

CITY OF FRANKLIN
COMMON COUNCIL MEETING*
FRANKLIN CITY HALL – COMMON COUNCIL CHAMBERS
9229 WEST LOOMIS ROAD, FRANKLIN, WISCONSIN
AGENDA**
TUESDAY, JUNE 19, 2018 AT 6:30 P.M.

- A. Call to Order and Roll Call.
- B. Citizen Comment Period.
- C. Approval of Minutes:
Regular Common Council Meeting of June 5, 2018.
- D. Hearings.
Public Hearing - Upon a Resolution introduced at the Common Council meeting held May 1, 2018, and which proposes the vacation approximately 0.1664 acre of right-of-way which extends along South 116th Street, directly South of 116th Street, South of West Ryan Road and West of Loomis Road, adjacent to property located at 11607 West Ryan Road bearing Tax Key No. 891-9989-004 (Mills Hotel Wyoming, LLC, Owner) and 11533 West Ryan Road bearing Tax Key No. 892-9997-000 (Wisconsin Department of Transportation, Owner) located in the City of Franklin, Milwaukee County, Wisconsin.
- E. Organizational Business.
- F. Letters and Petitions.
- G. Reports and Recommendations:
 - 1. Consent Agenda:
 - (a) Donation from Girl Scout Troop #1233 in the Amount of \$200 to the Police Department to be Deposited into the Police Donation Account.
 - (b) Authorize the Director of Administration to Accept a Proposal from AM Painting & Drywalling, LLC for Wallpaper Removal and Painting of a Stairwell in City Hall for \$2,500, and if the Project is Successful, to Authorize Acceptance of a Second Proposal for an Additional Stairwell for \$2,500.
 - (c) Authorization for City Hall Roof Top Tower Inspection by Higgins Tower Service, Inc. for \$1,330.
 - (d) Request for Further Guidance on Directive to Commission an Update of all Impact Fees Study.
 - (e) Authorization to Retain a 2014 Ford Taurus from the Police Department for Use by the Planning Department.
 - (f) League of Wisconsin Municipalities Mutual Insurance Safety Equipment Grant.
 - 2. A Resolution to Vacate Approximately 0.1664 Acre of Right-of-Way Which Extends Along South 116th Street, Directly South of 116th Street, South of West Ryan Road and West of Loomis Road, Adjacent to Property Located at 11607 West Ryan Road Bearing Tax Key No. 891-9989-004 and 11533 West Ryan Road Bearing Tax Key No. 892-9997-000.

3. A Resolution Conditionally Approving a 3 Lot and 1 Outlot Certified Survey Map Being that Part of the Northeast 1/4 and the Southeast 1/4 of the Northwest 1/4 and the Northwest 1/4 and the Southwest 1/4 of the Northeast 1/4 and the Northeast 1/4 of the Southwest 1/4 of Section 30, Town 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin (Bear Development, LLC, Applicant) (Generally Located Southwest of West Loomis Road, South of West Ryan Road and West of South 112th Street, Including 11205 West Ryan Road).
4. An Ordinance to Amend the Unified Development Ordinance (Zoning Map) to Rezone Lots 1, 2 and 3 of Certified Survey Map No. _____ as Follows: Lot 1: from R-2 Estate Single-Family Residence District to M-1 Limited Industrial District; Lot 2: From R-2 Estate Single-Family Residence District and C-1 Conservancy District to M-1 Limited Industrial District; Lot 3: from R-2 Estate Single-Family Residence District and C-1 Conservancy District to R-6 Suburban Single-Family Residence District (Generally Located Southwest of West Loomis Road, South of West Ryan Road and West of South 112th Street (Including 11205 West Ryan Road)) (Approximately 85 Acres) (Bear Development, LLC, Applicant).
5. An Ordinance to Amend §15-3.0418 of the Unified Development Ordinance, Planned Development District No. 13 (Wal-Mart/Sam's Wholesale Club) to Allow for Building Exterior and Signage Changes (Wal-Mart Real Estate Business Trust, Applicant) (6701 South 27th Street).
6. A Resolution Conditionally Approving a Condominium Plat for Apollo Condominiums of Franklin at 9067 and 9069 South Cordgrass Circle East, Lot 62, Prairie Grass Preserve Subdivision (Andrew J. Genz and Diana E. Genz/Kristina M. Warrichalet, F/K/A/ Kristina Cerjak and Nicholas J. Warrichalet, as to any Martial Property Interest in the Property, Owners, Andrew J. Genz, Applicant).
7. A Resolution to Approve a Special Use Amendment to Allow for Restaurant Building Remodeling and Site Work for the Existing McDonald's Drive-Through Restaurant Previously Approved as Part of a Zoning Permit Approval, Upon Property Located at 7501 West Rawson Avenue (McDonald's USA, LLC, Applicant).
8. Second Amendment to the Declaration of Restrictions for Prairie Grass Preserve (at Approximately 9200 West St. Martins Road) (Doug Milinovich, President, Prairie Grass Preserve Homeowners Association, Applicant).
9. An Ordinance to Amend the Unified Development Ordinance (Zoning Map) to Rezone a Certain Parcel of Land from C-1 Conservancy District to R-6 Suburban Single-Family Residence District (8029 South 35th Street) (Approximately 8.15 Total Acres; Area to be Rezoned is Approximately 0.75 Acres) (William F. Zimmermann, Applicant).
10. An Ordinance to Amend Section 15-3.0442 of the Unified Development Ordinance Planned Development District No. 37 (The Rock Sports Complex/Ballpark Commons) to Revise the District in the Following Manner: to Allow Additional Uses as Permitted Uses, Including But Not Limited to Senior Housing, Memory Care Residence Facility, Community Living Arrangement, Athlete Housing/Apartments, Rock Crushing/Batch Plant, and Baseball Stadium; to Revise Certain District Standards Including But Not Limited to Building Height and Building Size Limits, Lot Area Requirements, Density Requirements, Signage Amounts, Hours of Operation and Lighting Curfew, Public Water Service, Fencing Requirements, Landscaping Requirements, and Certain Design

Standards; to Revise Certain Financial Surety Requirements in Condition No. 15 in the Standards, Findings and Decision of the City of Franklin Common Council for a Special Exception to Certain Natural Resource Provisions Dated January 9, 2018; and to Revise the Comprehensive Sound and Light Study Requirements in Conditions Numbers 2 and 3 in Planned Development District No. 37 Ordinance No. 2018-2324; (BPC County Land LLC, and BPC Master Developer LLC, Applicants) (at Approximately 7900 West Crystal Ridge Drive, and Along West Rawson Avenue, West Loomis Road, and West Old Loomis Road).

11. Special Use Amendment in Planned Development District No. 37 (The Rock Sports Complex/Ballpark Commons) Pursuant to Section 15-3.0442 of the City of Franklin Unified Development Ordinance, and Resolution No. 2018-7339 a Resolution Imposing Conditions and Restrictions for the Approval of a Special Use for a Proposed Outdoor Baseball/Soccer Stadium Use Upon Property Located at 7900 West Crystal Ridge Drive, to Allow for Construction and Operation of the Second of Three Phases of a Proposed Stadium with Capacity for Approximately 4,000 People That Will Serve as the Home Field for: an Independent Minor League Baseball Team; the University of Wisconsin-Milwaukee Baseball Team; and a Professional and/or Summer College Soccer Team (BPC County Land, LLC, Applicant).

H. Licenses and Permits.

Miscellaneous Licenses from License Committee Meeting of June 19, 2018.

I. Bills.

Request for Approval of Vouchers and Payroll.

J. Adjournment.

*Notice is given that a majority of the Plan Commission may attend this meeting to gather information about an agenda item over which the Plan Commission has decision-making responsibility. This may constitute a meeting of the Plan Commission, per State ex rel. Badke v. Greendale Village Board, even though the Plan Commission will not take formal action at this meeting.

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

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

REMINDERS:

June 21	Plan Commission Meeting	7:00 p.m.
July 4	Fourth of July	City Hall Closed
July 5	Plan Commission Meeting	7:00 p.m.
July 17	Common Council Meeting	6:30 p.m.
July 19	Plan Commission Meeting	7:00 p.m.
August 7	Common Council Meeting	6:30 p.m.
August 9	Plan Commission Meeting	7:00 p.m.

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CITY OF FRANKLIN
COMMON COUNCIL MEETING
JUNE 5, 2018
MINUTES

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| ROLL CALL | A. | The regular meeting of the Common Council was held on June 5, 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 Luberd, 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 6:38 p.m. |
| BALLPARK COMMONS
GROUNDBREAKING | B.2.(a) | Mayor Olson noted the Ballpark Commons Groundbreaking Ceremony on June 7, 2018 at 2:00 p.m. |
| ECONOMIC
DEVELOPMENT DIR. | B.2.(b) | Mayor Olson noted the start date of June 18, 2018 for Ms. Calli Berg as Director of Economic Development. |
| HEALTH & HUMAN
SERVICES DIR. | B.2.(c) | Mayor Olson noted the hiring procedure and timing for Health and Human Services Director position. |
| MINUTES
MAY 15, 2018 | C. | Alderman Taylor moved to approve the minutes of the regular Common Council Meeting of May 15, 2018 as presented at this meeting. Seconded by Alderman Barber. All voted Aye; motion carried. |
| BD. AND COMM.
APPOINTMENTS | E. | Alderman Taylor moved to confirm the Mayoral appointments to the following Boards and Commissions:

<ol style="list-style-type: none">1. John Bergner, 8501 S. Parkland Dr. to the Civic Celebrations Commission for a 3 year term expiring 6/30/2021.2. Robert Knackert, 9049 S. 83rd St. to the Civic Celebrations Commission for a 3 year term expiring 6/30/2021.3. Randy Grass, 9056 W. Elm Ct., Unit F to the Civic Celebrations Commission for a 3 year term expiring 6/30/2021.4. Douglas Clark, 8173 S. 100th St. to the Civic Celebrations Commission for a 3 year term expiring 6/30/2021.5. Michael Karolewicz, 8208 W. Coventry Dr. to the Library Board for a 3 year term expiring 6/30/2021. |

6. Madelyn Kempen, 7855 S. Scepter Dr., Apt. 13 to the Library Board for a 3 year unexpired term expiring 6/30/2019
7. Wayne Hustad, 10320 W. St. Martins Rd., to the Board of Health for a 2 year unexpired term expiring 4/30/2019.
8. Robert Goetsch, 4037 W. Forest Hill Ave to the Economic Development Commission for a 2 year term expiring 6/30/2020.

Seconded by Alderman Barber. On roll call, all voted Aye; motion carried.

CONSENT AGENDA
ORD. 2018-2326
RESISTING OR
OBSTRUCTING AN
OFFICER
DONATION
QUOTE FOR PLANNED
REMOTE SITE LAYER 3
SWITCH UPGRADE
ORD. 2018-2327
SIGNS AND
BILLBOARDS

G.1. Alderman Barber moved to approve the following consent agenda items:

(a) Adopt Ordinance 2018-2326, AN ORDINANCE TO AMEND THE FRANKLIN MUNICIPAL CODE AS IT PERTAINS TO RESISTING OR OBSTRUCTING AN OFFICER.

(b) Receive \$531.00 donation from Heritage Funeral Homes to be deposited into the Police K9 Donation account.

(c) 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.

(d) Adopt Ordinance 2018-2327, 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.

Approval of the above consent items was seconded by Alderman Mayer. All voted Aye; motion carried.

STANDARDS, FINDINGS
AND DECISION FOR
THE ROCK SPORTS
COMPLEX LLC

G.2 Alderman Taylor moved to suspend the regular order of business to allow the Applicants to speak. Seconded by Alderman Barber. All voted Aye; motion carried.

Alderman Taylor moved 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, to be used for City of Franklin tree replacement. Seconded by Alderman Dandrea. All voted Aye; motion carried.

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

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| CONCEPT REVIEW FOR
REVISION OF PRELIM.
PLAT AT S. 76TH ST.
AND W. OAKWOOD RD.
(NEUMANN DEV. INC.,
APPLICANT) | G.3. | No action was taken following a presentation of a concept review by the applicant regarding the proposed revision to the Preliminary Plat Oakwood at Ryan Creek single-family residential subdivision development upon property located at the northwest corner of South 76th Street and West Oakwood Road (Neumann Developments, Inc., Applicant). |
| UPDATE FOR RAWSON
HOMES DRAINAGE
AND WATER MAIN
RELAY PROJECT | G.4. | Alderman Wilhelm moved to direct staff to request a funding status commitment from the Milwaukee Metropolitan Sewerage District and verify any additional available project funding for Rawson Homes Drainage and Water Relay Project. Seconded by Alderman Taylor. All voted Aye; motion carried. |
| REJECT ALL BIDS FOR
RAWSON HOMES
DRAINAGE AND
WATERMAIN RELAY
PROJECT AND RE-BID
WITH DIRECTION | G.5. | Alderman Wilhelm moved to reject all bids for the Rawson Homes Drainage and Water Main Relay projects and to direct staff to provide an updated project cost estimate, schedule a pre-bid meeting to rebid the projects by October 2018, with an update to the Council prior to the bid release, and further to re-establish the budget appropriation as needed to award the contract. Seconded by Alderman Nelson. On roll call, Alderman Nelson, Alderman Wilhelm, and Alderman Mayer voted Aye; Alderman Barber, Alderman Taylor, and Alderman Dandrea voted No. Mayor Olson broke the tie by voting No. Motion failed. |

Alderman Taylor then moved to reject all bids. Seconded by Alderman Dandrea. All voted Aye; motion carried.

Alderman Taylor then moved to direct Engineering staff to return to the second Common Council meeting in November, 2018, with an update and any alternatives. Seconded by Alderman Mayer. All voted Aye; motion carried.

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| INVOICES FOR
RAWSON HOMES
DRAINAGE & WATER
MAIN RELAY PROJECT | G.6. | Alderman Barber moved to place on file the details on invoicing from Ruekert Mielke for the Rawson Homes Drainage and Water Main Relay project. Seconded by Alderman Nelson. All voted Aye; motion carried. |
| DESIGN OF S. 68TH ST.
FROM W. LOOMIS RD.
TO W. PUETZ RD. | G.7. | Alderman Barber moved to direct staff to finalize professional services contract for Phase 1 of design of S. 68th Street from W. Loomis Road to W. Puetz Road with Lakeside Engineering and return to Common Council for execution. Seconded by Alderman Taylor. Upon voice vote, five Ayes, one No (Alderwoman Wilhelm). Motion carried. |
| RES. 2018-7380
ACCEPT GRANT FROM
THE 2018 WIS. RPCS
AND DNR GREAT
LAKES BASIN TREE
PLANTING | G.8. | Alderman Mayer moved to adopt Resolution No. 2018-7380, 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. Seconded by Alderman Barber. All voted Aye; motion carried. |
| INDUSTRIAL PARK
SEWERAGE LIFT
STATION
ABANDONMENT AND
SEWER MAIN EXT. | G.9. | Alderman Taylor moved to direct staff to negotiate with City of Waukesha Great Lakes Water Alliance (GWA) and finalize professional services contract with Greeley & Hansen for design of Industrial Park Lift Station abandonment and sewer extension, and return to Common Council for execution. Seconded by Alderman Dandrea. On roll call, Alderman Dandrea, Alderman Mayer, Alderman Taylor, Alderman Barber, and Alderman Nelson voted Aye; Alderwoman Wilhelm voted No. Motion carried. |
| STATUS OF OVERTIME
BUDGET FOR DEPT. OF
PUBLIC WORKS | G.10. | Alderman Taylor moved to acknowledge that the Highway Overtime budget is expected to be at least \$2,000 in the deficit at the end of the year and address a budget modification as needed at the end of the year. Seconded by Alderwoman Wilhelm. All voted Aye; motion carried. |
| CONTRACT WITH
RUEKERT & MIELKE,
INC. FOR ENGINEERING
SERVICES IN AREA D | G.11. | Alderman Taylor moved to contract Ruekert Mielke, Inc. for professional services task order related to engineering in Area D, roughly between W. Oakwood and S. South County Line Roads and S. 27th and S. 42nd Streets. Seconded by Alderman Mayer. All voted Aye; motion carried. |

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| STATUS OF RENTAL
AGREEMENT WITH
AMERICAN TOWER | G.12. | Alderman Taylor moved to direct staff to continue analysis of a best option for City's consideration of a rental agreement with American Tower and return to Common Council with a recommendation. Seconded by Alderman Barber. All voted Aye; motion carried. |
| ORD. 2018-2328
AMEND ORD. 2017-2301
TO MOVE
CONTINGENCY
EXPENDITURES | G.13. | Alderman Taylor moved to adopt Ordinance 2018-2328, 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. Seconded by Alderman Barber. On roll call, all voted Aye. Motion carried. |
| 2019 BUDGET
DEVELOPMENT ISSUES | G.14. | <p>At 8:25 p.m. Mayor Olson vacated his seat and passed the gavel to Council President Dandrea, who then chaired the meeting.</p> <p>At 8:25 p.m. Alderman Mayer vacated his seat.</p> <p>At 8:30 p.m. Mayor Olson returned to his seat and then chaired the meeting.</p> <p>At 8:32 p.m. Alderman Mayer returned to his seat.</p> <p>Alderman Taylor moved to receive and file the presentation on the 2019 Budget Development Issues. Seconded by Alderman Mayer. All voted Aye; motion carried.</p> |
| MOODY'S RATING OF
CITY DEBT | G.15. | No action was taken on information provided relating to Moody's bond rating of City debt. |
| UPDATE OF IMPACT
FEES STUDY | G.16. | <p>At 8:50 p.m. Alderwoman Wilhelm vacated her seat.</p> <p>Alderman Taylor moved to direct staff to commission an updated Impact Fee study by the first Common Council meeting in September, 2018 to be completed within nine months and directing staff to provide the necessary inputs for the study's completion. Seconded by Alderman Dandrea. All voted Aye; motion carried.</p> |
| ORD. 2018-2329
AMEND MUNICIPAL
CODE RELATED TO
WATER UTILITY CASH
ACCOUNT | G.17. | Alderman Taylor moved to adopt Ordinance No. 2018-2329, AN ORDINANCE TO AMEND §207-10.C.(2) OF THE FRANKLIN MUNICIPAL CODE RELATED TO THE WATER UTILITY CASH ACCOUNT. Seconded by Alderman Dandrea. All voted Aye; motion carried. |

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| APRIL FINANCIAL
REPORT | G.18. | Alderman Taylor moved to receive and place on file the April 2018 Monthly Financial Report. Seconded by Alderman Barber. All voted Aye; motion carried. |
| REVISED ANTI-
HARASSMENT POLICY | G.19. | Alderman Taylor moved to approve the revised Anti-Harassment Policy and related applications within the Employee Handbook. Seconded by Alderman Nelson. All voted Aye; motion carried. |
| AGREEMENT WITH
CITY OF GREENFIELD
FOR INTERIM HEALTH
OFFICER | G.20. | Alderman Taylor moved to authorize the Mayor, relying upon the recommendations of the Director of Administration and/or City Labor Counsel, to execute a Memorandum of Understanding with the City of Greenfield and or its Health Department for its Director to serve as the City of Franklin's interim Health Officer and to evaluate any deviations from the agreement attached hereto as may subsequently be authorized by the City of Greenfield, and to authorize said agreement provided he determined that it does not substantively affect un-insured liabilities or deviate substantially from the draft document as presented. Seconded by Alderman Barber. All voted Aye; motion carried. |
| GOVERN TECHNICAL
SUPPORT TO THE IT
DIRECTOR | G.21. | Alderman Dandrea moved to authorize Mr. Fred Baumgart to serve as a limited-term, part-time employee, in accordance with the Employee Handbook, providing Govern technical support to the IT Director, as managed by the IT Director within the scope and extent of the adopted IT Department Budget appropriations. Seconded by Alderman Mayer. All voted Aye; motion carried. |
| ADVISORY
REFERENDUM BALLOT
PROTECTING
BUSINESSES,
APARTMENT AND
HOMEOWNERS FROM
TAX SHIFTS | G.22. | Alderman Dandrea moved to adopt 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). Seconded by Alderman Barber. |

Alderwoman Wilhelm returned to her seat at 8:55 p.m.

On roll call, Alderman Dandrea and Alderwoman Wilhelm voted Aye; Alderman Mayer, Alderman Taylor, Alderman, Barber, and Alderman Nelson voted No. Motion failed.

