the Common Council was held on April 21, 2020 and called to order at 6:35 p.m. by Mayor Steve Olson in the Franklin City Hall Council Chambers, 9229 W. Loomis Road, Franklin, Wisconsin. On roll call, the following were in attendance: Alderman Mark Dandrea, Alderman Dan Mayer (by telephone), Alderwoman Kristen Wilhelm (by telephone), Alderwoman Shari Hanneman, 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.

RES. 2020-7615
PUBLIC HEALTH
EMERGENCY
COVID-19

- G.1. Alderman Barber moved to adopt Resolution No. 2020-7615, A RESOLUTION TO AMEND A RESOLUTION IN RATIFICATION OF A PROCLAMATION DECLARING A PUBLIC HEALTH EMERGENCY IN RESPONSE TO THE CORONAVIRUS DISEASE 2019 (COVID-19), AS AMENDED, TO PROVIDE FOR CITY COMMON COUNCIL, BOARDS, COMMISSIONS AND COMMITTEES MEETINGS ATTENDANCE BY THE PUBLIC BY WAY OF TELEPHONE AND/OR ELECTRONIC AUDIO AND/OR VIDEO COMMUNICATION AND TO EXTEND THE TIME PERIOD OF THE PUBLIC HEALTH EMERGENCY FOR FORTY (40) DAYS. Seconded by Alderwoman Hanneman. On roll call, all voted, Aye. Motion carried.

CITIZEN COMMENT

- B.1. Citizen comment period was opened at 6:37 p.m. and closed at 6:44 p.m.

MAYORAL
ANNOUNCEMENT

- B.2. An update was provided by the Franklin Emergency Operation Command Staff relating to the Coronavirus Disease (COVID-19).

MINUTES
APRIL 6, 2020

- C. Alderman Barber moved to approve the minutes of the regular Common Council meeting of April 6, 2020 as corrected at this meeting. Seconded by Alderman Nelson. All voted Aye; motion carried.

MAYORAL
APPOINTMENTS

- E.1. Alderwoman Hanneman moved to confirm the following Aldermanic Appointments:
(a) Alderman Dandrea-Finance Committee, 1 yr. term expires 4/13/21.

- (b) Alderman Dandrea-Plan Commission, 1 yr. term expires 4/13/21.
- (c) Alderman Mayer-Environmental Commission, 1 yr. term expires 4/13/21.
- (d) Alderwoman Wilhelm-License Committee, 1 yr. term expires 4/13/21.
- (e) Alderwoman Wilhelm-Library Board, 3 yr. term expires 4/18/23.
- (f) Alderwoman Wilhelm-Quarry Monitoring Committee, 3 yr. term expires 4/12/23.
- (g) Alderwoman Hanneman-Finance Committee, 1 yr. term expires 4/13/21.
- (h) Alderwoman Hanneman-License Committee, 1 yr. term expires 4/13/21.
- (i) Alderwoman Hanneman-Civic Celebrations Commission, 2 yr. term expires 6/30/22.
- (j) Alderwoman Hanneman-Parks Commission, 1 yr. term expires 4/13/21.
- (k) Alderman Nelson-Fair Commission, term of office, expires 4/18/23.
- (l) Alderman Nelson-License Committee, 1 yr. term expires 4/13/21.
- (m) Alderman Nelson-Board of Public Works, term of office, expires 4/18/23.
- (n) Alderman Nelson-Finance Committee, 1 yr. term expires 4/13/21.

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

COMMON COUNCIL
PRESIDENT

E.2. Alderwoman Wilhelm nominated Alderman Nelson as Common Council President.

Alderman Barber nominated Alderman Dandrea as Common Council President.

Alderman Nelson moved to close nominations for Common Council President. Seconded by Alderman Barber. All voted Aye; motion carried.

Vote by secret ballot, Alderman Dandrea received four votes and Alderman Nelson received two votes. Alderman Dandrea was elected Common Council President.

BALLPARK COMMONS UPDATE	G.2.	No action was taken following a project update for Ballpark Commons.
UPGRADE OF 911 NEXTGEN	G.3.	Alderwoman Wilhelm moved to accept the grant with the commitment to fund 100% of the project costs of \$26,883.50 with the expectation the City would receive 60% of the costs, estimated to be \$16,130.00, as a reimbursement, with City costs being \$10,754.00, and further that the Council directs the Director of Finance & Treasurer to prepare budget amendment to move contingency appropriation to Police Equipment and reflect the grant resources. Seconded by Alderman Mayer. On roll call, all voted Aye. Motion carried.
STATEWIDE HEALTH INFORMATION NETWORK CONTRACT	G.4.	Alderman Barber moved to allow the Director of Health and Human Services to enter into a 90-day trial contract for access to the Wisconsin Statewide Health Information Network (WSHIN) organization data to improve communicable disease investigation and follow-up. Seconded by Alderman Mayer. On roll call, Alderman Nelson, Alderman Barber, Alderwoman Hanneman, Alderman Mayer, and Alderman Dandrea voted Aye; Alderwoman Wilhelm Abstained. Motion carried.
ICC AGREEMENT COVID-19	G.5.	Alderman Mayer moved to authorize the City of Franklin to participate in an Intergovernmental Cooperation Agreement for procuring personal protection equipment and other necessary sanitation and medical supplies in response to the COVID-19 public health emergency. Seconded by Alderman Barber. On roll call, all vote Aye. Motion carried.
COVID-19 EXPENDITURES	G.6.	No action taken on the report on expenditures related to the COVID-19 Public Health Emergency through April 15, 2020.
COVID-19 EMPLOYEE TREATMENT COVERAGE	G.7.	Alderman Mayer moved to authorize coverage of 1st dollar medical costs for COVID-19 treatment for employees covered on the City's health insurance plan. Seconded by Alderman Barber. On roll call, all voted Aye. Motion carried.
RES. 2020-7616 DEV. AGREEMENT KNOLLWOOD LEGACY APARTMENTS	G.8.	Alderman Dandrea moved to adopt Resolution No. 2020-7616, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO EXECUTE A DEVELOPMENT AGREEMENT WITH THE DEVELOPER OF KNOLLWOOD LEGACY APARTMENTS UPON REVIEW AND ACCEPTANCE BY CITY ATTORNEY. Seconded by Alderman Barber. On roll call, Alderman Barber, Alderwoman Hanneman, Alderwoman Wilhelm, and Alderman Dandrea voted Aye; Alderman Nelson and Alderman Mayer voted

No. Motion carried.

STORM WATER
DRAINAGE ISSUE AT
KRONES, INC.

- G.9. Alderwoman Hanneman moved to rescind current and future invoices to Kronos, Inc. related to the review of the redesign of the storm water system. Seconded by Alderman Barber. On roll call, all voted Aye. Motion carried.

REPLACEMENT
CHAIRS

- G.10. Alderman Barber moved to authorized the Operations Supervisor to execute a quotation and purchase order with Building Services, Inc. (BSI) for a purchase of twenty-nine (29) SitOnIt "Focus" 5623TB1.A152. high-back mesh chairs, for \$9,425.00 and to authorize release of the check. Seconded by Alderman Dandrea. On roll call, all voted Aye. Motion carried.

RES. 2020-7617
TEMPORARY GRADING
EASEMENT FOR
8003 S. 68TH ST.

- G.11. Alderman Barber moved to adopt Resolution No. 2020-7617, A RESOLUTION TO SIGN A TEMPORARY GRADING EASEMENT FOR 8003 SOUTH 68TH STREET (TAX KEY NO. 804-9991-002) FOR WORK ON THE SOUTH 68TH STREET VERTICAL ALIGNMENT IMPROVEMENTS PROJECT. Seconded by Alderman Nelson. On roll call, all voted Aye. Motion carried.

EASEMENT TO WE
ENERGIES FOR
3548 W. SOUTH
COUNTY LINE RD.

- G.12. Alderman Barber moved to direct staff to grant gas and electric easement to Wisconsin Electric Power Company for City owned parcel at 3548 West South County Line Road and West Drexel Avenue (Tax Key No. 979-9999-000). Seconded by Alderman Dandrea. On roll call, all voted Aye. Motion carried.

BID FOR
DEMOLITION
3548 W. SOUTH
COUNTY LINE RD.

- G.13. Alderman Hanneman moved to authorize staff to solicit bids for the demolition of an abandoned home at 3548 West South County Line Road (Tax Key No. 979-9999-000). Seconded by Alderman Barber. On roll call, all voted Aye. Motion carried.

WAIVE LATE FEES
AND OTHER
CONCESSIONS FOR
WATER AND SEWER
DUE TO COVID-19

- G.14. City Engineer Morrow presented the Notice to waive late fees and make other concessions for the Water and Franklin Sewer Utilities in accordance with Wisconsin Governor Tony Evers' Emergency Order #11, "Public Service Commission Administration Rules and Suspensions", which was placed on file on a motion by Alderman Barber, seconded by Alderman Nelson. On roll call, all voted Aye. Motion carried.

BUDGET AMENDMENT
LANDFILL SITING
REVENUES

- G.15. Alderman Dandrea moved to hold until the May 5, 2020 Common Council meeting and refer to the Finance Committee for a recommendation back to the Common Council, a 2020 budget amendment for the General Fund, Capital Outlay Fund, Equipment

Replacement Fund, Street Improvement Fund and Capital Improvement Fund to reduce \$1,000,000 of landfill siting resources and remove selected projects from the 2020 capital funds. Seconded by Alderman Nelson. All voted Aye; motion carried.

BS&A SOFTWARE
PURCHASE

- G.16. Alderman Barber moved to authorize purchase of BS&A's Community Development and Citizen Call to Action Software including execution of the Software License and Services Agreement and to authorize the Director of IT to execute the necessary documents. Seconded by Alderman Dandrea. Alderman Dandrea withdrew his second and Alderman Barber withdrew his motion.

Alderwoman Hanneman then moved to table to the May 5, 2020 Common Council meeting, the purchase of BS&A's Community Development and Citizen Call to Action Software. Seconded by Alderman Barber. All voted Aye; motion carried.

VOUCHERS AND
PAYROLL

- H. Alderman Barber moved to approve the following: City vouchers with an ending date of April 16, 2020 in the amount of \$1,330,172.07; and Payroll dated April 10, 2020 in the amount of \$393,725.67 and payments of the various payroll deductions in the amount of \$244,021.95 plus City matching payments; and estimated payroll dated April 24, 2020 in the amount of \$412,000.00 and payments of the various payroll deductions in the amount of \$441,000.00, plus City matching payments; and the release of payment to Knight Barry in the amount of \$2,036,763.71; and property tax vouchers with an ending date of April 16, 2020 in the amount of \$6,790,553.67 and the use of investment funds for tax settlements of \$5,867,154.16. Seconded by Alderman Dandrea. On roll call, all voted Aye. Motion carried.

ADJOURNMENT

- I. Alderwoman Hanneman moved to adjourn the meeting at 8:04 p.m. Seconded by Alderman Barber. All voted Aye; motion carried.

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APPROVAL <i>slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 05-05-20
ORGANIZATIONAL BUSINESS	Appointment of Weed Commissioner	ITEM NUMBER <i>E.1.</i>

Appointment of Gene Ninnemann as Weed Commissioner at a weed cutting fee of \$90.00 per hour, or other action the Council deems appropriate for the calendar year 2020.

COUNCIL ACTION REQUESTED

Appointment of Gene Ninnemann as Weed Commissioner at a weed cutting fee of \$90.00 per hour or other action the Council deems appropriate for the calendar year 2020.

OR

As directed

NINNEMANN TRUCKS & EQUIPMENT LLC
287-27TH STREET
CALEDONIA, WI 53108

City of Franklin
9229 W Loomis Rd.
Franklin, WI 53132
City Clerk Office

February 9, 2020

Dear Sandra Wesolowski

I would once again like to take is time to extend my services with the City of Franklin by continuing to serve as the City's Weed Commissioner/ cutter for the upcoming season of 2020. As always I have enjoyed the privilege to help server the City and its residence and look forward to the opportunity again. The rates for the 2020 season will remain the same at \$90.00 per hour

Sincerely,

Gene Ninnemann

A handwritten signature in blue ink that reads "Gene Ninnemann". The signature is stylized with a large, flowing "G" and "N".

APPROVAL <i>slw</i>	REQUEST FOR COMMON COUNCIL ACTION	MEETING DATE 05-05-20
ORGANIZATIONAL BUSINESS	Board and Commission Appointment	ITEM NUMBER <i>E, 2.</i>

The following Mayoral appointment has been submitted for Council confirmation:

David Bartels, 8489 S. Golden Lake Court, Ald. Dist. 1 Parks Commission (3 year term expiring 4/30/2023).

COUNCIL ACTION REQUESTED

Motion to confirm the following Mayoral appointment:

David Bartels, 8489 S. Golden Lake Court, Ald. Dist. 1 Parks Commission (3 year term expiring 4/30/2023).

CITY CLERK

Shirley Roberts

From: volunteerfactsheet@franklinwi.info
Sent: Thursday, April 30, 2020 8:22 AM
To: Lisa Huenig; Shirley Roberts, Sandi Wesolowski
Subject: Volunteer Fact Sheet

Name: David Bartels
PhoneNumber:
EmailAddress:
YearsasResident: 25
Alderman: 1
ArchitecturalBoard: no
CivicCelebrations: no
CommunityDevelopmentAuthority: no
EconomicDevelopmentCommission: no
EnvironmentalCommission: no
FinanceCommittee: no
FairCommission: no
BoardofHealth: no
FirePoliceCommission: no
ParksCommission: yes
LibraryBoard: no
PlanCommission: no
PersonnelCommittee: no
BoardofReview: no
BoardofPublicWorks: no
QuarryMonitoringCommittee: no
TechnologyCommission: no
TourismCommission: no
BoardofZoning: no
WasteFacilitiesMonitoringCommittee: no
BoardWaterCommissioners: no
CompanyNameJob1: WMEP Manufacturing Solutions
CompanyAddressJob1: 2601 Crossroads Dr., Madison, WI 53718
TelephoneJob1: 4146593704
StartDateandPositionJob1: 08/2019 - Business Development Leader
EndDateandPositionJob1: Current
CompanyNameJob2: Global Industrial
AddressJob2: 11400 W. Parkland Ave. Milwaukee, WI
TelephoneJob2: 4146593704
StartDateandPositionJob2: 10/2018 - Outside Sales Rep.

EndDateandPositionJob2: 08/2019 - same
CompanyNameJob3: Cubic Designs Inc.
AddressJob3: 5487 S. Westridge Dr., New Berlin, WI
TelephoneJob3: 2627891966
StartDateandPositionJob3: 04/1992 - Sales Rep.
EndDateandPositionJob3: 07/2018 - Sales Mgr.
Signature: David Bartels
Date: 04/30/2020
Signature2: David Bartels
Date2: 04/30/2020
Address: 8489 S Golden Lake Ct., Franklin, WI
PriorityListing:

WhyInterested: I feel it's very important to give back to our community by volunteering and wanting to help make a difference, especially during these trying times we live in. Franklin is a great place to live and raise a family and I enjoy giving back and being part of a team that keeps us moving forward.

DescriptionofDutiesJob1: Uncover business opportunities for manufacturing consulting services with small to mid-size manufacturers in Wisconsin.
DescriptionofDutiesJob2: Sales of industrial and commercial products to businesses.
DescriptionofDutiesJob3: Sales of custom mezzanine systems to commercial and industrial businesses.

AdditionalExperience: Franklin business owner (co-owner, Point After Pub & Grille); 5 years on Franklin Youth Football Board (3 as president); chairman of Saber Stadium project (volunteer citizen group that raised \$1 million for the high school athletic field); 4 years on Franklin Fire & Police Commission; 13 years on Franklin Little League Board (4 as president). Hobbies include golf, biking and reading.

ClientIP: 184.59.63.237
SessionID: qwpy4ei5ef0zd3atjsfe1qza
[See Current Results](#)

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RESOLUTION NO. 2020-_____

A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS
FOR THE APPROVAL OF A SPECIAL USE FOR THE INSTALLATION OF A
CHALLENGE TOWER/AERIAL ROPE COURSE UPON PROPERTY LOCATED
AT 7011 SOUTH BALLPARK DRIVE, WITHIN PLANNED DEVELOPMENT
DISTRICT NO. 37 (THE ROCK SPORTS COMPLEX/BALLPARK COMMONS)
(MICHAEL R. SCHMITZ, OWNER OF ROCK SNOW PARK, LLC, APPLICANT)

WHEREAS, Michael R. Schmitz, owner of Rock Snow Park, LLC having petitioned for the approval of a Special Use in Planned Development District No. 37 (The Rock Sports Complex/Ballpark Commons), to allow for the installation of a challenge tower/aerial rope course (east of the existing Ski Chalet within Ballpark Commons) [challenge towers/aerial ropes courses are not specifically listed as Permitted/Special Use in Planned Development District No. 37 (The Rock Sports Complex/Ballpark Commons) Ordinance No. 2019-2368, therefore, the applicant is requesting the Plan Commission determine that the proposed use is similar to those listed as Special Uses in the Planned Development District Ordinance, such as Outdoor Climbing Walls or Indoor/Outdoor Sports (non-motorized) not elsewhere classified], upon property located at 7011 South Ballpark Drive, bearing Tax Key No. 744-1003-000, more particularly described as follows:

CERTIFIED SURVEY MAP NO. 9041: A REDIVISION OF PARCELS 1 AND 2 OF CERTIFIED SURVEY MAP NO. 3931, OUTLOT 1 OF CERTIFIED SURVEY MAP NO. 3107, OUTLOT 1 OF WHITNALL VIEW ADDITION NO. 1, THAT VACATED PORTION OF CRYSTAL RIDGE DRIVE AS RECORDED IN THE MILWAUKEE COUNTY REGISTER OF DEEDS AS DOCUMENT NO. 10773453 AND LANDS IN THE SOUTHWEST 1/4 AND SOUTHEAST 1/4 OF THE NORTHEAST 1/4, THE NORTHEAST 1/4, SOUTHEAST 1/4, SOUTHWEST 1/4 AND NORTHWEST 1/4 OF THE SOUTHEAST 1/4 AND THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 ALL IN SECTION 4, TOWN 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN; and

WHEREAS, such petition having been duly referred to the Plan Commission of the City of Franklin for a public hearing, pursuant to the requirements of §15-9.0103D. of the Unified Development Ordinance, and a public hearing having been held before the Plan Commission on the 23rd day of April, 2020, and the Plan Commission thereafter having determined to recommend that the proposed Special Use be approved, subject to certain conditions, and the Plan Commission further finding that the proposed Special Use upon such conditions, pursuant to §15-3.0701 of the Unified Development Ordinance, will be in harmony with the purposes of the Unified Development Ordinance and the Comprehensive

MICHAEL R. SCHMITZ, OWNER OF ROCK SNOW PARK, LLC – SPECIAL USE
RESOLUTION NO. 2020-_____

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

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

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the petition of Michael R. Schmitz, owner of Rock Snow Park, LLC, for the approval of a Special Use for the property particularly described in the preamble to this Resolution, be and the same is hereby approved, subject to the following conditions and restrictions:

1. That this Special Use is approved only for the use of the subject property by Michael R. Schmitz, owner of Rock Snow Park, LLC, successors and assigns, as a challenge tower/aerial rope course use, which shall be developed in substantial compliance with, and operated and maintained by Michael R. Schmitz, owner of Rock Snow Park, LLC, pursuant to those plans City file-stamped April 13, 2020 and annexed hereto and incorporated herein as Exhibit A.
2. Michael R. Schmitz, owner of Rock Snow Park, LLC, successors and assigns, shall pay to the City of Franklin the amount of all development compliance, inspection and review fees incurred by the City of Franklin, including fees of consults to the City of Franklin, for the Michael R. Schmitz, owner of Rock Snow Park, LLC Ballpark Commons challenge tower/aerial rope course installation, within 30 days of invoice for same. Any violation of this provision shall be a violation of the Unified Development Ordinance, and subject to §15-9.0502 thereof and §1-19. of the Municipal Code, the general penalties and remedies provisions, as amended from time to time.
3. The approval granted hereunder is conditional upon the Michael R. Schmitz, owner of Rock Snow Park, LLC challenge tower/aerial rope course use for the property located at 7011 South Ballpark Drive: (i) being in compliance with all applicable governmental laws, statutes, rules, codes, orders and ordinances; and (ii) obtaining all other governmental approvals, permits, licenses and the like, required for and applicable to the project to be developed and as presented for this approval.

MICHAEL R. SCHMITZ, OWNER OF ROCK SNOW PARK, LLC – SPECIAL USE
RESOLUTION NO. 2020-_____

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4. The applicant shall revise the Site Plan and/or Landscape Plan to show shared parking easements between adjoining property owners, for Department of City Development and Engineering Department review and approval prior to issuance of an Occupancy Permit.
5. Signs shall be subject to staff review in conformance with Chapter 210 of the Municipal Code and issuance of a Sign Permit.
6. The applicant shall obtain final approval of grading, erosion control, storm water management, and utilities by the Engineering Department prior to any land disturbance activities.

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

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

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

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

MICHAEL R. SCHMITZ, OWNER OF ROCK SNOW PARK, LLC – SPECIAL USE
RESOLUTION NO. 2020-_____

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

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

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

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

**CITY OF FRANKLIN****REPORT TO THE PLAN COMMISSION****Meeting of April 23, 2020****Special Use and Site Plan**

RECOMMENDATION: City Development staff recommends approval of the Special Use and Site Plan for the Ballpark Commons (BPC) Challenge Tower.

Project Name:	Ballpark Commons Challenge Tower Special Use and Site Plan
Project Address:	7011 South Ballpark Drive
Applicant:	Rock Snow Park, LLC Michael Schmitz, representative
Property Owner:	Roc Ventures, LLC
Current Zoning:	Planned Development District (PDD) No. 37
2025 Comprehensive Plan:	Mixed Use
Use of Surrounding Properties:	Ski hill to the north, Ski Chalet to the west, parking areas to the south, parking areas and Umbrella Bar to the east.
Applicant's Action Requested:	Plan Commission recommendation of approval of the Special Use and approval of the Site Plan.

INTRODUCTION:

On February 27, 2020, Rock Snow Park, LLC has submitted applications for Special Use and Site Plan, for a Challenge Tower to be located east of the existing Ski Chalet. Challenge towers (similar to and sometimes referred to as compact aerial courses or high rope courses) are typically tall structures designed to provide rope courses comprised of numerous swinging, climbing, and balancing challenges. The Common Council heard a Concept Review for this project at its November 5, 2019, meeting.

In accordance with the Unified Development Ordinance (UDO) §15-7.0104, the review time frame for Site Plan applications is 60 days. Therefore, these applications are scheduled for this April 23, 2020, Plan Commission meeting.

Challenge towers/aerial ropes courses are not specifically listed as permitted/special use in the PDD No. 37 Ordinance No. 2019-2368. However, per Unified Development Ordinance (UDO) Section §15-2.0210, when a use is not specifically listed a "Permitted Use," "Special Use," or "Accessory Use," it shall be assumed that such a use is expressly prohibited unless by a written decision of the Plan Commission it is determined that said use is similar to, and not a more measurably intense use, than the use listed.

The applicant is requesting the Plan Commission to determine that the proposed use is similar to those listed as special uses in the PDD Ordinance, such as Outdoor Climbing Walls or Indoor/Outdoor Sports (non-motorized) not elsewhere classified.

PROJECT ANALYSIS:

The Challenge Tower would be located east of the existing Ski Chalet. On November 5, 2019, the Common Council heard a Concept review for this project, the previous location was north of the Umbrella Bar. The applicant changed the location of the proposed Challenge Tower based on input received during the Common Council hearing.

If the Plan Commission determines that Challenge Towers are similar to Outdoor Climbing Walls or Indoor/Outdoor Sports (non-motorized) not elsewhere classified. The proposed use would be compatible to other recreational uses of the Rock Sports Complex Area, such as snowshoeing, indoor and outdoor soccer, volleyball, golf, baseball, indoor climbing wall, general retail, slides/children's play areas, physical therapy as permitted uses, and entertainment outdoor and indoor music, electric vehicle racing and drinking places as special uses.

The intent of the Rock Sports Complex Area *is to provide a multi-use sports and entertainment complex where the recreational needs of area residents can be met without undue disturbance of natural resources and adjacent uses*, as stated in the PDD Ordinance Section 15-3.0442A.

On the other hand, if the Plan Commission determines that Challenge Towers are not similar enough to the uses listed above. The Challenge Tower would be assumed as not permitted in this PDD.

The site is designated as "Mixed Use" in the Future Land Use Map of the Comprehensive Master Plan (CMP). Therefore, the Challenge Tower is consistent with the CMP and the Planned Development District (PDD) Ordinance No. 2019-2398.

Special Use standards

Adverse Impact. The proposed challenge tower structure would be located on top of a private sewer line. Engineering Dept. suggested to find another location. The applicant stated that *the tower will have no impact on the utilities and we will be responsible for any future maintenance or service to the utilities.*

Site Plan

The site is approximately 5,945 sf in area and the structure would comply with setback requirements set forth in the PDD Ordinance. The resulting overall Landscape Surface Ratio (LSR) of 65.28 % complies with the PDD minimum of 50%. The tower would be 50-foot tall, with 3 levels of obstacles and an observation deck on the top, the structure complies with the maximum height of 60 feet for this district.

The exact hours of operation are not defined yet, but the maximum would be from 9 am to sunset. The applicant has not submitted an outdoor lighting plan as this facility would only be operated during daylight hours.

With regards to safety, the applicant stated that *the challenge tower industry has oversight from the Association for Challenge Course Technology [ACCT] ACCT is an American National Standards Institute (ANSI) accredited standards developer for the global challenge course,*

aerial adventure park, canopy tour, and zip line industry. All operations of the tower will be in compliance with best practices and standards proposed by the ACCT and will follow all operating procedures, maintenance, and recommendations contained in the manufacture's manuals.

Parking

Per applicant's calculations, the capacity of the Challenge Tower is 30 people plus 10 people in line, utilizing the closest matched use of the UDO parking table (Resort) with a 3 patrons per parking space ratio, 13 parking spaces for patrons and 4 spaces for staff, resulting in a total of 17 parking spaces.

It is noted that per PDD Ordinance 2019-2368, §15-3.0442A(D)(2)(b): *Utilization of parking on any adjacent site is prohibited and shall not be counted towards parking requirements unless prior approval of the Plan Commission is obtained and subject to recorded shared parking agreements/easements/etc.* Therefore, staff is recommending a condition of approval requiring shared parking easements.

Fencing

Fencing will be 6-foot high black vinyl coated chain link without privacy slats consistent with the rest of the property. This fence complies with the PDD Ord. Section 15-3.0442A(D)(1)(b).

CONCLUSION:

City Development staff recommends approval of the Special Use and Site Plan for the Challenge Tower at Ballpark Commons, subject to the conditions set forth in the attached Resolution.

RESOLUTION NO. 2020-____

A RESOLUTION APPROVING A SITE PLAN TO ALLOW FOR THE
INSTALLATION OF A PROPOSED 50 FOOT HIGH CHALLENGE TOWER
(7011 SOUTH BALLPARK DRIVE)
(MICHAEL R. SCHMITZ, OWNER OF ROCK SNOW PARK, LLC,
APPLICANT, ROC VENTURES, LLC, PROPERTY OWNER)

WHEREAS, Michael R. Schmitz, owner of Rock Snow Park, LLC having applied for approval of a proposed site plan to allow for the installation of a proposed 50 foot high Challenge Tower (compact aerial courses or high rope courses, comprised of numerous swinging, climbing and balancing challenges) with 3 levels of obstacles and 50 elements, including a kids course, an observation deck at the top, with a 50 foot by 50 foot octagonal footprint, to be located east of the existing Ski Chalet in The Rock Sports Complex, property located at 7011 South Ballpark Drive, within Planned Development District No. 37 (The Rock Sports Complex/Ballpark Commons); and

WHEREAS, the Plan Commission having reviewed such proposal and having found same to be in compliance with the applicable terms and provisions of §15-3.0421 of the Unified Development Ordinance and in furtherance of those express standards and purposes of a site plan review pursuant to Division 15-7.0100 of the Unified Development Ordinance.

NOW, THEREFORE, BE IT RESOLVED, by the Plan Commission of the City of Franklin, Wisconsin, that the Site Plan to allow for the installation of a proposed 50 foot high Challenge Tower with 3 levels of obstacles and 50 elements, including a kids course, an observation deck at the top, with a 50 foot by 50 foot octagonal footprint, as depicted upon the plans date-stamped April 13, 2020, attached hereto and incorporated herein, is hereby approved, subject to the following terms and conditions:

1. The property subject to the Site Plan shall be developed in substantial compliance with, and operated and maintained pursuant to the Site Plan for the Michael R. Schmitz, owner of Rock Snow Park, LLC Challenge Tower installation date-stamped April 13, 2020.
2. Michael R. Schmitz, owner of Rock Snow Park, LLC, successors and assigns, and any developer of the Michael R. Schmitz, owner of Rock Snow Park, LLC Challenge Tower installation 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, for the Michael R. Schmitz, owner of Rock Snow Park, LLC Challenge Tower installation project, within 30 days of

invoice for same. Any violation of this provision shall be a violation of the Unified Development Ordinance, and subject to §15-9.0502 thereof and §1-19. of the Municipal Code, the general penalties and remedies provisions, as amended from time to time.

3. The approval granted hereunder is conditional upon the Michael R. Schmitz, owner of Rock Snow Park, LLC Challenge Tower installation project, located at 7011 South Ballpark Drive, within Planned Development District No. 37 (The Rock Sports Complex/Ballpark Commons) (i) being in compliance with all applicable governmental laws, statutes, rules, codes, orders and ordinances; and (ii) obtaining all other governmental approvals, permits, licenses and the like, required for and applicable to the project to be developed and as presented for this approval.
4. That the Michael R. Schmitz, owner of Rock Snow Park, LLC Challenge Tower installation project shall be developed and constructed pursuant to such Site Plan within one year from the date of adoption of this Resolution, or this Resolution and all rights and approvals granted hereunder shall be null and void, without any further action by the City of Franklin.
5. The approval granted hereunder is subject to the conditions and restrictions set forth in the concurrent Special Use Resolution.

Introduced at a regular meeting of the Plan Commission of the City of Franklin this _____ day of _____, 2020.

Passed and adopted at a regular meeting of the Plan Commission of the City of Franklin this _____ day of _____, 2020.

APPROVED:

Stephen R. Olson, Chairman

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____



7011 S. Ballpark Drive
TKN: 744 1003 000



Planning Department
(414) 425-4024

0 500 1 000 2,000 Feet

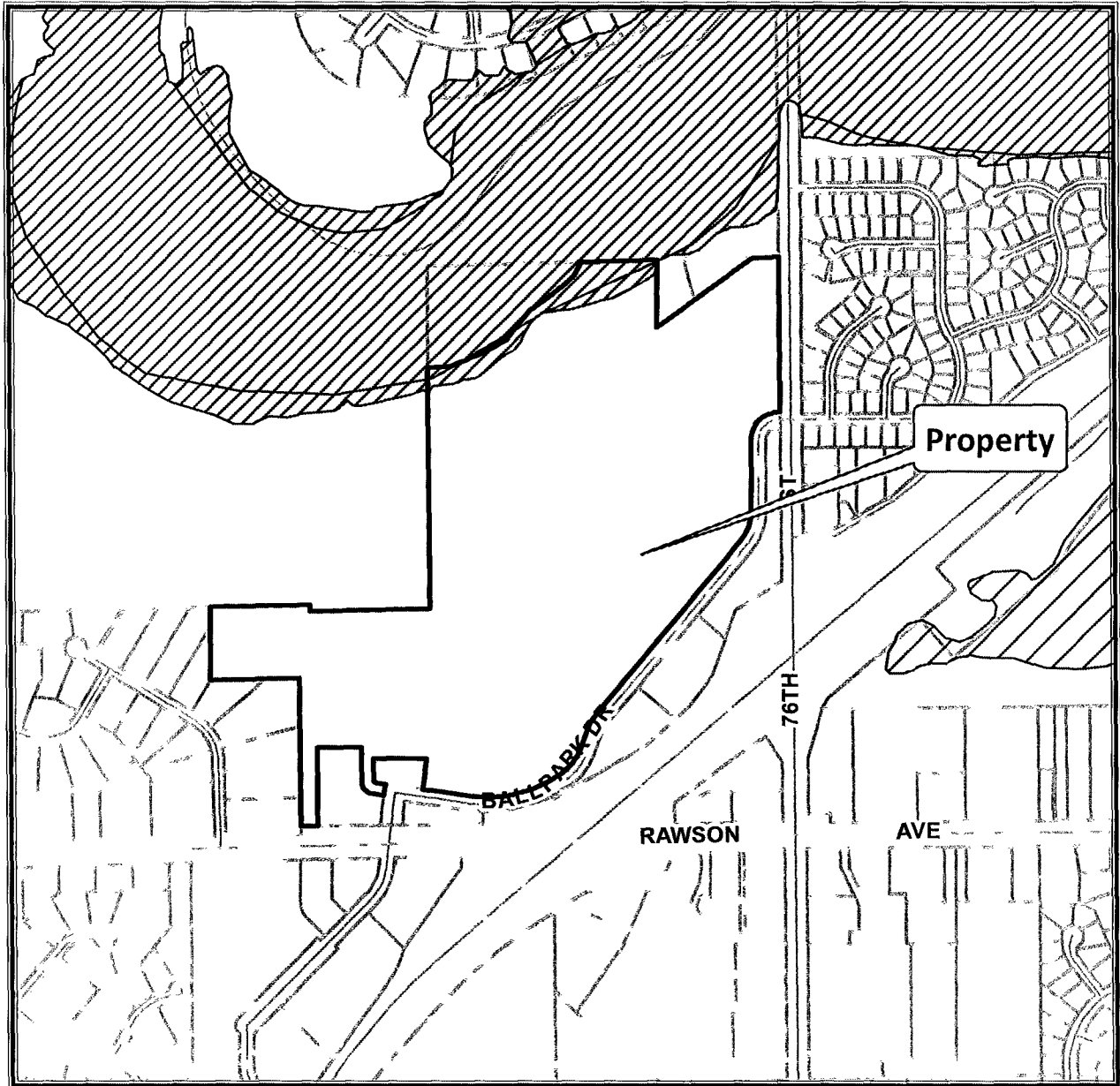
This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor. This map is provided for informational purposes only and may not be sufficient or appropriate for legal engineering or surveying purposes.



2017 Aerial Photo



7011 S. Ballpark Drive
TKN: 744 1003 000



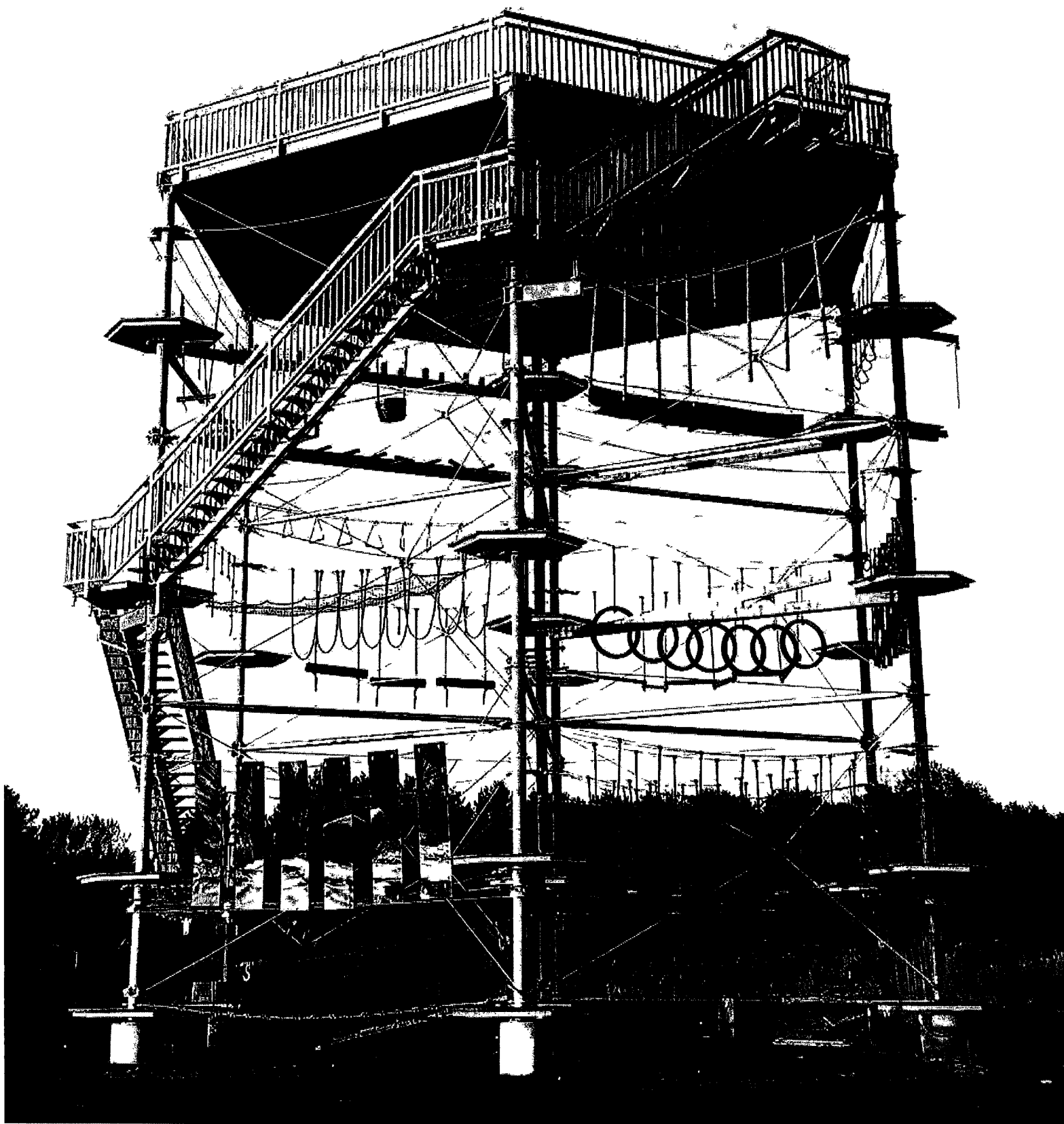
Planning Department
(414) 425-4024

0 500 1 000 2 000 Feet



2017 Aerial Photo

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





Date of Application _____

SITE PLAN / SITE PLAN AMENDMENT APPLICATION

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

Applicant (Full Legal Name[s])

Name Rock Snow Park, LLC
Company Rock Snow Park, LLC
Mailing Address 7011 S Ballpark Dr
City / State Franklin, WI Zip 53132
Phone 414-235-8818
Email Address info@rocksnowpark.com

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

Name Michael Schmitz
Company Rock Snowpark
Mailing Address 011 S Ballpark Dr
City / State Franklin, WI Zip 53132
Phone 414-235-8818
Email Address mike@rocksnowpark.com

Project Property Information

Property Address 7011 S Ballpark Dr
Property Owner(s) Roc Ventures

Tax Key Nos _____

Mailing Address 7044 S Ballpark Dr
City / State Franklin, WI Zip 53132
Email Address _____

Existing Zoning _____

Existing Use _____

Proposed Use _____

Future Land Use Identification _____

*The 2025 Comprehensive Master Plan Future Land Use Map is available at _____

Site Plan/Site Plan Amendment submittals for review must include and be accompanied by the following:

- ☐ This Application form accurately completed with original signature(s) Facsimiles and copies will not be accepted
- ☐ Application Filing Fee, payable to City of Franklin
 - ☐ Tier 1 \$2000
 - ☐ Tier 2 \$1000 (Lot size ≤ 1 acre)
 - ☐ Tier 3 \$500 (≤ 10% increase or decrease in total floor area of all structures with no change to parking, or change to parking only)
- ☐ Legal Description for the subject property (WORD doc. or compatible format)
- ☐ Seven (7) complete collated sets of Application materials to include
 - ☐ One (1) original and six (6) copies of a written Project Summary, including description of any new building construction and site work, interior/exterior building modifications or additions to be made to property, site improvement costs estimate of project value and any other information that is available)
 - ☐ Seven (7) folded full size, drawn to scale copies (at least 24" x 36") of the Site Plan/Site Plan Amendment package (The submittal should include only those plans/items as set forth in Section 15 7 0103, 15 7 0301 and 15 5 0402 of the Unified Development Ordinance that are impacted by the development (e.g., Site Plan, Building Elevations, Landscape Plan, Outdoor Lighting Plan, Natural Resource Protection Plan, etc.)
 - ☐ Reduced size (11"x17") copies of the Site Plan/Site Plan Amendment package will be at Planning staff recommendation, if applicable
- ☐ One colored copy (11"x17") of the building elevations, if applicable
- ☐ One copy of the Site Intensity and Capacity Calculations, if applicable (see Division 15 3 0500 of the UDO)
- ☐ Three copies of the Natural Resource Protection report if applicable (see Section 15 7 0103Q of the UDO)
- ☐ Email (or CD ROM) with all plans/submittal materials Plans must be submitted in both Adobe PDF and AutoCAD compatible format (where applicable)

*Upon receipt of a complete submittal, staff review will be conducted within ten business days Additional materials may be required

*Site Plan/Site Plan amendment requests require Plan Commission or Community Development Authority review and approval

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

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

Signature: Michael E. Schmitz
Name & Title (PRINT): Michael E. Schmitz
Date: 2-17-20

Signature: Michael E. Schmitz
Name & Title (PRINT): Michael E. Schmitz
Date: 2/17/20

Signature: _____
Name & Title (PRINT): _____
Date: _____

Signature: _____
Name & Title (PRINT): _____
Date: _____

Planning Department
9229 West Loomis Road
Franklin, Wisconsin 53132
Email



City of Franklin

Phone (414) 425-4024
Fax (414) 427 7691
Web Site

Date of Application _____

SPECIAL USE / SPECIAL USE AMENDMENT APPLICATION

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

Applicant (Full Legal Name(s))

Name Rock Snow Park, LLC
Company Rock Snow Park, LLC
Mailing Address 7011 S Ballpark Dr
City / State Franklin, WI Zip 53132
Phone 414-235-8818
Email Address info@rocksnowpark.com

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

Name Michael Schmitz
Company Rock Snowpark
Mailing Address 7011 S Ballpark Dr
City / State Franklin, WI Zip 53132
Phone 414-807-0909
Email Address mike@rocksnowpark.com

Project Property Information.

Property Address 7011 S Ballpark Dr
Property Owner(s) Roc Ventures
Mailing Address 7044 S Ballpark Dr
City / State Franklin, WI Zip 53132
Email Address _____

Tax Key Nos _____
Existing Zoning _____
Existing Use _____
Proposed Use _____
Future Land Use Identification _____

*The 2025 Comprehensive Master Plan Future Land Use Map is available at _____

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

- ☐ This Application form accurately completed with original signature(s) Facsimiles and copies will not be accepted
- ☐ Application Filing Fee payable to City of Franklin
 - ☐ \$1500, New Special Use over 4,000 square feet
 - ☐ \$1000 Special Use Amendment
 - ☐ \$750, New Special Use under 4,000 square feet
- ☐ Legal Description for the subject property (WORD doc or compatible format)
- ☐ One copy of a response to the General Standards, Special Standards (if applicable), and Considerations found in Section 15.3.0701(A), (B), and (C) of the Unified Development Ordinance available at _____
- ☐ Seven (7) complete collated sets of Application materials to include
 - ☐ One (1) original and six (6) copies of a written Project Summary, including description of any new building construction and site work, interior/exterior building modifications or additions to be made to property, site improvement costs, estimate of project value and any other information that is available
 - ☐ Three (3) folded full size, drawn to scale copies (at least 24" x 36") of the Site Plan/Site Plan Amendment package (The submittal should include only those plans/items as set forth in Section 17.7.0101, 15.7.0301 and 15.5.0402 of the Unified Development Ordinance that are impacted by the development (e.g., Site Plan, Building Elevations, Landscape Plan, Outdoor Lighting Plan, Natural Resource Protection Plan, etc.))
 - ☐ Four (4) folded reduced size (11"x17") copies of the Site Plan/Site Plan Amendment package
- ☐ One colored copy (11"x17") of the building elevations, if applicable
- ☐ Three copies of the Natural Resource Protection Plan and report, if applicable (see Section 15.4.0102 & 15.7.0201 of the UDO)
- ☐ Email (or CD ROM) with all plans/submittal materials. Plans must be submitted in both Adobe PDF and AutoCAD compatible format (where applicable)

*Upon receipt of a complete submittal, staff review will be conducted within ten business days

*Special Use/Special Use Amendment requests require Plan Commission review, a Public Hearing and Common Council approval

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

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

Signature: Property Owner
Name & Title (PRINT) Michael E. Zimmerman

Date 2-17-20

Signature: Applicant
Name & Title (PRINT) Michael Schmitz

Date 2-17-20

Signature: Property Owner
Name & Title (PRINT) _____

Date _____

Signature: App. Co. Representative
Name & Title (PRINT) _____

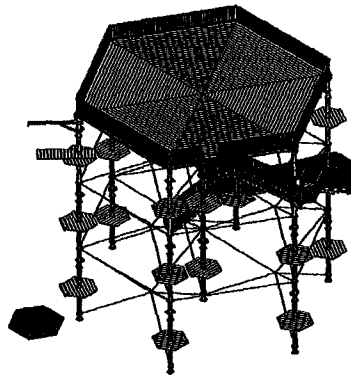
Date _____

Rock Snow Park, LLC

Challenge Tower

Project Summary & Preliminary Site/Development Plan

2/17/2020



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Overview

Rock Snow Park, LLC is looking to build a challenge tower at the Rock Sports Complex. Some features of the tower include:

- 50 elements, including a kids course
- 50' x 50' octagonal footprint
- 50' tall, with 3 levels of obstacles and an observation deck on the top

Consultant

In preparing to do this study, we hired a challenge course expert to perform a feasibility study on the location. In his executive summary, he concluded:

The Rock Snow Park Aerial Park has the potential to be a profitable attraction. The site provides easy access and infrastructure, and the attraction would provide a great adventure experience for many of the area's visitors and residents. Not only would the venture benefit from the proposed location, but the unique aerial attraction may incentivize new customers to visit the area, creating a mutually beneficial relationship with other local businesses.

If positioned correctly and marketed well to residents throughout the area, the park should draw a large number of new visitors and see additional growth over time. The Strategic Adventures team has concluded that this project should take next steps, assuming that the projected returns fit within the owner's requirements.

-Paul Cummings, Strategic Adventures

The Tower

The challenge tower is currently constructed and standing in central Indiana. It was installed in 2016 and closed for numerous reasons, primarily location. The tower is a KristallTurm KT-7. KristallTurm is a reputable German company that has installed numerous challenge towers in the around the world and in the United States. Two of the more popular KT towers are:

<https://soaradventure.com/>

<https://castlerockziplinetours.com/sky-trek.html>

The challenge tower industry has oversight from the Association for Challenge Course Technology [ACCT] ACCT is an American National Standards Institute (ANSI) accredited standards developer for the global challenge course, aerial adventure park, canopy tour, and zip line industry.

<https://www.acctinfo.org/>

If approved, the tower will be deconstructed, transported, and re-constructed by Adventure Development Team, and American based ACCT member Once installed, the work of Adventure Development Team will be inspected and approved by another ACCT member.

Foundation

If approved, the foundation will be engineered by Glynn Engineering, a structural and soils engineering firm that has done foundation engineering for adventure towers in the past. We will work closely with the WDNR to determine limitations and restrictions given the nature of the landfill. After initial discussions with the WDNR, it is believed that the tower location is on clean fill and not on waste. This will avoid the geotechnical challenges of building on wastes and will not require department approval

Costs

We project the total project cost to be \$741,030.

Start-up Costs			
Land and Improvements		\$	35,000
Attractions		\$	350,000
Equipment		\$	40,000
FF&E		\$	8,250
Personnel		\$	27,750
Marketing		\$	75,000
Professional Services		\$	92,600
Total Start-Up Costs		\$	628,600
Other Costs			
Contingency Capital	5% of Startup Cost	\$	31,430
Beginning Working Capital	3 Months Fixed Cost	\$	81,000
Total Project Cost		\$	741,030

Safety

Safety is of the utmost concern both for guests and employees of the adventure park. All more current challenge towers, including the one at our proposed site, use a smart-belay system Once a participant enters the course, it is virtually impossible for them to unclip from the system until they are back safely

on the ground. If anyone falls from an obstacle, they never fall more than a few feet. If they are unable to rescue themselves, there are numerous course workers that can assist them. The course is designed so that course workers can safely lower customers to ground from anywhere on the course.

The ACCT as well as Adventure Development Team, offer numerous trainings and certifications to our staff to make sure that they and the guests are safe. All harnesses and equipment used are routinely inspected and certified annually to ensure proper function.

Access

Access to the course outside of operating hours is a concern that we take very seriously. The entire course will be fenced off and lit for security at night. All points of access will have high-definition security cameras. The staircase (only point to enter the tower) is also gated and locked. Warning and No Trespassing signs will be made clearly visible from all points of access.

Summary

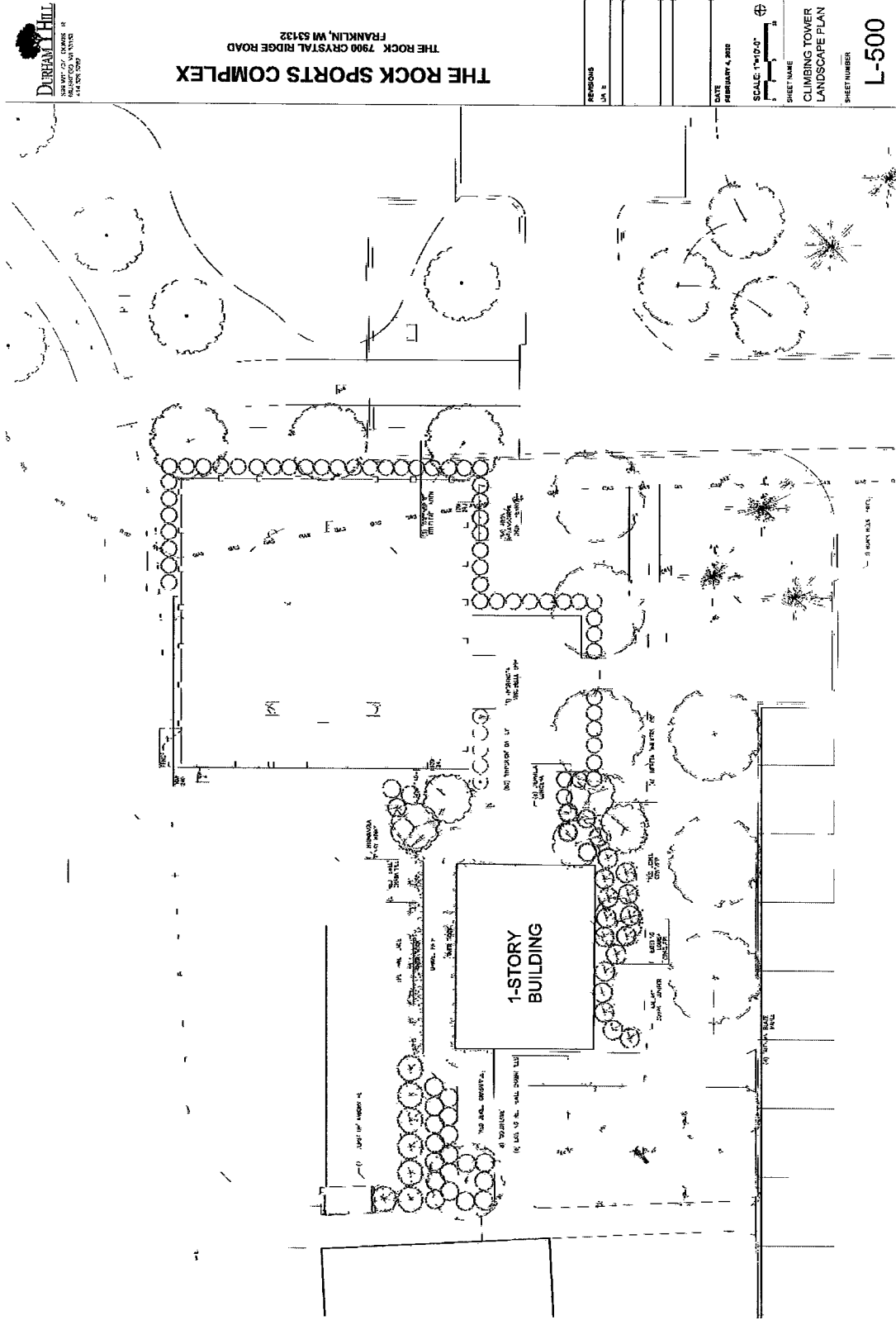
We believe that the proposed challenge tower matches the mission of Rock Snow Park to provide healthy, safe, outdoor recreation for families. The tower will not only provide a healthy and fun outlet for numerous current visitors to Ballpark Commons, but it will draw thousands of visitors to city on its own.

Exhibits

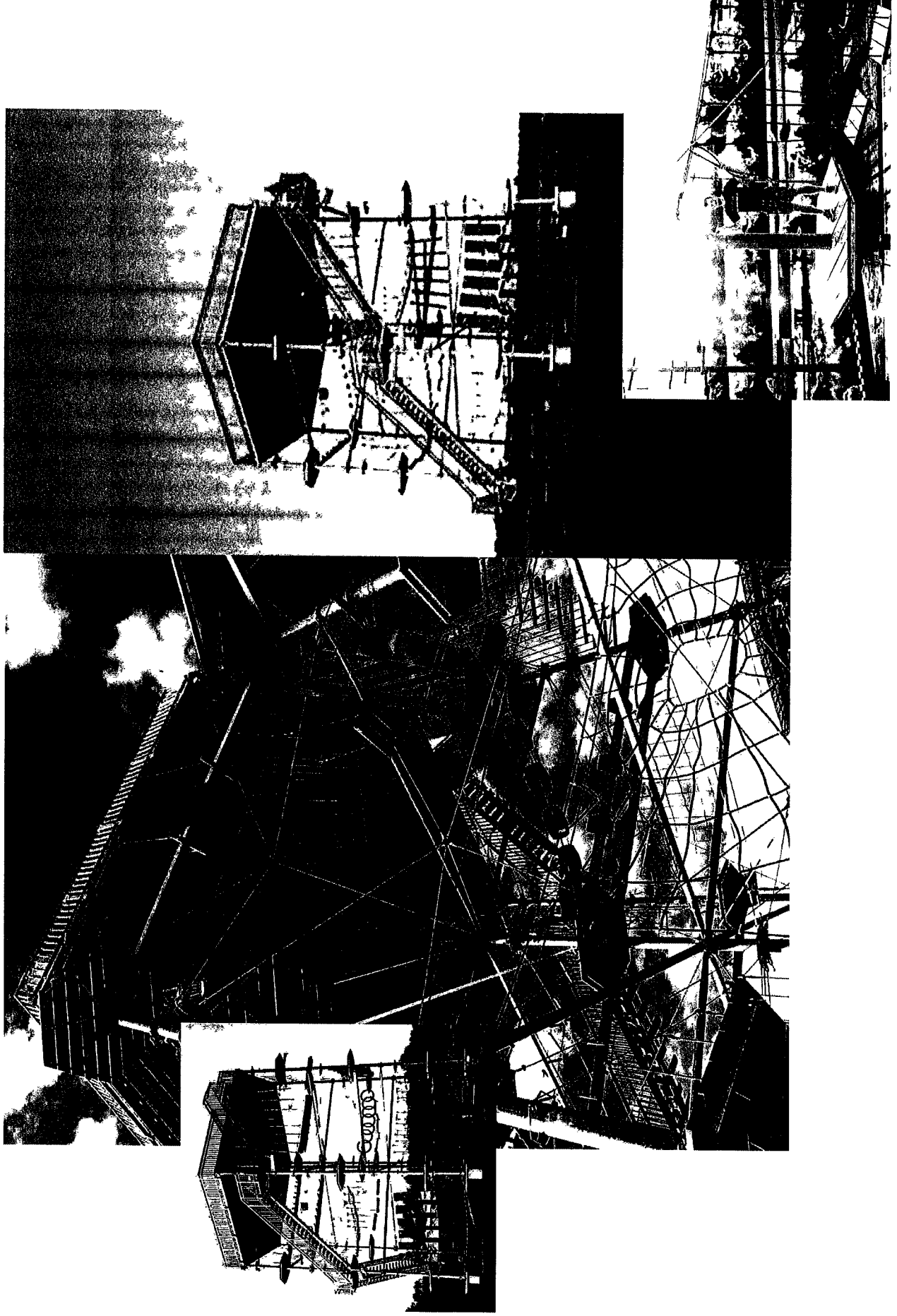
Aerial Map of Location



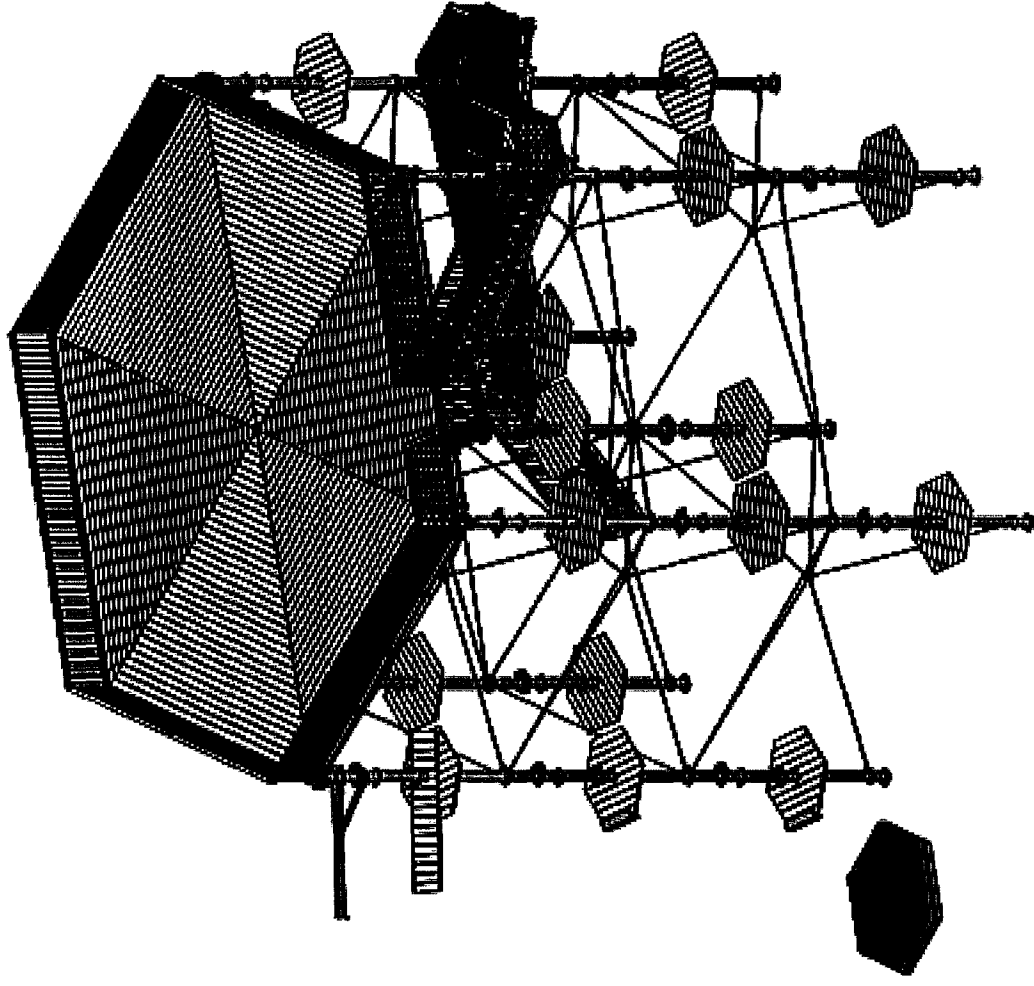
Landscape Plan



Photos of Complete KT-7 Towers



3-D Rendering of Complete Tower



3D View of Tower from different locations
View from Parking Lot



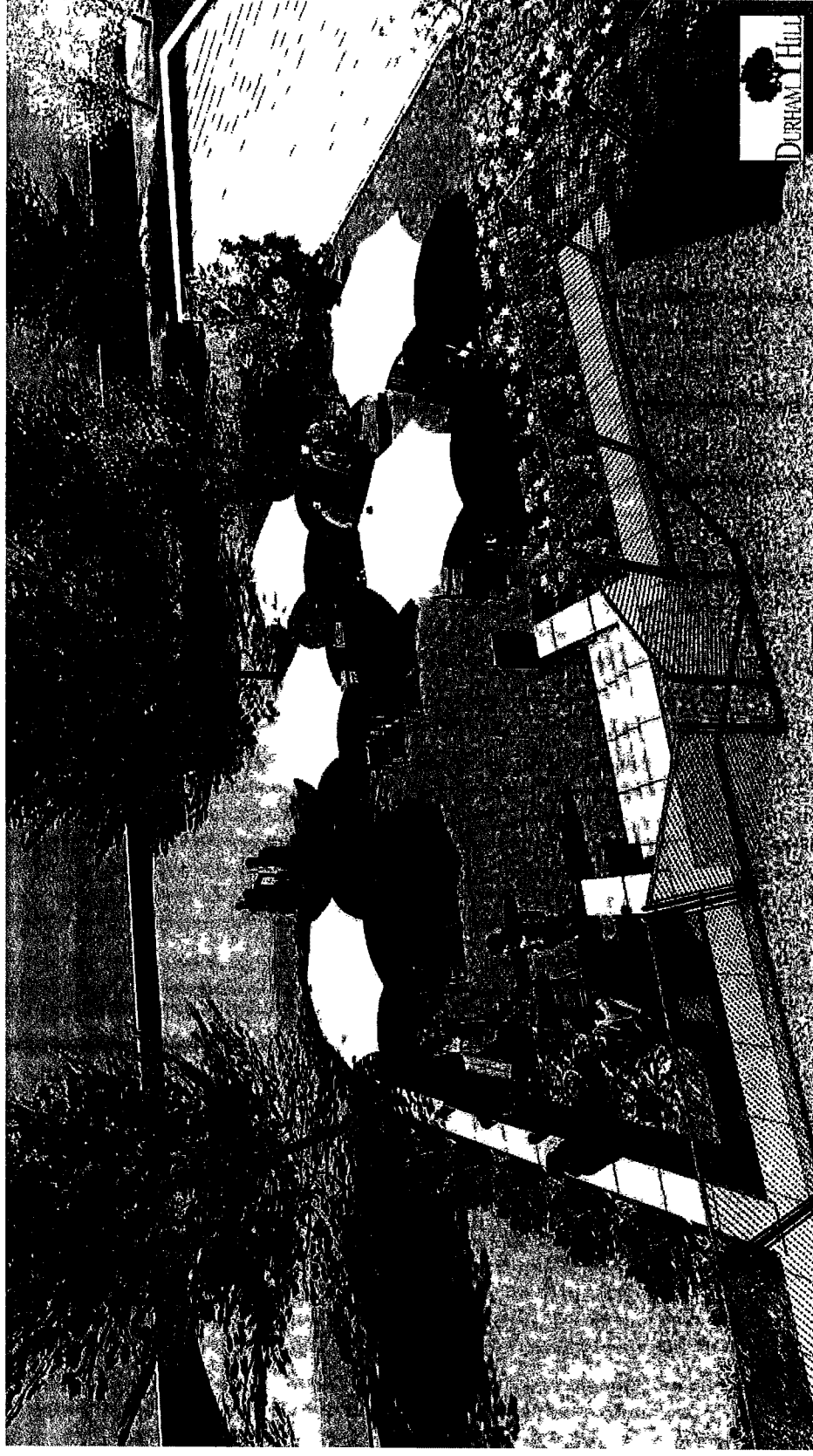
View from Entry Road



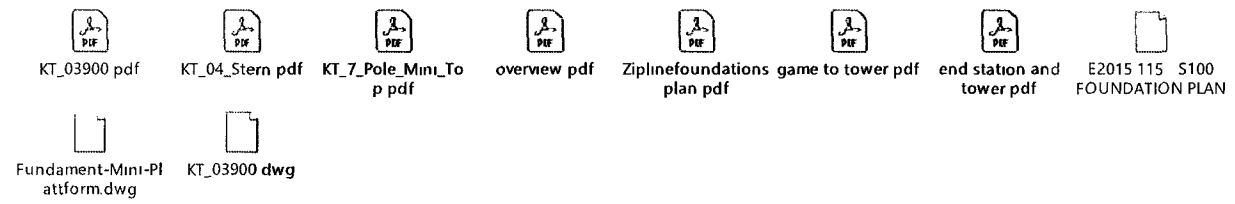
View from Umbrella Bar Parking Lot



View from mid Tower



Additional Drawings



MEMORANDUM

Date: March 26, 2020
To: Mike R. Schmitz
From: Department of City Development
RE: Challenge Tower, applications for Special Use and Site Plan – 7011 S Ballpark Drive

Staff comments are as follows for Special Use and Site Plan applications submitted on February 27, 2020, to allow for a Challenge Tower at Ballpark Commons.

City Development Department comments

Special Use

1. Please be aware that challenge towers are not specifically listed as permitted/special use in the PDD Ordinance No. 2019-2368. However, per Unified Development Ordinance (UDO) Section §15-2.0210. when a use is not specifically listed a "Permitted Use," "Special Use," or "Accessory Use," it shall be assumed that such a use is expressly prohibited unless by a written decision of the Plan Commission it is determined that said use is similar to, and not a more measurably intense use, than the use listed.
2. With regards to the general standards for special uses set forth in the Unified Development Ordinance (UDO) §15-3.0701., please note the following:

2. No Undue Adverse Impact. The proposed challenge tower structure would be located on top of sanitary and gas lines. Please provide additional information about any potential impact of the proposed structure to said utility lines, including maintenance operations.

The sewer line under the tower is private. The tower will have no impact on the utilities and we will be responsible for any future maintenance or service to the utilities.

5. No Traffic Congestion. Please provide parking calculations or parking study for the proposed use, staff acknowledges that this use is not listed in the parking schedule (Table 15-5.0203) of the UDO. It is noted that per Planned Development District (PDD) Ordinance 2019-2368, §15-3.0442A(D)(2)(b). *Utilization of parking on any adjacent site is prohibited and shall not be counted towards parking requirements unless prior approval of the Plan Commission is obtained and subject to recorded shared parking agreements/easements/etc*

Per the parking table, the closest matched use is that of a resort with a 3 patrons per parking space ratio. Given the capacity of the tower at 30 people and a possible 10 people in cue, 40 patrons is 13 spots. An additional 4 spots for staff vehicles brings the maximum parking calculation to 17 spots. To be noted, we anticipate a large percentage of the patrons to come from existing BPC customers already on site.

Site Plan

3. Pursuant to UDO §15-7.0103., please provide the following information:

C. Architect and/or Engineer's Name and Address.

Tom Earl

Durham Hill
S99W12707 Loomis Dr
Muskego, WI 53150

- E. Size of the site (in square feet or acres).
5,945 Square Feet
- H. Off-street parking spaces and loading areas. For details, see previous comment 2.5.
See Response to 2.5
- M. All setbacks. See setback requirements below (PDD Ordinance 2019-2368, §15-3.0442A(C)(2):
- Minimum Front Yard (feet): 50
 - Minimum Side Yard (feet)(a): 20
 - Minimum Side Yard on Corner Lot (feet): 50
 - Minimum Rear Yard (feet)(a): 50

The Tower is in compliance with all minimum setback requirements.

- X. All existing and proposed easements.
A We Energies gas easement runs through the site. Because the structure is open air and consists of individual pier foundations, there will be no impact on the gas line or the ability to service it.

- DD. Additional information. Hours of operation.
Exact hours are TBD. 9am to sunset would be the maximum

4. Per PDD Ordinance 2019-2368, §15-3.0442A(C)(1)., please provide updated calculations of Landscape Surface Ratio (LSR) and Floor Area Ratio (FAR). The base area for the LSR calculations is the entire Rock Sports Complex, not just the Challenge Tower site. For your convenience, the most recent LSR calculation is attached, please update such calculation by adding the proposed Challenge Tower site.

Previous LSR: $4,616,373 \text{ sq ft} / 7,062,994 \text{ sq ft} = 65.36\%$
LSR with Tower: $4,610,428 \text{ sq ft} / 7,062,994 \text{ sq ft} = 65.28\%$

For FAR calculations, you may use the horizontal areas of each floor/level.

FAR Total Site: $7,854 \text{ sq ft} / 7,062,994 \text{ (total site)} = 0.11\%$

FAR Lot Development Potential: $7,854 \text{ sq ft} / 4,610,428 \text{ sq ft (buildable area)} = 0.17\%$

FAR of new Site Area: $7,854 \text{ sq ft} / 5,945 \text{ sq ft (site area)} = 132.11\%$

5. Fencing. Please provide details for the proposed fences, including but not limited to: fence type, height, materials, colors and openings. Per PDD Ordinance 2019-2368, §15-3.0442A(D)(1)(b)., *Fencing shall be constructed only of permanent, high quality materials such as black vinyl coated chain link fencing with or without privacy slats, pressure-treated wood, masonry, or metal, and shall be approved by the Plan Commission in every instance.*

Fencing will be 6' high black vinyl coated chain link without privacy slats consistent with the rest of the property.

6. Any proposed signs other than “Warning” and “No Trespassing” signs? If so, please provide details.

Yes See Attachment A.

7. Please provide details of proposed pedestrian walkways. Per PDD Ordinance 2019-2368, §15-3.0442E(B)(2)(c), colored paver blocks or textured concrete as well as lighting is recommended.

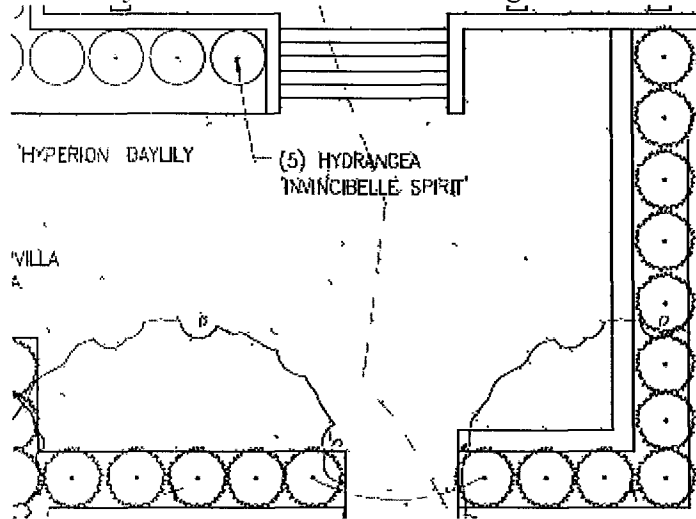
Walkways will be textured concrete

8. Per PDD Ordinance 2019-2368, §15-3.0442E(B)(2)(e), bicycle and pedestrian amenities are required. Please add location, quantity and details of proposed site amenities, such as bike racks, benches, trash receptacles, bollards, etc.

Area is not adjacent to any bike trails Bicycle parking already exists on property closer to the Oak Leaf Trail. Area around tower will have ample outdoor trash cans and benches for pedestrian traffic.

9. Submitted renderings show a seating area south of the proposed Challenge Tower, but this is not depicted in the landscape plan (sheet L-500). Please clarify.

The area just south of the tower is seating area.



10. Any external storage, mechanical equipment or trash collection area?

No Additional. All storage will be in existing buildings and trash collection be using existing dumpster enclosures

Landscaping

11. Pursuant to PDD Ordinance §15-3.0442A(D)(4). Landscaping, *plantings shall be provided with a minimum (2) two-year plating guaranty*. Please add a note to the landscape plan indicating the provision of a planting guaranty.

We will obtain a planting guaranty from the landscape contractor.

- 12 Pursuant to UDO §15-5.0303(D). Permanent, on-site, outdoor irrigation is required to all new living landscaped areas. Please add irrigation information to the landscape plan.

Hose bibs on adjacent building will be used for irrigation and are located within 100'.

Inspection Services Department comments

13. *A “challenge tower” is not a regulated amusement ride in Wisconsin. Regardless, we would still require a Building Permit for the structure. The Building Permit must include signed/sealed engineering drawings and an owner’s manual detailing operation and maintenance of the structure. My preliminary thought is that the main support structure, roof, stairways, guards, handrails and platforms will be regulated by the Building Code. The “challenge” components of the structure would be regulated indirectly by the details in the operation and maintenance manuals.*

Engineering Department comments

14. *The City will not allow any structures to be built on top of the public utilities for maintenance purposes, though this is a private sanitary line, I’m suggesting to relocate the proposed structure away from the private sanitary line.*
15. *As with all of the lots within BPC, they [applicant(s)] have to show this construction is in line with the approved SWMP for the entire development.*

Fire Department comments

I agree with Scott [Inspection Services Department]. I don’t really have any concerns from a fire code perspective.... Just overall concern for general safety precautions and who would enforce/regulate them

The challenge tower industry has oversight from the Association for Challenge Course Technology [ACCT] ACCT is an American National Standards Institute (ANSI) accredited standards developer for the global challenge course, aerial adventure park, canopy tour, and zip line industry

<https://www.acctinfo.org/>




If approved, the tower will be deconstructed, transported, and re-constructed by Adventure Development Team, and American based ACCT member Once installed, the work of Adventure Development Team will be inspected and approved by another ACCT member.

All operations of the tower will be in compliance with best practices and standards proposed by the ACCT and will follow all operating procedures, maintenance, and recommendations contained in the manufacture’s manuals

Requirements and Rules

The facility is like a sports equipment. Therefore only persons who are physically and mentally able to follow the guides' instructions are allowed to use the facility. A physically and mentally state of the visitor that poses no risk for the visitor himself or other persons is a precondition for participation.

Not allowed to participate:








Persons under the influence of drugs or alcohol

Persons with health problems

Pregnant women

Safety information:






Smoking is prohibited while wearing PPE


Risk of falling objects underneath the climbing levels

Risk of falls! Only enter marked areas with suitable safety equipment


Wear solid shoes
No high heels, flip flops or barefoot.




Remove scarfs to avoid strangulation.



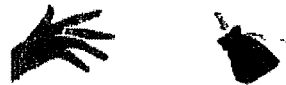
Do not tie headscarves below the chin to avoid strangulation.




Remove nail pins.
Tie back long hair (shoulder length or longer).




Remove jewelry, especially rings, chains, piercings, etc



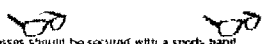
Loose objects e.g. mobile phones and keys may not be carried



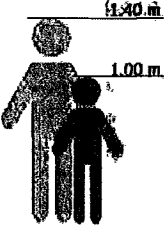
Bulky and pointed objects like selfie sticks, umbrellas, sticks, etc. may not be carried.



Glasses should be secured with a sports band



Kids' Course

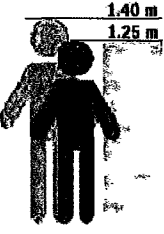


- from 3 years or 100 cm
- 100 - 140 cm

Giant Swing

- from 6 years or 125 cm
- max. 80 kg per person

High ropes course




- from 6 years or 125 cm
- under 10 years or 140 cm - Accompanied by an adult
- Full-body harness
- max. 120 kg

Abseiling devices


- 20 kg - 120 kg

Zip Line




- from 8 years or 140 cm


Handling of Personal protective equipment (PPE):




Don't clash carabiners against each other




Don't drop carabiners and don't drag them on the ground.




Don't smoke while wearing PPE: Burn holes




Remove harness, when going to the toilet
Splashes of urine are unhygienic and damage the material.



Every time the PPE is put on again (e.g. after toilet), a guide has to check the PPE again.



Hold harnesses and slings away from sharp items.



5

DIVISION 15-3.0700

SPECIAL USE STANDARDS AND REGULATIONS

SECTION 15-3.0701

GENERAL STANDARDS FOR SPECIAL USES

- A. **General Standards.** No special use permit shall be recommended or granted pursuant to this Ordinance unless the applicant shall establish the following:

1. **Ordinance and Comprehensive Master Plan Purposes and Intent.** The proposed use and development will be in harmony with the general and specific purposes for which this Ordinance was enacted and for which the regulations of the zoning district in question were established and with the general purpose and intent of the City of Franklin Comprehensive Master Plan or element thereof.

Response: We feel the Challenge Tower will be in harmony with the district intent "to provide a multi-use sports and entertainment complex where the recreational needs of area residents can be met without undue disturbance of natural resources and adjacent uses".

2. **No Undue Adverse Impact.** The proposed use and development will not have a substantial or undue adverse or detrimental effect upon or endanger adjacent property, the character of the area, or the public health, safety, morals, comfort, and general welfare and not substantially diminish and impair property values within the community or neighborhood.

Response: The tower fits well with the uses of the surrounding property and offers an additional recreation option enhancing the overall development

3. **No Interference with Surrounding Development.** The proposed use and development will be constructed, arranged, and operated so as not to dominate the immediate vicinity or to interfere with the use and development of neighboring property in accordance with the applicable zoning district regulations.

Response: The tower will be a compliment to the surrounding development While the tower is 50' tall, it will be far from the tallest feature in the area Stadium lights, Golf nets (170' tall), lighting on the ballfields and ski hill, and the ski hill itself are all taller than the proposed

4. **Adequate Public Facilities.** The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities including public water supply system and sanitary sewer, police and fire protection, refuse disposal, public parks, libraries, schools, and other public facilities and utilities or the applicant will provide adequately for such facilities.

Response: Located within ballpark commons, all essential facilities and services are in place

5. **No Traffic Congestion.** The proposed use and development will not cause undue traffic

congestion nor draw significant amounts of traffic through residential streets. Adequate measures will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

Response: The tower has a limited number of participants at any given time (about 20) and will not significantly impact traffic congestion

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

Response: The proposed will have minimal impact on any natural or historic features

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

Response: Although "Challenge Tower" is not specifically listed as a permitted use, it is similar to the listed special uses in the PDD Ordinance.

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

Response: NA

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

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

Response: The site provides easy access and infrastructure, and the attraction would provide a healthy, safe family friendly adventure experience for many of the area's visitors and residents. Not only would the venture benefit from the proposed location, but the unique aerial attraction may incentivize new customers to visit the area, creating a mutually beneficial relationship with other local businesses

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

Response: A multi-use sports and entertainment complex is the perfect location for this type of attraction. We feel this is the most appropriate site in Milwaukee County

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

Response: The tower will be fenced and screened with landscaping to blend with the surrounding development

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

Response: The Ballpark Commons development is a blend of multiple recreational uses. The proposed challenge tower is consistent with the intent of the PDD does not set a new precedent for the area



JLA
ARCHITECTS
MADISON MILWAUKEE
jla-arch.com

JLA PROJECT NUMBER 44099



BALLPARK
COMMONS
APARTMENTS

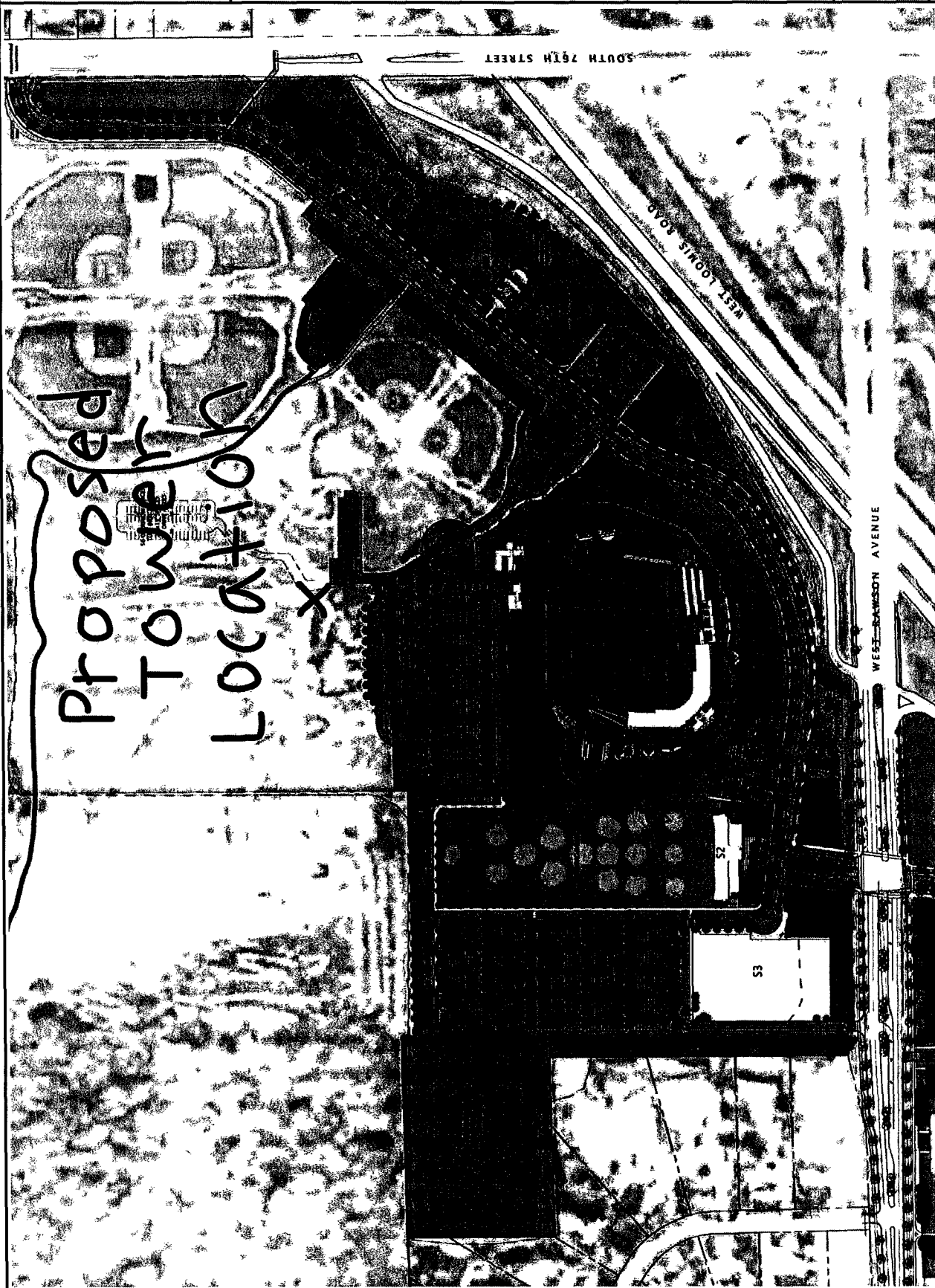
CONSTRUCTION
DOCUMENTS

DATE OF ISSUANCE: FEBRUARY 27, 2014
REVISION: 01
SHEET NUMBER: 111

DATE OF ISSUANCE: FEBRUARY 27, 2014
REVISION: 01
SHEET NUMBER: 111

MASTERPLAN
NORTH

ASP-111





S99 W12707 LOOMIS DR
MUSKEGO, WI 53150
414.529.5262

THE ROCK 7900 CRYSTAL RIDGE ROAD
FRANKLIN, WI 53132

[illegible]

DATE
FEBRUARY 4, 2020

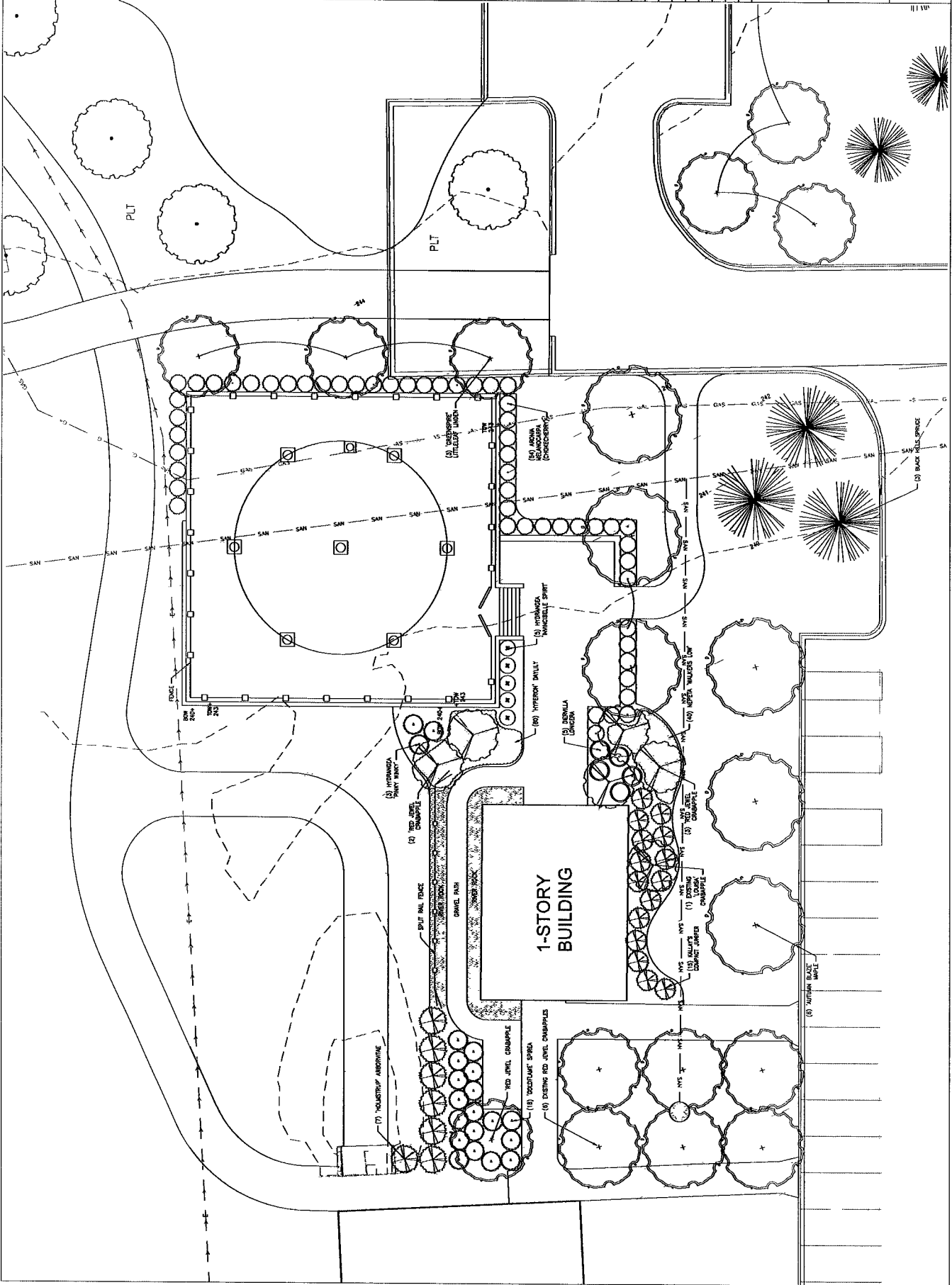
SCALE 1"=10'-0"

SHEET NAME

CLIMBING TOWER
LANDSCAPE PLAN

SHEET NUMBER

L-500



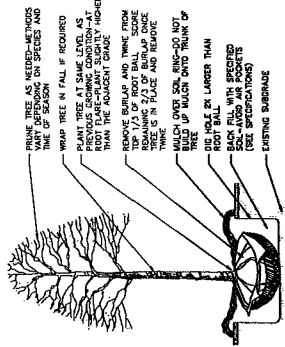
Landscape notes.

- ^a Contractor to old Diggers' Hallline (800) 212-9751 and have property marked before starting work.

CLIMBING TOWER PLANT LIST

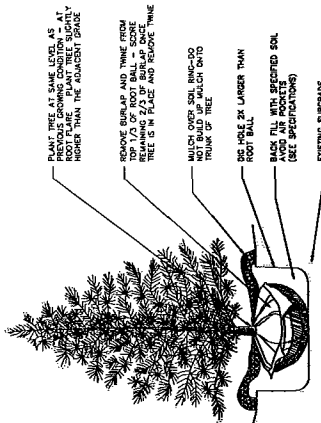
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1 DECIDUOUS TREE PLANTING DETAIL
NOT TO SCALE



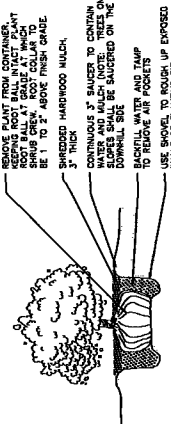
②

2 EVERGREEN TREE PLANTING DETAIL
NOT TO SCALE



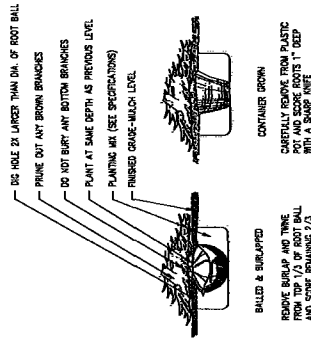
1

3 SHRUB PLANTING DETAIL
NOT TO SCALE



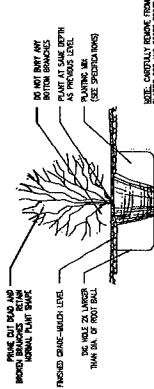
④

4 EVERGREEN SHRUB PLANTING DETAIL
NOT TO SCALE



1

5 POTTED PERENNIAL PLANTING DETAIL
NOT TO SCALE

[illegible]

DATE FEBRUARY 4 2020

SHEET NAME

PLANTING
DETAILS

SHEET NUMBER

L-600

Challenge Tower Legal Description

LOT 1 OF CERTIFIED SURVEY MAP NO. 9041

A REDIVISION OF PARCELS 1 AND 2 OF CERTIFIED SURVEY MAP NO. 3931, OUTLOT 1 OF CERTIFIED SURVEY MAP NO. 3107, OUTLOT 1 OF WHITNALL VIEW ADDITION NO. 1, THAT VACATED PORTION OF CRYSTAL RIDGE DRIVE AAS RECORDED IN THE MILWAUKEE COUNTY REGISTER OF DEEDS AS DOCUMENT NO. 10773453 AND LANDS IN THE SOUTHWEST $\frac{1}{4}$ AND SOUTHEAST $\frac{1}{4}$ OF THE NORTHEAST $\frac{1}{4}$, THE NORTHEAST $\frac{1}{4}$, SOUTHEAST $\frac{1}{4}$, SOUTHWEST $\frac{1}{4}$ AND NORTHWEST $\frac{1}{4}$ OF THE SOUTHEAST $\frac{1}{4}$ AND THE SOUTHEAST $\frac{1}{4}$ OF THE SOUTHWEST $\frac{1}{4}$ ALL IN SECTION 4, TOWN 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN

Item 7 Foundation loads

The foundation loads were determined from a spatial bearing structure on the basis of the following load cases and load case groups. (From item 6.1.1)

Individual load case The load cases don't include the partial safety factors at this point

Load case LF1 dead weight
Without the stations

Load case LF2 minimum dead weight of the stations
 $G = 100 \text{ kg}$ is assumed for each section.

Load case LF3 maximum dead weight of the stations
 $G = 200 \text{ kg}$ is assumed for each section.

Load case LF4 live load (same value as for potential snow load)
The entire stage is subjected to a load of $p = 3.50 \text{ KN/m}^2$.
The stairs are also taken into consideration with a snow width of 80cm $p = s = 0.8 \times 3.50 = 2.8 \text{ KN/}$.

Load case LF5 Storm load in X direction
With the areas of the stations subject to wind loading
Area from $z = 0$ to 10m $q_{eq(10)} = 0.80 \text{ KN/m}$
Area from $z = 10$ to 20m $q_{eq(10)} = 1.00 \text{ KN/m}$

Load case LF6 Storm load in Y direction
analogous to LF5

Load groups

These loads already include the partial safety factors.

All load groups (with the stability analysis using 2nd order theory)

The operating wind is 30% of the storm load. (Factor 0.30 or $1.35 \times 0.30 = 0.405$)

Load group LG1

System fully loaded in operation with heavy stations and X operating wind $1.35 \times \text{LF1} + 1.35 \times \text{LF3} + 1.35 \times \text{LF4} + 0.3 \times 1.35 \times \text{LF5}$

Load group LG2

System almost empty in operation with light stations and X operating wind $1.35 \times \text{LF1} + 1.35 \times \text{LF2} + 0.3 \times 1.35 \times \text{LF5}$

Load group LG3

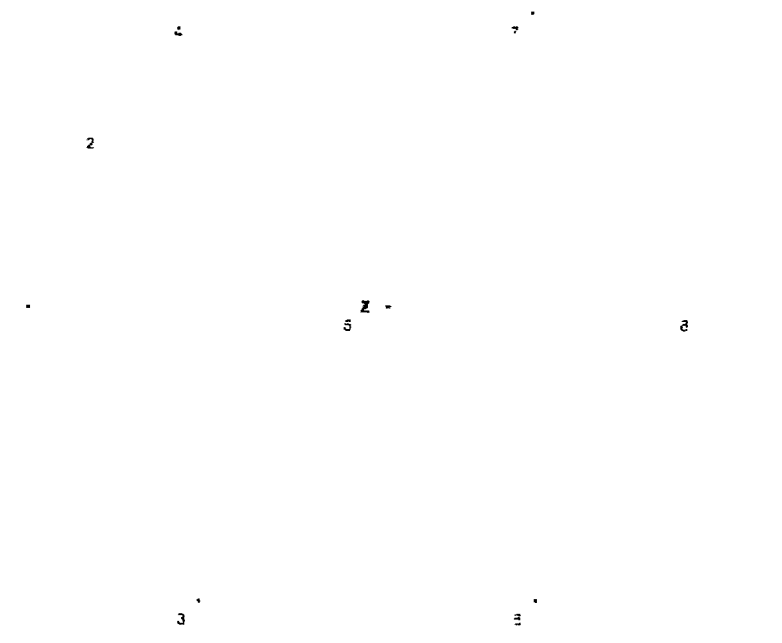
System not in operation with light stations and X storm
 $1.35 \times \text{LF1} + 1.35 \times \text{LF2} + 1.35 \times \text{LF5}$

Load group LG4

System out of operation with light stations and Y storm
 $1.35 \times \text{LF1} + 1.35 \times \text{LF2} + 1.35 \times \text{LF6}$

Bearing points

Point numbering



[illegible]

From bearing structure 36
Foundation loads from load group LG1

	Bearing reaction forces [kN]			res Q	
Point no.	Px	Py	Pz	Pxy	
1	8.78	-8.48	-56.12	12.21	
2	1.06	2.29	-11.06	2.52	Stairs
3	0.94	7.44	-72.51	7.50	
4	8.39	-4.81	-46.66	9.67	
5	6.38	0.77	-84.96	6.43	Center
6	1.14	3.47	-79.61	3.65	
7	0.71	-0.13	-84.75	0.72	
8	0.18	-0.56	-88.75	0.59	
Σ	27.58	-0.01	-524.42		
Bearing					
Max	8.78	7.44	-11.06	12.21	
Min	0.18	-8.48	-88.75		

Foundation loads from load group LG2

	Bearing reaction forces [kN]			res Q	
Point no.	Px	Py	Pz	Pxy	
1	7.45	-6.05	-18.86	9.60	
2	1.08	2.35	-3.91	2.59	Stairs
3	1.99	4.53	-30.63	4.95	
4	8.40	-4.66	-16.95	9.61	
5	6.92	0.56	-46.68	6.94	Center
6	0.80	3.50	-35.76	3.59	
7	0.55	-0.02	-42.67	0.55	
8	0.38	-0.20	-42.96	0.43	
Σ	27.58	0.00	-238.42		
Bearing					
Max	8.40	4.53	-3.91	9.61	
Min	0.38	-6.05	-46.68		

Foundation loads from load group LG3

	Bearing reaction forces [kN]			res Q	
Point no.	Px	Py	Pz	Pxy	
1	24.59	-17.26	5.77	30.04	
2	2.53	5.50	-5.80	6.05	Stairs
3	7.02	13.44	-25.78	15.16	
4	29.14	-16.01	8.30	33.25	
5	24.02	2.45	-48.03	24.14	Center
6	1.86	12.37	-40.83	12.51	
7	1.51	-0.09	-67.13	1.51	
Σ Bearing	1.28	-0.40	-64.92		
Max	29.14	13.44	8.30	33.25	
Min	1.51	-17.26	-67.13		

Foundation loads from load group LG4

	Bearing reaction forces [kN]			res Q	
Point no.	Px	Py	Pz	Pxy	
1	2.48	-9.67	-48.84	9.98	
2	6.68	14.86	-11.33	16.29	Stairs
3	-0.56	33.25	7.05	33.25	
4	2.82	-0.89	-42.26	2.96	
5	3.17	24.05	-37.93	24.26	Center
6	0.30	38.24	7.44	38.24	
7	-10.29	-4.52	-58.23	11.24	
8	-4.60	-1.74	-54.32	4.92	
Σ Bearing	0.00	93.57	-238.42		
Max	6.68	38.24	7.44	38.24	
Min	-10.29	-9.67	-58.23		

Notes on the foundation loads

This calculation is based on $6 + 1 + 1 = 8$ individual foundations. The horizontal loads are therefore also highly dependent on the structural rigidity. For connected foundations, only one overall ΣH has to be derived. The foundation sizes are dependent on the respective building ground and can only be determined on site. These loads already include the partial safety factors. The dead weight of the foundations below the supports is assumed to be at least 10 kN. Lift-off loads above 10 kN are then absorbed by the steel structure. The leg supports were calculated as pin joints but should have a small amount of torsional stiffness for the installation load safety factors. Point 2 only shows the support of the bottom step and is subsequently considered separately.

On all 7 supports (without point 2)

Absolute maximum values, on the base plates of the 7 supports

max. bearing pressure: $V = -88.8 \text{ KN}$

max. bearing tension: max $V = +8.30 \text{ KN}$ (lift-off without the foundation dead weight)

max $Q = 38.24 \text{ KN}$

Anchors

Weight: 6 anchors Würth Fixanker DBL-(W-FAZ/A4)-A4-50M16 X 170 Hole $\varnothing 16.5$

Hole depth $\geq 110 \text{ mm}$

Characteristic values

Lift-off load per support $V = 8.3 \text{ KN}$

At tension of 64 KN (steel failure)

Pulling out with broken concrete C20/25 $N_{Rk,p} = 25 \text{ KN} < 8.3 / 6 = 1.4 \text{ KN}$ with 6 anchors
at a sheer force $V_{Rk,s} = 55 \text{ KN}$ per anchor $>$ before $Q = 38.24 / 6 = 6.4 \text{ KN}$

At point 2 (support for the bottommost step)

max. bearing pressure: $V = -11.33 \text{ KN}$

max. bearing tension: (no lift-off load present)

max $Q = 16.3 \text{ KN}$ from LG4

2 anchors are sufficient here.

Further proof is unnecessary.

Final comments

The masses, loads and accelerations for this climbing system assumed under item 6.1.1 were, starting from the users down to the ground, traced according to the best knowledge and conscience from static and dynamic perspectives. The proof could be provided with sufficient certainty for the analysed components. All not explicitly proven components must be design engineered. Screws and connections must be secured to prevent unintended loosening. Maintenance intervals specified by the manufacturer must be observed. An expert visual inspection, in particular of the moving parts, performed at regular intervals can increase the service life of the overall system. Wooden parts which are no longer in good condition must be replaced in a timely manner. Pre-tensioning of the cables according to items 1 and 2 and of the tension rods according to item 5 must be checked. This also applies in case of changes to the installed components. The reactions from the cable loads must be traced and adjusted to the permissible values.

