

**CITY OF FRANKLIN**  
**SPECIAL COMMON COUNCIL MEETING**  
**FRANKLIN CITY HALL COMMON COUNCIL CHAMBERS**  
**9229 WEST LOOMIS ROAD, FRANKLIN, WISCONSIN**  
**AGENDA\***  
**THURSDAY, AUGUST 20, 2015 AT 6:30 P.M.**

- A. Call to Order and Roll Call.
- B. Citizen Comment Period.
- C. Reports and Recommendations:
  - 1. An Ordinance to Amend the Unified Development Ordinance (Zoning Map) to Rezone a Certain Parcel of Land from M-2 General Industrial District to B-2 General Business District (5621 West Rawson Avenue)(Approximately 0.971 Acres)(Steven D. Schweitzer, Applicant).
  - 2. A Resolution Imposing Conditions and Restrictions for the Approval of a Special Use to Allow for a Bar/Restaurant with Outdoor Entertainment/Concerts Business Use Upon Property Located at 5621 West Rawson Avenue (Rawson Pub)(Steven D. Schweitzer, Applicant).
  - 3. Authorization to Engage Automatic Data Processing (ADP) to aid in Preparing Required Annual Employee reporting under the Health Care Affordability Care Act.
- D. Licenses and Permits.  
Miscellaneous Licenses.
- E. Bills.  
Vouchers and Payroll approval.
- F. Adjournment.

REMINDERS:

August 20	Plan Commission	7:00 p.m.
August 31	Committee of the Whole	6:30 p.m.
September 1	Common Council	6:30 p.m.
September 3	Plan Commission	7:00 p.m.

\*Supporting documentation and details of these agenda items are available at City Hall during normal business hours.  
[Note: Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information, contact the City Clerk's office at (414) 425-7500.]

<p style="text-align: center;"><b>APPROVAL</b></p> <p style="text-align: center;"><i>Slw</i></p>	<p style="text-align: center;"><b>REQUEST FOR COUNCIL ACTION</b></p>	<p style="text-align: center;"><b>MEETING DATE</b>  <del>08/18/15</del>  <i>8/20/15</i></p>
<p style="text-align: center;"><b>REPORTS &amp; RECOMMENDATIONS</b></p>	<p style="text-align: center;"><b>ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE (ZONING MAP) TO REZONE A CERTAIN PARCEL OF LAND FROM M-2 GENERAL INDUSTRIAL DISTRICT TO B-2 GENERAL BUSINESS DISTRICT (5621 WEST RAWSON AVENUE) (APPROXIMATELY 0.971 ACRES) (STEVEN D. SCHWEITZER, APPLICANT)</b></p>	<p style="text-align: center;"><b>ITEM NUMBER</b></p> <p style="text-align: center;"><i>C. 1.</i></p>

At its August 6, 2015, meeting following a properly noticed Public Hearing, the Plan Commission recommended approval of an ordinance to amend the Unified Development Ordinance (Zoning Map) to rezone a certain parcel of land from M-2 General Industrial District to B-2 General Business District (5621 West Rawson Avenue) (approximately 0.971 acres) (Steven D. Schweitzer, applicant).

**COUNCIL ACTION REQUESTED**

A motion to adopt Ordinance No. 2015-\_\_\_\_\_ to amend the Unified Development Ordinance (Zoning Map) to rezone a certain parcel of land from M-2 General Industrial District to B-2 General Business District (5621 West Rawson Avenue) (approximately 0.971 acres) (Steven D. Schweitzer, applicant).

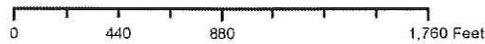


City of Franklin

5621 W. Rawson Avenue  
TKN 758-9990-000



Planning Department  
(414) 425-4024



2013 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.*

STATE OF WISCONSIN

CITY OF FRANKLIN

MILWAUKEE COUNTY

ORDINANCE NO. 2015-\_\_\_\_\_

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT  
ORDINANCE (ZONING MAP) TO REZONE A CERTAIN PARCEL  
OF LAND FROM M-2 GENERAL INDUSTRIAL DISTRICT TO  
B-2 GENERAL BUSINESS DISTRICT  
(5621 WEST RAWSON AVENUE)  
(APPROXIMATELY .971 ACRES)  
(STEVEN D. SCHWEITZER, APPLICANT)

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WHEREAS, Steven D. Schweitzer having petitioned for the rezoning of a certain parcel of land from M-2 General Industrial District to B-2 General Business District, such land being located at 5621 West Rawson Avenue; and

WHEREAS, a public hearing was held before the City of Franklin Plan Commission on the 23rd day of July, 2015, upon the aforesaid petition and the Plan Commission thereafter having determined that the proposed rezoning would promote the health, safety and welfare of the City and having recommended approval thereof to the Common Council; and

WHEREAS, the Common Council having considered the petition and having concurred with the recommendation of the Plan Commission and having determined that the proposed rezoning is consistent with the 2025 Comprehensive Master Plan of the City of Franklin, Wisconsin and would 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:           §15-3.0102 (Zoning Map) of the Unified Development Ordinance of the City of Franklin, Wisconsin, is hereby amended to provide that the zoning district designation for the property described below be changed from M-2 General Industrial District to B-2 General Business District:

THE NORTH 323.75 FEET OF THE WEST 170.00 FEET OF THE EAST 573.66 FEET OF THE EAST 50 ACRES OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF SECTION 11, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN. EXCEPTING THE NORTH 75.00 FEET FOR STREET PURPOSES. CONTAINING .971 ACRES. Tax Key No. 758-9990-000.

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 \_\_\_\_\_, 2015, by Alderman \_\_\_\_\_.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

APPROVED:

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

ATTEST:

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

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

# Plat of Survey

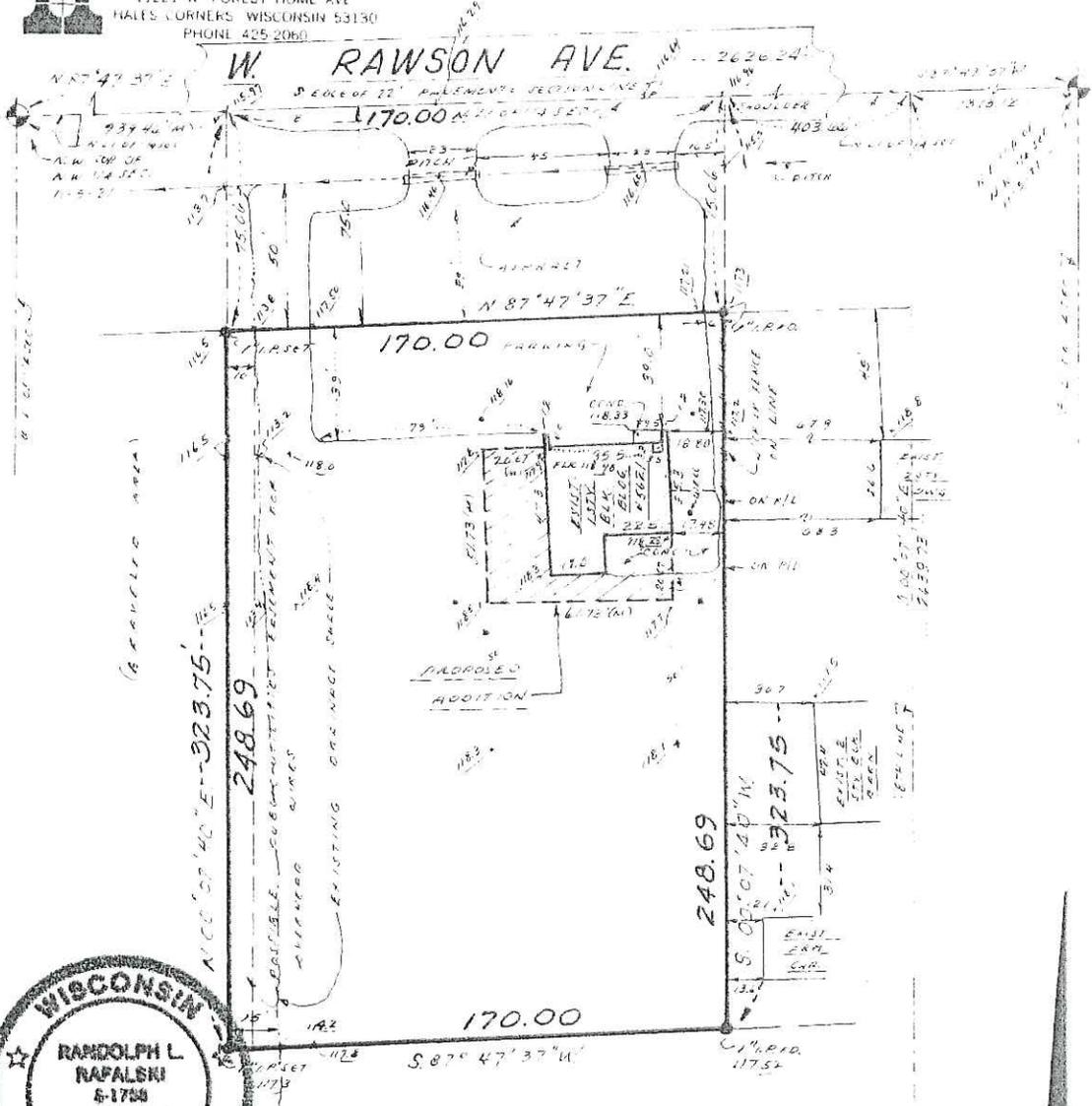
Survey For: STEVE SCHWETZKE  
 Location: 5621 W. RAWSON AVENUE