NOTICE OF CLAIM AND
NOTICE OF INJURY
ENRIQUE FERREIRA,
TERESA FERREIRA
AND GERARDO
FERREIRA

G.23. Alderman Taylor moved to deny the Notice of Claim and Notice of Injury on behalf of Enrique Ferreira, Teresa Ferreira, and Gerardo Ferreira pursuant to Wisconsin Statute 893.80(1g), based upon and in concurrence with the attorney representing the City that the investigation revealed that there are too many questions and issues, including but not limited to unsubstantiated damages and application of discretionary immunity per Wis. Stat. §893.80, making acceptance of the claim or settlement considerations premature as discussed in the Council Action Sheet. Seconded by Alderman Barber. All voted Aye; motion carried.

LICENSES AND
PERMITS

H. Alderman Taylor moved to approve the following:
Grant Class A Combination license to Mega Marts, LLC, Agent Haley Dixon, 7780 S Lovers Lane Rd.;
Grant Extraordinary Entertainment & Special Event License to Country Lanes Bowling Alley (Robert Sczerzen) for their Car Show on 6/9/2018 at 9am-6pm;
Grant Extraordinary Entertainment & Special Event License to Main Talent Entertainment for The Midwest Original Music Festival (Brian Krasowski) at the Croatian Park on Friday, 8/24/18 through Sunday, 8/26/18 subject to music ending at 11 pm on Friday & Saturday and at 10 pm on Sunday;
Grant 2017-18 and 2018-19 Operator license to Angela Damask, 3260 S 7th St., Milwaukee; Nicole Zignego, W304N2358 N Westwind Dr., #5A, Pewaukee;
Grant 2017-18 and 2018-19 Operator license with a warning letter from the City Clerk to Shawn Hinkel, 2023 S 96th St., West Allis; Oscar Sastre Colon, 3221 S 36th St., Milwaukee;
Grant 2018-19 Operator license with a warning letter from the City Clerk to Stacie Trippler, 5331 N 37th St., Milwaukee;
Grant Class B Combination, Entertainment & Amusement licenses, subject to satisfactory inspections, to Iron Mike's Bar LLC, Agent Mike Pues, 6357 S. 27th St.;
Grant Class B Combination, Entertainment & Amusement and Bowling licenses, subject to satisfactory inspections, to Root Group LLC, Agent David Church, 7220 W Rawson Ave.;
Grant Class B license, subject to satisfactory inspections and fee payment, to QT Pizza LLC, Agent Susan Toetz, 7119 S 76th St;

Grant Class B Beer and Class C Wine, subject to satisfactory inspections, to Jiang Saya Enterprises, Inc, Agent Viengsavanh Sayavongsa, 6509B S 27th St.;

Grant Amusement Device Operator license to Games R Us Inc, Owner Steven Murphy, W144 S6315 College Ct., Muskego;

Grant Auto Salvage license, subject to satisfactory inspections, to Al's Auto Salvage, Owner Albert Schill; 10942 S 124th St.;

Grant Day Care license, subject to satisfactory inspections, to Academy of Integrity, Manager LaQueesha Blockton, 3900 W Ryan Rd.;

Grant 2017-18 and 2018-19 Operator licenses to Kirsten Auger, 2652 S Moorland Rd., New Berlin; Colton Borreson, 1381 W Birdsong Dr., Apt A01, Oak Creek; Patricia Dickerson, 711 W Vliet St., #314,

Milwaukee; Michael Haubrich, 2660 11th Pl, #405, Kenosha; Stephanie Hoover, 10701 W Grange Ave, #26, Hales Corners; Christopher Kempken, 2933 W Drexel Ave., #507, Franklin; Evan Modglin, S96W13105 Linksway Ct., Muskego; Jacob Nordstrum, 5207 W Donges Ln., Brown Deer; Mary Olszewski, 11355 W Rawson Ave., Franklin; Joseph Schauer, 8520 W Euclid Ave., Milwaukee; Wendy Swenarski, 6370 Scenic Dr East, West Bend;

Hold 2017-18 and 2018-19 Operator license applications for appearance from Evan Bautch, 7318 S 69th St., Franklin; and Rita Heishman, 8217 S Four Oaks Dr., Franklin;

Grant 2018-19 Operator Licenses to Jefferson Calimlim, 632 W Mitchell St., #5, Milwaukee; Monica Chance, 2436 S 61st St., West Allis; Berenice Pachecho Rodriguez, 2827 W Parnell Ave, #209, Milwaukee; Sherry Standley, 2200 W Kilbourn Ave, #420, Milwaukee; Qyinn Applin, 4521 W Ramsey Ave., #65, Greendale; Leesa Bearder, 9644 S 31st St., Franklin; Larry Behrendt, 6631 S 51st St., Franklin; Joseph Cauley, 1813 S 70th St., West Allis; Carolyn Christensen, 3800 Spruce St., Racine; Shane Clapsaddle, 234 N Broadway, #608, Milwaukee; Arturo Contreras, 805 S 94th St., West Allis; Kristin Dombrowski, 5440 S Tuckaway Ct, #6, Greenfield; Cali Dunn, 2208 S 93rd St., #4, West Allis; Matthew Fannin, S79W18997 Janesville Rd., Muskego; Amanda Fellows. 5411 Nicholson Rd., Franksville; Jennacy Frey, 3440 Britton Ridge, Union Grove; Stephen Gostomski, 2064 S 87th St., West Allis; Patricia Greer, 1702 E Eden Pl., St Francis; Jody Haase, 2431 W Carroll Ave., Oak Creek; Andrew Hushek; 5315 W Arizona St., Milwaukee; Yuzeng Jiang, 1325 Sunnyridge Rd., Apt #2, Pewaukee; Traci

Krueger, 5836 S 37th Ct., Milwaukee; Aaron Lambert, 5037 Sycamore St., Greendale; Dawn Luce, 2840 21st St, #28, Kenosha; Lauren Nerby, 3203 W Minnesota Ave., Franklin; Christine Ogorzelec, 23627 82nd St., Salem; Eugenia Parks-Conway, 2151 S 24th St., Milwaukee; Sue Reynolds, 5443 Mulberry Dr., Greendale; Syed Rizvi, 7164 S Madison Ct., Franklin; Haley Rosploch, 9213 S 8th Ave, Oak Creek; Christine Rozewicz, 8123 S Legend Dr., Unit A, Franklin; Scott Schilling, 3521 S Chase Ave., Milwaukee; Jennifer Schrank, 8029 W Euclid Ave., Milwaukee; James Seehausen, 1220 Michigan Ave., South Milwaukee; Sarah Walkington, 2231 N Himount Blvd., Milwaukee; Veronica Wright, 10255 W Plum Tree Cir, #106, Hales Corners; Kenneth Young, 11401 W Swiss St., Franklin; Alyssa Zacher, 595 E Shepard Hills Dr., Oak Creek;

Grant Extraordinary Entertainment & Special Event license to American Diabetes Association for the Tour De Cure (Heidi Dietrich) Bike ride through Franklin on July 13, 2018 from 7:30 am – 3 pm;

Grant People Uniting for the Betterment of Life and Investment in the Community (PUBLIC) Grant to the Forest Park Middle School for Park Permit at Vernon Barg Pavilion on June 7, 2018.

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

VOUCHERS AND
PAYROLL

- I. Alderman Dandrea moved to approve the following:
City vouchers with an ending date of June 1, 2018 in the amount of \$1,203,346.96; Payroll dated May 25, 2018 in the amount of \$380,611.12 and payments of the various payroll deductions in the amount of \$389,522.19 plus City matching payments; and Estimated Payroll dated June 8, 2018 in the amount of \$399,000.00 and payments of the various payroll deductions in the amount of \$210,000.00, plus City matching payments; and property tax refunds with an ending date of May 31, 2018 in the amount of \$3,003,225.01. Seconded by Alderman Mayer. On roll call, all voted Aye. Motion carried.

ADJOURNMENT

- J. Alderman Taylor moved to adjourn the meeting at 9:07 p.m. Seconded by Alderman Mayer. All voted Aye; motion carried.

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CITY OF FRANKLIN
NOTICE OF PUBLIC HEARING

The Common Council of the City of Franklin will hold a public hearing Tuesday, June 19, 2018, at 6:30 p.m. or as soon thereafter as the matter may be heard in the Common Council Chambers of Franklin City Hall, 9229 W. Loomis Road, Franklin, Wisconsin 53132, upon a resolution introduced at the Common Council meeting held May 1, 2018, and which proposes the vacation of approximately 0.1664 acre of right-of-way which extends along South 116th Street, directly south of 116th Street, south of West Ryan Road and west of Loomis Road, adjacent to property located at 11607 West Ryan Road bearing Tax Key No. 891-9989-004 (Mills Hotel Wyoming, LLC, owner) and 11533 West Ryan Road bearing Tax Key No. 892-9997-000 (Wisconsin Department of Transportation, owner) located in the City of Franklin, Milwaukee County, Wisconsin, which is bounded as legally described as follows:

Part of the Northeast 1/4 of the Northwest 1/4 and part of the Northwest 1/4 of the Northeast 1/4 all in Section 30, Town 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin, which is bounded and described as follows: Commencing at the Northeast corner of said Northwest 1/4 Section; thence South 00°34'43" East along the East line of said Northwest 1/4 Section a distance of 45.00 feet to a point on the South line of West Ryan Road and the point of beginning of the lands hereinafter described; thence South 89°44'26" East along said South line 25.00 feet to a point on the East line of South 116th Street; thence South 00°34'43" East along said East line 116.80 feet to a point on the North line of West Loomis Road- (S.T.H. "36"); thence South 41°23'51" West along said North line 74.76 feet to a point on the West line of South 116th Street and the East line of Parcel 2 of Certified Survey Map No. 3104; thence North 00°34'43" West along said West line 173.19 feet to a point on the South line of West Ryan Road; thence South 89°31'45" East along said South line 25.00 feet to the point of beginning. Containing 7,248 square feet or 0.1664 acres of land.

The legal description and map of the area involved and a copy of the proposed resolution are on file in the Office of the City Clerk of Franklin, Wisconsin. This public hearing is being held pursuant to the requirements of §§66.1003(4)(b) and (8)(b). of the Wisconsin Statutes. A copy of the proposed resolution in draft form is available and open for inspection by the public in the office of the City Clerk at Franklin City Hall, 9229 West Loomis Road, Franklin, Wisconsin 53132, during normal business hours. The public is invited to attend the public hearing and to provide input. The proposed draft form resolution is subject to revisions following public hearing and the further consideration by the Plan Commission and the City of Franklin Common Council.

Dated this 22nd day of May, 2018.


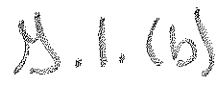
Sandra L. Wesolowski
City Clerk

N.B. Class III

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APPROVAL	REQUEST FOR COUNCIL ACTION	MEETING DATE 6-19-18
REPORTS & RECOMMENDATIONS	Police Department Donations Girl Scout Troop #1233	ITEM NUMBER B.I. (a)
<p>The City of Franklin Police Department has received a \$200.00 donation from High School Senior Girl Scout Troop #1223 (Wendy Nielson, Troop Leader).</p> <p>COUNCIL ACTION REQUESTED</p> <p>Motion to accept this donation from Girl Scout Troop #1233 for deposit into the Police Donation account.</p>		

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APPROVAL 	REQUEST FOR COUNCIL ACTION	MEETING DATE 6/19/2018
REPORTS & RECOMMENDATIONS	Authorize the Director of Administration to Accept a Proposal from AM Painting & Drywalling, LLC for Wallpaper Removal and Painting of a Stairwell in City Hall for \$2,500, and if the Project is Successful, to Authorize Acceptance of a Second Proposal for an Additional Stairwell for \$2,500	ITEM NUMBER 

The 2018 Budget provides appropriations for a project for HVAC replacement, roof repairs, and limited remodeling at the Franklin City Hall, although the project is simply listed as "Roof Repairs – City Hall – Phase 1" and is also called the City Hall remodel project. The Common Council had previously indicated that as a component of the remodel project they would consider limited interior needs.

The Director of Administration recommends that eliminating the wallpaper in the two northern-most enclosed stairwells of City Hall be approved. One stairway is located next to the City Hall elevators and the other is located in the Building Inspection lobby. A significant amount of wallpaper is partially falling down or peeling loose at the seams. Internal efforts to repair the very old wallpaper have not been successful.

A potential repair contractor has emphasized that it "MAY" be possible to repair the wall, but that the result may not be worth the work. Its current status would make it difficult to prep the walls to accept new glue and there would be no good way to remove the existing glue and drywall bits from the back of the existing paper. They would not be able to offer a warrantee or guarantee and could not promise that the problem would not reoccur.

The Facilities Maintenance Supervisor obtained two quotes for removing the wallpaper, prepping the walls, and priming and painting them. The first from Plewa Property Services was for \$4,450 per stairwell for a total of \$8,900. The second was from AM Painting & Drywalling, LLC for \$2,500 per stairwell for a combined total of \$5,000.


AM Painting and Drywalling has been used by the City before, primarily at the Police Department, and their performance and professionalism has been very good. The Director of Administration recommends contracting for one stairwell at a time so that we can be sure the results are acceptable. This will help limit risk as to what will be found behind the remainder of the wallpaper. The vendor is willing to separate their initial proposal out in this manner. Done in this manner, if the first stairwell results are as expected, the Director of Administration would immediately accept a proposal for the second stairwell. This will also ensure that only one stairwell is closed at a time. For these reasons, it is in the City's best interest to address the project as two short projects instead of one larger project.

Please note that if there are any substantial drywall repairs hidden behind the wallpaper an additional \$50 per hour rate will apply. Based upon what is visible behind the currently falling paper, no major problems are expected.

COUNCIL ACTION REQUESTED

Motion to authorize the Director of Administration to accept a proposal from AM Painting & Drywalling, LLC for wallpaper removal and painting of a stairwell in City Hall for \$2,500, and if, as determined by the Director of Administration, the project is successful, to authorize acceptance of a second proposal for an additional stairwell for \$2,500, with said authorizations providing for not to exceed \$500 in additional drywall repairs as may be approved by the Facilities Maintenance Supervisor and with said authorizations being applied against the City Hall remodel project in the Capital Improvement Fund.

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APPROVAL 	REQUEST FOR COUNCIL ACTION	MEETING DATE 6/19/2018
REPORTS & RECOMMENDATIONS	Authorization for City Hall Tower Inspection by Higgins Tower Service, Inc. for \$1,330	ITEM NUMBER B. I. (C)
<p>The 2018 Budget provides appropriations for a project for HVAC replacement, roof repairs, and limited remodeling at the Franklin City Hall, although the project is simply listed as "Roof Repairs - City Hall - Phase 1." In preparation for and as part of the roof work, it is necessary to professionally inspect the 100 foot, roof-top, guyed tower located on the roof of City Hall.</p> <p>The City's Facilities Manager has received a quote (attached) from Higgins Tower Service, Inc. of West Allis in the amount of \$1,330. The full nature or scope of the inspection work to be performed is described on the attached quote. As a matter of context, the firm anticipates that the work will involve two men for likely a full day.</p> <p>The Director of Administration requests approval.</p>		
<p style="text-align: center;">COUNCIL ACTION REQUESTED</p> <p>Authorize the Director of Administration to accept the bid proposal for a City Hall tower inspection from Higgins Tower Service, Inc. in the amount of \$1,330 to be paid for from the Capital Improvement Fund City Hall Roof Repairs project appropriation.</p>		



BID PROPOSAL

October 31, 2017

City of Franklin
Attn: Bob Tesch

Via email: btesch@franklinwi.gov

RE: *City of Franklin Tower Inspection*

Dear Mr. Tesch,

Please consider the sum of **\$1,330.00** (tax not included) a firm price for the following scope of work at the above referenced location.

City of Franklin - Visual Inspection of 100 ft. roof top Guyed tower. Inspection includes: Checking flange bolts and guy attachments on tower, antennas and mount hardware; inspecting Guy anchor points attachments (above roof level). Transit readings, to verify if tower is plumb or not. Guy tensions to determine existing tensions and document.

Any minor discrepancies found during visual inspection, such as loose coax or loose bolts will be tightened and/or add tape or cable ties to temporarily secure any loose lines.

All else, including if adjustments are required on tower plumb or Guy tensions will be explained on a report with photos along with suggestions to correct any possible issues in the future.

All work to be completed during normal business hours.

This is a visual inspection.

Thank you for this opportunity to be of service. If you have any questions or comments, please contact our office.

Sincerely,



HIGGINS
TOWER SERVICE, INC.
EST. 1971

Collette Klenz

Collette Klenz


Higgins Tower Service Inc.

collette@higginstower.com

414.774.1971 O

414.640.5009 M

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APPROVAL 	REQUEST FOR COUNCIL ACTION	MEETING DATE 6/19/2018
REPORTS & RECOMMENDATIONS	Request for Further Guidance on Directive to Commission an Update of all Impact Fees Study	ITEM NUMBER B.1.(d)

At the meeting of June 5, 2018, the Common Council approved a motion directing staff to "commission an updated Impact Fee study...to be completed within nine months and directing staff to provide the necessary inputs for the Study's completion." Staff was to bring the contract back for consideration by the first meeting in September. In order to develop such a contract for consideration, a detailed scope of services is needed. A potential contractor cannot prepare accurate pricing without a clear scope of services, unless it is an hourly services contract.

State statutes require the following: "(4) Public Facilities Needs Assessment. (a) Before enacting an ordinance that imposes impact fees or amending an ordinance that imposes impact fees by revising the amount of the fee or altering the public facilities for which impact fees may be imposed, a municipality shall prepare a needs assessment for the public facilities for which it is anticipated that impact fees may be imposed." [66.0617(4)(a)] This requirement applies whether the fee is increasing or decreasing.

Some additional guidance or further direction is needed, therefore, as it may relate to the Impact Fee statutory requirements.

Issue 1: Parks: The main issue is related to "parks, playgrounds, and land for athletic fields," otherwise known as the Park Impact Fee. That fee is established based on the Public Facilities Needs Assessment that is based primarily on the Comprehensive Outdoor Recreation Plan (hereafter "the CORP"). The CORP identifies the priorities, projects, and estimated project costs that the City intends to pursue over an extended period of time. The cost estimates for those projects become a component of the Public Facilities Needs Assessment, and the impact fee consultant then prepares a methodology for determining how to fairly allocate project costs based upon specific "Standards for Impact Fees" [66.0617 (6)] as set forth in the statutes, such as "may not exceed the proportionate share of the capital costs that are required to serve land development...."

The City has generally set the Park Impact Fee such that all of the projects listed in the CORP are anticipated for completion in the manner addressed in the CORP because this is the method that adheres most closely to the expectations of the statute. At the recent Council meeting and Finance Committee meeting, there was some discussion, however, that suggested consideration of reducing the Park Impact Fee. The statute "does not prohibit or limit the authority of a municipality to finance public facilities by any other means authorized by law." Therefore, it is possible to set the fee at an amount less than necessary to fund the identified projects provided one indicates that the remaining costs attributable to new development will be funded through other City resources and property taxes. The City cannot include a large number of projects in the Public Facilities Needs Assessment and then simply chose not to ever pursue the projects. One of the "standards" referenced above is that the impact fee is based upon "...reasonable estimates of capital costs for new, expanded or improved public facilities." It is, arguably, not reasonable to include costs for projects that are not expected to ultimately move forward.

Importantly, court cases have provided some flexibility in that the section on standards "allows a municipality to impose impact fees for a general type of facility without committing itself to any particular proposal before changing the fees." [66.0617 footnotes] It goes on to say, "The needs assessment must simply contain a good-faith and informed estimate of the sort of costs the municipality expects to incur for the kind of facility it plans to provide...A municipality must be allowed flexibility to deal with the contingencies inherent in planning." This "good-faith and informed estimate" effectively becomes a broad standard one must pay careful attention to in adopting a revised fee.