Ottobrunn, August 20, 2012

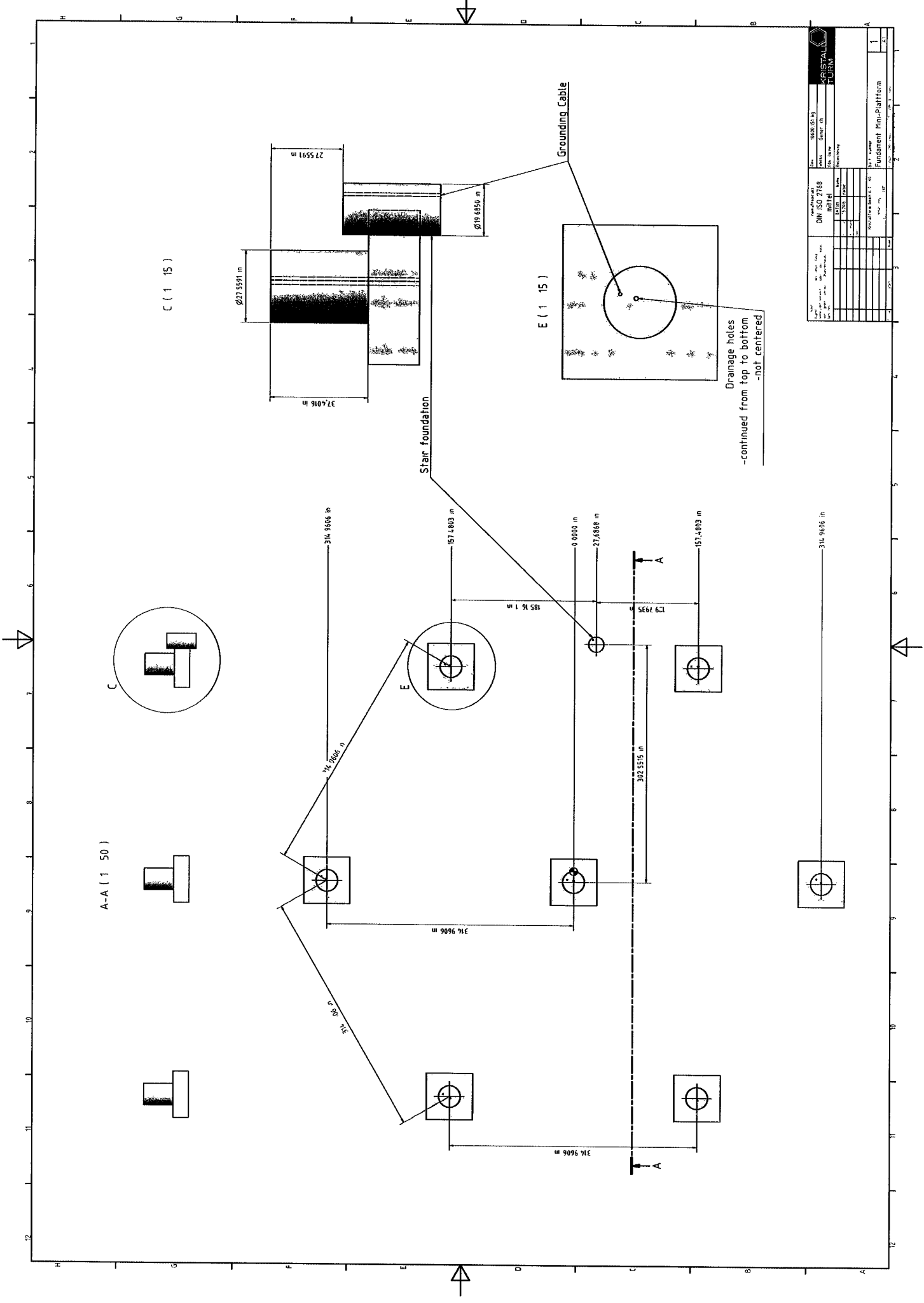
Dipl. Ing.(FH) Werner Steininger

For data protection reasons this document is not signed when sent via electronic media

W. Steininger GmbH
Statik & Dynamik
Ingenieurbüro für Fliegende Bauten
Friedenstraße 4
85521 Ottobrunn

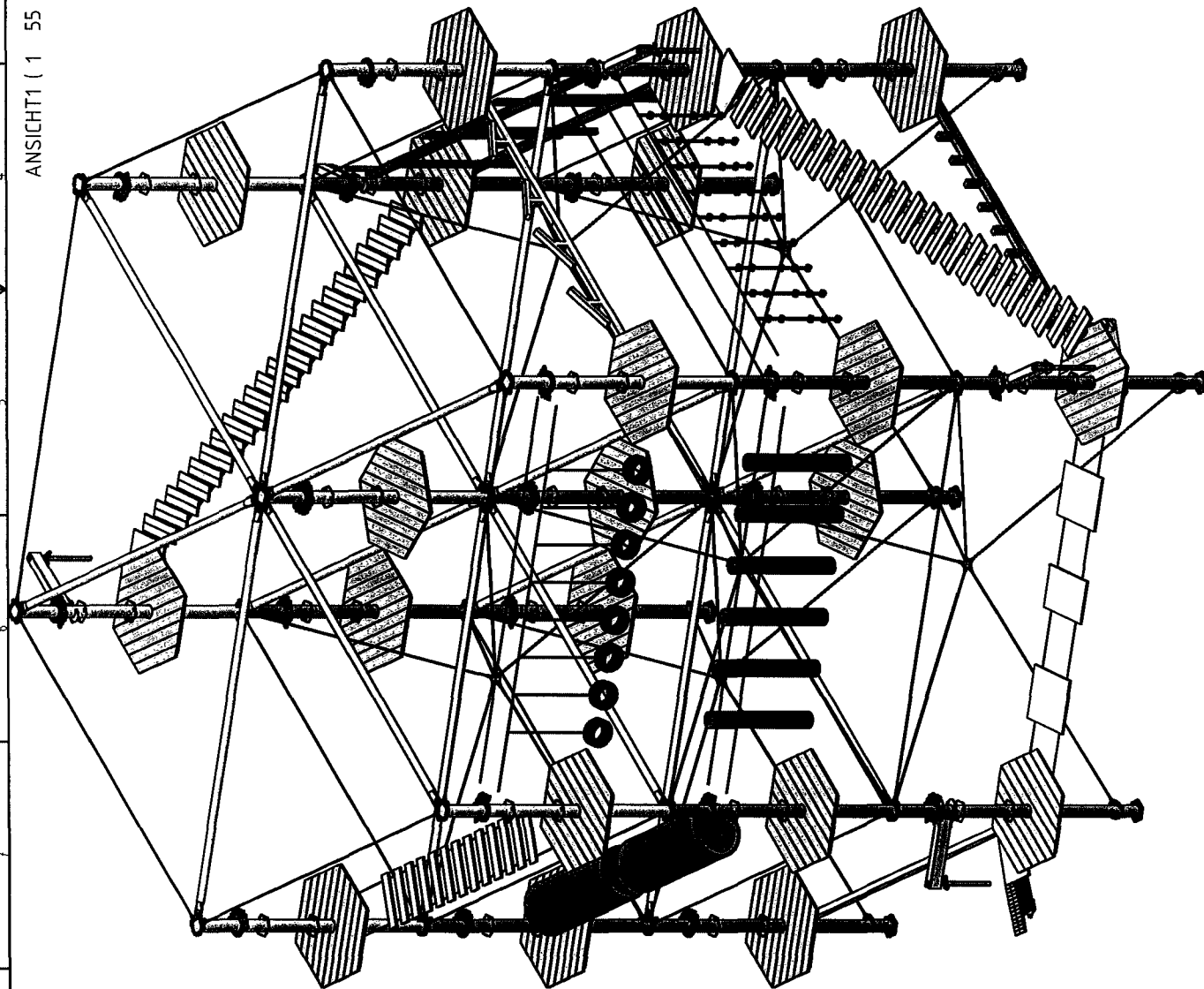
Phone: +49 - 089 - 63286957
Fax: +49 - 089 - 6097251
email: wst_dyn@t-online.de


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Project Name		KRYSTAL TURM	
Client	SEAGS IS SpA	Design	SEAGS IS SpA
Project	DIN ISO 2768	Drawn by	SEAGS IS SpA
Scale	1:100	Checked by	SEAGS IS SpA
Sheet No.	1	Project Manager	SEAGS IS SpA
Fundament Mini-Platform		1	

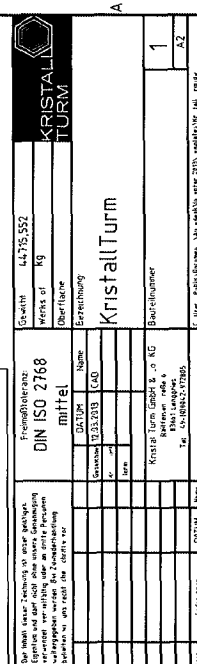
ANSICHT1 (1 55)



<p>  KRISTALLTUM </p>	Gez. Nr.	44715-552
	Werkst. gr.	RG
	Oberfläche	
	Bezeichnung	Kristallturm
<p> DIN ISO 2768 mittel </p>	Gez. Nr.	44715-552
	Werkst. gr.	RG
	Oberfläche	
	Bezeichnung	Kristallturm
<p> Kristallturm </p>	Gez. Nr.	44715-552
	Werkst. gr.	RG
	Oberfläche	
	Bezeichnung	Kristallturm
<p> Kristallturm </p>	Gez. Nr.	44715-552
	Werkst. gr.	RG
	Oberfläche	
	Bezeichnung	Kristallturm

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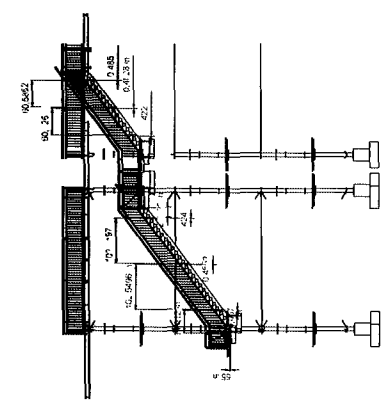
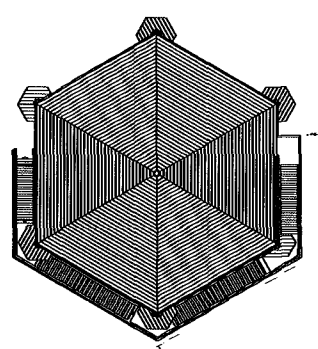
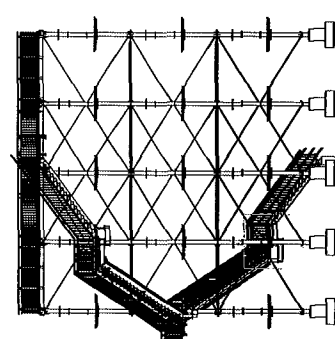
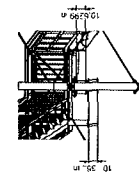
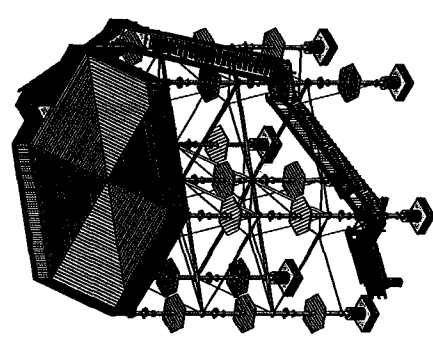
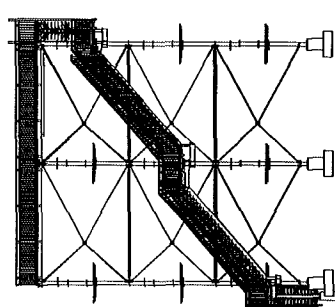
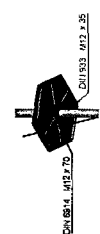
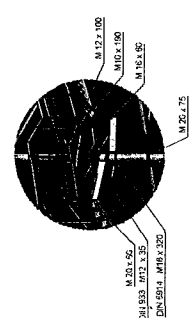
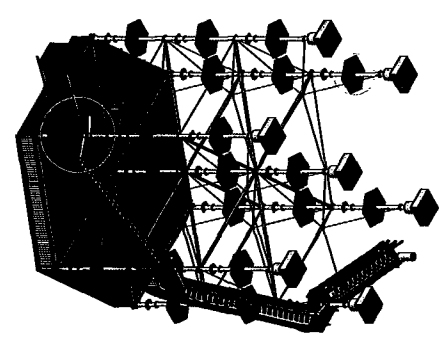
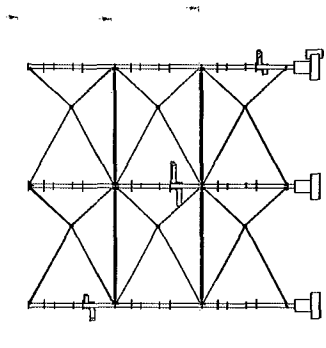
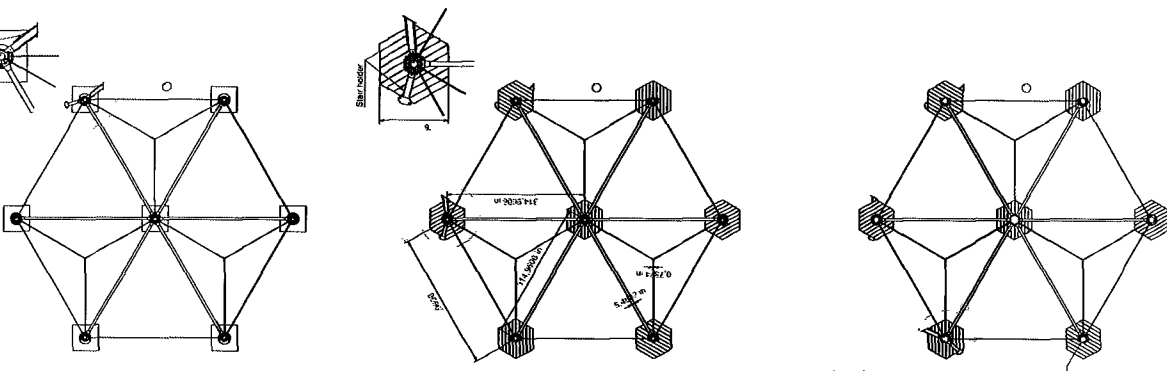


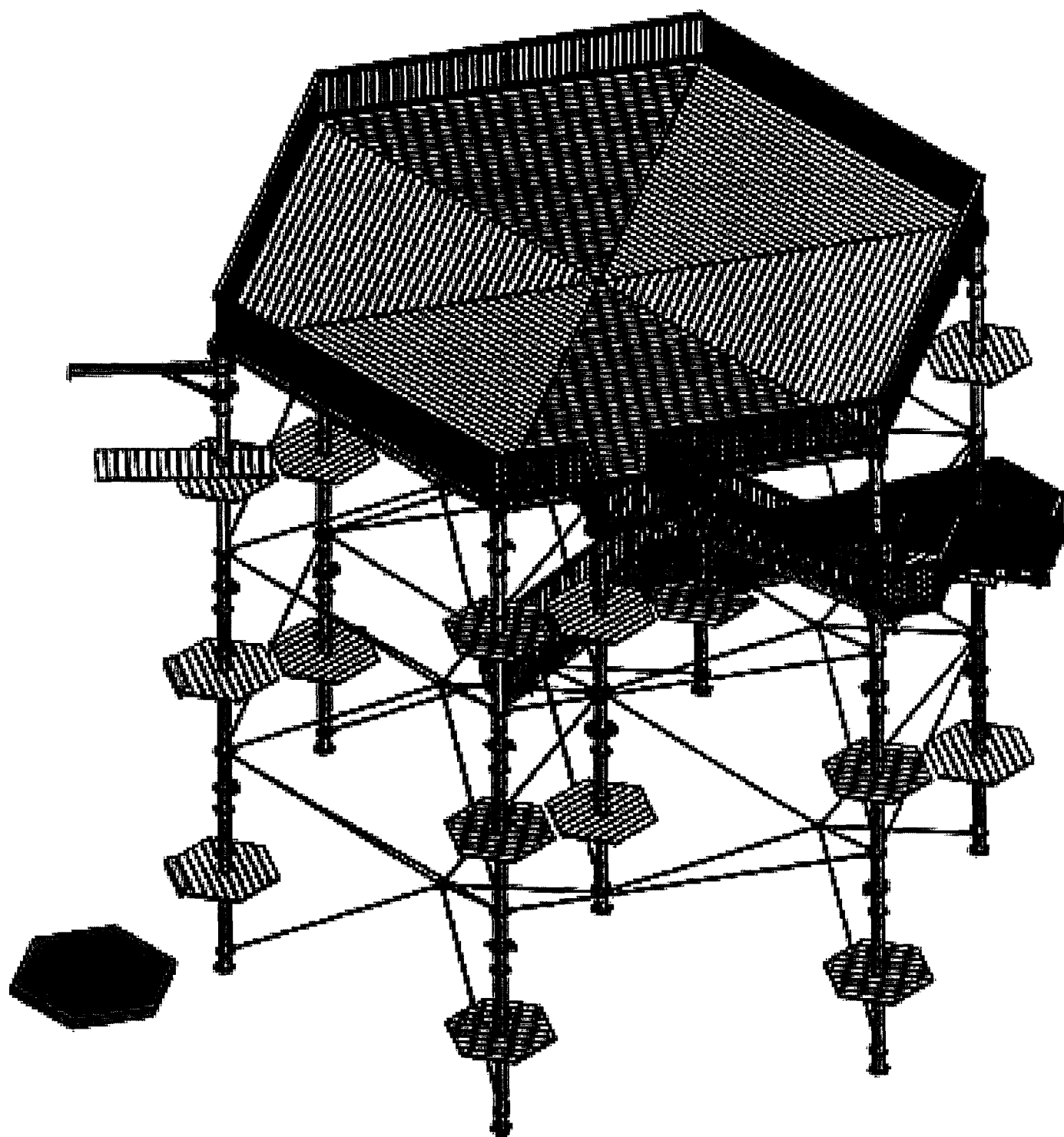
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APPROVAL <i>slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 05/05/2020
REPORTS & RECOMMENDATIONS	REQUEST TO PURCHASE 2 WATER HEATERS FOR THE LAW ENFORCEMENT CENTER	ITEM NUMBER <i>G. 2.</i>
<p>2 water heaters in the Law Enforcement Center that are 19 years old are in need of replacement. They frequently break down due to internal leaking which short out the igniters. The igniters have been replaced several times but this is not a long-term solution. The water heaters are well beyond their anticipated life.</p> <p><u>FISCAL NOTE</u></p> <p>The replacement of the 2 water heaters were included in the 2020 Capital Outlay Budget. The cost to replace will not exceed \$19,000 which is under the budgeted amount.</p> <p style="text-align: center;">COUNCIL ACTION REQUESTED</p> <p>Move to approve the purchase and installation of 2 water heaters at a cost not to excel \$19,000.00.</p>		



February 6, 2020

To: **Franklin Police Department**

Attn: **Joe**
jwilson@franklinwi.gov

Job Address: **9455 W. Loomis Rd**
Franklin

We propose to install the plumbing in a neat and workmanlike manner according to all local codes and ordinances.

Option #1: Water Heater Replacement

- 2 - Phoenix Ph199-119 modulating water heater: 119 gallon 199,000 BTU
- Removal, disposal, installation included
 - Permit included

For the Sum of \$17,324.00
Seventeen Thousand Three Hundred Twenty Four Dollars

Option #2: Water Heater Replacement

- 2 - Rheem Hel19-199N water heater 119 gallon 199,000 BTU
- Removal, disposal, installation included
 - Permit included

For the Sum of \$18,071.00
Eighteen Thousand Seventy One Dollars

Alpine Plumbing & Heating Inc
BCRN 120256
Jody Schubert

The above proposal is valid only if signed and accepted within thirty (30) days from the above date. *As required by the Wisconsin Construction Lien Law, Alpine Plumbing, Inc. hereby notifies owner that persons or companies furnishing labor or materials for the construction on owner's land may have lien rights on owner's land and buildings if not paid.* Payment is due within thirty (30) days of date of invoice. Frost removal, if required, is not included.

The above prices, specifications and conditions are satisfactory and are hereby accepted.

Authorized Signature _____ Date _____

Tld/FPD WHs

APPROVAL <i>She</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE May 5, 2020
REPORTS & RECOMMENDATIONS	AUTHORIZE PERRY BRUMM LLC TO CONSTRUCT RETAINING WALL BEHIND POLICE DEPARTMENT (9455 W. LOOMIS ROAD) FOR \$15,900	ITEM NUMBER <i>G, S,</i>

BACKGROUND

A retaining wall behind the Franklin Police Department (9455 W. Loomis Road) is failing. In 2019, Staff hired a structural engineer to design a wall. Discussions of repairs were stalled because of uncertain schedules, costs, and varied assistance needed from DPW. As a result of COVID19, the schedules for local contractors suitable for this small project have opened up. Staff has obtained a quote from a reputable contractor who can start immediately, needs minimal assistance from DPW, and with a price that is far below previously budgeted.

ANALYSIS

The reputable contractor is Perry Brumm LLC (5701 Howard Avenue, Milwaukee, WI 53220). His quote is as follows:

Install soldier beam and Lagging wall system as per plans and specs by Schmidt Engineering Inc., Wauconda Illinois.

Install 6- HP 8X36 beams 2-15', 2-12.5', 2- 10', furnish and install in 4"X4"X 3/8" steel angle iron with anchors, furnish and install hard wood lagging panels. All excavation needed for installation of the wall, all backfill needed for installation of the wall, necessary erosion control, 3/4" crushed limestone as needed On-site sanitary facilities, job layout, and site cleanup following the completion of the installation. This price will also include any handling of the collapsed stone on to pallets.

Total Job cost, \$15,900.00 Fifteen Thousand Nine Hundred Dollars Only

PBLLC will offer an insurance cert. upon acceptance of proposal. It is expected to take 5 working days to complete this This proposal does not cover; covering of the drain in front of the garage door, any offsite trucking. This proposal will remain in effect for 30 days.

Staff recommends approval to authorize Perry Brumm LLC to perform the work. This work will create a functional wall. Any removed stones will be replaced by DPW as time allows. At that point, the stones will be decorative since the constructed wall will be the structural component.

OPTIONS

- A. Authorize Perry Brumm LLC to construct a retaining wall behind the Police Department. Or
- B. Refer back to Staff with further direction.

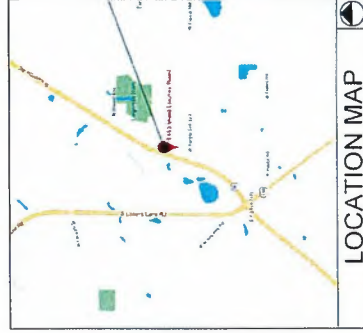
FISCAL NOTE

The funds will be provided from the Police Operations budget under building maintenance.

COUNCIL ACTION REQUESTED

(OPTION A) Motion to authorize Perry Brumm LLC to construct retaining wall behind Police Department (9455 W. Loomis Road) for \$15,900.

RETAINING WALL REPAIR
FRANKLIN POLICE DEPARTMENT
9455 W LOOMIS RD
FRANKLIN, WI



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RETAINING WALL REPAIR
FRANKLIN POLICE DEPARTMENT
9455 W LOOMIS RD
FRANKLIN, WI

SCHMIDT
ENGINEERING, INC.
consulting structural engineers
1001 N. Old Rand Rd. Unit 119
Wauconda, IL 60094
TEL. (847) 487-0100

RALPH SCHMIDT, P.E., St.
LICENSED PROFESSIONAL ENGINEER
WISCONSIN, NO. 52307-000
EXP. DATE: 7-31-2020

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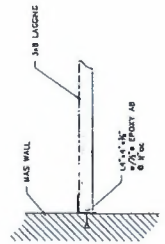
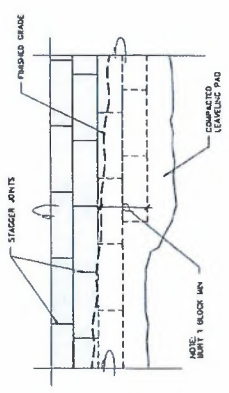
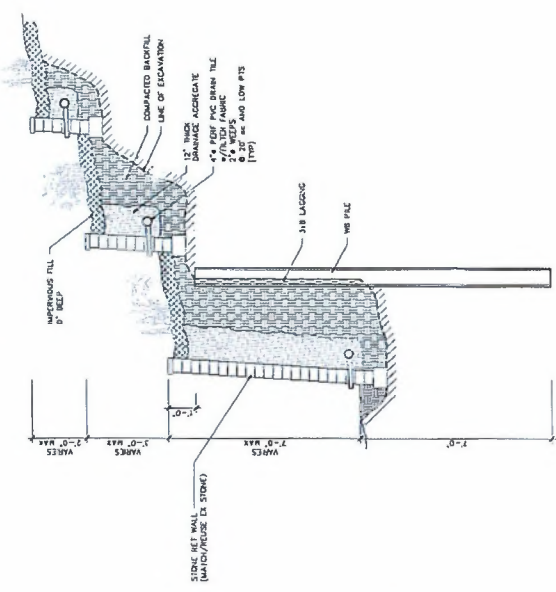
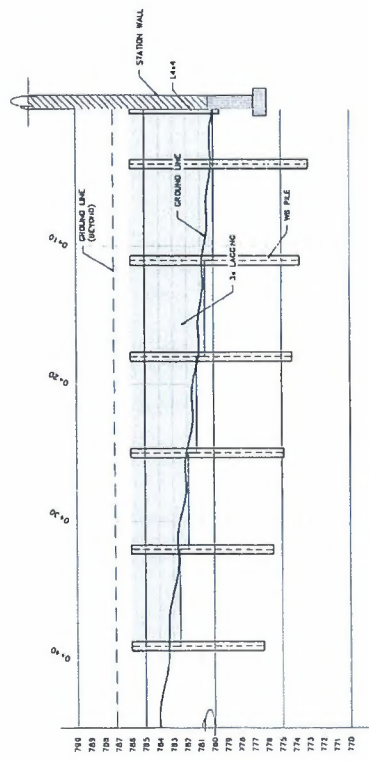
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NOTES:

- GENERAL:**
- The design is based on the information provided by the International Building Code (IBC 2003). All materials and construction shall comply with the requirements of local codes and ordinances.
 - Do not scale drawings. Contractor shall verify all dimensions prior to construction. If any discrepancy is found, the contractor shall notify the engineer immediately. The engineer shall verify the dimensions and make any necessary corrections. The contractor shall be responsible for the accuracy of the construction.
 - The contractor shall have sole responsibility for the design, analysis and safety of the retaining wall. The engineer shall be responsible for the design of the wall and/or site improvement.
- DESIGN LOADS:**
- Equivalent soil pressure, $P_e = 45 \text{ PLF/FT}$
- EXCAVATION/RETAINING WALL:**
- The soil investigation report has been prepared for this project. Existing soil conditions shall be verified by the contractor. The contractor shall verify the soil conditions and notify the engineer if there are any changes.
 - The site shall be graded to provide drainage and erosion control methods as required.
 - The existing wall shall be repaired and reinforced with steel reinforcement.
 - Approximate existing wall height is 10.00 feet. The maximum concrete strength shall be 4,000 psi and the minimum compressive strength shall be 3,000 psi.
 - Drainage pipe shall be installed per or corrected ROPS jobs.
 - Drainage pipe shall be installed per or corrected ROPS jobs.
 - Internal friction angle, $\phi = 32^\circ$
 - Internal cohesion, $c = 120 \text{ psf}$
 - Structural section shall be completed in a minimum of 1000 modulus of rupture concrete. The concrete shall be placed in a single lift and shall be finished and cured. The concrete shall be placed in a single lift and shall be finished and cured.
 - Geogrid reinforcement shall be installed in accordance with the manufacturer's recommendations. Contractor shall submit data sheet and samples of geogrids.
 - Verify location and protect any underground utilities. Notify agencies at least 24 hours prior to any work.
 - During and grading, maintain proper drainage and soil erosion control.



APPROVAL <i>shv</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE May 5, 2020
REPORTS & RECOMMENDATIONS	A RESOLUTION APPROVING AN AMENDMENT TO THE PROJECT PLAN AND BOUNDARIES OF TAX INCREMENTAL DISTRICT NO. 6, CITY OF FRANKLIN, WISCONSIN	ITEM NUMBER <i>6.4.</i>

Background

On October 16, 2018, the city of Franklin formed Tax Incremental District No. 6 (TID 6), for a proposed mixed-use development consisting of single-family residential, commercial, retail, industrial, and open space uses of an approximate 164-acre site generally located north and south of West Loomis Road, south of West Ryan Road, west of South 112th Street, east of S. 124th Street and north of W. Oakwood Road. This development is currently known as Ryan Meadows (residential) and Loomis Business Park (industrial and commercial).

At that time, the developer was still securing additional property to the north and south of the original boundary to accommodate additional development opportunities and asked the City to expand the boundary when those tasks were completed.

By early 2020 prospects, mostly confidential, were considering development in areas proposed for the expansion of TID 6 and Bear Development was ready to move forward with the expanded boundary.

On February 17, 2020, the Common Council approved a contract with Ehlers, Inc. for financial services related to the potential amendment of TID 6, specifically approving the performance of the Phase 1 Feasibility Analysis services.

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

On April 9th the Joint Revenue Board reviewed the plan and the Plan Commission approved the Project Plan following a public hearing and recommended that Common Council approve and adopt the project plan with new boundaries as identified within the plan.

The next step on the timeline is consideration of a resolution creating the district and declaring that the boundaries of the District shall be named "Amended Tax Incremental District No. 6, City of Franklin", as specified in Exhibit A of the Resolution.

COUNCIL ACTION REQUESTED

A motion to adopt a resolution approving an amendment to the project plan and boundaries of Tax Incremental District No. 6, City of Franklin, Wisconsin.

RESOLUTION NO. 2020-____

A RESOLUTION APPROVING AN AMENDMENT TO THE PROJECT PLAN AND
BOUNDARIES OF TAX INCREMENTAL DISTRICT NO. 6,
CITY OF FRANKLIN, WISCONSIN

WHEREAS, the City of Franklin (the "City") has determined that use of Tax Incremental Financing is required to promote development and redevelopment within the City; and

WHEREAS, Tax Incremental District No. 6 (the "District") was created by the City on October 16, 2018 as a mixed-use district; and

WHEREAS, the City now desires to amend the Project Plan and boundaries of the District (the "Amendment") in accordance with the provisions of Wisconsin Statutes Section 66.1105 (the "Tax Increment Law"); and

WHEREAS, such Amendment will:

- a. Add territory from the District as permitted under Wisconsin Statutes Section 66.1005(4)(h)2.
- b. Amend the categories, locations or costs of project costs to be made as permitted under Wisconsin Statutes Section 66.1005(4)(h)1.

WHEREAS, an amended Project Plan for the District has been prepared that includes:

- a. A statement listing of the kind, number and location of all proposed public works or improvements within the District, or to the extent provided in Wisconsin Statutes Sections 66.1105(2)(f)1.k. and 66.1105(2)(f)1.n., outside of the District;
- b. An economic feasibility study;
- c. A detailed list of estimated project costs;
- d. A description of the methods of financing all estimated project costs and the time when the related costs or monetary obligations are to be incurred;
- e. A map showing existing uses and conditions of real property in the District;
- f. A map showing proposed improvements and uses in the District;
- g. Proposed changes of zoning ordinances, master plan, map, building codes and City ordinances;
- h. A list of estimated non-project costs;
- i. A statement of the proposed plan for relocation of any persons to be displaced;
- j. A statement indicating how the amendment of the District promotes the orderly development of the City;

- k. An opinion of the City Attorney advising that the Project Plan is complete and complies with Wisconsin Statutes Section 66.1105(4)(f).; and

WHEREAS, prior to its publication, a copy of the notice of public hearing was sent to the chief executive officers of Milwaukee County, the Franklin School District, and the Milwaukee Area Technical College District, and any other entities having the power to levy taxes on property located within the District, in accordance with the procedures specified in the Tax Increment Law; and

WHEREAS, in accordance with the procedures specified in the Tax Increment Law, the Plan Commission, on April 9, 2020 held a public hearing concerning the proposed amendment to the Project Plan and boundaries of the District, providing interested parties a reasonable opportunity to express their views thereon; and

WHEREAS, after said public hearing, the Plan Commission designated the boundaries of the amended district, adopted the Project Plan, and recommended to the Common Council that it amend the Project Plan and boundaries for the District.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that:

1. The boundaries of the District named "Tax Incremental District No. 6, City of Franklin", are hereby amended as identified in Exhibit A of this Resolution.
2. The territory being added shall become part of the District effective as of January 1, 2020.
3. The Common Council finds and declares that:
 - (a) Not less than 50% by area of the real property within the District, as amended, is suitable for a combination of industrial, commercial and residential uses, defined as "mixed-use development" within the meaning of Wisconsin Statutes Section 66.1105(2)(cm).
 - (b) Based upon the finding stated in 3.a. above, the District is declared to be, and remains, a mixed-use district based on the identification and classification of the property included within the District.
 - (c) The improvement of such area is likely to enhance significantly the value of substantially all of the other real property in the District.

- (d) The equalized value of the taxable property within the territory to be added to the District plus the value increment of all other existing tax incremental districts within the City, does not exceed 12% of the total equalized value of taxable property within the City.
 - (e) That there are no parcels to be added to the District that were annexed by the City within the three-year period preceding adoption of this Resolution.
 - (f) The City estimates that that less than 35% of the territory within the District will be devoted to retail business at the end of the District's maximum expenditure period, pursuant to Wisconsin Statutes Section 66.1105(5)(b).
 - (g) The project costs relate directly to promoting mixed-use development in the District consistent with the purpose for which the District is created.
 - (h) Lands proposed for newly-platted residential development comprise no more than 35% of the real property area within the District, as amended.
 - (i) Costs related to newly-platted residential development may be incurred based on the proposed development having a density of at least three (3) units per acre as defined in Wisconsin Statutes Section 66.1105(2)(f)3.a.
4. The Project Plan for "Tax Incremental District No. 6, City of Franklin" (attached as Exhibit B), as amended, is approved, and the City further finds the Project Plan is feasible and in conformity with the master plan of the City.

BE IT FURTHER RESOLVED, that the City Clerk is hereby authorized and directed to apply to the Wisconsin Department of Revenue, in such form as may be prescribed, for a "Determination of Tax Incremental Base", as of January 1, 2020, pursuant to the provisions of Wisconsin Statutes Section 66.1105(5)(b).

BE IT FINALLY RESOLVED, that pursuant to Section 66.1105(5)(f) of the Wisconsin Statutes, that the City Assessor is hereby authorized and directed to identify upon the assessment roll returned and examined under Wisconsin Statutes Section 70.45, those parcels of property which are within the District, specifying thereon the name of the said District, and the City Clerk is hereby authorized and directed to make similar notations on the tax roll made under Section 70.65 of the Wisconsin Statutes.

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

RESOLUTION NO. 2020-_____

Page 4

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

APPROVED:

ATTEST:

Stephen R. Olson, Mayor

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

Exhibit A

**LEGAL BOUNDARY DESCRIPTION OR MAP OF
TAX INCREMENTAL DISTRICT NO. 6, CITY OF FRANKLIN, WISCONSIN**

[included within the Project Plan]

Exhibit B

PROJECT PLAN

[to be handed out separately]



April 28, 2020

Project Plan for the Territory & Project Plan Amendment of Tax Incremental District No. 6

CITY OF FRANKLIN, WISCONSIN

Organizational Joint Review Board Meeting Held:	Scheduled for: April 9, 2020
Public Hearing Held:	Scheduled for: April 9, 2020
Consideration for Approval by Plan Commission:	Scheduled for: April 9, 2020
Consideration for Adoption by Common Council:	Scheduled for: May 5, 2020
Consideration for Approval by the Joint Review Board:	Scheduled for: TBD

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SECTION 1: Executive Summary

Description of District

Type of District, Size and Location

Tax Incremental District (“TID”) No. 6 (the “TID” or “District”) is an existing mixed-use district, which was created by a resolution of the City of Franklin (“City”) Common Council adopted on October 16, 2018 (the “Creation Resolution”).

Amendments

The District has not been previously amended.

Purpose of this Amendment

To further facilitate development within areas adjacent to the District, the City desires to amend its boundaries to add territory. A map, located in Section 3 of this plan, identifies the Territory to be added and its geographic relationship to the existing District’s boundaries.

This amendment will cause territory to be added to the District, providing incentive and opportunities for additional private development and redevelopment.

This amendment will modify the categories, locations or costs of the Projects to be undertaken, providing incentive and opportunities for additional private development and redevelopment.

This amendment will allow for the District to incur project costs outside of, but within ½ mile of, the boundaries of the District as permitted under Wisconsin Statutes Section 66.1105(2)(f)1.n.

The development expected to occur within the original boundaries of the District has been expanded to include property not initially included within the boundary. The new parcels, created by the development, would be partially in the boundaries of the District and partially outside of the boundaries. The City is required to maintain whole parcels within the boundaries of a tax increment district. The proposed boundary amendment will ensure the City complies with this requirement and allows the City to implement the development envisioned in the original project plan.

Estimated Total Project Expenditures

The City anticipates making project expenditures of approximately \$1,500,000 to undertake projects in the amendment areas as listed in this Project Plan. It is anticipated that the remaining and additional projects will be completed in multiple phases. The Expenditure Period of this District terminates on October 16, 2033. The remaining and additional projects to be undertaken pursuant to this Project Plan are expected to be financed with General Obligation Debt and Municipal Revenue Obligations issued in various years, however, the City may use other alternative financing methods which may provide overall lower costs of financing, preserve debt capacity, mitigate risk to the City, or provide other advantages as determined by the Common Council. A discussion and listing of other possible financing mechanisms, as well as a summary of project financing by phase is located in Section 10 of this plan.

The additional project costs include costs for sewer & water improvements and road construction. These project areas, are located both in the current boundary, the proposed boundary & outside of, but within ½ mile of the current boundary and proposed boundary of the District and within the City.

Economic Development

As a result of the amendment of this District, the City projects that additional land and improvements value of approximately \$12.75 million will be created as a result of new development, redevelopment, and appreciation in the value of existing properties. This additional value will be a result of the improvements made and projects undertaken within the amended areas and within the original District boundaries. A table detailing assumptions as to the timing of new development, and associated values is located in Section 10 of this plan. In addition, the amendment of the District is expected to result in further economic benefits as detailed in the Summary of Findings hereafter.

Expected Termination of District

TID No. 6 has a maximum statutory life of 20 years, and must close not later than October 16, 2038, resulting in a final collection of increment in budget year 2040. Pre-amendment cash flow projections indicate that the entire available life of the District will be required to retire current and projected District liabilities. Based on the Economic Feasibility Study located in Section 10 of this Plan, amendment of the District would shift the projected closure year from 2040 to 2038.

Summary of Findings

As required by Wisconsin Statutes Section 66.1105, and as documented in this Project Plan Amendment and the exhibits contained and referenced herein, the following findings are made:

1. **That “but for” amendment of this District, the additional development projected to occur within the amendment areas as detailed in this Project Plan: 1) would not occur; or 2) would not occur in the manner at the values, or within the timeframe desired by the City.** In making this determination, the City has considered the following information:
 - Some sites proposed for development have remained vacant for years due to lack of adequate infrastructure. Given that the sites have not developed as would have been expected under normal market conditions, it is the judgment of the City that the use of tax incremental financing (“TIF”) will be required to provide the necessary infrastructure inducements to encourage development on the sites consistent with that desired by the City.
 - In order to make the amendment areas suitable for development, the City will need to make a substantial investment to pay for the costs of: property, right-of-way and easement acquisition; site preparation; installation of utilities, and other associated costs. Due to the initial investment in public infrastructure that is required in order to allow development to occur, the City has determined that development of the amendment area will not occur solely as a result of private investment. Accordingly, the City finds that absent the use of TIF, development and/or redevelopment of the amendment area is unlikely to occur.
2. **The economic benefits of amending the Tax Incremental District, as measured by increased employment, business and personal income, and property value, are sufficient to compensate for the cost of the improvements.** In making this determination, the City has considered the following information:
 - As demonstrated in the Economic Feasibility Section of this Project Plan, the total tax increments projected to be collected are more than sufficient to pay for the actual and proposed Project Costs within the original District and the amended areas. On this basis alone, the finding is supported.

3. The benefits of the proposal outweigh the anticipated tax increments to be paid by the owners of property in the overlying taxing jurisdictions.

- If approved, the boundary amendment would become effective for valuation purposes as of January 1, 2020. As of this date, the values of all existing development would be frozen and the property taxes collected on this base value would continue to be distributed amongst the various taxing entities as they currently are now. Taxes levied on any additional value established within the amendment area due to new construction, renovation or appreciation of property values occurring after January 1, 2020 would be collected by the TID and used to repay the costs of TIF-eligible projects undertaken within the District.
 - Given that additional development is not likely to occur or in the same manner without the use of tax incremental financing (see finding # 1), and since the District will generate additional economic benefits that are more than sufficient to compensate for the additional cost of the improvements (see Finding #2), the City reasonably concludes that the overall additional benefits of the District outweigh the anticipated tax increments to be paid by the owners of property in the overlying taxing jurisdictions. It is further concluded that since the “but for” test is satisfied, there would, in fact, be no foregone tax increments to be paid in the event the District is not amended. As required by Section 66.1105(4)(i)4., a calculation of the share of projected tax increments estimated to be paid by the owners of property in the overlying taxing jurisdictions has been made and can be found in Appendix A of the Project Plan.
4. Not less than 50% by area of the real property within the District, as amended, is suitable for a combination of industrial, commercial and residential uses, defined as “mixed-use development” within the meaning of Wisconsin Statutes Section 66.1105(2)(cm). Lands proposed or developed for newly platted residential development comprise less than 35%, as amended, by the area of the real property within the District. Any project Costs related to newly platted residential development are eligible expenditures based on the finding that the development has a residential housing density of at least 3 units per acre as defined in Wisconsin Statutes Section 66.1105(2)(f)3.a.
5. Based upon the findings, as stated above, and the original findings as stated in the Creation Resolution, the District remains declared a mixed-use District based on the identification and classification of the property included within the District.
6. The Project Costs of the District relate directly to promoting mixed-use development in the District consistent with the purpose for which the District was created.
7. The improvements to be made within the territory incorporated by this Amendment are likely to enhance significantly the value of substantially all of the other real property in the District.
8. The equalized value of the taxable property within the territory to be added to the District by this amendment, plus the value increment of all other existing tax incremental districts within the City, does not exceed 12% of the total equalized value of taxable property within the City.
9. The City estimates that less than 35% of the territory within the District will be devoted to retail business at the end of the District’s maximum expenditure period, pursuant to Wisconsin Statutes Section 66.1105(5)(b).
10. The Project Plan for the District, as amended, is feasible, and is in conformity with the Master Plan of the City.

SECTION 2: Type and General Description of District

The District was created under the authority provided by Wisconsin Statutes Section 66.1105 on October 16, 2018 by resolution of the Common Council. The District's valuation date, for purposes of establishing base value, was January 1, 2019.

The existing District is a "Mixed Use District" based upon a finding that at least 50%, by area, of the real property within the District was suitable for a combination of industrial, commercial and residential uses within the meaning of Wisconsin Statutes Section 66.1105(2)(cm). The District will remain in compliance with this finding after the addition of the territory identified in this Amendment. The District will also remain in compliance with the prohibition that no more than 35% of the area of the District be allocated for newly-platted residential development. To the extent that the City has incurred, or may incur, Project Costs for newly platted residential development, the residential development will have a density of at least 3 units per acre as defined in Wisconsin Statutes Section 66.1105(2)(f)3.a. The Preliminary Parcel list found in Section 5 of this plan provides a calculation demonstrating continued compliance with both the 50% test and the 35% test.

Wisconsin Statutes Section 66.1105(4)(h)2. provides authority for a City to amend the boundaries of an existing Tax Increment District for purposes of adding and/or subtracting territory up to a total of four times during the life of the District. The boundaries of the District have not previously been amended.

This Project Plan Amendment supplements, and does not supersede or replace any component of the original Project Plan unless specifically stated. All components of the original Project Plan remain in effect.

The purpose of the Amendment is to facilitate development within areas adjacent to the existing District. The amendment to the District boundaries and the Project Plan will enable the City to install additional public improvements, and to make additional necessary related expenditures that will create development opportunities consistent with the original purposes for which the District was created.

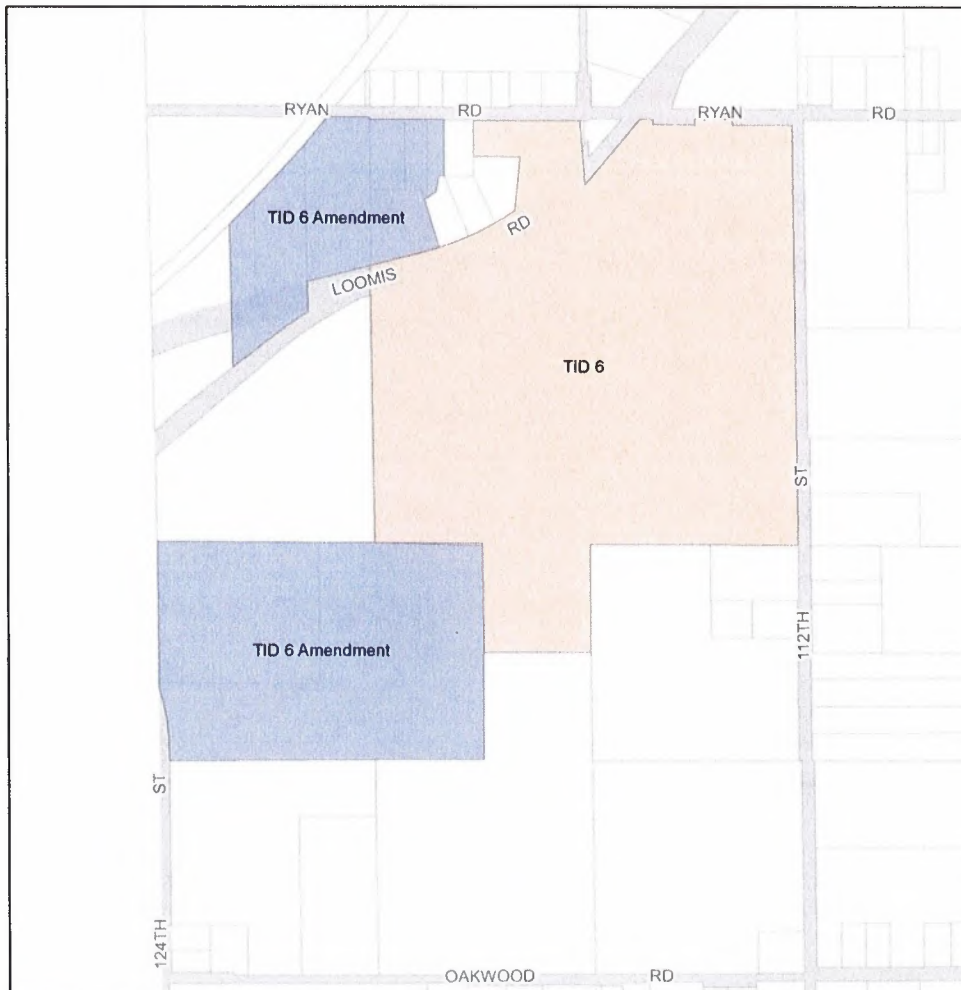
The amendment is also to update and provide for the undertaking of additional expenditures.

A map depicting the boundaries of the District is found in Section 3 of this Plan. Based upon the findings as stated above, and the original findings as stated in the Creation Resolution, the District remains a mixed-use District based on the identification and classification of the property included within the District.

To the extent District boundaries include wetlands identified on a map prepared under Wis. Stat. § 23.32, the wetlands are excluded from the District.

SECTION 3:

Preliminary Map of Original District Boundary and Territory Amendment Area Identified



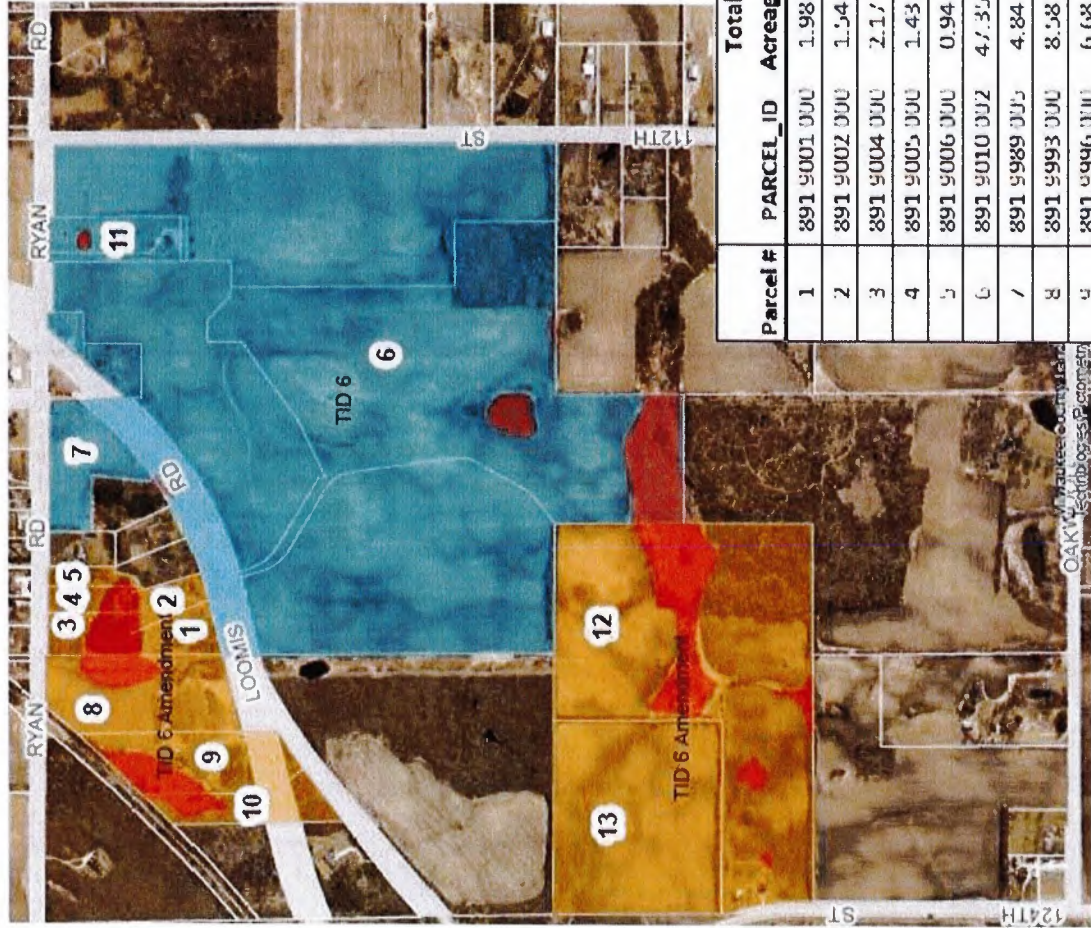
GIS Department
9229 W Loomis Rd
Franklin, WI 53132
www.franklinwi.gov

TID 6 Amendment 2020



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

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Parcel #	PARCEL_ID	Total Acreage	Wetlands Acreage
1	891 9001 000	1.98	0.14
2	891 9002 000	1.54	0.20
3	891 9004 000	2.17	1.09
4	891 9005 000	1.43	0.48
5	891 9006 000	0.94	0.04
6	891 9010 002	47.35	5.19
7	891 9989 005	4.84	0.01
8	891 9993 000	8.58	1.31
9	891 9996 000	6.68	1.59
10	891 9997 000	3.54	0.65
11	892 9994 001	3.80	0.14
12	939 9994 000	41.24	6.14
13	939 9995 000	20.01	0.01
Totals		144.10	16.99

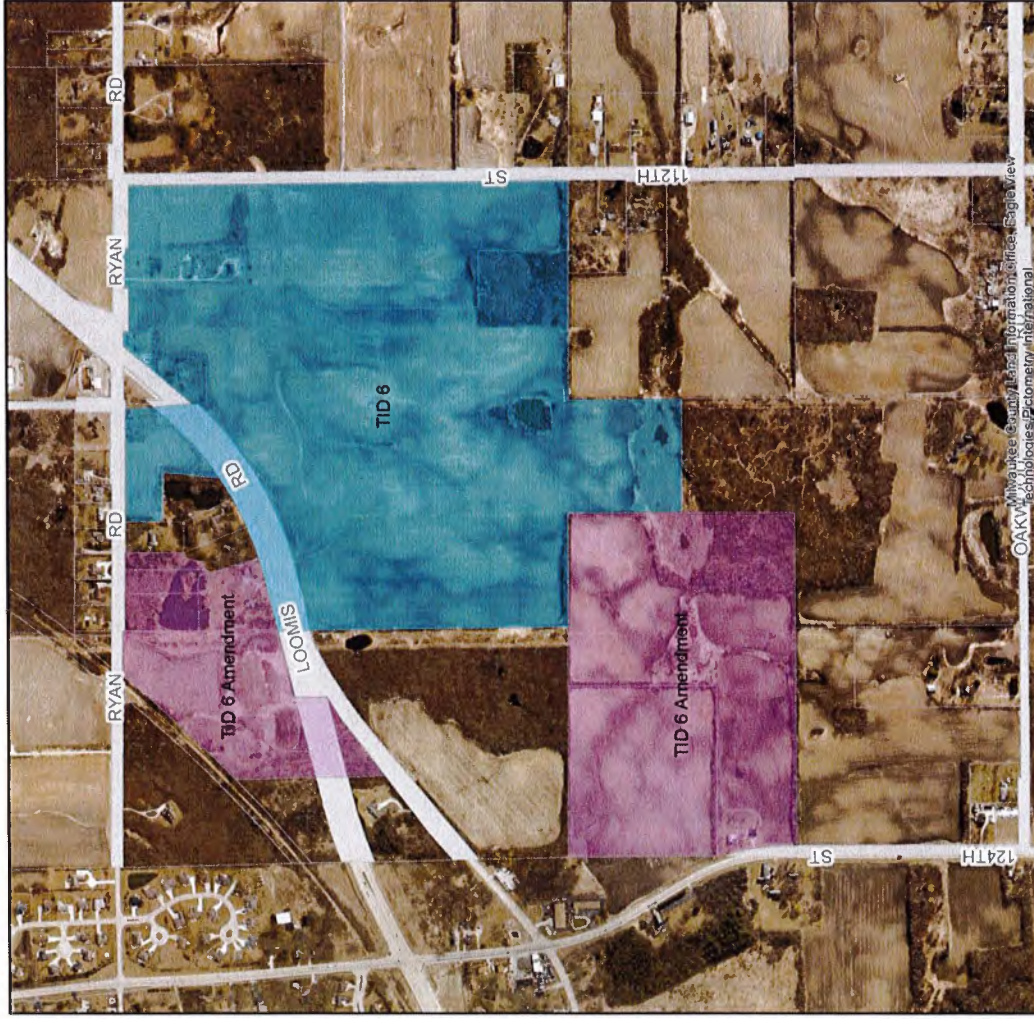
TID 6 and Amendment 2020

Wetland Area *
GIS_DATA.DBO.PROPERTY

Notes:

* Data source is the WI DNR's Wisconsin Wetlands Inventory

SECTION 4:
Map Showing Existing Uses and Conditions Within The Territory To Be Added



TID 6 Amendment 2020

Franklin
WISCONSIN
GIS Department
9229 W Loomis Rd
Franklin, WI 53132
www.franklinwi.gov

This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor.
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Map: 446033
I:\Projects\TID6\TID6_Map_2020.mxd

SECTION 5: Preliminary Parcel List and Analysis Within The Territory To Be Added

City of Franklin, Wisconsin Tax Increment District # 6 Base Property Information														District Classification													
Property Information														Assessment Information							Equalized Value						
Map Ref #	Parcel Number	Street Address	Owner	Acreage	Assessed Post 1/1/04? ...Indicate ...	Part of Existing TID? ...Indicate ...	Land	Imp	PP	Total	Equalized Value Ratio	Land	Imp	PP	Total	Industrial (Zoned and Suitable)	Commercial/ Business	Existing Platted Residential	Newly Platted Residential	Suitable for Mixed Use							
891 9997 000	12204 W LOOMIS RD	Mills Hotel Wyoming, LLC		3.54			19,800			19,800	97.01%	20,410	0	0	20,410		3.54			3.54							
891 9996 000	0 W LOOMIS RD	Mills Hotel Wyoming, LLC		6.68			2,600			2,600	97.01%	2,680	0	0	2,680		6.68			6.68							
891 9993 000	12000 W LOOMIS RD	Mills Hotel Wyoming, LLC		8.58			1,800			1,800	97.01%	1,855	0	0	1,855		8.58			8.58							
891 9001 000	11908 W LOOMIS RD	Mills Hotel Wyoming, LLC		1.98			111,600	143,400		255,000	97.01%	115,040	147,820	0	262,859		1.98			1.98							
891 9002 000	11906 W LOOMIS RD	Mills Hotel Wyoming, LLC		1.54			108,100	132,000		240,100	97.01%	111,432	136,068	0	247,500		1.54			1.54							
891 9004 000	n/a	Mills Hotel Wyoming, LLC		2.17			17,400			17,400	97.01%	17,936	0	0	17,936			2.17		2.17							
891 9005 000	n/a	Mills Hotel Wyoming, LLC		1.43			11,400			11,400	97.01%	11,751	0	0	11,751			1.43		1.43							
891 9006 000	n/a	Mills Hotel Wyoming, LLC		0.94			7,500			7,500	97.01%	7,731	0	0	7,731			0.94		0.94							
939 9995 000	05 124TH ST	Franklin Mills, LLC		20.01			4,200			4,200	97.01%	4,329	0	0	4,329	20.01				20.01							
939 9994 000	10082 S 124TH ST	MATHSON, DANIEL L & VIRGINIA K (L/E)		41.24			77,800	160,500		238,300	97.01%	80,198	165,447	0	245,645	41.24				41.24							
Total Acreage							382,200	435,900	0	798,100		373,364	449,335	0		61.25	22.32	4.54	0	88.11							
																69.57%	25.33%	5.15%	0.00%	100.00%							
															Estimated Base Value	821,699											

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

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

SECTION 6: Equalized Value Test

The following calculations demonstrate that the City is in compliance with Wisconsin Statutes Section 66.1105(4)(gm)4.c., which requires that the equalized value of the Territory to be added to the District, plus the value increment of the District being amended, plus the value increment of all other existing tax incremental districts, does not exceed 12% of the total equalized value of taxable property within the City.

The equalized value of the Territory to be incorporated by this Amendment, plus the increment value of TID No. 6, plus the value increment of all other existing tax incremental districts within the City, totals \$150,276,799. This value is less than the maximum of \$523,232,280 in equalized value that is permitted for the City of Franklin. The City is therefore in compliance with the statutory equalized valuation test and may proceed with amendment of this District.

City of Franklin, Wisconsin				
Tax Increment District # 6				
Valuation Test Compliance Calculation				
District Creation Date	10/16/2018			
	Valuation Data Currently Available 2019	Dollar Charge	Percent Change	Valuation Data Est. Creation Date
Total EV (TID In)	4,360,269,000			4,360,269,000
12% Test	523,232,280			523,232,280
Increment of Existing TIDs				
TID #3	64,781,500			64,781,500
TID #4	52,629,500			52,629,500
TID #5	30,859,200			30,859,200
TID #6	1,183,900			1,183,900
TID #7				0
				0
Total Existing Increment	149,454,100			149,454,100
Projected Base of New or Amended District	822,699			822,699
Less Value of Any Underlying TID Parcels	0			0
Total Value Subject to 12% Test	150,276,799			150,276,799
Compliance	PASS			PASS

SECTION 7:

Statement of Kind, Number and Location of Proposed Public Works and Other Projects

The following is a list of public works and other TIF-eligible projects that the City has implemented, or expects to implement, within the original District or within the Territory to be incorporated by this Amendment. Any costs directly or indirectly related to the public works and other projects are considered "Project Costs" and eligible to be paid with tax increment revenues of the District.

Property, Right-of-Way and Easement Acquisition

Property Acquisition for Development

In order to promote and facilitate development the City may acquire property within the District. The cost of property acquired, and any costs associated with the transaction, are eligible Project Costs. Following acquisition, other Project Costs within the categories detailed in this Section may be incurred in order to make the property suitable for development and/or redevelopment. Any revenue received by the City from the sale of property acquired pursuant to the execution of this Plan will be used to reduce the total project costs of the District. If total Project Costs incurred by the City to acquire property and make it suitable for development and/or redevelopment exceed the revenues or other consideration received from the sale or lease of that property, the net amount shall be considered "real property assembly costs" as defined in Wisconsin Statutes Section 66.1105(2)(f)1.c., and subject to recovery as an eligible Project Cost.

Property Acquisition for Conservancy

In order to promote the objectives of this Plan, the City may acquire property within the District that it will designate for conservancy. These conservancy objectives include: preserving historic resources or sensitive natural features; maintaining habitat for wildlife; maintaining adequate open space; reduction of erosion and sedimentation by preserving existing vegetation; and providing adequate areas for management of stormwater. The cost of property acquired for conservancy, and any costs associated with the transaction, are eligible Project Costs.

Acquisition of Rights-of-Way

The City may need to acquire property to allow for installation of streets, driveways, sidewalks, utilities, stormwater management practices and other public infrastructure. Costs incurred by the City to identify, negotiate and acquire rights-of-way are eligible Project Costs.

Acquisition of Easements

The City may need to acquire temporary or permanent easements to allow for installation and maintenance of streets, driveways, sidewalks, utilities, stormwater management practices and other public infrastructure. Costs incurred by the City to identify, negotiate and acquire easement rights are eligible Project Costs.

Relocation Costs

If relocation expenses are incurred in conjunction with the acquisition of property, those expenses are eligible Project Costs. These costs may include, but are not limited to: preparation of a relocation plan; allocations of staff time; legal fees; publication of notices; obtaining appraisals; and payment of relocation benefits as required by Wisconsin Statutes Sections 32.19 and 32.195.

Site Preparation Activities

Environmental Audits and Remediation

There have been no known environmental studies performed within the proposed District. If, however, it becomes necessary to evaluate any land or improvement within the District, any cost incurred by the City related to environmental audits, testing, and remediations are eligible Project Costs.

Demolition

In order to make sites suitable for development, the City may incur costs related to demolition and removal of structures or other land improvements, to include abandonment of wells or other existing utility services.

Site Grading

Land within the District may require grading to make it suitable for development and/or redevelopment, to provide access, and to control stormwater runoff. The City may need to remove and dispose of excess material, or bring in fill material to provide for proper site elevations. Expenses incurred by the City for site grading are eligible Project Costs.

Utilities

Sanitary Sewer System Improvements

There are inadequate sanitary sewer facilities serving areas of the District. To allow development to occur, the City may construct, alter, rebuild or expand sanitary sewer infrastructure within the District. Eligible Project Costs include, but are not limited to, construction, alteration, rebuilding or expansion of: collection mains; manholes and cleanouts; service laterals; force mains; interceptor sewers; pumping stations; lift stations; and all related appurtenances. To the extent sanitary sewer projects undertaken within the District provide direct benefit to land outside of the District, the City will make an allocation of costs based on such benefit. Those costs corresponding to the benefit allocated to land within the District, and necessitated by the implementation of the Project Plan, are eligible Project Costs. Implementation of the Project Plan may also require that the City construct, alter, rebuild or expand sanitary sewer infrastructure located outside of the District. That portion of the costs of sanitary sewer system projects undertaken outside the District which are necessitated by the implementation of the Project Plan are eligible Project Costs.

Water System Improvements

There are inadequate water distribution facilities serving areas of the District. To allow development to occur, the City may construct, alter, rebuild or expand water system infrastructure within the District. Eligible Project Costs include, but are not limited to, construction, alteration, rebuilding or expansion of: distribution mains; manholes and valves; hydrants; service laterals; pumping stations; and all related appurtenances. To the extent water system projects undertaken within the District provide direct benefit to land outside of the District, the City will make an allocation of costs based on such benefit. Those costs corresponding to the benefit allocated to land within the District, and necessitated by the implementation of the Project Plan, are eligible Project Costs. Implementation of the Project Plan may also require that the City construct, alter, rebuild or expand water system infrastructure located outside of the District. That portion of the costs of water system projects undertaken outside the District which are necessitated by the implementation of the Project Plan are eligible Project Costs.

Stormwater Management System Improvements

Development within the District will cause stormwater runoff and pollution. To manage this stormwater runoff, the City may construct, alter, rebuild or expand stormwater management infrastructure within the District. Eligible Project Costs include, but are not limited to, construction, alteration, rebuilding or

expansion of: stormwater collection mains; inlets, manholes and valves; service laterals; ditches; culvert pipes; box culverts; and infiltration, filtration and detention Best Management Practices (BMP's). To the extent stormwater management system projects undertaken within the District provide direct benefit to land outside of the District, the City will make an allocation of costs based on such benefit. Those costs corresponding to the benefit allocated to land within the District, and necessitated by the implementation of the Project Plan, are eligible Project Costs. Implementation of the Project Plan may also require that the City construct, alter, rebuild or expand stormwater management infrastructure located outside of the District. That portion of the costs of stormwater management system projects undertaken outside the District which are necessitated by the implementation of the Project Plan are eligible Project Costs.

Electric Service

In order to create sites suitable for development, the City may incur costs to provide, relocate or upgrade electric services. Relocation may require abandonment and removal of existing poles or towers, installation of new poles or towers, or burying of overhead electric lines. Costs incurred by the City to undertake this work are eligible Project Costs.

Gas Service

In order to create sites suitable for development, the City may incur costs to provide, relocate or upgrade gas mains and services. Costs incurred by the City to undertake this work are eligible Project Costs.

Communications Infrastructure

In order to create sites suitable for development, the City may incur costs to provide, relocate or upgrade infrastructure required for voice and data communications, including, but not limited to: telephone lines, cable lines and fiber optic cable. Costs incurred by the City to undertake this work are eligible Project Costs.

Streets and Streetscape

Street Improvements

There are inadequate street improvements serving areas of the District. To allow development to occur, the City may need to construct and/or reconstruct streets, highways, access drives and parking areas. Eligible Project Costs include, but are not limited to: excavation; removal or placement of fill; construction of road base; asphalt or concrete paving or repaving; installation of curb and gutter; installation of sidewalks and bicycle lanes; installation of culverts, utility relocation, to include burying overhead utility lines; street lighting; installation of traffic control signage and traffic signals; pavement marking; right-of-way restoration; installation of retaining walls; and installation of fences, berms, and landscaping.

Streetscaping and Landscaping

In order to attract development consistent with the objectives of this Plan, the City may install amenities to enhance development sites, rights-of-way and other public spaces. These amenities include, but are not limited to: landscaping; lighting of streets, sidewalks, parking areas and public areas; installation of planters, benches, clocks, tree rings, trash receptacles and similar items; and installation of brick or other decorative walks, terraces and street crossings. These and any other similar amenities installed by the City are eligible Project Costs

CDA

Contribution to Community Development

As provided for in Wisconsin Statutes Sections 66.1105(2)(f)1.h and 66.1333(13), the City may provide

funds to its CDA to be used for administration, planning operations, and capital costs, including but not limited to real property acquisition, related to the purposes for which it was established in furtherance of any redevelopment or urban renewal project. Funds provided to the CDA for this purpose are eligible Project Costs.

Revolving Loan/Grant Program

To encourage private redevelopment consistent with the objectives of this Plan, the City, through its CDA, may provide loans and/or matching grants to eligible property owners in the District. Loan and/or matching grant recipients will be required to sign an agreement specifying the nature of the property improvements to be made. Eligible improvements will be those that are likely to improve the value of the property, enhance the visual appearance of the property and surrounding area, correct safety deficiencies, or as otherwise specified by the CDA in the program manual. Any funds returned to the CDA from the repayment of loans made are not considered revenues to the District, and will not be used to offset District Project Costs. Instead, these funds may be placed into a revolving loan fund and will continue to be used for the program purposes stated above. Any funds provided to the CDA for purposes of implementing this program are considered eligible Project Costs.

Miscellaneous

Cash Grants (Development Incentives)

The City may enter into agreements with property owners, lessees, or developers of land located within the District for the purpose of sharing costs to encourage the desired kind of improvements and assure tax base is generated sufficient to recover Project Costs. No cash grants will be provided until the City executes a developer agreement with the recipient of the cash grant. Any payments of cash grants made by the City are eligible Project Costs.

Projects Outside the Tax Increment District

Pursuant to Wisconsin Statutes Section 66.1105(2)(f)1.n, the City may undertake projects within territory located within one-half mile of the boundary of the District provided that: 1) the project area is located within the City's corporate boundaries and 2) the projects are approved by the Joint Review Board. The cost of projects completed outside the District pursuant to this section are eligible project costs, and may include any project cost that would otherwise be eligible if undertaken within the District. The City intends to make the following project cost expenditures outside the District: Water System Improvements, Sanitary System Improvements, Street improvements, intersection improvements, Street Scaping and Pedestrian Pathways.

Professional Service and Organizational Costs

The costs of professional services rendered, and other costs incurred, in relation to the creation, administration and termination of the District, and the undertaking of the projects contained within this Plan, are eligible Project Costs. Professional services include, but are not limited to: architectural; environmental, planning; engineering; legal, audit; financial; and the costs of informing the public with respect to the creation of the District and the implementation of the Plan.

Administrative Costs

The City may charge to the District as eligible Project Costs reasonable allocations of administrative costs, including, but not limited to, employee salaries. Costs allocated will bear a direct connection to the time spent by City employees in connection with the implementation of the Plan.

Financing Costs

Interest expense, debt issuance expenses, redemption premiums, and any other fees and costs incurred in conjunction with obtaining financing for projects undertaken under this Plan are eligible Project Costs.

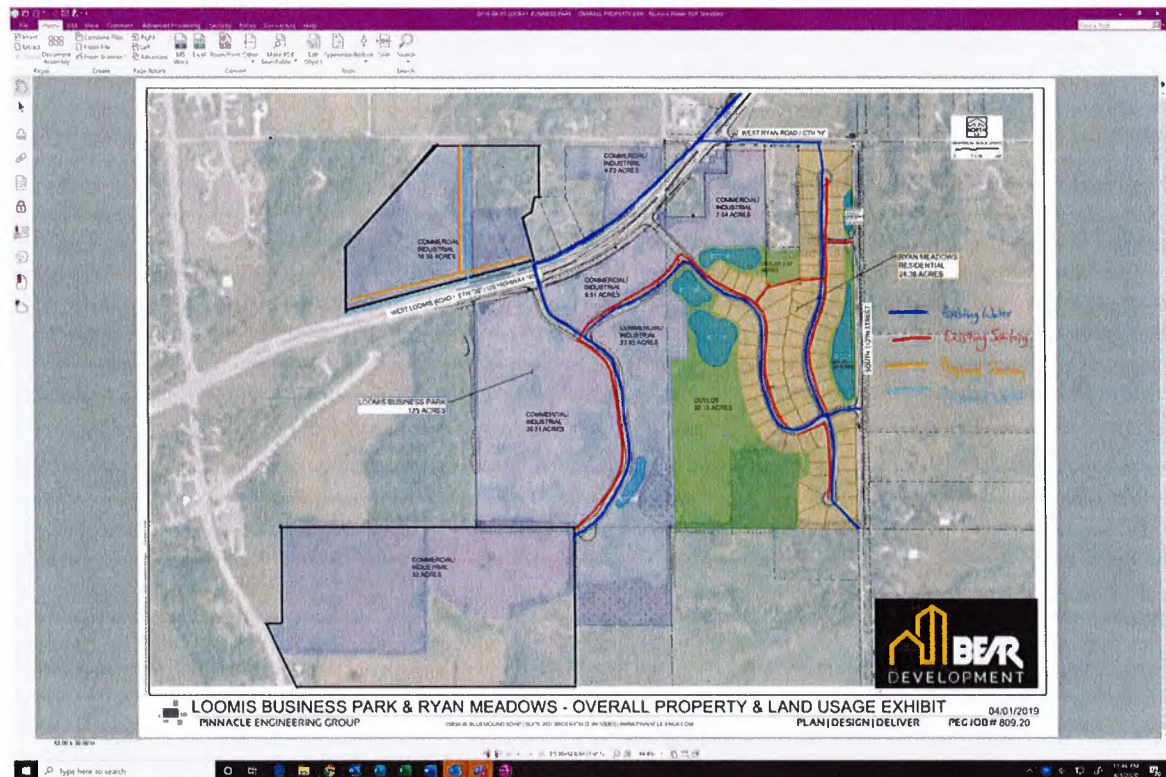
With all projects the costs of engineering, design, survey, inspection, materials, construction, restoring property to its original condition, site preparation, legal and other consultant fees, testing, environmental studies, permits, updating City ordinances and plans, judgments or claims for damages, and other expenses are included as Project Costs.

In the event any of the public works project expenditures are not reimbursable out of the special tax increment finance fund under Wisconsin Statutes Section 66.1105, in the written opinion of counsel retained by the City for such purpose or a court of record so rules in a final order, then such project or projects shall be deleted herefrom and the remainder of the projects hereunder shall be deemed the entirety of the projects for purposes of this Project Plan Amendment.

The City reserves the right to implement only those projects that remain viable as the Plan period proceeds.

Project Costs are any expenditure made, estimated to be made, or monetary obligations incurred or estimated to be incurred, by the City and as outlined in this Plan or the original Project Plan. To the extent the costs benefit the City outside the District, a proportionate share of the cost is not a Project Cost. Costs identified in this Plan are preliminary estimates made prior to design considerations and are subject to change after planning is completed. Prorations of costs in the Plan are also estimates and subject to change based upon implementation, future assessment policies and user fee adjustments. Project Costs will be diminished by any income, special assessments or other revenues, including user fees or charges, other than tax increments, received or reasonably expected to be received by the City in connection with the implementation of this Plan.

SECTION 8: Map Showing Proposed Improvements and Uses Within The Territory To Be Added



SECTION 9: Detailed List of Additional and Updated Project Costs

This Section contains information relative to the specific projects and expenditures that the City anticipates it will undertake or make within the Territory to be incorporated into the District by this Amendment. In addition, included for reference purposes, is a listing of the project cost estimates for the original District, and the current status of their implementation.

All costs are based on 2020 prices and are preliminary estimates. The City reserves the right to increase these costs to reflect inflationary increases and other uncontrollable circumstances between 2020 and the time of construction. However, for increases in excess of 25% over the cost of inflation of total Project Costs, the City would pursue an amendment to the Plan in accordance with the amendment procedures specified in Wisconsin Statutes Section 66.1105(4)(h), which include review by the Joint Review Board. The City also reserves the right to increase certain Project Costs to the extent others are reduced or not implemented, without amending the Plan. The tax increment allocation is preliminary and is subject to adjustment based upon the implementation of the Plan.

This Plan is not meant to be a budget, nor an appropriation of funds for specific projects, but a framework within which to manage projects. All costs included in the Plan are estimates based on best information available. The City retains the right to delete projects or change the scope and/or timing of projects implemented as they are individually authorized by the Common Council, without further amending this Plan.

Proposed TIF Project Cost Estimates

City of Franklin, Wisconsin			
Tax Increment District # 6			
Estimated Project List			
Project ID	Project Name/Type	Original 2019	Amended 2021
			Total (Note 1)
1	Infrastructure Costs in amended area		1,500,000
2	TID creation/amendment	30,000	30,000
3	Administration Expenses (original & amended)	550,000	550,000
4	Interest Expense on Debt Issuance (original Plan)	3,117,082	3,117,082
5	Interest on MRO (only if funds are available)	2,780,910	2,780,910
6	Interest Expense on Debt Issuance amended)		299,514
7	Developer Incentive Land Acquisition(original Plan)	3,710,000	3,710,000
8	Infrastructure Costs (original Plan)	8,360,000	8,360,000
Total Projects		18,547,992	20,377,506
Notes:			
Note 1 Project costs are estimates and are subject to modification			

SECTION 10:

Economic Feasibility Study, Financing Methods, and the Time When Costs or Monetary Obligations Related are to be Incurred

The information and exhibits contained within this Section demonstrate that the District, as proposed to be amended by the addition of territory, will remain economically feasible insofar as:

- The City has available to it the means to secure the necessary financing required to accomplish the remaining projects contained within this Plan. A listing of “Available Financing Methods” follows.
- The City expects to complete the remaining projects in one or multiple phases, and can adjust the timing of implementation as needed to coincide with the pace of private development. A discussion of the phasing and projected timeline for project completion is discussed under “Plan Implementation” within this Section. A table identifying the financing method for each phase and the time at which that financing is expected to be incurred is included.
- The development anticipated to occur as a result of the continued implementation of this Plan will generate sufficient tax increments to pay for the cost of the projects. Within this Section are tables identifying: 1) the development expected to occur, 2) an updated projection of tax increments to be collected resulting from that development and other economic growth within the District, and 3) an updated cash flow model demonstrating that the projected tax increment collections and all other revenues available to the District will be sufficient to pay all Project Costs.

Available Financing Methods

Implementation of this Plan may require that the City issue debt obligations to provide direct or indirect financing for the Projects to be undertaken. The following is a list of the types of obligations the City may choose to utilize.

General Obligation (G.O.) Bonds or Notes

The City may issue G.O. Bonds or Notes to finance the cost of projects included within this Plan. The Wisconsin State Constitution limits the principal amount of G.O. debt that the community may have outstanding at any point in time to an amount not greater than five percent of its total equalized value (TID IN). As of the date of this plan, the City has a G.O. debt limit of \$218,013,450, of which \$159,623,109 is currently unused and could be made available to finance Project Costs.

Bonds Issued to Developers (“Pay as You Go” Financing)

The City may issue a bond or other obligation to one or more developers who provide financing for projects included in this Plan. Repayment of the amounts due to the developer under the bonds or other obligations are limited to an agreed percentage of the available annual tax increments collected that result from the improvements made by the developer. To the extent the tax increments collected are insufficient to make annual payments, or to repay the entire obligation over the life of the District, the City’s obligation is limited to not more than the agreed percentage of the actual increments collected. Bonds or other obligations issued to developers in this fashion are not general obligations of the City and, therefore, do not count against the City’s statutory borrowing capacity.

Tax Increment Revenue Bonds

The City has the authority to issue revenue bonds secured by the tax increments to be collected. These bonds may be issued directly by the City, or as a form of lease revenue bond by its Community Development Authority (CDA). Tax Increment Revenue Bonds and Lease Revenue Bonds are not general obligations of the City and therefore do not count against the City's statutory borrowing capacity. To the extent tax increments collected are insufficient to meet the annual debt service requirements of the revenue bonds, the City may be subject to either a permissive or mandatory requirement to appropriate on an annual basis a sum equal to the actual or projected shortfall.

Utility Revenue Bonds

The City can issue revenue bonds to be repaid from revenues of its various utility systems, including revenues paid by the City that represent service of the system to the City. There is neither a statutory nor constitutional limitation on the amount of revenue bonds that can be issued, however, water rates are controlled by the Wisconsin Public Service Commission and the City must demonstrate to bond purchasers its ability to repay revenue debt with the assigned rates. To the extent the City utilizes utility revenues other than tax increments to repay a portion of the bonds, the City must reduce the total eligible Project Costs in an equal amount.

Special Assessment "B" Bonds

The City has the ability to levy special assessments against benefited properties to pay part of the costs for street, curb, gutter, sewer, water, storm sewers and other infrastructure. In the event the City determines that special assessments are appropriate, the City can issue Special Assessment B bonds pledging revenues from special assessment installments to the extent assessment payments are outstanding. These bonds are not counted against the City's statutory borrowing capacity. If special assessments are levied, the City must reduce the total eligible Project Costs under this Plan in an amount equal to the total collected.

Plan Implementation

As stated in the original project plan, projects identified will provide the necessary anticipated governmental services and/or development incentives to the remaining district. The order in which expenditures are made should be adjusted in accordance with development and execution of developer agreements, if any. The City reserves the right to alter the implementation of this Plan to accomplish this objective.

Projects identified will provide the necessary anticipated governmental services and/or development incentives to the additional territory. It is anticipated these expenditures will be made during 2020. However, public debt and expenditures should be made at the pace private development occurs to assure increment is sufficient to cover expenses. The order in which expenditures are made should be adjusted in accordance with development and execution of developer agreements. The City reserves the right to alter the implementation of this Plan to accomplish this objective. In any event, all additional Project Costs are to be incurred within the period specified in Wisconsin Statutes Section 66.1105(6)(am).

It is anticipated developer agreements between the City and property owners will be in place prior to major public expenditures. These agreements can provide for development guarantees or a payment in lieu of development. To further assure contract enforcement these agreements might include levying of special assessments against benefited properties.

The order in which expenditures are made should be adjusted in accordance with development and execution of developer agreements. The City reserves the right to alter the implementation of this Plan to accomplish this objective.

Interest rates projected are based on current market conditions. Municipal interest rates are subject to constantly changing market conditions. In addition, other factors such as the loss of tax-exempt status of municipal bonds or broadening the purpose of future tax-exempt bonds would affect market conditions. Actual interest expense will be determined once the methods of financing have been approved and securities or other obligations are issued.

If financing as outlined in this Plan proves unworkable, the City reserves the right to use alternate financing solutions for the projects as they are implemented.

Implementation and Financing Timeline

City of Franklin, Wisconsin						
Tax Increment District # 6						
Estimated Financing Plan						
	2019B					
	G.O. Bond 2/20/2019	G.O. Bond 2020	Municipal Revenue Obligation (MRO) 4/1/2021	G.O. Promissory Note 2021	TIO Cash Flow Ongoing	Totals
Projects						
Land Acquisition			3,100,000			3,100,000
Utility Extensions	3,850,000			1,500,000		5,350,000
Interior Infrastructure	1,510,000	3,000,000				4,510,000
Development Incentive	610,000					610,000
Creation Expenses	30,000				30,000	60,000
Administration Expenses					550,000	550,000
Interest Expenses City Debt					3,416,596	3,416,596
Interest on MRO (only if funds are available)					2,780,910	2,780,910
Total Project Funds	6,000,000	3,000,000	3,100,000	1,500,000	6,777,506	20,377,506
Estimated Finance Related Expenses						
Municipal Advisor	14,400	17,600		14,500		
Bond Counsel	14,000	12,500		12,000		
Disclosure Counsel	8,400	7,500		7,200		
Rating Agency Fee	6,000	13,500		13,500		
Paying Agent	662	850		850		
Underwriter Discount	10.31 65,638	12.50 41,063	0.00 0	10.00 16,050		
Reoffering Premium	(273,320)					
Capitalized Interest	555,963	204,559		47,606		
Total Financing Required	6,391,743	3,297,571	3,100,000	1,611,706		
Estimated Interest	1.00% (30,000)	1.00% (15,000)	0.00% 0	1.25% (9,375)		
Assumed spend down (months)	6	6	0	6		
Rounding	3,257	2,429	0	2,669		
Net Issue Size	6,365,000	3,285,000	3,100,000	1,605,000		14,355,000
Notes:						

Development Assumptions

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

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

Increment Revenue Projections

City of Franklin, Wisconsin									
Tax Increment District # 6									
Tax Increment Projection Worksheet									
Type of District	Mixed Use			Base Value after Amendment	2,006,599				
District Creation Date	October 16, 2018			Appreciation Factor	1.00%				
Valuation Date	Jan 1, 2019			Base Tax Rate	\$23.38				
Max Life (Years)	20			Rate Adjustment Factor	-1.00%				
Expenditure Period/Termination	15 10/16/2033			Tax Exempt Discount Rate					
Revenue Periods/Final Year	20 2040			Taxable Discount Rate	1.50%				
Extension Eligibility/Years	Yes 3								
Eligible Recipient District	No								

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

Notes:

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

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

Cash Flow

City of Franklin, Wisconsin Tax Increment District # 6

Cash Flow Projection

Year	Projected Revenues				Expenditures										Balances				
	Tax Increments	Interest Earnings/ (Cost)	Capitalized Interest	Total Revenues	G.O. Bond 6,385,000		G.O. Bond 3,285,000		Municipal Revenue Obligation (MRO)		G.O. Promissory Note 1,605,000		Admin.	Total Expenditures	Annual	Cumulative	Principal Outstanding	Year	
					Dated Date:	Principal	Interest	Dated Date:	Principal	Est. Rate	Accrued Interest	Paid Interest	Total Paid	EOY Principal Outstanding	Dated Date:	Principal	Interest		
2019	0	1%	555,963	555,963	07/20/19	116,563	3/1	06/01/20	116,563	5.50%	170,500 *	0	0	0	09/01/21	1,605,000	378,403	6,365,000	2019
2020	0	4.144	204,559	204,559	07/20/19	219,700	3/1	06/01/20	113,644	5.50%	170,500 *	0	0	0	09/01/21	1,605,000	378,403	6,365,000	2020
2021	0	3.784	159,750	159,750	07/20/19	219,700	3/1	06/01/20	90,915	5.50%	170,500 *	0	0	0	09/01/21	1,605,000	378,403	6,365,000	2021
2022	488,457	714	47,606	489,171	160,000	216,500	3/1	06/01/20	90,915	5.50%	170,500 *	0	0	0	09/01/21	1,605,000	47,606	11,255,000	2022
2023	726,338	206	726,544	726,544	215,000	209,000	3/1	06/01/20	90,915	5.50%	170,500 *	0	0	0	09/01/21	1,605,000	47,606	11,255,000	2023
2024	904,107	949	905,056	905,056	270,000	199,300	3/1	06/01/20	90,915	5.50%	170,500 *	0	0	0	09/01/21	1,605,000	47,606	11,255,000	2024
2025	1,108,757	1,792	1,110,549	1,108,757	370,000	186,500	3/1	06/01/20	90,915	5.50%	170,500 *	0	0	0	09/01/21	1,605,000	47,606	11,255,000	2025
2026	1,199,759	3,113	1,202,873	1,199,759	515,000	168,800	3/1	06/01/20	90,915	5.50%	170,500 *	0	0	0	09/01/21	1,605,000	47,606	11,255,000	2026
2027	1,289,841	3,893	1,293,734	1,289,841	535,000	147,800	3/1	06/01/20	90,915	5.50%	170,500 *	0	0	0	09/01/21	1,605,000	47,606	11,255,000	2027
2028	1,356,687	4,910	1,361,597	1,356,687	560,000	125,900	3/1	06/01/20	90,915	5.50%	170,500 *	0	0	0	09/01/21	1,605,000	47,606	11,255,000	2028
2029	1,356,551	5,915	1,362,467	1,356,551	575,000	106,075	3/1	06/01/20	90,915	5.50%	170,500 *	0	0	0	09/01/21	1,605,000	47,606	11,255,000	2029
2030	1,377,556	6,338	1,383,894	1,377,556	595,000	88,525	3/1	06/01/20	90,915	5.50%	170,500 *	0	0	0	09/01/21	1,605,000	47,606	11,255,000	2030
2031	1,377,419	6,337	1,383,755	1,377,419	615,000	70,375	3/1	06/01/20	90,915	5.50%	170,500 *	0	0	0	09/01/21	1,605,000	47,606	11,255,000	2031
2032	1,377,281	5,430	1,382,711	1,377,281	630,000	51,700	3/1	06/01/20	90,915	5.50%	170,500 *	0	0	0	09/01/21	1,605,000	47,606	11,255,000	2032
2033	1,377,143	7,568	1,384,711	1,377,143	650,000	32,054	3/1	06/01/20	90,915	5.50%	170,500 *	0	0	0	09/01/21	1,605,000	47,606	11,255,000	2033
2034	1,377,005	9,608	1,386,613	1,377,005	675,000	10,969	3/1	06/01/20	90,915	5.50%	170,500 *	0	0	0	09/01/21	1,605,000	47,606	11,255,000	2034
2035	1,376,868	9,476	1,386,344	1,376,868	675,000	10,969	3/1	06/01/20	90,915	5.50%	170,500 *	0	0	0	09/01/21	1,605,000	47,606	11,255,000	2035
2036	1,376,730	5	1,376,735	1,376,730	675,000	10,969	3/1	06/01/20	90,915	5.50%	170,500 *	0	0	0	09/01/21	1,605,000	47,606	11,255,000	2036
2037	1,376,592	3	1,376,595	1,376,592	675,000	10,969	3/1	06/01/20	90,915	5.50%	170,500 *	0	0	0	09/01/21	1,605,000	47,606	11,255,000	2037
2038	1,376,455	9	1,376,454	1,376,455	675,000	10,969	3/1	06/01/20	90,915	5.50%	170,500 *	0	0	0	09/01/21	1,605,000	47,606	11,255,000	2038
2039	1,376,317	6,524	1,382,851	1,376,317	675,000	10,969	3/1	06/01/20	90,915	5.50%	170,500 *	0	0	0	09/01/21	1,605,000	47,606	11,255,000	2039
2040	1,376,179	20,112	1,396,292	1,376,179	675,000	10,969	3/1	06/01/20	90,915	5.50%	170,500 *	0	0	0	09/01/21	1,605,000	47,606	11,255,000	2040
Total	23,516,043	100,841	808,128	24,485,011	6,385,000	2,169,501	3,215,501	947,581	3,100,000	2,760,910	2,760,910	2,760,910	5,880,910	1,605,000	299,514	1,605,000	2,107,506	Total	

Notes:

Projected YTD Closure

Notes:

Accrued interest
Short interest

0

Projected TID Closure

SECTION 11: Annexed Property

There are no lands within the Territory proposed to be included within the District by Amendment that were annexed by the City on or after January 1, 2004.

SECTION 12: Estimate of Additional Property to be Devoted to Retail Business

The City estimates that less than 35% of the territory within the District will be devoted to retail business at the end of the District's maximum expenditure period, pursuant to Wisconsin Statutes Section 66.1105(5)(b). This finding is made to fulfill the reporting requirement as contained in Wisconsin Statutes Sections 66.1105(5)(b) and 66.1105(6)(am)1.

SECTION 13: Proposed Zoning Ordinance Changes

The City anticipates that a portion of the Territory to be incorporated into the District by Amendment will be rezoned prior to development.

SECTION 14: Proposed Changes in Master Plan, Map, Building Codes and City of Franklin Ordinances

It is expected that this Plan will be complementary to the City's Master Plan. There are no proposed changes to the Master Plan, map, building codes or other City ordinances for the implementation of this Plan.

SECTION 15: Relocation

It is not anticipated there will be a need to relocate persons or businesses in conjunction with this Plan. In the event relocation or the acquisition of property by eminent domain becomes necessary at some time during the implementation period, the City will follow applicable Wisconsin Statutes Section chapter 32.

SECTION 16: Orderly Development of the City of Franklin

This amendment will have no impact on the viability of the original District Project Plan as it relates to the orderly development of the City.

SECTION 17: List of Estimated Non-Project Costs

Non-Project Costs are public works projects that only partly benefit the District or are not eligible to be paid with tax increments, or costs not eligible to be paid with TIF funds.

Examples would include:

A public improvement made within the District that also benefits property outside the District. That portion of the total Project Costs allocable to properties outside of the District would be a non-project cost.

A public improvement made outside the District that only partially benefits property within the District. That portion of the total Project Costs allocable to properties outside of the District would be a non-project cost.

Projects undertaken within the District as part of the implementation of this Project Plan, the costs of which are paid fully or in part by impact fees, grants, special assessments, or revenues other than tax increments.

The City does not expect to incur any non-project costs in the implementation of this Project Plan.

SECTION 18:
Opinion of Attorney for the City of Franklin Advising
Whether the Plan is Complete and Complies with
Wisconsin Statutes 66.1105

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JANE C. KASSIS,
LEGAL SECRETARY

April 9, 2020

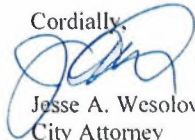
Mayor Stephen R. Olson
City of Franklin
9229 West Loomis Road
Franklin, Wisconsin 53132

re: Tax Incremental District No. 6, City of Franklin, Wisconsin; Project Plan Amendment

Dear Mayor Olson:

I have reviewed the Project Plan for the Territory & Project Plan Amendment of Tax Incremental District No. 6, City of Franklin, Wisconsin. It is my opinion that the Project Plan Amendment is complete and in compliance with Wis. Stat. § 66.1105. The Project Plan, additionally, was informed by the Tax Incremental District No. 6 Feasibility Analysis prepared by Ehlers & Associates, Inc. engaged by the City. This opinion is provided as required pursuant to Wis. Stat. § 66.1105(4)(f).

Cordially,



Jesse A. Wesolowski
City Attorney
City of Franklin

Calculation of the Share of Projected Tax Increments Estimated to be Paid by the Owners of Property in the Overlying Taxing Jurisdictions

Notes:

The projection shown above is provided to meet the requirements of Wisconsin Statute 66.1105(4)(i)4.

APPROVAL <i>slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE May 5, 2020
REPORTS & RECOMMENDATIONS	A RESOLUTION APPROVING THE PROJECT PLAN AND ESTABLISHING THE BOUNDARIES FOR AND THE CREATION OF TAX INCREMENTAL DISTRICT NO. 8, CITY OF FRANKLIN, WISCONSIN	ITEM NUMBER <i>6.5.</i>

Background

The expenditure period for Tax Incremental District No. 4 (TID 4) closes June 20, 2020 and the TID will close by June 20th, 2025. Staff concluded that it was necessary to create Tax Incremental District No. 8 (TID 8), an overlay of TID 4, to continue public infrastructure work, including Elm Road construction and corresponding underground utilities (water, sewer, storm water management, roads, etc.) along with other potential costs to create development-ready parcels in the Franklin Corporate Park.

On February 5, 2019, the Common Council approved a contract with Ehlers, Inc. to conduct a financial analysis of TID 8, approximately between Fitzsimmons and County Line Roads and 27th and 42nd Streets, including Area D.

On April 6th, the Common Council approved staff to proceed with Phase II – Project Plan Development and Approval, and Phase III – State Submittal, for the creation of Tax Incremental District No. 8 Mixed-Use District Project Plan development.

On April 9th, the Joint Revenue Board reviewed the plan and the Plan Commission approved the Project Plan following a public hearing and recommended that Common Council approve and adopt the project plan with boundaries as identified within the plan.

The next step on the timeline is consideration of a resolution creating the district and declaring that the boundaries of the District shall be named "Tax Incremental District No. 8, City of Franklin", as specified in Exhibit A of the Resolution.

COUNCIL ACTION REQUESTED

A motion to adopt a resolution approving the project plan and establishing the boundaries for and the creation of Tax Incremental District No. 8, City of Franklin, Wisconsin.

RESOLUTION NO. 2020-_____

A RESOLUTION APPROVING THE PROJECT PLAN AND ESTABLISHING THE
BOUNDARIES FOR AND THE CREATION OF
TAX INCREMENTAL DISTRICT NO. 8,
CITY OF FRANKLIN, WISCONSIN

WHEREAS, the City of Franklin (the "City") has determined that use of Tax Incremental Financing is required to promote development and redevelopment within the City; and

WHEREAS, Tax Incremental District No. 8 (the "District") is proposed to be created by the City as a mixed-use district in accordance with the provisions of Wisconsin Statutes Section 66.1105 (the "Tax Increment Law"); and

WHEREAS, a Project Plan for the District has been prepared that includes:

- a. A statement listing of the kind, number and location of all proposed public works or improvements within the District, or to the extent provided in Wisconsin Statutes Sections 66.1105(2)(f)1.k. and 66.1105(2)(f)1.n., outside of the District;
- b. An economic feasibility study;
- c. A detailed list of estimated project costs;
- d. A description of the methods of financing all estimated project costs and the time when the related costs or monetary obligations are to be incurred;
- e. A map showing existing uses and conditions of real property in the District;
- f. A map showing proposed improvements and uses in the District;
- g. Proposed changes of zoning ordinances, master plan, map, building codes and City ordinances;
- h. A list of estimated non-project costs;
- i. A statement of the proposed plan for relocation of any persons to be displaced;
- j. A statement indicating how the District promotes the orderly development of the City;
- k. An opinion of the City Attorney advising that the plan is complete and complies with Wisconsin Statutes Section 66.1105(4)(f).; and

WHEREAS, prior to its publication, a copy of the notice of public hearing was sent to the chief executive officers of Milwaukee County, the Oak Creek - Franklin School District, and the Milwaukee Area Technical College District, and any other entities having the power to levy taxes on property located within the District, in accordance with the procedures specified in the Tax Increment Law; and

WHEREAS, in accordance with the procedures specified in the Tax Increment Law, the Plan Commission, on April 9, 2020 held a public hearing concerning the project plan and boundaries and proposed creation of the District, providing interested parties a reasonable opportunity to express their views thereon; and

WHEREAS, after said public hearing, the Plan Commission designated the boundaries of the District, adopted the Project Plan, and recommended to the Common Council that it create such District and approve the Project Plan.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that:

1. The boundaries of the District that shall be named "Tax Incremental District No. 8, City of Franklin", are hereby established as specified in Exhibit A of this Resolution.
2. The District is created effective as of January 1, 2020.
3. The Common Council finds and declares that:
 - (a) Not less than 50% by area of the real property within the District is suitable for a combination of industrial, commercial and residential uses, defined as "mixed-use development" within the meaning of Wisconsin Statutes Section 66.1105(2)(cm).
 - (b) Based upon the finding stated in 3.a. above, the District is declared to be a mixed-use district based on the identification and classification of the property included within the District.
 - (c) The improvement of such area is likely to enhance significantly the value of substantially all of the other real property in the District.
 - (d) The equalized value of the taxable property in the District plus the value increment of all other existing tax incremental districts within the City, does not exceed 12% of the total equalized value of taxable property within the City.
 - (e) That there are no parcels to be included within the District that were annexed by the City within the three-year period preceding adoption of this Resolution.

- (f) The City estimates that less than 35% of the territory within the District will be devoted to retail business at the end of the District's maximum expenditure period, pursuant to Wisconsin Statutes Section 66.1105(5)(b).
 - (g) The project costs relate directly to promoting mixed-use development in the District consistent with the purpose for which the District is created.
4. The Project Plan for "Tax Incremental District No. 8, City of Franklin" (attached as Exhibit B) is approved, and the City further finds the Plan is feasible and in conformity with the master plan of the City.

BE IT FURTHER RESOLVED, that the City Clerk is hereby authorized and directed to apply to the Wisconsin Department of Revenue, in such form as may be prescribed, for a "Determination of Tax Incremental Base", as of January 1, 2020, pursuant to the provisions of Wisconsin Statutes Section 66.1105(5)(b).

BE IT FINALLY RESOLVED, that pursuant to Section 66.1105(5)(f) of the Wisconsin Statutes, that the City Assessor is hereby authorized and directed to identify upon the assessment roll returned and examined under Wisconsin Statutes Section 70.45, those parcels of property which are within the District, specifying thereon the name of the said District, and the City Clerk is hereby authorized and directed to make similar notations on the tax roll made under Section 70.65 of the Wisconsin Statutes.