Description: The North 323.75 feet of the West 170.00 feet of the East 573.66 feet of the East 50 acres of the West 1/2 of the North-West 1/4 of Section 11, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin. Excepting the North 75.00 feet for street purposes. Containing .971 acres.



**INTERLINE SURVEY SERVICES, INC.**  
 11221 W. FOREST HOME AVE  
 HALES CORNERS, WISCONSIN 53150  
 PHONE 425-2060

BENCHMARK: N.W. COR. OF NW 1/4 SEC 11-5-21  
 ELEV. 174.37



State of Wisconsin) ss  
 Milwaukee County

SURVEY CERTIFICATE

Scale: 1" = 200'

We, Interline Survey Services, Inc., certify that we have surveyed the above described property and the above map is a true representation thereof, and shows the size and location of the property, its exterior boundaries, the location and dimensions of all visible structures thereon, fences, apparent easements and roadways and visible encroachments, if any

This survey is made for the exclusive use of the present owners of the Property, and also those who purchase, mortgage, or guarantee the title therein, within one (1) year from date hereof

*Randolph L. Rafalski*  
 Registered Land Surveyor

Date: 10/29/92  
 Job No.: 21397

**SURVEY FOR: STEVE SCHWEITZER**

**LOCATION : 5621 W. RAWSON AVE.**

**DESCRIPTION: THE NORTH 323.75 FEET OF THE WEST 170.00 FEET OF THE EAST**

**573.66 FEET OF THE EAST 50 ACRES OF THE WEST ½ OF THE NORTH-**

**WEST ¼ OF SECTION 11, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN**

**THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN. EXCEPTING**

**THE NORTH 75.00 FEET FOR STREET PURPOSES. CONTAINING .971 ACRES.**

**INTERLINE SURVEY SERVICES , INC.**

**BENCHMARK N.W. COR.OF N.W.1/4 SEC. 11-5-21**

**11221 W. FOREST HOME AVE.**

**ELEV. 114.39**

**HALES CORNERS, WI 53130**



## CITY OF FRANKLIN



## REPORT TO THE PLAN COMMISSION

Meeting of August 6, 2015

## Rezoning and Special Use

**RECOMMENDATION:** City Development Staff recommends approval of the Rezoning and Special Use applications for the Rawson Pub, located at 5621 West Rawson Ave, subject to the conditions of approval in the attached draft ordinance and resolution.

<b>Project Name:</b>	Rawson Pub Rezoning and Special Use
<b>Project Address:</b>	5621 West Rawson Avenue
<b>Property Owner:</b>	Steven D. Schweitzer
<b>Applicant:</b>	Steven D. Schweitzer
<b>Current Zoning:</b>	M-2 General Industrial District
<b>Proposed Zoning:</b>	B-2 General Business District
<b>Use of Surrounding Properties:</b>	Verdure Park commercial development to the north, ABRA Auto Body and Glass to the east, the Payne & Dolan quarry to the south and a parking lot for the bar on land owned by Payne & Dolan to the west
<b>Comprehensive Plan:</b>	Commercial
<b>Applicant Action Requested:</b>	Recommendation of approval to the Common Council for the proposed Rezoning and Special Use for the Rawson Pub

**INTRODUCTION/BACKGROUND:**

Please note:

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

Please also note that this staff report has been updated and revised, as indicated by the highlighted text.

Mr. Steve Schweitzer approached the Department of City Development with an interest in building an approximately 351 square foot addition for a kitchen on the southeast corner of the existing Rawson Pub building located at 5621 West Rawson Ave. The Rawson pub property is currently zoned M-2 General Industrial District, which doesn't allow Drinking Places classified under Standard Industrial Classification (SIC) Title No. 5813. Prior to the adoption of the UDO in 1998, taverns were a permitted use in the M-2 District. Therefore, the bar is a legal non-conforming use. For this reason, Staff recommended Mr. Schweitzer rezone his property to B-2 General Business District, which allows a bar under SIC Title No. 5813 as a Special Use.

On June 9, 2015, Mr. Schweitzer filed a Temporary Use Application with the Department of City Development, requesting approval for a band performance on the outdoor patio in the rear of the Rawson Pub, on Saturday, July 11, 2015 from 6:00 p.m. to 11:00 p.m. At the July 9, 2015, meeting of the Plan Commission, the following action was approved: motion to approve a resolution imposing conditions and restrictions for the approval of a Temporary use for live outdoor musical entertainment upon property located at 5621 West Rawson Avenue. The Department of City Development did not receive any complaints regarding the July 11<sup>th</sup> concert. Mr. Schweitzer would like to have similar outdoor entertainment/concert events in the future, without having to apply for a temporary use permit each time. For this reason, Mr. Schweitzer has added outdoor entertainment/concerts to his Special Use Application.

On June 15, 2015, Mr. Steve Schweitzer filed Rezoning and Special Use Applications with the Department of City Development, requesting approval to rezone the Rawson Pub property at 5621 West Rawson Ave. from M-2 General Industrial District to B-2 Business District and for a Special Use to allow for a bar/restaurant with outdoor entertainment /concerts business use.

At the July 23, 2015, meeting of the Plan Commission a public hearing was held on the subject rezoning and special use. Only one comment was made at the rezoning hearing by a citizen who requested that the City address any potential lighting or noise concerns in a proactive manner. Following the hearings, the following actions were approved: motion to table the request to recommend approval of an ordinance to amend the Unified Development Ordinance (Zoning Map) to rezone a certain parcel of land from M-2 General Industrial District to B-2 General Business District; and motion to table the request for recommendation to approve a resolution imposing conditions and restrictions for the approval of a Special Use to allow for a bar/restaurant with outdoor entertainment/concerts business use upon property located at 5621 West Rawson Avenue. Staff had requested these items be tabled to allow the applicant more time to work with Staff and to prepare a Plan Commission submittal.

#### **PROJECT DESCRIPTION/ANALYSIS:**

The applicant is proposing an approximately 351 square foot addition for a kitchen. The Rawson Pub currently only provides prepackaged foods such as chips and frozen pizzas. The proposed kitchen addition will greatly increase the bars food offerings. The applicant is also proposing to add a wood dumpster enclosure and an approximately 168 square foot storage shed within the parking lot along the west side of the building. The proposed shed is approximately 16 feet from the rear lot line, which does not meet the minimum 20-foot rear yard setback requirement of the B-2 General Business District. Therefore, Staff recommends the applicant move the proposed shed north, to meet the minimum required 20-foot rear yard setback of the B-2 General Business District. The applicant is not proposing any additional landscaping or exterior lighting at this time.

The applicant submitted a scaled Site Plan for Staff's review, but was unable to coordinate with his architect to provide copies for the Plan Commission meeting. Staff comments to the applicant included several technical corrections for the applicant to resolve. Therefore, Staff recommends the applicant submit a revised Site Plan meeting the requirements of Section 15-7.0100 of the Unified Development Ordinance to the Department of City Development for review and approval by Staff, prior to the issuance of a Building Permit.

The subject property is approximately 0.98 acres or 42,689 square feet. The applicant has not provided Site Intensity and Capacity Calculations, which are required to confirm whether or not the minimum Landscape Surface Ratio of 0.25 for the B-2 Business District is being met. Therefore, Staff recommends the applicant submit Site Intensity and Capacity Calculations per Section 15-7.0103-S of

the Unified Development Ordinance, for review and approval by Staff, prior to the issuance of a Building Permit.