To move the impact fee project forward quickly, as requested by the Council, one needs to assume the CORP remains generally unchanged and that the public hearing on the impact fee revision will be largely based on the existing CORP updated only for actual completed projects. This is necessary because a wholesale reconsideration of the CORP is a significant time commitment at a time where the Planning Department is already very busy. Not amending the CORP, however, could require an implicit commitment by the City to fund the shortfall if the Park Impact Fee is significantly reduced without a corresponding reduction in projects/project costs. The Director of Administration anticipates that the City may not wish to offset reductions in the Park Impact Fee with increased funding from property taxes. **As such, unless otherwise directed by the Common Council, the recently directed impact fee project will be structured such that if a substantial reduction in the Park Impact Fee occurs, the ordinance doing so will likely be accompanied by a resolution directing an evaluation of and modification to the CORP so that a "good-faith and informed" relationship between project costs and a realistic view of total revenues is maintained.** Anticipating a project in this manner should allow the impact fee portion to be completed/revised first and for those results to then drive an after-the-fact reconsideration of the CORP. [Note that because of this chicken-and-the-egg approach, the revised CORP may then have to be subsequently linked directly back to the Impact Fee Ordinance with a second public hearing and ordinance revision.]

Issue 2: Fire Stations: The current impact fee for Fire Department related services anticipates an eventual fourth fire station in the southwest quadrant of the City. Unless otherwise directed by the Common Council, the new study will proceed with expectation that this added station remains in the City's future plans. To the knowledge of the Director of Administration, this topic has not been the issue of public debate or discussion for over a decade. **As such, if the Council wants a more thorough review of the matter of an eventual fourth fire station, such a directive should be provided.**

Issue 3: Fee Reductions for Capital Costs Charged to Developers: The State statute establishes, in part, as one of the Standards for Impact Fees that the fee "shall be reduced to compensate for other capital costs imposed by the municipality with respect to land development...." The municipal ordinance repeats this provision. Adjustments to potential impact fee collections have never been incorporated into the Public Facilities Needs Assessment. Additionally, little guidance is given in the statutes or court decisions exactly how this is to be interpreted or applied. For example, can certain components be built into the initial costing setting the impact fee rates, must every development project be evaluated separately for its individual adjustments, and what are standard and/or reasonable "development" costs that would not potentially be an offset to impact fees? In the opinion of the Director of Administration, leaving the issue unresolved and/or unaddressed has too great of a potential to negatively impact the calculated revenue streams, thereby jeopardizing the projects. **As such, unless otherwise directed by the Common Council, the new study will be designed to try to address the issue of fee reductions as best as possible.**

Issue 4: Water Impact Fee Basis: The Director of Administration believes that staff is dissatisfied with the administrative requirements associated with implementing the water impact fees. Concerns with this process were last addressed between 2008 and 2010 but the issue remains unresolved. The Director of Administration recommends working with the impact fee consultant to revise the basis and methodology for the calculation of the water impact fees. Additionally, the Director of Administration wants to build off work that staff has already done to ensure that the new utility building costs can be worked into the impact fee calculations. Both of these issues will require some additional time spent with the consultant, and time equals money. Nonetheless, these are important issues. **As such, unless otherwise directed by the Common Council, the new study will be designed to try to determine a new basis for calculation of water impact fees and to include the costs of the utility building to the extent possible.**


Given the complexity of impact fees and the broad range of issues covered by impact fees it is very likely that similar questions may come up during the review that will also need to be addressed within the scope of the project. For example, all of the fees are dependent upon population projections and development models that are, generally, addressed in the Comprehensive Plan; these projections will need to be considered to ensure that they are still considered a "good faith and informed estimate." The four items noted above, however, are the more substantive ones. How each is addressed can impact the timeline and cost of the impact fee review project. As such, it is important that the Common Council understands staff's direction and initial intent or that the Common Council provides other such direction to staff.

If the Common Council concurs with the project direction referenced herein by staff, the Council needs only to receive and file this report. If the Common Council has other guidance for staff, it should be provided. If the Common Council needs additional information at this time, the item should be laid over until the following meeting.

COUNCIL ACTION REQUESTED

Motion to receive and file or any other such action as the Common Council shall deem appropriate.

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APPROVAL 	REQUEST FOR COUNCIL ACTION	MEETING DATE 6/19/2018
REPORTS & RECOMMENDATIONS	Authorization to Retain a 2014 Ford Taurus for Use by the Planning Department	ITEM NUMBER B.I. (e)

As part of their vehicle rotation, the Police Department is getting rid of two 2014 Ford Taurus vehicles each with over 100,000 miles. Although they are not appropriate for use by the Police Department 24-hour emergency response operations, they would serve a more general, non-critical use. City vehicle maintenance staff report that their condition is still good for general use and no major repairs are currently needed.


The Planning Department does not have a vehicle assigned that can be used for field inspections, which is a relatively common occurrence. Generally, Planning staff needs to try to borrow an Engineering vehicle or see if the Administration vehicle is available. Tracking down an available vehicle or waiting for one to become available is not always the most efficient for departmental purposes. Although mileage reimbursement is available, some of the sites that are visited are preconstruction or during construction, to which staff may not prefer to take their personal vehicle.

Staff requests to be able to retain one of the Taurus vehicles for Planning Department use. The Economic Development Director would also have access to the vehicle. The intent would be to use the vehicle for a year or so and confirm its benefits for operations and efficiency. The added costs, if any, would be worked out within the Planning Department's 2018 budget. As this increases the overall size of the City's fleet, the Common Council is being asked to authorize retaining the vehicle.

COUNCIL ACTION REQUESTED

Motion to authorize the retention of a 2014 Ford Taurus, previously from the Police Department, for use by the Planning Department.

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APPROVAL 	REQUEST FOR COUNCIL ACTION	MEETING DATE 6/19/2018
REPORTS & RECOMMENDATIONS	League of Wisconsin Municipalities Mutual Insurance Safety Equipment Grant	ITEM NUMBER M.I. (F)

The City has access to a remaining balance on a League of Wisconsin Municipalities Mutual Insurance Safety Equipment Grant for safety equipment through our insurance company. This is the same grant that was used to help fund the Dive Team equipment last year. The City has an available balance of \$2,807 which, at the 75% funding ratio, means it can support a total expenditure of around \$3,742.

None of the budgeted remaining capital items approved will satisfy the requirements of the grant. Similarly, none of the 2018 requested but not funded items would qualify. In general terms, the grant is intended to target employee safety items which can avoid or avert workers compensation claims. The guidelines are generally open, but personal protective equipment already required by OSHA is excluded, nor is it targeted at public safety equipment. It is allowed to be used for smaller items as well such as saw carts, step ladders, table carriers, manhole cover lifts, etc. Our insurance company, for example, would rather have extra ladders around than see an individual use a chair as a ladder.

In order to ensure this free money doesn't evaporate, the Director of Administration intends to reach out to all departments and compile a list of smaller items that increases the safety of employees in the performance of their duties. Often these items involve simply using the right tool for the right job, providing support for lifting, or attachments providing for better control over tools already being used. The goal is to attack a lot of little items that can improve safety. Following is a brief list of examples that have been collected so far.

Additional step ladders DPW and Building Maintenance \$25 to \$75 each
Table mover carts: single table (\$102), large table (\$213)
Northern roughneck hydraulic table cart \$200
Hitchmate tire step \$50
Big truck tire step \$170
Indesco picnic table transporter \$525
Stihl cutquick cart \$370

Additional items will be added to use up the full grant. Due to the smaller cost for many individual items and for administrative ease, the intent is to purchase all items through existing appropriations in the Facilities Maintenance operating budget as supplies or operating equipment. This will keep all of the expenditures in one spot. If necessary, a future budget modification would be processed to appropriate the three-quarters grant revenue and add the additional expenditure appropriation. [Note that if a smaller item, for example something for \$1,500, that should be capitalized is identified, that item may alternatively be applied against the available unused Capital Outlay appropriations if the department has such available.]

Absent direction otherwise from Council, the Director of Administration will work with all departments and proceed as identified and explained above.

COUNCIL ACTION REQUESTED

Motion to receive and file or any other such action as the Common Council deems appropriate.

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APPROVAL <i>Slew</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 06/19/18
REPORTS & RECOMMENDATIONS	RESOLUTION TO VACATE APPROXIMATELY 0.1664 ACRE OF RIGHT- OF-WAY WHICH EXTENDS ALONG SOUTH 116TH STREET, DIRECTLY SOUTH OF 116TH STREET, SOUTH OF WEST RYAN ROAD AND WEST OF LOOMIS ROAD, ADJACENT TO PROPERTY LOCATED AT 11607 WEST RYAN ROAD BEARING TAX KEY NO. 891-9989-004 AND 11533 WEST RYAN ROAD BEARING TAX KEY NO. 892- 9997-000	ITEM NUMBER <i>B.2.</i>

Attached is a request to vacate approximately 0.1664 acre (7,248 square feet) of City of Franklin right-of-way which extends south from West Ryan Road to West Loomis Road between properties located at 11607 West Ryan Road and 11533 West Ryan Road bearing Tax Key Nos. 891-9989-004 and 892-9997-000, respectively.

The right-of-way is a 50-foot wide unimproved section of S. 116th Street, which would allow South 116th Street to extend south of West Ryan Road and connect to West Loomis Road, opposed to ending at West Ryan Road as it currently does today.

The applicant, Mills Hotel Wyoming, LLC, owns the property to the west of the existing right-of-way (11607 W. Ryan Road) and the Wisconsin Department of Transportation owns the abutting property to the east (11533 W. Ryan Road).

Previous Actions

- At its April 2, 2018 meeting, the Common Council approved a motion to refer the right-of-way vacation which extends south of West Ryan Road to West Loomis Road between properties located at 11607 West Ryan Road and 11533 West Ryan Road bearing Tax Key Nos. 891-9989-004 and 892-9997-000, respectively, to the April 19, 2018 meeting of the Plan Commission for a recommendation.
- The Plan Commission, at their April 19th meeting, approved a motion to recommend to the Common Council to undertake street vacation proceedings upon the petition of Mills Hotel Wyoming, LLC to vacate approximately 0.1664 acre of right-of-way which extends along South 116th Street, directly south of 116th Street, south of West Ryan Road and west of Loomis Road, adjacent to property located at 11607 West Ryan Road bearing Tax Key No. 891-9989-004 and 11533 West Ryan Road bearing Tax Key No. 892-9997-000.
- At the May 1, 2018 Common Council meeting, the two motions below were approved.

Alderman Dandrea moved to entertain the introduction of Resolution No. 2018-7377, A RESOLUTION TO VACATE APPROXIMATELY 0.1664 ACRE OF RIGHT OF WAY WHICH EXTENDS ALONG SOUTH 116TH STREET, DIRECTLY SOUTH OF 116TH STREET, SOUTH OF WEST RYAN ROAD AND WEST OF LOOMIS ROAD, ADJACENT

TO PROPERTY LOCATED AT 11607 WEST RYAN ROAD BEARING TAX KEY NO. 891-9989-004 AND 11533 WEST RYAN ROAD BEARING TAX KEY NO. 892-9997-000. Seconded by Alderman Nelson. All voted Aye; motion carried.

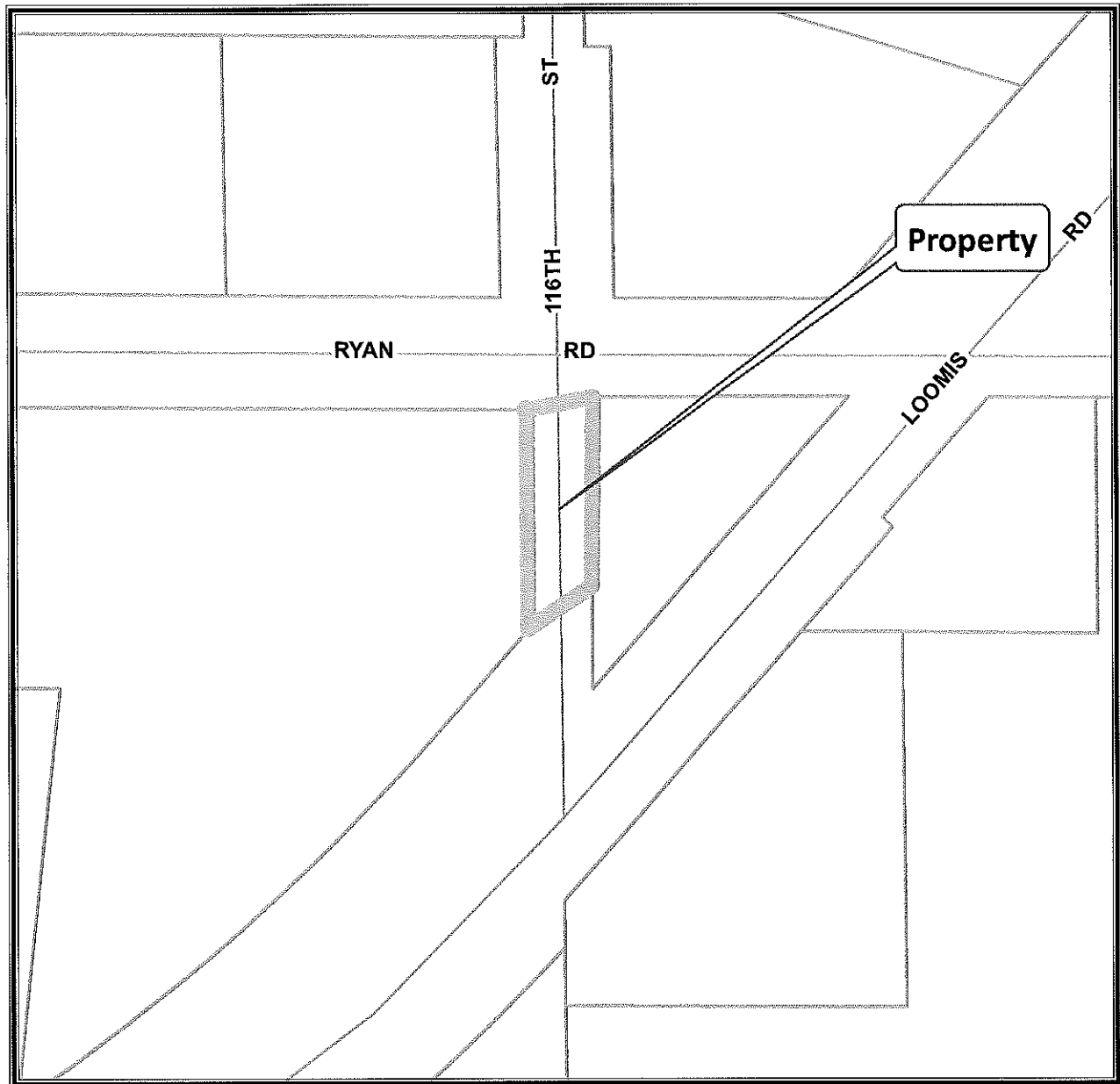
Alderwoman Wilhelm moved to set the public hearing upon the proposed vacation of right of way for [not less than 40 days from May 1, 2018] June 19, 2018. Seconded by Alderman Nelson. All voted Aye; motion carried.

COUNCIL ACTION REQUESTED

A motion to adopt Resolution No. 2018-_____, a resolution to vacate approximately 0.1664 acre of right-of-way which extends along South 116th Street, directly south of 116th Street, south of West Ryan Road and west of Loomis Road, adjacent to property located at 11607 West Ryan Road bearing Tax Key No. 891-9989-004 and 11533 West Ryan Road bearing Tax Key No. 892-9997-000.



116th & Ryan Road ROW: Right of Way Vacation



Planning Department
(414) 425-4024

0 75 150 300 Feet

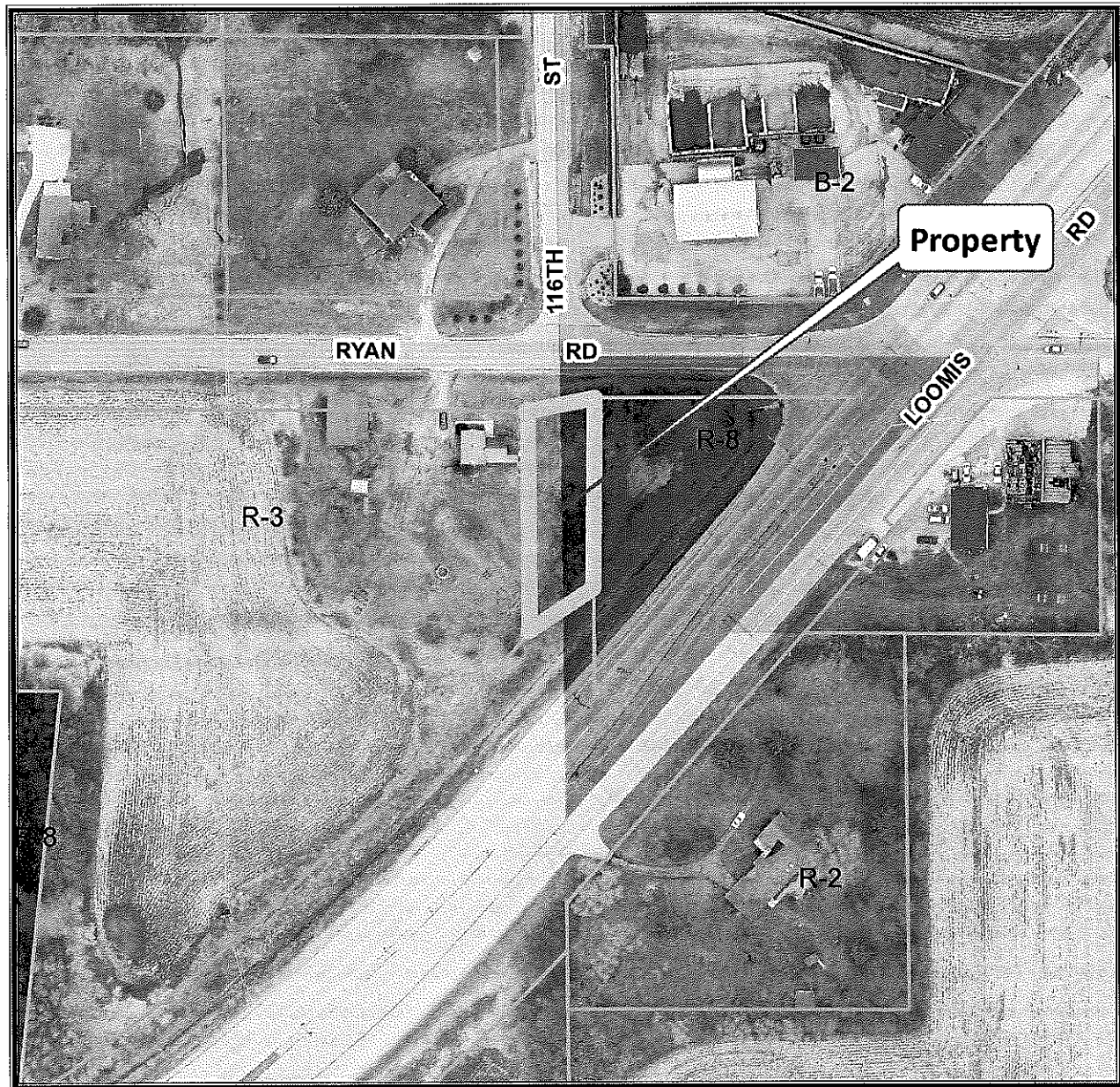


2017 Aerial Photo

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



116th & Ryan Road ROW: Right of Way Vacation



Planning Department
(414) 425-4024

0 75 150 300 Feet



2017 Aerial Photo

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



March 7, 2018

Mr. Nick Fuchs
Principal Planner
City of Franklin
9229 W. Loomis Road
Franklin, WI 53132

Dear Mr. Fuchs:

Mills Hotel Wyoming, LLC is pleased to submit this letter and the enclosed submittal materials as formal application for Right of Way Vacation for a the existing 116th Street Right of Way, south of W. Ryan Road. Bear Development is acting on behalf of the owner of record, Mills Wyoming Hotel, LLC.

Project Summary

Mills Wyoming Hotel, LLC is the owner of record of approximately 164 acres of land in the City of Franklin. The vast majority of the property is south of Ryan Road and west of Loomis Road and is not subject to this petition.

The property in question, consists of 7248 square feet and is located on the south side of W. Ryan Road, directly south of the improved 116th Street, west of Loomis Road. The property is existing right of way and is currently vacant and unimproved.

Mills Hotel Wyoming, LLC is the record owner of the adjacent property, which consists of 4.75 acres with frontage on both W. Ryan Road and STH 36. Mills Hotel Wyoming is respectfully requesting the City of Franklin to consider vacating the 116th right of way and to allow the property to be attached/included to Parcel 9989 004.

Based on discussions with City Staff and the Wisconsin Department of Transportation, the alignment and connection to STH 36 is not feasible and the extension of 116th Street is not planned. The WDOT (adjacent landowner to the east) has further indicated that they have no interest in the acquisition of the property in question.

