

**CITY OF FRANKLIN
COMMON COUNCIL MEETING
FRANKLIN CITY HALL COMMON COUNCIL CHAMBERS
9229 WEST LOOMIS ROAD, FRANKLIN, WISCONSIN
AGENDA*
TUESDAY, DECEMBER 15, 2015
AT 6:30 P.M.**

- A. Call to Order and Roll Call.
- B. Mayoral Announcements:
1. Citizen Comment Period.
 2. A Resolution Accepting the Generous Donation of Office Furniture from the Facility Operations Division of Northwestern Mutual
- C. Approval of Minutes:
December 1, 2015 Common Council Meeting.
- D. Public Hearings - Proposed ordinance to amend the City of Franklin 2025 Comprehensive Master Plan to change the Future Land Use Map use designation for property located at approximately 7700 West Faith Drive, from Institutional Use to Residential Use (Rick J. Przybyla, President of Creative Homes, Inc., applicant). The property which is the subject of this application bears Tax Key No. (a part of) 792-9984-001, consisting of approximately 0.3875 total acres of land. This public hearing is being held pursuant to the requirements of Wis. Stat. § 66.1001(4)(d).
- E. Organizational Business.
- Boards and Commission Appointments:
1. Rebecca Specht, 3185 West Yorkshire Circle, Ald. Dist. 4 – Board of Public Works (expiring 4/30/2018, 3 year term)
 2. Appointment of Inspectors of Election for 2016-2017.
- F. Letters and Petitions.
- G. Reports and Recommendations:
1. Consent Agenda:
 - (a) Geographic Marketing Advantage, LLC Agreement for Geographic Information System (GIS) Support and Database Maintenance Services for 2016.
 - (b) An Extension of Towing Contract for 2016.
 - (c) Authorization for the Department of Public Works to Sell a Surplus Vehicle and Equipment.
 - (d) A Donation from Franklin Lions Club Foundation in the amount of \$250.00 to St. Martins Fair.
 - (e) A Donation from Franklin Lions Club Foundation in the amount of \$400.00 to the Fire Department.
 2. An Ordinance to Amend the City of Franklin 2025 Comprehensive Master Plan to Change

- the City of Franklin 2025 Future Land Use Map for Property Located at Approximately 7700 West Faith Drive Institutional Use to Residential Use (Approximately 0.3875 Acres) (Rick J. Przybyla, President of Creative Homes, Inc., Applicant).
3. An Ordinance to Amend the Unified Development Ordinance (Zoning Map) to Rezone a Certain Parcel of Land from I-1 Institutional District to R-6 Suburban Single-Family Residence District (7700 West Faith Drive) (Approximately 0.3875 Acres) (Creative Homes, Inc.).
 4. A Resolution to Amend Resolution No. 477 Imposing Conditions and Restrictions for the Approval of a Special Use and Site Plan Amendment Resolution Nos. 2000-10, 2003-001, 2004-001 and 2014-008, and any Other Amendments to Date, for Property Located at 9775 South 60th Street, to Allow for the Construction of a Metal Building Addition, Rail Building Addition and Mump Room Addition to the Existing Strauss Brands Incorporated Building (Randal Strauss, President, Strauss Brands Incorporated, Applicant).
 5. A Resolution Imposing Conditions and Restrictions for the Approval of a Special Use for a Dogs and Other Pet Animals Day Care Services Business Use Upon Property Located at 7140 South 76th Street (Greenlin Boarding & Grooming, Inc., Monica Polchert, COO, Applicant).
 6. Request from Fire Department for Approval to Purchase Seven Additional Sets of Ballistic Protective Equipment (BPE) Through use of Unrestricted Contingency Funds, in an Effort to Better Prepare for "Active Shooter" Type Mass-Casualty Events.
 7. A Resolution Authorizing Certain Officials to Execute an Agreement to Continue Professional Environmental Engineering Services to Monitor Compliance at the Metro Recycling & Disposal Facility to December 31, 2016, with JSA Civil Environmental Engineers, Inc.
 8. W. College Avenue Path (S. 27th Street to S. 35th Street).
 9. Status of Parks, Playgrounds and Land for Athletic Fields Impact Fee Funds and Related Capital Expenditures.
 10. Conveyances to the City of Franklin and the Milwaukee Area Land Conservancy ("MALC") by the Milwaukee Metropolitan Sewerage District with Participation by the Wisconsin Department of Natural Resources of Parcels of Land Acquired Pursuant to the Milwaukee Metropolitan Sewerage District and The Conservation Fund Greenseams® Program Participation and Potential Conveyance to the Wisconsin Department of Natural Resources by the Milwaukee Metropolitan Sewerage District of Certain of the Program Parcels (MMSD provided prior private property owner names and approximate acreage and City Assessor file record documents and GIS information tax key nos.: to WIDNR: Dumke/Olsen 33.24 acres 844 9997 000; Katzman 11.14 acres 844 9996 000; Franklin DC 10.05 acres 844 9998 000; to MALC: Hack 49.89 acres 889 9990 000; Franklin DC 44.33 acres 890 9990 000; St. Sava 23.55 acres 890 9999 000; Radicevich 15.68 acres 886-9998-000; to Franklin: St. Nikola 17.33 acres 787 9992 000).
 11. Approval to Proceed with Proposals for a Video Conferencing System at City Hall and/or a Replacement Sound System for the Common Council Chambers by Carrying-Forward 2015 Contingency Appropriations to 2016.
 12. Carryover of 2015 Information Services Related Capital Outlay and Capital Improvement Items to the 2016 Budget Year.
 13. Authorization to Retain a Part-Time Building Inspector.

14. Labor Contract Negotiations and Collective Bargaining Strategies and Guidelines. The Common Council may enter closed session pursuant to Wis. Stats §19.85 (1)(c) and (e) to consider negotiation and collective bargaining strategies and guidelines for agreements between the City of Franklin and the Franklin Police Officers Association and the Franklin Professional Firefighters Association Local 2760 I.A.F.F. for competitive and bargaining reasons and to reenter open session at the same place thereafter to act on such matters discussed therein as the Common Council deems appropriate.

H. Licenses and Permits.
Miscellaneous Licenses.

I. Bills.
Vouchers and Payroll approval.

J. Adjournment.

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

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

REMINDERS:

December 17	Plan Commission	7:00 p.m.
December 24 & 25	City Hall Closed	
December 31 & January 1	City Hall Closed	
January 5	Common Council Meeting	6:30 p.m.
January 7	Plan Commission	7:00 p.m.

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<p>APPROVAL</p> <p><i>slw</i> </p>	<p>REQUEST FOR COUNCIL ACTION</p>	<p>MEETING DATE</p> <p>12/15/2015</p>
	<p>A Resolution Accepting the Generous Donation of Office Furniture from the Facility Operations Division of Northwestern Mutual</p>	<p>ITEM NUMBER</p> <p><i>B.2.</i></p>

In November, the City of Franklin was notified by the Facility Operations Division of Northwestern Mutual that they had a large quantity of office furniture/equipment that they were no longer needing and available to the City and other non-profit organizations as a donation by Northwestern Mutual.

The City was able to pick up high-quality pieces of office furniture/equipment, including being able to fill the newly completed Sewer & Water Facility with needed office desks, conference tables, and filing cabinets, saving the City tremendous amounts of money.

Below is a complete list of the office furniture and equipment acquired by the City of Franklin through the generous donation of Northwestern Mutual:

- 4 office desks
- 5 office tables
- 3 conference tables
- 51 file cabinets
- 1 large credenza
- 1 small credenza
- 1 armoire
- 3 wooden computer stands/phone tables
- Supplies for 6 work stations

The City of Franklin is fortunate to have Northwestern Mutual Franklin Campus as one of its most prestigious business entities.

COUNCIL ACTION REQUESTED

Motion to adopt Resolution No. 2015-____, A Resolution Accepting the Generous Donation of Office Furniture from the Facility Operations Division of Northwestern Mutual.

STATE OF WISCONSIN : CITY OF FRANKLIN : MILWAUKEE COUNTY

RESOLUTION NO. 2015-_____

A RESOLUTION ACCEPTING THE GENEROUS DONATION OF OFFICE FURNITURE
FROM THE FACILITY OPERATIONS DIVISION OF NORTHWESTERN MUTUAL

WHEREAS, the City of Franklin is fortunate to have the Franklin campus of Northwestern Mutual, an industry leader of insurance and investment solutions, as part of its prestigious business family; and

WHEREAS, Northwestern Mutual is among the "World's Most Admired" life insurance companies and ranked among the "Top 10" independent investment broker-dealers; and

WHEREAS, Northwestern Mutual is one of the largest corporate givers in Wisconsin, donating more than \$283 million to nonprofits nationwide since Northwestern Mutual Foundation's inception in 1992; and

WHEREAS, the City of Franklin recently experienced firsthand just another example of Northwestern Mutual's way of giving back to the community when notified of a large quantity of office furniture being offered as donations by Northwestern Mutual; and

WHEREAS, the City of Franklin was able to fill the newly completed Sewer & Water Facility building with office desks, tables, a conference table, and numerous file cabinets—saving the City tremendous amounts of money; and

WHEREAS, below is a complete list of the high-quality office furniture the City was able to acquire as a donation from the Facility Operations Division of Northwestern Mutual:

4 office desks	5 office tables	Supplies for 6 work stations
3 conference tables	1 large credenza	1 small credenza
51 file cabinets	1 armoire	3 wooden computer stands/phone tables

WHEREAS, the City of Franklin is greatly appreciative and thankful to Northwestern Mutual on their generous donation of office furniture.

