

CITY OF FRANKLIN  
COMMON COUNCIL MEETING\*  
FRANKLIN CITY HALL – COMMON COUNCIL CHAMBERS  
9229 WEST LOOMIS ROAD, FRANKLIN, WISCONSIN  
AGENDA\*\*  
TUESDAY, MARCH 7, 2017 AT 6:30 P.M.

- A. Call to Order and Roll Call.
- B.
  - 1. Citizen Comment Period.
  - 2. Mayoral Announcements – A Proclamation in Recognition of Ronald J. Romeis.
- C. Approval of Minutes:
  - Regular Common Council Meeting of February 21, 2017.
- D. Hearings.
- E. Organizational Business.
  - Board and Commission Mayoral Appointments:
    - (1) Andrew J. Ruffing, 4728 West Sharon Lane, Ald. Dist. 5 – Quarry Monitoring Committee (3 year unexpired term expiring 5/31/19).
    - (2) Lori O'Neil, 8236 S. 79<sup>th</sup> Street, Ald. Dist. 1 – Board of Health (2 year unexpired term expiring 4/30/18).
    - (3) Shaun Marefka, 7644 S. Mission Ct., Ald. Dist 2 – Tourism Commission (1 year unexpired term expiring 12/31/17).
- F. Letters and Petitions.
- G. Reports and Recommendations:
  - 1. The City of Franklin Police Department has received the following donations to be used for the Canine Donation fund: \$100.00 donation from John & Nancy Konkel and a \$100.00 donation from Betty Jo Gurschke.
  - 2. Direct Staff to Work with Zilber LTD Regarding a proposed Mixed-Use Development at 7333 S. 27<sup>th</sup> Street and to Pursue a Development Agreement That Includes Financial Support from Tax Increment Finance District No. 3.
  - 3. An Ordinance to Amend the Unified Development Ordinance (Zoning Map) to Rezone Certain Parcels of Land from C-1 Conservancy District and FW Floodway District to R-3E Suburban/Estate Single-Family Residence District (7145 South Woelfel Road) (Approximately 13,363.0 Total Square Feet) (Jeffrey D. Peelen and Rozanne M. Peelen, Applicants).
  - 4. A Resolution to Amend Resolution Nos. 98-4751 and 2000-4979, Imposing Conditions and Restrictions for the Approval of a Special Use for Property Located at 2803 West Southland Drive to Allow for Construction of a Building Addition to the Existing Jerry's Auto Xpressions Building (Jerry Kezman, D/B/A Jerry's Auto Xpressions, Applicant).

5. Survey of Property Owners for the Extension of Sanitary Sewer and Water Utilities in a Corridor Along S. 76<sup>th</sup> Street from W. Oakwood Road to W. 1,465 Feet North of W. Ryan Road (STH 100); North Side of W. Oakwood Road From a Point 670 Feet East of S. 76<sup>th</sup> Street to a Point 1,320' West of S. 76<sup>th</sup> Street; and W. Ryan Road (STH 100) From a Point 1,250 Feet East of S. 76<sup>th</sup> Street to a Point 2,660 Feet West of S. 76<sup>th</sup> Street.
6. 2017 Sanitary Sewer User Fee Revision.
7. Authorization to Execute an Agreement Incorporating a Proposal for Asbestos & Lead Paint Inspection for OSHA 1926.62 for Franklin City Hall with Environmental Management Consulting, Inc. (EMC).
8. An Ordinance to Amend Ordinance 2016-2240, an Ordinance Adopting the 2017 Annual Budgets for the General Fund, Development Fund, Civic Celebrations Fund, Capital Outlay Fund, Equipment Replacement Fund, Capital Improvement Fund, TID 3 Fund, TID 5 Fund and Sanitary Sewer Fund, for the City of Franklin for Fiscal Year 2017 to Approve Budget Encumbrances from the 2016 Budget as Amendments to the 2017 Budget.
9. An Ordinance to Amend Ordinance 2015-2198, an Ordinance Adopting the 2016 Annual Budgets for the General Fund, Solid Waste Fund and the Street Improvement Fund for the City of Franklin to Provide Additional Assessor and Municipal Building Appropriations, to Allocate Under Expenditure Appropriations and Provide Additional Appropriations for the Solid Waste and Street Improvement Funds.
10. Committee of the Whole:
  - (a) Status Report from the Ballpark Commons Development Team Regarding the Project Proposed at and near The Rock Sports Complex, 7900 W. Crystal Ridge Road.
  - (b) Presentation by Ruekert & Mielke, Inc., Regarding potential Sewer and Water Extension in Area D, an Area Approximately Between W. Oakwood and W. South County Line Roads and S. 27<sup>th</sup> and 42<sup>nd</sup> Streets.
  - (c) Recommendation from the Fair Commission Regarding Changes to the Monthly St. Martins Fairs (Time, Day, Location).
  - (d) Request for Commitment to Support a Resolution of the Intergovernmental Cooperation Council Regarding Gun Safety Technologies.

H. Licenses and Permits.

Miscellaneous Licenses from License Committee Meeting of March 7, 2017.

I. Bills.

Request for Approval of Vouchers and Payroll.

J. Adjournment.

## Common Council Meeting Agenda

March 7, 2017

Page 3

\*Notice is given that a majority of the Community Development Authority, Plan Commission, Fair Commission and Economic Development Commission may attend this meeting to gather information about an agenda item over which the Community Development Authority, Plan Commission, Fair Commission and Economic Development Commission has decision-making responsibility. This may constitute a meeting of the Community Development Authority, Plan Commission, Fair Commission and Economic Development Commission, per State ex rel. Badke v. Greendale Village Board, even though the Community Development Authority, Plan Commission, Fair Commission and Economic Development 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.]

March 9	Plan Commission Meeting	7:00 p.m.
March 21	Common Council Meeting	6:30 p.m.
March 23	Plan Commission Meeting	7:00 p.m.
April 3	Committee of the Whole and Common Council Meeting	6:30 p.m.
April 4	Spring Election	7:00 a.m. – 8:00 p.m.

**BLANK PAGE**



---

A PROCLAMATION IN RECOGNITION OF RONALD J. ROMEIS

---

WHEREAS, Ronald J. Romeis began his public service in the City of Franklin on March 23, 1998; and

WHEREAS, up until that time, Ron, a/k/a "[R.R. =] 'R<sup>2</sup>'", spent the prior seventeen plus years working as the Director of Public Works for the Village of Hales Corners, his and his family's longtime through current Hometown, where he also served as the Deputy Village Clerk and the Village Safety Coordinator, among other public service posts, for which he received a Public Policy Forum award for his work and achievement; and

WHEREAS, prior to his work at the Village, following his graduation from Marquette University with a Bachelor of Science Civil Engineering degree in 1972 (during which college years he was employed by the City of West Allis), Ron spent some eight years furthering his engineering knowledge and skills at private engineering companies, and also at the City of Janesville, Wisconsin, initially as a Staff Engineer and then as the Assistant Director of Public Services; and perhaps most notably, at the City of Adams, Wisconsin, as its first ever City Engineer; and

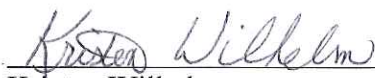
WHEREAS, Ron, through all of his years as a Professional Engineer, was and is a People Person who cared and cares about all People; every project, and every process, whether working towards a betterment or working toward solution, always had and has a person's first name or persons' first names attached to it; every project, every process, everything; Ron is a People Person, By the People, For the People; and

WHEREAS, Ron is a religious man; Ron is a family man; Ron is a working man, who when not attending to Church and Family is working, accustomed to not only working long days, but also working those long days into public meetings and/or next morning hearing preparation long nights, year after year, after year after year after year; and

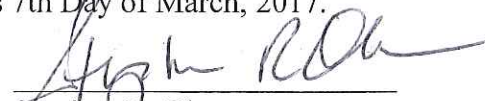
WHEREAS, Ronald J. Romeis, P.E., Ron, R<sup>2</sup>, decided to retire from the City of Franklin, with his last work day being March 1, 2017; after some four and a half decades of primarily public service; more time for family; more time for cheering by an ultimate and ardent Marquette University basketball and University of Wisconsin football fanatic. Go MU. Go Badgers.

NOW, THEREFORE, BE IT PROCLAIMED, that I, Stephen R. Olson, Mayor, and I, Kristen Wilhelm, Common Council President, of the City of Franklin, Wisconsin, on behalf of all of the Citizens of Franklin and the staff of City government, wish you Good Luck and Godspeed, R<sup>2</sup>.

Presented to the City of Franklin Common Council this 7th Day of March, 2017.

  
 Kristen Wilhelm  
 Common Council President



  
 Stephen R. Olson  
 Mayor

**BLANK PAGE**

C.

CITY OF FRANKLIN  
COMMON COUNCIL MEETING  
FEBRUARY 21, 2017  
MINUTES

ROLL CALL

- A. The regular meeting of the Common Council was held on February 21, 2017 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 D. Mayer, Alderwoman Kristen Wilhelm, Alderman Steve Taylor, Alderman Mike Barber and Alderwoman Susanne Mayer. Also present were City Engineer Glen Morrow, Dir. of Administration Mark Luberd, City Attorney Jesse A. Wesolowski and City Clerk Sandra Wesolowski.

CITIZEN COMMENT

- B. Citizen comment period was opened at 6:31 p.m. and closed at 6:38 p.m.

APPROVAL OF MINUTES

- C. Alderwoman Wilhelm moved to approve the minutes of the regular Common Council Meeting of February 7, 2017 as presented at this meeting. Seconded by Alderman D. Mayer. All voted Aye; motion carried.

DONATIONS TO POLICE  
DEPARTMENT

- G.1. Alderman Taylor moved to accept the \$1,000 donation from N & S Towing Inc., the \$2,500 donation from Salvatore Purpero of C.W. Purpero, Inc., the \$25 donation from Mary Thebert, and the \$200 donation from Patricia and Anthony Farchione with all donations to be deposited into the Police Canine Donation Account. Seconded by Alderman D. Mayer. All voted Aye; motion carried.

CHANGE IN ACCOUNTING  
TREATMENT FOR RYAN CREEK  
SANITARY INTERCEPTOR  
SEWER

- G.2. Following a presentation by John Knepel, Baker Tilly, LLC, and Director of Finance Paul Rotzenberg, Alderwoman Wilhelm moved to adopt revised accounting treatment for the Ryan Creek Interceptor Sanitary Sewer as an asset, to be depreciated over the life of the associated Clean Water Fund Loan, including the planned contribution to Milwaukee Metropolitan Sewer District at the retirement of the Clean Water Fund Loan per the terms of the 2010 Intergovernmental Agreement with MMSD and direct the Finance Director to prepare a Sanitary Sewer Fund 2017 budget amendment to provide for depreciation on the asset. Seconded by Alderman Taylor. All voted Aye; motion carried.

STATUS REPORT OF BALLPARK  
COMMONS DEVELOPMENT –

- G.3. Following an update from Director of Economic Development Aaron Hertzberg, Alderman Taylor moved

THE ROCK SPORTS COMPLEX

to receive and file the status report regarding the Ballpark Commons Development at and near The Rock Sports Complex, 7900 W. Crystal Ridge Road. Seconded by Alderman Barber. All voted Aye; motion carried.

FRANKLIN SENIOR CITIZENS,  
INC. PROGRAM UPDATE

G.4. Alderman Taylor moved to placed on file the Franklin Senior Citizens, Inc. Program Update for 2016. Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.

2016 FRANKLIN SENIOR  
CITIZENS TRAVEL PROGRAM  
UPDATE

G.5. Alderman Barber moved to accept and file the Senior Travel Program 2016 year-end report and to further direct staff to effectuate the carryover of unspent 2016 Senior Travel Program funds in the amount of \$2,565 to the 2017 Senior Travel Program budget by bringing forth a budget modification to a future Council meeting. Seconded by Alderwoman S. Mayer. All voted Aye; motion carried.

ADVANCED LIFE SUPPORT(ALS)  
AMBULANCE

G.6. Alderman Taylor moved to approve to place a fourth Advanced Life Support (ALS) Ambulance in Service for the Fire Department. Seconded by Alderwoman Wilhelm. All voted Aye; motion carried. Vote recorded as unanimous.

CONSERVATION EASEMENT AT  
11906-11908 W. LOOMIS RD.  
(MILLS HOTEL WYOMING, LLC,  
APPLICANT)

G.7. Alderman Taylor moved to table action on a Resolution Authorizing Certain Officials to Accept a Conservation Easement for and as Part of the Review and Approval of a Certified Survey Map for Property Located at 11906-11908 West Loomis Road (Mills Hotel Wyoming, LLC, Applicant), until such time as the necessary corrections to the easement have been made by the applicant and forwarded to the Common Council for its review and approval. Seconded by Alderwoman S. Mayer. All voted Aye; motion carried.

AMEND ORD. 2016-2240 TO  
PROVIDE ADDITIONAL  
APPROPRIATIONS FOR  
PLANTINGS FOR THE S. 27TH ST.  
RECONSTRUCTION

G.8. Alderman Taylor moved to adopt AN ORDINANCE TO AMEND ORDINANCE 2016-2240, AN ORDINANCE ADOPTING THE 2017 ANNUAL BUDGETS FOR TID 3 AND TID 4 FOR THE CITY OF FRANKLIN FOR FISCAL YEAR 2017, TO PROVIDE ADDITIONAL APPROPRIATIONS FOR TREE PLANTINGS IN CONNECTION WITH THE SOUTH 27TH STREET RECONSTRUCTION AND PROFESSIONAL SERVICES. Seconded by Alderman Dandrea. There being no objections, Alderman Taylor withdrew his motion.

(See action on Item G.8. following Item G.10.)

RES. 2017-7250  
AGREEMENT WITH CITY OF  
OAK CREEK FOR SHARED  
STREET TREE PLANTING  
PROJECT ON S. 27TH ST

G.9. Alderman S. Taylor moved to adopt Resolution No. 2017-7250, A RESOLUTION APPROVING AN INTER-GOVERNMENTAL COOPERATION AGREEMENT BETWEEN THE CITY OF FRANKLIN AND THE CITY OF OAK CREEK OUTLINING RESPONSIBILITIES FOR A SHARED STREET TREE PLANTING PROJECT RELATED TO THE SOUTH 27TH STREET RECONSTRUCTION PROJECT, subject to approval of Item G.8. Seconded by Alderman Barber. All voted Aye; motion carried.

CONTRACT WITH RUEKERT &  
MIELKE, INC. FOR  
ENGINEERING SERVICES

G.10. At 8:09 p.m. Mayor Olson passed the gavel to Council President Wilhelm, who then chaired the meeting. At 8:10 p.m. the gavel was returned to Mayor Olson, who then chaired the meeting.

Aldерwoman Wilhelm vacated her seat at 8:22 p.m. and returned at 8:23 p.m.

Alderman S. Taylor moved to approve the contract with Ruekert & Mielke, Inc. for a professional services task order related to engineering in Area D, roughly between W. Oakwood and W. South County Line Roads and S. 27th and S. 42nd Streets subject to approval of Item G.8., and further that the Director of Economic Development be the designated provider. Seconded by Aldерwoman Wilhelm.

Aldерwoman S. Mayer vacated her seat at 8:42 p.m.

Upon the voice vote to approve the contract with Reukert & Mielke, Inc. as moved, five Ayes; one Absent (Aldерwoman S. Mayer). Motion carried.

Aldерwoman S. Mayer returned to her seat at 8:47 p.m.

ORD. 2017-2256  
AMEND ORD. 2016-2240 TO  
PROVIDE ADDITIONAL  
APPROPRIATIONS FOR  
PLANTINGS FOR THE S. 27TH ST.  
RECONSTRUCTION

G.8. Alderman Taylor moved to approve Ordinance No. 2017-2256, AN ORDINANCE TO AMEND ORDINANCE 2016-2240, AN ORDINANCE ADOPTING THE 2017 ANNUAL BUDGETS FOR TID 3 AND TID 4 FOR THE CITY OF FRANKLIN FOR FISCAL YEAR 2017, TO PROVIDE ADDITIONAL APPROPRIATIONS FOR TREE PLANTINGS IN CONNECTION WITH THE SOUTH 27TH STREET RECONSTRUCTION AND PROFESSIONAL SERVICES. Seconded by Alderman D. Mayer. On roll call, Alderman Dandrea, Alderman D.

Mayer, Alderwoman Wilhelm, Alderman S. Taylor and Alderman Barber voted Aye; Alderwoman S. Mayer Abstained. Motion carried.

STANDARDS, FINDINGS AND  
DECISIONS FOR INDIAN  
COMMUNITY SCHOOL OF  
MILWAUKEE, INC.

- G.11. Alderman D. Mayer moved to adopt the Standards, Findings and Decision of the City of Franklin Common Council upon the application of Indian Community School of Milwaukee, Inc., for a Special Exception to certain Natural Resource Provisions of the City of Franklin Unified Development Ordinance. Seconded by Alderman Taylor. All voted Aye; motion carried.

ORD. 2017-2257  
AMEND UDO TO ALLOW FOR  
INSTALLATION OF NEW  
SIGNAGE, CANOPIES,  
BOLLARDS AT 7700 W. RAWSON  
AVE. (MISTER CAR WASH,  
APPLICANT)

- G.12. Alderman D. Mayer moved to adopt Ordinance No. 2017-2257, AN ORDINANCE TO AMEND §15-3.0439 OF THE UNIFIED DEVELOPMENT ORDINANCE PLANNED DEVELOPMENT DISTRICT NO. 34 (HAMPTON INN AND SUITES PLUS MIXED USE COMMERCIAL) TO ALLOW FOR THE INSTALLATION OF NEW SIGNAGE, CANOPIES, BOLLARDS AND RECONFIGURATION OF THE QUEUING LANES AT MISTER CAR WASH #488 498 (7700 WEST RAWSON AVENUE (DAVID HAIL, VICE PRESIDENT OF RESEARCH AND DEVELOPMENT AT MISTER CAR WASH, APPLICANT). Seconded by Alderman Taylor. All voted Aye; motion carried.

STATUS UPDATE ON QUARRY  
MONITORING

- G.13. Alderman Taylor moved to place the status update on Quarry Monitoring on file. Seconded by Alderman Dandrea. All voted Aye; motion carried.

QUARRY MONITORING  
SERVICES AGREEMENT WITH  
STANTEC CONSULTING  
SERVICES INC.

- G.14. Alderman Taylor moved to approve the Quarry Monitoring Professional Services Agreement with Attachment A containing service details and costs as provided by Stantec Consulting Services Inc. and to authorize staff to enter into said agreement not to exceed \$43,000 subject to technical corrections by staff and the City Attorney. Seconded by Alderman Barber. All voted Aye; motion carried.

MOVING FRANKLIN FORWARD  
(ALD. BARBER; ALD. TAYLOR)

- G.15. Alderman Taylor moved to table the item to direct and support all City of Franklin public officials and staff to take all reasonable and necessary actions in furtherance of the City of Franklin's Vision Statement "to enhance the Quality of Life for present and future generations by providing economic growth through the highest quality of residential, recreational, and business development in

Southeastern Wisconsin"; to promote the City of Franklin Mission Statement "to Make Franklin the primary destination to live and learn, work and play, and to do business"; and to repeal and rescind any prior actions and directions inconsistent therewith, including, but not limited to the terms of an adopted motion on June 10, 2015 under meeting agenda item C.3. pertaining to development in the area of South 27th Street and West South County Line Road, providing "that no action be taken by any person associated with the City of Franklin regarding the entering of contracts or the negotiations of such contracts concerning a new business park until specifically directed by this Common Council as a result of a majority vote of this Council." Seconded by Alderwoman Wilhelm.

Alderwoman Wilhelm vacated her seat at 9:12 p.m. and returned at 9:14 p.m.

Alderman D. Mayer moved to suspend the regular order of business to allow Tom Taylor to speak. Alderwoman Wilhelm seconded. All voted Aye; motion carried.

On the vote for the main motion to table the item, Alderwoman S. Mayer, Alderman Taylor, Alderwoman Wilhelm, and Alderman D. Mayer voted Aye; Alderman Barber and Alderman Dandrea voted No. Motion carried.

**SURVEY OF PROPERTY  
OWNERS FOR EXTENSION OF  
SANITARY SEWER & WATER  
UTILITIES ALONG S. 76TH ST.**

G.16. Alderman Taylor moved to postpone to the call of the Chair the item to direct staff to survey of property owners for the need to extend Sanitary Sewer and Water Utilities in a corridor along S. 76th Street from W. Oakwood Road to W. 1,465 feet North of W. Ryan Road (South 100); North Side of W. Oakwood Road from a point 670 feet East of S. 76th Street to a point 1,320' West of S. 76th Street; and W. Ryan Road (South 100) from a point 1,250 feet East of S. 76th Street to a point 2,660 feet West of S. 76th Street. Seconded by Alderman Dandrea. All voted Aye; motion carried.

**ORD. 2017-2258  
AMEND ORD. 2016-2240 TO  
PROVIDE ADDITIONAL  
APPROPRIATIONS FOR HEALTH  
GRANTS**

G.17. Alderman Taylor moved to adopt Ordinance No. 2017-2258, AN ORDINANCE TO AMEND ORDINANCE 2016-2240, AN ORDINANCE ADOPTING THE 2017 ANNUAL BUDGETS FOR THE GRANTS FUND FOR THE CITY OF FRANKLIN FOR FISCAL YEAR 2017, TO PROVIDE ADDITIONAL APPROPRIATIONS FOR

HEALTH GRANTS. Seconded by Alderman D. Mayer.  
On roll call, all voted Aye. Motion carried.

- 5K COMMUNITY RUN/WALK                      G.18.      Alderman Barber moved to approve the 5K Community Run/Walk by Operation Fit Franklin. Seconded by Alderman D. Mayer. All voted Aye; motion carried.
- HEALTH DEPARTMENT  
REMODEL PROJECT UPDATE  
AND ASBESTOS ABATEMENT  
AGREEMENT                                      G.19.      Alderwoman Wilhelm moved to authorize the Director of Administration to execute a Contractor Services Agreement with Professional Asbestos Removal & Survey Services Corporation for \$3,449. Seconded by Alderman Taylor. Alderman Dandrea, Alderman D. Mayer, Alderwoman Wilhelm, Alderman Taylor and Alderman Barber voted Aye; Alderwoman S. Mayer voted No. Motion carried.
- RES. 2017-7751  
DESIGNATING PUBLIC  
DEPOSITORIES                                      G.20.      Alderman D. Mayer moved to adopt Resolution No. 2017-7751, A RESOLUTION DESIGNATING PUBLIC DEPOSITORIES FOR THE CITY OF FRANKLIN. Seconded by Alderwoman S. Mayer. All voted Aye; motion carried.
- AGREEMENT WITH RACINE  
COUNTY FOR CERTIFIED SOIL  
TESTER'S SOIL AND SITE  
EVALUATION                                      G.21.      Alderman Taylor moved to approve the 2017 Professional Services Agreement between the City of Franklin and Racine County for services to verify a certified soil tester's soil and site evaluation at designated properties when needed and to authorize the Director of Administration to execute such agreement. Seconded by Alderman Dandrea. All voted Aye; motion carried.

Alderwoman S. Mayer left the meeting at 9:34 p.m.

- LICENSES AND PERMITS                      H.1.      Alderwoman Wilhelm moved to approve the following:  
Soccer Banquet Event on 8/03/2017 at Croation Park, 9140 S. 76th St., Person in charge: Josip Jaksic, approved as requested;  
Grant Operators' licenses to David Goehring, 8017 S. 57th St., Franklin; Amy Haase, 4165 County Road G, Caledonia, subject to an updated application; Syed Rizvi, 7164 S. Madison Ct., Franklin, subject to proof of responsible beverage server training; Andrea Sommer, 3578A S. 14th St., Milwaukee; Gloria Zbichorski, 4606 S. 20th St., Milwaukee; Sally Zubarik, S88W22560 Willow Ct., Big Bend; Andrew Wichmann, 2853 S. 106th St., West Allis;  
Grant Operators' licenses with a warning letter from the



City Clerk to Jeni Knoedler, 25710 Dover Line Rd., Waterford; Guy Ouellette, 5224 S. 60th St., Greendale; Jennifer Aguilar, 2121 W. Grant St., Milwaukee; Deny the Operator's license application of Eric Reuteler, 2978 S. Herman St., Milwaukee, due to being a habitual law offender;

Grant Change of Agent to Kwik Trip, Inc., Store #287, for Samuel McCormick, 1417 S. 88th St., West Allis, pending verification of license number;

Approve the Extraordinary Entertainment and Special Event license to Ragnar Relay Chicago 2017, Person in charge: Troy Wheeler, 8801 S. 51st St. (Froemming Park Exchange Site), 6/09/2017 to 6/20/2017, pending comments from the Fire Department; and

Approve the People Uniting for the Betterment of Life and Investment in the Community (PUBLIC) Grant to the Franklin Police Citizen Academy Alumni Association for park rental fees for a K9 Fundraiser at the Vernon Barg Pavilion on 9/17/2017.

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

#### VOUCHERS AND PAYROLL

- I.1. Alderman Dandrea moved to approve the following: City vouchers with an ending date of February 2, 2017 in the amount of \$174,191.68; City vouchers with an ending date of February 16, 2017 in the amount of \$3,611,989.29; Payroll dated February 17, 2017 in the amount of \$388,997.78 and payments of the various payroll deductions in the amount of \$390,021.51, plus City matching payments; and Estimated payroll dated March 3, 2017 in the amount of \$369,000.00 and payments of the various payroll deductions in the amount of \$226,000.00, plus City matching payments and Property Tax payments and refunds with an ending date of February 16, 2017 in the amount of \$8,041,382.08. Seconded by Alderman Barber. On roll call, all voted Aye (Alderwoman S. Mayer Absent). Motion carried.