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:

ATTEST:

Stephen R. Olson, Mayor

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

Exhibit A

**LEGAL BOUNDARY DESCRIPTION OR MAP OF
TAX INCREMENTAL DISTRICT NO. 8, CITY OF FRANKLIN, WISCONSIN**

[included within the Project Plan]

Exhibit B

PROJECT PLAN

[to be handed out separately]



April 27, 2020

Project Plan

Tax Incremental District No. 8

Business Park overly of TID No. 4

City of Franklin, Wisconsin

Organizational Joint Review Board Meeting Held:	Scheduled for: April 9, 2020
Public Hearing Held:	Scheduled for: April 9, 2020
Approval by Plan Commission:	Scheduled for: April 9, 2020
Adoption by Common Council:	Scheduled for: May 5, 2020
Approval by the Joint Review Board:	Scheduled for: TBD

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SECTION 1:

Executive Summary

Description of District

Tax Incremental District (“TID”) No. 8 (“District”) is a proposed Mixed-Use District comprising approximately 671 acres located to the northeast of South 27th street and West County Line Road. The District will be created to pay the costs of public infrastructure and developer incentives needed (“Project”) for the property to be developed. In addition to the incremental property value that will be created, the City expects the Project will result in potentially \$125 million in new property value within the City. The City anticipates a combination of industrial and commercial development on this site.

Authority

The City is creating the District under the provisions of Wis. Stat. § 66.1105.

Estimated Total Project Cost Expenditures

The City anticipates making total expenditures of approximately \$39 million (“Project Costs”) to undertake the projects listed in this Project Plan (“Plan”). Project Costs include an estimated \$22 million in public infrastructure, \$4 million in developer incentives and \$12.7 million in fiscal and administrative expenses.

Incremental Valuation

The City projects that new land and improvements value of approximately \$125.6 million will result from the Project. Creation of this additional value will be made possible by the Project Costs made within the District. A table detailing assumption’s as to the development timing and associated values is included in the Economic Feasibility Study located within this Plan.

Expected Termination of District

Based on the Economic Feasibility Study located within Section 9 of this Plan, the City anticipates that the District will generate sufficient tax increment to pay all Project Costs within 19 of its allowable 20 years.

Summary of Findings

As required by Wis. Stat. § 66.1105, and as documented in this Plan and the exhibits contained and referenced herein, the following findings are made:

1. That “but for” the creation of this District, the development projected to occur as detailed in this Plan: 1) would not occur; or 2) would not occur in the manner, at the values, or within the timeframe desired by the City. In reaching this determination, the City has considered:

The substantial investment needed to provide the public infrastructure necessary to allow for development within the District. Absent the use of tax incremental financing, the City is unable to fully fund this program of infrastructure improvements.

2. The economic benefits of the District, as measured by increased employment, business and personal income, and property value, are sufficient to compensate for the cost of the improvements. In making this determination, the City has considered the following information:

The Developer's representation that the Project is not economically viable without public participation based on extraordinary costs associated with demolition of structures and redevelopment of existing sites.

That the Developers of the property will likely purchase goods and services from local suppliers in construction of the Project, and induced effects of employee households spending locally for goods and services from retailers, restaurants and service companies.

3. The benefits of the proposal outweigh the anticipated tax increments to be paid by the owners of property in the overlying taxing jurisdictions. As required by Wis. Stat. § 66.1105(4)(i)4., a calculation of the share of projected tax increments estimated to be paid by the owners of property in the overlying taxing jurisdictions has been prepared and can be found in this Plan. However, because the Project would not occur without the use of tax incremental financing, these tax increments would not be paid but for creation of the District. Accordingly, the City finds that the benefits expected to be realized as set forth in this Plan outweigh the value of the tax increments to be invested in the Project.
4. Not less than 50% by area of the real property within the District is suitable for mixed use development as defined by Wis. Stat. § 66.1105(2)(cm).
5. Based on the foregoing finding, the District is designated as a mixed-use district.
6. The Project Costs relate directly to promoting mixed use development in the District, consistent with the purpose for which the District is created.
7. Improvements to be made in the District are likely to significantly enhance the value of substantially all of the other real property in the District.
8. The equalized value of taxable property in the District, plus the incremental value of all existing tax incremental districts within the City does not exceed 12% of the total equalized value of taxable property within the City.

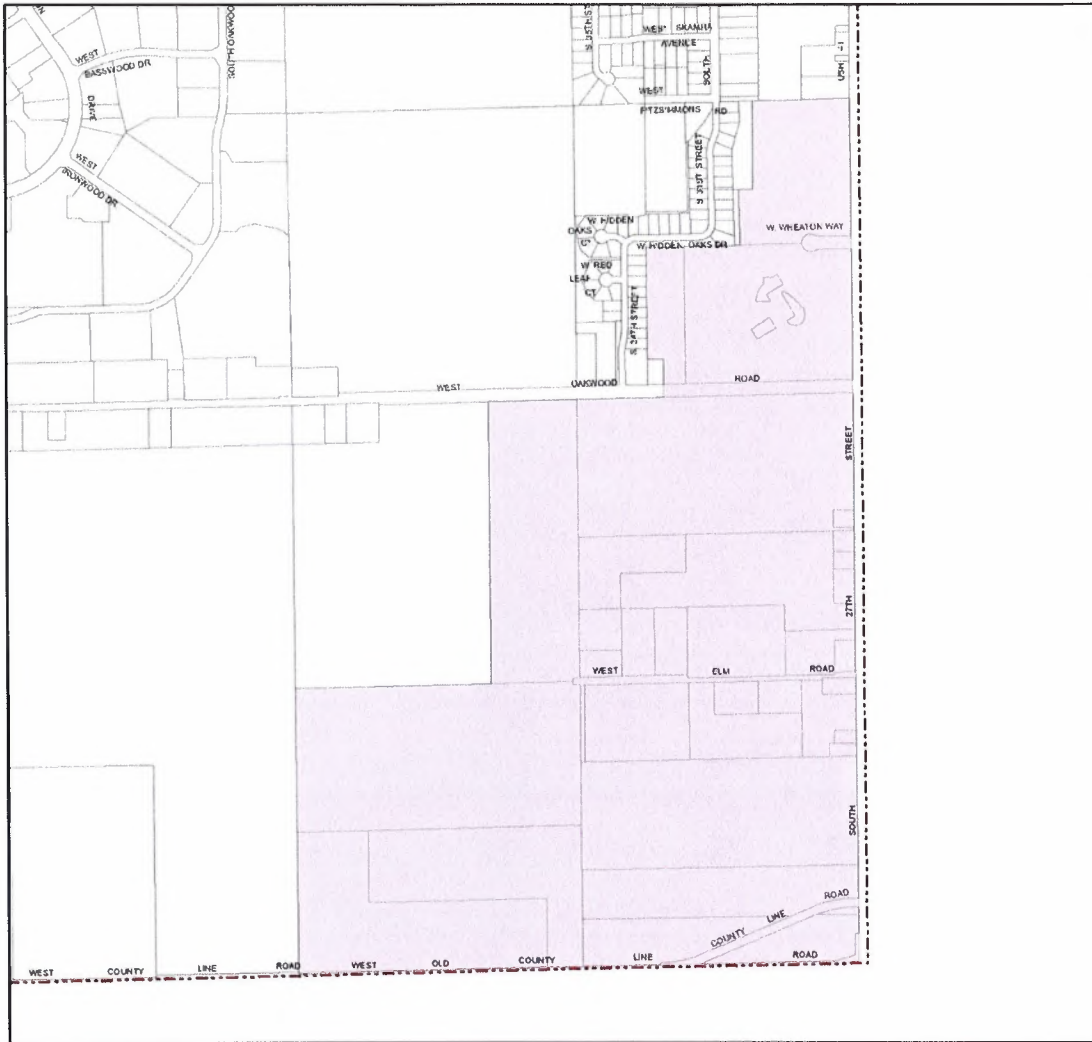
9. The City estimates that less than 35% of the territory within the District will be devoted to retail business at the end of the District's maximum expenditure period, pursuant to Wis. Stat. § 66.1105(5)(b).
10. The Plan for the District is feasible and is in conformity with the Master Plan of the City.
11. That there are no parcels to be included within the District that were annexed by the City within the preceding three-year period.

SECTION 2:

Preliminary Maps of Proposed District Boundary

Maps Found on Following Pages.

To the extent District boundaries include wetlands identified on a map prepared under Wis. Stat. § 23.32, the wetlands are excluded from the District.



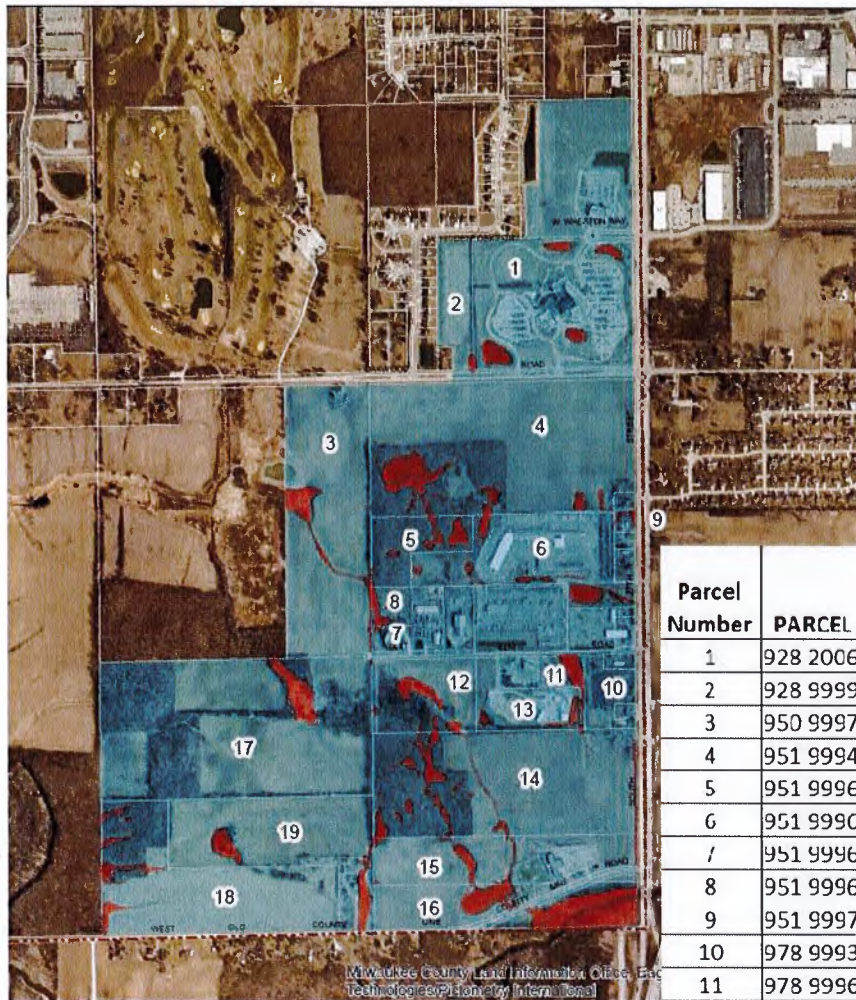
GIS Department
9229 W Loomis Rd
Franklin, WI 53132
www.franklinwi.gov

Franklin TID 8 2020



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

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Franklin TID 8 2020

Wetland Area *

Notes:

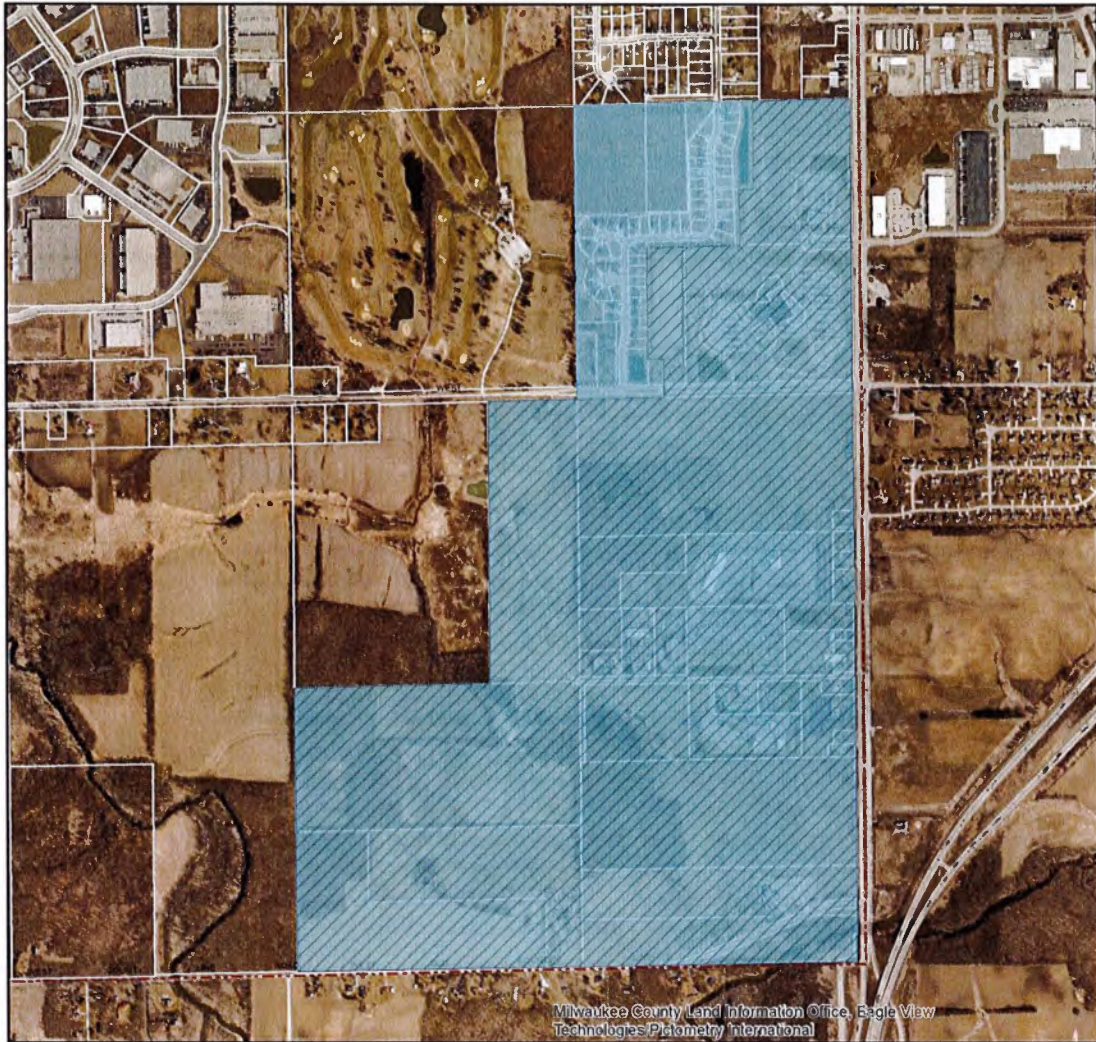
* Data source is the WI DNR's Wisconsin Wetlands Inventory

Wetland area calculations are excluded from the TID area, as allowed by WI Stat. §23.32, and do not represent official mapping or delineations of wetlands for these parcels.

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

Parcel Number	PARCEL_ID	Acreage	Wetland Acreage
1	928 2006 000	44.05	2.63
2	928 9999 005	9.19	0.18
3	950 9997 001	48.92	2.66
4	951 9994 001	73.34	5.30
5	951 9996 005	10.62	1.54
6	951 9996 008	28.86	2.48
7	951 9996 016	2.15	0.05
8	951 9996 017	3.41	0.64
9	951 9997 001	0.83	0.21
10	978 9993 001	5.92	0.02
11	978 9996 001	2.75	1.11
12	978 9996 007	15.66	1.97
13	978 9996 008	11.37	1.05
14	978 9997 000	57.94	4.40
15	978 9998 000	25.64	1.56
16	978 9999 001	22.43	8.94
17	979 9997 000	79.79	2.89
18	979 9998 000	43.63	2.79
19	979 9999 000	34.86	2.77
Total Acreage		521.35	43.19


Map - 4/20/2020
 1: Parcel Properties, Check_MITC_1, March_16_2020.mxd



Franklin
WISCONSIN
GIS Department
9229 W Loomis Rd
Franklin, WI 53132
www.franklinwi.gov

Franklin TID 4 & 8 Comparison 2020

Legend

-  TID 8
-  TID 4



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

10429 - 10/1/2020
Map Services - 1389 Franklin St - Districts, APTD, A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, Y, Z, AA, AB, AC, AD, AE, AF, AG, AH, AI, AJ, AK, AL, AM, AN, AO, AP, AQ, AR, AS, AT, AU, AV, AW, AX, AY, AZ, BA, BB, BC, BD, BE, BF, BG, BH, BI, BJ, BK, BL, BM, BN, BO, BP, BQ, BR, BS, BT, BU, BV, BW, BX, BY, BZ, CA, CB, CC, CD, CE, CF, CG, CH, CI, CJ, CK, CL, CM, CN, CO, CP, CQ, CR, CS, CT, CU, CV, CW, CX, CY, CZ, DA, DB, DC, DD, DE, DF, DG, DH, DI, DJ, DK, DL, DM, DN, DO, DP, DQ, DR, DS, DT, DU, DV, DW, DX, DY, DZ, EA, EB, EC, ED, EE, EF, EG, EH, EI, EJ, EK, EL, EM, EN, EO, EP, EQ, ER, ES, ET, EU, EV, EW, EX, EY, EZ, FA, FB, FC, FD, FE, FF, FG, FH, FI, FJ, FK, FL, FM, FN, FO, FP, FQ, FR, FS, FT, FU, FV, FW, FX, FY, FZ, GA, GB, GC, GD, GE, GF, GG, GH, GI, GJ, GK, GL, GM, GN, GO, GP, GQ, GR, GS, GT, GU, GV, GW, GX, GY, GZ, HA, HB, HC, HD, HE, HF, HG, HH, HI, HJ, HK, HL, HM, HN, HO, HP, HQ, HR, HS, HT, HU, HV, HW, HX, HY, HZ, IA, IB, IC, ID, IE, IF, IG, IH, II, IJ, IK, IL, IM, IN, IO, IP, IQ, IR, IS, IT, IU, IV, IW, IX, IY, IZ, JA, JB, JC, JD, JE, JF, JG, JH, JI, JJ, JK, JL, JM, JN, JO, JP, JQ, JR, JS, JT, JU, JV, JW, JX, JY, JZ, KA, KB, KC, KD, KE, KF, KG, KH, KI, KJ, KK, KL, KM, KN, KO, KP, KQ, KR, KS, KT, KU, KV, KW, KX, KY, KZ, LA, LB, LC, LD, LE, LF, LG, LH, LI, LJ, LK, LL, LM, LN, LO, LP, LQ, LR, LS, LT, LU, LV, LW, LX, LY, LZ, MA, MB, MC, MD, ME, MF, MG, MH, MI, MJ, MK, ML, MM, MN, MO, MP, MQ, MR, MS, MT, MU, MV, MW, MX, MY, MZ, NA, NB, NC, ND, NE, NF, NG, NH, NI, NJ, NK, NL, NM, NN, NO, NP, NQ, NR, NS, NT, NU, NV, NW, NX, NY, NZ, OA, OB, OC, OD, OE, OF, OG, OH, OI, OJ, OK, OL, OM, ON, OO, OP, OQ, OR, OS, OT, OU, OV, OW, OX, OY, OZ, PA, PB, PC, PD, PE, PF, PG, PH, PI, PJ, PK, PL, PM, PN, PO, PP, PQ, PR, PS, PT, PU, PV, PW, PX, PY, PZ, QA, QB, QC, QD, QE, QF, QG, QH, QI, QJ, QK, QL, QM, QN, QO, QP, QQ, QR, QS, QT, QU, QV, QW, QX, QY, QZ, RA, RB, RC, RD, RE, RF, RG, RH, RI, RJ, RK, RL, RM, RN, RO, RP, RQ, RR, RS, RT, RU, RV, RW, RX, RY, RZ, SA, SB, SC, SD, SE, SF, SG, SH, SI, SJ, SK, SL, SM, SN, SO, SP, SQ, SR, SS, ST, SU, SV, SW, SX, SY, SZ, TA, TB, TC, TD, TE, TF, TG, TH, TI, TJ, TK, TL, TM, TN, TO, TP, TQ, TR, TS, TT, TU, TV, TW, TX, TY, TZ, UA, UB, UC, UD, UE, UF, UG, UH, UI, UJ, UK, UL, UM, UN, UO, UP, UQ, UR, US, UT, UY, UZ, VA, VB, VC, VD, VE, VF, VG, VH, VI, VJ, VK, VL, VM, VN, VO, VP, VQ, VR, VS, VT, VU, VW, VX, VY, VZ, WA, WB, WC, WD, WE, WF, WG, WH, WI, WJ, WK, WL, WM, WN, WO, WP, WQ, WR, WS, WT, WU, WV, WW, WX, WY, WZ, XA, XB, XC, XD, XE, XF, XG, XH, XI, XJ, XK, XL, XM, XN, XO, XP, XQ, XR, XS, XT, XU, XV, XW, XX, XY, XZ, YA, YB, YC, YD, YE, YF, YG, YH, YI, YJ, YK, YL, YM, YN, YO, YP, YQ, YR, YS, YT, YU, YV, YW, YX, YY, YZ, ZA, ZB, ZC, ZD, ZE, ZF, ZG, ZH, ZI, ZJ, ZK, ZL, ZM, ZN, ZO, ZP, ZQ, ZR, ZS, ZT, ZU, ZV, ZW, ZX, ZY, ZZ

SECTION 3:

Map Showing Existing Uses and Conditions

Map Found on Following Page.

SECTION 5: Equalized Value Test

The following calculations demonstrate that the City expects to be in compliance with Wis. Stat. § 66.1105(4)(gm)4.c., which requires that the equalized value of the taxable property in the proposed District, plus the value increment of all existing tax incremental districts, does not exceed 12% of the total equalized value of taxable property within the City.

The equalized value of the increment of existing tax incremental districts within the City, plus the base value of the proposed District, totals \$193,850,965. This value is less than the maximum of \$523,232,280 in equalized value that is permitted for the City.

City of Franklin, Wisconsin				
Tax Increment District # 8				
Valuation Test Compliance Calculation				
District Creation Date	5/5/2020			
	Valuation Data Currently Available 2019	Dollar Charge	Percent Change	Valuation Data Est. Creation Date
Total EV (TID In)	4,360,269,000			4,360,269,000
12% Test	523,232,280			523,232,280
Increment of Existing TIDs				
TID #3	64,781,500			64,781,500
TID #4	52,629,500			52,629,500
TID #5	30,859,200			30,859,200
TID #6				0
TID #7				0
Total Existing Increment	148,270,200			148,270,200
Projected Base of New or Amended District	45,580,765			45,580,765
Less Value of Any Underlying TID Parcels	0			0
Total Value Subject to 12% Test	193,850,965			193,850,965
Compliance	PASS			PASS
Preliminary				

SECTION 6:

Statement Listing the Kind, Number and Location of All Proposed Public Works or Improvements Within the District

Project Costs are any expenditure made, estimated to be made, or monetary obligations incurred or estimated to be incurred as outlined in this Plan. Project Costs will be diminished by any income, special assessments or other revenues, including user fees or charges, other than tax increments, received or reasonably expected to be received in connection with the implementation of the Plan. If Project Costs incurred benefit territory outside the District, a proportionate share of the cost is not a Project Cost. Costs identified in this Plan are preliminary estimates made prior to design considerations and are subject to change after planning, design and construction is completed.

With all Project Costs, the costs of engineering, design, survey, inspection, materials, construction, restoring property to its original condition, apparatus necessary for public works, legal and other consultant fees, testing, environmental studies, permits, updating City ordinances and plans, judgments or claims for damages and other expenses are included as Project Costs.

The following is a list of public works and other tax incremental financing eligible Project Costs that the City expects to make, or may need to make, in conjunction with the implementation of the District's Plan. The map found in Section 7 of this Plan along with the Detailed List of Project Costs found in Section 8 provide additional information as to the kind, number and location of potential Project Costs.

Property, Right-of-Way and Easement Acquisition

Property Acquisition for Development

To promote and facilitate development the City may acquire property within the District. The cost of property acquired, and any costs associated with the transaction, are eligible Project Costs. Following acquisition, other Project Costs within the categories detailed in this Section may be incurred to make the property suitable for development. Any revenue received by the City from the sale of property acquired pursuant to the execution of this Plan will be used to reduce the total project costs of the District. If total Project Costs incurred by the City to acquire property and make it suitable for development exceed the revenues or other consideration received from the sale or lease of that property, the net amount shall be considered "real property assembly costs" as

defined in Wis. Stat. § 66.1105(2)(f)1.c., and subject to recovery as an eligible Project Cost.

Property Acquisition for Conservancy

To promote the objectives of this Plan, the City may acquire property within the District that it will designate for conservancy. These conservancy objectives include: preserving historic resources or sensitive natural features; protection of scenic and historic views; maintaining habitat for wildlife; maintaining adequate open space; reduction of erosion and sedimentation by preserving existing vegetation; and providing adequate areas for management of stormwater. The cost of property acquired for conservancy, and any costs associated with the transaction, are eligible Project Costs.

Acquisition of Rights-of-Way

The City may need to acquire property to allow for installation of streets, driveways, sidewalks, utilities, stormwater management practices and other public infrastructure. Costs incurred by the City to identify, negotiate and acquire rights-of-way are eligible Project Costs.

Acquisition of Easements

The City may need to acquire temporary or permanent easements to allow for installation and maintenance of streets, driveways, sidewalks, utilities, stormwater management practices and other public infrastructure. Costs incurred by the City to identify, negotiate and acquire easement rights are eligible Project Costs.

Relocation Costs

If relocation expenses are incurred in conjunction with the acquisition of property, those expenses are eligible Project Costs. These costs may include, but are not limited to: preparation of a relocation plan; allocations of staff time; legal fees; publication of notices; obtaining appraisals; and payment of relocation benefits as required by Wis. Stat. Chapter 32 and Wis. Admin. Code ADM 92.

Site Preparation Activities

Environmental Audits and Remediation

If it becomes necessary to evaluate any land or improvement within the District, any cost incurred by the City related to environmental audits, testing, and remediation are eligible Project Costs.

Demolition

To make sites suitable for development, the City may incur costs related to demolition and removal of structures or other land improvements, to include abandonment of wells or other existing utility services.

Site Grading

Land within the District may require grading to make it suitable for development, to provide access, and to control stormwater runoff. The City may need to remove and dispose of excess material, or bring in fill material to provide for proper site elevations. Expenses incurred by the City for site grading are eligible Project Costs.

Utilities

Sanitary Sewer System Improvements

To allow development to occur, the City may need to construct, alter, rebuild or expand sanitary sewer infrastructure within the District. Eligible Project Costs include, but are not limited to, construction, alteration, rebuilding or expansion of: collection mains; manholes and cleanouts; service laterals; force mains; interceptor sewers; pumping stations; lift stations; wastewater treatment facilities; and all related appurtenances. To the extent sanitary sewer projects undertaken within the District provide direct benefit to land outside of the District, the City will make an allocation of costs based on such benefit. Those costs corresponding to the benefit allocated to land within the District, and necessitated by the implementation of the Project Plan, are eligible Project Costs. Implementation of the Project Plan may also require that the City construct, alter, rebuild or expand sanitary sewer infrastructure located outside of the District. That portion of the costs of sanitary sewer system projects undertaken outside the District which are necessitated by the implementation of the Project Plan are eligible Project Costs. The improvements to the wastewater treatment facilities, although not within the ½ mile radius, is an eligible project cost under Wis. Stat. § 66.1105(2)(f)1 k.

Water System Improvements

To allow development to occur, the City may need to construct, alter, rebuild or expand water system infrastructure within the District. Eligible Project Costs include, but are not limited to, construction, alteration, rebuilding or expansion of: distribution mains; manholes and valves; hydrants; service laterals; pumping stations; wells; water treatment facilities; storage tanks and reservoirs; and all related appurtenances. To the extent water system projects undertaken within the District provide direct benefit to land outside of the District, the City will

make an allocation of costs based on such benefit. Those costs corresponding to the benefit allocated to land within the District, and necessitated by the implementation of the Project Plan, are eligible Project Costs. Implementation of the Project Plan may also require that the City construct, alter, rebuild or expand water system infrastructure located outside of the District. That portion of the costs of water system projects undertaken outside the District which are necessitated by the implementation of the Project Plan are eligible Project Costs.

Stormwater Management System Improvements

Development within the District will cause stormwater runoff. To manage this stormwater runoff, the City may need to construct, alter, rebuild or expand stormwater management infrastructure within the District. Eligible Project Costs include, but are not limited to, construction, alteration, rebuilding or expansion of: stormwater collection mains; inlets, manholes and valves; service laterals; ditches; culvert pipes; box culverts; bridges; stabilization of stream and river banks; and infiltration, filtration and detention Best Management Practices (BMP's). To the extent stormwater management system projects undertaken within the District provide direct benefit to land outside of the District, the City will make an allocation of costs based on such benefit. Those costs corresponding to the benefit allocated to land within the District, and necessitated by the implementation of the Project Plan, are eligible Project Costs. Implementation of the Project Plan may also require that the City construct, alter, rebuild or expand stormwater management infrastructure located outside of the District. That portion of the costs of stormwater management system projects undertaken outside the District which are necessitated by the implementation of the Project Plan are eligible Project Costs.

Electric Service

To create sites suitable for development, the City may incur costs to provide, relocate or upgrade electric services. Relocation may require abandonment and removal of existing poles or towers, installation of new poles or towers, or burying of overhead electric lines. Costs incurred by the City to undertake this work are eligible Project Costs.

Gas Service

To create sites suitable for development, the City may incur costs to provide, relocate or upgrade gas mains and services. Costs incurred by the City to undertake this work are eligible Project Costs.

Communications Infrastructure

To create sites suitable for development, the City may incur costs to provide, relocate or upgrade infrastructure required for voice and data communications, including, but not limited to: telephone lines, cable lines and fiber optic cable. Costs incurred by the City to undertake this work are eligible Project Costs.

Streets and Streetscape

Street Improvements

To allow development to occur, the City may need to construct or reconstruct streets, highways, alleys, access drives and parking areas. Eligible Project Costs include, but are not limited to: excavation; removal or placement of fill; construction of road base; asphalt or concrete paving or repaving; installation of curb and gutter; installation of sidewalks and bicycle lanes; installation of culverts, box culverts and bridges; rail crossings and signals; utility relocation, to include burying overhead utility lines; street lighting; installation of traffic control signage and traffic signals; pavement marking; right-of-way restoration; installation of retaining walls; and installation of fences, berms, and landscaping.

Streetscaping and Landscaping

To attract development and/or redevelopment consistent with the objectives of this Plan, the City may install amenities to enhance development sites, rights-of-way and other public spaces. These amenities include, but are not limited to: landscaping; lighting of streets, sidewalks, parking areas and public areas; installation of planters, benches, clocks, tree rings, trash receptacles and similar items; and installation of brick or other decorative walks, terraces and street crossings. These and any other similar amenities installed by the City are eligible Project Costs.

Community Development

Cash Grants (Development Incentives)

The City may enter into agreements with property owners, lessees, or developers of land located within the District for sharing costs to encourage the desired kind of improvements and assure tax base is generated sufficient to recover Project Costs. No cash grants will be provided until the City executes a developer agreement with the recipient of the cash grant. Any payments of cash grants made by the City are eligible Project Costs.

Contribution to Community Development Authority (CDA) or Redevelopment Authority (RDA)

As provided for in Wis. Stat. § 66.1105(2)(f)1.h and Wis. Stat. § 66.1333(13), the City may provide funds to its CDA to be used for administration, planning operations, and capital costs, including but not limited to real property acquisition, related to the purposes for which it was established in furtherance of any redevelopment or urban renewal project. Funds provided to the CDA for this purpose are eligible Project Costs.

Revolving Loan/Grant Program (Development Incentives)

To encourage private development consistent with the objectives of this Plan, the City, through its CDA, may provide loans or grants to eligible property owners in the District. Eligible improvements will be those that are likely to improve the value of the property, enhance the visual appearance of the property and surrounding area, correct safety deficiencies, or as otherwise specified by the CDA in the program manual. Any funds returned to the CDA from the repayment of loans made are not considered revenues to the District, and will not be used to offset District Project Costs. Instead, these funds may be placed into a revolving fund and will continue to be used for the program purposes stated above. Any funds provided to the CDA for purposes of implementing this program are considered eligible Project Costs.

Miscellaneous

Projects Outside the Tax Increment District

Pursuant to Wis. Stat. § 66.1105(2)(f)1.n, the City may undertake projects within territory located within one-half mile of the boundary of the District provided that: 1) the project area is located within the City's corporate boundaries; and 2) the projects are approved by the Joint Review Board. The cost of projects completed outside the District pursuant to this section are eligible project costs, and may include any project cost that would otherwise be eligible if undertaken within the District. The City intends to make the following project cost expenditures outside the District:

Street and sidewalk improvements

Intersection improvements

Professional Service and Organizational Costs

The costs of professional services rendered, and other costs incurred, in relation to the creation, administration and termination of the District, and the

undertaking of the projects contained within this Plan, are eligible Project Costs. Professional services include but are not limited to: architectural; environmental; planning; engineering; legal; audit; financial; and the costs of informing the public with respect to the creation of the District and the implementation of the Plan.

Administrative Costs

The City may charge to the District as eligible Project Costs reasonable allocations of administrative costs, including, but not limited to, employee salaries. Costs allocated will bear a direct connection to the time spent by City employees relating to the implementation of the Plan.

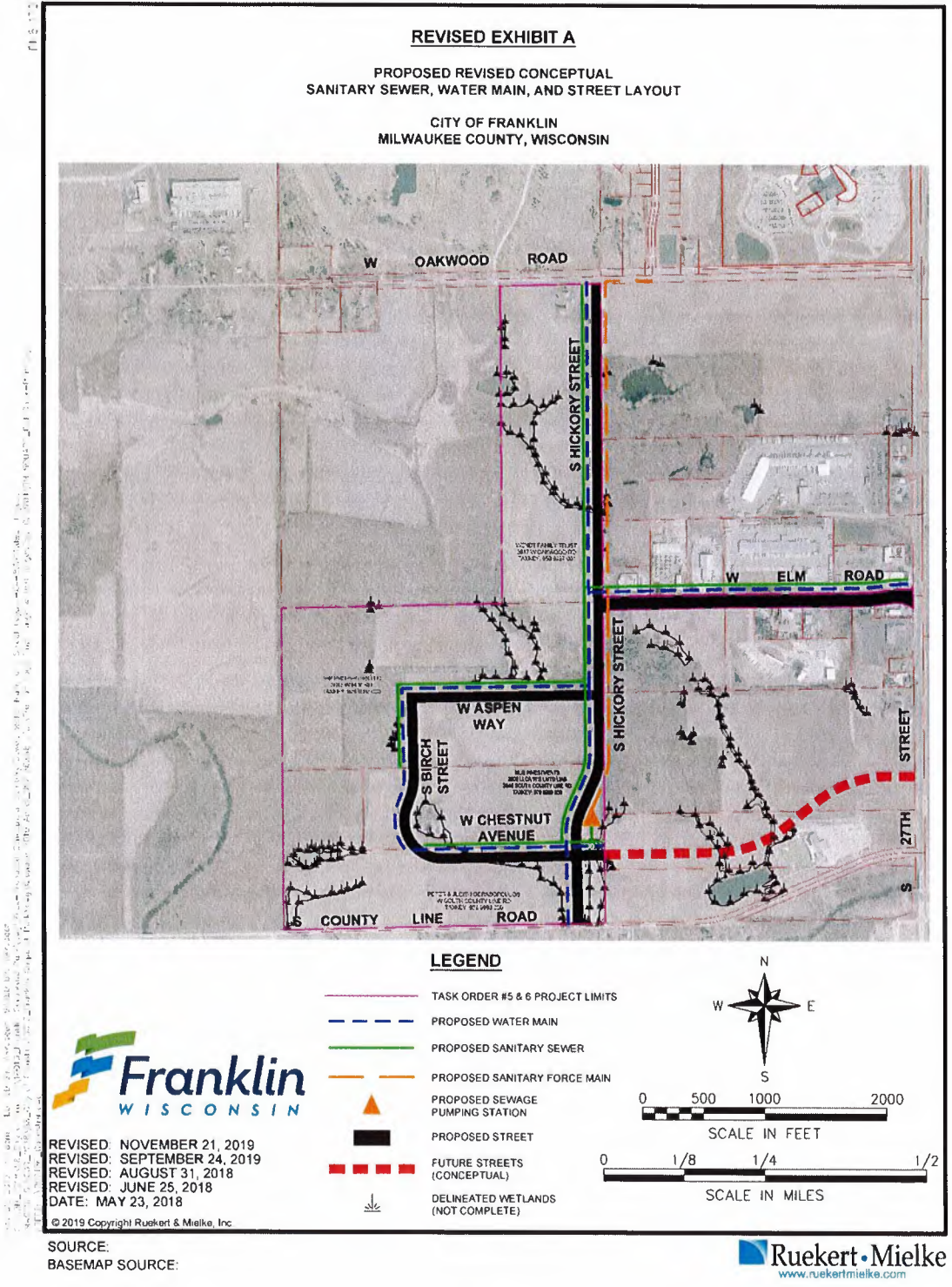
Financing Costs

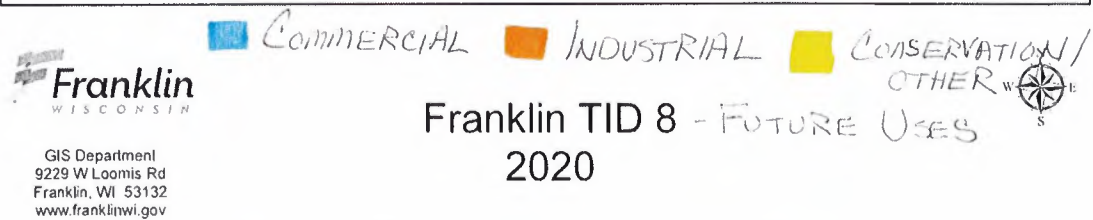
Interest expense, debt issuance expenses, redemption premiums, and any other fees and costs incurred in conjunction with obtaining financing for projects undertaken under this Plan are eligible Project Costs.

SECTION 7:

Maps Showing Proposed Improvements and Uses

Map Found on Following Pages.





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SECTION 8:

Detailed List of Estimated Project Costs

The following list identifies the Project Costs that the City currently expects to incur in implementing the District's Plan. All projects identified and related costs reflect the best estimates available as of the date of preparation of this Plan. All costs are preliminary estimates and may increase or decrease. Certain Project Costs listed may become unnecessary, and other Project Costs not currently identified may need to be made. (Section 6 details the general categories of eligible Project Costs). Changes in Project Cost totals or the types of Project Costs to be incurred will not require that this Plan be amended. This Plan is not meant to be a budget nor an appropriation of funds for specific Project Costs, but a framework within which to manage Project Costs.

City of Franklin, Wisconsin

Tax Incremental District # 8

Estimated Project List

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

Notes:

Note 1 Project costs are estimates and are subject to modification

Preliminary

SECTION 9: Economic Feasibility Study, Description of the Methods of Financing Estimated Project Costs and the Time When Related Costs or Monetary Obligations are to be Incurred

This Section includes a forecast of the valuation increases expected within the District, the associated tax increment collections, a summary of how Project Costs would be financed, and a projected cash flow demonstrating that the District is economically feasible.

Key Assumptions

The Project Costs the City plans to make are expected to create \$125.6 million in incremental value by 2029. Estimated valuations and timing for construction of the Project are included in Table 1. Assuming the City's current equalized TID Interim tax rate of \$21.64 per thousand of equalized value declining at the rate of 1% per year, and with a 1% economic appreciation, the Project would generate \$41 million in incremental tax revenue over the 20-year term of the District as shown in Table 2.

City of Franklin, Wisconsin

Tax Increment District # 8

Development Assumptions

Construction Year		Actual	Acres	Developable area	Billr Development	Annual Total	Construction Year	
1	2020				25,000,000	25,000,000	2020	1
2	2021		35	13,650,000		13,650,035	2021	2
3	2022		35	13,650,000		13,650,035	2022	3
4	2023		35	13,650,000		13,650,035	2023	4
5	2024		33	12,870,000		12,870,033	2024	5
6	2025		30	11,700,000		11,700,030	2025	6
7	2026		30	11,700,000		11,700,030	2026	7
8	2027		30	11,700,000		11,700,030	2027	8
9	2028		30	11,700,000		11,700,030	2028	9
10	2029			0		0	2029	10
11	2030			0		0	2030	11
12	2031			0		0	2031	12
13	2032			0		0	2032	13
14	2033					0	2033	14
15	2034					0	2034	15
16	2035					0	2035	16
17	2036					0	2036	17
18	2037					0	2037	18
19	2038					0	2038	19
20	2039					0	2039	20
Totals		0	258	100,620,000	25,000,000	125,620,258		

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

Table 1 – Development Assumptions

City of Franklin, Wisconsin

Tax Increment District # 8

Tax Increment Projection Worksheet

Type of District	Mixed Use	Base Value	45,580,765
District Creation Date	May 5, 2020	Appreciation Factor	1.00%
Valuation Date	Jan 1, 2020	Base Tax Rate	\$21.64
Max Life (Years)	20	Rate Adjustment Factor	-1.00%
Expenditure Period/Termination	15 5/5/2035		
Revenue Periods/Final Year	20 2041		
Extension Eligibility/Years	Yes 3	Tax Exempt Discount Rate	3.00%
Eligible Recipient District	No	Taxable Discount Rate	4.50%

Construction	Year	Value Added	Valuation Year	Inflation	Total	Revenue Year	Tax Rate	Tax Increment
				Increment	Increment			
1	2020	25,000,000	2021	0	25,000,000	2022	\$21.42	535,543
2	2021	13,650,035	2022	250,000	38,900,035	2023	\$21.21	824,973
3	2022	13,650,035	2023	389,000	52,939,070	2024	\$21.00	1,111,479
4	2023	13,650,035	2024	529,391	67,118,496	2025	\$20.79	1,395,090
5	2024	12,870,033	2025	671,185	80,659,714	2026	\$20.58	1,659,786
6	2025	11,700,030	2026	806,597	93,166,341	2027	\$20.37	1,897,971
7	2026	11,700,030	2027	931,663	105,798,035	2028	\$20.17	2,133,749
8	2027	11,700,030	2028	1,057,980	118,556,045	2029	\$19.97	2,367,143
9	2028	11,700,030	2029	1,185,560	131,441,635	2030	\$19.77	2,598,179
10	2029	0	2030	1,314,416	132,756,052	2031	\$19.57	2,597,919
11	2030	0	2031	1,327,561	134,083,612	2032	\$19.37	2,597,659
12	2031	0	2032	1,340,836	135,424,448	2033	\$19.18	2,597,399
13	2032	0	2033	1,354,244	136,778,693	2034	\$18.99	2,597,140
14	2033	0	2034	1,367,787	138,146,480	2035	\$18.80	2,596,880
15	2034	0	2035	1,381,465	139,527,945	2036	\$18.61	2,596,620
16	2035	0	2036	1,395,279	140,923,224	2037	\$18.42	2,596,361
17	2036	0	2037	1,409,232	142,332,456	2038	\$18.24	2,596,101
18	2037	0	2038	1,423,325	143,755,781	2039	\$18.06	2,595,841
19	2038	0	2039	1,437,558	145,193,339	2040	\$17.88	2,595,582
20	2039	0	2040	1,451,933	146,645,272	2041	\$17.70	2,595,322
Totals		125,620,258		21,025,014		Future Value of Increment		43,086,737

Notes:

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

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

Table 2 – Tax Increment Projection Worksheet

Financing and Implementation

The City anticipates the issuance of General Obligation Debt to finance the necessary infrastructure improvements, all administration and financing expenses are intended to be paid with annual increment revenue. Table 3. provides a summary of the District's financing plan.

City of Franklin, Wisconsin

Tax Incremental District # 8

Estimated Financing Plan

	Available G.O. Bond 2020	G.O. Bond 2021	G.O. Bond 2022	G.O. Bond 2023	G.O. Bond 2024	TID Cashflow 2020-2041	Totals
Projects							
Phase I	4,030,000	7,260,000					4,030,000
Phase II							7,260,000
Phase III			5,250,000	4,480,000			5,250,000
Phase IV							4,480,000
Phase V					5,320,000		5,320,000
Interest expense on City Debt						12,086,126	12,086,126
Administration Expenses						607,434	607,434
Total Project Funds	4,030,000	7,260,000	5,250,000	4,480,000	5,320,000	12,693,560	39,033,560
Estimated Finance Related Expenses							
Municipal Advisor	26,300	34,800	29,400	27,400	29,600		29,600
Bond Counsel	12,000	13,500	13,000	13,000	13,500		13,500
Disclosure Counsel	7,200	8,100	7,800	7,800	8,100		8,100
Rating Agency Fee	13,500	14,000	14,500	15,000	15,500		15,500
Paying Agent	850	850	850	850	850		850
Underwriter Discount	53,125	99,938	68,188	58,375	69,313		69,313
Debt Service Reserve	122,930	122,119	102,281	100,034	125,606		125,606
Capitalized Interest							
Total Financing Required	4,265,905	7,547,306	5,486,019	4,702,459	5,582,469		
Estimated Interest	3,000%	1.00%	1.25%	1.50%	1.50%		
Assumed spend down (months)	6	6	6	6	6		
Rounding	4,245	3,994	1,794	1,141	2,431		
Net Issue Size	4,250,000	7,515,000	5,485,000	4,670,000	5,545,000		27,435,000

Notes:

Table 3 – Financing Plan

Based on the Project Cost expenditures as included within the cash flow exhibit (Table 4), the District is projected to accumulate sufficient funds by the year 2040 to pay off all Project cost liabilities and obligations. The projected early closure is based on the various assumptions noted in this Plan and will vary dependent on actual Project Costs incurred and the actual amount of tax increments collected.

City of Franklin, Wisconsin

Tax Incremental District # 8

Cash Flow Projection

Year	Projected Revenues				Expenditures										Balance			
	Tax Increments	Interest Earnings/ [Cost]	Capitalized Interest	Total Revenues	Taxable G.O. Bond 4,250,000		G.O. Bond 7,515,000		G.O. Bond 5,455,000		G.O. Bond 4,670,000		G.O. Bond 5,545,000		Total Expenditures	Principal Outstanding	Year	
					Dated Date:	Est. Rate	Interest	Dated Date:	Est. Rate	Interest	Dated Date:	Est. Rate	Interest	Dated Date:	Principal	Interest		
2020		1.25%	122,930	122,930	08/01/20	1.75%	122,930	122,119	03/01/21	3.25%	122,119	102,281	03/01/24	3.25%	122,930	122,930	27,435,000	2020
2021	535,543	1,537	122,119	123,655		1.75%	122,930	244,238		3.25%	244,238	204,463		3.25%	245,049	1,537	27,435,000	2021
2022	824,973	562	121,881	825,535	100,000	1.75%	121,180	125,000	237,738	204,463	102,281	204,463	100,034	237,738	594,469	43,395	27,335,000	2022
2023	1,111,479	938	100,034	1,211,851	150,000	2.00%	118,993	150,000	237,738	204,463	204,463	204,463	100,034	237,738	843,449	(17,914)	27,085,000	2023
2024	1,395,990	2,224	125,606	1,522,921	200,000	2.00%	115,993	200,000	199,875	75,000	196,881	203,156	100,034	199,875	1,060,931	150,920	26,710,000	2024
2025	1,659,786	3,174	1,662,960	1,666,134	225,000	2.25%	112,493	225,000	195,188	100,000	193,163	199,875	75,000	195,188	1,446,935	253,923	26,160,000	2025
2026	1,897,971	2,387	1,900,358	1,902,745	250,000	2.25%	108,555	250,000	188,625	175,000	187,319	187,319	100,000	187,319	2,087,697	1,933	25,435,000	2026
2027	2,133,749	2,412	2,136,160	2,136,160	225,000	2.50%	104,055	275,000	208,894	200,000	180,656	180,656	225,000	208,894	2,311,321	48,464	24,410,000	2027
2028	2,367,143	3,017	2,370,161	2,373,178	300,000	2.50%	98,430	300,000	199,550	250,000	170,850	170,850	225,000	250,000	2,589,911	239,964	23,360,000	2028
2029	2,598,179	6,017	2,604,196	2,610,213	240,000	2.75%	92,555	325,000	189,394	275,000	161,819	161,819	275,000	275,000	2,818,053	415,143	22,125,000	2029
2030	2,597,919	11,206	2,609,125	2,620,341	245,000	2.75%	85,955	325,000	151,125	225,000	152,256	152,256	300,000	300,000	2,987,777	390,337	20,785,000	2030
2031	2,597,659	16,085	2,613,745	2,630,404	250,000	3.00%	79,218	375,000	139,875	275,000	141,631	141,631	325,000	325,000	3,269,930	343,815	19,395,000	2031
2032	2,597,399	20,383	2,617,783	2,638,182	250,000	3.00%	71,718	400,000	128,156	300,000	129,413	129,413	350,000	350,000	3,618,861	306,462	17,840,000	2032
2033	2,597,140	24,214	2,621,354	2,645,594	255,000	3.35%	64,213	450,000	115,500	300,000	116,663	116,663	375,000	375,000	3,980,213	267,443	16,535,000	2033
2034	2,596,880	27,557	2,624,437	2,651,994	260,000	3.35%	55,675	500,000	101,906	325,000	103,381	103,381	400,000	400,000	4,354,619	208,184	14,885,000	2034
2035	2,596,620	30,159	2,626,780	2,656,939	265,000	3.35%	46,965	525,000	124,800	325,000	89,569	89,569	425,000	425,000	4,720,894	202,153	12,625,000	2035
2036	2,596,361	32,686	2,629,047	2,658,727	270,000	3.35%	38,088	550,000	90,675	350,000	75,225	75,225	450,000	450,000	5,084,225	184,225	10,685,000	2036
2037	2,596,101	34,990	2,631,091	2,656,091	275,000	3.50%	28,875	575,000	72,394	420,000	56,625	56,625	495,000	495,000	5,428,444	160,422	8,650,000	2037
2038	2,595,841	36,996	2,632,837	2,650,837	275,000	3.50%	19,250	600,000	55,300	400,000	40,888	40,888	500,000	500,000	5,764,675	179,995	6,510,000	2038
2039	2,595,582	39,245	2,634,827	2,644,612	275,000	3.50%	9,625	625,000	32,988	435,000	26,138	26,138	500,000	500,000	6,094,750	202,152	4,305,000	2039
2040	2,595,322	41,772	2,637,095	2,638,817				690,000	11,213	445,000	8,156	8,156	500,000	500,000	6,404,842	536,343	2,095,000	2040
Total	43,086,737	336,982	572,971	43,996,689	4,250,000		1,617,698	7,515,000	3,251,625	5,455,000	2,534,063	4,670,000	2,135,572	5,545,000	2,547,169	40,128,560	Total	

Notes:

Projected Tib Closure

Notes:

Projected JTD Closure

Table 4 - Cash Flow

SECTION 10: Annexed Property

There are no lands proposed for inclusion within the District that were annexed by the City on or after January 1, 2004.

SECTION 11: Estimate of Property to Be Devoted to Retail Business

Pursuant to Wis. Stat. § 66.1105(5)(b), the City estimates that less than 35% of the territory within the District will be devoted to retail business at the end of the District's maximum expenditure period.

SECTION 12: Proposed Changes of Zoning Ordinances, Master Plan, Map, Building Codes and City Ordinances

Zoning Ordinances

The proposed Plan is in general conformance with the City's current zoning ordinances. Individual properties may require rezoning at the time of development.

Master (Comprehensive) Plan and Map

The proposed Plan is in general conformance with the City's Comprehensive Plan identifying the area as appropriate for commercial and industrial development.

Building Codes and Ordinances

Development within the District will be required to conform to State Building Codes and will be subject to the City's permitting and inspection procedures.

The proposed Plan conforms to all relevant State and local ordinances, plans, and codes. No changes to the existing regulations are proposed or needed.

SECTION 13:

Statement of the Proposed Method for the Relocation of any Persons to be Displaced

Should implementation of this Plan require relocation of individuals or business operations, relocations will be handled in compliance with Wis. Stat. Chapter 32 and Wis. Admin. Code ADM 92.

SECTION 14:

How Creation of the Tax Incremental District Promotes the Orderly Development of the City

Creation of the District and the implementation of the projects in its Plan will promote the orderly development of the City by creating opportunities for mixed use development, providing necessary public infrastructure improvements and providing appropriate financial incentives for private development projects. Through use of tax increment financing, the City can attract new investment that results in increased tax base. Development will occur in an orderly fashion in accordance with approved plans so that the Projects will be compatible with adjacent land uses. Development of new uses in the District will add to the tax base and will generate positive secondary impacts in the community such as increased employment opportunities.

SECTION 15:

List of Estimated Non-Project Costs

Non-project costs are public works projects which only partly benefit the District. Costs incurred that do not benefit the District may not be paid with tax increments. Examples of non-project costs are:

- A public improvement made within the District that also benefits property outside the District. That portion of the total Project Costs allocable to properties outside of the District would be a non-project cost.
- A public improvement made outside the District that only partially benefits property within the District. That portion of the total Project Costs allocable to properties outside of the District would be a non-project cost.
- Projects undertaken within the District as part of the implementation of this Project Plan, the costs of which are paid fully or in part by impact fees, grants, special assessments, or revenues other than tax increments.

No improvements to be made within the District will benefit property outside the District. Furthermore, there will be no improvements made outside the District that will only partially benefit the District.

SECTION 16:
Legal Opinion Advising Whether the Plan is
Complete and Complies with Wis. Stat. §
66.1105(4)(f)

Legal Opinion Found on Following Page.

WESOLOWSKI, REIDENBACH & SAJDAK, S.C.
ATTORNEYS AT LAW
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JANE C. KASSIS,
LEGAL SECRETARY

April 9, 2020

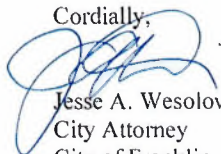
Mayor Stephen R. Olson
City of Franklin
9229 West Loomis Road
Franklin, Wisconsin 53132

re: Tax Incremental District No. 8, City of Franklin, Wisconsin

Dear Mayor Olson:

I have reviewed the Project Plan for the Creation of Tax Incremental District No. 8, City of Franklin, Wisconsin. It is my opinion that the Project Plan is complete and in compliance with Wis. Stat. § 66.1105. The Project Plan, additionally, was informed by the Tax Incremental District No. 8 Feasibility Analysis prepared by Ehlers & Associates, Inc. engaged by the City. This opinion is provided as required pursuant to Wis. Stat. § 66.1105(4)(f).

Cordially,



Jesse A. Wesolowski
City Attorney
City of Franklin

SECTION 17:

Calculation of the Share of Projected Tax Increments Estimated to be Paid by the Owners of Property in the Overlying Taxing Jurisdictions

The following projection is provided to meet the requirements of Wis. Stat. § 66.1105(4)(i)4.

Estimated portion of taxes that owners of taxable property in each taxing jurisdiction overlaying district would pay by jurisdiction.							
Statement of Taxes Data Year:				2018			
					Percentage based upon tax rate		
County				19,244,848	22.12%		
Special District				6,650,847	7.61%		
Municipality				23,546,233	23.86%		
School District				5,535,027	40.95%		
Technical College				4,809,220	5.47%		
Total				59,786,175			
Revenue Year	County	Special District	Municipality	School District	Technical College	Total	Revenue Year
2022	118,444	40,732	127,757	219,326	29,284	535,543	2022
2023	182,456	62,745	196,802	337,858	45,111	824,973	2023
2024	245,822	84,536	265,150	455,194	60,777	1,111,479	2024
2025	308,547	106,107	332,807	571,344	76,286	1,395,090	2025
2026	367,089	126,239	395,951	679,747	90,760	1,659,786	2026
2027	419,768	144,355	452,772	777,293	103,784	1,897,971	2027
2028	471,914	162,287	509,018	873,853	116,677	2,133,749	2028
2029	523,533	180,039	564,696	969,437	129,439	2,367,143	2029
2030	574,630	197,611	619,811	1,064,055	142,073	2,598,179	2030
2031	574,573	197,591	619,749	1,063,949	142,058	2,597,919	2031
2032	574,515	197,571	619,687	1,063,842	142,044	2,597,659	2032
2033	574,458	197,551	619,625	1,063,736	142,030	2,597,399	2033
2034	574,400	197,532	619,563	1,063,629	142,016	2,597,140	2034
2035	574,343	197,512	619,501	1,063,523	142,002	2,596,880	2035
2036	574,285	197,492	619,439	1,063,417	141,987	2,596,620	2036
2037	574,228	197,472	619,377	1,063,310	141,973	2,596,361	2037
2038	574,171	197,453	619,315	1,063,204	141,959	2,596,101	2038
2039	574,113	197,433	619,253	1,063,098	141,945	2,595,841	2039
2040	574,056	197,413	619,191	1,062,991	141,931	2,595,582	2040
2041	573,998	197,393	619,129	1,062,885	141,916	2,595,322	2041
		9,529,343	3,277,062	10,278,590	17,645,689	2,356,053	43,086,737
Notes:							
The projection shown above is provided to meet the requirements of Wisconsin Statute 66.1105(4)(i)4.							

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APPROVAL <i>slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE May 5, 2020
REPORTS & RECOMMENDATIONS	Resolution Granting Selective Waiver of Interest and Penalties associated with Late Payment of the May 31, 2020 Tax Levy installment to Those Franklin Property Tax Payers Adversely Impacted by the Public Health Emergency and setting a final due date for the 2019 Tax Levy of October 1, 2020	ITEM NUMBER <i>G.6.</i>

Background

State Statute 74.12(1)(a) requires Franklin to set Real Estate tax bill installment due dates by August 15 prior to the tax levy adoption. Franklin has set installment dates of Jan 31, March 31 and May 31 for tax bills.

The Public Health Emergency, and various Governor orders has caused many residents and property taxpayers to lose employment creating financial hardships in meeting 2019 tax levy property tax payment installments. The Emergency has also adversely impacted Franklin commercial properties in a like manner.

There are 1,633 property tax accounts owing \$4,336,522 that are due May 31, 2020 under the installment method of payment. The total tax levy was \$100,160,688. Interest and penalty on those installments would be \$65,047 on the entire amount should it go past due. The City would normally keep any interest and penalty it collects, the County keeps any interest and penalty it collects for all the time the amounts are past due.

To provide some relief to adversely impacted property taxpayers, the Wisconsin Legislature in Act 185 recently signed into law provided in Section 105: (25) that:

for property taxes payable in 2020, after making a general or case-by-case finding of hardship, a taxation district may provide that an installment payment that is due and payable after April 1, 2020, and is received after its due date shall not accrue interest or penalties if the total amount due and payable in 2020 is paid on or before October 1, 2020.

A taxation district may not waive interest and penalties as provided in this subsection unless the county board of the county where the taxation district is located first adopts a resolution authorizing such waiver and establishing criteria for determining hardship, and the taxation district subsequently adopts a similar resolution.

The Director of Finance & Treasurer has received several requests for relief of interest and penalty upon the 2019 tax levy installments due March 31 and May 31. Act 185 only provides for relief for Franklin's May 31 installment on those accounts which were current on April 1, 2020.

Milwaukee County is considering legislation that will provide this relief. The Milwaukee County board next meets on May 28, 2020. A Milwaukee County Board will meet in a Committee of the Whole on May 14, 2020 to consider this matter.

Recommendation

The Director of Finance & Treasurer recommends adoption of the attached Resolution that directs the Franklin Treasurer to selectively waive interest and penalties from June 1, 2020 to October 1, 2020 on 2019 tax bills (at which time the entire installment is due and payable) for those residential and commercial taxpayers who certify in writing that they have been adversely impacted by the Public Health Emergency orders related to COVID-19 OR such other qualifications as the Milwaukee County Board shall impose.

The Treasurer's Office will create a waiver request form for taxpayers to sign, and communicate the availability of the waiver in a mailing to the 1,633 qualifying taxpayers.

COUNCIL ACTION REQUESTED

+

Motion adopting Resolution 2020-xxxx, a Resolution Granting Selective Waiver of Interest and Penalties associated with Late Payment of the May 31, 2020 Tax Levy installment to Those Franklin Property Tax Payers Adversely Impacted by the Public Health Emergency and setting a final due date for the 2019 Tax Levy of October 1, 2020

STATE OF WISCONSIN: CITY OF FRANKLIN: MILWAUKEE COUNTY

RESOLUTION NO. 2020-_____

A RESOLUTION GRANTING SELECTIVE WAIVER OF INTEREST AND PENALTIES
ASSOCIATED WITH LATE PAYMENT OF THE MAY 31, 2020 TAX LEVY
INSTALLMENT TO THOSE FRANKLIN PEROPERTY TAXPAYERS ADVERSELY
IMPACTED BY THE PUBLIC HEALTH EMERGENCY AND SETTING A FINAL DUE
DATE FOR THE 2019 TAX LEVY OF OCTOBER 1, 2020

WHEREAS, the City of Franklin mailed the 2019 tax levy property tax bills in December, 2019 with installment dates of January 31, March 31 and May 31, 2020; and

WHEREAS, a Public Health Emergency was declared in March 2020 adversely impacting Franklin residents with job layoffs and other loss of income causing significant stress in making the May 31, 2020 installment; and

WHEREAS, the Public Health Emergency closed non-essential businesses and otherwise reducing revenues to Franklin businesses adversely impacting their ability to meet the May 31, 2020 installment due date of the 2019 tax levy; and

WHEREAS, the Wisconsin Legislature in April 2020 enacted Act 185 providing for relief of interest and penalties on tax accounts that are current with installment payments on April 1, 2020 for future installments extending the future installment to October 1, 2020; and

WHEREAS, there are 1,633 Franklin taxpayer accounts owing \$4,336,522 on May 31, 2020 installments of the 2019 tax levy that are potentially eligible for relief; and

WHEREAS, ACT 185 requires that the Milwaukee County Board of Supervisors to adopt a resolution providing for such relief enabling the City of Franklin to provide similar relief.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin that the Franklin Treasurer is authorized to waive interest and penalties on the May 31, 2020 property tax installment payments until October 1, 2020 to those Franklin taxpayers who provide a written statement that they were adversely impacted by the COVID-19 Public Health Emergency in such form and manner as the Treasurer shall deem sufficient or such other requirements that the Milwaukee County Board shall require. .

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

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

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES ____ NOES ____ ABSENT ____

APPROVAL <i>3lu</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 05/05/2020
REPORTS & RECOMMENDATIONS	A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE TO OPERATE AN ARBY'S RESTAURANT WITH A DRIVE THROUGH OUT OF AN EXISTING 3,288 SQUARE FOOT RESTAURANT BUILDING LOCATED AT 7621 WEST RAWSON AVENUE (CARISCH, INC., APPLICANT)	ITEM NUMBER <i>G. 7.</i>

At the regular meeting of the Plan Commission on April 23, 2020, following a properly noticed public hearing, the following action was approved: a motion to recommend approval of a Resolution imposing conditions and restrictions for the approval of a Special Use for an Arby's Restaurant with a drive through use upon property located at 7621 West Rawson Avenue. The Plan Commission's recommendation in regard to the subject Special Use has been reflected in the attached draft Resolution.

At said meeting of the Plan Commission, a Site Plan amendment for the subject property was also approved with certain conditions.

COUNCIL ACTION REQUESTED

A motion to approve Resolution 2020-_____, imposing conditions and restrictions for the approval of a Special Use for daycare facility use upon property located at 7621 West Rawson Avenue (Stacy Carisch, Carisch, Inc.).

RESOLUTION NO. 2020-_____

A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS
FOR THE APPROVAL OF A SPECIAL USE TO OPERATE AN ARBY'S
RESTAURANT WITH A DRIVE THROUGH OUT OF AN EXISTING
3,288 SQUARE FOOT RESTAURANT BUILDING LOCATED AT
7621 WEST RAWSON AVENUE
(CARISCH, INC., APPLICANT)

WHEREAS, Carisch, Inc., operator of multiple Arby's restaurants in the City of Milwaukee and surrounding suburbs, having petitioned the City of Franklin for the approval of a Special Use within Planned Development District No. 16 (Franklin Centre, Formerly Called Franklin Plaza) under Standard Industrial Classification Title No. 5812 "Eating Places (with drive through facilities)", to operate an Arby's restaurant out of an existing 3,288 square foot restaurant building with patio, wraparound drive through, 28 parking spaces, including 2 Americans with Disabilities Act spaces and 2 drive through spaces, and associated landscaping, lighting, and signage, with hours of operation from 10:00 a.m. to 10:00 p.m., Monday through Sunday, restaurant located at 7621 West Rawson Avenue (formerly Pantheon restaurant and Burger King restaurant prior thereto), bearing Tax Key No. 755-0193-000, more particularly described as follows:

LOT 2 IN FRANKLIN PLAZA SUBDIVISION, BEING A REDIVISION OF PART OF LOT 1 IN BLOCK 3 IN RAWSON HOMESITES, THAT PORTION OF RAWSON HOMESITES, AND THE ABUTTING STREETS, VACATED BY CIRCUIT CITY ACTION CASE NO. 397644, AMENDED DOCUMENT RECORDED FEBRUARY 21, 1973, IN REEL 705, IMAGE 1011, AS DOCUMENT NO. 4741471 AND BY CITY OF FRANKLIN, RESOLUTION NO. 92-3889 RECORDED JANUARY 27, 1993, IN REEL 2957, IMAGE 226 AS DOCUMENT NO. 6722050, PART OF WHITNALL PARK TERRACE CONDOMINIUM, LOT 2, LOT 3, OUTLOT 3 AND OUTLOT 4 IN WHITNALL PARK TERRACE REPLAT AND LANDS ALL BEING A PART OF THE NORTHEAST 1/4 AND THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 9, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A CONCRETE MONUMENT WITH BRASS CAP MARKING THE NE CORNER OF THE SAID 1/4 SECTION; THENCE S 88°42'59" W ALONG THE NORTH LINE OF SAID 1/4 SECTION 285.01 FT. TO A POINT; THENCE S 00°15'25" E 75.02 FT. TO A 1" DIA. IRON PIPE SET ON THE S. LINE OF W. RAWSON AVE. THENCE S 88°42'59"

W 25.00 FT. TO THE POINT OF BEGINNING OF THIS DESCRIPTION;
THENCE S00°15'25" E 272.29 FT. TO A 1" DIA. IRON PIPE FOUND;
THENCE S 88°42'59" W 160.03 FT. TO A 1" DIA. IRON PIPE FOUND;
THENCE N 00°15'25" W 272.29 FT. TO A 1" DIA. IRON PIPE FOUND ON
THE S. LINE OF W. RAWSON AVE. THENCE N 88°42'59" E ALONG THE
AFORESAID SOUTH LINE 160.03 FT. TO THE POINT OF BEGINNING.
THIS PARCEL CONTAINS 43,566 SQUARE FEET OR 1.0002 ACRES; and

WHEREAS, such petition having been duly referred to the Plan Commission of the City of Franklin for a public hearing, pursuant to the requirements of §15-9.0103D. of the Unified Development Ordinance, and a public hearing having been held before the Plan Commission on the 23rd day of April, 2020, and the Plan Commission thereafter having determined to recommend that the proposed Special Use be approved, subject to certain conditions, and the Plan Commission further finding that the proposed Special Use upon such conditions, pursuant to §15-3.0701 of the Unified Development Ordinance, will be in harmony with the purposes of the Unified Development Ordinance and the Comprehensive Master Plan; that it will not have an undue adverse impact upon adjoining property; that it will not interfere with the development of neighboring property; that it will be served adequately by essential public facilities and services; that it will not cause undue traffic congestion; and that it will not result in damage to property of significant importance to nature, history or the like; and

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

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

1. That this Special Use is approved only for the use of the subject property by Carisch, Inc., successors and assigns, as an Arby's restaurant with drive through use, which shall be developed in substantial compliance with, and operated and maintained by Carisch, Inc., pursuant to those plans City file-stamped April 13, 2020 and annexed hereto and incorporated herein as Exhibit A.
2. Carisch, Inc., successors and assigns, shall pay to the City of Franklin the amount of all development compliance, inspection and review fees incurred by the City of Franklin, including fees of consults to the City of Franklin, for the Arby's restaurant with drive through use, within 30 days of invoice for same. Any violation of this

provision shall be a violation of the Unified Development Ordinance, and subject to §15-9.0502 thereof and §1-19. of the Municipal Code, the general penalties and remedies provisions, as amended from time to time.

3. The approval granted hereunder is conditional upon Carisch, Inc. and the Arby's restaurant with drive through use for the property located at 7621 West Rawson Avenue: (i) being in compliance with all applicable governmental laws, statutes, rules, codes, orders and ordinances; and (ii) obtaining all other governmental approvals, permits, licenses and the like, required for and applicable to the project to be developed and as presented for this approval.

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

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

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

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

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

CARISCH, INC. – SPECIAL USE
RESOLUTION NO. 2020-_____
Page 4

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

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

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

**CITY OF FRANKLIN****REPORT TO THE PLAN COMMISSION****Meeting of April 23, 2020****Site Plan and Special Use**

RECOMMENDATION: City Development staff recommends approval of the Special Use and Site Plan Amendment, subject to the conditions in the draft resolution(s).

Project Name:	Arby's Special Use and Site Plan Amendment
Project Address/Tax Key:	7621 West Rawson Avenue/755 0193 000
Property Owner:	ROS NO 12 LLC
Applicant:	Carisch Inc.
Current Zoning:	Planned Development District No. 16
Use of Surrounding Properties:	Planned Development District No. 16 to the west and south; Planned Development District No. 34 to the north, and B-3 Community Business District to the east
2025 Comprehensive Plan:	Commercial
Action Requested:	Recommendation of approval of the Special Use and approval of the Site Plan Amendment Application

Project Description/Analysis

The applicant filed a Special Use and Site Plan Amendment Application to locate an Arby's restaurant within the existing building located at 7621 W. Rawson Avenue. The subject property is zoned Planned Development District No. 16, which allows B-3 Permitted and Special Uses. According to Table 15-3.0603 of the Unified Development Ordinance (UDO), the B-3 District permits Standard Industrial Classification Code. No. 5812 Eating Places (with drive through facilities) as a Special Use.

The subject property is approximately 1.0002 acres or 43,586 square feet. The existing building is 3,288 square feet. The building was originally a Burger King restaurant, approved in 1998 via Ordinance No. 98-1508. The Pantheon Family Restaurant most recently occupied the building.

The applicant is only proposing minor site changes, but will be remodeling the exterior and interior of the building. The site plan revision removes a long island that separates the drive through lane and patio and adds two parking spaces for customers to wait for their food at the end of the drive through.

Overall, the site includes the 2 drive through parking spaces, and 30 additional parking spaces to the west of the building, including two ADA accessible spaces (32 total). PDD No. 16 requires one parking space per three legal occupants. According to the applicant, the restaurant will have a capacity of 59 fixed seats and eight or nine employees. Per PPD No. 16, 59 seats would require 20 parking spaces and 32 parking spaces would allow up to 96 occupants.

The applicant is not proposing landscaping or parking lot lighting changes. The applicant has indicated that dead plantings will be replaced as needed and light poles will be painted if needed. The parking lot will also be repaired as may be necessary. There is not a significant change in the amount of greenspace provided onsite.

The building currently consists of brick, a mansard roof, and windows. The applicant is proposing to remove the mansard roof around the building and install a red canopy and accent band. The canopy will be metal above the storefront windows and Exterior Insulation and Finish System (EIFS) elsewhere. The existing brick on the building will either be painted or covered by Dryvit, which is a synthetic stucco/ EIFS material. The north elevation will include a new, slightly larger window system.

Sign plans have been provided for reference only. Signs are subject to separate review and approval and must comply with the City's Sign Ordinance. Further, PDD No. 16 requires wall signs to be individual channel letters, which is the type of signage being proposed. The applicant may re-face the existing monument sign; however, if a new monument sign is proposed, the additional sign requirements of PDD No. 16 must be met.

The applicant has provided site and building plans as well as a project narrative and responses to Section 15-3.0701 General Standards for Special Uses for Plan Commission review and consideration.

Recommendation

A motion to recommend approval of the Special Use and a motion to approve the Site Plan Amendment Application, contingent upon approval of the Special Use, and subject to the conditions in the attached draft resolution.

STATE OF WISCONSIN

CITY OF FRANKLIN

MILWAUKEE COUNTY

[Draft 4-6-20]

RESOLUTION NO. 2020-_____

A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS
FOR THE APPROVAL OF A SPECIAL USE TO OPERATE AN ARBY'S
RESTAURANT WITH A DRIVE THROUGH OUT OF AN EXISTING
3,288 SQUARE FOOT RESTAURANT BUILDING LOCATED AT
7621 WEST RAWSON AVENUE
(CARISCH, INC., APPLICANT)

WHEREAS, Carisch, Inc., operator of multiple Arby's restaurants in the City of Milwaukee and surrounding suburbs, having petitioned the City of Franklin for the approval of a Special Use within Planned Development District No. 16 (Franklin Centre, Formerly Called Franklin Plaza) under Standard Industrial Classification Title No. 5812 "Eating Places (with drive through facilities)", to operate an Arby's restaurant out of an existing 3,288 square foot restaurant building with patio, wraparound drive through, 28 parking spaces, including 2 Americans with Disabilities Act spaces and 2 drive through spaces, and associated landscaping, lighting, and signage, with hours of operation from 10:00 a.m. to 10:00 p.m., Monday through Sunday, restaurant located at 7621 West Rawson Avenue (formerly Pantheon restaurant and Burger King restaurant prior thereto), bearing Tax Key No. 755-0193-000, more particularly described as follows:

LOT 2 IN FRANKLIN PLAZA SUBDIVISION, BEING A REDIVISION OF PART OF LOT 1 IN BLOCK 3 IN RAWSON HOMESITES, THAT PORTION OF RAWSON HOMESITES, AND THE ABUTTING STREETS, VACATED BY CIRCUIT CITY ACTION CASE NO. 397644, AMENDED DOCUMENT RECORDED FEBRUARY 21, 1973, IN REEL 705, IMAGE 1011, AS DOCUMENT NO. 4741471 AND BY CITY OF FRANKLIN, RESOLUTION NO. 92-3889 RECORDED JANUARY 27, 1993, IN REEL 2957, IMAGE 226 AS DOCUMENT NO. 6722050, PART OF WHITNALL PARK TERRACE CONDOMINIUM, LOT 2, LOT 3, OUTLOT 3 AND OUTLOT 4 IN WHITNALL PARK TERRACE REPLAT AND LANDS ALL BEING A PART OF THE NORTHEAST 1/4 AND THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 9, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A CONCRETE MONUMENT WITH BRASS CAP MARKING THE NE CORNER OF THE SAID 1/4 SECTION; THENCE S 88°42'59" W ALONG THE NORTH LINE OF SAID 1/4 SECTION 285.01 FT. TO A POINT; THENCE S 00°15'25" E 75.02 FT. TO A 1" DIA. IRON PIPE SET ON THE S. LINE OF W. RAWSON AVE. THENCE S 88°42'59"

W 25.00 FT. TO THE POINT OF BEGINNING OF THIS DESCRIPTION;
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THIS PARCEL CONTAINS 43,566 SQUARE FEET OR 1.0002 ACRES; and

WHEREAS, such petition having been duly referred to the Plan Commission of the City of Franklin for a public hearing, pursuant to the requirements of §15-9.0103D. of the Unified Development Ordinance, and a public hearing having been held before the Plan Commission on the 23rd day of April, 2020, and the Plan Commission thereafter having determined to recommend that the proposed Special Use be approved, subject to certain conditions, and the Plan Commission further finding that the proposed Special Use upon such conditions, pursuant to §15-3.0701 of the Unified Development Ordinance, will be in harmony with the purposes of the Unified Development Ordinance and the Comprehensive Master Plan; that it will not have an undue adverse impact upon adjoining property; that it will not interfere with the development of neighboring property; that it will be served adequately by essential public facilities and services; that it will not cause undue traffic congestion; and that it will not result in damage to property of significant importance to nature, history or the like; and

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

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

1. That this Special Use is approved only for the use of the subject property by Carisch, Inc., successors and assigns, as an Arby's restaurant with drive through use, which shall be developed in substantial compliance with, and operated and maintained by Carisch, Inc., pursuant to those plans City file-stamped April 13, 2020 and annexed hereto and incorporated herein as Exhibit A.
2. Carisch, Inc., successors and assigns, shall pay to the City of Franklin the amount of all development compliance, inspection and review fees incurred by the City of Franklin, including fees of consults to the City of Franklin, for the Arby's restaurant with drive through use, within 30 days of invoice for same. Any violation of this

provision shall be a violation of the Unified Development Ordinance, and subject to §15-9.0502 thereof and §1-19. of the Municipal Code, the general penalties and remedies provisions, as amended from time to time.

3. The approval granted hereunder is conditional upon Carisch, Inc. and the Arby's restaurant with drive through use for the property located at 7621 West Rawson Avenue: (i) being in compliance with all applicable governmental laws, statutes, rules, codes, orders and ordinances; and (ii) obtaining all other governmental approvals, permits, licenses and the like, required for and applicable to the project to be developed and as presented for this approval.

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

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

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

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

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

CARISCH, INC. – SPECIAL USE
RESOLUTION NO. 2020-_____
Page 4

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

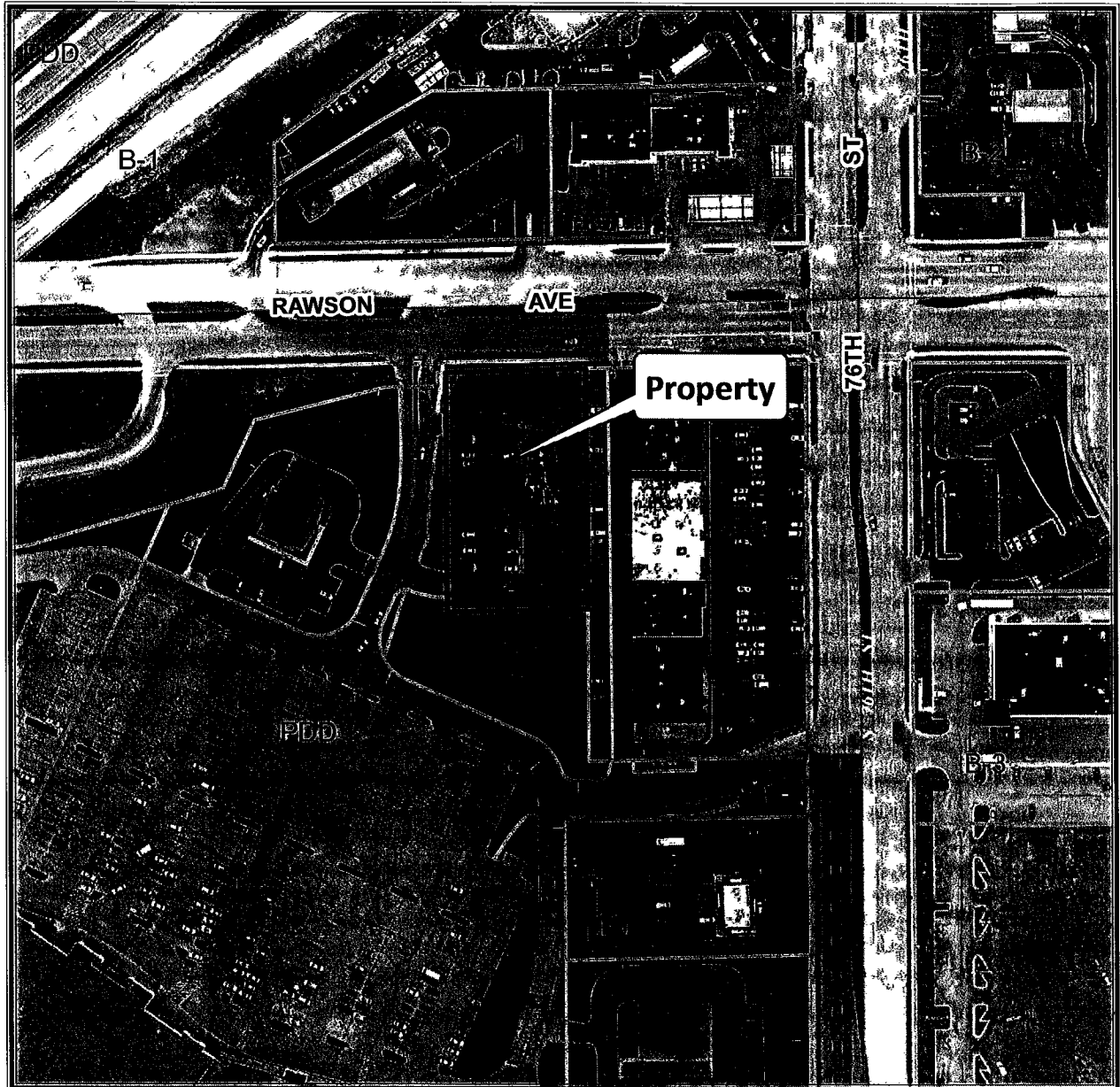
ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____



7621 W. Rawson Ave.
TKN: 755 0193 000



Planning Department
(414) 425-4024

0 110 220 440 Feet

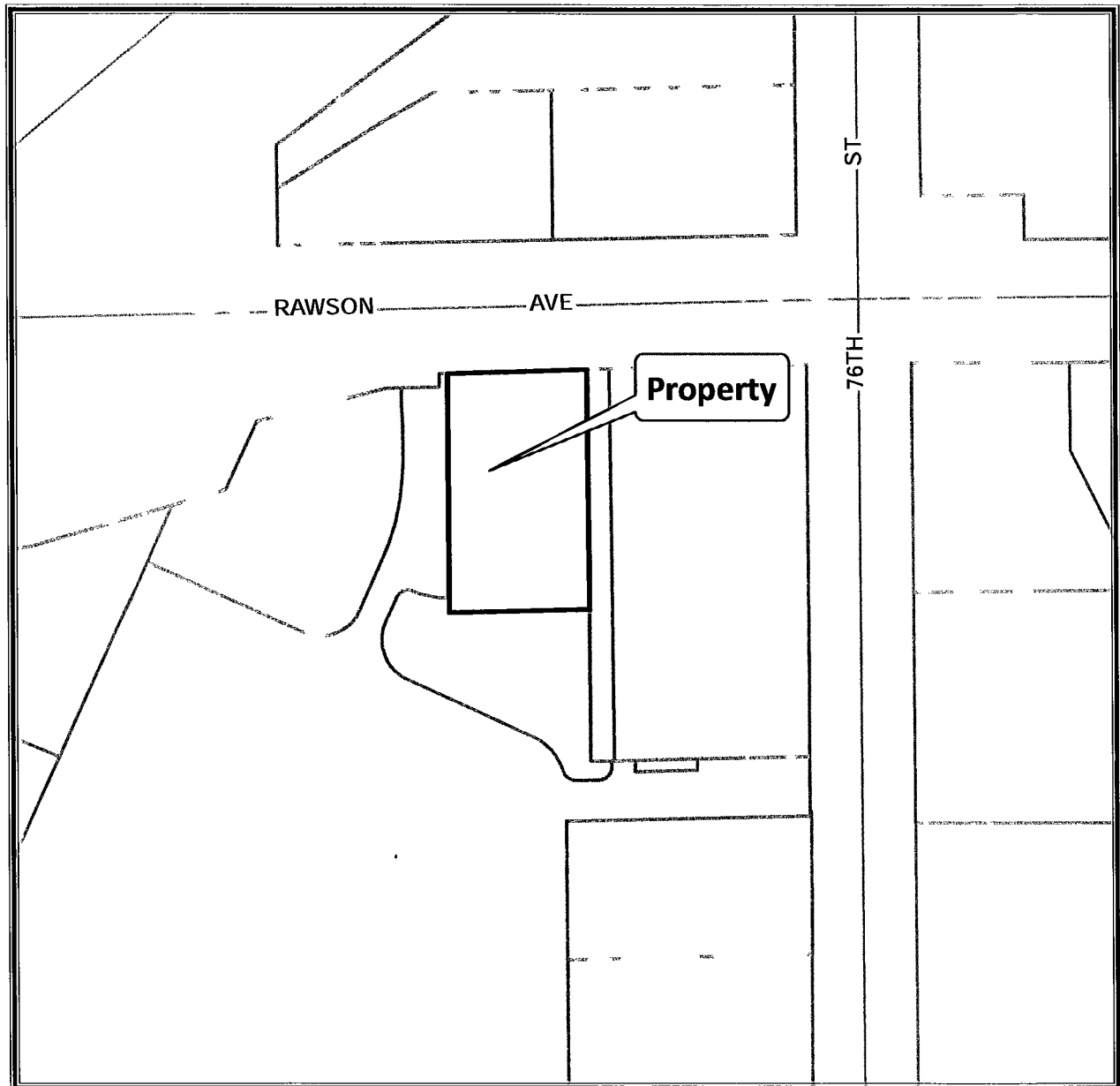


2017 Aerial Photo

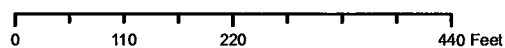
This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor. This map is provided for informational purposes only and may not be sufficient or appropriate for legal, engineering, or surveying purposes.



7621 W. Rawson Ave.
TKN: 755 0193 000



Planning Department
(414) 425-4024



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



2017 Aerial Photo



Building a Better World
for All of Us™

April 9, 2020

RE Carisch Inc
Arby's Alterations
7621 W Rawson Avenue
Franklin, Wisconsin

Arby's Alterations
Response to City Staff
SEH No 152887

Response to Franklin's City staff comments and questions for the Special Use and Site Plan Amendment applications to locate an Arby's restaurant at 7621 W. Rawson Avenue.

- I. Overall, with the minor site modifications, will impervious surface be increasing? What is the change in impervious surface added or removed from the site? Any changes to the amount of impervious surface must be approved by the Engineering Department to verify that they comply with local stormwater standards. The Engineering Department can be contacted at 414-425-7510.
 - On Sheet A-020, we indicate decreasing the impervious surface from 20,854 s.f to 20,715 s.f While we expanded the drive thru parking area we removed a portion of the patio
- II. Please depict all existing landscaping in its current location. The current landscape plan is missing several trees.
 - On Sheet A-020, we updated the existing landscape schedule and updated the site plan to show existing plantings on site to date
- III. Will the existing monument sign be utilized? Please be aware that any proposed signage will require a separate review and Sign Permit through the Inspection Department. They can be contacted at 414-425-0084. Note that PDD No. 16 also has specific sign requirements that must be met. See attached (Ordinance No. 92-1229). As signs require separate review, please label or note on the plans that signs are shown for reference only and require separate review and approval.
 - On Sheet A 020, we indicate a location of the existing monument sign. Per note 7 and the City of Franklin, Signage requires separate review and permit In addition, the sign shall meet the requirements of the PDD No 16
- IV. It appears the canopy and accent band around the building is metal above the storefront windows and EIFS elsewhere. How well will this blend together and match? Could you please explain that transition further?

Engineers | Architects | Planners | Scientists

Short Elliott Hendrickson Inc , 316 North Milwaukee Street, Suite 302 Landmark Building, Milwaukee WI 53202-5888

SEH is 100% employee-owned | sehinc.com | 414 465 1200 | 888 908 8166 fax

- The color of red for the canopy and the EFIS are the same color red. On sheet A1, the computer generated renderings do a better job of depicting matching reds. On sheets A026, A027, A201 & A202 show colored elevations showing what appears to be different colored reds. They are not different colored reds.
- V. Under "Site Information" on the Site Plan, please note that the zoning is PDD No. 16.
- On Sheet A-020, under "Site Information" we indicate the zoning as PDD No. 16.

For Plan Commission review on April 23, please submit twelve (12) collated copies of revised plan sets and responses to comments (folded to 8.5" x 11") and an electronic copy of all materials, to the Department of City Development no later than Monday, April 13, by 4:00 PM.



Building a Better World
for All of Us

December 20, 2019

RE Arby's Restaurant w/ Existing Drive Thru
7621 W Rawson
Franklin, Wisconsin

Exterior Façade Alterations, Minor Site
Modifications, Interior Remodel
SEH No 152887

Carisch Inc operates 23 Arby's in Milwaukee and surrounding suburbs Carisch Inc plans to provide exterior modifications to the facades and interior modifications to the seating and kitchen areas that reflect their latest Inspire brand The current restaurant was once a Burger King

Hours of Operation 10 am to 10 pm
Employees per Shift. 3 to 9

Exterior:

North Elevation (Rawson Avenue)

- Remove existing mansard, glazing system and brick
- Utilize existing structure
- Infill with new EFIS systems
 - White brick pattern at centered Architectural Feature
 - Brown 4" groove EFIS system above red canopy
 - Brown 8" groove EFIS system at building base
 - White smooth finish
- New glazing system w/ bronze anodized frames
- New Red Metal Canopy.
- Arby's Logo Sign
- Provide Accent Lighting to wash walls

West Elevation (Parking Lot)

- Remove existing mansard.
- Provide new white EFIS system w/ wood frame support at removed mansard
- Utilize existing structure, brick and glazing system
- Apply to existing finishes below existing mansard with new EFIS systems
 - Brown 8" groove system at Entry and below glazing system applied to existing brick
 - White smooth finish above red canopy
- Existing glazing system w/ bronze anodized frames
- Replace existing doors w/ bronze anodized frame system
- Red Metal Canopy w/ Arby's lettering and 3 metal columns painted brown
- Red Metal Canopy over Entry
- South half of west elevation

Engineers | Architects | Planners | Scientists

Short Elliott Hendrickson Inc., 316 North Milwaukee Street Suite 302 Landmark Building Milwaukee WI 53202-5888

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- Paint existing brick base functional gray color.
 - Paint existing brick above base pure white color
 - EFIS red band
- Provide accent lighting to wash walls with light

South Elevation (Facing Planned Development)

- Remove existing mansard
- Provide new white EFIS system w/ wood frame support at removed mansard
- Utilize existing structure, brick
- Paint existing brick base functional gray color
- Paint existing brick above base pure white color
- EFIS red band
- Paint existing dumpster matching proposed colors

East Elevation (Drive Thru)

- Remove existing mansard
- Provide new white EFIS system w/ wood frame support at removed mansard
- Utilize existing structure, brick and glazing system
- Apply to existing finishes below existing mansard with new EFIS systems
 - Brown 8" groove system at Entry and below glazing system applied to existing brick
 - White smooth finish above red canopy
- Existing glazing system w/ bronze anodized frames
- Replace existing doors w/ bronze anodized frame system
- Red Metal Canopy
- Drive Thru – brown EFIS w/ 8" grooves and a Red Metal Canopy
- South half of east elevation
 - Paint existing brick base functional gray color
 - Paint existing brick above base pure white color
 - EFIS red band up to Drive Thru
- Paint existing dumpster matching proposed colors
- Provide accent lights to wash walls with light

Roof Top Screening

- Existing Roof Tops are screened by existing parapet

Roof Access

- Roof Access exist and is available from the interior with a roof ladder

Site work

- Patch & Repair Existing Asphalt/Concrete Areas
- Repair concrete curbs as needed
- Reduce Existing Patio Size with new concrete curb to create 2 Drive Thru Parking Spots

Parking

- Prior to our site alterations 30 regular and 2 ADA parking stalls exist.
- After minor site alterations 28 regular, 2 ADA and 2 drive-thru parking stalls will be provided
- 2 ADA stalls meet today's code
- 59 Fixed Seats with 9 employees

Truck Traffic

- A small boxed truck will be making deliveries with food and supplies 4 to 5 times per week

Exterior Lighting

- Existing light poles will be painted if needed

Landscape Plan

- Existing Landscaping will be maintained Plantings will be trimmed, dead plantings will be replaced, and plantings removed during construction will be replaced

Interior:

- Provide new floor, wall and ceiling finishes at the existing lobby, existing toilet rooms, seating area and service counter reflective of the Inspire brand
- Provide new floor, wall and ceiling finishes as needed to accommodate new kitchen layout and equipment
- Revisions to existing Electrical Design
- Revisions existing HVAC Design

Project Construction Information

- Schedule
 - March 2020 – State & Local Approvals
 - March 2020 – Bidding Process
 - April thru May 2020 – Construction
 - June 2020 – Occupancy
- Project Cost (Contractor believes my estimate is high We will know after bidding)
 - Project Estimated Cost. \$1,000,000 00
 - Site Work Estimated Cost \$25 00 00

Sincerely,

Brian M Cooley, Senior Architect

SHORT ELLIOTT HENDRICKSON INC

316 N Milwaukee Street, Suite 302
Milwaukee, WI 53202
bcooley@sehinc.com
414-465-1215

DIVISION 15-3.0700

SPECIAL USE STANDARDS AND REGULATIONS

SECTION 15-3.0701

GENERAL STANDARDS FOR SPECIAL USES

A. **General Standards.** No special use permit shall be recommended or granted pursuant to this Ordinance unless the applicant shall establish the following:

1. **Ordinance and Comprehensive Master Plan Purposes and Intent.** The proposed use and development will be in harmony with the general and specific purposes for which this Ordinance was enacted and for which the regulations of the zoning district in question were established and with the general purpose and intent of the City of Franklin Comprehensive Master Plan or element thereof.

Response: The original project for this site was designed and used for a Burger King with a Drive-Thru. The current site is used for a restaurant with the existing drive-thru intact. We plan on utilizing much what exists and update the exterior and interior of the existing building.

2. **No Undue Adverse Impact.** The proposed use and development will not have a substantial or undue adverse or detrimental effect upon or endanger adjacent property, the character of the area, or the public health, safety, morals, comfort, and general welfare and not substantially diminish and impair property values within the community or neighborhood.

Response: The proposed use will carry on the original use for the site. We will be improving and updating the exterior and interior appearance.

3. **No Interference with Surrounding Development.** The proposed use and development will be constructed, arranged, and operated so as not to dominate the immediate vicinity or to interfere with the use and development of neighboring property in accordance with the applicable zoning district regulations.

Response: The proposed used will be utilizing the design of existing site. We will be improving the existing drive thru by adding 2 drive thru parking stalls. We will be improving the exterior facades utilizing the existing foot plan. The appearance utilizes similar materials in the area.

4. **Adequate Public Facilities.** The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities including public water supply system and sanitary sewer, police and fire protection, refuse disposal, public parks, libraries, schools, and other public facilities and utilities or the applicant will provide adequately for such facilities.

Response: The proposed site was previously designed for a Burger King with a drive thru. All of the adequate public facilities exist.

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

Response: The proposed seating plan shows 59 seats with a maximum 9 employees. Our proposed parking is basically as it exist except we a couple of drive thru parking stalls to improve the drive thru. The total number of stalls = 32 allowing an occupancy of 96 people according to Franklin's parking code.

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

Response: The proposed design is utilizing the existing site and building. There are no plans that will result in destruction, loss or damage any natural, scenic, or historic features of importance.

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

Response: The proposed Arby's with a drive-thru is similar to previous approved designs for the site. The proposed Arby's will meet current building codes.

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

Response: Reviewing 15-3.0703 which is Detail Standards for Special Uses in Nonresidential Districts, I do see any references to Drive Thru Restaurants. However, we are in a PDD. There is nothing that we are doing that has not been approved in the PDD.

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

1. **Public Benefit.** Whether and to what extent the proposed use and development at the particular location requested is necessary or desirable to provide a service or a facility that is

in the interest of the public convenience or that will contribute to the general welfare of the neighborhood or community.