NOW, THEREFORE, BE IT RESOLVED BY THE Mayor and Common Council of the City of Franklin, Wisconsin, to accept the generous donation of office furniture from the Facility Operations Division of Northwestern Mutual and to gratefully extend a sincere thank you to Northwestern Mutual.

Introduced at a regular meeting of the Common Council of the City of Franklin this 15th day of December, 2015 by Alderman _____.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this 15th day of December, 2015.

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES ___ NOES ___ ABSENT ___

OF THE ISSUANCE OF AN OCCUPANCY PERMIT (THE LASALLE GROUP, INC., APPLICANT). Seconded by Alderwoman S. Mayer. All voted Aye; motion carried.

SPECIAL USE 7140 S 76TH ST. (MONICA POLCHERT, COO, APPLICANT) G.3.

Alderman Schmidt moved to adopt a Resolution imposing conditions and restrictions for the approval of a special use for a Dogs and Other Pet Animals Day Care Services Business Use upon property located at 7140 South 76th Street (Greenlin Boarding & Grooming, Inc., Monica Polchert, COO, Applicant). Motion died due to a lack of a second. Alderwoman Wilhelm moved to suspend the regular order of business to allow applicant to speak. Seconded by Alderman Dandrea. All voted Aye; motion carried. Alderwoman Wilhelm moved to return to the regular order of business. Seconded by Alderwoman Schmidt. All voted Aye; motion carried.

Alderman Taylor moved to return this item to the December 15, 2015 Common Council meeting to give staff more time to review. Seconded by Alderman Schmidt. On roll call, Alderman Dandrea, Alderwoman Wilhelm, Alderman Taylor, Alderman Schmidt and Alderwoman S. Mayer voted Aye; Alderman D. Mayer voted No. Motion carried.

ORD. 2015-2199 AMEND UDO TO ALLOW FOR INSTALLATION OF MONUMENT SIGN & ELECTRONIC MESSAGE BOARD (ROBERT J BACH, APPLICANT) G.4.

Alderman Schmidt moved to adopt Ordinance No. 2015-2199, AN ORDINANCE TO AMEND SECTION 15-3.0420 OF THE UNITED DEVELOPMENT ORDINANCE PLANNED DEVELOPMENT DISTRICT NO. 15 (PARKWOOD LAKES APARTMENTS & LAKE TERRACE SENIORMINIUMS) TO ALLOW FOR THE INSTALLATION OF A MONUMENT SIGN AND ELECTRONIC MESSAGE BOARD (6751 AND 6771 SOUTH 68TH STREET) (ROBERT J. BACH, APPLICANT). Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.

NAMING DEDICATED TRAIL THROUGH SOUTHBROOK CHURCH PROPERTY 'ROBINWOOD TRAIL' G.5.

Alderman D. Mayer moved to preliminarily name the dedicated trail through the Southbrook Church property located at 11010 West St. Martins Road "Robinwood Trail" and publish the recommended name as a Class 2 notice, specifying a thirty (30) day public comment period in the City's official newspaper, in accordance with Resolution No. 2010-6634, A City Buildings, Parks and Facilities Naming Policy. Seconded by Alderman Taylor. All voted Aye; motion carried.

RECONSIDER RESTROOM AT MARKET SQUARE PARK (11230 W G.6.

Reconsider Restroom at Market Square Park. Alderman D. Mayer moved to reconsider and review three projects as discussed and return to the January 5, 2016 Common Council

- CHURCH ST) meeting. Seconded by Alderman Taylor. All voted Aye; motion carried.
- W. COLLEGE AVE. G.7. No action was taken on the status of West College Avenue
SIDEWALK STATUS sidewalk status (South 27th Street to South 35th Street). This item will
(S. 27TH TO S. 35TH ST.) be listed on the December 15, 2015 Common Council Agenda.
- KAYLA'S PLAYGROUND G.8. Status of Kayla's Playground was provided by City Engineer,
STATUS Glen Morrow. Alderman Taylor moved to table future status
reports of Kayla's Playground until action warrants. Seconded by
Alderman Dandrea. All voted Aye; motion carried.
- ORD. 2015-2200 G.9. Alderman Taylor moved to adopt Ordinance No. 2015-2200, AN
AMEND ORD. 2014-2152 ORDINANCE TO AMEND ORDINANCE 2014-2152, AN
2015 ANNUAL BUDGETS ORDINANCE ADOPTING THE 2015 ANNUAL BUDGETS
FOR THE GENERAL FUND FOR THE CITY OF FRANKLIN
FOR FISCAL YEAR 2015, TO REALIGN DEPT
APPROPRIATIONS, with the additional language put in
"Motion to adopt an Ordinance to amend Ordinance 2014-2152,
an Ordinance adopting the 2015 Annual Budgets for the General
Fund for the City of Franking for fiscal year 2015, to realign
appropriations to match service requirements, as presented with
the following additional to Section 1. Information Services
Personnel Decrease \$20,000 non-personnel increase \$20,000.
Seconded by Alderman Dandrea. All voted Aye; motion carried.
- AUDIT AGREEMENT G.10 Alderman Taylor moved to direct the Mayor, City Clerk and
WITH CLIFTON Director of Finance & Treasurer to execute the Audit Agreement
GUNDERSON LLP between Clifton Gunderson LLP and the City of Franklin for
audit of the City of Franklin for the year 2015. Seconded by
Alderwoman Wilhelm. All voted Aye; motion carried.
- CAPITAL OUTLAY G.11. Alderman Taylor moved to approve the plan to use \$10,000 in
APPROPRIATIONS FOR Capital Outlay appropriations in the Municipal Buildings
NEW CARPETING Department for new carpeting in the Planning Department and to
direct the Finance Director to bring forth a budget modification in
2016 that carries forward and re-appropriates said funding for that
purpose. Seconded by Alderwoman Wilhelm. On roll call,
Alderman Dandrea, Alderman D. Mayer, Alderwoman Wilhelm,
Alderman Taylor and Alderman Schmidt voted Aye;
Alderwoman S. Mayer voted No. Motion carried.
- NON-REPRESENTED G.12. Alderman Taylor moved to amend and adopt employee shares of
EMPLOYEES SHARE OF monthly health insurance premiums for non-represented
MONTHLY HEALTH employees, effective 1/1/16, at 13.5% with participation in the
INSURANCE PREMIUM Health Risk Assessment (HRA) and at 17.5% absent participation

in the HRA and authorize the Director of Administration to incorporate the amendment into the Employee Handbook and Civil Service Manual in a manner he shall determine is appropriate. Seconded by Alderwoman Wilhelm. On roll call, Alderman Dandrea, Alderwoman Wilhelm, Alderman Taylor, Alderman Schmidt and Alderwoman S. Mayer voted Aye; Alderman D. Mayer voted No. Motion carried.

LABOR CONTRACT
POLICE OFFICERS
ASSOC. &
PROFESSIONAL
FIREFIGHTERS ASSOC.

G.13. Alderman Taylor moved to table labor contract negotiations & guidelines between City of Franklin and Franklin Police Officers Association & Franklin Professional Firefighters Association Local 2760 until call of the Chair. Seconded by Alderwoman Wilhelm. All voted Aye, motion carried.

2016 PROPERTY AND
CASUALTY INSURANCE
COVERAGE

G.14. Alderman Taylor moved to withdraw the City's insurance policies from the Local Government Property Insurance Fund; authorize the Director of Administration to renew and execute the City's casualty insurance plans with R&R Insurance/League of Wisconsin Municipalities Mutual Insurance (LWMMI) and Chubb for the upcoming 2016 year; and including continuing the \$5,000 liability deductible with LWMMI; and to further authorize release of premium payments in accordance with or as required by said policy documents. Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.

Alderman Taylor moved to refer this for review to the Finance Committee for Request for Proposal review before it is brought before the Common Council next year. Seconded by Alderman Dandrea. All voted Aye; motion carried.

OPEB TRUSTEE TO FUND
REIMBURSEMENT OF
OPEB PLAN EXPENSES

G.15. Alderman Taylor moved to direct the City of Franklin Post-Employment Benefits Trustee to execute such required documents to fund the plan expenses for the months of November and December 2015 based upon the Actuarial Valuation Report for the fiscal year beginning January 1, 2016 and plan operating results through October 31, 2015. Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.

MONTHLY FINANCIAL
REPORT

G.16. Alderman Taylor moved to place on file the October 2015 Monthly Financial Report. Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.

