CITY OF FRANKLIN

COMMON COUNCIL MEETING

FRANKLIN CITY HALL – COMMON COUNCIL CHAMBERS 9229 WEST LOOMIS ROAD, FRANKLIN, WISCONSIN AGENDA*

TUESDAY, JUNE 5 AT 6:30 P.M.

- A. Call to Order and Roll Call.
- B. 1. Citizen Comment Period.
 - 2. Mayoral Announcements:
 - (a) Ballpark Commons Groundbreaking Ceremony, June 7, 2018 at 2:00 p.m.
 - (b) Start Date for Economic Development Director, Ms. Calli Berg, June 18, 2018.
 - (c) Hiring Procedure and Timing for Health and Human Services Director.
- C. Approval of Minutes:

Regular Common Council Meeting of May 15, 2018.

- D. Hearings.
- E. Organizational Business.

The Mayor has made the following appointments for Common Council confirmation:

Civic Celebrations Commission:

- 1. John Bergner, 8501 S. Parkland Dr. (3 year term expiring 6/30/2021).
- 2. Robert Knackert, 9049 S. 83rd St. (3 year term expiring 6/30/2021).
- 3. Randy Grass, 9056 W. Elm Ct., Unit F (3 year term expiring 6/30/2021).
- 4. Douglas Clark, 8173 S. 100th St. (3 year term expiring 6/30/2021).

Library Board:

- 5. Michael Karolewicz, 8208 W. Coventry Dr. (3 year term expiring 6/30/2021).
- 6. Madelyn Kempen, 7855 S. Scepter Dr., Apt. 13, Ald. Dist. 2 (3 year unexpired term expiring 6/30/2019).

Board of Health:

7. Wayne Hustad, 10320 W. St. Martins Rd., Ald. Dist. 2 (2 year unexpired term expiring 4/30/2019).

Economic Development Commission:

- 8. Robert Goetsch, 4037 W. Forest Hill Ave., Ald. Dist. 5 (2 year term expiring 6/30/2020).
- F. Letters and Petitions.
- G. Reports and Recommendations:
 - 1. Consent Agenda:
 - (a) An Ordinance to Amend the Franklin Municipal Code as it Pertains to Resisting or Obstructing an Officer.
 - (b) Donation from Heritage Funeral Homes in the Amount of \$531 to be Used for the Police K9 Program.

- (c) Authorize the Director of Administration to Execute the Necessary Quote with Paragon Development Systems (PDS) for the Planned Remote Site Layer 3 Switch Upgrade Project.
- (d) An Ordinance to Amend Chapter 210: Signs and Billboards to Provide for an Additional One-Year Suspension of a Requirement for Master Sign Programs and to Expand the Exception Appertaining to Signs for the Lease, Sale, New or Pending Business or Commercial Occupancy of any Building or Land to New Residential Subdivisions.
- 2. Review of the Standards, Findings and Decision of the City of Franklin Common Council Upon the Application of The Rock Sports Complex, LLC, for a Special Exception to Certain Natural Resource Provisions of the City of Franklin Unified Development Ordinance Dated January 9, 2018.
- 3. Concept Review for a Proposed Revision of the Preliminary Plat Oakwood at Ryan Creek, a Single-Family Residential Subdivision Development Upon Property Located at the Northwest Corner of S. 76th Street and W. Oakwood Road, Tax Key No. 934-9992-010 (Neumann Developments Inc., Applicant).
- 4. Update for Rawson Homes Drainage and Water Main Relay Project.
- 5. Recommendation to Reject all Bidders for the Rawson Homes Drainage and Water Main Relay Project.
- 6. Details of Consultant Invoices for Rawson Homes Drainage and Water Main Relay Project.
- 7. Recommendation to Select Lakeside Engineers for the Phase 1 Design of S. 68th Street Improvements from W. Loomis Road to W. Puetz Road.
- 8. A Resolution to Accept a \$7,500 Grant from the 2018 Bay-Lake, East Central Wisconsin, and Northwest Wisconsin Regional Planning Commissions (RPCS) and Wisconsin Department of Natural Resources (WDNR) Great Lakes Basin Tree Planting Grant Program.
- 9. Franklin Industrial Park Sewerage Lift Station Abandonment and Sewer Main Extension Project Engineering Design Services Agreement (Greeley and Hansen LLC Recommended by Staff) and its Coordination with the City of Waukesha Water Utility Treated Water Return Pipeline Project Along West Ryan Road and the Waukesha Utility's Lake Michigan Water Sources Project Named Trade Mark Great Lakes Water Alliance 'Partner', for Service Efficiencies and Cost Savings From Such Projects Being Worked Together.
- 10. Status of Overtime Budget for the Department of Public Works.
- 11. Contract with Ruekert & Mielke, Inc. for Professional Services Task Order Related to Engineering in Area D, for the Development of a Future Corporate Park Roughly Between W. Oakwood Road and W. South County Line Road and S. 27th and S. 42nd Streets.
- 12. Status of Resolution to Sign Rental Agreement with American Tower at 5572 W. Airways Avenue for \$5,132.16.

- 13. An Ordinance to Amend Ordinance 2017-2301, an Ordinance Adopting the 2018 Annual Budgets for the General Fund, Capital, Outlay Fund and Capital Improvement Fund for the City of Franklin for Fiscal Year 2018 to Move Contingency Expenditures to Descriptive Accounts.
- 14. Presentation and Discussion on 2019 Budget Development Issues.
- 15. Moody's Rating of City Debt Methods to Improve the City's Rating.
- 16. Recommendation from Finance Committee to Commission an Update of all Impact Fees Study.
- 17. An Ordinance to Amend §207-10.C.(2) of the Franklin Municipal Code Related to the Water Utility Cash Account.
- 18. April 2018 Monthly Financial Report.
- 19. Approval of a Revised Anti-Harassment Policy and Related Application Within the Employee Handbook.
- 20. Agreement with the City of Greenfield to Serve as Interim Health Officer for the City of Franklin.
- 21. Authorize Frederick M. Baumgart to Serve as a Limited-Term, Part-Time Employee in Accordance with the Employee Handbook in Providing Govern Technical Support to the IT Director.
- 22. A Resolution Setting Forth the Date and Form of a Question for an Advisory Referendum Ballot Regarding the State Enactment of Legislation Protecting Location Businesses, Apartment Owners and Homeowners from Tax Shifts (Mayor Olson).
- 23. Notice of Claim and Notice of Injury from Christopher J. Stawski of McGranaghan & Stawski, Ltd., Attorney on Behalf of Enrique Ferreira, Teresa Ferreira and Gerardo Ferreira, Alleging Physical and Psychological Injuries Sustained when a Number of Agents and Employees of the City of Franklin and/or the Franklin Public School District Failed to Follow the Ministerial Duties Imposed Upon Them by the Policies and Procedures of the City of Franklin and/or the Franklin Public School District. The Common Council May Enter Closed Session Pursuant to §19.85(1)(e) and (g), Stats., to Consider a Notice of Claim and Notice of Injury Received February 9, 2018 from Christopher J. Stawski of McGranaghan & Stawski, Ltd., Attorney on Behalf of Enrique Ferreira and his Parents Teresa Ferreira and Gerardo Ferreira, Alleging Physical and Psychological Injuries Sustained when a Number of Agents and Employees of the City of Franklin and/or the Franklin Public School District Failed to Follow the Ministerial Duties Imposed Upon Them by the Policies and Procedures of the City of Franklin and/or the Franklin Public School District.

H. Licenses and Permits.

Miscellaneous Licenses from License Committee Meeting of June 5, 2018.

I. Bills.

Request for Approval of Vouchers and Payroll.

Common Council Meeting Agenda June 5, 2018 Page 2

J. Adjournment.

[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:

June 7	Plan Commission Meeting	7:00 p.m.
June 19	Common Council Meeting	6:30 p.m.
June 21	Plan Commission Meeting	7:00 p.m.
July 4	Fourth of July	City Hall Closed
July 17	Common Council Meeting	6:30 p.m.

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

CITY OF FRANKLIN COMMON COUNCIL MEETING MAY 15, 2018 MINUTES

ROLL CALL	A.	The regular meeting of the Common Council was held on May 15, 2018 and called to order at 6:30 p.m. by Mayor Steve Olson in the Franklin City Hall Council Chambers, 9229 W. Loomis Road, Franklin, Wisconsin. On roll call, the following were in attendance: Alderman Mark Dandrea, Alderman Dan Mayer, Alderwoman Kristen Wilhelm, Alderman Steve F. Taylor, Alderman Mike Barber and Alderman John R. Nelson. Also present were City Engineer Glen Morrow, Dir. of Administration Mark Luberda, City Attorney Jesse A. Wesolowski and City Clerk Sandra Wesolowski.
CITIZEN COMMENT	B.1.	Citizen comment period was opened at 6:31 p.m. and closed at 6:42 p.m.
DIR. OF ECONOMIC DEVELOPMENT	B.2.(a)	Mayor Olson noted the appointment of Ms. Calli Berg as Director of Economic Development for the City of Franklin.
PUBLIC SERVICE COMMISSION OF WIS. MAY 10, 2018 MEETING	B.2.(b)	Mayor Olson and the City Attorney summarized the Public Service Commission of Wisconsin meeting on May 20, 2018 re: application of the City of Oak Creek, as a Water Public Utility, for authority to construct pumping and water storage improvements and new disinfection facilities, in the City of Oak Creek, Milwaukee County, Wisconsin, PSC Docket No. 4310-CW-109.
2018 WATER UTILITY SAFETY AWARD	B.2.(c)	Mayor Olson noted the 2018 Water Utility Safety Award to the Franklin Water and Sewer Utility by the Wisconsin Rural Water Association (WRWA).
MINUTES MAY 1, 2018	C.	Alderman Taylor moved to approve the minutes of the regular Common Council Meeting of May 1, 2018 as amended and presented at this meeting. Seconded by Alderman Dandrea. All voted Aye; motion carried.
BOARD OF REVIEW APPOINTMENT	E.	Alderwoman Wilhelm moved to confirm the Mayoral appointment of Kelamar Svoboda, 4928 W. Tumblecreek Drive, Ald. Dist. 3, to the Board of Review for an unexpired 3 year term expiring 4/30/2020. Seconded by Alderman Dandrea. On roll call, all voted Aye; motion carried.
MADACC WEEKENDERS CLUB PROGRAM	F.	Mayor Olson noted a letter from the Milwaukee Area Domestic Animal Control Commission (MADACC) regarding the Weekenders Club Program.

MAIN EASEMENT AT

2588-3034 W. STATESMAN

CONSENT AGENDA INCREASE P/T CUSTODIAN, DONATION, AND 22 ND ANNUAL TOBACCO POSTER CONTEST WINNERS	G.1. (a) (b)	Alderman Taylor moved to approve the following consent agenda items: Increase one extended-term, part-time Maintenance Custodian position from a regular schedule of 19 hours/week to 20 hours/week. Receive \$200 donation from Southwest Milwaukee Optimist Club to be used toward the purchase of bicycle lights for the City of Franklin Bike Rodeo.
	(c)	Accept and place on file the 22 nd Annual Franklin students Tell the Truth about Tobacco Poster Contest winners. Approval of the above consent items was seconded by Alderman Mayer. All voted Aye; motion carried.
2017 FINANCIAL REPORT	G.2	Alderman Taylor moved to accept the 2017 Comprehensive Annual Financial Report for the City of Franklin and place on file. Seconded by Alderman Barber. All voted Aye; motion carried.
CONCEPT REVIEW FOR DEVELOPMENT AT W. LOOMIS RD. AND S. RYAN RD. (MILLS HOTEL WYOMING, LLC, APPLICANT)	G.3.	No action was taken following a concept review presentation for the proposed mixed used development (approximately 164 acres generally located north and south of W. Loomis Road, south of W. Ryan Road, west of S. 112th Street, east of S. 124th Street and north of W. Oakwood Road) (Mills Hotel Wyoming, LLC, Applicant).
RES. 2018-7378 CONSERVATION EASEMENT AND SPECIAL USE AND CSM AT 2588- 3034 W. STATESMAN WAY (FORMERLY 7333 S. 27TH ST.)(ZILBER LTD., APPLICANT)	G.4.	Alderwoman Wilhelm moved to adopt Resolution No. 2018-7378, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO ACCEPT A CONSERVATION EASEMENT FOR AND AS PART OF THE REVIEW AND APPROVAL OF A SPECIAL USE AND CERTIFIED SURVEY MAP FOR A MULTI-FAMILY RESIDENTIAL DEVELOPMENT USE UPON PROPERTY LOCATED AT 2855-3034 W. STATESMAN WAY (FORMERLY 7333 S. 27TH STREET) (ZILBER LTD., APPLICANT), with the emphasis on technical corrections by the City Attorney. Seconded by Alderman Taylor. All voted Aye; motion carried.
RES. 2018-7379 RETENTION POND AND DRAINAGE ACCESS EASEMENT, TEMP. ACCESS AND WATER	G.5.	Alderwoman Wilhelm moved to adopt Resolution No. 2018-7379, A RESOLUTION FOR ACCEPTANCE OF A RETENTION POND AND DRAINAGE ACCESS EASEMENT, A TEMPORARY ACCESS EASEMENT AND A WATER MAIN EASEMENT FOR TI INVESTORS