#### ADJOURNMENT

- J. Alderman Taylor moved to adjourn the meeting at 9:39 p.m. Seconded by Alderman D. Mayer. All voted Aye; motion carried.

**BLANK PAGE**

<b>APPROVAL</b>  <i>Slw</i>	<b>REQUEST FOR COMMON COUNCIL ACTION</b>	<b>MEETING DATE</b>  <b>3-7-2017</b>
<b>ORGANIZATIONAL BUSINESS</b>	<b>Board and Commission Appointments</b>	<b>ITEM NUMBER</b>  <i>E.</i>

The following appointment has been submitted by the Mayor for Council confirmation:

Andrew J. Ruffing, 4728 West Sharon Lane, Ald. Dist. 5 – Quarry Monitoring Committee (3 year unexpired term expiring 5/31/19).

Lori O'Neil, 8236 S. 79<sup>th</sup> Street, Ald. Dist. 1 – Board of Health (2 year unexpired term expiring 4/30/18).

Shaun Marefka, 7644 S. Mission Ct., Ald. Dist 2 – Tourism Commission (1 year unexpired term expiring 12/31/17).

#### COUNCIL ACTION REQUESTED

Motion to confirm the following Mayoral appointments:

Andrew J. Ruffing, 4728 West Sharon Lane, Ald. Dist. 5 – Quarry Monitoring Committee (3 year unexpired term expiring 5/31/19).

Lori O'Neil, 8236 S. 79<sup>th</sup> Street, Ald. Dist. 1 – Board of Health (2 year unexpired term expiring 4/30/18).

Shaun Marefka, 7644 S. Mission Ct., Ald. Dist 2 – Tourism Commission (1 year unexpired term expiring 12/31/17).

## Shirley Roberts

---

**From:** volunteerfactsheet@franklinwi.gov  
**Sent:** Tuesday, January 17, 2017 12:03 PM  
**To:** Lisa Huening; Shirley Roberts; Sandi Wesolowski  
**Subject:** Volunteer Fact Sheet

**Name:** Andrew J. Ruffing  
**PhoneNumber:** (414) 303-2721  
**EmailAddress:** [ajruffing@aol.com](mailto:ajruffing@aol.com)  
**YearsasResident:** '69-'82 - 13yrs, '85-'92 - 7yrs, 02'-17' - 15yrs (total of about 35 years)  
**Alderman:** Mike Barber - District No. 5  
**ArchitecturalBoard:** 0  
**CivicCelebrations:** 0  
**CommunityDevelopmentAuthority:** 0  
**EconomicDevelopmentCommission:** 0  
**EnvironmentalCommission:** 0  
**FinanceCommittee:** 0  
**FairCommission:** 0  
**BoardofHealth:** 0  
**FirePoliceCommission:** 0  
**ParksCommission:** 0  
**LibraryBoard:** 0  
**PlanCommission:** 0  
**PersonnelCommittee:** 0  
**BoardofReview:** 0  
**BoardofPublicWorks:** 0  
**QuarryMonitoringCommittee:** 1  
**TechnologyCommission:** 0  
**TourismCommission:** 0  
**BoardofZoning:** 0  
**WasteFacilitiesMonitoringCommittee:** 0  
**BoardWaterCommissioners:** 0  
**CompanyNameJob1:** Musson Brothers Inc.  
**TelephoneJob1:** O) 262-790-5060, M) 414-303-2721  
**StartDateandPositionJob1:** Jan 3, 2002 - Project Manager  
**EndDateandPositionJob1:** Still Employed - Project Manager/Superintendent  
**CompanyNameJob2:**  
**TelephoneJob2:**  
**StartDateandPositionJob2:**  
**EndDateandPositionJob2:**  
**CompanyNameJob3:**

**TelephoneJob3:**  
**StartDateandPositionJob3:**  
**EndDateandPositionJob3:**  
**Signature:** Andrew J. Ruffing  
**Date:** January 17, 2017  
**Signature2:** Andrew J. Ruffing  
**Date2:** January 17, 2017  
**Address:** 4728 West Sharon Lane  
**PriorityListing:**

**WhyInterested:**

I feel that I would be able to understand the topics and issues brought before the committee and would be able to offer a unique perspective as both a long time resident of Franklin and someone closely involved with some of the operations of the quarry. I have almost 30 years experience in the civil engineering and construction industry. I've been involved in numerous projects in SE WI that have utilized the limestone products produced at Franklin Aggregates and the Former Vulcan Quarry.

**CompanyAddressJob1:** 4215 North 124th Street

**DescriptionofDutiesJob1:** Bidding for and Management of roadway, utility, and infrastructure projects.

**AddressJob2:**

**DescriptionofDutiesJob2:**

**AddressJob3:**

**DescriptionofDutiesJob3:**

**AdditionalExperience:**

**ClientIP:** 67.52.198.166

**SessionID:** zkh2itvismddcoiix4vhve45

See Current Results

City of Franklin  
9229 West Loomis Road  
Franklin, Wisconsin 53132

**VOLUNTEER FACT SHEET**

Thank-you for your interest in serving on a City Board, Commission, or Committee. In order that consistent information be provided to the Common Council, you are asked to complete the following:

**PERSONAL:**

Name Lori O'Neil  
Address 8230 S. 79<sup>th</sup> ST  
Phone Number (414) 414 487 0899  
E-Mail lori.oneil@franklin.wi.us  
Length of Time a Franklin Resident 10 yrs  
Alderman or District Number District 1, Mark D Andrea

**AREA OF INTEREST:** Please check the line next to the Board, Commission or Committee or area of greatest interest. If listing more than one, please prioritize your top three choices (3 being least priority).

- |   |  |
|---|--|
| <input type="checkbox"/> Architectural Review Board         | <input type="checkbox"/> Civic Celebrations Commission         |
| <input type="checkbox"/> Community Development Authority    | <input type="checkbox"/> Economic Development Commission       |
| <input type="checkbox"/> Environmental Commission           | <input type="checkbox"/> Finance Committee                     |
| <input type="checkbox"/> Fair Commission                    | <input checked="" type="checkbox"/> Board of Health            |
| <input type="checkbox"/> Fire and Police Commission         | <input type="checkbox"/> Parks Commission                      |
| <input type="checkbox"/> Library Board                      | <input type="checkbox"/> Plan Commission                       |
| <input type="checkbox"/> Personnel Committee                | <input type="checkbox"/> Quarry Monitoring Committee           |
| <input type="checkbox"/> Board of Public Works              | <input type="checkbox"/> Board of Review                       |
| <input type="checkbox"/> Technology Commission              | <input type="checkbox"/> Tourism Commission                    |
| <input type="checkbox"/> Board of Water Commissioners       | <input type="checkbox"/> Waste Facilities Monitoring Committee |
| <input type="checkbox"/> Board of Zoning & Building Appeals |  |

**Why are you interested in joining this (these) particular Board and/or Commission?**

I have always had a passion for health and especially children's health and well being. I believe being part of the Board of Health would allow me to positively influence pediatric health (and adults) here in Franklin!

## VOLUNTEER OR WORK EXPERIENCE

(Begin with your most recent employment and continue with all past 10 years of employment. Please attach additional paper or include resume, if available.)

Company Name: <u>Franklin Public Schools</u>	Address: <u>8255 W. Forest Hill</u>	Telephone: <u>414-529-8220</u>
Date started: <u>August 2015</u>	Starting Position: <u>School Nurse</u>	
Date left: <u>—</u>	Position upon leaving: <u>—</u>	
Description of duties: <u>Coordinating care for elementary students. Educating, training and delegating staff in student care needs. Creating health + emergency plans. Revising district policy related to health.</u>		

Company Name: <u>Children's Hospital of WI</u>	Address: <u>9000 W. Wisconsin Ave Munich, WI</u>	Telephone: <u>414-266-2000</u>
Date started: <u>June 2004</u>	Starting Position: <u>Pediatric Nurse (also patient care supervisor)</u>	
Date left: <u>September 2015</u>	Position upon leaving: <u>Pediatric Nurse</u>	
Description of duties: <u>Performed hands on inpatient care doing thorough patient assessment and interventions. Administered medications, treatments. Delegated and collaborated with multiple disciplines. Confident teacher with patients, families and staff.</u>		

Company Name:	Address:	Telephone:
Date started:	Starting Position:	
Date left:	Position upon leaving:	
Description of duties:		

**ADDITIONAL EXPERIENCE OR QUALIFICATIONS:** List any other experience, skills, or other qualifications, including hobbies, which you believe should be considered in evaluating your qualifications for volunteering.

I am a mother of two young children (5-7y.) I am also a licensed treatment foster parent (through CHW) for medically needy children. I volunteer with toddlers/young children with my church.

I am aware that all of the information provided and this document itself is a public record which will be released to a requestor; that I authorize such release and that I waive any right to any notice of such release and/or any right of notice to augment the information provided upon this document upon such request or release.

Signature: \_\_\_\_\_

[Signature]

Date: \_\_\_\_\_

2/16/17

# **Lori O'Neil**

**8236 S. 79<sup>th</sup> Street, Franklin, WI 53132**

RN, BSN graduate with extensive experience in pediatric nursing and serving children, families and the community in a school based setting. Comprehensive knowledge of pediatric nursing and an unparalleled commitment to delivering exemplary care. Exceptionally talented in establishing rapport, demonstrating empathy, and building trust-based relationships with children and families.

## **Professional Experience**

**Franklin Public Schools - Franklin, WI**

**School Nurse**

**2015-Present**

Providing district leadership in school nursing practice, school health policy, and health programs. Coordinating care with an interdisciplinary team for students with acute and chronic health conditions. Developing Individualized Health Plans (IHP) and Emergency Action Plans (EAP). Monitoring interventions and outcomes, training and monitoring the quality and safety of nursing interventions. Collaborating with community-based agencies and providers to ensure the safety of students.

**Children's Hospital of Wisconsin - Wauwatosa, WI**

**Pediatric Nurse**

**2009-2015**

Providing excellent patient care on medical/infant unit. Performing expert patient assessments, quickly synthesizing patient data, tailoring individualized care plans and interdisciplinary coordination to ensure quality patient care. A patient and family advocate, confident teacher and effective communicator.

- ◆ Serving in the capacity as a charge nurse overseeing the activities of Nurses, Care Partners and other professionals to ensure timely completion of patient care and optimize outcomes
- ◆ Precepting and Mentoring new staff members as well as nursing students
- ◆ Appointed leader to help teach and disseminate information to nursing colleagues
- ◆ Served as the leader of the scheduling committee tasked with the development of monthly staff scheduling for nurses and care partners
- ◆ Served as unit champion and resource for multiple disciplines during the implementation of our electronic health record

**Patient Care Supervisor**

**2007-2009**

Leadership role with oversight of 33 health care professionals including nurses, care partners and health unit coordinators. Collaborated with leadership to achieve common goals. Evaluated and provided performance feedback to staff members as well as mentoring and developing new leaders.

**Pediatric Nurse**

**2004-2007**

Provided expert care to children ranging in age from infant to late teens. Performed thorough patient assessments, rapidly synthesize patient data, and provided customized health care plans tailored to the unique needs of the individual patient. Served proudly as an advocate and teacher.

- ◆ Served on the Unit Based Clinical Practice Council and Joint Clinical Practice Council which was responsible for policy development and modification
- ◆ Presented a Poster Presentation on Infant Reflux at the Society of Pediatric Nursing Conference and the Ninth Annual Southeastern Wisconsin Nursing Research Conference
- ◆ Revised and maintained Infant Reflux teaching material at Children's Hospital of Wisconsin
- ◆ Nurse Excellence Award Recipient, 2007

## **Education**

B.S. (Nursing) GPA 3.59/4.00 **University of Wisconsin - Madison, Madison, WI**

**2004**



## Shirley Roberts

---

**From:** volunteerfactsheet@franklinwi.gov  
**Sent:** Monday, December 12, 2016 8:04 PM  
**To:** Lisa Huening; Shirley Roberts; Sandi Wesolowski  
**Subject:** Volunteer Fact Sheet

**Name:** SHAUN MAREFKA  
**PhoneNumber:** 4142086300  
**EmailAddress:** SMAREFKA@GMAIL.COM  
**YearsasResident:** 3  
**Alderman:**  
**ArchitecturalBoard:** 0  
**CivicCelebrations:** 1  
**CommunityDevelopmentAuthority:** 0  
**FinanceCommittee:** 0  
**EnvironmentalCommission:** 1  
**ForwardFranklinEconomicDevelopComm:** 0  
**FairCommission:** 0  
**BoardofHealth:** 0  
**FirePoliceCommission:** 0  
**ParksCommission:** 0  
**LibraryBoard:** 0  
**PlanCommission:** 0  
**PersonnelCommittee:** 0  
**BoardofReview:** 1  
**BoardofPublicWorks:** 0  
**BoardofWaterCommissioners:** 0  
**TechnologyCommission:** 0  
**WasteFacilitySitingCommittee:** 0  
**BoardofZoning:** 0  
**WasteFacilitiesMonitoringCommittee:** 0  
**CompleteStreetsandConnectivityCommittee:** 0  
**CompanyNameJob1:** DELAWARE NORTH COMPANY  
**TelephoneJob1:** NA  
**StartDateandPositionJob1:** 2010/GENERAL MANAGER  
**EndDateandPositionJob1:** 2014/GENERAL MANAGER  
**CompanyNameJob2:** DELAWARE NORTH COMPANY-MILLER  
PARK/MILWAUKEE BREWERS  
**TelephoneJob2:** NA  
**StartDateandPositionJob2:** 2008- RETAIL ASSISTANT MANAGER  
**EndDateandPositionJob2:** 2014- DIRECTOR OF RETAIL OPERATIONS  
**CompanyNameJob3:** MILWAUKEE BUCKS

<b>TelephoneJob3:</b>	NA
<b>StartDateandPositionJob3:</b>	2014-DIRECTOR OF RETAIL OPERATIONS/BRANDING
<b>EndDateandPositionJob3:</b>	CURRENT-DIRECTOR OF RETAIL OPERATIONS/BRANDING
<b>Signature:</b>	SHAUN MAREFKA
<b>Date:</b>	12/12/2016
<b>Signature2:</b>	SHAUN MAREFKA
<b>Date2:</b>	12/12/2016
<b>Address:</b>	7644 S MISSION CT FRANKLIN WI 53132
<b>PriorityListing:</b>	TOURISM COMMISSION
<b>WhyInterested:</b>	I am interested in joining the tourism committee to help assist my knowledge in the city. I have worked in the hospitality industry for 7 years. I have retail branding/marketing experience with the Milwaukee Brewers, Milwaukee Bucks and Delaware North Company. All organizations assist in community/global branding with Delaware North Company owning/operating hotels/conventions/parks and resorts/arenas and sports facilities across the country.
<b>CompanyAddressJob1:</b>	PHOENIX ARIZONA
<b>DescriptionofDutiesJob1:</b>	MANAGED FOOD AND BEVERAGE/RETAIL OPERATIONS FOR THE MILWAUKEE BREWERS SPRING TRAINING FACILITY IN PHOENIX AZ. WORKED WITH MILWAUKEE BREWERS STAFF ON SITE TO DEVELOPED SPONSORSHIP'S WITHIN THE COMMUNITY AND CITY OF PHOENIX. ESTABLISHED RELATIONSHIPS WITH MULTIPLE CLIENTS AT MARYVALE BASEBALL PARK AND SUPPORTED SCOTTSDALE STADIUM FOR THE SAN FRAN GIANTS AND GLENDALE FACILITY FOR DODGERS AND WHITE SOX.
<b>AddressJob2:</b>	MILLER PARK-ONE BREWERS WAY MILWAUKEE WI
<b>DescriptionofDutiesJob2:</b>	OVERSAW ALL ASPECTS OF RETAIL OPERATIONS TO MEET AND EXCEED REVENUE FOR THE MILWAUKEE BREWERS. RESPONSIBLE FOR MERCHANDISING PLANNING, INVENTORY CONTROL AND MARKETING RESEARCH/PLANS FOR THE DEPARTMENT. WORKED EFFECTIVELY WITH THE CLIENT TO ENSURE MARKETING EFFORTS AND RESPONSIBILITIES WERE BEING MET.
<b>AddressJob3:</b>	1543 N 2ND STREET MILWAUKEE WI
<b>DescriptionofDutiesJob3:</b>	OVERSEES ALL ASPECTS OF RETAIL OPERATIONS AND BRANDING FOR THE MILWAUKEE BUCKS. CREATED THE BUCKS PRO SHOP BRAND AND WAS THE FIRST NBA TEAM TO EXECUTE RETAIL OPERATION OUT OF 11 SMALL BUSINESSES ACROSS THE STATE. DEVELOP PARTNERSHIPS/SPONSOR SHIPS TO RELATE TO GENERAL BUSINESS

STANDARDS. CREATE MARKETING PLANS TO  
GENERATE LOCAL AND GLOBAL RETAIL EFFORTS  
FOR THE TEAM.

VERY KNOWLEDGEABLE IN SMALL BUSINESS  
BEHAVIOR-OWN ROCKIT APPAREL FOR ABOUT 3  
YEAR NOW. ITS A SMALL BUSINESS APPAREL  
BUSINESS THAT CUSTOMIZES IN  
RHINESTONE/VINYL APPAREL. HAVE A BACHELOR  
IN BUSINESS MANAGEMENT AND AN ASSOCIATE  
DEGREE IN MARKETING.

**AdditionalExperience:**

**ClientIP:**

70.92.171.149

**SessionID:**

jfkjyh555g2cls555kjlrijv

[See Current Results](#)

**BLANK PAGE**



**BLANK PAGE**

<b>APPROVAL</b> <i>slw</i>	<b>REQUEST FOR Council ACTION</b>	<b>MEETING DATE</b> <b>3/7/17</b>
<b>REPORTS AND RECOMMENDATIONS</b>	Direct staff to work with Zilber LTD. regarding a proposed mixed-use development at 7333 S. 27 <sup>th</sup> Street and to pursue a development agreement that includes financial support from tax increment finance district No. 3	<b>ITEM NUMBER</b> <b>G, 2.</b>

#### INTRODUCTION

On August 2, 2016, Zilber LTD. presented a proposed mixed use development at 7333 S. 27<sup>th</sup> Street to the Common Council for a Concept Review. Among other comments, members of the Council noted their preference for the development to include the adjacent Park Motel property at 7273 S. 27<sup>th</sup> Street. During the Concept Review, Zilber noted the likely need for tax increment finance (TIF) support to make the proposed project viable and to include acquisition of the Motel site. Both properties are within the boundaries of TIF District No. 3, a district scheduled to expire in 2026. Alderwoman Wilhelm and Zilber have hosted a neighborhood meeting with area residents regarding the project.

On October 4, 2016, the Common Council approved two contract associated with the project.

1. An agreement with Ehlers, a financial consultant, to conduct a pro-forma review of the project and assist with developer negotiations related to the use of TIF for a fee up to \$7,500.
2. An agreement with Towne Realty, Inc. (in partnership with Zilber) to reimburse the City for expenses related to the City's contract with Ehlers.

The requested direction to staff will indicate the Council's interest in advancing the project based on the information available at this time. If approved, staff expects the developer to move quickly to complete detailed plan submittals and pursue a development agreement that includes TIF support as outlined below.

#### PROJECT SUMMARY

The proposed project includes 180 market rate apartments with a club house and amenities at 7333 S. 27<sup>th</sup> Street. A lot will be created for commercial development along the frontage of S. 27<sup>th</sup>. The developer is currently in communication with a daycare provider that is interested in acquiring that land for placement of a center that could serve employees at the nearby Northwestern Mutual facility and others in the area. Staff notes that Northwestern Mutual has been open about their desire for more supportive services and amenities for employees near their Franklin campus.

Following the Council's stated interests from the Concept Review, Zilber has the Park Motel under contract and is prepared to execute that agreement upon receiving all approvals for their proposed development. Plans include demolition of the Motel, while retaining the Little Cancun restaurant currently operating in an outlot of the Motel at 7273 S. 27<sup>th</sup> Street. A complete project summary from Zilber is attached.

#### TIF CONSIDERATION

As stated by Zilber at the Concept Review meeting, TIF funds are required to complete the project. Ehlers has confirmed that the project meets the "but for" test as required by Wisconsin State Law. A reasonable rate of return would not be achieved, "but for" the inclusion of an identified TIF contribution. Their full report is attached.

The project was evaluated with several financial options. The preferred option includes a \$5,000,000 TIF grant for the completion of the mixed use project as originally proposed by Zilber, at an estimated value of \$24,000,000. The acquisition and demolition of the Park Motel is not cost-effective for the developer. Therefore an additional \$2,000,000 TIF contribution, structured as a pay-as-you-go (PAYGO) is suggested to cover expenses related to that action. The project would generate an estimated \$570,000 of annual property tax in its first full year of collection.

Making use of the value created by the Zilber development and increment generated elsewhere in the district, the TIF district would have sufficient funds to retire these and other current obligations in the district by 2022, four years prior to the district's scheduled closing in 2026.

As of the 2016 tax year, the two properties under discussion (7333 and 7273 S. 27<sup>th</sup> Street) pay \$43,271.42 in combined property taxes. Therefore, if the Zilber project is completed an estimated net additional \$526,700 in property taxes would be collected. The Park Motel pays an additional \$11,322 in room taxes that would not be collected in the future if the hotel is demolished. It should be noted that under new Wisconsin State Room Tax regulations, a portion of those funds must be used by the City's newly created Tourism Commission for tourism related promotion and development.

While it may be noted that not all of the collected tax revenue is retained by the City, it should also be noted that all taxing authorities contribute to TIF incentives during the life of the district. TIF legislation was designed to ensure the shared participation and benefit of overlapping taxing authorities.

In staff review of other multi-family and mixed-use developments recently approved in other suburban Milwaukee markets similar TIF contributions have been offered for projects of similar quality. Note that higher quality development projects and amenities on site generally increase a projects cost, but also increase the projects assessed value. Increased assessed values are to the City's financial benefit.

When the TID #3 project plan was amended on August 21, 2013, \$10,000,000 was budgeted for development incentives for use between 2015 and 2019. Those funds remain unspent and are available for use on this project. Because the funds are already in the approved project plan, no action would be necessary by the district's Joint Board of Review.

Ehlers recommends, and Zilber is open to, the inclusion of "look back" provisions to account for any cost-savings or operating gains realized by the developer. Analysis provided in the Ehlers report is based on estimates. The look-backs will ensure the City has the opportunity to adjust its participation in the project if costs are significantly lower and/or returns higher than initially projected. The terms of any included look-backs would be outlined in a development agreement that would require Council approval.

#### **NEXT STEPS**

If the Council approves the motion staff will assist the developer in advancing the project. Zilber expects to complete detailed plans and submit applications for plan and special use approvals within the next couple of months. Staff will also work with the developer to draft a development agreement based on the project and TIF considerations described above. All items will still require Council approval, but action on the motion will provide important direction to staff and the developer.

#### **ATTACHMENTS**

- Financial analysis report from Ehlers in the form of a letter dated March 1, 2017 to the Director of Economic Development
- Project Summary report from Zilber

#### **COUNCIL ACTION REQUESTED**

Direct staff to work with Zilber LTD. regarding a proposed mixed-use development at 7333 S. 27<sup>th</sup> Street and to pursue a development agreement that includes financial support from tax increment finance district No. 3





**EHLERS**  
LEADERS IN PUBLIC FINANCE

1 March 2017

Aaron Hertzberg  
Director of Economic Development  
City of Franklin  
9229 W Loomis Rd  
Franklin WI 53132

**RE: 27<sup>th</sup> & Minnesota – Zilber Development**

Dear Aaron,

Please find our analysis for the above referenced project.

In examining the financial need (the “but for” test required by law) for TIF participation, we were provided summarized information by Mike King of Zilber Property Group pertaining to the construction of a 180-unit residential apartment development on a currently vacant parcel, which is under contract. The project would consist of six residential buildings, a community/rec center, and to the southeast, additional land for possible development.

As part of the overall proposal, there is also the potential to acquire the Park Motel property at 7273 S. 27<sup>th</sup> Street. Upon acquisition, the Park Motel would be demolished, with the Little Cancun restaurant remaining in operation pursuant to the existing lease. The motel portion of the property would be positioned for sale separate from the restaurant, or along with the restaurant, remain a complete parcel for future sale or redevelopment. A daycare facility is being considered to acquire the portion fronting S. 27<sup>th</sup> Street at 7333 S. 27<sup>th</sup> Street, at the Southeast corner of the overall site. Zilber indicates that the apartment development will be held for a long term rental investment by the company. An evaluation of the restaurant use and potential daycare center is not part of this analysis.

The information provided consisted of a sources and uses project budget, a unit mix/rent schedule, and cashflow projection, and subsequent communications firmed up those project details. The net operating income that was capitalized to approximate a valuation based on the 10<sup>th</sup> year of operations. The schedule also contained preliminary financing assumptions for construction financing. We have incorporated the Developer’s information and assumptions in our own mathematical models to verify the Net Operating Income and the Net Cash Flow after financing, and then developed a 10-year income and expense projection for use in our analysis. The Developer also provided their calculation of assessed value for increment generation. TID #3 expires in 2026, so the TIF participation evaluation is considered within that context as well.