LICENSES AND PERMITS

H.1. Alderman Dandrea moved to approve the following:
Grant Operators' Licenses to Rebecca Albert, 10125 W. St. Martins Rd., Franklin; Jean Heeti, 10125 W. St. Martins Rd., Franklin; and James Richter, 9012 W. Puetz Rd., Franklin; and

Hold the Operators' License applications of Holly Smith, 6410 W. Burdick Ave., Milwaukee; and Joshua Harju, 5401 S. Tuckaway Cir., #4, Greenfield, for appearance; and Approve the following PUBLIC (People Uniting for the Betterment of Life and Investment in the Community) Grant:

Fleet Reserve Association, Branch 14 – Scholarships
Franklin Civic Celebration
Franklin Fire Department – Safety Day 2016
Franklin Health Department – Safety City
Franklin Historical Society – Barn Restoration
Franklin Lions Club – Meetings & Fund Raisers
Franklin Park Concerts – Free Concerts
Franklin Police Department – National Night Out
St Martin of Tours – Fund Raisers
St Paul's Lutheran School – School Picnic
VFW Post 10394 (Franklin/Hales Corners) – Fund Raiser
Xaverian Missionaries – Annual Festival

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

VOUCHERS AND
PAYROLL

I.1. Alderman D. Mayer moved to approve net general checking account City vouchers in the range of Nos. 158713 through 158877 in the amount of \$838,643.26 dated November 13, 2015 through December 1, 2015. Seconded by Alderwoman S. Mayer. On roll call, all voted Aye. Motion carried.

Alderman Dandrea moved to approve net payroll dated November 27, 2015 in the amount of \$369,826.90 and payments of the various payroll deductions in the amount of \$434,113.85 plus any City matching payments where required. Seconded by Alderwoman S Mayer. On roll call, all voted Aye; motion carried.

Alderwoman S. Mayer moved to approve net payroll dated December 11, 2015 estimated at \$515,000.00 and payments of the various payroll deductions estimated at \$220,000.00 plus any City matching payments where required. Seconded by Alderman D. Mayer. On roll call, all voted Aye. Motion carried.

Alderman Schmidt moved to approve property tax disbursement in the amount of \$84.56 dated November 24, 2015. Seconded by Alderman D. Mayer. On roll call, all voted Aye. Motion carried.

ADJOURNMENT

J. Alderman Taylor moved to adjourn the meeting at 8:04 p.m. Seconded by Alderman D. Mayer. All voted Aye; motion carried.

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D.

CITY OF FRANKLIN
NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT THE COMMON COUNCIL OF THE CITY OF FRANKLIN will conduct a public hearing on Tuesday, December 15, 2015, at 6:30 p.m., or as soon thereafter as the matter may be heard, in the Common Council Chambers at the Franklin City Hall, 9229 West Loomis Road, Franklin, Wisconsin 53132, to hear public comment regarding a proposed ordinance to amend the City of Franklin 2025 Comprehensive Master Plan to change the Future Land Use Map use designation for property located at approximately 7700 West Faith Drive, from Institutional Use to Residential Use (Rick J. Przybyla, President of Creative Homes, Inc., applicant). The property which is the subject of this application bears Tax Key No. (a part of) 792-9984-001, consisting of approximately 0.3875 total acres of land. This public hearing is being held pursuant to the requirements of Wis. Stat. § 66.1001(4)(d). The public is invited to attend the public hearing and to provide input. The proposed ordinance to amend the City of Franklin 2025 Comprehensive Master Plan is available and open for inspection by the public in the Office of the City Clerk at Franklin City Hall, 9229 West Loomis Road, Franklin, Wisconsin 53132, during normal business hours. The proposed draft ordinance is also available and open for inspection by the public at the Franklin Public Library, 9151 West Loomis Road, Franklin, Wisconsin 53132, during normal business hours. In addition, the draft ordinance is available for review at www.franklinwi.gov. Any questions or comments about the proposed amendment to the Comprehensive Master Plan may be directed to Joel Dietl, City of Franklin Planning Manager, at 414-425-4024.

Dated this 29th day of October, 2015.

Sandra L. Wesolowski
City Clerk

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<p>APPROVAL</p> <p><i>Slw</i></p>	<p>REQUEST FOR COMMON COUNCIL ACTION</p>	<p>MEETING DATE</p> <p>12/15/2015</p>
<p>ORGANIZATIONAL BUSINESS</p>	<p>Board and Commission Appointments</p>	<p>ITEM NUMBER</p> <p><i>E.1.</i></p>

The following appointments have been submitted for Council confirmation:

Rebecca Specht, 3185 West Yorkshire Circle, Ald. Dist. 4 – Board of Public Works (expiring 4/30/2018, 3 year term).

Shirley Roberts

From: volunteerfactsheet@franklinwi.gov
Sent: Thursday, December 10, 2015 2:36 PM
To: Lisa Huening; Shirley Roberts; Sandi Wesolowski
Subject: Volunteer Fact Sheet

Name: Rebecca Specht
PhoneNumber: 8154946943
EmailAddress: becky@ra-specht.com
YearsasResident: 5
Alderman:
ArchitecturalBoard: 0
CivicCelebrations: 0
CommunityDevelopmentAuthority: 0
FinanceCommittee: 0
EnvironmentalCommission: 0
ForwardFranklinEconomicDevelopComm: 0
FairCommission: 0
BoardofHealth: 0
FirePoliceCommission: 0
ParksCommission: 0
LibraryBoard: 0
PlanCommission: 0
PersonnelCommittee: 0
BoardofReview: 0
BoardofPublicWorks: 1
BoardofWaterCommissioners: 0
TechnologyCommission: 0
WasteFacilitySitingCommittee: 0
BoardofZoning: 0
WasteFacilitiesMonitoringCommittee: 0
CompleteStreetsandConnectivityCommittee: 0
CompanyNameJob1: MMSD
TelephoneJob1: 414-225-2162
StartDateandPositionJob1: June 2019/ Senior Project Manager
EndDateandPositionJob1: Present/Senior Project Manager
CompanyNameJob2: Arnold Lundgren & Associates
TelephoneJob2: (815) 968-8881
StartDateandPositionJob2: June 2003/Project Engineer
EndDateandPositionJob2: Feb 2010/Project Engineer
CompanyNameJob3:

TelephoneJob3:

StartDateandPositionJob3:

EndDateandPositionJob3:

Signature:

Rebecca Specht

Date:

12/10/15

Signature2:

Rebecca Specht

Date2:

12/10/15

Address:

3185 West Yorkshire Circle, Franklin WI 53132

PriorityListing:

WhyInterested:

I feel that my experience working in the civil engineering field and at MMSD will provide a solid knowledge base to assist in making recommendations to help improve the city of Franklin.

CompanyAddressJob1:

260 West Seeboth Street, Milwaukee WI 53204

DescriptionofDutiesJob1:

Provide project management and resident engineering for capital studies, planning, design and construction in a manner that ensures the completion of projects on time and within budget. Projects involve the development of cost-effective solutions to sewerage, watercourse and water quality issues.

AddressJob2:

803 N Church St, Rockford, IL 61103

DescriptionofDutiesJob2:

Project engineer on site development and municipal projects which included research, design, construction oversight, and drafting. Designed roads, storm sewers, storm water management facilities, and filed associated permits with local and state agencies.

AddressJob3:

DescriptionofDutiesJob3:

-Received the award from ISPE for Young Engineer of the Year 2010 -Have a wide range of experience from the government agency and developers perspectives. -Was the assistant village engineer for the City of Roscoe IL while working at ALA -Highly enjoy completing my own home improvement projects

AdditionalExperience:

ClientIP:

162.211.3.4

SessionID:

urymmo45vxfg4155u4efp5je

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APPROVAL <i>Slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 12/15/2015
Reports and Recommendations	Appointments of Inspectors of Election	ITEM NUMBER <i>E.2.</i>
<p>Pursuant to §7.30(4), Stats., the following are appointments of inspectors of election and alternates for 2016-2018:</p>		
<p>Gail Ankerson Mary Armbruster Erin Arneson John Aschenbrenner Mike Barber Judy Herubin Jim Barnes Ann Barnes Jim Bartnicki Mary Barnicki Bernard Bellin Kathleen Bennett Timothy Bienzen Nannette Boinski Dorothy Bosch Carol Brunner Wesley D Cannon Janice L Collins Kenneth Cook Thea Flasch Yvonne Czajkowski Bonita Davids Laura Delonay Mary L. Demotto Verburgt Mary Dicks Carole Donovan Donna Erickson Patricia K Farchione Ray Fisher Carol Manning Lynn Szudrowitz Steve Beeck Gail Freitag Patricia Wiza</p>	<p>Chuck Fleischman Julie Marso Carolyn Fleischman Dan Fleischman Lois Fratrack Gerald K Freitag Marilyn Ganas Penny Garbisch Sandra Grabowski Patty Graef David Meister Greg Groth Sandy Groth Roger Hedrick Jacquelyn Ignatowski Ellen Jennings Joan Ziebart Shirley A Kammers Janice Kauth Dale Kazmierczak Sandra Meister Richard Koehler Shirley Koehler Coreen Mutranowski Phil Nickerson Roger Lange Cathy Lange Frank Levar Judy Brooks-Levar Layne Litwin Patti Logsdon Edward Konopka Ronald Freitag</p>	<p>Anita Nickerson James O'Malley Larry Gamble Edith Gamble Theresa Gamble Mary Schroeder Ellen Shiflet Theresa Smikowski Bernadine Poczekaj Ronald Reikowski Lynn Szudrowitz Kathy Ulbricht Judith White Joann Wice Wayne Witkowski Diane Schauer Marlene Magarich Kathy Maniaci Basil Ryan Karen Ryan Judy Witkowski Rae Ann Wood Pete Woodcock Penelope A. Woodcock Monica Scherffer-Henry Valori Schmidt Jaylene Wiese David Wilke Daniel Crass Donna Mae Rounds Marianne Odle Jean Konopka Dale Wiza</p>
<p align="center">COUNCIL ACTION REQUESTED</p>		
<p>Motion to confirm appointments of inspectors of election and alternates as submitted for 2016-2018.</p>		

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<p>APPROVAL</p> <p><i>Stw</i></p>	<p>REQUEST FOR COUNCIL ACTION</p>	<p>MEETING DATE</p> <p>12/15/2015</p>
<p>REPORTS & RECOMMENDATIONS</p>	<p>Geographic Marketing Advantage, LLC Agreement for Geographic Information System (GIS) Support and Database Maintenance Services for 2016</p>	<p>ITEM NUMBER</p> <p><i>G.I.A.</i></p>

Geographic Marketing Advantage, LLC has served as the City's primary consultant on its GIS system. City staff is very pleased with the performance of this company and its employees and is interested in continuing this relationship for an additional year. The owner, Todd Niedermeyer, and his employee, Brian Fausel, have been very responsive in addressing our needs and very dedicated to continuing to move GIS forward. They have also been very active and proactive in working to help address the transition from EditApp, the customized software that controls data distribution between Govern and GIS.