OF FRANKLIN LOCATED AT

STATESMAN WAY (FORMERLY 7333 S. 27TH

2855-3034

NOTICE OF CLAIM

GREG MODLINSKI

WAY (ZILBER LTD.)		STREET) (ZILBER LTD., APPLICANT), with the emphasis on technical corrections by the City Attorney. Seconded by Alderman Taylor. All voted Aye; motion carried.
		Alderman Mayer vacated his seat at this time.
ORD. 2018-2325 AMEND ORD. 2017-2301 TO PROVIDE ADDITIONAL APPROPRIATIONS FOR STORM SEWER PROJECT IN RAWSON HOMES	G.6.	Alderwoman Wilhelm moved to adopt Ordinance No. 2018-2325, AN ORDINANCE TO AMEND ORDINANCE 2017-2301, AN ORDINANCE ADOPTING THE 2018 ANNUAL BUDGETS FOR CAPITAL IMPROVEMENT FUND FOR THE CITY OF FRANKLIN FOR FISCAL YEAR 2018 TO PROVIDE ADDITIONAL APPROPRIATIONS FOR A MILWAUKEE METROPOLITAN SEWERAGE DISTRICT STORM SEWER PROJECT IN RAWSON HOMES. Seconded by Alderman Nelson. On roll call, all voted Aye (Alderman Mayer absent). Motion carried.
		Alderman Mayer returned to his seat.
RAWSON HOMES DRAINAGE AND WATERMAIN RELAY PROJECT	G.7.	Alderman Taylor moved to table the update for Rawson Homes Drainage and Water Main Relay project to the June 5, 2018 Common Council meeting and to direct staff to notify affected residents of the meeting. Seconded by Alderman Barber. All voted Aye; motion carried.
MARCH FINANCIAL REPORT	G.8.	Alderman Taylor moved to receive and place on file the March, 2018 Monthly Financial Report. Seconded by Alderman Barber. All voted Aye; motion carried.
JOB DESCRIPTION FOR DIR. OF HEALTH AND HUMAN SERVICES	G.9.	Alderman Taylor moved to approve the job description for Director of Health and Human Services as recommended by the Personnel Committee. Seconded by Alderman Barber. All voted Aye; motion carried.
REVISED ANTI- HARASSMENT POLICY	G.10.	Alderman Taylor moved to table to June 5, 2018 Common Council meeting the revised Anti-Harassment Policy and related applications within the Employee Handbook. Seconded by Alderman Nelson. All voted Aye; motion

carried.

Alderman Taylor moved to deny the claim of Greg Modlinski

pursuant to Wisconsin Statute 893.80(1g), based upon and in concurrence with the insurance adjuster that the investigation revealed that the City of Franklin was not negligent for this incident as discussed in the Council Action Sheet. Seconded

by Alderman Mayer. All voted Aye; motion carried.

G.11.

LICENSES AND PERMITS H.

Alderwoman Wilhelm moved to approve the following License Committee recommendations from their meeting of May 4, 2018:

Grant Extraordinary Entertainment & Special Event license to the Rock Sports Complex Summer Concert Series (Scot Johnson) every Saturday from 6/2/2018 through 9/22/2018 and Wednesday 7/4/2018, contingent on changes related to parking and an update on the status of conducting any noise &/or light studies; Grant Class A Combination, subject to compliance with City Ordinance and approval of inspections, to Jujhar LLC, Agent Hardip Singh Bhatti, 11123 W Forest Home Ave; Grant Class B Combination, subject to compliance with City Ordinance and approval of inspections, to M&W Leung, LLC, Agent May Leung, 7236 S 76th St.; Grant Class B Combination and Entertainment & Amusement licenses, subject to compliance with City Ordinance and approval of inspections, to Irish Cottage of Franklin LLC, Agent Jenny Jennings, 11433 W Ryan Rd.; Grant Class B Combination and Entertainment & Amusement licenses, subject to payment & compliance with WDFI & City Ordinance and approval of inspections, to The Landmark of Franklin LLC, Agent Lorie Beth Knaack-Helm, 11401 W Swiss St.; Grant Class B Combination and Entertainment & Amusement licenses, subject to payment & compliance with City Ordinance and approval of inspections, to Franklin Hotel Company LLC, Agent Eric Bates, 9575 S. 27th St.; Grant Class B Combination and Coin Operator licenses, subject to payment & compliance with City Ordinance and approval of inspections, to Pantheon of Wisconsin Inc., Agent Debbie Koutromanos, 7621 W Rawson Ave.; Hold Class B Combination & Entertainment & Amusement license applications for appearance from Alley Kats Pub and Grill LLC, Agent John Trudeau, 11430 W Swiss St.; Grant 2017-18 and 2018-19 Class B Beer licenses, subject to compliance with City Ordinance and approval of inspections, to Top Prize Dog Restaurants, LLC, Agent/Owner John O'Malley, 7178 S 76th St.; Grant 2018-19 Daycare license, subject to payment & compliance with City Ordinance and approval of inspections, to Ingenious, Inc., Manager Robin Staniszewski, 7260 S. 76th St.; Grant 2018-19 Entertainment & Amusement license, subject to payment & compliance with City Ordinance and approval of inspections, to Prime Timez, LLC, Agent Mohammed Nowman, 6544 S. Lovers Lane Rd.: Grant Amusement Device Operator license Reggie's Amusements, LLC, Owner Reginald Zeniecki, 4918 S Packard Ave., Cudahy; Grant Temporary Entertainment & Amusement and Temporary Class B Beer licenses to Civic Celebration Commission (John Bergner) for Fourth of July Festivities on 7/2/2018 through 7/4/2018; Grant 2017-18 and 2018-19 Operator licenses to Jennie L Acevedo, 833 S. 56th St., West Allis; Abigail Blomquist, 8866 W. Puetz Rd., Franklin; Jessica Davis, 5591 Basswood St., Greendale; Ethan Fisher, 8221 Fairmont Ln., Greendale; Amy Haase, 8829 W. Olive St., Milwaukee; Grant Halser, 3535 W. Forest Hill Ave., Franklin; Diane Holytz, 7325 W. Holt Ct., Milwaukee; Joseph Sosalla, 1626 N. Prospect Ave., #1707, Milwaukee; Linda Steeves, 9265 S. 92nd St., Franklin; Hold 2017-18 and 2018-19 Operator license applications for appearance from Angela Damask, 3260 S. 7th St., Milwaukee; Shawn Hinkel 2023 S. 96th St., West Allis; Oscar Sastre Colon, 3221 S. 36th St., Milwaukee; Alissa Zetzman, 40 E. Feldstone Cir., #5, Oak Creek; Nicole Zignego, W304N2358 N. Westwind Dr., #5A, Pewaukee; Hold 2018-19 Operator license application for appearance from Veronica Hilgart, 10560 W. Cortez Cir, #19, Franklin; Stacie Trippler, 5331 N. 37th St., Milwaukee: Grant 2017-18 and 2018-19 Operator license, subject to background check, to Shyanna Her, 1548 Phillips Ave., Racine; Grant 2018-19 Operator licenses to John Bergner, 8501 Parkland Dr., Franklin; Randy Grass, 9056 W. Elm Ct., Unit F, Franklin; Anthony Megna, 10321 W. Church St., Franklin; Joseph Pollack, 10165 W. Coldspring Rd., #106, Greenfield; Kyle Rodenkirch, 7144 S. 47th Pl., Franklin; Cassie Schuster, 2616 S. Chicago Ave., South Milwaukee; Ashley Allen, 5000 S. 107th St., Milwaukee; Jared Anderson, 3808 S. 102nd St., Greenfield; Michael Bartolone, 8041 W. Tripoli Ave., Milwaukee; Alicia Bellanger, 9315 S. Orchard Park Ci.r, #3A, Oak Creek; Tanya Bielinski, 10568 W. Cortez Cir., #28, Franklin; Megan Bieringer, 8136 W. Coventry Dr., Franklin; Darrell Bostwick 7308 Lakeshore Dr., Racine; Phoebe Botros, 10350 .S Justin Dr., Oak Creek; William Canales, 809 Lakeview Ave., South Milwaukee; Scott Christofferson, S76W17145 Deer Creek Ct., Muskego; Joel Clifford, 21554A S. Kinnickinnic Ave., Milwaukee; Kayla Corona, 623 Manistique Ave., South Milwaukee; Nicole Del Valle, 4380 S. Burrell St., Milwaukee; Sarah Deshambo, 1912 E. Eden Pl., St Francis; Richard Elliott, 9461 S. 27th St., #3, Franklin; Lori Falkowski, 10227 Parklane Ct., Hales Corners; Kristen Fenninger, 9750 S. 31st St., Franklin; Jennifer Francis, 4380 S. Burrell St., Milwaukee; Kamille Fritz, 915 N. 15th St., #302, Milwaukee; Eric Gagliano, 3723 Meadow Rose Ct., Franksville; Nicole Gaus, 6247 S. Howell Ave., Milwaukee; Patti Hartung, 664 Shirley Dr., Franksville; Dale Hasenstein, 3033 S. 91st St., West Allis; Bambi Hatfield, 3352 S. 20th St., Milwaukee; Ozzie Jackson Jr., 1045 E. Meadowview Dr., Oak Creek; Lori Jones, 2247 S. 68th St., West Allis; Adam Jubeck, 2430 W. Briar Lake Way, #2B, Oak Creek; Jill Lake, W135S7013 Hale Park Dr., Muskego; Marek Larson, 512 Rawson Ct., South Milwaukee; John Lehman, 1301 S. 76th St., West Allis; Rebecca Lehmann, 3651 E. Pulaski Ave., Cudahy; Steven Lippel, 3922 70th St., Kenosha; Marcia Lonzaga, 753 N. 116th St., Wauwatosa; Jon Mankowski, 5917 W. Edgerton Ave., Greenfield; Judith Mantey, 2815 W. Hilltop Ln., Franklin; Laura Martinez, 3742 E. OBrien Rd., Oak Creek; Mark Matecki, 1007 W. Morgan Ave., Milwaukee; Lauren Mather, 12400 Mac Alister Way, New Berlin; Michelle McDonald, 718 S. 112th St., West Allis; Beau Mitchell, 5314 Robin Dr., Greendale; Ann Moehlenpah, 3573 W. Hilltop Ln., Franklin; Reman Mustafa, 8210 S. 88th St., Franklin; Sherry Orchel, 2120 S. 58th St., West Allis; Lorene Ornelas, 2955 W. Drexel Ave., #412, Franklin; Andrew Page, 4642 W. Crawford Ave., Greenfield; Christine Platzer, 8650 S. Ventana Dr., #3811, Oak Creek; Denise Popp, W182S7715 Valley Dr., Muskego; Alicia Prindle, 8741 S. Country Dr., #203, Oak Creek; Derrick Pucek, 2501 Pendleton Pl., Waukesha; Debra Reichart, 25304 Windsong Ct., Wind Lake; James Richter, 2165 W. Greenbriar Ct., #28 Oak Creek; Megan Rongholt, 3344 Marina Rd., #220, South Milwaukee; Toni Ruyle, 1835 Ellis Ave., Racine; Daniel Sajdowitz, 3674 S. 5th Pl., Milwaukee; Bobette Sakiewicz, 9205 S. Orchard Park Cir., #2A, Oak Creek; Amanda Schaefer, 10324 W, Bunzel Ave., Hales Corners; Lisa Schaefer, 2905 N. Newhall St, #501, Milwaukee; Jason Schepker, 4461 S. 49th St., Greenfield; Jason Schnell, 12165 224th Ave., Bristol; Kerry Schoemann, 5749 Cambridge Cir., #1, Mount Pleasant; Shannon Smallish, 6160 S 6th St., Lot #W53, Milwaukee; Amanda Snieg, 2133 S. 75th St., West Allis: Daniel Stadler, S73W14901 Candlewood Ln., Muskego; Alicia Steinmetz, 12921 6 ½ Mile Rd., Caledonia; James Steuck, 3119 S. 122nd St., #19. West Allis; Terry Tornow, 713 13th Ave., Union Grove; Jared Zakszewski, 2924 W. Hilltop Ln., Franklin; Grant 2018-19 Operator license pending notarize signature to Cathryn Hintz, 5225 S. Brennan Dr., New Berlin;