### **DEVELOPER BASE CASE**

Ehlers initially input the Developer's information into our financial model to replicate the income and expenses, deriving a Net Operating Income over a 10 year period and resultant sales estimate. From there, we assumed several different scenarios of development support. The outcomes are summarized below and the following data and assumptions were used:

- Developer provided rent incomes and operating expenses; and increased revenues by 2% per year, and expenses at 3%, in their projections (Ehlers TID cashflows assume no appreciation)
- Debt Service payments for the holding period were calculated based upon anticipated bank terms provided by Developer
- Franklin's current equalized tax rate of \$23.76 was used for real estate tax assumptions and TIF increment cash flow projections
- Construction assumed to commence in 2017, and first year of TIF income on the project would be 2019

The developer's initial base case request for the 180-unit project was for a \$10mm TIF Grant on a \$32.2mm (gross cost) project, or 31% of total cost. A construction loan for 55% of total cost was assumed for \$17.75mm at 4.75%, based on developer's experience in the market. Current negotiations for the motel acquisition suggest a \$2mm purchase price, and \$1.9mm for the remainder of the project's land requirement. Subsequent land sales of \$500,000 for the motel parcel, and \$750,000 for the commercial pad, were deducted from the total cost. Rents were conservatively estimated at \$1.30/sf, which Ehlers believes is slightly below market (further discussed below). Underground parking spaces, though more costly to build, were provided as part of the base rent, which is the custom for this market. More than \$1.1mm is expected to be incurred for DOT roadwork and site utilities.

The capitalization rate utilized on the net operating income was 8.0%, and selling costs were 6.0%, both in the upper end of market range. This produced an Internal Rate of Return (IRR) of 13.93% under Ehlers' calculations; the developer projections suggest a 14.58% return, however, this calculation did not take a deduction for project reserves of \$250/unit, which would lower NOI and returns accordingly, and assumed debt payoff is one month earlier than in Ehlers' model.

### **ALTERNATE SCENARIOS**

Considering the economics of other projects in the Milwaukee south suburbs, and pursuant to a market study conducted for another project within the City of Franklin, the rents and cap rate were discussed with the City and developer. It was agreed amongst the parties that though it would still be a somewhat conservative approach, the market rents should be applied at \$1.35/sf, and a cap rate of 7.5% would be more appropriate. Also, the developer suggested that loans could be arranged for 70-80% of cost; the more conservative 70% was used in our evaluations.

In addition, the developer subsequently produced a scaled-down concept of 120 apartment units, which also deleted the hotel aspect. Significant assumptions in this version also decreased the anticipated land sales for the motel parcel (NEC) from \$500,000 to \$300,000, and commercial parcel (SEC) from \$750,000 to \$500,000. These reduced release prices were utilized in all the alternate scenarios that follow, and accordingly, negatively affect project returns.

It was further acknowledged that the \$10mm TIF grant was not palatable. Ehlers was asked to evaluate several other scenarios at an approximately \$5mm support level for the apartment portion; the motel parcel was then carved out to be evaluated as a separate option, at an additional requirement of approximately \$1.85mm. This net amount was derived by adding the \$2mm land price and \$150,000 demolition costs, and reducing that by the projected \$300,000 sale of said parcel. These alternate scenarios were provided to allow the City to evaluate the scope of the project, existing and potential uses for the property, along with the desired density in the community.

#### Scenario 1: 180 APARTMENTS, MOTEL INCLUDED (12.45% IRR)

Assuming a \$5mm grant for the multifamily portion, including acquisition of the motel land and subsequent sale, and a \$1.85mm net funding in a Pay-As-You-Go (PAYGO) structure (ie, present value of PAYGO receipts) allocating 60% of the increment to the developer, the IRR was projected to be 12.45%. However, the first year of the project's operations would incur negative cashflow, as the monetized Municipal Revenue Obligation would begin payments in the years after the project is constructed and the assessment goes on the books before any share of increment is available. The PAYGO portion was incorporated to reflect the "a la carte" option of including the motel parcel in the overall context. At a 60% participation in the increment, the MRO payments would cover the developer's associated debt payments within the TID timeframe; in fact, it may be possible to close the TID early. A 70% loan-to-cost (LTC) loan of \$23.08mm was projected, and equity of \$3.04mm (9.2%) completes the \$32.97mm capital stack.

We also tested a structure of an additional \$2.0mm grant for the motel on top of the \$5mm apartment portion, with grants totaling \$7.0mm, or over 21% of cost. Equity of \$2.89mm represents 8.7% of cost. Returns under this scenario were 14.22%, which would be considered somewhat excessive in requesting public assistance.

#### Scenario 2: 180 APARTMENTS, NO MOTEL (11.5% IRR)

Under these assumptions, acquisition costs for the motel at the northeast corner of the site were stripped out of the budget, as were demolition and certain sitework costs related to that parcel. The \$300,000 sale to the daycare center was then shifted to the parcel at the southeast corner, and accordingly, the projected land sale of \$500,000 for a to-be-determined commercial use was deleted. The total gross project costs are then estimated at approximately \$31,041,000. The capital structure as proposed consists of a construction loan of \$21.73mm (70% LTC), developer equity of \$4.31mm (13.9% of total), and the aforementioned \$5mm grant (16.1%). All other items being the same (\$1.35/sf rent, 7.5% cap), this scenario yields a project value of approximately \$25mm in Year 10, and an IRR of about 11.5%.

### Scenario 3: 120 APARTMENTS, NO MOTEL

As noted above, the developer subsequently submitted an alternate plan with less density containing 120 apartment units, which totaled \$23mm in costs, again without the motel component. However, this version included a \$6mm TIF ask, rather than the City's maximum of \$5mm. Ehlers revised the sources of capital to reflect the proper amount of the TIF grant, and the resultant 70% LTC loan of \$16.2mm and equity of \$1.96mm (8.45% of total costs) for a \$23.2mm total cost. Without the motel parcel, the sale to the daycare center was relocated to the southeast parcel, and the projected commercial land sale was consequently deleted from the budget. The same "agreed-upon" market rent of \$1.35/sf and 7.5% cap rate were used in the income projections. While the total costs were reduced because of a lower number of apartments, the other costs, including sitework and DOT requirements, were spread out over fewer income-producing units. Returns on this basis were 9.96%. The project could still be increased to the full 180 units at a later date, however it is unclear if any further funding assistance would be provided by the City.

### **AFFECT ON TID VALUE AND TIMING**

Under the above alternate scenarios and related assumptions, the 180-unit project would produce a value of approximately \$25mm upon sale after a 10-year investment period and a conservative 7.5% capitalization rate. The value at initial buildout, measured at a current market cap rate of 6.75%, would be approximately \$24mm, generating an estimated \$570,000 of annual property tax in the first full year of collections. TID #3, under its statutory life, has a final revenue year collection year of 2026, therefore the tax revenue collections from this project during the remaining years of this district will not be sufficient to support the assistance requested for this project, and the tax revenue stream from the existing development value within the district will be drawn upon to support a portion of the assistance to this project. We have assumed the City would issue a taxable general obligation note to finance the \$5 million upfront assistance, and also enter into a \$1.85 million (net) non-interest bearing municipal revenue obligation if the motel parcel is included. Utilizing the tax increment from this development and the existing revenue stream of the TID, the district would have sufficient funds available to retire these obligations as well as all other current obligations of the TID by 2022, and would then be in a position to close the district earlier than its statutory life.

For the reduced scope 120-unit project, the projected sale value after a 10-year hold would be about \$16.7mm, utilizing the same conservative 7.5% cap rate; at initial completion, and at a current 6.75% cap, the project value of \$16mm and would produce first full year taxes of approximately \$380,000 per year. As stated above, due to the limited number of years remaining on the district's life, the taxes collected would not be sufficient to cover the assistance to the development and the City would need to rely on the tax revenue collection on the existing development within the district the support a \$6 million upfront contributions financed with a taxable general obligation note issue. The projected cashflow from this development and the existing TID revenue stream would be sufficient to recover the cost to finance this support and all other current obligations of the district allowing it to close in 2021. It was noted that the TID statutorily closes in 2025 with the last year of revenue available for project costs in 2026.

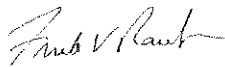
### SUMMARY

Generally, we would expect investor returns to be in the 12-15% range (IRR) depending on the product type and market location. The scenarios outlined above indicated a range between nearly 10% to 12.5% depending on the size/density of the project, which we feel are reasonable assuming a \$5mm grant for the primary (apartment) portion of the project, and a PAYGO component if the motel piece is included. In the latter analysis, it was assumed that the City would provide 60% of the increment to the developer. It has been noted that the revenue projections and other assumptions have been conservatively estimated for this process. In this instance, the developer's numbers indicated that rents of \$1.65/sf would be needed to make the project viable without City assistance but are not achievable in the market; we are using \$1.35 per foot in this analysis, and at that level, the project would not be undertaken but for the City's participation by way of a grant and/or PAYGO assistance.

Since the costs and revenues that have been provided by the developer are conservative estimates, we believe that it would be prudent for the City to include cost-saving provisions in any agreement to provide assistance to this project. Upon completion of construction, a cost review should be performed to ensure the requested funds were incorporated into the project, thus satisfying part of the "but for" test of the need for project support. Secondly, an operating "look-back" provision should also be included, which would be performed at the earlier of a project sale, or, after a 10 year operating period, a "mock sale" to be calculated at prevailing market rates at that time. Doing so would allow the City to re-calculate the return based upon actual costs and developer returns, and would allow for the City to adjust its participation if the costs are significantly lower and/or the returns higher than projected up front.

Please let us know if there is any further analysis you would like us to perform.

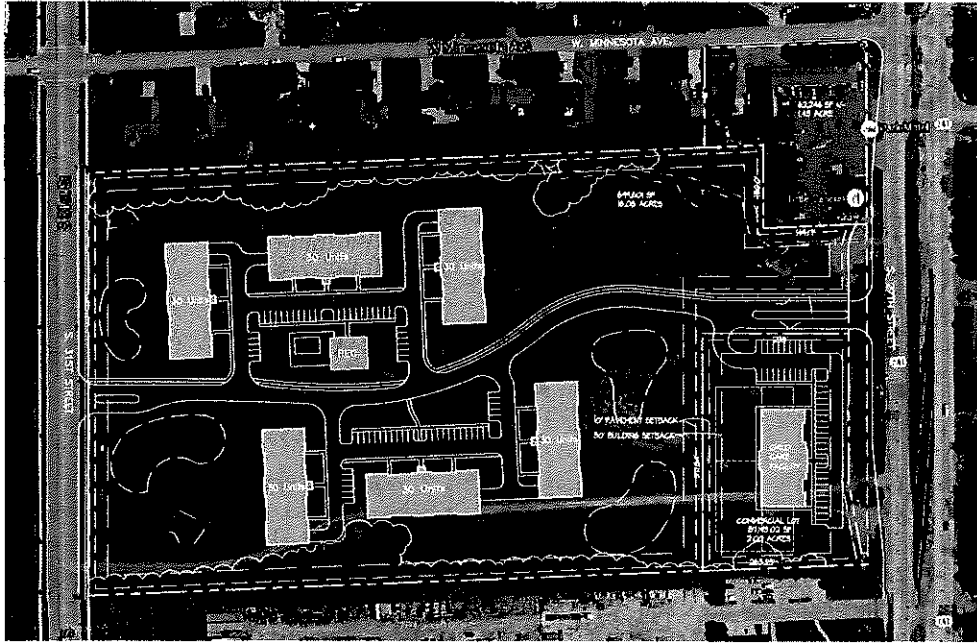
Kind Regards,



Frank Roman  
Municipal Advisor

cc: Mike Harrigan, Ehlers  
Dawn Gunderson, Ehlers

# Project Summary



Mixed Use Development at  
7333 S. 27<sup>th</sup> Street, Franklin, WI

Common Council Meeting March 7, 2017

**ZILBER**  
PROPERTY GROUP<sub>SM</sub>

---

### Project Summary

Zilber Property Group is proposing a high quality mixed use project located at 7333 S. 27<sup>th</sup> Street. The parcel is approximately 18 acres that was previously programmed to be a YMCA facility. The project consists of a 180-unit multi-family community and the development of a commercial day care operation. The project could also include an adjoining parcel currently occupied by a motel and a separate restaurant building at the discretion of the Council. If included, the motel would be razed and marketed as an additional commercial development parcel with the restaurant intended to remain as is.

After extensive market review this was determined to be the appropriate mix of uses to balance the competing goals of maximizing the tax value of the development, creating additional commercial development along 27<sup>th</sup> Street, and being an appropriate transitional use between the existing adjacent single family houses along Minnesota Street and existing commercial property. All parking requirements will be met on-site. Storm water management will follow City and DNR requirements. The development will include a public street connecting 27<sup>th</sup> to 31<sup>st</sup> street providing easy and adequate access to and from the site. The former YMCA parcel is currently zoned B-4 south 27<sup>th</sup> street mixed use commercial zoning district. The project uses are allowed under the current zoning, although the multi-family component will require a special use permit.

### Developer

This project will be developed by Zilber Ltd., a privately held diverse real estate company headquartered in Wisconsin since being founded by Joseph J. Zilber in 1949. Under Zilber's Homes by Towne and Towne Island Homes brands, Zilber builds single family homes and condos in six states; and under our Zilber Property Group brand, we have approximately 4.5 million square feet of office/light industrial buildings and just over 1,000 apartments.

### Project Consistency with 27<sup>th</sup> Street Plan

Zilber's proposed project uses are allowed under the existing B-4 south 27<sup>th</sup> street mixed use commercial zoning district. The development is consistent with the mixed use land use identified in the Comprehensive Master Plan Future Land Use Map. It is also consistent with the overall goals, primary uses, and land use recommendations of the 27<sup>th</sup> Street Corridor Plan and District 2 within the 27<sup>th</sup> Street Corridor Plan.

### Market rate apartment community

The 180 market rate rental community will be developed in six three-story thirty unit buildings with underground parking included for every unit. The apartments will be a mix between one and two bedroom units, with average rents of approximately \$1,100-\$1,200 for a one bedroom and \$1,400-\$1,500 for a two bedroom. The buildings will have high quality facades, incorporating materials such as masonry and wood.

The buildings will be designed with flat roofs to keep the overall height consistent with pitched roof, two story homes, which will set the building heights well below the maximum allowed per zoning. Three story buildings versus two story buildings reduce the required footprint space and allow the development to be positioned towards the inside of the property. This creates a much larger distance from the lot line to the buildings, and retains a large amount of open green space. Approximately 10 acres, almost 70% of the land area, will remain open or green space. We plan on preserving the existing tree line along both property boundaries and as many trees as possible on-site. Additional enhanced landscaping will be provided along the natural tree buffer adjacent to the residential neighbors.

The community will feature an office and community building, providing the amenity package desired by today's tenants including a pool and sun deck, fitness center, community gathering space with kitchen area, picnic areas with outdoor grilling stations, and pet friendly amenities including a fenced dog park. The units will feature high quality modern finishes, ample storage, and a full appliance package including washers and dryers. All units will also feature outdoor living space on patios and balconies.

### Commercial parcel(s)

A commercial parcel along 27<sup>th</sup> Street for a growing well managed day care operator or other uses, will be consistent the City's desire for commercial activity in this area as outlined in the 27<sup>th</sup> Street Corridor Plan. In discussions with Northwestern Mutual they indicated that they view this use to be of good value for them. Having nearby services available for their employees is high on their priority list. The use will also provide service for the nearby residential neighborhoods along with our rental community.

The motel parcel, if included, would provide additional redevelopment opportunities. The motel parcel is under contract if the Council desires to include it in the project. If included, we will acquire and raze the motel while marketing it to commercial users. The restaurant lease is intended to be assumed with the restaurant continuing to operate per usual.

### Conclusion

The proposed mixed use project will provide significant value for the City. The currently vacant infill parcel achieves its highest and best use through this proposal. It will fill a need in the marketplace for rental units and provide a housing option for employees of nearby business as well as downtown Milwaukee via I-94. The commercial component will provide much needed services to nearby employers and residents. In addition, the new households will also drive demand for additional retail and commercial uses in the surrounding areas.



### Tax Incremental Financing Assistance

The costs to create the development and realize the assessed value discussed above are in excess of what can be supported by market rents. In order to allow the project to be viable and economically sustainable, city TIF assistance will be required for aspects of the development such as the underground parking, site improvement work, creation of the commercial sites, and the roadway connecting 27<sup>th</sup> street to 31<sup>st</sup> street. Our goal is to create a development that will be an important asset to the community for the long term.

The site is located within the boundaries of TIF district #3. Per the cash flow model report dated December 31, 2015, the district has a final year of allowable project expenditures of 2020 with the final year of the district being 2026. There is currently \$10 million of unallocated project costs within the district.

Over the last few months we have worked with the City and Ehlers to review, analyze, and conclude on our proposed project and financial projections. The final Ehlers report concludes that the project would not be economically feasible but for the existence of City financing, and that the proforma project costs, revenues, and expenses would provide an acceptable but not excessive return. The assistance package being requested for this project is inline with what other developers have required on current projects of this type. It is important to differentiate this product type with elevators, 100% of units with enclosed parking, and modern high quality facades from more garden walk-up style projects with different economic models.

Ehler's conclusions are included in the packages being submitted to you for consideration today. The former YMCA parcel would include a \$5M City funded TIF grant. If added on, the motel component would include a \$2M developer funded paygo arrangement. If included, the two packages would be repaid with interest on a pro-rata basis. Ehlers concluded that both options can be conservatively expected to be paid off with a few additional years cushion in the life of the TIF district.

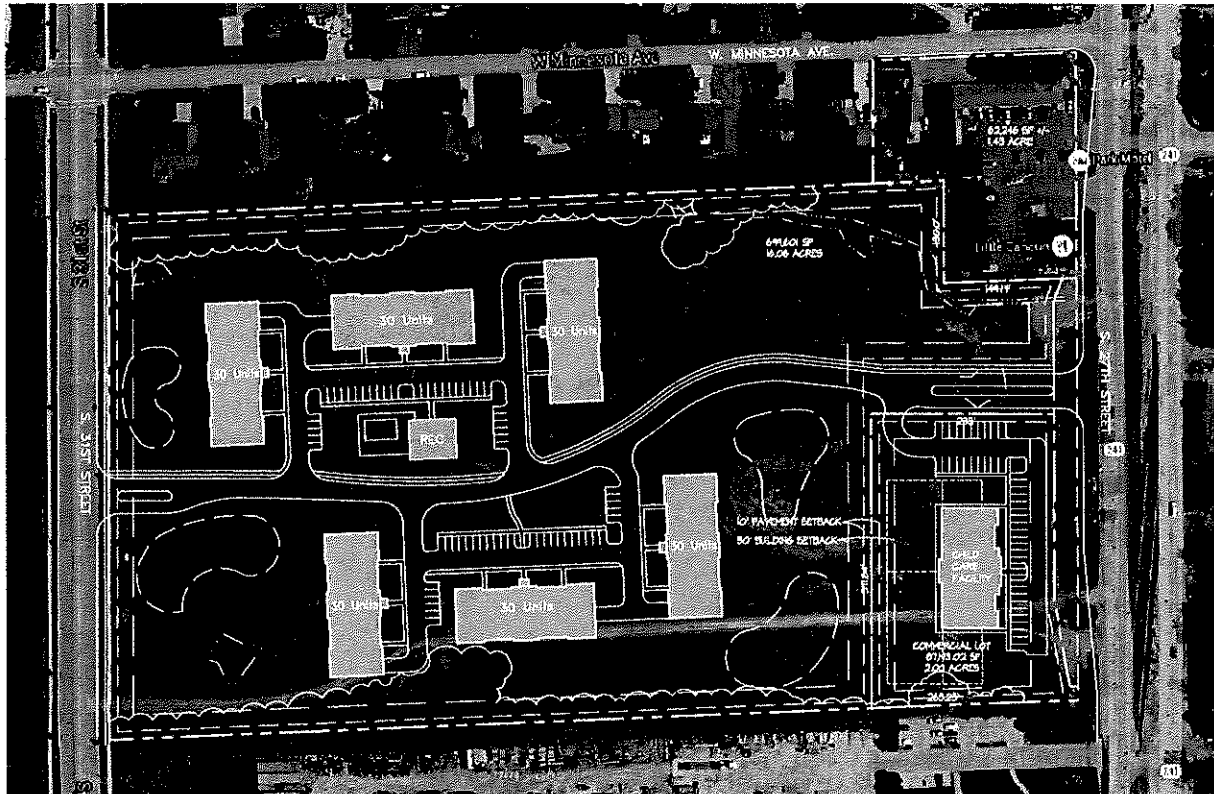
If the City approves use of the existing TIF district we will work closely with staff and outside experts and all of our proformas, costs, and expenditures will be open book. We will agree to look back provisions that would allow any project development cost savings to be passed on to the City, creating an effective public/private partnership on the project. We expect that the assistance required will be approximately 20%-25% of total project values. This is in-line with what we have seen on other current mixed-use projects and there is a large enough funding gap that the project will not be economically viable without it.

### **Enclosures:**

Site plan

Site map

**Mixed Use Development at  
7333 S. 27<sup>th</sup> Street, Franklin, WI  
Site Plan**



**Mixed Use Development at  
7333 S. 27<sup>th</sup> Street, Franklin, WI  
Site Map**



**BLANK PAGE**

APPROVAL <i>Slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 03/07/17
REPORTS & RECOMMENDATIONS	ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE (ZONING MAP) TO REZONE CERTAIN PARCELS OF LAND FROM C-1 CONSERVANCY DISTRICT AND FW FLOODWAY DISTRICT TO R-3E SUBURBAN/ESTATE SINGLE-FAMILY RESIDENCE DISTRICT (7145 SOUTH WOELFEL ROAD) (APPROXIMATELY 13,363.0 TOTAL SQUARE FEET) (JEFFREY D. PEELLEN AND ROXANNE M. PEELLEN, APPLICANTS)	ITEM NUMBER <i>G.3.</i>

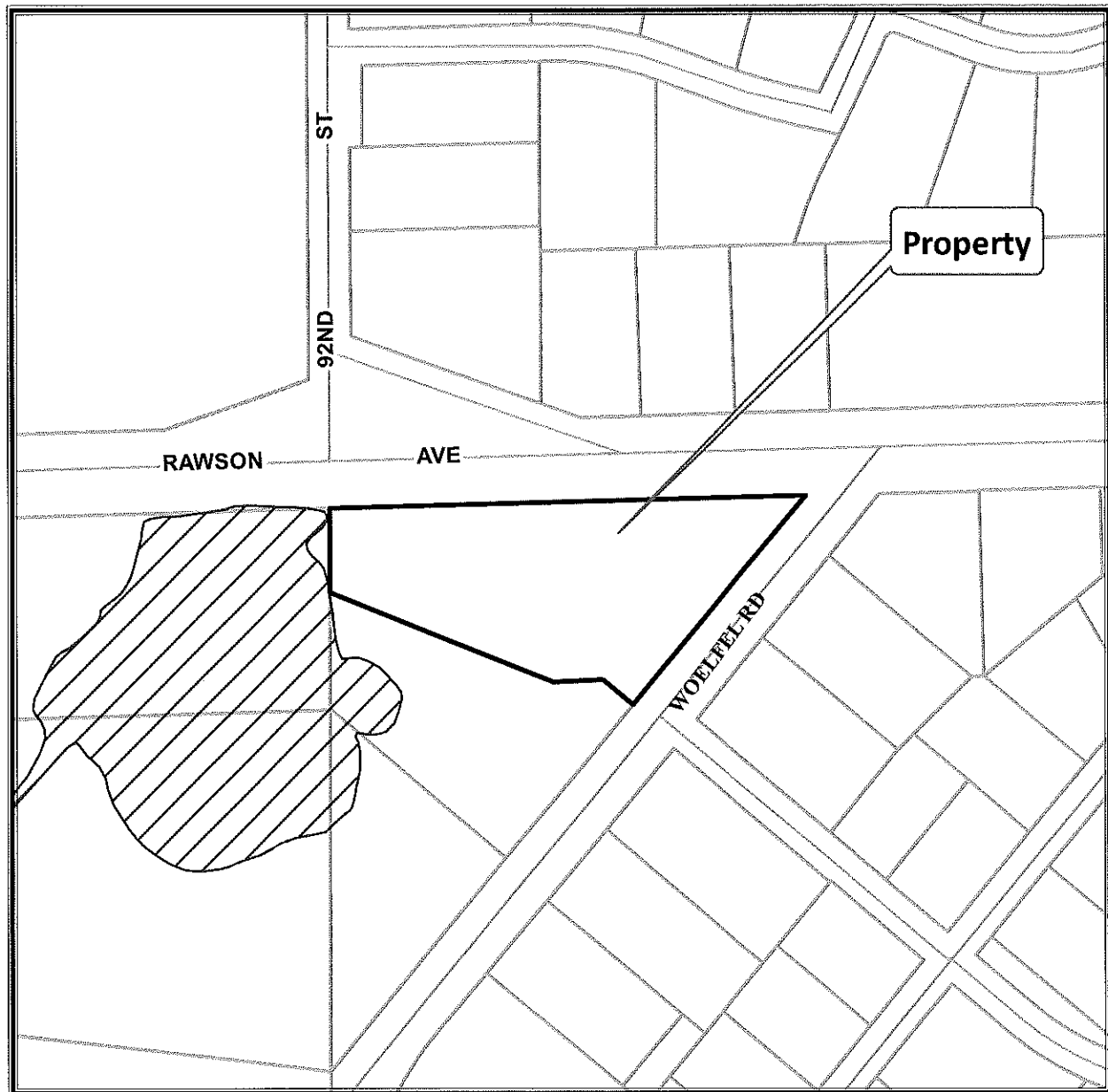
At their February 23, 2017 meeting, following a properly noticed public hearing, the Plan Commission recommended approval of an ordinance to amend the Unified Development Ordinance (Zoning Map) to rezone certain parcels of land from C-1 Conservancy District and FW Floodway District to R-3E Suburban/Estate Single-Family Residence District (7145 South Woelfel Road) (approximately 13,363.0 total square feet) (Jeffrey D. Peelen and Roxanne M. Peelen, Applicants).