Staff seeks authority to execute a contract extending the term through 2016 and adjusting the rates by 2.75% effective January 1, 2016. The requested 2.75% rate adjustment is in line with the adopted budget. Other than the rate adjustments, the 2016 contract would be in the same form as for the current year.

The contract would reflect the 2016 budget as approved and, in general, is funded approximately 80% by the General Fund with approximately 20% split between the Sewer and Water Funds. A marked-up copy of the current contract is attached for your convenience.

Staff recommends approval.

COUNCIL ACTION REQUESTED

Motion to authorize the Director of Administration to execute a contract with Geographic Marketing Advantage, LLC for Geographic Information System Support and Database Maintenance Services in a form substantially equivalent to the 2015 contract but incorporating a 2.75% rate increase effective January 1, 2016.

PROFESSIONAL SERVICES AGREEMENT

This AGREEMENT, made and entered into this _____ day of _____, ~~2014~~2015, between the City of Franklin, 9229 West Loomis Road, Franklin, Wisconsin 53132 (hereinafter "CLIENT") and Geographic Marketing Advantage, LLC, a Wisconsin Limited Liability Corporation (hereinafter "CONSULTANT"), whose principal place of business is 8757 W. Elm Ct, Franklin, WI 53132.

WITNESSETH

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

WHEREAS, in the judgment of CLIENT, it is necessary and advisable to employ CONSULTANT in connection with outsourcing the design, development, and operation of an enterprise GIS for the City of Franklin.

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

I. BASIC SERVICES AND AGREEMENT ADMINISTRATION

- A. CONSULTANT shall provide services to CLIENT for the continuation of services for operation and support of the City of Franklin's GIS and for performing updates and maintenance to the GIS database. Services to be provided under this AGREEMENT are provided in Attachment A.
- B. CONSULTANT shall serve as CLIENT's professional representative in matters to which this AGREEMENT applies, and will give consultation and advice to CLIENT during the performance of said services. CONSULTANT may employ the services of outside consultants and subcontractors when deemed necessary by CONSULTANT to complete work under this AGREEMENT.
- C. CONSULTANT is an independent contractor and all persons furnishing services hereunder are employees of, or independent subcontractors to, CONSULTANT and not of CLIENT. All obligations under the Federal Insurance Contribution Act (FICA), the Federal Unemployment Tax Act (FUTA), and income tax withholding are the responsibility of CONSULTANT as employer. CLIENT understands that express AGREEMENTS may exist between CONSULTANT and its employees regarding extra work, competition, and nondisclosure.
- D. During the term of this AGREEMENT and throughout the period of performance of any resultant AGREEMENT, including extensions, modifications, or additions thereto, and for a period of one (1) year from the conclusion of such activity, the parties hereto agree that neither shall solicit for employment any technical or professional employees of the other without the prior written approval of the other party.

- E. CONSULTANT maintains certain copyrighted source documents that are subject to periodic independent evaluation and updates. CONSULTANT reserves the right to use copyrighted source documents and be compensated for such use, in an amount as mutually agreed upon, when it is necessary or convenient to accomplish the Basic Services covered by this AGREEMENT, and the fee for such use would be less than or equal to the cost of providing the same service through the creation of original source documents. For all copyrighted works provided to CLIENT, CONSULTANT grants CLIENT permission to reproduce such works in any manner; prepare derivative works; and lend, lease, rent, or transfer ownership to any private or public entity involved with the operation, financing, and use of the City of Franklin GIS. CLIENT agrees that the use of materials prepared from copyrighted source documents will be limited to the project needs encompassed by this AGREEMENT. Use of materials prepared from copyrighted source documents for other purposes shall be limited to reproduction for criticism, comment, news reporting, teaching, scholarship, research, or similar activities covered by the "fair use" principles of the copyright law. All copyrighted source documents will be clearly marked by the CONSULTANT.

II. FEES AND PAYMENTS

CLIENT agrees to pay CONSULTANT, for and in consideration of the performance of Basic Services further described in Attachment A for a total not-to-exceed cost in the amount of ~~\$124,850~~128,839, in accordance with Attachment "B" and subject to the terms detailed below:

- A. CONSULTANT may bill CLIENT and be paid for all work satisfactorily completed hereunder on a monthly basis. CLIENT agrees to pay undisputed CONSULTANT's invoice within 30 days of invoice date for all approved work.
- B. CONSULTANT will invoice CLIENT on an hourly basis for tasks identified in Attachment A. Total cost will not exceed ~~\$120,488~~128,839 unless changes to the project budget are specifically agreed upon by CONSULTANT and CLIENT and documented in writing. For services rendered, invoices will clearly state the percentage of work completed and the fee earned.
- C. In consideration of the faithful performance of this AGREEMENT, the CONSULTANT will not exceed the fee for Basic Services and expenses without written authorization from CLIENT to perform work over and above that described in the original AGREEMENT.
- D. Should CLIENT find deficiencies in draft and final reports, it will notify CONSULTANT in writing within thirty (30) days of receipt of report and the CONSULTANT will remedy the deficiencies within thirty (30) days of receiving CLIENT's review.
- E. CONSULTANT shall not initiate any services prior to January 1, ~~2015~~2016 and shall complete all services covered by this AGREEMENT by December 31, ~~2015~~2016, excepting for delays caused through no fault of the CONSULTANT or except when continued month-to-month as provided for herein.

III. MODIFICATION AND ADDITIONAL SERVICES

- A. CLIENT may, in writing, request changes in the Basic Services required to be performed by CONSULTANT under this AGREEMENT. Upon acceptance of the request of such changes, CONSULTANT shall submit a "Change Order Request Form" to CLIENT for authorization and notice to proceed signature and return to CONSULTANT. Should any such actual changes be made, an equitable adjustment as mutually agreed upon will be made to compensate CONSULTANT for any incremental labor or direct costs. Any claim by CONSULTANT for adjustments hereunder must be made to CLIENT in writing no later than forty-five (45) days after receipt by CONSULTANT of notice of such changes from CLIENT.
- B. CLIENT and CONSULTANT reserve the right to subsequently amend this AGREEMENT to include additional services. Compensation and schedule for completion for additional services will be as agreed by CLIENT and CONSULTANT prior to the start of work on said additional services and may be incorporated as an Addendum to this AGREEMENT.

IV. ASSISTANCE AND CONTROL

- A. Todd Niedermeyer, or designee, will perform the work of the CONSULTANT, and be solely responsible for communication within the CLIENT's organization as related to all issues originating under this AGREEMENT.
- B. CLIENT will timely provide CONSULTANT with all available information concerning PROJECT as deemed necessary by CONSULTANT.
- C. CONSULTANT will appoint, subject to the approval of CLIENT, Todd Niedermeyer as CONSULTANT's Project Manager and other key providers of the Basic Services. Substitution of other staff may occur only with the consent of CLIENT.
- D. CONSULTANT shall maintain all records pertaining to this AGREEMENT until at least three (3) years following its completion of the services hereunder and CLIENT shall have the right to inspect and copy such records upon request.

V. TERMINATION

- A. This AGREEMENT may be terminated by either party to this AGREEMENT upon thirty (30) days written notice. Upon such termination by CLIENT, CONSULTANT shall be entitled to payment of such amount as shall fairly compensate CONSULTANT for all work performed and expenses incurred up to the date of termination, except that no amount shall be payable for any losses of revenue or profit from any source outside the scope of this AGREEMENT, including but not limited to, other actual or potential AGREEMENTs for services with other parties.

- B. In the event that this AGREEMENT is terminated for any reason, CONSULTANT shall deliver to CLIENT all data, reports, summaries, correspondence, and other written, printed, or tabulated material pertaining in any way to Basic Services that CONSULTANT may have accumulated. Such material is to be delivered to CLIENT whether in completed form or in process. CLIENT shall hold CONSULTANT harmless for any work that is incomplete due to early termination.
- C. The rights and remedies of CLIENT and CONSULTANT under this section are not exclusive and are in addition to any other rights and remedies provided by law or appearing in any other article of this AGREEMENT.