Response: *The previous two uses on this site are similar to the proposed Arby's with a drive thru. The public benefit will be improved building and site image with in the PDD.*

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

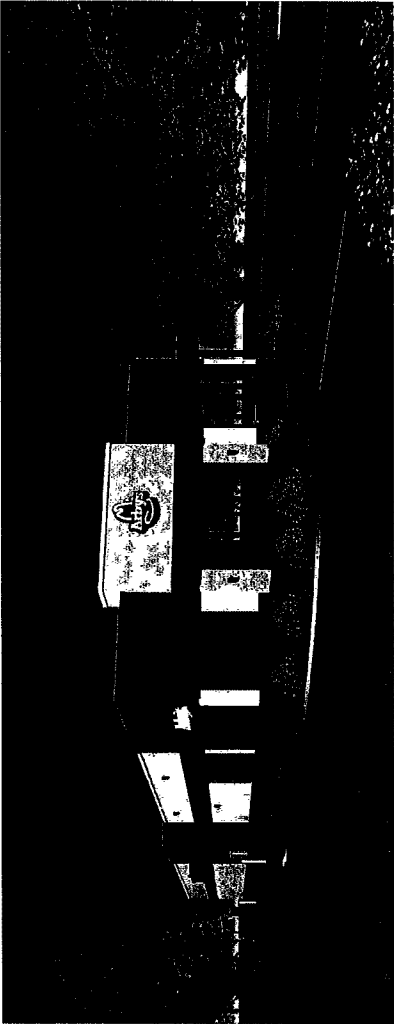
Response: *The previous approved projects on this site is a similar use to the proposed uses of an Arby's with a drive-thru. Carisch Inc, after careful consideration and review of this area in Franklin believes this site is the appropriate location.*

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

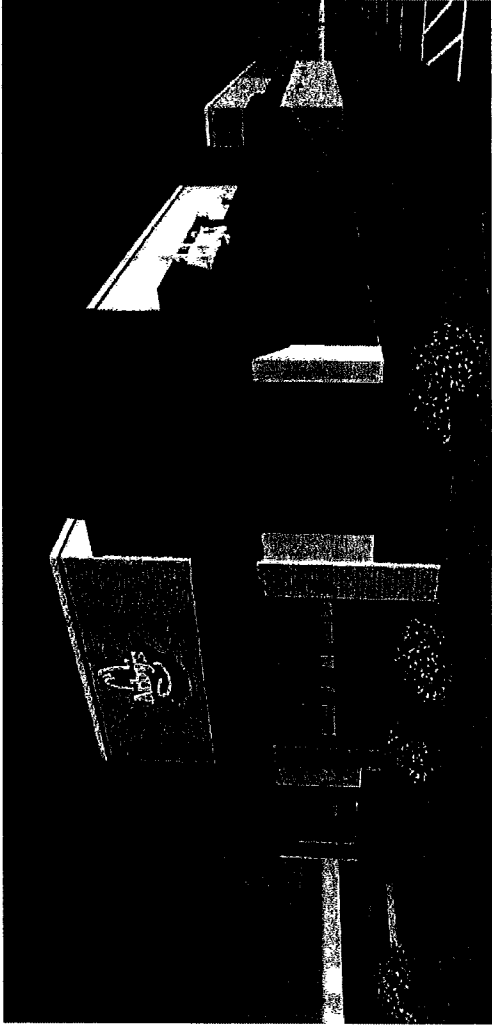
Response: *The current site design and building layout lend itself to a restaurant with a drive-thru. We propose to enhance what was previously approved.*

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

Response: *The proposed use is similar to the existing uses for this site. This site is part of a PDD and a larger design. We fit in with the original concept in a well-defined area of Franklin.*



② NORTH EAST CORNER
1/2" = 10'



① NORTH WEST CORNER
1/2" = 10'



OWNER

CARISCH INC
681 E. LAKE STREET SUITE 262
WAYZATA MN 55391
CONTACT STACY CARISCH
T 952.475.4935

ARCHITECT

SEH-MILWAUKEE INC
316 N. MILWAUKEE STREET SUITE 302
MILWAUKEE, WI 53202
CONTACT BRIAN COOLEY
T 414.465 1215

CONTRACTOR

BRIQIN BUILDING CORPORATION
3885 N BROOKFIELD RD SUITE 200
BROOKFIELD WI 53045
CONTACT MIKE MIKSICH
T 262 790 0500

SITE

FRANKLIN PLAZA
7621 WEST RAWSON AVENUE
FRANKLIN, WISCONSIN 53132
PARCEL NO 753-0793-000
ALDERMANIC DISTRICT 2
ZONING PPD NO 16

INDEX

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- A 020 SITE PLAN - PROPOSED
- A 023 DT-CANOPY
- A 024 SIGNAGE
- A 025 SIGNAGE
- A 026 SIGNAGE
- A 027 SIGNAGE
- A 028 SIGNAGE
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- A 033 SIGNAGE
- A 034 SIGNAGE
- A 100 FLOOR PLAN - PROPOSED
- A 201 EXTERIOR ELEVATIONS
- A 202 EXTERIOR ELEVATIONS

$15^\circ = 1.5^\circ$



SEH



DESIGN: SEH
PROJECT: ARBY'S #8797 REMODEL
PROJECT LOCATION: FRANKLIN, MA
PROJECT OWNER: ARBY'S
PROJECT MANAGER: JEFFREY L. BROWN
PROJECT ARCHITECT: JEFFREY L. BROWN
PROJECT ENGINEER: JEFFREY L. BROWN
PROJECT CONTRACTOR: JEFFREY L. BROWN
PROJECT DATE: 11/11/11

DESIGN: SEH

DESIGN: SEH

DESIGN: SEH
PROJECT: ARBY'S #8797 REMODEL
PROJECT LOCATION: FRANKLIN, MA
PROJECT OWNER: ARBY'S
PROJECT MANAGER: JEFFREY L. BROWN
PROJECT ARCHITECT: JEFFREY L. BROWN
PROJECT ENGINEER: JEFFREY L. BROWN
PROJECT CONTRACTOR: JEFFREY L. BROWN
PROJECT DATE: 11/11/11

ARBY'S #8797 REMODEL
FRANKLIN, MA

FRANKLIN, MA

FRANKLIN, MA

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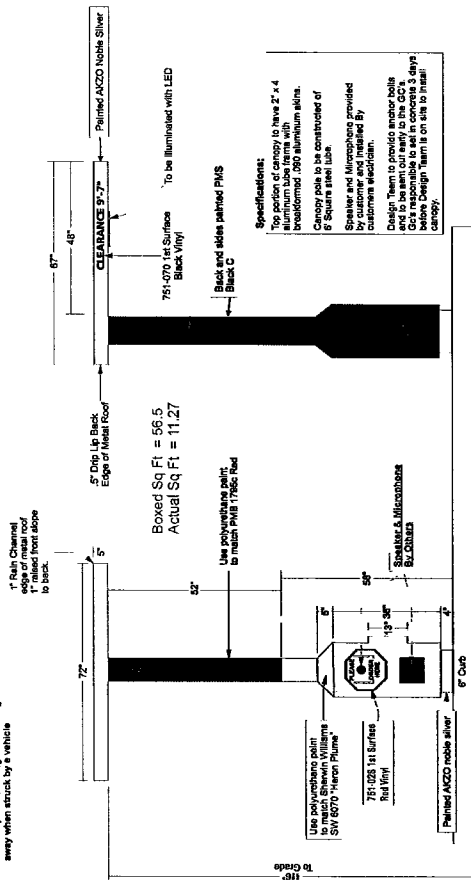
FRANKLIN, MA

FRANKLIN, MA

BREAKAWAY CANOPY

ARB-CAN-97Z-116

Note: Top unit is designed to swing away when struck by a vehicle



DESIGN

DESIGN: SEH
PROJECT: ARBY'S #8797 REMODEL
PROJECT LOCATION: FRANKLIN, MA
PROJECT OWNER: ARBY'S
PROJECT MANAGER: JEFFREY L. BROWN
PROJECT ARCHITECT: JEFFREY L. BROWN
PROJECT ENGINEER: JEFFREY L. BROWN
PROJECT CONTRACTOR: JEFFREY L. BROWN
PROJECT DATE: 11/11/11

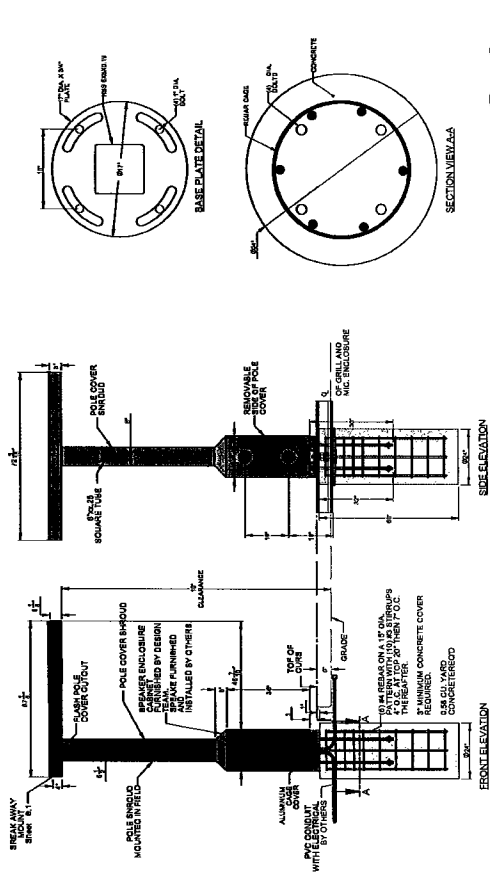
APPROVAL INFORMATION & CONFIRMATION

☐ Project is approved. Proceed with production of plans.

☐ Project is not approved. Proceed with production of plans.

BREAKAWAY CANOPY

ARB-CAN-97Z-116



DESIGN

DESIGN: SEH
PROJECT: ARBY'S #8797 REMODEL
PROJECT LOCATION: FRANKLIN, MA
PROJECT OWNER: ARBY'S
PROJECT MANAGER: JEFFREY L. BROWN
PROJECT ARCHITECT: JEFFREY L. BROWN
PROJECT ENGINEER: JEFFREY L. BROWN
PROJECT CONTRACTOR: JEFFREY L. BROWN
PROJECT DATE: 11/11/11

APPROVAL INFORMATION & CONFIRMATION

☐ Project is approved. Proceed with production of plans.

☐ Project is not approved. Proceed with production of plans.

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023



Arbys Store #TBD
7621 Rawson Ave
Franklin, WI 53132

A- (1) B7 Monument @ 7.5' OAH
B- (1) 48" x 53" LED illuminated Hat Logo Sign. (1) Wall Mount
C- (2) 16.25" White LED illuminated Channel Letter-set (1) Eyebrow Mount (1) Canopy Mount
D- (1) (85.1" LF) 24" Tall x 10.375" Deep Red Non-Illuminated Eyebrow Canopy
E1- (9 LF) 24" Tall x 24" Deep Red Non-Illuminated Eyebrow Canopy
E2- (9 LF) 24" Tall x 24" Deep Red Non-Illuminated Eyebrow Canopy
F- 24" x 72" x 48" Drive-Thru Canopy w/LED Lamp Turnbuckles, and Scuppers
F2- 24" x 72" x 48" Post Canopy w/LED Lamp, Turnbuckles, Poles and Scuppers
F3- 24" x 72" x 48" Post Canopy w/LED Lamp, Turnbuckles, Poles and Scuppers
G- (1) Break Away Canopy- Anchor Bolts/Footing By GC
H- (1) 60" Carousel "A" - Interior Wall Mount



Design
SIGN COMPANY LLC



Arbys Store #TBD
7621 Rawson Ave
Franklin, WI 53132

A- (1) B7 Monument @ 7.5 OAH
B- (1) 48" x 53" LED illuminated Hat Logo Sign- (1) Wall Mount
C- (1) 48" x 53" LED illuminated Channel Letter-set (1) Eyebrow Mount (1) Canopy Mount
D- (1) 1625" White LED illuminated Channel Letter-set (1) Eyebrow Mount (1) Canopy Mount
E1- (88" L F) 24" Tall x 10.375" Deep Red Non-Illuminated Eyebrow Canopy
E2- (9" L F) 24" Tall x 24" Deep Red Non-Illuminated Eyebrow Canopy
F- 24" x 72" x 48" Drive-Thru Canopy w/LED Lamp, Turnbuckles, and Scuppers
F2- 24" x 72" x 48" 3 Post Canopy w/LED Lamp, Turnbuckles, Poles, and Scuppers
G- (1) Break Away Canopy- Anchor Bolts/Footing By GC
H- (1) 60" Carousal A* - Interior Wall Mount

[illegible]

Student Enrollment

Abstract

General Contractor:
BALDWIN BUILDING CORPORATION
208 N. NORTH BROOKFIELD ROAD, SUITE 202
BROOKFIELD, WISCONSIN 53045
CONTACT: MIKE MESSICH

ARBY'S #8797 REMODEL

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SIGNAGE

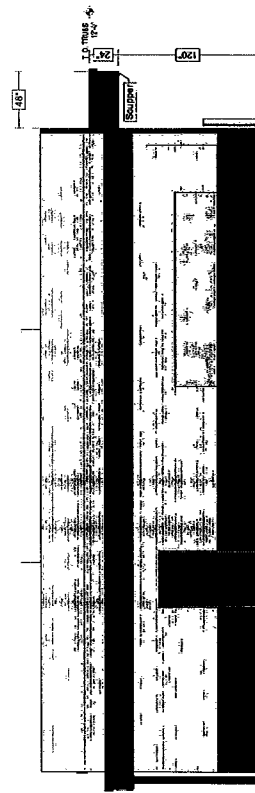
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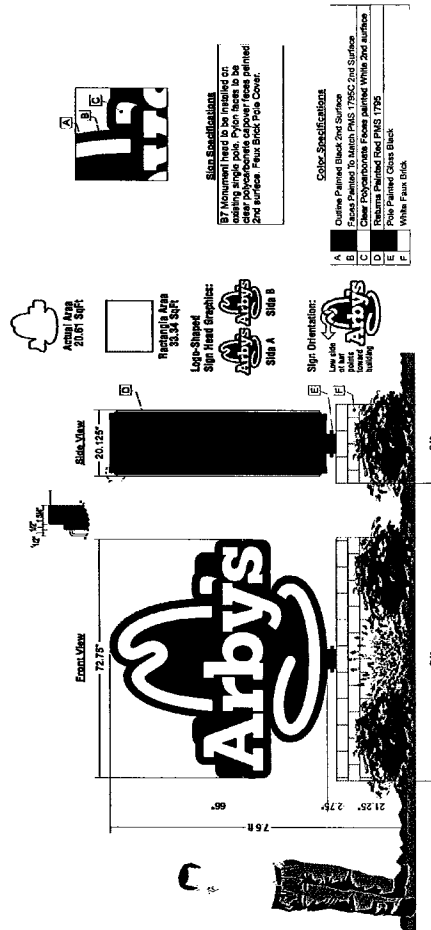
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Questions Call Heather at (865) 274-9904 or email Heather at hpicou@designsteam.net

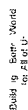
REAR ELEVATION



B7 MONUMENT



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Arbys

STACY CARSON, Inc.
181 EAST LAKE STREET, SUITE 202
WAXTAY, MINNESOTA 55391
CONTACT: STACY CARSON
952.471.4953

Michael
SHORT ELLIOT HONIGSMAN INC.
300 NORTH MILWAUKEE STREET, SUITE 300
JULIAH, WISCONSIN 53022
CONTACT: BRIAN COOLEY / AA
1.462.1715

andreas Angelidis
SHORT ELLIOT HONIGSMAN INC.
10000 DANA ROAD, SUITE 2000
HUNTSVILLE, ALABAMA 35894
CONTACT: MOLLY GATZLAF WAGNER, P.E.
205.564.6146

Don Fesperer

Structural Engineer

Abstract

General Contractor:
BROWN BUILDING CORPORATION
1665 NORTH BROOKFIELD ROAD, SUITE 200
BROOKFIELD, WISCONSIN 53005
CONTACT: MIKE MIESICH
737 730 0502

FRANKLIN PLAZA
7621 WEST RAMSON AVENUE
FRANKLIN, WISCONSIN 53132

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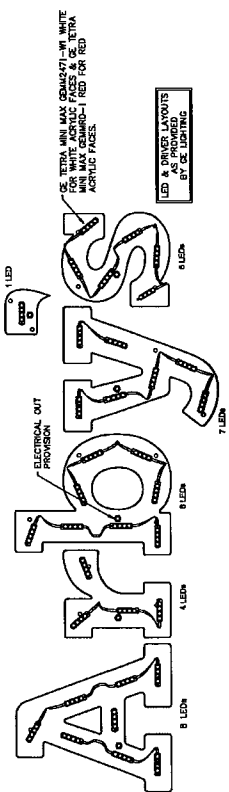
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Run #	Description	Date
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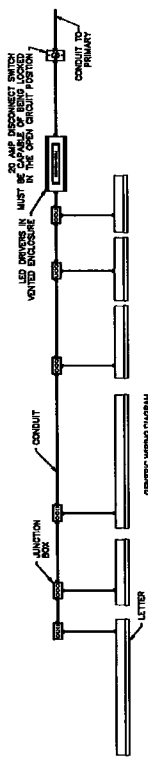
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A 030

CHANNEL LETTERS



LED & DRIVER LAYOUTS
AS PROVIDED
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COMPLETE ANY OF (1) ELECTRIC
 POWER & VOLTAGE (2) THERMAL
 ENERGY & HEAT (3) FLUIDS
 & GASES (4) SOLIDS
 & STRUCTURES (5) TRANSPORT
 & COMMUNICATIONS (6) ENVIRONMENTAL
 & BIOLOGICAL (7) SYSTEMS
 & CONTROL (8) MATERIALS
 & CHEMISTRY (9) AEROSPACE
 & NAVIGATION (10) ACOUSTICS
 & OPTICS (11) ELECTROMAGNETIC
 & RADIATION (12) POLYMER
 & COMPOSITES (13) METALS
 & CERAMICS (14) NANOTECHNOLOGY
 & MICROELECTRONICS (15)

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Project End Date: <input type="text"/>		Project Status: <input type="text"/>	
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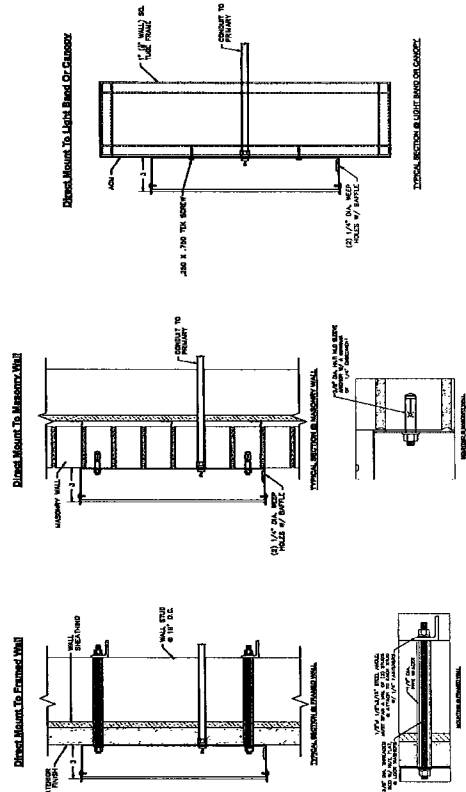
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CHANNEL LETTERS



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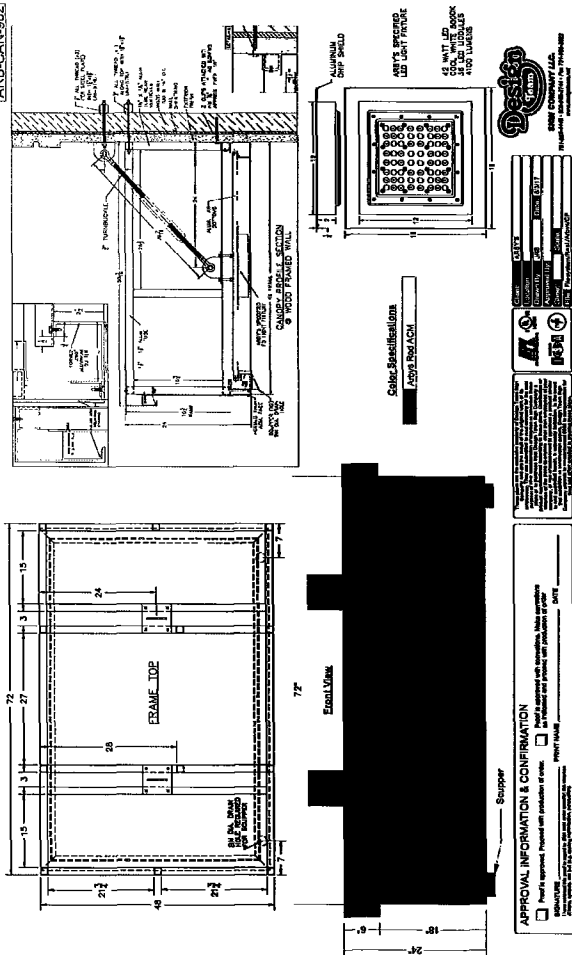
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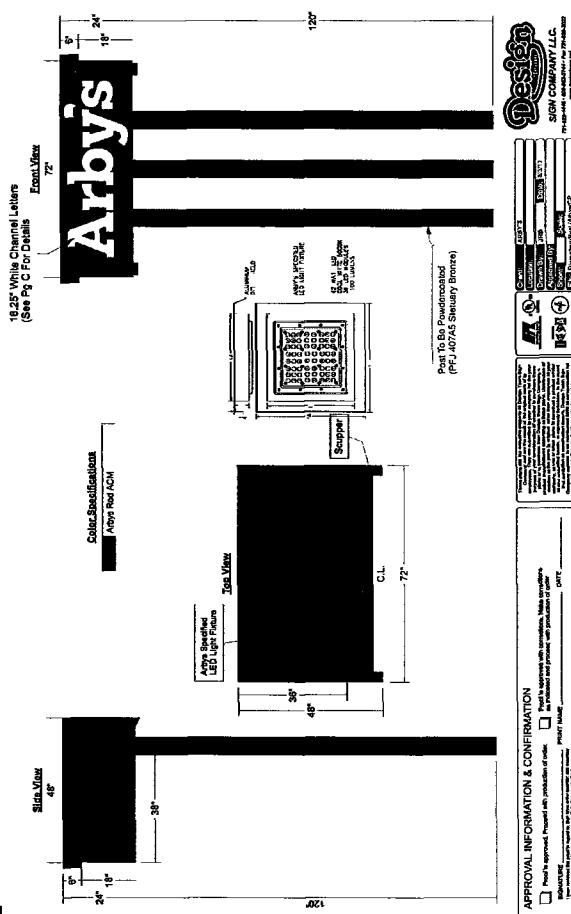
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DRIVE-THRU CANOPY



3 POST CORNER CANOPY



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A long time ago



Source: **Country Inc.**
1000 E. LAKE STREET, SUITE 202
ST. PAUL, MINN. 55101
CONTACT: STACY CARSON
301.471.4953

Address:
SHORT ELLIOTT-HOBBS/SON, INC.
100 NORTH MILWAUKEE STREET, SUITE 302
MILWAUKEE, WISCONSIN 53202
CONTACT: BRIAN COOLEY, JEA
414.469.1215

Address:
SHORT ELLIOTT-HOBBS/SON, INC.
2909 OGDON ROAD, SUITE 2002
MADISON, WISCONSIN 53719
CONTACT: MATT GATZLAF WAGNER, PLA
608.236.1146

Not For Sale

Structural Engineer

Abstract

General Contracting,
BROWN BUILDING CORPORATION
1915 NORTH BROOKFIELD ROAD, SUITE 200
BROOKFIELD, WISCONSIN 53005
CONTACT: MIKE MEXSYCH
727.780.0950

FRANKLIN
ARBY'S #8797 REMODEL

FRANKLIN, WISCONSIN 53132

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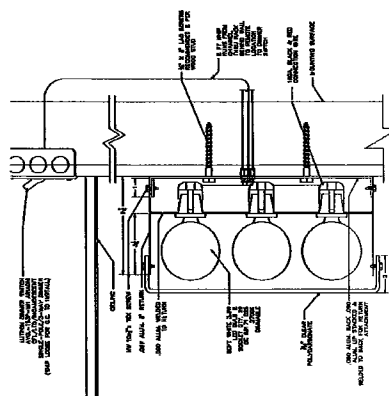
Rev. #	Description	Date	Amount
	Bank of America		

2019/05/25

A

034

Carousel Letters
ARB-CHL-1014



Colors	
A	Clear Acrylic Glossover Facade
B	PMS 1795 Gloss Red Return
C	PMS 1795 Gloss Red Interior
D	Embossed with White GSP Rubing



Client: _____
 Location: _____
 Drawn By: _____
 Approved By: _____
 Sheet: _____ of _____

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40004370 CODE

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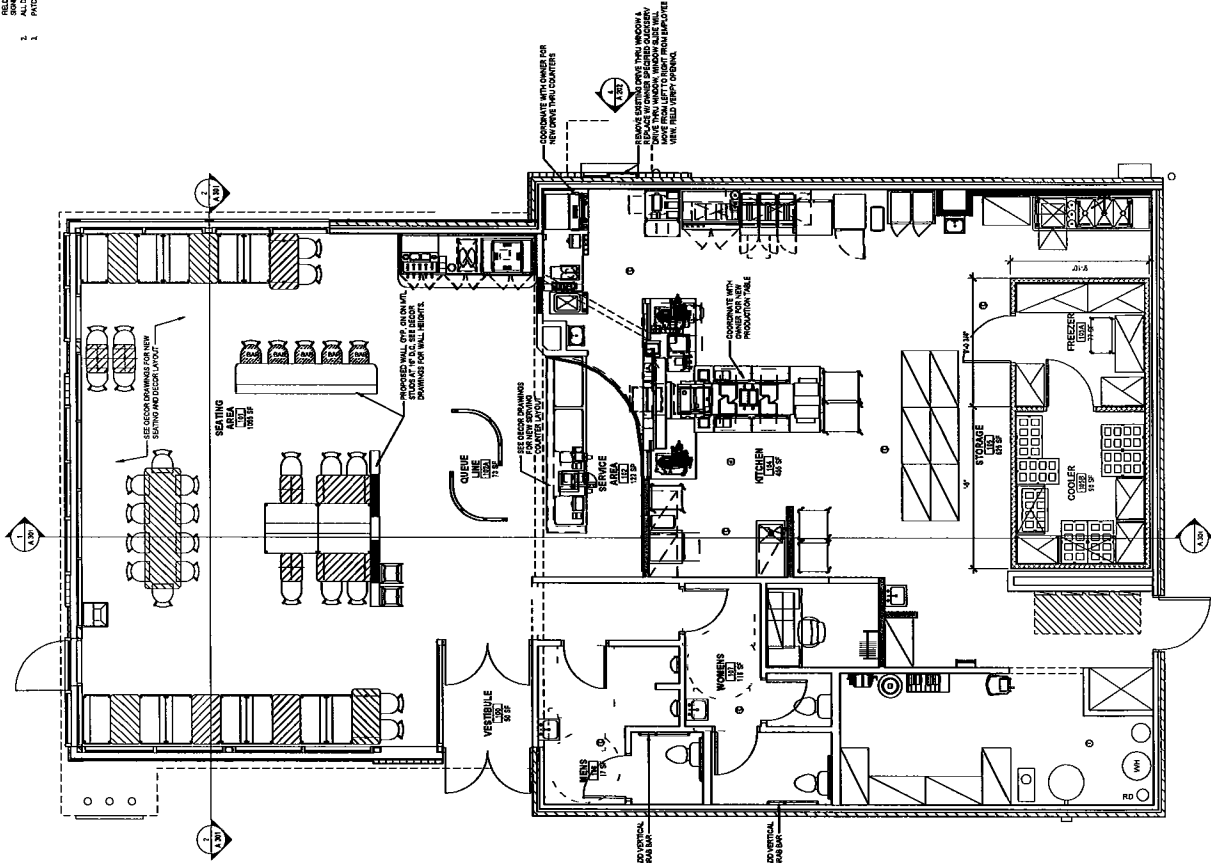
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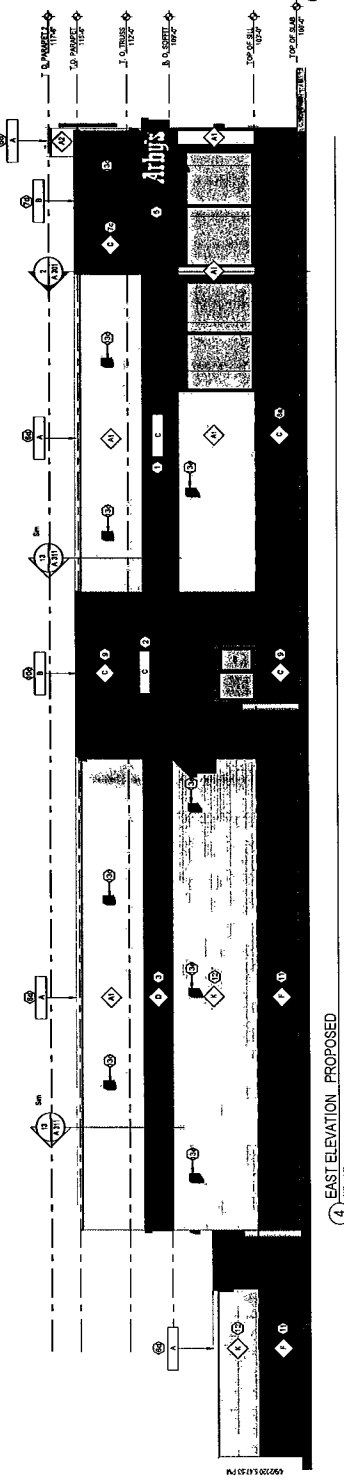
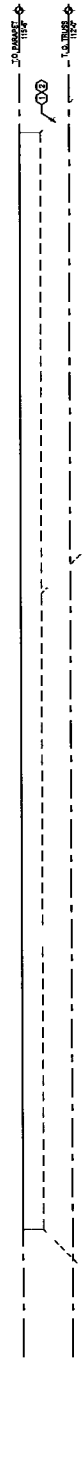
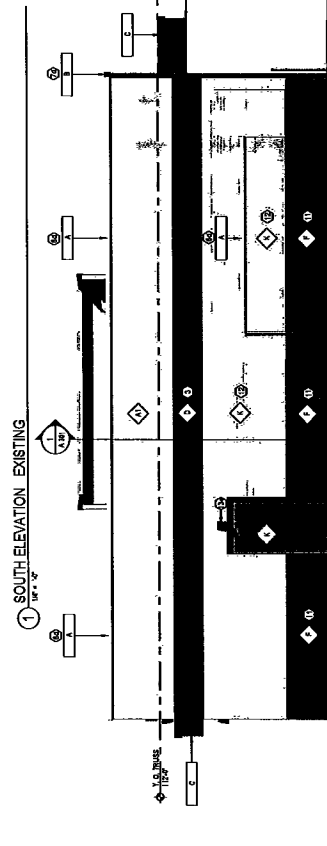
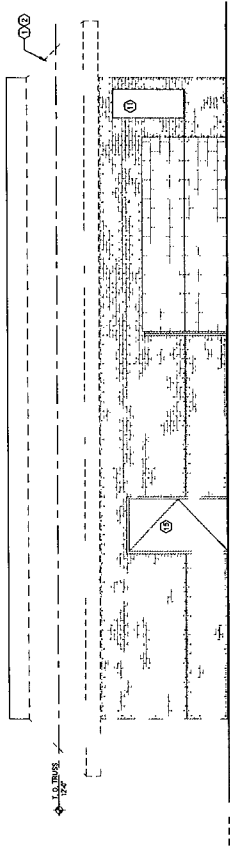
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GENERAL NOTES
 1. SEE ALL DIMENSIONS, NOTIFY ARCHITECT IF DIMENSIONS VARY
 2. ALL DIMENSIONS TO FACE OF FINISH UNLESS NOTED OTHERWISE.
 3. PATCH WALLS AS REQUIRED WHERE TEAS MEET PREVIOUSLY FINISHED TO WALL.



1 FLOOR PLAN PROPOSED
 1/4" = 1'



[illegible][illegible][illegible]

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EXTERIOR LIGHT FIXTURES.

WHAT DO YOU THINK?

LEONARD G. KATZ

RA0, SJM12 (WHITE), INSTALL AS UP
ON COUNTERTOP OR FURNITURE

RAB, SUBM12 (WHITE) INSTALL AS UP OR DOWN BUT SEE ILLUSTRATIONS

<p>APPROVAL</p> <p><i>slw</i></p>	<p>REQUEST FOR COUNCIL ACTION</p>	<p>MEETING DATE</p> <p>05/05/2020</p>
<p>REPORTS & RECOMMENDATIONS</p>	<p>AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE TEXT AT TABLE 15-3.0603 STANDARD INDUSTRIAL CLASSIFICATION TITLE NO. 7539 “AUTOMOTIVE REPAIR SHOPS, NOT ELSEWHERE CLASSIFIED” TO ALLOW FOR SUCH USE AS A SPECIAL USE IN THE M-1 LIMITED INDUSTRIAL DISTRICT (PAVILION DEVELOPMENT COMPANY, APPLICANT)</p>	<p>ITEM NUMBER</p> <p><i>G. 8.</i></p>
<p>At the April 23, 2020, regular meeting, the Plan Commission carried a motion to recommend approval of an Ordinance to amend Unified Development Ordinance Table 15-3.0603, Standard Industrial Classification Title No. 7539 “Automotive Repair Shops, Not Elsewhere Classified”, to allow for such use as a Special Use in the M-1 Limited Industrial District.</p> <p>The amendment is necessary to allow for the approval of a Special Use to operate an automotive minor repair (primary use) and tire retail sales and installation (accessory use) business (Firestone Complete Auto Care). 7539 is allowed as a Special use in M-2 General Industrial; M-1 already allows other categories of auto repair.</p> <p style="text-align: center;">COUNCIL ACTION REQUESTED</p> <p>A motion to adopt Ordinance 2020-_____, to amend Unified Development Ordinance Table 15-3.0603, Standard Industrial Classification Title No. 7539 “Automotive Repair Shops, Not Elsewhere Classified”, to allow for such use as a Special Use in the M-1 Limited Industrial District. (Mike Grace, Pavilion Development Company)</p>		

STATE OF WISCONSIN

CITY OF FRANKLIN

MILWAUKEE COUNTY

[Draft 4-6-20]

ORDINANCE NO. 2020-____

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE TEXT AT
TABLE 15-3.0603 STANDARD INDUSTRIAL CLASSIFICATION TITLE NO. 7539
“AUTOMOTIVE REPAIR SHOPS, NOT ELSEWHERE CLASSIFIED” TO ALLOW FOR
SUCH USE AS A SPECIAL USE IN THE M-1 LIMITED INDUSTRIAL DISTRICT
(PAVILION DEVELOPMENT COMPANY, APPLICANT)

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

WHEREAS, Pavilion Development Company having applied for a text amendment to Table 15-3.0603, Standard Industrial Classification Title No. 7539 “Automotive Repair Shops, Not Elsewhere Classified”, to allow for such use as a Special Use in the M-1 Limited Industrial District; and

WHEREAS, the Plan Commission having reviewed the proposed amendment to allow for Standard Industrial Classification Title No. 7539 “Automotive Repair Shops, Not Elsewhere Classified” as a Special Use in the M-1 Limited Industrial District, and having held a public hearing on the proposal on the 23rd day of April, 2020 and thereafter having recommended approval of such amendment; and

WHEREAS, the Common Council having accepted the recommendation of the Plan Commission and having determined that the proposed amendment is consistent with the 2025 Comprehensive Master Plan of the City of Franklin, Wisconsin and will serve to further orderly growth and development and promote the health, safety and welfare of the Community.

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

SECTION 1: Table 15-3.0603 of the Unified Development Ordinance of the Municipal Code of the City of Franklin, Wisconsin, only as it pertains to: Standard Industrial Classification Title No. 7539 “Automotive Repair Shops, Not Elsewhere Classified”, is hereby amended as follows: insert “S” (Special Use) in the M-1 column.

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

ORDINANCE NO. 2020-_____

Page 2

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

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

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

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

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

**CITY OF FRANKLIN****REPORT TO THE PLAN COMMISSION****Meeting of April 23, 2020****UDO Text Amendment, Special Use and Site Plan**

RECOMMENDATION: City Development staff recommends approval of the UDO Text Amendment and Special Use and approval of the Site Plan Application subject to the conditions of approval in attached draft Resolutions and Ordinance.

Project Name:	Firestone Complete Auto Care UDO Text Amendment, Special Use and Site Plan
Project Address/Tax Key:	10800 W. Speedway Drive/704 1012 000
Property Owner:	Menard, Inc.
Applicant:	Pavilion Development Company
Current Zoning:	M-1 Limited Industrial District
2025 Comprehensive Plan:	Commercial
Action Requested:	Recommendation of approval of the UDO Text Amendment and Special Use and approval of the Site Plan Application

Introduction

Please note:

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

The applicant, Pavilion Development Company, filed the applications below for the development of a Firestone Complete Auto Care facility for property located at 10800 W. Speedway Drive.

- **UDO Text Amendment**

The applicant is requesting to amend Table 15-3.0603 of the Unified Development Ordinance to allow Standard Industrial Classification No. 7539 Automotive Repair Shops, Not Elsewhere Classified as a Special Use within the M-1 District. Currently this SIC Code is not allowed.

- **Special Use**

The Firestone Complete Auto Care use primarily involves the sale of tires and minor automotive repair. The retail sales of tires business use are allowed as a Special Use in the M-1 District under SIC Code No. 5531 Auto and Home Supply Stores. The minor automotive repair is allowed under SIC Code No. 7539, which is proposed to be added to the M-1 District as a Special Use. The applicant's responses to Special Use standards are attached for review.

The applicant has indicated that no commercial vehicles will be parked overnight onsite.

- **Site Plan**

The applicant is proposing to construct a 6,262 square foot building and associated parking, lighting, landscaping and other site amenities upon a 1.23-acre parcel. Site Plan details are further discussed below.

Project Description and Analysis

The subject property is approximately 1.23-acres (53,443 square feet) and is currently vacant. The applicant is proposing to construct a 6,262 square foot Firestone Complete Auto Care facility with eight service bays.

The site plan includes the auto care building as well as associated parking, landscaping, lighting, and storm water management facilities. The plan also includes a trash enclosure on the south side of the building. Staff suggests that elevations of the proposed trash enclosure be provided for staff review and approval.

The site will be accessible from West Speedway Drive as no access is allowed via S. Lovers Lane Road (S.T.H. 100). The site plan also provides cross access to the vacant property to the northwest. As such, it is recommended that a cross-access easement agreement be provided and recorded with the Milwaukee County Register of Deeds prior to issuance of an Occupancy Permit.

The driveway opening to West Speedway Road appears to exceed 24-feet at the street right-of-way line and 30-feet at the roadway, which is the maximum allowed per Section 15-5.0207 of the UDO. This Section also states that the Plan Commission may allow wider ingress/egress at the right-of-way line in non-residential districts.

The Site Plan includes 32 parking spaces, including two ADA accessible spaces. The UDO recommended Standard Parking Ratio is four parking spaces per service bay. The proposed building has seven service bays, thus 28 parking spaces are recommended. The applicant is exceeding this standard by four spaces. Note that all parking spaces are 9-feet wide and 180 square feet, which complies with the minimum parking space size required by the UDO.

Staff would note the proposed site plan has about 25,010 square feet of greenspace and 28,433 square feet of impervious surface or a greenspace ratio of about 46.8%. This complies with the M-1 District development standards, which requires a minimum Landscape Surface Ratio of 40%. UDO requirements regarding plantings have been met.

Information about natural resources on the site was not provided. As required by Section 15-7.0201 of the UDO, Staff recommends that the applicant provide a letter from a qualified professional stating that no natural resources exist on the property prior to the issuance of building permits.

A photometric plan which complies with Division 15-5.0400 of the Unified Development Ordinance is required. It is recommended that the applicant provide a photometric plan for staff review and approval, prior to the issuance of building permits.

The applicant has provided a grading plan and discusses storm water management within its project narrative. Staff recommends that a final grading, erosion control and storm water management shall be subject to review and approval by the Engineering Department, prior to any land disturbing activities.

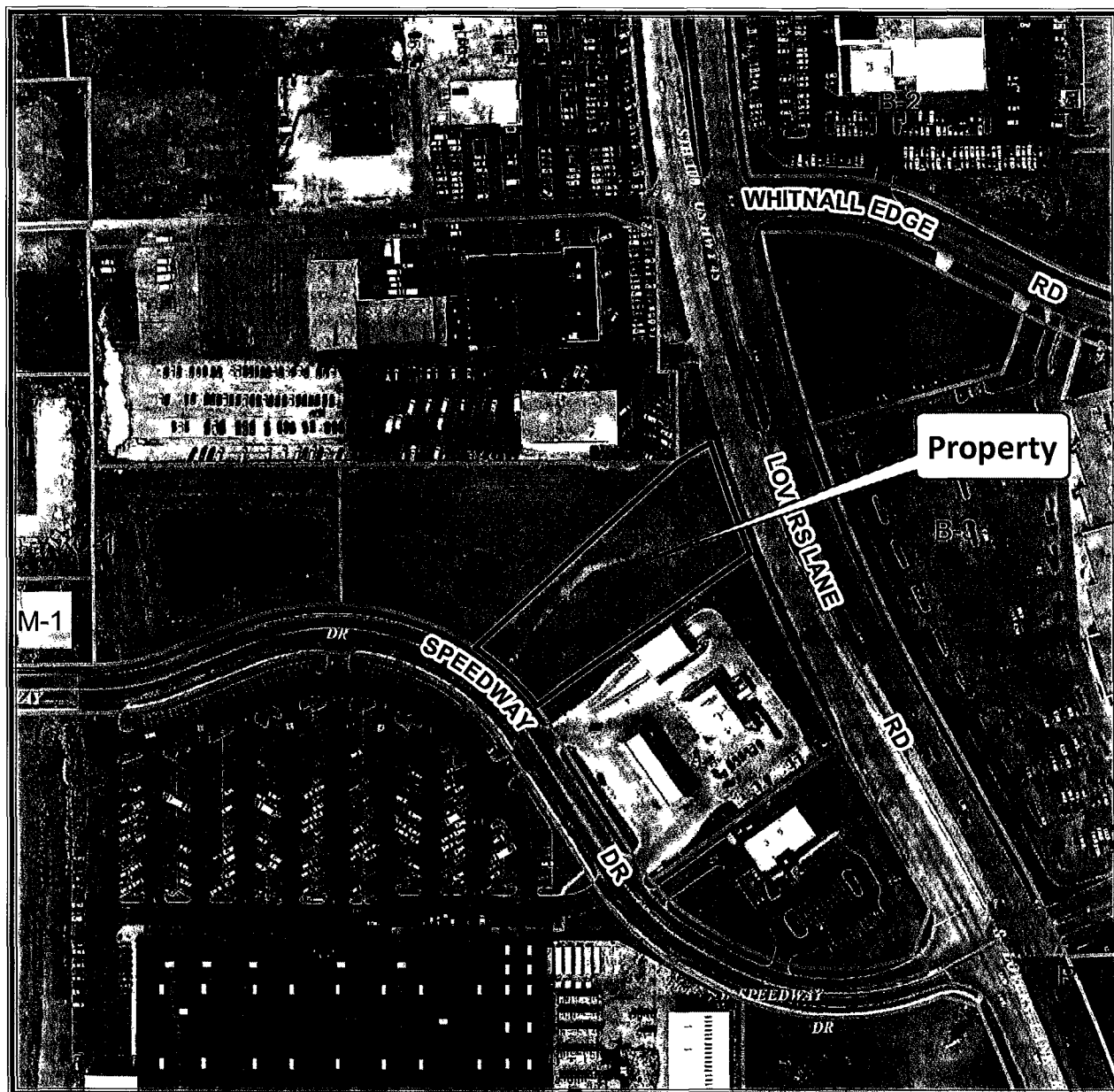
Sign plans have been provided and include wall signs and a monument sign adjacent to S.T.H. 100/Lovers Lane Road. It is recommended that all proposed signage shall comply with the requirements of Chapter 210 of the City's Municipal Code and must receive a Sign Permit from the Inspection Department prior to installation.

Staff recommended the several improvements to architecture in staff comments, based on the requirements of Section 15-7.0802 of the UDO. The applicant has provided revised elevations which include the addition of brick as a primary material, and better reflect the architecture of the adjacent Kwik Trip and Waterstone Bank developments. It is suggested that the, north, and west elevations should incorporate architectural elements similar to the south and east sides of the building or otherwise be enhanced.

Recommendation

It is recommended that the Plan Commission recommend approval of the UDO Text Amendment and Special Use for Firestone Complete Auto Care and approve the Site Plan, contingent upon approval of the UDO Text Amendment and Special Use, and subject to the conditions in the attached draft resolution.

10800 W. Speedway Drive
TKN: 704 1012 000



Planning Department
(414) 425-4024

0 130 260 520 Feet

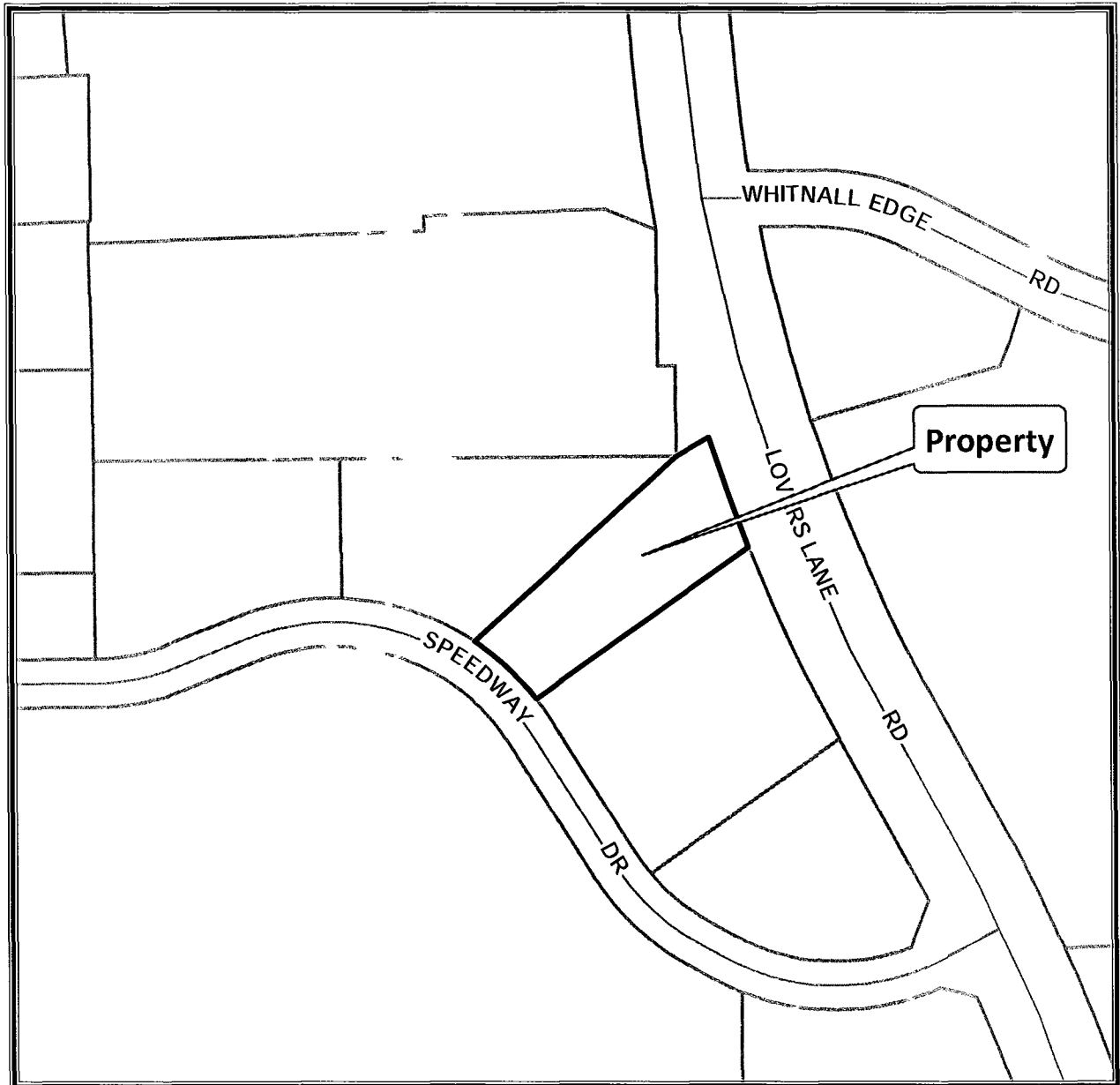


2017 Aerial Photo

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



10800 W. Speedway Drive
TKN: 704 1012 000



Planning Department
(414) 425-4024

0 130 260 520 Feet

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



2017 Aerial Photo



ENGINEERS ■ SURVEYORS ■ PLANNERS
LANDSCAPE ARCHITECTS ■ ENVIRONMENTAL SCIENTISTS

3108 SW Regency Pkwy, Ste 2
Bentonville, AR 72712
(479) 273-9472

www.ceieng.com

04/09/2020

Planning and Zoning Department
City of Franklin
Attn: Mrs. Marion Eck
9229 W Loomis Road
Franklin, WI 53132

RE Building Plan Review – Comment Response Letter
10800 W Speedway Drive – New Firestone Complete Auto Care

Below are the responses to the Civil Plan review comments received on the proposed Firestone Complete Auto Care located at 10800 W Speedway Drive

Review Comments:

Unified Development Ordinance (UDO) Requirements

- 1 Note that a cross-access easement is recommended to be recorded with Milwaukee County for the access to the property to the northwest
Acknowledged Easement will be recorded with the County
- 2 The building setback (abutting S T H 100) is 40-feet per Section 15-5 0108B of the UDO Please revise accordingly
Acknowledged Revised setbacks are included in the site plan
- 3 Is 10-feet of concrete paving and a 20-foot drive aisle sufficient area for cars maneuvering in and out of service bays and parking spaces on the opposite side of the drive aisle? It appears many Firestone locations have more room in this area of the site Note that a minimum 24' drive aisle is required It is recommended that the drive aisle outside of the concrete paving be at least 24 feet
 - Please consider requesting a reduced west side yard setback to allow the building to be shifted in order to provide a 24' drive aisle width or greater as may be necessary Per Section 15-3 0701A 7 the Common Council, pursuant to a Plan Commission recommendation, may modify district regulations*The drive aisle in front of the building is 30 ft wide which exceeds the code required 24' width for aisle with 90-degree parking spaces 30ft aisle is Bridgestone standard implemented throughout the country for their stores*
- 4 Is the temporary construction easement already in place and agreed to by the adjacent property owner?
The temporary construction easement has been verbally agreed upon, document will be provided as required by the City
- 5 Note that no outdoor storage is allowed, except outdoor retail sales areas as may be approved by the Plan Commission If any outdoor sales areas are proposed, please illustrate the location on the Site Plan
Acknowledged Temporary outdoor display examples will be submitted to the City prior to the meeting for review and consideration
- 6 The Landscape Plan includes one sheet of the Site Intensity and Capacity Calculations according to the procedure in DV 15-3 0500 (<https://ecode360.com/33224849>)
Acknowledged Landscape plan has been revised to include the all required tables per comment
- 7 Please provide an elevation of the trash enclosure It is noted that the enclosure will be of similar building materials as the principal building, however, those materials should be specifically identified
Acknowledged Trash elevation is provided with this submittal
- 8 Please provide landscape screening around the transformer pad as may be possible

Acknowledged Landscape plan has been revised and landscape screening provided around the transformer

- 9 Please provide a 30-foot Landscape Buffer yard Easement adjacent to South Lovers Lane Road (S T H 100) Note that no structures shall be allowed within this easement.

Acknowledged 30-foot landscape buffer is shown on the plan

- 10 Please show areas for snow storage on the Landscape Plan in accordance with Section 15-5 0210 of the UDO

Acknowledged Snow storage areas as required by UDO have been shown on the Landscape Plan

- 11 Please list plantings by type in Plant Schedule (Canopy/Shade Trees, Evergreens, Decorative Trees, and Shrubs) The UDO requires seven plantings of each type based on 32 parking spaces provided Please demonstrate that this requirement as well as the minimum planting size requirements are being met.

Acknowledged Landscape Schedule has been revised per comment

- 12 Also note that at least two species of each type are required

Acknowledged Landscape plan has been revised to include at least two species of each type tree

- 13 Please provide irrigation in compliance with Section 15-5 0303D of the UDO and note the method of irrigation on the Landscape Plan

Acknowledged Irrigation plan provided

- 14 A minimum 2-year planting guaranty is recommended and should be noted on the Landscape Plan (see Section 15-5 0303G 3 of the UDO)

Acknowledged Note added to the plans

- 15 Note that all landscaping shall be completed prior to issuance of an Occupancy Permit

Acknowledged Note added to the plans

- 16 Please provide a Lighting Plan in conformance with Division 15-5 0400 Please include catalog/cut sheets for all light types What is the peak height of light poles, including the base and fixture (i.e. measured from grade)?

Acknowledged Photometric plan is included in the set

- 17 Note that Engineering Department approval of the final grading, erosion control, and storm water management plans will be required prior to any land disturbing activities

Acknowledged Two copies of these plans will be sent to Sara Arnold with Engineering for review

- 18 Please be aware that signage must comply with the City of Franklin Sign Code and is subject to separate review and approval, and issuance of a Sign Permit prior to installation Please note on the plans that signage is shown for reference only

Acknowledged Note has been added to the plans

- 19 Architectural revisions are recommended Please consider Section 15-7 0802 of the UDO and the suggestions below

- It is recommended that EIFS only be used as an accent material Brick and stone are the recommended primary building materials Note the building materials and architecture of the adjacent Kwik Trip and Waterstone Bank developments

- The east, north, and west elevations should incorporate architectural elements similar to the south and east sides of the building

- Consider additional bump-outs, variations in building height, building articulation, and other architectural elements that may enhance and improve the architecture of the building

Acknowledged The architectural elevations will be revised so that the brick wainscot is raised to be higher than the top of the awnings around all four elevations This will significantly increase the amount of brick on the building, so the EIFs is only an accent around the top of the building

- 20 Please submit a Natural Resource Protection Plan per Section 15-7 0201 of the UDO If no resources exist onsite, a letter from a qualified professional stating that no resources exist on the property is sufficient.

The site is graded and cleared with no existing trees, no steep slopes nor wetlands. Statement in a letter form by Wisconsin Department Natural Resources will be provided as received

- 21 Please be aware of City impact fees. The impact fee schedule can be found on the City's website at https://www.franklinwi.gov/Files/Inspection/Impact_Fees_2020_Revised_3-9-20201.pdf

Acknowledged

Engineering Department Comments

Engineering requests additional information to complete the review before its recommendation for approval. Since a complete submittal was not made we cannot offer review comments. The engineer will need to make a complete submittal.

- Two full-size hard copies of the plans
- One hard copy of the required storm water management materials previously discussed in detail with the engineer both in person and in emails (April 23, 2019, and October 10, 2019)
- Electronic copy of the above documents

Acknowledged

Fire Department Comments

The Fire Department has no comments/concerns regarding the proposed changes and use at this location.

Acknowledged

Police Department Comments

The Franklin Police Department has reviewed the Special Use, Site Plan, and UDO Text Amendment Applications for 10800 W. Speedway Dr. The Police Department has no issues with this request.

Acknowledged

Should you have any questions or comments please feel free to give me a call.

Sincerely,

Rado Nedkov, Project Manager
CEI Engineering Associates, Inc.
(479) 254-1423



CEI Engineering Associates, Inc.

ENGINEERS ■ SURVEYORS ■ LANDSCAPE ARCHITECTS ■ PLANNERS

3108 SW Regency Parkway
Bentonville, AR 72712
(479) 273-9472 Fax (479) 273-0844
www.ceieng.com

December 16, 2019

Planning & Zoning Department
City of Franklin, WI
9229 W Loomis Rd
Franklin, WI 53132

Special Use Permit Application

This letter is in request of Special Use Permit for the proposed Firestone Complete Auto Care development located at Speedway Drive near Lover's Lane in the City of Franklin, SIC 7539 (Auto-repair store, not elsewhere classified), and inclusion of SIC 5531 (Auto and Home Supply Stores) use as an accessory use with this development. Under a separate application we have requested UDO text amendment to allow SIC 7539 (Auto-repair store, not elsewhere classified) as a Special Use in M-1, which the property is zoned currently.

Project Summary

This site is currently a vacant lot and consists of approximately 1.23 acres. The site is located approximately 900 feet northeast of the intersection of S. Lovers Lane Road and West Speedway Drive, on the east side of West Speedway Drive.

This project is a proposed 6,262 SF Firestone Complete Auto Care Store (tire and minor automobile repair with mercantile showroom) with eight vehicle service bays. There will be no servicing of vehicles outside the building. The project will include all necessary site improvements including vehicular and pedestrian circulation, a trash enclosure, used inventory storage enclosure, site lighting, landscaping, stormwater management, and all utility connections.

There are 32 proposed parking spaces with this layout, located along the southeast and northeast building façades. A loading area and screened enclosure at the southwest building wall. There will be shared access provided with the property to the west. Temporary construction easement by the adjacent owner will be issued for the improvements and limited grading on the adjacent lot.

There is an existing sanitary sewer and water main crossing the site in an easement, which will be tapped for service per City standards.

Solutions for Land and Life

CALIFORNIA ■ TEXAS ■ ARKANSAS ■ MINNESOTA ■ PENNSYLVANIA

Post development storm water runoff will be captured by few inlets on site and connected to existing manhole located near Speedway Drive. That manhole is a part of the overall development storm system which discharges into an existing pond located west of the site. Business sign is located along Lovers Lane and elevations of the proposed sign are included in the submittal package.

The proposed landscaping will be in compliance with the City standards.

Please see the attached operations statement for a brief description of services offered.

Respectfully submitted,

Radoslav Nedkov, RLA, ASLA, CID
Project Manager
CEI Engineering

Attachments (1)



BRIDGESTONE AMERICAS, INC.
200 4th Avenue South
Nashville TN 37201

BRIDGESTONE / FIRESTONE SITE CRITERIA / FACTS

Firestone is a 100 + year old company with its regional headquarters in Nashville, TN. We operate over 2200 stores nationwide Our primary competition is Goodyear, Pep Boys, NTB, Discount Tire and numerous other regional competitors Seventy percent of our customers come from a radius of three miles of the store Other than the retail sale of tires, our primary focus is Manufacture's Scheduled Maintenance, preventative maintenance and automotive repairs.

General Operational Facts:

- 28-35 Cars per day
- 30- 45 car parking is adequate
- 7-10 employees
- Hours of Operation
 - 7AM – 7 PM Monday through Friday
 - 7AM – 6 PM Saturday
 - 9 AM – 5PM Sunday
- No underground storage tanks are utilized for operations
- Store will be Company owned and Operated or Leased
- Uses / activities of business
 - Sale and installation of tires & parts
 - Light automotive service including shocks, struts, brakes, tune-ups and other similar types of repairs
 - No heavy engine work
 - No major transmission work
 - No body or painting type work
 - No towing service
- We do not sell over the counter parts / fluids to consumer
- Low noise generation – 40 db outside of building
- All recyclable products are hauled away by licensed recyclers



BRIDGESTONE AMERICAS, INC
200 4th Avenue South
Nashville, TN 37201

- Most customers drop off vehicles early and are picked up the same day. Cars left overnight are secured in the bays when applicable.

Storage & Waste Issues:

Tire Storage: Our architectural plans provide for a specific area in the building for the storage of used tires. Additionally, we provide for a storage area within the dumpster enclosure to occasionally store (on a temporary basis) small quantities of used tires and metals. We have licensed recyclers who pick up and remove the used products on a regular basis every 7 -10 days. We will also use this same area to store other materials that can be reused / recycled / or reconditioned such as oil filters, brake linings, calipers, exhaust piping, which will be removed by the same licensed recyclers.

Waste Recycling: Our policy is to recycle material whenever possible to remove it from the waste stream. Firestone contracts with duly licensed and insured recyclers to ensure that the disposal of used tires, oil, oil filters, and exhaust systems is accomplished in the most environmentally responsible manner and conforms to all federal and state regulations. Space is provided for the storage of all such materials pending their pickup by a recycler.

Dumpster Enclosure: Our site plan shows two proposed enclosures that will screen a trash dumpster from the neighboring properties. To provide architectural integrity, the dumpster enclosure will be constructed of similar building material as the building itself. A wooden gate, which will remain closed at all times, will provide additional screening for the dumpster and the area inside the enclosure.

Trash Disposal: As a matter of company policy, Firestone restricts the use of its dumpsters to the disposal of trash and discarded parts that can be accepted at landfills. We contract with a licensed waste disposal hauler to dispose of the normal trash associated with operations. Consequently, the dumpster will only be used for cardboard and similar parts packaging materials and discarded parts such as used shock absorbers, air filters, tire valves, etc. that cannot be recycled.

[illegible]

SITE DEVELOPMENT PLANS FOR



W. SPEEDWAY DR
FRANKLIN, WI

GENERAL NOTES

1. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF FRANKLIN, WISCONSIN, AND THE STATE OF WISCONSIN. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF FRANKLIN, WISCONSIN, AND THE STATE OF WISCONSIN.
2. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF FRANKLIN, WISCONSIN, AND THE STATE OF WISCONSIN. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF FRANKLIN, WISCONSIN, AND THE STATE OF WISCONSIN.
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NOTICE TO BIDDERS

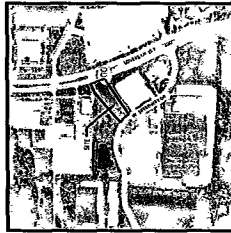
ALL BIDDERS FOR THE PROJECT SHALL BE REQUIRED TO SUBMIT A BIDDING BOND TO THE CITY OF FRANKLIN, WISCONSIN, AND THE STATE OF WISCONSIN. THE BIDDING BOND SHALL BE IN THE AMOUNT OF \$10,000.00. THE BIDDING BOND SHALL BE SUBMITTED TO THE CITY OF FRANKLIN, WISCONSIN, AND THE STATE OF WISCONSIN.

FLOOD ZONE INFORMATION

THE PROJECT IS LOCATED IN AN AREA THAT IS NOT DESIGNATED AS A FLOOD HAZARD AREA. THE PROJECT IS LOCATED IN AN AREA THAT IS NOT DESIGNATED AS A FLOOD HAZARD AREA.

PLAN INDEX

- 1. SITE PLAN
- 2. GRADING PLAN
- 3. LANDSCAPE PLAN
- 4. LIGHTING PLAN
- 5. UTILITY PLAN
- 6. FLOOD ZONE INFORMATION
- 7. FLOOD ZONE INFORMATION
- 8. FLOOD ZONE INFORMATION
- 9. FLOOD ZONE INFORMATION
- 10. FLOOD ZONE INFORMATION



Vicinity Map

ASSOCIATED PLANS

- 1. SITE PLAN
- 2. GRADING PLAN
- 3. LANDSCAPE PLAN
- 4. LIGHTING PLAN
- 5. UTILITY PLAN
- 6. FLOOD ZONE INFORMATION
- 7. FLOOD ZONE INFORMATION
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- 9. FLOOD ZONE INFORMATION
- 10. FLOOD ZONE INFORMATION

CEI
Engineering
Associates, Inc.
PLANNERS • SURVEYORS
LANDSCAPE ARCHITECTS
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BENTONVILLE, AR 72712
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fax (479) 273-0664

Arkansas * California * Minnesota * Pennsylvania * Texas

RESOURCE LIST

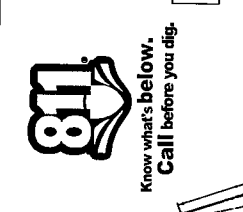
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- 10. FLOOD ZONE INFORMATION

APPROVED _____ DATE _____

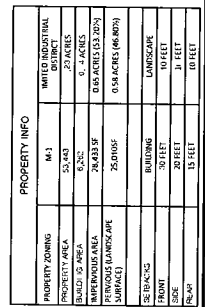
CITY OF FRANKLIN



REV. 1
C0
DATE 04/10/2020
BY 04/10/2020



now what's **below**.
Call before you dig.



PARKING RATIO			PROVIDED
	PER REQUIRED	PER	
	TRAFFIC	TRAFFIC	
TRAFFIC FROM LA	30	30	30 SPACES
ACCESSIBLE PARKING	2 SPACES	2 SPACES	2 SPACES
TOTAL	32	32	32 SPACES

SITE DETAILS

SITE NOTES

GENERAL SITE NOTES

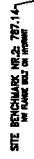
PROPOSED

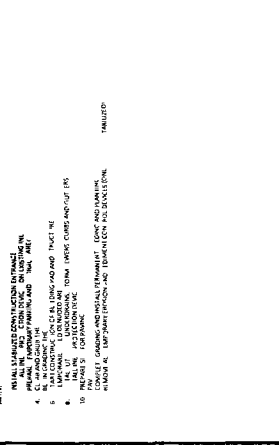
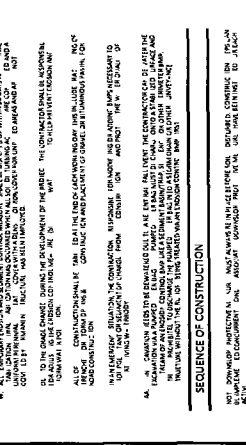
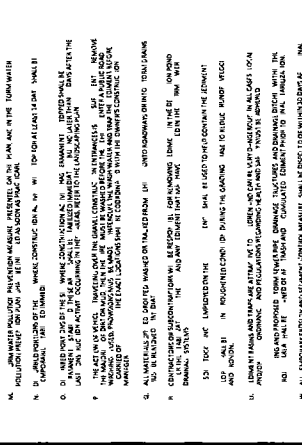
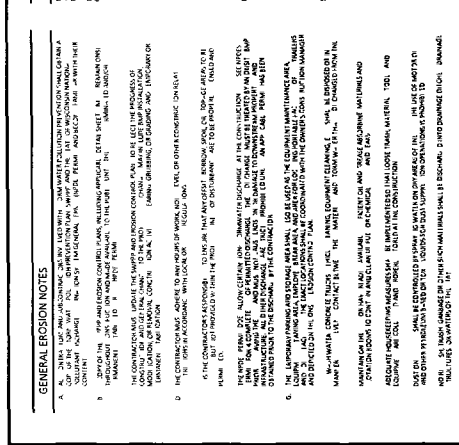
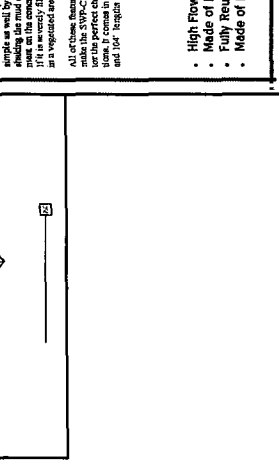
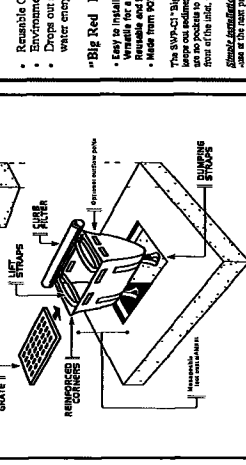
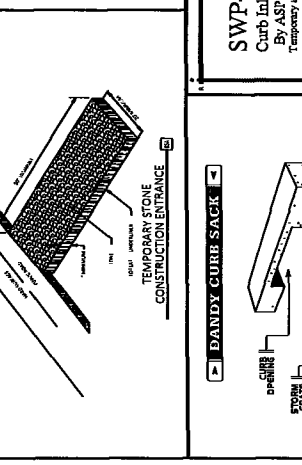
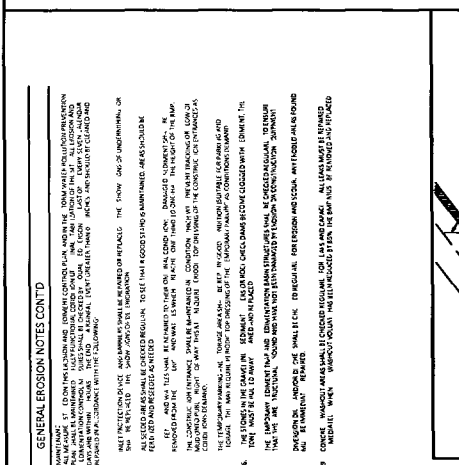
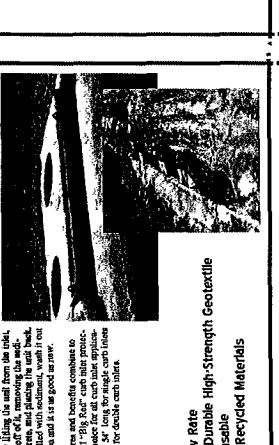
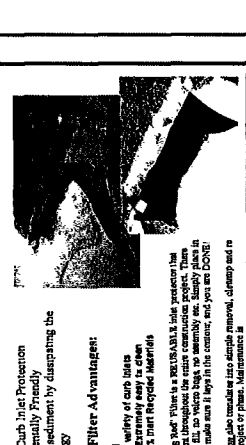
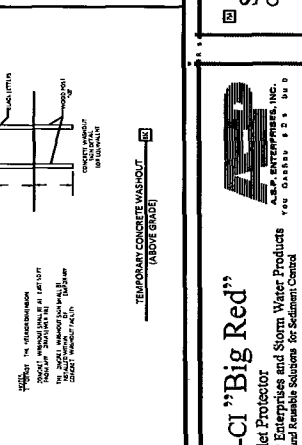
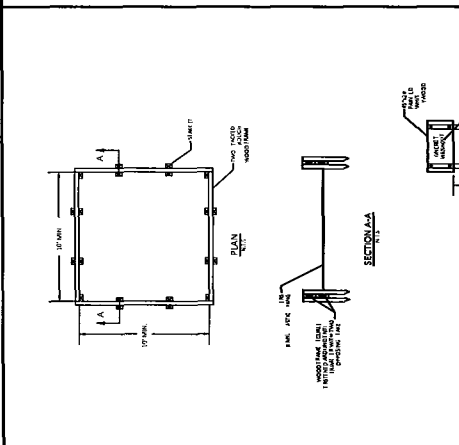
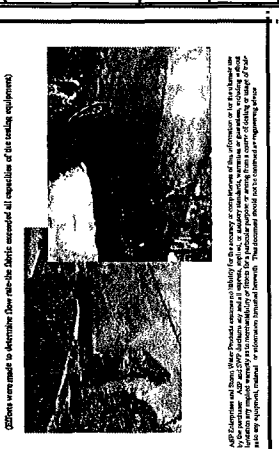
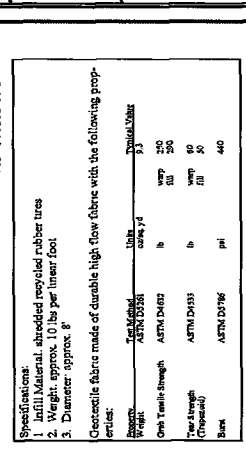
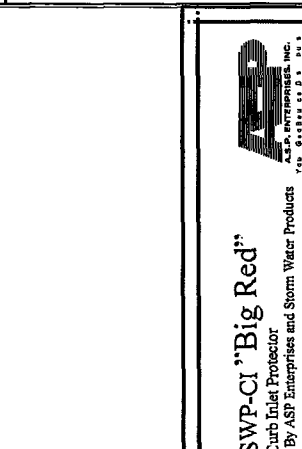
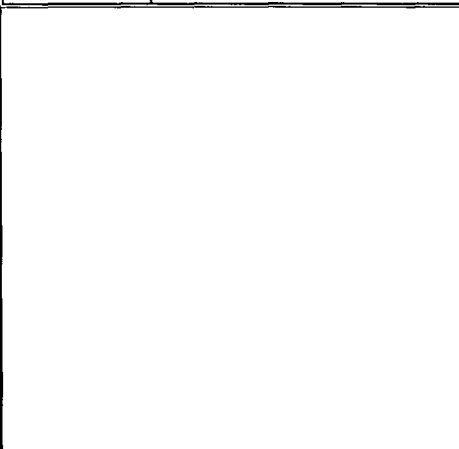
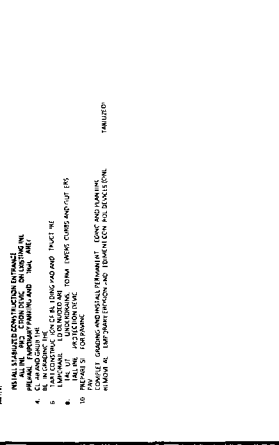
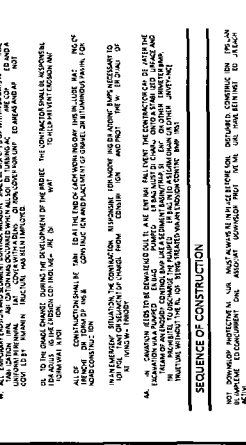
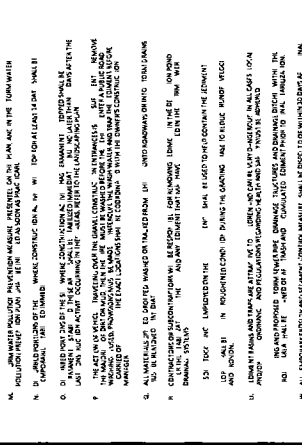
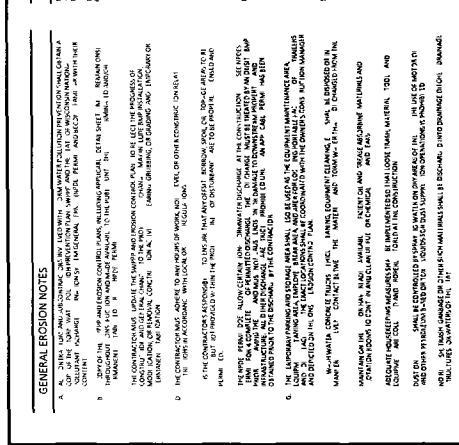
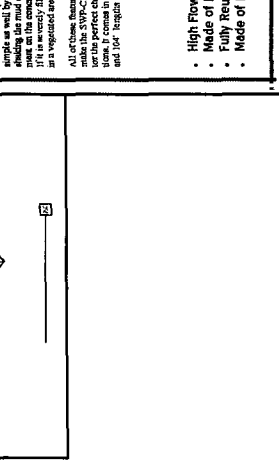
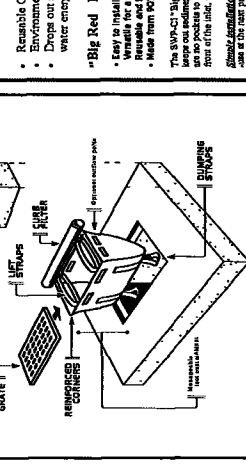
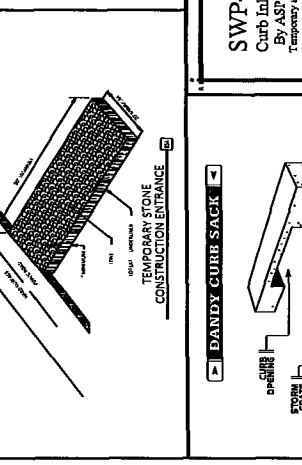
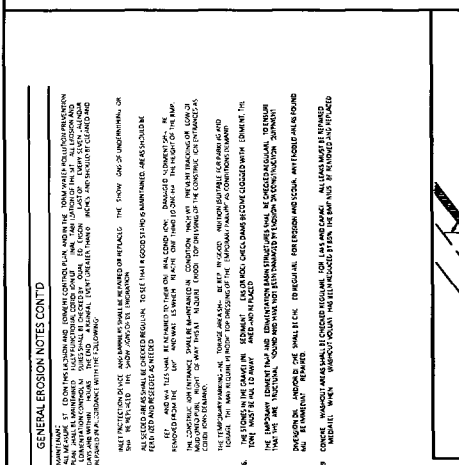
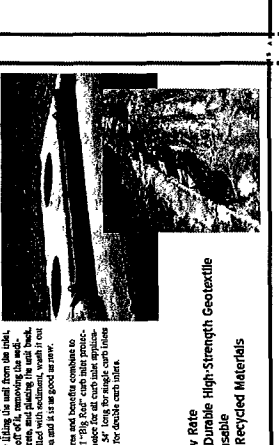
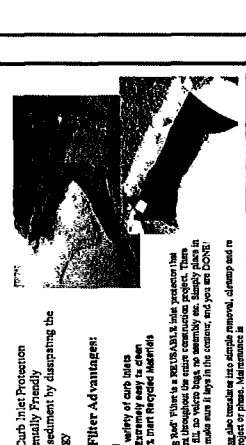
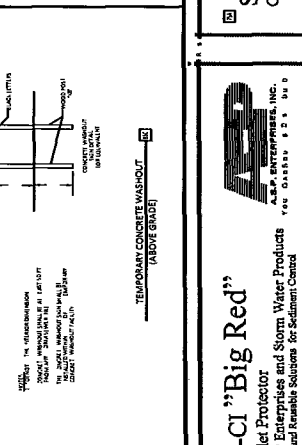
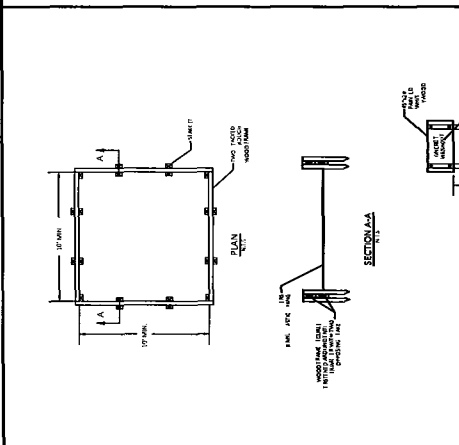
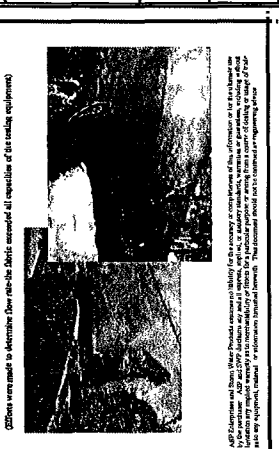
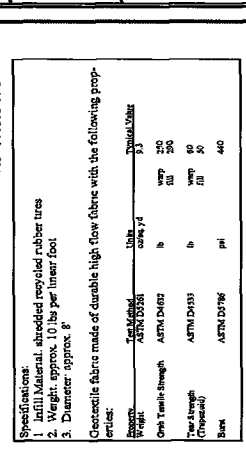
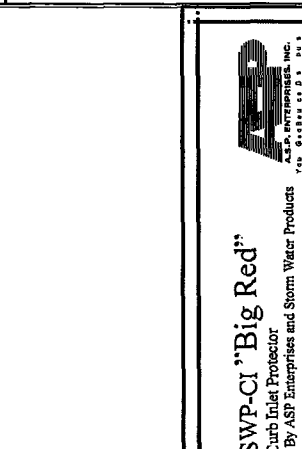
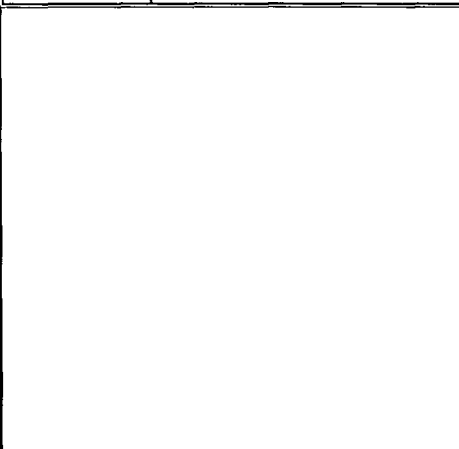
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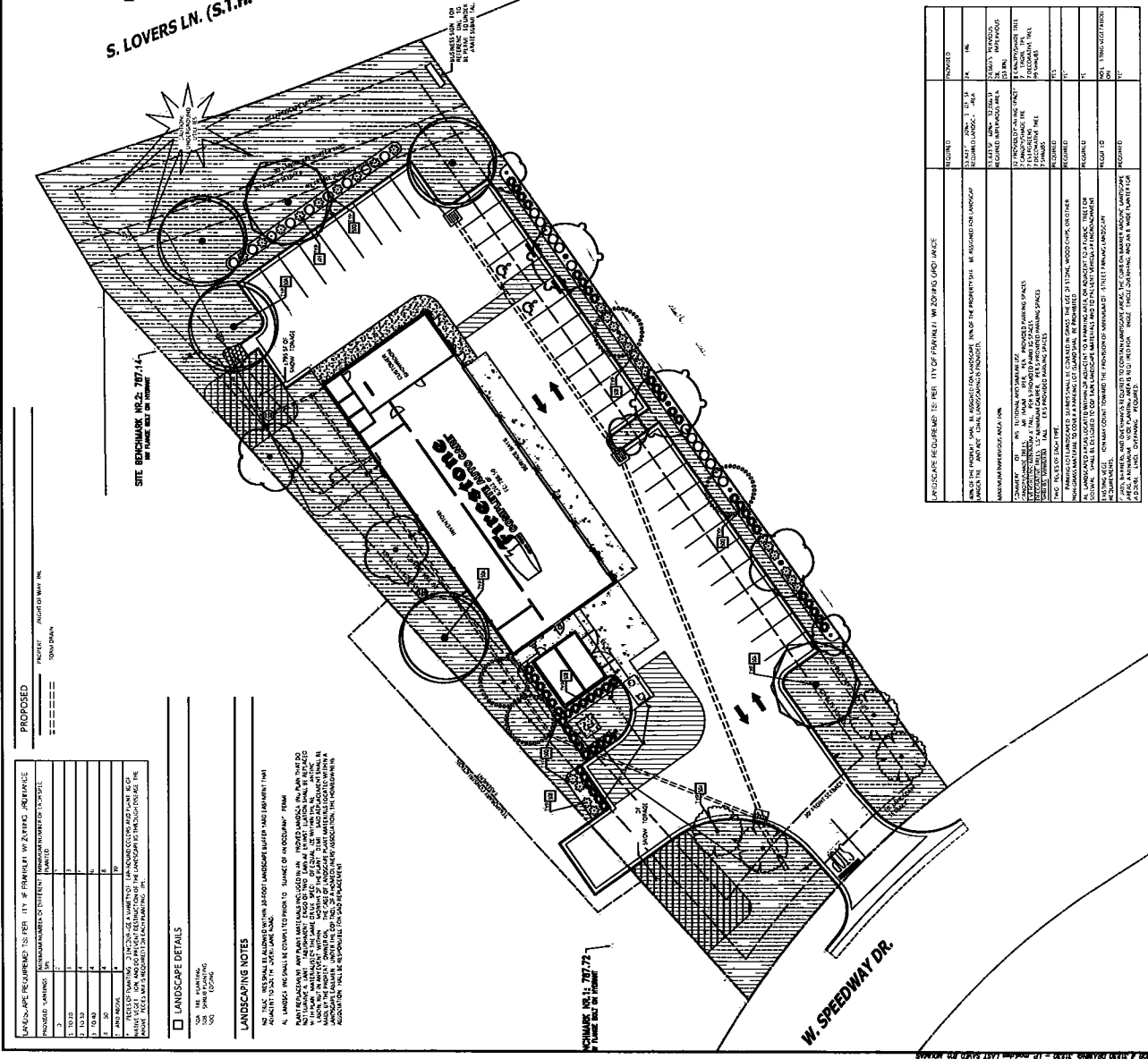
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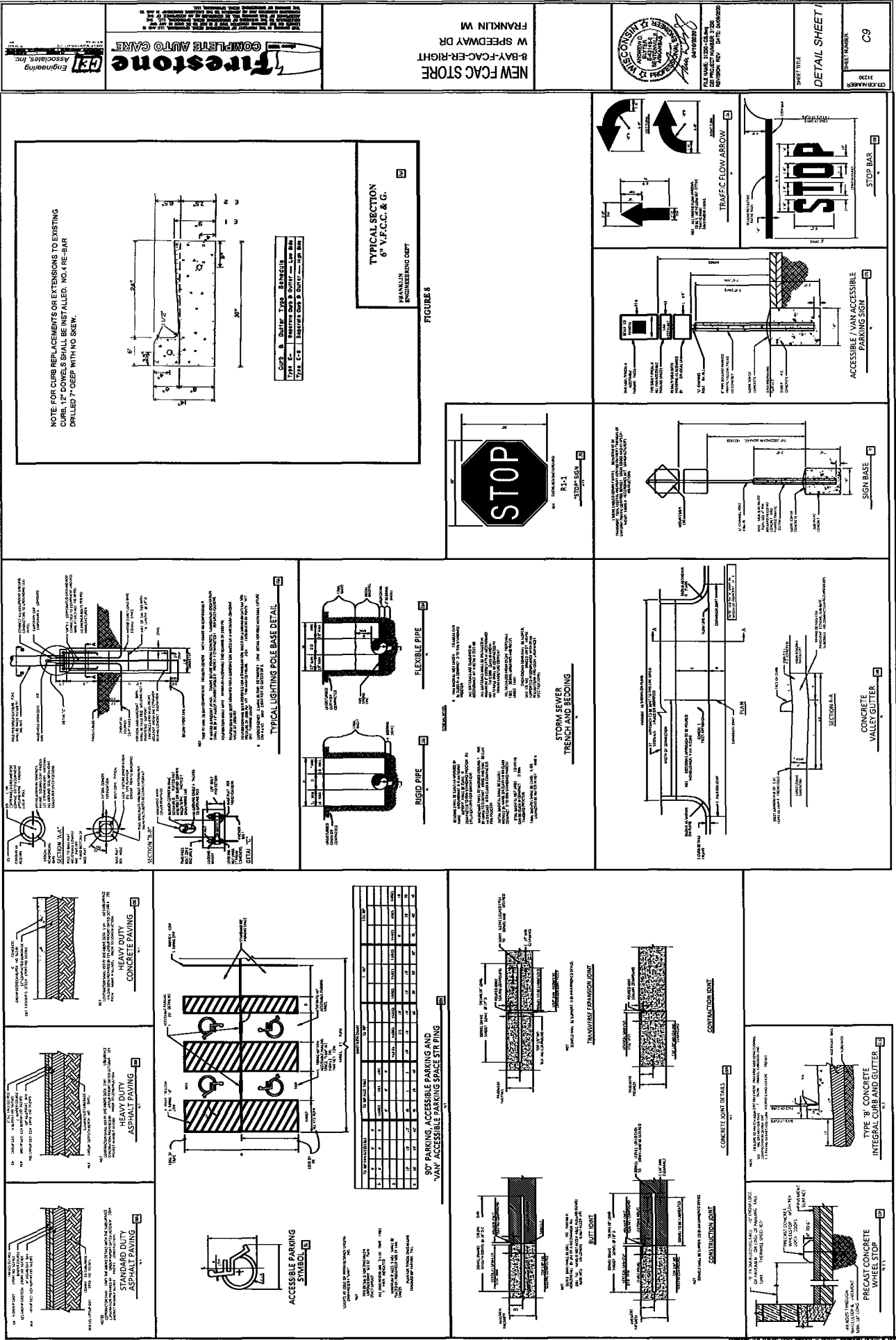
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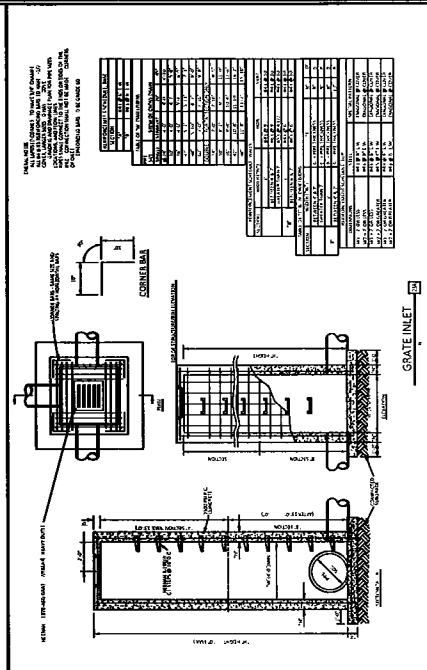
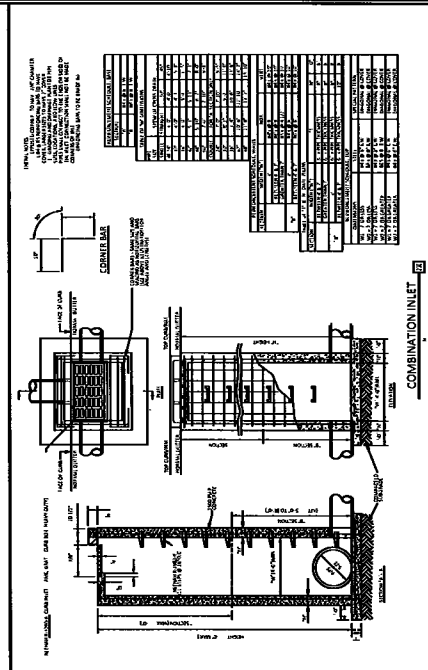
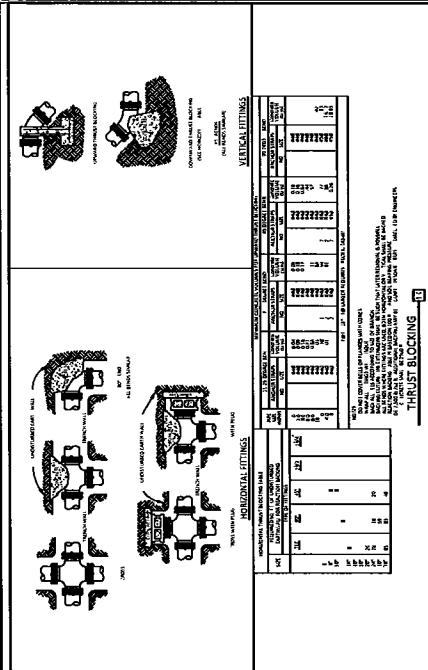
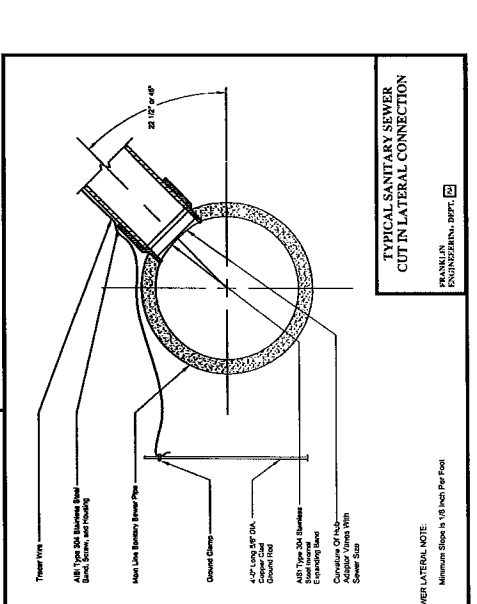
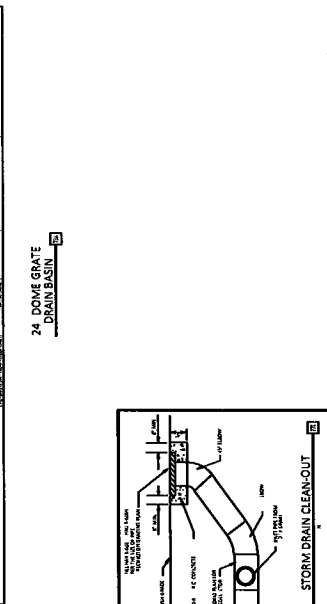
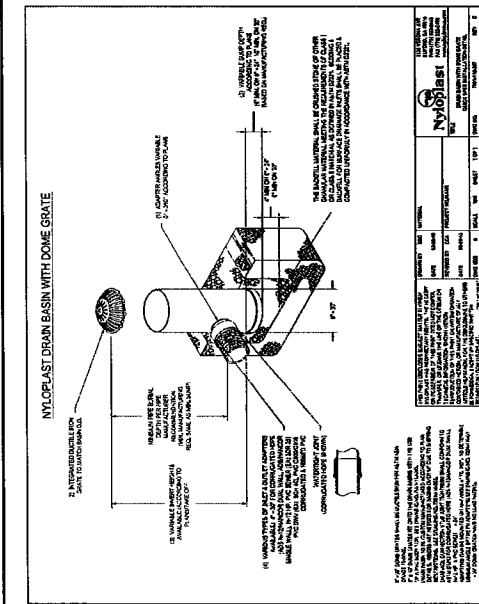
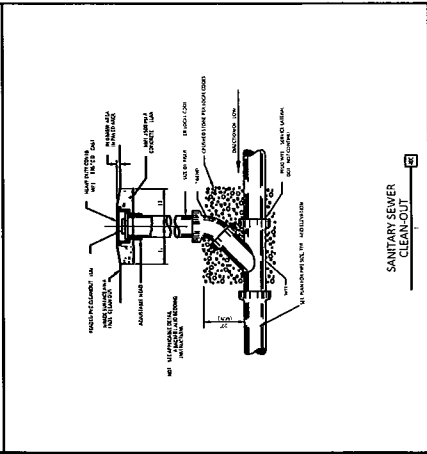
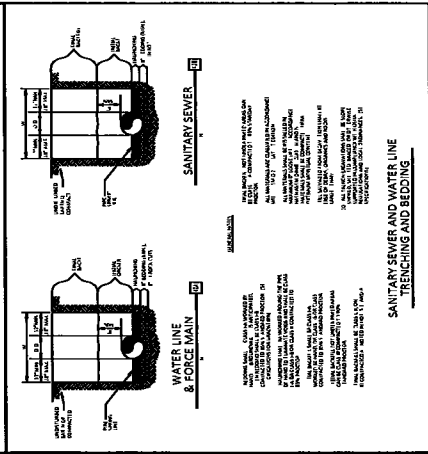
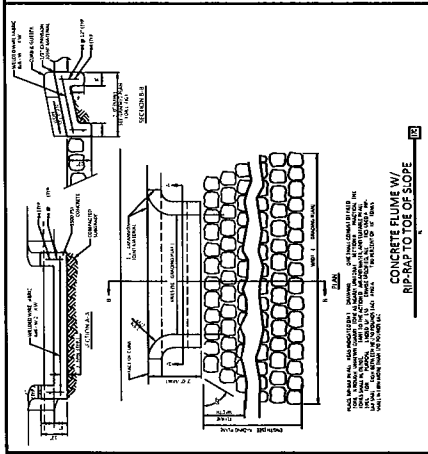












CLIENT
Qualtrics Development Co.

WASTE ADDRESS

LEGAL DESCRIPTION

LEGAL DESCRIPTION: Parcel 2 of Certified Survey Map No. 8519, recorded February 21, 2013 as Document Number 10219102, being a division of lots 2 and 3 of Certified Survey Map No. 7722, being a part of the Southwest 1/4 of the Northeast 1/4 of Section 6 and part of the Southwest 1/4 of the Southwest 1/4 of the Northwest 1/4 of Section 5, all in Town 5 North, Range 2 East, in the City of Franklin, Milwaukee County, Wisconsin.

BASIS OF BEARINGS

BASE OF BEARINGS
Bearing tops are referenced to the Wisconsin State Plane Coordinate System (South Zone), in which the East line of the NE 1/4 of Section 6 bears N00°26'45"W, per C.S.M. No. 8519.
Vertical Datum is based on NGVD-29
Starting B.M.: Ref. Mark and BBM for the Northeast corner of Section 31-6-21, chisled cross in top of hydrant nozzle; Elev=780.874'

TITLE COMMITMENT

2. 3. 4. 31, 32 & 33 visible evidence shown, if any.

pubs, you're not a loser. You're a loser.

1. Reservations as contained in Warranty Deed, executed by and between Wisconsin Electric Power Company and Jacob J. Falk and Lena Falk, his wife, and recorded in the Register of Deeds office for Milwaukee County, on January 6, 1948, in Volume 2183, on Page 387, as Document No. 2804883. Affects property by location, general in nature.

1. Easement granted to Wisconsin Electric Power Company, as recorded in the Registrar of Deeds office of Milwaukee County, on July 25, 1980, in Volume 2772 of Deeds, on Page 437 as Document No. 957522. Affects property by location, general in nature.

2. Esamment granted to Wisconsin Electric Power Company and Wisconsin Telephone Company, as recorded in the Register of Deeds office for Milwaukee County, on May 23 1970, on Real 531, Image 56511, as Document No. 4528280. Affects property by location, general in nature.

4. Access restriction, 20' wide water main easement and other matters as shown on Certified Survey Map No. 7435 recorded July 06, 2004 as Document No. 8817304. Affects property by location, shown.
5. Distribution Easement Underground loam, granted to Wisconsin Electric Power Company, a

Wisconsin corporation doing business as We Energies and Wisconsin Bell, Inc. d/b/a SBC Wisconsin, a Wisconsin corporation recorded October 07, 2004 as document No. 068799533, also as set forth on the Certified Survey Map No. 8519. Affects priority by location, shown.

Wisconsin and Menard, Inc., a Wisconsin corporation recorded January 31, 2005 as Document No. 95949235. Affects property by location, shown.

NOTE: The Exhibit for the deed restrictions was not attached to the recorded Quit Claim Deed!

1. Notice of Nonuse to or Across a Controlled-Access Highway situated by Wisconsin Department of Transportation recorded July 27, 2005 as Document No. 09037031. Affects property by location, shown on map.

2. Access restriction, utility easement, watermain and sanitary sewer easement and other matters as shown on Certified Survey Map No. 7721, recorded March 09, 2006 as Document No. 09197021. Affects property by location, shown.

1. Sanitary Sewer Easement by and between City of Franklin, a municipal corporation of the State of Wisconsin and Manard, Inc. a Wisconsin corporation recorded March 17 2006 as Document No. 96090203813. Affects property by location, shown.

5. Resolution No. 0008-6020, A Resolution Imposing Conditions and Restrictions for the Approval of a Special Use for Property located at Approximately 10925 West Speedway Drive (Main Street Real Estate Holdings LLC recorded May 05, 2008 as Document No. 09230145). Affects property by location.

1. Access restriction and other matters as shown on Cardfiled Survey Map No. 4519 recorded February 1988.

1. Transportation Project No. 02219152. Affected property by location, shown.
2. Transportation Project No. 02219174. Does not affect property by location.
3. Transportation Project No. 02219175. Affects property by location.

2: Pavilion Development
Woodforest National Bank, its successors and/or assigns
Zane Street, LLC
814-Gestione Retail Operations, LLC
14-Union Square & Union, P.A.

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2016 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established by the American Land Title Association and the National Society of Professional Surveyors.

☆ DONALD C. CHAPUT
5-1116
D. C. Chaput

5-1310
 MILWAUKEE
 LAND SURVEYOR
 DONALD C. CHAPUT
 PROFESSIONAL LAND SURVEYOR
 REGISTRATION NUMBER 5-1316

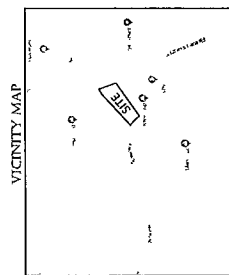
CHAPUT

LAND & SURVEYS

Date	Revision description

This document is the property of Chaput Land & Surveys, Inc. and is to be returned to the company when it is no longer needed.

234 W. Florida Street
Alhambra, NY 13814
414.224.4048
www.alhambrafire.org

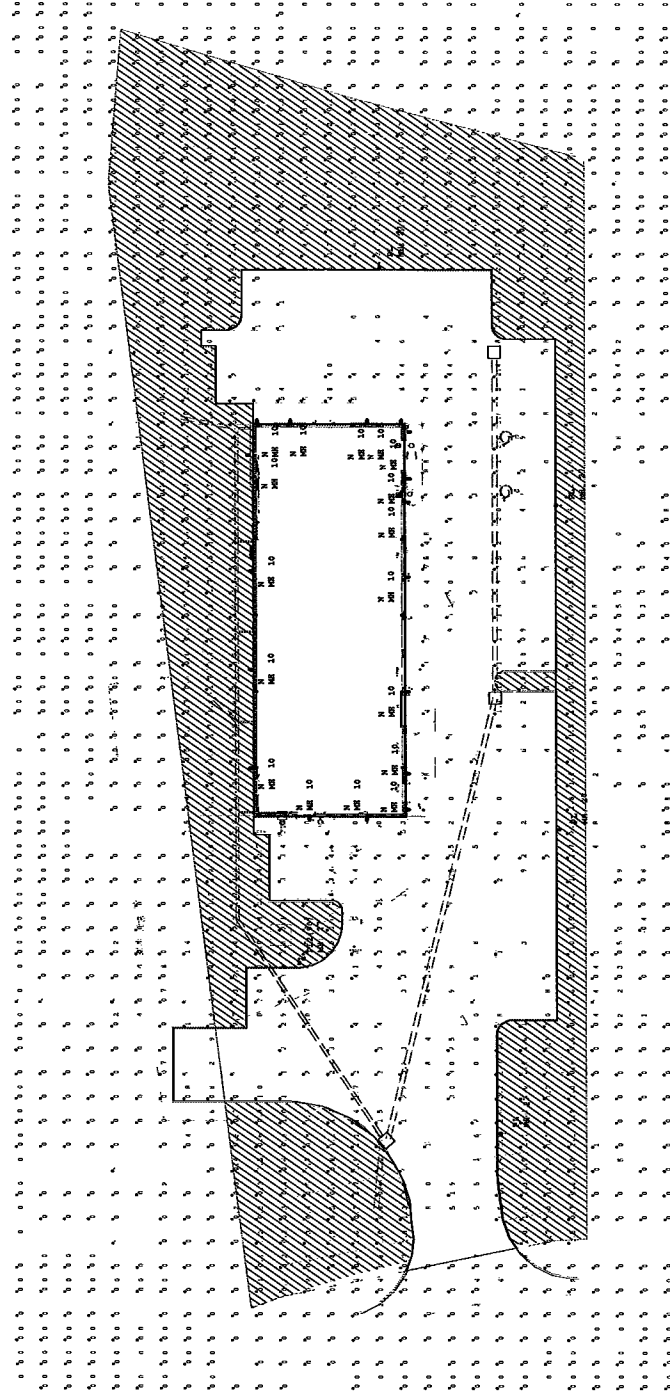


Luminaire Schedule					
Symbol	City	Label	Arrangement	UMF	Part Number
17	N	WALL MOUNT	1,000	2490	XSPW-B-WMA3ME-B-57K-UL-xx (Wall Light)
4	PL	SINGLE	1,000	11548	OSQ-A-NM-4ME-B-57K-UL-BK (Area)
1	PL2(90)	2 @ 90°	1,000	11548	OSQ-A-NM-4ME-B-57K-UL-BK (Area)

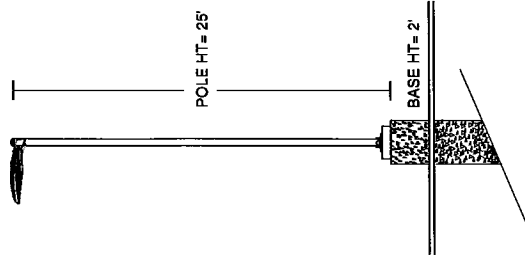
Calculation Summary: 1.00 LUF					
Label	Units	Avg	Max	Min	Avg/Min
All Calc Points	Fc	0.96	11.2	0.0	N.A.
Paved Parking	Fc	2.73	11.2	0.7	3.90
					16.00

POLE SCHEDULE
 (4) CL-SSP-4011-25-D1-BK/AB (25' x 4" sq STEEL POLE, SINGLE MOUNT)
 (1) CL-SSP-4011-25-D3-BK/AB (25' x 4" sq STEEL POLE, 2@90°)
 (8) OSQ-ANBK (Direct Arm Mount)

PROPOSED POLES MEET 120MPH SUSTAINED WINDS
 CUSTOMER TO VERIFY ORDERING INFORMATION AND
 CATALOGUE NUMBER PRIOR TO PLACING ORDER



OSQ Area Luminaire



CREE LIGHTING

A COMPANY OF IDEAL INDUSTRIES, INC.