The Mills property (directly west) is encumbered by an existing 100' wide ATC overhead electric transmission easement that essentially bisects the property. The easement makes it extremely difficult to redevelop the property. The addition of the

Franklin

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City Development

116th right of way, would provide additional lands to create a viable property, and thus add taxable land to the City of Franklin. Because there are not viable, future plans for the improvement of 116th Street, and eventual connection to STH 36, the requested vacation is reasonable.

We look forward to discussing this request with City Staff in further detail. Should you have any questions regarding this request, please do not hesitate to contact me. I can be reached at (262) 842-0556 or by email, dan@beardevelopment.com

Thank you for your time and consideration.

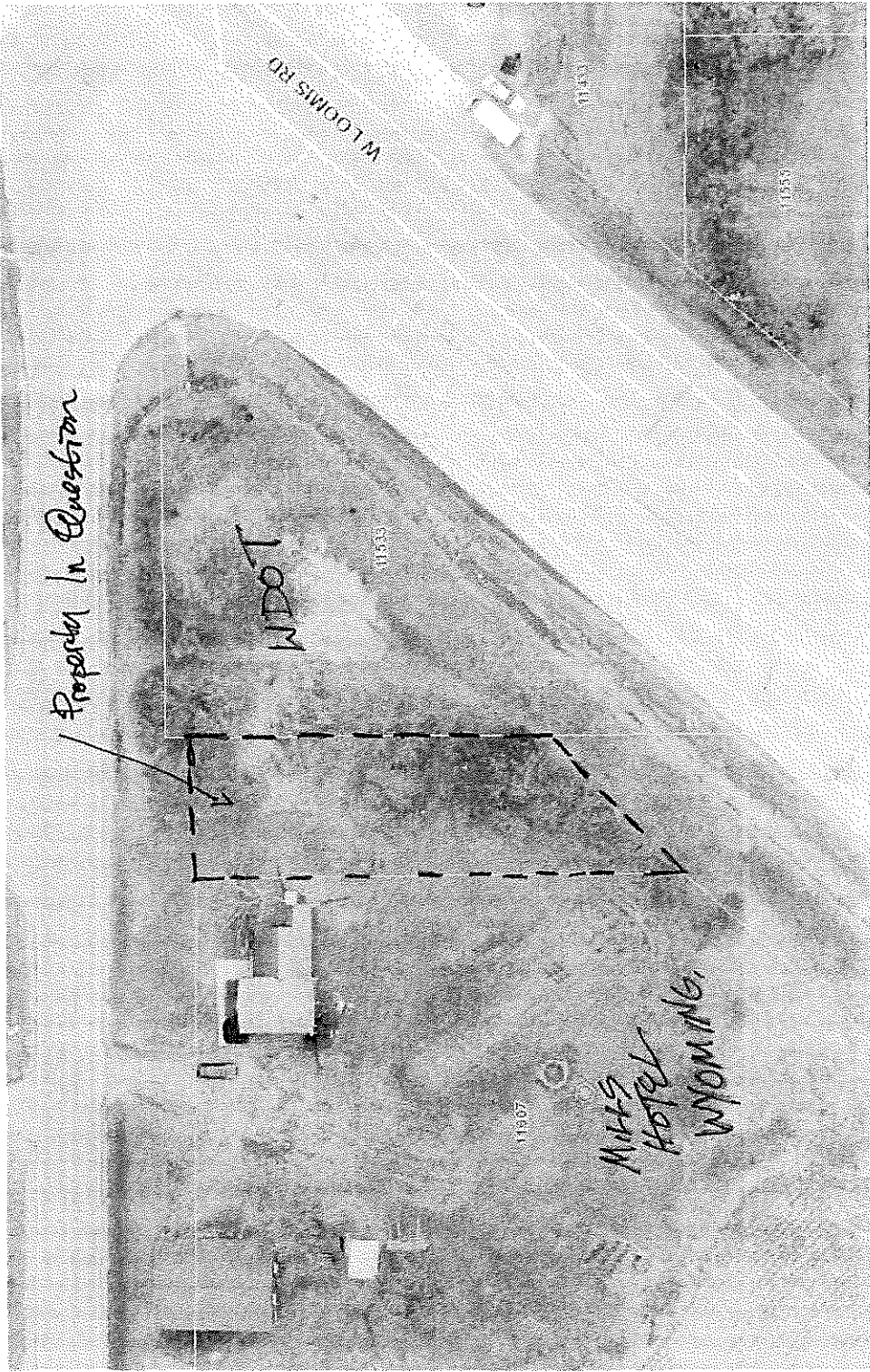
Sincerely,

A handwritten signature in black ink, appearing to read 'Daniel Szczap', with a long horizontal flourish extending to the right.

Daniel Szczap
Bear Development, LLC

Cc: Stephen C. Mills
S.R. Mills

MILWAUKEE COUNTY INTERACTIVE MAPPING SERVICE



94 0 47 94 Feet

NAD_1927_StatePlane_Wisconsin_South_FIPS_4803 1:564

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Notes

Franklin
MAR 08 2018
City Development

STATE OF WISCONSIN

CITY OF FRANKLIN

MILWAUKEE COUNTY

RESOLUTION NO. 2018-7377

RESOLUTION TO VACATE APPROXIMATELY 0.1664 ACRE
OF RIGHT-OF-WAY WHICH EXTENDS ALONG SOUTH 116TH STREET,
DIRECTLY SOUTH OF 116TH STREET, SOUTH OF WEST RYAN ROAD AND WEST
OF LOOMIS ROAD, ADJACENT TO PROPERTY LOCATED AT 11607 WEST RYAN
ROAD BEARING TAX KEY NO. 891-9989-004 AND 11533 WEST RYAN ROAD
BEARING TAX KEY NO. 892-9997-000

WHEREAS, the Common Council of the City of Franklin finds that the public interest requires that approximately 0.1664 acre of right-of-way which extends along South 116th Street, directly south of 116th Street, south of West Ryan Road and west of Loomis Road, adjacent to property located at 11607 West Ryan Road bearing Tax Key No. 891-9989-004 (Mills Hotel Wyoming, LLC, owner) and 11533 West Ryan Road bearing Tax Key No. 892-9997-000 (Wisconsin Department of Transportation, owner) be discontinued, pursuant to Wis. Stat. § 66.1003(4); and

WHEREAS, such portion of the approximately 0.1664 of right-of-way which extends along South 116th Street, directly south of 116th Street, south of West Ryan Road and west of Loomis Road, adjacent to property located at 11607 West Ryan Road bearing Tax Key No. 891-9989-004 (Mills Hotel Wyoming, LLC, owner) and 11533 West Ryan Road bearing Tax Key No. 892-9997-000 (Wisconsin Department of Transportation, owner) is more particularly described upon Exhibit A annexed hereto and the map annexed hereto as Exhibit B; and

WHEREAS, notice of pendency of proceedings to vacate the subject property was submitted to the Office of the Register of Deeds for Milwaukee County on May 15, 2018, by way of a copy of this Resolution as introduced, for recording as may be required pursuant to Wis. Stat. § 840.11; and

WHEREAS, this Resolution was first introduced before the Common Council of the City of Franklin at its regular meeting on May 1, 2018; and

WHEREAS, the Common Council scheduled a Public Hearing upon this Resolution pursuant to Wis. Stat. § 66.1003(4)(b) for June 19, 2018; with notice of such hearing being published as a Class III notice in the Official City Newspaper, with the first publication date being May 30, 2018; and

WHEREAS, a Public Hearing as so duly noticed having been held on June 19, 2018, before the Common Council of the City of Franklin, and a report having been received from the Plan Commission, upon all of the foregoing pursuant to law, the Common Council having been so informed and having made its determinations.

MILLS HOTEL WYOMING, LLC – STREET RIGHT-OF-WAY VACATION
RESOLUTION NO. 2018-7377

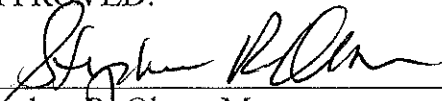
Page 2

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that pursuant to the authority vested in the Common Council by Wis. Stat. § 66.1003(4)(b), that the portion of the approximately 0.1664 acre of right-of-way which extends along South 116th Street, directly south of 116th Street, south of West Ryan Road and west of Loomis Road, adjacent to property located at 11607 West Ryan Road bearing Tax Key No. 891-9989-004 (Mills Hotel Wyoming, LLC, owner) and 11533 West Ryan Road bearing Tax Key No. 892-9997-000 (Wisconsin Department of Transportation, owner) as described upon Exhibit A and Exhibit B annexed hereto and incorporated herein, be and the same is hereby discontinued and vacated.

BE IT FURTHER RESOLVED, that the City Clerk be and the same is hereby directed to record a copy of this Resolution with the Register of Deeds for Milwaukee County.

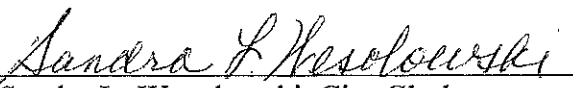
Introduced at a regular meeting of the Common Council of the City of Franklin this 1st day of May, 2018.

APPROVED:



Stephen R. Olson, Mayor

ATTEST:



Sandra L. Wesolowski, City Clerk

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

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES 4 NOES 0 ABSENT 2 (Ald. Mayer and Ald. Barber)

Exhibit A

LEGAL DESCRIPTION -116th Street Vacation

Part of the Northeast 1/4 of the Northwest 1/4 and part of the Northwest 1/4 of the Northeast 1/4 all in Section 30, Town 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin, which is bounded and described as follows:

Commencing at the Northeast corner of said Northwest 1/4 Section; thence South 00°34'43" East along the East line of said Northwest 1/4 Section a distance of 45.00 feet to a point on the South line of West Ryan Road and the point of beginning of the lands hereinafter described; thence South 89°44'26" East along said South line 25.00 feet to a point on the East line of South 116th Street; thence South 00°34'43" East along said East line 116.80 feet to a point on the North line of West Loomis Road - (S.T.H. "36"); thence South 41°23'51" West along said North line 74.76 feet to a point on the West line of South 116th Street and the East line of Parcel 2 of Certified Survey Map No. 3104; thence North 00°34'43" West along said West line 173.19 feet to a point on the South line of West Ryan Road; thence South 89°31'45" East along said South line 25.00 feet to the point of beginning.

Containing 7,248 square feet or 0.1664 acres of land.

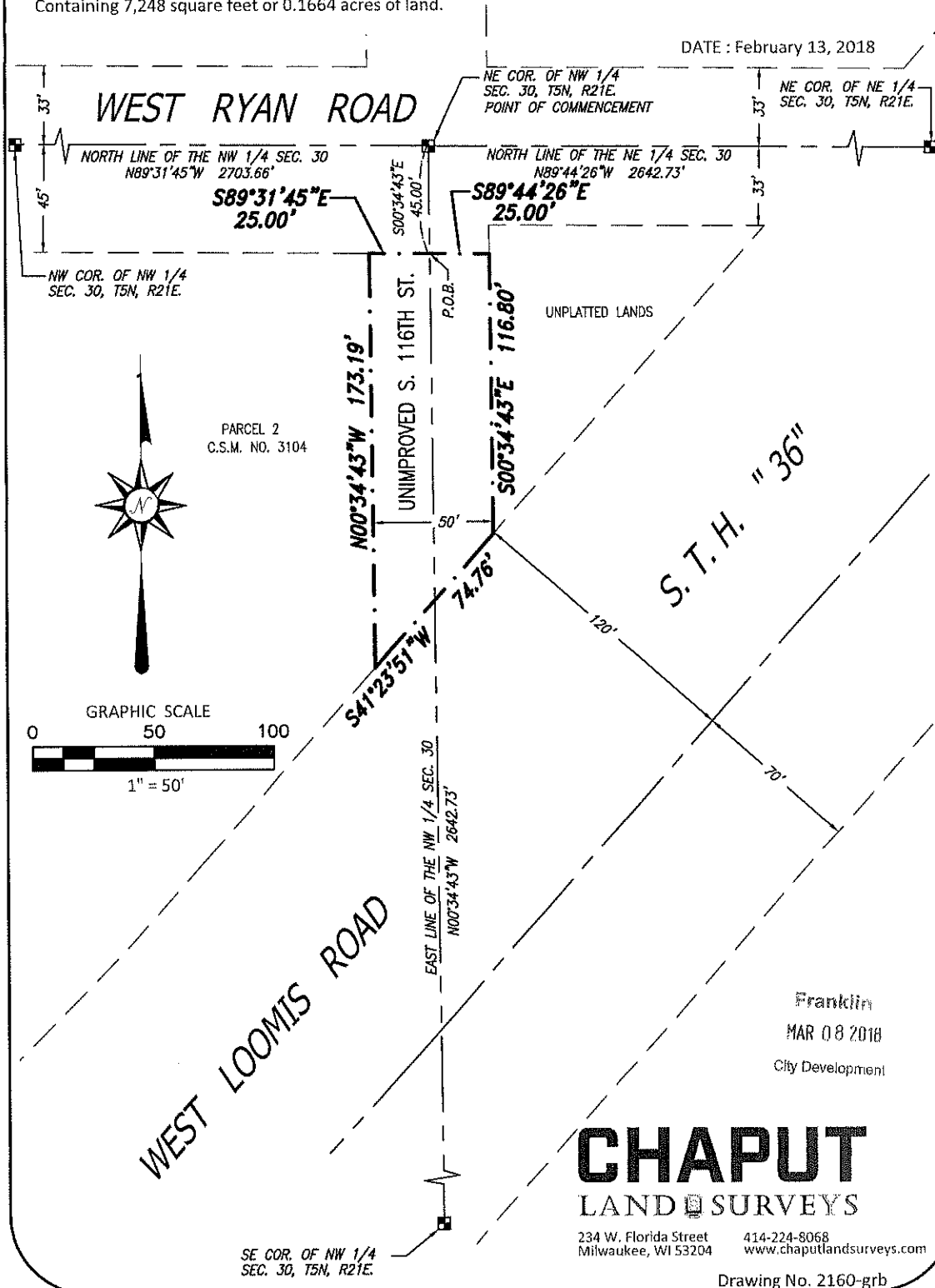
Exhibit B

LANDS TO BE VACATED

LEGAL DESCRIPTION

Part of the Northeast 1/4 of the Northwest 1/4 and part of the Northwest 1/4 of the Northeast 1/4 all in Section 30, Town 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin, which is bounded and described as follows: Commencing at the Northeast corner of said Northwest 1/4 Section; thence South 00°34'43" East along the East line of said Northwest 1/4 Section a distance of 45.00 feet to a point on the South line of West Ryan Road and the point of beginning of the lands hereinafter described; thence South 89°44'26" East along said South line 25.00 feet to a point on the East line of South 116th Street; thence South 00°34'43" East along said East line 116.80 feet to a point on the North line of West Loomis Road - (S.T.H. "36"); thence South 41°23'51" West along said North line 74.76 feet to a point on the West line of South 116th Street and the East line of Parcel 2 of Certified Survey Map No. 3104; thence North 00°34'43" West along said West line 173.19 feet to a point on the South line of West Ryan Road; thence South 89°31'45" East along said South line 25.00 feet to the point of beginning.

Containing 7,248 square feet or 0.1664 acres of land.



APPROVAL <i>Slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 06/19/18
REPORTS & RECOMMENDATIONS	RESOLUTION CONDITIONALLY APPROVING A 3 LOT AND 1 OUTLOT CERTIFIED SURVEY MAP BEING THAT PART OF THE NORTHEAST 1/4 AND THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 AND THE NORTHWEST 1/4 AND THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 AND THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 30, TOWN 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN (BEAR DEVELOPMENT, LLC, APPLICANT) (GENERALLY LOCATED SOUTHWEST OF WEST LOOMIS ROAD, SOUTH OF WEST RYAN ROAD AND WEST OF SOUTH 112TH STREET, INCLUDING 11205 WEST RYAN ROAD)	ITEM NUMBER <i>8.3.</i>

At its June 7, 2018, meeting the Plan Commission recommended approval of a resolution conditionally approving a 3 lot and 1 outlot certified survey map being that part of the Northeast ¼ and the Southeast ¼ of the Northwest ¼ and the Northwest ¼ and the Southwest ¼ of the Northeast ¼ and the Northeast ¼ of the Southwest ¼ of Section 30, Town 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin (Bear Development, LLC, Applicant) (Generally located southwest of West Loomis Road, south of West Ryan Road and west of South 112th Street, including 11205 West Ryan Road).

COUNCIL ACTION REQUESTED

A motion to adopt Resolution No. 2018-_____, a resolution conditionally approving a 3 lot and 1 outlot certified survey map being that part of the Northeast ¼ and the Southeast ¼ of the Northwest ¼ and the Northwest ¼ and the Southwest ¼ of the Northeast ¼ and the Northeast ¼ of the Southwest ¼ of Section 30, Town 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin (Bear Development, LLC, Applicant) (Generally located southwest of West Loomis Road, south of West Ryan Road and west of South 112th Street, including 11205 West Ryan Road).



CITY OF FRANKLIN



REPORT TO THE PLAN COMMISSION

Meeting of June 7, 2018

Certified Survey Map and Rezoning

RECOMMENDATION: City Development Staff recommends approval of the proposed Certified Survey Map, subject to the conditions in the draft resolution.

Project Name:	Mills Hotel Wyoming/Bear Development Certified Survey Map and Rezoning
Project Address:	Generally located southwest of W. Loomis Road, south of W. Ryan Road and west of S. 112 th Street, including 11205 W. Ryan Road
Applicant:	Bear Development, LLC
Owners (property):	Mills Hotel Wyoming, LLC
Current Zoning:	R-2 Estate Single Family Residence District & C-1 Conservancy District
2025 Future Land Use:	Business Park and Areas of Natural Resource Features
Use of Surrounding Properties:	Single-family residential to the north, south east and west as well as the Irish Cottage to the north and east and agricultural land to the south and west
Applicant Action Requested:	Recommendation of approval of the Certified Survey Map and Rezoning

Project Description and Analysis:

On April 17, 2018, the applicant filed a Certified Survey Map (CSM) Application and Rezoning Application with the Department of City Development requesting approval to subdivide three existing parcels bearing Tax Key Nos. 891 9989 002, 892-9992-001, and 939-9993-000 into three lots and one outlot. The applicant is also proposing to rezone approximately 135-acres of land generally located southwest of W. Loomis Road, south of W. Ryan Road and west of S. 112th Street. The request would rezone the proposed lots as follows:

- Lot 1: From R-2 Estate Single-Family Residence District to M-1 Limited Industrial District.
- Lot 2: From R-2 Estate Single-Family Residence District and C-1 Conservancy District to M-1 Limited Industrial District
- Lot 3: From R-2 Estate Single-Family Residence District and C-1 Conservancy District to R-6 Suburban Single-Family Residence District.
- Outlot 1: Maintains existing zoning of R-2 Estate Single-Family Residence District and C-1 Conservancy District.

The applications are in anticipation of a larger mixed-use development, which Concept Review recently went before the Common Council at their May 15, 2018 meeting. The larger development area includes development of approximately 164 acres. The proposed uses consist

of single-family residential, multi-family residential, commercial, industrial, conservancy and open space.

The applicant has also filed a Comprehensive Master Plan Amendment Application , which is expected to be heard at the June 21st Plan Commission and July 17th Common Council meeting.

Note that if the rezoning is approved, the CSM will be updated to reflect that zoning prior to recording.

Staff Recommendation:

City Development Staff recommends approval of the proposed Certified Survey Map, subject to the conditions below and in the draft resolution.

1. All known protected natural resource features shall be protected within a Conservation Easement to be reviewed and approved by the Common Council and recorded with the Milwaukee County Register of Deeds.

The applicant requests that the conservation easements be placed on the property as part of future approvals for development of the properties.

2. The wooded area on Outlot 1 shall be labeled as mature woodland and included within the conservation easement.

Again, the applicant requests that this be completed as part of future approvals for development of the properties.

3. A note shall be added to the CSM stating that upon further land division or development upon Lots 1, 2 or 3 a complete Natural Resource Protection Plan in compliance with Division 15-7.0200 of the Unified Development Ordinance shall be submitted to the Department of City Development for review and approval prior to recording the Certified Survey Map. Alternatively, a Natural Resource Protection Plan may be submitted prior to recording the CSM or a letter provided stating that no other protected resources exist onsite other than the wetlands depicted on the CSM.