VI. INSURANCE

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

A. Limit of General/Commercial Liability	\$1,000,000
B. Automobile Liability: Bodily Injury/Property Damage	\$1,000,000
C. Workers' Compensation and Employer's Liability	Per Statute
D. Professional Liability	\$1,000,000

Upon the execution of this AGREEMENT, CONSULTANT shall supply CLIENT with a suitable statement certifying said protection and defining the terms of the policy issued, which shall specify that such protection shall not be cancelled without thirty (30) calendar days written notice to CLIENT.

The CONSULTANT agrees, to the fullest extent permitted by law, to indemnify, defend, and hold harmless the CLIENT from any damage, liability or cost, including reasonable attorney's fees and costs of defense, arising from any negligent or intentional and wrongful act or omission of CONSULTANT.

VII. TIME FOR COMPLETION

Subject to the conditions of Section II E., CONSULTANT shall commence immediately upon receipt of a Notice to Proceed to complete all work required herein. The CONSULTANT shall exert all reasonable effort to adhere to the services in Attachment A except that the services may be notified with the approval of CLIENT and shall be extended day for day for any delay introduced during CLIENT's review of products or in the general conduct of the project.

VIII. DISPUTES

This AGREEMENT shall be construed under and governed by the laws of the State of Wisconsin. The venue for all 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.

IX. CONFIDENTIALITY

CONSULTANT shall keep confidential, except as may be required to perform its obligations under this AGREEMENT, any and all confidential information of the CLIENT of which the CONSULTANT has knowledge, possession, or to which the CONSULTANT has access. This confidentiality obligation shall survive the termination of this AGREEMENT.

X. TERM

This AGREEMENT shall cover a period including all of calendar year ~~2015-2016~~ and shall continue thereafter on a month-to-month basis, at the fixed hourly rates provided for herein, until such time that the AGREEMENT is terminated, as provided for herein, or modified or extended by a separate, future AGREEMENT.

XI. AMMENDMENTS TO THE AGREEMENT

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

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

City of Franklin, Wisconsin

Geographic Marketing Advantage, LLC

BY: _____

BY: _____

PRINT NAME: Mark W. Luberda

PRINT NAME: Todd Niedermeyer

TITLE: Director of Administration

TITLE: President, Sole Member

DATE: _____

DATE: _____

Attachment A

Continued GIS Support and Services for 20152016

On-Site Management and Technical Support of GIS Operation

- Monitor EditApp to determine continued effectiveness and operability and to participate, including testing and development review, in capital projects to join Govern and ESRI through a methodology as determined.
- Continue communications and coordination with the City's Administration and Information Technology Support Providers
- Provide technical and programming services as needed by the City
- Setup login parameters for ArcGIS licenses
- Support database management
- Evaluate data quality and data errors
- Provide GIS user support
- Produce product to support special requests, including but not limited to map development.
- Provide continued documentation, instruction and training
- Installation of software and software updates
- Load new and revised GIS data
- Provide other support as needed by the City
- Provide training on GIS applications and tools, including website tools
- Perform GIS database updates and maintenance, including related applications such as but not limited to Signview and Sewerview (Note: City staff will also continue to perform similar and related tasks. As such, Contractor will be evaluated on this aspect based upon their accuracy and productivity in performance of this contracted service.)
- Work with ESRI and Cartegraph Products and Services
- Help develop, support, and promote additional GIS applicability and use throughout City Departments.
- Maintenance and continued development, with approval of the Director of Administration, of the web-based GIS portal used for public access to mapping services.

Attachment B

**Geographic Marketing Advantage, LLC
TOTAL "NOT TO EXCEED" BUDGET
for
Continued On-Site Support Services And
GIS Database Updates and Maintenance**

Service	Approx. Number of Hours Per Week	Approx. Number of Weeks	Approx. Total Hours	Fixed Hourly Rate	Budget
On-Site Administrative and Project Management Support of GIS Operations (Project Manager)	16	50	800	\$ 88.68 <u>91.12</u>	\$ 70,944 <u>72,896</u>
Technical and Mapping Support	16	50	800	\$ 61.93 <u>63.63</u>	\$ 49,544 <u>50,904</u>
Total Estimated Expenditure					\$ 120,488 <u>123,800</u>
Available for Additional Services Authorized in Writing					\$ 4,362 <u>5,039</u>
Total "Not to Exceed"					\$ 124,850 <u>128,839</u>

<p>APPROVAL</p> <p><i>Slw</i></p>	<p>REQUEST FOR COMMON COUNCIL ACTION</p>	<p>MEETING DATE</p> <p>12/1/2015</p>
<p>REPORTS AND RECOMMENDATIONS</p>	<p>Extension of Towing Contract for 2016</p>	<p>ITEM NUMBER</p> <p><i>G.I.B.</i></p>

In March 2012, the Common Council awarded a 3-year towing contract to N & S Towing, Inc. and as permitted by the Contract, the City has the right to extend the Contract for 3 one-year extensions.

In consideration of the high quality of prior service provided, it is the recommendation that N & S Towing, Inc. be awarded the towing contract extension for the period of March 1, 2016 through February, 28, 2017.

COUNCIL ACTION REQUESTED

Motion to award the towing contract extension to N&S Towing, Inc. for the period March 1, 2016 through February 28, 2017.

EXTENSION AGREEMENT TO VEHICLE TOWING AND STORAGE CONTRACT
BETWEEN THE CITY OF FRANKLIN AND N & S TOWING, INC.

This Extension Agreement to the Vehicle Towing and Storage Contract, effective the 1st day of March, 2016, is made between the City of Franklin ("City"), a Wisconsin municipal corporation, located at 9229 West Loomis Road, Franklin, Wisconsin, and N & S Towing, Inc. ("Contractor"), a Wisconsin corporation, with its principal offices located at 1719 South 83rd Street, West Allis, Wisconsin 53214.

Whereas, the City and Contractor entered into a Vehicle Towing and Storage Contract dated February 1, 2012, for a period of three years, expiring February 28, 2015; and

Whereas, Section 12 of the aforesaid Vehicle Towing and Storage Contract providing in part that the Contract may be extended upon the mutual agreement of the parties, and the City and Contractor being desirous of extending such Contract for a period of one year, as evidenced by action of the Common Council of the City approving said extension at its regular meeting of December 15, 2015; and

Whereas, the parties intend to memorialize their mutual agreement.

Now, therefore, it is hereby agreed, in consideration of the mutual promises and covenants set forth herein, and the exchange of other good and valuable consideration, receipt of which is hereby acknowledged, by and between the City and Contractor, as follows:

1. This Extension Agreement constitutes an additional one-year term extension of the Vehicle Towing and Storage Contract between the City and Contractor, dated March 1, 2012, as contemplated by Section 12 of the aforesaid Vehicle Towing and Storage Contract.
2. The term of this Extension Agreement shall expire on February 28, 2017.
3. All of the terms and provisions of the Vehicle Towing and Storage Contract between the City and Contractor, dated March 1, 2012, shall remain in full force and effect during the term of this Extension Agreement.

CITY OF FRANKLIN

Dated: _____

BY _____
Stephen R. Olson, Mayor

Dated: _____

BY _____
Sandra L. Wesolowski, City Clerk

Dated: _____

BY _____
Paul Rotzenberg, Director of Finance
and Treasurer

Dated: _____

BY _____
Jesse A. Wesolowski, City Attorney

N & S TOWING, INC.

Dated: _____

BY _____
TITLE _____

BY _____
TITLE _____

STATE OF WISCONSIN)
)
MILWAUKEE COUNTY)

Stephen R. Olson and Sandra L. Wesolowski, known to be the Mayor and City Clerk, respectively, of the City of Franklin personally came before me this ____ day of _____, 2015 who by its authority and on its behalf executed the foregoing instrument and acknowledged the same.

Notary Public, State of Wisconsin
My commission _____

STATE OF WISCONSIN)
):
MILWAUKEE COUNTY)

_____, known to be _____ and _____, respectively of N & S Towing, Inc. personally came before me this ____ day of _____, 2015 who by its authority and on its behalf executed the foregoing instrument and acknowledged the same.

Notary Public, State of Wisconsin
My commission _____

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APPROVAL <i>Slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 12/15/2015
REPORTS & RECOMMENDATIONS	Authorization For The Department Of Public Works To Sell A Surplus Vehicle and Equipment	ITEM NUMBER <i>G.I.C.</i>

At the November 10, 2015 Board of Public Works meeting board members authorized staff to post for sale the following items:

1. Unit #740, A 1995 Ford L8000 Tandem Axle Dump With Snowplow, 9' Patrol Wing
2. 10' Fox V-Box Slip-In Salt Spreader

Staff has posted each unit for sale on Wisconsin Surplus, an online auction website (www.wisconsin surplus.com). Staff also has the items displayed for sale along Ryan Rd in front of the Public Works Garage. Please note there is no cost to the City to sell the items through Wisconsin Surplus. The auction will close on December 17, 2015 at 10:00a.m. At that time staff will review the highest bids and if they are acceptable they will direct Wisconsin Surplus to sell the equipment to the highest bidder.

