

**CITY OF FRANKLIN
COMMON COUNCIL MEETING
FRANKLIN CITY HALL COMMON COUNCIL CHAMBERS
9229 WEST LOOMIS ROAD, FRANKLIN, WISCONSIN
AGENDA*
TUESDAY, DECEMBER 1, 2015
AT 6:30 P.M.**

- A. Call to Order and Roll Call.
- B. Citizen Comment Period.
- C. Approval of Minutes:
November 17, 2015 Common Council Meeting.
- D. Hearings:
- E. Organizational Business.
Mayoral Appointment to Boards and Commissions:

Jack Takerian, 8605 River Terrace Drive, (Ald. Dist. 4), Board of Water Commissioners -
5 year term expires 9/30/2020.
- F. Letters and Petitions.
- G. Reports and Recommendations:
 - 1. A Resolution Authorizing Certain Officials to Accept a Conservation Easement for and as Part of the Review and Approval of a Minor Site Plan Amendment and Natural Resource Special Exception for Property Located at 4601 West Marquette Avenue (for Pleasant View Elementary School Basket Ball Court Addition/Relocation) (Tax Key No. 788-9980-000) (Franklin School District #5, Applicant).
 - 2. A Resolution to Amend Resolution No. 2015-7064, A Resolution Imposing Conditions and Restrictions for a 46 Unit Community Based Residential Facilities Multi-Family Memory Care Residence Facility Use Upon Property Located at Approximately 9201 West Drexel Avenue, to Extend the Time for the Obtaining of the Issuance of an Occupancy Permit (The LaSalle Group, Inc., Applicant).
 - 3. 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).
 - 4. An Ordinance to Amend Section 15-3.0420 of the Unified Development Ordinance Planned Development District No. 15 (Parkwood Lakes Apartments and Lake Terrace Seniorminiums) to Allow for the Installation of a Monument Sign and Electronic Message Board 56751 and 6771 South 68th Street) (Robert J. Bach, Applicant).
 - 5. Naming of the Dedicated Trail Through the Southbrook Church Property Located at 11010 West St. Martins Road the "Robinwood Trail."
 - 6. A Resolution to Reconsider Restroom at Market Square Park (11230 W. Church Street).
 - 7. West College Avenue Sidewalk Status (S. 27th Street to S. 35th Street).

Common Council Meeting

December 1, 2015

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8. Update on Kayla's Playground Status.
9. An Ordinance to Amend Ordinance 2014-2152, an Ordinance Adopting the 2015 Annual Budgets for the General Fund for the City of Franklin for Fiscal Year 2015, to Re-align Appropriations to Match Service Requirements.
10. City of Franklin Audit Agreement Between Clifton Gunderson LLP and the City of Franklin for August of the 2015 Year.
11. Municipal Buildings Capital Outlay Appropriation for City Hall Security and New Carpeting.
12. Non-Represented Employee Share of Monthly Health Insurance Premium.
13. Labor Contract Negotiations and Collective Bargaining Strategies and Guidelines.
14. 2016 Property and Casualty Insurance Coverage.
15. Request to Direct OPEB Trustee to Fund Reimbursement of November and December OPEB Plan Expenses.
16. October 2015 Monthly Financial Report.

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 3	Plan Commission	7:00 p.m.
December 15	Common Council Meeting	6:30 p.m.
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.

C.

CITY OF FRANKLIN
COMMON COUNCIL MEETING
NOVEMBER 17, 2015
MINUTES

ROLL CALL

A. The regular meeting of the Common Council was held on November 17, 2015 and called to order at 6:30 p.m. by Mayor Steve Olson in the Franklin City Hall Council Chambers, 9229 W. Loomis Road, Franklin, Wisconsin. On roll call, the following were in attendance: Alderman Mark Dandrea, Alderman Dan Mayer, Alderwoman Kristen Wilhelm, Alderman Steve Taylor, Alderman Doug Schmidt and Alderwoman Susanne Mayer. Also present were City Engineer Glen Morrow, Dir. of Administration Mark Luberd, City Attorney Jesse A. Wesolowski and City Clerk Sandra Wesolowski.

CITIZEN COMMENT

B. Citizen comment period was opened at 6:31 p.m. and closed at 6:35 p.m.

APPROVAL OF MINUTES

C. Alderwoman Wilhelm moved to approve the minutes of the regular Common Council Meeting of November 3, 2015 as corrected. Seconded by Alderman Dandrea. All voted Aye; motion carried.

2016 BUDGET HEARING

D. A public hearing was called to order at 7:01 p.m. regarding the 2016 Proposed Budget, held pursuant to the requirements of Wis. Stat. § 66.1001(4)(d). The public hearing was closed at 7:10 p.m.

ORD. 2015-2198
ADOPTING 2016 ANNUAL
BUDGETS

G.1. Alderwoman Wilhelm moved to modify the Capital Improvement Fund list of approved projects to include expenditures of \$350,000 and Community Development Block Grant revenues of \$65,193 for the purpose of funding pedestrian walkway along West College Avenue for Sections A-E (South 35th Street to 75 feet west of South 27th Street) as identified in Item G.10. in the 11/17/2015 Common Council agenda packet. Seconded by Alderman Taylor. All voted Aye; motion carried.

Alderwoman S. Mayer moved to add \$5,000 to Senior Travel Program (\$1,000 of Mayor, \$2,000 Aldermen and \$2,000 Administration). Seconded by Alderman D. Mayer. Alderwoman S. Mayer withdrew her motion and Alderman D. Mayer withdrew his second.