501 Washington Ave. Racine, WI 53400 <http://www.cree.com> (608) 236-0000

Installation details shown on this layout sheet are based on the luminaire and mounting hardware shown. The luminaire and mounting hardware shown are subject to change without notice. The luminaire and mounting hardware shown are not to be used for any other purpose than the one shown. The luminaire and mounting hardware shown are not to be used for any other purpose than the one shown.

Project Name: BSRO Firestone- S. LOVERS LN. & W. SPEEDWAY DR. Franklin, WI
 SR-39945
 Footcandles calculated at grade

Layout By: Colin Witherow
 Date: 12/19/2019
 Filename: FRS-191219FRWICJW.Acd



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APPROVAL <i>slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 05/05/2020
REPORTS & RECOMMENDATIONS	A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE TO OPERATE AN AUTOMOTIVE MINOR REPAIR (PRIMARY USE) AND TIRE RETAIL SALES AND INSTALLATION (ACCESSORY USE) BUSINESS UPON PROPERTY LOCATED AT 10800 WEST SPEEDWAY DRIVE (PAVILION DEVELOPMENT COMPANY, APPLICANT)	ITEM NUMBER <i>G.9.</i>

At the regular meeting of the Plan Commission on April 23, 2020, following a properly noticed public hearing, the following action was approved: a motion to recommend approval of a Resolution imposing conditions and restrictions for the approval of a Special Use for Pavilion Development Company having petitioned the City of Franklin for the approval of a Special Use within an M-1 Limited Industrial District under Standard Industrial Classification (SIC) Title No. 7539 "Automotive Repair Shops, Not Elsewhere Classified," contingent upon approval of the concurrent Unified Development Ordinance Text Amendment to allow SIC Code No. 7539 as a Special Use within the M-1 Limited Industrial District, and for a Special Use under SIC Title No. 5531 "Auto and home supply stores", to operate an automotive minor repair (primary use) and tire retail sales and installation (accessory use) business (Firestone Complete Auto Care), upon property located at 10800 West Speedway Drive (approximately 900 feet northeast of the intersection of South Lovers Lane Road and West Speedway Drive, on the north side of West Speedway Drive [near the Kwik Trip convenience store property]), bearing Tax Key No. 704-1012-000, daycare facility use upon property located at 7760 South Lovers Lane Road.

The Plan Commission's recommendation in regard to the subject Special Use has been reflected in the attached draft Resolution.

At said meeting of the Plan Commission, a Site Plan for the subject property was also approved with certain conditions. The Plan Commission revised Condition #9 to require that the applicant revise building elevations using the Pewaukee, Wisconsin, Tire Plus facility as base architectural design subject to staff approval.

COUNCIL ACTION REQUESTED

A motion to approve Resolution 2020-_____, imposing conditions and restrictions for the approval of a Special Use to operate an automotive minor repair (primary use) and tire retail sales and installation (accessory use) business (Firestone Complete Auto Care), (Mike Grace, Pavilion Development Company)

RESOLUTION NO. 2020-_____

A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR
THE APPROVAL OF A SPECIAL USE TO OPERATE AN AUTOMOTIVE
MINOR REPAIR (PRIMARY USE) AND TIRE RETAIL SALES AND
INSTALLATION (ACCESSORY USE) BUSINESS UPON PROPERTY
LOCATED AT 10800 WEST SPEEDWAY DRIVE
(PAVILION DEVELOPMENT COMPANY, APPLICANT)

WHEREAS, Pavilion Development Company having petitioned the City of Franklin for the approval of a Special Use within an M-1 Limited Industrial District under Standard Industrial Classification Title No. 7539 "Automotive Repair Shops, Not Elsewhere Classified" (which is contingent upon approval of the concurrent Unified Development Ordinance Text Amendment to allow Standard Industrial Classification Code No. 7539 as a Special Use within the M-1 Limited Industrial District), and for a Special Use under Standard Industrial Classification Title No. 5531 "Auto and home supply stores", to operate an automotive minor repair (primary use) and tire retail sales and installation (accessory use) business (Firestone Complete Auto Care), with hours of operation from 7:00 a.m. to 7:00 p.m., Monday through Friday, 7:00 a.m. to 6:00 p.m. on Saturdays, and 9:00 a.m. to 5:00 p.m. on Sundays, upon property located at 10800 West Speedway Drive (approximately 900 feet northeast of the intersection of South Lovers Lane Road and West Speedway Drive, on the north side of West Speedway Drive [near the Kwik Trip convenience store property]), bearing Tax Key No. 704-1012-000, more particularly described as follows:

Lot 2 of Certified Survey Map No. 8519, recorded February 21, 2013 as Document Number 10219102, being a division of Lots 2 and 3 Certified Survey Map No. 7721, being a part of the Southeast 1/4 of the Northeast 1/4 of Section 6 and part of the Southwest 1/4 of the Northwest 1/4 of Section 5, all in Town 5 North, Range, 21 East, in the City of Franklin, Milwaukee County, Wisconsin; and

WHEREAS, such petition having been duly referred to the Plan Commission of the City of Franklin for a public hearing, pursuant to the requirements of §15-9.0103D. of the Unified Development Ordinance, and a public hearing having been held before the Plan Commission on the 23rd day of April, 2020, and the Plan Commission thereafter having determined to recommend that the proposed Special Use be approved, subject to certain conditions, and the Plan Commission further finding that the proposed Special Use upon such conditions, pursuant to §15-3.0701 of the Unified Development Ordinance, will be in harmony with the purposes of the Unified Development Ordinance and the Comprehensive Master Plan; that it will not have an undue adverse impact upon adjoining property; that it will not interfere with the development of neighboring property; that it will be served adequately by essential public facilities and services; that it will not cause undue traffic

PAVILION DEVELOPMENT COMPANY – SPECIAL USE
RESOLUTION NO. 2020-_____
Page 2

congestion; and that it will not result in damage to property of significant importance to nature, history or the like; and

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

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

1. That this Special Use is approved only for the use of the subject property by Pavilion Development Company, successors and assigns, as an automotive repair and tire retail sales and installation business use, which shall be developed in substantial compliance with, and operated and maintained by Pavilion Development Company, pursuant to those plans City file-stamped April 14, 2020 and annexed hereto and incorporated herein as Exhibit A.
2. Pavilion Development Company, successors and assigns, shall pay to the City of Franklin the amount of all development compliance, inspection and review fees incurred by the City of Franklin, including fees of consults to the City of Franklin, for the Pavilion Development Company automotive repair and tire retail sales and installation business, within 30 days of invoice for same. Any violation of this provision shall be a violation of the Unified Development Ordinance, and subject to §15-9.0502 thereof and §1-19. of the Municipal Code, the general penalties and remedies provisions, as amended from time to time.
3. The approval granted hereunder is conditional upon Pavilion Development Company and the automotive repair and tire retail sales and installation business use for the property located at 10800 West Speedway Drive: (i) being in compliance with all applicable governmental laws, statutes, rules, codes, orders and ordinances; and (ii) obtaining all other governmental approvals, permits, licenses and the like, required for and applicable to the project to be developed and as presented for this approval.

BE IT FURTHER RESOLVED, that in the event Pavilion Development Company, successors or assigns, or any owner of the subject property, does not comply with one or any of the conditions and restrictions of this Special Use Resolution, following a ten (10) day notice to cure, and failure to comply within such time period, the Common Council, upon

PAVILION DEVELOPMENT COMPANY – SPECIAL USE

RESOLUTION NO. 2020-_____

Page 3

notice and hearing, may revoke the Special Use permission granted under this Resolution.

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

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

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

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

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

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

APPROVED:

ATTEST:

Stephen R. Olson, Mayor

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

**CITY OF FRANKLIN****REPORT TO THE PLAN COMMISSION****Meeting of April 23, 2020****UDO Text Amendment, Special Use and Site Plan**

RECOMMENDATION: City Development staff recommends approval of the UDO Text Amendment and Special Use and approval of the Site Plan Application subject to the conditions of approval in attached draft Resolutions and Ordinance.

Project Name:	Firestone Complete Auto Care UDO Text Amendment, Special Use and Site Plan
Project Address/Tax Key:	10800 W. Speedway Drive/704 1012 000
Property Owner:	Menard, Inc.
Applicant:	Pavilion Development Company
Current Zoning:	M-1 Limited Industrial District
2025 Comprehensive Plan:	Commercial
Action Requested:	Recommendation of approval of the UDO Text Amendment and Special Use and approval of the Site Plan Application

Introduction

Please note:

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

The applicant, Pavilion Development Company, filed the applications below for the development of a Firestone Complete Auto Care facility for property located at 10800 W. Speedway Drive.

- **UDO Text Amendment**

The applicant is requesting to amend Table 15-3.0603 of the Unified Development Ordinance to allow Standard Industrial Classification No. 7539 Automotive Repair Shops, Not Elsewhere Classified as a Special Use within the M-1 District. Currently this SIC Code is not allowed.

- **Special Use**

The Firestone Complete Auto Care use primarily involves the sale of tires and minor automotive repair. The retail sales of tires business use are allowed as a Special Use in the M-1 District under SIC Code No. 5531 Auto and Home Supply Stores. The minor automotive repair is allowed under SIC Code No. 7539, which is proposed to be added to the M-1 District as a Special Use. The applicant's responses to Special Use standards are attached for review.

The applicant has indicated that no commercial vehicles will be parked overnight onsite.

- **Site Plan**

The applicant is proposing to construct a 6,262 square foot building and associated parking, lighting, landscaping and other site amenities upon a 1.23-acre parcel. Site Plan details are further discussed below.

Project Description and Analysis

The subject property is approximately 1.23-acres (53,443 square feet) and is currently vacant. The applicant is proposing to construct a 6,262 square foot Firestone Complete Auto Care facility with eight service bays.

The site plan includes the auto care building as well as associated parking, landscaping, lighting, and storm water management facilities. The plan also includes a trash enclosure on the south side of the building. Staff suggests that elevations of the proposed trash enclosure be provided for staff review and approval.

The site will be accessible from West Speedway Drive as no access is allowed via S. Lovers Lane Road (S.T.H. 100). The site plan also provides cross access to the vacant property to the northwest. As such, it is recommended that a cross-access easement agreement be provided and recorded with the Milwaukee County Register of Deeds prior to issuance of an Occupancy Permit.

The driveway opening to West Speedway Road appears to exceed 24-feet at the street right-of-way line and 30-feet at the roadway, which is the maximum allowed per Section 15-5.0207 of the UDO. This Section also states that the Plan Commission may allow wider ingress/egress at the right-of-way line in non-residential districts.

The Site Plan includes 32 parking spaces, including two ADA accessible spaces. The UDO recommended Standard Parking Ratio is four parking spaces per service bay. The proposed building has seven service bays, thus 28 parking spaces are recommended. The applicant is exceeding this standard by four spaces. Note that all parking spaces are 9-feet wide and 180 square feet, which complies with the minimum parking space size required by the UDO.

Staff would note the proposed site plan has about 25,010 square feet of greenspace and 28,433 square feet of impervious surface or a greenspace ratio of about 46.8%. This complies with the M-1 District development standards, which requires a minimum Landscape Surface Ratio of 40%. UDO requirements regarding plantings have been met.

Information about natural resources on the site was not provided. As required by Section 15-7.0201 of the UDO, Staff recommends that the applicant provide a letter from a qualified professional stating that no natural resources exist on the property prior to the issuance of building permits.

A photometric plan which complies with Division 15-5.0400 of the Unified Development Ordinance is required. It is recommended that the applicant provide a photometric plan for staff review and approval, prior to the issuance of building permits.

The applicant has provided a grading plan and discusses storm water management within its project narrative. Staff recommends that a final grading, erosion control and storm water management shall be subject to review and approval by the Engineering Department, prior to any land disturbing activities.

Sign plans have been provided and include wall signs and a monument sign adjacent to S.T.H. 100/Lovers Lane Road. It is recommended that all proposed signage shall comply with the requirements of Chapter 210 of the City's Municipal Code and must receive a Sign Permit from the Inspection Department prior to installation.

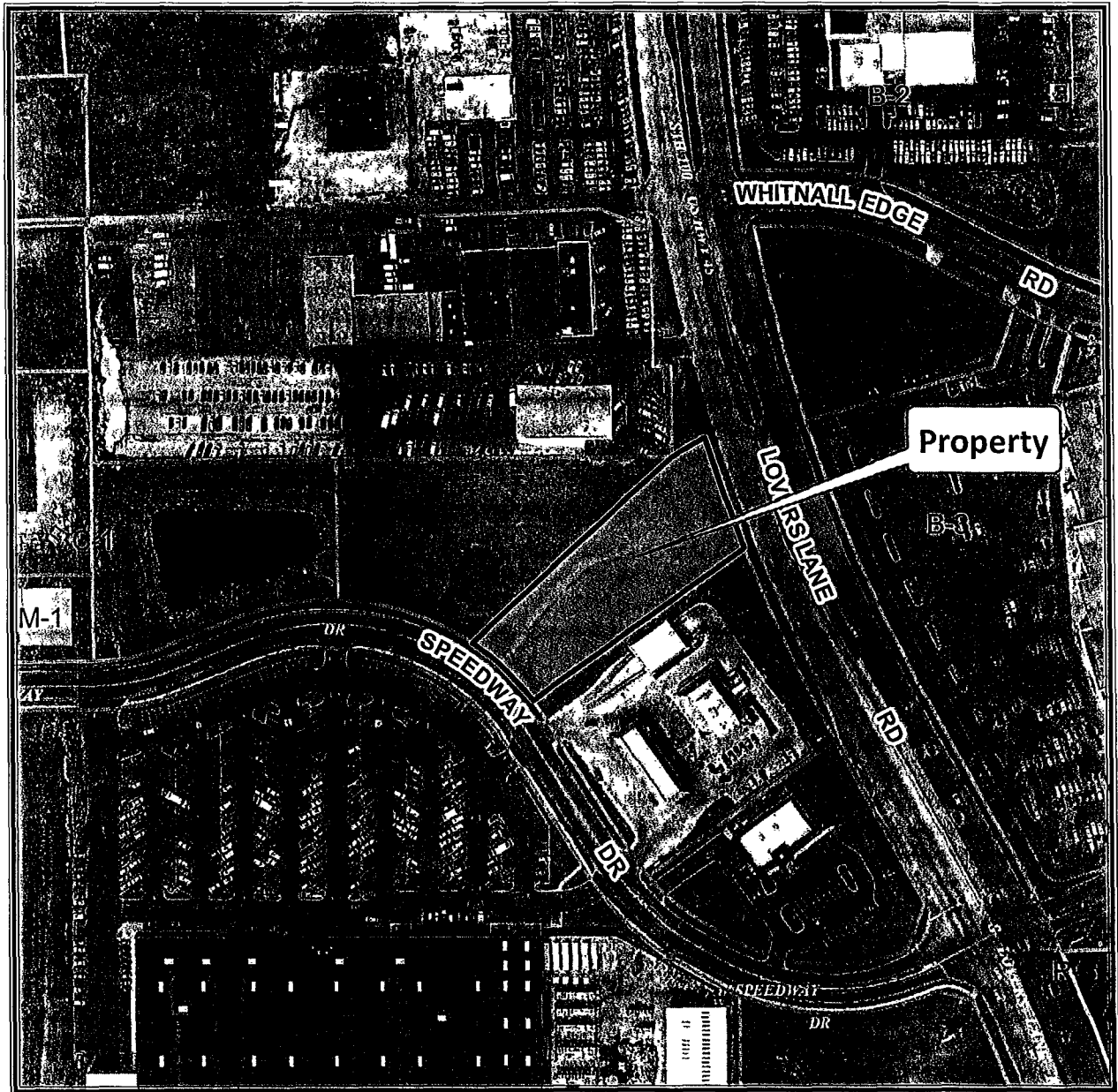
Staff recommended the several improvements to architecture in staff comments, based on the requirements of Section 15-7.0802 of the UDO. The applicant has provided revised elevations which include the addition of brick as a primary material, and better reflect the architecture of the adjacent Kwik Trip and Waterstone Bank developments. It is suggested that the, north, and west elevations should incorporate architectural elements similar to the south and east sides of the building or otherwise be enhanced.

Recommendation

It is recommended that the Plan Commission recommend approval of the UDO Text Amendment and Special Use for Firestone Complete Auto Care and approve the Site Plan, contingent upon approval of the UDO Text Amendment and Special Use, and subject to the conditions in the attached draft resolution.



10800 W. Speedway Drive
TKN: 704 1012 000



Planning Department
(414) 425-4024

0 130 260 520 Feet

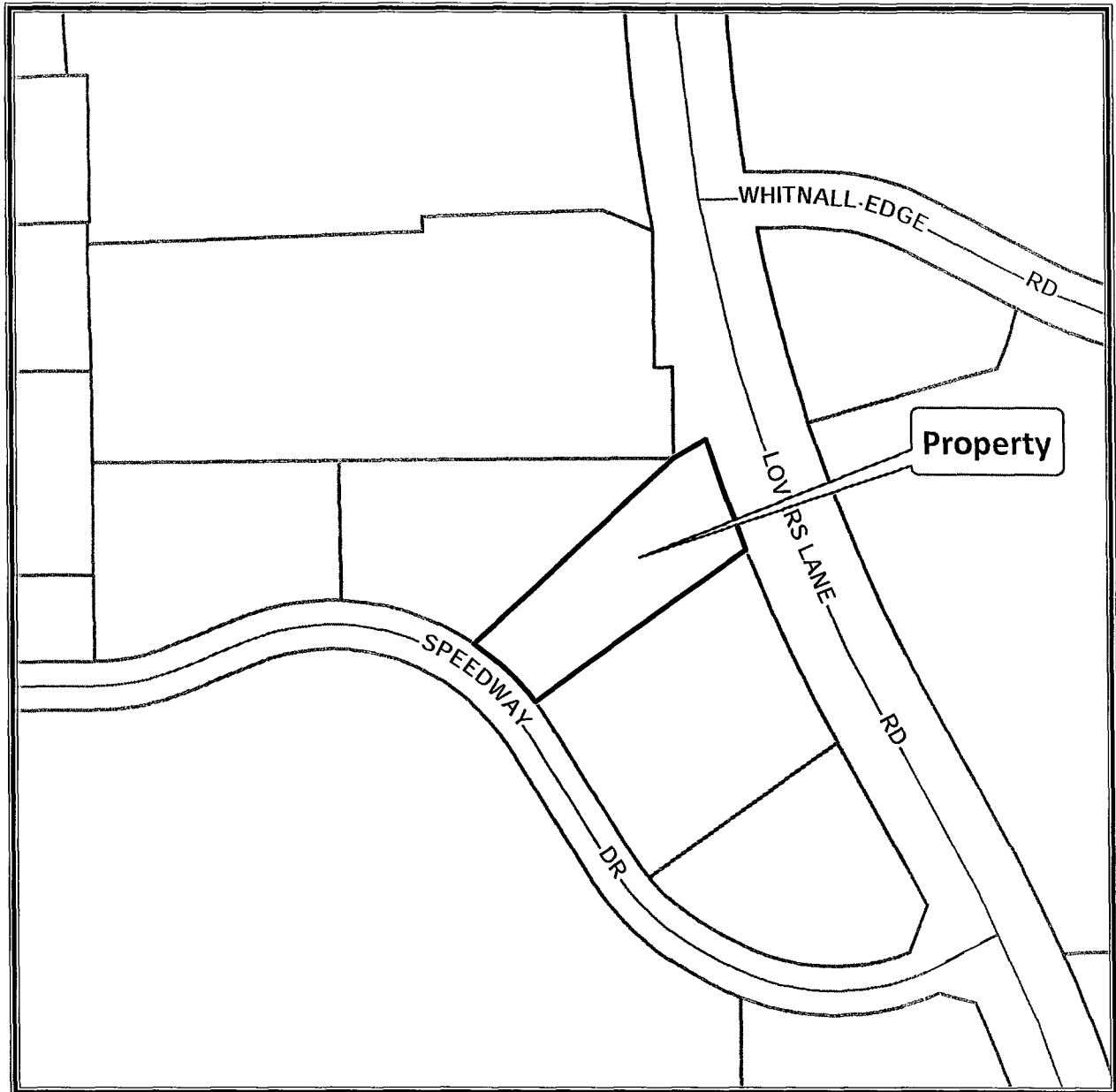
This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor. This map is provided for informational purposes only and may not be sufficient or appropriate for legal, engineering, or surveying purposes.



2017 Aerial Photo



10800 W. Speedway Drive
TKN: 704 1012 000



Planning Department
(414) 425-4024

0 130 260 520 Feet

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



2017 Aerial Photo



ENGINEERS ■ SURVEYORS ■ PLANNERS
LANDSCAPE ARCHITECTS ■ ENVIRONMENTAL SCIENTISTS

3108 SW Regency Pkwy, Ste 2
Bentonville, AR 72712
(479) 273-9472

www.ceieng.com

04/09/2020

Planning and Zoning Department
City of Franklin
Attn: Mrs. Marion Eck
9229 W. Loomis Road
Franklin, WI 53132

RE Building Plan Review – Comment Response Letter
10800 W. Speedway Drive – New Firestone Complete Auto Care

Below are the responses to the Civil Plan review comments received on the proposed Firestone Complete Auto Care located at 10800 W. Speedway Drive.

Review Comments:

Unified Development Ordinance (UDO) Requirements

- 1 Note that a cross-access easement is recommended to be recorded with Milwaukee County for the access to the property to the northwest
Acknowledged Easement will be recorded with the County
- 2 The building setback (abutting S T H 100) is 40-feet per Section 15-5 0108B of the UDO Please revise accordingly
Acknowledged Revised setbacks are included in the site plan
- 3 Is 10-feet of concrete paving and a 20-foot drive aisle sufficient area for cars maneuvering in and out of service bays and parking spaces on the opposite side of the drive aisle? It appears many Firestone locations have more room in this area of the site Note that a minimum 24' drive aisle is required It is recommended that the drive aisle outside of the concrete paving be at least 24 feet
 - Please consider requesting a reduced west side yard setback to allow the building to be shifted in order to provide a 24' drive aisle width or greater as may be necessary Per Section 15-3 0701A.7 the Common Council, pursuant to a Plan Commission recommendation, may modify district regulations*The drive aisle in front of the building is 30 ft wide which exceeds the code required 24' width for aisle with 90-degree parking spaces 30ft aisle is Bridgestone standard implemented throughout the country for their stores*
- 4 Is the temporary construction easement already in place and agreed to by the adjacent property owner?
The temporary construction easement has been verbally agreed upon, document will be provided as required by the City
- 5 Note that no outdoor storage is allowed, except outdoor retail sales areas as may be approved by the Plan Commission If any outdoor sales areas are proposed, please illustrate the location on the Site Plan
Acknowledged Temporary outdoor display examples will be submitted to the City prior to the meeting for review and consideration
- 6 The Landscape Plan includes one sheet of the Site Intensity and Capacity Calculations according to the procedure in DV 15-3 0500 (<https://ecode360.com/33224849>)
Acknowledged Landscape plan has been revised to include the all required tables per comment
- 7 Please provide an elevation of the trash enclosure It is noted that the enclosure will be of similar building materials as the principal building, however, those materials should be specifically identified
Acknowledged Trash elevation is provided with this submittal
- 8 Please provide landscape screening around the transformer pad as may be possible

Acknowledged Landscape plan has been revised and landscape screening provided around the transformer

- 9 Please provide a 30-foot Landscape Buffer yard Easement adjacent to South Lovers Lane Road (S T H 100) Note that no structures shall be allowed within this easement

Acknowledged 30-foot landscape buffer is shown on the plan

- 10 Please show areas for snow storage on the Landscape Plan in accordance with Section 15-5 0210 of the UDO

Acknowledged Snow storage areas as required by UDO have been shown on the Landscape Plan

- 11 Please list plantings by type in Plant Schedule (Canopy/Shade Trees, Evergreens, Decorative Trees, and Shrubs) The UDO requires seven plantings of each type based on 32 parking spaces provided Please demonstrate that this requirement as well as the minimum planting size requirements are being met.

Acknowledged Landscape Schedule has been revised per comment

- 12 Also note that at least two species of each type are required

Acknowledged Landscape plan has been revised to include at least two species of each type tree

- 13 Please provide irrigation in compliance with Section 15-5 0303D of the UDO and note the method of irrigation on the Landscape Plan

Acknowledged Irrigation plan provided

- 14 A minimum 2-year planting guaranty is recommended and should be noted on the Landscape Plan (see Section 15-5.0303G.3 of the UDO)

Acknowledged Note added to the plans

- 15 Note that all landscaping shall be completed prior to issuance of an Occupancy Permit.

Acknowledged Note added to the plans

- 16 Please provide a Lighting Plan in conformance with Division 15-5 0400 Please include catalog/cut sheets for all light types What is the peak height of light poles, including the base and fixture (i.e. measured from grade)?

Acknowledged Photometric plan is included in the set

- 17 Note that Engineering Department approval of the final grading, erosion control, and storm water management plans will be required prior to any land disturbing activities

Acknowledged Two copies of these plans will be sent to Sara Arnold with Engineering for review

- 18 Please be aware that signage must comply with the City of Franklin Sign Code and is subject to separate review and approval, and issuance of a Sign Permit prior to installation Please note on the plans that signage is shown for reference only

Acknowledged Note has been added to the plans

- 19 Architectural revisions are recommended Please consider Section 15-7 0802 of the UDO and the suggestions below

- It is recommended that EIFS only be used as an accent material Brick and stone are the recommended primary building materials Note the building materials and architecture of the adjacent Kwik Trip and Waterstone Bank developments

- The east, north, and west elevations should incorporate architectural elements similar to the south and east sides of the building

- Consider additional bump-outs, variations in building height, building articulation, and other architectural elements that may enhance and improve the architecture of the building

Acknowledged The architectural elevations will be revised so that the brick wainscot is raised to be higher than the top of the awnings around all four elevations This will significantly increase the amount of brick on the building, so the EIFS is only an accent around the top of the building

- 20 Please submit a Natural Resource Protection Plan per Section 15-7 0201 of the UDO If no resources exist onsite, a letter from a qualified professional stating that no resources exist on the property is sufficient

The site is graded and cleared with no existing trees, no steep slopes nor wetlands. Statement in a letter form by Wisconsin Department Natural Resources will be provided as received.

- 21 Please be aware of City impact fees. The impact fee schedule can be found on the City's website at https://www.franklinwi.gov/Files/Inspection/Impact_Fees_2020_Revised_3-9-20201.pdf

Acknowledged

Engineering Department Comments

Engineering requests additional information to complete the review before its recommendation for approval. Since a complete submittal was not made, we cannot offer review comments. The engineer will need to make a complete submittal.

- Two full-size hard copies of the plans
- One hard copy of the required storm water management materials previously discussed in detail with the engineer both in person and in emails (April 23, 2019, and October 10, 2019)
- Electronic copy of the above documents

Acknowledged

Fire Department Comments

The Fire Department has no comments/concerns regarding the proposed changes and use at this location.

Acknowledged

Police Department Comments

The Franklin Police Department has reviewed the Special Use, Site Plan, and UDO Text Amendment Applications for 10800 W. Speedway Dr. The Police Department has no issues with this request.

Acknowledged

Should you have any questions or comments, please feel free to give me a call.
Sincerely,

Rado Nedkov, Project Manager
CEI Engineering Associates, Inc.
(479) 254-1423



CEI Engineering Associates, Inc.

ENGINEERS ■ SURVEYORS ■ LANDSCAPE ARCHITECTS ■ PLANNERS

3108 SW Regency Parkway
Bentonville, AR 72712
(479) 273-9472 Fax (479) 273-0844
www.ceieng.com

December 16, 2019

Planning & Zoning Department
City of Franklin, WI
9229 W Loomis Rd
Franklin, WI 53132

Special Use Permit Application

This letter is in request of Special Use Permit for the proposed Firestone Complete Auto Care development located at Speedway Drive near Lover's Lane in the City of Franklin, SIC 7539 (Auto-repair store, not elsewhere classified), and inclusion of SIC 5531 (Auto and Home Supply Stores) use as an accessory use with this development. Under a separate application we have requested UDO text amendment to allow SIC 7539 (Auto-repair store, not elsewhere classified) as a Special Use in M-1, which the property is zoned currently.

Project Summary

This site is currently a vacant lot and consists of approximately 1.23 acres. The site is located approximately 900 feet northeast of the intersection of S. Lovers Lane Road and West Speedway Drive, on the east side of West Speedway Drive.

This project is a proposed 6,262 SF Firestone Complete Auto Care Store (tire and minor automobile repair with mercantile showroom) with eight vehicle service bays. There will be no servicing of vehicles outside the building. The project will include all necessary site improvements including vehicular and pedestrian circulation, a trash enclosure, used inventory storage enclosure, site lighting, landscaping, stormwater management, and all utility connections.

There are 32 proposed parking spaces with this layout, located along the southeast and northeast building façades. A loading area and screened enclosure at the southwest building wall. There will be shared access provided with the property to the west. Temporary construction easement by the adjacent owner will be issued for the improvements and limited grading on the adjacent lot.

There is an existing sanitary sewer and water main crossing the site in an easement, which will be tapped for service per City standards.

Solutions for Land and Life

CALIFORNIA ■ TEXAS ■ ARKANSAS ■ MINNESOTA ■ PENNSYLVANIA

The proposed landscaping will be in compliance with the City standards.

Respectfully submitted,

Attachments (1)



BRIDGESTONE AMERICAS, INC.
200 4th Avenue South
Nashville, TN 37201

BRIDGESTONE / FIRESTONE SITE CRITERIA / FACTS

Firestone is a 100 + year old company with its regional headquarters in Nashville, TN. We operate over 2200 stores nationwide. Our primary competition is Goodyear, Pep Boys, NTB, Discount Tire and numerous other regional competitors. Seventy percent of our customers come from a radius of three miles of the store. Other than the retail sale of tires, our primary focus is Manufacture's Scheduled Maintenance, preventative maintenance and automotive repairs.

General Operational Facts:

- 28-35 Cars per day
- 30- 45 car parking is adequate
- 7-10 employees
- Hours of Operation
 - 7AM – 7 PM Monday through Friday
 - 7AM – 6 PM Saturday
 - 9 AM – 5PM Sunday
- No underground storage tanks are utilized for operations
- Store will be Company owned and Operated or Leased
- Uses / activities of business
 - Sale and installation of tires & parts
 - Light automotive service including shocks, struts, brakes, tune-ups and other similar types of repairs
 - No heavy engine work
 - No major transmission work
 - No body or painting type work
 - No towing service
- We do not sell over the counter parts / fluids to consumer
- Low noise generation – 40 db outside of building
- All recyclable products are hauled away by licensed recyclers



BRIDGESTONE AMERICAS, INC.
200 4th Avenue South
Nashville, TN 37201

- Most customers drop off vehicles early and are picked up the same day. Cars left overnight are secured in the bays when applicable.

Storage & Waste Issues:

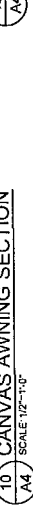
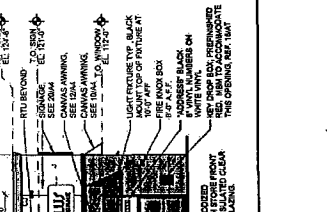
Tire Storage: Our architectural plans provide for a specific area in the building for the storage of used tires. Additionally, we provide for a storage area within the dumpster enclosure to occasionally store (on a temporary basis) small quantities of used tires and metals. We have licensed recyclers who pick up and remove the used products on a regular basis every 7 -10 days. We will also use this same area to store other materials that can be reused / recycled / or reconditioned such as oil filters, brake linings, calipers, exhaust piping, which will be removed by the same licensed recyclers.

Waste Recycling: Our policy is to recycle material whenever possible to remove it from the waste stream. Firestone contracts with duly licensed and insured recyclers to ensure that the disposal of used tires, oil, oil filters, and exhaust systems is accomplished in the most environmentally responsible manner and conforms to all federal and state regulations. Space is provided for the storage of all such materials pending their pickup by a recycler.

Dumpster Enclosure: Our site plan shows two proposed enclosures that will screen a trash dumpster from the neighboring properties. To provide architectural integrity, the dumpster enclosure will be constructed of similar building material as the building itself. A wooden gate, which will remain closed at all times, will provide additional screening for the dumpster and the area inside the enclosure.

Trash Disposal: As a matter of company policy, Firestone restricts the use of its dumpsters to the disposal of trash and discarded parts that can be accepted at landfills. We contract with a licensed waste disposal hauler to dispose of the normal trash associated with operations. Consequently, the dumpster will only be used for cardboard and similar parts packaging materials and discarded parts such as used shock absorbers, air filters, tire valves, etc. that cannot be recycled.

From: caroline.livak@unh.edu Sent: 11/08/2018 11:41 AM



Firestone
COMPLETE AUTO CARE

since 1926

**W. SPEEDWAY DR
FRANKLIN, WI**

GENERAL NOTES

- [illegible]

NOTICE TO BIDDERS

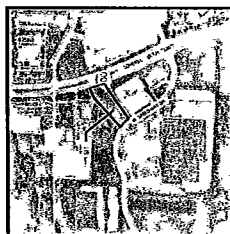
ALL QUESTIONS REGARDING THE PREPARATION OF THE GENERAL CONTRACTS MUST BE DIRECTED TO "CONTRACTS" CONDUCTOR ON DEPARTMENT PAY DEVELOPMENT COMPANY
MICHAEL NICHOLSON, AT 704-644-2832

ELI OOD ZONE INFORMATION

THE CALLED MAP LOCATION AND GRAPHICAL PLOT INDICATE THIS PROPERTY IS LOCATED ON THE
WHICH ARE ADJACENT CHANNEL, ROAD AND RAIL LOCATED WITHIN ANY PRESENT
100-YEAR FLOODPLAIN AS DETERMINED BY THE NATIONAL FLOOD INSURANCE
FLOOD-PRONE LOCATIONS. THE MAP FOR MILWAUKEE COUNTY, WI
CHARGE IN MILWAUKEE COUNTY, WI. EFFECTIVE DATE OF FLOODING IS 7-1-2008.

PLAN INDEX

- | | |
|----|-----------------------|
| 20 | COVER SHEET |
| 21 | SITE PLAN |
| 22 | DEMOLITION PLAN |
| 23 | GRADING PLAN |
| 24 | EROSION CONTROL PLAN |
| 25 | EROSION CONTROL NOTES |
| 26 | UTILITY PLAN |
| 27 | PAVING PLAN |
| 28 | LANDSCAPE PLAN |
| 29 | LANDSCAPE NOTES |
| 30 | IRRIGATION PLAN |
| 31 | IRRIGATION NOTES |
| 32 | DETAIL SHEET |



Vicinity Map

ASSOCIATED PLANS

- OF 3 ALIENATED LAND TILE SURVEY
OF PHOTOGRAPHIC PLAN
OF 3 TRACTS AND 100' NORTH BY LAND AND ELEVATIONS



*Engineering
Associates, Inc.*

ENGINEERS • PLANNERS • SURVEYORS
LANDSCAPE ARCHITECTS
1108 S.W. REGENCY PARKWAY, SUITE 2
PENTONVILLE, AR 72712
(479) 273-9172
fax (479) 273-0844

Arkansas * California * Minnesota * Pennsylvania * Texas

RESOURCE LIST

- [illegible]

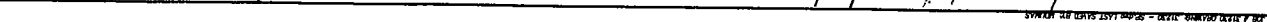
APPROVED _____ DATE _____

APPROVED
CITY OF FRANKLIN

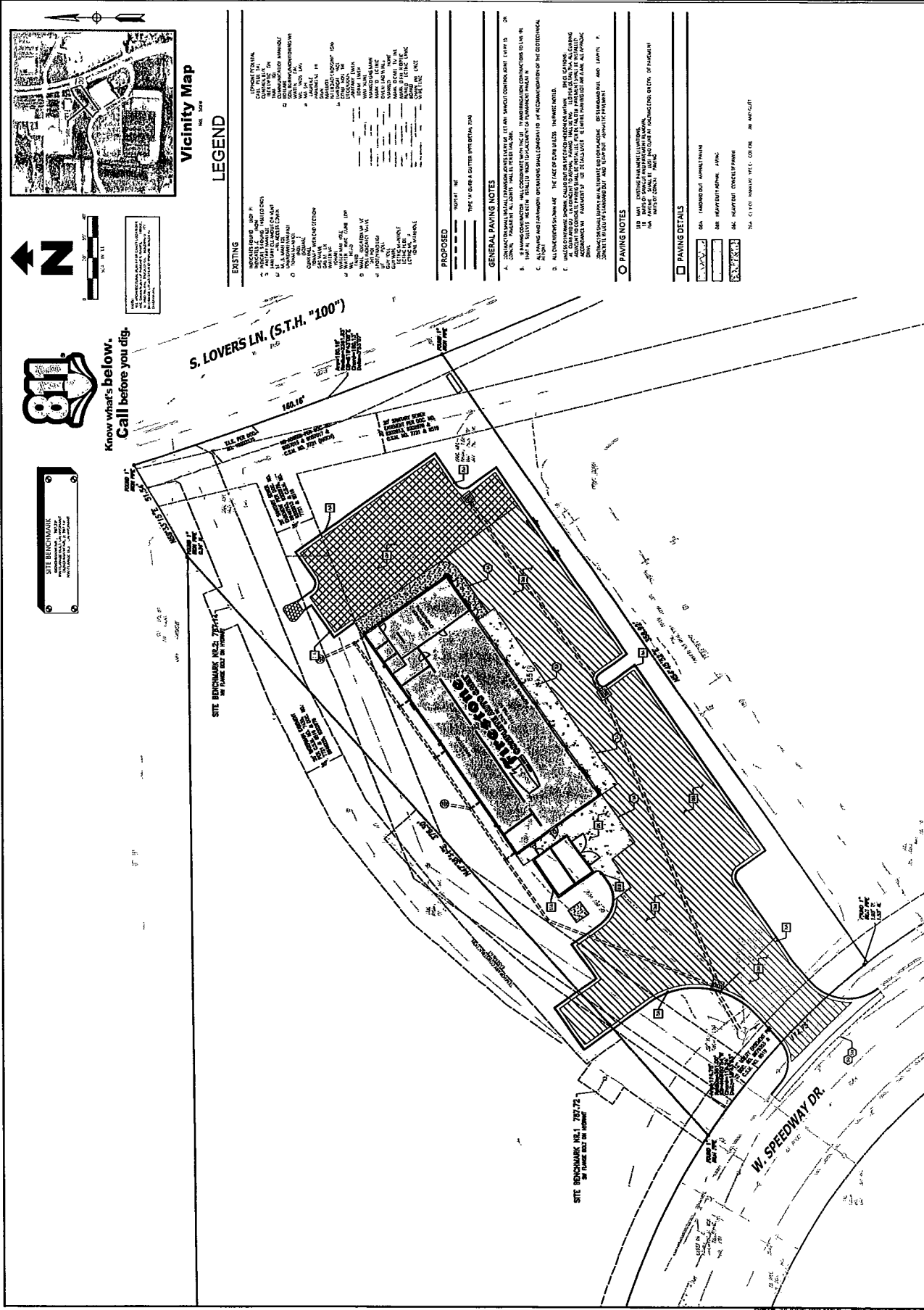
DATE _____



JOB NO. 2123 DRAWING NAME 2123.DWG	SHEET NO. 00
DATE 06/06/2000	REV. 1







CHAPTER 10 LAND SURVEYS

SITE ADDRESS
Vacant land on W. Speedway Drive. City of Franklin, Milwaukee County, Wisconsin.

BASIS OF BEARING
Bearings are referred to the Wisconsin State Plane Coordinate System (South Zone), in which the East line of the NE 1/4 of Section 6 bears N00°26'45"W, per C.S.M. No. 8519.

Bearings are referenced to the Wisconsin State Plane Coordinate System (South Zone), in which the East line of the NE 1/4 of Section 6 bears N00°25'45"W, per C.S.M. No. 8519.

TITLE COMMITMENT
This survey was prepared based on First American Title Insurance Company Commitment No. 2019-035453-NM, effective date of March 21, 2019 which lists the following easements and/or restrictions on Schedule 8-B:

3 9 5 33 92 8 33 visible evidence shown. If any.

Predictors

1, 6, 7 E, 30 E 34 NOT SURVEY RELATED.

Reservations are contained in Warranty Deeds, executed by and between Wisconsin Electric Power Company and Jacob T. Falk and Lora Falk, his wife, and recorded in the Registrar of Deeds office for Milwaukee County, on January 8, 1946, in Volume 2189, on Page 367, as Document No. 2604823. Affects property by location, general in nature.

Examiners granted to Wisconsin Electric Power Company, as recorded in the Registrar of Deeds office for Milwaukee County, on July 25, 1950, in Volume 2772 of Deeds, on Page 435, as Document No.

1. Assessment granted to Wisconsin Electric Power Company, as recorded in the Register of Deeds office for Milwaukee County, on July 15, 1950. In Volume 2772 of Deeds, on Page 437, as Document No. 9597622. Address property by location, general in nature.
2. Assessment granted to Wisconsin Electric Power Company, as recorded in the Register of Deeds office for Milwaukee County, on July 15, 1950. In Volume 2772 of Deeds, on Page 437, as Document No. 9597622. Address property by location, general in nature.
3. Assessment granted to Wisconsin Electric Power Company, as recorded in the Register of Deeds office for Milwaukee County, on July 15, 1950. In Volume 2772 of Deeds, on Page 437, as Document No. 9597622. Address property by location, general in nature.
4. Assessment granted to Wisconsin Electric Power Company, as recorded in the Register of Deeds office for Milwaukee County, on July 15, 1950. In Volume 2772 of Deeds, on Page 437, as Document No. 9597622. Address property by location, general in nature.

recorded in the Registrar of Deeds office for Milwaukee County, on May 22, 1870, on Real \$3.1, image 611, as Document No. 4528380. Affects property by location, general in nature.

4. Access restriction, 20' wide water main easement and other matters as shown on Certified Survey Map No. 7433 recorded July 28, 2004 as Document No. 841704. Affects property by location, shown.

the terms, conditions and provisions contained in the document, including the "Maintenance Agreement," recorded January 10, 2005 as Document No. 08910464, by and between Afton, Inc. and the City of Franklin. Do not affect property by location.

7. Water Main Easement by and between City of Franklin, a municipal corporation of the State of Wisconsin and Menard, Inc. a Wisconsin corporation recorded January 31, 2005 as Document No. 08910465. Affects property by location, known.

8. Suction Sewer Easement by and between the City of Franklin, a municipal corporation of the State of Wisconsin and Menard, Inc. a Wisconsin corporation recorded January 31, 2005 as Document No. 08910466. Affects property by location, known.

NOTE: The Exhibit for the deed restrictions was not attached to the recorded Quit Claim Deed).

1. The restoration recorded July 27, 2005 as Document No. 09037015. Affects property by location, shown.

4. Consents, conditions, restrictions, easements and provisions for easements. If any set forth in the certain Declaration of Reciprocal Easements and Restrictive Covenants for Menards Spaulswey Development, Franklin, Wisconsin from Menard, Inc., a Wisconsin corporation, dated March 15, 2006 and recorded March 17, 2006 as Document No. 99-020578 among the Land Records. Affix priority by

5. Milwaukee Metropolitan Sewerage District Certified Resolution No. 11-1-01-10 enacted by

7. 7. Access restriction and other matters as shown on Certified Survey Map No. 8519 recorded February 1, 2013 as Document No. 10219302. All other matters by location, shown.

25. Pavilion Development
Woodforest National Bank, its successors and/or assigns
22nd Street, LLC
At risk of
any location, upon.

This is to certify that this map or plat and the survey on which it is based were made in accordance with the 2015 Minimum Standard Detail Requirements for ALTA/NSPS Land Title Surveys, jointly established by the Board of Standards and Practices for Professional Land Surveyors and the American Land Title Association.

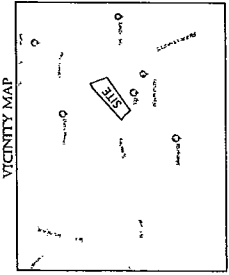
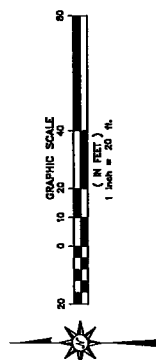
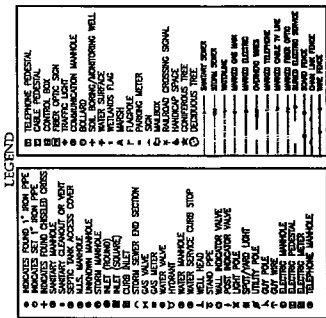
and adopted by ALTA and NSPS, and included in Tables 1, 2, 3, 4, 5(a)(b), 8, 9, 11, 12, 14, 16, 17, 18, 19, 20 and 21 of Table A thereof. The field work was completed on August 22, 2019.

★ DONALD C. CHAPUT ★
5-1216

Donald C. Chaput

Date of Map: August 26, 2019	DATE	DATE	REVISION DESCRIPTION
DATE OF MAP: AUGUST 26, 2019			

CHAPUT LAND SURVEYS
 414-724-0487
 234 W. Flagstaff Street
 Milwaukee, WI 53234
 www.ChaputLandSurveys.com

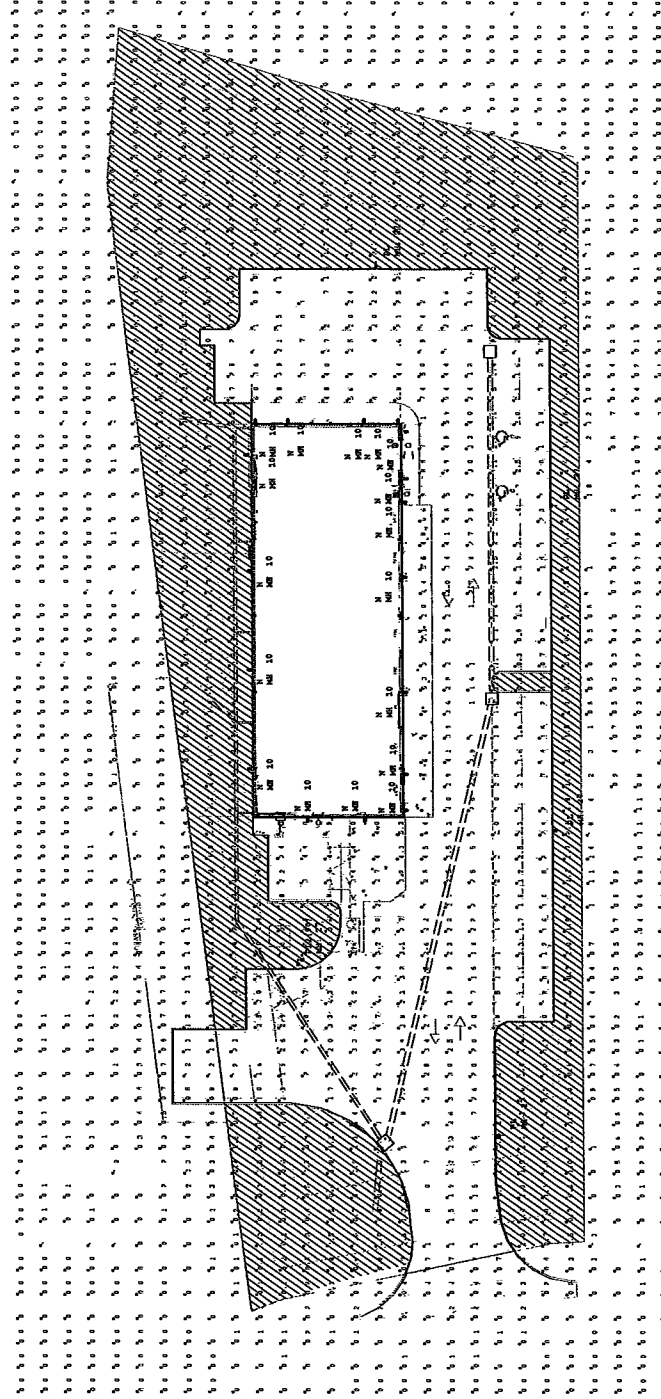


Luminaire Schedule				
Symbol	Qty	Label	Arrangement	Lum. Lumens
17	17	N	WALL MOUNT	1,000 2490
4	4	PL	SINGLE	1,000 11648
1	1	PL2(90)	2 @ 90°	1,000 11648

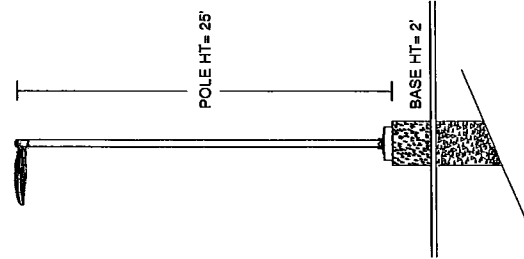
Calculation Summary 1.00 LLF				
Label	Units	Avg	Max	Min
All Calc Points	Fc	0.96	11.2	0.0
Placed Parking	Fc	2.73	11.2	0.7
				3.90
				N.A.
				16.00

POLE SCHEDULE
 (A) CU-SPP-4011-25-01-SK/AS (25' x 4" 1/4" STEEL POLE SINGLE MOUNT)
 (B) CU-SPP-4011-25-01-SK/AS (25' x 4" 1/4" STEEL POLE, 25997)
 (C) OSQ-DA-BK (Direct Arm Mount)

PROPOSED POLES MEET 120MPH SUSTAINED WINDS
 *** CUSTOMER TO VERIFY ORDERING INFORMATION AND CATALOGUE NUMBER PRIOR TO PLACING ORDER ***



OSQ Area Luminaire



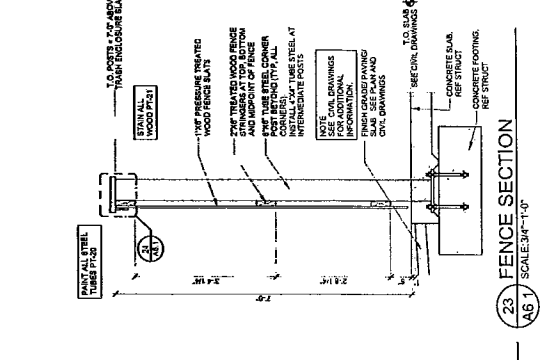
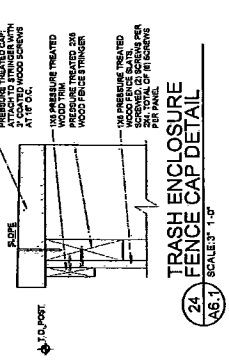
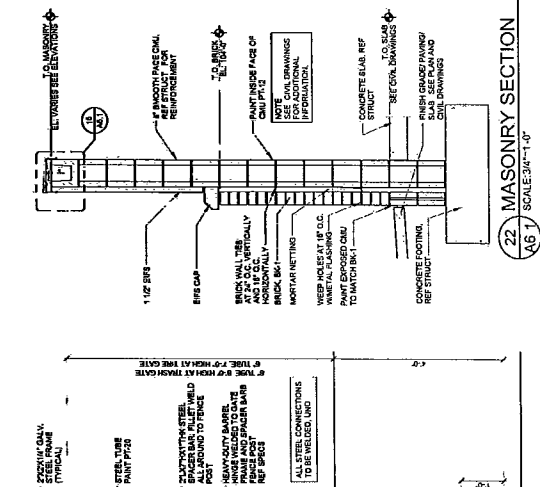
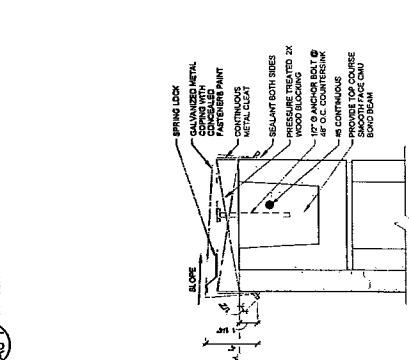
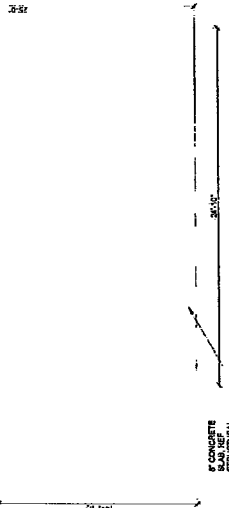
CREE LIGHTING
 A COMPANY OF IDEAL INDUSTRIES, INC.
 9201 Washington Ave. Racine, WI 53402 <http://www.creeled.com> 800 254-0060

Best practices made reference to the lighting design. The lighting design is a preliminary design and is subject to change. The lighting design is not a final design and is not to be used for construction. The lighting design is for informational purposes only. The lighting design is not a final design and is not to be used for construction. The lighting design is for informational purposes only.

Project Name: BSRO Firestone- S. LOVERS LN. & W. SPEEDWAY DR. Franklin, WI
 SR-39945
 Footcandles calculated at grade

Layout By: Colin Withrow
 Date: 12/9/2019





APPROVAL <i>slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 05/05/20
REPORTS & RECOMMENDATIONS	AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE TEXT AT §15-3.0307 CC CITY CIVIC CENTER DISTRICT, SUBSECTION A.9., TO EXEMPT THE PROPERTY IN THE NORTHEASTERN CORNER OF THE DISTRICT, SUCH PROPERTY BEARING TAX KEY NO. 794- 9999-009, FROM THE REQUIREMENTS FOR CROSS-ACCESS FOR BOTH PEDESTRIAN AND VEHICULAR CIRCULATION WITH ADJACENT PARCEL(S) TO THE EAST OF THE SUBJECT PROPERTY (STEVEN PAGNOTTA OF BRADFORD FRANKLIN LLC, APPLICANT)	ITEM NUMBER <i>6, 10,</i>

At the April 23, 2020, regular meeting, the Plan Commission carried a motion to recommend approval of an Ordinance to amend the Unified Development Ordinance Text at §15-3.0307 CC CITY CIVIC CENTER DISTRICT, Subsection A.9., to exempt the property in the northeastern corner of the District, Such Property bearing Tax Key No. 794-9999-009 from the requirements for Cross Access for both pedestrian and vehicular circulation with the adjacent parcel(s) to the east of the subject property.

This UDO Text Amendment is a condition of the Site Plan and Special Use for the Learning Experience Daycare facility to be located at 9651 W. Drexel Ave. (Previously addressed as 7760 S Lovers Lane Road).

COUNCIL ACTION REQUESTED

A motion to adopt Ordinance 2020-_____, to amend Unified Development Ordinance §15-3.0307 CC CITY CIVIC CENTER DISTRICT, Subsection A.9., to exempt the property in the northeastern corner of the District, Such Property bearing Tax Key No. 794-9999-009 from the requirements for Cross Access for both pedestrian and vehicular circulation with the adjacent parcel(s) to the east of the subject property. (Steve Pagnotta, Bradford Franklin LLC)

STATE OF WISCONSIN

CITY OF FRANKLIN

MILWAUKEE COUNTY

[Draft 4-7-20]

ORDINANCE NO. 2020-_____

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE TEXT AT §15-3.0307 CC CITY CIVIC CENTER DISTRICT, SUBSECTION A.9., TO EXEMPT THE PROPERTY IN THE NORTHEASTERN CORNER OF THE DISTRICT, SUCH PROPERTY BEARING TAX KEY NO. 794-9999-009, FROM THE REQUIREMENTS FOR CROSS-ACCESS FOR BOTH PEDESTRIAN AND VEHICULAR CIRCULATION WITH ADJACENT PARCEL(S) TO THE EAST OF THE SUBJECT PROPERTY (STEVEN PAGNOTTA OF BRADFORD FRANKLIN LLC, APPLICANT)

WHEREAS, §15-3.0307 CC City Civic Center District, specifically subsection A.9. of the Unified Development Ordinance, requires that cross-access for both pedestrian and vehicular circulation be provided between adjacent parcels at the time of any new development or redevelopment; and

WHEREAS, Steven Pagnotta of Bradford Franklin LLC, Applicant, having applied for a text amendment to §15-3.0307A.9. of the Unified Development Ordinance for the purposes that upon existing District developments and the proposed development of the property in the northeastern corner of the District as of May 1, 2020, the property bearing Tax Key No. 794-9999-009, for which a Special Use approval and a Site Plan approval have been granted, that the cross-access for pedestrian and vehicular circulation between adjacent parcels, is not appropriate with regard to the proposed daycare facility and outdoor play area for children development on the property, with regard to the adjacent parcel(s) to the east of the subject property; and

WHEREAS, the Plan Commission having reviewed the proposed amendment, and having held a public hearing on the proposal on the 23rd day of April, 2020 and thereafter having recommended approval of such amendment; and

WHEREAS, the Common Council having accepted the recommendation of the Plan Commission and having determined that the proposed amendment is consistent with the 2025 Comprehensive Master Plan of the City of Franklin, Wisconsin and will serve to further orderly growth and development and promote the health, safety and welfare of the Community.

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

SECTION 1: §15-3.0307 CC CITY CIVIC CENTER DISTRICT, specifically §15-3.0307A.9. of the Unified Development Ordinance of the Municipal Code of the City of Franklin, Wisconsin, is hereby amended to add the following at the end of the existing text:

Upon existing District developments and the proposed development of the property in the northeastern corner of the District as of May 1, 2020, the property bearing Tax Key No. 794-9999-009, for which a Special Use approval and a Site Plan approval have been granted for a daycare facility and outdoor play area for children development, is exempt from the foregoing Intent requirements of this subsection, until such time as the owners of such property agree to release such exemption and have the subject property be subject to the requirements for cross-access for both pedestrian and vehicular circulation with adjacent parcel(s) to the east of the subject property; the aforesaid exemption may be voided in the sole discretion of the Common Council should the Special Use and Site Plan approvals development of the property not occur within the time requirements set forth in such approvals, or if such development is substantially altered.

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

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

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

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

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

APPROVED:

ATTEST:

Stephen R. Olson, Mayor

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

**CITY OF FRANKLIN****REPORT TO THE PLAN COMMISSION****Meeting of April 23, 2020****Unified Development Ordinance Text Amendment**

RECOMMENDATION: City Development staff recommends denial of the application to amend the text of the CC Civic Center District section of the Unified Development Ordinance for The Learning Experience daycare facility located at 9651 W. Drexel Ave.

Project Name:	Unified Development Ordinance Text Amendment
Project Address:	9651 W. Drexel Ave
Applicant:	Gary Wendt, Bradford Franklin LLC
Property Owner:	Franklin-Wyndham, LLC
Current Zoning:	CC City Civic Center District
2025 Comprehensive Plan	Mixed Use
Use of Surrounding Properties:	Single-family residential to the north, stormwater detention pond to the south, Risen Savior Lutheran Church to the east and Summit Credit Union to the west
Applicant Action Requested:	Recommendation of approval for the proposed Unified Development Ordinance Text Amendment lifting the cross access requirement, to allow for the development of The Learning Center daycare facility.

Please note:

- Although staff is recommending denial of the proposed text amendment, should the City wish to approve the project, suggested conditions of approval are set forth in each of the associated draft ordinance and resolution.

INTRODUCTION

On November 21, 2019 the Plan Commission approved, with several conditions, a Site Plan Application for the development of The Learning Experience daycare facility, located at 9651 W. Drexel Ave., previously addressed as 7760 S. Lovers Lane Rd. Common Council approved the related Special Use on December 3, 2019. Both approvals include the condition that:

“Applicant shall obtain City approval of a UDO Text Amendment removing or revising requirements for cross access, or obtain a waiver of such requirement by Common Council if such waiver is available as determined by the City Attorney, prior to issuance of Building Permits.”

§15-3.0307.A.9 of the UDO stipulates that properties in the CC Civic Center District shall provide cross access for both pedestrians and vehicles at the time of development, or easements or a letter of credit when this is not practical.

A complete application for the UDO Text Amendment, requesting to amend this portion of the text, was received on January 13, 2020

PROJECT DESCRIPTION AND ANALYSIS

The subject property is a vacant lot of approximately 1.13 acres, located on the southeast corner of Drexel Avenue and the Shoppes at Wyndham Village access road. It does not have access to Lovers Lane Road or direct access to Drexel Avenue.

Site Plan:

The proposed The Learning Experience daycare facility is a 10,000 square foot, single-story building. A 4,463 square-foot playground, surrounded by a fence is located immediately adjacent to the south side of the building. The site plan includes one driveway off of the Shoppes at Wyndham Village access road.

Staff originally recommend denial of the overall project because, among several other reasons, the applicant does not provide cross access as required by: the CC City Civic Center District; the approved Floating Cross Access Easement; and past City practice and policy which typically requires construction of the cross access at the time of development of the subject parcel. If the amendment is approved, should the parcel to the east be divided and sold but a driveway is not provided, the burden of access would likely fall on the property owners, Risen Savior Lutheran Church.

Comprehensive Master Plan Consistency:

The City of Franklin 2025 Comprehensive Master Plan (CMP) identifies the subject property as "Mixed Use." Staff believes that this proposed amendment to the UDO is not consistent with the following objectives set forth within the Comprehensive Master Plan:

- Encourage land uses, densities, and regulations that promote efficient development patterns and relatively low municipal and utility costs.
- Build community identity by revitalizing main streets, special districts, and other important areas of the City, enforcing appropriate design standards, and by creating and preserving varied and unique development and land uses.

By way of Resolution No. 2007-11, the Plan Commission approved a Site Plan for the entire Shoppes of Wyndham Village development, including the subject parcel. By way of Resolution No. 2007-6339, the Common Council approved a Floating Access Easement in perpetuity "to construct a path on, over and across the Wyndham property to grant pedestrian or motor vehicle access to the adjoining easterly Property". Specifically, the floating access easement is located across the entire subject parcel, with the exact location "to be mutually determined in the future by Grantor and Grantee so as to not unreasonably interfere with the normal and customary operations carried out on the Wyndham Property."

Franklyn-Wyndham, LLC has granted release of cross access to the parcel to the east, as detailed in the attached letter.

STAFF RECOMMENDATION

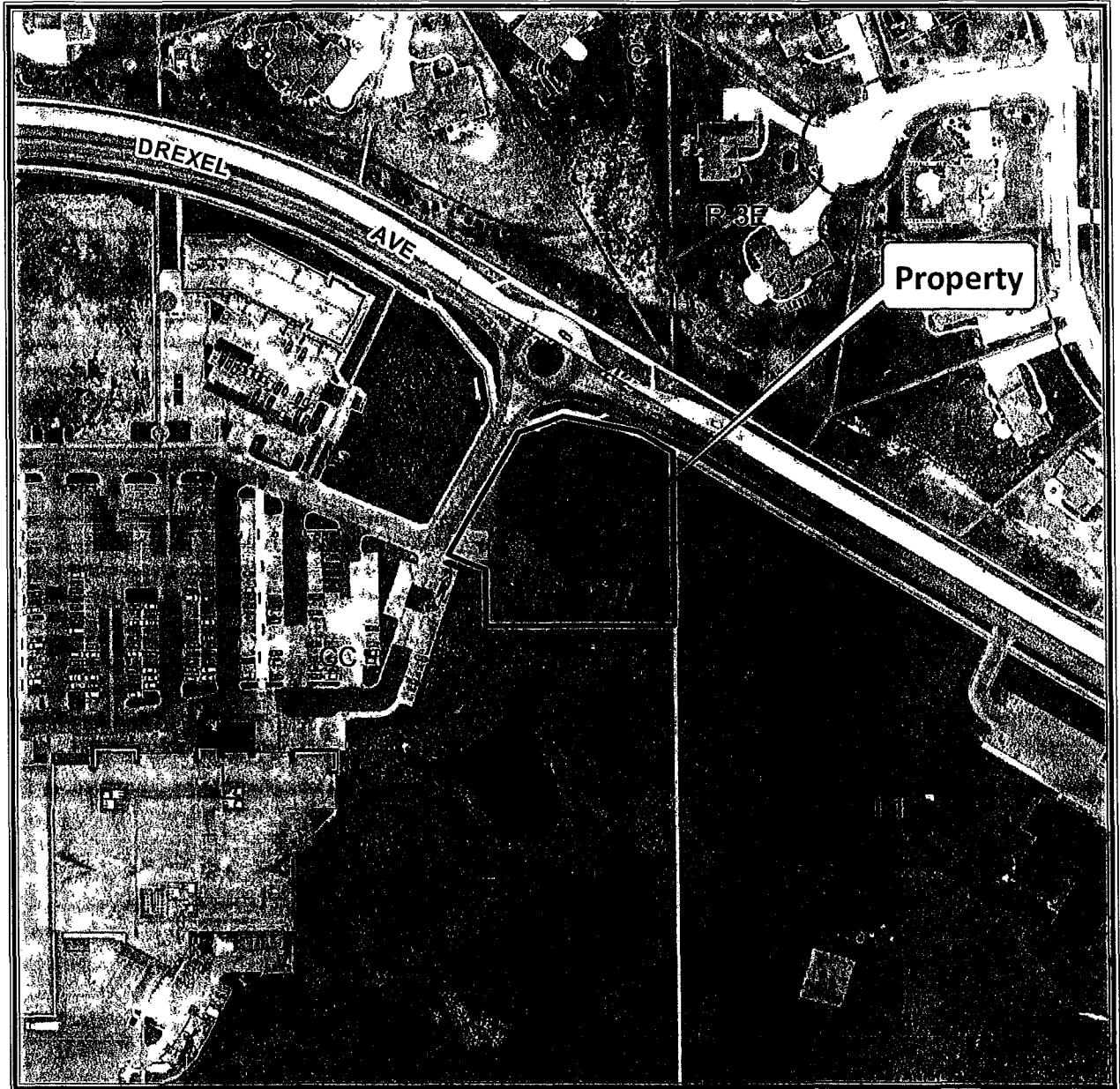
City Development staff recommends denial of the application to amend the text of the CC Civic Center District section of the Unified Development Ordinance.

However, if the City wishes to approve the proposed project, staff recommends it be approved subject to the conditions of approval contained in the attached draft resolutions. In addition, staff would have the following suggestion:

1. That the text of the proposed amendment stipulate that, should the site plan for the property be amended, the cross access requirement be reinstated.
2. Economic Development Staff concur with removing cross-access requirement and requiring cross-access should the site plan be amended or the property be sold.



9651 W. Drexel Ave.
TKN: 794 9999 009



Planning Department
(414) 425-4024

0 110 220 440 Feet

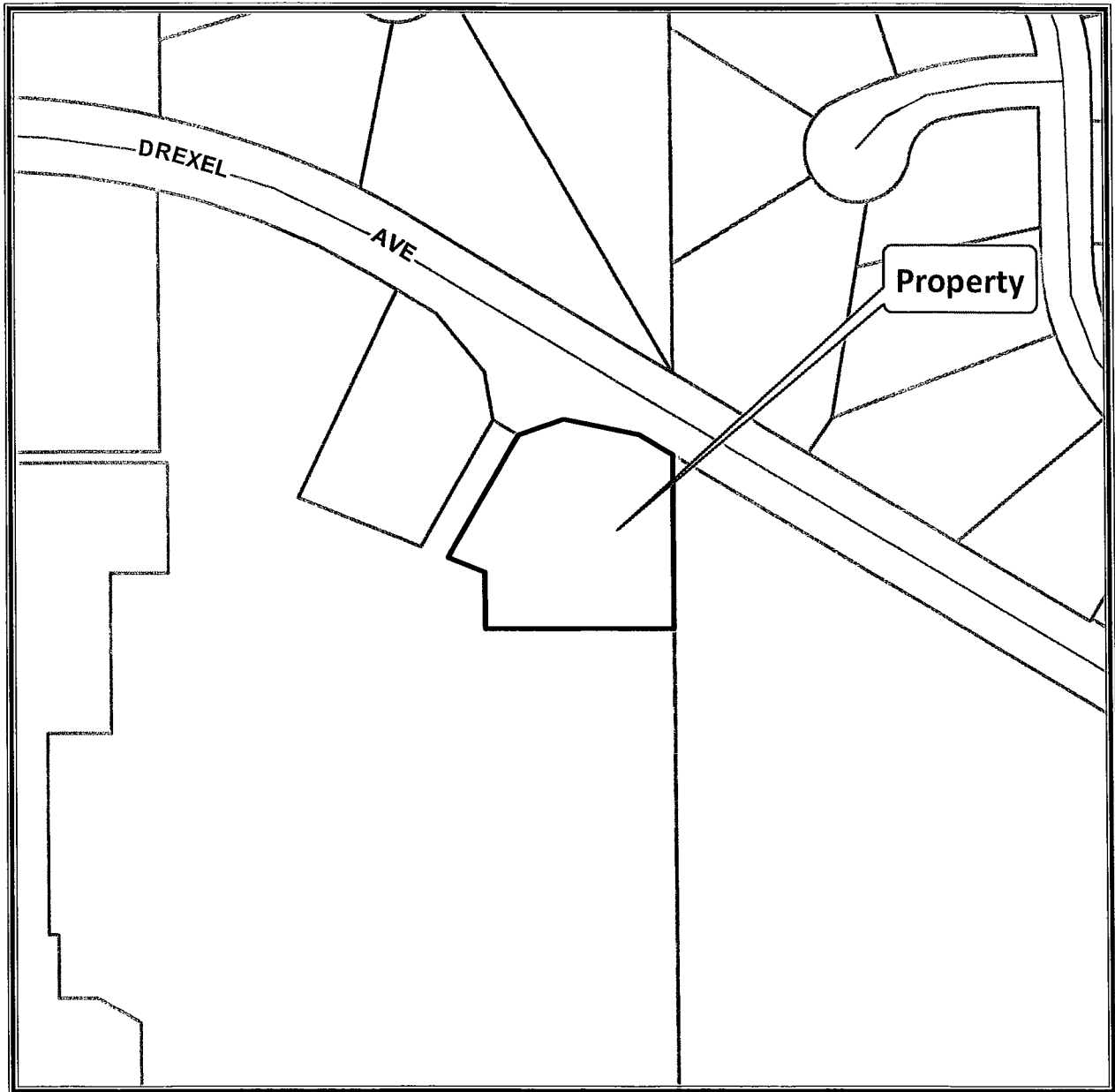
This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor. This map is provided for informational purposes only and may not be sufficient or appropriate for legal, engineering, or surveying purposes.



2017 Aerial Photo



9651 W. Drexel Ave.
TKN: 794 9999 009



Planning Department
(414) 425-4024

0 110 220 440 Feet

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



2017 Aerial Photo

Description of Proposed UDO Text Amendment

January 7, 2020

Project: The Learning Experience – Franklin, WI
Client: The Bradford Real Estate Companies
Location: 9651 Drexel Ave. Franklin WI (Tax Key ID 794-9999-009)
CE LTD #: CE180034

The applicant is requesting a waiver of the requirement that development of the subject property allow for pedestrian and vehicular cross-access with the Church property to the east (Tax Key ID 794-9995-003).

The applicant requests that the cross-access requirement be waived for the subject property only, not for the entirety of the Wyndham development, and not for the entirety of the CC City Civic Center District.

The applicant requests that the cross-access agreement be waived for the proposed development until such time as the owners/applicants choose to release said waiver. It is anticipated that future redevelopment of the Shoppes at Wyndham or other adjacent parcels may allow other provisions for access to the Church property to the east.

It is understood that a waiver of the cross-access requirements would require:

- An amendment to Section 15-3.0307.A.9 of the Franklin WI Unified Development Ordinance, which requires cross-access between adjacent parcels within the CC City Civic Center district, and
- An amendment to Resolution 2007-6339, which establishes a Floating Cross-Access Easement across the entire Wyndham Property, including the subject property, in order to provide access to the Church property to the east.



CLOVERLEAF

April 9, 2020

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

**Re: UDO Amendment Relating to the Learning Experience Development
at 9651 Drexel Avenue, Franklin , WI**

To Whom it May Concern:

In connection with the above referenced proposed development, we, Franklin-Wyndham, LLC, as the property owner/grantor, have reviewed the amendment description, dated January 7, 2020, and support and will grant the release of the existing cross easement to the adjacent church property.

Please do not hesitate to contact me at jeb@cleafgroup.com with any questions. Thank you for your prompt attention to this matter.

Very truly yours,

Franklyn-Wyndham, LLC
By: The Cloverleaf Real Estate Group, Inc.
Its Manager

Jonathan E. Basofin, President
jeb@cleafgroup.com
JEB:lav

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APPROVAL <i>slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 05/05/20
REPORTS & RECOMMENDATIONS	A RESOLUTION AUTHORIZING THE WAIVER AND RELEASE IN PART OF THE FLOATING ACCESS EASEMENT UPON AND WITHIN THE SHOPPES AT WYNDHAM VILLAGE, PREVIOUSLY APPROVED BY RESOLUTION NO. 2007- 6339, SOLELY FOR THE PROPERTY LOCATED AT 9651 WEST DREXEL AVE. (PREVIOUSLY ADDRESSED AS 7760 SOUTH LOVERS LANE ROAD) (STEVE PAGNOTTA, MANAGING MEMBER OF BRADFORD FRANKLIN LLC, APPLICANT, FRANKLIN- WYNDHAM, LLC, PROPERTY OWNER)	ITEM NUMBER <i>6.11.</i>

At the April 23, 2020, regular meeting, the Plan Commission carried a motion to recommend approval of a resolution authorizing the waiver and release in part of the floating access easement upon land within the Shoppes at Wyndham Village, previously approved by Resolution No. 2007-6339, solely for the property located at 9651 W. Drexel Ave. (Previously addressed as 7760 S Lovers Lane Road).

COUNCIL ACTION REQUESTED

A motion to adopt Resolution 2020-_____, authorizing the waiver and release in part of the floating access easement upon land within the Shoppes at Wyndham Village, previously approved by Resolution No. 2007-6339, solely for the property located at 9651 W. Drexel Ave. (Steve Pagnotta, Bradford Franklin LLC, APPLICANT, Franklin-Wyndham, LLC, PROPERTY OWNER)

RESOLUTION NO. 2020-_____

A RESOLUTION AUTHORIZING THE WAIVER AND RELEASE IN PART OF THE FLOATING ACCESS EASEMENT UPON LAND WITHIN THE SHOPPES AT WYNDHAM VILLAGE, PREVIOUSLY APPROVED BY RESOLUTION NO. 2007-6339, SOLELY FOR THE PROPERTY LOCATED AT 9651 WEST DREXEL AVENUE (PREVIOUSLY ADDRESSED AS 7760 SOUTH LOVERS LANE ROAD) (STEVE PAGNOTTA, MANAGING MEMBER OF BRADFORD FRANKLIN LLC, APPLICANT, FRANKLIN-WYNDHAM, LLC, PROPERTY OWNER)

WHEREAS, Steve Pagnotta, Managing Member of Bradford Franklin LLC having applied for a waiver and release of the Floating Access Easement upon property located at 9651 West Drexel Avenue (approximately 1.13 acres of vacant land, previously addressed as 7760 Lovers Lane Road) to construct a 10,000 square foot one-story daycare building (The Learning Experience), 4,463 square foot playground and parking lot (35 parking spaces), with associated landscaping, fencing and lighting [the applicant received approval for a Special Use and Site Plan for the property on December 3, 2019, and as a condition of the approvals, applicant must obtain a waiver of the cross-access requirement for the subject property only, not the entirety of the Shoppes at Wyndham Village development, and not for the entirety of the CC City Civic Center District, wherein the property is located]; and

WHEREAS, the subject Floating Access Easement approved by the Common Council pursuant to Resolution No. 2007-6339 on September 25, 2007, was recorded in the Office of the Register of Deeds for Milwaukee County on November 21, 2007, as Document No. 09526084, applicable to the lands described as follows:

Lot 1, Certified Survey Map No. 8000, being a Redivision of Parcel 1 of Certified Survey Map No. 5762, Certified Survey Map No. 377, and lands in the Southwest $\frac{1}{4}$ and Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 8, Township 5 North, Range 21 East, in the city of Franklin, Milwaukee County, Wisconsin; and

WHEREAS, the property to be released and waived in part therefrom pursuant to this Resolution is located at 9651 West Drexel Avenue, bearing Tax Key No. 794-9999-009 and is more particularly described as follows:

Lot 4 of Certified Survey Map No. 8567, recorded in the Office of the Register of Deeds for Milwaukee County, Wisconsin, on November 21, 2013. As Document No. 10315111; being a Resubdivision of Lot 1 of Certified Survey Map No. 8000, being a Resubdivision of Parcel 1 of Certified Survey Map No. 5762, Certified Survey Map No. 377, and lands in the Southwest Quarter and the Northwest Quarter of the Southeast

Quarter of Section 8, Township 5 North, Range 21 East; said lands being in the City of Franklin, County of Milwaukee, State of Wisconsin; and

WHEREAS, the Floating Access Easement and its accompanying requirement for cross-access applies to the properties across the entirety of the Shoppes at Wyndham Village development and the CC City Civic Center District, and the applicant having submitted, that for the property bearing Tax Key No. 794-9999-009, for which a Special Use approval and a Site Plan approval have been granted, that the cross-access for pedestrian and vehicular circulation between adjacent parcels, is not appropriate with regard to the proposed daycare facility and outdoor play area for children development on the property, with regard to the adjacent parcel(s) to the east of the subject property ; and

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

WHEREAS, the Common Council having considered the request for the waiver and release of the cross-access requirements of the Floating Access Easement for the subject property 10,000 square foot one-story daycare building (The Learning Experience), 4,463 square foot playground and parking lot (35 parking spaces), with associated landscaping, fencing and lighting, and that the proposed waiver/release is only for the subject property.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the cross-access requirements of the Floating Access Easement approved pursuant to Resolution No. 2007-6339, as they apply to the property located at 9651 West Drexel Avenue, bearing Tax Key No. 794-9999-009, only, for both pedestrian and vehicular circulation with adjacent parcel(s) to the east of the subject property, be and the same are hereby waived and released, provided that such cross-access requirements may be reinstated by way of the agreement thereto by the owner(s) of the subject property from time to time in the future and a resulting rescinding of this Resolution by the Common Council, and further provided that this Resolution may be rescinded in the sole discretion of the Common Council should the Special Use and Site Plan approvals development of the subject property not occur within the time requirements set forth in such approvals, or if such development is substantially altered.

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

RESOLUTION NO. 2020-_____

Page 3

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

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

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

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

Meeting of April 23, 2020

Unified Development Ordinance Text Amendment

RECOMMENDATION: City Development staff recommends denial of the application to amend the text of the CC Civic Center District section of the Unified Development Ordinance for The Learning Experience daycare facility located at 9651 W. Drexel Ave.

Project Name:	Unified Development Ordinance Text Amendment
Project Address:	9651 W. Drexel Ave
Applicant:	Gary Wendt, Bradford Franklin LLC
Property Owner:	Franklin-Wyndham, LLC
Current Zoning:	CC City Civic Center District
2025 Comprehensive Plan	Mixed Use
Use of Surrounding Properties:	Single-family residential to the north, stormwater detention pond to the south, Risen Savior Lutheran Church to the east and Summit Credit Union to the west
Applicant Action Requested:	Recommendation of approval for the proposed Unified Development Ordinance Text Amendment lifting the cross access requirement, to allow for the development of The Learning Center daycare facility.

Please note:

- Although staff is recommending denial of the proposed text amendment, should the City wish to approve the project, suggested conditions of approval are set forth in each of the associated draft ordinance and resolution.

INTRODUCTION

On November 21, 2019 the Plan Commission approved, with several conditions, a Site Plan Application for the development of The Learning Experience daycare facility, located at 9651 W. Drexel Ave., previously addressed as 7760 S. Lovers Lane Rd. Common Council approved the related Special Use on December 3, 2019. Both approvals include the condition that:

“Applicant shall obtain City approval of a UDO Text Amendment removing or revising requirements for cross access, or obtain a waiver of such requirement by Common Council if such waiver is available as determined by the City Attorney, prior to issuance of Building Permits.”

§15-3.0307.A.9 of the UDO stipulates that properties in the CC Civic Center District shall provide cross access for both pedestrians and vehicles at the time of development, or easements or a letter of credit when this is not practical.

A complete application for the UDO Text Amendment, requesting to amend this portion of the text, was received on January 13, 2020

PROJECT DESCRIPTION AND ANALYSIS

The subject property is a vacant lot of approximately 1.13 acres, located on the southeast corner of Drexel Avenue and the Shoppes at Wyndham Village access road. It does not have access to Lovers Lane Road or direct access to Drexel Avenue.

Site Plan:

The proposed The Learning Experience daycare facility is a 10,000 square foot, single-story building. A 4,463 square-foot playground, surrounded by a fence is located immediately adjacent to the south side of the building. The site plan includes one driveway off of the Shoppes at Wyndham Village access road.

Staff originally recommend denial of the overall project because, among several other reasons, the applicant does not provide cross access as required by: the CC City Civic Center District; the approved Floating Cross Access Easement; and past City practice and policy which typically requires construction of the cross access at the time of development of the subject parcel. If the amendment is approved, should the parcel to the east be divided and sold but a driveway is not provided, the burden of access would likely fall on the property owners, Risen Savior Lutheran Church.

Comprehensive Master Plan Consistency:

The City of Franklin 2025 Comprehensive Master Plan (CMP) identifies the subject property as "Mixed Use." Staff believes that this proposed amendment to the UDO is not consistent with the following objectives set forth within the Comprehensive Master Plan:

- Encourage land uses, densities, and regulations that promote efficient development patterns and relatively low municipal and utility costs.
- Build community identity by revitalizing main streets, special districts, and other important areas of the City, enforcing appropriate design standards, and by creating and preserving varied and unique development and land uses.

By way of Resolution No. 2007-11, the Plan Commission approved a Site Plan for the entire Shoppes of Wyndham Village development, including the subject parcel. By way of Resolution No. 2007-6339, the Common Council approved a Floating Access Easement in perpetuity "to construct a path on, over and across the Wyndham property to grant pedestrian or motor vehicle access to the adjoining easterly Property". Specifically, the floating access easement is located across the entire subject parcel, with the exact location "to be mutually determined in the future by Grantor and Grantee so as to not unreasonably interfere with the normal and customary operations carried out on the Wyndham Property."

Franklyn-Wyndham, LLC has granted release of cross access to the parcel to the east, as detailed in the attached letter.

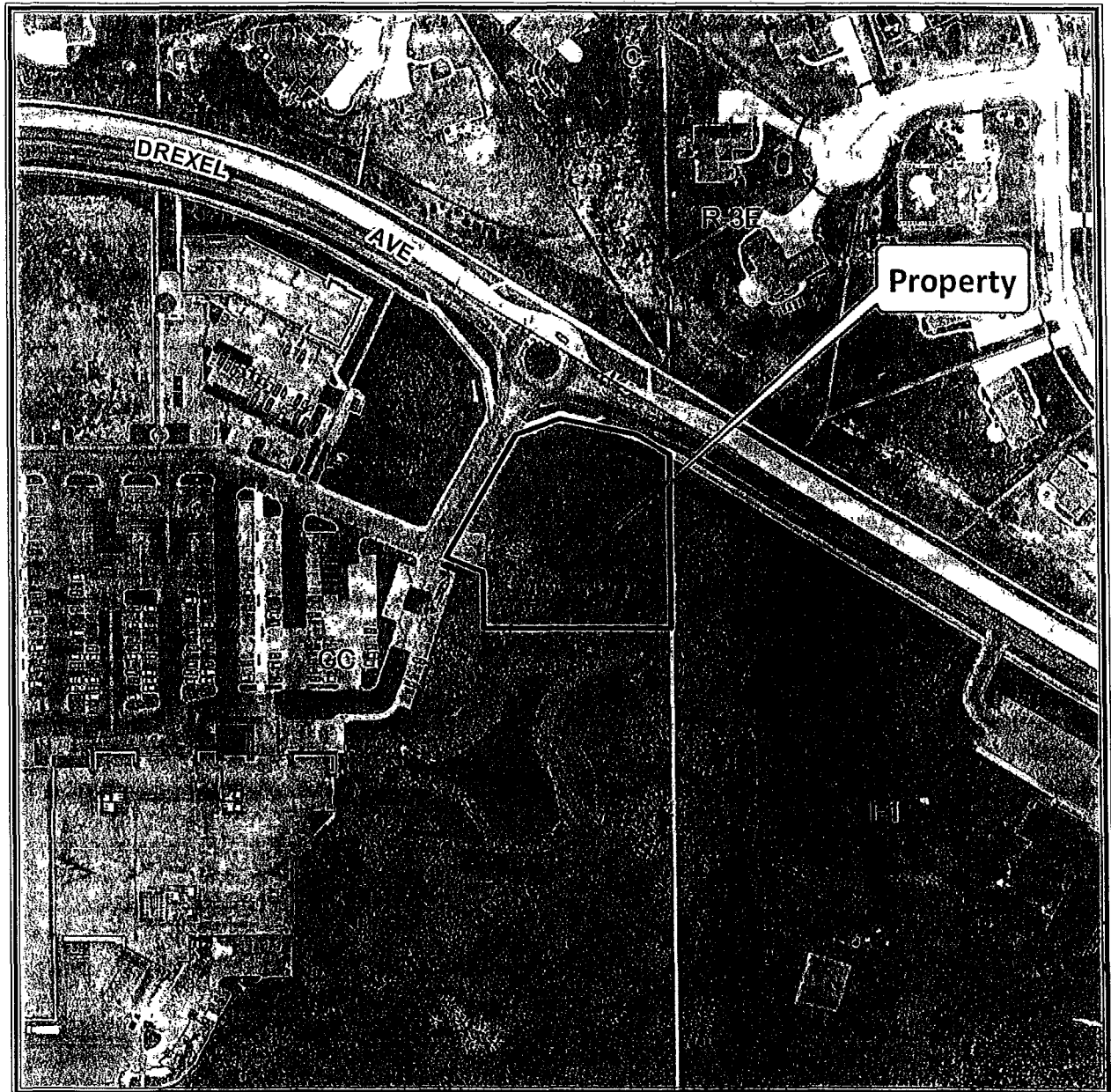
STAFF RECOMMENDATION

City Development staff recommends denial of the application to amend the text of the CC Civic Center District section of the Unified Development Ordinance.

However, if the City wishes to approve the proposed project, staff recommends it be approved subject to the conditions of approval contained in the attached draft resolutions. In addition, staff would have the following suggestion:

1. That the text of the proposed amendment stipulate that, should the site plan for the property be amended, the cross access requirement be reinstated.
2. Economic Development Staff concur with removing cross-access requirement and requiring cross-access should the site plan be amended or the property be sold.

9651 W. Drexel Ave.
TKN: 794 9999 009



Planning Department
(414) 425-4024

0 110 220 440 Feet

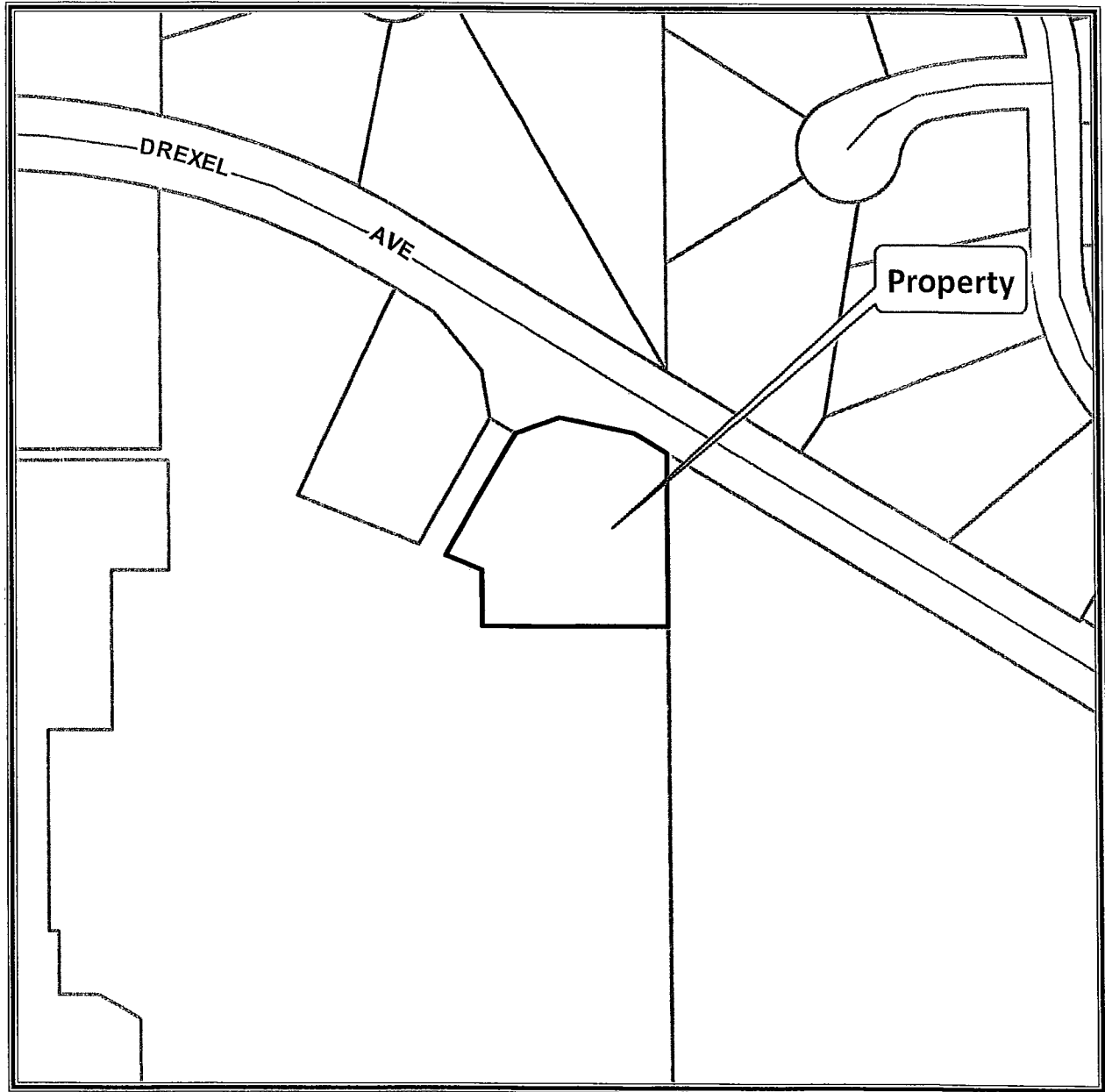
This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor. This map is provided for informational purposes only and may not be sufficient or appropriate for legal, engineering, or surveying purposes.



2017 Aerial Photo



9651 W. Drexel Ave.
TKN: 794 9999 009



Planning Department
(414) 425-4024

0 110 220 440 Feet

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



2017 Aerial Photo

Description of Proposed UDO Text Amendment

January 7, 2020

Project: The Learning Experience – Franklin, WI
Client: The Bradford Real Estate Companies
Location: 9651 Drexel Ave. Franklin WI (Tax Key ID 794-9999-009)
CE LTD #: CE180034

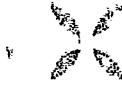
The applicant is requesting a waiver of the requirement that development of the subject property allow for pedestrian and vehicular cross-access with the Church property to the east (Tax Key ID 794-9995-003).

The applicant requests that the cross-access requirement be waived for the subject property only, not for the entirety of the Wyndham development, and not for the entirety of the CC City Civic Center District.

The applicant requests that the cross-access agreement be waived for the proposed development until such time as the owners/applicants choose to release said waiver. It is anticipated that future redevelopment of the Shoppes at Wyndham or other adjacent parcels may allow other provisions for access to the Church property to the east.

It is understood that a waiver of the cross-access requirements would require:

- An amendment to Section 15-3.0307.A.9 of the Franklin WI Unified Development Ordinance, which requires cross-access between adjacent parcels within the CC City Civic Center district, and
- An amendment to Resolution 2007-6339, which establishes a Floating Cross-Access Easement across the entire Wyndham Property, including the subject property, in order to provide access to the Church property to the east.



CLOVERLEAF

April 9, 2020

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

**Re: UDO Amendment Relating to the Learning Experience Development
at 9651 Drexel Avenue, Franklin, WI**

To Whom it May Concern:

In connection with the above referenced proposed development, we, Franklin-Wyndham, LLC, as the property owner/grantor, have reviewed the amendment description, dated January 7, 2020, and support and will grant the release of the existing cross easement to the adjacent church property.

Please do not hesitate to contact me at jeb@cleafgroup.com with any questions. Thank you for your prompt attention to this matter.

Very truly yours,

Franklyn-Wyndham, LLC
By: The Cloverleaf Real Estate Group, Inc.
Its Manager

Jonathan E. Basofin, President
jeb@cleafgroup.com
JEB:lav

APPROVAL <i>slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE May 5, 2020
REPORTS AND RECOMMENDATIONS	A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO ACCEPT A LANDSCAPE BUFFERYARD EASEMENT FOR AND AS PART OF THE REVIEW AND APPROVAL OF A DAYCARE FACILITY USE UPON PROPERTY LOCATED AT 9651 W DREXEL AVE. (STEVE PAGNOTTA, MANAGING MEMBER OF BRADFORD FRANKLIN LLC, APPLICANT)	ITEM NUMBER <i>6, 12.</i>

Attached is a copy of the above Landscape Bufferyard Easement for the Senior Housing Development property. The Easement was required by the Site Plan approval for the subject property in Plan Commission Resolution No. 2020-021, conditionally approving a Site Plan for a Daycare Facility at 9651 W. Drexel Ave. (previously addressed as 7760 S. Lovers Lane), in condition number 6, adopted on November 21, 2020.

Staff would note that the Plan Commission allowed for an irregularly shaped easement, due to the restrictiveness of the lot dimensions and building placement.

COUNCIL ACTION REQUESTED

A motion to adopt A Resolution Authorizing Certain Officials to Accept a Landscape Bufferyard Easement for and as Part of the Review and Approval of a Site Plan for a Daycare Facility (9651 W. Drexel Ave) (Steve Pagnotta, Applicant) subject to review and approval by the Department of City Development and technical corrections by the City Attorney.

STATE OF WISCONSIN

CITY OF FRANKLIN

MILWAUKEE COUNTY

RESOLUTION NO. 2020-_____

RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO ACCEPT A LANDSCAPE
BUFFERYARD EASEMENT FOR AND AS PART OF THE APPROVAL OF A SITE PLAN
UPON PROPERTY LOCATED AT 9651 W. DREXEL AVE
(STEVEN PAGNOTTA OF BRADFORD FRANKLIN LLC, APPLICANT)

WHEREAS, the Plan Commission having approved a Site Plan upon the application of Steven Pagnotta of Bradford Franklin LLC, on November 21, 2019, and the Plan Commission having conditioned approval thereof in part upon Common Council approval of a Landscape Bufferyard Easement; and

WHEREAS, §15-5.0301.D. of the Unified Development Ordinance requires landscape bufferyards between different zoning districts to minimize potential nuisances, and said landscape bufferyard to be protected by a landscape bufferyard easement; and

WHEREAS, the City Engineering Department, Department of City Development and the Office of the City Attorney having reviewed the proposed Landscape Bufferyard Easement and having recommended approval thereof to the Common Council.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the Landscape Bufferyard Easement submitted by Steven Pagnotta of Bradford Franklin LLC, in the form and content as annexed hereto, be and the same is hereby approved, subject to review and approval by the Department of City Development and technical corrections by the City Attorney; and the Mayor and City Clerk are hereby authorized to execute such Easement as evidence of the consent to and acceptance of such easement by the City of Franklin.

BE IT FURTHER RESOLVED, that the City Clerk be and the same is hereby directed to obtain the recording of the Landscape Bufferyard Easement in the Office of the Register of Deeds for Milwaukee County, Wisconsin.

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

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

A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO ACCEPT A
LANDSCAPE BUFFERYARD EASEMENT
STEVEN PAGNOTTA OF BRADFORD FRANKLIN LLC
RESOLUTION NO. 2020-_____

Page 2

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

LANDSCAPE BUFFERYARD EASEMENT

The Learning Experience – Franklin, WI

This Landscape Bufferyard easement is made by and between the City of Franklin, a municipal corporation of the State of Wisconsin, hereinafter referred to as “Grantee,” and Bradford Franklin LLC, a Limited Liability Corporation formed in Illinois, hereinafter referred to as “Grantor,” and shall become effective upon the recording of this Grant of Landscape Bufferyard Easement, together with the Acceptance following, with the Office of the Register of Deeds for Milwaukee County, pursuant to §700.40(2)(b) of the Wisconsin Statutes

WITNESSETH

WHEREAS, Grantor is the owner in fee simple of certain real property, located within the City of Franklin, Milwaukee County, Wisconsin, at 9651 Drexel Avenue, described in Exhibit A attached hereto and hereby made a part hereof (protected property), and

WHEREAS, the Grantor is required by Section 15-5.0102A of the City of Franklin Unified Development Ordinance to provide a thirty (30) foot-wide, where possible, planting strip adjacent to Drexel Avenue; and

WHEREAS, Bradford Franklin LLC was the applicant for a proposed Site Plan as set forth in City of Franklin Plan Commission Resolution No. 2019-021, conditionally approving a Site Plan for construction of a daycare building, playground and parking lot with associated fencing, landscaping and lighting within the CC City Civic Center Development District (The Shoppes at Wyndham Village Commercial Retail Center), and the City Plan Commission adopted Resolution No. 2019-021, on November 21, 2019 Condition 6 of Resolution No. 2019-021 thereof providing The applicant shall prepare a Landscape Bufferyard Easement, to allow for an irregular landscape bufferyard easement, 30’ where possible, to accommodate the building, for review by City staff and approval by the Common Council prior to issuance of any Building Permit. In addition, the applicant shall record the Landscape Bufferyard Easement with the Milwaukee County Register of Deeds Office prior to issuance of any Occupancy Permit, and

WHEREAS, Grantee is a “holder”, as contemplated by §700.40(1)(b)1 of the Wisconsin Statutes, whose purposes include, while exercising regulatory authority granted to it, *inter alia*, under §62.23 and §236.45 of the Wisconsin Statutes, the conservation of land, natural areas, open space, and water areas; and

WHEREAS, the Grantor and Grantee, by the conveyance to the Grantee of the Landscape Bufferyard Easement on, over, and across the protected property, desire to reserve the area for the planting of trees and shrubs and prevent the use or development of the protected property for any purpose or in any manner inconsistent with the terms of this Landscape Bufferyard Easement, and

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

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

Grantee’s rights hereunder shall consist solely of the following

1. To establish and ensure the continuance of an area reserved for the planting of trees and shrubs for the private use by the owners of the underlying fee simple interests, to the exclusion of all others, for the purpose of buffering the properties adjoining Lot 4 of Certified Survey Map No. 8567 by requiring this protected property to be open space in perpetuity, the protected property shall consist of natural existing vegetation and approved landscaping of trees, shrubs, fences, and/or berms, designed to provide a screen and buffer between Lot 4 of Certified Survey Map No. 8567 and Drexel Avenue,
2. To enforce by proceeding at law or in equity the covenants subsequently set forth, including, and in addition to all other enforcement proceedings, proceedings to obtain all penalties and remedies set forth under Division 15-9.0500 of the Unified Development Ordinance of the City of Franklin, as amended from time to time, any violation of the covenants subsequently set forth being and constituting a violation of such Unified Development Ordinance, as amended from time to time, or such local applicable ordinance as may be later adopted or in effect to enforce such covenants or the purposes

for which they are made, it being agreed that there shall be no waiver or forfeiture of the Grantee's right to insure compliance with the covenants and conditions of this grant by reason of any prior failure to act, and

- 3 To enter the protected property at all reasonable times for the purpose of inspecting the protected property to determine if the Grantor is complying with the covenants and conditions of this grant

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

- 1 Construct or place buildings or any structure, beyond those buildings and structures and improvements as identified on any engineering or construction plans approved by the City of Franklin, including, without limitation, the civil engineering plans approved on November 21, 2019 as City of Franklin Resolution No 2019-021, are specifically permitted and allowed within the limits of the Easement Area in compliance with this Landscape Bufferyard Easement,
- 2 Construct or make any improvements, unless, notwithstanding Covenant 1 above, the improvement is specifically and previously approved by the Plan Commission of the City of Franklin, by the Common Council of the City of Franklin, upon the advice of such other persons, entities, and agencies as it may elect, such improvements as may be so approved being intended to enhance the open space buffer value of the protected property to the occupants of land adjoining or neighboring the protected property including, but not limited to fences, berms, and the like

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

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

To Grantor:
Bradford Franklin LLC
Attn: Steve Pagnotta
200 S Wacker Drive, Suite 726
Chicago, IL 60606

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

In witness whereof, the grantor has set its hand and seals this on this date of _____, 20__.