COUNCIL ACTION REQUESTED

Authorization for staff to review the highest bids received on the Wisconsin Surplus website and, if acceptable, sell the units.

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<p>APPROVAL</p> <p><i>Slw</i></p>	<p>REQUEST FOR COMMON COUNCIL ACTION</p>	<p>MEETING DATE</p> <p>12/01/2015</p>
<p>ORGANIZATIONAL BUSINESS</p>	<p>Donation to St. Martins Fair from Franklin Lions Club Foundation</p>	<p>ITEM NUMBER</p> <p><i>G.I.D.</i></p>

Accept the following donation for advertising for St. Martins Fair:

Franklin Lions Club Foundation - \$250.

Council Action:

Accept donation from Franklin Lions Club Foundation in the amount of \$250 for advertising for St. Martins Fair.

<p>APPROVAL</p> <p><i>slw</i></p>	<p>REQUEST FOR COUNCIL ACTION</p>	<p>MEETING DATE</p> <p>12-15-15</p>
<p>REPORTS AND RECOMMENDATIONS</p>	<p>Donation from Franklin Lions Club Foundation in the amount of \$400.00 to the Fire Department</p>	<p>ITEM NUMBER</p> <p><i>G.I.E.</i></p>

The Franklin Fire Department has received a donation from the Franklin Lions Club in the amount of \$400.00. The donation is intended to cover costs associated with a pilot CPR instruction program at Franklin High School, and will enhance FFD's ability to provide high-quality CPR instruction to the general public. Programs provided through partnerships such as this have an immediate and significant positive impact on the safety of the community; and help to further the Mission of the Franklin Fire Department.

COUNCIL ACTION REQUESTED

Request approval to accept \$400.00 donation from the Franklin Lions Club Foundation, to be used toward funding CPR instructional materials.

<p>APPROVAL</p> <p><i>slw</i></p>	<p>REQUEST FOR COUNCIL ACTION</p>	<p>MEETING DATE</p> <p>12/15/15</p>
<p>REPORTS & RECOMMENDATIONS</p>	<p>ORDINANCE TO AMEND THE CITY OF FRANKLIN 2025 COMPREHENSIVE MASTER PLAN TO CHANGE THE CITY OF FRANKLIN 2025 FUTURE LAND USE MAP FOR PROPERTY LOCATED AT APPROXIMATELY 7700 WEST FAITH DRIVE FROM INSTITUTIONAL USE TO RESIDENTIAL USE (APPROXIMATELY 0.3875 ACRES) (RICK J. PRZYBYLA, PRESIDENT OF CREATIVE HOMES, INC., APPLICANT)</p>	<p>ITEM NUMBER</p> <p><i>G.2.</i></p>

At its December 3, 2015, meeting the Plan Commission recommended approval of an ordinance to amend the City of Franklin 2025 Comprehensive Master Plan to change the City of Franklin 2025 Future Land Use Map for property located at approximately 7700 West Faith Drive from Institutional use to Residential use (approximately 0.3875 acres) (Rick J. Przybyla, President of Creative Homes, Inc., Applicant).

COUNCIL ACTION REQUESTED

A motion to adopt Ordinance No. 2015-_____, an ordinance to amend the City of Franklin 2025 Comprehensive Master Plan to change the City of Franklin 2025 Future Land Use Map for property located at approximately 7700 West Faith Drive from Institutional use to Residential use (approximately 0.3875 acres) (Rick J. Przybyla, President of Creative Homes, Inc., Applicant).

STATE OF WISCONSIN

CITY OF FRANKLIN

MILWAUKEE COUNTY

ORDINANCE NO. 2015-_____

AN ORDINANCE TO AMEND THE CITY OF FRANKLIN 2025
COMPREHENSIVE MASTER PLAN TO CHANGE THE CITY OF FRANKLIN
2025 FUTURE LAND USE MAP FOR PROPERTY LOCATED AT APPROXIMATELY 7700
WEST FAITH DRIVE FROM INSTITUTIONAL USE TO RESIDENTIAL USE
(APPROXIMATELY 0.3875 ACRES)
(RICK J. PRZYBYLA, PRESIDENT OF CREATIVE HOMES, INC., APPLICANT)

WHEREAS, pursuant to Wis. Stat. §§ 62.23(2) and (3) and 66.1001(4), the City of Franklin is authorized to prepare and adopt and to amend a comprehensive plan as defined in Wis. Stat. §§ 66.1001(1)(a) and 66.1001(2); and

WHEREAS, Rick J. Przybyla, President of Creative Homes, Inc. having applied for an amendment to the Comprehensive Master Plan to change the City of Franklin 2025 Future Land Use Map designation for property located at approximately 7700 West Faith Drive from Institutional Use to Residential Use; and

WHEREAS, the Plan Commission of the City of Franklin by a majority vote of the entire Commission on December 3, 2015, recorded in its official minutes, has adopted a resolution recommending to the Common Council the adoption of the Ordinance to Amend the City of Franklin 2025 Comprehensive Master Plan to change the City of Franklin 2025 Future Land Use Map for property located at approximately 7700 West Faith Drive, bearing Tax Key No. (a part of) 792-9984-001, consisting of approximately 0.3875 total acres of vacant land, from Institutional Use to Residential Use; and

WHEREAS, the City of Franklin held a public hearing upon this proposed Ordinance, in compliance with the requirements of Wis. Stat. § 66.1001(4)(d); the Common Council having received input from the public at a duly noticed public hearing on December 15, 2015; and

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

SECTION 1: The City of Franklin 2025 Comprehensive Master Plan is hereby amended to change the City of Franklin 2025 Future Land Use Map designation for property located at approximately 7700 West Faith Drive from Institutional Use to Residential Use. Such property is more particularly described within Ordinance No. 2015- _____ of even-date herewith.

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: i) its passage and publication; ii) Common Council approval of a Preliminary Plat, the application for which is on file and pending upon the date of adoption of this Ordinance, and the approval and recording of a Final Plat; and iii) Common Council approval of and the recording of a Conservation Easement protecting all natural resource features within 100-feet of the area described in Section 1 of this Ordinance.

Introduced at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2015, by Alderman _____.

Passed and adopted by a majority vote of the members-elect of the Common Council 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 _____

STATE OF WISCONSIN

CITY OF FRANKLIN
PLAN COMMISSION

MILWAUKEE COUNTY

RESOLUTION NO. 2015-022

A RESOLUTION RECOMMENDING THE ADOPTION OF AN
ORDINANCE TO AMEND THE CITY OF FRANKLIN 2025
COMPREHENSIVE MASTER PLAN TO CHANGE THE CITY OF FRANKLIN
2025 FUTURE LAND USE MAP FOR PROPERTY LOCATED AT APPROXIMATELY
7700 WEST FAITH DRIVE FROM INSTITUTIONAL USE TO RESIDENTIAL USE,
PURSUANT TO WIS. STAT. § 66.1001(4)(b)

WHEREAS, pursuant to Wis. Stat. §§ 62.23(2) and (3) and 66.1001(4), the City of Franklin is authorized to prepare and adopt and to amend a comprehensive plan as defined in Wis. Stat. §§ 66.1001(1)(a) and 66.1001(2); and

WHEREAS, pursuant to Wis. Stat. § 66.1001(4)(b), the Plan Commission may recommend the amendment of the Comprehensive Master Plan to the Common Council by adopting a resolution by a majority vote of the entire Commission, which vote shall be recorded in the official minutes of the Plan Commission; and

WHEREAS, Rick J. Przybyla, President of Creative Homes, Inc. having applied for an amendment to the Comprehensive Master Plan to change the City of Franklin 2025 Future Land Use Map designation for property located at approximately 7700 West Faith Drive, from Institutional Use to Residential Use, such property bearing Tax Key No. (a part of) 792-9984-001, more particularly described as follows:

Part of Parcel 1, CERTIFIED SURVEY MAP NO. 7051, being a part of the lands in the Northeast 1/4 and Northwest 1/4 of the Southeast 1/4, Section 9, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin, which is bounded and described as follows: Commencing at the Southeast corner of said Southeast 1/4; thence N 00°15'07" W along the East line of said Southeast 1/4, a distance of 1322.07 feet; thence S 88°38'56" W, 442.01 feet along the South line of West Faith Drive to the Point of Beginning; thence; N 01°21'04" W along the West line of West Faith Drive, a distance of 45.23 feet; thence Southwesterly 8.22 feet along the arc of a curve with a 130.00 foot radius to the South and a Chord Bearing S 59°15'35" W, 8.22 feet; thence N 32°33'05" W, 30.00 feet; thence N 50°40'49" W, 69.52 feet; thence S 88°29'34" W, 60.35 feet; thence S 33°12'16" W, 75.87 feet; thence S 30°46'43" W, 58.47 feet to the South line of said Parcel 1; thence N 88°38'56" E along the South line of Parcel 1 of Certified Survey Map No. 7051, a distance of 209.91 feet to the Point of Beginning. Said lands containing 16,879 square feet, 0.3875 acres; and

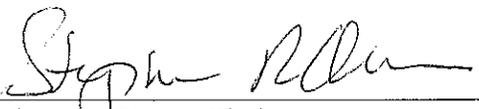
WHEREAS, the Plan Commission having determined that the proposed amendment, in form and content as presented to the Commission on December 3, 2015, in conjunction with an application to rezone the subject property as is more particularly described within the ordinance draft presented to the Commission for such purpose, is consistent with the Comprehensive Master Plan's goals, objectives and policies and in proper form and content for adoption by the Common Council as an amendment to the 2025 Comprehensive Master Plan, subject to such modifications the Common Council may consider reasonable and necessary, following public hearing, in order to protect and promote the health, safety and welfare of the City of Franklin.