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

Alderman Taylor moved to approve the following License Committee recommendations from their meeting of May 15, 2018:

Grant Class A Combination license, subject to payment & compliance with City Ordinance and approval of inspections, to Spirit Dreams LLC, Agent Scott Haese, 6507A S. 27th St.; Grant Class A Combination license, subject to compliance with City Ordinance and approval of inspections, to Kwik Trip Inc., Agent Andrew Wichmann, 10750 W. Speedway Dr.; Ultra Mart Foods, LLC, Agent Ricky Kloth, 7201 S. 76th St.; Walgreen Co., Agent Jessica Marin, 9909 W. Loomis Rd.; Walgreen Co., Agent Jason Marinello, 9527 S. 27th St.; Grant Class B Combination and Entertainment & Amusement licenses, subject to compliance with City Ordinance and approval of inspections, to Alley Kats Pub and Grill LLC, Agent John Trudeau, 11430 W. Swiss St.; Grant Extraordinary Entertainment & Amusement license to the Rock Sports Complex for the Make-A-Wish Big Bash for Kids (Scot Johnson) on 6/16/2018; Grant Entertainment & Amusement license, subject to compliance with City Ordinance and approval of inspections, to Milwaukee County Parks, Agent Andrea Wallace, 6000 W. Ryan Rd; Milwaukee County Parks, Agent Andrea Wallace, 3600 W Oakwood Rd.: Milwaukee County Parks, Agent Andrea Wallace, 6751 S. 92nd St.; Grant Temporary Entertainment & Amusement license to Rainbow Valley Rides, Inc. (Ronald Kedrowicz) for the Fourth of July Festivities on 7/2/2018 through 7/4/2018; Approve Amendment to People Uniting for the Betterment of Life and Investment in the Community (PUBLIC) Grant for VFW Post 10394 (Franklin/Hales Corners) to include additional dates for St. Martins Every First Monday Market Fair; Grant Temporary Class B Beer license to VFW Post 10394 (Franklin/Hales Corners) for the St. Martins First Monday Market Fair & Labor Day Weekend starting June through October, 2018; Grant 2017-18 Operator license to Joseph Ligocki, 10400 S. Redwood Ln., Oak Creek; Grant 2017-18 & 2018-19 Operator licenses to Shyanna Her, 1548 Phillips Ave., Racine; Grant 2018-19 Operator licenses to Kenneth Grochowski, 7521 S. Nottingham Way, Franklin; Brian Sawinski, 3551 S. 11th St., Milwaukee; Michael Dach, 109 N. 3rd St. Upper, Waterford; Isaac Krikorian, 2502A S. Wentworth Ave., Milwaukee; Kristen Menzel, 6938A S. Howell Ave., Oak Creek; Judy Schneider, 1088 Quail Ct., 226, Pewaukee; Meredith Yanke, 7030 Lindner Dr., Franklin. Grant 2018-19 Operator license, subject to completion of the Responsible Beverage Server Course, to Brittany Sula, 133 W

I.

G.12.

Pittsburgh Ave., #404, Milwaukee. Seconded by Alderman Nelson. All voted Aye; motion carried.

VOUCHERS AND PAYROLL

Alderman Taylor moved to approve the following: City vouchers with an ending date of May 10, 2018 in the amount of \$1,177,438.37; Payroll dated May 11, 2018 in the amount of \$388,790.28 and payments of the various payroll deductions in the amount of \$222,076.80 plus City matching payments; and Estimated Payroll dated May 25, 2018 in the amount of \$380,000.00 and payments of the various payroll deductions in the amount of \$402,000.00, plus City matching payments; and the release of payment to Sharp Electronics Corp not to exceed \$1,000.00. Seconded by Alderman Dandrea. On roll call, all voted Aye. Motion carried.

CLOSED SESSION DIR. OF ECONOMIC DEV. POSITION CANDIDATES

Alderman Taylor moved to enter closed session at 8:29 p.m. pursuant to Wis. Stats. §19.85(1)(c) and (f), to consider Employment, Promotion, Compensation or Performance Evaluation Data of a Public Employee over which the Common Council has jurisdiction or exercises responsibility and to consider financial, social or personal histories of specific persons which, if discussed in public, would be likely to have a substantial adverse effect upon the reputation of any person referred to in such histories and may reenter open session at the same place thereafter to act on such matters discussed there in as it deems appropriate. Seconded by Alderman Mayer. On roll call, all voted Aye. Motion carried.

No action was taken upon reentering open session at 8:42 p.m.

ADJOURNMENT

J. Alderman Taylor moved to adjourn the meeting at 8:42 p.m. Seconded by Alderman Mayer. All voted Aye; motion carried.

APPROVAL COUNCIL ACTION ORGANIZATIONAL BUSINESS REQUEST FOR COUNCIL ACTION DATE 06/05/2018 ITEM NUMBER

The Mayor has made the following appointments for Council confirmation:

Civic Celebrations Commission:

- 1. John Bergner, 8501 S. Parkland Dr. (3 year term expiring 6/30/2021).
- 2. Robert Knackert, 9049 S. 83rd St. (3 year term expiring 6/30/2021).
- 3. Randy Grass, 9056 W. Elm Ct., Unit F (3 year term expiring 6/30/2021).
- 4. Douglas Clark, 8173 S. 100th St. (3 year term expiring 6/30/2021).

Library Board:

- 5. Michael Karolewicz, 8208 W. Coventry Dr. (3 year term expiring 6/30/2021).
- 6. Madelyn Kempen, 7855 S. Scepter Dr., Apt. 13, Ald. Dist. 2 (3 year unexpired term expiring 6/30/2019).

Board of Health:

7. Wayne Hustad, 10320 W. St. Martins Rd., Ald. Dist. 2 (2 year unexpired term expiring 4/30/2019).

Economic Development Commission:

8. Robert Goetsch, 4037 W. Forest Hill Ave., Ald. Dist. 5 (2 year term expiring 6/30/2020).

COUNCIL ACTION REQUESTED

Motion to confirm the following Mayoral appointments:

Civic Celebrations Commission:

- 1. John Bergner, 8501 S. Parkland Dr. (3 year term expiring 6/30/2021).
- 2. Robert Knackert, 9049 S. 83rd St. (3 year term expiring 6/30/2021).
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Board of Health:

7. Wayne Hustad, 10320 W. St. Martins Rd., Ald. Dist. 2 (2 year unexpired term expiring 4/30/2019).

Economic Development Commission:

8. Robert Goetsch, 4037 W. Forest Hill Ave., Ald. Dist. 5 (2 year term expiring 6/30/2020).

Shirley Roberts

From: Sent:

volunteerfactsheet@franklinwi.gov Sunday, May 06, 2018 8:43 PM

To:

Lisa Huening; Shirley Roberts; Sandi Wesolowski

Subject:

Volunteer Fact Sheet

Name:

Madelyn Kempen

PhoneNumber:

414-702-8855

EmailAddress:

mkempen92@gmail.com

YearsasResident:

3 2

Alderman: ArchitecturalBoard:

0

CivicCelebrations:

0

CommunityDevelopmentAuthority: **EconomicDevelopmentCommission:** 0 1

EnvironmentalCommission:

0

FinanceCommittee:

0

FairCommission:

0

BoardofHealth:

ParksCommission:

0

FirePoliceCommission:

0 0

LibraryBoard:

1

PlanCommission:

0

PersonnelCommittee:

BoardofReview:

0

BoardofPublicWorks:

0 0

QuarryMonitoringCommittee: TechnologyCommission:

0

TourismCommission:

BoardofZoning:

0

BoardWaterCommissioners: CompanyNameJob1:

School Sisters of Notre Dame

TelephoneJob1:

TelephoneJob2:

(262) 782-9850

StartDateandPositionJob1:

WasteFacilitiesMonitoringCommittee: 0

April 2018 - Resource Development Coordinator

EndDateandPositionJob1:

Still Employed

CompanyNameJob2:

St. Augustine Prep (414) 810-1380

StartDateandPositionJob2:

July 2017/ English Teacher

EndDateandPositionJob2:

March 2018/English Teacher and After School Coordinator

CompanyNameJob3:

HOPE Christian High School

TelephoneJob3:

StartDateandPositionJob3:

EndDateandPositionJob3:

Signature:

Signature2:

Date:

Date2:

Address:

WhyInterested:

PriorityListing:

CompanyAddressJob1:

Description of Duties Job 1:

AddressJob2:

Description of Duties Job 2:

AddressJob3:

Description of Duties Job 3:

AdditionalExperience:

ClientIP:

SessionID:

See Current Results

(414) 264-4476

July 2016/ English Teacher

July 2017/ English Teacher

Madelyn Kempen

05.06.2018

Madelyn Kempen

05.06.2018

7855 S Scepter Dr. Apt. 13 Franklin, WI 53132

Library Board Personnel Committee Economic Development

Commission

I am interested in using my education and experience to serve the Franklin Community in developing resources and opportunities. My background includes working in education and resource development. My roles and responsibilities have required me to utilize my skills in developing job descriptions, organizing management, generating financial resources, budgeting, marketing, analyzing use of resources, predicting financial needs and creating strategies to accomplish goals.

13105 Watertown Plank Rd, Elm Grove, WI 53122

- Analyzing budget and financial needs - Generating new sources of funding - Developing relationships with foundations, corporations and individual donors - Organizing fundraising events - Aligning fundraising with the organizations's mission

2607 S 5th St, Milwaukee, WI 53207

- Formation of English Department - Development of After School Program - Analysis of student academic performance - Identification of resource needs - Management and Hiring of After-School Staff

3215 N Doctor M.L.K. Dr, Milwaukee, WI 53212

- Data driven instruction - Evaluation of curriculum and resources - Analysis of student performance and teaching techniques -

Implementation of teaching strategies to prepare students for college

- Education, M.A. (2018) - Writing, M.A. (2015) - Communication, B.A. (2013) - Adjunct Professor at Mount Mary University (2015)

75.9.80.249

fbsdujyzy5sym045etflcd55

Shirley Roberts

Subject:

FW: Volunteer Fact Sheet Bd of Health Dist 2

From: volunteerfactsheet@franklinwi.gov [mailto:volunteerfactsheet@franklinwi.gov]

Sent: Thursday, December 14, 2017 6:02 PM

To: Lisa Huening; Shirley Roberts; Sandi Wesolowski

Subject: Volunteer Fact Sheet

Name: Wayne Hustad

PhoneNumber: 4142021760 EmailAddress: waynehustad

EmailAddress: waynehustad@yahoo.com
YearsasResident: 7 1/2

Alderman: district 2 Dan Mayer...

ArchitecturalBoard: 0
CivicCelebrations: 0
CommunityDevelopmentAuthority: 0
EconomicDevelopmentCommission: 0

EnvironmentalCommission: 0

FinanceCommittee: 0

FairCommission: 0

BoardofHealth: 1
FirePoliceCommission: 0

ParksCommission: 0

LibraryBoard: 0

PlanCommission: 0

PersonnelCommittee: 0

BoardofReview: 0
BoardofPublicWorks: 0

OuarryMonitoringCommittee: 0

QuarryMonitoringCommittee: 0
TechnologyCommission: 0

TourismCommission: 0

BoardofZoning: 0

WasteFacilitiesMonitoringCommittee: 0

BoardWaterCommissioners: 0

CompanyNameJob1: Walgreens TelephoneJob1: 414-762-9717

StartDateandPositionJob1: May 1985 Staff Pharmacist **EndDateandPositionJob1:** Jan 2015 Pharmacy Manager

CompanyNameJob2:

TelephoneJob2:

StartDateandPositionJob2:

EndDateandPositionJob2:

CompanyNameJob3:

TelephoneJob3:

 ${\bf Start Date and Position Job 3:}$

EndDateandPositionJob3:

Signature: Wayne P. Hustad

Date: 12-14-2017

Signature2: Wayne P. Hustad

Date2: 12-14-2017

Address: 10320 West Saint Martins Road

 ${\bf Priority Listing:}$

I am a retired pharmacist. I am also a public health emergency volunteer for the city of Franklin. I think that my past experience in

the health care field would be an asset to the city of Franklin.