Alderman Taylor moved to adopt Ordinance No. 2015-2198, AN ORDINANCE ADOPTING THE 2016 ANNUAL BUDGETS FOR THE GENERAL, CIVIC CELEBRATION, ST. MARTINS FAIR, DONATIONS, GRANTS, SOLID WASTE COLLECTION, SANITARY SEWER SERVICE, CAPITAL OUTLAY, EQUIPMENT REPLACEMENT, STREET

IMPROVEMENT, CAPITAL IMPROVEMENT, DEBT SERVICES, DEVELOPMENT, UTILITY DEVELOPMENT, TID 3, TID 4, AND INTERNAL SERVICE FUNDS AND ESTABLISHING THE TAX LEVY AND OTHER REVENUE FOR THE CITY OF FRANKLIN FOR FISCAL YEAR 2016, as presented, with the additional adjustment to the Capital Improvement Fund list of approved projects to include expenditures of \$350,000 and Community Development Block Grant revenues of \$65,193 for the purpose of funding pedestrian walkway along West College Avenue for Sections A-E (South 35th Street to 75 feet west of South 27th Street) as identified in Item G.10. in the 11/17/2015 Common Council agenda packet, which adjustments shall be incorporated into a final form of the ordinance as determined by the Director of Administration; Seconded by Alderman Schmidt. On roll call, all voted Aye. Motion carried.

RENEWAL FOR HEALTH
AND DENTAL PLAN AND
MODIFICATION OF
BENEFITS

- G.2. Alderman Dandrea moved, effective 1/1/2016, to amend plan documents to reflect a non-specialty drug pharmacy benefit of \$10/\$35/\$50 (generic, level 2 retail, and level 3 retail respectively), the inclusion of the extraction of wisdom teeth into the medical plan, and the increase of the maximum per person dental benefit to \$1,500, with plan language and documents as to be approved and executed by the Director of Administration. Seconded by Alderman Schmidt. All voted Aye; motion carried.

Alderman Dandrea moved to continue membership with the Business Health Care Group and to authorize the Director of Administration to execute renewal documents with Humana and Diversified for health and dental plan and claim administration services, specific and aggregate stop loss coverage, and broker services for fees and premiums not to exceed those rates as provided in the "Summary of Partially Self-Funded Premiums for City of Franklin" with the bottom line "Total Estimated Maximum Cost" of \$3,957,723.24 as may be amended to reflect plan language changes as approved by the Common Council. Seconded by Alderman Schmidt. All voted Aye; motion carried.

USE OF 2015 CAPITAL
OUTLAY FOR FIRE DEPT.
RAPID ATTACK MONITOR

- G.3. Alderman Taylor moved to approve repurposing \$2,000.00 in unspent 2015 Capital Outlay for Active Shooter equipment grant in order to take advantage of demo pricing on a Rapid Attack Monitor that was requested in 2016 Capital Outlay as requested by the Fire Department. Seconded by Alderman D. Mayer. All voted Aye; motion carried.

DONATION TO FIRE
DEPARTMENT

- G.4. Alderman Dandrea moved to accept donation from the residents of Brenwood Park in the amount of \$578.50 to the Fire Department. Seconded by Alderman D. Mayer. All voted Aye; motion carried.

RES 2015-7154
APPROVE 4 LOT
CERTIFIED SURVEY MAP
(REUTELER)

- G.5. Alderwoman S. Mayer moved to suspend the regular order of business to allow the audience to speak. Seconded by Alderman D. Mayer. All voted Aye; motion carried.
Alderman D. Mayer moved to return to regular order of business. Seconded by Alderman Taylor. All voted Aye; motion carried.
Alderwoman S. Mayer moved to adopt Resolution No. 2015-7154, A RESOLUTION CONDITIONALLY APPROVING A 4 LOT CERTIFIED SURVEY MAP, BEING PART OF THE SOUTHWEST ¼ OF THE NORTHWEST ¼ OF SECTION 17, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN (RICHARD A. REUTELER AND ANN M. REUTELER, APPLICANTS)(10475, 10609, 10629 AND 10631 WEST ST. MARTINS ROAD). Seconded by Alderman Dandrea. All voted Aye; motion carried.

RES 2015-7155
INSTALLATION OF FENCE
(7776 S. CAMBRIDGE CT.)

- G.6. Alderman D. Mayer moved to adopt Resolution No. 2015-7155, A RESOLUTION AUTHORIZING THE INSTALLATION OF A FENCE WITHIN THE 30 FOOT LANDSCAPE PLANTING BUFFER UPON LOT 37 IN WYNDHAM HILLS ADDITION NO. 1 SUBDIVISION (7776 SOUTH CAMBRIDGE COURT)(DOUGLAS J. ARNOLD AND CHRISTINE A. ARNOLD, APPLICANTS). Seconded by Alderman Schmidt. All voted Aye; motion carried.

AGREEMENT WITH
GRAEF-USA, INC.

- G.7. Alderman D. Mayer moved to table action on the agreement with GRAEF-USA, Inc. for the planning and engineering services related to Area A, due to an expected proposal overlapping the study area. Seconded by Alderman Dandrea. All voted Aye; motion carried.

RES. 2015-7156
NAMING TRAIL THROUGH
SOUTHBROOK PROPERTY

- G.8. Alderman D. Mayer moved to adopt Resolution No. 2015-7156, A RESOLUTION PERTAINING TO NAMING THE DEDICATED TRAIL THROUGH THE SOUTHBROOK CHURCH PROPERTY THE "ROBINBROOK TRAIL". Seconded by Alderman Schmidt. All voted Aye; motion carried.
Alderman D. Mayer moved to place the proposed name of Robinwood Trail on the December 1, 2015 Common Council agenda. Seconded by Alderwoman S. Mayer. All voted Aye; motion carried.

RES. 2015-
RESTROOM AT MARKET
SQUARE PARK (11230 W.
CHURCH ST.)

G.9. Alderman Schmidt moved to table a Professional Services Agreement with Raposa Design Architecture for the design of public restrooms at Market Square located at 11230 W. Church Street, pending outcome of a neighborhood meeting. Seconded by Alderman D. Mayer. All voted Aye; motion carried.

W. COLLEGE AVE.
SIDEWALK STATUS
(S. 27TH ST. TO S. 35TH ST.)

G.10. Alderwoman Wilhelm moved to proceed with the design, permits, and bidding for Section E of the pedestrian walkway (South 35th Street to the Woods Senior Complex) along West College Avenue for an amount not to exceed \$15,000 utilizing existing 2015 Capital Improvement Fund General Park appropriations, and to authorize the City to sign a professional services agreement subject to review by the City Attorney, and to report on the status of the project including but not limited to any updates on the proposed construction costs and an anticipated construction date at the next Council meeting in December. Seconded by Alderman Taylor. All voted Aye; motion carried.