The applicant has indicated that a letter would be provided. Staff would accept the letter if indicating no other resources exist onsite. However, as the applicant is not showing the woodland, a letter does not address this staff comment and staff continues to recommend that a note be added to the CSM.

Staff also suggests:

1. A no access restriction shall be illustrated on the CSM adjacent to W. Loomis Road and W. Ryan Road per Section 15-5.0107A.6. of the Unified Development Ordinance prior to recording.

Note that staff would not object to a note/clarification that would allow for the future roadways. The applicant has requested that this be addressed at the time of future development of the properties.

2. Completed Site Intensity and Capacity Calculation Worksheets shall be submitted prior to recording the Certified Survey Map.

RESOLUTION NO. 2018-_____

A RESOLUTION CONDITIONALLY APPROVING A 3 LOT AND 1 OUTLOT CERTIFIED SURVEY MAP BEING THAT PART OF THE NORTHEAST 1/4 AND THE SOUTHEAST 1/4 OF THE NORTHWEST 1/4 AND THE NORTHWEST 1/4 AND THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 AND THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 30, TOWN 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN (BEAR DEVELOPMENT, LLC, APPLICANT) (GENERALLY LOCATED SOUTHWEST OF WEST LOOMIS ROAD, SOUTH OF WEST RYAN ROAD AND WEST OF SOUTH 112TH STREET, INCLUDING 11205 WEST RYAN ROAD)

WHEREAS, the City of Franklin, Wisconsin, having received an application for approval of a certified survey map, such map being that part of the Northeast 1/4 and the Southeast 1/4 of the Northwest 1/4 and the Northwest 1/4 and the Southwest 1/4 of the Northeast 1/4 and the Northeast 1/4 of the Southwest 1/4 of Section 30, Town 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin, more specifically, of the property generally located southwest of West Loomis Road, south of West Ryan Road and west of South 112th Street, including 11205 West Ryan Road, bearing Tax Key Nos. 891-9989-002 (Lot 1), 891-9989-002 and 892-9992-001 (Lot 2), 892-9992-001 (Lot 3) and 891-9989-002, 892-9992-001 and 939-9993-000 (Outlot 1), Bear Development, LLC, applicant; said certified survey map having been reviewed by the City Plan Commission and the Plan Commission having recommended approval thereof pursuant to certain conditions; and

WHEREAS, the Common Council having reviewed such application and Plan Commission recommendation and the Common Council having determined that such proposed certified survey map is appropriate for approval pursuant to law upon certain conditions.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the Certified Survey Map submitted by Bear Development, LLC, as described above, be and the same is hereby approved, subject to the following conditions:

1. That any and all objections made and corrections required by the City of Franklin, by Milwaukee County, and by any and all reviewing agencies, shall be satisfied and made by the applicant, prior to recording.
2. That all land development and building construction permitted or resulting under this Resolution shall be subject to impact fees imposed pursuant to §92-9. of the

BEAR DEVELOPMENT, LLC – CERTIFIED SURVEY MAP
RESOLUTION NO. 2018-_____

Page 2

Municipal Code or development fees imposed pursuant to §15-5.0110 of the Unified Development Ordinance, both such provisions being applicable to the development and building permitted or resulting hereunder as it occurs from time to time, as such Code and Ordinance provisions may be amended from time to time.

3. Each and any easement shown on the Certified Survey Map shall be the subject of separate written grant of easement instrument, in such form as provided within the *City of Franklin Design Standards and Construction Specifications* and such form and content as may otherwise be reasonably required by the City Engineer or designee to further and secure the purpose of the easement, and all being subject to the approval of the Common Council, prior to the recording of the Certified Survey Map.
4. Bear Development, LLC, successors and assigns, and any developer of the Mills Hotel Wyoming, LLC 3 lot and 1 outlot certified survey map project, shall pay to the City of Franklin the amount of all development compliance, inspection and review fees incurred by the City of Franklin, including fees of consults to the City of Franklin, within 30 days of invoice for same. Any violation of this provision shall be a violation of the Unified Development Ordinance, and subject to §15-9.0502 thereof and §1-19. of the Municipal Code, the general penalties and remedies provisions, as amended from time to time.
5. The approval granted hereunder is conditional upon Bear Development, LLC and the 3 lot and 1 outlot certified survey map project for the property generally located southwest of West Loomis Road, south of West Ryan Road and west of South 112th Street, including 11205 West Ryan Road: (i) being in compliance with all applicable governmental laws, statutes, rules, codes, orders and ordinances; and (ii) obtaining all other governmental approvals, permits, licenses and the like, required for and applicable to the project to be developed and as presented for this approval.
6. All known protected natural resource features shall be protected within a Conservation Easement to be reviewed and approved by the Common Council and recorded with the Milwaukee County Register of Deeds.
7. The wooded area on Outlot 1 shall be labeled as mature woodland and included within the conservation easement.
8. A note shall be added to the Certified Survey Map stating that upon further land division or development upon Lots 1, 2 or 3 a complete Natural Resource Protection Plan in compliance with Division 15-7.0200 of the Unified Development Ordinance shall be submitted to the Department of City Development for review and approval

BEAR DEVELOPMENT, LLC – CERTIFIED SURVEY MAP
RESOLUTION NO. 2018-_____

Page 3

prior to the recording of the Certified Survey Map. Alternatively, a Natural Resource Protection Plan may be submitted prior to the recording of the Certified Survey Map or a letter provided stating that no other protected resources exist onsite other than the wetlands depicted on the CSM.

BE IT FURTHER RESOLVED, that the Certified Survey Map, certified by owner, Mills Hotel Wyoming, LLC, be and the same is hereby rejected without final approval and without any further action of the Common Council, if any one, or more than one of the above conditions is or are not met and satisfied within 180 days from the date of adoption of this Resolution.

BE IT FINALLY RESOLVED, that upon the satisfaction of the above conditions within 180 days of the date of adoption of this Resolution, same constituting final approval, and pursuant to all applicable statutes and ordinances and lawful requirements and procedures for the recording of a certified survey map, the City Clerk is hereby directed to obtain the recording of the Certified Survey Map, certified by owner, Mills Hotel Wyoming, LLC, with the Office of the Register of Deeds for Milwaukee County.

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

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

APPROVED:

Stephen R. Olson, Mayor

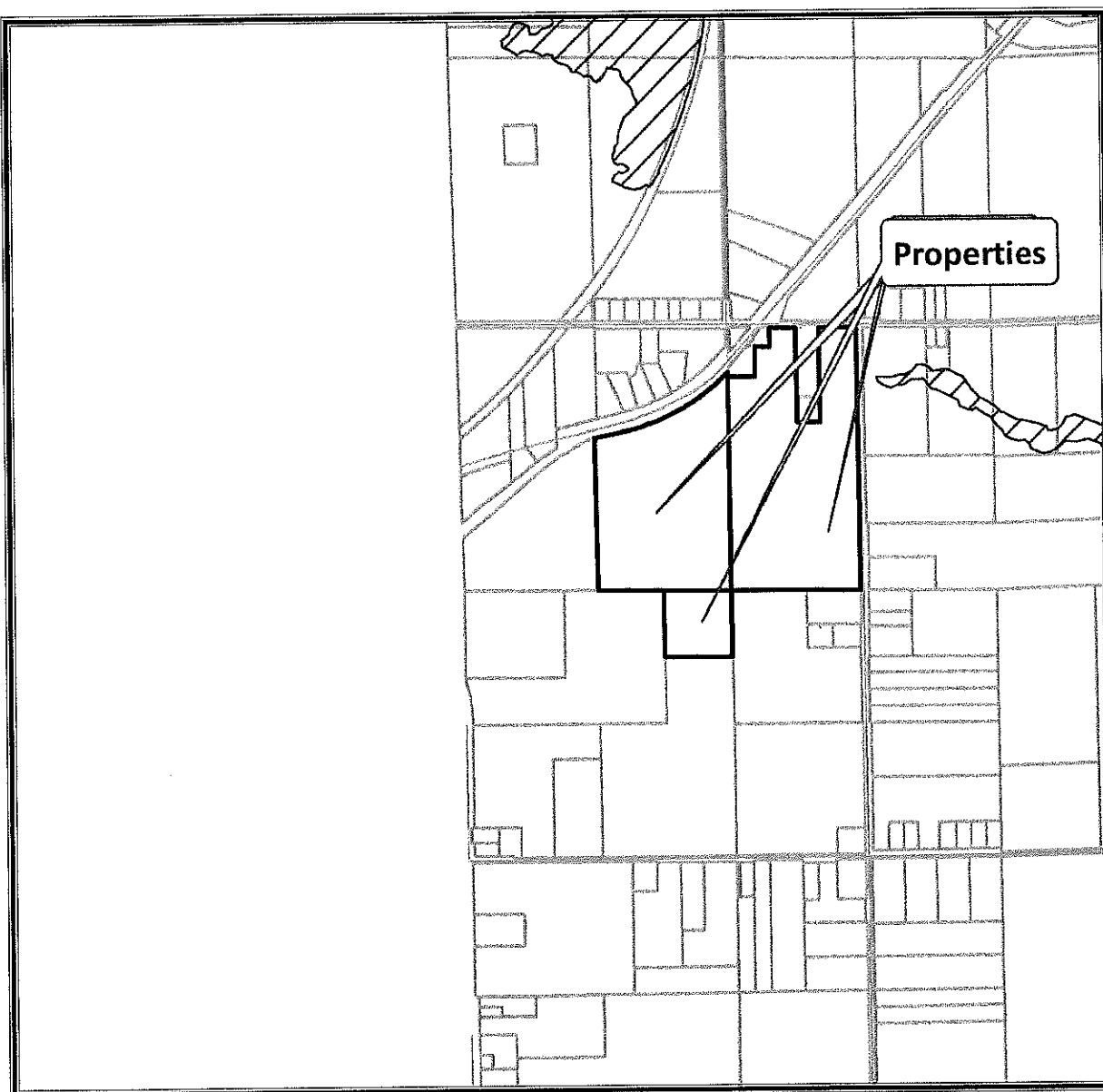
ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____



TKNs: 891 9989 002; 892 9992 001; 939 9993 000



Planning Department
(414) 425-4024

0 950 1,900 3,800 Feet



2017 Aerial Photo

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



TKNs: 891 9989 002; 892 9992 001; 939 9993 000



Planning Department
(414) 425-4024

0 950 1,900 3,800 Feet

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



2017 Aerial Photo



May 23, 2018

Mr. Nick Fuchs
Principal Planner
City of Franklin
9229 W. Loomis Road
Franklin, WI 53132

Franklin

MAY 25 2018

City Development

Dear Mr. Fuchs:

Bear Development is in receipt of the City of Franklin Staff Review comments dated May 9, 2018 regarding our applications for Certified Survey Map and Rezoning.

Please accept this letter and the revised Certified Survey Map for further review and comment.

Mills Wyoming Hotel, LLC recently submitted applications for Certified Survey Map and rezoning for approximately 132 acres located along Loomis Road. The purpose of the applications is to create individual parcels in order to reclassify the zoning on the property.

We understand that this is the initial step in a series of entitlement/approvals required to develop the property. We anticipate that several revisions to the property boundaries will occur as we advance the project through the design phase of the property. At this point, we are confident that the boundaries of Lot 1 will not change but based on City of Franklin comments and results of future design engineering, there is a high likelihood that the boundaries of Lot 2,3 and Outlot 1 will be adjusted during the design process.

Please find our responses to the City Staff comments, in order as they appear in the May 9, 2018 Memo:

Certified Survey Map

- | | |
|-------------|---|
| Comment 1.) | Chaput Land Surveys prefers to keep the CSM in order as drafted. |
| Comment 2.) | The revised CSM includes notes that access to the property from Loomis Road and W. Ryan Road is subject to review and approval from Wisconsin Department of Transportation. We acknowledge that any improved access to the property is under the jurisdiction of the WDOT. We would ask that a "no access restriction" not be included on the CSM at this time, as it would take an extended process to remove the restriction in the future. |
| Comment 3.) | The CSM will be revised upon rezoning approval to reflect the correct zoning classifications. |

- Comment 4.) The revised CSM includes the notes regarding the existing C-1 Conservancy zoning.
- Comment 5.) The revised CSM includes the wetland delineation information. The wetlands were delineated by Heather Patti, an Assured Delineator. As such, the wetland delineation was automatically concurred with by the WDNR in 2014.
- Comment 6.) The applicant respectfully requests that the Conservation Easements be placed on the property during future municipal approvals.
- For example:
Lot 1: The Conservation Easement will be provided during the Special Use Permit proceedings.
Lot 2: The Conservation Easement will be provided when the property is further divided by subsequent CSM to create additional parcels.
Lot 3: The Conservation Easement will be provided during the subdivision platting process.
Outlot 1: The Conservation Easement will be provided when the final shape and size of the Outlot is determined.
- Comment 7.) The wooded area in Outlot 1 will be protected by a Conservation Easement. Please see previous comment.
- Comment 8.) The applicant will provide a letter as recommended by staff regarding the limited Natural Resource features on the property.
- Comment 9.) The applicant respectfully requests that the Site Intensity Calculations be provided at the time the properties advance in the approval process.
- Comment 10.) The applicant and City Staff should discuss the size reduction of Outlot 1 to allow for additional buildable area. We recognize the City's need for roadway connections on and through Outlot 1, which may result in additional development areas.
- Comment 11.) The revised CSM includes the technical changes requested by the City of Franklin Engineering Department.
- Comment 12.) The Milwaukee County review letter has been received and their comments have been addressed.

Rezoning

- Comment 1.) Please see enclosed Rezoning Exhibit.
- Comment 2a.) Please see enclosed List of Property Owners within 200' of each of the areas to be rezoned.
- Comment 2b.) Please see enclosed Plot Plans of property subject to rezoning and lands within 200' with existing zoning and land use.

Should you have any questions regarding this matter, please do not hesitate to contact me. I can be reached at (262) 842-0556 or by email, dan@beardevelopment.com

Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Daniel Szczap", written in a cursive style.

Daniel Szczap
Bear Development, LLC

Cc: S. R. Mills
Steve Mills

Franklin

MAY 25 2018

City Development

CERTIFIED SURVEY MAP NO. _____

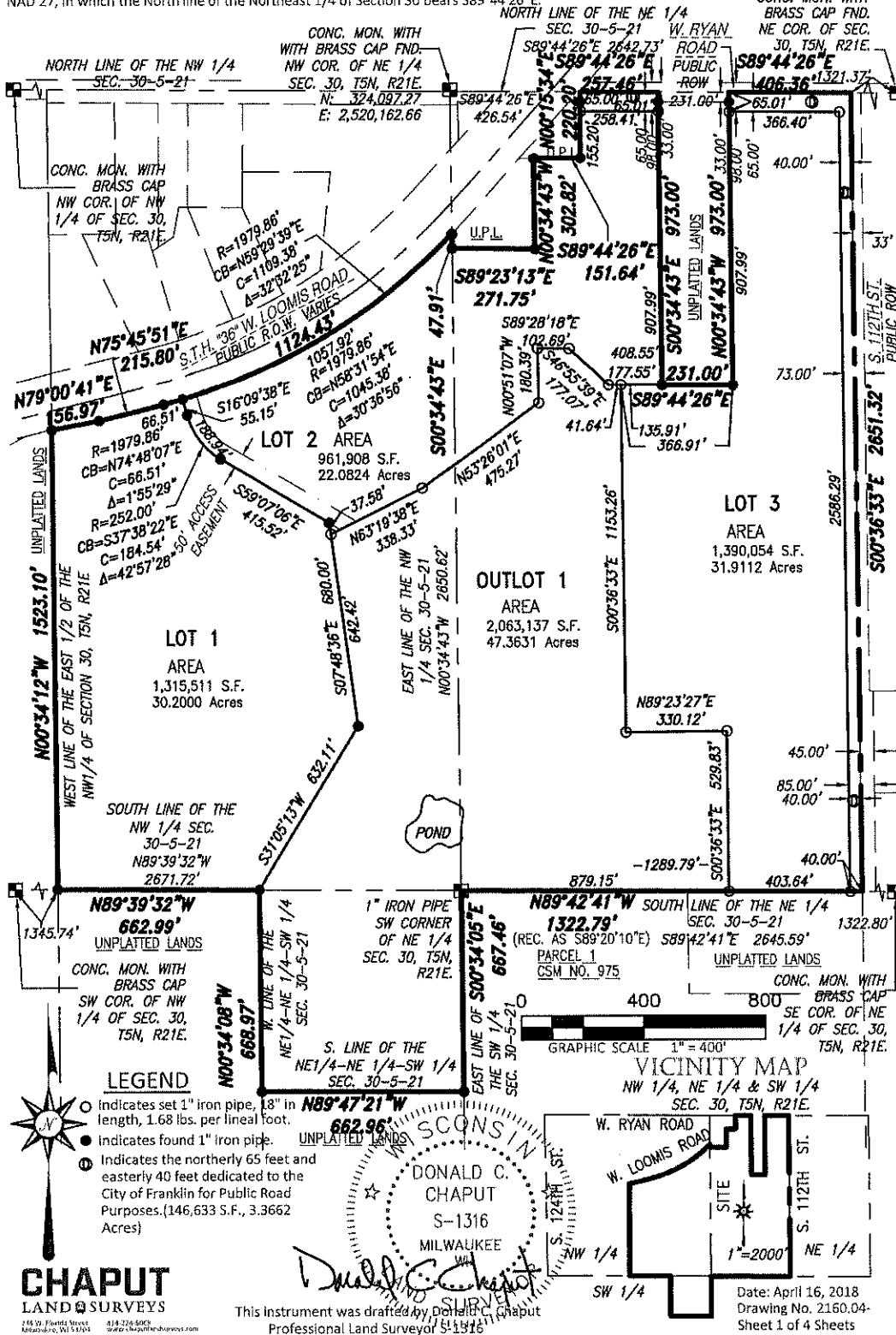
That part of the Northeast 1/4 and the Southeast 1/4 of the Northwest 1/4 and the Northwest 1/4 and the Southwest 1/4 of the Northeast 1/4 and the Northeast 1/4 of the Southwest 1/4 of Section 30, Town 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin.

Bearings are referenced to the Wisconsin State Plane Coordinate System (South Zone) NAD 27, in which the North line of the Northeast 1/4 of Section 30 bears S89°44'26"E.

Subdivider/Owner:
Mills Hotel Wyoming, LLC
4015 80th St,
Kenosha, WI 53142

CONC. MON. WITH
BRASS CAP FND.

NE COR. OF SEC.
30, T5N, R21E.



CHAPUT
LAND SURVEYS

180 W. Franklin Street
Milwaukee, WI 53204
414.224.6600
info@chaputland-surveys.com

This instrument was drafted by Donald C. Chaput
Professional Land Surveyor S-1916

CERTIFIED SURVEY MAP NO. _____

That part of the Northeast 1/4 and the Southeast 1/4 of the Northwest 1/4 and the Northwest 1/4 and the Southwest 1/4 of the Northeast 1/4 and the Northeast 1/4 of the Southwest 1/4 of Section 30, Town 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin

SURVEYOR'S CERTIFICATE

STATE OF WISCONSIN}

:SS

MILWAUKEE COUNTY}

I, DONALD C. CHAPUT, Professional Land Surveyor, do hereby certify:

THAT I have surveyed, divided and mapped that part of the Northeast 1/4 and the Southeast 1/4 of the Northwest 1/4 and the Northwest 1/4 and the Southwest 1/4 of the Northeast 1/4 and the Northeast 1/4 of the Southwest 1/4 of Section 30, Town 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin, bounded and described as follows:

Commencing at the Northwest corner of said Northeast 1/4 Section; thence South 89°44'26" East along the North line of said Section 426.54 feet to the point of beginning of the lands hereinafter described; thence continue South 89°44'26" East along said North line 257.46 feet to a point; thence South 00°34'43" East 973.00 feet to a point; thence South 89°44'26" East 231.00 feet to a point; thence North 00°34'43" West 973.00 feet to a point on said North line; thence South 89°44'26" East along the said North line 406.36 feet to a point; thence South 00°36'33" East 2651.32 feet to a point on the South line of the Northeast 1/4 Section; thence North 89°42'41" West along said South line 1322.79 feet to the Southwest corner of said Northeast 1/4 Section; thence South 00°34'05" East along the East line of said Southwest 1/4 Section 667.46 feet to a point; thence North 89°47'21" West along the South line of the Northeast 1/4 of the Northeast 1/4 of said Southwest 1/4 Section 662.96 feet to a point; thence North 00°34'08" West along the West line of the Northeast 1/4 of the Northeast 1/4 of said Southwest 1/4 Section 668.97 feet to a point on the South line of said Northwest 1/4 Section; thence North 89°39'32" West along said South line 662.99 feet to a point on the West line of the East 1/2 of said Northwest 1/4 Section; thence North 00°34'12" West along said West line 1523.10 feet to a point on the South line of West Loomis Road, "S.T.H. 36"; thence North 79°00'41" East along said South line 156.97 feet to a point; thence North 75°45'51" East along said South line 215.80 feet to a point of curvature; thence Northeasterly 1124.43 feet along said South line and the arc of curve with its center to the Northwest, having a radius of 1979.86 feet and a chord bearing North 59°29'39" East 1109.38 feet to a point; thence South 00°34'43" East 47.91 feet to a point; thence South 89°23'13" East 271.75 feet to a point; thence North 00°34'43" West 302.82 feet to a point; thence South 89°44'26" East 151.64 feet to a point; thence North 00°15'34" East 220.20 feet to the point of beginning.