The current hours of operation for the bar are Monday – Thursday 2:00 p.m. to 2:00 a.m., Friday 2:00 p.m. to 2:30 a.m., Saturday 12:00 p.m. to 2:30 a.m. and Sunday 12:00 p.m. to 2:00 a.m. The applicant has indicated that the proposed hours of operation for the bar after completion of the kitchen addition will be Monday & Tuesday 2:00 p.m. to 2:00 a.m., Wednesday & Thursday 11:00 a.m. to 2:00 a.m., Friday & Saturday 11:00 a.m. to 2:30 a.m. and Sunday 11:00 a.m. to 11:00 p.m. According to the applicant the Rawson Pub currently has 7 employees. The applicant anticipates hiring 5-7 more employees as result of the proposed addition.

Section 15-3.0701(A) and (C) of the UDO contains the General Standards and Considerations that must be examined for each proposed Special Use prior to granting approval. The applicant has provided a written response to each of the seven standards, which is included in your packet.

Parking:

Table 15-5.0203 of the City of Franklin Unified Development Ordinance (UDO) defines requirements for off-street parking. According to this section, bars require 10 spaces per 1,000 square feet of gross floor area (GFA). As part of restaurant use, a kitchen area requires 6.5 spaces per 1,000 square feet of GFA. The Rawson Pub is approximately 3,400 square feet, which requires 34 off-street parking spaces. The proposed kitchen addition is only approximately 351 square feet, which requires 1 additional parking space. Therefore, the property is required to have a minimum of 35 off-street parking spaces.

The Rawson Pub has approximately 52 off-street parking spaces on site and another 66 off-street spaces in an adjacent parking lot leased from Payne and Dolan, Inc. The location of the proposed shed and dumpster enclosure will result in a loss of 4 parking spaces (2 each). Therefore, the bar will be served by a total of 48 onsite parking space and 114 total off-street parking spaces, which far exceeds the minimum parking requirement. In addition, onsite parking lot has 2 handicap accessible parking spaces, which complies with Section 15-2.0103(A)(6) and Table 15-5.0202(T)(1) of the Unified Development Ordinance.

Outdoor Entertainment/Concert Events:

As previously noted, the applicant has also requested approval to hold outdoor entertainment events such as the outdoor concert which was recently approved by the Plan Commission and which was held on Saturday July 11, 2015 from 6:00 p.m. to 11:00 p.m. However, the applicant has not provided any additional details about this request.

Due to the location of the subject property and that few residential properties are nearby, staff believes there should be little chance of adverse impacts upon adjacent properties from such outdoor entertainment/concert events. However, due to the lack of details provided by the applicant, and to help ensure that there are no adverse impacts upon surrounding properties, staff recommends the following conditions:

- That the outdoor events be limited to such concerts, shows, and parties as may be reasonably expected to be accessory and incidental to the use of the subject property as a bar and restaurant.
- That such outdoor events as concerts, shows, and parties which may need or require speakers, amplifiers, etc. or could otherwise involve loud noises or bright lights, must be limited to the

outdoor patio area in the rear of the Rawson Pub property and limited to Fridays and Saturdays from 11:00 a.m. to 11:00 p.m. and Sundays from 3:00 p.m. to 10:00 p.m.

- That each and every event shall be submitted to the City of Franklin Planning Department at least 30 days prior to such event for review by City staff to ensure compliance with all other applicable municipal rules and regulations, and permits and approvals, including but not limited to emergency access requirements, health department inspections, building permit approvals, sign permit approvals, fire department inspections, etc.

Rezoning:

The Verdure Park development located immediately north of the Rawson Pub property across West Rawson Avenue is zoned B-2 General Business District. Therefore, the proposed rezoning will be consistent with the adjacent zoning district and does not constitute “spot zoning”.

**Comprehensive Master Plan Consistency**

*Consistent with, as defined by Wisconsin State Statute; means “furthers or does not contradict the objectives, goals, and policies contained in the comprehensive plan.”*

The City of Franklin 2025 Comprehensive Master Plan (CMP) identifies the subject property, and the lands to the north, and east, for future commercial land uses. Therefore the proposed rezoning is consistent with the 2025 CMP. Subsequently, a Comprehensive Master Plan Amendment is not required.

In addition, the subject rezoning request is consistent with the City’s 70/30 Goal. Chapter 2 of the CMP recommends that the City strive to achieve a balance of 70 percent residential to 30 percent commercial assessed valuation to help lower the City’s tax rate and to help achieve the Balanced Development Principle. Chapter 4 specifically includes the 70/30 Goal as part of the City’s economic development efforts.

**STAFF RECOMMENDATION:**

City Development Staff recommends approval of the Rezoning and Special Use applications for the Rawson Pub, located at 5621 West Rawson Ave., subject to the conditions of approval in the attached draft ordinance and resolution.

<p style="text-align: center;"><b>APPROVAL</b></p> <p style="text-align: center;"><i>slw</i></p>	<p style="text-align: center;"><b>REQUEST FOR COUNCIL ACTION</b></p>	<p style="text-align: center;"><b>MEETING DATE</b>  <i>8/20/15</i>  <del>08/18/15</del></p>
<p style="text-align: center;"><b>REPORTS &amp; RECOMMENDATIONS</b></p>	<p style="text-align: center;"><b>RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE TO ALLOW FOR A BAR/RESTAURANT WITH OUTDOOR ENTERTAINMENT/CONCERTS BUSINESS USE UPON PROPERTY LOCATED AT 5621 WEST RAWSON AVENUE (RAWSON PUB) (STEVEN D. SCHWEITZER, APPLICANT)</b></p>	<p style="text-align: center;"><b>ITEM NUMBER</b></p> <p style="text-align: center;"><i>C. 2.</i></p>

At its August 6, 2015, meeting, the Plan Commission recommended approval of a resolution imposing conditions and restrictions for the approval of a Special Use to allow for a bar/restaurant with outdoor entertainment/concerts business use upon property located at 5621 West Rawson Avenue (Rawson Pub) (Steven D. Schweitzer, Applicant).

**COUNCIL ACTION REQUESTED**

A motion to adopt Resolution No. 2015-\_\_\_\_\_, a resolution imposing conditions and restrictions for the approval of a special use to allow for a bar/restaurant with outdoor entertainment/concerts business use upon property located at 5621 West Rawson Avenue (Rawson Pub) (Steven D. Schweitzer, Applicant)

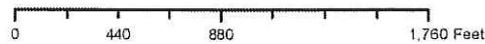


City of Franklin

5621 W. Rawson Avenue  
TKN 758-9990-000



Planning Department  
(414) 425-4024



2013 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.*

RESOLUTION NO. 2015-\_\_\_\_\_

A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS  
FOR THE APPROVAL OF A SPECIAL USE TO ALLOW FOR A  
BAR/RESTAURANT WITH OUTDOOR ENTERTAINMENT/CONCERTS  
BUSINESS USE UPON PROPERTY LOCATED  
AT 5621 WEST RAWSON AVENUE  
(RAWSON PUB)  
(STEVEN D. SCHWEITZER, APPLICANT)

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WHEREAS, Steven D. Schweitzer having petitioned the City of Franklin for the approval of a Special Use in the B-2 General Business District to allow for a bar/restaurant with outdoor entertainment/concerts business use, upon property located at 5621 West Rawson Avenue, bearing Tax Key No. 758-9990-000, more particularly described as follows:

THE NORTH 323.75 FEET OF THE WEST 170.00 FEET OF THE EAST 573. 66 FEET OF THE EAST 50 ACRES OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF SECTION 11, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN. EXCEPTING THE NORTH 75.00 FEET FOR STREET PURPOSES. CONTAINING .971ACRES; 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 July, 2015, 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 Steven D. Schweitzer, 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 Steven D. Schweitzer, successors and assigns, as a bar/restaurant with outdoor entertainment/concerts business use, which shall be developed in substantial compliance with, and operated and maintained by Steven D. Schweitzer, pursuant to those plans City file-stamped July 28, 2015 and annexed hereto and incorporated herein as Exhibit A.
2. Steven D. Schweitzer, 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 Steven D. Schweitzer (Rawson Pub) bar/restaurant with outdoor entertainment/concerts business 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 the Steven D. Schweitzer (Rawson Pub) bar/restaurant with outdoor entertainment/concerts business use, for the property located at 5621 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.
4. The applicant shall move the proposed shed north, to meet the minimum required 20-foot rear yard setback of the B-2 General Business District.
5. The applicant shall submit a revised Site Plan meeting the requirements of Section 15-7.0100 of the Unified Development Ordinance to the Department of City Development for review and approval by Staff, prior to issuance of a Building Permit.
6. The applicant shall submit Site Intensity and Capacity Calculations as required by Section 15-7.0103-S of the Unified Development Ordinance to the Department of City Development for review and approval by Staff, prior to issuance of a Building Permit.
7. Outdoor events shall be limited to such concerts, shows, and parties as may be reasonably expected to be accessory and incidental to the use of the subject property as a bar and restaurant.