Alderwoman Wilhelm moved to direct staff to prepare all documentation for design, permitting, notifications, public meetings, and bidding of Section A through D of the pedestrian walkway along West College Avenue, and also to immediately pursue all available Milwaukee County Community Development Block Grant funding and impact fee availability for the entire project (Sections A through E) and return the information for Council consideration on December 15, 2015. Seconded by Alderman Schmidt.

Alderwoman Wilhelm moved to call the question. Seconded by Alderman Taylor. All voted Aye; motion carried.

On the main motion, all voted Aye. Motion carried.

ASSESSMENT AND
PROPERTY REVALUATION
SERVICES WITH TYLER
TECH. FOR THE PERIOD
2016-2018

G.11. Alderman Taylor moved to accept the proposed agreement between the City of Franklin and Tyler Technologies for annual assessment and property revaluation services for the period 2016 through 2018, subject to approval by the City Attorney, and to authorize the Mayor, Director of Clerk Services, and Director of Administration to execute such contract. Seconded by Alderman Schmidt. All voted Aye; motion carried.

LICENSES AND PERMITS

H.1. Alderman Dandrea moved to approve the following:
Grant premise description change for Class B Combination License issued to The Point After, LLC, 7101 S. 76th St.; and Grant Operators' Licenses to Stephanie Anderson, 6930 S. 20th St., Oak Creek; Jessica Hennlich, 2804 Stonebridge Dr., Racine,

subject to completion of application; and Jonnie Paluchniak, 808 Yout St., Racine; and
Hold the Operator's License application of Holly Smith, 6410 W. Burdick Ave., Milwaukee, for appearance; and
Hold the Amusement Device Operator's License application of Stryker Rich Amusements, Don Aric Patenaude, Owner, 5333 Hainers Way, Oconto, WI, pending additional information from City Clerk.
Seconded by Alderman Taylor. All voted Aye; motion carried.

VOUCHERS AND
PAYROLL

- I.1. Alderman Schmidt moved to approve net general checking account City vouchers in the range of Nos. 158534 through Nos. 158712 in the amount of \$1,086,585.73 dated November 3, 2015 through November 12, 2015. Seconded by Alderman D. Mayer. On roll call, all voted Aye; motion carried.

Alderman D. Mayer moved to approve net payroll dated November 13, 2015 in the amount of \$337,266.74 and payments of the various payroll deductions in the amount of \$189,182.38 plus any City matching payments, where required. Seconded by Alderman Schmidt. On roll call, all voted Aye; motion carried.

Alderman D. Mayer moved to approve net payroll dated November 27, 2015 estimated at \$351,000.00 and payments for the various payroll deductions estimated at \$375,000.00, plus any City matching payments, where required. Seconded by Alderman Dandrea. On roll call, all voted Aye; motion carried.

Alderman Schmidt moved to approve property tax disbursement in the amount of \$66.02 dated November 5, 2015. Seconded by Alderman Dandrea. On roll call, all voted Aye; motion carried.

ADJOURNMENT

- J. Alderman D. Mayer moved to adjourn the meeting at 9:05 p.m. Seconded by Alderman Taylor. All voted Aye; motion carried.

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APPROVAL	REQUEST FOR COMMON COUNCIL ACTION	MEETING DATE 12/01/2015
ORGANIZATIONAL BUSINESS	Board and Commission Appointments	ITEM NUMBER E.

The following appointments have been submitted for Council confirmation:

Jack Takerian, 8605 River Terrace Drive, (Ald. Dist. 4), Board of Water Commissioners - 5 year term expires 9/30/2020

Shirley Roberts

From: volunteerfactsheet@franklinwi.gov
Sent: Tuesday, November 24, 2015 7:29 PM
To: Lisa Huening; Shirley Roberts; Sandi Wesolowski
Subject: Volunteer Fact Sheet

Name: Jack Takerian
PhoneNumber: 414-364-5850
EmailAddress: takerianjm@sbcglobal.net
YearsasResident: 19
Alderman: 4
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: 0
BoardofWaterCommissioners: 1
TechnologyCommission: 0
WasteFacilitySitingCommittee: 0
BoardofZoning: 0
WasteFacilitiesMonitoringCommittee: 0
CompleteStreetsandConnectivityCommittee: 0
CompanyNameJob1: YMCA
TelephoneJob1: 414-274-0711
StartDateandPositionJob1: November 2012, COO
EndDateandPositionJob1:
CompanyNameJob2: Milwaukee County
TelephoneJob2:
StartDateandPositionJob2: 1981, Assistant Aquatic Director
EndDateandPositionJob2: 2013, Director of Transportation and Public Works
CompanyNameJob3:

TelephoneJob3:

StartDateandPositionJob3:

EndDateandPositionJob3:

Signature:

Jack Takerian

Date:

11/24/2015

Signature2:

Jack Takerian

Date2:

11/24/2015

Address:

8605 River Terrace Drive

PriorityListing:

WhyInterested:

Was asked to be on the board

CompanyAddressJob1:

161 west Wisconsin ave Suite 4000

DescriptionofDutiesJob1:

Day to day operations of the Milwaukee YMCA's

AddressJob2:

DescriptionofDutiesJob2:

Day to day operations of the following departments - highway, fleet, architectural eng, transportation eng, facility management, airport operations, real estate, transit.

AddressJob3:

DescriptionofDutiesJob3:

AdditionalExperience:

ClientIP:

166.182.3.189

SessionID:

f2d0nhbwbb2vr5zpuqifm2bn

See Current Results

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<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;">12/01/15</p>
<p style="text-align: center;">REPORTS & RECOMMENDATIONS</p>	<p style="text-align: center;">RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO ACCEPT A CONSERVATION EASEMENT FOR AND AS PART OF THE REVIEW AND APPROVAL OF A MINOR SITE PLAN AMENDMENT AND NATURAL RESOURCE SPECIAL EXCEPTION FOR PROPERTY LOCATED AT 4601 WEST MARQUETTE AVENUE (FOR PLEASANT VIEW ELEMENTARY SCHOOL BASKETBALL COURT ADDITION/RELOCATION) (TAX KEY NO. 788-9980-000) (FRANKLIN SCHOOL DISTRICT #5, APPLICANT)</p>	<p style="text-align: center;">ITEM NUMBER</p> <p style="text-align: center;"><i>G.I.</i></p>

At their October 6, 2015 meeting, the Common Council adopted a resolution authorizing certain officials to accept a conservation easement for and as part of the review and approval of a Minor Site Plan Amendment and Natural Resource Special Exception for property located at 4601 West Marquette Avenue (for Pleasant View Elementary School basketball court addition/relocation) (Tax Key No. 788-9980-000) (Franklin School District #5, applicant), subject to technical corrections by the City Attorney and subject to Department of City Development detailed review as to whether or not protected woodlands should be included within the conservation easement and for the Department of City Development to return that information following such review and prior to the recording of such easement.