#### COUNCIL ACTION REQUESTED

A motion to adopt Ordinance 2017-\_\_\_\_\_, an ordinance to amend the Unified Development Ordinance (Zoning Map) to rezone certain parcels of land from C-1 Conservancy District and FW Floodway District to R-3E Suburban/Estate Single-Family Residence District (7145 South Woelfel Road) (approximately 13,363.0 total square feet) (Jeffrey D. Peelen and Roxanne M. Peelen, Applicants).



7145 S. Woelfel Rd.  
TKN 754 9994 024



Planning Department  
(414) 425-4024

0 155 310 620 Feet

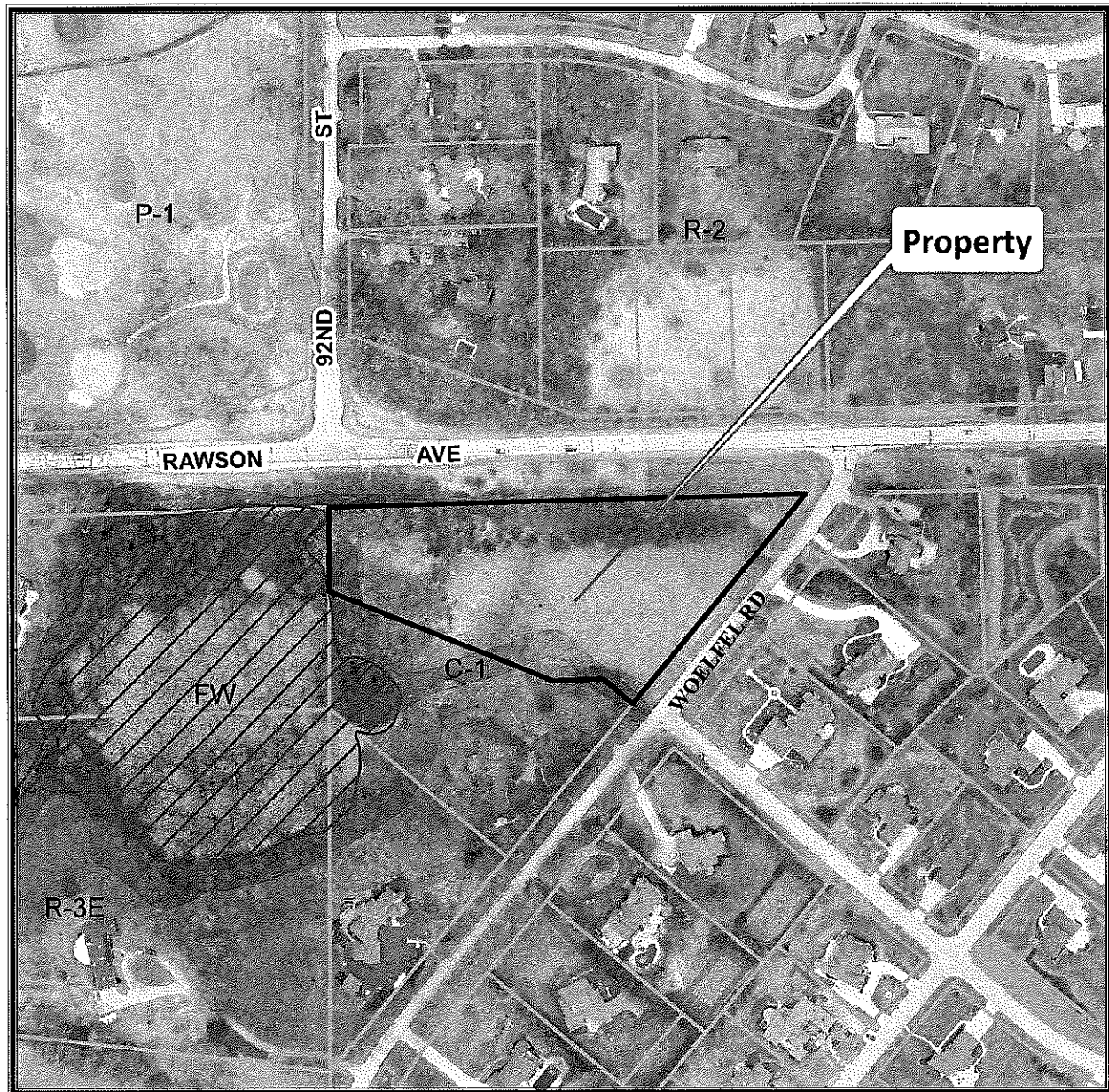
*This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor. This map is provided for informational purposes only and may not be sufficient or appropriate for legal, engineering, or surveying purposes.*



2017 Aerial Photo



7145 S. Woelfel Rd.  
TKN 754 9994 024



Planning Department  
(414) 425-4024

0 155 310 620 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

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

Meeting of February 23, 2017

**Rezoning**


---

**RECOMMENDATION:** City Development Staff recommends approval of the proposed Rezoning, subject to the conditions in the draft ordinance.

---

<b>Project Name:</b>	Peelen Rezoning
<b>Project Address:</b>	7145 South Woelfel Road
<b>Applicant:</b>	Jeffrey Peelen
<b>Owners (property):</b>	Jeffrey D. and Roxanne M. Peelen
<b>Current Zoning:</b>	R-3E Suburban/Estate Single-Family Residence District; C-1 Conservancy District; FW Floodway District
<b>Proposed Zoning:</b>	R-3E Suburban/Estate Single-Family Residence District
<b>2025 Future Land Use:</b>	Residential
<b>Use of Surrounding Properties:</b>	Single-family residential to the north, south, east and west
<b>Applicant Action Requested:</b>	Recommendation of approval of the Rezoning request

---

**Project Description and Analysis:**

On January 17, 2017, the applicant filed an application requesting to rezone the C-1 Conservancy District and FW Floodway District portions of land upon property located at 7145 S. Woelfel Road to R-3E Suburban/Estate Single-Family Residence District.

The Plan Commission and Common Council recently approved a Certified Survey Map for the subject property, removing the outlot designation, thus creating a buildable lot. The CSM was approved with a condition stating, "Applicant shall apply for a Rezoning Application to remove the existing C-1 Conservancy District and FW Floodway District zoning upon any application for a permit to build an accessory structure upon or adjacent to the C-1 area." The applicant has decided to move forward with the rezoning request at this time.

Staff recommended removal of the C-1 Conservancy District as it is no longer utilized by the City (see Section 15-1.0111 below).

**SECTION 15-1.0111 REPEAL**

**A. Repeal of Zoning Ordinance.** The City of Franklin Ordinance No. 221 adopted on February 6, 1968 and subsequent amendments thereto, relating to the zoning of land is hereby repealed and all other Ordinances or parts of Ordinances of the City of Franklin inconsistent or conflicting with this Ordinance, to the extent of the inconsistency or conflict only, are hereby repealed, excepting Section 8.5 of Ordinance No. 221 (B-4 Regional Shopping District) and Section 12.1 of Ordinance No. 221 (C-1 Conservancy District), which shall remain in effect until such time, after duly held public hearing, as the Common Council rezones the lands in a B-4 or C-1 zoning pursuant to Ordinance No. 221 to a zoning district



provided for within this Ordinance. Immediately upon approval of said rezonings, the aforementioned Sections 8.5 and 12.1 shall be repealed without further public hearing.

Furthermore, per the applicant's NRPP and in review of the 2008 FEMA mapping, there is no floodplain located on the property. As such, staff also suggested that the applicant rezone the FW District located on the property.

Note that protected natural resources onsite will be placed within a conservation easement. The conservation easement has been submitted, signed by all parties and was recently sent to the Milwaukee County Register of Deeds for recording.

**Staff Recommendation:**

City Development Staff recommends approval of the proposed Rezoning, subject to the conditions in the draft ordinance.

STATE OF WISCONSIN

CITY OF FRANKLIN

MILWAUKEE COUNTY

ORDINANCE NO. 2017-\_\_\_\_\_

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT  
ORDINANCE (ZONING MAP) TO REZONE CERTAIN PARCELS  
OF LAND FROM C-1 CONSERVANCY DISTRICT AND FW FLOODWAY DISTRICT  
TO R-3E SUBURBAN/ESTATE SINGLE-FAMILY RESIDENCE DISTRICT  
(7145 SOUTH WOELFEL ROAD)  
(APPROXIMATELY 13,363.0 TOTAL SQUARE FEET)  
(JEFFREY D. PEELEN AND ROXANNE M. PEELEN, APPLICANTS)

---

WHEREAS, Jeffrey D. Peelen and Roxanne M. Peelen having petitioned for the rezoning of certain parcels of land from C-1 Conservancy District and FW Floodway District to R-3E Suburban/Estate Single-Family Residence District, such land being located at 7145 South Woelfel Road; and

WHEREAS, a public hearing was held before the City of Franklin Plan Commission on the 23rd day of February, 2017, upon the aforesaid petition and the Plan Commission thereafter having determined that the proposed rezoning would promote the health, safety and welfare of the City and having recommended approval thereof to the Common Council; and

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

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

SECTION 1:        §15-3.0102 (Zoning Map) of the Unified Development Ordinance of the City of Franklin, Wisconsin, is hereby amended to provide that the zoning district designation for the property described below be changed from C-1 Conservancy District and FW Floodway District to R-3E Suburban/Estate Single-Family Residence District:

Legal description of land zoned C-1:

Part of Outlot 1 of Certified Survey Map No. 8048, being a part of the Northwest 1/4 of the Northwest 1/4 of Section 9, Township 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 1/4 Section; thence South 00°03'00" East, along the West

line of said 1/4 Section a distance of 75.02 feet to a point in the South line of West Rawson Avenue; thence continuing South 00°03'00" East along said West line 136.67 feet to a point; thence South 68°26'29" East, 261.47 feet to the point of beginning of land to be described; thence North 72°48'07" East, 107.29 feet to a point; thence Southeasterly 51.98 feet along an arc of a curve whose center lies to the Southwest, whose radius is 52.00 feet, and whose chord bears South 78°33'46" East, 49.84 feet to a point; thence South 49° 55'40" East, 146.07 feet to a point; thence South 39°51'06" West, 17.11 feet to a point; thence North 50°08'54" East, 63.60 feet to a point; thence South 87°11'19" West, 26.84 feet to a point; thence North 47°06'42" West, 31.52 feet to a point; thence Northwesterly 56.54 feet along an arc of a curve whose center lies to the Southwest, whose radius is 52.00 feet, and whose chord bears North 78°15'35" West, 53.79 feet to a point; thence South 70°35'31" West, 37.32 feet to a point; thence North 68°26' 29" West, 70.48 feet to the point of beginning. Said land contains 8,661.0 square feet.

Legal description of land zoned FW:

Part of Outlot 1 of Certified Survey Map No. 8048, being a part of the Northwest 1/4 of the Northwest 1/4 of Section 9, Township 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 1/4 Section; thence South 00°03'00" East, along the West line of said 1/4 Section a distance of 75.02 feet to a point in the South line of West Rawson Avenue; thence continuing South 00°03'00" East along said West line 0.68 feet to the point of beginning of land to be described; thence Northeasterly 85.44 feet along an arc of a curve whose center lies to the Northeast, whose radius is 80.18 feet, and whose chord bears North 88°02'32" East, 81.46 feet to a point; thence South 88°31'09" West, 81.44 feet to the point of beginning. Said land contains 640.0 square feet and; Commencing at the Northwest corner of said 1/4 Section; thence South 00°03'00" East, along the West line of said 1/4 Section a distance of 75.02 feet to a point in the South line of West Ryan Road; thence continuing South 00°03'00" East, along said West line 69.32 feet to the point of beginning of land to be described; thence Northeasterly 31.56 feet along an arc of a curve whose center lies to the Southeast, whose radius is 33.51 feet, and whose chord bears North 68°07'37" East, 30.41 feet to a point; thence Southeasterly 20.86 feet along an arc of a curve whose center lies to the Southwest, whose radius is 26.42 feet, and whose chord bears South 60°23'41" East, 20.32 feet to a point; thence South 04° 47'56" East, 4.45 feet to a point;

thence South 01°41'11" West, 8.53 feet to a point; thence Southeasterly 68.84 feet along an arc of a curve whose center lies to the Northeast, whose radius is 613.32 feet, and whose chord bears South 04°17'01" East, 68.80 feet to a point; thence Southeasterly 9.26 feet along an arc of a curve whose center lies to the Northeast, whose radius is 22.96 feet, and whose chord bears South 21°15'43" East, 9.20 feet to a point; thence North 68°26'29" West, 58.51 feet to a point; thence North 00°03'00" West, 67.35 feet to the point of beginning. Said land contains 4062.0 square feet. Tax Key No. 754-9994-024.

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 \_\_\_\_\_, 2017, by Alderman \_\_\_\_\_.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

APPROVED:

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

ATTEST:

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

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

**Property Owner:**  
 Jeffrey D. and Roxanne M. Peelen  
 4683 W. Alanna Court  
 Franklin, WI 53132

**Line Table**

Line #	Length	Bearing
L1	26.84	S87° 11' 19"W
L2	63.60	N50° 08' 54"W
L3	80.60	N87° 11' 19"E
L4	61.58	N68° 26' 29"W
L5	37.32	S70° 35' 31"W
L6	31.52	N47° 06' 42"W
L7	58.51	N68° 26' 29"W
L8	8.53	S1° 41' 11"W
L9	4.45	S4° 47' 56"E
L12	69.32	S0° 03' 00"E
L13	67.35	N0° 03' 00"W
L14	0.68	S0° 03' 00"E

**Curve Table**

Curve #	Length	Radius	Chord Bearing	Chord
C2	51.98	52.00	S78° 33' 45"E	49.84
C4	56.54	52.00	N78° 15' 35"W	53.79
C5	9.26	22.96	S21° 15' 43"E	9.20
C6	20.86	26.42	S60° 23' 41"E	20.32
C7	31.56	33.51	N68° 07' 37"E	30.41

**Zoning Table**

Zoning	Area
FW	4,702 SQ.FT.
C-1	8,661 SQ.FT.
R-3E	150,023 SQ.FT.

**Current zoning:** R3-E, FW and C-1  
**Proposed zoning:** R3-E  
 Areas to be rezoned

**Project:** 7145 S. Woelfel Road  
**Rezoning:**

**Revision Date:**

**Scale:** 1" = 60'

Line Table		
Line #	Length	Bearing
L1	26.84	S87° 11' 19"W
L2	63.69	N50° 08' 54"W
L3	80.60	N87° 11' 19"E
L4	61.58	N68° 26' 29"W
L5	37.32	S70° 35' 31"W
L6	31.92	N47° 06' 42"W
L7	58.51	N68° 26' 29"W
L8	8.53	S1° 41' 11"W
L9	4.45	S4° 47' 56"E
L12	69.32	S0° 03' 00"E
L13	67.35	N0° 03' 00"W
L14	0.68	S0° 03' 00"E

Curve Table				
Curve #	Length	Radius	Chord Bearing	Chord
C2	51.98	52.00	S78° 33' 46"E	49.84
C4	56.54	52.00	N78° 15' 35"W	53.79
C5	9.26	22.96	S21° 15' 43"E	9.20
C6	20.86	26.42	S60° 23' 41"E	20.32
C7	31.56	33.51	N68° 07' 37"E	30.41

ZONING	AREA
FV	4,702 SQ.FT.
C-1	8,661 SQ.FT.
R-3E	150,023 SQ.FT.

SCALE: 1" = 60'

## Legal description of land zoned C-1

Part of Outlot 1 of Certified Survey Map No. 8048, being a part of the Northwest 1/4 of the Northwest 1/4 of Section 9, Township 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 1/4 Section; thence South 00°03'00" East, along the West line of said 1/4 Section a distance of 75.02 feet to a point in the South line of West Rawson Avenue; thence continuing South 00°03'00" East along said West line 136.67 feet to a point; thence South 68°26'29" East, 261.47 feet to the point of beginning of land to be described; thence North 72° 48' 07" East, 107.29 feet to a point; thence Southeasterly 51.98 feet along an arc of a curve whose center lies to the Southwest, whose radius is 52.00 feet, and whose chord bears South 78° 33' 46" East, 49.84 feet to a point; thence South 49° 55' 40" East, 146.07 feet to a point; thence South 39° 51' 06" West, 17.11 feet to a point; thence North 50° 08' 54" East, 63.60 feet to a point; thence South 87° 11' 19" West, 26.84 feet to a point; thence North 47° 06' 42" West, 31.52 feet to a point; thence Northwesterly 56.54 feet along an arc of a curve whose center lies to the Southwest, whose radius is 52.00 feet, and whose chord bears North 78° 15' 35" West, 53.79 feet to a point; thence South 70° 35' 31" West, 37.32 feet to a point; thence North 68° 26' 29" West, 70.48 feet to the point of beginning.

Said land contains 8,661.0 square feet.

## Legal description of land zoned FW

Part of Outlot 1 of Certified Survey Map No. 8048, being a part of the Northwest 1/4 of the Northwest 1/4 of Section 9, Township 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 1/4 Section; thence South 00°03'00" East, along the West line of said 1/4 Section a distance of 75.02 feet to a point in the South line of West Rawson Avenue; thence continuing South 00°03'00" East along said West line 0.68 feet to the point of beginning of land to be described;

thence Northeasterly 85.44 feet along an arc of a curve whose center lies to the Northeast, whose radius is 80.18 feet, and whose chord bears North 88° 02' 32" East, 81.46 feet to a point; thence South 88° 31' 09" West, 81.44 feet to the point of beginning.

Said land contains 640.0 square feet

and;

Commencing at the Northwest corner of said 1/4 Section; thence South 00°03'00" East, along the West line of said 1/4 Section a distance of 75.02 feet to a point in the South line of West Ryan Road; thence continuing South 00°03'00" East, along said West line 69.32 feet to the point of beginning of land to be described;

thence Northeasterly 31.56 feet along an arc of a curve whose center lies to the Southeast, whose radius is 33.51 feet, and whose chord bears North 68° 07' 37" East, 30.41 feet to a point; thence Southeasterly 20.86 feet along an arc of a curve whose center lies to the Southwest, whose radius is 26.42 feet, and whose chord bears South 60° 23' 41" East, 20.32 feet to a point; thence South 04° 47' 56" East, 4.45 feet to a point; thence South 01° 41' 11" West, 8.53 feet to a point; ; thence Southeasterly 68.84 feet along an arc of a curve whose center lies to the Northeast, whose radius is 613.32 feet, and whose chord bears South 04° 17' 01" East, 68.80 feet to a point; ; thence Southeasterly 9.26 feet along an arc of a curve whose center lies to the Northeast, whose radius is 22.96 feet, and whose chord bears South 21° 15' 43" East, 9.20 feet to a point; thence North 68° 26' 29" West, 58.51 feet to a point; thence North 00° 03' 00" West, 67.35 feet to the point of beginning.

Said land contains 4062.0 square feet

PARCEL_ID	OWNR_NAME1	OWNR_NAME2	OMAIL_STRE	OMAIL_CITY	OMAIL_STAT	OMAIL_ZIP	Zone
745 8995 003	BORCHARDT FAMILY TRUST		W234S5460 BIG BEND RD	WAUKESHA	WI	53189	R-2
745 8996 000	SCHERPEN, BRIGITTE		8842 W RAWSON AVE	FRANKLIN	WI	53132	R-2
753 9991 000	PODD, PERRY S & SANDRA C		9301 W RAWSON AVE	FRANKLIN	WI	53132	R-3E
753 9991 000	PODD, PERRY S & SANDRA C		9301 W RAWSON AVE	FRANKLIN	WI	53132	R-3E
754 9993 006	BERNANDER, TERRY I & DEBORAH A REVOC TRUST		7140 S WOELFEL RD	FRANKLIN	WI	53132	R-3E
754 9994 024	BRISCOE, TERRY D & MARY M	C/O NATIONAL INSURANCE SERVICES	250 SOUTH EXECUTIVE DR	BROOKFIELD	WI	53005	R-3E
754 9994 023	BRISCOE, TERRY D & MARY M	C/O NATIONAL INSURANCE SERVICES	250 SOUTH EXECUTIVE DR	BROOKFIELD	WI	53005	R-3E
745 8995 004	BORCHARDT FAMILY TRUST		W234S5460 BIG BEND RD	WAUKESHA	WI	53189	R-2
754 9994 021	GUENDEL, CHRISTOPHER R & REBECCA M		7160 S WOELFEL RD	FRANKLIN	WI	53132	R-3E
754 9993 005	HASKINS, CRAIG M; HASKINS, D'ANN M		7120 S WOELFEL RD	FRANKLIN	WI	53132	R-3E
754 9994 022	BRISCOE, TERRY D & MARY M	C/O NATIONAL INSURANCE SERVICES	250 SOUTH EXECUTIVE DR	BROOKFIELD	WI	53005	R-3E
754 9993 003	KONICEK, DANIEL & KRISTIN		7102 S WOELFEL RD	FRANKLIN	WI	53132	R-3E
745 8995 005	BORCHARDT FAMILY TRUST		W234S5460 BIG BEND RD	WAUKESHA	WI	53189	R-2
753 9993 001	BRISCOE, TERRY D & MARY M	C/O NATIONAL INSURANCE SERVICES	250 SOUTH EXECUTIVE DR	BROOKFIELD	WI	53005	R-3E
745 8993 000	KUSS, CHERYL L		7050 S 92ND ST	FRANKLIN	WI	53132	R-2



APPROVAL <i>Slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE  03/07/17
REPORTS & RECOMMENDATIONS	RESOLUTION TO AMEND RESOLUTION NOS. 98-4751 AND 2000-4979, IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR PROPERTY LOCATED AT 2803 WEST SOUTHLAND DRIVE TO ALLOW FOR CONSTRUCTION OF A BUILDING ADDITION TO THE EXISTING JERRY'S AUTO XPRESSIONS BUILDING (JERRY KEZMAN, D/B/A JERRY'S AUTO XPRESSIONS, APPLICANT)	ITEM NUMBER  <i>G.4.</i>

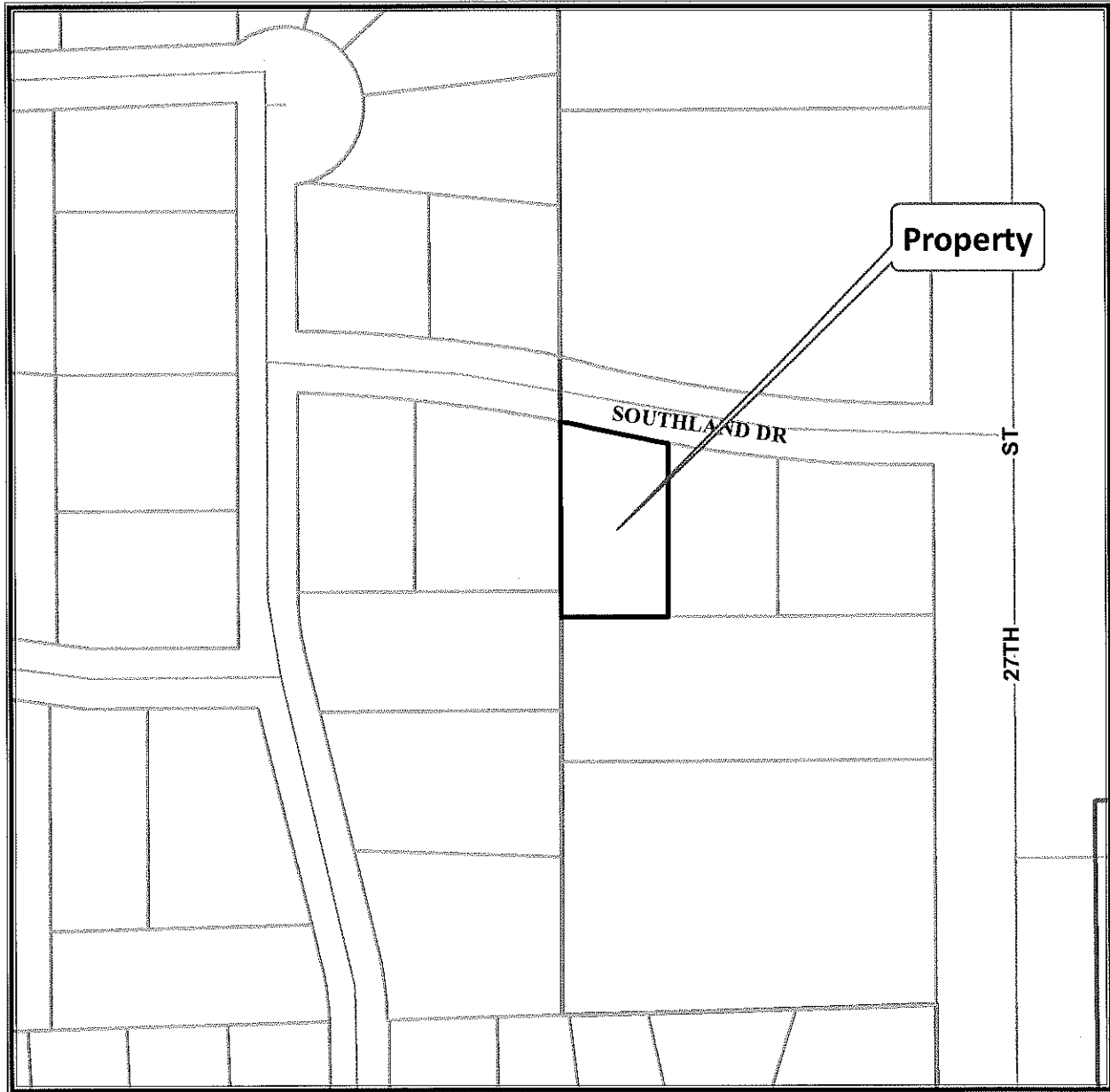
At its February 23, 2017 meeting, the Plan Commission recommended approval of a resolution to amend Resolution Nos. 98-4751 and 2000-4979, imposing conditions and restrictions for the approval of a special use for property located at 2803 West Southland Drive to allow for construction of a building addition to the existing Jerry's Auto Xpressions building (Jerry Kezman, d/b/a Jerry's Auto Xpressions, Applicant).