STEVEN D. SCHWEITZER – SPECIAL USE  
RESOLUTION NO. 2015-\_\_\_\_\_

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8. Outdoor events such as concerts, shows and parties which may need or require speakers, amplifiers, etc. or could otherwise involve loud noises or bright lights, must be limited to the outdoor patio area in the rear of the Rawson Pub property and limited to Fridays and Saturdays from 11:00 a.m. to 11:00 p.m. and Sundays from 3:00 p.m. to 10:00 p.m.
9. Each and every event shall be submitted to the City of Franklin Department of City Development at least 30 days prior to such event for review by City Staff to ensure compliance with all other applicable municipal rules and regulations, and permits and approvals, including but not limited to emergency access requirements, health department inspections, building permit approvals, sign permit approvals, fire department inspections, etc.

BE IT FURTHER RESOLVED, that in the event Steven D. Schweitzer, 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.

STEVEN D. SCHWEITZER – SPECIAL USE  
RESOLUTION NO. 2015-\_\_\_\_\_  
Page 4

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 \_\_\_\_\_, 2015.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

APPROVED:

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

ATTEST:

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

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



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

**Meeting of August 6, 2015**

**Rezoning and Special Use**

**RECOMMENDATION:** City Development Staff recommends approval of the Rezoning and Special Use applications for the Rawson Pub, located at 5621 West Rawson Ave, subject to the conditions of approval in the attached draft ordinance and resolution.

<b>Project Name:</b>	Rawson Pub Rezoning and Special Use
<b>Project Address:</b>	5621 West Rawson Avenue
<b>Property Owner:</b>	Steven D. Schweitzer
<b>Applicant:</b>	Steven D. Schweitzer
<b>Current Zoning:</b>	M-2 General Industrial District
<b>Proposed Zoning:</b>	B-2 General Business District
<b>Use of Surrounding Properties:</b>	Verdure Park commercial development to the north, ABRA Auto Body and Glass to the east, the Payne & Dolan quarry to the south and a parking lot for the bar on land owned by Payne & Dolan to the west
<b>Comprehensive Plan:</b>	Commercial
<b>Applicant Action Requested:</b>	Recommendation of approval to the Common Council for the proposed Rezoning and Special Use for the Rawson Pub

**INTRODUCTION/BACKGROUND:**

Please note:

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

Please also note that this staff report has been updated and revised, as indicated by the highlighted text.

Mr. Steve Schweitzer approached the Department of City Development with an interest in building an approximately 351 square foot addition for a kitchen on the southeast corner of the existing Rawson Pub building located at 5621 West Rawson Ave. The Rawson pub property is currently zoned M-2 General Industrial District, which doesn't allow Drinking Places classified under Standard Industrial Classification (SIC) Title No. 5813. Prior to the adoption of the UDO in 1998, taverns were a permitted use in the M-2 District. Therefore, the bar is a legal non-conforming use. For this reason, Staff recommended Mr. Schweitzer rezone his property to B-2 General Business District, which allows a bar under SIC Title No. 5813 as a Special Use.

On June 9, 2015, Mr. Schweitzer filed a Temporary Use Application with the Department of City Development, requesting approval for a band performance on the outdoor patio in the rear of the Rawson Pub, on Saturday, July 11, 2015 from 6:00 p.m. to 11:00 p.m. At the July 9, 2015, meeting of the Plan Commission, the following action was approved: motion to approve a resolution imposing conditions and restrictions for the approval of a Temporary use for live outdoor musical entertainment upon property located at 5621 West Rawson Avenue. The Department of City Development did not receive any complaints regarding the July 11<sup>th</sup> concert. Mr. Schweitzer would like to have similar outdoor entertainment/concert events in the future, without having to apply for a temporary use permit each time. For this reason, Mr. Schweitzer has added outdoor entertainment/concerts to his Special Use Application.

On June 15, 2015, Mr. Steve Schweitzer filed Rezoning and Special Use Applications with the Department of City Development, requesting approval to rezone the Rawson Pub property at 5621 West Rawson Ave. from M-2 General Industrial District to B-2 Business District and for a Special Use to allow for a bar/restaurant with outdoor entertainment /concerts business use.

At the July 23, 2015, meeting of the Plan Commission a public hearing was held on the subject rezoning and special use. Only one comment was made at the rezoning hearing by a citizen who requested that the City address any potential lighting or noise concerns in a proactive manner. Following the hearings, the following actions were approved: motion to table the request to recommend approval of an ordinance to amend the Unified Development Ordinance (Zoning Map) to rezone a certain parcel of land from M-2 General Industrial District to B-2 General Business District; and motion to table the request for recommendation to approve a resolution imposing conditions and restrictions for the approval of a Special Use to allow for a bar/restaurant with outdoor entertainment/concerts business use upon property located at 5621 West Rawson Avenue. Staff had requested these items be tabled to allow the applicant more time to work with Staff and to prepare a Plan Commission submittal.

#### **PROJECT DESCRIPTION/ANALYSIS:**

The applicant is proposing an approximately 351 square foot addition for a kitchen. The Rawson Pub currently only provides prepackaged foods such as chips and frozen pizzas. The proposed kitchen addition will greatly increase the bars food offerings. The applicant is also proposing to add a wood dumpster enclosure and an approximately 168 square foot storage shed within the parking lot along the west side of the building. The proposed shed is approximately 16 feet from the rear lot line, which does not meet the minimum 20-foot rear yard setback requirement of the B-2 General Business District. Therefore, *Staff recommends the applicant move the proposed shed north, to meet the minimum required 20-foot rear yard setback of the B-2 General Business District.* The applicant is not proposing any additional landscaping or exterior lighting at this time.

The applicant submitted a scaled Site Plan for Staff's review, but was unable to coordinate with his architect to provide copies for the Plan Commission meeting. Staff comments to the applicant included several technical corrections for the applicant to resolve. Therefore, *Staff recommends the applicant submit a revised Site Plan meeting the requirements of Section 15-7.0100 of the Unified Development Ordinance to the Department of City Development for review and approval by Staff, prior to the issuance of a Building Permit.*

The subject property is approximately 0.98 acres or 42,689 square feet. The applicant has not provided Site Intensity and Capacity Calculations, which are required to confirm whether or not the minimum Landscape Surface Ratio of 0.25 for the B-2 Business District is being met. Therefore, *Staff recommends the applicant submit Site Intensity and Capacity Calculations per Section 15-7.0103-S of*

the Unified Development Ordinance, for review and approval by Staff, prior to the issuance of a Building Permit.

The current hours of operation for the bar are Monday – Thursday 2:00 p.m. to 2:00 a.m., Friday 2:00 p.m. to 2:30 a.m., Saturday 12:00 p.m. to 2:30 a.m. and Sunday 12:00 p.m. to 2:00 a.m. The applicant has indicated that the proposed hours of operation for the bar after completion of the kitchen addition will be Monday & Tuesday 2:00 p.m. to 2:00 a.m., Wednesday & Thursday 11:00 a.m. to 2:00 a.m., Friday & Saturday 11:00 a.m. to 2:30 a.m. and Sunday 11:00 a.m. to 11:00 p.m. According to the applicant the Rawson Pub currently has 7 employees. The applicant anticipates hiring 5-7 more employees as result of the proposed addition.

Section 15-3.0701(A) and (C) of the UDO contains the General Standards and Considerations that must be examined for each proposed Special Use prior to granting approval. The applicant has provided a written response to each of the seven standards, which is included in your packet.

Parking:

Table 15-5.0203 of the City of Franklin Unified Development Ordinance (UDO) defines requirements for off-street parking. According to this section, bars require 10 spaces per 1,000 square feet of gross floor area (GFA). As part of restaurant use, a kitchen area requires 6.5 spaces per 1,000 square feet of GFA. The Rawson Pub is approximately 3,400 square feet, which requires 34 off-street parking spaces. The proposed kitchen addition is only approximately 351 square feet, which requires 1 additional parking space. Therefore, the property is required to have a minimum of 35 off-street parking spaces.