The applicant has revised the conservation easement to include all wooded areas; therefore, the Common Council motion above has been addressed. The conservation easement is attached for review.

COUNCIL ACTION REQUESTED

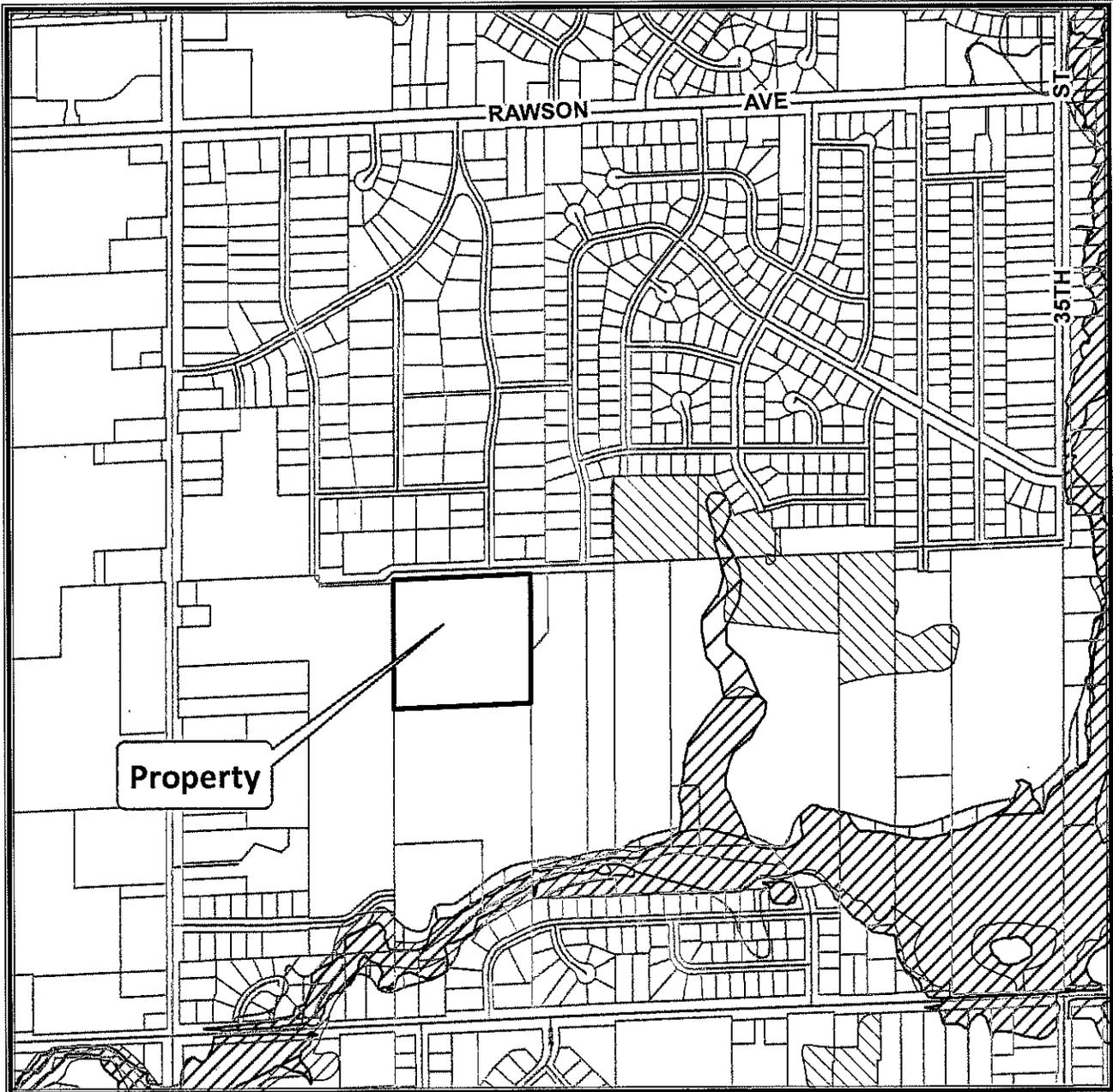
No action required

or

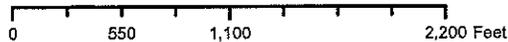
A motion as deemed appropriate by the Common Council.



4601 West Marquette Avenue
TKN 788-9980-000
Pleasant View Elementary School



Planning Department
(414) 425-4024



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

RESOLUTION NO. 2015-_____

A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO ACCEPT A CONSERVATION EASEMENT FOR AND AS PART OF THE REVIEW AND APPROVAL OF A MINOR SITE PLAN AMENDMENT AND NATURAL RESOURCE SPECIAL EXCEPTION FOR PROPERTY LOCATED AT 4601 WEST MARQUETTE AVENUE (FOR PLEASANT VIEW ELEMENTARY SCHOOL BASKETBALL COURT ADDITION/RELOCATION) (TAX KEY NO. 788-9980-000) (FRANKLIN SCHOOL DISTRICT #5, APPLICANT)

WHEREAS, the Plan Commission having recommended approval of a Natural Resource Special Exception and the Department of City Development having approved a Minor Site Plan Amendment upon the application of Franklin Public Schools, on July 9, 2015 and July 17, 2015, respectively, and the Plan Commission having conditioned approval thereof in part upon Common Council approval of a Conservation Easement to protect the woodlands, wetland buffers and wetlands on the site; and

WHEREAS, §15-7.0107, 15-7.0102G and §15-7.0103Q of the Unified Development Ordinance requires the submission of a Natural Resource Protection Plan in the Site Plan review process and the Unified Development Ordinance requires conservation easements to be imposed for natural resource features identified within such Plan to protect such features, all as part of the approval process for a Minor Site Plan Amendment and Natural Resource Special Exception; and

WHEREAS, the City Engineering Department, Department of City Development and the Office of the City Attorney having reviewed the proposed Conservation Easement and having recommended approval thereof to the Common Council.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the Conservation Easement submitted by Franklin Public Schools, in the form and content as annexed hereto, be and the same is hereby approved; and the Mayor and City Clerk are hereby authorized to execute such Easement as evidence of the consent to and acceptance of such easement by the City of Franklin.