Containing 5,877,243 square feet or 134.9229 acres of land.

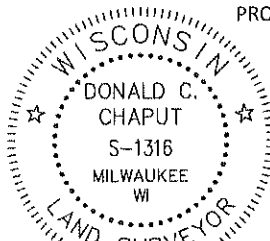
THAT I have made the survey, land division and map by the direction of Mills Hotel Wyoming, LLC, owner.

THAT the map is a correct representation of all the exterior boundaries of the land surveyed and the land division thereof made.

THAT I have fully complied with the provisions of Chapter 236.34 of the Wisconsin Statutes and the Unified Development Ordinance Division - 15 of the City of Franklin in surveying, dividing and mapping the same.



DONALD C. CHAPUT
PROFESSIONAL LAND SURVEYOR S-1316



CHAPUT
LAND SURVEYS

724 W. Florida Street
Milwaukee, WI 53204 414.228.0588
www.chaputlandsurvey.com

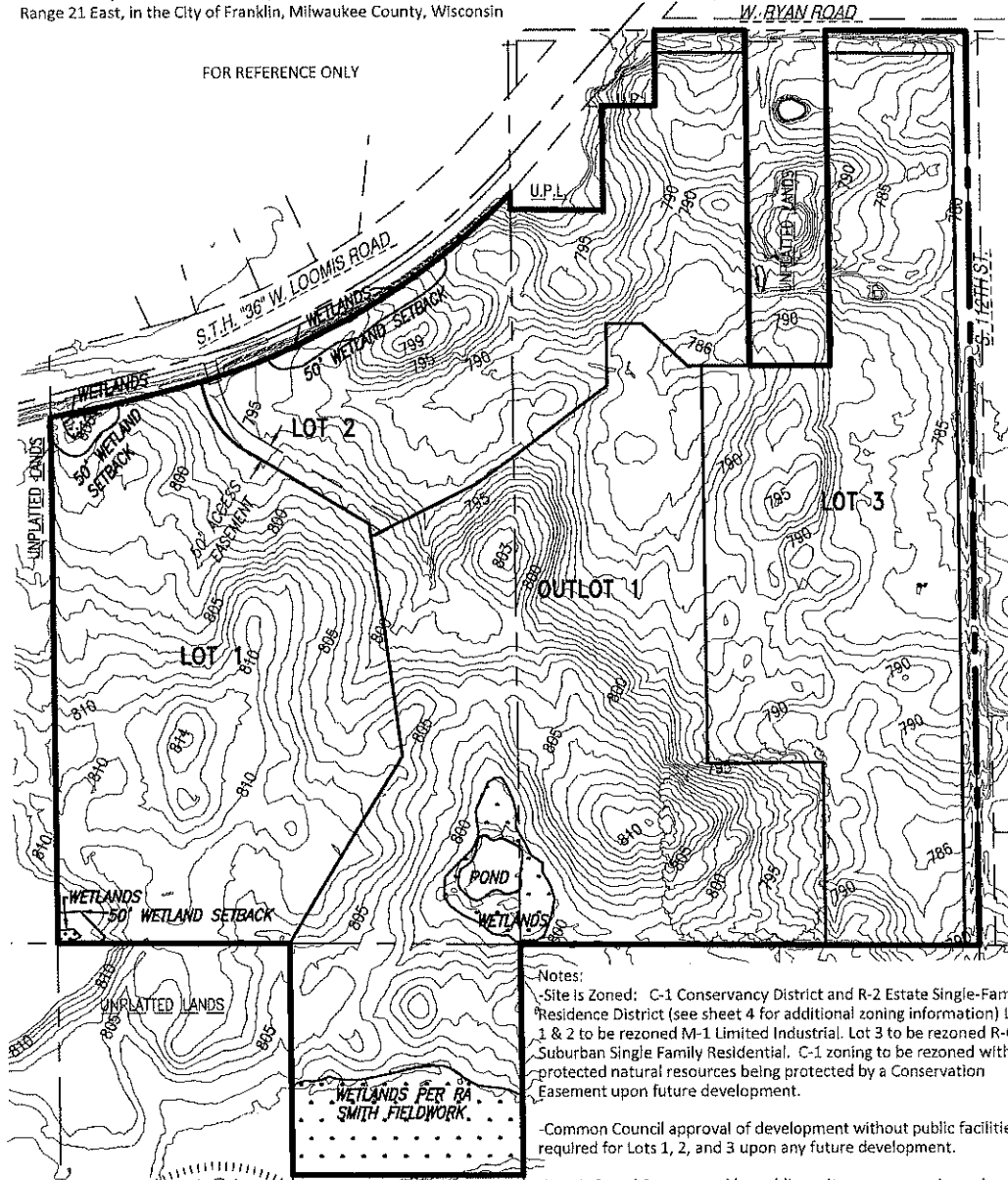
This instrument was drafted by Donald C. Chaput
Professional Land Surveyor S-1316

Date: April 16, 2018
Revised: May 24, 2018
Drawing No. 2160.04-
Sheet 2 of 4 Sheets

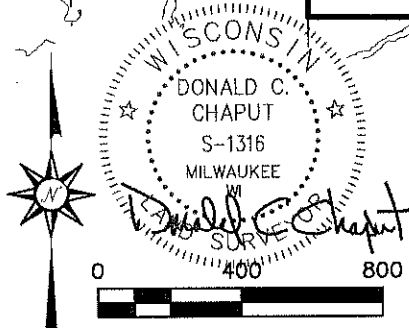
CERTIFIED SURVEY MAP NO. _____

That part of the Northeast 1/4 and the Southeast 1/4 of the Northwest 1/4 and the Northwest 1/4 and the Southwest 1/4 of the Northeast 1/4 and the Northeast 1/4 of the Southwest 1/4 of Section 30, Town 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin

FOR REFERENCE ONLY



- Notes:
- Site is Zoned: C-1 Conservancy District and R-2 Estate Single-Family Residence District (see sheet 4 for additional zoning information) Lots 1 & 2 to be rezoned M-1 Limited Industrial. Lot 3 to be rezoned R-6 Suburban Single Family Residential. C-1 zoning to be rezoned with all protected natural resources being protected by a Conservation Easement upon future development.
 - Common Council approval of development without public facilities is required for Lots 1, 2, and 3 upon any future development.
 - Lots 1, 2, and 3 are served by public sanitary sewer service only.
 - The property owners of Lots 1, 2, and 3 will be assessed and required to connect to public water facilities once they approval is requested by the Common Council to extend water to the proposed parcels.
 - Contours and tree line per County GIS website
 - Pond per field location by Chaput Land Surveys
 - Wetlands were field delineated by Heather Patti (Assured Delineator) of RA Smith National in October 19th and October 30, 2014.
 - Access restrictions will be determined during the development process with the City of Franklin and consultation with the Wisconsin Department of Transportation.
 - 50' Access easement is for the benefit of Outlot 2 and will be released upon the dedication of a future roadway.



GRAPHIC SCALE 1" = 400' Date: April 16, 2018
Revised: May 24, 2018

CHAPUT
LAND SURVEYS
22817 Florida Street
Milwaukee, WI 53214
414-224-9052
info@chaputlandsurveys.com

This instrument was drafted by Donald C. Chaput
Professional Land Surveyor S-1316

Drawing No. 2160.04-
Sheet 3 of 4 Sheets

CERTIFIED SURVEY MAP NO. _____

That part of the Northeast 1/4 and the Southeast 1/4 of the Northwest 1/4 and the Northwest 1/4 and the Southwest 1/4 of the Northeast 1/4 and the Northeast 1/4 of the Southwest 1/4 of Section 30, Town 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin

OWNER'S CERTIFICATE

As owner, Mills Hotel Wyoming, LLC, a Wisconsin limited liability company, duly organize and existing under and by virtue of the laws of the State of Wisconsin hereby certifies that said limited liability company caused the land described on this map to be surveyed, divided, mapped and dedicated as represented on this map in accordance with the provisions of Chapter 236.34 of the Wisconsin Statutes, and Unified Development Ordinance Division - 15 of the City of Franklin in surveying, dividing and mapping the same.

Mills Hotel Wyoming, LLC

By: Mills Enterprises, LLC, its Manager

Stephen C. Mills, Member

Martha L. Mills, Member

STATE OF _____}
:SS
COUNTY}

Personally came before me this _____ day of _____, 2018, _____,
& _____, _____ to me known as the persons who
executed the foregoing instrument as such office as the deed of said limited liability company, by its
authority.

Notary Public, State of _____
My commission expires _____
My commission is permanent.

CITY OF FRANKLIN COMMON COUNCIL APPROVAL

Approved and dedication accepted by the Common Council of the City of Franklin by Resolution No. _____

Signed this _____ day of _____, 2018

Stephen Olson, Mayor

Sandra L. Wesolowski, City Clerk

MUNICIPAL ZONING

Current zoning of site as of CSM date: C-1 Conservancy District and R-2 Estate
Single-Family Residence District
Municipal Code: Sec. 15-3.0202
Conventional Subdivision
Front setback: 60 feet
Side setback: 20 feet (c) (45 feet on corner lot)
Rear setback: 30 feet (c)
Shore buffer: 75 feet
Wetland buffer: 30 feet
Wetland setback: 50 feet

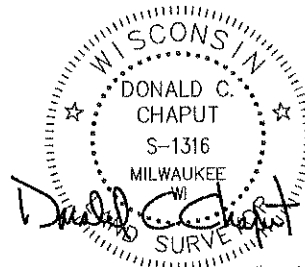
SECTION 15-5.0108 BUILDING SETBACK LINES

A. Plan Commission May Increase Minimum Required Setback Lines. Building setback lines appropriate to the location and type of development contemplated, which are more restrictive than the regulation of the zoning district in which the Subdivision, Certified Survey Map, or Condominium is located, may be required by the Plan Commission.

B. Minimum Required Building Setbacks from Arterial Streets and Highways. Unless a greater setback distance is specified in Divisions 15-3.0200, 15-3.0300, Division 15-3.0400, or elsewhere in this Ordinance, the minimum required setback from the ultimate right-of-way line of all arterial streets and highways (as specified by the City of Franklin Comprehensive Master Plan, Official Map, or components and/or amendments thereto) shall be forty (40) feet. An exception to this requirement, however, shall be that segment of W. St. Martins Road (CTH MM) within that area defined as the "Village of St. Martins" in the City of Franklin Comprehensive Master Plan.

CHAPUT
LAND & SURVEYS
241 W. Franklin Street
Milwaukee, WI 53212
414.226.4016
www.chaputlandandsurveys.com

This instrument was drafted by Donald C. Chaput
Professional Land Surveyor S-1316



Date: April 16, 2018
Revised: May 24, 2018
Drawing No. 2160.04-
Sheet 4 of 4 Sheets

APPROVAL <i>Slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 06/19/18
REPORTS & RECOMMENDATIONS	ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE (ZONING MAP) TO REZONE LOTS 1, 2 AND 3 OF CERTIFIED SURVEY MAP NO. ____ AS FOLLOWS: LOT 1: FROM R-2 ESTATE SINGLE-FAMILY RESIDENCE DISTRICT TO M-1 LIMITED INDUSTRIAL DISTRICT; LOT 2: FROM R-2 ESTATE SINGLE-FAMILY RESIDENCE DISTRICT AND C-1 CONSERVANCY DISTRICT TO M-1 LIMITED INDUSTRIAL DISTRICT; LOT 3: FROM R-2 ESTATE SINGLE-FAMILY RESIDENCE DISTRICT AND C-1 CONSERVANCY DISTRICT TO R-6 SUBURBAN SINGLE-FAMILY RESIDENCE DISTRICT (GENERALLY LOCATED SOUTHWEST OF WEST LOOMIS ROAD, SOUTH OF WEST RYAN ROAD AND WEST OF SOUTH 112TH STREET (INCLUDING 11205 WEST RYAN ROAD)) (APPROXIMATELY 85 ACRES) (BEAR DEVELOPMENT, LLC, APPLICANT)	ITEM NUMBER <i>84</i>
<p>At their June 7, 2018 meeting, following a properly noticed public hearing, the Plan Commission recommended approval of an ordinance to amend the Unified Development Ordinance (Zoning Map) to rezone Lots 1, 2 and 3 of Certified Survey Map No. ____ as follows: Lot 1: from R-2 Estate Single-Family Residence District to M-1 Limited Industrial District; Lot 2: from R-2 Estate Single-Family Residence District and C-1 Conservancy District to M-1 Limited Industrial District; Lot 3: from R-2 Estate Single-Family Residence District and C-1 Conservancy District to R-6 Suburban Single-Family Residence District (generally located southwest of West Loomis Road, south of West Ryan Road and west of South 112th Street (including 11205 West Ryan Road)) (approximately 85 acres) (Bear Development, LLC, Applicant).</p> <p style="text-align: center;">COUNCIL ACTION REQUESTED</p> <p>A motion to adopt Ordinance 2018-_____, an ordinance to amend the Unified Development Ordinance (Zoning Map) to rezone Lots 1, 2 and 3 of Certified Survey Map No. ____ as follows: Lot 1: from R-2 Estate Single-Family Residence District to M-1 Limited Industrial District; Lot 2: from R-2 Estate Single-Family Residence District and C-1 Conservancy District to M-1 Limited Industrial District; Lot 3: from R-2 Estate Single-Family Residence District and C-1 Conservancy District to R-6 Suburban Single-Family Residence District (generally located southwest of West Loomis Road, south of West Ryan Road and west of South 112th Street (including 11205 West Ryan Road)) (approximately 85 acres) (Bear Development, LLC, Applicant).</p>		

STATE OF WISCONSIN

CITY OF FRANKLIN

MILWAUKEE COUNTY

ORDINANCE NO. 2018-____

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE (ZONING MAP) TO REZONE LOTS 1, 2 AND 3 OF CERTIFIED SURVEY MAP NO. ____ AS FOLLOWS: LOT 1: FROM R-2 ESTATE SINGLE-FAMILY RESIDENCE DISTRICT TO M-1 LIMITED INDUSTRIAL DISTRICT; LOT 2: FROM R-2 ESTATE SINGLE-FAMILY RESIDENCE DISTRICT AND C-1 CONSERVANCY DISTRICT TO M-1 LIMITED INDUSTRIAL DISTRICT; LOT 3: FROM R-2 ESTATE SINGLE-FAMILY RESIDENCE DISTRICT AND C-1 CONSERVANCY DISTRICT TO R-6 SUBURBAN SINGLE-FAMILY RESIDENCE DISTRICT (GENERALLY LOCATED SOUTHWEST OF WEST LOOMIS ROAD, SOUTH OF WEST RYAN ROAD AND WEST OF SOUTH 112TH STREET (INCLUDING 11205 WEST RYAN ROAD)) (APPROXIMATELY 85 ACRES) (BEAR DEVELOPMENT, LLC, APPLICANT)

WHEREAS, Bear Development, LLC having petitioned for the rezoning of approximately 85 acres of land, Lots 1, 2 and 3 of Certified Survey Map No. ____ as follows: Lot 1: from R-2 Estate Single-Family Residence District to M-1 Limited Industrial District; Lot 2: from R-2 Estate Single-Family Residence District and C-1 Conservancy District to M-1 Limited Industrial District; Lot 3: from R-2 Estate Single-Family Residence District and C-1 Conservancy District to R-6 Suburban Single-Family Residence District, such land generally located southwest of West Loomis Road, south of West Ryan Road and west of South 112th Street, including 11205 West Ryan Road; and

WHEREAS, a public hearing was held before the City of Franklin Plan Commission on the 7th day of June, 2018, upon the aforesaid petition and the Plan Commission thereafter having determined that the proposed rezoning would promote the health, safety and welfare of the City and having recommended approval thereof to the Common Council; and

WHEREAS, the Common Council having considered the petition and having concurred with the recommendation of the Plan Commission and having determined that the proposed rezoning is consistent with the 2025 Comprehensive Master Plan of the City of Franklin, Wisconsin and would promote the health, safety and welfare of the Community.

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

SECTION 1: §15-3.0102 (Zoning Map) of the Unified Development Ordinance of the City of Franklin, Wisconsin, is hereby amended to provide that the zoning district designation for Lots 1, 2 and 3 of Certified Survey Map

No. _____, described below, be changed as follows: Lot 1: from R-2 Estate Single-Family Residence District to M-1 Limited Industrial District; Lot 2: from R-2 Estate Single-Family Residence District and C-1 Conservancy District to M-1 Limited Industrial District; Lot 3: from R-2 Estate Single-Family Residence District and C-1 Conservancy District to R-6 Suburban Single-Family Residence District:

(Limited Industrial/Commercial Rezoning: Lot 1): A part of the Southeast 1/4 and Northeast 1/4 of the Northwest 1/4 of Section 30, Town 5 North, Range 21 East, in the City of Franklin, County of Milwaukee, State of Wisconsin bounded and described as follows: Commencing at the Northeast corner of said Northwest 1/4 Section; thence South 00°34'43" East along the East line of said Northwest 1/4 Section 2650.62 feet to a point in the South line of the said Northwest 1/4 Section, also the center of said Section; thence North 89°39'32" West along said South line 662.99 feet to the point of beginning of lands hereinafter described; thence continue North 89°39'32" West along said South line 662.99 feet to a point on the West line of the East 1/2 of said Northwest 1/4 Section; thence North 00°34'12" West along said West line 1523.10 feet to a point on the South line of West Loomis Road; thence North 79°00'41" East along said South line 156.97 feet to a point; thence North 75°45'51" East along said South line 215.80 feet to a point of curvature; thence 66.51 feet along the arc of a curve to the Northeast whose center lies to the North, whose radius is 1979.86 feet and whose chord bears North 74°48'07" East 66.51 feet to a point; thence South 16°09'38" East 55.15 feet to a point of curvature; thence 188.94 feet along the arc of a curve to the Southeast whose center lies to the Northeast, whose radius is 252.00 feet and whose chord bears South 37°38'22" East 184.54 feet to a point; thence South 59°07'06" East 415.52 feet to a point; thence South 07°48'36" East 680.00 feet to a point; thence South 31°05'13" West 632.11 feet to the point of beginning. Said lands contain 1,315,512 square feet or 30.2000 acres. Tax Key No. 891-9989-002.

(Limited Industrial/Commercial Rezoning: Lot 2): That part of the Northeast 1/4 and the Southeast 1/4 of the Northwest 1/4 and the Northwest 1/4 of the Northeast 1/4 of Section 30, Town 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin, bounded and described as follows: Commencing at the Northwest corner of said Northeast 1/4 Section; thence South 89°44'26" East along the North line of said Section 426.54 feet to the point of

beginning of lands hereinafter described; thence continue South 89°44'26" East along said North line 257.46 feet to a point; thence South 00°34'43" East 973.00 feet to a point; thence North 89°44'26" West 177.55 feet to a point; thence North 46°55'39" West 177.07 feet to a point; thence North 89°28'18" West 102.89 feet to a point; thence South 00°51'07" East 180.39 feet to a point; thence South 53°26'01" West 475.27 feet to a point; thence South 63°19'38" West 338.33 feet to a point; thence North 07°48'36" West 37.58 feet to a point; thence North 59°07'06" West 415.52 feet to a point of curvature; thence Northwesterly 188.94 feet along the arc of curve with its center to the Northeast a radius of 252.00 feet bearing North 37°38'22" West 184.54 feet to a point of tangency; thence North 16°09'38" West 55.15 feet to a point on the South line of West Loomis Road, "S.T.H. 36"; thence Northeasterly 1057.92 feet along the arc of curve with its center to the Northwest a radius of 1979.86 feet bearing North 58°31'54" East 1045.38 feet to a point; thence South 00°34'43" East 47.91 feet to a point; thence South 89°23'13" East 271.75 feet to a point; thence N00°34'43" West 302.82 feet to a point; thence South 89°44'26" East 151.64 feet to a point; thence North 00°15'34" East 220.20 feet to the point of beginning. Said lands contain 970,169 square feet or 22.2720 acres. Tax Key No. 891-9989-002 and 892-9992-001.