The Rawson Pub has approximately 52 off-street parking spaces on site and another 66 off-street spaces in an adjacent parking lot leased from Payne and Dolan, Inc. The location of the proposed shed and dumpster enclosure will result in a loss of 4 parking spaces (2 each). Therefore, the bar will be served by a total of 48 onsite parking space and 114 total off-street parking spaces, which far exceeds the minimum parking requirement. In addition, onsite parking lot has 2 handicap accessible parking spaces, which complies with Section 15-2.0103(A)(6) and Table 15-5.0202(I)(1) of the Unified Development Ordinance.

Outdoor Entertainment/Concert Events:

As previously noted, the applicant has also requested approval to hold outdoor entertainment events such as the outdoor concert which was recently approved by the Plan Commission and which was held on Saturday July 11, 2015 from 6:00 p.m. to 11:00 p.m. However, the applicant has not provided any additional details about this request.

Due to the location of the subject property and that few residential properties are nearby, staff believes there should be little chance of adverse impacts upon adjacent properties from such outdoor entertainment/concert events. However, due to the lack of details provided by the applicant, and to help ensure that there are no adverse impacts upon surrounding properties, staff recommends the following conditions:

- That the outdoor events be limited to such concerts, shows, and parties as may be reasonably expected to be accessory and incidental to the use of the subject property as a bar and restaurant.
- That such outdoor events as concerts, shows, and parties which may need or require speakers, amplifiers, etc. or could otherwise involve loud noises or bright lights, must be limited to the

outdoor patio area in the rear of the Rawson Pub property and limited to Fridays and Saturdays from 11:00 a.m. to 11:00 p.m. and Sundays from 3:00 p.m. to 10:00 p.m.

- That each and every event shall be submitted to the City of Franklin Planning Department at least 30 days prior to such event for review by City staff to ensure compliance with all other applicable municipal rules and regulations, and permits and approvals, including but not limited to emergency access requirements, health department inspections, building permit approvals, sign permit approvals, fire department inspections, etc.

Rezoning:

The Verdure Park development located immediately north of the Rawson Pub property across West Rawson Avenue is zoned B-2 General Business District. Therefore, the proposed rezoning will be consistent with the adjacent zoning district and does not constitute “spot zoning”.

**Comprehensive Master Plan Consistency**

*Consistent with, as defined by Wisconsin State Statute; means “furthers or does not contradict the objectives, goals, and policies contained in the comprehensive plan.”*

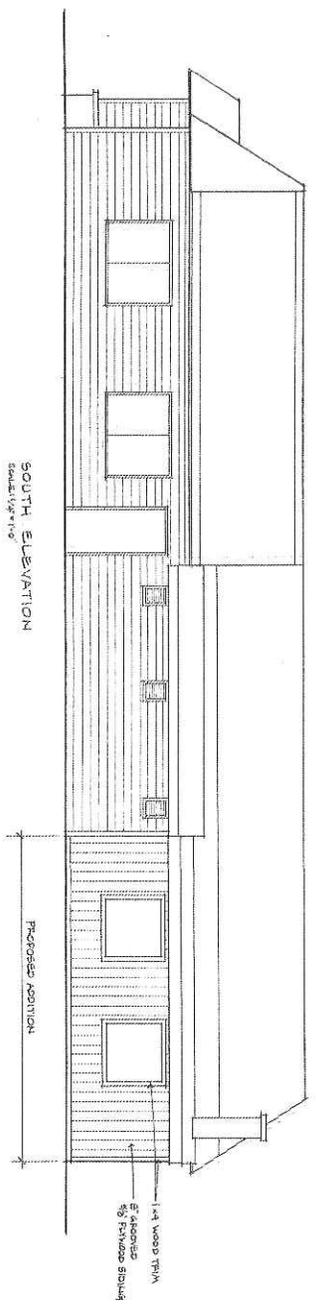
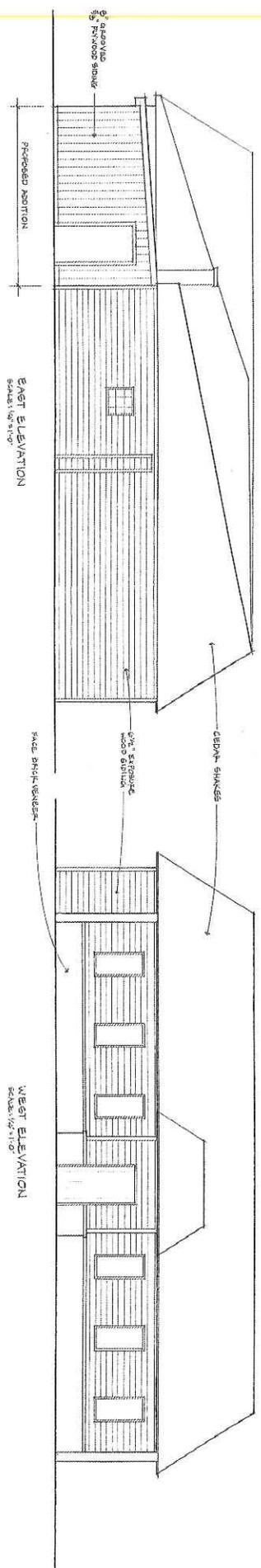
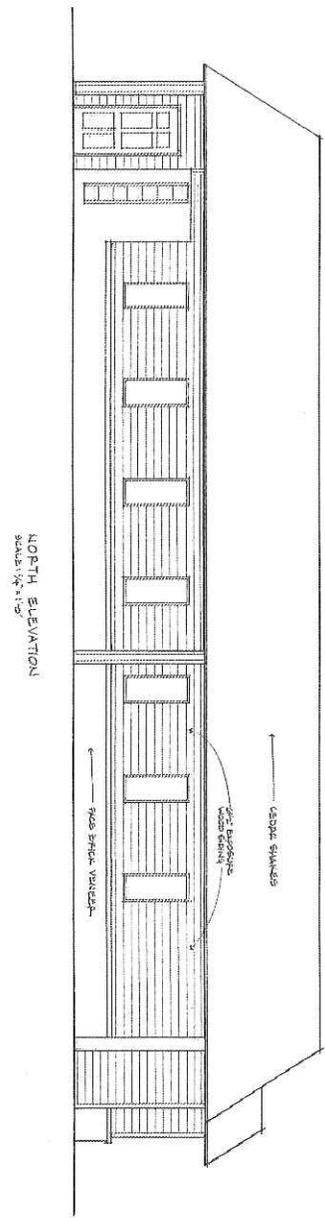
The City of Franklin 2025 Comprehensive Master Plan (CMP) identifies the subject property, and the lands to the north, and east, for future commercial land uses. Therefore the proposed rezoning is consistent with the 2025 CMP. Subsequently, a Comprehensive Master Plan Amendment is not required.

In addition, the subject rezoning request is consistent with the City’s 70/30 Goal. Chapter 2 of the CMP recommends that the City strive to achieve a balance of 70 percent residential to 30 percent commercial assessed valuation to help lower the City’s tax rate and to help achieve the Balanced Development Principle. Chapter 4 specifically includes the 70/30 Goal as part of the City’s economic development efforts.

**STAFF RECOMMENDATION:**

City Development Staff recommends approval of the Rezoning and Special Use applications for the Rawson Pub, located at 5621 West Rawson Ave., subject to the conditions of approval in the attached draft ordinance and resolution.