BE IT FURTHER RESOLVED, that the City Clerk be and the same is hereby directed to obtain the recording of the Conservation Easement in the Office of the Register of Deeds for Milwaukee County, Wisconsin.

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

A RESOLUTION AUTHORIZING CERTAIN OFFICIALS
TO ACCEPT A CONSERVATION EASEMENT
FRANKLIN PUBLIC SCHOOLS
RESOLUTION NO. 2015-_____

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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 _____

CONSERVATION EASEMENT

Pleasant View Elementary School

This Conservation easement is made by and between the CITY OF FRANKLIN, a municipal corporation of the State of Wisconsin, hereinafter referred to as "Grantee," and Franklin Public School District, hereinafter referred to as "Grantor," and shall become effective upon the recording of this Grant of Conservation Easement, together with the Acceptance following, with the Office of the Register of Deeds for Milwaukee County, pursuant to §700.40(2)(b) of the Wisconsin Statutes.

WITNESSETH

WHEREAS, Grantor is the owner in fee simple of certain real property, located within the City of Franklin, Milwaukee County, Wisconsin, East ½ of the Southeast ¼ of Section 11, Township 5 North, Range 21 East, described in Exhibit A attached hereto and hereby made a part hereof (protected property); and

WHEREAS, the Grantor desires and intends that the natural elements and the ecological and aesthetic values of the protected property including, without limitation, wetland buffers, and wetlands and refer to Natural Resource Investigation by NRPP Star Environmental, Inc dated May 27, 2015 be preserved and maintained by the continuation of land use that will not interfere with or substantially disrupt the natural elements or the workings of natural systems; and

WHEREAS, Grantee is a "holder", as contemplated by §700.41(1)(b)1. of the Wisconsin Statutes, whose purposes include, while exercising regulatory authority granted to it, *inter alia*, under §62.23 and §236.45 of the Wisconsin Statutes, the conservation of land, natural areas, open space, and water areas; and

WHEREAS, the Grantor and Grantee, by the conveyance to the Grantee of the conservation easement on, over, and across the protected property, desire to conserve the natural values thereof and prevent the use or development of the protected property for any purpose or in any manner inconsistent with the terms of this conservation easement; and

WHEREAS, the Grantee is willing to accept this conservation easement subject to the reservations and to the covenants, terms, conditions, and restrictions set out herein and imposed hereby;

NOW, THEREFORE, the Grantor, for and in consideration of the foregoing recitations and of the mutual covenants, terms, conditions, and restrictions subsequently contained, and as an absolute and unconditional dedication, does hereby grant and convey unto the Grantee a conservation easement in perpetuity on, over, and across the protected property.

Grantee's rights hereunder shall consist solely of the following:

1. To view the protected property in its natural, scenic, and open condition;
2. To enforce by proceeding at law or in equity the covenants subsequently set forth, including, and in addition to all other enforcement proceedings, proceedings to obtain all penalties and remedies set forth under Division 15-9.0500 of the Unified Development Ordinance of the City of Franklin, as amended from time to time, any violation of the covenants subsequently set forth being and constituting a violation of such Unified Development Ordinance, as amended from time to time, or such local applicable ordinance as may be later adopted or in effect to enforce such covenants or the purposes for which they are made, it being agreed that there shall be no waiver or forfeiture of the Grantee's right to insure compliance with the covenants and conditions of this grant by reason of any prior failure to act; and
3. To enter the protected property at all reasonable times for the purpose of inspecting the protected property to determine if the Grantor is complying with the covenants and conditions of this grant.

And in furtherance of the foregoing affirmative rights of the Grantee, the Grantor makes the following covenants which shall run with and bind the protected property in perpetuity, namely, that, on, over, or across the protected property, the Grantor, without the prior consent of the Grantee, shall not:

1. Construct or place buildings or any structure;
2. Construct or make any improvements, unless, notwithstanding Covenant 1 above, the improvement is specifically and previously approved by the Common Council of the City of Franklin, upon the advice of such other persons, entities, and agencies as it may elect; such improvements as may be so approved being intended to enhance the resource value of the protected property to the environment or the public and including, but not limited to animal and bird feeding stations,

MORTGAGE HOLDER CONSENT

NONE

The undersigned, Wisconsin banking corporation under that certain Mortgage Property and recorded in the for Milwaukee County, Wisconsin, on _____, 20 __, as Document No. _____, hereby consents to the execution of the foregoing easement and its addition as an encumbrance title to the Property.

(name of mortgagee), a ("Mortgagee"), as Mortgagee encumbering encumbering the Office of the Register of Deeds

IN WITNESS WHEREOF, Mortgagee has caused these presents to be signed by its duly authorized officers, and its corporate seal to be hereunto affixed, as of the day and year first above written.

Name of Mortgagee a Wisconsin Banking Corporation

By: _____

Name: _____

Title: _____

STATE OF WISCONSIN))ss COUNTY OF MILWAUKEE)

On this, the _____ day of _____, 20 __, before me, the undersigned, personally appeared name of officer of mortgagee, the (title of office, i.e.: VP) of (name of mortgagee), a Wisconsin banking corporation, and acknowledged that (s)he executed the foregoing instrument on behalf of said corporation, by its authority and for the purposes therein contained.