#### COUNCIL ACTION REQUESTED

A motion to adopt Resolution No. 2017-\_\_\_\_\_, a resolution to amend Resolution Nos. 98-4751 and 2000-4979, imposing conditions and restrictions for the approval of a special use for property located at 2803 West Southland Drive to allow for construction of a building addition to the existing Jerry's Auto Xpressions building (Jerry Kezman, d/b/a Jerry's Auto Xpressions, Applicant).



2803 W. Southland Drive  
TKN 855 9973 003



Planning Department  
(414) 425-4024

0 95 190 360 Feet

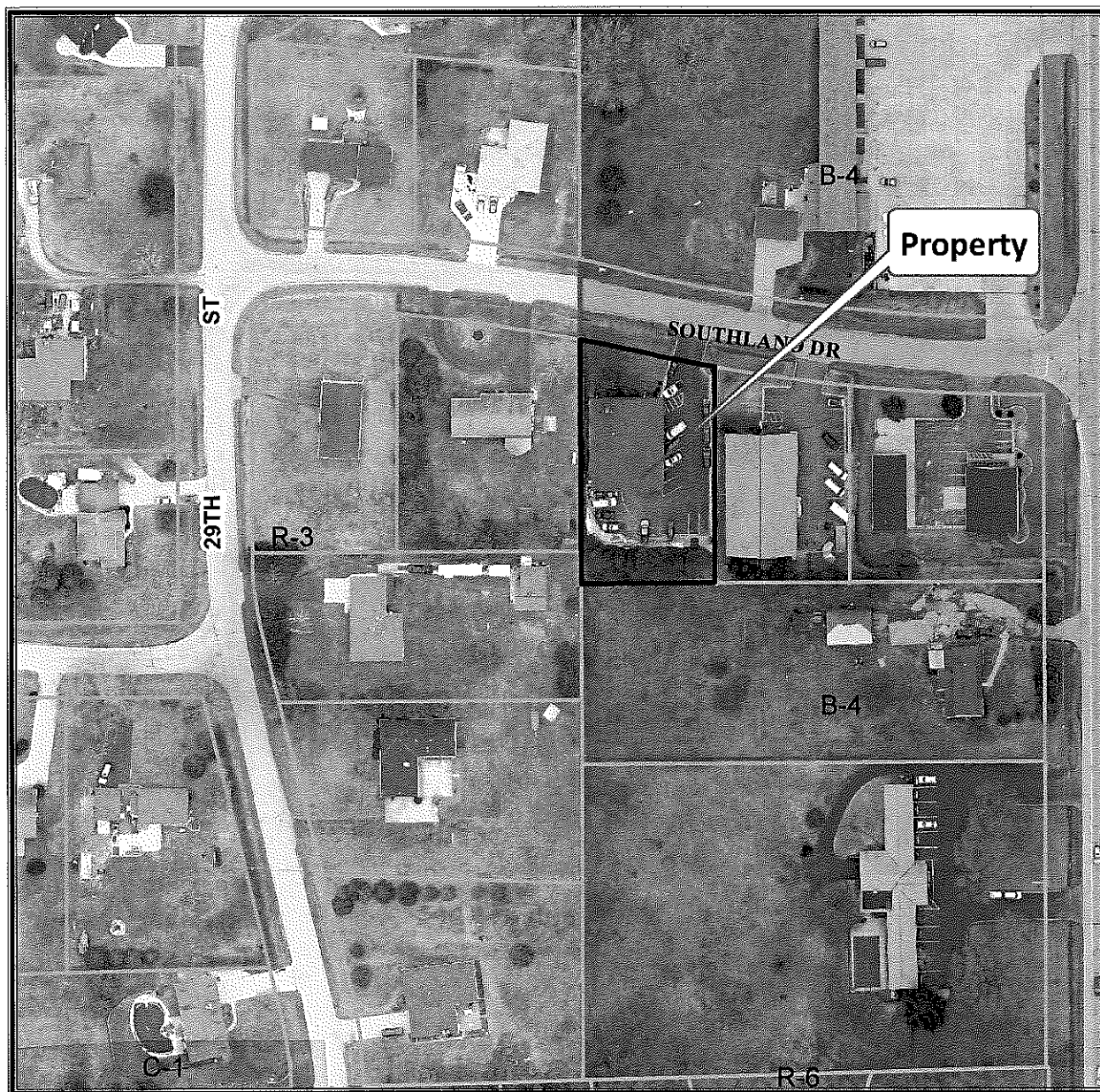
*This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor. This map is provided for informational purposes only and may not be sufficient or appropriate for legal, engineering, or surveying purposes.*



2017 Aerial Photo



2803 W. Southland Drive  
TKN 855 9973 003



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.*



# CITY OF FRANKLIN



Items C.1.

## REPORT TO THE PLAN COMMISSION

Meeting of February 23, 2017

### Special Use Amendment

---

**RECOMMENDATION:** Department of City Development staff recommends approval of the Special Use Amendment, subject to the conditions in the draft resolution.

---

<b>Project Name:</b>	Jerry's Auto Xpressions Special Use Amendment
<b>Project Address:</b>	2803 West Southland Drive
<b>Applicant:</b>	Jerry and Maureen Kezman
<b>Property Owner:</b>	Jeremy and Maureen Kezman
<b>Current Zoning:</b>	B-4 South 27 <sup>th</sup> Street Mixed Use Commercial District
<b>2025 Comprehensive Plan</b>	Mixed Use
<b>Use of Surrounding Properties:</b>	Commercial to the north and east, two-family residential (zoned B-4 District) to the south and single-family residential to the west
<b>Applicant Action Requested:</b>	Approval of the Special Use Amendment Application for the proposed building addition

---

### Introduction

Please note:

- Staff recommendations are underlined, in italics and are included in the draft ordinance.

On January 12, 2017, the applicant submitted a Special Use Amendment application requesting approval of an addition to the existing building located at 2803 W. Southland Drive. The property is currently owned and operated by Jerry and Maureen Kezman, d/b/a Jerry's Auto Xpressions. The applicant has indicated that additional interior building space is needed for parking cars following repairs.

A Special Use was granted in 1998 for a used car, sales and reconditioning center business use (Resolution No. 98-4751). The Special Use was later amended in 2000 to remove a condition requiring construction of a fence along the south and west property lines (Resolution No. 2000-4979).

The property is located within the South 27<sup>th</sup> Street Corridor; however, is not subject to the South 27<sup>th</sup> Street Design Overlay District standards as the building addition is less than a 50% increase in floor area.

### Project Description/Analysis

### Site Plan:

The property is approximately 0.47 acres. Site improvements currently include the existing 3,888 square foot building and associated parking areas and drives. The proposed addition is 54' x 35.5' (1,917 square feet). The addition will extend the building south and will match the construction and materials of the existing building. The addition includes three windows on the south elevation and an overhead door and service door on the east elevation.

The dumpster onsite is currently not screened. The applicant is proposing an enclosure at the southeast corner of the parking lot. The dumpster enclosure will be constructed of the same steel exterior as the principal building.

The proposed addition is entirely within areas of existing impervious surface. The location of the proposed addition currently consists of four parking spaces and an access drive to a rear overhead garage door. In addition to the loss of these four parking spaces, two additional parking spaces will be removed to accommodate the dumpster enclosure.

Ten existing parking spaces, including one ADA accessible space, will remain onsite. These parking spaces are located to the east side of the building on either side of the drive aisle. Table 15-5.0203 of the Unified Development Ordinance recommends a Standard Parking Ratio of four parking spaces per service bay for a vehicle repair shop. The building will contain two service bays, thus eight parking spaces are required. With 10 parking spaces onsite, the standard is met.

As previously indicated, the addition will be placed over existing impervious surface. Staff does not anticipate any significant impacts or changes to storm water runoff; however, a concern from an adjacent property owner related to drainage was discussed with staff. As such, staff recommends that the Engineering Department shall review and approve a storm water management plan, prior to issuance of a building permit, to ensure that the building addition will not adversely impact or increase runoff onto adjacent properties.

The applicant is not proposing any additional landscaping, lighting or new signage.

### Staff Recommendation

Department of City Development staff recommends approval of the Special Use Amendment, subject to the conditions in the draft resolution.

## RESOLUTION NO. 2017-\_\_\_\_\_

A RESOLUTION TO AMEND RESOLUTION NOS. 98-4751 AND 2000-4979,  
IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A  
SPECIAL USE FOR PROPERTY LOCATED AT 2803 WEST SOUTHLAND  
DRIVE TO ALLOW FOR CONSTRUCTION OF A BUILDING ADDITION  
TO THE EXISTING JERRY'S AUTO XPRESSIONS BUILDING  
(JERRY KEZMAN, D/B/A JERRY'S AUTO XPRESSIONS, APPLICANT)

---

WHEREAS, Jerry Kezman, d/b/a Jerry's Auto Xpressions having petitioned the City of Franklin for the approval of an amendment to Resolution Nos. 98-4751 and 2000-4979, conditionally approving a Special Use, such prior Resolutions authorizing a used car, sales and reconditioning center business upon property located at 2803 West Southland Drive, such property being zoned B-4 South 27th Street Mixed-Use Commercial District, more particularly described as follows:

Parcel 3 of Certified Survey Map No. 5588, being a part of the Southeast 1/4 of the Northeast 1/4 of Section 24, Town 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin; Tax Key Number: 855-9973-003;  
and

WHEREAS, such proposed amendment being for the purpose of construction of a 54 foot by 35 foot and 6 inches (1,917 square feet) building addition (3,888 square feet existing building size; 5,805 square feet total proposed building size) on the south side of the existing building, which will include three windows on the south elevation and an overhead door and service door on the east elevation; and

WHEREAS, such petition having been duly referred to the Plan Commission of the City of Franklin for a public hearing, pursuant to the requirements of §15-9.0103D. of the Unified Development Ordinance, and a public hearing having been held before the Plan Commission on the 23rd day of February, 2017, and the Plan Commission thereafter having determined to recommend that the proposed amendment to Special Use be approved, subject to certain conditions, and the Plan Commission further finding that the proposed amendment to Special Use upon such conditions, pursuant to §15-3.0701 of the Unified Development Ordinance, will be in harmony with the purposes of the Unified Development Ordinance and the Comprehensive Master Plan; that it will not have an undue adverse impact upon adjoining property; that it will not interfere with the development of neighboring property; that it will be served adequately by essential public facilities and services; that it will not cause undue traffic congestion; and that it will not result in damage to property of significant importance to nature, history or the like; and

WHEREAS, the Common Council having received such Plan Commission

JERRY KEZMAN, D/B/A JERRY'S AUTO XPRESSIONS – AMENDMENT TO  
SPECIAL USE  
RESOLUTION NO. 2017-\_\_\_\_\_

Page 2

recommendations and also having found that the proposed amendment to Special Use, subject to conditions, meets the standards set forth under §15-3.0701 of the Unified Development Ordinance.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the petition of Jerry Kezman, d/b/a Jerry's Auto Xpressions, for the approval of an amendment to Special Use for the property particularly described in the preamble to this Resolution, be and the same is hereby approved, subject to the following conditions and restrictions:

1. That this amendment to Special Use is approved only for the use of the subject property by Jerry Kezman, d/b/a Jerry's Auto Xpressions, successors and assigns, for the Jerry's Auto Xpressions building addition construction project, which shall be developed in substantial compliance with and constructed, operated and maintained by Jerry Kezman, d/b/a Jerry's Auto Xpressions, pursuant to those plans City file-stamped February 13, 2017 and annexed hereto and incorporated herein as Exhibit A.
2. Jerry Kezman, d/b/a Jerry's Auto Xpressions, successors and assigns, shall pay to the City of Franklin the amount of all development compliance, inspection and review fees incurred by the City of Franklin, including fees of consultants to the City of Franklin, for the Jerry's Auto Xpressions building addition construction project, within 30 days of invoice for same. Any violation of this provision shall be a violation of the Unified Development Ordinance, and subject to §15-9.0502 thereof and §1-19. of the Municipal Code, the general penalties and remedies provisions, as amended from time to time.
3. The approval granted hereunder is conditional upon Jerry Kezman, d/b/a Jerry's Auto Xpressions and the Jerry's Auto Xpressions building addition construction project for the property located at 2803 West Southland Drive: (i) being in compliance with all applicable governmental laws, statutes, rules, codes, orders and ordinances; and (ii) obtaining all other governmental approvals, permits, licenses and the like, required for and applicable to the project to be developed and as presented for this approval.
4. The Engineering Department shall review and approve a storm water management plan, prior to issuance of a building permit, to ensure that the building addition will not adversely impact or increase runoff onto adjacent properties.

BE IT FURTHER RESOLVED, that in the event Jerry Kezman, d/b/a Jerry's Auto Xpressions, successors or assigns, or any owner of the subject property, does not comply

JERRY KEZMAN, D/B/A JERRY'S AUTO XPRESSIONS – AMENDMENT TO  
SPECIAL USE  
RESOLUTION NO. 2017-\_\_\_\_\_

Page 3

with one or any of the conditions and restrictions of this amendment to Special Use Resolution, following a ten (10) day notice to cure, and failure to comply within such time period, the Common Council, upon notice and hearing, may revoke the additional Special Use permission granted under this Resolution.

BE IT FURTHER RESOLVED, that any violation of any term, condition or restriction of this Resolution is hereby deemed to be, and therefore shall be, a violation of the Unified Development Ordinance, and pursuant to §15-9.0502 thereof and §1-19. of the Municipal Code, the penalty for such violation shall be a forfeiture of no more than \$2,500.00, or such other maximum amount and together with such other costs and terms as may be specified therein from time to time. Each day that such violation continues shall be a separate violation. Failure of the City to enforce any such violation shall not be a waiver of that or any other violation.

BE IT FURTHER RESOLVED, that this Resolution shall be construed to be an amendment to such Special Use Permit as is contemplated by §15-9.0103 of the Unified Development Ordinance, and that all of the terms and conditions of Resolution Nos. 98-4751 and 2000-4979, not specifically and expressly amended by or in direct conflict with this Resolution, shall remain in full force and effect.

BE IT FURTHER RESOLVED, pursuant to §15-9.0103G. of the Unified Development Ordinance, that the Special Use permission granted under this Resolution shall be null and void upon the expiration of one year from the date of adoption of this Resolution, unless the Special Use has been established by way of completion of the construction of the Jerry's Auto Xpressions building addition.

BE IT FINALLY RESOLVED, that the City Clerk be and is hereby directed to obtain the recording of a certified copy of this Resolution in the Office of the Register of Deeds for Milwaukee County, Wisconsin.

Introduced at a regular meeting of the Common Council of the City of Franklin this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

APPROVED:

ATTEST:

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

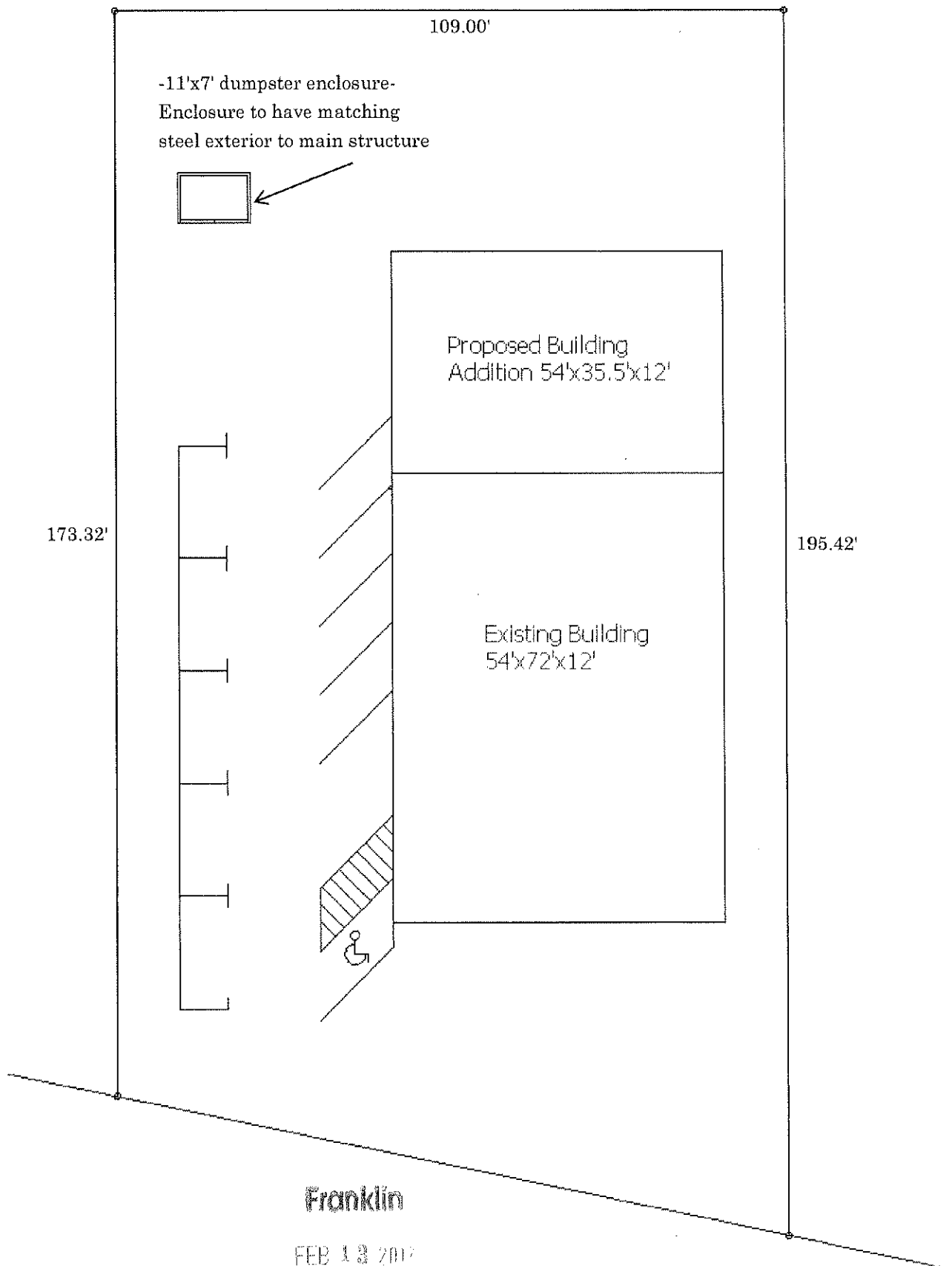


---

Sandra L. Wesolowski, City Clerk

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

# Exhibit A



Franklin

FEB 13 2012

City Development

5-21-24-1-0014

Jerry Kezman

PLAT OF SURVEY

LOCATION: 2803 West Southland Drive, Franklin, Wisconsin

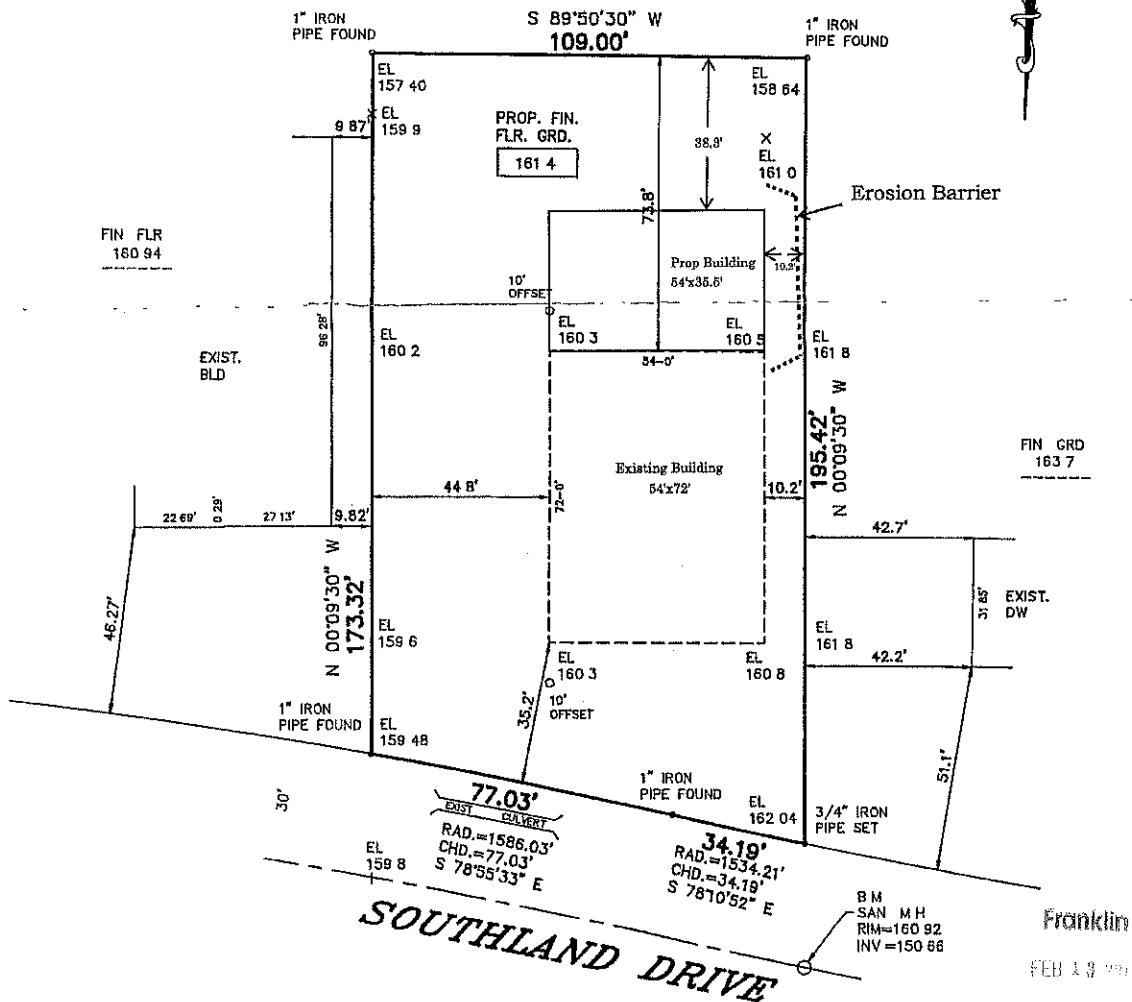
LEGAL DESCRIPTION: Lot 3 in CERTIFIED SURVEY MAP NO. 5588, being a part of the Southeast 1/4 of the Northeast 1/4 of Section 24, Town 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin.

October 2, 1998

Survey No. 3756-L

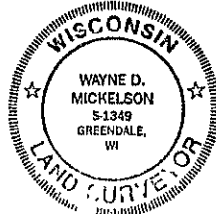
**Jerry Kezman - Site Plane**  
**2803 W. SOUTHLAND DR**  
**FRANKLIN, WI 53132**  
**Proposed Building 54'x35.5'x12.5'**

1" = 30'



**METROPOLITAN ENTERPRISES, INC.**  
 REGISTERED LAND SURVEYORS  
 415 W. FOREST HOME AVE., SUITE 202, HALES CORNERS, WI 53130  
 PH 529-5380 FAX 529-9787

Proposed finished yard, 1st floor or top of foundation grade shown on this drawing is a suggested grade and should be verified by the owner and/or the builder.



I HEREBY CERTIFY THAT I HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY AND THAT THE ABOVE MAP IS A TRUE REPRESENTATION THEREOF AND SHOWS THE SIZE AND LOCATION OF THE PROPERTY ITS EXTERIOR BOUNDARIES, THE LOCATION OF ALL VISIBLE STRUCTURES AND DIMENSIONS OF ALL PRINCIPAL BUILDINGS THEREON, BOUNDARY FENCES, APPARENT EASEMENTS AND ROADWAYS AND VISIBLE ENCROACHMENTS, IF ANY.

THIS SURVEY IS MADE FOR THE EXCLUSIVE USE OF THE PRESENT OWNERS OF THE PROPERTY AND ALSO THOSE WHO PURCHASE, MORTGAGE, OR GUARANTEE THE TITLE THERETO WITHIN ONE (1) YEAR FROM DATE HEREOF.