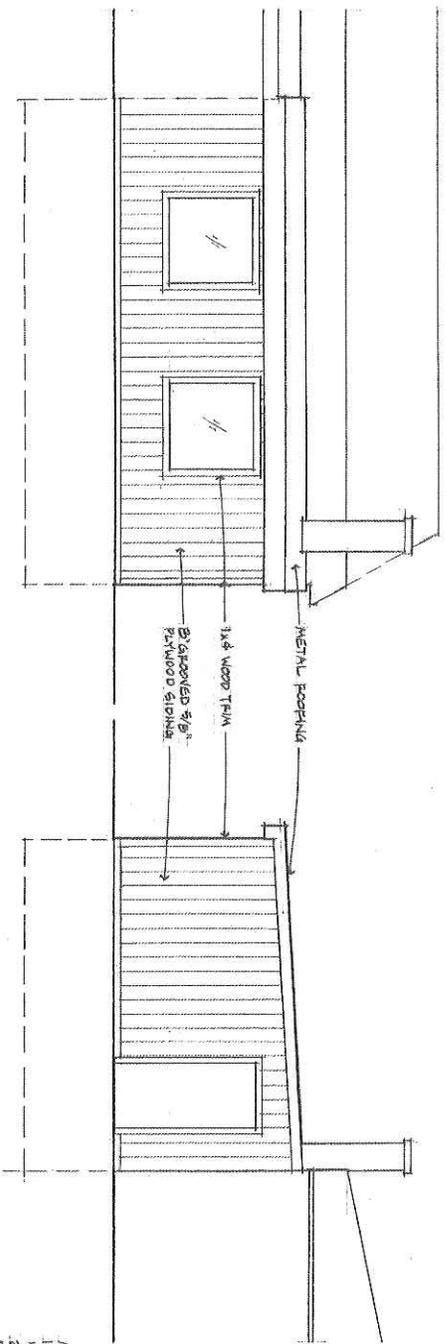




RANSON PUB  
 601 W. RANSON AVE  
 RANSON, WI 53022  
 JUNE 2021S

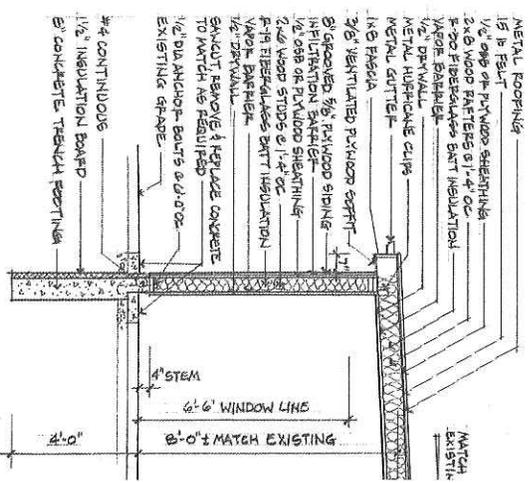
PROJECT DATA

STORIES 2  
 CONSTRUCTION TYPE WB WOOD FRAME UNPROTEC  
 SPINNLED  
 OCCUPANCY GROUP A2 ASSEMB

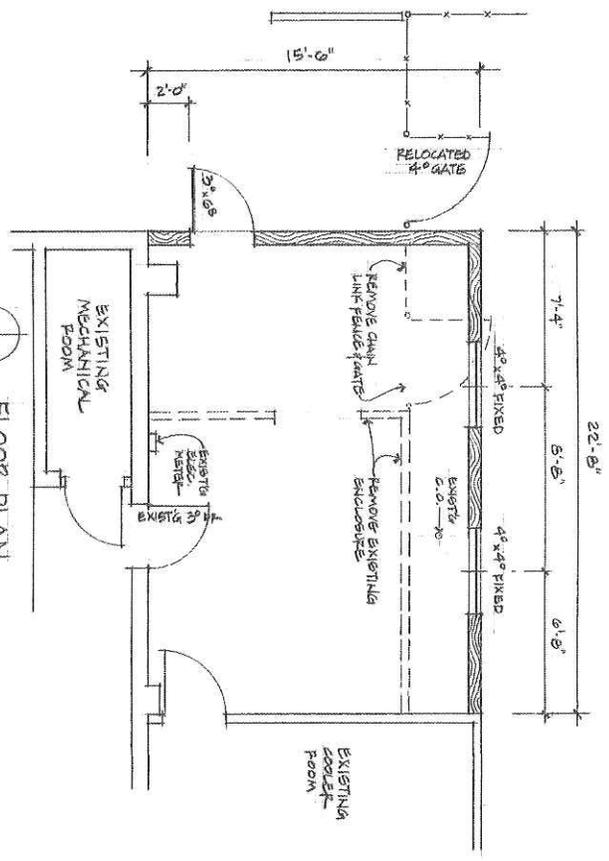


SOUTH ELEVATION  
 SCALE: 1/4" = 1'-0"

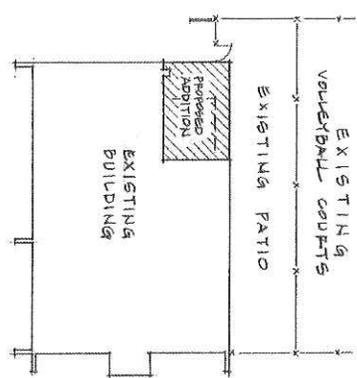
EAST ELEVATION  
 SCALE: 1/4" = 1'-0"



SECTION  
 SCALE: 3/8" = 1'-0"



FLOOR PLAN  
 SCALE: 1/4" = 1'-0"



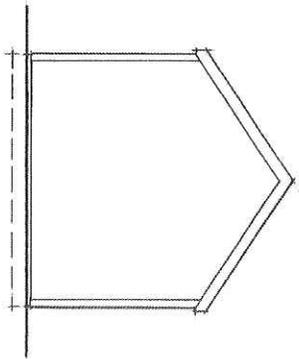
LOCATION PLAN

PROPOSED ADDITION FOR  
**RAWSON PUB**  
 5021 W. RAWSON AVE  
 FRANKLIN, WI 53192

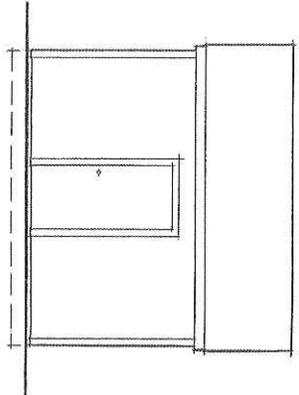
RICHARD W. BEISSER, ARCHIT  
 931 N. 31st Street  
 Milwaukee, Wisconsin 53208

SCALE: AS SHOWN EXCEPT AS NOTED 19.2014 DR BY PW  
 ELEVATIONS, PLAN DETAILS SHEET No

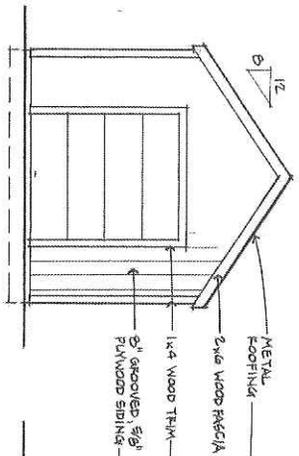




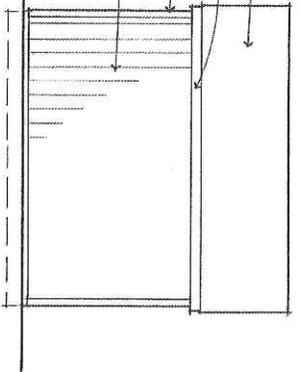
EAST ELEVATION



NORTH ELEVATION

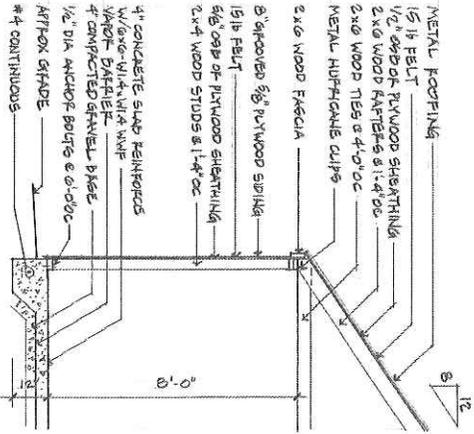


WEST ELEVATION

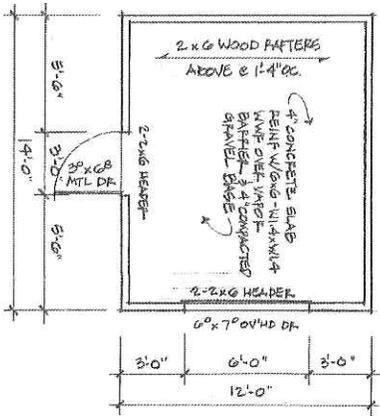


SOUTH ELEVATION

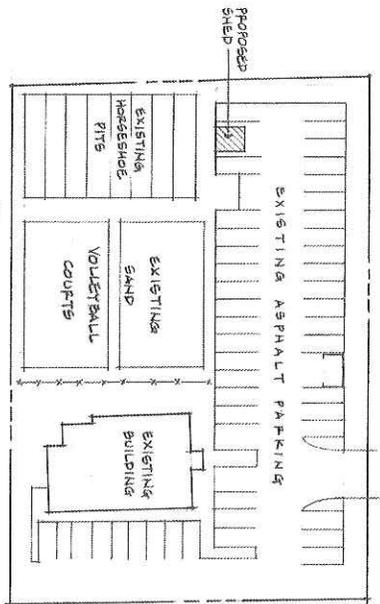
ELEVATIONS SCALE: 1/4" = 1'-0"



SECTION  
SCALE: 3/8" = 1'-0"



PLAN  
SCALE: 1/4" = 1'-0"



SITE PLAN  
SCALE: 1" = 40'

REV 7/20/15

PROPOSED STORAGE SHED FOR <b>RAWSON PUB</b> 5021 W. RAWSON AVE. FRANKLIN, WI 53122	
RICHARD W. BERSSER, ARCHITECT 951 N. 31st Street Milwaukee, Wisconsin 53208	
SCALE: AS SHOWN   DATE: NOV 17, 2014   PROJECT: RAWSON PUB	SHEETS: 1 OF 1

**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: *Consistent with master plan*

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: *No adverse affect*

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: *It will look the same*

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: *Have sewer and well*

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: *Don't see no problem - Have two entrances and plenty of parking.*

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: No destruction of any 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: Yes

- 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: Not applicable

- 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: looking to have good quality food for the area

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: If just squares off the building

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.