CompanyAddressJob1: 6241 S. Packard Ave. Cudahy, WI 53110

DescriptionofDutiesJob1: Responsible for all aspects of running a retail pharmacy.

AddressJob2:

Description of Duties Job 2:

AddressJob3:

DescriptionofDutiesJob3:

AdditionalExperience: I also do have work experience in a hospital pharmacy. I am a

member of the Franklin Lions Club and the Parkland Kiwanis.

ClientIP: 23.126.198.7

SessionID: 3biuftmupq3au4fub2onkr45

See Current Results

Shirley Roberts

From Sent:

volunteerfactsheet@franklinwi.gov

Wednesday, February 21, 2018 1:20 PM

To:

Lisa Huening; Shirley Roberts; Sandi Wesolowski

Subject: Volunteer Fact Sheet

Name:

Robert Goetsch

PhoneNumber:

847-760-8268

EmailAddress:

rsgoetsch@yahoo.com

YearsasResident:

5

Alderman:

ArchitecturalBoard:

0

CivicCelebrations:

0 0

CommunityDevelopmentAuthority:

EconomicDevelopmentCommission:

1

EnvironmentalCommission:

0

FinanceCommittee: **FairCommission:**

0 0

BoardofHealth:

FirePoliceCommission:

0 0

ParksCommission:

0

LibraryBoard:

0

PlanCommission:

0

PersonnelCommittee:

0

BoardofReview:

0

BoardofPublicWorks:

0

QuarryMonitoringCommittee:

0

TechnologyCommission:

TourismCommission:

0

BoardofZoning:

BoardWaterCommissioners: CompanyNameJob1:

SC Johnson & Son

TelephoneJob1:

262-260-1481

StartDateandPositionJob1:

WasteFacilitiesMonitoringCommittee: 0

April 2011 / VMI Sr. Analyst

EndDateandPositionJob1:

Present / Global Supply Network Planner

CompanyNameJob2:

Master Lock LLC

TelephoneJob2:

414-571-5625

StartDateandPositionJob2:

Sept. 2007 / Demand Analyst

EndDateandPositionJob2:

April 2011 / Demand Analyst

CompanyNameJob3:

TelephoneJob3:

StartDateandPositionJob3:

EndDateandPositionJob3:

Signature:

Robert Goetsch

Date:

2/21/18

Signature2:

Robert Goetsch

Date2:

2/21/18

Address:

4037 W. Forest Hill Ave. Franklin, WI 53132

PriorityListing:

WhyInterested:

I am a proud Franklin resident and I would like to contribute to the community. Specifically, I would like to help the city of Franklin grow and develop our economic and business presence. I believe that economic growth is critical to the vitality of a city and that the growth

must align with the community values and be financially and

environmentally sound.

CompanyAddressJob1:

DescriptionofDutiesJob1:

1525 Howe St. Racine, WI 53403

During my almost 7 years at SC Johnson I have held a variety of roles with the Supply Chain function. These included working with major retail partners to plan their inventory levels and support key supply chain initiatives. I have also worked in our procurement department

leading strategic sourcing decisions and negotiating contracts. Currently I am in a project based role to optimize our processes,

inventory, and supply network.

AddressJob2:

Oak Creek WI

Forecast our retail sales for financial and operations planning.

Support line reviews with retailers including Target, Walgreens, and

Meijer.

AddressJob3:

DescriptionofDutiesJob3:

Description of Duties Job 2:

AdditionalExperience:

In addition to the work experience listed above I think my educational background at UW Madison (BBA) and Marquette

(MBA) will help me support this commission.

ClientIP:

152.72.151.153

SessionID:

wuyhv245ejydt4e5qt1baj55

See Current Results

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APPROVAL	REQUEST FOR	MEETING DATE
Slev	COUNCIL ACTION	6/5/18
REPORTS &	An Ordinance to Amend the Franklin Municipal Code as it Pertains to Resisting or	ITEM NUMBER
RECOMMENDATIONS	Obstructing An Officer	G. l.(a)

Current City Ordinance 183-55., Resisting or Obstructing an Officer, does not fully adopt § 946.41, Wis. Stats., for the same offense. The absence of a provision in § 946.41, Wis. Stats., limits the ability for police officers to issue municipal citations for this offense.

The Police Chief recommends adding the phrase "...or knowingly placing physical evidence..." in City Ordinance 183-55.

COUNCIL ACTION REQUESTED

Motion to adopt Ordinance No. 2018-____, an Ordinance to Amend the Franklin Municipal Code as it Pertains to Resisting or Obstructing An Officer.

ORDINANCE NO. 2018-

AN ORDINANCE TO AMEND THE FRANKLIN MUNICIPAL CODE AS IT PERTAINS TO RESISTING OR OBSTRUCTING AN OFFICER

WHEREAS, the City previously adopted § 183-55 of the Municipal Code which adopts Wis. Stat. § 946.41 relating to Resisting or Obstructing a Police Officer; and

WHEREAS, the Police Chief has recommended that the City adopt additional provisions of § 946.41;

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

- Section 1: Section 183-55 is hereby amended to read as follows (NOTE: Added text is underlined, deleted text is struck through):
 - A. Whoever knowingly resists or obstructs an officer while such officer is doing any act in his or her official capacity and with lawful authority may be penalized under Chapter 1, General Provisions, § 1-19.
 - B. As used in the section, the following terms shall have the meanings indicated:

OBSTRUCTS

Includes, without limitation, knowingly giving false information to the officer or knowingly placing physical evidence with intent to mislead him or her in the performance of his or her duty, including the service of any summons or civil process.

OFFICER

A peace officer or other public officer or public employee having the authority by virtue of his or her office or employment to take another into custody.

C. Whoever by violation of this section hinders, delays or prevents an officer from properly serving or executing any summons or civil process is civilly liable to the person injured for any actual loss caused thereby and to the officer or his or her superior for any damages adjudged against either of them by reason thereof.

ORDINANC Page 2	E NO. 2018		
Section 2:	provision of	this ordinance be	is ordinance are severable. Should any term or found to be invalid by a court of competent as and provisions shall remain in full force and
Section 3:	All ordinance hereby repeale	•	dinances in contravention to this ordinance are
Section 4:	This ordinance shall take effect and be in force from and after its passage and publication.		
	_	_	e Common Council of the City of Franklin this by Alderman
			eting of the Common Council of the City of, 2018.
			APPROVED:
			Stephen R. Olson, Mayor
ATTEST:			
Sandra L. W	esolowski, City	- Clerk	
AYES	NOES	ABSENT	

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APPROVAL Slw	REQUEST FOR COUNCIL ACTION	MEETING DATE 6/5/2018
REPORTS &	Police Department Donations	ITEM NUMBER
RECOMMENDATIONS	Heritage Funeral Homes	G.1.(6)

The City of Franklin Police Department has received the following donation:

1) \$531.00 donation from Heritage Funeral Homes to be earmarked for the Police K9 Program.

COUNCIL ACTION REQUESTED

Motion to accept this donation from Heritage Funeral Homes to be deposited into the Police K9 Donation Account.

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APPROVAL Slev	REQUEST FOR COUNCIL ACTION	MEETING DATE 6/5/2018
REPORTS &	Authorize the Director of Administration to Execute	ITEM NUMBER
RECOMMENDATIONS	the Necessary Quote with Paragon Development Systems (PDS) for the Planned Remote Site Layer 3 Switch Upgrade Project	G.1.(c)

Within the 2018 Capital Outlay Computer Equipment Budgets for Information Services (IS), Fire, and Highway (DPW) Departments is funding for the planned Remote Site Layer 3 Switch Upgrade Project. Total funding for this project is \$25,433: \$11,000 carried over from 2017 per Common Council approval on December 19, 2017, \$9,622 in the Fire Department's 2018 Capital Outlay Computer Equipment budget, and \$4,811 in the Highway (DPW) 2018 Capital Outlay Computer Equipment budget.

The purpose of this project is to provide the same robust and fault-tolerant network infrastructure that was installed in City Hall and the Police Department back in 2016 within the remote offices of the Library, DPW, and Fire Stations 1, 2, and 3. All network equipment at these remote offices consists of a single switch and router, which is of a mixture of different networking equipment and vendors. In order to standardize the network infrastructure into a single architecture, the networking equipment at these remote sites will be upgraded to the same manufacturer and network platform as the main offices, taking advantage of network availability and performance features of the new switching platform, along with increased network availability and segmentation.

Following are some of the advantages to standardizing network access switches:

- Layer 3 Segmentation each switch acts as a basic router and segments the internal network into separate routing domains. Security Access Control Lists (ACL) can easily be applied to a network segment, restricting access to specific areas of the network. Network segmentation is an industry best practice to prevent the proliferation of malware and prevent complete access to the network in the event of a security breech.
- Network Redundancy switches are incorporated into a "stack" configuration and allow for transparent failover to other stack members. Incorporating switches into a single administrative stack reduces the amount of individual network configuration files that need to be setup and maintained.
- Network Visibility all switches support NetFlow and SFlow network analysis, allowing for tracing of user and application sessions across the network. This also allows for bandwidth utilization analysis and determination of security issues where unusual traffic patterns are detected on the network.

The Library, DPW, and Fire Stations 2 and 3 all require two 24-port switches due to the current number of computers and devices at each site. Fire Station No. 1 is currently at capacity on their switching equipment and will require dual 48-port switches. Attached is a quote from Paragon Development Systems (PDS) for \$20,929 to fulfill the Remote Site Layer 3 Switch Upgrade Project – leaving \$4,504 in leftover funds. It is anticipated that the IT Department will perform the install work of the switch project by themselves; using the residual funds for installation services should they need assistance.

It should be noted that the reason for only one quote is that the switch equipment (like most of the original network equipment installed in City Hall and the Police Department back in 2016) is refurbished under the HP Renew Program. The HP Renew Program sells lightly used equipment that has only been internally used at HP and has been factory certified for resale. This allows the City to get the equipment at approximately half the list price, but only when the equipment is available through the HP Renew Program. So no matter who the vendor is, the pricing for the equipment through the HP Renew Program is the same. All of the equipment needed for this Remote Site Layer 3 Switch Upgrade project was available under the HP Renew Program.

COUNCIL ACTION REQUESTED

Motion to authorize the Director of Administration to execute the necessary quote with Paragon Development Systems (PDS) in the amount of \$20,929 to complete the planned Remote Site Layer 3 Switch Upgrade Project as budgeted.



Details

Account number: 003235

Quote number:

mfg# J9727AR | pds# 651627

mfg# J9734AR | pds# 550219

Switch, Refurb

1060340

HPE Networking Options (RENEW)

Quote: 1060340 PO Number:

Billing Information

City of Franklin

PDS

13400 Bishops Lane, Suite 190 Brookfield, WI 53005

Phone: 800,966,6090 Fax: 262,938,2155

Shipping Information

James Matelski

8

10

Below are the details of your recent quote/order with PDS. View this quote online or visit our order tracking page to track the status of your orders. You may submit this quote as a purchase order through www.ShopPDS.com, via email at teamgovedu@pdsit.net, or by using our fax number or address listed on this quote. Any questions may be directed to teamgovedu@pdsit.net, or by calling your Account Manager.