SIGNED: *Wayne D. Mickelson*  
 Wayne D. Mickelson  
 Registered Land Surveyor No. 51349

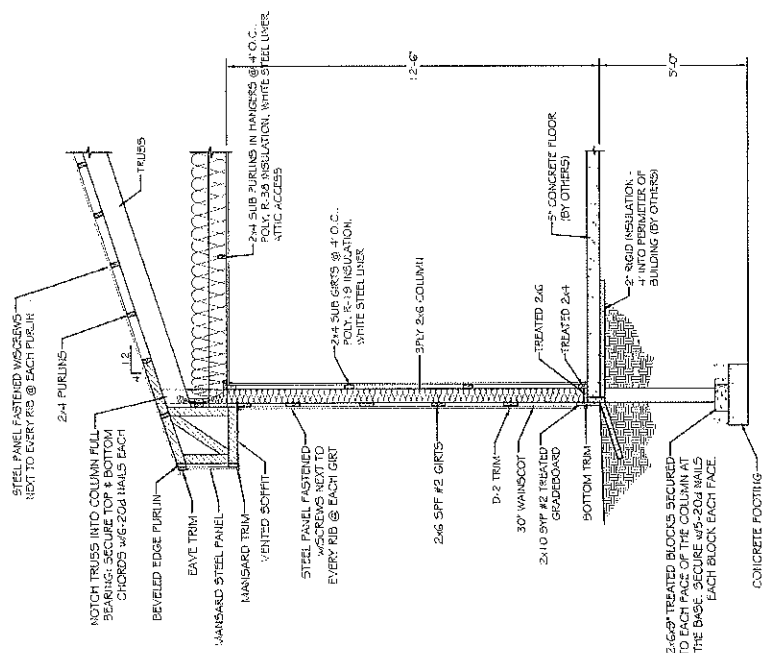
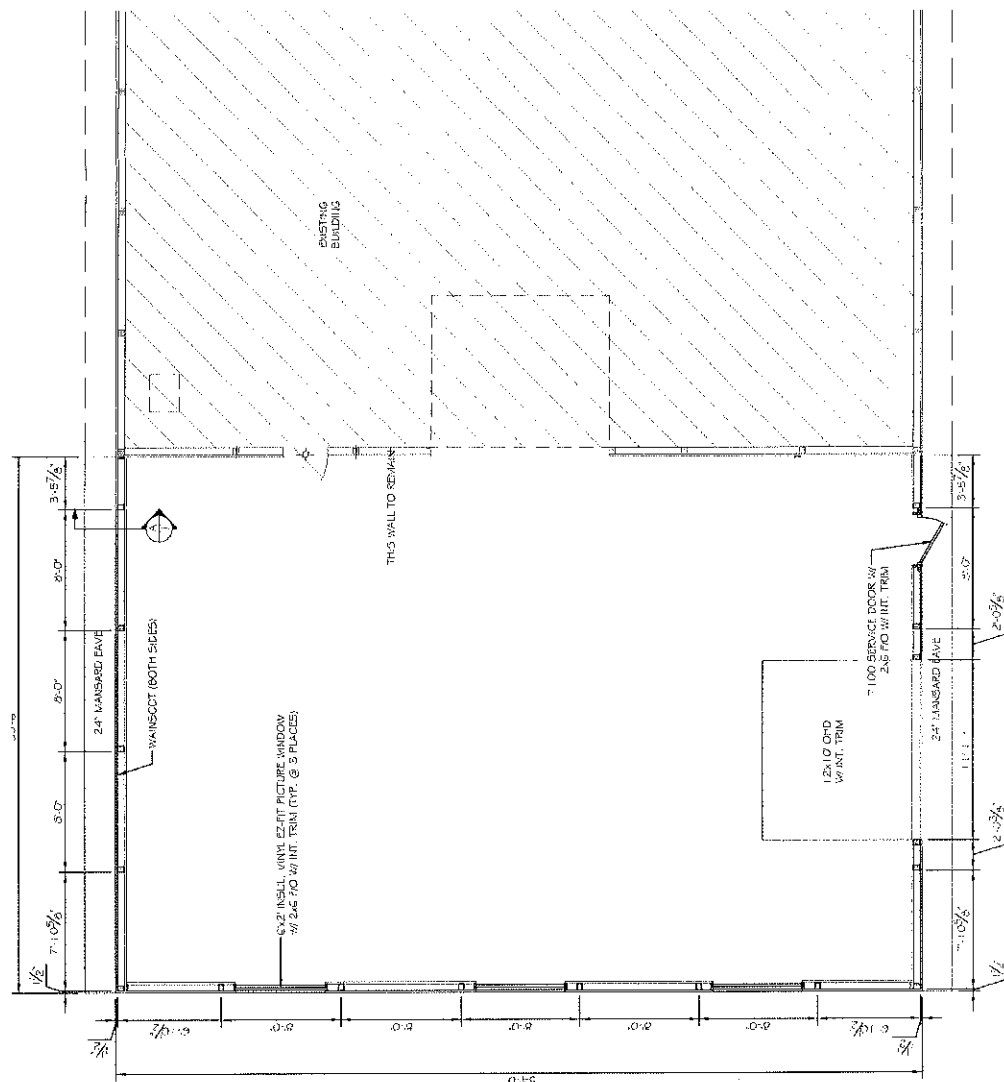
City Development



Franklin

FEB 13 2014

City Development



François

2000

# CONGRATULATIONS

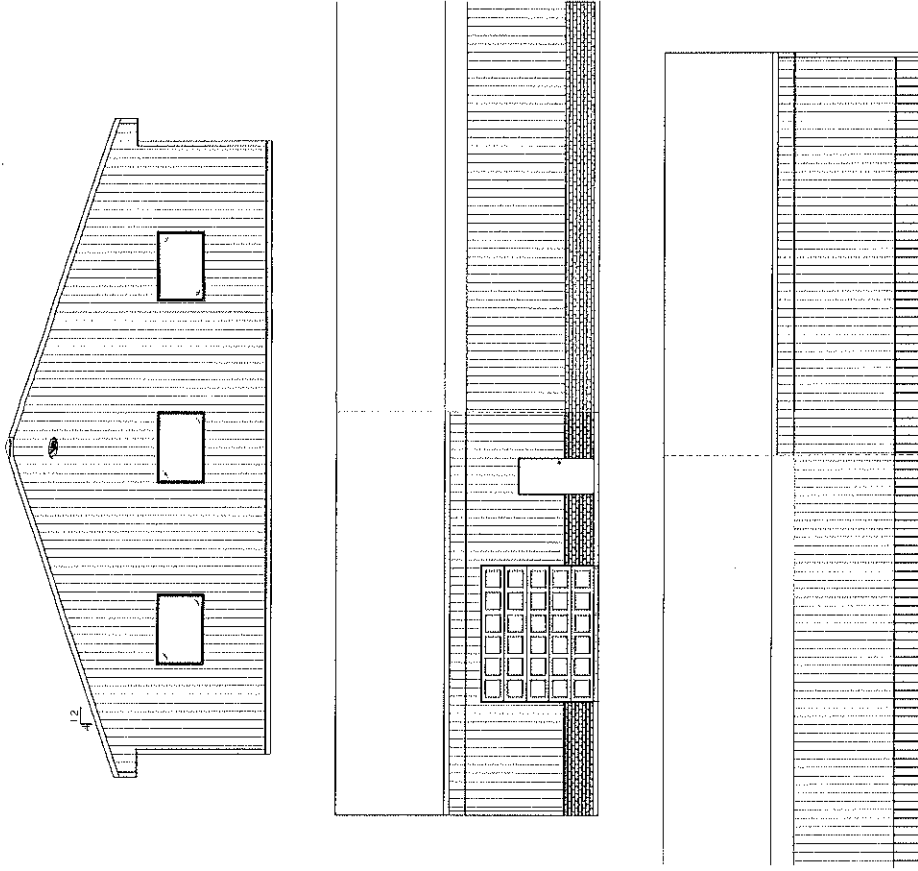
REVISIONS	
NO.	DATE
0	
1	
2	

NEW INVOICES		SCALE		JOB NO.
INVS.	DATE	DESCRIPTION	BY	16-233-4B
1	U			SHEET NO.
2	1		WLC	
				1 of 2
				DATE 2/19/17

**ENGINEERING DEPARTMENT**  
2894 38th Street  
Eau Claire, WI 54703  
Fax (715) 874-4213  
Office (715) 874-4211



SCALE	AS NOTED	JOB NO.	16-233-48
DRAWN BY		SHEET NO.	1 of 2
DATE	2/8/17		



# ELEVATIONS

SCALE: 3/32" = 1'-0"

Franklin

FEB 13 2017

City Development

**ENGINEERING DEPARTMENT**  
 2894 58th Street  
 Eau Claire, WI 54603  
 Fax (715) 874-4213  
 Office (715) 874-4211

PROJECT TITLE

**JERRY KEZMAN**

FRANKLIN, WI

54' x 35'-6" x 12'-6"

FILE NAME: HVACADW05PLANREQUESTV16SKEZMAN.JERRY.DWG

REVISIONS		SCALE	JOB NO.	AS NOTED	DATE
NO.	DATE	DESCRIPTION	BY	DATE	DATE
0					
1					
2					
3					

16-233-48

SHEET NO.

2 of 2

2/8/17

FEB 13 2017

## SITE PLAN CHECKLIST

## City Development

Date of Submittal	2/13/17
Taxkey ID #	
Project Name	Jerry's Auto Xpressions

Staff Use	Indicate Complete or NA	Required Information	Ordinance #
	Complete	Scale and Name of Project	15-7.0103-A
	Complete	Owner's and/or Developer's Name and Address	15-7.0103-B
	N/A	Architect, Surveyor and/or Engineer's Name and Address (seal and/or stamp)	15-7.0103-C
	Complete	Date of Site Plan Submittal with all Dates of Revisions w/ Revisor's Initials	15-7.0103-D
	Complete	Site Size in Square Feet and Acres	15-7.0103-E
	Complete	Existing and Proposed Topography (2' intervals)	15-7.0103-F
	N/A	Soils Data	15-7.0103-G
	N/A	Off Street Parking Spaces, Loading, Ingress and Egress, Driveway Locations of Adjoining Prop.	15-7.0103-H
	Complete	Type, Size, and Location of All Existing and Proposed Structures and Signs	15-7.0103-I
	Complete	Building Height	15-7.0103-J
	Complete	Existing and Proposed Street Names	15-7.0103-K
	Complete	Existing and Proposed Public Street Rights-of-way or Reservations	15-7.0103-L
	Complete	Building and Yard Setbacks	15-7.0103-M
	Complete	Proposed Sanitary Sewers, Storm Sewers and Water Mains	15-7.0103-O
	Complete	Proposed Stormwater Management Facilities	15-7.0103-P
	N/A	Natural Resource Protection Plan*	15-7.0103-Q
	N/A	Landscape Plan**	15-7.0103-R
	Complete	Site Intensity and Capacity Calculations	15-7.0103-S
	Complete	Pedestrian Sidewalks and Walkways	15-7.0103-T
	Complete	Development Staging/Phasing	15-7.0103-U
	Complete	Arch. Plans, Elevations, and Perspective Drawings and Sketches, Materials, Color Samples	15-7.0103-V
	N/A	Lighting Plan* with Photometrics	15-7.0103-W
	Complete	Easements (existing and proposed) with Dimensions	15-7.0103-X
	Complete	Highway Access	15-7.0103-Y
	Complete	Existing and Proposed Zoning Boundaries	15-7.0103-Z
	N/A	Market Analysis (required for commercial properties greater than 30,000 sq. ft. land area)	15-7.0103-AA
	Complete	Project Summary (Fiscal Impact, Operat. Info., Bldg-phasing Schedule, Est. Project Costs Value and Site Improvements Costs	15-7.0103-CC
	Complete	Additional Data as required by Planning, Engineering, or Plan Commission	15-7.0103-DD
	N/A	Vision Corner Easements	

\* If required

\*\* If natural resources, as defined in the City of Franklin Unified Development Ordinance, are present

## Staff Notes:

## LANDSCAPE PLAN CHECKLIST

Date of Submittal	2/13/17		
Taxkey ID #			
Project Name	Jerry's Auto Expressions		

Staff Use	Indicate Complete or NA	No change	
	N/A	Location	15-7.0301-B
	N/A	Names, Addrs, Phone #s of Owners, Subdividers, Lessee and/or Developer	15-7.0301-C
	N/A	Date and all Applicable Revision Dates	15-7.0301-D
	N/A	Site Boundary	15-7.0301-E
	N/A	Landscape Bufferyard Easements and Natural Resource Mitigation Areas	15-7.0301-F
	N/A	Location, Extent, Type, and Sizes of Existing Trees and Nat. Res. Features	15-7.0301-G
	N/A	Location, Extent, Type, and Sizes of Landscape Materials and Plantings	15-7.0301-H
	N/A	Natural Resource Features Mitigation Plan Required	15-7.0301-I
	N/A	Maintenance of Landscape Easement Areas Must be Provided For	15-7.0301-J
	N/A	The planting list is free of prohibited species.	

Staff Notes	
Reviewer's Initials:	

Franklin

FEB 13 2017

City Development



## LIGHTING CHECKLIST

[illegible]

# Frank

FEB 13 2017

## City Development

**SECTION 15-3.0502****CALCULATION OF BASE SITE AREA**

The *base site area* shall be calculated as indicated in Table 15-3.0502 for each parcel of land to be used or built upon in the City of Franklin as referenced in Section 15-3.0501 of this Ordinance.

Table 15-3.0502

**WORKSHEET FOR THE CALCULATION OF BASE SITE AREA  
FOR BOTH RESIDENTIAL AND NONRESIDENTIAL DEVELOPMENT**

<b>STEP 1:</b>	Indicate the total gross site area (in acres) as determined by an actual on-site boundary survey of the property.	.48 acres
<b>STEP 2:</b>	Subtract ( - ) land which constitutes any existing dedicated public street rights-of-way, land located within the ultimate road rights-of-way of existing roads, the rights-of-way of major utilities, and any dedicated public park and/or school site area.	- 0 acres
<b>STEP 3:</b>	Subtract ( - ) land which, as a part of a previously approved development or land division, was reserved for open space.	- 0 acres
<b>STEP 4:</b>	In the case of " <i>Site Intensity and Capacity Calculations</i> " for a proposed residential use, subtract ( - ) the land proposed for nonresidential uses; or In the case of " <i>Site Intensity and Capacity Calculations</i> " for a proposed nonresidential use, subtract ( - ) the land proposed for residential uses.	- 0 acres
<b>STEP 5:</b>	Equals "Base Site Area"	= .48 acres

**SECTION 15-3.0503****CALCULATION OF THE AREA OF NATURAL RESOURCES TO BE PROTECTED**

All land area with those natural resource features as described in Division 15-4.0100 of this Ordinance and as listed in Table 15-3.0503 and lying within the *base site area* (as defined in Section 15-3.0502), shall be measured relative to each natural resource feature present. The actual land area encompassed by each type of resource is then entered into the column of Table 15-3.0503 titled "Acres of Land in Resource Feature." The acreage of each natural resource feature shall be multiplied by its respective *natural resource protection standard* (to be selected from Table 15-4.0100 of this Ordinance for applicable agricultural, residential, or nonresidential zoning district) to determine the amount of resource protection land or area required to be kept in open space in order to protect the resource or feature. The sum total of all resource protection land on the site equals the *total resource protection land*. The *total resource protection land* shall be calculated as indicated in Table 15-3.0503.

Franklin

FEB 13 2017

City Development

Table 15-3.0505

**WORKSHEET FOR THE CALCULATION OF SITE INTENSITY AND  
CAPACITY FOR NONRESIDENTIAL DEVELOPMENT**

<b>STEP 1:</b>	<b>CALCULATE MINIMUM REQUIRED LANDSCAPE SURFACE:</b> Take <i>Base Site Area</i> (from Step 5 in Table 15-3.0502): <u>.48</u> Multiple by Minimum <i>Landscape Surface Ratio (LSR)</i> (see specific zoning district LSR standard): X <u>.30</u> Equals <b>MINIMUM REQUIRED ON-SITE LANDSCAPE SURFACE</b> = <u>0.144</u> acres
<b>STEP 2:</b>	<b>CALCULATE NET BUILDABLE SITE AREA:</b> Take <i>Base Site Area</i> (from Step 5 in Table 15-3.0502): <u>.48</u> Subtract <i>Total Resource Protection Land</i> from Table 15-3.0503 or <i>Minimum Required Landscape Surface</i> (from Step 1 above), whichever is greater: - <u>.144</u> Equals <b>NET BUILDABLE SITE AREA</b> = <u>.336</u> acres
<b>STEP 3:</b>	<b>CALCULATE MAXIMUM NET FLOOR AREA YIELD OF SITE:</b> Take <i>Net Buildable Site Area</i> (from Step 2 above): <u>.336</u> Multiple by Maximum <i>Net Floor Area Ratio (NFAR)</i> (see specific nonresidential zoning district NFAR standard): X <u>.57</u> Equals <b>MAXIMUM NET FLOOR AREA YIELD OF SITE</b> = <u>.19152</u> acres
<b>STEP 4:</b>	<b>CALCULATE MAXIMUM GROSS FLOOR AREA YIELD OF SITE:</b> Take <i>Base Site Area</i> (from Step 5 of Table 15-3.0502): <u>.48</u> Multiple by Maximum <i>Gross Floor Area Ratio (GFAR)</i> (see specific nonresidential zoning district GFAR standard): X <u>.37</u> Equals <b>MAXIMUM GROSS FLOOR AREA YIELD OF SITE</b> = <u>.1776</u> acres
<b>STEP 5:</b>	<b>DETERMINE MAXIMUM PERMITTED FLOOR AREA OF SITE:</b> Take the <i>lowest</i> of Maximum Net Floor Area Yield of Site (from Step 3 above) or Maximum Gross Floor Area Yield of Site (from Step 4 above): (Multiple results by 43,560 for maximum floor area in square feet): <u>.1776</u> acres <u>7,736</u> s.f.

Franklin

FEB 13 2017

City Development

**DIVISION 15-3.0700**

**SPECIAL USE STANDARDS AND REGULATIONS**

**SECTION 15-3.0701**

**GENERAL STANDARDS FOR SPECIAL USES**

- A. **General Standards.** No special use permit shall be recommended or granted pursuant to this Ordinance unless the applicant shall establish the following:

1. **Ordinance and Comprehensive Master Plan Purposes and Intent.** The proposed use and development will be in harmony with the general and specific purposes for which this Ordinance was enacted and for which the regulations of the zoning district in question were established and with the general purpose and intent of the City of Franklin Comprehensive Master Plan or element thereof.

*Response: The addition proposed will be erected utilizing the same material, colors and design as the original building put up in 1998*

2. **No Undue Adverse Impact.** The proposed use and development will not have a substantial or undue adverse or detrimental effect upon or endanger adjacent property, the character of the area, or the public health, safety, morals, comfort, and general welfare and not substantially diminish and impair property values within the community or neighborhood.

*Response: To Jerry's knowledge the proposed addition will cause no undoing or adverse impact in any form.*

3. **No Interference with Surrounding Development.** The proposed use and development will be constructed, arranged, and operated so as not to dominate the immediate vicinity or to interfere with the use and development of neighboring property in accordance with the applicable zoning district regulations.

*Response: The addition will be to the back side of the existing building. It is not believed that this will be an issue.*

4. **Adequate Public Facilities.** The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities including public water supply system and sanitary sewer, police and fire protection, refuse disposal, public parks, libraries, schools, and other public facilities and utilities or the applicant will provide adequately for such facilities.

*Response: Agreed*

5. **No Traffic Congestion.** The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets. Adequate measures will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

**Franklin**

FEB 13 2017

Page | 1

**City Development**

*Response: This will not be an issue. Jerry's business creates very minimal day to day traffic*

6. **No Destruction of Significant Features.** The proposed use and development will not result in the destruction, loss, or damage of any natural, scenic, or historic feature of significant importance.

*Response: This will not be an issue. There are no such items located on or near Jerry's business*

7. **Compliance with Standards.** The special use shall, in all other respects, conform to the applicable regulations of the district in which it is located, except as such regulations may, in each instance, be modified by the Common Council pursuant to the recommendations of the Plan Commission. The proposed use and development shall comply with all additional standards imposed on it by the particular provision of this Division and Ordinance authorizing such use.

*Response: Jerry's Auto Xpressions building was erected prior to the south 27<sup>th</sup> overlay design standards implementation. Jerry would graciously request that the Common Council waive these standards.*

- B. **Special Standards for Specified Special Uses.** When the zoning district regulations authorize a special use in a particular zoning district and that special use is indicated as having special standards, as set forth in Section 15-3.0702 and 15-3.0703 of this Division, a Special Use Permit for such use in such zoning district shall not be recommended or granted unless the applicant shall establish compliance with all such special standards.

*Response: Where it is possible Jerry would request that certain standards be waived.*

- C. **Considerations.** In determining whether the applicant's evidence establishes that the foregoing standards have been met, the Plan Commission and the Common Council shall consider the following:

1. **Public Benefit.** Whether and to what extent the proposed use and development at the particular location requested is necessary or desirable to provide a service or a facility that is in the interest of the public convenience or that will contribute to the general welfare of the neighborhood or community.

*Response: Jerry's business has been providing service to Franklin residence for almost 20 years. This addition is vital for Jerry to continue servicing vehicles. The new space will allow for final detailing to be performed in a climate controlled area.*

2. **Alternative Locations.** Whether and to what extent such public goals can be met by the location of the proposed use and development at some other site or in some other area that may be more appropriate than the proposed site.

*Response: It would not be possible for Jerry to relocate his established business.*

3. **Mitigation of Adverse Impacts.** Whether and to what extent all steps possible have been taken to minimize any adverse effects of the proposed use and development on the immediate vicinity through building design, site design, landscaping, and screening.

*Response: If adverse effects are prevalent, Jerry agrees to take the necessary steps to minimize such effects.*

4. **Establishment of Precedent of Incompatible Uses in the Surrounding Area.** Whether the use will establish a precedent of, or encourage, more intensive or incompatible uses in the surrounding area.

*Response: It is not believed that any precedent would be established in regards to the "south 27<sup>th</sup> overlay design standards. The visual aesthetics from the road will remain as they have for nearly 20 years. The addition will be to the backside of the building and all colors and materials will identically match the colors and materials used on the current building.*

APPROVAL <i>Slw</i>	REQUEST FOR COUNCIL ACTION	MTG. DATE 03/07/2017
Reports & Recommendations	SURVEY OF PROPERTY OWNERS FOR THE NEED TO EXTEND SANITARY SEWER AND WATER UTILITIES IN A CORRIDOR ALONG S. 76TH STREET FROM W. OAKWOOD ROAD TO W 1,465 FEET NORTH OF W. RYAN ROAD (STH 100); NORTH SIDE OF W. OAKWOOD ROAD FROM A POINT 670 FEET EAST OF S. 76 <sup>TH</sup> STREET TO A POINT 1,320' WEST OF S. 76 <sup>TH</sup> STREET; AND W. RYAN ROAD (STH 100) FROM A POINT 1,250 FEET EAST OF S. 76 <sup>TH</sup> STREET TO A POINT 2,660 FEET WEST OF S. 76 <sup>TH</sup> STREET.	ITEM NO.  <i>G.5.</i>

### **BACKGROUND**

Staff has received a request to extend sanitary sewer and municipal water service for a proposed single family residential development with approximately 75 units on the northwest corner of S. 76<sup>th</sup> Street and W. Oakwood Road. This parcel is also known as Schweitzer property. The same developer is considering a development on a 17 acre parcel further to the north and on the west side of S. 76<sup>th</sup> Street presently owned by Southbrook Church.

### **ANALYSIS**

Much of this area has been previously surveyed and the responses were marginally opposed to the projects but it is believed that the owners in the area are increasingly in favor of extension of utilities to this area. A new survey will document the current positions.

Some of the area along W. Ryan Road does have water service and only needs sewer service. Most of the area indicated on the attached exhibit has neither water nor sanitary sewer service.

Extension of public sewer will help utilize the large investment placed into the extension of the Ryan Creek Interceptor sewer. The sewer in this area will connect to the Ryan Creek Interceptor Sewer. The potential developer claims that taking on the burden of extending water and sewer to his development does not work for his financial model.

The Comprehensive Master Plan envisions that this area will be developed with public sewer and water. The existing zoning districts in this area (R-2, R-8) require public sewer and water. Extension of public sewer and water will greatly help this area develop to its full potential.

Interest has been expressed periodically in the past (by a few property owners and/or developers), in developing within this area, particularly if public sewer and water were available. The most interest has been in the northwest corner of S. 76th Street and W. Ryan Road (STH 100). Planning, Economic Development and Engineering Staff believe that extension of utilities in this area will increase development. These discussions of utility extensions have already resulted in conversations with the owners of the lands on the SE corner of S. 76th Street and W. Ryan Road regarding their interest in improved utility access to support development.

Attached are spreadsheets indicating the potential water and sewer assessments for benefitting properties. Due to the preliminary and conservative nature of estimating the utility extensions, it is anticipated that each property would be assessed at the maximum allowable rate and the City would burden the significant remainder of the costs. Once survey results are tabulated, Staff can propose a timely phased approach to extensions and refine the estimated project costs.

There are a multitude of options for extension of the utilities in this area. Once the area is surveyed for interest, Staff can propose a project that will generally affect the interested property owners.

### **OPTIONS**

Proceed with a survey.

or

Table the matter for now.

**FISCAL NOTE**

The 2017 Mayor's budget anticipated this potential project in 2018. Further discussion pending responses from property owners.