Bradford Franklin LLC

By _____

Authorized Officer and Signatory

STATE OF WISCONSIN)
) ss
COUNTY OF MILWAUKEE)

This instrument was acknowledged before me on the _____ day of _____, A D 20__ by

_____ as Authorized Officer and Signatory of Bradford Franklin LLC

To me known to be the person(s) who executed the foregoing Easement and acknowledged the same as the voluntary act and deed of said Bradford Franklin LLC.

Notary Public

My commission expires _____

Acceptance

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

In witness whereof, the undersigned has executed and delivered this acceptance on the ____ day of _____, 20__

CITY OF FRANKLIN

By. _____
Stephen R. Olson, Mayor

By. _____
Sandra L. Wesolowski, City Clerk

STATE OF WISCONSIN)
) ss
COUNTY OF MILWAUKEE)

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

Notary Public

My commission expires _____

This instrument was drafted by the City of Franklin

Approved as to contents.

Planning Manager
Department of City Development

Date

Approved as to form only

Jesse A. Wesolowski
City Attorney

Date

MORTGAGE HOLDER CONSENT

The undersigned, (name of mortgagee), a Wisconsin banking corporation ("Mortgagee"), as Mortgagee under that certain Mortgage encumbering encumbering the Property and recorded in the Office of the Register of Deeds for Milwaukee County, Wisconsin, on _____, 20____, as Document No _____, hereby consents to the execution of the foregoing easement and its addition as an encumbrance title to the Property

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

Name of Mortgagee
a Wisconsin Banking Corporation

By. _____

Name _____

Title _____

STATE OF WISCONSIN)
)ss
COUNTY OF MILWAUKEE)

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

Name _____

Notary Public, State of Wisconsin

My commission expires _____

Exhibit A

The Bradford Franklin LLC property upon which the open space buffer lands are located is legally described as follows:

Lot 4 of Certified Survey Map No 8567, recorded in the Office of the Register of Deeds for Milwaukee County, Wisconsin, on November 21, 2013 As Document No 10315111, being a Resubdivision of Lot 1 of Certified Survey Map No 8000, being a Resubdivision of Parcel 1 of Certified Survey Map No 5762, Certified Survey Map No 377, and lands in the Southwest Quarter and the Northwest Quarter of the Southeast Quarter of Section 8, Township 5 North, Range 21 East, said lands being in the City of Franklin, County of Milwaukee, State of Wisconsin.

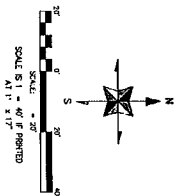
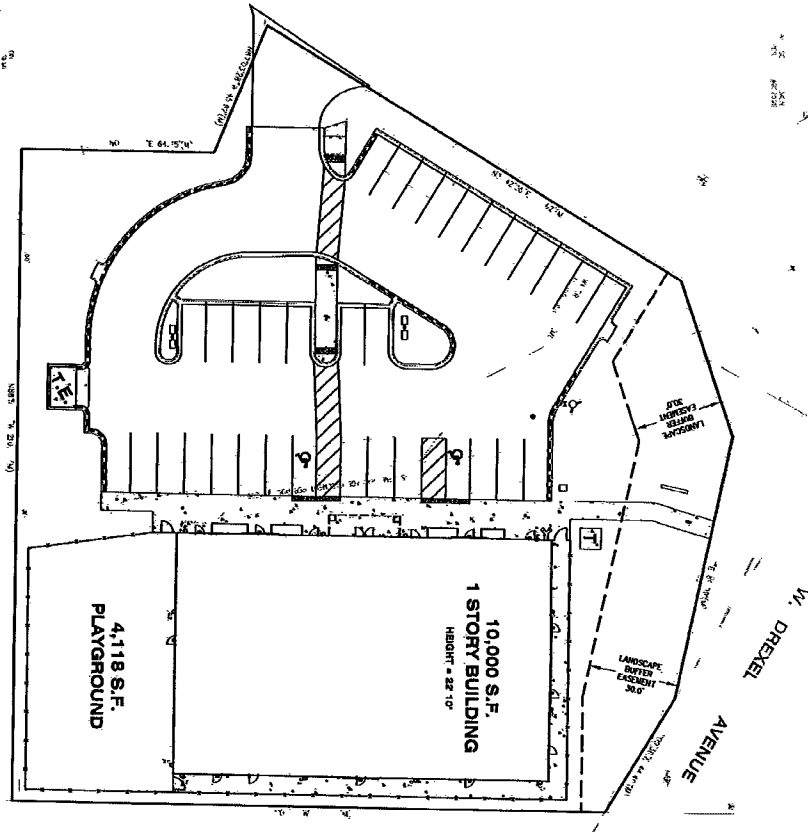
A map depicting the open space buffer lands is annexed hereto. The open space buffer lands are legally described as as set forth on EXHIBIT B annexed hereto.

Exhibit B

The landscape buffer easement is legally described as follows:

A Landscape Buffer Easement across part of Lot 4 of Certified Survey Map No. 8567, recorded in the Office of the Register of Deeds for Milwaukee County, Wisconsin, on November 21, 2013, as Document No. 10315111, being a Resubdivision of Lot 1 of Certified Survey Map No. 8000, being a Resubdivision of Parcel 1 of Certified Survey Map No. 5762, Certified Survey Map No. 377, and lands in the Southwest Quarter and the Northwest Quarter of the Southeast Quarter of Section 8, Township 5 North, Range 21 East, being described as follows: Beginning at the Northeast corner of said Lot 4, thence South 01 degrees 07 minutes 17 seconds West along the East line thereof, 7.98 feet, thence North 88 degrees 52 minutes 43 seconds West, 37.99 feet, thence North 77 degrees 17 minutes 15 seconds West along a line 30 00 feet Southerly of and parallel with the Northerly line of said Lot 4, a distance of 87.17 feet, thence South 71 degrees 57 minutes 54 seconds West along a line 30 00 feet Southerly of and parallel with the Northwesterly line of said Lot 4, a distance of 27.88 feet, thence North 58 degrees 17 minutes 34 seconds West, 34 80 feet to the Westerly line of said Lot 4; thence North 31 degrees 42 minutes 26 seconds East along said Westerly line, 5 33 feet to an angle point in the Northerly line of said Lot 4, thence North 71 degrees 57 minutes 54 seconds East along the Northwesterly line of said Lot 4, a distance of 54 58 feet to an angle point in said Northerly line, thence South 77 degrees 17 minutes 15 seconds East along the Northerly line of said Lot 4, a distance of 89 04 feet to an angle point in said Northerly line; thence South 58 degrees 09 minutes 36 seconds East along the Northeasterly line of said Lot 4, a distance of 44 39 feet to the Place of Beginning, said lands being in the City of Franklin, County of Milwaukee, State of Wisconsin

A map depicting the open space buffer lands is annexed hereto.



Drawn By
SAL FAS
SAL FAS
Checked By
TAL
Date
02/15/2020
Job Number
CE180034
Sheet Number
EXH-B

CELTD
Caldwell Engineering, Ltd.
1000 1st Avenue South
Franklin, WI 53128
Phone: 262-266-1100
Fax: 262-266-1101
www.caldwelleng.com

THE LEARNING EXPERIENCE
9651 DREXEL AVE.
FRANKLIN, WI
LANDSCAPE BUFFER EASEMENT EXHIBIT B

DATE	NO.	REVISIONS

FOR PERMITTING/BIDDING

APPROVAL <i>slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 05/05/2020
REPORTS & RECOMMENDATIONS	A RESOLUTION CONDITIONALLY APPROVING A 2 LOT AND 2 OUTLOT CERTIFIED SURVEY MAP, BEING 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 (JHB PROPERTIES, LLC, APPLICANT/PROPERTY OWNER) (3617 WEST ELM ROAD)	ITEM NUMBER <i>G.13,</i>

At its February 20, 2020, meeting the Plan Commission recommended approval of a resolution conditionally approving a certified survey map (CSM) for property bearing Tax Key No. 979-9997-000. Common Council approved the CSM on March 3, 2020, by way of resolution 2020-7600. The CSM has not yet been recorded with the Milwaukee County Register of Deeds, pending completion of outstanding conditions.

This second CSM is a further division of lot 3 of the previous CSM.

At its April 23, 2020, meeting the Plan Commission recommended approval of a resolution conditionally approving a 2 lot and 2 outlot CSM, being Lot 3 of CSM NO. _____ (yet to be recorded), 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.

COUNCIL ACTION REQUESTED

A motion to adopt Resolution No. 2020-_____, conditionally approving a 2 lot and 2 outlot CSM, being Lot 3 of CSM 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 (JHB Properties, LLC, Owner) (3617 W. Elm Road)

STATE OF WISCONSIN

CITY OF FRANKLIN

MILWAUKEE COUNTY

[Draft 4-13-20; Redraft 4-29-2020]

RESOLUTION NO. 2020-_____

A RESOLUTION CONDITIONALLY APPROVING A 2 LOT AND
2 OUTLOT CERTIFIED SURVEY MAP, BEING 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
(JHB PROPERTIES, LLC, APPLICANT/PROPERTY 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 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, 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 2 lot and 2 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 2 lot and 2 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 Certified Survey Map approved pursuant to Resolution 2020-7600 shall be recorded prior to recording of this Certified Survey Map.
7. The applicant shall revise the lot and outlot numbering with the following lot numbers: Lot 1, Lot 2, Outlot 1 and Outlot 2.

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 JHB

PROPERTIES, LLC – CERTIFIED SURVEY MAP

RESOLUTION NO. 2020-_____

Page 3

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

REPORT TO THE PLAN COMMISSION



Meeting of April 23, 2020

Certified Survey Map

RECOMMENDATION: City Development Staff recommends approval of the Certified Survey Map (CSM), subject to the conditions in the draft Resolution.

Project Name:	JHB Properties
Project Address:	3617 W. Elm Road
Property Owner:	JHB Properties, LLC
Applicant:	Scott Biller, JHB Properties, LLC
Agent:	Matt Carey, Pinnacle Engineering Group
Zoning:	PDD 39
Use of Surrounding Properties:	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.
Applicant Action Requested:	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 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 proposed instead to submit two separate CSMs to be recorded in succession. The first CSM, referred to in both applications as “CSM A,” was approved with conditions on March 3, 2020, and divided the original parcel into three lots and one outlot.

This application is the second of the two CSMs, referred to in both applications as “CSM B,” which further divides Lot 3 of CSM A into four lots, including two buildable lots and two outlots (2 and 3). Outlot 2 will contain two storm water detention ponds, wetland, and woodland with buffers, and Outlot 3 will contain woodland and wetland. Detailed site plans for the full development of buildable parcels were not provide with either CSM application.

Upon the approval of CSM B, the original 80-acre parcel will now be four buildable lots and three outlots.

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 February 12, 2020, so May 12, 2020, is the 90-day deadline for this application.

PROJECT DESCRIPTION AND ANALYSIS:

Certified Survey Map

The proposed CSM (CSM B) divides one existing lot (Lot 3 of CSM A) into four proposed lots. The subject property is owned by JHB Properties, LLC and is approximately 55 acres in area. The proposed Lot 4 would have approximately 5 acres, the proposed Lot 5 would have approximately 11 acres, the proposed Outlot 2 would have approximately 10 acres, and the proposed Outlot 3 would have approximately 29 acres. Lots 4 and 5 meet the minimum lot area and lot width requirements for PDD 39.

During the application and approval process of CSM A, Staff suggested that the applicant set aside the conservation areas in Lot 3 as outlots in future divisions. The applicant appears to have met this request with Outlots 2 and 3 in CSM B. Outlot 2 contains wetland, wetland setback, and wetland buffer areas. Outlot 3 is largely a SEWRPC Primary Environmental Corridor, with woodland and wetland areas.

Both the City of Franklin Engineering Department, and the Milwaukee County Register of Deeds' office, suggest that the numbering for the CSM begin with one (1) for both the lots themselves, and the outlots. Planning staff concurs with this suggestion, as this new set of divisions is a new CSM. Staff suggests that the numbering of each group of lots or outlots for CSM B begin with one (1).

CSM A required a few minor technical corrections be made to CSM A that were detailed in Staff Comments. Staff recommends that approval of CSM B be conditioned on the recording of CSM A

Natural Resource Protection Plan

The applicant has previously supplied a Natural Resource Protection Plan with CSM A that covered the area and met the requirement for both CSM A and CSM B, which was approved with conditions along with CSM A. No further review is needed for CSM B. Required conservation easements have been submitted and are under review.

STAFF RECOMMENDATION:

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

STATE OF WISCONSIN

CITY OF FRANKLIN

MILWAUKEE COUNTY

[Draft 4-13-20]

RESOLUTION NO. 2020-_____

A RESOLUTION CONDITIONALLY APPROVING A 2 LOT AND
2 OUTLOT CERTIFIED SURVEY MAP, BEING 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
(JHB PROPERTIES, LLC, APPLICANT/PROPERTY 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 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, 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 2 lot and 2 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 2 lot and 2 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 Certified Survey Map approved pursuant to Resolution 2020-7600 shall be recorded prior to recording of this Certified Survey Map.

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.

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

Page 3

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:

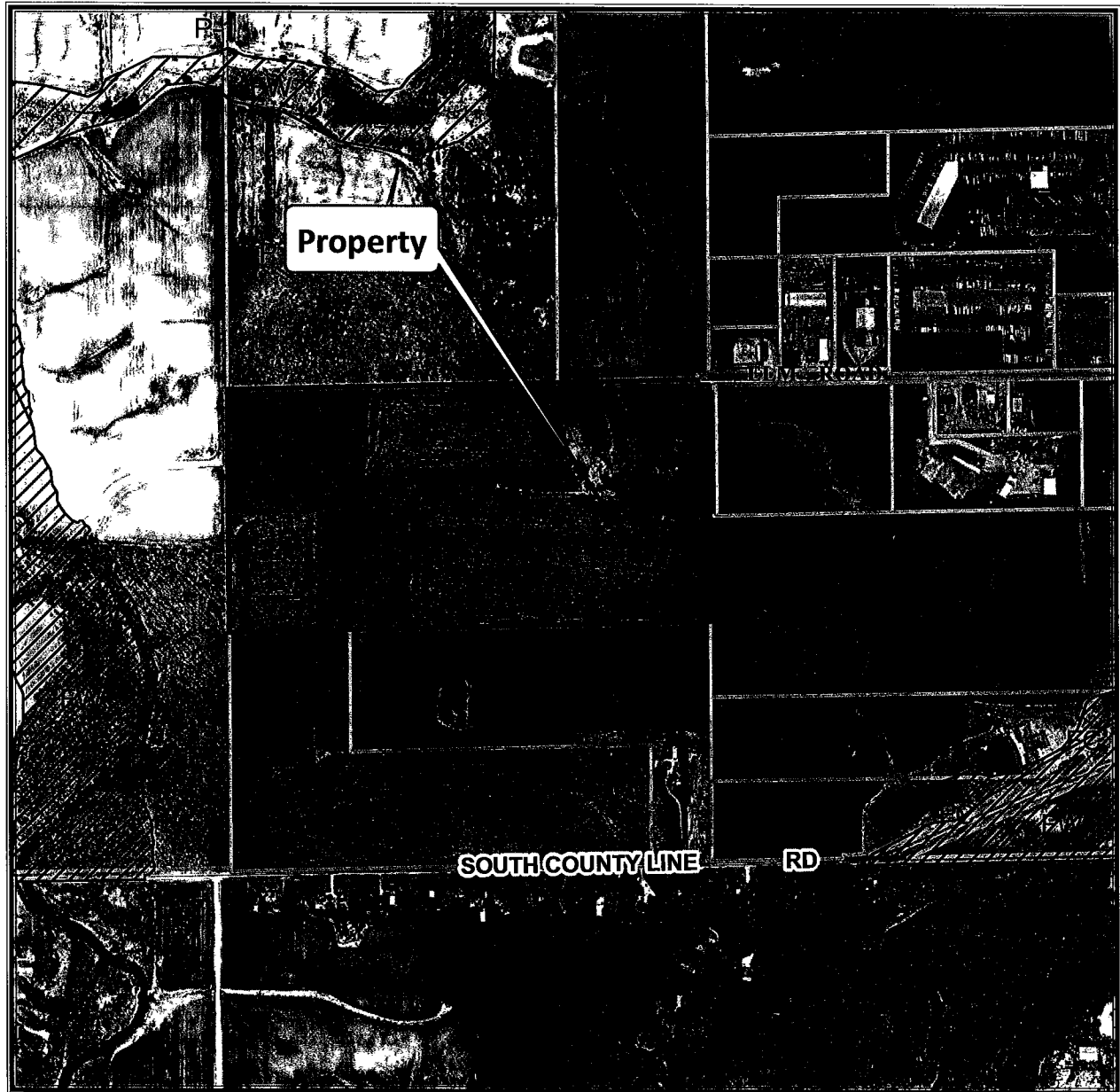
Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

3617 W. Elm Rd.
TKN: 979 9997 000



Planning Department
(414) 425-4024

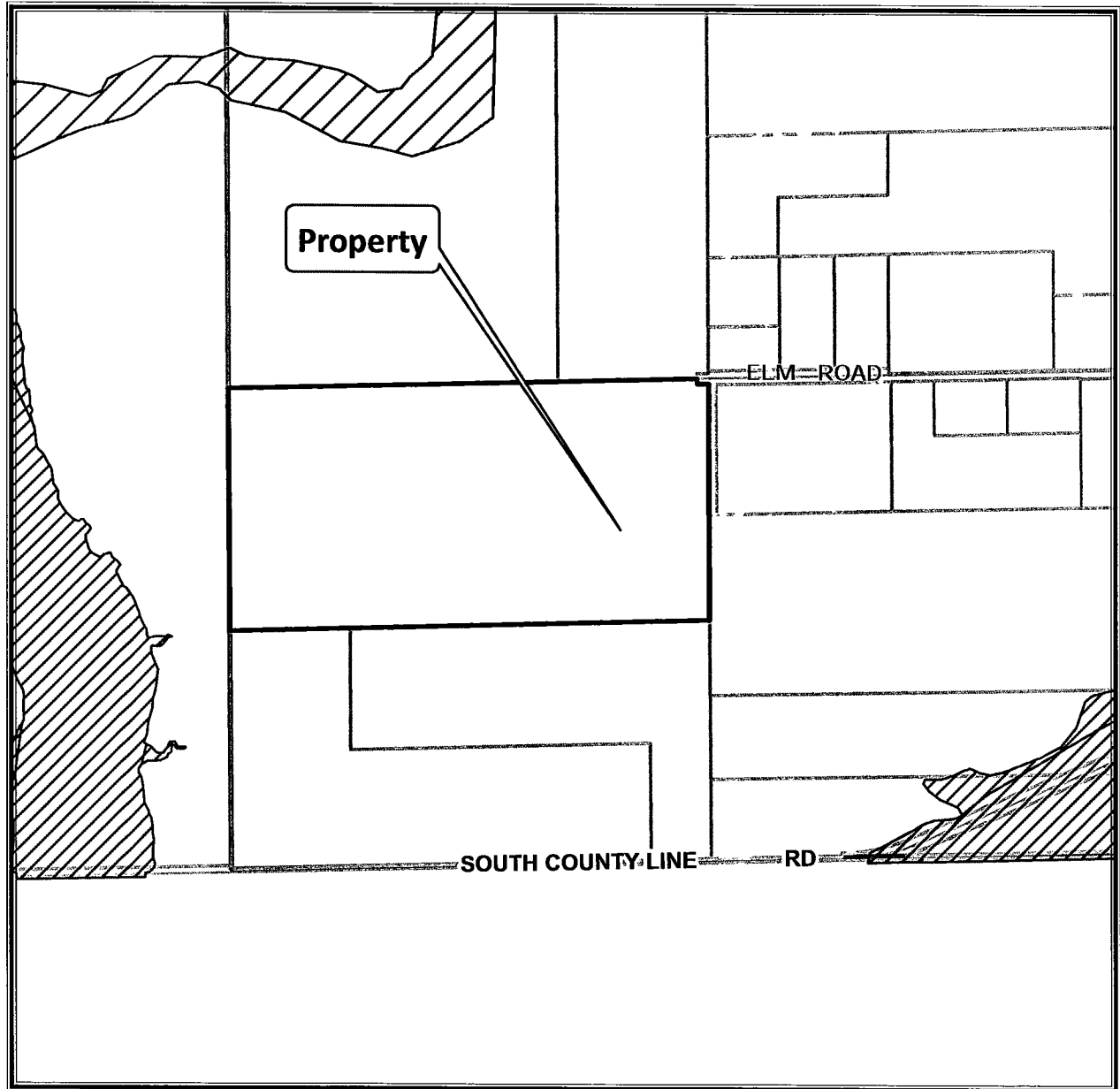
0 500 1 000 2 000 Feet

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


NORTH
2017 Aerial Photo



3617 W. Elm Rd.
TKN: 979 9997 000



Planning Department
(414) 425-4024

0 500 1000 2000 Feet

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



2017 Aerial Photo

City of Franklin

Department of City Development

Date: April 4, 2020

To: JHB Properties, LLC

From: Department of City Development Staff

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

Please be advised that City Staff has reviewed the above application for the second part of a two-part CSM process, referred to throughout this document as “CSM B,” which is a land division of Lot 3 of CSM A (approved with conditions on March 3, 2020).

Department comments are as follows for the Certified Survey Map application submitted by JHB Properties, LLC to the City of Franklin on February 12, 2020. Please note that all technical corrections issued for CSM A in the staff memo issued on January 22, 2020, as well as all the conditions for approval of CSM A, remain in effect and should also be applied to CSM B as appropriate.

Department of City Development

§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. Lots 4 and 5 within CSM B both meet the minimum lot area and lot width requirements for the business park area of PDD 39. Outlots 2 and 3 within CSM B are not required to meet dimensional requirements.

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. 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 all easement(s) for recording.
PEG- Easements shown for reference. All separate easement documents have been submitted as part of CSM “A”.
3. Please update all CSM documents to reference the correct CSM number once CSM A has been recorded.
PEG- Will update accordingly once CSM A has been recorded.

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 and is applicable to the proposed CSM.

4. There are no roads or rights-of-way shown within CSM B.

PEG- Correct, however ROW is shown for reference on CSM B. All ROW is being dedicated on CSM A.

5. 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.

The NRPP that was completed and approved for CSM A on 3/3/2020 covers the area of CSM B and does not need to be resubmitted. As stated in Resolution 2020-7600, the applicant shall make any necessary technical corrections to the CSM, subject to approval of Planning Staff, including the NRPP.

Landscaping and Mitigation

6. Division 15-5.0300 stipulates landscaping requirements stemming from bufferyards, parking and areas where vegetative mitigation is required under §15-4.0103. Note that the standards of §15-4.0103 will apply to future parking facilities.

PEG-Understood

Department of City Development Recommendations

Landscaping & Mitigation

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

PEG-Understood

Site Plan

2. It is recommended that the applicant provide site plans for proposed development as soon as possible.

PEG- Understood. Site plans will be provided as future tenants come online and pursue development within the park.

3. 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 as soon as possible.
PEG- Access easements will be dedicated in the future once known developments (and their proposed site plan) come online.

Engineering Department Staff Comments

Comments before recommending its approval and recording to Register of Deeds

- The review comments from the County must be addressed.
PEG-Understood
- This proposed CSM is contingent upon the recording of the previous CSM.
PEG-Understood
- Correct the numbering sequence, Lot 1,2,3 and Outlot 1 & 2.
PEG- Lot numbers remain the same based on correspondence from the State that was forward to Marion Ecks on 4/7/20.
- On page 7 of 7, under the City of Franklin Common Council, remove the word dedication. No dedication to this proposal.
PEG- Revision Made.
- Submit the storm sewer easement for review and approval.
PEG- Storm Sewer Easement Document was previously provided as part of the original CSM submittal. It has been included in this resubmittal again for reference.
- Confirm with Planning regarding the vision corners. If the streets are considered as collector streets then the vision corners should be at a minimum 60 x 60 vision triangle.

PEG- Vision Corner has been added to the NWC of Hickory and Aspen.

Fire Department Staff Comments

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

Police Department Staff Comments

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

The Police Department has no issues with this request.

Milwaukee County Comments

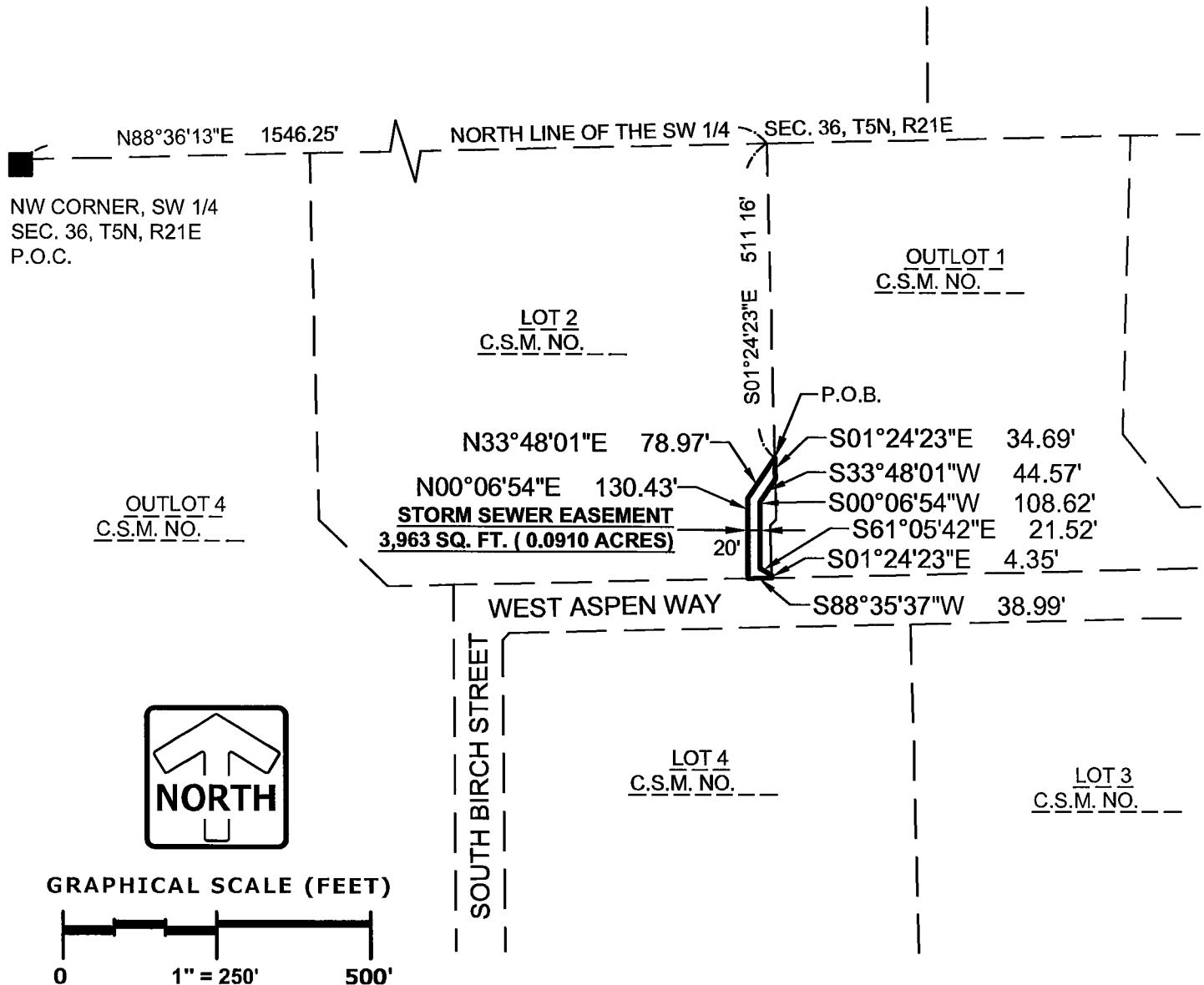
Comments from the Milwaukee County Register of Deeds are attached.

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

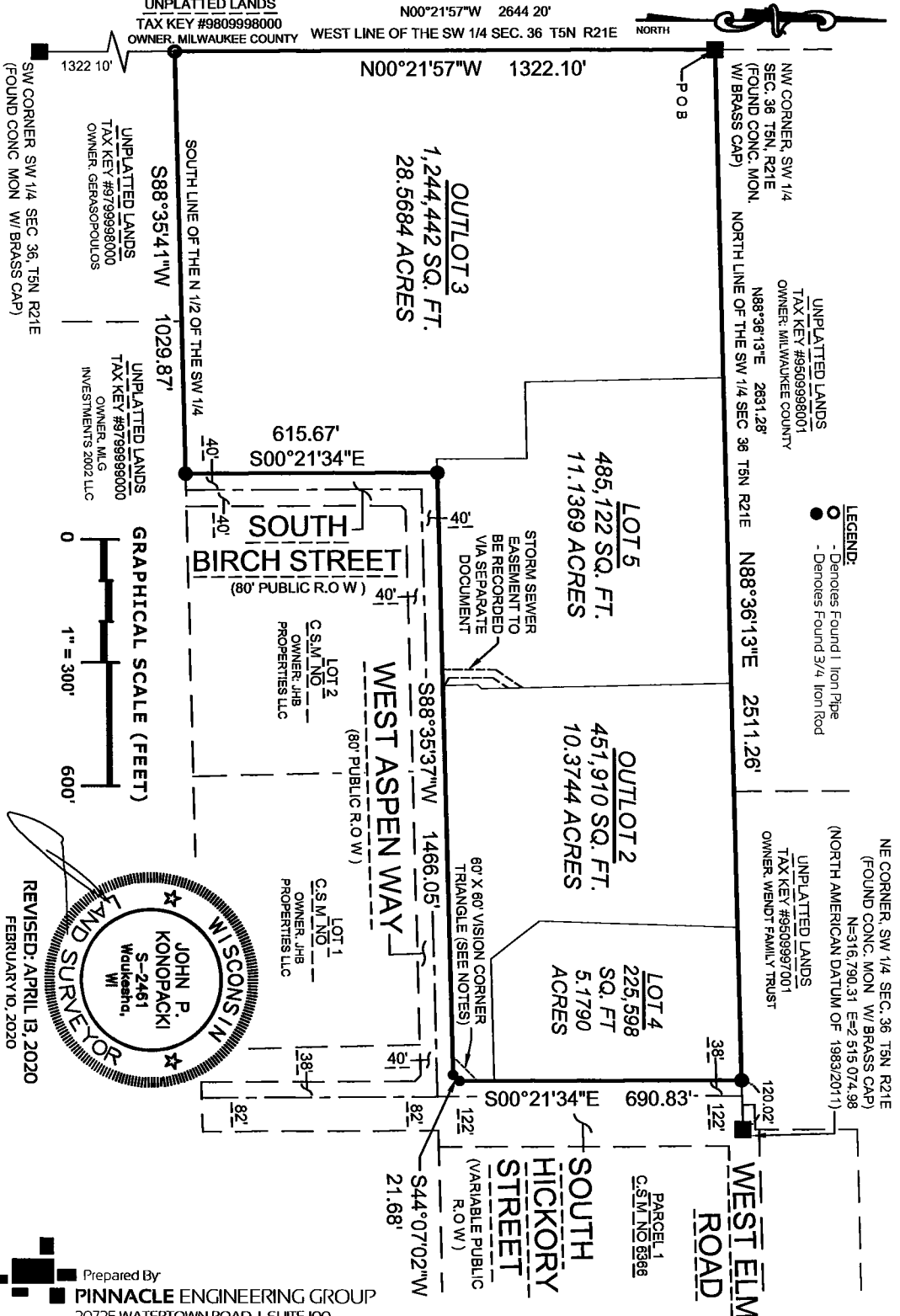
02/03/2020

PLAN | DESIGN | DELIVER

PEG JOB#1827.00

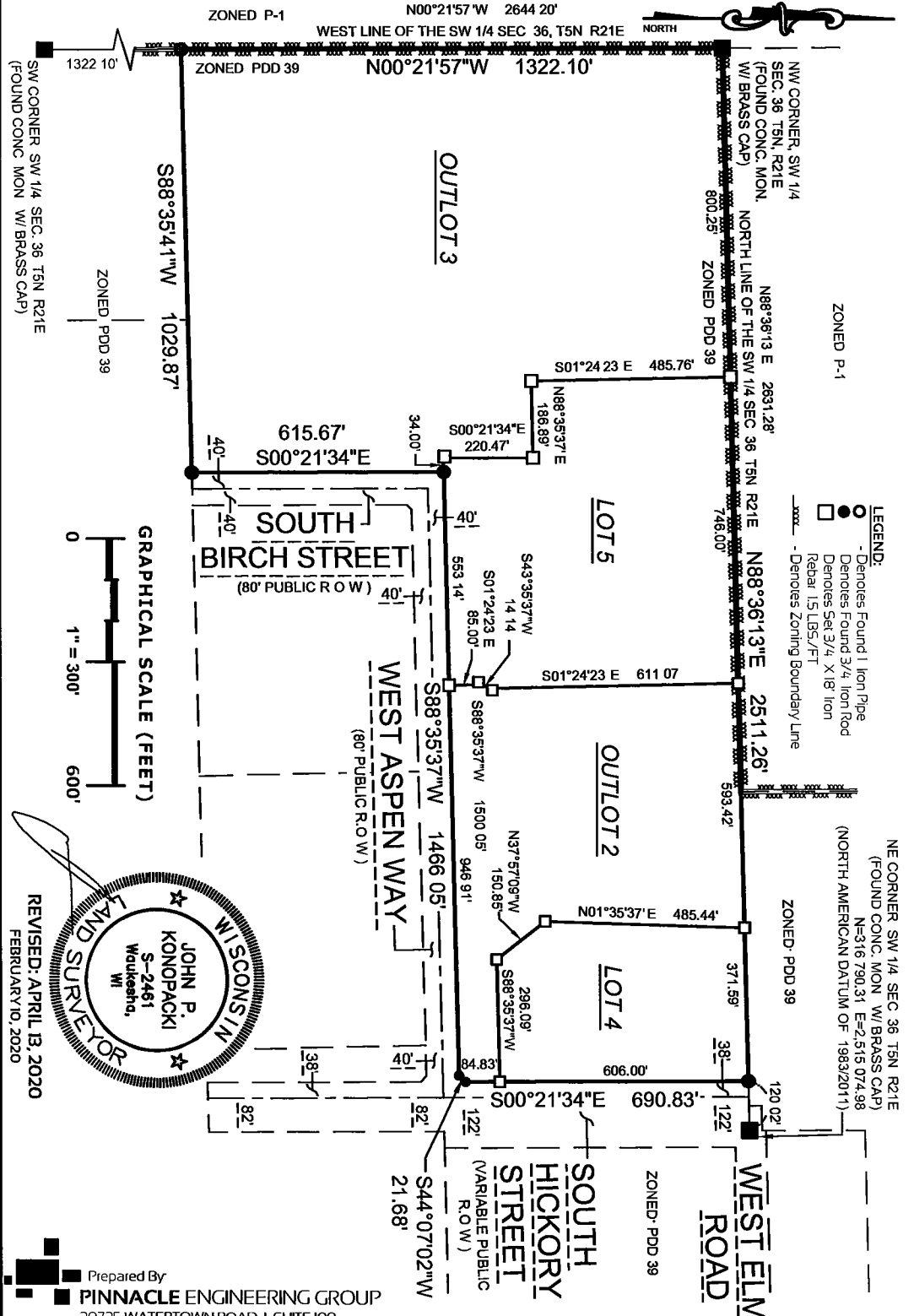
CERTIFIED SURVEY MAP NO. _____

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



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



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

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

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)

120.02'

WEST ELM ROAD

SOUTH HICKORY STREET

LOT 4

OUTLOT 2

CONSERVATION EASEMENT TO BE RECORDED VIA SEPARATE DOCUMENT

LOT 5

OUTLOT 3

CONSERVATION EASEMENT TO BE RECORDED VIA SEPARATE DOCUMENT

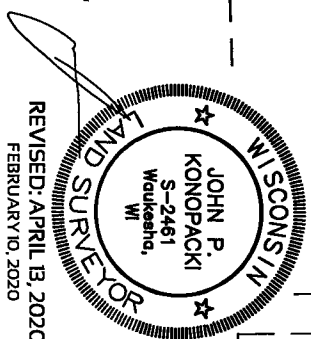
SOUTH BIRCH STREET

WEST ASPEN WAY

CONSERVATION EASEMENT BUILDING SETBACK - 6 FEET

To allow construction of the building without disturbance or impact to the protected resource feature

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



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 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

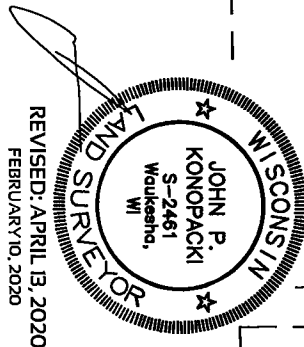
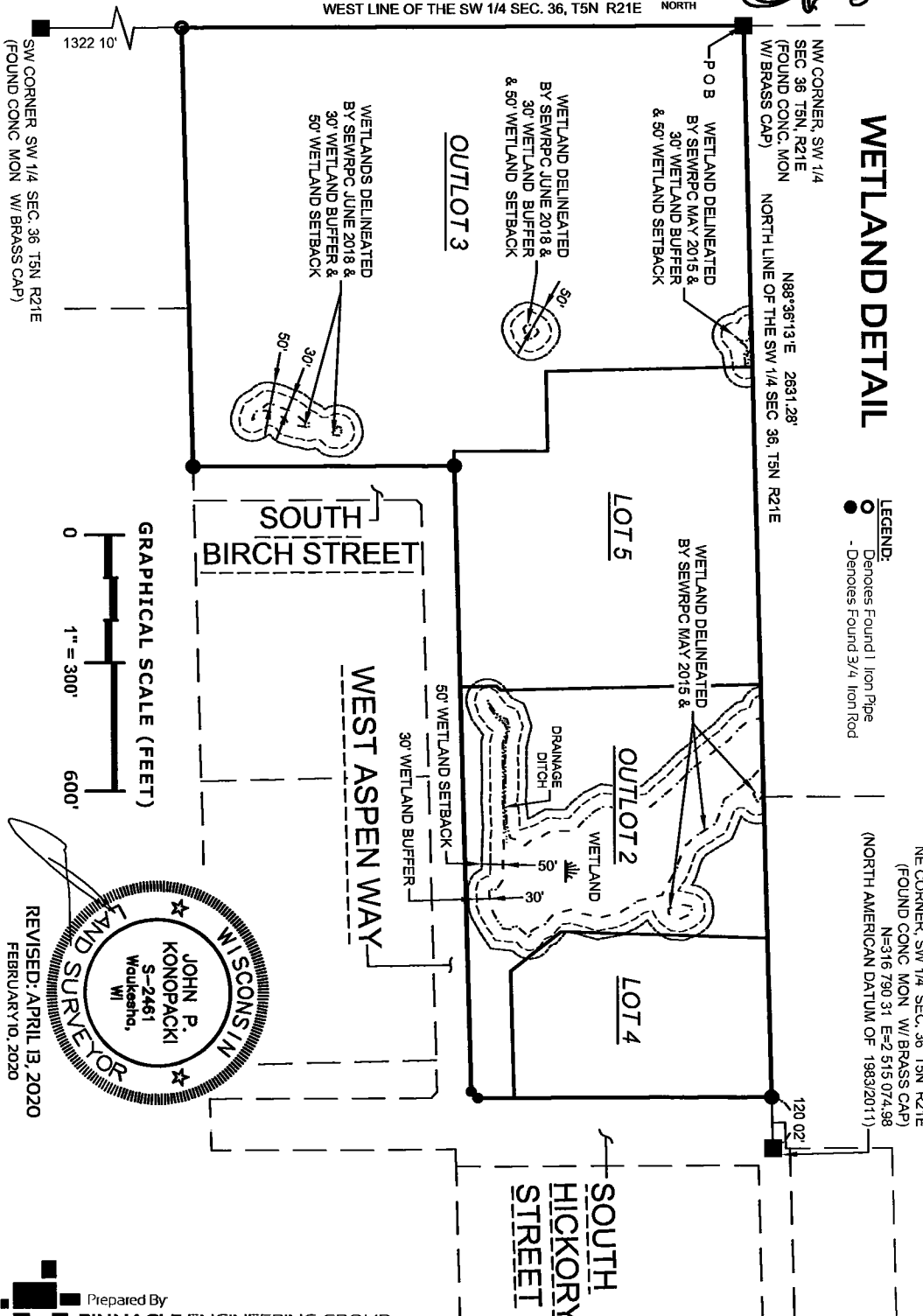
N00°21'57"W 2644.20'

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



REVISED: APRIL 13, 2020
 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 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 APRIL 13, 2020
FEBRUARY 10, 2020

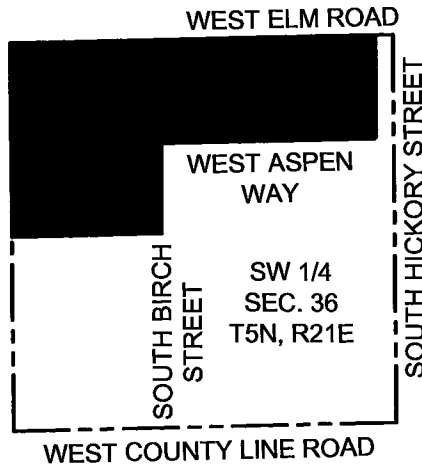


John P. Konopacki
Professional Land Surveyor S-2461

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

Land Surveyor
John P. Konopacki
Pinnacle Engineering Group
20725 Watertown Road Suite 100
Brookfield WI 53186

Subject Property
Zoning PPD 39



VICINITY SKETCH
SCALE 1"=1000'

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 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 _____, at _____, _____ 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 _____



REVISED: APRIL 13, 2020
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 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 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.

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.



REVISED APRIL 13, 2020
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

APPROVAL <i>slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE May 5, 2020
REPORTS & RECOMMENDATIONS	REQUEST FROM CREATIVE HOMES TO CHANGE AUGUST 16, 2019, APPROVAL THAT WOULD ALLOW CONSTRUCTION AND TEMPORARY OCCUPANCY FOR A MODEL HOME FROM LOT 3 TO LOT 7 OF FAITHWAY RESERVE (S. 76TH STREET AND W. FAITH DRIVE) AND CHANGE THE APPROVAL TO ALESCI HOMES	ITEM NUMBER <i>G.14.</i>

BACKGROUND

On August 6, 2019, Common Council approved a request from Creative Homes to allow construction and temporary occupancy for a model home on Lot 3 of Faithway Reserve (S. 76th Street and W. Faith Drive) conditional upon Staff's satisfaction that stormwater facilities are sufficient to protect downstream areas.

The Engineering Department has received a supplemental request from Creative Homes, Inc. to revise the previous approval to another lot, Lot 7, and change to another builder, Alesci Homes.

ANALYSIS

The revised request dated April 28, 2020 is attached. Note that the letter incorrectly references the date of the previous approval.

Also attached is a copy of the plat showing lots 3 and 7.

Per Building Inspection, no building permits for any lots have been issued.

Staff is satisfied that stormwater facilities are sufficient to protect downstream areas. However, Lot 7 grading is affected by the stormwater pond so Staff recommends that building permit only be allowed after pond has achieved rough grade certification (Staff understands that developer is close to achieving this).

OPTIONS

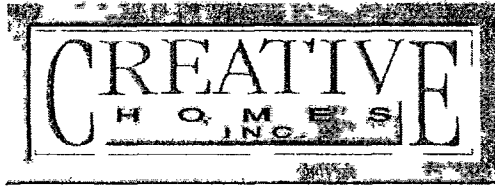
- A. Approve request to change approval of building and temporary occupancy permits to Lot 7 and change name of builder to Alesci Homes, and/or assignees. Or
- B. Refer back to Staff with further direction.

FISCAL NOTE

Not applicable.

COUNCIL ACTION REQUESTED

(OPTION A) Motion to approve request from Creative Homes to change prior approval that would allow construction and temporary occupancy for a model home from Lot 3 to Lot 7, after rough-grade certification of stormwater pond, of Faithway Reserve (S. 76th Street and W. Faith Drive) and change the approval to Alesci Homes, and/or assignees.



April 28, 2020

RECEIVED
APR 28 2020
City of Franklin
Engineering Department

Common Council
City of Franklin
9229 W Loomis Road
Franklin WI 53132

To Whom It May Concern:

Please be advised that on July 18, 2019 Creative Homes Inc. applied and was approved by the Common Council for a Model Home permit on Lot #3 in Faithway Reserve Subdivision.

We would like to request that the applicant be changed from Creative Homes, Inc., to Alesci Homes and or assignees. We would also like to request that this be moved from Lot #3 to Lot #7.

Your cooperation to this matter is greatly appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "Rick J. Przybyla". The signature is written in a cursive, flowing style.

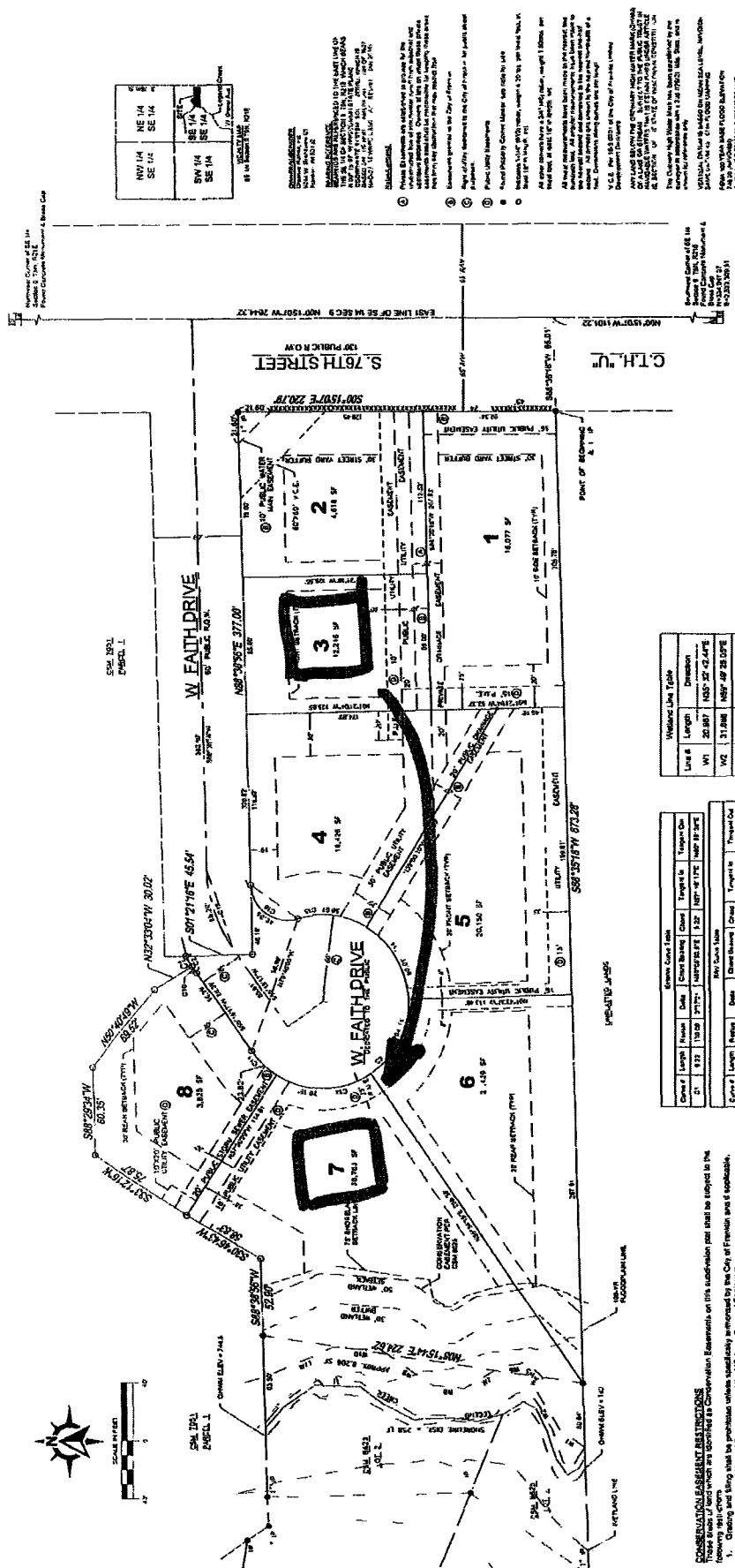
Rick J. Przybyla
President
Creative Homes, Inc.

"A Builder of Quality Homes & Developments"

9244 West Grandview Court • Franklin, WI 53132 • Phone 414 529 0958 • Fax. 414 529.4032

FAITHWAY RESERVE

BEING ALL OF LOT 3 AND LOT 4 OF CSM 9625 AND A PART OF PARCEL 1 OF CSM 7051
BEING ALSO PART OF THE SOUTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 9,
TOWNSHIP 5 NORTH, RANGE 21 EAST, CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN



CONSERVATION EASEMENT RESTRICTIONS

1. The Faithway Reserve shall be maintained as a natural area and shall be used only for purposes authorized by the City of Franklin and its successors.
2. The removal of trees or other natural resources shall be prohibited.
3. The removal of trees or other natural resources shall be prohibited.
4. The removal of trees or other natural resources shall be prohibited.
5. The removal of trees or other natural resources shall be prohibited.
6. The removal of trees or other natural resources shall be prohibited.
7. The removal of trees or other natural resources shall be prohibited.
8. The removal of trees or other natural resources shall be prohibited.

FAITHWAY RESERVE EASEMENT

The Faithway Reserve shall be maintained as a natural area and shall be used only for purposes authorized by the City of Franklin and its successors.

RECORDING INFORMATION

RECORDING INFORMATION
RECORDING INFORMATION
RECORDING INFORMATION

Curve #	Length	Radius	Chord Bearing	Chord Length	Chord Angle	Chord Distance	Chord Area
1	1.00	1.00	1.00	1.00	1.00	1.00	1.00
2	1.00	1.00	1.00	1.00	1.00	1.00	1.00
3	1.00	1.00	1.00	1.00	1.00	1.00	1.00
4	1.00	1.00	1.00	1.00	1.00	1.00	1.00
5	1.00	1.00	1.00	1.00	1.00	1.00	1.00
6	1.00	1.00	1.00	1.00	1.00	1.00	1.00
7	1.00	1.00	1.00	1.00	1.00	1.00	1.00
8	1.00	1.00	1.00	1.00	1.00	1.00	1.00

There are no objections to this plat with respect to
Sect. 236.15, 236.16, 236.20 and 236.21(1) and (2),
W.S. Stat., as provided by s. 236.12, Wis. Stat.

Deborah J. Bredt
Deputy of Administration



Deborah J. Bredt
Professional Land Surveyor 53132

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APPROVAL <i>slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE May 5, 2020
REPORTS & RECOMMENDATIONS	AUTHORIZE VANDEWALLE & ASSOCIATES, INC. TO PROVIDE SUPPORT FOR PARKLAND ACQUISITION SERVICES FOR A NOT-TO-EXCEED FEE OF \$25,000	ITEM NUMBER <i>G.15,</i>

BACKGROUND

On July 2, 2019, Common Council has expressed a desire (G.10) to hire a consultant that will look for suitable properties for the City to purchase and use as parklands. The effort to locate a suitable firm and negotiate a contract was initiated by the former Director of Administration. Current staff has finalized the negotiations of a scope and fee with Vandewalle & Associates.

ANALYSIS

The Scope of services are included as Attachment A and include:

1. Review of existing plans for the purpose of identifying a baseline as to the general intent and goals of the City related to parkland acquisition.
2. Conduct real estate analysis to preliminarily determine potential sites and/or localized areas for acquisition.
3. Conduct interviews and meetings with stakeholders, which will likely require evening meetings with the Common Council, the Plan Commission, the Parks Commission, and/or the Environmental Commission.
4. Monthly update to be provided to the Common Council.

OPTIONS

- A. Authorize Vandewalle to perform work support for parkland acquisition services. Or
- B. Refer back to Staff with further direction.

FISCAL NOTE

The 2020 Capital Improvement Fund includes a \$550,000 appropriation for the acquisition of parkland. This contract qualifies under that appropriation as part of the cost of acquisition. In addition, the expenditure would then qualify for some park impact fees (to offset a portion of that cost).

COUNCIL ACTION REQUESTED

(OPTION A) Resolution 2020-_____ a resolution to authorize Vandewalle & Associates, Inc. to provide support for parkland acquisition services for a not-to-exceed fee of \$25,000.

STATE OF WISCONSIN: CITY OF FRANKLIN: MILWAUKEE COUNTY

RESOLUTION NO. 2020- _____

RESOLUTION TO AUTHORIZE VANDEWALLE & ASSOCIATES, INC.
TO PROVIDE SUPPORT FOR PARKLAND ACQUISITION SERVICES FOR
A NOT-TO-EXCEED FEE OF \$25,000

WHEREAS, the City of Franklin wishes to acquire land suitable for new parks development; and

WHEREAS, Staff needs assistance in locating suitable property and negotiating suitable terms; and

WHEREAS, Vandewalle & Associates, Inc. is a qualified consulting firm that has experience providing similar services for other municipal DPW operations; and

WHEREAS, services related to acquisition of new parklands are suitable for partial reimbursement from the accumulated Park Impact Fees.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that Vandewalle & Associates, Inc. are to provide support for parkland acquisition services for a not-to-exceed fee of \$25,000.

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

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


APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

APPROVAL 	REQUEST FOR COUNCIL ACTION	MEETING DATE 7/2/2019
REPORTS & RECOMMENDATIONS	Parkland Acquisition Professional Services Agreement with Vandewalle & Associates	ITEM NUMBER

At the 6/18/19 Common Council meeting the Council approved a motion "to direct staff to pursue and develop a Professional Services Agreement and Scope of Services for Parkland Acquisition." That Council action sheet specifically addressed Vandewalle and provided some information as to their capabilities in this area and potential alignment with out needs.

A contract in final form is not yet finalized, but conceptual agreement as to the scope of services, deliverables, and some pricing and administrative components have been reached. In order to keep the process moving, the Director of Administration is proposing that the Council Authorize the Mayor to execute a contract pending final completion of the scope of services and incorporation into the standard contract form. The completion could incorporate some additional clarifications and technical corrections.

The draft, conceptual scope of services is as follows. **SCOPE OF SERVICES FOR PARKLAND ACQUISITION:**

Vandewalle & Associates (hereafter Vandewalle) will work with the City of Franklin, and other partners as may be identified, to execute the acquisition of parkland by the City of Franklin. Vandewalle will execute all aspects of the parkland acquisition which includes the following steps, which are referenced herein in general terms.

- Review of existing plans** for the purpose of identifying a baseline as to the general intent and goals of the City related to parkland acquisition. Review would at least include the City of Franklin 2025 Comprehensive Master Plan; Franklin's Future Land Use Map, City of Franklin Comprehensive Outdoor Recreation Plan: 2025, and zoning ordinances as relevant to consider future land use plans and existing parameters related to development and the community's long-term vision.
Timeline: 1 month.
Deliverable: Estimated timeline for next steps (below) and enhanced outline of the recommended process going forward.
- Conduct real estate analysis to preliminarily determine potential sites and/or localized areas for acquisition.**
Study and consider ideal sites for future park development and assess market value of target properties or localized areas.
Timeline: as determined in #1 above
Deliverable: Meeting with primary staff to discuss/present initial findings.
- Conduct interviews and meetings with stakeholders**, which will likely require evening meetings with the Common Council, the Plan Commission, the Parks Commission, and/or the Environmental Commission. Stakeholders may extend beyond city staff, leadership, and Boards and Commissions to include property owners, neighbors, and relevant environmental and market conditions experts such as: MMSD, DNR, SEWRPC, etc. Meetings may include developing and hosting public information meetings and/or neighborhood meetings.
Deliverable: Meeting with Common Council, and potentially Park Commission, (in closed session if determined allowable under statute) to provide recommendations on target properties for consideration along with a basis for each such recommendation and to provide a recommended approach or strategy for pursuit of acquisition, which may include any public information rollout strategy.
- Execute property acquisitions.** Represent the City in the final steps of property acquisition which include, but are not limited to, negotiation of price, the making of formal offers, and coordination and/or preparation of purchase documents. Ensuring all acquisitions are done in accordance with statutory provisions and legal requirements related to municipal property acquisition. It is anticipated this step would also include executing any public information rollout strategy or plan necessary to manage the public understanding and reception of proposed acquisitions.

5. Miscellaneous:

- a. **Deliverables can be further defined as the process gets underway**, which may include related efforts such as preparing initial and ongoing summary findings, development scenarios and recommendations related to land use plans; the development and tax base implications of changes in land uses; potential funding assistance to leverage existing funds; next steps for use of development funds and site acquisition process; and summary recommendations to amend plans/code in order to connect efforts to overall advancement of the City's long-term vision and plan.
 - b. **Staff Meeting Deliverable:** Following step 1 above, deliverables include a meeting at least every other week with primary staff (which will be defined as Joel and Mark), unless waived at the discretion of the primary staff, for the purpose of updating staff as to efforts and progress. Such meetings may be by conference call or by other such technology means.
 - c. **Council Update Deliverable:** The scope anticipates a monthly update to be provided to the Common Council including hours, cost, and general project status. The City's primary staff will determine at which such updates Vandewalle representatives will be needed, with reasonable consideration given by staff as to advance notice and special circumstances relative to Vandewalle's availability.
6. Jolena Presti, Principal Planner, will serve as the project manager with assistance from Meredith Perks (planning, research, coordination) and Dan Johns (real estate). Mike Slavney, Principal Planner is on-board to advise on zoning related issues; yet if appropriate Jackie Mich (also currently working with the Franklin Planning Office) can provide insights on the City's zoning code and other topics to achieve efficiencies in this effort. Brian Vandewalle, firm president and CEO, will provide expertise related to market, location and site selection, and highest and best use from a real estate perspective.

Please note that Vandewalle provided a very professional initial proposal that provided a good introduction to their staff and their firm. It has been attached for your convenience. The scope shown on page 2 of their proposal will be superseded by the more detailed, acquisition-specific scope outlined above.

This scope would be incorporated into a standard form professional services agreement. As sample of that agreement is attached for your convenience. That agreement will be tweaked to incorporate the following:

- a) Ensure detailed billing showing days and hours worked and the general purpose or nature of work.
- b) Scope of services will be performed on a time and materials basis, billable monthly.
- c) They will begin the project immediately after contract execution.
- d) Contract will note that Vandewalle & Associates will work with the Director of Administration and the Planning Manager to advance this effort with the work elements. They will coordinate with both (ex. all emails copied to both). The Director of Administration will take point until Joel (Planning Manager) becomes sufficiently free to take it over (or delegate to staff) at which point the Director of Administration would take a reduced roll.
- e) The contract would be set up as a Master Agreement with the Council controlling authorization of funding. That way the Common Council can clearly "control the purse strings" and can keep authorizing more funding as the project shows continued progress.
- f) The Agreement can be cancelled by the City at any time without penalty or additional charges beyond work already completed.

The hourly rates to be included will be based upon the staff member involved and is shown at the end of their original proposal. They have agreed to drop their technology charge of \$50 per month and will only charge 50% of actual mileage. They will control and regulate multiple staff attending or being charged for simultaneous effort. This will just have to be an item that both parties monitor.

FUNDING: The intent is that the costs are all Park Land Acquisition costs eligible for impact fee allocations in accordance with the Facility Needs Study. The appropriation being used is listed as "Neighborhood Park land acquisition" in the Capital Improvement Fund, which is 47 percent impact fee funded. For efficiency and effectiveness and to target opportunities, Vandewalle will be considering all parkland acquisition needs set forth in the Facility Needs Study and or CORP, not just the neighborhood park classification. As noted above, the

agreement would be set up as a "master" agreement, with more funding authorization approved by the Council as the process moves forward and as the consultant proves themselves. The Director of Administration recommends and initial authorization limited to \$25,000.

CONFIRMATION OF IMPACT FEE APPLICABILITY: The contract scope is clearly drafted to ensure that the intent of the services are for direct land acquisition. As such, the costs are part of the acquisition costs and eligible for impact fees, just as architect charges were covered in the park pavilion project. Nonetheless, prior to the contract execution, (if approved herein by the Council), staff will review with counsel the applicability of the charges to impact fees. This step is being taken just to ensure that there is no confusion that these efforts are general park planning, which would not be eligible for use of impact fees. If any issues or concerns are identified, the matter will be returned to the Common Council.

In order to keep this item moving, it is suggested that the same authorization be provided that the Common Council gave for additional professional services support for the Planning Department: authorization for the Mayor to approve a professional services agreement incorporating the items addressed herein, as well as clarifications and technical corrections for an initial amount not to exceed \$25,000. If the Common Council prefers to see the final form of the contract prior to approval, please table the item until the next meeting.

COUNCIL ACTION REQUESTED

Motion to authorize the Mayor to approve a professional services agreement with Vandewalle & Associates for Parkland Acquisition Services, incorporating the scope of services and items addressed within the Council Action Sheet, as well as clarifications and technical corrections, for an initial amount not to exceed \$25,000.

- Approved
mark to
finalize
contract

A G R E E M E N T
between
the City of Franklin
and
Vandewalle & Associates Inc.
for
Parkland Acquisition Services

DRAFT DOCUMENT TO BE
AMENDED PER THE COUNCIL
ACTION SHEET.

This AGREEMENT, made and entered into this ____ day of _____, between the City of Franklin, 9229 West Loomis Road, Franklin, Wisconsin 53132 (hereinafter "CITY") and Vandewalle & Associates Inc. (hereinafter "CONTRACTOR"), whose principal place of business is 120 East Lakeside Street, Madison WI, 53715.

W I T N E S S E T H

WHEREAS, the CONTRACTOR is duly qualified and experienced as a comprehensive planning and zoning consulting contractor with Real Estate experience and has offered services for the purposes specified in this AGREEMENT; and

WHEREAS, in the judgment of the CITY, it is necessary and advisable to obtain the services of the CONTRACTOR to provide support for parkland acquisition services;

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

I. BASIC SERVICES AND AGREEMENT ADMINISTRATION

- A. [INCORPORATE FINAL SCOPE]
- B. The CONTRACTOR shall serve as the CITY's professional representative in matters to which this AGREEMENT applies. The CONTRACTOR is not guaranteed to be the CITY's sole representative in such matters, and the CITY is not restricted from engaging other professional service consultants to address such matters as the CITY shall determine is appropriate.
- C. The CONTRACTOR may not employ the services of outside consultants and subcontractors to complete work under this AGREEMENT.
- D. The CONTRACTOR is an independent contractor and all persons furnishing services hereunder are employees of, or independent subcontractors to (if allowed for herein), the CONTRACTOR and not of the CITY. All obligations under the Federal Insurance Contribution Act (FICA), the Federal Unemployment Tax Act (FUTA), and income tax withholding are the responsibility of the CONTRACTOR as employer. The CITY understands that express AGREEMENTS may exist between the CONTRACTOR and its employees regarding extra work, competition, and nondisclosure

II. FEES AND PAYMENTS

The CITY agrees to pay the CONTRACTOR on a time and materials basis, for and in consideration of the performance of Basic Services described herein, at rates as identified in Attachment.

[NOTE: ADJUST THIS SECTION PER THE COUNCIL ACTION SHEET]

- A. The CONTRACTOR may bill the CITY and be paid for all work satisfactorily completed hereunder on a monthly basis following submission of an invoice and appropriate supporting documentation, such as hours worked and type of work completed, to substantiate the invoice. The CITY agrees to pay the CONTRACTOR's invoice, if undisputed, within 30 days of invoice date for all approved work.
- B. In consideration of the faithful performance of this AGREEMENT, the CONTRACTOR will not exceed the fee for Basic Services, which is inclusive of all expenses, without written authorization from the CITY to perform work over and above that described in the original AGREEMENT.
- C. **NOTE: SET MASTER AGREEMENT FORMAT AND ESTABLISH INITIAL AMOUNT AS PER THE FOLLOWING:** The cost of all services (and reimbursable mileage) to be provided under this agreement shall not exceed \$25,000, without amendment of this agreement.
- D. Should the CITY find deficiencies in work performed or reported, it will notify the CONTRACTOR in writing within thirty (30) days of receipt of invoice and related report, and the CONTRACTOR will remedy the deficiencies within thirty (30) days of receiving the CITY's notice, which period may be extended by mutual agreement of the CONTRACTOR and the CITY's representative identified in Subsection IV A. below. This subsection shall not be construed to be a limitation of any rights or remedies otherwise available to the CITY.
- E. Travel time to initially report to work at City Hall on each given day is not chargeable time. Travel time around Franklin related to projects or site visits is chargeable time and is also subject to reimbursement by the CITY at thirty two cents per documented mile (\$.32). Mileage documentation includes the date, distance, destinations, and brief statement of purpose.

III. MODIFICATION AND ADDITIONAL SERVICES

- A. This AGREEMENT may only be amended by written instrument signed by both the CITY and the CONTRACTOR.
- B. The CITY may, in writing, request changes in the Basic Services required to be performed by the CONTRACTOR and require specification of incremental or decremental costs or the basis for such incremental or decremental costs prior to change order agreement under this AGREEMENT. Upon acceptance of the request of such changes, the CONTRACTOR shall submit a "Change Order Request Form" to the CITY for authorization, notice to proceed, and signature. The CITY may return such to the CONTRACTOR to finalize acceptance of the change order. Any claim by the CONTRACTOR for an adjustment hereunder that applies the basis for any cost changes must be made to the CITY in writing, and with appropriate supporting documentation, no later than forty-five (45) days after receipt by the CONTRACTOR of approved change order from the CITY, unless a different deadline is provided for within the approved change order.

IV. ASSISTANCE AND CONTROL

- A. Joel Dietl, Planning Manager, and Mark Luberda, Director of Administration acting on behalf of the CITY, will serve as primary staff and be responsible for communication within the CITY's organization as related to all issues originating under this AGREEMENT and will monitor, evaluate, and coordinate the work of the CONTRACTOR.
- B. The CITY will timely provide the CONTRACTOR with information in its possession related to the PROJECT as mutually deemed necessary and pertinent.
- C. The CONTRACTOR will appoint, subject to the approval by the CITY, Jolena Presti, Principal, as the CONTRACTOR's Project Manager and may appoint other key providers of the Basic Services. Substitution of other staff may occur only with the consent of the CITY.

V. TERMINATION

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

VI. INSURANCE

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

A. General/Commercial Liability	\$1,000,000 per each occurrence
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	<p>\$2,000,000 per annual or general aggregate, and \$2,000,000 products/completed operations aggregate</p> <p>CITY shall be named as an additional insured on a primary, non-contributory basis.</p>
B. Automobile Liability	<p>\$1,000,000 combined single limit (together with excess or umbrella coverage with a combined minimum limit of \$5,000,000)</p> <p>CITY shall be named as an additional insured on a primary, non-contributory basis and shall receive a waiver of subrogation in favor of the Owner.</p>
C. Umbrella or Excess Liability Coverage for General/Commercial and Automobile Liability	<p>\$2,000,000 or in the event the general/commercial liability coverage limits exceed the minimum amount stipulated in "A" above, such lesser amount as is necessary to achieve a total of \$4,000,000 in coverage between the general/commercial liability and umbrella or excess liability coverage.</p> <p>CITY shall be named as an additional insured on a primary, non-contributory basis.</p>
D. Worker's Compensation and Employers' Liability	<p>CONTRACTOR shall maintain at levels as required by the State of Wisconsin,</p> <p>The coverage shall provide a waiver of worker's compensation subrogation and/or any rights of recovery allowed under any worker's compensation law, both in favor of the Owner.</p>
E. Errors and Omissions (Professional Liability)	<p>\$1,000,000 per claim \$1,000,000 annual aggregate</p>

Upon the execution of this AGREEMENT, the CONTRACTOR shall supply the CITY with a suitable statement (Certificate of Liability Insurance) and any Additional Insured Policy Endorsements, in a form acceptable to the CITY, certifying said protection and defining the terms of the policy issued and naming the CITY as an additional insured for General/Commercial Liability and Automobile Liability and Umbrella or Excess Liability coverage. The CITY shall be listed as "The City of Franklin, including its employees and its elected or appointed officials."

If said policies are thereafter canceled, permitted to expire, or changed, the CONTRACTOR shall immediately notify the CITY and shall immediately cease all work until such replacement policies meeting the requirements of this AGREEMENT and of the CITY are fully in place and in force and all required documentation and certificates are provided to the CITY.

The CITY'S acceptance of certificates or original insurance policies or both and the allowance to commence work does not release the CONTRACTOR, nor the CONTRACTOR's subcontractors, from the required level of insurance and required level of security and protection provided the CITY by the insurance requirements set forth herein. In the event the CONTRACTOR fails to ensure the CONTRACTOR and all subcontractors are insured and continue to remain insured, the CONTRACTOR shall indemnify and hold the Owner and its officers and employees harmless against any claim or suit and against any costs, losses, and damages (including but not limited to reasonable fees and charges of attorneys or other professionals and reasonable court or arbitration or other dispute resolution costs). The entire obligation to ensure required coverage for all subcontractors shall remain with the CONTRACTOR; and the CITY, for any reason including but not limited to not being in possession of documentation or certificates of liability, shall not, in any way, have or share any obligation or responsibility to ensure CONTRACTOR and subcontractors have the required insurance coverage.

Acceptability of Insurers: Insurance shall be placed with insurers who are authorized as an admitted insurance company in the State of Wisconsin.

VII. INDEMNIFICATION AND ALLOCATION OF RISK

- A. Nothing contained within this AGREEMENT is intended to be a waiver or estoppel of the CITY or its insurer to rely upon the limitations, defenses, and immunities contained within Wisconsin law, including but not limited to, those contained within Wisconsin Statutes §893.80, §895.52, and §345.05. To the extent that indemnification is available and enforceable, neither the CITY nor its insurer shall be liable in indemnity or contribution for an amount greater than the limits of liability for municipal claims established by Wisconsin Law.
- B. The CONTRACTOR warrants each of the following:
 - 1. No document(s) used for the project requires the CITY or its insurer to indemnify and/or hold harmless any party to the contract for any reason.
 - 2. No document(s) used for the project requires the CITY or its insurer to waive subrogation for any liability, workers compensation or property policy.
 - 3. The documents used for the project shall not contain any wording limiting the financial responsibility of the CONTRACTOR.
- C. The CONTRACTOR shall well and truly save and indemnify and keep harmless the CITY against all liability, judgments, costs and expenses, which may in any way result from the carelessness or neglect of the said CONTRACTOR, or the agents, employees or workmen of said CONTRACTOR in any respect whatsoever.

VIII. TIME FOR COMPLETION

The CONTRACTOR shall commence work promptly and diligently upon execution of this AGREEMENT.

IX. DISPUTES

This AGREEMENT shall be construed under and governed by the laws of the State of Wisconsin. The venue for any actions arising under this AGREEMENT shall be the Circuit Court for Milwaukee County. The prevailing party shall be awarded its actual costs of any such litigation, including reasonable attorney fees.

X. RECORDS RETENTION

Unless other required herein, the CONTRACTOR shall maintain all records pertaining to this AGREEMENT during the term of this AGREEMENT and for a period of 3 years following its completion. Such records shall be made available by the CONTRACTOR to the CITY for inspection and copying upon request.

XI. MISCELLANEOUS PROVISIONS

- A. Professionalism: The CONTRACTOR stipulates that the same degree of care, skill, and diligence shall be exercised in the performance of the services as is possessed and exercised by a member of the same profession, currently practicing, under similar circumstances, and all persons providing such services under this AGREEMENT shall have such active certifications, licenses and permissions as may be required by law.
- B. Pursuant to Law: Notwithstanding anything to the contrary anywhere else set forth within this AGREEMENT, all services and any and all materials and/or products provided by the CONTRACTOR under this AGREEMENT shall be in compliance with all applicable governmental laws, statutes, decisions, codes, rules, orders, and ordinances, be they Federal, State, County or Local.
- C. Conflict of Interest: The CONTRACTOR warrants that neither it nor any of its affiliates has any financial or other personal interest that would conflict in any manner with the performance of the services under this AGREEMENT and that neither it nor any of its affiliates will acquire directly or indirectly any such interest. The CONTRACTOR warrants that it will immediately notify the CITY if any actual or potential conflict of interest arises or becomes known to the CONTRACTOR. Upon receipt of such notification, a CITY review and written approval is required for the CONTRACTOR to continue to perform work under this AGREEMENT. Additionally, the CONTRACTOR shall not take an action or provide to an individual any item that confers a personal benefit upon an employee or officer of the CITY.

XII. CONTROLLING TERMS AND PROVISIONS

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

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

CITY OF FRANKLIN, WISCONSIN

VANDEWALLE & ASSOCIATES, INC.

Stephen R. Olson, Mayor Dated

BY: _____
Dated

PRINT NAME: _____

Sandra L. Wesolowski, City Clerk Dated

Paul Rotzenberg, Director of Finance Dated
And Treasurer

APPROVED AS TO FORM:

Jesse A. Wesolowski, City Attorney Dated
And Treasurer

TITLE: _____

BY: _____
Dated

PRINT NAME: _____

TITLE: _____

BY: _____
Dated

PRINT NAME: _____

TITLE: _____

Attachment A

Insert Hourly Rate Table

(ADD A LIST OF NAMES/POSITION TITLES AND APPLICABLE HOURLY RATES)

A G R E E M E N T
between
the City of Franklin
and
Vandewalle & Associates Inc.
for
Parkland Acquisition Services

This AGREEMENT, made and entered into this ____ day of January, 2020, between the City of Franklin, 9229 West Loomis Road, Franklin, Wisconsin 53132 (hereinafter "CITY") and Vandewalle & Associates Inc. (hereinafter "CONTRACTOR"), whose principal place of business is 120 East Lakeside Street, Madison WI, 53715.

W I T N E S S E T H

WHEREAS, the CONTRACTOR is duly qualified and experienced as a comprehensive planning and zoning consulting contractor with Real Estate experience and has offered services for the purposes specified in this AGREEMENT; and

WHEREAS, in the judgment of the CITY, it is necessary and advisable to obtain the services of the CONTRACTOR to provide support for parkland acquisition services;

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

I. BASIC SERVICES AND AGREEMENT ADMINISTRATION

- A. Scope of Services: CONTRACTOR will work, with the CITY, and other partners as may be identified, to execute the acquisition of parkland by the CITY. The CONTRACTOR will execute all aspects of the parkland acquisition as set forth in the Attachment A, "Basic Scope of Services," which is incorporated herein by reference
- B. The CONTRACTOR shall serve as the CITY's professional representative in matters to which this AGREEMENT applies. The CONTRACTOR is not guaranteed to be the CITY's sole representative in such matters, and the CITY is not restricted from engaging other professional service consultants to address such matters as the CITY shall determine is appropriate.
- C. The CONTRACTOR may not employ the services of outside consultants and subcontractors to complete work under this AGREEMENT.
- D. The CONTRACTOR is an independent contractor and all persons furnishing services hereunder are employees of, or independent subcontractors to (if allowed for herein), the CONTRACTOR and not of the CITY. All obligations under the Federal Insurance Contribution Act (FICA), the Federal Unemployment Tax Act (FUTA), and income tax withholding are the responsibility of the CONTRACTOR as employer. The CITY understands that express AGREEMENTS may exist between the CONTRACTOR and its employees regarding extra work, competition, and nondisclosure.

II. FEES AND PAYMENTS

The CITY agrees to pay the CONTRACTOR on a time and materials basis, for and in consideration of the performance of Basic Services described herein, at rates as identified in Attachment B, except as otherwise noted below.

- A. The CONTRACTOR may bill the CITY and be paid for all work satisfactorily completed hereunder on a monthly basis following submission of an invoice and appropriate supporting documentation. To substantiate the invoice, appropriate supporting documentation shall include, without limitation due to reference herein, the following: days and hours worked, individual performing the work, and the general purpose, nature, or type of the work performed (as appropriate). The CITY agrees to pay the CONTRACTOR's invoice, if undisputed, within 30 days of invoice date for all approved work.
- B. The cost of all services (including but not limited to any reimbursable mileage and all reimbursable expenses) to be provided under this agreement shall not exceed \$25,000 (Initial Funding), without written authorization and amendment of this AGREEMENT. In consideration of the faithful performance of this AGREEMENT, the CONTRACTOR will achieve completion of or substantial progress toward the stated deliverables within the allowance of the Initial Funding.
- C. It is the expectation that this AGREEMENT shall serve as a MASTER AGREEMENT with additional funding beyond the Initial Funding being authorized, as may be mutually agreed upon, through amendment to this AGREEMENT.
- D. Should the CITY find deficiencies in work performed or reported, it will notify the CONTRACTOR in writing within thirty (30) days of receipt of invoice and related report, and the CONTRACTOR will remedy the deficiencies within thirty (30) days of receiving the CITY's notice, which period may be extended by mutual agreement of the CONTRACTOR and the CITY's representative identified in Subsection IV A. below. This subsection shall not be construed to be a limitation of any rights or remedies otherwise available to the CITY.
- E. Travel time shall be reimbursable at fifty percent (50%) of documented and mileage to be reimbursed at current IRS rate. Multiple vehicles will not charge mileage for attending the same meeting. Travel time around Franklin related to projects or site visits is chargeable time. Mileage documentation includes the date, distance, destinations, and brief statement of purpose.

III. MODIFICATION AND ADDITIONAL SERVICES

- A. This AGREEMENT may only be amended by written instrument signed by both the CITY and the CONTRACTOR.

- B The CITY may, in writing, request changes in the Basic Scope of Services required to be performed by the CONTRACTOR, which may continue to be on a time and material basis or may, by mutual agreement, be on a fixed-fee, not-to-exceed fee, or other such basis.
- C Any claim by the CONTRACTOR for an adjustment hereunder that applies the basis for any cost changes must be in accordance with an amendment to the AGREEMENT that is executed prior to such claim.

IV. ASSISTANCE AND CONTROL

- A Alderman John Nelson will serve as CITY's Lead Staff and be responsible for communication within the CITY's organization as related to all issues originating under this AGREEMENT and will monitor, evaluate, and coordinate the work of the CONTRACTOR.
- B. The CITY will timely provide the CONTRACTOR with information in its possession related to the PROJECT as mutually deemed necessary and pertinent.
- C. The CONTRACTOR will appoint, subject to the approval by the CITY, Brian Munson, Principal, as the CONTRACTOR's Project Manager and may appoint other key providers of the Basic Services. Substitution of other staff may occur only with the consent of the CITY.

V. TERMINATION

- A This AGREEMENT may be terminated by the CITY, for its convenience, for any or no reason, upon 7 days written notice to the CONTRACTOR. This AGREEMENT may be terminated by the CONTRACTOR upon seven (7) days written notice. Upon such termination by the CITY, the CONTRACTOR shall be entitled to payment of such amount as shall fairly compensate the CONTRACTOR for all approved and performed work up to the date of termination and from the last work-dates invoiced, except that no amount shall be payable for any losses of revenue or profit from any source outside the scope of this AGREEMENT, including but not limited to, other actual or potential agreements for services with other parties.
- B In the event that this AGREEMENT is terminated for any reason, the CONTRACTOR shall deliver to the CITY all data, reports, summaries, correspondence, and other written, printed, or tabulated material pertaining in any way to Basic Scope of Services that the CONTRACTOR may have accumulated. Such material is to be delivered to the CITY whether in completed form or in process.
- C. The rights and remedies of the CITY and the CONTRACTOR under this section are not exclusive and are in addition to any other rights and remedies provided by law or appearing in any other article of this AGREEMENT.
- D. Failure to maintain the designated staff (as identified herein and in the CONTRACTOR's original proposal) or such similarly qualified staff as

determined by the CITY may lead to termination of the agreement, as determined by the CITY

VI. INSURANCE

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

A. General/Commercial Liability	\$1,000,000 per each occurrence \$2,000,000 per annual or general aggregate, and \$2,000,000 products/completed operations aggregate CITY shall be named as an additional insured on a primary, non-contributory basis.
B. Automobile Liability	\$1,000,000 combined single limit
C. Umbrella or Excess Liability Coverage for General/Commercial and Automobile Liability	\$2,000,000 or in the event the general/commercial liability coverage limits exceed the minimum amount stipulated in "A"
D. Worker's Compensation and Employers' Liability	CONTRACTOR shall maintain at levels as required by the State of Wisconsin,
E. Errors and Omissions (Professional Liability)	\$1,000,000 per claim \$1,000,000 annual aggregate

Upon the execution of this AGREEMENT, the CONTRACTOR shall supply the CITY with a suitable statement (Certificate of Liability Insurance) and any Additional Insured Policy Endorsements, in a form acceptable to the CITY, certifying said protection and defining the terms of the policy issued and naming the CITY as an additional insured for General/Commercial Liability and Umbrella or Excess Liability coverage.

If said policies are thereafter canceled, permitted to expire, or changed, the CONTRACTOR shall immediately notify the CITY and shall immediately cease all work until such replacement policies meeting the requirements of this AGREEMENT and of the CITY are fully in place and in force and all required documentation and certificates are provided to the CITY.

The CITY'S acceptance of certificates or original insurance policies or both and the allowance to commence work does not release the CONTRACTOR, nor the CONTRACTOR's authorized or unauthorized subcontractors, from the required level of insurance and required level of security and protection provided the CITY by the insurance requirements set forth herein.

Acceptability of Insurers: Insurance shall be placed with insurers who are authorized as an admitted insurance company in the State of Wisconsin.

VII. INDEMNIFICATION AND ALLOCATION OF RISK

- A. Nothing contained within this AGREEMENT is intended to be a waiver or estoppel of the CITY or its insurer to rely upon the limitations, defenses, and immunities contained within Wisconsin law, including but not limited to, those contained within Wisconsin Statutes §893.80, §895.52, and §345.05. To the extent that indemnification is available and enforceable, neither the CITY nor its insurer shall be liable in indemnity or contribution for an amount greater than the limits of liability for municipal claims established by Wisconsin Law.
- B. The CONTRACTOR warrants each of the following:
 - 1. No document(s) used for the project requires the CITY or its insurer to indemnify and/or hold harmless any party to the contract for any reason.
 - 2. No document(s) used for the project requires the CITY or its insurer to waive subrogation for any liability, workers compensation or property policy.
 - 3. The documents used for the project shall not contain any wording limiting the financial responsibility of the CONTRACTOR.
- C. The CONTRACTOR shall well and truly save and indemnify and keep harmless the CITY against all liability, judgments, costs and expenses, which may in any way result from the carelessness or neglect of the said CONTRACTOR, or the agents, employees or workmen of said CONTRACTOR in any respect whatsoever.

VIII. TIME FOR COMPLETION

The CONTRACTOR shall commence work promptly and diligently upon execution of this AGREEMENT.

IX. DISPUTES

This AGREEMENT shall be construed under and governed by the laws of the State of Wisconsin. The venue for any actions arising under this AGREEMENT shall be the Circuit Court for Milwaukee County. The prevailing party shall be awarded its actual costs of any such litigation, including reasonable attorney fees.

X. RECORDS RETENTION

Unless other required herein, the CONTRACTOR shall maintain all records pertaining to this AGREEMENT during the term of this AGREEMENT and for a period of 3 years following its completion. Such records shall be made available by the CONTRACTOR to the CITY for inspection and copying upon request.

XI. MISCELLANEOUS PROVISIONS

- A. Professionalism: The CONTRACTOR stipulates that the same degree of care, skill, and diligence shall be exercised in the performance of the services as is possessed and exercised by a member of the same profession, currently practicing, under similar circumstances, and all persons providing such services under this AGREEMENT shall have such active certifications, licenses, and permissions as may be required by law.
- B. Pursuant to Law: Notwithstanding anything to the contrary anywhere else set forth within this AGREEMENT, all services and any and all materials and/or products

provided by the CONTRACTOR under this AGREEMENT shall be in compliance with all applicable governmental laws, statutes, decisions, codes, rules, orders, and ordinances, be they Federal, State, County or Local.

- C. Conflict of Interest: The CONTRACTOR warrants that neither it nor any of its affiliates has any financial or other personal interest that would conflict in any manner with the performance of the services under this AGREEMENT and that neither it nor any of its affiliates will acquire directly or indirectly any such interest. The CONTRACTOR warrants that it will immediately notify the CITY if any actual or potential conflict of interest arises or becomes known to the CONTRACTOR. Upon receipt of such notification, a CITY review and written approval is required for the CONTRACTOR to continue to perform work under this AGREEMENT. Additionally, the CONTRACTOR shall not take an action or provide to an individual any item that confers a personal benefit upon an employee or officer of the CITY.

XII. CONTROLLING TERMS AND PROVISIONS

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

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

CITY OF FRANKLIN, WISCONSIN

VANDEWALLE & ASSOCIATES, INC.

Stephen R. Olson, Mayor Dated

BY: _____
Dated

Sandra L. Wesolowski, City Clerk Dated

PRINT NAME _____

TITLE: _____

Paul Rotzenberg, Director of Finance Dated
And Treasurer

BY: _____
Dated

PRINT NAME _____

APPROVED AS TO FORM:

TITLE: _____

Jesse A. Wesolowski, City Attorney Dated
And Treasurer

BY: _____
Dated

PRINT NAME _____

TITLE: _____

Attachment A

SCOPE OF BASIC SERVICES

1. **Review of existing plans** for the purpose of identifying a baseline as to the general intent and goals of the City related to parkland acquisition. Review would at least include the City of Franklin 2025 Comprehensive Master Plan; Franklin's Future Land Use Map, City of Franklin Comprehensive Outdoor Recreation Plan: 2025, and zoning ordinances as relevant to consider future land use plans and existing parameters related to development and the community's long-term vision.
Timeline: Not to exceed 1 month.
Deliverable: Estimated timeline for next steps (below) and enhanced outline of the recommended process going forward.
2. **Conduct real estate analysis to preliminarily determine potential sites and/or localized areas for acquisition.** Study and consider ideal sites for future park development and assess market value of target properties or localized areas.
Timeline: as determined in #1 above
Deliverable: Meeting with primary staff to discuss/present initial findings.
3. **Conduct interviews and meetings with stakeholders,** which will likely require evening meetings with the Common Council, the Plan Commission, the Parks Commission, and/or the Environmental Commission. Stakeholders may extend beyond city staff, leadership, and Boards and Commissions to include property owners, neighbors, and relevant environmental and market conditions experts such as: MMSD, DNR, SEWRPC, etc. Meetings may include developing and hosting public information meetings and/or neighborhood meetings.
Deliverable: Meeting with Common Council, and potentially Park Commission, (in closed session if determined allowable under statute) to provide recommendations on target properties for consideration along with a basis for each such recommendation and to provide a recommended approach or strategy for pursuit of acquisition, which may include any public information rollout strategy.
4. **Execute property acquisitions.** Represent the City in the final steps of property acquisition which include, but are not limited to, negotiation of price, the making of formal offers, and coordination and/or preparation of purchase documents. All of the preceding shall be done in coordination with legal counsel to be contracted separately by the City. Ensuring all acquisitions are done in accordance with statutory provisions and legal requirements related to municipal property acquisition. It is anticipated this step would also include executing any public information rollout strategy or plan necessary to manage the public understanding and reception of proposed acquisitions.
5. **Miscellaneous:**
 - a. **Deliverables can be further defined as the process gets underway,** which may include related efforts such as preparing initial and ongoing summary findings, development scenarios and recommendations related to land use plans; the development and tax base implications of changes in land uses; potential funding assistance to leverage existing funds; next steps for use of development funds and site acquisition process; and summary recommendations to amend plans/code in order to connect efforts to overall advancement of the City's long-term vision and plan.
 - b. **Staff Meeting Deliverable:** Following step 1 above, deliverables include a meeting at least every other week with City's Lead Staff (and other City staff as the Lead Staff determines

necessary), unless waived at the discretion of the Lead Staff, for the purpose of updating staff as to efforts and progress. Such meetings may be by conference call or by other such technology means.

c. **Council Update Deliverable:** The scope anticipates a monthly update to be provided to the Common Council including hours, cost, and general project status. The Lead Staff will determine at which such updates Vandewalle representatives will be needed, with reasonable consideration given by staff as to advance notice and special circumstances relative to Vandewalle's availability.

6. Scott Harrington, AICP, Principal Planner, will serve as the Project Manager with assistance from Meredith Perks (planning, research, coordination) and Dan Johns (real estate). Mike Slavney, Principal Planner is on-board to advise on zoning related issues; yet if appropriate Jackie Mich (also currently working with the Franklin Planning Office) can provide insights on the City's zoning code and other topics to achieve efficiencies in this effort. Brian Vandewalle, firm President and CEO, will provide expertise related to market, location and site selection, and highest and best use from a real estate perspective.

Attachment B

Fee Schedule

Hourly Rates

Company President	\$220 to \$250
Principal	\$180 to \$220
Associate	\$95 to \$130
Assistant	\$85 to \$95
GIS Analyst/Cartographer	\$90 to \$100
Communications Specialist	\$65 to \$120
Project Assistant	\$50 to \$65

APPROVAL <i>slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE May 5, 2020
REPORTS & RECOMMENDATIONS	AN ORDINANCE TO AMEND ORDINANCE 2019-2398, AN ORDINANCE ADOPTING THE 2020 ANNUAL BUDGETS FOR THE GENERAL FUND, CAPITAL OUTLAY FUND, EQUIPMENT REPLACEMENT FUND, STREET IMPROVEMENT FUND, CAPITAL IMPROVEMENT FUND AND DEVELOPMENT FUND TO REFLECT A LANDFILL SITING REVENUE SHORTFALL OF \$1,085,000 AND A \$943,000 MMSD GRANT RESOURCE TO THE CAPITAL IMPROVEMENT FUND	ITEM NUMBER <i>6.16.</i>

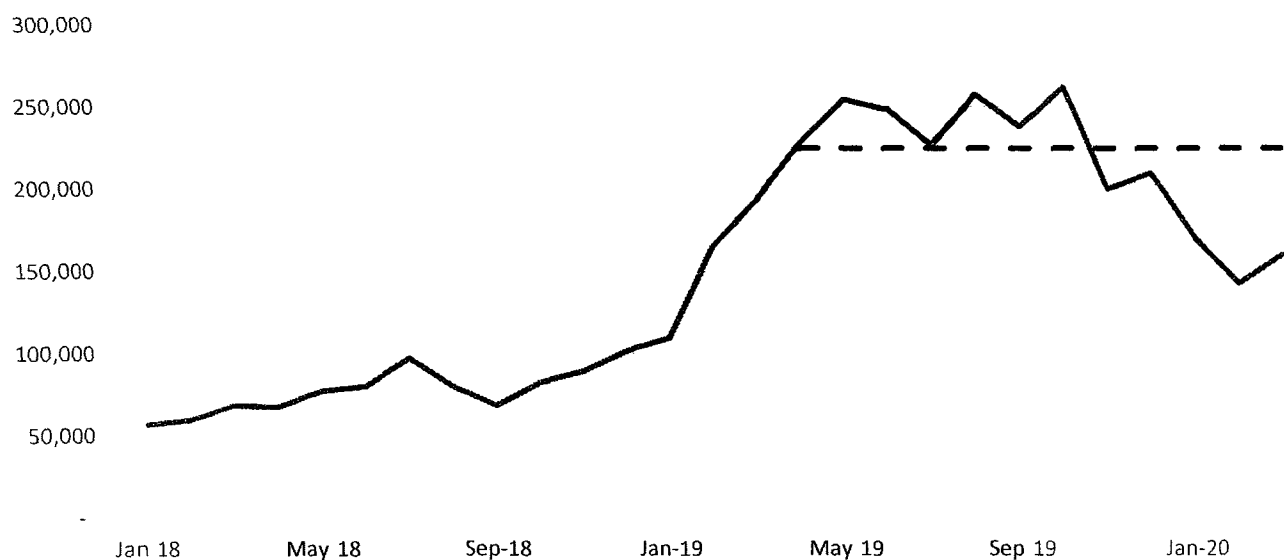
Background

On April 21, 2020 the Common Council requested the Finance Committee to review an expected 2020 \$1 million landfill siting revenue shortfall and the impact on the funds that receive a portion of that revenue.

The 2020 Capital Fund Budgets included \$2,252,000 of Landfill siting revenues with an additional \$458,000 of Landfill Siting revenues in other funds for total expected Landfill Siting revenues of \$2,710,000.

The 2020 Budgeted revenues were projected after the increase in revenues experienced when the operator received the expansion license. Rates per ton increased 25% and volumes also increased significantly with that expansion. Operator management noted that new operating levels had been obtained, and the City received \$225,000 in average monthly revenues. See below. The dash line indicates the 2020 budget amounts. Since November, 2019, revenues have steadily declined.

Monthly Landfill Siting Revenue



It now appears that Landfill Siting revenues will be \$1 million less for the year. Recent discussions with the Operator indicate that the reduced level noted above, which began BEFORE the Health Emergency, will continue, as volumes are again being directed to their Menomonee Falls location. That location had improvements underway during 2019, that reduced its capacity to take material. Those improvements have been completed, allowing the Menomonee Falls location to again handle normal volumes.

The Operator also noted that with the Health Emergency, they are seeing further reduced volumes and would not estimate future volumes.

The 2020 Capital Budget Resources are:

	Capital Outlay	Equipment Replacement	Capital Improve	Street Improve	Total Capital
Taxes	295,700	-			295,700
Landfill Siting	483,900	677,600	722,000	368,500	2,252,000
Intergovernmental				845,000	845,000
Other	38,800	93,900	3,366,500	4,800	3,504,000
					-
Total Revenues	818,400	771,500	4,088,500	1,218,300	6,896,700

Total 2020 Budgeted Landfill Siting Resources are:

	Total Capital	General	Library	Total
Taxes	295,700		1,340,500	1,636,200
Landfill Siting	2,252,000	438,000	20,000	2,710,000
Intergovernmental	845,000			845,000
Other	3,504,000		55,000	3,559,000
Total Revenues	6,896,700	438,000	1,415,500	8,750,200

Landfill siting represents 33% of Capital Fund resources. A significant reduction in that resource puts the 2020 Capital Expenditure programs in jeopardy without some modification.

Analysis

Staff recommends that 2020 Capital Budgets be re-evaluated anticipating a \$1 million landfill siting resource shortfall. This will need to be monitored and re-evaluated later this year.

Recommendation

Staff is recommended the following allocation of Landfill Siting revenues by fund for the following reasons.

- 1) Leave the Library allocation un-changed. While the **Library Fund** has a healthy surplus, tax levy growth over the years has been less than personnel cost increases coming from Common Council actions. That has placed increased pressure on their operations. The Library Fund surplus sits at 42% of 2019 expenditures. The \$20,000 represents 1.5% of expenditures.
- 2) **General Fund** – reduce the resource to \$200,000 – down \$238,000 – this will place pressure on operations for 2020, however the General Fund has other variable resources and fund balance that could be called upon.
- 3) **Capital Outlay** – reduce the resource by \$8,900 to \$475,000. The fund has a revised \$237,000 projected 2020 fund balance, thus the Capital Outlay Fund would not need to reduce 2020 programs unless the resource be further significantly reduced. As noted above, 59% of the Funds resource is to come from Landfill siting revenues.
- 4) **Equipment Replacement** – reduce the resource by \$277,600 to \$400,000. This fund has a projected 2020 fund balance of \$2,242,000. While the fund has been operating with a structural deficit for a number of years and has significant near-term demands, the 2020 reduction would push the funding problem further down the road. The 2020 projects can be supported by available resources and fund balance.
- 5) **Street Improvement** – reduce the resource by \$18,500 to \$350,000. This fund has a projected 2020 \$236,000 fund balance. With such a small fund balance, the 2020 program (already let by contract) could remain in place. The Highway Dept is having its own issues getting some streets prepared for the contractor, so some cost may be delayed to 2021 for other reasons.
- 6) **Capital Improvement Fund** - reduce landfill siting resources by \$542,000 to \$180,000. The 2020 budget should be further amended to recognize a \$943,000 Milwaukee Metropolitan Sewerage District grant that was delayed from 2019 as a new resource. In addition, the Pleasant View Park 2019 encumbrances will provide an additional \$71,400 Park Impact Fee resource. There was an understatement of approximately \$100,000 of round-about encumbrances from 2019 that should also be amended. With these changes, no further modifications of 2020 project appropriations are needed.

The Finance Committee reviewed the above, and recommended adoption of a budget amended at their April 28, 2020 meeting reflecting items 1-6 above.

COUNCIL ACTION REQUESTED

Motion adopting an ordinance to amend Ordinance 2019-2398, an Ordinance adopting the 2020 annual budgets for the General Fund, Capital Outlay fund, Equipment Replacement Fund, Street Improvement Fund, Capital Improvement Fund and Development Fund to reflect a landfill siting revenue shortfall of \$1,085,000 and a \$943,000 MMSD grant resource to the Capital Improvement Fund

Roll Call Vote Required

STATE OF WISCONSIN : CITY OF FRANKLIN : MILWAUKEE COUNTY

ORDINANCE NO. 2020 _____

AN ORDINANCE TO AMEND ORDINANCE 2019-2398, AN ORDINANCE ADOPTING THE 2020 ANNUAL BUDGETS FOR THE GENERAL FUND, CAPITAL OUTLAY FUND, EQUIPMENT REPLACEMENT FUND, STREET IMPROVEMENT FUND, CAPITAL IMPROVEMENT FUND AND DEVELOPMENT FUND TO REFLECT A LANDFILL SITING REVENUE SHORTFALL OF \$1,085,000 AND A \$943,000 MMSD GRANT RESOURCE TO THE CAPITAL IMPROVEMENT FUND

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

WHEREAS, landfill siting resources are split between operating and capital funds; and

WHEREAS, it now appears that 2020 landfill siting revenues will be \$1,085,000 less than what was planned in the 2020 budgets; and

WHEREAS, reducing the expected resources in the operating and capital funds will more accurately reflect the planned 2020 activity; and

WHEREAS, the 2019 park project encumbrances into 2020 qualify for park impact fee resources not reflected in the 2020 Capital Improvement Fund resources; and

WHEREAS, a \$943,000 Milwaukee Metropolitan Sewerage District grant is expected in 2020 such that the Capital Improvement Fund resources should reflect that item.