Date: 5/22/2018 Subtotal: \$20,929.00*

Expiration date: 6/1/2018 Cost center: Department: Location: Quote subtotal: \$20,929.00*	Submitted by: James Matelski Terms: Net 30 Tax: Tax Exempt Payment method: Purchase Order	Shi Re	pping: Shippi p method: quested ivery:	ng included
Item Details		Qty	Unit Price	Extended
Hewlett Packard Enterprise : Managed Switch, Refurb mfg# J9729AR pds# 601921	2920-48G-POE+Switch 48-Port	2	\$2,017.00	\$4,034.00
Hewlett Packard Enterprise 2 Refurb mfg# J9733AR pds# 527282	2920 2-port Stacking Module	10	\$478.00	\$4,780.00
Hewlett Packard Enterprise : Refurb mfg# J4858CR pds# 525741	2920 2-Port 1GbE SFP+ Module	1	\$141.00	\$141.00

Subtotal: \$20,929.00 **Quote Description**

\$10,744.00

\$1,230.00

Estimated Shipping: Customer Comments

Hewlett Packard Enterprise 2920-24G-POE+ Switch-Refurb

Hewlett Packard Enterprise Stacking cable for HP 2920-24G

\$0.00

Estimated Tax: Order Instructions

\$0.00

Total

\$1,343.00

\$123.00

\$20,929.00

The original Manufacturer's warranty and return policies apply unless otherwise stated *Subtotal is estimated and does not include tax or shipping (if applicable) *Credit card orders may be subject to a 3% Convenience Fee at the time of invoicing

HELPFUL LINKS:

Account Overview: https://www.shoppds.com/commerce/dashboard.aspx

Support pages: https://www.shoppds.com/support.aspx Terms of Sale: https://www.shoppds.com/termsofsale.aspx

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APPROVAL Slee	REQUEST FOR COUNCIL ACTION	MEETING DATE 6/5/2018
REPORTS & RECOMMENDATIONS	An Ordinance to Amend Chapter 210: Signs and Billboards to Provide for an Additional One-Year Suspension of a Requirement for Master Sign Programs and to Expand the Exception Appertaining to Signs for the Lease, Sale, or New or Pending Business or Commercial Occupancy of Any Building or Land to New Residential Subdivisions	item number

Staff has desired to engage in a comprehensive rewrite of Chapter 210: Signs and Billboards of the Franklin Municipal Code in significant part to ensure compliance with constitutional requirements as recently expressed by the United States Supreme Court. Unfortunately, other projects have continued to delay the re-write, which is now expected to occur this summer. Nonetheless, pending the eventual rewrite of the entire Sign Code, staff is proposing two amendments that can be addressed more quickly and that have timely implications. Each is described below.

First, although the Master Sign Program, which deals with a uniform sign for multi-tenant properties, campuses, and planned developments, had some positive conceptual benefits, it also created some administrative burdens and time delays. This problem was enhanced by a requirement for participation. In 2017, Staff recommended and the Common Council adopted suspending the participation requirement for a year to provide time for staff to complete a review of the Master Sign Program requirements. Other commitments, unfortunately, has continued to forestall the full rewrite of the sign ordinance. As such, the intent of this 2018 ordinance is to extend the suspension for an additional year. The option remains to use a Master Sign Program strategy, but it would continue to not be required. Following is a marked-up version of the applicable text for 210-9.A. (underlined text is added):

"210-9.A. All MTCCs and planned developments, including, but not limited to, office parks, industrial parks, office centers, retail centers, office and limited business structures, and churches and schools which have a campus must have a master sign program if, after January 1, 2007, more than one sign will be erected in conjunction with such building, development, or center, as defined in this chapter, except, effective June 30, 2017, through June 30, 2019, said requirement for a master sign program shall become discretionary for said property owners in order to provide a temporary waiver from this requirement to provide a period of time for additional municipal review of the requirement."

Second, the 2017 sign code revision expanded the language to allow for signs that promote a new business coming to Franklin or having just opened. Language that allowed for "For Sale" or "For Lease" signs was expanded to allow for signs at construction sites that can be used for the "Coming Soon" type signs and for the "Grand Opening" type signs for 60 days after attaining occupancy.

Incorporating it in the "Exemption from Permit Regulations" section eliminated the need for permits or fees, but not structural or safety requirements. This provided greater flexibility for new businesses. Also, it was expanded to allow for two signs, instead of just one, although the total sign area was left as then established. It's application, however, was limited to "pending business or commercial occupancy." It has come to the attention of staff that new residential subdivisions have the same need to promote their new business venture. From the developer's perspective, a new subdivision is a business venture whereas from a code perspective it is still residential in character. As such, staff did not believe it could unilaterally apply the "new business" signage allowance to a residential development. Staff, therefore, recommends consideration of the following amendment to extend the new business signage allowance to residential developments. Two minor technical corrections are also incorporated. Following is a marked-up version of the applicable text for 210-6.A. (underlined text is added):

"210-6.A. Up to two signs, at the same time, for each premises or tenant space, where applicable, appertaining to the lease, sale, or new or pending business or commercial occupancy of any building or land, provided that each such sign does not exceed 32 square feet in area, is located upon the premises, and, for such a sign promoting the new or pending business or commercial occupancy, is not existing prior to commencement of construction occurring under a valid building permit and is removed within 60 calendar days following occupancy, issuance of an occupancy permit, or issuance of a conditional occupancy permit, whichever occurs first. Each sign may be single- or double-faced and must not exceed eight (8) feet in height. For the purposes of this section, a residential subdivision (including the residential component of a mixed-use development), with an approved and executed development agreement, shall be considered a "new or pending business," as referenced above; and for any such residential subdivision "60 calendar days following occupancy" shall mean "60 calendar days after seventy percent (70%) of the units are sold."

Staff recommends approval.

COUNCIL ACTION REQUESTED

Motion to approve an Ordinance to Amend Chapter 210: Signs and Billboards to Provide for an Additional One-Year Suspension of a Requirement for Master Sign Programs and to Expand the Exception Appertaining to Signs for the Lease, Sale, or New or Pending Business or Commercial Occupancy of Any Building or Land to New Residential Subdivisions.

STATE OF WISCONSIN: CITY OF FRANKLIN: MILWAUKEE COUNTY

AN ORDINANCE TO AMEND CHAPTER 210: SIGNS AND BILLBOARDS TO PROVIDE FOR AN ADDITIONAL ONE-YEAR SUSPENSION OF A REQUIREMENT FOR MASTER SIGN PROGRAMS AND TO EXPAND THE EXCEPTION APPERTAINING TO SIGNS FOR THE LEASE, SALE, OR NEW OR PENDING BUSINESS OR COMMERCIAL OCCUPANCY OF ANY BUILDING OR LAND TO NEW RESIDENTIAL SUBDIVISIONS

WHEREAS, the regulation of signs within the City is necessary and in the public interest to safeguard life, health, property, safety, and public welfare; and, to that end, the provisions of the sign code are intended, in part, to regulate the size, type, construction standards, maintenance, and placement of signs situated within the boundaries of the City of Franklin; to preserve the beauty and the unique character of the City by aesthetically complementing the development that a sign identifies; and to promote a healthy and properly designed business environment; and

WHEREAS, the City of Franklin desires to engage in a comprehensive rewrite of Chapter 210: Signs and Billboards of the Franklin Municipal Code to, in part, enhance the commercial and business environment, improve ease of administration, and ensure compliance with State and Federal laws, but while such comprehensive rewrite has remained uncompleted, certain immediate modifications are recommended pending the complete revision of the Sign Code; and

WHEREAS, staff recommends a thorough review of the use and application of the Master Sign Program and its requirements and, pending such review, recommends that it is reasonable and appropriate to continue to suspend the requirement to establish a new Master Sign Program, as defined in Section 210-9 A. of the Municipal Code; and

WHEREAS, staff recommends expanding the exception appertaining to signs for the lease, sale, or new or pending business or commercial occupancy of any building or land to new residential subdivisions.

NOW, THEREFORE, the Common Council of the City of Franklin does hereby ordain as follows:

Section 1 §210-9.A of the Municipal Code of the City of Franklin, Wisconsin, is hereby repealed and replaced in its entirety with the following:

"A. All MTCCs and planned developments, including, but not limited to, office parks, industrial parks, office centers, retail centers, office and limited business structures, and churches and schools which have a campus must have a master sign program if, after January 1, 2007, more than one sign will be erected in conjunction with such building, development, or center, as defined in this chapter, except, effective June 30, 2017, through June 30, 2019, said requirement for a master sign program shall become discretionary for said property owners in order to provide a temporary waiver from this requirement to provide a period of time for additional municipal review of the requirement."

ORDINANCE NO.	2018
PAGE 2	

Section 2 §210-6 A. of the Municipal Code of the City of Franklin, Wisconsin, is hereby repealed and replaced in its entirety with the following:

"A. Up to two signs, at the same time, for each premises or tenant space, where applicable, appertaining to the lease, sale, or new or pending business or commercial occupancy of any building or land, provided that each such sign does not exceed 32 square feet in area, is located upon the premises, and, for such a sign promoting the new or pending business or commercial occupancy, is not existing prior to commencement of construction occurring under a valid building permit and is removed within 60 calendar days following occupancy, issuance of an occupancy permit, or issuance of a conditional occupancy permit, whichever occurs first. Each sign may be single- or double-faced and must not exceed eight (8) feet in height. For the purposes of this section, a residential subdivision (including the residential component of a mixed-use development), with an approved and executed development agreement, shall be considered a "new or pending business," as referenced above; and for any such residential subdivision "60 calendar days following occupancy" shall mean "60 calendar days after seventy percent (70%) of the units are sold."

- Section 3 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 4 All ordinances and parts of ordinances in contravention to this ordinance are hereby repealed.
- Section 5 This ordinance shall take effect and be in force from and after its passage and publication.

this	Passed and adopte day of	d at a regular meeting	g of the Common Council of the City	of Franklin
			APPROVED:	
ATTE	ST:		Stephen R Olson, Mayor	

Sandra L. Wesolowski, City Clerk

AYES NOES ABSENT

APPROVAL SW	REQUEST FOR COUNCIL ACTION	MEETING DATE 06/05/18
REPORTS & RECOMMENDATIONS	REVIEW OF THE STANDARDS, FINDINGS AND DECISION OF THE CITY OF FRANKLIN COMMON COUNCIL UPON THE APPLICATION OF THE ROCK SPORTS COMPLEX, LLC, FOR A SPECIAL EXCEPTION TO CERTAIN NATURAL RESOURCE PROVISIONS OF THE CITY OF FRANKLIN UNIFIED DEVELOPMENT ORDINANCE DATED JANUARY 9, 2018	ITEM NUMBER

INTRODUCTION

At its January 9, 2018 meeting, the Common Council approved, with conditions, a Special Exception to certain natural resource provisions of the Unified Development Ordinance for The Rock Sports Complex/Ballpark Commons project. A copy of the Standards, Findings and Decision document is attached.

LETTER OF CREDIT OR OTHER FINANCIAL SURETY

Pursuant to condition number 15 of the Standards, Findings and Decision approval (which states that this condition must be addressed prior to issuance of any Building Permit), the applicant (BPC County Land LLC) has been investigating different options for the financial surety, which surety is intended to ensure timely installation of the mitigation and of the five year annual monitoring/maintenance as required by the City's approval of the subject Natural Resource Special Exception.

The applicant has indicated they do not want to provide a Letter of Credit, but would find acceptable a personal guaranty from the applicant in lieu of the Letter of Credit. The applicant is therefore requesting that the Common Council find that a personal guaranty would be adequate to address condition number 15 of the Standards, Findings, and Decision approval.

Staff would note that this issue has been included in the upcoming separate Major Amendment of Planned Development District (PDD) No. 37, and furthermore:

- The Unified Development Ordinance (UDO) allows, but does not require, the City to obtain financial sureties for mitigation, landscaping, land banked parking areas, public improvements within subdivision plats, etc., as set forth in the UDO.
- A financial surety has been required in this instance by the Common Council for the subject Natural Resource Special Exception mitigation.
- Selection of the specific type of financial surety may be determined by the Common Council.
- A Letter of Credit is almost exclusively the form of financial surety utilized by the City in these matters.

- A Letter of Credit has specifically been required by the City in a number of instances when mitigation and/or landscaping was envisioned to not be completed in a timely manner, and/or when related maintenance costs were deemed to be essential to the successful completion of the mitigation or landscaping.
- The applicant has indicated that the subject mitigation will cost about \$209,491, and the five year maintenance will cost about \$55,112.
- Staff would note that the amount of the surety is based upon planting costs from a source that specializes in large projects and large plant quantities. However, staff is unsure if the applicant will be able to obtain these prices, although the applicant is confident they can.

Staff recommends that the means of financial surety for the Ballpark Commons Mitigation Plan remain the Letter of Credit, in the amount as proposed by the applicant.

MITIGATION PLAN

Pursuant to condition number 17 of the Standards, Findings and Decision approval, the applicant has submitted the final Mitigation Plan for Common Council review.

While staff has no technical objections to the Mitigation Plan, staff is recommending certain revisions to the type and location of mitigation in order to provide additional areas for the UDO required landscaping. In that regard, staff is recommending that the mitigation along 76th Street be removed to allow placement of conventional landscaping, and that a comparable area of existing woodlands be restored and enhanced. This issue is also included in the separate upcoming Major Amendment of PDD No. 37.