**RECOMMENDATION**

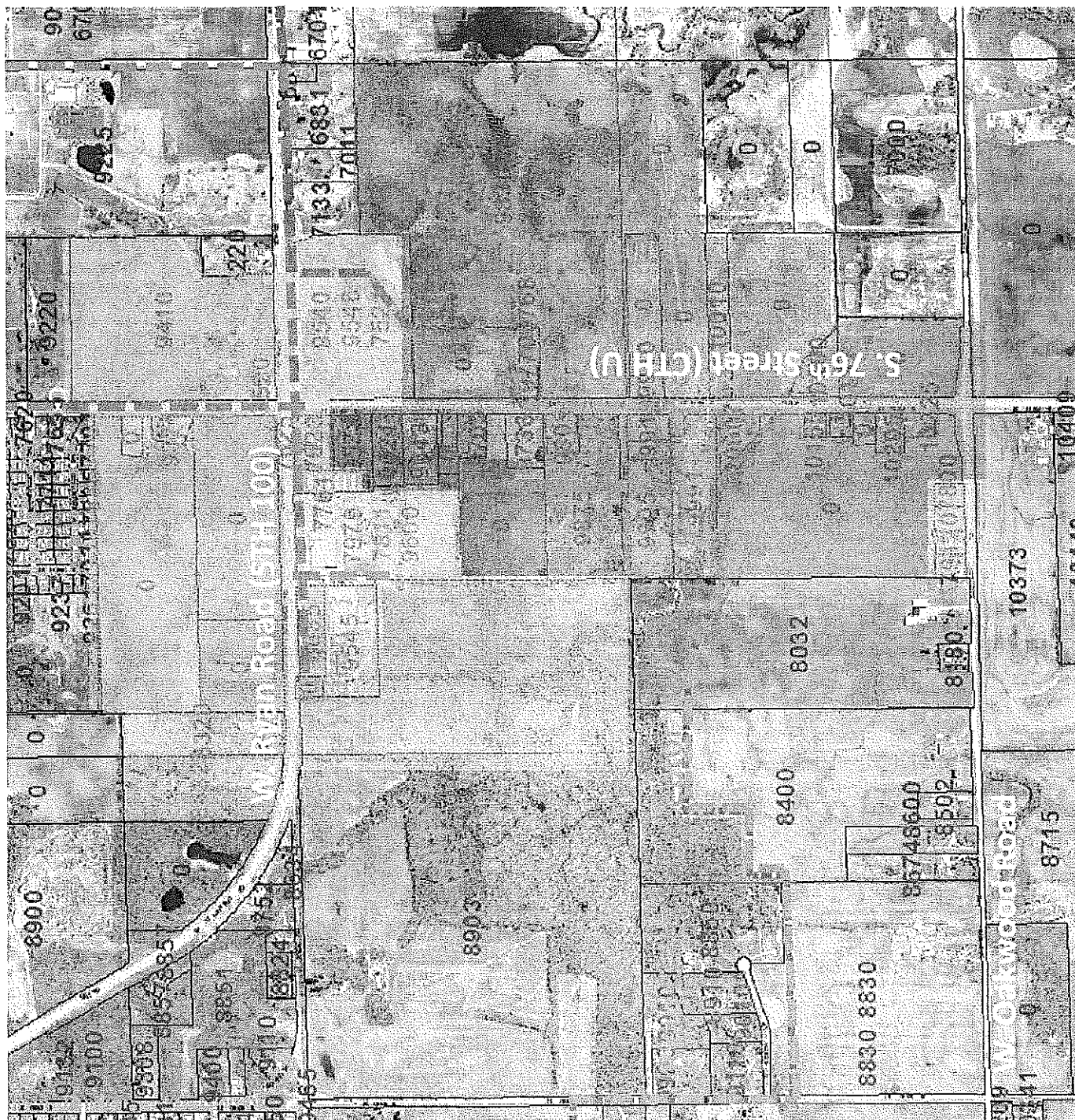
Motion to direct staff to survey of property owners for the need to extend sanitary sewer and water utilities in a corridor along S. 76th Street from W. Oakwood Road to a point 1,465 feet north of W. Ryan Road (STH 100); north side of W. Oakwood Road from a point 670 feet east of S. 76th Street to a point 1,320' west of S. 76th Street; and W. Ryan Road (STH 100) from a point 1,250 feet east of S. 76th Street to a point 2,660 feet west of S. 76th Street.

ENGINEERING DEPARTMENT: GEM



# Survey for Water and Sewer

Survey for  
Sewer Only



**W. Ryan Road/S. 76th Street Sanitary Sewer Project**

**Southern Section (South of W. Ryan Road)**

Tax Key	Address	Owner	Assessment Footage (a)	Cost (b)	Impact Fee	ROW Lateral (c)	Sub Total Utility Costs (d)	Private Lateral (e)	Abandon Septics (e)	TOTAL COSTS	NOTES
896 9986 000	9571 S. 76th Street	Burch	297	\$ 33,956.01	\$ 3,061	\$ 4,060	\$ 41,077.01	\$ 5,000	\$ 2,000	\$ 48,077.01	
896 9993 000	9621 S. 76th Street	Paap	235	\$ 32,975.20	\$ 3,061	\$ 4,060	\$ 40,996.20	\$ 5,000	\$ 2,000	\$ 47,996.20	1
896 9994 000	0 S. 76th Street	Hribar	100	\$ 14,092.00	\$ -	\$ 4,060	\$ 18,092.00	\$ 7,500	\$ -	\$ 25,592.00	2
896 9994 003	9643 S. 76th Street	DESM Property	266.11	\$ 37,340.56	\$ 7,651	\$ 4,060	\$ 49,051.56	\$ 5,000	\$ 2,000	\$ 56,051.56	3
896 9995 000	9675 S. 76th Street	Hribar	120	\$ 16,838.40	\$ 3,061	\$ 4,060	\$ 23,959.40	\$ 5,000	\$ 2,000	\$ 30,959.40	1
896 9998 000	9809 S. 76th Street	Selle	248.98	\$ 28,465.88	\$ 3,061	\$ 4,060	\$ 35,586.88	\$ 5,000	\$ 2,000	\$ 42,586.88	
896 9999 004	9705 S. 76th Street	Hannagan	226.5	\$ 25,895.75	\$ 3,061	\$ 4,060	\$ 33,016.75	\$ 5,000	\$ 2,000	\$ 40,016.75	
896 9999 007	9733 S. 76th Street	Southbrook Church	285	\$ 39,991.20	\$ -	\$ 4,060	\$ 44,051.20	\$ 5,000	\$ -	\$ 49,051.20	
896 9999 008	0 S. 76th Street	Southbrook Church	158	\$ 22,170.56	\$ -	\$ 4,060	\$ 26,230.56	\$ 5,000	\$ -	\$ 31,230.56	
896 9999 010	9875 S. 76th Street	Demark	346.66	\$ 39,633.64	\$ 3,061	\$ 4,060	\$ 46,754.64	\$ 10,000	\$ 2,000	\$ 58,754.64	4
897 9996 000	7521 W. Ryan Road										
897 9996 000	9540 S. 76th Street	O'Malley	934.5	\$ 106,841.39	\$ -	\$ 4,060	\$ 110,901.39	\$ 5,000	\$ -	\$ 115,901.39	
897 9997 000	9546 S. 76th Street	Duranso	795.18	\$ 90,912.93	\$ -	\$ 4,060	\$ 94,972.93	\$ 5,000	\$ -	\$ 99,972.93	
897 9998 000	9768 S. 76th Street										
897 9998 000	9770 S. 76th Street	Houtler Living Trust	199.1	\$ 22,763.10	\$ 4,591	\$ 4,060	\$ 31,414.10	\$ 5,000	\$ 2,000	\$ 38,414.10	
897 9999 000	9830 S. 76th Street	Milwaukee County	663.47	\$ 75,854.53	\$ -	\$ 4,060	\$ 79,914.53	\$ 5,000	\$ -	\$ 84,914.53	
933 9987 000	0 S. 76th Street	Milwaukee County	0	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	5
933 9990 001	9910 S. 76th Street	Hinz	265.3	\$ 30,331.75	\$ 3,061	\$ 4,060	\$ 37,452.75	\$ 5,000	\$ 2,000	\$ 44,452.75	
933 9990 002	0 S. 76th Street	Milwaukee County	100	\$ 11,433.00	\$ -	\$ 4,060	\$ 15,493.00	\$ 5,000	\$ -	\$ 20,493.00	
933 9991 000	0 S. 76th Street	Milwaukee County	348.2	\$ 39,809.71	\$ -	\$ 4,060	\$ 43,869.71	\$ 5,000	\$ -	\$ 48,869.71	
933 9992 000	10010 S. 76th Street	Milwaukee County	165	\$ 18,864.45	\$ -	\$ 4,060	\$ 22,924.45	\$ 5,000	\$ 2,000	\$ 29,924.45	
933 9993 000	0 S. 76th Street	Milwaukee County	405.77	\$ 46,391.68	\$ -	\$ 4,060	\$ 50,451.68	\$ 5,000	\$ -	\$ 55,451.68	
933 9994 000	10100 S. 76th Street	Schweitzer, Vernon	419.23	\$ 47,930.57	\$ 3,061	\$ 4,060	\$ 55,051.57	\$ 5,000	\$ 2,000	\$ 62,051.57	
933 9995 000	0 S. 76th Street	Milwaukee County	886.5	\$ 101,353.55	\$ -	\$ 4,060	\$ 105,413.55	\$ 5,000	\$ -	\$ 110,413.55	
933 9989 000	9913 S. 76th Street	Duldulac	330	\$ 37,728.90	\$ 3,061	\$ 4,060	\$ 44,849.90	\$ 5,000	\$ 2,000	\$ 51,849.90	
934 9990 000	9909 S. 76th Street	Morgan	100	\$ 11,433.00	\$ 3,061	\$ 4,060	\$ 18,554.00	\$ 5,000	\$ 2,000	\$ 25,554.00	
934 9991 003	9905 S. 76th Street	Branback	100	\$ 11,433.00	\$ 3,061	\$ 4,060	\$ 18,554.00	\$ 10,000	\$ 2,000	\$ 30,554.00	6
934 9993 001	9991 S. 76th Street	Schweitzer Trust	360	\$ 41,158.80	\$ 3,061	\$ 4,060	\$ 48,279.80	\$ 5,000	\$ 2,000	\$ 55,279.80	
934 9992 004	7912 W. Oakwood Road	Schweitzer, Kathleen	180	\$ 20,579.40	\$ 3,061	\$ 4,060	\$ 27,700.40	\$ 5,000	\$ 2,000	\$ 34,700.40	
934 9992 007	0 W. Oakwood Road	Schweitzer, Roy	180	\$ 20,579.40	\$ -	\$ 4,060	\$ 24,639.40	\$ 5,000	\$ -	\$ 29,639.40	
934 9992 008	7800 W. Oakwood Road	Stefanec	176.04	\$ 20,126.65	\$ -	\$ 4,060	\$ 24,186.65	\$ 5,000	\$ -	\$ 29,186.65	
934 9994 001	10007 S. 76th Street	Kooping	330	\$ 37,728.90	\$ 3,061	\$ 4,060	\$ 44,849.90	\$ 5,000	\$ 2,000	\$ 51,849.90	
934 9997 000	7930 W. Oakwood Road	Konopka	180	\$ 20,579.40	\$ 3,061	\$ 4,060	\$ 27,700.40	\$ 5,000	\$ 2,000	\$ 34,700.40	

**NOTES:**

(a) Assessment Footage values need to be verified with plats and individual property descriptions.

(b) Assessment Costs are assuming the maximum value of \$114.33/assessment foot for single-family, two-family, and agriculture zoned property and \$140.32/assessment foot for business, industrial, institutional, or multi-family zoned property.

(c) Costs of laterals within the ROW will depend on the depth of sewer, location of sewer, conflicts with other utilities, etc.

(d) The Utility Costs can be financed through the City per the direction of Common Council.

(e) Homeowner will need to find a private contractor to perform these services. It is assumed lots with existing structures will require abandonment of septic.

(1) This is a single-family home that is zoned M-1 and is therefore being assessed at the higher rate of \$140.32/assessment foot.

(2) This is an empty lot zoned M-1 and any lateral would be over 300 feet long to serve a potential building.

(3) This is a restaurant that does not currently have water service. Sanitary Impact Fee is based on assumption of future one-inch water meter.

(4) The lateral would be over 900 feet long to serve the existing house.

(5) This property is zoned FW and most likely will not be developed.

(6) This is a flag lot and the lateral would be over 700 feet long to serve the existing house.

**W. Ryan Road/S. 76th Street Sanitary Sewer Project**

**Proposed Development through Schweitzer Family Partnership Parcel [934 9992 010]**

Tax Key	Address	Owner	Assessment Footage (a)	Cost (b)	Impact Fee	ROW Lateral (c)	Sub Total Utility Costs (d)	Private Lateral (e)	Abandon Septics (e)	TOTAL COSTS	NOTES
934 9992 002	10225 S. 76th Street	Spencer	239.34	\$ 27,363.74	\$ 3,061	\$ 4,060	\$ 34,484.74	\$ 5,000	\$ 2,000	\$ 41,484.74	
934 9992 006	0 S. 76th Street	Schweitzer, Karen	180	\$ 20,579.40	\$ -	\$ 4,060	\$ 24,639.40	\$ 5,000	\$ -	\$ 29,639.40	
934 9992 010	0 S. 76th Street	Schweitzer Family Ptnrshp	3513.66	\$ 401,716.75	\$ -	TBD	\$ 401,716.75	TBD	TBD	\$ 401,716.75	7
934 9992 011	10205 S. 76th Street	Schweitzer, Roy	207	\$ 23,666.31	\$ 3,061	\$ 4,060	\$ 30,787.31	\$ 5,000	\$ 2,000	\$ 37,787.31	
934 9995 000	10165 S. 76th Street	Schweitzer, David	180	\$ 20,579.40	\$ 3,061	\$ 4,060	\$ 27,700.40	\$ 5,000	\$ 2,000	\$ 34,700.40	
934 9996 000	10131 S. 76th Street	Trentacosti	180	\$ 20,579.40	\$ 3,061	\$ 4,060	\$ 27,700.40	\$ 5,000	\$ 2,000	\$ 34,700.40	

**Northern Section (North of W. Ryan Road)**

Tax Key	Address	Owner	Assessment Footage (a)	Cost (b)	Impact Fee	ROW Lateral (c)	Sub Total Utility Costs (d)	Private Lateral (e)	Abandon Septics (e)	TOTAL COSTS	NOTES
884 9997 000	9410 S. 76th Street	Smith, Steven and Gregory	938	\$ 131,620.16	\$ -	\$ 4,060	\$ 135,680.16	\$ 5,000	\$ -	\$ 140,680.16	
884 9998 000	7520 W. Ryan Road	Smith, Gregory and Steven	120	\$ 16,838.40	\$ -	\$ 4,060	\$ 20,898.40	\$ 5,000	\$ -	\$ 25,898.40	
885 9999 002	0 S. 76th Street	Stonewood Glen	100	\$ 11,433.00	\$ -	\$ 4,060	\$ 15,493.00	\$ 5,000	\$ -	\$ 20,493.00	
885 9999 005	9371 S. 76th Street	Schabowski, Duchateau	317.13	\$ 36,257.47	\$ 3,061	\$ 4,060	\$ 43,378.47	\$ 5,000	\$ 2,000	\$ 50,378.47	
885 9999 007	0 W. Ryan Road	Katz, Swislow, Leon	647.25	\$ 90,822.12	\$ -	\$ 4,060	\$ 94,882.12	\$ 5,000	\$ -	\$ 99,882.12	
885 9999 009	0 S. 76th Street	Stonewood Glen	100	\$ 11,433.00	\$ -	\$ 4,060	\$ 15,493.00	\$ 5,000	\$ 2,000	\$ 22,493.00	

**Western Section (West of 76th Street)**

Tax Key	Address	Owner	Assessment Footage (a)	Cost (b)	Impact Fee	ROW Lateral (c)	Sub Total Utility Costs (d)	Private Lateral (e)	Abandon Septics (e)	TOTAL COSTS	NOTES
885 9998 000	8320 W. Ryan Road	Dobron Trust	329.2	\$ 46,193.34	\$ 3,061	\$ 4,060	\$ 53,314.34	\$ 5,000	\$ 2,000	\$ 60,314.34	8
885 9999 008	0 W. Ryan Road	Joseph, Katz, Swislow	701.84	\$ 98,482.19	\$ -	\$ 4,060	\$ 102,542.19	\$ 5,000	\$ -	\$ 107,542.19	
886 9999 000	8432 W. Ryan Road	Mazola	100	\$ 11,433.00	\$ 3,061	\$ 4,060	\$ 18,554.00	\$ 10,000	\$ 2,000	\$ 30,554.00	9
895 9985 000	7623 W. Ryan Road	Skarie	262	\$ 36,763.84	\$ 3,061	\$ 4,060	\$ 43,884.84	\$ 5,000	\$ 2,000	\$ 50,884.84	10
896 9987 001	7761 W. Ryan Road	Mapl Storage	169.51	\$ 23,784.24	\$ 3,061	\$ 4,060	\$ 30,905.24	\$ 5,000	\$ 2,000	\$ 37,905.24	
896 9987 002	7709 W. Ryan Road	Mapl Storage	165	\$ 23,152.80	\$ 3,061	\$ 4,060	\$ 30,273.80	\$ 5,000	\$ 2,000	\$ 37,273.80	
896 9996 001	0 W. Ryan Road	Archdiocese of Milwaukee	441.25	\$ 61,916.20	\$ -	\$ 4,060	\$ 65,976.20	\$ 5,000	\$ -	\$ 70,976.20	
896 9996 002	8035 W. Ryan Road	Worzella	690.56	\$ 96,899.38	\$ -	\$ 4,060	\$ 100,959.38	\$ 5,000	\$ -	\$ 105,959.38	
896 9996 003	9545 S. 80th Street	Gen3 Ventures	100	\$ 14,032.00	\$ 3,061	\$ 4,060	\$ 21,153.00	\$ 5,000	\$ 2,000	\$ 29,153.00	
896 9997 000	0 W. Ryan Road	Covenant Community Church	156.75	\$ 21,995.16	\$ -	\$ 4,060	\$ 26,055.16	\$ 5,000	\$ -	\$ 31,055.16	

NOTES:

(a) Assessment Footage values need to be verified with plats and individual property descriptions.

(b) Assessment Costs are assuming the maximum value of \$114.33/assessment foot for single-family, two-family, and agriculture zoned property and \$140.32/assessment foot for business, industrial, institutional, or multi-family zoned property.

(c) Costs of laterals within the ROW will depend on the depth of sewer, location of sewer, conflicts with other utilities, etc.

(d) The Utility Costs can be financed through the City per the direction of Common Council.

(e) Homeowner will need to find a private contractor to perform these services. It is assumed lots with existing structures will require abandonment of septic.

(f) This property may be developed, at which point in time specific fees can be determined. Assessment Footage shown is a best guess.

(g) This property is zoned both B-3 and R-3 and is being assessed at the higher rate of \$140.32/assessment foot. Sanitary Impact Fee is based on assumption of future 3/4-inch water meter to residential building only (no water supply to business in rear of property).

(9) The lateral would be over 900 feet long to serve the existing house.

(10) This is a single-family home that is zoned M-1 and is therefore being assessed at the higher rate of \$140.32/assessment foot.

Water Main Extension Along S. 76th Street from W. Ryan Road to W. Oakwood Road										
Tax Key	Address	Owner	Assessment Footage (a)	Cost (b)	Impact Fee	ROW Lateral (c)	Sub Total Utility Costs (d)	Private Lateral (e)	TOTAL COSTS	NOTES
896 9986 000	9571 S. 76th Street	Burch	297	\$ 27,784.35	\$ 2,281	\$ 2,000	\$ 32,065.35	\$ 3,000	\$ 35,065.35	
896 9993 000	9621 S. 76th Street	Paap	235	\$ 26,867.55	\$ 2,281	\$ 2,000	\$ 31,148.55	\$ 3,000	\$ 34,148.55	1
896 9994 002	0 S. 76th Street	Hribar	100	\$ 11,433.00	-	\$ 2,000	\$ 13,433.00	\$ 4,500	\$ 17,933.00	2
896 9994 003	9643 S. 76th Street	DIEM Property	266.11	\$ 30,424.36	\$ 2,281	\$ 2,000	\$ 34,705.36	\$ 3,000	\$ 37,705.36	
896 9995 000	9675 S. 76th Street	Hribar	120	\$ 13,719.60	\$ 2,281	\$ 2,000	\$ 18,000.60	\$ 3,000	\$ 21,000.60	1
896 9998 000	9809 S. 76th Street	Selke	248.98	\$ 23,292.08	\$ 2,281	\$ 2,000	\$ 27,573.08	\$ 3,000	\$ 30,573.08	
896 9999 004	9705 S. 76th Street	Hannagan	226.5	\$ 21,189.08	\$ 2,281	\$ 2,000	\$ 25,470.08	\$ 3,000	\$ 28,470.08	
896 9999 007	9733 S. 76th Street	Southbrook Church	285	\$ 32,584.05	-	\$ 2,000	\$ 34,584.05	\$ 3,000	\$ 37,584.05	
896 9999 008	0 S. 76th Street	Southbrook Church	158	\$ 18,064.14	-	\$ 2,000	\$ 20,064.14	\$ 3,000	\$ 23,064.14	
896 9999 010	9875 S. 76th Street	Demark	346.66	\$ 32,430.04	\$ 2,281	\$ 2,000	\$ 36,711.04	\$ 6,000	\$ 42,711.04	3
897 9997 000	0 S. 76th Street	Duranso	795.18	\$ 74,389.09	-	\$ 2,000	\$ 76,389.09	\$ 3,000	\$ 79,389.09	
897 9998 000	9768 S. 76th Street									
897 9998 000	9770 S. 76th Street	Houtler Living Trust	199.1	\$ 18,625.81	\$ 2,281	\$ 2,000	\$ 22,906.81	\$ 3,000	\$ 25,906.81	
897 9999 000	9830 S. 76th Street	Milwaukee County	663.47	\$ 62,067.62	-	\$ 2,000	\$ 64,067.62	\$ 3,000	\$ 67,067.62	
933 9987 000	0 S. 76th Street	Milwaukee County	0	-	-	-	-	-	-	4
933 9990 001	9910 S. 76th Street	Hinz	265.3	\$ 24,818.82	\$ 2,281	\$ 2,000	\$ 29,099.82	\$ 3,000	\$ 32,099.82	
933 9990 002	0 S. 76th Street	Milwaukee County	100	\$ 9,355.00	-	\$ 2,000	\$ 11,355.00	\$ 3,000	\$ 14,355.00	
933 9991 000	0 S. 76th Street	Milwaukee County	100	\$ 9,355.00	-	\$ 2,000	\$ 11,355.00	\$ 3,000	\$ 14,355.00	
933 9992 000	10010 S. 76th Street	Milwaukee County	248.2	\$ 23,219.11	\$ 2,281	\$ 2,000	\$ 27,500.11	\$ 3,000	\$ 30,500.11	
933 9993 000	0 S. 76th Street	Milwaukee County	165	\$ 15,435.75	-	\$ 2,000	\$ 17,435.75	\$ 3,000	\$ 20,435.75	
933 9994 000	10100 S. 76th Street	Schweitzer, Vernon	330	\$ 30,871.50	\$ 2,281	\$ 2,000	\$ 35,152.50	\$ 3,000	\$ 38,152.50	
933 9995 000	0 S. 76th Street	Milwaukee County	405.77	\$ 37,959.78	-	\$ 2,000	\$ 39,959.78	\$ 3,000	\$ 42,959.78	
934 9989 000	9913 S. 76th Street	Duldulac	330	\$ 30,871.50	\$ 2,281	\$ 2,000	\$ 35,152.50	\$ 3,000	\$ 38,152.50	
934 9990 000	9909 S. 76th Street	Morgan	100	\$ 9,355.00	\$ 2,281	\$ 2,000	\$ 13,636.00	\$ 3,000	\$ 16,636.00	
934 9991 003	9905 S. 76th Street	Branback	100	\$ 9,355.00	\$ 2,281	\$ 2,000	\$ 13,636.00	\$ 6,000	\$ 19,636.00	5
934 9993 001	9991 S. 76th Street	Schweitzer Trust	100	\$ 9,355.00	\$ 2,281	\$ 2,000	\$ 13,636.00	\$ 3,000	\$ 16,636.00	
934 9994 001	10007 S. 76th Street	Kooping	260	\$ 24,323.00	\$ 2,281	\$ 2,000	\$ 28,604.00	\$ 3,000	\$ 31,604.00	
934 9992 002	10225 S. 76th Street	Spencer	239.34	\$ 22,390.26	\$ 2,281	\$ 2,000	\$ 26,671.26	\$ 3,000	\$ 29,671.26	
934 9992 005	0 S. 76th Street	Schweitzer, Karen	180	\$ 16,839.00	-	\$ 2,000	\$ 18,839.00	\$ 3,000	\$ 21,839.00	
934 9992 010	0 S. 76th Street	Schweitzer Family Ptnrshp	528	\$ 49,394.40	\$ 2,281	\$ 2,000	\$ 53,675.40	\$ 3,000	\$ 56,675.40	
934 9992 011	10205 S. 76th Street	Schweitzer, Roy	207	\$ 19,364.85	\$ 2,281	\$ 2,000	\$ 23,645.85	\$ 3,000	\$ 26,645.85	
934 9995 000	10165 S. 76th Street	Schweitzer, David	180	\$ 16,839.00	\$ 2,281	\$ 2,000	\$ 21,120.00	\$ 3,000	\$ 24,120.00	
934 9996 000	10131 S. 76th Street	Trentacosti	180	\$ 16,839.00	\$ 2,281	\$ 2,000	\$ 21,120.00	\$ 3,000	\$ 24,120.00	

NOTES:

- Assessment Footage values need to be verified with plats and individual property descriptions.
  - Assessment Costs are assuming the maximum value of \$93.55/assessment foot for single-family, two-family, and agriculture zoned property and \$114.33/assessment foot for business, industrial, institutional, or multi-family zoned property.
  - Costs of laterals within the ROW will depend on the depth, location, conflicts with other utilities, etc.
  - The Utility Costs can be financed through the City per the direction of Common Council.
  - Homeowner will need to find a private contractor to perform this service.
- This is a single-family home that is zoned M-1 and is therefore being assessed at the higher rate of \$114.32/assessment foot.
  - This is an empty lot zoned M-1 and any lateral would be over 300 feet long to serve a potential building.
  - The lateral would be over 900 feet long to serve the existing house.
  - This property is zoned FW and most likely will not be developed.
  - This is a flag lot and the lateral would be over 700 feet long to serve the existing house.

APPROVAL <i>Slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE March 7, 2017
REPORTS & RECOMMENDATIONS	2017 Sanitary Sewer User Fee Revision	ITEM NUMBER <i>G.6.</i>

### Background

Annually MMSD provides a Cost Manual which provides the information to determine the sewer charge for Franklin sewer customers. The charge has three components, a fixed connection fee, a fixed Hazardous Waste Disposal fee and a volumetric charge. All residents are charged a fixed rate, regardless of the water volume used. Commercial Customers are provided the fixed charge and then a volumetric charge based upon the water usage.