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

- | | | | |
|-----------|--|----------|-----------|
| Section 1 | That the 2020 Budget for the General Fund be amended as follows: | | |
| | Landfill Siting revenue | Decrease | \$238,000 |
| Section 2 | That the 2020 Budget for the Capital Outlay Fund be amended as follows: | | |
| | Landfill Siting revenue | Decrease | \$8,900 |
| Section 3 | That the 2020 Budget for the Equipment Replacement Fund be amended as follows: | | |
| | Landfill Siting revenue | Decrease | \$277,600 |
| Section 4 | That the 2020 Budget for the Street Improvement Fund be amended as follows: | | |
| | Landfill Siting revenues | Decrease | \$18,500 |
| Section 5 | That the 2020 Budget for the Development Fund be amended as follows: | | |
| | Transfers out to Fund 46 | Increase | \$71,400 |

Section 6 That the 2020 Budget for the Capital Improvement Fund be amended as follows:

Landfill Siting revenue	Decrease	\$542,000
Grants revenue	Increase	943,000
Transfer In from Park Impact fees	Increase	71,400
51 st Roundabout project costs	Increase	100,900

Section 7 Pursuant to §65.90(5)(a), Wis. Stats., the City Clerk is directed to publish a Class 1 notice of this budget amendment within ten days of adoption of this ordinance.

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

APPROVED:

Stephen R Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES ____ NOES ____ ABSENT ____

**City of Franklin
Capital Improvement Fund
Balance Sheet**

	2020 Amended Budget	Adjustments	Revised Total	
Revenue:				
Block Grants	\$ -	943,000	943,000	2
Other Grants	500,000		500,000	
Landfill Siting	722,000	(542,000)	180,000	3
Transfers from Other Funds	600,000		600,000	
Transfers from General Funds	500,000		500,000	
Transfers from Impact Fees	621,500	71,400	692,900	1
Transfers from Connection Fees	1,120,000		1,120,000	
Investment Income	25,000		25,000	
Total revenue	<u>4,088,500</u>	<u>472,400</u>	<u>4,560,900</u>	
Expenditures:				
General Government	511,505		511,505	
Public Safety	1,506,601		1,506,601	
Public Works	1,137,910	100,900	1,238,810	4
Health and Human Services			-	
Culture and Recreation	1,467,704		1,467,704	
Conservation and Development			-	
Sewer & Water	1,570,000		1,570,000	
Culture and Recreation			-	
Contingency	175,170		175,170	
Bond/Note Issuance Cost	-		-	
Total expenditures	<u>6,368,890</u>	<u>100,900</u>	<u>6,469,790</u>	
Revenue over (under) expenditures	<u>(2,280,390)</u>	<u>371,500</u>	<u>(1,908,890)</u>	
Fund balance, beginning of year	<u>2,012,476</u>	<u>-</u>	<u>2,012,476</u>	
Fund balance, end of period	<u><u>\$ (267,914)</u></u>	<u><u>\$ 371,500</u></u>	<u><u>\$ 103,586</u></u>	

- 1 Additional Park Impact fees on Pleasant View park Encumbrances
2. MMSD Grant for Rawson Homes
- 3 Reduced Landfill Siting Resources
4. Mistake in Budget on Roundabout

APPROVAL <i>slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 05/5/2020
REPORTS & RECOMMENDATIONS	Authorization for Purchase of BS&A's Community Development & Complaints Software including execution of the Software Licenses and Services Agreement	ITEM NUMBER 6, 17.

(This item was tabled to the May 5, 2020 Common Council Meeting from the April 21, 2020 Common Council Meeting.)

Project Notes: *The BS&A contract for the second phase of the Govern replacement project is nearly identical to the BS&A Water Utility contract signed on March 13, 2020. Only the project schedules and exhibits are different.*

Executive Summary: In 2002 the City of Franklin standardized all departmental land management and inspections systems under a suite of modules contained within Harris Govern. Although Harris has done a commendable job customizing an ERP system to the exact workflow and departmental requirements of Franklin, the v10.8 product lacks any ability to interface directly with the financial and accounting software. In addition to this core need, the Visual Basic 6 software does not have any ability to allow Internet based transactions to be performed, where constituents are unable to view a variety of bills and records online. Due to the history of the product being organically grown and supported within the Inspection Services department, the retirement of Fred Baumgart has required support and maintenance of the system to be performed by IT. This has brought to light many reporting and configuration issues within the systems that are extremely hard to correct, due to the longevity of the product and having one set of changes indirectly impact associated modules. Changing something as simple as a new fee or GL account is a process that can take several days and requires a significant amount of testing, due to the nature to fees being chained to one another during the calculations. In many cases, parameter data needs to be significantly simplified. Due to the aged VB6 architecture, one that does not natively support ODBC, SQL.DB, ADO, or .NET, integrating the product to other applications or enabling it for web services is extremely difficult. This requires very expensive customized code to be written for an application that has been slated for end of life by the software manufacturer.

This project focuses on replacing the entirety of Govern to a new ERP solution, one that is in alignment with planned changes being made to Water Utility Billing, while further enabling e-commerce. This is absolutely necessary to remain competitive with other municipalities for economic development investments, but also to improve constituent service and grow governmental transparency.

Explanation: Govern was initially installed and implemented by Harris Systems and a third-party consulting company based out of Chicago. Govern was selected as the Community Development ERP platform due to both the reputation and size of Harris Systems, but also because the vendor allowed for free license conversions to other Harris governmental products (in the event that the City was not satisfied with the current application). A major concern at the time was migrating city-wide core operational data to a new software package, only to have the company abandon the product or be acquired by another software company. The longevity and reputation of Harris Systems lowered the risk of product abandonment.

Over the course of nearly 20 years, Govern has been ported from a Visual Basic 6 program over to the Microsoft .NET programming language. The original .NET product was called Govern 5.0 (renamed Govern Open Forms 5.0) and was their premier .NET product. The software had major issues and many initial customers were dissatisfied with both the interface and usability. Integration with the new web portal was often determined to be very kludgy with a wide variety of issues.

The problems with Govern Open Forms 5.0 was so significant that Harris decided to stop development and completely rewrite the entire product, using some of the new built in tile technology that became available with Windows 8/10. The product was completely rewritten from the ground up, continuing to use the .NET platform, and contained dramatically improved interfaces and a brand-new ecommerce portal. Today Govern Open Form 6.1.x is the current product development line, which for years was the planned migration path.

Although Harris Systems is a large organization that makes a sizable number of governmental software products, at its core there have been several key problems that have never fully been corrected:

- Extremely Long and Unpredictable Software Development Lifecycles – Govern Open Forms 6.1 has been available since 2015, but in the course of four years Harris has not completed all modules within the suite. A key module to the software suite was the Water Utility Billing, which to date still has not been completed. Conversations with the SVP of Product Development, Benoit Lauzon, this product was to be finalized Q2 of 2019. The product has once again been delayed and of Q2 of 2020 still has yet to be coded and released.
- New Customers Halting the Development Process – A new customer (municipality) that is of large or complex scope will require product developers be temporarily transferred from writing module code to working on custom code or integration modules for the new customer. Developers are only reassigned back to product development once the new customer has been fully onboarded.
- Harris Temporary Transferring Developers to Other Business Lines – Harris has seen rapid growth in their health care services line of products and has moved developers between business units to help finalize product code for other high revenue initiatives.
- CAMA – Govern significantly altered their original product release scheduled by the introduction of both CAMA (computer assisted mass appraisal) and PACS (property appraisal and GIS services) as new modules. These were in high demand for the Canadian provinces and became a core focus of new development.
- Integration with other GL & Accounting Packages – Govern had very limited support for other accounting packages (supporting only the largest of accounting suites), with a very strong push to guiding customers to purchase GL/accounting packages produced by Harris Systems. For municipalities that already had their own financial accounting packages and already absorbed migration costs, the cost of creating customized AR/GL integration modules was extremely expensive. Securing Govern development time to creating integration modules for BS&A is also another major obstacle. Building upon a BS&A platform eliminates all integration problems between the financial systems and finally fully integrates it within the ERP.

In addition to issues within the Govern product development and support, the City of Franklin implemented several customized integrations that made moving off the older Visual Basic 10.8 version of Govern difficult:

- EditApp – Because Govern (being written in a programming language from the late 1990's) did not have a built-in workflow system, EditApp was written as a piece of middleware that would provide some level of automation within land management functions. EditApp allows land management records entered in Govern to be exported and directly inserted into the GIS database. The software also created a CSV file of all newly entered/modified land management records and allowed it to be easily imported into the Assessment Department's Universe database. EditApp, being middleware, is tightly coupled to the database schema of GIS and Govern, to a point that database schema changes cannot be made in GIS or Govern without first fully testing the compatibility of EditApp.
 - Because of the tight application coupling the usage of EditApp for automation mandates that the version of ESRI's ArcGIS be of a specific level. EditApp is actively being retired, due to ERSI no longer supporting the current version of ArcGIS and requiring an upgrade. Master data is currently being fully synchronized between GIS and Govern.
- Crystal Reports – All reports and governmental records (permits, licenses, invoices, receipts) are products in Crystal Reports. Over 340 reports already exist and migrating to a different application or Govern version will require that each and every Crystal Report template be rewritten. There currently are no Crystal Reports experts on staff within the City of Franklin to assist with rewriting the templates. Crystal Reports has been bought and sold several times to a variety of companies (3 times since 2002), with the product now being owned by SAP. Migrating a report template to a different version of Crystal Reports may break the reporting functions or introduce output errors.

Phase 1 Project: For the 2019 Capital Outlay Budget the Water Utility Department has approved funding to migrate from Govern 10.8 over to BS&A Water Utility module. A critical success factor with this project is to allow online bill payment of all Water Utility bills, and allow customers to view all utility bills completely online. In order to accomplish the eCommerce goals of the project, Water Utility Billing has to be integrated and fully automated with the BS&A AR & GL. Because Water Utility Billing and financial accounting functions are performed within the same product suite, integration between the two modules and databases is very easy to accomplish.

Phase 2 - Project Deliverables: At the successful completion of the project the following deliverables will be achieved:

- Phase 1 – Water Utility Billing Project is fully complete and all issues are resolved. The final data exact is expected to be performed on 9/24/2020, with a go live date of 10/1/2020.
- Create a Project Plan containing a task decomposition and project timeline.
- Create business process maps of existing workflows along with associated use cases.
- Install BS&A Community Development & Citizen Call to Action modules on a dedicated application server and install module level databases on a centralized SQL server. Modules installed will be BS&A Community Development suite (building department, field inspection, business licenses, and citizen call to action.)
- BS&A Online, which has already been provisioned for utility billing, will be extended to include the new modules and features.
- Create dedicated Active Directory application security groups and assign security permissions to the group based on user role assignments

- Assign database security permissions based upon Active Directory security groups. All application authentication will be performed using current Active Directory user accounts and passwords.
- Configure parameterized data in BS&A to match current application configuration parameters within the Govern Land Management, Inspections, Licensing, and Complaints modules.
- Convert and migrate current Govern records over to BS&A. This will be a phased approach of land management master data records being ported first, with associated inspections, licenses, permits, and complaint records be ported in successive phases.
- Integrate existing Govern AR accounts within BS&A Financials and interface them within BS&A ERP for automated data entry and workflows.
- Configure BS&A Online for public search for parcel, permit, inspection, license, and complaint records.
- Review system generated reports and permits, ensuring the current Govern generated documents align with those created in BS&A report building.
- Audit inspections, permits, and licenses 30-60 days after conversion to ensure the accuracy and formatting of all governmental records and invoices.

Project Milestones: It is anticipated that the project will proceed using the following major milestones:

- Project Planning & Scope Determination
- Analysis – Land Management Records & Forms
- Analysis – Permit Records & Forms
- Analysis – Inspection Records & Forms
- Analysis – Licensing Records & Forms
- Analysis – Zoning Records & Forms
- Analysis – Complaints Records & Forms
- Analysis - Business Process & Workflows & GIS Integration
- Analysis – BS&A Financial Configuration
- Implementation - Build Migration Scripts
- Implementation – Build & Configure Test System (optional)
- Implementation – Build & Configure Production System
- Implementation - Database Creation & Security Group Definitions
- Implementation – Build & Configure BS&A Online Portal
- Migration – Load Test System Data (iterative for each module)
- Migration – Load Production System Data
- Migration – Running Billing Test Cases
- Training – User & IT Support Training
- Cutover – Implement BS&A Applications on Desktops & Terminal Servers
- Cutover – Activate Online Portal & Bill Payment
- Testing – Run Test Cases
- Testing – Verify records and invoices

Project Costs:

Applications	\$73,285
Data Conversions	\$30,650
Customization	\$ 1,500
Project Management & Planning	\$16,500
Implementation & Training	\$39,600
Travel Expenses	<u>\$19,605</u>
Total Expenses	\$181,140

The vendor requested \$19,605 for travel expenses, but it is believed that some costs may be deferred by allowing remote VPN access during the course of the project. Due to mandatory changes in training programs due to COVID-19, video conferencing may be used instead of direct onsite instruction. Funding has been established as \$225,00 in order to provide for contingencies and cost overages, due to the complex nature of the project and iterative data conversions. Also, please note that the IT Director may require some modifications and clarification on the Scope of Work documentation prior to final execution.

COUNCIL ACTION REQUESTED

Motion to authorize Purchase of BS&A's Community Development and Citizen Call to Action Software including execution of the Software Licenses and Services Agreement and to authorize the Director of IT to execute the necessary documents.

SOFTWARE LICENSE AND SERVICES AGREEMENT

This Software License and Services Agreement that includes attached Exhibits ("Agreement") is between Bellefeuil, Szur & Associates, Inc. ("BSA"), a Michigan corporation and the City of Franklin, Milwaukee County WI ("Customer"), effective the date of the signature of the last Party to sign the Agreement ("Effective Date") Each party to the Agreement is referred to as a "Party" and the parties, collectively, are referred to as "Parties "

This Agreement sets the terms and conditions under which BSA will furnish certain licensed software and certain services described herein to Customer

SECTION A – SOFTWARE LICENSE

1. License Grant.

- 1.1.** Upon the Effective Date, subject to the terms of this Agreement and Customer's ongoing compliance therewith, BSA hereby grants to Customer a perpetual, non-exclusive, non-transferable, and non-assignable license to install and use the BSA Software Products for Customer's internal business purposes only (and not, for example, as a data center, reseller, or service bureau for third parties), only on servers owned by Customer and located at Customer's facilities, and otherwise in accordance with this Agreement. "BSA Software Product(s)" means, the (i) BSA software products set forth in **Schedule 1 to Exhibit A**, (ii) related interfaces and customizations, (iii) BSA manuals, BSA official specifications, and BSA user guides provided in or with BSA software products set forth in **Schedule 1 to Exhibit A** ("Documentation"), and (iv) all modifications to the BSA software products set forth in **Schedule 1 to Exhibit A**, including, but not limited to, fixes, new versions, new releases, updates, upgrades, corrections, patches, work-arounds (collectively, "Modifications") For the avoidance of doubt, Documentation does not include advertising, other general statements about products, or statements by sales or other staff members Customer may make and keep (securely) one archival copy of each BSA Software Product solely for use as backup The source code for the purchased applications will be added to the existing Source Code Escrow Agreement between IT Right and the Customer, dated June 20th, 2013
- 1.2.** Customer will not sublicense, modify, adapt, translate, or otherwise transfer, reverse compile, disassemble or otherwise reverse engineer BSA Software Products or any portion thereof without prior written consent of the BSA. Without limiting the foregoing, the BSA Software Products may not be modified by anyone other than BSA. If Customer modifies the BSA Software Products without BSA's prior written consent, any BSA obligation to provide support services on, and the warranty for, the BSA Software Products will be void All rights not expressly granted are reserved

- 2. License Fees.** Customer agrees to pay BSA, and BSA agrees to accept from Customer as payment in full for the license granted herein, the software fees set forth in **Schedule 1 to Exhibit A**.

3. Limited Software Warranty.

- 3.1.** BSA warrants and represents for a period of one (1) year from the installation of BSA Software Product that: (i) such BSA Software Product will perform substantially in the same manner as official demonstration versions and in accordance with BSA's authorized online tutorials and videos that may have been made available as part of the sales and negotiation process leading up to this Agreement, and (ii) the BSA Software Product shall conform to the Documentation and be free of material defects in workmanship and materials Any claim under this Limited Software Warranty must be made within one (1) year from the installation of the applicable BSA Software Product Customer's exclusive remedy in the event of a breach of this warranty shall be to have BSA use reasonable efforts to repair or replace the non-conforming BSA Software Product so as to render it conforming to the warranty, or in the event that is not possible to render it conforming with reasonable efforts, to receive a refund of the amount paid for the BSA Software Product.
- 3.2.** THE FOREGOING LIMITED SOFTWARE WARRANTY IS IN LIEU OF ALL OTHER REPRESENTATIONS OR WARRANTIES RELATING IN ANY WAY TO THE BSA SOFTWARE PRODUCTS, INCLUDING, *BUT NOT LIMITED TO*, THEIR FEATURES, ATTRIBUTES, FUNCTIONALITY, AND PERFORMANCE THE FOREGOING LIMITED SOFTWARE WARRANTY IS IN LIEU OF ALL SUCH REPRESENTATIONS OR WARRANTIES WHETHER EXPRESS OR IMPLIED, INCLUDING, BUT NOT LIMITED TO, ANY IMPLIED WARRANTIES OR REPRESENTATIONS OF MERCHANTABILITY, MERCHANTABLE QUALITY AND FITNESS FOR A PARTICULAR PURPOSE AND THOSE ARISING BY STATUTE OR OTHERWISE IN LAW OR FROM THE COURSE OF

DEALING OR USAGE OF TRADE BSA DOES NOT REPRESENT OR WARRANT THAT THE BSA SOFTWARE PRODUCTS WILL MEET ANY OR ALL OF CUSTOMER'S PARTICULAR REQUIREMENTS, THAT THE OPERATION OF THE BSA SOFTWARE PRODUCTS WILL OPERATE ERROR-FREE OR UNINTERRUPTED, OR THAT ALL PROGRAMMING ERRORS IN THE BSA SOFTWARE PRODUCT(S) CAN BE FOUND IN ORDER TO BE CORRECTED

4. Ownership of BSA Software Products/Proprietary Information.

- 4.1.** BSA shall retain ownership of, including all intellectual property rights in and to, the BSA Software Products Customer agrees not to challenge such rights and hereby assigns any and all copyrights and other intellectual property rights in and to the BSA Software Products to BSA and agrees to execute any and all documents necessary to effect the purposes of this paragraph "Intellectual property rights" means all trademarks, copyrights, patents, trade secrets, moral rights, know-how, and all other proprietary rights

SECTION B – PROFESSIONAL SERVICES

- 5. Professional Services.** BSA shall provide the services ("Professional Services") set forth in **Schedule 2 to Exhibit A, and Exhibit D (Statement of Work)** for the prices indicated, provided Customer fulfills its obligations set forth in this Agreement. The Parties may enter into future Statements of Work, which shall become part of this Agreement.
- 6. Change Orders.** If Customer requires the performance of professional services not covered by the existing Agreement, or requires a change to the existing Professional Services, Customer shall deliver to BSA's Project Manager a written change order and specify in such change order the proposed work with sufficient detail to enable BSA to evaluate it ("Change Order") BSA may, at its discretion, prescribe the format of the Change Order BSA shall provide the Customer with an evaluation of the Change Order, which may include a written proposal containing the following (i) implementation plans, (ii) the timeframe for performance, and (iii) the estimated price for such performance Upon execution, all Change Orders shall be governed by the terms and conditions of this Agreement, unless mutually agreed upon otherwise in writing Customer acknowledges that such Change Orders may affect the implementation schedule and Go-Live Dates
- 7. License and Ownership.**
- 7.1.** All rights, including all intellectual property rights, in and to work product delivered as a result of Professional Services under this Agreement shall be owned by BSA For the avoidance of doubt, work product that constitutes a BSA Software Product or portion thereof shall be governed by Section A including Section 1.1 thereof
- 7.2.** Subject to Section 7.1 and Customer's compliance with this Agreement (including payment in full), BSA grants to Customer a perpetual, non-exclusive, non-transferable, and non-assignable license to use the work product and the intellectual property rights therein for Customer's internal business purposes only
- 8. Cancellation.** In the event Customer cancels or reschedules Professional Services, and without prejudice to BSA's other rights and remedies, Customer is liable to BSA for (i) all expenses incurred by BSA on Customer's behalf; and (ii) daily fees associated with the canceled Professional Services (in accordance with the daily fee rate), if less than thirty (30) days advance notice is given regarding the need to cancel or reschedule and BSA cannot reasonably reassign its affected human resources to other projects where comparable skills are required
- 9. Limited Professional Services Warranty.**
- 9.1.** BSA warrants that its Professional Services will be performed in a professional and workmanlike manner In the event of a breach of the foregoing warranty and a claim in accordance with the next sentence, BSA's sole obligation and Customer's exclusive remedy with respect to such claim will be to have BSA re-perform the portion of the Professional Services with respect to which the warranty has been breached, to bring it into compliance with such warranty Any claim for breach of the foregoing warranty must be made by notice to BSA within thirty (30) days of performance of the portion of the Professional Services with respect to which the claim is made, or said claim shall be deemed waived
- 9.2.** THE FOREGOING LIMITED PROFESSIONAL SERVICES WARRANTY IS IN LIEU OF ALL OTHER REPRESENTATIONS OR WARRANTIES RELATING TO THE PROFESSIONAL SERVICES, EXPRESS OR IMPLIED INCLUDING, BUT NOT LIMITED TO, ANY IMPLIED WARRANTIES OR REPRESENTATIONS OF MERCHANTABILITY, MERCHANTABLE QUALITY AND FITNESS FOR A PARTICULAR PURPOSE, AND THOSE ARISING BY STATUTE OR OTHERWISE IN LAW, OR FROM THE COURSE OF DEALING OR USAGE OF TRADE

SECTION C – MAINTENANCE AND SUPPORT

10. Maintenance and Support Generally.

- 10.1.** For a one-year period, commencing on the installation of the BSA Software Products, and subject to Customer's compliance with the Agreement, BSA will provide, at no charge to Customer, "Maintenance and Support," meaning the following (i) Modifications (such as patches, corrections, and updates) as are generally provided at no additional charge (beyond the cost of annual Maintenance and Support) by BSA to BSA customers, and (ii) technical support, as further described in Section 11, during BSA's normal business hours
- 10.2.** Commencing one (1) year from the installation of the BSA Software Products, Maintenance and Support will be provided on an annual basis, subject to compliance with the terms of the Agreement and payment of the annual Maintenance and Support fees outlined in **Exhibit B**. Maintenance and Support will be renewed annually unless either Party notifies the other at least sixty (60) days prior to the anniversary of installation of its intent to terminate
- 10.3.** BSA guarantees that the Maintenance and Support annual fee set forth in **Exhibit B** will not change for two (2) years from the date of the installation of the BSA Software Products. After that date, BSA reserves the right each year to increase the fee over the previous year by no more than an amount that is proportionate to the increase (measured from the beginning of such previous year) in the Consumer Price Index as set forth by the U.S. Department of Labor, Bureau of Labor Statistics, Consumer Price Index – All Urban Consumers – U.S. City Average (the "Annual Renewal Fee")

11. Support.

- 11.1.** With respect to Errors following expiration of the Limited Software Warranty, BSA's sole obligation and Customer's sole remedy are set forth in this section 11. Subject to Customer's compliance with the terms of the Agreement and purchase of Maintenance and Support, BSA shall use commercially reasonable efforts, commensurate with the severity level, to achieve its support response and resolution targets with respect to Errors as set forth in **Exhibit C**. An "Error" means a verifiable and reproducible failure of a BSA Software Product to operate in accordance with the Documentation) under conditions of normal use and where the Error is directly attributable to the BSA Software Product as updated with current Modifications. If the customer modifies the BSA Software Products without BSA's written consent, BSA's obligation to provide support services on the BSA Software Products will be void
- 11.2.** Support does not include the following (i) installation or implementation of the BSA Software Products, (ii) onsite training/support, remote training, application design, and other consulting services, (iii) support of an operating system, hardware, or support outside of BSA's normal business hours, (iv) support or support time due to a cause external to the BSA Software Products adversely affecting their operability or serviceability, which shall include but not be limited to water, fire, wind, lightning, other natural calamities, transportation, misuse, abuse, or neglect; (v) repair of the BSA Software Products modified in any way other than modifications made by BSA or its agents, (vi) support of any other third-party vendors' software, such as operating system software, network software, database managers, word processors, etc., and (vii) support of the BSA Software Products that have not incorporated current Modifications. All such excluded Maintenance and Support Services performed by BSA at Customer's request shall be invoiced to Customer on a time and materials basis, plus reasonable expenses associated therewith
- 11.3.** Notwithstanding anything to the contrary, in order to maintain the integrity and proper operation of the Software, Customer agrees to use commercially reasonable efforts to implement, in the manner instructed by BSA, all Modifications in a timely manner. Customer's failure to implement any Modifications may limit or restrict the ability of Customer to implement future Modifications. Customer shall provide prompt notice of any Errors discovered by Customer, or otherwise brought to the attention of Customer. Proper notice may include, without limitation, prompt telephonic and written (either via e-mail or postal mail) notice to BSA of any purported Error. If requested by BSA, Customer agrees to provide written documentation of Errors to substantiate those Errors and to otherwise assist BSA in the detection and correction of said Errors. BSA will use its commercial reasonable judgment to determine if an Error exists
- 11.4.** Customer acknowledges and agrees that BSA and product vendors may require online access to the BSA's system in order for BSA to provide Maintenance and Support Services hereunder. Accordingly, Customer shall provide a connection to the Internet to facilitate BSA's remote access to BSA's system. BSA shall provide remote connection

software, which may require installation of a software component on a workstation or server computer. All remote access sessions are dynamic and shall be fully monitored by a City of Franklin employee (escorted session), and will be terminated after successful completion of all troubleshooting tasks.

SECTION D – GENERAL TERMS AND CONDITIONS

12. Customer Assistance. Customer acknowledges that the implementation of the BSA Software Products is a cooperative process requiring time and resources of Customer personnel. Customer shall, and shall cause Customer personnel to, use all reasonable efforts to cooperate with and assist BSA as may be reasonably required to meet the project deadlines and other milestones agreed to by the Parties for implementation. BSA shall not be liable for failure to meet such deadlines and milestones when such failure is due to force majeure (as defined in Paragraph 26 below) or to the failure by Customer personnel to provide such cooperation and assistance (either through action or omission).

13. BSA Proprietary Information.

13.1. Customer acknowledges that the information associated with or contained in the BSA Software Products and information used in the performance of Professional Services include trade secrets and other confidential and proprietary information of BSA (the "Proprietary Information").

13.2. The Customer shall maintain in confidence and not disclose Proprietary Information, directly or indirectly, to any third party without BSA's prior written consent. Customer shall safeguard the Proprietary Information to the same extent that it safeguards its own most confidential materials or data, but in no event shall the standard implemented be less than industry standard. Proprietary Information shall be used by Customer solely to fulfill its obligations under this Agreement. Customer shall limit its dissemination of such Proprietary Information to employees within the Customer's business organization who are directly involved with the performance of this Agreement and have a need to use such Proprietary Information. Customer shall be responsible for all disclosures by any person receiving Proprietary Information, by or through it, as if Customer itself disseminated such information.

13.3. Proprietary Information shall not include any information that: (a) is or becomes publicly known through no wrongful act or breach of any obligation of confidentiality by Customer; (b) was lawfully known to Customer prior to the time it was disclosed to or learned by Customer in connection with this Agreement, provided that such information is not known to Customer solely because of its prior business relationship with BSA, (c) was received by Customer from a third party that is not under an obligation of confidentiality to BSA, or (d) is independently developed by Customer for a party other than BSA without the use of any Proprietary Information. The following circumstances shall not cause Proprietary Information to fall within any of exceptions (a) through (d) above: (i) a portion of such Proprietary Information is embraced by more general information said to be in the public domain or previously known to, or subsequently disclosed to, the Customer; or (ii) it is a combination derivable from separate sources of public information, none of which discloses the combination itself.

13.4. If Customer is required, or anticipates that it will be required, to disclose any Confidential Information pursuant to a court order or to a government authority, Customer shall, at its earliest opportunity, provide written notice to BSA so as to give BSA a reasonable opportunity to secure a protective order or take other actions as appropriate. Customer shall at all times, cooperate with BSA so as to minimize any disclosure to the extent allowed by applicable law.

14. Limitation on Liability and Damages. BSA'S ENTIRE LIABILITY AND RESPONSIBILITY FOR ANY AND ALL CLAIMS, DAMAGES, OR LOSSES ARISING FROM THE BSA SOFTWARE PRODUCTS (INCLUDING BUT NOT LIMITED TO THEIR USE, OPERATION, AND/OR FAILURE TO OPERATE), PROFESSIONAL SERVICES, MAINTENANCE AND SUPPORT, ANY THIRD-PARTY PERFORMANCE OR LACK THEREOF, OR OTHERWISE ARISING OUT OF OR RELATING TO THIS AGREEMENT, SHALL BE ABSOLUTELY LIMITED TO DIRECT DAMAGES NOT IN EXCESS OF THE PURCHASE PRICE OF BSA SOFTWARE PRODUCTS PLUS, TO THE EXTENT APPLICABLE, THE PURCHASE PRICE OF ANY PROFESSIONAL SERVICE SET FORTH IN THIS AGREEMENT THAT GIVES RISE TO THE CLAIM. NOTWITHSTANDING ANY PROVISION CONTAINED HEREIN, BSA SHALL NOT BE LIABLE FOR ANY INDIRECT, CONSEQUENTIAL, SPECIAL, INCIDENTAL, OR CONTINGENT DAMAGES OR EXPENSES, WHETHER IN CONTRACT, TORT (INCLUDING NEGLIGENCE) OR OTHERWISE, ARISING IN ANY WAY OUT OF THIS AGREEMENT, BSA SOFTWARE PRODUCTS, ANY THIRD-PARTY PERFORMANCE, OR LACK THEREOF, OR BSA'S PERFORMANCE, OR LACK THEREOF, UNDER THIS AGREEMENT, INCLUDING, WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, LOSS OF REVENUE, PROFIT, OR

USE TO THE EXTENT THAT APPLICABLE LAW DOES NOT PERMIT THE LIMITATIONS SET FORTH HEREIN, THE LIABILITY AND DAMAGES SHALL BE LIMITED AND RESTRICTED TO THE EXTENT PERMITTED BY LAW

15. Customer is solely responsible for its data, its database, and for maintaining suitable back-ups of the data and database to prevent data loss in the event of any hardware or software malfunction. Customer covenants and agrees to undertake all necessary measures to protect and secure its data, including implementation of technical, administrative and physical protections. BSA SHALL HAVE NO RESPONSIBILITY OR LIABILITY FOR DATA LOSS REGARDLESS OF THE REASONS FOR SAID LOSS. To the maximum extent authorized by law, Customer agrees to defend, indemnify and hold BSA harmless for any claim by any person or entity arising out of any loss or compromise of data or data security or arising out of Customer's breach of this Agreement.
16. **Additional Disclaimer.** SUPPLIER PROVIDES NO WARRANTY FOR ANY THIRD-PARTY SOFTWARE AND/OR HARDWARE. EXCEPT AS SET FORTH IN THIS AGREEMENT, SUPPLIER WILL NOT BE RESPONSIBLE FOR ANY THIRD-PARTY SOFTWARE, THIRD-PARTY SERVICES AND/OR HARDWARE.
17. **Indemnification for Intellectual Property Infringement.** If a claim is made or an action is brought alleging that a BSA Software Product infringes on a U.S. patent, or any copyright, trademark, trade secret or other proprietary right, BSA will defend Customer against such claim and will pay resulting costs and damages finally awarded, provided that (a) Customer promptly notifies BSA in writing of the claim, (b) BSA has sole control of the defense and all related settlement negotiations, (c) Customer reasonably cooperates in such defense at no expense to BSA, and (d) Customer remains in compliance with the Agreement and has continued to purchase Maintenance and Support Services. The obligations of BSA under this Section are conditioned on Customer's agreement that if the applicable BSA Software Product, in whole or in part, or the use or operation thereof, becomes, or in the opinion of BSA is likely to become, the subject of such a claim, BSA may at its expense either procure the right for Customer to continue using the BSA Software Product or, at the option of BSA, replace or modify the same so that it becomes non-infringing (provided such replacement or modification maintains the same material functionality and does not adversely affect Customer's use of the Update as contemplated hereunder).
18. **No Intended Third-Party Beneficiaries.** This Agreement is entered into solely for the benefit of BSA and Customer. No third party will be deemed a beneficiary of this Agreement, and no third party will have the right to make any claim or assert any right under this Agreement.
19. **Termination.** Without prejudice to other rights and remedies, and except as otherwise provided in this Agreement, either Party may terminate this Agreement for the other Party's material breach upon failure to cure such breach after thirty (30) days' written notice identifying with specificity the nature of the breach. Upon termination of this Agreement: (a) Customer shall promptly pay all amounts payable to BSA for Services rendered up to the date of termination, and (b) Customer shall return or destroy, at the direction of the BSA, BSA's Proprietary Information in its possession. The termination of this Agreement will not discharge or otherwise affect any pre-termination obligations of either Party existing under this Agreement at the time of termination. Sections 1, 2, 4, 1, 7, 1, 13 through 16, 18, 20 through 29, and the provisions of this Agreement, which by their nature extend beyond the termination of this Agreement, will survive termination of the Agreement. No action arising out of this Agreement, regardless of the form of action, may be brought by Customer more than one (1) year after the date the action occurred.
20. **Payment Terms.** Customer shall pay BSA for all amounts in accordance with this Agreement and **Exhibit A**.
21. **Governing Law and Venue.** This Agreement shall be governed by, and construed in accordance with, the laws of the state of Michigan, without regard to its choice of law rules. BSA and the Customer agree that the exclusive venue for any legal or equitable action shall be the Courts of the County of Milwaukee, State of Wisconsin, or in any court of the United States of America lying in the Eastern District of Wisconsin.
22. **Entire Agreement.** This Agreement represents the entire agreement of Customer and BSA with respect to the subject matter hereof, and supersedes any prior agreements, understandings, and representations, whether written, oral, expressed, implied, or statutory. Customer hereby acknowledges that in entering into this Agreement, it did not rely on any information not explicitly set forth in this Agreement.
23. **Export.** Customer will comply with all applicable laws, including applicable export control laws that prohibit export or diversion of certain products and technology to certain countries or individuals, including foreign nationals in the United States. Customer undertakes to determine any export licensing requirements and to comply with such obligations. The BSA Software Products are deemed to be commercial computer software as defined in FAR 12.212 and subject to restricted rights as defined in FAR Section 52.227-19 "Commercial Computer Software-Restricted Rights" and DFARS 227.7202, "Rights in Commercial Computer Software or Commercial Computer Software Documentation", as applicable, and any successor

regulations Any use, modification, reproduction release, performance, display, or disclosure of BSA's Software Products by the U S Government shall be solely in accordance with the terms of this Agreement.

- 24. Severability.** If any term or provision of this Agreement, or the application thereof, to any extent, is held invalid or unenforceable, the remainder of this Agreement or the application of such term or provision to persons or circumstances, other than those as to which it is held invalid or unenforceable, will not be affected thereby, and each term and provision of this Agreement will be valid and enforced to the fullest extent permitted by law
- 25. Successors and Assigns.** This Agreement shall be binding upon the successors, permitted assigns, representatives, and heirs of the Parties hereto For avoidance of doubt, any expanded use by Customer of the Program, for example, in the event of annexation or desired shared services, shall require the consent of BSA.
- 26. Force Majeure.** "Force Majeure" is defined as an event beyond the reasonable control of a Party, including governmental action, war, riot or civil commotion, fire, natural disaster, problematic weather, lack of availability of Customer provided technology, labor disputes, restraints affecting shipping or credit, delay of carriers or any other cause that could not, with reasonable diligence, be foreseen, controlled or prevented by the Party Neither Party shall be liable for delays in performing its obligations under this Agreement to the extent that the delay is caused by Force Majeure
- 27. Notice.** All notices, requests, demands, and determinations under the Agreement (other than routine operational communications), shall be in writing and shall be deemed duly given (i) when delivered by hand, (ii) one (1) business day after being given to a nationally recognized overnight delivery service for next-business-day delivery, all fees prepaid, (iii) when sent by confirmed facsimile with a copy sent by another means specified in this provision, or (iv) six (6) calendar days after the day of mailing, when mailed by United States mail, *via* registered or certified mail, return receipt requested, postage prepaid, and in each case addressed as shall be set forth below A Party may from time-to-time change its address or designee for notification purposes by giving the other prior written notice of the new address or designee and the date upon which it will become effective

If to BSA.

BSA Software
14965 Abbey Lane
Bath, MI 48808
Attn Contracts Manager
Telephone 517-641-8900

If to Customer:

City of Franklin
9229 W Loomis Road
Franklin, WI 53132
Telephone 414-425-7500

- 28. Independent Contractor.** This is not an agreement of partnership or employment of BSA or any of BSA's employees by Customer BSA is an independent contractor for all purposes under this Agreement.
- 29. Contract Documents and Order of Precedence.** The text of the Agreement without any Exhibits and Schedules shall control over any inconsistent text in any of the Exhibits or Schedules This Agreement includes the following Exhibits and Schedules

Exhibit A – Payment Terms Generally

Schedule 1 to Exhibit A - License/Interface/Customization Fees

Schedule 2 to Exhibit A – Professional Services Fees

Exhibit B – Maintenance and Support Fees

Exhibit C – Support Call Process

Exhibit D – Statement of Work

IN WITNESS THEREOF, the Parties hereto have executed this Agreement as of the dates set forth below

BSA SOFTWARE, INC.

By _____

Name _____

Title _____

Date _____

CUSTOMER

By _____

Name _____

Title _____

Date _____

CUSTOMER

By _____

Name _____

Title _____

Date _____

CUSTOMER

By _____

Name _____

Title _____

Date _____

EXHIBIT A

Payment Terms

- 1 Customer shall pay BSA within thirty (30) days of invoice. Payments not received within fifteen (15) days of the due date shall be subject to a one and one-half percent (1.5%) per month interest charge (or, if lower, the highest amount chargeable at law) assessed against the unpaid balance from the date due until the date payment is received.
- 2 Any amount not subject to good faith dispute and not paid within fifteen (15) days of the due date of each invoice shall, without prejudice to other rights and remedies, be subject to an interest charge equal to the lesser of 1.5% monthly or the maximum interest charge permissible under applicable law, payable on demand. Any charges not disputed by Customer in good faith will be deemed approved and accepted by Customer. For purposes of this Agreement, a good faith dispute regarding amounts owed exists only if Customer provides in writing at least ten (10) days prior to due date of payment on the invoice, notification of such dispute, the specific portion of the invoice in dispute, and the specific grounds of the dispute (which must be asserted in good faith), and Customer pays in timely fashion such portions that are not subject to such dispute.
- 3 BSA shall invoice Customer \$47,150 upon Effective Date for BSA's Project Management/Implementation Planning Fees and Data Conversion fees as set forth in Schedule 2.
- 4 BSA shall invoice Customer \$73,285 at start of On-Site Implementation and Training. Such amount equals BSA's software license fees as set forth in Schedule 1.
- 5 BSA shall invoice Customer \$60,705 at completion of On-Site Implementation and Training. Such amount equals On-Site Implementation and Training costs, Customization and Interface costs, and travel expenses, as set forth in Schedule 2.
- 6 Customer shall be responsible for all taxes (including sales taxes) imposed as a result of any transaction associated with this Agreement, exclusive of taxes on BSA's net income.

Schedule 1 to Exhibit A

License Fees

Applications

Community Development

Building Department .NET	\$23,120
Field Inspection .NET	\$9,710
Business License .NET	\$12,945
Citizen Request for Action .NET	\$12,945

BS&A Online

Community Development	\$14,565
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Subtotal	\$73,285
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Schedule 2 to Exhibit A

Professional Services Fees

Data Conversions/Database Setup

Convert existing Harris Govern data to BS&A format:

Building Department (Per database)	\$19,650
Business Licensing (Per database)	\$11,000

Subtotal **\$30,650**

No conversion or database setup to be performed for

Field Inspection

Citizen Request for Action

Custom Import

Import from ESRI ArcGIS to Building Department NET **\$1,500**

Project Management and Implementation Planning

Services include:

- *Analyzing customer processes to ensure all critical components are addressed.*
- *Creating and managing the project schedule in accordance with the customer's existing processes and needs.*
- *Planning and scheduling training around any planned process changes included in the project plan.*
- *Modifying the project schedule as needed to accommodate any changes to the scope and requirements of the project that are discovered.*
- *Providing a central contact between the customer's project leaders, developers, trainers, IT staff, conversion staff, and other resources required throughout the transition period.*
- *Installing the software and providing IT consultation for network, server, and workstation configuration and requirements.*
- *Reviewing and addressing the specifications for needed customizations to meet customer needs (when applicable).*

\$16,500

Implementation and Training

- \$1,100/day
- Days quoted are estimates, you are billed for actual days used

Services include:

- Setting up users and user security rights for each application
- Performing final process and procedure review
- Configuring custom settings in each application to fit the needs of the customer
- Setting up application integration and workflow methods
- Onsite verification of converted data for balancing and auditing purposes
- Training and Go-Live

Software Setup	Days:	1		\$1,100
Community Development Applications	Days:	35		\$38,500
	Total	36	Subtotal	\$39,600

Travel Expenses \$19,605

EXHIBIT B

Maintenance and Support Fees

Community Development	
Building Department .NET	\$4,625
Field Inspection .NET	\$1,940
Business License .NET	\$2,590
Citizen Request for Action .NET	\$2,590
BS&A Online	
Community Development	\$2,915
Total Annual Service Fees	\$14,660

EXHIBIT C

Support Call Process

BSA's standard hours for telephone support are from 8 30 a.m. to 6 00 p.m. (EST), Monday through Thursday, and 8 30 a.m. to 5 00 p.m. (EST) on Friday, excluding holidays

You can lodge a support request in three ways (i) **Contact Customer Support** option located within the Help menu of all of our applications (ii) our toll-free support line (1-855-BSA-SOFT) or via email

BSA targets less than thirty (30) minutes for initial response ("Initial Response Target")

Customer service requests fall into four main categories:

- A. Technical.** Questions or usage issues relating to IT functionality, future hardware purchases, and configuration BSA tries to resolve these issues within BSA's Initial Response Target or as soon thereafter as reasonably possible
- B. Questions/Support.** General questions regarding functionality, use, and set-up of the applications BSA tries to resolve these issues within BSA's Initial Response Target or as soon thereafter as reasonably possible
- C. Requests.** Customer requests for future enhancements to the applications Key product management personnel meet with development staff on a regular basis to discuss the desirability and priority of such requests BSA tries to resolve these issues within BSA's Initial Response Target or as soon thereafter as reasonably possible
- D. Issues/Bugs.** Errors fall into three (3) subcategories
 - i. Critical.** Cases where an Error has rendered the application or a material component unusable or not usable without substantial inconvenience causing material and detrimental consequences to business -- with no viable Customer workaround or alternative The targeted resolution time for critical issues is less than one (1) day
 - ii. Moderate.** Cases where an Error causes inconvenience and added burden, but the application is still usable by Customer The targeted resolution time for all moderate issues is within two (2) weeks, which is within our standard update cycle
 - iii. Minimal.** Cases that are mostly cosmetic in nature, and do not impede functionality in any significant way These issues are assigned a priority level at our regular meetings, and resolution times are based on the specified priority

Remote Support Process

Some support calls may require further analysis of Customer's database or set-up to diagnose a problem or to assist Customer with a question BSA's remote support tools share Customer's desktop via the Internet to provide Customer with virtual on-site support BSA's support team is able to quickly connect remotely to Customer's desktop and view its setup, diagnose problems, or assist Customer with screen navigation

Statement of Work

City of Franklin, Milwaukee County WI

Prepared for	City of Franklin, Milwaukee County WI
Prepared by	Dan J Burns, CPA BS&A Software
Date	March 25, 2020
Version	1
Revision	
Status	Draft

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1. Contact List

This section provides the list of key contacts for both BS&A Software and City of Franklin, Milwaukee County WI

BS&A Contacts

<i>Name</i>	<i>Email</i>	<i>Cell</i>
Dan J Burns, CPA	dburns@bsasoftware.com	248-345-8026
Jason Hafner	jhafner@bsasoftware.com	

City of Franklin, Milwaukee County WI Contacts

<i>Name</i>	<i>Email</i>	<i>Cell</i>
Name	Email	Cell
Name	Email	Cell
Name	Email	Cell

2. Activities and Deliverables

This section describes specific activities and deliverables that will be provided by BS&A Software to fulfill the obligations set out in the proposal. Each subsection includes the detailed requirements for Data Conversion, Process Definition, and Cutover.

2.1 Building Department

Establish BS&A Databases

- 1 Extract preliminary data with corroborating reports
- 2 Preliminary conversion development
- 3 Preliminary conversion QC and documentation
- 4 Preliminary conversion data review
- 5 Extract final data with corroborating reports
- 6 Convert final data
- 7 QC final BS&A database and documentation
- 8 Verify final BS&A database at cutover

Establish BS&A Process

- 1 Review current BD process
- 2 Review BS&A application functionality
- 3 Define BS&A process and training requirements
- 4 Document BS&A process
- 5 Verify final BS&A process at cutover

2.2 Business Licensing

Establish BS&A Databases

- 1 Extract preliminary data with corroborating reports
- 2 Preliminary conversion development
- 3 Preliminary conversion QC and documentation
- 4 Preliminary conversion data review
- 5 Extract final data with corroborating reports
- 6 Convert final data
- 7 QC final BS&A database and documentation
- 8 Verify final BS&A database at cutover

Establish BS&A Process

- 1 Review current BL process
- 2 Review BS&A application functionality
- 3 Define BS&A process and training requirements
- 4 Document BS&A process
- 5 Verify final BS&A process at cutover

2.3 Field Inspection

Establish BS&A Process

- 1 Review current process
- 2 Review BS&A application functionality
- 3 Define BS&A process and training requirements
- 4 Document BS&A process
- 5 Verify final BS&A process at cutover

2.4 Citizen Request for Action

Establish BS&A Process

- 1 Review current process
- 2 Review BS&A application functionality
- 3 Define BS&A process and training requirements
- 4 Document BS&A process
- 5 Verify final BS&A process at cutover

2.5 BS&A Online – Community Development

Establish BS&A Process

- 1 Review current process
- 2 Review BS&A application functionality
- 3 Define BS&A process and training requirements
- 4 Document BS&A process
- 5 Verify final BS&A process at cutover

3. Delivery Method

This section describes the method that BS&A Software will use to deliver this project to Iron County. This method is described in terms of the generalized approach and as a detailed schedule.

3.1 Generalized Approach

BS&A Software will use the following four-phase approach to fulfill the needs of City of Franklin, Milwaukee County WI.

Phase 1 – Initiate

This phase encompasses the work necessary to achieve a signed proposal. (This phase is usually completed with the signed proposal).

Phase 2 – Plan

This phase follows the signed proposal and produces the detailed description for the work to be undertaken and the schedule for the work, and is presented in the Statement of Work (this document).

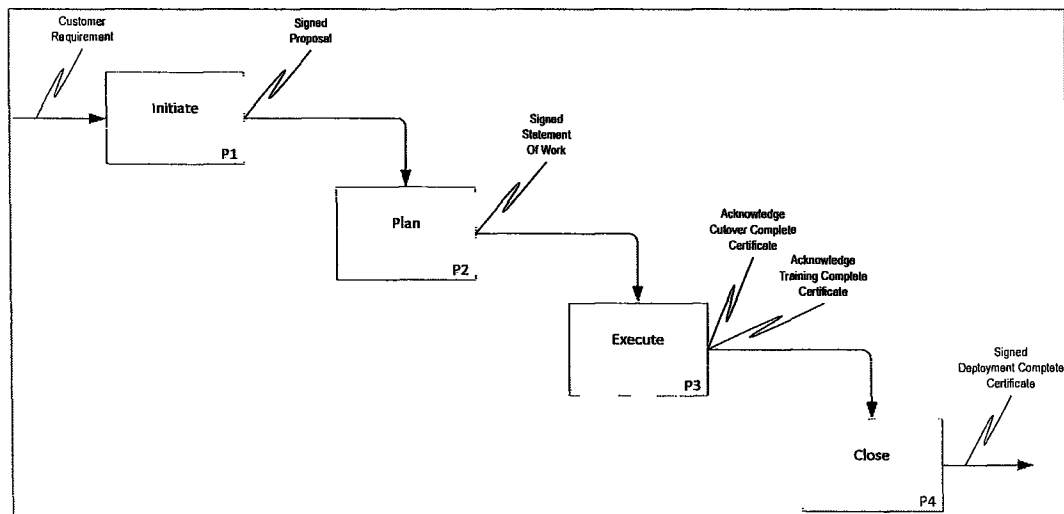
Phase 3 – Execute

This phase encompasses all of the activity necessary to bring into operation the applications provided by BS&A Software and the associated training.

Phase 4 – Close

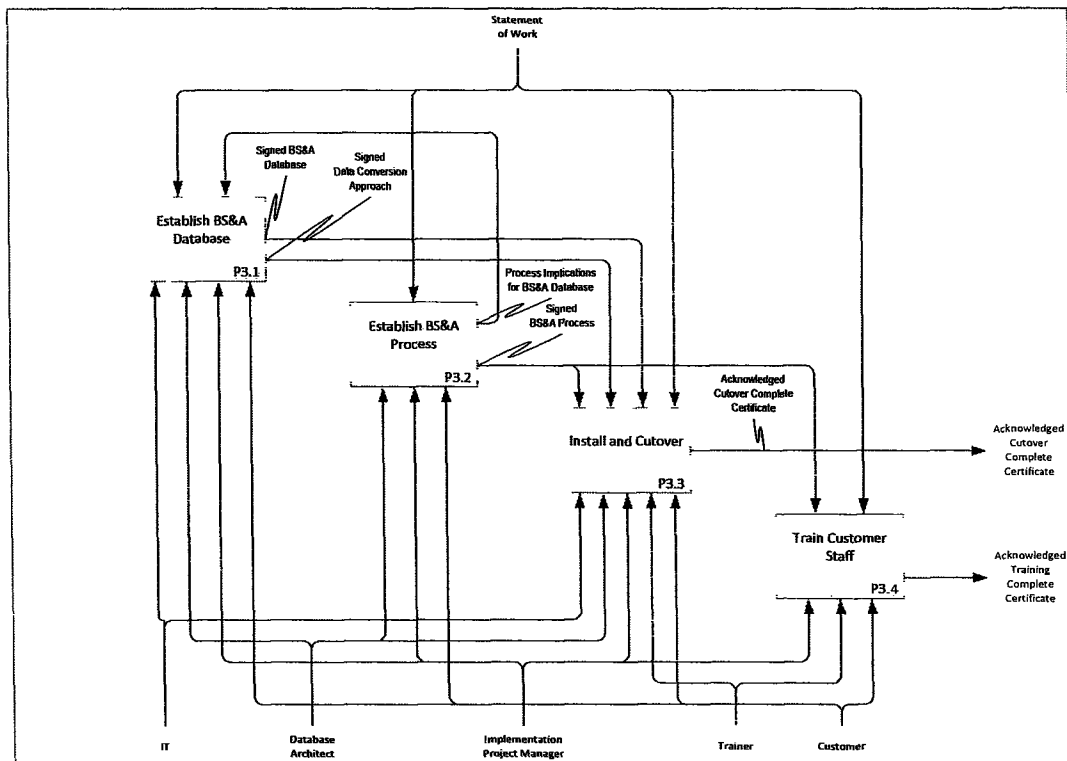
This phase provides a formal conclusion of the project and the handover to BS&A's support team.

Figure 1. Delivery Process Overview



This diagram shows the general approach that BS&A Software will follow to deliver this project.

Figure 2 Delivery Process - Execute Phase



This diagram shows the activities within the Execute phase of the project, which are

- ~ Establish BS&A database(s)
- ~ Establish BS&A process(s)
- ~ Install and cutover
- ~ Train customer staff

The details for each activity can be provided if required

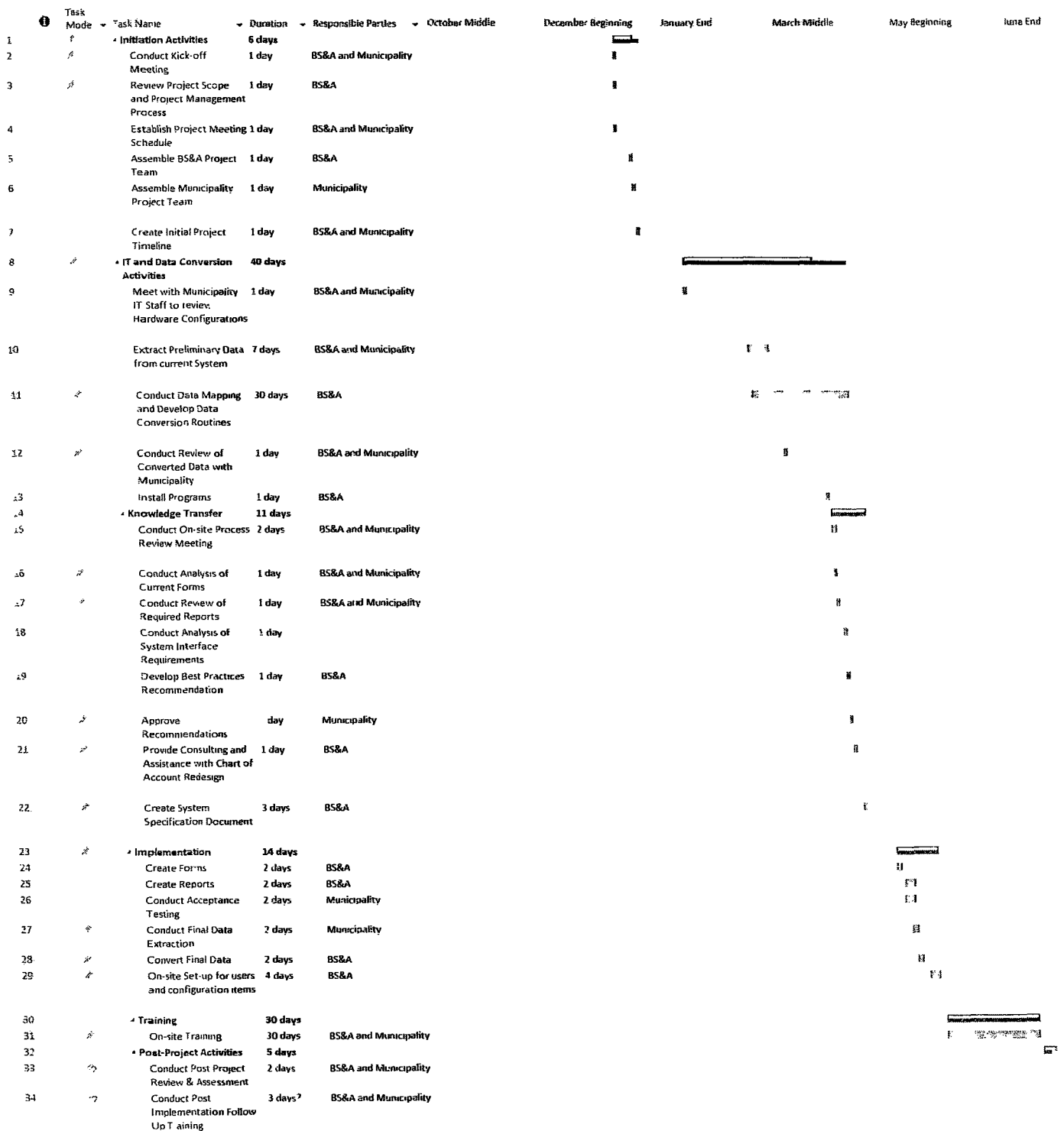
3.2 Detailed Schedule

Note, approximate schedule included for example purposes only. Actual schedule will be determined in collaboration between BS&A Project Manager, and Customer, following contract execution.

Task	Responsible Parties (Bold is Primary)	Start	Duration
Initiation Activities			
Conduct Kick-off Meeting	BS&A and City	1 month post signing	1 day
Review Project Scope and Project Management Process	BS&A	1 month post signing	1 day
Establish Project Meeting Schedule	BS&A and City	1 month post signing	1 day
Assemble BS&A Project Team	BS&A	1 5 months post signing	1 day
Assemble City Project Team	City	1 5 months post signing	1 day
Create Initial Project Timeline	BS&A & City	1 5 months post signing	1 day
IT and Data Conversion Activities			
Meet with City IT Staff to review Hardware Configurations	BS&A and City	5 months pre go-live	1 day
Extract Preliminary Data from current System	BS&A and City	5 months pre go-live	1 week
Conduct Data Mapping and Develop Data Conversion Routines	BS&A	5 months pre go-live	1 month
Conduct Review of Converted Data with City	BS&A and City	4 months pre go-live	Approx 1 day
Install Programs	BS&A	4 months pre go-live	1 day
Knowledge Transfer			
Conduct On-site Process Review Meeting	BS&A and City	3 months pre go-live	2 days
Conduct Analysis of Current Forms	BS&A and City	3 months pre go-live	1 day
Conduct Review of Required Reports	BS&A and City	3 months pre go-live	1 day
Conduct Analysis of System Interface Requirements	BS&A and City	3 months pre go-live	1 day
Develop Best Practices Recommendation	BS&A	3 months pre go-live	1 day
Approve Recommendations	City	3 months pre go-live	1 day
Provide Consulting and Assistance with Chart of Account Redesign	BS&A	3 months pre go-live	1 day
Create System Specification Document	BS&A	3 months pre go-live	3 days
Implementation			
Create Forms	BS&A	0-2 months pre go-live	2 days
Create Reports	BS&A	0-2 months pre go-live	2 days
Conduct Acceptance Testing	City	0-2 months pre go-live	2 days
Conduct Final Data Extraction	City	1 week pre go-live	2 days
Convert Final Data	BS&A	1 week pre go-live	2 days
On-site Set-up for Users and Configuration Items	BS&A	0-1 month pre go-live	4 days
Training			
On-site Training	BS&A and City	0-2 months pre go-live	Varies
Post-Project Activities			
Conduct Post Project Review & Assessment	BS&A and City	1 month post go-live	Varies
Conduct Post Implementation Follow Up Training	BS&A and City	TBD	TBD

3.3 Gantt Chart

The following is an example timeline for your project. Dates and duration of tasks will be determined during the project kick-off meeting



4. Project Management Process

This section describes the following project management procedures that will be used to support the delivery of this project:

- ~ Organization
- ~ Change Control
- ~ RAID Management (Risk, Action, Issue, Decision)

4.1 Organization – Roles and Responsibilities

This subsection describes the organization that BS&A Software will use to support the delivery of this project.

Project Specific Roles

BS&A Software will use the following roles during the project:

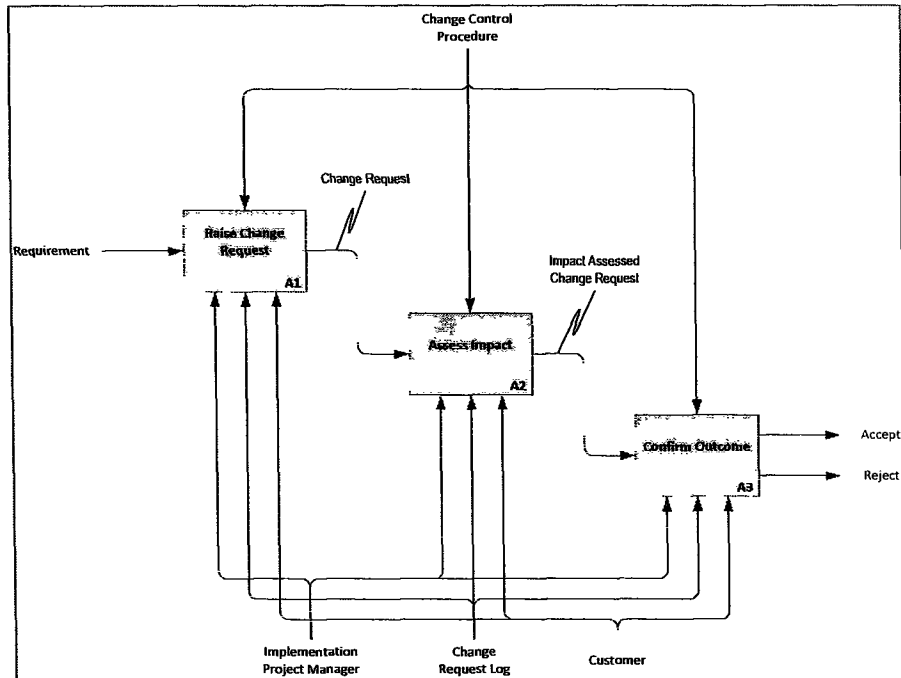
- ~ **Implementation Director**
Has overall accountability for the project and provides a point of escalation for the customer
- ~ **Implementation Project Manager**
Has day-to-day accountability for the project
Manages and coordinates all activities and resources associated with the project
Produces and maintains the Project Plan
Responsible for and leads the work associated with the development of the customer's new processes
- ~ **Database Architect**
Responsible for and leads the work associated with the development of the customer's new databases
- ~ **Trainer**
Responsible for and leads the cutover and delivery of the training
- ~ **IT**
Assists with the extraction of test and production data from the customer's existing applications
Responsible for the installation of the BS&A applications on the customer's production environment.
- ~ **Subject Matter Experts**
May assist as required

Note there may be a number of people fulfilling each role, i.e., trainers may only train on specific applications

4.2 Change Control

This subsection describes the Change Control procedure that BS&A Software will use to support the delivery of projects

Figure 3: Change Control Procedure



This diagram shows the Change Control Procedure and activities as follows.

- ~ Raise change request
- ~ Assess impact
- ~ Confirm outcome

The details of these activities are available in the Project Management Procedures document.

4.3 RAID Management

This subsection provides an overview of the RAID Management (Risk, Action, Issue, and Decision) procedures that will be used to support the delivery of this project.

ITEM	DEFINITION	ATTRIBUTES
Risk	Used to describe events that may occur and the impact on the project if they occur	<i>Creation</i> – can be raised at any point during the life of the project <i>Review</i> – risks will be reviewed at specific times during the project <i>Lifespan</i> – could remain open for the duration of the project
Action	Used to describe and control the specific tasks that are raised at management meetings These tasks are outside of activities listed in the Project Plan and Statement of Work.	<i>Creation</i> – are raised at an appropriate management meeting, and can be raised at any point during the life of the project <i>Review</i> – progress towards closure will be reviewed at each subsequent instance of the management meeting at which the action was raised <i>Lifespan</i> – the expectation is that an action will be closed within two iterations of the management meeting at which they were raised
Issue	Used to describe and bring focus to a situation where a task on the project plan has not been, or cannot be, delivered according to schedule, specification, or budget.	<i>Creation</i> – can be raised at any point during the life of the project <i>Review</i> – progress towards closure will be reviewed at the management meeting <i>Lifespan</i> – an issue will remain open until it has been resolved to the satisfaction of all concerned
Decision	Used to describe and record a decision made by the project, i.e., the outcome of a change request, or the approval of a milestone	<i>Creation</i> – can be raised at any point during the life of the project <i>Review</i> – decisions are presented to a management meeting that has the authority to make those decisions. <i>Lifespan</i> – a decision will be open up to the point that when it is presented to the meeting, it will be either accepted or rejected (a “no-decision” is equal to a rejection)

The details of the RAID Management procedure are available in the Project Management Procedures document

5. Review and Approval

There will be various review points during the project (see Project Schedule Dates) when a formal review of progress will be marked by the confirmation of, and agreement to, specific deliverables.

You will receive a confirmation email at the completion of each of the following milestones in the implementation process. A return email will serve as your approval.

- ~ **Statement of Work.** At this point, we will ask you to acknowledge that you have received the Statement of Work and that it represents the agreed-upon scope of the project.
- ~ **BS&A Database and Conversion Approach.** At this point, we will ask you to acknowledge that you have received the BS&A Database and Conversion Approach, and that it represents an acceptable conversion plan for Cutover.
- ~ **Cutover Complete.** At this point, we will ask you to acknowledge that the Implementation Team has provided an agreed-upon BS&A Database and Conversion Approach.
- ~ **Training Complete.** At this point, we will ask you to acknowledge that the Training Team has delivered training consistent with the Statement of Work, or that some days were left unused and should not be billed.
- ~ **Deployment Complete.** At this point, we will ask you to acknowledge that BS&A has provided deliverables consistent with the Statement of Work, and that any outstanding issues from the Implementation and Training processes have been addressed or transferred to the Support Team.

5.1 Change Request Form

TITLE	
Owner Provide the name of the person who would like this Change Request to go forward for consideration	
Date Raised Provide the date that this Change Request was raised	
Rationale <i>[tick most appropriate]</i> What is the primary reason for raising this Change Request?	<input type="radio"/> Unknown <input type="radio"/> Resolve an issue <input type="radio"/> Terminate or treat a risk <input type="radio"/> Reduce project cost <input type="radio"/> Improve the business case <input type="radio"/> Increase capability <input type="radio"/> Align with external environment <input type="radio"/> Comply with legal or regulatory requirements
Description <i>[tick all appropriate]</i> What needs to change?	<input type="checkbox"/> Change scope <input type="checkbox"/> Change specification <input type="checkbox"/> Change design <input type="checkbox"/> Change strategy or approach <input type="checkbox"/> Change schedule
Description notes Provide a brief description of what needs to change, and include reference to the specific milestones that will be affected	
Benefit <i>[tick most appropriate]</i> What is the expected scale of the benefit associated with this Change Request?	<input type="radio"/> Unknown <input type="radio"/> Less than \$1,000 <input type="radio"/> Between \$1,000 and \$5,000 <input type="radio"/> Between \$5,000 and \$10,000 <input type="radio"/> More than \$10,000
Impact on schedule <i>[tick most appropriate]</i> What is the estimated impact on the schedule of this Change Request?	<input type="radio"/> Unknown <input type="radio"/> No impact <input type="radio"/> One month <input type="radio"/> Between one month and three months <input type="radio"/> More than three months
Impact on cost <i>[tick most appropriate]</i> What is the estimated direct cost of implementing this Change Request?	<input type="radio"/> Unknown <input type="radio"/> Less than \$1,000 <input type="radio"/> Between \$1,000 and \$5,000 <input type="radio"/> Between \$5,000 and \$10,000 <input type="radio"/> More than \$10,000

APPROVAL <i>slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE May 5, 2020
REPORTS & RECOMMENDATIONS	AN ORDINANCE TO AMEND ORDINANCE 2019-2398, AN ORDINANCE ADOPTING THE 2020 ANNUAL BUDGETS FOR THE GENERAL FUND TO CARRYFORWARD \$78,300 OF UNUSED 2019 PERSONNEL APPROPRIATIONS IN THE INSPECTION SERVICES DEPARTMENT	ITEM NUMBER <i>6.18,</i>

Background

On December 17, 2019, the Common Council directed the Director of Finance & Treasurer to prepare a 2020 Budget amendment to carry forward unused 2019 personnel appropriations for the Inspection Services Department. "The City of Franklin is experiencing a surge in development activity which is not expected to lighten up in the near term ... At the same time, Inspection Services is feeling the same pressure which will continue for many months beyond each project approval, given the length of the building construction process." Which was noted in the Dec 17, 2019 action sheet.

Current commercial projects include 265 apartments at Velo Village, the medical office building at Ballpark Commons, and numerous residential projects, to name a few.

This carryover appropriation dates back to 2018, when \$104,000 of professional service appropriations was brought forward from 2018 into 2019 (also related the significant increase in development activity in the City). It should be noted that 2018 building permit resources exceeded budget by \$78,300, and that 2019 Building permit resources exceeded budget by \$241,000. At the same time, Inspection services did not use \$137,000 of the 2019 expenditure appropriations. These added resources and unused appropriations became part of the 2019 surplus and ending fund balance.

Recommendation

The Director of Finance & Treasurer recommends adoption of the proposed budget amendment which brings forward \$78,300 of unused 2019 Inspection Services unused appropriations to make them available for part time, temporary City employee personnel expenditures. The below, taken from the April 1, 2019 action sheet, will remain in place as council direction, absent any revised direction regarding this appropriation.


Please note that the April 1, 2019 Council authorization provided that the Mayor and Director of Administration to approve hourly rates that exceed the market rate (meaning within the top 35% of the approved pay range) for these individuals, where appropriate. Additionally, if approved as presented the Common Council should anticipate that the Director of Inspection Services, subject to oversight by the Director of Administration, may approve certain travel time, such as reporting to work or a work site, as hours of service. This is commonly expected for such short-term services, and will be considered on a case-by-case basis by the Director of Inspection Services.

COUNCIL ACTION REQUESTED

Motion approving an ordinance to amend Ordinance 2019-2398, an Ordinance adopting the 2020 annual budgets for the General Fund to carryforward \$78,300 of unused 2019 personnel appropriations in the inspection services department.

Roll Call Vote Required

Finance Dept - Paul

APPROVAL 	REQUEST FOR COUNCIL ACTION	MEETING DATE 12/17/2019
REPORTS & RECOMMENDATIONS	Request to Carry Forward 2019 Appropriations in the Inspection Services Department, Reflecting Unused Special Appropriations Previously Authorized for Supplemental Services	ITEM NUMBER G.15.

At the meeting of April 1, 2019, the Common Council approved a budget modification appropriating 2018 net revenues of \$78,362 into the Personnel Services Appropriation Unit of Inspection Services. The intent, as approved, was described, in part, as follows:

"Building Inspection: Building Inspection would hire limited-term temporary employees for the Director of Inspection Services to use and assign as needed. Essentially this means that the City would bring on to the payroll various, appropriately-licensed, commonly-retired individuals to supplement our response. The Director has access to individuals willing to do the work on such a part-time, on-call basis. This will give great flexibility to address peak demands and short-term absences (vacations and training). The City has historically used (and is currently using) such individuals on a very limited, informal contract basis, but it will be better to bring them on as employees. As employees, any workers compensation and liability issues are more clearly addressed. Since these individuals will typically be highly experienced individuals who may expect to be paid at or near the top of the range for such on call services, included in this recommended plan is the Common Council's authorization for the Mayor and Director of Administration to approve hourly rates that exceed the market rate (meaning within the top 35% of the approved pay range) for these individuals, where appropriate. Additionally, if approved as presented the Common Council should anticipate that the Director of Inspection Services, subject to oversight by the Director of Administration, may approve certain travel time, such as reporting to work or a work site, as hours of service. This is commonly expected for such short-term services, and will be considered on a case-by-case basis by the Director of Inspection Services."

The appropriation was also able to be used for increased overtime demand for current full-time employees.

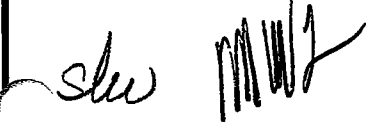
It was approved because of the following:

"The City of Franklin is experiencing a surge in development activity which is not expected to lighten up in the near term...At the same time, Inspection Services is feeling the same pressure which will continue for many months beyond each project approval, given the length of the Building construction process."

Many of these projects are still underway or still pending approval, while the City is actively pursuing multiple substantial developments across the City. Since much of the work remains, Staff recommends carrying forward any unused portion of the previously approved amount to the 2020 budget so that it can be used during 2020 for the same purpose and same manner as previously approved.

COUNCIL ACTION REQUESTED

Motion to recommend carrying forward the available Personnel Services appropriations within the Inspection Services Department, not to exceed \$78,362, and directing the Director of Finance and Treasurer to prepare a 2020 Budget modification for consideration.

APPROVAL 	REQUEST FOR COUNCIL ACTION	MEETING DATE 12/17/2019
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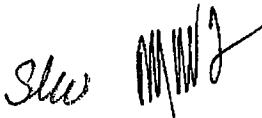
Many of these projects are still underway or still pending approval, while the City is actively pursuing multiple substantial developments across the City. Since much of the work remains, Staff recommends carrying forward any unused portion of the previously approved amount to the 2020 budget so that it can be used during 2020 for the same purpose and same manner as previously approved.

COUNCIL ACTION REQUESTED

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Motion to recommend carrying forward the available Personnel Services appropriations within the Inspection Services Department, not to exceed \$78,362, and directing the Director of Finance and Treasurer to prepare a 2020 Budget modification for consideration.

DOA-MWL

APPROVAL 	REQUEST FOR COUNCIL ACTION	MEETING DATE 4/1/2019
REPORTS & RECOMMENDATIONS	Authorize a plan for supplemental services for the Planning and Inspection Services Departments using their 2018 revenues in excess of budgeted revenues	ITEM NUMBER 6.6.

The City of Franklin is experiencing a surge in development activity which is not expected to lighten up in the near term. The proposals being considered by the Planning Department and trying to be accommodated by considerations within various TIDs are applying significant workloads within Planning. At the same time, Inspection Services is feeling the same pressure which will continue for many months beyond each project approval, given the length of the Building construction process. Both departments are under significant pressure to turn around reviews and inspections quickly to support our business environment. At the same time staffing levels remain limited, while newer staff continue on their learning curve which naturally limits efficiency and productivity in the shorter term.

These departments, however, generated significantly extra revenue in 2018 than budgeted. Neither department exceeded their expenditure appropriations for 2018, but the draft Annual Financial Report indicates the following pertaining to revenue.

Department	Budgeted Revenue	Actual Revenue	Net Revenue
Planning	\$53,500	\$101,964	\$48,464
Inspection Services	\$830,000	\$908,362	\$78,362

Additionally, it is important to recognize that the draft Annual Financial Report indicates a surplus in the General Fund for 2018 that exceeds \$700,000. Mayor and Staff, therefore, recommend that these net revenues from the departments for 2018 be reprogrammed and appropriated from the General Fund fund balance to ensure additional support services for the Departments. 2018 will still result in added General Fund surplus of over \$600,000.

Building Inspection: Building Inspection would hire limited-term temporary employees for the Director of Inspection Services to use and assign as needed. Essentially this means that the City would bring on to the payroll various, appropriately-licensed, commonly-retired individuals to supplement our response. The Director has access to individuals willing to do the work on such a part-time, on-call basis. This will give great flexibility to address peak demands and short-term absences (vacations and training). The City has historically used (and is currently using) such individuals on a very limited, informal contract basis, but it will be better to bring them on as employees. As employees, any workers compensation and liability issues are more clearly addressed. Since these individuals will typically be highly experienced individuals who may expect to be paid at or near the top of the range for such on call services, included in this recommended plan is the Common Council's authorization for the Mayor and Director of Administration to approve hourly rates that exceed the market rate (meaning within the top 35% of the approved pay range) for these individuals, where appropriate. Additionally, if approved as presented the Common Council should anticipate that the Director of Inspection Services, subject to oversight by the Director of Administration, may approve certain travel time, such as reporting to work or a work site, as hours of service. This is commonly expected for such short-term services, and will be considered on a case-by-case basis by the Director of Inspection Services.

Planning Department: The Planning Department strategy has two approaches. The first is contracted services. As was done in 2018, firms or individuals could be contracted with to address specific projects or tasks. The bulk of the additional appropriations, \$32,000, would go to this purpose. For speed and flexibility, it is recommended that the Mayor be authorized as a component of this plan to approve such contracts not to exceed \$10,000 individually and not to exceed the approved modified budget of the department. The expectation is that such authorization would not prohibit a single firm or individual from receiving multiple approvals during the course of the remainder of this year if their workload and performance warranted continued allocations of work.

The second approach is use of employees. Two employee strategies are addressed. First, the City previously used a college student as an intern. A graduate student, preferably, can provide a higher level of service while developing skills they can use later. They can provide assistance by addressing smaller tasks and entry-level analysis and counter/phone intake that helps free-up Planners time to remain focused on larger tasks. Graduate interns can also be relied upon for a two-year cycle where they are able to develop an increasing level of effectiveness. It is hopeful that the interns could work nearly full-time during the summer and around 10 hours per week during the school year, which would result in around 600 hours yet this year. At the going graduate-intern rate of \$16.00 per hour, approximately \$11,464, would be needed for the remainder of the year. If a graduate student is not available, a strong undergraduate candidate would be considered.

Additionally, an appropriation authority of \$5,000 would be put into the Personnel Services that would establish an initial appropriation that could be used if it turns out the City gets an opportunity to hire somebody as a limited-term employee instead of through a contracted service. This appropriation would be sufficient for the Mayor to hire the individual as an Emergency Employee (a classification per our handbook) for a few weeks while seeking Common Council authorization for anything longer term (at which point some of the funding from the contracted services could be moved to cover these personnel services). This strategy would allow us to react quickly to an opportunity while also having an appropriate way to hire an individual who may not have an LLC or be associated with a company, which is needed for liability reasons. As with the building inspectors discussed above, included in this recommended plan is the Common Council's authorization for the Mayor and Director of Administration to approve hourly rates that exceed the market rate (meaning within the top 35% of the approved pay range) for these individuals and to consider travel time as time worked, both where appropriate.


In the case of both departments, it is worth noting that appropriations for personnel services can also be used to support increased overtime costs for existing staff.

Approval of this supplemental services plan requires and is subject to approval of a budget modification that appropriates the 2018 revenues in excess of budgeted revenues for these two operational areas. The bottom line is that both departments are very busy. Every approval that results from the workflow coming out of the Planning Department will result in months of plan reviews and inspections by the Inspection Services Departments. These developers will expect us to provide timely services. The supplemental services plan set forth above is expected to help make that happen without drawing on any additional property tax dollars in 2019.

COUNCIL ACTION REQUESTED

Motion to authorize a plan for supplemental services for the Planning and Inspection Services Departments, as set forth above within this Council Action Sheet subject to and contingent upon separate adoption by the Common Council of a Resolution modifying the 2019 budget to appropriate an amount equal to the Department's 2018 revenues in excess of budgeted revenues.

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APPROVAL <i>slw</i> 	REQUEST FOR COUNCIL ACTION	MEETING DATE May 5, 2020
REPORTS & RECOMMENDATIONS	Report on Expenditures related to the COVID-19 Public Health Emergency thru Apr 29, 2020	ITEM NUMBER <i>G.19.</i>

Background

On March 17, 2020 the Common Council authorized spending up to \$250,000 in response to the COVID-19 Public Health Emergency.

Thru April 29, 2020, the City has spent \$98,099 of Labor funds, \$36,981 in operating costs (principally \$20,000 in extra postage for absentee ballots), and \$11,587 on equipment (with an additional \$5,596 on order). Details of the expenditures are:

Elections	23,606
Info Systems	451
Finance	55
Muni Buildings	424
Police	2334
Fire	2314
Highway	5546
Parks	2251
Total	36,981

Total expenditures and encumbrances are \$152,263.

The FEMA grant will potentially cover overtime costs, which total \$51,691 currently. Very little else of these funds are recoverable under the COVID-10 FEMA grant, as they don't meet the requirements of the grant.

In addition, it appears that certain city resources are going to be negatively impacted, specifically, ambulance revenues are down \$67,000 from a year ago at this time, hotel tax receipts will be down significantly, as the major hotels have been effectively shut down, investment income on reduced interest rates (estimated to reduce annual revenues by \$80,000), the school liaison officer – approximately \$22,000 (with the school closed – the officer was not needed), and landfill siting revenues – described under a different agenda item. It is too early to understand the total revenue shortfalls, but clearly there will be some sizable amounts.

COUNCIL ACTION REQUESTED

Information Only – no action requested.

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APPROVAL <i>slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE May 5, 2020
REPORTS & RECOMMENDATIONS	List of Donations for March & April, 2020 to Police, and Fire	ITEM NUMBER <i>6,20.</i>

Background

Various residents and businesses contribute to City activities to assist the Police, and Fire. Following is a list of donors who contributed during March and April, 2020.

Fund 28 DONATIONS FUND

28-0000-4741 DONATIONS - OTHER POLICE-7040/1041

03/05/2020	MILLER, JEDD	153278	5.00
04/08/2020	SWINER, LORRAINE	154129	500.00
	Total		505.00

28-0000-4745 DONATIONS-FIRE PREVENTION-7080/1045

04/06/2020	Various Donors	154069	995.00
04/14/2020	HEALY, ROBERT	154302	125.00
	Total		1,120.00

28-0000-4746 DONATN-FireSafetySchools-7087/1066

03/05/2020	ASCENSION	153298	400.00
03/10/2020	DASH MEDICAL GLOVES, INC.	153432	250.00
	Total		650.00

Total			2,275.00
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COUNCIL ACTION REQUESTED

Motion to acknowledge and accept donations received during March and April, 2020 to the Police, and Fire.

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APPROVAL <i>slw</i> <i>AK</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE May 5, 2020
REPORTS & RECOMMENDATIONS	March, 2020 Monthly Financial Report	ITEM NUMBER <i>G, 21,</i>

Background

The March, 2020 Financial Report is attached.

The Finance Committee reviewed this report at its April 28, 2020 meeting and recommends its acceptance.

The Director of Finance & Treasurer will be available to answer any questions.

COUNCIL ACTION REQUESTED

Receive and place on file.



Date: April 17, 2020

To: Mayor Olson, Common Council and Finance Committee Members

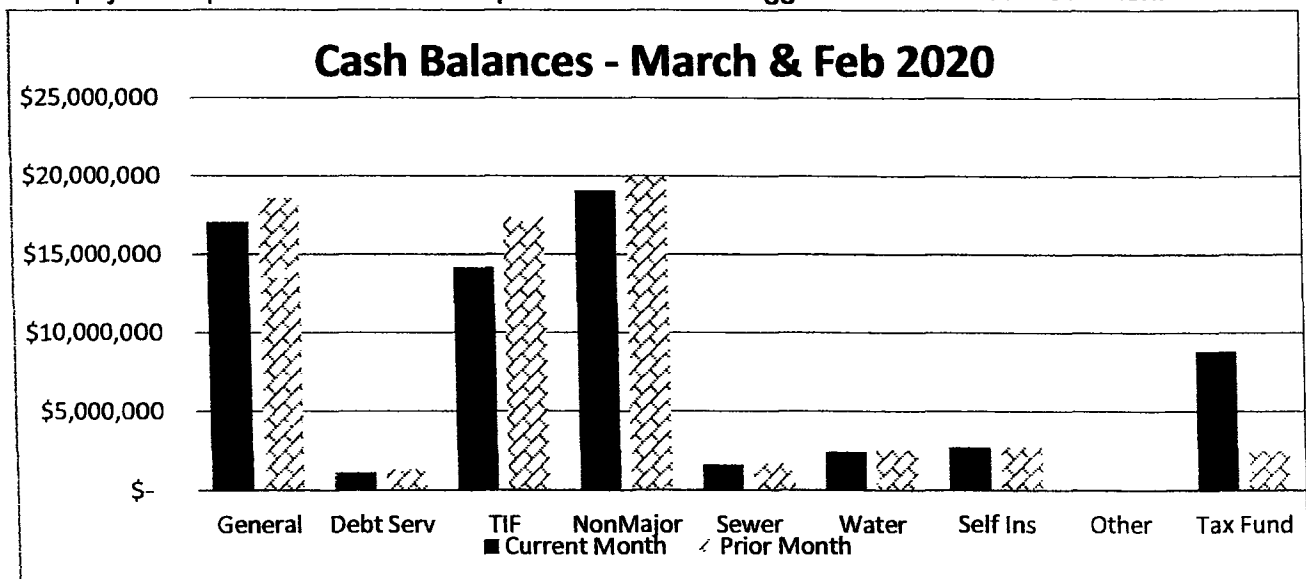
From: Paul Rotzenberg, Director of Finance & Treasurer

Subject: Mar 2020 Financial Report

The March, 2020 financial reports for the General Fund, Debt Service Fund, TID Funds, Library Fund, Tourism Fund, Solid Waste Fund, Capital Outlay Fund, Equipment Replacement Fund, Street Improvement Fund, Capital Improvement Fund, Development Fund, Utility Development, Sanitary Sewer Fund, Water Utility Fund, Self Insurance Fund, and Post Employment Insurance Fund are attached.

The budget allocation is completed using an average of the last five years actual spending against the Original Budget. Caution is advised in that spending patterns may have changed. Comments on specific and trending results are provided below to aid the reader in understanding or explaining current year financial results.

Cash & Investments Summary – is provided to aid in understanding the resources available to meet current activities. Cash & investments are positions with safety and liquidity as primary objectives as stated in the City's Investment policy. Investment returns are secondary in the investment decisions, while return potential is not ignored. Cash & Investments in the Governmental Funds totaling \$51.4 million decreased \$5.8 million since last month. General fund payroll requirements and TID Expenditures are the biggest reason for the reduction.



GENERAL FUND revenues of \$14.8 million are \$0.7 million greater than budget. Tax collections were a little faster this year than prior years, and investment interest is stronger than expected in Q1.

Year to Date expenditures of \$6.9 million are \$585,300 less than budget.

A \$7.9 million surplus is \$1.3 million greater than budget. That surplus is partially related to additional revenues and partially to underspending. It is unlikely that results in Dec will reflect a surplus of this size.

DEBT SERVICE – Debt payments were made March 1 as required. The increased development activity of late has permitted more impact fee transfers than expected in the budget.

TIF Districts –

TID 3 – The 2020 increment was collected and the TID retired \$650,000 of debt along with a \$760,000 Municipal Revenue Obligation payment. The TID will move to a surplus in mid summer when state shared revenues are received.

TID 4 – The 2020 increment was collected. Contracts were completed related to the business park infrastructure work.

TID 5 – The 2020 Increment was collected. The \$4 million called NAN was retired.

TID 6 – The Developer is slowly advancing infrastructure work for the new Industrial park.

TID 7 – Mortgage advances totaling \$2.4 million have been made. No new project costs are expected for quite some time.

LIBRARY FUND – all things are tracking as expected.

TOURISM COMMISSION – Staff is expecting hotel tax receipts to fall significantly, which will cause the Commission to re-evaluate 2020 appropriations.

SOLID WASTE FUND – Activity is occurring as budgeted.

CAPITAL OUTLAY FUND – This fund is much more dependent upon landfill siting revenues in 2020. Those resources arrive ratably over the year as opposed to in Q1 for tax levy resources. The police have ordered the three squads authorized for 2020.

EQUIPMENT REPLACEMENT FUND – Landfill siting is the primary resource here. The fund has significant fund balance to call upon in the short term for the 2020 program.

STREET IMPROVEMENT FUND – The Q2 & Q3 General Transportation Aids will fund the 2020 program and match up to cashflow needs rather well. The 2020 program has been let.

CAPITAL IMPROVEMENT FUND – A \$943,000 deferred inflow from MMSD will aid 2020 resources. Landfill siting resources are likely to fall significantly short, and the options are to either delay appropriated projects or plan for new debt resources. The Council will consider this in late April.

The Police Shooting range project was completed, however bills are still coming in. The S 68th Street hill mitigation project has been let and likely will start soon. The Pleasant View Park Pavilion project is wrapping up.

DEVELOPMENT FUND – new housing starts in Aspen Woods are driving this resource.

The March 1 debt payments were fully funded in 2020 for the first time in several years, and those transfers out to the Debt Service fund were made. As the park projects are getting completed, park impact fees are moving out. However, without progress on more park projects, park impact fees are likely to be rebated later in 2020.

There are now \$5.1 million of park impact fees on hand and \$2.6 million water impact fees. The acceptance of the Loomis Road water main accounts for the \$213,000 of water impact fee usage.

UTILITY DEVELOPMENT FUND – Activity in this fund centers on balances rolling to the tax roll in December each year.

SANITARY SEWER FUND – revenues were higher than expected as two large users spiked their water consumption. That usage then drove up the MMSD processing charges.

WATER UTILITY – two large users spiked their usage in the first quarter, driving revenues higher than expected. The Utility purchased a portion of the planned replacement meters early in the year.

SELF INSURANCE FUND – Revenues are approximately on plan, as participation has remained steady. Benefit payments are slightly higher than last year, but nicely below expected levels. The Public Health Emergency may have delayed some elective procedures, delaying some costs for a few months. The plan has a healthy \$2.6 million fund balance.

RETIREE HEALTH FUND – Insurance results are on par with the prior year. The near 40% decline in the equity markets hit the plan assets, but the fixed income position shielded the portfolio some. Still equity losses were significant.