On the other hand, the applicant prefers the Mitigation Plan remain as proposed, and has requested as part of the separate upcoming Major Amendment of PDD No. 37, that the City allow a 25 percent reduction in the amount of landscaping to be provided at The Rock Sports Complex/Ballpark Commons project.

STATUS UPDATE ON THE CONDITIONS OF APPROVAL Staff and the applicant would note that:

- Conditions #2, #4, #5, #9, #13, and #16 have been completed.
- Condition #8 will be addressed as part of certain landscape changes to be included in a separate upcoming Major Amendment of PDD No. 37.
- Conditions #1, #3, #12, #14, and #15 are underway.

While the applicant believes the following conditions have also been addressed, staff disagrees.

• Conditions #6 and #7, approval from the City Engineering Department of placement of the mitigation within and adjacent to the two stormwater management plans has not been obtained.

- The City Engineering Department has indicated they have neither reviewed nor commented on this matter yet, and require additional information from the applicant to do so.
- Condition #10, the Conservation Easement must be revised, to remove the northern methane gas flare and the Hills Have Eyes facilities, from the Conservation Easement.
- Condition #11, the Mitigation Plan, Natural Resource Protection Plan, etc. maps must be revised to incorporate the revised berm height and berm configuration.
- Condition #17, regarding contacting adjacent property owners, and obtaining Council review of the Mitigation Plan, is not complete until the Council completes its review of this information.

CONCLUSION

The first motion below reflects staff's recommendations that the Mitigation Plan be revised to relocate a portion of the mitigation, and that no change be made to the City's typical means of financial surety, that being a Letter of Credit.

The second motion below reflects the applicant's request to leave the Mitigation Plan as proposed, and to allow use of a personal guaranty in lieu of a Letter of Credit.

Third, the Common Council can defer these issues to its consideration of the Major Amendment of PDD No. 37, which is planned to be on the Council's June 19th agenda.

COUNCIL ACTION REQUESTED

A motion to revise the Ballpark Commons Mitigation Plan to remove the mitigation along S. 76th Street, and that a comparable area of existing woodlands be restored and enhanced, for Department of City Development review and approval.

--Or--

A motion to amend condition number 15 of the Standards, Findings and Decision of the City of Franklin Common Council upon the application of The Rock Sports Complex LLC for a Special Exception to certain natural resource provisions of the City of Franklin Unified Development Ordinance dated January 9, 2018 to allow use of a personal guaranty for certain required mitigation in the amount of \$264,603.

--Or--

A motion to receive and place on file.

Standards, Findings and Decision

of the City of Franklin Common Council upon the Application of Ballpark Commons, LLC, applicant, Zim-Mar Properties, LLC, Milwaukee County, Wisconsin Department of Transportation and FF & E, LLC property owners, for a Special Exception to Certain Natural Resource Provisions of the City of Franklin Unified Development Ordinance

Whereas, Ballpark Commons, LLC, applicant, Zim-Mar Properties, LLC, Milwaukee County, Wisconsin Department of Transportation and FF & E, LLC, property owners, having filed an application dated October 20, 2017, with additional information provided on November 2, 10 and 16, 2017, for a Special Exception pursuant to Section 15-9.0110 of the City of Franklin Unified Development Ordinance pertaining to the granting of Special Exceptions to Stream, Shore Buffer, Navigable Water-related, Wetland, Wetland Buffer and Wetland Setback Provisions, and Improvements or Enhancements to a Natural Resource Feature; a copy of said application being annexed hereto and incorporated herein as Exhibit A; and

Whereas, the application having been reviewed by the City of Franklin Environmental Commission and the Commission having made its recommendation upon the application, a copy of said recommendation dated November 29, 2017 being annexed hereto and incorporated herein as Exhibit B; and

Whereas, following a public hearing before the City of Franklin Plan Commission, the Plan Commission having reviewed the application and having made its recommendation thereon as set forth upon the report of the City of Franklin Planning Department, a copy of said report dated December 21, 2017 being annexed hereto and incorporated herein as Exhibit C; and

Whereas, the property which is the subject of the application for a Special Exception is located at approximately 7900 West Crystal Ridge Drive, zoned Planned Development District No. 37 (The Rock Sports Complex/Ballpark Commons) and FW Floodway District, and such property is more particularly described upon Exhibit D annexed hereto and incorporated herein; and

Whereas, Section 15-10.0208B. of the City of Franklin Unified Development Ordinance, as amended by Ordinance No. 2003-1747, pertaining to the granting of Special Exceptions to Stream, Shore Buffer, Navigable Water-related, Wetland, Wetland Buffer and Wetland Setback Provisions, and Improvements or Enhancements to a Natural Resource Feature, provides in part: "The decision of the Common Council upon any decision under this Section shall be in writing, state the grounds of such determination, be filed in the office of the City Planning Manager and be mailed to the applicant."

Now, Therefore, the Common Council makes the following findings pursuant to Section 15-10.0208B.2.a., b. and c. of the Unified Development Ordinance upon the application for a Special Exception dated October 20, 2017, with additional information provided on November 2, 10 and 16, 2017, by Ballpark Commons, LLC, applicant, Zim-Mar Properties, LLC, Milwaukee County, Wisconsin Department of Transportation and FF & E, LLC, property owners, pursuant to the City of Franklin Unified Development Ordinance, the proceedings heretofore had and the recitals and matters incorporated as set forth above, recognizing the applicant as having the burden of proof to present evidence sufficient to support the following findings and that such findings be made by not less than four members of the Common Council in order to grant such Special Exception.

- 1. That the condition(s) giving rise to the request for a Special Exception were not self-imposed by the applicant (this subsection a. does not apply to an application to improve or enhance a natural resource feature): but rather, the conditions for a Special Exception were not self-imposed. The impacts are incidental to the overall plan. Many factors went into development of the site plan, including safety, location of landfill, location of utilities, road locations, etc. that necessitated making the site plan what it is today and impacts to natural resources were avoided when possible.
- 2. That compliance with the stream, shore buffer, navigable water-related, wetland, wetland buffer, and wetland setback requirement will:
- a. be unreasonably burdensome to the applicant and that there are no reasonable practicable alternatives: Not allowing impacts to wetlands on top of the landfill is unreasonable given that they actually pose a potential threat to the integrity of the landfill cap. Impacts to the wetlands south of Rawson are necessary in order to place the new road in a safe manner, and to provide a wooded berm screen on the west side of the property, as was requested by the adjacent property owners; or
- b. unreasonably and negatively impact upon the applicant's use of the property and that there are no reasonable practicable alternatives.
- 3. The Special Exception, including any conditions imposed under this Section will:
- a. be consistent with the existing character of the neighborhood: The area north of Rawson will be an expansion of the existing Rock facility, so it is consistent with the current character of the site. The area south of Rawson will add more high end living units to an area that already contains residential subdivisions; and
- b. not effectively undermine the ability to apply or enforce the requirement with respect to other properties: The proposed project will enhance the City of Franklin and in the end, the majority of people will see why the Special Exception was necessary for the greater good of the community; and

- c. be in harmony with the general purpose and intent of the provisions of this Ordinance proscribing the requirement: The project is in harmony with the general purpose and intent of the UDO, because we used the UDO to guide our choices when designing the site plan and our mitigation features; and
- d. preserve or enhance the functional values of the stream or other navigable water, shore buffer, wetland, wetland buffer, and/or wetland setback in co-existence with the development: (this finding only applying to an application to improve or enhance a natural resource feature). We are proposing to preserve and enhance Wetland 13 by expanding it and removing the invasive species, and planting native species that will provide food sources for the bees.

The Common Council considered the following factors in making its determinations pursuant to Section 15-10.0208B.2.d. of the Unified Development Ordinance.

- 1. Characteristics of the real property, including, but not limited to, relative placement of improvements thereon with respect to property boundaries or otherwise applicable setbacks: The project south of Rawson is rerouting the existing road, Old Loomis Road (which is in poor shape) and making it a more attractive and safer feature in the landscape. It is also decommissioning a redundant entryway onto Hwy. 36.
- 2. Any exceptional, extraordinary, or unusual circumstances or conditions applying to the lot or parcel, structure, use, or intended use that do not apply generally to other properties or uses in the same district: The land north of Rawson is an exceptional circumstance because it is an existing landfill. This project is repurposing the landfill as a sports facility that will benefit the entire community.
- 3. Existing and future uses of property; useful life of improvements at issue; disability of an occupant: The proposed project has an expected useful life that will last for decades and will transform the City of Franklin and environs for the better.
- 4. Aesthetics: The design of the project includes landscaping that will enhance the overall aesthetics of the project. In addition, redeveloping a landfill can only enhance the aesthetics of the area to a great degree. What was once a blight will be a thriving economic center.
- 5. Degree of noncompliance with the requirement allowed by the Special Exception: The degree of noncompliance is minimal given the large size of the overall development.

- 6. Proximity to and character of surrounding property: The intersection of Rawson and 76th Street have already been developed with commercial buildings, and this development will be an extension of what already exists there.
- 7. Zoning of the area in which property is located and neighboring area: The project has been as a Planned Development District (PDD), which has already been approved by the City of Franklin.
- 8. Any negative affect upon adjoining property: Any negative effects might be noise and light pollution to the residential neighborhoods to the west. These effects will be mitigated by a wooded berm that is up to 150 feet wide along the west edge of the development. In the end, it is likely that the neighbors will find that they like the development much better than the existing landfill that they currently live next to.
- 9. Natural features of the property: The natural features of the property are by no means exceptional. The wetlands are dominated by invasive species. The area north of Rawson is a landfill. The area south of Rawson is an old field with scrubby vegetation.
- 10. Environmental impacts: The environmental impacts are minimized to the extent possible for such a large development.
- 11. A recommendation from the Environmental Commission as well as a review and recommendation prepared by an Environmental Commission-selected person knowledgeable in natural systems: *The Environmental Commission recommendation and its reference to the report of November 29, 2017 is incorporated herein.*
- 12. The practicable alternatives analysis required by Section 15-9.0110C.4. of the Unified Development Ordinance and the overall impact of the entire proposed use or structure, performance standards and analysis with regard to the impacts of the proposal, proposed design solutions for any concerns under the Ordinance, executory actions which would maintain the general intent of the Ordinance in question, and other factors relating to the purpose and intent of the Ordinance section imposing the requirement: The Plan Commission recommendation and the Environmental Commission recommendation address these factors and are incorporated herein.

Decision

Upon the above findings and all of the files and proceedings heretofore had upon the subject application, the Common Council hereby grants a Special Exception for such relief as is described within Exhibit C, upon the conditions:

1) that the natural resource features and mitigation areas upon the property to be developed be protected by a perpetual conservation easement to be approved by the Common Council prior to any development within the areas for which the Special Exception is granted prior to issuance of any Occupancy Permits;

- 2) that the applicant obtain all other necessary approval(s) from all other applicable governmental agencies prior to any development within the areas for which the Special Exception is granted;
- 3) that all development within the areas for which the Special Exception is granted shall proceed pursuant to and be governed by the approved Natural Resource Protection Plan and all other applicable plans for Ballpark Commons, LLC, applicant, Zim-Mar Properties, LLC, Milwaukee County, Wisconsin Department of Transportation and FF & E, LLC, property owners, and all other applicable provisions of the Unified Development Ordinance;
- 4) that the applicant shall revise the Restoration Planting Plan, maps, and associated Plant Schedules to replace all aggressive/invasive plants such as the Pyrus calleryana with more appropriate native species, for Department of City Development review and approval prior to issuance of any Building Permits;
- 5) that the applicant shall revise the Wetland and Buffer Restoration Plan and associated maps to incorporate additional mitigation to be comprised of existing wetland, wetland buffer, and/or wetland setback enhancement and restoration of Wetland Area E and/or of the adjacent Root River wetland/shore buffer area, for Department of City Development review and approval prior to issuance of any Building Permit;
- 6) that the applicant shall revise the stormwater management plan to incorporate the proposed mitigation, for Engineering Department and Department of City Development review and approval, prior to issuance of any Building Permit;
- 7) that the applicant shall revise the Wetland and Buffer Restoration Plan and associated maps to ensure adequate access to and maintenance of the stormwater management ponds while at the same time ensuring that excessive disturbance of the mitigation areas is not allowed, for review and approval by the Engineering Department and the Department of City Development prior to issuance of any Building Permit;
- 8) that the applicant shall revise the Berm Planting Plan to ensure that all UDO landscape and mitigation planting standards are addressed, for Department of City Development review and approval prior to issuance of any Building Permits;
- 9) that should it be determined that additional plantings are needed but would not be appropriate along the berm, that such additional plantings be placed adjacent to the Root River woodlands within or adjacent to the Primary Environmental Corridor and the Oak Leaf Trail, for Department of City Development review and approval prior to issuance of any Building Permits;
- 10) that the applicant shall revise the Natural Resource Protection Plan maps to identify the location of the Landscape/Conservation Easement, for Department of City Development review and approval prior to issuance of any Building Permits;
- 11) that the applicant shall revise the Berm Planting Plan and other associated plans to reflect an average berm height of 8' south of Rawson Avenue, for Department of City Development review and approval prior to issuance of any Building Permits;
- 12) that the applicant shall include within the Landscape/Conservation Easement documents that the berm and associated landscaping shall be installed simultaneously with grading of the adjacent areas, and maintained in perpetuity, which duration may

be revised by approval of both the City of Franklin and the subject property owner, for review by City staff and approval by the Common Council prior to recording of the easements and issuance of any Occupancy Permits;