NOW, THEREFORE, BE IT RESOLVED, by the Plan Commission of the City of Franklin, Wisconsin, that the application for and the proposed ordinance to amend the City of Franklin 2025 Comprehensive Master Plan to change the City of Franklin 2025 Future Land Use Map designation for property located at approximately 7700 West Faith Drive, from Institutional Use to Residential Use, be and the same is hereby recommended for adoption and incorporation into the 2025 Comprehensive Master Plan by the Common Council, subject to: i) Common Council approval of and the recording of a Preliminary Plat, the application for which is on file and pending upon the date of adoption of this Resolution; and ii) Common Council approval of and the recording of a Conservation Easement protecting all natural resource features within 100-feet of the area described above.

Introduced at a regular meeting of the Plan Commission of the City of Franklin this 3rd day of December, 2015.

Passed and adopted at a regular meeting of the Plan Commission of the City of Franklin this 3rd day of December, 2015.

APPROVED:



Stephen R. Olson, Chairman

ATTEST:


Sandra L. Wesolowski, City Clerk

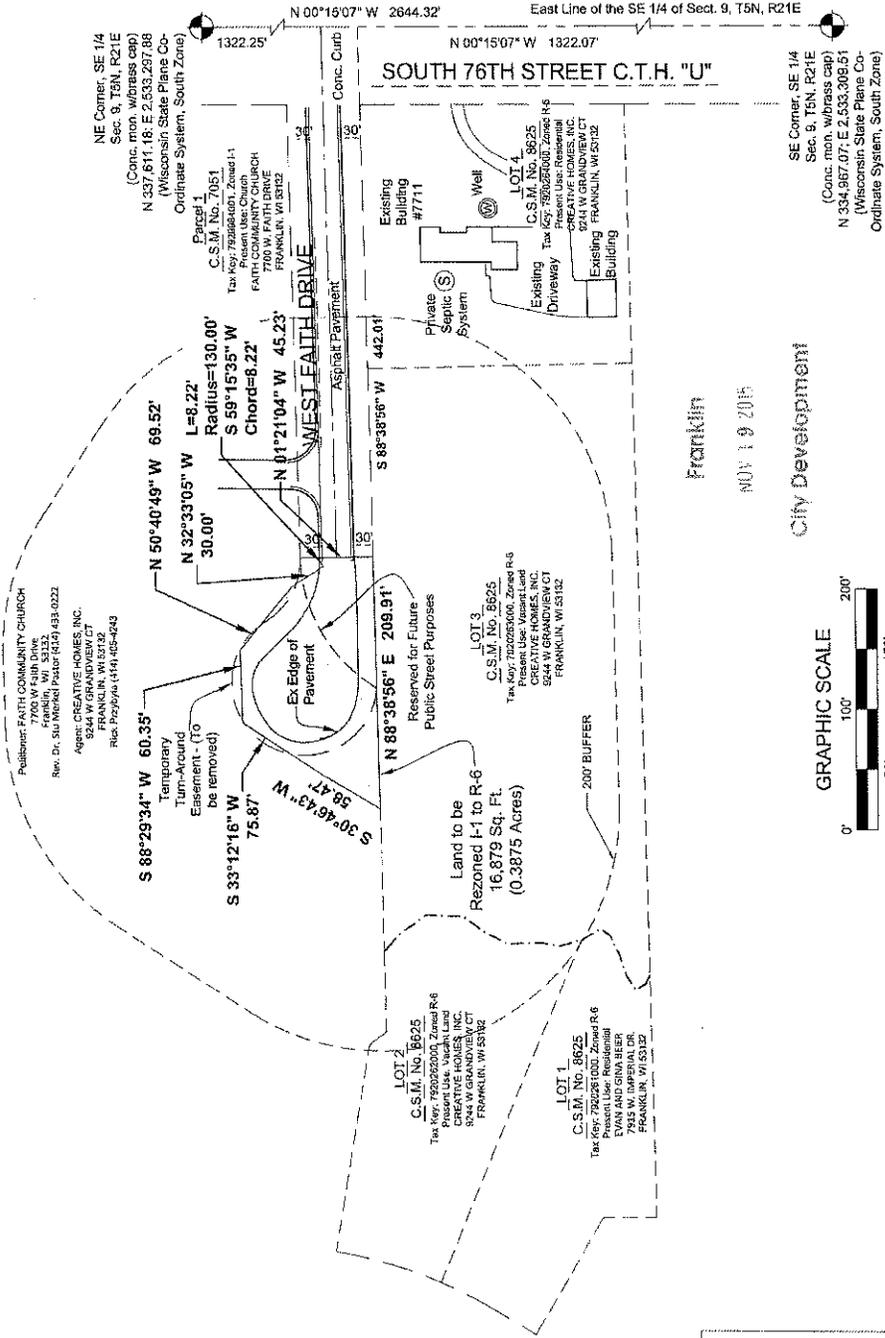
AYES 4 NOES 0 ABSENT 2 (Hogan/Fowler)

November 16, 2015

LEGAL DESCRIPTION:

REZONING EXHIBIT: 16,879 SQ.FT.
OF LAND FROM I-1 TO R-6

Part of Parcel 1, CERTIFIED SURVEY MAP NO. 7051, being a part of the lands in the Northeast 1/4 and Northwest 1/4 of the Southeast 1/4, Section 9, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin, which is bounded and described as follows: Commencing at the Southeast corner of said Southeast 1/4; thence N 00°15'07" W along the East line of said Southeast 1/4, a distance of 1322.07 feet; thence S 88°38'56" W, 442.01 feet along the South line of West Faith Drive to the Point of Beginning; thence N 01°21'04" W along the West line of West Faith Drive, a distance of 45.23 feet; thence Southwesterly 8.22 feet along the arc of a curve with a 130.00 foot radius to the South and a Chord Bearing S 59°15'35" W, 8.22 feet; thence N 32°33'05" W, 30.00 feet; thence N 50°40'49" W, 69.52 feet; thence S 88°29'34" W, 60.35 feet; thence S 33°12'16" W, 75.87 feet; thence S 30°46'43" W, 58.47 feet to the South line of said Parcel 1; thence N 88°38'56" E along the South line of Parcel 1 of Certified Survey Map No. 7051, a distance of 209.91 feet to the Point of Beginning. Said lands containing 16,879 square feet, 0.3875 acres.



LYNCH & ASSOCIATES
ARCHITECTS - ENGINEERS
5482 S. WESTRIDGE DRIVE
NEW BERLIN, WI 53151
(262) 248-3667

Franklin
NOV 19 2015
City Development
GRAPHIC SCALE
0' 50' 100' 200'
1 INCH = 100 FEET

JOB # 15-048
PLOT DATE: 11/19/2015 12:01 PM

<p style="text-align: center;">APPROVAL</p> <p style="text-align: center;"><i>Slw</i></p>	<p style="text-align: center;">REQUEST FOR COUNCIL ACTION</p>	<p style="text-align: center;">MEETING DATE</p> <p style="text-align: center;">12/15/15</p>
<p style="text-align: center;">REPORTS & RECOMMENDATIONS</p>	<p style="text-align: center;">ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE (ZONING MAP) TO REZONE A CERTAIN PARCEL OF LAND FROM I-1 INSTITUTIONAL DISTRICT TO R-6 SUBURBAN SINGLE- FAMILY RESIDENCE DISTRICT (7700 WEST FAITH DRIVE) (APPROXIMATELY 0.3875 ACRES) (CREATIVE HOMES, INC., APPLICANT)</p>	<p style="text-align: center;">ITEM NUMBER</p> <p style="text-align: center;"><i>G.3.</i></p>