Name: _____

Notary Public, State of Wisconsin

My commission expires _____

Exhibit A



Point of Beginning

EXHIBIT "A"
Conservation Easement Legal Description

Legal Description

A conservation easement located in the East ½ of the Southeast ¼ of Section 11, Township 21 North, Range 5 East, City of Franklin, Milwaukee County, Wisconsin, the exterior boundary more particularly described as follows:

Commencing at the East ¼ corner of Section 21, Township 11 North, Range 5 East; thence S 01°22'55"W along the East line of the Southeast ¼ of said Section 21, 818.93 feet; thence N 88°33'53"W, 494.66 feet to the point of beginning (POB) of the easement to be described; thence S 89°14'09"W, 815.13 feet; thence N 01°27'11"E, 754.96 feet to the South line of West Marquette Avenue; N 89°14'20"E along said South line of West Marquette Avenue, 19.06 feet; S 01°02'05"E, 177.93 feet; thence S 06°26'29"W, 176.83 feet; thence S 02°32'22"E, 136.38 feet; thence S 76°12'43"E, 124.25 feet; thence S 89°29'16"E, 84.37 feet; thence N 16°41'24"E, 25.03 feet; thence N 64°03'17"E, 66.77 feet; thence N 88°37'50"E, 65.85 feet; thence S 71°11'16"E, 65.83 feet; thence S 63°18'20"E, 66.74 feet; thence N 75°20'19"E, 38.75 feet; thence N 49°36'55"W, 78.46 feet; thence N 44°39'48"W, 68.02 feet; thence N 32°57'01"W, 99.48 feet; thence N 22°50'36"E, 49.00 feet; thence N 57°35'27"E, 65.48 feet; thence S 44°37'19"E, 142.11 feet; thence S 53°23'57"E, 114.47 feet; thence S 38°00'06"E, 79.01 feet; thence N 64°21'13"E, 37.04 feet; thence N 80°35'03"E, 46.13 feet; thence S 79°29'54"E, 37.25 feet; thence N 33°36'58"E, 34.20 feet; thence N 02°26'55"E, 112.28 feet; thence N 02°36'08"E, 267.46 feet; thence S 88°37'18"E, 10.97 feet; thence S 01°22'42"W, 596.83 feet to the point of beginning.

Dated this 16th day of November, 2015.

<p>APPROVAL</p> <p><i>Slw</i></p>	<p>REQUEST FOR COUNCIL ACTION</p>	<p>MEETING DATE</p> <p>12/01/15</p>
<p>REPORTS & RECOMMENDATIONS</p>	<p>RESOLUTION TO AMEND RESOLUTION NO. 2015-7064, A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR A 46 UNIT COMMUNITY BASED RESIDENTIAL FACILITIES MULTI-FAMILY MEMORY CARE RESIDENCE FACILITY USE UPON PROPERTY LOCATED AT APPROXIMATELY 9201 WEST DREXEL AVENUE, TO EXTEND THE TIME FOR THE OBTAINING OF THE ISSUANCE OF AN OCCUPANCY PERMIT (THE LASALLE GROUP, INC., APPLICANT)</p>	<p>ITEM NUMBER</p> <p>G.2.</p>

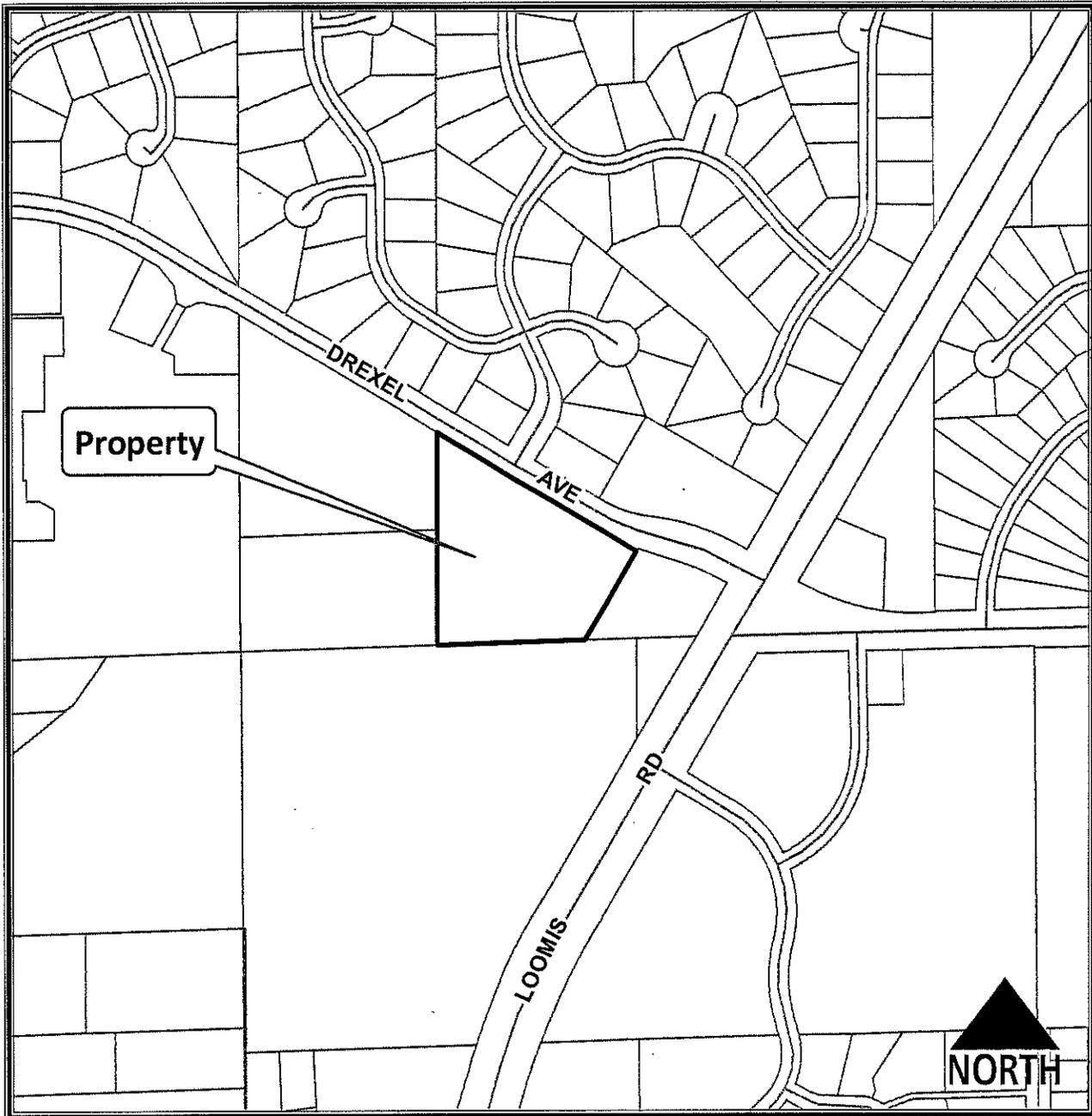
At their November 19, 2015 meeting, the Plan Commission recommended approval of a resolution to amend Resolution No. 2015-7064, a resolution imposing conditions and restrictions for a 46 unit Community Based Residential Facilities multi-family memory care residence facility use upon property located at approximately 9201 West Drexel Avenue, to extend the time for the obtaining of the issuance of an Occupancy Permit (The LaSalle Group, Inc., Applicant).