13) that all mitigation shall be monitored and maintained for 5 years, and that the applicant shall revise all pertinent plans and documents accordingly, for Department of City Development review and approval prior to issuance of any Building Permits; 14) that all non-berm related mitigation practices shall be installed prior to issuance

of any Occupancy Permits;

- 15) that the applicant shall provide a Letter of Credit or other financial surety acceptable to the Common Council for the cost of installation and five years monitoring and maintenance of the approved natural resource mitigation, for staff review and Common Council approval, prior to issuance of any Building Permits;
- 16) the applicant shall revise the North Berm Planting Plan, the Natural Resource Protection Plan Proposed Conditions North, and the associated Grading Plans to reflect any shortening or removal (but not relocation) of the berm proposed north of W. Rawson Avenue, that is jointly agreed upon between the City, the adjacent property owners, and the applicant, for Department of City Development review and approval prior to issuance of any Building Permits adjacent to the proposed berm.
- 17) consideration by the Developer of working with the adjacent property owners in regard to the additional mitigation as recommended by City staff, and Common Council review of the final Mitigation Plan.

The duration of this grant of Special Exception is permanent.

Introduced at a regular meeting of the Common Council of the City of Franklin this 9th day of January, 2018.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this 9th day of January, 2018.

			APPROVED:	
			Stephen R. Olson, Mayor	
ATTEST:				
Sandra L.	Wesolowski, C	ity Clerk		
AYES	NOES	ABSENT		

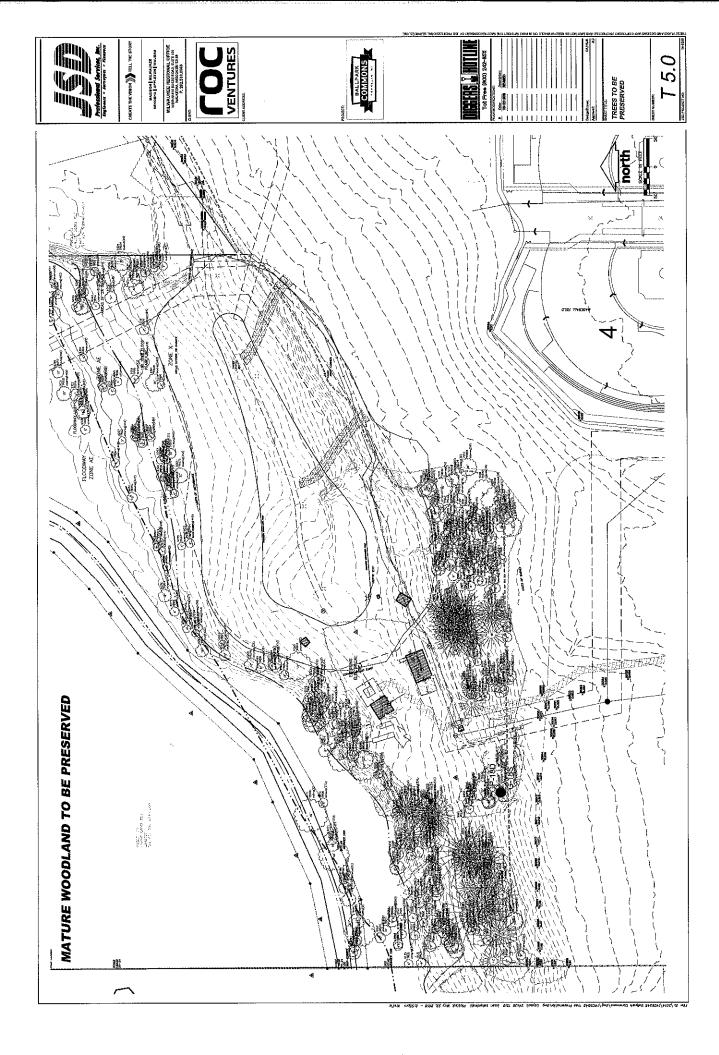
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Overall, of the 15.49 acres of natural resources that we are required to mitigate for, we are replacing 15.56 acres. None of the replacement of mature woodlands. This new woodland will help screen the ballfields and the east side of the development from the landscape plants are being used to satisfy the requirements of the woodland mitigation (Section 15-4.0103B.3), as indicated in We have met the UDO standards for mitigation of natural resources. Since our last submittal, we have added 7.13 acres of new woodland mitigation along the Oak Leaf Trail and in the northeast corner of the development, which meets the 1:0.7 ratio for residences that are located across 76th Street. We are replacing wetland buffer at the required 1:1.5 ratio by planting the side slopes of the detention basins and around the preserved wetland area in native prairie. We will be preserving and enhancing 1.30 acres of wetland south of Rawson, which at a 1:1 replacement ratio, is less than the required 1:1.5 ratio. However, we are planting an additional 0.72 acres of wetland buffer adjacent to the Oak Leaf Trail and near the north detention basin to make up for that shortage. previous submittals. The attached mitigation plan details how the mitigation requirements will be carried out. We respectfully request hat the Common Council approve our mitigation plan as amended.

Recom. # from the PDD.		
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Mitigation for Ballpark Commons Natural Resources

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Wetlands & Shoreland Wetlands	: 4702048	₩-	Cons	×	2.00 =	2.00	1.33	2.00	1.30
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MATURE WOODLAND TO BE PRESERVED

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LIST OF TREES TO BE PRESERVED

6.0

Natural Area Mitigation Plan Ballpark Commons

www.JSDinc.com



Planning & Development
Site/Civil Engineering
Transportation Engineering
Structural Engineering
Water Resources
Landscape Architecture
Surveying & Mapping
Construction Management

Prepared for: Ballpark Commons City of Franklin, Wisconsin

Project Number: 14-6548

Updated 04-10-2018



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APPENDICES

- APPENDIX 1 INFILTRATION SWALE MIX SEED MIX
- APPENDIX 2 TALLGRASS PRAIRIE FOR MEDIUM SOILS SEED MIX
- APPENDIX 3 SPECIES LIST FOR WOODLAND PLANTING
- APPENDIX 4 PLANTING PLAN FOR RESTORATION AREAS

1.0 INTRODUCTION

The proposed Ballpark Commons development is located in Sections 4 and 13, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin. West Rawson Avenue (County Highway BB) divides the property into northern and southern units. The northern unit is bound by Crystal Ridge Rd. and The Rock Sports Complex, and the ski lodge to the north. It is bound by S. 76th Street and W. Loomis Road/Highway 36 to the east and West Rawson Avenue to the south. The western edge is formed by single family lots located on W. Hawthorne Lane. The southern unit of Ballpark Commons is bound by W. Rawson Avenue to the north, W. Loomis Road/ Highway 36 to the east, and the Stone Hedge subdivision to the west. The project area is approximately 120 acres in total. The land to the north of W. Rawson Avenue is proposed to be developed into a stadium, an indoor sports venue, mixed-use, and commercial development. The land to the south of W. Rawson Avenue is proposed to be developed into commercial buildings along Rawson and as multi-family housing to the south of that.

The purpose of this restoration plan is to detail the methods, maintenance, and monitoring for restoring wetlands, wetland buffer areas, and the woodland at the Ballpark Commons project.

The subject of the wetland restoration is the wetland labelled as Wetland 13 on the wetland delineation completed by JSD Professional Services on July 18, 2016. The invasive species will be removed from all this wetland and it will be replanted with native wetland seed and plant plugs. Wetland 13 will be expanded by grading adjacent areas to a matching grade in order to create some additional wetland on site.

The wetland buffer restoration will be accomplished by seeding the stormwater ponds both north and south of W. Rawson Avenue with a native prairie seed mix.

2.0 SITE ASSESSMENT OF EXISTING CONDITIONS

The south side of Rawson currently is occupied by three single family residences located along Old Loomis Road, and a small horse farm located at the south end of the property. The majority of the undeveloped land is old field. The existing wetland slated for restoration was evaluated for their current conditions.

Wetland 13

This wetland is a scrub-shrub/emergent wetland dominated by broad-leaf cattail (*Typha latifolia*), common reed (*Phragmites australis*), reed canary grass (*Phalaris arundinacea*), and sandbar willow (*Salix interior*). The wetland has been ditched and drains to the roadside ditch alongside Old Loomis Road. The wetland had 6 inches of standing water and water-stained leaves. Soils are mapped as the hydric Ashkum silty clay loam (AsA).

The main challenges for restoring this site is the dominance by the invasive reed canary grass (*Phalaris arundinacea*), broad-leaf cattail (*Typha latifolia*), and common reed (*Phragmites australis*). These species may crowd out or shade out the planted native species. Seed sources may blow in from off site and reinvade the wetland. The wetland will need to be pre-treated before restoration can begin, and it will need to be spot treated for invasive species as needed during the establishment period.

Therefore, the approach for this restoration will be to choose native species that will be able to outcompete the reed canary grass, in order to introduce some species diversity to the site. Species typical of wet prairies and emergent wetlands will be planted. An emphasis will be placed on including those species that are known to be good nectar sources for the rusty patched bumble bee. In addition, plantings of some scattered wetland shrubs will be added to bring back the scrub-shrub component to the wetland.

3.0 SITE PREPARATION

Wetland

As soon as site conditions are dry enough and new green growth begins in the spring, pre-treat the entire area by spraying with an aquatic-approved formula of Glyphosate in order to kill the reed canary grass, the cattail, and the common reed. Follow the manufacturer's instructions on the label for applying the herbicide. Complete the site grading for the additional wetland areas. Repeat the herbicide treatment when new growth of the invasive species begins again. Wait the amount of time specified on the label before planting the area to avoid killing the new plants with the herbicide.

Plant the seed following the nursery's instructions. In general, the seed may be applied by manually broadcasting or other method appropriate for small areas. The new seed must be pressed into the ground using a roller to ensure good contact with the soil. Clean, weed-free straw may be used as a light mulch. Plant the plant plugs at 24 inches on center as indicated on the plan. The shrubs shall be planted per plan.

Wetland Buffer

The buffer areas that will be planted around the stormwater basins have been designed so that the vegetation will stop at the normal water level. Only prairie grasses and flowers have been chosen—no trees or shrubs will be planted in the basin. The amount of space that the prairie grasses will take up will be zero during normal water level periods, and minimal during storm events, as they will bend flat onto the ground surface when the water fills the basin.

Once final grading for the stormwater basins has been achieved, plant the seed following the nursery's instructions. Broadcast or drop seed followed by rolling or packing. Seeding must completed by June 30 in order to avoid drought conditions. If not possible to complete by that date, dormant season seeding may occur from between October 15 through March 15. The



natural freeze-thaw action of the soil surface eliminates the need for rolling the seed during this time period.

The new seed must be pressed into the ground using a roller to ensure good contact with the soil. Appropriate erosion control matting should be applied to the side slopes of the basins over the top of the planted seed.

Woodland

The trees can be planted by hand or by machine directly into the grassed area. If area has been graded, a standard lawn grass seed mix with a cover crop of annual rye (*Lolium multiflorum*) may be applied before the trees are planted. Wire, deer protection cages shall be placed around every tree to ensure its survival. Temporary irrigation should be provided during the establishment period, unless the trees are planted after October 15.

4.0 PLANTING PLAN

The proposed wetland seed mix is the "Infiltration Swale Mix" by Agrecol in Evansville, Wisconsin, or an equivalent seed mix for wetlands. It should be planted at a rate of 9.00 PLS lbs per acre. A cover crop will not be used because the plugged plants will act as an immediate source of cover. The plugged plants shall be planted 24 inches on center, planting each of the three Flowering Perennial Mixes randomly within the areas indicated on the plan. Shrubs shall be planted where indicated on the plan.