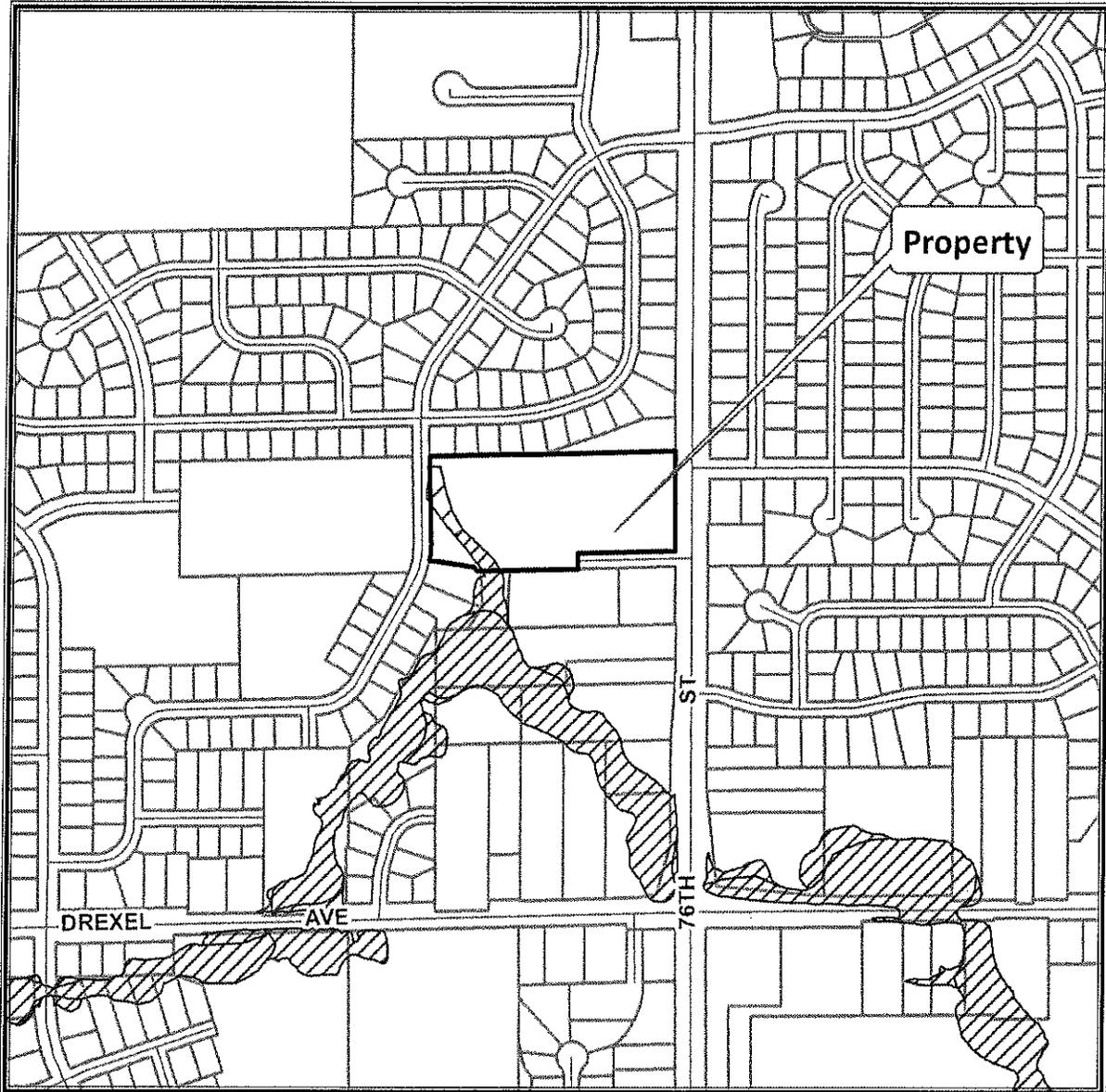
At its December 3, 2015, meeting, the Plan Commission recommended approval of an ordinance to amend the Unified Development Ordinance (Zoning Map) to rezone a certain parcel of land from I-1 Institutional District to R-6 Suburban Single-Family Residence District (7700 West Faith Drive) (approximately 0.3875 acres) (Creative Homes, Inc., Applicant).

COUNCIL ACTION REQUESTED

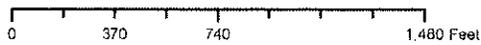
A motion to adopt Ordinance No. 2015-_____ to amend the Unified Development Ordinance (Zoning Map) to rezone a certain parcel of land from I-1 Institutional District to R-6 Suburban Single-Family Residence District (7700 West Faith Drive) (approximately 0.3875 acres) (Creative Homes, Inc., Applicant).



a part of 7700 W. Faith Drive
Creative Homes Rezoning/CMP amendment



Planning Department
(414) 425-4024



2015 Aerial Photo

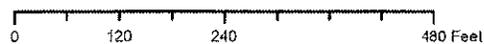
This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor. This map is provided for informational purposes only and may not be sufficient or appropriate for legal, engineering, or surveying purposes.



a part of 7700 W. Faith Drive
Creative Homes Rezoning/CMP amendment



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REPORT TO THE PLAN COMMISSION

Meeting of December 3, 2015

Rezoning and Comprehensive Master Plan Amendment

RECOMMENDATION: City Development Staff recommends approval of the Rezoning and Comprehensive Master Plan Amendment Applications, subject to the conditions as noted in the attached draft resolution and ordinance.

Table with 2 columns: Field Name and Value. Fields include Project Name, Project Address, Applicant, Owners (property), Current Zoning, Proposed Zoning, Use of Surrounding Properties, and Applicant Action Requested.

Introduction:

On October 20, 2015, the applicant submitted a Rezoning Application to rezone a portion of the property located at 7700 West Faith Drive from I-1 Institutional District to R-6 Suburban Single-Family Residence District.

The applicant subsequently submitted a Comprehensive Master Plan Amendment Application on October 27, 2015 to amend the Future Land Use Map from Institutional to Residential to be consistent with the Rezoning request and future residential development.

The applicant previously submitted a Preliminary Plat involving the properties south of West Faith Drive, 7725 West Faith Drive and 7711 South 76th Street. The applicant is currently revising those plans and intends to bring that application forward at a future date, following approval of the subject Rezoning and Comprehensive Master Plan Amendment.

The proposed Rezoning request will create split zoning on the existing Faith Community Church property, until and unless the Preliminary Plat is approved and recorded with Milwaukee County. Section 15-3.0103A.3. of the Unified Development Ordinance (below) prohibits split lot zoning on a newly created lot.

believes this would create the same situation the UDO is trying to avoid. In addition, split lot zoning is contrary to sound planning practices; therefore, staff is recommending that the Rezoning and Comprehensive Master Plan requests shall be contingent upon, and not take affect until, Common Council approval and recording of the proposed Preliminary Plat Application.

Split Zoning of Newly Created Lots Not Allowed. The split zoning of any newly created lot or parcel into more than one (1) zoning district shall not be allowed except for the AO, FW, FC, FFO, and SW Districts.

Project Description

The area to be rezoned and planned for residential development is approximately 16,879 square feet. The preliminary site plan illustrates a potential wetland that would be partly located on the future proposed lot. The 30-foot wetland buffer and 50-foot wetland setback extend onto the property, which may not allow sufficient area to construct a home.

The applicant has noted on the plan that the wetland is associated with a permitted drainage structure and has requested an exemption from the Wisconsin Department of Natural Resources. If the DNR does not exempt the wetland, the applicant must determine if a home could be constructed on the proposed lot (which would come under review with the Preliminary Plat Application) or apply for a Natural Resource Special Exception. If this area is determined to be a protected resource, staff recommends submittal of a Conservation Easement, protecting all natural resource features within 100-feet of the area to be rezoned, for Common Council review and approval.

Additional protected natural resource features exist on the Faith Community Church property, which are further away from the area to be rezoned. Staff suggests that the Conservation Easement include all protected natural resource features onsite, as shown on the Preliminary Site Plan.

Staff Recommendation:

City Development Staff recommends approval of the Rezoning and Comprehensive Master Plan Amendment Applications, subject to the conditions as noted in the attached draft resolution and ordinance.

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 I-1 INSTITUTIONAL DISTRICT TO
R-6 SUBURBAN SINGLE-FAMILY RESIDENCE DISTRICT
(7700 WEST FAITH DRIVE)
(APPROXIMATELY 0.3875 ACRES)
(CREATIVE HOMES, INC., APPLICANT)

WHEREAS, Creative Homes, Inc. having petitioned for the rezoning of a certain parcel of land from I-1 Institutional District to R-6 Suburban Single-Family Residence District, such land being located at 7700 West Faith Drive; and

WHEREAS, a public hearing was held before the City of Franklin Plan Commission on the 3rd day of December, 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 I-1 Institutional District to R-6 Suburban Single-Family Residence District:

Part of Parcel 1, CERTIFIED SURVEY MAP NO. 7051, being a part of the lands in the Northeast 1/4 and Northwest 1/4 of the Southeast 1/4, Section 9, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin, which is bounded and described as follows: Commencing at the Southeast corner of said Southeast 1/4; thence N 00°15'07" W along the East line of said Southeast 1/4, a distance of 1322.07 feet; thence S 88°38'56" W,

442.01 feet along the South line of West Faith Drive to the Point of Beginning; thence; N 01°21'04" W along the West line of West Faith Drive, a distance of 45.23 feet; thence Southwesterly 8.22 feet along the arc of a curve with a 130.00 foot radius to the South and a Chord Bearing S 59°15'35" W, 8.22 feet; thence N 32°33'05" W, 30.00 feet; thence N 50°40'49" W, 69.52 feet; thence S 88°29'34" W, 60.35 feet; thence S 33°12'16" W, 75.87 feet; thence S 30°46'43" W, 58.47 feet to the South line of said Parcel 1; thence N 88°38'56" E along the South line of Parcel 1 of Certified Survey Map No. 7051, a distance of 209.91 feet to the Point of Beginning. Said lands containing 16,879 square feet, 0.3875 acres. Tax Key No. a part of 792-9984-001.

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: i) its passage and publication; ii) Common Council approval of a Preliminary Plat, the application for which is on file and pending upon the date of adoption of this Ordinance, and the approval and recording of a Final Plat; and iii) Common Council approval of and the recording of a Conservation Easement protecting all natural resource features within 100-feet of the area described in Section 1 of this Ordinance.

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 _____

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