(Single Family Rezoning: Lot 3): That part of the Northwest 1/4 and Southwest 1/4 of the Northeast 1/4 of Section 30, Town 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin, bounded and described as follows: Commencing at the Northwest corner of said Northeast 1/4 Section; thence South 89°44'26" East along the North line of said Section 684.00 feet to a point; thence South 00°34'43" East 973.00 feet to the point of beginning; thence South 89°44'26" East 231.00 feet to a point; thence North 00°34'43" West 973.00 feet to a point on said North line; thence South 89°44'26" East along the said North line 406.36 feet to a point; thence South 00°36'33" East 2651.32 feet to a point on the South line of the Northeast 1/4 Section; thence North 89°42'41" West along said South line 443.64 feet to a point; thence North 00°36'33" West 529.83 feet to a point; thence South 89°23'27" West 330.12 feet to a point; thence North 00°36'33" West 1153.26 feet to a point; thence South 89°44'26" East 135.91 feet to the point of beginning. Said lands contain 1,420,106 square feet or 32.6011 acres. Tax Key No. 892-9992-001.

SECTION 2:

The terms and provisions of this ordinance are severable. Should any term or provision of this ordinance be found to be invalid by a court of

competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

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

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

Introduced at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2018, by Alderman _____.

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

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

Petitioner

Mills Hotel Wyoming, LLC
4011 80th Street
Kenosha, WI 53142
(262) 842-0556

Agent

Bear Development, LLC
Daniel Szczap
4011 80th Street
Kenosha, WI 53142
(262) 842-0556

Lot 1: Properties within 200 feet

- Mills Hotel Wyoming, LLC
4011 80th Street
Kenosha, WI 53142
891 9993 000
- Franklin One, LLC.
333 BISHOPS WAY #160
Brookfield, WI 53005
891 9999 000
- Daniel & Virginia Mathson
19370 KILLARNEY WAY
Brookfield, WI 53045
939 9994 000

Lot 2: Properties within 200 feet

- Michael & Mary MacDonald
11555 W Loomis Rd
Franklin, WI 53132
892 9996 000
- Judy Saichek
1033 E Ogden Ave
Milwaukee, WI 53202
892 9995 000
- Steve Vallee & Colleen Domask
11808 W Loomis Rd
Franklin, WI 53132
891 9992 000
- Joanne Zolecki
11835 W Ryan Rd
Franklin, WI 53132
891 9991 000
- A & E Realty, LLC
11835 W Ryan Rd
Franklin, WI 53132
891 9990 000

- John G. Lemke
8320 Virginia Cir
Wind Lake, WI 53185
889 9991 006
- 891-9994-001
No property owner

Lot 3: Properties within 200 feet

- John G. Lemke
8320 Virginia Cir
Wind Lake, WI 53185
889 9991 006
- Richard M. & Sharon Larscheidt
11126 W Ryan Rd
Franklin, WI 53132
889 9994 002
- Robert Diedrich (trust)
11111 W Ryan Rd
Franklin, WI 53132
892 9991 000
- James Meisenheimer
9951 S 112th Street
Franklin, WI 53132
938 9994 004
- Sharon K Nessmann
W2143 N5448 Kenmore Dr
Menomonee Falls, WI 53051
892 9998 000
- Braun Property Mgt, LLC
9918 112th Street
Franklin, WI 53132

Franklin

MAY 25 2018

City Development

Petitioner

Mills Hotel Wyoming, LLC
4011 80th Street
Kenosha, WI 53142
(262) 842-0556

Agent

Bear Development, LLC
Daniel Szczap
4011 80th Street
Kenosha, WI 53142
(262) 842-0556

- Ignasiak Investment Co, LLC
3132 Ravine Way
Green Bay, WI 54301
892 9999 002
- Daniel T. Kaminski
9880 S 112th Street
Franklin, WI 53132
892 9999 001
- Michael & Katherine Delemont
9917 S 112th Street
Franklin, WI 53132
938 9993 000

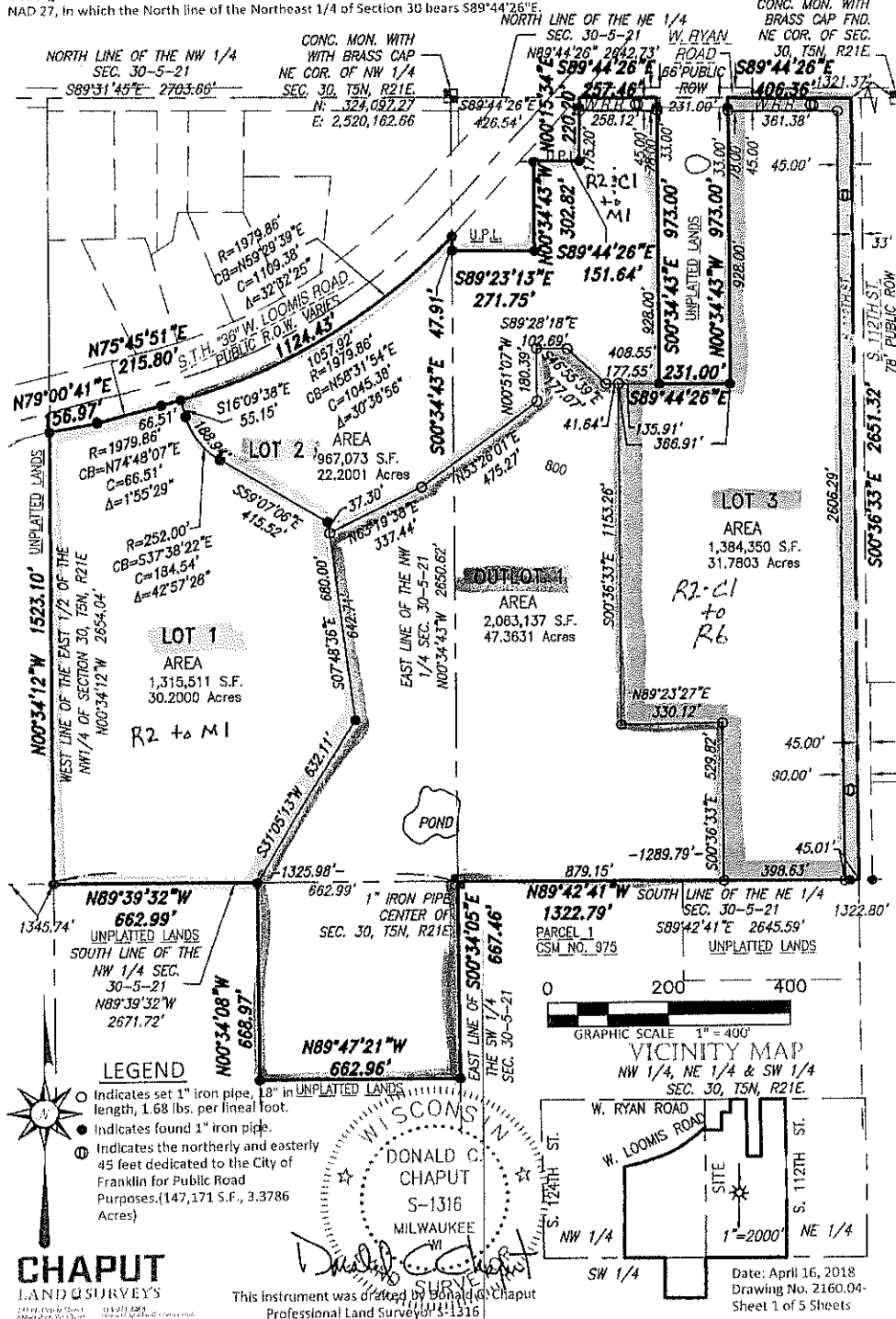
REZONING EXHIBIT

Franklin
MAY 25 2018
City Development

CERTIFIED SURVEY MAP NO. _____

That part of the Northeast 1/4 and the Southeast 1/4 of the Northwest 1/4 and the Northwest 1/4 and Southwest 1/4 of the Northeast 1/4 and the Northeast 1/4 of the Southwest 1/4 of Section 30, Town 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin
Bearings are referenced to the Wisconsin State Plane Coordinate System (South Zone)
MAD 27, in which the North line of the Northeast 1/4 of Section 30 bears S89°44'26"E

Subdivider/Owner:
Mills Hotel Wyoming, LLC
4015 80th St,
Kenosha, WI 53142



Franklin

MAY 25 2018

City Development

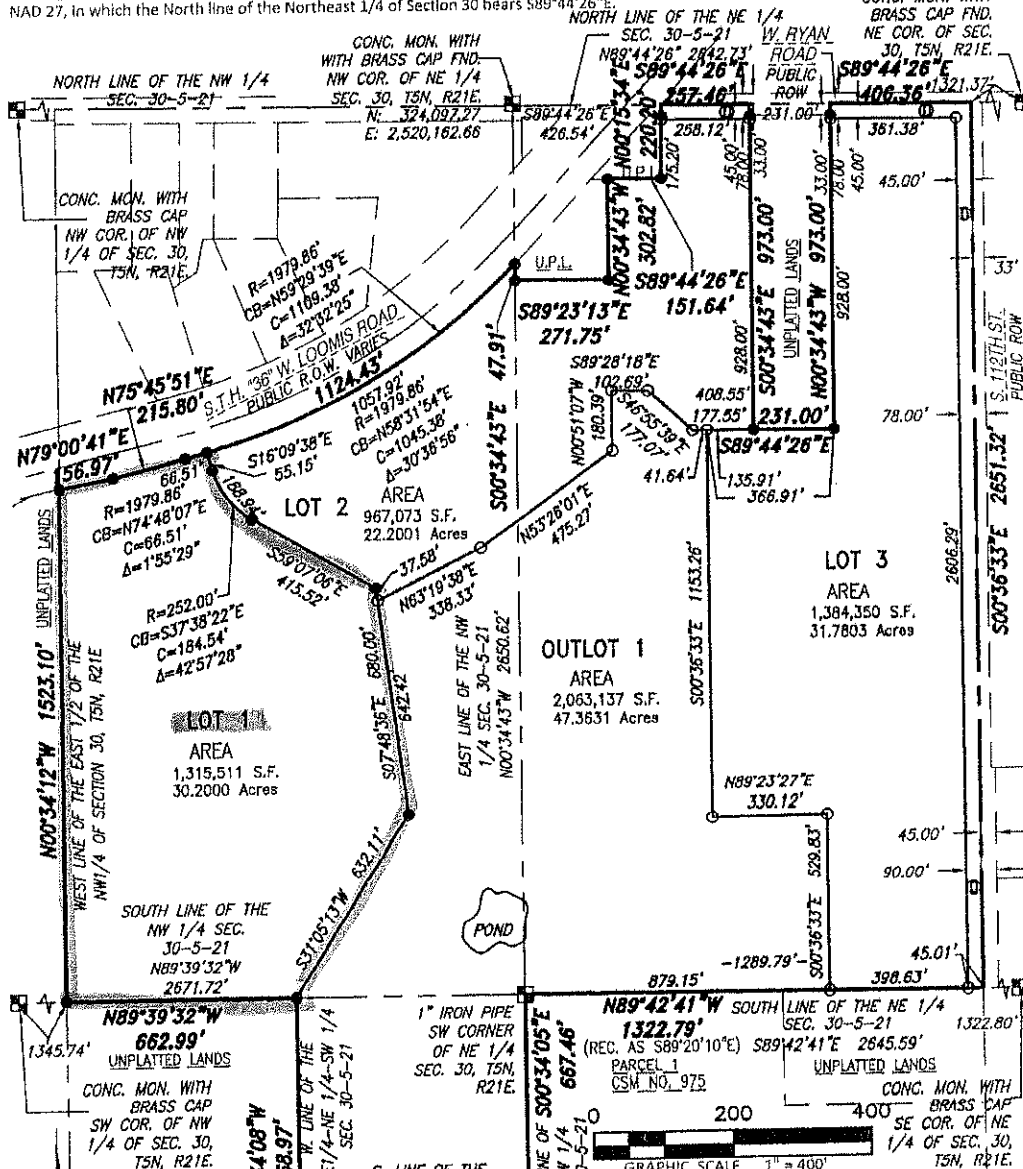
CERTIFIED SURVEY MAP NO. _____

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Subdivider/Owner:
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30, T5N, R21E.



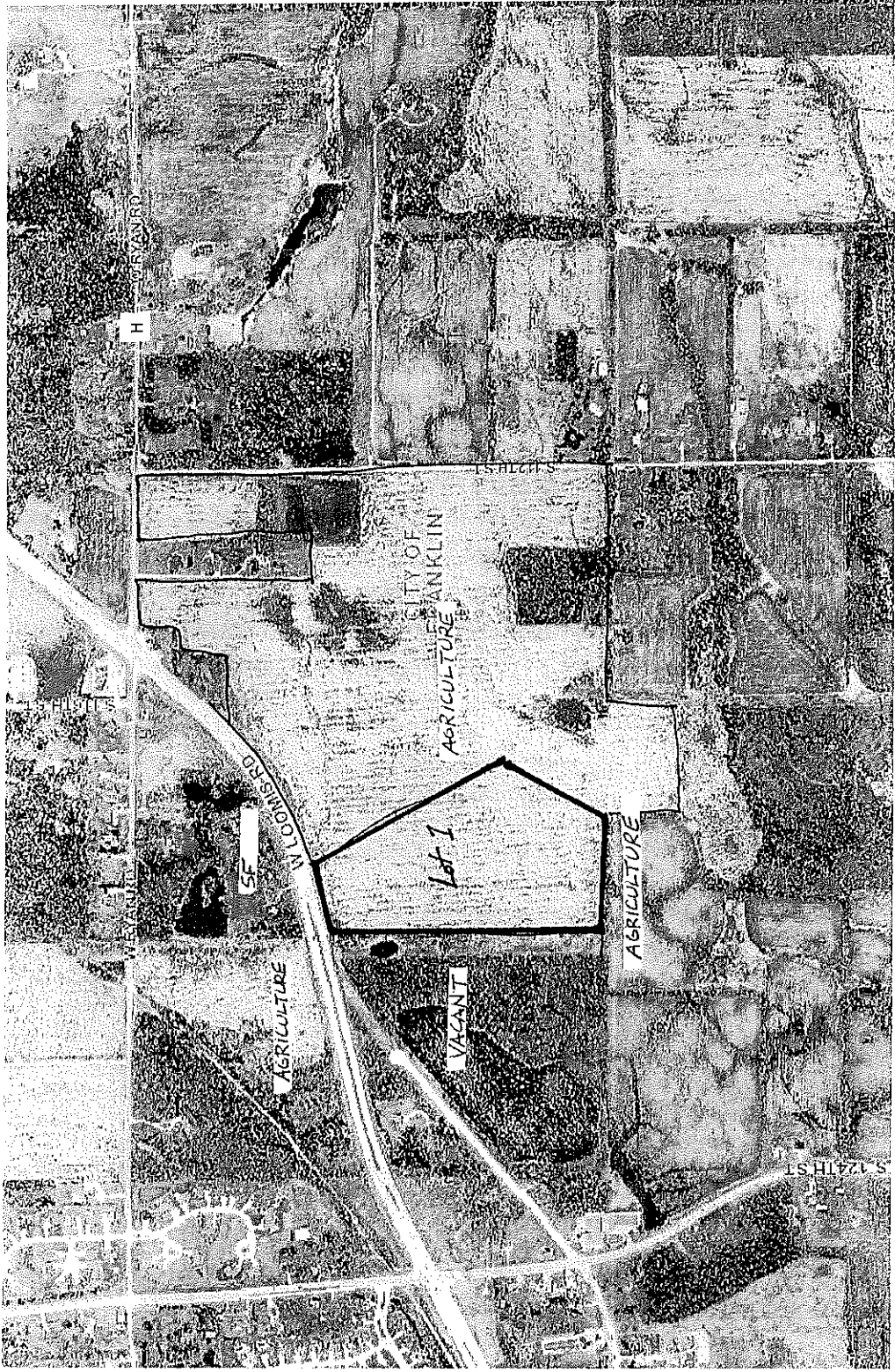
CHAPUT
LAND SURVEYS

This instrument was drafted by Donald C. Chaput
Professional Land Surveyor S-1316

Date: April 16, 2018
Drawing No. 2160.04-
Sheet 1 of 4 Sheets

MILWAUKEE COUNTY INTERACTIVE MAPPING SERVICE

Lot 1
ADJACENT LAND USE



1,505 0 752 1,505 Feet

NAD_1987_StatePlane_Wisconsin_South_FIPS_4803
© MCANLIS

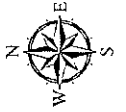
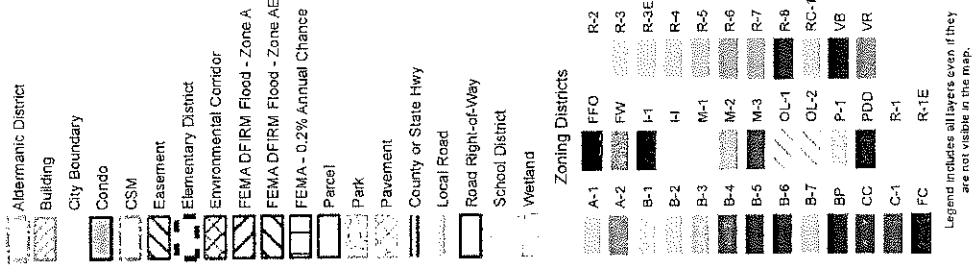
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Notes

Adjacent Zoning



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Franklin

MAY 25 2018

City Development

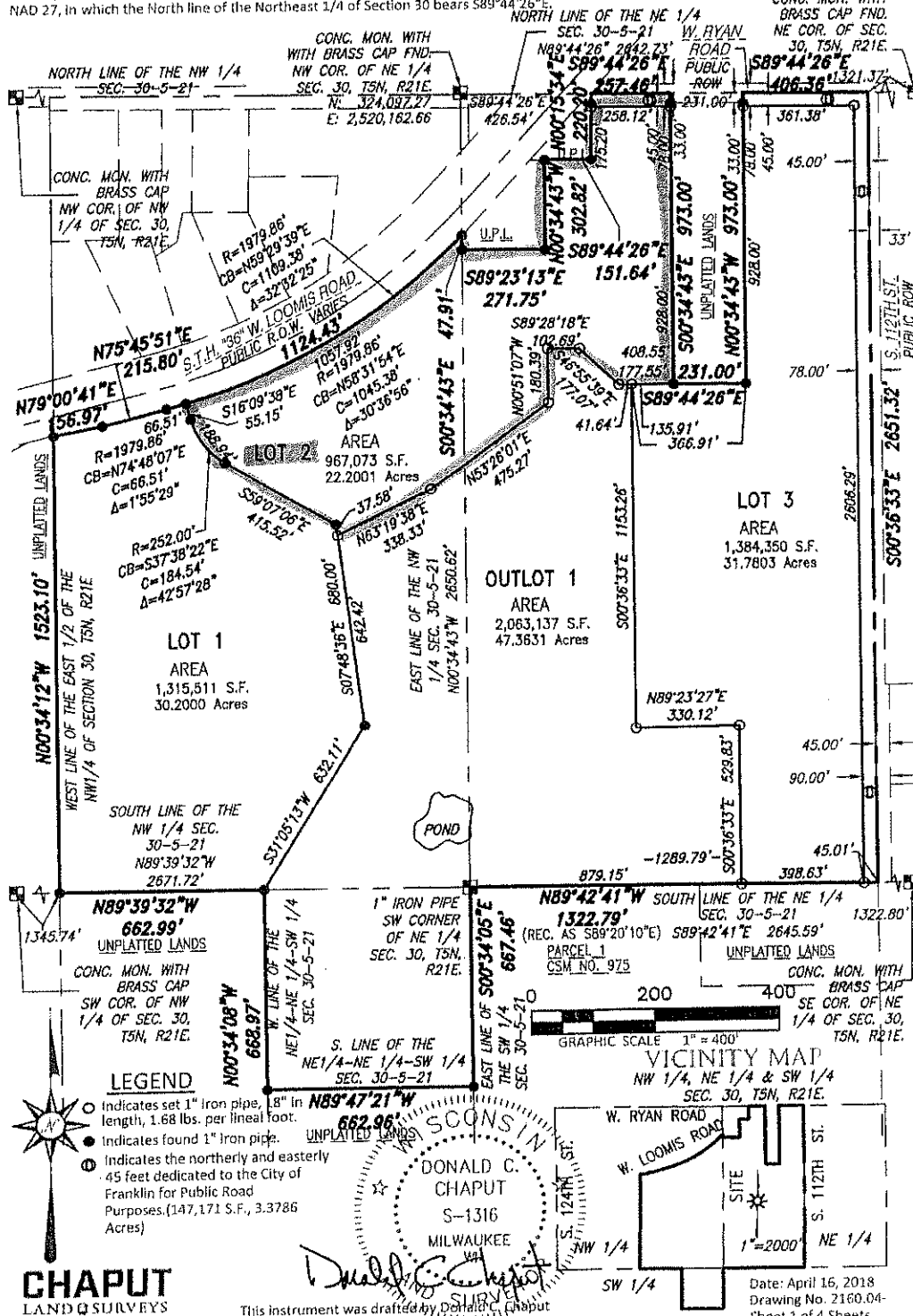
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NAD 27, in which the North line of the Northeast 1/4 of Section 30 bears S89°44'26"E