The proposed seed mix for the wetland buffers is a native tallgrass prairie mix that contains a variety of wet and dry species that will adapt to the wetter and drier conditions over the entire slope of the basin. The seed mix is called "Tallgrass Prairie for Medium Soils" by Agrecol, or an equivalent seed mix. The plant mix will be planted at a rate of 13.25 PLS lbs per acre. A cover crop of annual rye (*Lolium multiflorum*) is recommended for the wetland buffer areas at a rate of 3 lbs per acre. Erosion control matting shall be placed on all slopes.

A variety of species native to southern floodplain forests will be planted in the woodland mitigation area in a variety of sizes. At least four different species each of canopy trees, understory trees, and shrubs will be planted. The canopy trees will be planted in 4 inch caliper, 2.5" caliper, and 5-foot whip sizes. The understory trees will be planted in 5-foot whip sizes. The shrubs will be 12-inch tall bare root stock. All species will be surrounded by a wire cage, or other approved deer-proofing method to keep them safe from deer and rabbits. The trees and shrubs will be interplanted in a random manner spaced 15 feet on center.

5.0 MAINTENANCE

Wetlands and Wetland Buffers

Watering of the new plantings will be necessary during the first growing season. Supplemental water shall be applied at a rate of 1" per week for at least the first 8 weeks and after that, as



needed during drought conditions. Supplemental watering shall occur during drought periods in the second and third years after planting.

Spot treat invasive species with approved herbicide as needed throughout the establishment period. The goal is to treat the invasive species before they flower and set seed, to keep them from spreading. Invasive species to be treated shall include reed canary grass, common reed, cattail, Canada thistle, common buckthorn, and others if deemed necessary during the monitoring period. Avoid treating the planted plugs and planted woody species in the wetland areas.

Wetland Buffers Only

Mow the site three times during the first growing season with a flail mower, to a height of 6-12 inches. Make sure the first mowing occurs before the reed canary grass seed heads appear (mid-June), and the last mowing occurs at the end or the growing season to reduce thatch for the following spring.

Mow during the second and third growing seasons before reed canary grass seed heads appear (June). Mow a second time at the end of the growing season in order to reduce thatch for the next spring.

Once the establishment period is over, all mowing within the wetland shall be discontinued, but spot treatment of invasive species may be periodically necessary. Mowing of the wetland buffer areas may be done once a year at the end of the growing season or prior to spring emergence in order to mimic a yearly burn.

The cost of maintaining the buffer areas is estimated to be less than \$3000 per year, as the amount of mowing needed compared to traditional turfgrass is much reduced. It will only be necessary to mow the prairie once in early spring; whereas turfgrass needs to be mowed every one to two weeks throughout the growing season.

The Maintenance Contractor may modify the maintenance plan as necessary to enhance the survivorship of the plantings.

Woodland

The maintenance for the woodland areas will be minimal. The grass should be allowed to grow up around the trees and allowed to develop into old field. This will promote the growth of native tree and shrub volunteer species. Invasive species such as common buckthorn and Tatarian honeysuckle should be removed as they are spotted. Trees should be replaced as needed during the five year monitoring period.

6.0 MONITORING PLAN



The restoration areas will be monitored for a period of five years with a brief monitoring report to be completed and submitted to the City of Franklin by December 31st of each year after planting first occurs. Baseline data shall be collected prior to planting to use for comparative purposes. The purpose of monitoring will be to determine maintenance needs and possible corrective actions at the site.

The performance standards for success will consist of the following:

- 1. The total cover by native herbaceous perennial species over the seeded areas shall be at least 75%.
- 2. Areas of bare soil shall not exceed 10%.
- 3. Survivorship of the planted plugs shall be 75%.
- 4. Survivorship of the planted woody species shall be 75% at the end of the five-year monitoring period.
- 5. Species diversity shall increase compared to baseline, as measured by number of species counted and FQA data collected.

These standards will be measured by randomly placing 5-foot radius circular plots throughout the planted areas to measure the percent cover of herbaceous vegetation. This will be done in mid- to late- summer. The site will also be visually inspected for large patches of bare soil. Counts of the woody planted species will be made, counting the number of living and dead shrubs, in order to calculate survivorship. The same will be done for the planted plugs within the 5-foot radius plots.

In addition, a meander transect will be performed over the entire site during the field visit and all plant species encountered will be recorded, in order to get a measurement of the overall diversity at the site. A Floristic Quality Assessment (FQA) will be calculated with this data. A visual estimation of the percent cover by invasive species at the site will also be conducted.

If the vegetation is failing to meet these standards during the monitoring period, corrective actions will be proposed. Corrective actions may consist of reseeding or replanting, control of invasive species, an adjustment to the mowing schedule, or other actions depending on how site conditions evolve.

7.0 REFERENCES

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Canopy	
Acer saccharinum	Silver Maple
Celtis occidentalis	Hackberry
Gymnocladus dioica	Kentucky Coffee Tree
Populus deltoides	Cottonwood
Quercus bicolor	Swamp White Oak
Quercus macrocarpa	Bur Oak
Quercus rubra	Red Oak
Tilia ameriana	American Basswood
Ulmus X	Disease-resistant elm varieties
Understory	
Acer rubrum	Red Maple
Amelanchier canadensis	Shadblow Serviceberry
Amelanchier laevis	Allegheny Serviceberry
Betula nigra	River Birch
Carpinus caroliniana	Musclewood
Ostrya virginiana	Ironwood
Populus grandidentata	Bigtooth Aspen
Populus tremuloides	Trembling Aspen
Prunus serotina	Black Cherry
Shrubs	****
Cornus amomum	Silky Dogwood
Corylus americana	American Hazelnut
Hamamelis virginiana	Common Witchhazel
Physocarpus opulifolius	Ninebark

BALLPARK COMMONS RESTORATION PLAN

JSD Project No.: 14-6548

Prunus virginiana	Chokecherry
Salix discolor	Pussy Willow
Sambucus canadensis (S. nigra)	Common Elderberry
Staphylea trifolia	American Bladdernut
Viburnum trilobum	American Cranberrybush

Requirements for 7.08 Acres of Woodland Mitigation

Required	Туре	Species Diversity
71	4" caliper canopy trees	At least 4 of the 9 above-listed canopy species
177	2.5" caliper canopy trees	At least 4 of the 9 above-listed canopy species
708	5-foot high whip canopy trees	At least 4 of the 9 above-listed canopy species
248	5-foot high whip understory trees	At least 4 of the 9 above-listed understory species
212	shrubs, min. 12" high	At least 4 of the 9 above-listed shrub species

Infiltration Swale

Swales include ditches, waterways and depressions that see infrequent stormwater runoff. Our Infiltration Swale seed mix combines deep rooted and fibrously rooting plants to protect both the soil surface and deeper soils from erosion. This root complex is also very efficient at moving water down into the soil and minimizing off site flow.

#INSW Wet Mesic to Mesic Full Sun to Part Sun 9.00 PLS LBS/Acre 73.00 Seeds/ Sq. Ft

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Wildflowers		Oz/Acre
Alisma subcordatum	Mud Plantain	2.00
Asclepias incarnata	Marsh (Red) Milkweed	6.00
Aster novae-angliae	New England Aster	2.00
Desmodium canadense	Canada Tick Trefoil	4.00
Ratibida pinnata	Yellow Coneflower	3.00
Rudbeckia hirta	Black-Eyed Susan	2.00
Rudbeckia subtomentosa	Sweet Black-Eyed Susan	2.00
Solidago ohioensis	Ohio Goldenrod	1.00
Verbena hastata	Blue Vervain	1.75
Vernonia fasciculata	Ironweed	2.00
Grasses, Sedges, & Rushes		Oz/Acre
Andropogon gerardii	Big Bluestem	10.00
Andropogon gerardii Bromus ciliatus	Big Bluestem Fringed Brome	10.00 36.00
Bromus ciliatus	Fringed Brome	36.00
Bromus ciliatus Carex comosa	Fringed Brome Bristly Sedge	36.00 5.00
Bromus ciliatus Carex comosa Carex vulpinoidea	Fringed Brome Bristly Sedge Brown Fox Sedge	36.00 5.00 1.50
Bromus ciliatus Carex comosa Carex vulpinoidea Elymus virginicus	Fringed Brome Bristly Sedge Brown Fox Sedge Virginia Wild Rye	36.00 5.00 1.50 36.00
Bromus ciliatus Carex comosa Carex vulpinoidea Elymus virginicus Glyceria striata	Fringed Brome Bristly Sedge Brown Fox Sedge Virginia Wild Rye Fowl Manna Grass	36.00 5.00 1.50 36.00 2.00
Bromus ciliatus Carex comosa Carex vulpinoidea Elymus virginicus Glyceria striata Panicum virgatum	Fringed Brome Bristly Sedge Brown Fox Sedge Virginia Wild Rye Fowl Manna Grass Switchgrass	36.00 5.00 1.50 36.00 2.00 3.00
Bromus ciliatus Carex comosa Carex vulpinoidea Elymus virginicus Glyceria striata Panicum virgatum Scirpus atrovirens	Fringed Brome Bristly Sedge Brown Fox Sedge Virginia Wild Rye Fowl Manna Grass Switchgrass Dark-Green Bulrush	36.00 5.00 1.50 36.00 2.00 3.00 0.50
Bromus ciliatus Carex comosa Carex vulpinoidea Elymus virginicus Glyceria striata Panicum virgatum Scirpus atrovirens Scirpus cyperinus	Fringed Brome Bristly Sedge Brown Fox Sedge Virginia Wild Rye Fowl Manna Grass Switchgrass Dark-Green Bulrush Wool Grass	36.00 5.00 1.50 36.00 2.00 3.00 0.50 0.25

Tallgrass Prairie for Medium Soils

An excellent mix for wildlife conservation. Tall stature grasses such as Big Bluestem and Indian grass provide important nesting habitat and cover for many animals. For full sun plantings with medium to well-drained soils.

#TPM Wet Mesic to Dry Mesic Full Sun 13.25 PLS LBS/Acre 89.00 Seeds/ Sq. Ft

Wildflowers		Oz/Acre
Allium cernuum	Nodding Onion	4.00
Amorpha canescens	Leadplant	2.00
Aster azureus	Sky Blue Aster	1.00
Aster novae-angliae	New England Aster	1.00
Baptisia leucantha (alba)	White Wild Indigo	2.00
Coreopsis palmata	Prairie Coreopsis	1.50
Coreopsis tripteris	Tall Coreopsis	1.00
Dalea candida	White Prairie Clover	3.00
Dalea purpurea	Purple Prairie Clover	2.50
Desmodium canadense	Canada Tick Trefoil	2.00
Echinacea pallida	Pale Purple Coneflower	4.00
Echinacea purpurea	Purple Coneflower	6.00
Eryngium yuccifolium	Rattlesnake Master	2.50
Helianthus grosseserratus	Sawtooth Sunflower	0.50
Heliopsis helianthoides	Early Sunflower	8.00
Liatris pycnostachya	Prairie Blazing Star	3.00
Monarda fistulosa	Wild Bergamot	2.00
Penstemon digitalis	Foxglove Beard Tongue	0.50
Potentilla arguta	Prairie Cinquefoil	0.20
Pycnanthemum virginianum	Mountain Mint	0.20
Ratibida pinnata	Yellow Coneflower	2.25
Rudbeckia hirta	Black-Eyed Susan	3.50
Rudbeckia subtomentosa	Sweet Black-Eyed Susan	2.00
Silphium laciniatum	Compass Plant	2.00
Silphium perfoliatum	Cup Plant	2.50
Solidago graminifolia	Grass-Leaved Goldenrod	0.20
Solidago rigida	Stiff Goldenrod	1.25
Verbena hastata	Blue Vervain	1.50
Veronicastrum virginicum	Culver's Root	0.20
Grasses, Sedges, & Rushes		Oz/Acre
Andropogon gerardii	Big Bluestem	24.00
Bouteloua curtipendula	Side Oats Grama	16.00
Carex bicknellii	Copper-Shouldered Oval Sedge	1.50

Elymus canadensis	Canada Wild Rye	32.00
Elymus virginicus	Virginia Wild Rye	32.00
Juncus tenuis	Path Rush	0.20
Panicum virgatum	Switchgrass	8.00
Schizachyrium scoparium	Little Bluestem	12.00
Sorghastrum nutans	Indian Grass	24.00