COUNCIL ACTION REQUESTED

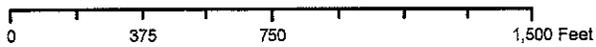
A motion to adopt Resolution No. 2015-_____, a resolution to amend Resolution No. 2015-7064, a resolution imposing conditions and restrictions for a 46 unit Community Based Residential Facilities multi-family memory care residence facility use upon property located at approximately 9201 West Drexel Avenue, to extend the time for the obtaining of the issuance of an Occupancy Permit (The LaSalle Group, Inc., Applicant).



TKN 794-9994-003
Approx. 9201 West Drexel Avenue



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.

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

Meeting of November 19, 2015

Special Use Amendment Time Extension

RECOMMENDATION: Department of City Development staff recommends approval of the Special Use Amendment to extend the time for the obtaining of the issuance of an Occupancy Permit.

Project Name:	Autumn Leaves Special Use Time Extension
Project Location:	9201 West Drexel Avenue
Property Owner:	Preserve Apartments LLC
Applicant:	The LaSalle Group, Inc.
Agent:	Jason Glover, Regional Development Director
Current Zoning:	R-8 Multiple-Family Residence District & C-1 Conservancy District
2025 Comprehensive Plan:	Residential – Multi-Family and Areas of Natural Resource Features
Use of Surrounding Properties:	Single-family residential to the north, Aurora St. Luke's Health Center to the south, U.S. Bank to the east and Risen Savior Lutheran Church to the west
Applicant's Action Requested:	Recommendation to the Common Council for approval of the proposed time extension

Introduction:

At the February 5, 2015 meeting, the Plan Commission recommended approval of a Special Use for the development of an approximately 37,835 square foot, single story, 46 unit (54 beds) State licensed Community Based Residential Facilities multi-family memory care residence facility use, upon property located at approximately 9201 West Drexel Avenue. The Common Council approved the Special Use request at their February 17, 2015 meeting.

The Special Use resolution, Resolution No. 2015-7064, contains a condition that states, "...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."

The applicant has provided a letter indicating that they are moving forward with the development and Building Permits. The applicant anticipates construction beginning in April 1, 2016 and occupying the building by June 15, 2017. The applicant has requested a two year extension, which would require an Occupancy Permit being issued prior to February 17, 2018.

Staff Recommendation:

Department of City Development staff recommends approval of the Special Use Amendment to extend the time for the obtaining of the issuance of an Occupancy Permit.

RESOLUTION NO. 2015-_____

A RESOLUTION TO AMEND RESOLUTION NO. 2015-7064, A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR A 46 UNIT COMMUNITY BASED RESIDENTIAL FACILITIES MULTI-FAMILY MEMORY CARE RESIDENCE FACILITY USE UPON PROPERTY LOCATED AT APPROXIMATELY 9201 WEST DREXEL AVENUE, TO EXTEND THE TIME FOR THE OBTAINING OF THE ISSUANCE OF AN OCCUPANCY PERMIT (THE LASALLE GROUP, INC., APPLICANT)

WHEREAS, the above entitled Resolution No. 2015-7064 was adopted by the Common Council on February 17, 2015 and was conditioned upon the applicant obtaining an occupancy permit within one year from such date, upon property located at approximately 9201 West Drexel Avenue, bearing Tax Key No. 794-9994-003, more particularly described as follows:

That part of the East 1/2 of the East 1/2 of the Southeast 1/4 of Section 8, and part of the Southwest 1/4 of Section 9, Town 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 Section; thence South 88°09'29" West along the South line of said 1/4 Section 169.86 feet to the point of beginning of the lands to be described;

Thence continuing South 88°09'29" West along said South line 490.97 feet to a point on the West line of the East 1/2 of the East 1/2 of said Southeast 1/4 Section; thence North 00°11'57" West along said West line 697.00 feet to a point on the South line of West Drexel Avenue; thence South 59°29'08" East along said South line 646.63 feet to a point; thence Southeasterly along said South line 118.81 feet along the arc of a curve whose center lies to the Northeast whose radius is 545.00 feet and whose chord bears South 65°43'50.5" East 118.57 feet to a point; thence South 71°58'33" East 6.39 feet to a point on the West line of Parcel 1 of Certified Survey Map No. 4122; thence South 30°30'52" West along said West line 350.75 feet to the point of beginning; and

WHEREAS, the applicant having requested a two year extension of the time limit for such condition prior to the expiration thereof, and the Plan Commission having recommended approval thereof, pursuant to §15-9.0103 of the Unified Development Ordinance which contemplates the procedural potential grant of an extension upon a timely request without the requirement of a public hearing, based upon the applicant's

THE LASALLE GROUP, INC. – SPECIAL USE AMENDMENT
RESOLUTION NO. 2015-_____

Page 2

bona fide and ongoing efforts to move the project forward.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that Resolution No. 2015-7064, A Resolution Imposing Conditions and Restrictions for the Approval of a Special Use for a 46 unit Community Based Residential Facilities multi-family memory care residence facility use upon property located at approximately 9201 West Drexel Avenue, be and the same is hereby amended only to extend the time limit for the applicant’s obtaining of the issuance of an occupancy permit, to February 17, 2018.