City of Franklin
Cash & Investments Summary
March 31, 2020

	Cash	American Deposit Management	Institutional Capital Management	Local Government Invest Pool	Total	Prior Month Total
General Fund	\$ (391,879)	\$ 7,171,279	\$ 7,099,359	\$ 3,173,553	\$ 17,052,312	\$ 18,586,657
Debt Service Funds	117,762	468,614	550,213	-	1,136,589	1,320,510
TIF Districts	70,042	11,222,421	2,764,574	100,214	14,157,251	17,373,463
Nonmajor Governmental Funds	665,813	10,633,231	7,779,643	-	19,078,686	19,947,359
Total Governmental Funds	461,738	29,495,545	18,193,789	3,273,767	51,424,839	57,227,990
Sewer Fund	488,142	1,126,077	-	-	1,614,219	1,697,797
Water Utility	8,313	2,006,140	428,439	-	2,442,893	2,564,849
Self Insurance Fund	21,130	832,989	1,871,084	-	2,725,203	2,748,958
Other Designated Funds	17,803	-	-	-	17,803	18,187
Total Other Funds	535,388	3,965,206	2,299,523	-	6,800,118	7,029,791
Total Pooled Cash & Investments	997,126	33,460,752	20,493,312	3,273,767	58,224,956	64,257,780
Property Tax Fund	6,842,635	1,988,348	-	-	8,830,982	2,469,132
Total Trust Funds	6,842,635	1,988,348	-	-	8,830,982	2,469,132
Grand Total Cash & Investments	7,839,761	35,449,099	20,493,312	3,273,767	67,055,939	66,726,912
Average Rate of Return		1.45%	1.90%	1.14%		
Maturities:						
Demand	7,839,761	35,449,099	25,505	3,273,767	46,588,132	46,462,041
Fixed Income & Equities	-	-	-	-	-	-
2020 - Q1	-	-	-	-	-	-
2020 - Q2	-	-	1,002,331	-	1,002,331	999,854
2020 - Q3	-	-	-	-	-	-
2020 - Q4	-	-	4,551,242	-	4,551,242	4,530,740
2021 - Q1	-	-	2,034,219	-	2,034,219	2,020,469
2021	-	-	7,672,321	-	7,672,321	7,612,092
2022	-	-	4,689,807	-	4,689,807	4,645,676
2023	-	-	517,887	-	517,887	510,491
	7,839,761	35,449,099	20,493,312	3,273,767	67,055,939	66,781,363

**City of Franklin
General Fund
Comparative Statement of Revenue, Expenses and Fund Balance
For the 3 months ended March 31, 2020**

Revenue	2020 Original Budget	2020 Amended Budget	2020 Year-to-Date Budget	2020 Year-to-Date Actual	Var to Budget Surplus (Deficiency)
Property Taxes	\$ 19,015,200	\$ 19,015,200	\$ 12,646,959	\$ 13,063,666	\$ 416,707
Other Taxes	676,400	676,400	19,546	10,480	(9,066)
Intergovernmental Revenue	1,746,400	1,746,400	199,809	355,612	155,803
Licenses & Permits	903,200	903,200	155,185	234,175	78,990
Law and Ordinance Violations	546,000	546,000	159,846	144,850	(14,996)
Public Charges for Services	2,527,300	2,577,300 A	508,978	435,338	(73,640)
Intergovernmental Charges	182,000	182,000	4,527	30,173	25,646
Investment Income	343,580	343,580	87,405	216,379	128,974
Sale of Capital Assets	10,750	10,750	986	1,250	264
Miscellaneous Revenue	128,500	128,500	22,553	28,575	6,022
Transfers from Other Funds	1,050,000	1,050,000	275,109	268,800	(6,309)
Total Revenue	\$ 27,129,330	\$ 27,179,330	\$ 14,080,903	\$ 14,789,298 105.03%	\$ 708,395
Expenditures	2020 Original Budget	2020 Amended Budget	2020 Year-to-Date Budget	2020 Year-to-Date Actual	Var to Budget Surplus (Deficiency)
General Government	\$ 3,365,482	\$ 3,391,643 A	\$ 1,013,322	\$ 932,655	\$ (80,667)
Public Safety	18,446,978	18,589,138	4,991,332	4,700,603	(290,729)
Public Works	4,151,677	4,276,734	1,013,374	950,571	(62,803)
Health & Human Services	737,635	737,635	183,962	155,488	(28,474)
Culture & Recreation	210,448	210,448	50,317	51,361	1,044
Conservation and Development	619,400	693,294	149,164	223,979	74,815
Contingency & Unclassified	1,487,500	1,315,870 A	14,857	37,775	22,918
Anticipated Underexpenditures	(315,000)	(315,000)	(78,750)	-	78,750
Transfers to Other Funds	524,000	524,000	125,000	-	(125,000)
Encumbrances	-	-	-	(175,183)	(175,183)
Total Expenditures	\$ 29,228,120	\$ 29,423,762	\$ 7,462,578	\$ 6,877,249 92.16%	\$ (585,329)
Excess of revenue over (under) expenditures	(2,098,790)	(2,244,432)	6,618,325	7,912,049	\$ 1,293,724
Fund Balance, beginning of year	8,633,754	8,633,754		8,633,754	
Fund Balance, end of period	\$ 6,534,964	\$ 6,389,322		\$ 16,545,803	

A Represents an amendment to Adopted Budget

E Represents an encumbrance for current year from prior year

City of Franklin
General Fund
Comparative Statement of Revenue
For the 3 months ended March 31, 2020

Revenue	2020 Original Budget	2020 Amended Budget	2020 Year-to-Date Budget	2020 Year-to-Date Actual	Var to Budget Surplus (Deficiency)
Property Taxes	\$ 19,015,200	\$ 19,015,200	\$ 12,646,959	\$ 13,063,666	\$ 416,707
Other Taxes:					
Cable television franchise fees	480,000	480,000	13,167	2,746	(10,421)
Mobile Home	21,000	21,000	5,250	7,734	2,484
Room tax	175,400	175,400	1,129	-	(1,129)
Total Other taxes	676,400	676,400	19,546	10,480	(9,066)
Intergovernmental Revenue:					
State shared revenue-per capita	405,000	405,000	-	-	-
Expenditure restraint revenue	150,000	150,000	-	-	-
State computer aid	228,000	228,000	-	-	-
State transportation aids	535,000	535,000	169,701	350,994	181,293
Fire insurance dues	165,000	165,000	-	-	-
Other grants & aid	263,400	263,400	30,108	4,618	(25,490)
Total Intergovernmental Revenue	1,746,400	1,746,400	199,809	355,612	155,803
Licenses & Permits:					
Licenses	162,000	162,000	20,278	18,220	(2,058)
Permits	741,200	741,200	134,907	215,955	81,048
	903,200	903,200	155,185	234,175	78,990
Law & Ordinance Violations:					
Fines, Forfeitures & Penalties	546,000	546,000	159,846	144,850	(401,150)
Public Charges for Services:					
Planning Related Fees	72,800	72,800	18,237	19,530	1,293
General Government	8,700	8,700	1,655	3,375	1,720
Architectural Board Review	4,500	4,500	1,006	1,320	314
Police & Related	6,800	56,800 A	2,022	578	(1,444)
Ambulance Services - ALS	1,350,000	1,350,000	325,571	175,584	(149,987)
Ambulance Services - BLS	-	-	-	94,240	94,240
Fire Safety Training	1,500	1,500	297	1,143	846
Fire Sprinkler Plan Review	40,000	40,000	10,649	(7,550)	(18,199)
Fire Inspections	19,500	19,500	4,020	2,342	(1,678)
Quarry Reimbursement	43,000	43,000	-	4,745	4,745
Weed Cutting	7,000	7,000	-	(321)	(321)
Engineering Fees	330,000	330,000	14,033	69,490	55,457
Public Works Fees	3,500	3,500	329	8,318	7,989
Weights & Measures	7,600	7,600	33	-	(33)
Landfill Operations - Siting	438,000	438,000	109,500	50,624	(58,876)
Landfill Operations - Emerald Park	80,000	80,000	8,184	10,631	2,447
Health Department	114,400	114,400	13,442	1,289	(12,153)
Total Public Charges for Services	\$ 2,527,300	\$ 2,577,300	\$ 508,978	\$ 435,338	\$ (73,640)

A Represents an amendment to Adopted Budget

E Represents an encumbrance for current year from prior year

**City of Franklin
General Fund
Comparative Statement of Revenue
For the 3 months ended March 31, 2020**

Revenue	2020 Original Budget	2020 Amended Budget	2020 Year-to-Date Budget	2020 Year-to-Date Actual	Var to Budget Surplus (Deficiency)
Intergovernmental Charges:					
Milwaukee County - Paramedics	\$ 100,000	\$ 100,000	\$ 4,527	\$ 30,173	\$ 25,646
School Liaison Officer	82,000	82,000	-	-	-
Total Intergovernmental Charges	182,000	182,000	4,527	30,173	25,646
Investment Income:					
Interest on Investments	240,500	240,500	61,635	58,688	(2,947)
Market Value Change on Investments	-	-	-	98,602	98,602
Interest - Tax Roll	100,000	100,000	25,000	57,169	32,169
Other Interest	3,080	3,080	770	1,920	1,150
Total Investment Income	343,580	343,580	87,405	216,379	128,974
Sale of Capital Assets	10,750	10,750	986	1,250	(9,500)
Miscellaneous Revenue:					
Rental of Property	50,000	50,000	16,095	18,554	2,459
Refunds/Reimbursements	35,000	35,000	5,478	7,855	2,377
Insurance Dividend	40,000	40,000	-	-	-
Other Revenue	3,500	3,500	980	2,166	1,186
Total Miscellaneous Revenue	128,500	128,500	22,553	28,575	6,022
Transfer from Other Funds:					
Water Utility-Tax Equivalent	1,050,000	1,050,000	275,109	268,800	(6,309)
Total Transfers from Other Funds	1,050,000	1,050,000	275,109	268,800	(6,309)
Total Revenue	\$ 27,129,330	\$ 27,179,330	\$ 14,080,903	\$ 14,789,298	\$ 312,477
				105.03%	

A Represents an amendment to Adopted Budget

E Represents an encumbrance for current year from prior year

City of Franklin
General Fund
Comparative Statement of Expenditures
For the 3 months ended March 31, 2020

Expenditures	2020 Original Budget	2020 Amended Budget	2020 Year-to-Date Budget	2020 Year-to-Date Actual	Var to Budget Surplus (Deficiency)
General Government:					
Mayor & Aldermen - Labor	\$ 65,891	\$ 65,891	\$ 17,740	\$ 16,473	\$ 1,267
Mayor & Aldermen - Non-Personnel	33,501	34,345 A	18,445	6,967 E	11,478
Municipal Court - Labor	193,490	193,490	52,094	51,210	884
Municipal Court - Non-Personnel	19,625	19,625	13,738	12,185	1,553
City Clerk Labor	353,001	353,001	95,229	85,301	9,928
City Clerk - Non-Personnel	27,200	27,200	4,114	6,537	(2,423)
Elections - Labor	70,404	70,404	18,957	11,515	7,442
Elections - Non-Personnel	16,500	16,500	2,710	1,770	940
Information Services - Labor	131,451	236,451 A	35,391	34,346	1,045
Information Services - Non-Personnel	429,878	346,271	118,717	122,355 E	(3,638)
Administration - Labor	411,533	411,533	111,213	82,337 E	28,876
Administration - Non-Personnel	129,655	129,655	27,828	37,762	(9,934)
Finance - Labor	419,877	419,877	114,753	117,467	(2,714)
Finance - Non-Personnel	115,710	115,710	43,714	35,142	8,572
Independent Audit	30,050	30,050	3,318	3,200	118
Assessor - Non-Personnel	233,350	233,350	58,300	30,692	27,608
Legal Services	357,000	357,000	93,418	70,931	22,487
Municipal Buildings - Labor	114,001	114,001	34,270	37,639	(3,369)
Municipal Buildings - Non-Personnel	117,515	121,439 A	22,031	26,117 E	(4,086)
Property/liability insurance	95,850	95,850	127,342	142,709	(15,367)
Total General Government	3,365,482	3,391,643	1,013,322	932,655	80,667
Public Safety:					
Police Department - Labor	9,167,605	9,217,605 A	2,468,202	2,380,945	87,257
Police Department - Non-Personnel	1,226,530	1,240,059 A	372,072	336,071 E	36,001
Fire Department - Labor	6,286,453	6,286,453	1,691,816	1,568,866	122,950
Fire Department - Non-Personnel	566,500	566,831 A	147,530	115,884	31,646
Public Fire Protection	283,300	283,300	71,706	70,013	1,693
Building Inspection - Labor	768,655	846,955	204,647	193,683	10,964
Building Inspection - Non-Personnel	140,335	140,335	35,359	35,141	218
Weights and Measures	7,600	7,600	-	-	-
Total Public Safety	18,446,978	18,589,138	4,991,332	4,700,603	290,729
Public Works:					
Engineering - Labor	590,261	590,261	152,967	124,474	28,493
Engineering - Non-Personnel	342,820	342,820	85,143	73,680	11,463
Highway - Labor	1,974,746	1,974,746	532,013	487,514	44,499
Highway - Non-Personnel	890,800	975,737 A	185,761	168,192 E	17,569
Street Lighting	346,000	386,120 A	57,490	96,711 E	(39,221)
Weed Control	7,050	7,050	-	-	-
Total Public Works	\$ 4,151,677	\$ 4,276,734	\$ 1,013,374	\$ 950,571	\$ 62,803

A Represents an amendment to Adopted Budget

E Represents an encumbrance for current year from prior year

City of Franklin
General Fund
Comparative Statement of Revenue, Expenses and Fund Balance
For the 3 months ended March 31, 2020

Expenditures	2020 Original Budget	2020 Amended Budget	2020 Year-to-Date Budget	2020 Year-to-Date Actual	Var to Budget Surplus (Deficiency)
Health & Human Services:					
Public Health - Labor	\$ 628,585	\$ 628,585	\$ 165,871	\$ 142,864	\$ 23,007
Public Health - Non-Personnel	65,250	65,250	5,731	4,916	815
Animal Control	43,800	43,800	12,360	7,708	4,652
Total Health & Human Services	737,635	737,635	183,962	155,488	28,474
Culture & Recreation:					
Senior Travel & Activities	24,000	24,000	4,699	1,180	3,519
Parks - Labor	119,998	119,998	32,307	33,300	(993)
Parks - Non-Personnel	66,450	66,450	13,311	16,881 E	(3,570)
Total Culture & Recreation	210,448	210,448	50,317	51,361	(1,044)
Conservation & Development:					
Planning - Labor	358,680	358,680	96,568	110,211 E	(13,643)
Planning - Non-Personnel	74,950	133,844 A	8,558	47,845 E	(39,287)
Economic Dev - Labor	126,770	126,770	34,198	32,634	1,564
Economic Dev - Non-Personnel	59,000	74,000 A	9,840	33,289 E	(23,449)
Total Conservation & Development	619,400	693,294	149,164	223,979	(74,815)
Contingency & Unclassified:					
Restricted - other	1,335,000	1,035,000 A	-	-	-
Unrestricted	125,000	253,370 A	14,150	37,775 E	(23,625)
Unclassified	27,500	27,500	707	-	707
Total Contingency & Unclassified	1,487,500	1,315,870	14,857	37,775	(22,918)
Anticipated Underexpenditures	(315,000)	(315,000)	(78,750)	-	(315,000)
Transfers to Other Funds:					
Capital Improvement Fund	500,000	500,000	125,000	-	125,000
Other Funds	24,000	24,000	-	-	-
Total Transfers to Other Funds	524,000	524,000	125,000	-	125,000
Total Expenditures	\$ 29,228,120	\$ 29,423,762	\$ 7,462,578	\$ 7,052,432	\$ 173,896
Less Encumbrances				(175,183)	
Net Expenditures				\$ 6,877,249	
% of YTD Budget				92.16%	

A Represents an amendment to Adopted Budget

E Represents an encumbrance for current year from prior year

**City of Franklin
General Fund
Balance Sheet**

ASSETS

3/31/2020

Cash & Investments	\$ 17,051,435
Accounts & Taxes & Interest Receivable	6,731,534
Due from Other Funds & Advances	123,200
Due from Other Governments	2,658
Prepaid Expenditures & Inventories	26,661

Total Assets	\$ 23,935,488
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LIABILITIES

Accounts Payable	\$ 300,594
Accrued Liabilities	915,936
Due to Other Funds & Governments	137,523
Special Deposits	80,134
Unearned Revenue	5,955,498
Total Liabilities	7,389,685

FUND BALANCES

Nonspendable - Inventories, Prepaids, Advances, Assigned	149,861
Unassigned	16,395,942
Total Fund Balances	16,545,803
Total Liabilities & Fund Balances	\$ 23,935,488

**City of Franklin
Debt Service Funds
Balance Sheet
March 31, 2020 and 2019**

	2020 Special Assessment	2020 Debt Service	2020 Total	2019 Special Assessment	2019 Debt Service	2019 Total
Assets						
Cash and investments	\$ 785,831	\$ 350,758	\$ 1,136,589	\$ 726,280	\$ 417,798	\$ 1,144,078
Special assessment receivable	30,255	-	30,255	58,474	-	58,474
Total Assets	\$ 816,086	\$ 350,758	\$ 1,166,844	\$ 784,754	\$ 417,798	\$ 1,202,552
Liabilities and Fund Balance						
Unearned & unavailable revenue	\$ 30,255	\$ -	\$ 30,255	\$ 58,474	\$ -	\$ 58,474
Unassigned fund balance	785,831	350,758	1,136,589	726,280	417,798	1,144,078
Total Liabilities and Fund Balance	\$ 816,086	\$ 350,758	\$ 1,166,844	\$ 784,754	\$ 417,798	\$ 1,202,552

**Statement of Revenue, Expenses and Fund Balance
For the Three months ended March 31, 2020 and 2019**

	2020 Special Assessment	2020 Debt Service	2020 Year-to-Date Actual	2020 Original Budget	2019 Special Assessment	2019 Debt Service	2019 Year-to-Date Actual
Revenue							
Property Taxes	\$ -	\$ 1,100,000	\$ 1,100,000	\$ 1,100,000	\$ -	\$ 1,300,000	\$ 1,300,000
Special Assessments	6,221	-	6,221	-	5,729	-	5,729
Investment Income	11,980	3,038	15,018	-	6,217	6,050	12,267
GO Debt Issuance	-	-	-	-	-	-	-
Total Revenue	18,201	1,103,038	1,121,239	1,100,000	11,946	1,306,050	1,317,996
Expenditures:							
Debt Service.							
Principal	-	1,425,000	1,425,000	1,387,500	-	1,405,000	1,405,000
Interest	-	74,961	74,961	199,132	-	74,256	74,256
Bank Fees	-	1,200	1,200	1,140	-	800	800
Total expenditures	-	1,501,161	1,501,161	1,587,772	-	1,480,056	1,480,056
Transfers in	-	397,950	397,950	487,772	-	323,419	323,419
Transfers out	-	-	-	-	-	-	-
Net change in fund balances	18,201	(173)	18,028	-	11,946	149,413	161,359
Fund balance, beginning of year	767,630	350,931	1,118,561	1,118,561	714,334	268,385	982,719
Fund balance, end of period	\$ 785,831	\$ 350,758	\$ 1,136,589	\$ 1,118,561	\$ 726,280	\$ 417,798	\$ 1,144,078

City of Franklin
Consolidating TID Funds
Balance Sheet

March 31, 2020

Northwestern Mutual TID 3	Ascension Hospital TID 4	Ballpark Commons TID 5	Loomis & Ryan TID 6	Velo Village TID 7	Total
\$ 693,911	\$ 4,706,246	\$ 815,573	\$ 5,343,366	\$ 2,598,158	\$ 14,157,254
		45,780	-	2,463,236	2,509,016
\$ 693,911	\$ 4,706,246	\$ 861,353	\$ 5,343,366	\$ 5,061,394	\$ 16,666,270

Assets

Cash & investments
Accounts & mortgage receivable
Total Assets

Liabilities and Fund Balance

Accounts payable	\$ -	\$ 116,591	\$ 2,639	\$ 495	\$ -	\$ 119,725
Accrued liabilities	865,136	-	-	-	-	865,136
Advances from other funds	-	-	-	-	1,910,000	1,910,000
Total Liabilities	865,136	116,591	2,639	495	1,910,000	2,894,861
Assigned fund balance	(171,225)	4,589,655	858,714	5,342,871	3,151,394	13,771,409
Total Liabilities and Fund Balance	\$ 693,911	\$ 4,706,246	\$ 861,353	\$ 5,343,366	\$ 5,061,394	\$ 16,666,270

Statement of Revenue, Expenses and Fund Balance
For the Three months ended March 31, 2020

	Northwestern Mutual TID 3	Ascension Hospital TID 4	Ballpark Commons TID 5	Loomis & Ryan TID 6	Velo Village TID 7	Total
Revenue						
General property tax levy	\$ 1,401,748	\$ 1,138,802	\$ 721,361	\$ -	\$ -	\$ 3,261,911
Payment in lieu of taxes	-	73,889	91,560	-	-	165,449
Investment & misc income	6,966	62,232	26,358	22,499	12,063	130,118
Total revenue	1,408,714	1,274,923	839,279	22,499	12,063	3,557,478
Expenditures						
Debt service principal, interest & fees	\$ 710,075	\$ -	\$ 4,427,844	\$ 109,850	\$ 32,415	\$ 5,280,184
Administrative expenses	1,770	10,892	1,770	7,530	1,770	23,732
Professional services	-	716,945	33,542	20,255	8,729	779,471
Capital outlays	-	6,606,868	-	-	166,663	6,773,531
Development incentive & obligation payments	760,005	-	-	-	-	760,005
Encumbrances	-	(6,581,497)	(27,879)	(16,156)	(5,900)	(6,631,432)
Total expenditures	1,471,850	753,208	4,435,277	121,479	203,677	6,985,491
Revenue over (under) expenditures	(63,136)	521,715	(3,595,998)	(98,980)	(191,614)	(3,428,013)
Fund balance, beginning of year	(108,089)	4,067,940	4,454,712	5,441,851	3,343,008	17,199,422
Fund balance, end of period	\$ (171,225)	\$ 4,589,655	\$ 858,714	\$ 5,342,871	\$ 3,151,394	\$ 13,771,409

City of Franklin
Tax Increment Financing District #3
Balance Sheet
March 31, 2020 and 2019

<u>Assets</u>	2020	2019
Cash & Investments	\$ 693,911	\$ 5,349,268
Taxes receivable	-	-
Total Assets	<u>\$ 693,911</u>	<u>\$ 5,349,268</u>
 <u>Liabilities and Fund Balance</u>		
Accounts payable	\$ -	\$ 150
Accrued liabilities	865,136	969,377
Unearned revenue	-	-
Total Liabilities	<u>865,136</u>	<u>969,527</u>
 Assigned fund balance	<u>(171,225)</u>	<u>4,379,741</u>
Total Liabilities and Fund Balance	<u>\$ 693,911</u>	<u>\$ 5,349,268</u>

Statement of Revenue, Expenses and Fund Balance
For the Three months ended March 31, 2020 and 2019

	2020 Annual Budget	2020 Amended Budget	2020 Year-to-Date Budget	2020 Year-to-Date Actual	2019 Year-to-Date Actual
Revenue					
General property tax levy	\$ 1,409,000	\$ 1,409,000	\$ 1,409,000	\$ 1,401,748	\$ 1,114,683
State exempt aid	507,500	507,500	6,875	-	-
Investment income	25,000	25,000	7,136	6,966	25,094
Bond proceeds	-	-	-	-	3,001,886
Total revenue	<u>1,941,500</u>	<u>1,941,500</u>	<u>1,423,011</u>	<u>1,408,714</u>	<u>4,141,663</u>
 Expenditures					
Debt service principal	665,000	665,000	166,250	665,000	-
Debt service interest & fees	80,265	80,265	-	45,075	16,201
Administrative expenses	7,250	7,250	1,813	1,770	3,012
Professional services	6,000	6,000	1,500	-	-
Capital outlays	-	-	-	-	984,323
Development incentive & obligation payments	711,005	711,005	711,005	760,005	291,991
Total expenditures	<u>1,469,520</u>	<u>1,469,520</u>	<u>880,568</u>	<u>1,471,850</u>	<u>415,445</u>
 Revenue over (under) expenditures	471,980	471,980	<u>\$ 542,443</u>	(63,136)	3,726,218
 Fund balance, beginning of year	<u>(108,089)</u>	<u>(108,089)</u>		<u>(108,089)</u>	<u>653,523</u>
 Fund balance, end of period	<u>\$ 363,891</u>	<u>\$ 363,891</u>		<u>\$ (171,225)</u>	<u>\$ 4,379,741</u>

City of Franklin
Tax Increment Financing District #4
Balance Sheet
March 31, 2020 and 2019

<u>Assets</u>	2020	2019
Cash & investments	\$ 4,706,246	\$ 4,240,584
Total Assets	<u>\$ 4,706,246</u>	<u>\$ 4,240,584</u>
<u>Liabilities and Fund Balance</u>		
Accounts payable	\$ 116,591	\$ 824
Total Liabilities	116,591	824
Assigned fund balance	4,589,655	4,239,760
Total Liabilities and Fund Balance	<u>\$ 4,706,246</u>	<u>\$ 4,240,584</u>

Statement of Revenue, Expenses and Fund Balance
For the Three months ended March 31, 2020 and 2019

	2020 Annual Budget	2020 Amended Budget	2020 Year-to-Date Budget	2020 Year-to-Date Actual	2019 Year-to-Date Actual
Revenue					
General property tax levy	\$ 1,144,700	\$ 1,144,700	\$ 1,144,700	\$ 1,138,802	\$ 1,011,224
Payment in Lieu of Taxes	120,000	120,000	102,000	73,889	121,759
State exempt aid	48,900	48,900	8,075	-	-
Investment income	74,000	74,000	18,500	62,232	33,460
Bond proceeds	6,200,000	6,200,000	1,550,000	-	-
Total revenue	<u>7,587,600</u>	<u>7,587,600</u>	<u>2,823,275</u>	<u>1,274,923</u>	<u>1,166,443</u>
Expenditures					
Debt service interest & fees	75,000	75,000	18,750	-	-
Administrative expenses	30,290	30,290	7,573	10,892	11,118
Professional services	1,000	127,675	250	716,945	132,399
Capital outlay	11,000,000	11,656,606	2,750,000	6,606,868	714,802
Encumbrances	-	-	-	(6,581,497)	(840,177)
Total expenditures	<u>11,106,290</u>	<u>11,889,571</u>	<u>2,776,573</u>	<u>753,208</u>	<u>18,142</u>
Revenue over (under) expenditures	(3,518,690)	(4,301,971)	46,702	521,715	1,148,301
Fund balance, beginning of year	<u>4,067,940</u>	<u>4,067,940</u>		<u>4,067,940</u>	<u>3,091,459</u>
Fund balance, end of period	<u>\$ 549,250</u>	<u>\$ (234,031)</u>		<u>\$ 4,589,655</u>	<u>\$ 4,239,760</u>

City of Franklin
Tax Increment Financing District #5
Balance Sheet
March 31, 2020 and 2019

<u>Assets</u>	2020	2019
Cash & investments	\$ 815,573	\$ 6,043,395
Accounts receivable	45,780	-
Total Assets	<u>\$ 861,353</u>	<u>\$ 6,043,395</u>
 <u>Liabilities and Fund Balance</u>		
Accounts payable	\$ 2,639	\$ 365,476
Due to other funds	-	29,695
Interfund advance from Development Fund	-	75,000
Total Liabilities	<u>2,639</u>	<u>470,171</u>
Assigned fund balance	858,714	5,573,224
Total Liabilities and Fund Balance	<u>\$ 861,353</u>	<u>\$ 6,043,395</u>

Statement of Revenue, Expenses and Fund Balance
For the Three months ended March 31, 2020 and 2019

	2020 Annual Budget	2020 Amended Budget	2020 Year-to-Date Budget	2020 Year-to-Date Actual	2019 Year-to-Date Actual
Revenue					
General property tax levy	\$ 756,000	\$ 756,000	\$ 189,000	\$ 721,361	\$ 30,951
Payment in lieu of taxes	-	-	-	91,560	-
State exempt aid	12,900	12,900	3,225	-	-
Investment income	1,000	1,000	250	26,358	50,041
Bond proceeds	-	-	-	-	10,600,102
Total revenue	<u>769,900</u>	<u>769,900</u>	<u>192,475</u>	<u>839,279</u>	<u>10,681,094</u>
 Expenditures					
Debt service interest & fees	890,763	890,763	192,007	4,427,844	10,427,243
Administrative expenses	12,250	12,250	3,134	1,770	11,891
Professional services	16,050	48,188	6,809	33,542	53,320
Capital outlay	-	-	-	-	3,339,310
Development incentive & obligation payments	-	-	-	-	-
Encumbrances	-	-	-	(27,879)	(38,379)
Total expenditures	<u>919,063</u>	<u>951,201</u>	<u>201,950</u>	<u>4,435,277</u>	<u>13,793,385</u>
Revenue over (under) expenditures	(149,163)	(181,301)	<u>\$ (9,475)</u>	(3,595,998)	(3,112,291)
Fund balance, beginning of year	<u>4,454,712</u>	<u>4,454,712</u>		<u>4,454,712</u>	<u>8,685,515</u>
Fund balance, end of period	<u>\$ 4,305,549</u>	<u>\$ 4,273,411</u>		<u>\$ 858,714</u>	<u>\$ 5,573,224</u>

City of Franklin
Ballpark Commons
Thru Dec 31, 2019

	Streets	Storm Sewer	Parking Lot	County Methane	MMSD Main Movement	Topsoil Replacement	Berms	Water	Sanitary Sewer	Trail	Sound & Light	Contingency	Total
Dev Agreement Budget	5,157,399	2,564,027	1,930,196	3,887,300	458,000	2,602,500	920,000	1,011,124	782,266	145,000	100,000	2,933,672	22,491,484
Revised Budget	3,634,962	5,480,870	1,393,587	3,887,300	458,000	2,989,828	920,000	2,075,473	1,373,100	145,000	100,000	33,363	22,491,484
Dev Agree Amend												3,200,000	3,200,000
Total	3,634,962	5,480,870	1,393,587	3,887,300	458,000	2,989,828	920,000	2,075,473	1,373,100	145,000	100,000	3,233,363	25,691,484
Draw's													
2018 Total	1,617,607	4,201,794	608,567	2,645,529	164,865	2,586,201	247,441	1,397,720	876,912	31,610	49,238	3,285	14,410,769
2019 Total	2,504,989	1,680,071	1,828,244	389,603	46,214	1,436,361	97,894	1,122,460	1,190,537	45,224	110,181	-	10,452,778
Draw # 23	(1,973)	55,536	39,422	54,193	4,020	55,827	(245,147)	32,289	56,656				50,823
'21 adj recorded by BPC	108,000						245,960						353,960
Draw # 24	157,595	1,315	(68,574)	47,190		112,784		1,315	51,821	27,895			331,323
													-
													-
Total	4,386,218	5,938,717	2,408,659	3,136,515	215,099	4,171,152	346,147	2,553,784	2,175,926	104,729	159,419	3,285	25,599,653
Remaining Budget	(751,266)	(457,847)	(1,015,072)	750,765	242,901	(1,181,324)	573,853	(478,311)	(802,825)	40,271	(59,419)	3,230,078	91,832

City of Franklin
Tax Increment Financing District #6
Balance Sheet
March 31, 2020 and 2019

<u>Assets</u>	2020	2019
Cash & investments	\$ 5,343,366	\$ 6,529,479
Total Assets	<u>\$ 5,343,366</u>	<u>\$ 6,529,479</u>
<u>Liabilities and Fund Balance</u>		
Accounts payable	\$ 495	\$ -
Advances from other funds	-	13,000
Total Liabilities	<u>495</u>	<u>13,000</u>
Assigned fund balance	5,342,871	6,516,479
Total Liabilities and Fund Balance	<u>\$ 5,343,366</u>	<u>\$ 6,529,479</u>

Statement of Revenue, Expenses and Fund Balance
For the Three months ended March 31, 2020 and 2019

	2020 Annual Budget	2020 Amended Budget	2020 Year-to-Date Budget	2020 Year-to-Date Actual	2019 Year-to-Date Actual
Revenue					
Investment income	\$ 32,500	\$ 32,500	\$ 1,875	\$ 22,499	\$ 3,587
Bond proceeds	3,250,000	3,250,000	-	-	6,638,320
Total revenue	<u>3,282,500</u>	<u>3,282,500</u>	<u>1,875</u>	<u>22,499</u>	<u>6,641,907</u>
Expenditures					
Debt service interest & fees	\$ 326,940	\$ 326,940	\$ 100	\$ 109,850	\$ 109,101
Administrative expenses	30,290	30,290	-	7,530	2,983
Professional services	8,750	9,906	-	20,255	1,156
Capital outlay	3,000,000	3,000,000	-	-	-
Encumbrances	-	-	-	(16,156)	(1,156)
Total expenditures	<u>3,365,980</u>	<u>3,367,136</u>	<u>100</u>	<u>121,479</u>	<u>112,084</u>
Revenue over (under) expenditures	(83,480)	(84,636)	<u>\$ 1,775</u>	(98,980)	6,529,823
Fund balance, beginning of year	<u>5,441,851</u>	<u>5,441,851</u>		<u>5,441,851</u>	<u>(13,344)</u>
Fund balance, end of period	<u>\$ 5,358,371</u>	<u>\$ 5,357,215</u>		<u>\$ 5,342,871</u>	<u>\$ 6,516,479</u>

City of Franklin
Tax Increment Financing District #7
Balance Sheet
March 31, 2020 and 2019

<u>Assets</u>	2020	2019
Cash & investments	\$ 2,598,158	\$ -
Mortgage receivable	2,463,236	
Total Assets	<u>\$ 5,061,394</u>	<u>\$ -</u>
<u>Liabilities and Fund Balance</u>		
Accounts payable	\$ -	\$ -
Advances from other funds	1,910,000	-
Total Liabilities	<u>1,910,000</u>	<u>-</u>
Assigned fund balance	3,151,394	-
Total Liabilities and Fund Balance	<u>\$ 5,061,394</u>	<u>\$ -</u>

Statement of Revenue, Expenses and Fund Balance
For the Three months ended March 31, 2020 and 2019

	2020 Annual Budget	2020 Amended Budget	2020 Year-to-Date Actual	2019 Year-to-Date Actual
Revenue				
Investment & misc income	\$ 270,000	\$ 270,000	\$ 12,063	\$ -
Bond proceeds	-	-	-	-
Total revenue	<u>270,000</u>	<u>270,000</u>	<u>12,063</u>	<u>-</u>
Expenditures				
Debt service interest, fees, bond issuance	\$ 268,549	\$ 268,549	\$ 32,415	\$ -
Administrative expenses	7,250	7,250	1,770	-
Professional services	6,750	30,850	8,729	-
Capital outlay	-	-	166,663	-
Encumbrances	-	-	(5,900)	-
Total expenditures	<u>282,549</u>	<u>306,649</u>	<u>203,677</u>	<u>-</u>
Revenue over (under) expenditures	(12,549)	(36,649)	(191,614)	-
Fund balance, beginning of year	<u>3,343,008</u>	<u>3,343,008</u>	<u>3,343,008</u>	<u>-</u>
Fund balance, end of period	<u>\$ 3,330,459</u>	<u>\$ 3,306,359</u>	<u>\$ 3,151,394</u>	<u>\$ -</u>

City of Franklin, WI
TID 7 Draw Summary
Thru March 30, 2020

BUIDGET>>>		Draw #	Date Funded	Sanitary Sewer	Storm Sewer	Water	Streets	Excavate Unsuitable Soils	Oak Leaf Trail	Privacy Berms	Other	Total
9/23/2019	1	12/30/2019	20,000	37,685	134,066	1,352,579	255,962.99	26,044	59,626	273,288	96,712	2,000,000
9/23/2019	2	12/30/2019		12,685.00	57,142.71		98,802.42		29,626.00			355,416.70
11/18/2019	3	12/30/2019	20,000.00	25,000.00	26,842.06		81,656.10	12,709.80			49,754.58	125,644.48
11/18/2019	4	12/30/2019			37,304.17		164,869.29					226,424.65
Total 2019			20,000.00	37,685.00	121,288.94	601,290.80	29,626.00	12,709.80	29,626.00	-	49,754.58	872,355.12
1/17/2020	5											-
1/24/2020	6						248,476.00			245,959.57		494,435.57
1/24/2020	7						290,759.97		20,703.96			311,463.93
3/19/2020	8						55,317.84					55,317.84
3/19/2020	9				58,024.78		25,991.28			27,328.84		111,344.90
Total			20,000.00	37,685.00	179,313.72	1,221,835.89	50,329.96	12,709.80	50,329.96	273,288.41	49,754.58	1,844,917.36
Remaining			-	-	(45,247.72)	130,743.11	9,296.04	13,334.20	9,296.04	(0.41)	46,957.42	155,082.64

**City of Franklin
Library Fund
Balance Sheet
March 31, 2020 and 2019**

Assets	Operating		Restricted	
	2020	2019	2020	2019
Cash and investments	\$ 1,582,696	\$ 1,480,814	\$ 139,727	\$ 147,338
Total Assets	<u>\$ 1,582,696</u>	<u>\$ 1,480,814</u>	<u>\$ 139,727</u>	<u>\$ 147,338</u>
Liabilities and Fund Balance				
Accounts payable	\$ 15,536	\$ 21,913	\$ 2,983	\$ 2,322
Accrued salaries & wages	29,330	26,067	-	-
Assigned fund balance	1,537,830	1,432,934	136,744	145,016
Total Liabilities and Fund Balance	<u>\$ 1,582,696</u>	<u>\$ 1,480,914</u>	<u>\$ 139,727</u>	<u>\$ 147,338</u>

**Statement of Revenue, Expenses and Fund Balance - Operating Fund
For the Three months ended March 31, 2020 and 2019**

	2020 Annual Budget	2020 Amended Budget	2020 Year-to-Date Budget	2020 Year-to-Date Actual	2019 Year-to-Date Actual
Revenue					
Property taxes	\$ 1,340,500	\$ 1,340,500	\$ 1,340,500	\$ 1,340,500	\$ 1,312,700
Reciprocal borrowing (restricted)	40,000	40,000	163	-	671
Landfill Siting	20,000	20,000	5,000	2,312	-
Investment income	15,000	15,000	3,750	10,472	8,242
Transfers in	-	-	-	-	2,250
Total Revenue	<u>1,415,500</u>	<u>1,415,500</u>	<u>1,349,413</u>	<u>1,353,284</u>	<u>1,323,863</u>
Expenditures:					
Salaries and benefits	998,134	998,134	268,728	252,910	243,987
Contractual services	10,250	10,250	7,568	7,037	9,593
Supplies	23,100	23,100	4,539	4,941	14,603
Services and charges	85,717	85,717	34,052	53,625	45,616
Contingency	-	-	-	-	6,240
Facility charges	195,418	195,418	39,696	38,884	46,302
Capital outlay	154,000	154,000	23,392	21,484	20,497
Encumbrances	-	-	-	-	(6,240)
Total Library Costs	<u>1,466,619</u>	<u>1,466,619</u>	<u>377,975</u>	<u>378,881</u>	<u>380,598</u>
Total expenditures	<u>1,466,619</u>	<u>1,466,619</u>	<u>377,975</u>	<u>378,881</u>	<u>380,598</u>
Revenue over (under) expenditures	(51,119)	(51,119)	<u>971,438</u>	974,403	943,265
Fund balance, beginning of year	<u>452,085</u>	<u>563,427</u>		<u>563,427</u>	<u>489,669</u>
Fund balance, end of period	<u>\$ 400,966</u>	<u>\$ 512,308</u>		<u>\$ 1,537,830</u>	<u>\$ 1,432,934</u>

**City of Franklin
Tourism Commission
Balance Sheet
March 31, 2020 and 2019**

Assets	2020	2019
Cash and investments	\$ 469,121	\$ 369,419
Total Assets	\$ 469,121	\$ 369,419
Liabilities and Fund Balance		
Accounts payable	\$ -	\$ -
Assigned fund balance	469,121	369,419
Total Liabilities and Fund Balance	\$ 469,121	\$ 369,419

**Comparative Statement of Revenue, Expenses and Fund Balance
For the Three months ended March 31, 2020 and 2019**

	2020 Original Budget	2020 Amended Budget	2020 Year-to-Date Budget	2020 Year-to-Date Actual	2019 Year-to-Date Actual
Revenue:					
Room Taxes	\$ 210,179	\$ 210,179	\$ 25,378	\$ (2,061)	\$ 437
Investment Income	-	-	-	1,731	1,868
Total revenue	210,179	210,179	25,378	(330)	2,305
Expenditures:					
Personal Services	35,000	35,000	9,423	-	-
Sundry Contractors	-	-	-	-	-
Supplies & Printing	15,000	15,000	2,500	-	-
Training & Memberships	10,000	10,000	5,079	-	300
Tourism Events	10,000	10,000	-	-	-
Marketing	60,000	61,371	3,695	1,871	36,937
Adverising	309,000	309,000	77,250	-	-
Encumbrances	-	-	-	(1,371)	(28,282)
Total expenditures	439,000	440,371	97,947	500	8,955
Revenue over (under) expenditures	(228,821)	(230,192)	(72,569)	(830)	(6,650)
Fund balance, beginning of year	234,658	469,951		469,951	376,069
Fund balance, end of period	\$ 5,837	\$ 239,759		\$ 469,121	\$ 369,419

**City of Franklin
Solid Waste Collection Fund
Balance Sheet
March 31, 2020 and 2019**

<u>Assets</u>	2020	2019
Cash and investments	\$ 1,775,415	\$ 1,483,597
Accrued Receivables	1,043	197
Total Assets	\$ 1,776,458	\$ 1,483,794
<u>Liabilities and Fund Balance</u>		
Accounts payable	\$ 149,083	\$ 125,657
Accrued salaries & wages	460	458
Restricted fund balance	1,626,915	1,357,679
Total Liabilities and Fund Balance	\$ 1,776,458	\$ 1,483,794

**Statement of Revenue, Expenses and Fund Balance
For the Three months ended March 31, 2020 and 2019**

	2020 Original Budget	2020 YTD Budget	2020 Year-to-Date Actual	2019 Year-to-Date Actual
Revenue				
Grants	\$ 69,000	-	\$ -	\$ -
User Fees	1,534,349	1,531,942	1,533,834	1,214,212
Landfill Operations-tippage	365,000	52,074	53,943	52,558
Investment Income	20,000	4,975	12,888	8,960
Sale of Recyclables	1,500	375	-	-
Total Revenue	1,989,849	1,589,366	1,600,665	1,275,730
Expenditures:				
Personal Services	17,638	4,749	2,873	3,329
Refuse Collection	722,300	179,902	178,554	177,704
Recycling Collection	697,149	173,780	177,950	98,506
Leaf & Brush Pickups	60,000	-	-	-
Tippage Fees	469,200	67,118	69,188	60,824
Miscellaneous	5,000	1,223	310	435
Total expenditures	1,971,287	426,772	428,875	340,798
Revenue over (under) expenditures	18,562	<u>1,162,594</u>	1,171,790	934,932
Fund balance, beginning of year	<u>505,329</u>		<u>455,125</u>	<u>430,747</u>
Fund balance, end of period	<u>\$ 523,891</u>		<u>\$ 1,626,915</u>	<u>\$ 1,365,679</u>

**City of Franklin
Capital Outlay Fund
Balance Sheet
March 31, 2020 and 2019**

<u>Assets</u>	2020	2019
Cash and investments	\$ 758,273	\$ 647,240
Total Assets	\$ 758,273	\$ 647,240
<u>Liabilities and Fund Balance</u>		
Accounts payable	\$ 88,905	\$ 4,718
Assigned fund balance	669,368	642,522
Total Liabilities and Fund Balance	\$ 758,273	\$ 647,240

**Statement of Revenue, Expenses and Fund Balance
For the Three months ended March 31, 2020 and 2019**

	2020 Original Budget	2020 Amended Budget	2020 Year-to-Date Budget	2020 Year-to-Date Actual	2019 Year-to-Date Actual
Revenue					
Property Taxes	\$ 295,700	\$ 295,700	\$ 295,700	\$ 295,700	\$ 452,800
Grants	6,000	6,000	1,500	-	1,606
Landfill Siting	483,900	483,900	92,408	55,929	22,970
Investment Income	7,800	7,800	1,950	8,492	5,270
Miscellaneous Revenue	25,000	25,000	1,983	6,002	2,715
Total Revenue	818,400	818,400	393,541	366,123	485,361
Expenditures:					
General Government	232,050	232,050	24,682	32,029	-
Public Safety	447,600	530,766	163,276	332,344	318,932
Public Works	162,800	163,257	29,930	31,199	25,027
Health and Human Services	900	900	-	900	-
Culture and Recreation	76,000	76,000	17,520		2,866
Conservation and Development	10,000	10,000	2,458		-
Contingency	60,000	60,000	1,931		-
Encumbrances	-	-	-	(208,006)	(78,943)
Total expenditures	989,350	1,072,973	239,797	188,466	267,882
Revenue over (under) expenditures	(170,950)	(254,573)	<u>153,744</u>	177,657	217,479
Fund balance, beginning of year	239,473	491,711		491,711	425,043
Fund balance, end of period	<u>\$ 68,523</u>	<u>\$ 237,138</u>		<u>\$ 669,368</u>	<u>\$ 642,522</u>

A Portion of Municipal Building, Police, Highway & Parks appropriations are contingent upon Landfill Siting revenue growth

**City of Franklin
Equipment Replacement Fund
Balance Sheet
March 31, 2020 and 2019**

<u>Assets</u>	2020	2019
Cash and investments	\$ 2,649,340	\$ 2,873,525
Total Assets	\$ 2,649,340	\$ 2,873,525
<u>Liabilities and Fund Balance</u>		
Accounts payable	\$ 189,374	\$ -
Assigned fund balance	2,459,966	2,873,525
Total Liabilities and Fund Balance	\$ 2,649,340	\$ 2,873,525

**Comparative Statement of Revenue, Expenses and Fund Balance
For the Three months ended March 31, 2020 and 2019**

	2020 Original Budget	2020 Amended Budget	2020 Year-to-Date Budget	2020 Year-to-Date Actual	2019 Year-to-Date Actual
Revenue:					
Property Taxes	\$ -	\$ -	\$ -	\$ -	\$ 175,000
Landfill	677,600	677,600	122,252	78,317	26,260
Investment Income	37,400	37,400	9,350	50,410	25,843
Transfers from Other Funds	-	-	-	-	-
Property Sales	56,500	56,500	11,250	-	727
Total revenue	771,500	771,500	142,852	128,727	227,830
Expenditures:					
Public Safety	241,000	257,974	14,520	243,605	633,395
Public Works	609,000	799,000	11,962	683,034	20,431
Encumbrances	-	-	-	(729,816)	(653,826)
Total expenditures	850,000	1,056,974	26,482	196,823	-
Revenue over (under) expenditures	(78,500)	(285,474)	116,370	(68,096)	227,830
Fund balance, beginning of year	2,266,695	2,528,062		2,528,062	2,645,695
Fund balance, end of period	\$ 2,188,195	\$ 2,242,588		\$ 2,459,966	\$ 2,873,525

**City of Franklin
Street Improvement Fund
Balance Sheet
March 31, 2020 and 2019**

<u>Assets</u>	2020	2019
Cash and investments	\$ 553,689	\$ 430,818
Total Assets	\$ 553,689	\$ 430,818
<u>Liabilities and Fund Balance</u>		
Accounts payable	\$ -	\$ -
Assigned fund balance	553,689	430,818
Total Liabilities and Fund Balance	\$ 553,689	\$ 430,818

**Statement of Revenue, Expenses and Fund Balance
For the Three months ended March 31, 2020 and 2019**

	2020 Original Budget	2020 Amended Budget	2020 Year-to-Date Totals	2019 Year-to-Date Totals
Revenue:				
Property Taxes	\$ -	\$ -	\$ -	\$ 18,200
Landfill Siting	368,500	368,500	42,591	9,850
Investment Income	4,800	4,800	5,942	3,380
Local Road Improvement Aids	845,000	845,000	-	-
Total revenue	1,218,300	1,218,300	48,533	31,430
Expenditures:				
Street Reconstruction Program - Current Year	1,300,000	1,487,936	975,940	-
Encumbrances	-	-	(974,889)	-
Total expenditures	1,300,000	1,487,936	1,051	-
Revenue over (under) expenditures	(81,700)	(269,636)	47,482	31,430
Fund balance, beginning of year	350,588	506,207	506,207	399,388
Fund balance, end of period	\$ 268,888	\$ 236,571	\$ 553,689	\$ 430,818

**City of Franklin
Capital Improvement Fund
Balance Sheet
March 31, 2020 and 2019**

<u>Assets</u>	2020	2019
Cash and investments	\$ 1,613,681	\$ 3,410,220
Accrued receivables	951,949	8,949
Total Assets	\$ 2,565,630	\$ 3,419,169
<u>Liabilities and Fund Balance</u>		
Accounts payable	\$ 11,154	\$ 141
Contracts Payable	356,670	-
Escrow Balances Due	-	78,915
Deferred Inflow	943,000	-
Assigned fund balance	1,254,806	3,340,113
Total Liabilities and Fund Balance	\$ 2,565,630	\$ 3,419,169

**Statement of Revenue, Expenses and Fund Balance
For the Three months ended March 31, 2020 and 2019**

	2020 Original Budget	2020 Amended Budget	2020 Year-to-Date Totals	2019 Year-to-Date Totals
Revenue:				
Other Grants	\$ 500,000	\$ 500,000	\$ -	\$ -
Landfill Siting	722,000	722,000	83,449	47,482
Transfers from Other Funds	600,000	600,000	-	-
Transfers from General Funds	500,000	500,000	-	-
Transfers from Impact Fees	621,500	621,500	23,484	-
Transfers from Connection Fees	1,120,000	1,120,000	-	-
Investment Income	25,000	25,000	12,731	26,978
Total revenue	4,088,500	4,088,500	119,664	74,460
Expenditures:				
General Government	500,000	511,505	98,858	186,360
Public Safety	225,000	1,506,601	1,021,256	45,937
Public Works	1,150,000	1,137,910	589,039	1,007,611
Culture and Recreation	1,300,000	1,467,704	190,333	3,325
Sewer & Water	1,570,000	1,570,000	199,000	-
Contingency	175,000	175,170	20,170	48,871
Encumbrances	-	-	(1,241,322)	(1,234,385)
Total expenditures	4,920,000	6,368,890	877,334	57,719
Revenue over (under) expenditures	(831,500)	(2,280,390)	(757,670)	16,741
Fund balance, beginning of year	1,012,833	2,012,476	2,012,476	3,323,372
Fund balance, end of period	\$ 181,333	\$ (267,914)	\$ 1,254,806	\$ 3,340,113

**City of Franklin
Development Fund
Balance Sheet
March 31, 2020 and 2019**

<u>Assets</u>	2020	2019
Cash and investments	\$ 6,888,993	\$ 6,247,477
Impact fees receivable	232,640	-
Due From TID 7	1,910,000	-
Total Assets	\$ 9,031,633	\$ 6,247,477
<u>Liabilities and Fund Balance</u>		
Accounts payable	\$ 1,397	\$ 5,001
Payable to Developers- Oversizing	221,759	103,934
Unearned Revenue - Other	232,640	-
Non-Spendable Fund Balance - Advances	-	25,000
Assigned fund balance	8,575,837	6,138,542
Total Fund Balance	9,031,633	6,272,477
Total Liabilities and Fund Balance	\$ 9,254,789	\$ 6,381,412

**Comparative Statement of Revenue, Expenses and Fund Balance
For the Three months ended March 31, 2020 and 2019**

	2020 Original Budget	2020 Amended Budget	2020 Year-to-Date Actual	2019 Year-to-Date Actual
Revenue:				
Impact Fee: Parks	\$ 804,000	\$ 804,000	\$ 92,339	\$ 56,316
Southwest Sewer Service Area	48,000	48,000	39,135	8,415
Administration	15,000	15,000	1,430	990
Water	679,000	679,000	87,690	155,958
Transportation	22,000	22,000	3,335	5,721
Fire Protection	133,500	133,500	13,212	9,831
Law Enforcement	207,700	207,700	24,556	18,182
Library	224,000	224,000	26,131	15,945
Total Impact Fees	2,133,200	2,133,200	287,828	271,358
Investment Income	120,000	120,000	93,253	53,153
Interfund Interest Income	-	-	1,594	-
Total revenue	2,253,200	2,253,200	382,675	324,511
Expenditures:				
Other Professional Services	25,000	33,552	8,603	15,253
Transfer to Debt Service:				
Law Enforcement	205,082	205,082	199,856	133,800
Fire	42,937	42,937	39,863	39,333
Transportation	71,923	71,923	64,249	18,000
Library	134,000	134,000	93,982	132,286
Total Transfers to Debt Service	453,942	453,942	397,950	323,419
Transfer to Capital Improvement Fund				
Park	621,500	646,785	48,769	-
Total Transfers to Capital Improvement	621,500	646,785	48,769	-
Sewer Fees	250,000	250,000	-	-
Water Fees	1,025,000	1,368,130	554,759	-
Encumbrances	-	-	(369,784)	(12,507)
Total expenditures	2,375,442	2,752,409	640,297	326,165
Revenue over (under) expenditures	(122,242)	(499,209)	(257,622)	(1,654)
Fund balance, beginning of year	6,112,952	8,833,459	8,833,459	6,140,196
Fund balance, end of period	\$ 5,990,710	\$ 8,334,250	\$ 8,575,837	\$ 6,138,542

**City of Franklin
Utility Development Fund
Balance Sheet
March 31, 2020 and 2019**

<u>Assets</u>	2020	2019
Cash and investments - Water	\$ 977,732	\$ 763,018
Cash and investments - Sewer	1,265,686	1,101,854
Special Assessment - Water Current	74,826	101,293
Special Assessment - Water Deferred	153,513	251,036
Special Assessment - Sewer Current	153,411	191,587
Reserve for Uncollectible	(16,776)	(16,776)
Total Assets	\$ 2,608,392	\$ 2,392,012
<u>Liabilities and Fund Balance</u>		
Accounts payable	\$ -	\$ -
Unearned Revenue	364,974	527,140
Total Fund Balance	2,243,418	1,864,872
Total Liabilities and Fund Balance	\$ 2,608,392	\$ 2,392,012

**Comparative Statement of Revenue, Expenses and Fund Balance
For the Three months ended March 31, 2020 and 2019**

	2020 Original Budget	2020 Year-to-Date Budget	2020 Year-to-Date Actual	2019 Year-to-Date Actual
Revenue:				
Special Assessments				
Water	\$ 50,000	\$ 6,846	\$ 17,148	\$ 63,551
Sewer	25,000	3,874	9,503	70,898
Connection Fees				
Water	-	-	-	-
Sewer	-	-	12,803	6,600
Total Assessments & Connection Fees	75,000	10,720	39,454	141,049
Special Assessment Interest	-	-	142	-
Investment Income	18,000	4,500	9,025	11,285
Total revenue	93,000	15,220	48,621	152,334
Transfer to Capital Improvement Fund:				
Water	620,000	155,000	-	-
Sewer	500,000	125,000	-	-
Total Transfers to Capital Improven	1,120,000	280,000	-	-
Revenue over (under) expenditures	(1,027,000)	(264,780)	48,621	152,334
Fund balance, beginning of year	1,003,840	2,194,797	2,194,797	1,712,538
Fund balance, end of period	\$ (23,160)	\$ 1,930,017	\$ 2,243,418	\$ 1,864,872

City of Franklin
Sanitary Sewer Fund
Statement of Revenue, Expenditures,
and Changes in Net Assets
For the Three months ended March 31, 2020 and 2019

	2020 Amended Budget	2020 Year-to-Date Budget	Current Year-to-Date Totals	Prior Year-to-Date Totals
Operating Revenue				
Residential	\$ 2,099,400	\$ 524,138	\$ 538,880	\$ 515,534
Commercial	588,000	135,112	144,885	135,747
Industrial	429,000	108,095	236,915	108,385
Public Authority	172,000	41,364	88,845	41,337
Penalties/Other	37,000	5,191	5,751	4,824
Multi Family	511,200	127,800	129,330	125,814
Miscellaneous Revenue	-	-	-	-
Total Operating Revenue	3,836,600	941,700	1,144,606	931,641
Operating Expenditures				
Salaries and benefits	\$ 538,362	\$ 144,944	\$ 156,274	\$ 141,604
Contractual services	148,175	69,402	94,583	76,817
Supplies	84,150	21,037	10,879	13,120
Facility charges	63,100	16,420	13,352	10,989
Shared meter costs	7,000	1,750	-	-
Sewer service - MMSD	2,497,000	624,250	741,650	597,195
Other operating costs	27,500	7,023	5,281	4,643
Allocated expenses	126,050	31,512	33,465	32,214
Sewer improvements	195,367	45,000	15,367	10,637
Depreciation	151,600	37,900	37,800	45,000
Encumbrances	-	-	(11,302)	(27,064)
Total operating expenditures	3,838,304	999,238	1,097,349	905,155
Operating Income (Loss)	(1,704)	(57,538)	47,257	26,486
Non-Operating Revenue (Expenditures)				
Miscellaneous income	(3,500)	(875)	470	5,805
Property sale	2,500	-	-	-
Investment income	425,800	106,450	7,100	12,907
Interest expense	(400,800)	(100,200)	-	-
Capital expenditures	(87,424)	(5,262)	(49,237)	(48,582)
Encumbrances	-	-	49,237	48,582
Total non-operating revenue (expenditures)	(63,424)	113	7,570	18,712
Income (Loss) before Capital Contributions	(65,128)	(57,425)	54,827	45,198
Retained Earnings- Beginning	1,725,771	1,725,771	1,725,771	1,578,345
Transfer (to) from Invested in Capital Assets	116,900	29,225	23,162	(32,038)
Retained Earnings- Ending	1,777,543	1,697,571	1,803,760	1,591,505
Capital Contributions	1,000,000	250,000	-	-
Depreciation - CIAC	(2,039,000)	(509,750)	(509,760)	(504,525)
Transfer (to) from Retained Earnings	(116,900)	(29,225)	(23,162)	32,038
Change in Net Investment in Capital Assets	(1,155,900)	(288,975)	(532,922)	(472,487)
Net Investment in Capital Assets-Beginning	62,463,346	62,463,346	62,463,346	61,590,890
Net Investment in Capital Assets-Ending	61,307,446	62,174,371	61,930,424	61,118,403
Total net assets	\$ 63,084,989	\$ 63,871,942	\$ 63,734,184	\$ 62,709,908

**City of Franklin
Sanitary Sewer Fund
Statement of Cash Flows
For the Three months ended March 31, 2020 and 2019**

	<u>2020</u>	<u>2019</u>
Cash Flows from Operating Activities		
Operating income (loss)	\$ 47,257	\$ 26,486
Adjustments to reconcile operating income to net cash provided by operating activities:		
Depreciation	37,800	45,000
allocated from water utility	-	-
(Increase) decrease in assets:		
Accounts receivable	(247,576)	(59,547)
Taxes receivable	118,953	108,886
Prepaid expenses	-	2,291
Increase (decrease) in liabilities:		
Accounts payable	134,972	8,202
Total Adjustments	<u>44,149</u>	<u>104,832</u>
Net Cash Provided by Operating Activities	<u>\$ 91,406</u>	<u>\$ 131,318</u>
 Cash Flows From Capital & Related Financing Activities		
Due from MMSD & Other Governments	-	-
Due to general fund	-	-
Notes payable	-	-
Acquisition of capital assets	(14,638)	(77,038)
Investment in deferred assets/liabilities	-	-
Net Cash Provided (Used) in Capital and Financing Activities	<u>(14,638)</u>	<u>(77,038)</u>
 Cash Flows from Investing Activities		
Interest and other income	7,570	18,712
Interest exepense	<u>-</u>	<u>-</u>
 Net Change in Cash and Cash Equivalents	84,338	72,992
 Cash and Cash Equivalents, beginning of period	1,529,881	1,383,225
 Cash and Cash Equivalents, end of period	<u><u>\$ 1,614,219</u></u>	<u><u>\$ 1,456,217</u></u>

**City of Franklin
Sanitary Sewer Fund
Comparative Balance Sheet
March 31, 2020 and 2019**

	<u>2020</u>	<u>2019</u>
<u>Assets</u>		
Current assets		
Cash and investments	\$ 1,614,219	\$ 1,456,217
Accounts receivable	1,226,956	1,009,326
Miscellaneous receivable	12,139	6,980
Total current assets	<u>2,853,314</u>	<u>2,472,523</u>
Non current assets:		
Due from MMSD	17,555,340	18,799,969
Sanitary Sewer plant in service:		
Land	725,594	725,594
Buildings and improvements	3,308,050	3,308,050
Improvements other than buildings	81,653,509	78,754,451
Machinery and equipment	1,223,803	1,189,209
Construction in progress	95,510	72,753
	<u>87,006,466</u>	<u>84,050,057</u>
Less accumulated depreciation	<u>(25,076,042)</u>	<u>(22,931,654)</u>
Net sanitary sewer plant in service	<u>61,930,424</u>	<u>61,118,403</u>
Deferred assets.		
Pension assets	<u>373,360</u>	<u>89,558</u>
Total Assets	<u><u>\$ 82,712,438</u></u>	<u><u>\$ 82,480,453</u></u>
<u>Liabilities and Net Assets</u>		
Current liabilities:		
Accounts payable	\$ 797,037	\$ 628,778
Accrued liabilities	37,255	29,109
Due to General Fund - non-interest bearing	72,035	77,143
Total current liabilities	<u>906,327</u>	<u>735,030</u>
Non current liabilities.		
Accrued compensated absences	75,900	75,360
Pension liability (GASB 68)	328,016	57,415
General Obligation Notes payable - CWF	17,555,341	18,799,970
Total liabilities	<u>18,865,584</u>	<u>19,667,775</u>
Deferred inflows:		
Pension liabilities	112,670	102,770
Net Assets:		
Invested in capital assets, net of related debt	44,375,084	42,318,434
Restricted balances - LT receivable	17,555,340	18,799,969
Retained earnings	1,803,760	1,591,505
Total net assets	<u>63,734,184</u>	<u>62,709,908</u>
Total Liabilities and Net Assets	<u><u>\$ 82,712,438</u></u>	<u><u>\$ 82,480,453</u></u>

Franklin Municipal Water Utility
Notes to the Financial Statements
For the period ended March 31, 2020 and 2019

¹ Operating revenues are exceeded the budget by \$173,090 for the first quarter. Actual billing amounts were used for the statements.

² Operating expenditures are less than budget by \$15,400 for the quarter. Wholesale water purchased from Oak Creek was estimated for the statements based on the consumption billed to Franklin residents.

Water Connection Fee

Prior to May 31, 2002, the City collected a water connection fee on new construction and connections to existing properties, to be used to fund water main construction projects. The water connection fees on hand on March 31, 2020 total \$977,731.

Water Impact Fee

Since May 31, 2002 a water impact fee on residential and commercial construction replaced the water connection fee. Water Impact Fees collected in 2020 total \$87,690. Water Impact fees on hand at March 31, 2020 are \$.2,636,577

Franklin Municipal Water Utility
Statement of Revenue, Expenditures
and Changes in Net Assets
For the period ended March 31, 2020 and 2019

<u>Account Description</u>	<u>Annual Budget</u>	<u>Year to Date Budget</u>	<u>Current Year to Date</u>	<u>Prior Year to Date</u>
Operating Revenue				
Metered Sales-Residential	\$ 3,064,300	661,145	\$ 670,887	\$ 657,006
Metered Sales-Commercial	704,900	149,540	154,066	147,720
Metered Sales-Industrial	491,900	117,824	254,479	112,794
Other Sales to Public Authority	263,600	63,127	128,455	64,928
Metered Sales-Multifamily	766,700	191,675	181,065	184,324
Metered Sales-Irrigation	150,500	37,625	7,714	7,589
Total Metered Sales	5,441,900	1,220,936	1,396,666	1,174,361
Unmetered Sales	7,500	652	707	2,731
Private Fire Protection	125,000	31,124	31,731	31,178
Public Fire Protection	541,000	140,790	136,858	135,841
Forfeited Discount	54,000	7,586	8,216	7,235
Total Operating Revenue ¹	\$ 6,169,400	\$ 1,401,088	\$ 1,574,178	\$ 1,351,346
Operating Expenditures				
Operation and maintenance expense				
Source of Supply	3,044,120	757,343	813,727	642,626
Pumping	156,250	38,413	33,420	44,285
Water Treatment	18,300	3,757	2,250	2,104
Transmission & Distribution	443,200	84,396	66,907	56,543
Customer Accounts	52,400	13,007	15,249	12,454
Administrative and general	572,273	134,736	97,354	85,184
Total Operation and Maintenance Expenditures	4,286,543	1,031,652	1,028,907	843,196
Depreciation	421,900	98,944	105,450	132,300
Taxes-Property Tax Equivalent	1,075,000	282,565	268,800	262,500
Amortization	-	-	-	10,515
GASB Employee Benefit Costs	15,000	4,038	-	-
Loss on Abandoned Property	100,000	-	-	-
Taxes-FICA	29,082	7,830	6,472	5,396
Total Operating Expenditures ²	5,927,525	1,425,029	1,409,629	1,253,907
Operating Income	\$ 241,875	\$ (23,941)	\$ 164,549	\$ 97,439
Non-Operating Revenue (Expenditures)				
Total non-operating revenue	59,832	19,209	24,210	28,305
Income before capital contributions	\$ 301,707	\$ (4,732)	\$ 188,759	\$ 125,744
Retained earnings - beginning	2,805,630	2,805,630	2,805,630	3,294,662
Transfer (to) from invested in capital assets	278,100	69,525	30,933	115,015
Retained earnings - ending	\$ 3,385,437	\$ 2,870,423	\$ 3,025,322	\$ 3,535,421
Capital contributions	1,600,000	-	-	-
Depreciation - CIAC	(849,000)	(212,250)	(212,250)	(210,375)
Transfer (to) from retained earnings	(278,100)	(69,525)	(30,933)	(115,015)
Change in net investment	7,243,773	5,528,596	(243,183)	(325,390)
Net investment in capital assets - beginning	47,409,195	47,409,195	47,409,195	42,367,393
Net investment in capital assets - ending	\$ 54,652,968	\$ 52,937,791	\$ 47,166,012	\$ 42,042,003
Total net assets	\$ 58,038,405	\$ 55,808,214	\$ 50,191,334	\$ 45,577,424

Franklin Municipal Water Utility
Comparative Statement of Cash Flows
For the period ended March 31, 2020 and 2019

	<u>2020</u>	<u>2019</u>
Cash Flows from Operating Activities		
Operating income (loss)	\$ 164,549	\$ 97,439
Adjustments to reconcile operating income to net cash provided by operating activities:		
Depreciation & Amortization	105,450	142,815
(Increase) decrease in assets:		
Accounts receivable	(261,436)	(26,107)
Taxes receivable	161,985	173,499
Prepaid expenses	-	2,291
Increase (decrease) in liabilities:		
Accounts payable	(860,232)	(730,797)
Accrued expenses	812,000	641,439
Total Adjustments	<u>(42,233)</u>	<u>203,140</u>
Net Cash Provided (Used) by Operating Activities	<u>122,316</u>	<u>300,579</u>
 Cash Flows From Capital & Related Financing Activities		
Acquisition of capital assets	(76,057)	(27,800)
Interest paid on long term debt	(15,544)	(16,094)
Principal on long term debt	<u>(55,000)</u>	<u>(55,000)</u>
Net Cash Provided (Used) in Capital and Financing Activities	<u>(146,601)</u>	<u>(98,894)</u>
 Cash Flows from Investing Activities		
Interest, property rental & other income	<u>41,294</u>	<u>44,399</u>
 Net Change in Cash and Cash Equivalents	17,009	246,084
Cash and Cash Equivalents, beginning of period	<u>2,425,883</u>	<u>2,731,422</u>
Cash and Cash Equivalents, end of period	<u><u>\$ 2,442,892</u></u>	<u><u>\$ 2,977,506</u></u>

Franklin Municipal Water Utility
Comparative Balance Sheet
March 31, 2020 & 2019

Assets	2020	2019
Current Assets:		
Cash and investments	\$ 2,442,892	\$ 2,977,506
Accounts receivable	1,656,897	1,425,959
Total current assets	<u>4,099,789</u>	<u>4,403,465</u>
Utility plant in service:		
Land	162,885	162,885
Buildings and improvements	3,394,166	3,394,166
Construction in Progress	1,065,176	60,447
Improvements other than buildings	60,725,142	55,613,608
Machinery and equipment	4,620,616	4,475,575
	<u>69,967,985</u>	<u>63,706,681</u>
Less accumulated depreciation	<u>21,741,326</u>	<u>20,581,647</u>
Net utility plant in service	<u>48,226,659</u>	<u>43,125,034</u>
Deferred Assets:		
Pension Assets	430,264	102,915
Deferred Costs	-	31,544
Total deferred assets	<u>430,264</u>	<u>134,459</u>
Total Assets	<u><u>\$ 52,756,712</u></u>	<u><u>\$ 47,662,958</u></u>
Liabilities and Net Assets		
Liabilities:		
Accounts payable	\$ 83,146	\$ 29,862
Accrued liabilities	824,252	653,324
Advance from municipality	123,200	139,700
Pension liability	385,222	66,480
Compensated absences reserve	75,900	75,360
Bond Payable	951,682	1,005,647
	<u>2,443,402</u>	<u>1,970,373</u>
Deferred Liabilities:		
Pension & OPEB Liabilities	121,976	115,161
Total liabilities	<u>2,565,378</u>	<u>2,085,534</u>
Net Assets		
Invested in capital assets, net of related debt	47,166,012	42,042,003
Retained earnings	3,025,322	3,535,421
Total net assets	<u>50,191,334</u>	<u>45,577,424</u>
Total Liabilities and Net Assets	<u><u>\$ 52,756,712</u></u>	<u><u>\$ 47,662,958</u></u>

City of Franklin
Self Insurance Fund - Actives
Balance Sheet
March 31, 2020 and 2019

<u>Assets</u>	2020	2019
Cash and investments	\$ 2,825,077	\$ 2,056,176
Accounts receivable	324	309
Total Assets	\$ 2,825,401	\$ 2,056,485
<u>Liabilities and Net Assets</u>		
Accounts payable	\$ 683	\$ 4,201
Claims payable	175,000	290,700
Unrestricted net assets	2,649,718	1,761,584
Total Liabilities and Fund Balance	\$ 2,825,401	\$ 2,056,485

City of Franklin Self Insurance Fund - Actives
Statement of Revenue, Expenses and Fund Balance
For the Three months ended March 31, 2020 and 2019

	2020 Original Budget	2020 Year-to-Date Budget	2020 Year-to-Date Actual	2019 Year-to-Date Actual
Revenue				
Medical Premiums-City	\$ 2,648,046	\$ 676,916	\$ 615,790	\$ 612,568
Medical Premiums-Employee	538,440	137,845	126,364	132,072
Other - Invest Income, Rebates	165,000	41,250	56,164	30,219
Medical Revenue	3,351,486	856,011	798,318	774,859
Dental Premiums-City	112,000	29,190	29,924	28,173
Dental Premiums-Retirees	-	-	1,296	1,236
Dental Premiums-Employee	60,000	15,604	14,721	14,402
Dental Revenue	172,000	44,794	45,941	43,811
Total Revenue	3,523,486	900,805	844,259	818,670
Expenditures:				
Medical				
Medical claims	2,414,478	519,100	301,324	444,440
Prescription drug claims	-	-	46,005	56,797
Refunds-Stop Loss Coverage	-	-	-	22
Total Claims	2,414,478	519,100	347,329	501,259
Medical Claim Fees	105,677	29,905	25,013	41,123
Stop Loss Premiums	666,331	167,580	130,595	138,880
Other - Miscellaneous	112,477	17,883	7,412	9,082
HSA Contributions	237,000	63,808	119,250	-
Vitality Rewards	500,000	125,000	-	-
Transfer to Other Funds	-	-	-	90,625
Total Medical Costs	4,035,963	923,276	629,599	780,969
Dental				
Active Employees & COBRA	193,000	41,230	51,532	34,832
Retiree	4,900	1,239	1,931	1,453
Total Dental Costs	197,900	42,469	53,463	36,285
Claims contingency			-	-
Total Expenditures	4,233,863	965,745	683,062	817,254
Revenue over (under) expenditures	(710,377)	\$ (64,940)	161,197	1,416
Net assets, beginning of year	1,614,689		2,488,521	1,760,168
Net assets, end of period	\$ 904,312		\$ 2,649,718	\$ 1,761,584

City of Franklin
City of Franklin Post Employment Benefits Trust
Balance Sheet
March 31, 2020 and 2019

<u>Assets</u>	2020	2019
Cash and investments	\$ 76,297	\$ 70,446
Investments held in trust - Fixed Inc	2,224,682	2,104,554
Investments held in trust - Equities	3,294,104	3,758,260
Accounts receivable	24,303	32,915
Total Assets	\$ 5,619,386	\$ 5,966,175
<u>Liabilities and Net Assets</u>		
Accounts payable	\$ -	\$ 863
Claims payable	10,000	131,100
Net assets held in trust for post emp	5,609,386	5,834,212
Total Liabilities and Fund Balance	\$ 5,619,386	\$ 5,966,175

City of Franklin Post Employment Benefits Trust
Statement of Revenue, Expenses and Fund Balance
For the Three months ended March 31, 2020 and 2019

	2020	2019
	Year-to-Date	Year-to-Date
<u>Revenue</u>	<u>Actual</u>	<u>Actual</u>
ARC Medical Charges - City	\$ 63,977	\$ 67,874
Medical Charges - Retirees	68,526	76,335
Implicit Rate Subsidy	-	-
Medical Revenue	132,503	144,209
<u>Expenditures:</u>		
<u>Retirees-Medical</u>		
Medical claims	30,979	42,770
Prescription drug claims	28,606	30,607
Refunds-Stop Loss Coverage	-	(1,393)
Total Claims-Retirees	59,585	71,984
Medical Claim Fees	3,885	7,998
Stop Loss Premiums	17,056	19,650
Miscellaneous Expense	-	345
ACA Fees	-	-
Total Medical Costs-Retirees	80,526	99,977
Revenue over (under) expenditures	51,977	44,232
Annual Required Contribution-Net	34,717	42,181
Other - Investment Income, etc.	(1,016,068)	518,395
Total Revenues	(981,351)	560,576
Net Revenues (Expenditures)	(929,374)	604,808
Net assets, beginning of year	6,538,760	5,229,404
Net assets, end of period	\$ 5,609,386	\$ 5,834,212

**City of Franklin
Park Commission
Statement of Revenue and Expenses
For the Three months ended March 31, 2020 & 2019**

	2020 Amended Budget	2020 Year-to-Date Budget	Current Year-to-Date Totals	2019 Year-to-Date Totals
General Fund Operating Revenue:				
Park & Field Reservation	<u>\$ 18,000</u>	<u>\$ 6,640</u>	<u>\$ 7,525</u>	<u>\$ 7,156</u>
General Fund Operating Expenses:				
Personal Services	\$ 119,998	\$ 32,307	\$ 33,300	\$ 17,900
Park Maintenance	50,000	9,886	14,733	2,880
Uniforms	350	-	-	-
Allocated insurance	-	-	-	1,225
Mileage	1,500	20	74	63
Utilities	14,600	3,404	2,074	2,080
Building maintenance	-	-	-	-
Total Operating Fund Expenses	<u>\$ 186,448</u>	<u>\$ 45,617</u>	<u>\$ 50,181</u>	<u>\$ 24,148</u>
Capital Outlay Fund Expenses:				
Landscaping-Park/Tree Maint	\$ -	\$ -	\$ -	\$ 2,866
Building Improvements	65,000	16,250	-	-
Park Equipment & Supplies	11,000	1,270	-	-
Total Capital Outlay Expenditures	<u>\$ 76,000</u>	<u>\$ 17,520</u>	<u>\$ -</u>	<u>\$ 2,866</u>
Development Fund Revenue:				
Impact Fee-Parks & Recreation	<u>\$ 804,000</u>	<u>\$ 75,711</u>	<u>\$ 92,339</u>	<u>\$ 56,316</u>
Development Fund Expenses:				
Reimb to Developers & Others	\$ 25,285	\$ -	\$ 25,285	\$ -
Transfer to Capital Improvement Fund	621,500	36,527	23,484	-
Total Capital Improvement Expenditures	<u>646,785</u>	<u>36,527</u>	<u>48,769</u>	<u>-</u>
Capital Improvement Fund Expenses:				
General Park Development	\$ 850,618	\$ 246,250	\$ 22,618	\$ -
Kayla's Playground - Franklin Woods	250,000	62,500	-	-
Pleasant View Park - Pavilion	132,097	-	127,826	3,325
Pleasant View Park - Park Equipment	19,989	-	19,989	-
Pleasant View Park - Master Plan Update	150,000	-	19,900	-
Cascade Park Trail Extension	65,000	16,250	-	-
Total Capital Improvement Expenditures	<u>1,467,704</u>	<u>325,000</u>	<u>190,333</u>	<u>3,325</u>
Less Impact Fees Transfer	<u>621,500</u>	<u>36,527</u>	<u>23,484</u>	<u>-</u>
Net Expenditures (after Impact Fee contribution)	<u>\$ 846,204</u>	<u>\$ 288,473</u>	<u>\$ 166,849</u>	<u>\$ 3,325</u>

**COMBINING STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE
NONMAJOR GOVERNMENTAL FUNDS FOR CITY OF FRANKLIN
Period Ending 03/31/2020**

GL Number	LIBRARY RESTRICTED FUND	TOURISM COMMISSION FUND	FIRE DEPT GRANT FUND	ST MARTINS FAIR FUND	HEALTH DEPT GRANT FUND	OTHER GRANTS	DONATIONS FUND	CIVIC CELEBRATIONS FUND	TOTAL
REVENUES									
REAL ESTATE TAXES	-	-	-	-	-	-	-	-	-
TAXES	-	(2,061)	-	-	-	-	-	-	(2,061)
SPECIAL ASSESSMENTS	-	-	-	-	-	-	-	-	-
CHARGES FOR SERVICES	2,335	-	-	-	-	-	-	-	2,335
MISCELLANEOUS REVENUE	10,128	-	-	-	540	-	2,700	-	13,368
INVESTMENT EARNINGS	420	1,731	-	-	-	-	-	-	2,151
Total Revenues	12,883	(330)	-	-	540	-	2,700	-	15,793
EXPENDITURES									
PERSONAL SERVICES	-	-	-	-	14,180	-	-	-	14,180
EMPLOYEE BENEFITS	-	-	-	-	2,335	-	-	-	2,335
CONTRACTUAL SERVICES	2,430	-	-	-	9,489	-	-	-	11,919
SUPPLIES	11,342	-	-	-	7,271	-	3,375	-	21,987
SERVICES & CHARGES	1,602	500	-	-	11,599	-	-	2,640	16,341
FACILITY CHARGES	11	-	-	-	-	-	-	-	11
CLAIMS, CONTRIB AND AWARDS	361	-	-	-	-	-	-	-	361
DEBT SERVICE	-	-	-	-	-	-	-	-	-
INTEREST	-	-	-	-	-	-	-	-	-
CONTINGENCY	-	-	-	-	-	-	-	-	-
Total Expenditures	15,746	500	-	-	44,874	-	3,375	2,640	67,135
Excess (deficiency) of Revenues vs. Expenditures	(2,863)	(830)	-	-	(44,334)	-	(675)	(2,640)	(51,342)
OTHER FINANCING SOURCES									
FUND TRANSFERS	-	-	-	-	-	-	-	-	-
OTHER FINANCING USES									
CAPITAL OUTLAY	7,838	-	-	-	-	-	149	-	7,987
Net Change in Fund Balance	(10,701)	(830)	-	-	(44,334)	-	(824)	(2,640)	(59,329)
Fund Balance - Beginning:	147,445	469,951	21,621	3,636	171,625	5,315	161,342	77,316	1,058,251
Fund Balance - Ending	136,744	469,121	21,621	3,636	127,291	5,315	160,518	74,676	998,922

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APPROVAL <i>slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 5-5-20
Reports and Recommendations	Designation of Official Newspaper	ITEM NUMBER <i>6.22.</i>

Each year the Council must designate the official newspaper for the City of Franklin in which the City publishes its official notices. Pursuant to Chapter 61, Franklin Municipal Code and Wis. Stat § 985.03, bids were solicited and the one bid received was opened April 16, 2020.

Attached for your review is the bid received, which is from NOW Media Group (South Now).

COUNCIL ACTION REQUESTED

Motion adopting Resolution No. 2020-_____ resolution designating an official newspaper.

STATE OF WISCONSIN : CITY OF FRANKLIN : MILWAUKEE COUNTY

RESOLUTION NO. 2020 _____

A RESOLUTION DESIGNATING AN OFFICIAL NEWSPAPER

WHEREAS, The Wisconsin State Statutes, Chapter 985 provide that the City of Franklin name an official newspaper to publish their legal notices; and

WHEREAS, bids have been solicited pursuant to Section 61, Franklin Municipal Code.

NOW, THEREFORE, BE IT RESOLVED that NOW Media Group (South NOW) is hereby designated as the official newspaper of the City of Franklin for one (1) year commencing May 1, 2020 and ending April 30, 2021.

BE IT FURTHER RESOLVED that the price of publication shall not exceed the legal rate for like work.

Introduced at a regular meeting of the Common Council of the City of Franklin on this 5th day of May, 2019 by Alderman _____.

Passed and adopted by the Common Council on the 5th day of May, 2020.

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES ____ NOES ____ ABSENT ____



REC'D
2020 APR 2 10 30 AM
CLERK OF COURT
JANICE L. HARRIS
CLERK OF COURT
JANICE L. HARRIS

Invitation for Bid – 2020

April 2, 2020

City of Franklin
City Clerk- Sandra Wesolowski
9229 W Loomis Rd
Franklin, WI, 53132

The below information is the state certified information for the NOW Newspapers South NOW newspaper for legal advertising.

Please note that the font size for the NOW publication has been adjusted to 6 pt vs 8 pt. which was certified by the state. The decrease in font size increases the amount of copy that can be placed on each line- which is the reason for the change in rate noted below. Additionally, the column widths were increase to 9.17 picas wide.

Name of Type: Arial Classified

Type size: 6

Indicate Line Rates:	1 st Insertion	Subsequent Insertion	Column Width (pica)
1 column	\$.8299	\$.6556	9.17

Display Rates, per column inch:

1st Insertion: \$9.95

Subsequent Insertion: \$7.86

Paid Newspaper Subscriptions to be circulated in this geographic area: 10,789

Affidavit Cost: \$1.00

Affidavits shall be mailed within 10 days of publication.

Dates of Publication: Every Wednesday

Vendor: South NOW

Authorized Signature: /s/ Tara Mondloch

Print Name & Title: Tara Mondloch, Director- Public Notices
tmondloch@gannett.com

Address: 333 W. State Street, Milwaukee, WI 53203

Telephone: 414-224-2121

Fax: 877-943-0443

Email: mjs-legal@gannett.com

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<p>APPROVAL</p> <p><i>slw</i></p>	<p>REQUEST FOR COUNCIL ACTION</p>	<p>MEETING DATE</p> <p>5/05/2020</p>
<p>REPORTS & RECOMMENDATIONS</p>	<p>Discussion on Director of Administration Position Candidates</p> <p>The Common Council may enter closed session pursuant to Wis. Stats. §19.85(1)(c) and (f), to consider employment, promotion, compensation, or performance evaluation data of a public employee over which the Common Council has jurisdiction or exercises responsibility and to consider financial, social or personal histories of specific persons which, if discussed in public, would be likely to have a substantial adverse effect upon the reputation of any person referred to in such histories and may re-enter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate.</p>	<p>ITEM NUMBER</p> <p><i>6.23.</i></p>

In order to better understand and put into context the results of the hiring process for the position of Director of Administration, the Mayor has offered to discuss with the Common Council the personal histories and background of candidates for the position, including those that were not successful.

The Common Council may enter closed session pursuant to Wis. Stats. §19.85(1)(c) and (f), to consider employment, promotion, compensation, or performance evaluation data of a public employee over which the Common Council has jurisdiction or exercises responsibility and to consider financial, social or personal histories of specific persons which, if discussed in public, would be likely to have a substantial adverse effect upon the reputation of any person referred to in such histories and may re-enter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate.

COUNCIL ACTION REQUESTED

The Common Council may enter closed session pursuant to Wis. Stats. §19.85(1)(c) and (f), to consider employment, promotion, compensation, or performance evaluation data of a public employee over which the Common Council has jurisdiction or exercises responsibility and to consider financial, social or personal histories of specific persons which, if discussed in public, would be likely to have a substantial adverse effect upon the reputation of any person referred to in such histories and may re-enter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate.

CITY OF FRANKLIN

Job Description

Job Title: Director of Administration

Department: Administration

Reports To: Mayor

Salary Level: Management/Administrative/Supervisory Level XII

FLSA Status: Exempt

Prepared By: Dana Zahn, Human Resources Coordinator

Prepared Date: January 5, 2012

Approved By: Resolution 2012-6785

Approved Date: February 7, 2012

Summary Directs and coordinates administration of City of Franklin in accordance with policies and Ordinances as determined by the Mayor and Common Council or other authorized elected officials by performing the following duties personally or through subordinate supervisors. Functions as the Human Resources Director.

Essential Duties and Responsibilities include the following. Other duties may be assigned.

Supervise and coordinate City staff and contracted employees in the following departments: Administration, Assessor, Municipal Buildings, Building Inspection, Finance and Information Services.

Serves under the direction of the Mayor facilitating City wide Department Head meetings and in the absence of the Mayor has the authority to resolve any urgent administrative matters and refers to Council President for policy direction.

Act as Chief Negotiator in all labor contract negotiations including handling grievances and arbitrations.

Administer the human resources policies and administrative contracts of the city.

Attend meetings as required by the Mayor and Common Council. This may include meetings outside of normal business hours.

Keep the Mayor and Common Council advised about developments in the City's administration, business and affairs and such matters as may be directed by the Mayor or Common Council.

Make recommendations for the improvement of the efficiency and quality of the services

performed by the City. Research and coordinate application for appropriate grants and aids in consultation with the Mayor and other department heads.

Monitor county, state and federal legislation for potential impact on the affairs of the City.

Assure that all City ordinances and resolutions are efficiently and equally administered.

Represent the City in intergovernmental and legislative functions as requested by the Mayor.

Assure that annual performance reviews are conducted per Common Council directive.

Develop and administer an Employee Appraisal and Growth program that reflects the tasks of each department and adds efficiency and employee growth to the benefit of the employee and the citizens.

Assumes lead role in the annual preparation of the Mayor's recommended budget, the compilation of the Finance Committee's recommended budget, and the Common Council's approved annual budget. Presents budget to the Finance Committee, Common Council, and the general public.

Assure that all City property and personnel are properly protected by adequate insurance coverage.

Inform the Mayor and Common Council concerning any proposed change in services rendered to City residents, taxpayers or City-located businesses.

Provide departmental staff support to the Personnel Committee, Technology Committee, Police & Fire Commission, and the Finance Committee.

Assure a uniform and effective information technology system throughout the City. This includes managing the outside contractor that provides the ongoing systems support, the geographic information system and the telephone system.

Provide overall management of the Assessor's Office through direction to the contracted assessor.

Manages special projects and provides staff support to special committees and task forces as directed by the Mayor and Common Council.

Act as Plan Administrator for the City's defined benefit and defined contribution Pension Plans and for the Employee Health and Welfare Benefit Plan.

Produce and maintain the City web site, newsletters and other communication media.

Develops City policies for approval by the Mayor and Common Council.

Act as City of Franklin Public Information Officer/Administration during City emergencies.

Oversee the issuance of requests for proposals and recommend selection of consultants for various City projects.

Function as the City's representative to the Milwaukee County Community Development Block Grant Program.

Act as City representative to the Senior Meals Program to ensure City support of the program.

Review monthly financial operating statements for assigned departmental budgets and approve City administrative costs (including office supplies, postage meter, copy machines, UPS, land and cell phones, etc.)

Supervisory Responsibilities

Manages subordinate supervisors and directly supervises non-supervisory employees in the Administration, Information Services, Municipal Buildings, Building Inspection, Finance and Assessor Departments. Is responsible for the overall direction, coordination, and evaluation of these units. Oversees outside contractual services. Carries out supervisory responsibilities in accordance with the organization's policies and applicable laws. Responsibilities include interviewing, hiring, and training employees; planning, assigning, and directing work; appraising performance; rewarding and disciplining employees; addressing complaints and resolving problems.

Qualifications

To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Education and/or Experience

Bachelor's degree (B. A.) from four-year college or university in Human Resources Management, Public Administration, Business Administration or a related field (Master's Degree is preferred); at least five years related experience and/or training; or equivalent combination of education and experience. Must have demonstrated experience as the chief negotiator in collective bargaining. Demonstrated experience with Wisconsin interest arbitration law and public sector labor negotiations preferred.

Language Skills

Ability to read, analyze, and interpret very complex documents. Ability to respond effectively to very sensitive inquiries or complaints. Ability to write speeches and articles using original or innovative techniques or style. Ability to make effective and persuasive speeches and presentations on controversial or complex topics to Cabinet Level Officers of the City, public groups, boards and commissions and/or the Common Council.

Mathematical Skills

Ability to work with mathematical concepts such as probability and statistical inference.
Ability to apply concepts of accounting and budgeting to practical situations.

Reasoning Ability

Ability to define problems, collect data, establish facts, and draw valid conclusions.
Ability to interpret an extensive variety of technical instructions in mathematical or diagram form and deal with several abstract and concrete variables.

Computer Skills

To perform this job successfully, an individual should have knowledge of Internet Explorer software; Spreadsheet software and Word Processing software.

Certificates, Licenses, Registrations

Valid Wisconsin Driver's License

Physical Demands The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this Job, the employee is regularly required to sit and talk or hear. The employee is frequently required to stand; walk; use hands to finger, handle, or feel and reach with hands and arms. The employee is occasionally required to stoop, kneel, crouch, or crawl. The employee must occasionally lift and/or move up to 10 pounds. Specific vision abilities required by this job include close vision, distance vision, color vision, peripheral vision, depth perception and ability to adjust focus.

Work Environment The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

The noise level in the work environment is usually moderate.

Other Qualifications

Within one (1) year of appointment, it is desirable to have the Director of Administration become and remain a City of Franklin resident.

Miscellaneous The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to the position.

The job description does not constitute an employment agreement between the employer

and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.

APPROVAL <i>slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 5/05/2020
REPORTS AND RECOMMENDATIONS	Confirmation of the Appointment of Margaret (Peggy) A. Steeno as Director of Administration	ITEM NUMBER <i>G. 24</i>

The Mayor requests the Confirmation of Margaret (Peggy) A. Steeno as Director of Administration for the City of Franklin, as provided for the attached Agreement. Peggy's resume is also attached.

COUNCIL ACTION REQUESTED

Motion to confirm the appointment of Margaret (Peggy) A. Steeno as Director of Administration for the City of Franklin.

PEGGY A. STEENO, CPA, MBA

3238 S 114th Street
West Allis, WI 53227

Objective

To obtain a challenging, strategic leadership position, where I can serve my organization and contribute to its success, collaborate with other professionals, be part of a strong team, continue to develop my skills, and look forward to performance-based advancement.

Professional Development

Director of Finance/Comptroller/Treasurer

City of West Allis, West Allis, WI, January 2017 - Current

- Hire, train, develop, supervise, and discipline assigned personnel (Staff of 12)
- Manage a \$128 Million Budget, including General Fund, Enterprise Funds, Debt Service Fund, Capital Projects Funds, Special Revenue Funds, and various other funds (more than 55 City Funds)
- Initiated a process and created the City's first comprehensive Five Year Capital Improvement Program for 2018 - 2022, and lead the Capital Improvement Committee
- Responsible for all City, Utility, TIF, CDA, FIRE, and Trust cash & investments – over \$100 Million
- Manage the Treasury, General Accounting, Utility Accounting, Finance, and Purchasing Divisions
- Responsible for the City's Health Insurance Plan, and share responsibility for the City's Benefits Consultant, and overall City benefits
- Key member of the research, development, approval, and implementation team for a new, Total Benefit Package, for all non-represented employees
- Responsible for payroll and numerous benefit programs
- Coordinated the implementation of a new Classification and Compensation Program
- Coordinate and manage the City's annual budget and financial audit, as well as all financial reporting
- Responsible for issuing and monitoring all City debt offerings
- Key member of the City's Economic Development Team, Executive Leadership Team, Bargaining Teams, Employee Benefits Committee, and Strategic Planning Team
- Work closely with the Mayor, all Council Members, Boards, and Committees

Director of Administrative Services

City of Menasha, Menasha, WI, September 2013 – December 2016

- Responsible for four functional areas: Finance, Human Resources, Information Technology, and Assessment Services
- Hired, trained, developed, supervised, and disciplined assigned personnel (Staff of 6)
- Established training programs for new employees, including department head positions
- Provided oversight for numerous consulting partners
- Managed a \$35 Million Budget, including more than 40 City Funds
- Initiated a process and created the City's first comprehensive Five Year Capital Improvement Program in 2014, with continuous improvements to the process in 2015 and 2016
- Responsible for all payroll and benefit programs
- Advised departments on employee development, performance improvement plans, and separations
- Worked with all employees to resolve issues and make their work as productive as possible
- Coordinated and managed the City's annual budget and audit, as well as all financial reporting
- Responsible for issuing and monitoring all City debt offerings, saving the City over \$400,000 in refinancings over three years, and successfully worked to return the City's debt to investment grade
- Key member of the City's Management Team, Economic Development Team, and Bargaining Teams
- Worked closely with Council and numerous Boards & Commissions, as well as served as the staff lead for the Personnel Committee

Director of Finance/Treasurer

City of Oshkosh, Oshkosh, WI, April 2008 – September 2013

- Hired, trained, developed, supervised, and disciplined assigned personnel (Staff of 16+)
- Managed a \$66 Million General Fund, a \$27 Million Utility Budget, and additional budgets for various other funds (approximately 72 City Funds)
- Coordinated the financing and completed all projecting costing for the City's Five Year Capital Improvement Program – approximately \$45 Million per year
- Responsible for all City, Utility, TIF, RDA, and Trust reporting, cash, and investments – approximately \$75 Million
- Managed the Treasury, Accounting, Utility, Finance, and Parking Divisions
- Partnered with Human Resources to oversee the City's Insurance Program and Payroll
- Responsible for all financial transactions conducted by the City
- Coordinated and managed the City's annual budget and financial audit
- Responsible for issuing and monitoring all City debt offerings
- Handled all financial, regulatory, and grant reporting for the City
- Key member of the City's Leadership Team, Bargaining Teams, and Strategic Planning Process

Business/Administrative Services Manager

Waukesha Water Utility, Waukesha, WI, August 1999 – April 2008

- Hired, trained, developed, supervised, and disciplined assigned personnel (Staff of 8)
- Managed Accounting & Finance, Billing, Customer Service, Information Technology (IT), Management & Operations Support, Payroll, and Procurement & Inventory Functions
- Project Manager for the accounting, customer information/billing, and meter reading systems
- Managed all cash and investments
- Established written internal & external communications and conventions standards
- Completed and presented financial and customer service reports to the Water Utility Commission, Public Service Commission, Common Council, and various other groups
- Prepared and managed an \$8+ Million Budget, a Five Year Capital Improvement Program, and a Five Year Financial Plan
- Coordinated and was responsible for the Utility's annual audit
- Responsible for issuing and monitoring all Utility debt offerings
- Administered all sewer billing for the Department of Public Works
- Key member of the City's Leadership Team, Bargaining Team, Strategic Planning Team, and Classification and Compensation Team

Finance Supervisor, Senior Accountant, Accountant

City of West Allis, West Allis, WI, July 1995 – August 1999

- Organized and maintained the accounting systems for the Water, City Sewer, Metro Sewer, and Storm Water Programs
- Prepared and analyzed financial statements, vouchers, summaries, and project reports
- Prepared and managed all Enterprise Budgets
- Managed billing and customer service functions, and assisted with field service operations
- Initiated, developed with a consulting firm, and maintained the City's first city wide storm water management program
- Completed all year-end close outs and worked closely with the City's outside auditors
- Prepared rate cases and annual reports, as well as set and implemented all Utility rates

Agricultural Auditor 3

Wisconsin Department of Agriculture, Trade, and Consumer Protection,
Madison, WI June 1992 – July 1995

- Performed financial and operational audits of various business throughout Wisconsin
- Responded to complaints, conducted investigations, and brought individuals and businesses into compliance with Chapter 127, Wisconsin Statutes
- Reviewed financial statements prepared by CPA's, to verify accuracy and completeness
- Selected to critique audits performed by colleagues
- Worked closely with District Attorneys in prosecuting civil and criminal cases

Education

Bachelor of Arts, May 1992

University of Wisconsin-Stevens Point
Stevens Point, WI

Major: Managerial Accounting

Major: German

Masters of Business Administration (MBA), May 2006

University of Wisconsin-Whitewater
Whitewater, WI

Emphasis: Human Resources

Emphasis: Training and Technology

References

Please see separate attachment



AGREEMENT

This agreement made and entered into this day of , 2020, by and between the City of Franklin, (hereinafter "Employer"), and Margaret (Peggy) A. Steeno, Director of Administration (hereinafter "Employee").

In consideration of the mutual covenants and promises contained in this agreement, Employer and Employee agree as follows:

Section 1. DUTIES. Employer hereby agrees to employ Employee as Director of Administration to perform the duties described in the Director of Administration job description, a copy of which is attached hereto and made a part hereof by reference, and to perform such other legally permissible and proper duties and functions, consistent with the scope of the attached job description, as the Mayor shall from time to time assign.

The Employee agrees to perform at a professional level of competence the functions and duties of the position. Employee agrees to and shall be required to use her best efforts at all times to coordinate, streamline and make efficient city operations, under her scope of authority in accordance with the position description. To that end, it shall be the Employee's responsibility to take the initiative in investigating other areas where the operations may be coordinated, streamlined or made more efficient and Employee shall make recommendations in these areas. The Employee understands and agrees that an average level of performance is not acceptable under this contract and Employee must consistently exhibit above average skill, diligence and initiative in exercising the duties of her position.

Both parties acknowledge that if workloads exceed reasonable capacities, routinely and consistently exceeding 50-53 hours per week, it will be necessary for the Mayor and/or Common Council to establish written goals and objectives and/or a prioritization of tasks to assist the Employee in the allocation of time and resources.

The Employee agrees to devote the time necessary to complete the duties and responsibilities normally expected of the position during the term of this contract. Both parties acknowledge that the Employee must routinely devote time outside of normal office hours in the performance of the position's duties and that as an FLSA-exempt employee work hours remain flexible and are not fixed. As such, use of such flexible hours shall not require use of vacation or personal leave balances, provided, however, that such usage may not cover a full-day block of time without approval of the Mayor. The Mayor shall notify the Employee if it is deemed by the Employer that the Employee is not balancing said demands reasonably or to the expectations of the Associations.

During the term of this Agreement, Employee shall not engage in any other employment, occupation, or consulting that would materially conflict or interfere with the performance of Employee's duties and responsibilities without the prior written approval of the Mayor.

Section 2. TERM: The term of this contract shall commence July 5, 2020. It is expressly agreed and understood by the parties hereto that the Employee is an at-will employee of the Employer. Nothing in this agreement shall prevent, limit or otherwise interfere with the right of the Employer to terminate the services of the Employee at any time, subject only to Employer providing thirty (30) days written notice to Employee of the intent to terminate the services of Employee (and subject to approval by $\frac{3}{4}$ of the Common Council). It is further understood and agreed by the parties hereto that the Employee shall have no property right or vested interest in a renewal contract and no promise to renew shall be binding unless reduced to writing, approved by the Mayor and the Common Council.

Further, nothing in this agreement shall prevent, limit or otherwise interfere with the right of the Employee to resign at any time subject only to Employee providing thirty (30) calendar days written notice of the Employee's intent to resign.

Section 3. SALARY. Employer will pay employee base annual salary of \$115,000 through 2020. In consideration for the services rendered, the Employer will pay the Employee bi-weekly in the same manner as salaries of other city employees (currently bi-weekly and direct deposited to financial institution of employee's choice). The Employee will receive pay increases as established for all non-represented employees, which typically take effect in July of each year.

In addition to Employee's salary above, Employer shall pay to Employee any temporary assignment pay over and above this Agreement for any work performed by Employee for job responsibilities not covered in the Job Description or "Duties" above and included in the job description of other employees.

Section 4. PERFORMANCE EVALUATION. The Mayor shall review and evaluate the performance of Employee during the first quarter of each calendar year. Annually the Mayor shall define such goals and performance objectives for the Employee which the Mayor determines are necessary and required and within the scope of the position description and "Duties" above. Based upon the Employee's performance, the Employee is eligible to receive merit compensation or to be considered under any merit pay program established by the City, provided, however, it is clearly understood that the Employee has no right to additional merit compensation no matter what are the results of the performance evaluation.

Section 5. BENEFITS. Employee shall be entitled to such benefits as provided and as established by the Common Council for exempt employees, with the following additions/modifications:

1. Employee will be provided with a City paid cell phone and laptop computer to be used for business purposes and de minimis personal use.
2. Employee will accrue vacation at 4.62 hours per pay period (3 weeks per year). This accrual will be increased to 6.16 hours per pay period (4 weeks per year) after 5 years of service. 40 hours of vacation may be used after 3 months of service. The remaining accrual balances can be used after 6 months service, with the Mayor's approval.
3. Employee will be reimbursed for reasonable and customary business expenses as per the employee handbook including mileage reimbursement for use of her personal vehicle for city business.

4. Professional fees to be paid by the Employer at the discretion of the Mayor (IPMA, ICMA, etc.)

Section 6. RESIDENCY. During the term of this agreement, the employee shall not be required to become a resident of the City of Franklin although residency would be preferred.

Section 7. GENERAL PROVISIONS. The text herein shall constitute the entire agreement between the parties and may be amended or modified only by further written agreement between the parties. Employment, and this agreement, are contingent upon passing the background check and a pre-employment physical including drug screen.

If any provisions or any portions of this agreement are held unconstitutional, invalid or unenforceable, the remainder of thers agreement or portion thereof shall be deemed severable, shall not be affected and shall remain in full force and effect.

City of Franklin

Employee

Stephen R. Olson, Mayor

Margaret A. Steeno

Date: _____

Date: _____

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APPROVAL <i>slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 5/5/20
LICENSES AND PERMITS	MISCELLANEOUS LICENSES	ITEM NUMBER H.
<p>See attached listing from meeting of May 5, 2020.</p> <p>COUNCIL ACTION REQUESTED</p>		



414-425-7500

**License Committee
Agenda*
Aldermen's Room
May 5, 2020 – 4:30 p.m.**

1.	Call to Order & Roll Call	Time:
2.	Applicant Interviews & Decisions	
License Applications Reviewed		Recommendations

Type/ Time	Applicant Information	Approve	Hold	Deny
Operator 2019-2020 New 4:35 p.m.	Evans, Destanie M 726 Marquette Ave #2 South Milwaukee, WI 53172 Iron Mike's			
Operator 2019-2020 New	Marte Santiago, Antonio D 200 Rainbow Ridge Dr #912 Oak Creek, WI 53154 Walgreens #05459			
Operator 2019-2020 New	Zimmer, Sandra M 2620 S 108 th St Franksville, WI 53126 Walgreens #05459			
Operator 2020-2021 Renewal	Doepke, Jayson L 2126 W Forest Home Ave Milwaukee, WI 53215 Walgreens #05459			
Operator 2020-2021 Renewal	Drewek, Marcus 2957 S 51 st St Milwaukee, WI 53219 Root River Center			
Operator 2020-2021 Renewal	Fisher, Ethan R 8221 Fairmont Lane Greendale, WI 53129 Sendik's Food Market			
Operator 2020-2021 Renewal	Grochowski, Halina 1111 W Rosewood Trl Oak Creek, WI 53154 Buckhorn Bar & Grill			
Operator 2020-2021 Renewal	Guzzo, Louis G 4 W Clarendon Dr Round Lake Beach, IL 60073 Sendik's Food Market			
Operator 2020-2021 Renewal	Hartung, Patti 664 Shirley Dr. Franksville, WI 53126 Walgreens #05459			
Operator 2020-2021 Renewal	Korth, Austin J 8481 S 5 th Ave Trlr 4B Oak Creek, WI 53154 Walgreens #05884			

Type/ Time	Applicant Information	Approve	Hold	Deny
Operator 2020-2021 Renewal	Laughery, Kimberlee 1333 S 115 th St West Allis, WI 53214 Sendik's Food Market			
Operator 2020-2021 Renewal	Lonzaga, Marcia 753 N 116 th St Wauwatosa, WI 53226 Walgreens #05884			
Operator 2020-2021 Renewal	Martinez, Laura A 3742 E OBrien Rd Oak Creek, WI 53154 Andy's On Ryan Rd			
Operator 2020-2021 Renewal	Michel, Jane M 3720 7mile Rd Caledonia, WI 53108 Andy's On Ryan Rd			
Operator 2020-2021 Renewal	Moehlenpah, Ann C 3573 W Hilltop Ln Franklin, WI 53132 Walgreens #05884			
Operator 2020-2021 Renewal	Rainwater, Jeanne A 7561 S 75 th St Franklin, WI 53132 Staybridge Suites			
Operator 2020-2021 Renewal	Sakiewicz, Bobette A 9205 S Orchard Park Circle #2A Oak Creek, WI 53154 Walgreens #05884			
Operator 2020-2021 Renewal	Sastre Colon, Oscar A 3221 S 36 th St Milwaukee, WI 53216 Walgreens #05459			
Operator 2020-2021 Renewal	Schneider, Judy A 8418 Tuckaway Shores Dr Franklin, WI 53132 Michaelangelo's Pizza			
Operator 2020-2021 Renewal	Steeves, Linda M 9265 S 92 nd St Franklin, WI 53132 Walgreens #05459			
Operator 2020-2021 Renewal	Zielinski, Danielle E 9880 S Glenmoor Ct Oak Creek, WI 53154 Sendik's Food Market			
Amusement Device Operator 2020-2021	American Entertainment W337 S5059 Hwy GG Dousman, WI 53118 Kenneth J Grothman, Owner			
Amusement Device Operator 2020-2021	Games R Us Inc W144 S6315 College Ct Muskego, WI 53150 Steven Murphy, Owner			

Type/ Time	Applicant Information	Approve	Hold	Deny
Amusement Device Operator 2020-2021	National Entertainment Network 325 Interlocken Pkwy B Broomfield, CO 80021 James F Sevalt, Owner			
Amusement Device Operator 2020-2021	Red's Novelty Ltd 1921 S 74 St West Allis, WI 53132 Jay Jacomet, Agent			
Day Care 2020-2021	Academy of Preschool Learning, Inc Dba Academy of Preschool Learning 9501 W Drexel Ave Nadeen Balsis, Manager			
Day Care 2020-2021	Faith Academy Child Care Development Center 7700 W Faith Dr Franklin, WI 53132 Jennifer Finch, Manager			
Day Care 2020-2021	Ingenious, Inc 7260 S 76 St Franklin, WI 53132 Banmeet K Dadwal, Manager			
Day Care 2020-2021	Jubilee Christian Day Care 6855 S 50 th St Franklin, WI 53132 Tanya L Soich			
Day Care 2020-2021	Mrs. Rikki's Structured Daycare N9027 E Miramar Dr East Troy, WI 53120 Rochelle S Boyce, Manager			
Mobile Home 2020-2021	Franklin Mobile ,LLC DBA Franklin Mobile Estates 6361 S 27 th St David Steinberger, Manager			
3.	Adjournment			
		Time		

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

APPROVAL <i>slw fA</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 5/05/2020
Bills	Vouchers and Payroll Approval	ITEM NUMBER <i>I.</i>

Attached are vouchers dated April 17, 2020 through May 1, 2020 Nos. 178175 through Nos 178303 in the amount of \$ 4,120,516.86. Also included in this listing are EFT's Nos. 4289 through Nos. 4299, Library vouchers totaling \$ 17,628.02, Water Utility vouchers totaling \$ 731,800.31 and Property Tax refunds totaling \$ 2,339.21. Voided checks in the amount of \$ (7,503.50) are separately listed.

Included in this voucher report is the Environmental Improvement Fund Loan totaling \$1,491,378.24. Also, the mortgage draw to Knight Barry for Velo Village in the amount of \$ 2,036,736.71 which was approved for release at the Council meeting dated April 21, 2020.

Early release disbursements dated April 17, 2020 through April 30, 2020 in the amount of \$ 2,531,636.65 are provided on a separate listing and are also included in the complete disbursement listing. These payments have been released as authorized under Resolution 2013-6920.

The net payroll dated April 24, 2020 is \$ 430,775 91 previously estimated at \$ 412,000.00. Payroll deductions dated April 24, 2020 are \$ 434,041.08 previously estimated at \$ 441,000.00.

The estimated payroll for May 8, 2020 is \$ 405,000.00 with estimated deductions and matching payments of \$ 238,000.00.

Attached is a list of property tax disbursements EFT's Nos. 320 dated April 17, 2020 through April 30, 2020 in the amount of \$1,445.17.

COUNCIL ACTION REQUESTED

Motion approving the following.

- City vouchers with an ending date of May 1, 2020 in the amount of \$ 4,120,516.86 and
- Payroll dated April 24, 2020 in the amount of \$ 430,775.91 and payments of the various payroll deductions in the amount of \$ 434,041 08 plus City matching payments and
- Estimated payroll dated May 8, 2020 in the amount of \$ 405,000.00 and payments of the various payroll deductions in the amount of \$ 238,000.00, plus City matching payments and
- Property tax disbursements with an ending date of April 30, 2020 in the amount of \$ 1,445.71.

ROLL CALL VOTE NEEDED