~~Not~~

*Response:* match existing

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:* By rezoning property  
it will eliminate a legal non  
conforming use

<b>APPROVAL</b> <i>slw</i> <i>Pod</i>	<b>REQUEST FOR COUNCIL ACTION</b>	<b>MEETING DATE</b> <b>August 18, 2015</b>
<b>REPORTS &amp; RECOMMENDATIONS</b>	<b>Authorization to engage Automatic Data Processing to aid in Preparing Required Annual Employee reporting under the Health Care Affordability Care Act</b>	<b>ITEM NUMBER</b> <i>C.3.</i>

**Background**

The Affordability Care Act requires all employers provide annual statements in January, 2016 and each year thereafter with two statements. Form 1094 is a statement of the level of coverage provided to employees, which indicates the type and amount of coverage afforded for each employee and their dependents. Form 1095C provides the affordability and months that the individual was covered under the employer's plan. This form is required for each covered individual [employees and dependents]. Thus for a family of five, five separate forms 1095C must be prepared, with Tax Identification numbers. The information gathering requirement for this reporting is greater than ever for employers.

Penalties for not complying with these reporting requirements were increased with the Trade Extension Act of 2015 (July 2015). For the 615 returns the City of Franklin expects to file, the penalty ranges from \$30,750 if filed late but within 30 days of due date to \$153,750 if filed after August 1, 2016.

**Analysis**

The City's payroll provider, Automatic Data Processing (ADP) provides a service which aids the City in meeting its obligations under this reporting requirement. ADP is currently offering a bridge to their complete solution. To purchase the bridge solution, the City of Franklin is required to commit to purchase the complete solution in 2016. The bridge service is not available for purchase alone.

In 2014, the City of Franklin began using ADP's payroll service along with the Human Resource module. This service captures all the information required to complete forms 1094 & 1095C. The bridge service has the City accumulating and reviewing the information used to prepare the information reports, before the data can be transmitted to ADP for preparation of the forms and electronic filing with the United State Internal Revenue Service. The challenge for City staff will be in collecting and assigning the proper qualifying information and calculating affordable coverage levels for each participant and their dependents.

For 2016, with forms to be filed in January 2017, the upgraded ADP service will have ADP reviewing the data and completing the forms and electronically filing the reports. This will relieve city staff of a rather technical reporting requirement.

A services agreement with ADP to purchase both the bridge and complete solution is attached.

**Options**

Purchase the combined ADP reporting solutions incorporating service options as determined by the Director of Finance & Treasurer to the extent available by adopted appropriations, OR

Require City staff to prepare the individual and reporting forms without the aid of the technical services.

**Recommendation**

Staff recommends purchasing the ADP solutions.

**Fiscal Impact**

The bridge solution has a onetime \$20 base charge plus a \$1.50 per form charge. The City currently has approximately 615 covered lives on the Self Funded health benefit plan. Cost of this service is \$942.50.

Then, in 2016, for the complete solution there is a onetime set up fee of \$750 and a \$1/mo/employee charge. The annual cost would total \$2,400. There is a one time set up fee of \$750.

**COUNCIL ACTION REQUESTED**

Motion to authorize staff to engage ADP to aid in Preparing Required Annual Employee reporting under the Health Care Affordability Care Act for 2015 and beyond.



# Essential ACA Services Statement of Work

Taxpayer Legal Name: City of Franklin			
Legal Address: 9229 W Loomis Road		City, State, Zip, County: Franklin, WI 53132	
Payroll Contact:		Executive Contact: Paul Rotzenberg	
Phone:	Email:	Phone: 414-425-7500	Email: protzenberg@franklinwi.gov

## A. Historical ACA Hours Data Conversion: Need depends on actual ADP Payroll Start Date

\*Historical Hours will allow Workforce Now to calculate 'ACA Benefit Status'. Without system calculation, client can code employees as 'Part Time' or 'Full Time'. Options below vary based on the extent of history the client wishes to bring over.

**Option 1:** Client does not need or already has hours history in Workforce Now

Check here if client does not need options 2, 3, 4 or 5 below; If not checked, please select ONLY one of the 4 options listed below

**Option 2:** ACA Historical Hours Import: When client elects to upload up to 12 months of hours history themselves

Client Elects: No Charge

**Option 3:** ACA Historical Hours Import\*: When up to 18 months of hours history is required. Includes: Extraction, conversion and import into Workforce Now on the client's behalf; Limited to one source / vendor

Client Elects: \$1,000 Conversion Fee (SCN: 4Z F00302)

**Option 4:** ACA Historical Hours Import\*: When up to 36 months of hours history is required. Includes: Extraction, conversion and import into Workforce Now on the client's behalf; Limited to one source / vendor

Client Elects: \$1,500 Conversion Fee (SCN: 4Z F00301)

**Option 5:** Full Check History Conversion\*: When importing up to 4 years' worth of history is needed. Includes: Extraction, conversion and import into Workforce Now on the client's behalf; Limited to one source / vendor

Client Elects: \$2,600 Conversion Fee (SCN: 4Z F00300)

\*For Options 3, 4 or 5, Letter Agreement Required AND must provide prior vendor name. Note here:

## B. Medical Benefit Plan and Historical Data Support: Need depends on actual Benefits Module Start Date and Medical Plan Year

**Option 1:** Client does not need; Already has active plans with effective dating and historical data loaded in Workforce Now Benefits Module

Check here if client does not need options 2 OR 3 below; If not checked, please select options 2 and/or 3 listed below

**Option 2:** Current Medical Plan Creation: Required only for migrating HR Profile (PCPW), HR eXpert (Pay eXpert) and Essential HR (WFN v2) clients that need a medical plan created, post migration, in Essential HR and Benefits. \*Not needed for clients upgrading to Enhanced HR with Enhanced Benefits. Includes: Creation of Current Plan, Enrollment and Dependent History going back to beginning of current calendar year

Client Elects: \$500 Conversion Fee (SCN: 4Z F00064)

**Option 3:** ACA Employee Load: Required only if medical plan runs on a fiscal year or Benefits Module is setup mid-calendar year. Includes: Importing Effective Date, ACA Status, Minimum Value Provided, Cost of Employee-only Coverage for current calendar year

Client Elects: \$500 Conversion Fee (SCN: 4Z F00063)

## C. Self Funded / Self Insured Plan Support

**Option 1:** Client does not have a Self Funded/ Self Insured Medical Plan OR already has an ACA Approved Benefits Module prior to 1/1/15

Check here if client has a Fully Insured medical plan OR had the ADP Benefits Module active as of 1/1/15

**Option 2:** ACA Dependent Load: Required only if Self Funded/Self Insured plans AND client is implementing an ADP Benefits Module mid-calendar year. Includes: Importing Effective Date, Covered Dependents and prior plan creation (if applicable) going back to beginning of current calendar year

Client Elects: \$500 Conversion Fee (SCN: 4Z F00065)

## D. Lite ACA Year 1 Assistance

**Option:** Lite Essential ACA: Client will be responsible for all data entry of required information for 1094/1095C forms into Lite Essential ACA solution

Client Elects: One time charge of \$20 Base fee and \$1.50 per form filed (SCN: F01902)

Current Platform: V 8

The following Terms & Conditions apply only if client selects Option 3, 4 or 5 in Section A above.

**Terms and Conditions:** Changes in project scope and/or unforeseen internal/external issues such as delays beyond ADP control may impact completion date and project cost. Prices for the Statement of Work ("SOW") as set on the effective date shall not change, but any changes or additions to the SOW shall be subject to price changes in the normal course of business, at ADP's discretion.