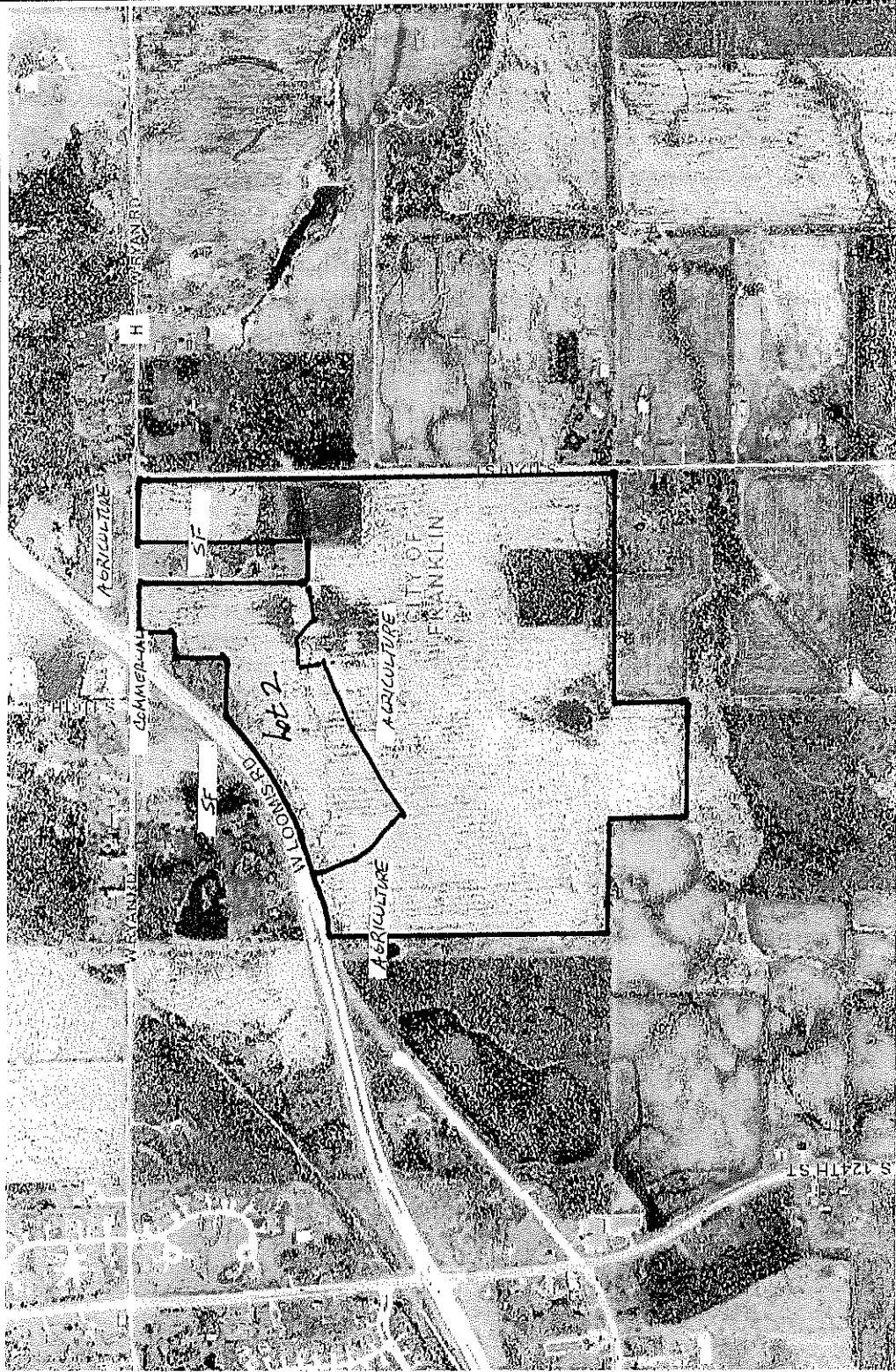
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Mills Hotel Wyoming, LLC
4015 80th St,
Kenosha, WI 53142

CONC. MON. WITH
BRASS CAP FND.
NE COR. OF SEC.
30, T5N, R21E.



MILWAUKEE COUNTY INTERACTIVE MAPPING SERVICE

LOT 2- ADJACENT LAND USE



1,505 0 752 1,505 Feet

NAD_1983_StatePlane_Wisconsin_South_FIPS_4903

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© MCAMILLIS

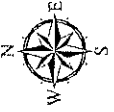
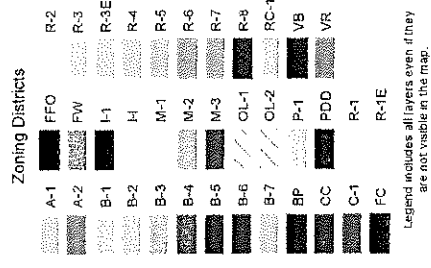
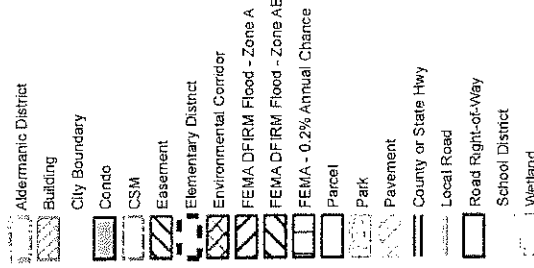
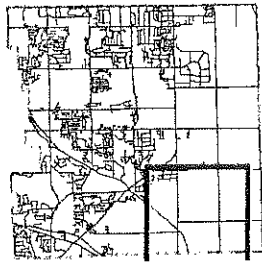
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Notes

Adjacent Zoning

Overview Map



(C) City of Franklin, WI

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Franklin

MAY 25 2018

City Development

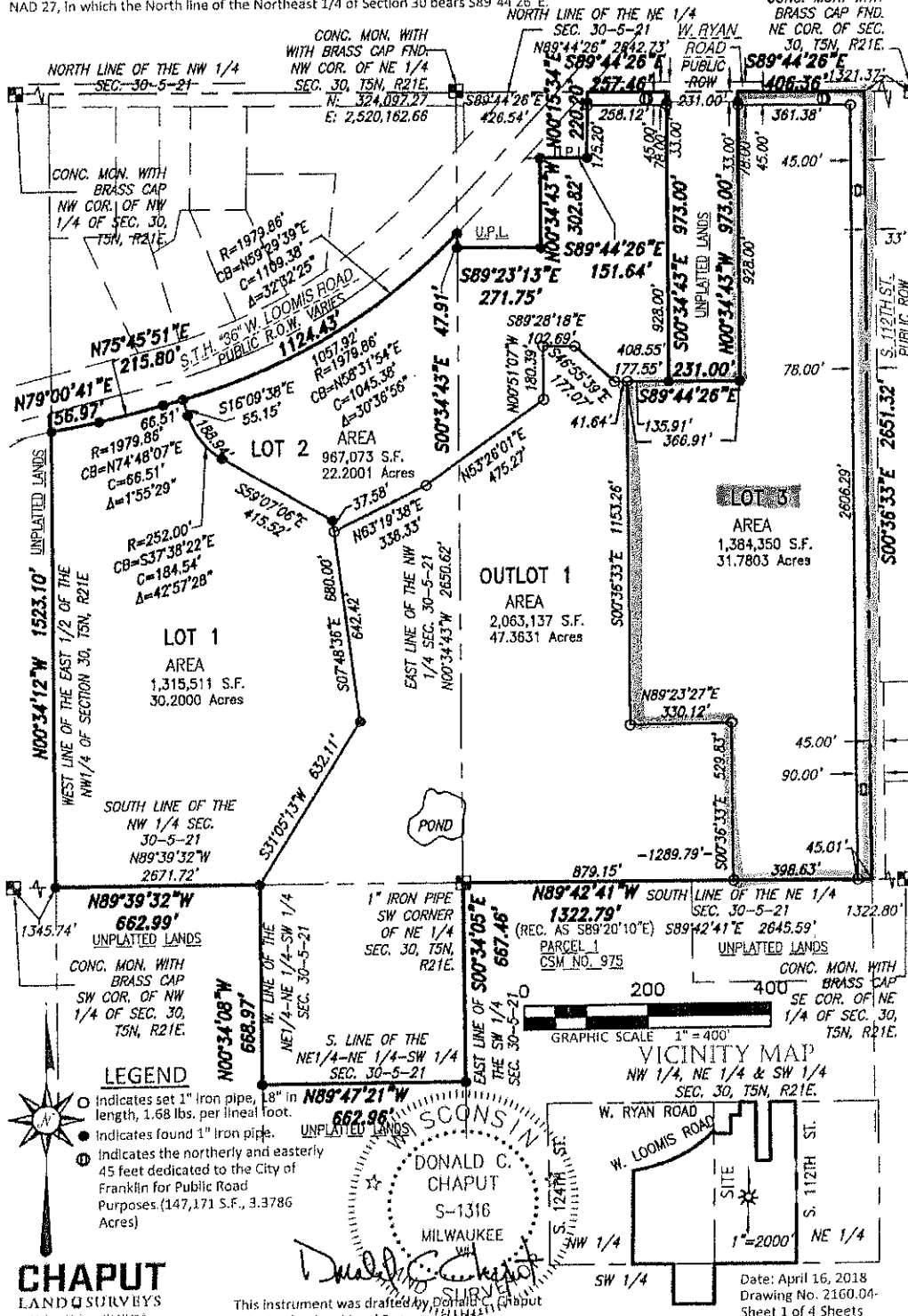
CERTIFIED SURVEY MAP NO. _____

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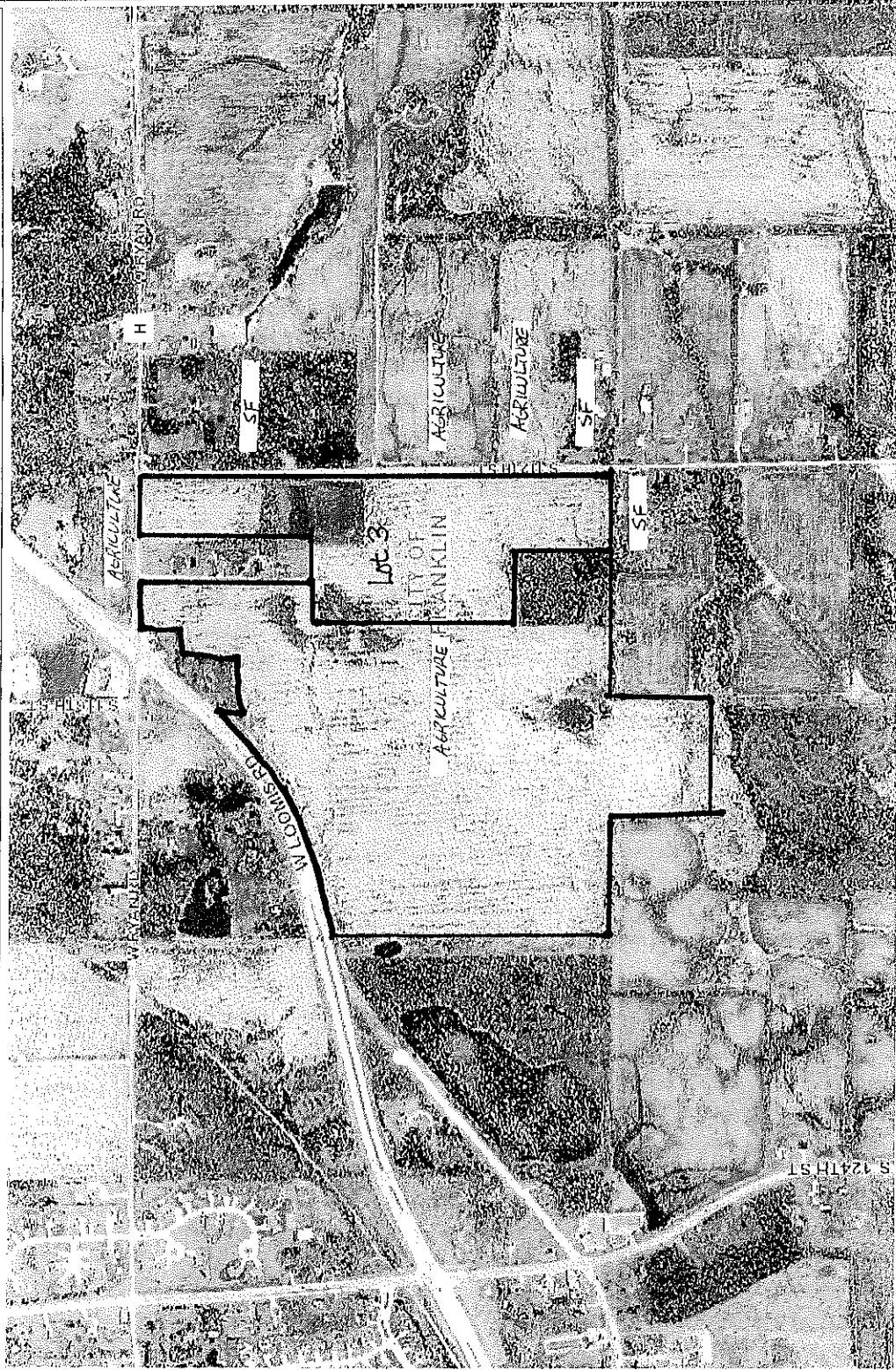
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Subdivider/Owner:
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Kenosha, WI 53142

CONC. MON. WITH
BRASS CAP FND.
NE COR. OF SEC.
30, T5N, R21E.



MILWAUKEE COUNTY INTERACTIVE MAPPING SERVICE **LOT 3 ADJACENT LAND USE**

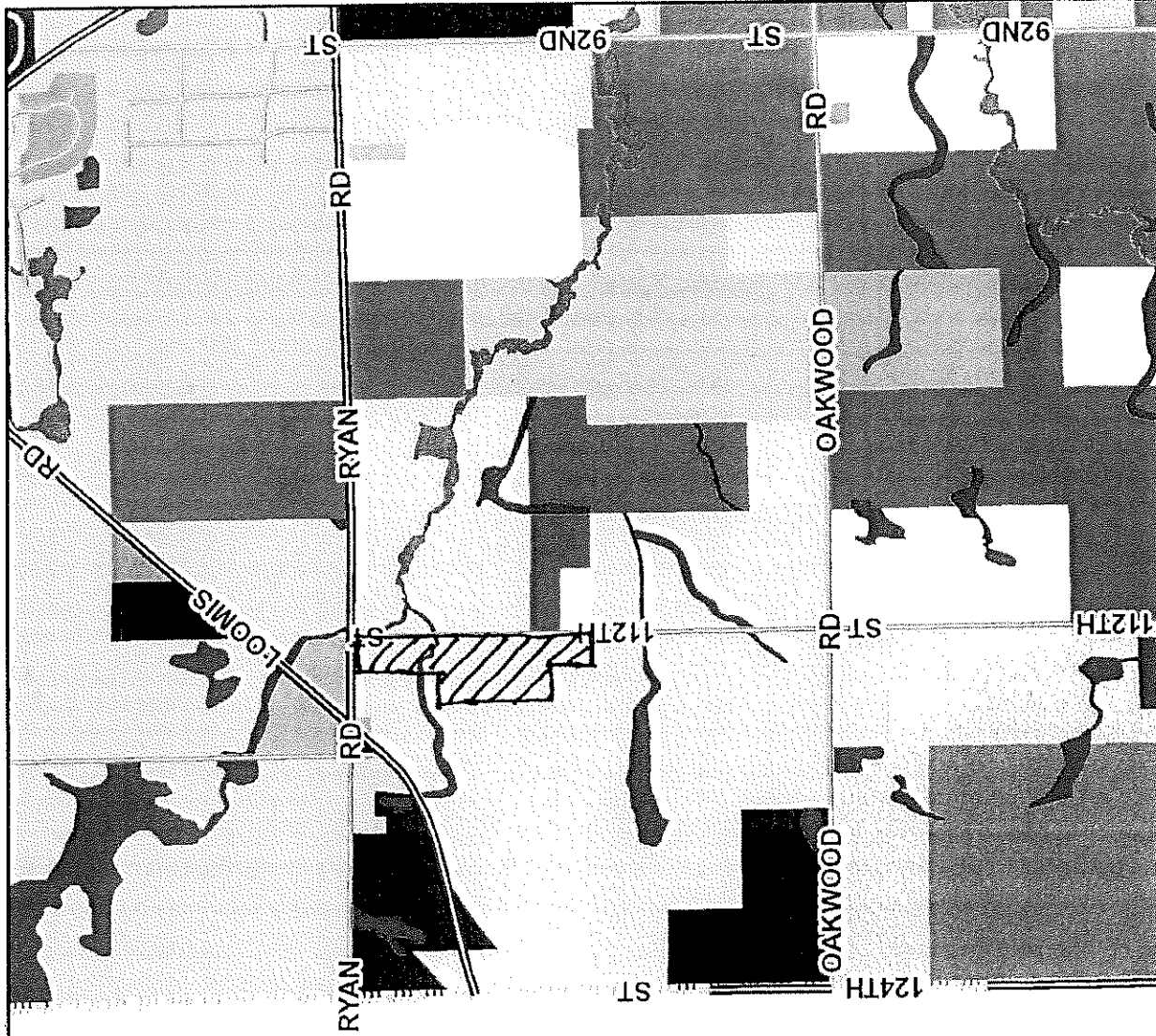


1,505 0 752 1,505 Feet
 NAD_1927_StatePlane_Wisconsin_South_FIPS_4803
 © MCANLIS
 1: 9,028
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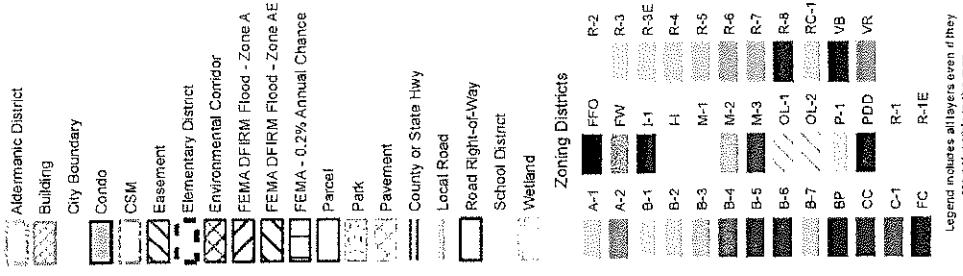
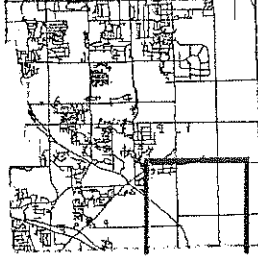
Notes

LOT 3
 Adjacent Zoning
 North = B2
 South = R2
 East = R1, R2, A2
 West = R2

Adjacent Zoning



Overview Map



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