BE IT FURTHER 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

YES _____ NOES _____ ABSENT _____

THE LASALLE GROUP

November 11, 2015

City of Franklin
Plan Commission and Common Council
9229 West Loomis Road
Franklin, WI 53132

RE: Autumn Leaves of Franklin – Establishment of Special Use Extension

Dear City of Franklin Plan Commission and Common Council:

I wanted to provide you an update on our Autumn Leaves of Franklin project. Everything is moving forward; however, due to some timing items, we are planning to pull our sitework and building permits by the end of this calendar year or early next calendar year. We are aware that we cannot really start construction until the Spring arrives, so we will be starting construction at that time.

We are also aware that the Special Use resolution has a paragraph on establishment of Special Use timing.

The LaSalle Group is hereby submitting to receive a two-year extension to the establishment of our Special Use permission for our Autumn Leaves of Franklin project located at 9201 West Drexel Avenue, Franklin, WI 53132.

Per Page 5 of Resolution No. 2015-7064 dated February 17, 2015: “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.” Therefore, we would have to establish occupancy by February 17, 2016. It will not be possible for us to establish occupancy by that date. We are therefore requesting a two-year extension to our Special Use to establish occupancy.

Our anticipated timeline for the project is as follows:

- Site Permit and Building Permit. We anticipate pulling the Site Permit and Building Permit by December 31, 2015. This may go to March 31, 2015.
- Commence Construction. We anticipated starting construction April 1, 2016.
- Complete Construction. We anticipate completing construction around May 15, 2017.
- Establish Occupancy. We anticipate establishing occupancy around June 15, 2017. This includes approximately one month of state licensing.

Please review and approve this two-year Special Use extension submittal.

www.LaSalleGroup.com

PHONE: (214) 239-8400 • TOLL FREE: (800) 4-LASALLE • FACSIMILE: (214) 239-8401
545 E. John Carpenter Freeway, Suite 545 • Las Colinas, TX 75062

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Please feel free to call me at 713.231.4438 with any questions.

We look forward to becoming valuable members of the City of Franklin community.

Sincerely,



Jason A. Glover
Regional Director of Development
The LaSalle Group
9525 Katy Freeway
Suite 445
Houston, Texas 77024
713.231.4438



MICHAEL ARENSEN

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 FAX: 414.224.1112
 WWW: MICHAELARENSEN.COM

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 FAX: 414.224.1112
 WWW: MICHAELARENSEN.COM

AUTUMN LEAVES ASSISTED LIVING
 FRANKLIN WISCONSIN
 TYPICAL BUILDING ELEVATIONS

NO.	DESCRIPTION	DATE
01	FRONT ELEVATION	10/15/11
02	FRONT ELEVATION	10/15/11
03	FRONT ELEVATION	10/15/11
04	FRONT ELEVATION	10/15/11
05	FRONT ELEVATION	10/15/11
06	FRONT ELEVATION	10/15/11

NO.	DESCRIPTION	DATE
01	FRONT ELEVATION	10/15/11
02	FRONT ELEVATION	10/15/11
03	FRONT ELEVATION	10/15/11
04	FRONT ELEVATION	10/15/11
05	FRONT ELEVATION	10/15/11
06	FRONT ELEVATION	10/15/11

- FIBER CEMENT SIDING (TYP.)
- ASPHALT SINGLE ROOF (TYP.)
- STONE VENEER (TYP.)
- FACE BRICK VENEER (TYP.)



FIBER CEMENT SIDING



MONUMENTAL SIGN



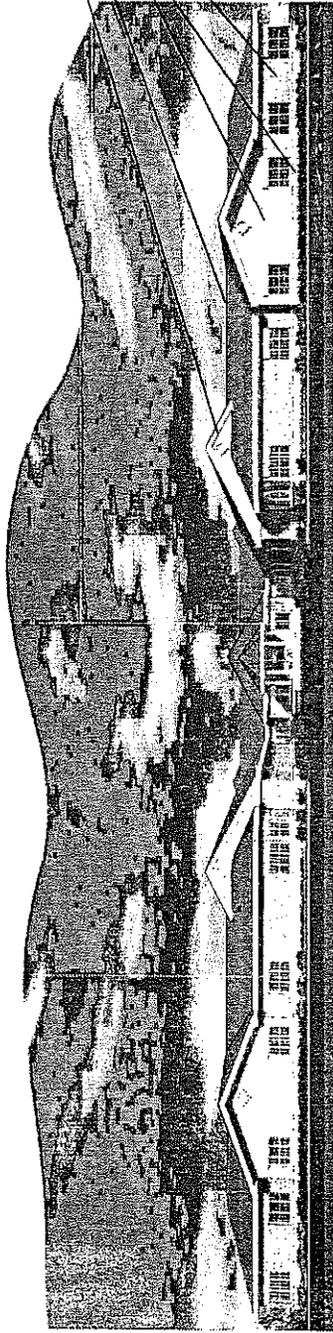
FENCE



STORAGE SHED



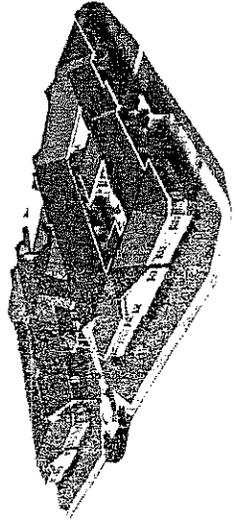
DUMPSTER



01 - FRONT ELEVATION
SCALE: 1/8"=1'-0"



02 - SIDE ELEVATION
SCALE: 1/8"=1'-0"



03 - REAR ELEVATION
SCALE: 1/8"=1'-0"



04 - SIDE ELEVATION
SCALE: 1/8"=1'-0"

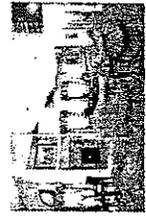
05 - ROOF RENDERING
SCALE: 1/8"=1'-0"



GARDEN COURTYARD



FRONT ENTRANCE



LIVING ROOM



COURTYARD



DINING



LIBRARY

Blank Page