Upon completion of the services under this SOW, Client will immediately notify ADP if the services and deliverables outlined in this SOW have not been satisfactorily delivered. Services, including any deliverable, provided under this SOW will be deemed accepted by Client unless Client notifies ADP within 10 business days of the date of completion of such services.

In the event that Client terminates this SOW or the Agreement and work hereunder has already commenced, Client agrees that it is responsible for all costs and fees incurred by ADP prior to the effective date of such termination and such amounts shall be due and payable by Client to ADP within 5 days of receipt of invoice.

This SOW is an addendum to the Major Accounts Agreement or similar agreement for the provision of services by ADP executed by the parties and is incorporated by reference as if fully set forth herein. All other terms and conditions of the Agreement shall remain in full force and effect. In the event of any conflict between the terms and conditions of this SOW and the terms and conditions of the Agreement, this Addendum shall prevail. The terms defined in the Agreement and used in this SOW shall have the same respective meanings as set forth in the Agreement, unless clearly otherwise defined in this SOW.

\*This proposal expires thirty (30) days after Proposal Date if not signed by Client. Options & Rates above only apply to companies with up to 999; Valid through 9/25/2015.

ADP Sales Associate: Bryan Clayton	Date: 8/5/15	Client Authorization:	Date:
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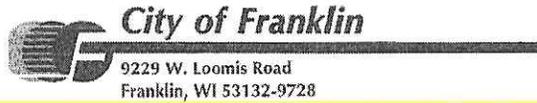
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<b>APPROVAL</b> <i>slw</i>	<b>REQUEST FOR COUNCIL ACTION</b>	<b>MEETING DATE</b> <b>08/18/15</b>
<b>LICENSES AND PERMITS</b>	<b>MISCELLANEOUS LICENSES</b>	<b>ITEM NUMBER</b> <b>H.1.</b>

See attached list from meeting of August 18th, 2015.

**COUNCIL ACTION REQUESTED**



**City of Franklin**

9229 W. Loomis Road  
Franklin, WI 53132-9728

414-425-7500

**License Committee  
Agenda\*  
Aldermen's Room  
August 18th, 2015 – 5:30 pm**

<b>1.</b>	<b>Call to Order &amp; Roll Call</b>	<b>Time:</b>		
<b>2.</b>	<b>Applicant Interviews &amp; Decisions</b>			
<b>License Applications Reviewed</b>		<b>Recommendations</b>		
<b>Type/ Time</b>	<b>Applicant Information</b>	<b>Approve</b>	<b>Hold</b>	<b>Deny</b>
Operator – New 2015-16 5:35 p.m.	<b>Karly R Jones</b> 2030 N Oakland Ave #308 Milwaukee, WI 53202 Milwaukee Burger Company			
Operator – New 2015-16 5: 40 p.m.	<b>Kathryn L Rohloff</b> 4121 W Barnard Ave Greenfield, WI 53221 Milwaukee Burger Company			
Operator – New 2015-16 5:45 p.m.	<b>Jason E Orlando</b> 8161 S 76 <sup>th</sup> St Franklin, WI 53132 7 Eleven			
Operator – New 2015-16	<b>Janine M Adamczyk</b> 3217 W Verona Ct Milwaukee, WI 53215 Polish Center			
Operator – New 2015-16	<b>Michael K Anders</b> S70W13749 Tess Corners Dr Muskego, WI 53150 Romey's Place			
Operator – New 2015-16	<b>Anthony S Galewski</b> 1410 W Lois Ln Oak Creek, WI 53154 Kwik Trip #287			
Operator – New 2015-16	<b>Gloria J Grabarczyk</b> 7467 S 69 <sup>th</sup> St Franklin, WI 53132 Franklin Lioness Club			
Operator – New 2015-16	<b>Andrew R Hushek</b> 5315 W Arizona St Milwaukee, WI 53219 Hales Corners-Franklin VFW Post #10394			
Operator – New 2015-16	<b>Henry Matecki</b> 7350 S Lovers Lane, #246 Franklin, WI 53132 Polonia Sports Club			
Operator – New 2015-16	<b>Barbara M Jakubczak</b> 5003 S 26 <sup>th</sup> St Milwaukee, WI 53221 Polonia Sports Club			
Operator – New 2015-16	<b>Kaitlyn A Sutton</b> 8018 Appletree Lane Waterford, WI 53185 Irish Cottage			

<b>Temporary Class B Beer</b>	<b>Franklin Lioness Club</b> Person in Charge: Jacqueline Glanzmann Event: St Martins Fair Event Dates: September 6 & 7, 2015			
<b>Temporary Class B Beer</b>	<b>Hales Corners-Franklin VFW Post #10394</b> Person in Charge: Andrew Hushek Event: St. Martins Fair Event Dates: September 6 & 7, 2015			
<b>Temporary Entertainment &amp; Amusement</b>	<b>Hales Corners-Franklin VFW Post #10394</b> Person in Charge: Andrew Hushek Location: 11300 W Church St Date of Event: September 6 & 7, 2015			
<b>Temporary Class B Beer</b>	<b>St Martin of Tours Parish</b> Person in Charge: Jeanne Johnson Event: Oktoberfest Event Dates: October 17, 2015			
<b>Temporary Entertainment &amp; Amusement</b>	<b>St Martin of Tours Parish- Oktoberfest</b> Person in Charge: Jeanne Johnson Location: 7963 S. 116 <sup>th</sup> St Date of Event: 10/17/2015			
<b>Extraordinary Entertainment &amp; Amusement</b>	<b>The Rock Sports Complex</b> Person in Charge: Scot Johnson Event: Summer Concert Series Dates of Event: Saturdays, 06/06/15 - 09/12/15			
<b>Daycare 2015-16</b>	<b>Academy of Preschool Learning</b> 9501 W Drexel Ave Nadeen Balsis, Manager			
<b>3.</b>	<b>Adjournment</b>			
				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.

<b>APPROVAL</b> <i>slw Paul</i>	<b>REQUEST FOR COUNCIL ACTION</b>	<b>MEETING DATE</b> <b>8/18/15</b>
<b>Bills</b>	<b>Vouchers and Payroll Approval</b>	<b>ITEM NUMBER</b> <b>I. 1</b>

Attached are vouchers dated August 4, 2015 through August 13, 2015 Nos. 157447 through Nos. 157629 in the amount of \$ 616,032.89. Included in this listing are EFT's Nos. 2938 through Nos. 2945 and Library vouchers totaling \$ 10,579.41. Voided checks in the amount of \$ (560.69) are separately listed.

Early release disbursements under Resolution 2013-6920 in the amount of \$ 433,772.81 are provided on a separate listing and are also included on the complete disbursement listing.

The net payroll dated August 7, 2015 is \$ 354,150.21, previously estimated at \$ 364,000.00. Payroll deductions for August 7, 2015 are \$ 201,361.74, previously estimated at \$ 208,000.00.

The estimated payroll for August 21, 2015 is \$ 360,000.00 with estimated deductions of \$ 370,000.00.

Attached is a list of property tax refunds and settlements Nos. 14884 through Nos. 14885 with EFT Nos. 64 through Nos. 70 dated August 4, 2015 through August 13, 2015 the amount of \$ 8,038,597.43.

These disbursements has been released as authorized under Resolution 2013-6920.

Black Diamond Group was awarded a contract to pave the Hike Bike Trail near St Martins. This work is scheduled for completion in August 2015 and will preserve Park Impact fees from being rebated if paid in August 2015.

**COUNCIL ACTION REQUESTED**

Motion approving net general checking account City vouchers in the range of Nos. 157447 through Nos. 157629 in the amount of \$ 616,032.89 dated August 4, 2015 through August 13, 2015.

Motion approving the net payroll dated August 7, 2015 in the amount of \$ 354,150.21 and payments of the various payroll deductions in the amount of \$ 201,361.74 plus any City matching payments, where required.

Motion approving the net payroll dated August 21, 2015 estimated at \$ 360,000.00 and payments of the various payroll deductions estimated at \$ 370,000.00, plus any City matching payments, where required.

Motion approving property tax refunds and settlements in the amount of \$ 8,038,597.43 dated August 4, 2015 through August 13, 2015.

Motion to approve payment to Black Diamond Group Inc as may be requested by the City Engineer, excluding retainage per the contract, for the contract to pave the Bike and Hiking Trail for work performed in August or scheduled in August and delayed by unforeseen circumstances but secured by a performance bond.