To the MMSD charge is an additional fee that provides the resources to maintain the local sanitary sewer system.

### Analysis

The Finance Committee is recommending a 0.9% reduction in the local sanitary sewer fee for 2017.

MMSD decreased the volumetric rate 0.4%, effective January 1, 2017. The fixed MMSD rate increased 10.5% to \$23.98. Combined, the MMSD rate increased 1.1% for residential customers.

The proposed residential rate is.

#### **Residential Sewer Bill**

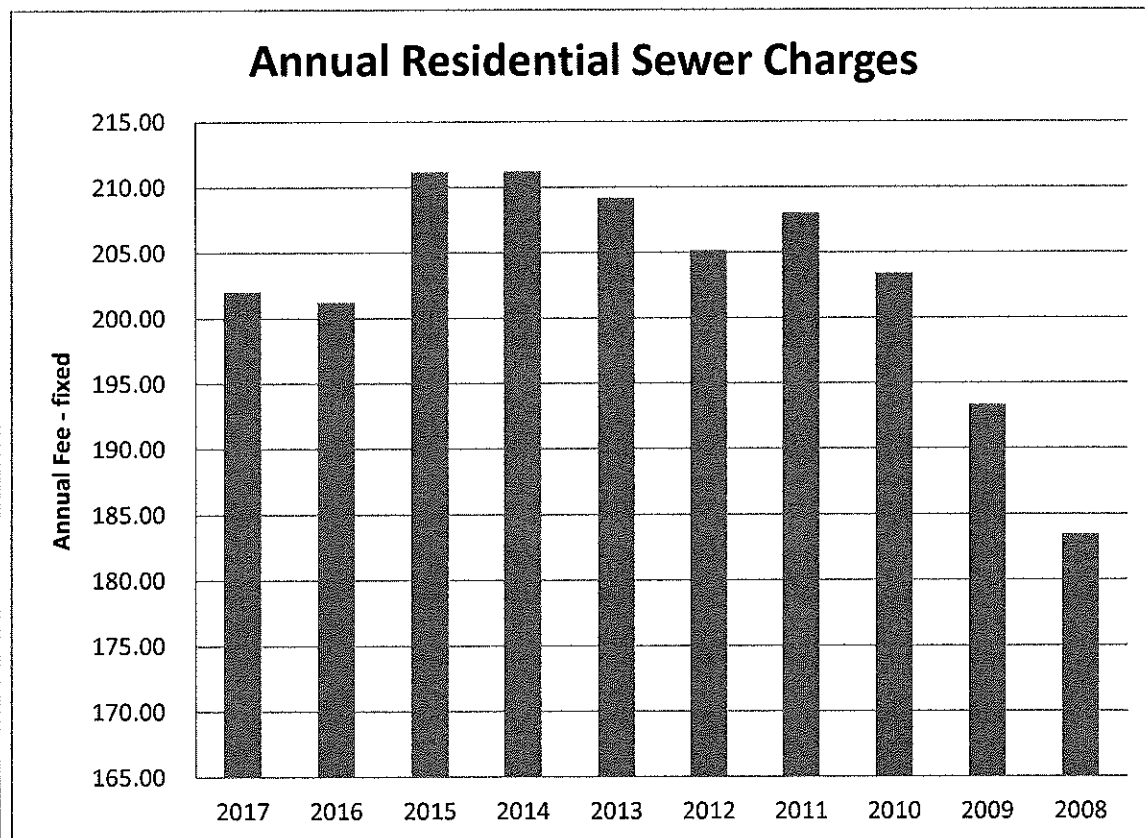
	2017	2016	Inc (Dec)
Franklin Charge	66.45	67.08	(0.9%)
Volumetric Charge (Variable)	106.88	107.26	(0.4)
Connection Charge (Fixed)	23.98	21.71	10.5%
Hazardous Waste Disposal (Fixed)	4.75	5.19	(8.5)%
Total MMSD charge	135.61	134.16	1.1%
Total Annual Charge	202.06	201.24	0.4%
<b>Quarterly Residential Billing</b>	<b>50.52</b>	<b>50.31</b>	<b>0.4%</b>

An average Commercial customer using 82,000 of water will see an increase of 1.5% related to the fixed charge increase.

There are currently 10,280 Sewer customers – 9,166 of those are single family or Multi-family residences.

Note that Sanitary Sewer bills are combined with water charges (for properties utilizing both services). The Water Utility was granted a 8% residential rate increase in June, 2016.

A history of the combined residential sewer charge is represented below.



While the 2017 sewer charge is recommended to increase 0.4% or \$0.82, rates are still lower than they were in 2010.

### **Options**

Adopt the recommended rates, or

Take such other action as the Common Council deems appropriate, or

Take no action.

### **Recommendation**

The Finance Committee reviewed the proposed rates at its February 20, 2017 meeting and recommends Common Council adopt an quarterly City Sanitary Sewer charge of \$16.62, which when added to the MMSD charge of \$33.90 results in a total quarterly 2017 residential rate of \$50.52, and recommends similar adjustments in the 2017 Commercial Sanitary Sewer user rates.

### **Fiscal Impact**

In 2008, the Common Council adopted a Sewer rate policy that considers the Sewer Fund balance and the relationship between local and MMSD charges. The Sewer Fund balance will be high enough such that the local charge can be reduced.



The 2017 Adopted sanitary sewer budget includes capital equipment purchases of \$271,000.

Sanitary Sewer Fund Financial performance the last several years can be summarized as follows:

	2011	2012	2013	2014	2015	2016 Prelim
Revenue	\$3,124,786	\$3,142,060	\$3,243,737	\$3,266,896	\$3,340,382	\$3,328,498
Oper Costs	2,796,590	2,766,640	2,969,650	3,008,552	3,03,116	3,117,813
Oper Inc	328,196	375,420	274,087	258,344	337,266	210,685
Cash Flow	437,981	464,728	334,723	393,622	477,339	358,409
Fund Bal	1,717,413	2,088,453	2,383,618	2,550,907	1,181,704*	TBD


\*Reduction due to use of fund balance for construction of Water & Wastewater Building

#### **COUNCIL ACTION REQUESTED**

Motion to adopt quarterly 2017 Residential Sewer charge of \$50.52 and a quarterly Commercial Connection charge of \$8.94 plus a per thousand gallon charge of \$2.91925 effective January 1, 2017 as provided by Municipal Code 207-14 H (3)(b)

**BLANK PAGE**



<b>APPROVAL</b> 	<b>REQUEST FOR COUNCIL ACTION</b>	<b>MEETING DATE</b> <b>3/7/2017</b>
<b>REPORTS &amp; RECOMMENDATIONS</b>	<b>Authorization to Execute an Agreement Incorporating a Proposal for Asbestos &amp; Lead Paint Inspection for OSHA 1926.62 for Franklin City Hall with Environmental Management Consulting, Inc. (EMC)</b>	<b>ITEM NUMBER</b> <b>G.7.</b>

As you are aware, the 2017 Budget includes \$1,800,000 for remodeling City Hall; with the core project scope being roof replacement, HVAC replacement, and façade/entry improvements.

Per Wisconsin DNR Chapter NR 447, "Control of Asbestos Emissions", a pre-inspection is required where prior to the commencement of a demolition or renovation activity, the owner or operator shall thoroughly inspect the affected facility or part of the facility where the demolition or renovation operation will occur for the presence of asbestos, including Category I and Category II nonfriable asbestos containing material (ACM).

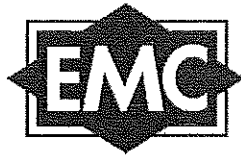
As such, with the larger-scaled City Hall remodeling project on the horizon, the Director of Administration recommends having City Hall surveyed for asbestos and lead paint now as the HVAC project, etc. could be highly affected by the survey results.

Attached is a proposal from Environmental Management Consulting, Inc. (EMC) for asbestos and lead paint inspection for City Hall. The total estimated cost of the asbestos survey is \$5,880 and the estimated time and materials not-to-exceed cost for the lead paint survey is \$685.

The attached proposal will be incorporated into the City's standard agreement with its boilerplate language as guided by the City Attorney.

### **COUNCIL ACTION REQUESTED**

Authorize the Director of Administration to execute an agreement incorporating a Proposal for Asbestos and Lead Paint Inspection for OSHA 1926.62 for Franklin City Hall with Environmental Management Consulting, Inc. (EMC) for a total estimated cost of \$5,880 for the asbestos survey and a total estimated time and materials not-to-exceed cost of \$685 for the lead paint survey.



**Environmental Management Consulting, Inc.**

**PROPOSAL FOR  
ASBESTOS AND LEAD PAINT INSPECTION FOR OSHA 1926.62**

**FOR  
CITY OF FRANKLIN – CITY HALL  
9229 W. LOOMIS AVENUE  
FRANKLIN, WI 53132**

**JANUARY 9, 2016**

**PREPARED FOR:  
CITY OF FRANKLIN  
MR. BOB TESCH  
BUILDING MAINTENANCE SUPERINTENDENT  
MR. MARK LUBERDA  
DIRECTOR OF ADMINISTRATION**

**PREPARED BY:  
WILLIAM A. FREEMAN, CHMM  
ENVIRONMENTAL MANAGEMENT CONSULTING, INC.  
W7748 COUNTY HIGHWAY V  
LAKE MILLS, WI 53551**

*Securing Safer Futures...*

W 7748 Cty Hwy V, Lake Mills, WI 53551 ♦ 920.648.6343 Fax: 920.648-4370 ♦ [www.emc-wi.com](http://www.emc-wi.com)

## **ASBESTOS PRE-RENOVATION INSPECTION**

Environmental Management Consulting, Inc. (EMC) proposes to inspect the above-mentioned property for the presence of asbestos containing building materials. Survey will be limited to areas as described below. Bulk samples will be extracted for each building material found suspect to contain asbestos as discussed with the owner. All samples will be submitted to a NVLAP certified laboratory for analysis via Polarized Light Microscopy (PLM). A final report will summarize the findings of the inspection.

The final report will include the following:

Three separate categories of materials (if applicable) will be listed for the property.

- The first list will be of materials found to contain asbestos, which are friable or may become friable during renovation. These materials must be removed by a certified asbestos abatement contractor prior to demolition.
- The second list will contain materials found to contain asbestos but are at concentrations of less than 1 percent asbestos. NESHAPS (DNR) does not regulate these materials, however OSHA still does have some requirements. A detailed explanation of requirements will be provided as applicable.
- The third list will include materials that were sampled and found not to contain asbestos. No work is necessary for these materials.

If any suspect materials are found during work that have not been sampled or identified during this inspection, work must stop and a certified Asbestos Building Inspector must be contacted to assess the situation.

Inaccessible areas may exist within the building. These areas include such areas as inside walls, false ceilings, fire doors, etc. The renovation survey is limited to materials listed within this report.

The building owner/operator remains responsible for submitting any notifications for renovation/demolition work or asbestos removal work.

### **Areas included in inspection:**

- Franklin City Hall – 1969 & 1980 Buildings
- 46,000 Sq. Ft. with Garage

## **Proposal – Lead Based Paint Survey for Renovation (OSHA 1926.62)**

### Description of Services

As a lead certified firm in the State of Wisconsin, EMC will supply an inspector to collect chip samples of painted surfaces likely to be disturbed by the planned renovation/demolition work. OSHA 1926.62 does not recognize XRF technology as proof that no lead is present. EMC will collect a sufficient number of samples representative of all components including windows, doors, trim, walls, floors and other painted surfaces likely to be disturbed. Not all painted surfaces will be tested. Chip samples will be analyzed by a NVLAP approved laboratory for lead content.

Results will be reported as lead paint present or not present.

OSHA applicable work practices may be required to protect workers against these hazards.

A final report will summarize the findings of the inspection.

#### **AREA(S) TO BE INSPECTED:**

- Franklin City Hall – 1969 & 1980 Buildings
- 46,000 Sq. Ft. with Garage

EMC proposes to conduct this Pre-Renovation Inspection for the following fees:

### **ASBESTOS SURVEY**

Evaluation, quantification and bulk sampling of subject property per OSHA/EPA regulations.

Professional Time	32 Hours @ \$90.00/Hour	\$ 2,880.00
Estimated PLM samples	200 Layers @ \$16.00/Sample Layer	<u>\$ 3,200.00</u>
<b>Total Estimated Cost</b>		<b>\$ 5880.00</b>

PLM bulk sample analysis – bulk samples gathered will be analyzed by homogeneous layer. Samples will be gathered and analyzed to satisfy OSHA/EPA requirements.

Additional sampling may be necessary to meet regulatory requirements.

Point counting of select materials may also be required at an additional cost.

Billing will represent actual hours and sample analysis completed.

### **LEAD PAINT SURVEY**

#### **CONSULTING SERVICES**

Time spent in administration of project, facility survey, evaluation, review and analysis of field and laboratory data, report review, travel time, consultation or meetings related to the project, etc.

4 Hours @ \$90.00 per hour	\$ 360.00
1/2 Day of XRF Use @ \$150.00 per Day	\$ 75.00
10 Chip Samples @ \$25.00 per Sample	\$ 250.00

<b>Estimated Time &amp; Materials Not to Exceed</b>	<b>\$ 685.00</b>
---	------------------



EMC

---

City of Franklin  
Acceptance of Proposal

## 2017 FEE SCHEDULE ENVIRONMENTAL MANAGEMENT CONSULTING, INC.

### CONSULTING SERVICES

Time spent in administration of projects, facility surveys, evaluation, review and analysis of field and laboratory data, report review, travel time, consultation or meetings related to the project, etc.

A.	Certified Staff, Expert Witness Testimony	\$150.00/Hour
B.	Certified Industrial Hygienist	\$110.00/Hour
C.	Senior Project Manager, Industrial Hygienist, Indoor Air Quality Professional	\$95.00/Hour
D.	Staff Consultant, Inspector	\$90.00/Hour
E.	Administrative Support	\$40.00/Hour
F.	Computer Aided Drafting and Design	\$75.00/Hour
G.	Weekend/Off Hours Premium	30% surcharge

### ASBESTOS ANALYSIS

#### Phase Contrast Microscopy (PCM Air - Asbestos)

-	On-Site Analysis	\$25.00/Sample
-	Off-Site Laboratory Analysis (24 – 48 Hour TAT)	\$20.00/Sample
-	72 Hours or Greater	\$16.00/Sample

#### Transmission Electron Microscopy (TEM Air - Asbestos)

-	24 – 48 Hour TAT	\$180.00/Sample
-	72+ Hour TAT	\$160.00/sample

#### Polarized Light Microscopy (PLM Bulk - Asbestos)

-	<6 Hour TAT	\$55.00/Layer
-	24 – 48 Hours TAT	\$20.00/Layer
-	72+ Hour TAT	\$17.00/Layer
-	PLM Point Count (72+ Hour TAT)	\$35.00/Layer
-	PLM Point Count (Same Day)	\$45.00/Layer
-	Vermiculite by PLM (72+ Hour TAT)	\$45.00/Layer

#### Transmission Electron Microscopy (TEM Bulk - Asbestos)

-	72+ Hour TAT	\$50.00/Sample
-	Vermiculite by TEM (72+ Hour TAT)	\$195.00/Sample

### LEAD ANALYSIS (Air, Wipe, Dust, Bulk, Chip)

#### Analysis by Atomic Absorption (AA)

-	12 – 24 Hour TAT	\$40.00/Sample
-	24 Hour +	\$25.00/Sample
-	XRF	\$150.00/Day

NOTE: All rates for standard turnaround time unless otherwise noted. Rush Analysis on laboratory samples to be quoted on a per project basis. Shipping fees (Fed Ex) are necessary for sample analysis and will be billed at cost plus 15% or a \$30.00 flat rate.

## **I. LABORATORY TESTING**

### **Air (Indoor Air Quality)**

Radon- RadStar instantaneous	\$120.00/Day
TSI Q-Trak CO <sub>2</sub> , CO, Temperature & Relative Humidity Meter	\$80.00/Day/Unit
Fungi -- Total or Viable	\$80.00/Sample
Fungi -- Total(12 HR Rush)	\$110.00/Sample
Wall-Chek™ (Fungi) -- Total	\$80.00/Sample
Formaldehyde	\$150.00/Sample
25 Aldehydes	\$250.00/Sample
Mycotoxins	\$350.00/Sample
Endotoxins (Gram Neg. Bacteria)	\$130.00/Sample
Bacteria	\$80.00/Sample
Total Volatile Organic Compounds (TVOC)	\$300.00/Sample
Top 20 TVOC Breakdown (or TVOC + \$175.00)	\$475.00/Sample
All TVOC Breakdown (or TVOC + \$300.00)	\$600.00/Sample
Microbial Volatile Organic Compounds (MVOC)	\$300.00/Sample
Total Respirable (IAQ) -- Dust Trak	\$80.00/Day/Unit
Other Types of Air Sampling	Price Upon Request

### **Air (Industrial)**

Formaldehyde (DNPH)	\$92.00/Sample
Formaldehyde (DNPH) + (STEL)	\$184.00/Sample
Hexavalent Chromium	\$77.00/Sample
Lead	\$37.00/Sample
Metals -- Scan up to 8 metals (6 -- 8 components)	\$94.00/Sample
Metals -- Scan up to 8 metals (6 -- 8 components) + Weight	\$116.00/Sample
Metals - Single Metal	\$37.00/Sample
Methylene Bisphenyl Diisocyanate (MDI) - (8 samples = 8 hr TWA)	\$103.00/Sample
Ozone	\$77.00/Sample
Respirable Dusts	\$27.00/Sample
Respirable Silica (Quartz & Cristobalite)	\$90.00/Sample
Respirable Silica (Quartz)	\$77.00/Sample
Solvent Scan	\$205.00/Sample
Total Particulate	\$27.00/Sample
Other Types of Air Sampling	Price Upon Request

### **Bulk**

Fungi -- Total or Viable	\$80.00/Sample
Bacteria	\$80.00/Sample
Sewage Screen	\$120.00/Sample
Avian/Mammalian Feces Screen	\$175.00/Sample

### **Other**

Fungi -- Surface Wipe -- Total or Viable	\$80.00/Sample
Fungi -- Carpet Chek™/Dust Extraction -- Total or Viable	\$80.00/Sample
Legionella (Surface)	\$125.00/Sample
Dust Mites	\$90.00/Sample
Sulfur Containing Compounds (Tedlar™ Bag Sample)	\$180.00/Sample
TCLP (1 Method/Test)	\$160.00/Sample
TCLP (8 RCRA Metals - As, Ba, Cd, Cr, Hg, Pb, Se & Ag)	\$310.00/Sample
Various Miscellaneous Others	Price Upon Request

**BLANK PAGE**



APPROVAL <i>Slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE March 7, 2017
REPORTS & RECOMMENDATIONS	AN ORDINANCE TO AMEND ORDINANCE 2016-2240, AN ORDINANCE ADOPTING THE 2017 ANNUAL BUDGETS FOR THE GENERAL FUND, DEVELOPMENT FUND, CIVIC CELEBRATIONS FUND, CAPITAL OUTLAY FUND, EQUIPMENT REPLACEMENT FUND, CAPITAL IMPROVEMENT FUND, TID 3 FUND, TID 5 FUND AND SANITARY SEWER FUND, FOR THE CITY OF FRANKLIN FOR FISCAL YEAR 2017 TO APPROVE BUDGET ENCUMBRANCES FROM THE 2016 BUDGET AS AMENDMENTS TO THE 2017 BUDGET	ITEM NUMBER  6.8.

### **Background**

Each year generally accepted accounting principles require a search for encumbrances. An encumbrance is a contract or written purchase order that was entered into or ordered during the 2016 fiscal year with the intent that the contract or purchase order would be completed in 2016 or the understanding that the project would take more than one fiscal year to complete. Projects meeting the definition of an encumbrance must have a portion of the fund balance reserved for the costs necessary to complete the project.

The conversion to the BS&A software is aiding the tracking of encumbrances.

### **Analysis**

For the year 2016 there are projects in General Fund, Development Fund, Civic Celebrations Fund, Capital Outlay Fund, Equipment Replacement, TID 3, TID 5, Capital Improvement, and Sewer Funds which could be encumbered.

### **Fiscal Impact**

The fiscal impact of encumbrances to each of the funds is a reduction of the respective fund balance. The 2016 year-end financial reports and the year-end fund balances will include the impact of the encumbrances. Revenue was provided in 2016 but was unused. These actions allow those funds to be used without penalizing respective 2017 budgets or the projects in process.

### **Recommendation**

The Finance Committee reviewed this Ordinance at the February 20, 2017 meeting and unanimously recommends adoption.

### **COUNCIL ACTION REQUESTED**

Motion adopting an Ordinance to amend Ordinance 2016-2240, an Ordinance adopting the 2017 annual budgets for the General Fund, Development Fund, Civic Celebrations Fund, Capital Outlay Fund, Equipment Replacement Fund, Capital Improvement Fund, TID 3 Fund, TID 5 Fund and Sanitary Sewer Fund, for the City of Franklin for fiscal year 2017 to approve budget encumbrances from the 2016 budget as amendments to the 2017 budget

Roll call vote needed

Finance Dept - Paul

STATE OF WISCONSIN : CITY OF FRANKLIN : MILWAUKEE COUNTY

ORDINANCE NO. 2017 \_\_\_\_\_

AN ORDINANCE TO AMEND ORDINANCE 2016-2240, AN ORDINANCE ADOPTING THE 2017 ANNUAL BUDGETS FOR THE GENERAL FUND, DEVELOPMENT FUND, CIVIC CELEBRATIONS FUND, CAPITAL OUTLAY FUND, EQUIPMENT REPLACEMENT FUND, CAPITAL IMPROVEMENT FUND, TID 3 FUND, TID 5 FUND AND SANITARY SEWER FUND, FOR THE CITY OF FRANKLIN FOR FISCAL YEAR 2017 TO APPROVE BUDGET ENCUMBRANCES FROM THE 2016 BUDGET AS AMENDMENTS TO THE 2017 BUDGET

-----

WHEREAS, the Common Council of the City of Franklin adopted the 2017 Annual Budgets for the General Fund, Development Fund, Civic Celebrations Fund, Capital Outlay Fund, Equipment Replacement Fund, Capital Improvement, TID 3 Fund, TID 5 Fund, and Sanitary Sewer Fund, and

WHEREAS, certain monies included in the 2016 Annual Budgets of the respective funds were intended to be expended in 2016 and were committed for expenditure prior to December 31, 2016; and

WHEREAS, these amounts will be expended in 2017, and as a result, the related appropriations should be made available and appropriated in the 2017 budget; and

WHEREAS, Common Council has determined that it would be in the best interest of the City to approve such encumbrance in the 2017 budgets of the respective funds; and

WHEREAS, the Budget Appropriation Units will be adjusted for the items listed below.

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

Section 1      That certain encumbered funds of the 2016 budgeted amounts be transferred forward to the 2017 Annual Budget for the respective funds of the City of Franklin to pay for 2016 encumbrances as follows:

General Fund

Other	Non-Personnel	Increase	7650.00
Police	Non-Personnel	Increase	5226.95
Building Inspection	Non-Personnel	Increase	345.00
Highway	Non-Personnel	Increase	16,521.10
Street lighting	Non-Personnel	Increase	19,242.80
Parks	Non-Personnel	Increase	4,950.00
Economic Development	Non-Personnel	Increase	7,500.00

Development Fund

Professional Services	Increase	3,320.50
-----------------------	----------	----------

Civic Celebrations Fund				
Celebrations	Non-Personnel	Increase		500.00
Capital Outlay Fund				
Clerk	Office Furn	Increase		239.36
Police	Other Cap Equip	Increase		28,035.00
Police	Comp Equip	Increase		5,999.85
Fire	Office Furn	Increase		1,200.00
Fire	Shop Equip	Increase		19,912.50
Bldg Inspec	Software	Increase		15,675.00
Parks	Park Equip	Increase		10,775.61
Equipment Replacement Fund				
Highway	Vehicles	Increase		36,891.00
Capital Improvement Fund				
Police	Other Equip	Increase		20,000.00
Police	Safety Equip	Increase		169,056.85
Highway	Professional Serv	Increase		16,119.98
Highway	Sanitary Sewer	Increase		64,860.00
Highway	Sidewalk	Increase		43,530.00
Highway	Water	Increase		30,765.00
Highway	Bridge	Increase		652,407.99
Highway	Traffic Signal	Increase		123,810.68
Parks	Trails	Increase		3,890.50
Parks	Bridge	Increase		20,584.91
TID 3	Highway	S 27 <sup>th</sup> St	Increase	1,341,607.59
TID 5	Professional		Increase	10,148.50
Sanitary Sewer Building			Increase	33,261.03

Section 2 Pursuant to §65.90(5)(a), Wis. Stats., the City Clerk is directed to publish a Class 1 notice of this budget amendment within ten days of adoption of this resolution.

Introduced at a regular meeting of the Common Council of the City of Franklin this \_\_\_\_ day of \_\_\_\_\_, 2017.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this \_\_\_\_ day of \_\_\_\_\_, 2017.

APPROVED:

ATTEST:

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

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

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

City of Franklin

2016 Budget Encumbrances and Carryovers to 2017

PO #	Date	Vendor	Encumbrance	Fund	Dept	Acct	Project	Dept Tot	Description
73919	12/8/2016	Ruekert & Mielke, Inc	7,650.00	1	199	5499		7,650.00	Subsurface Biofiltration analysis
73880	10/27/2016	Faro Technologies	262.00	1	211	5257			Tracs diagram software
73913	12/6/2016	Pipanha Paper Shredding	3,135.00	1	211	5299			Destruction of hard drives
73931	12/13/2016	Red the Uniform Tailor	371.95	1	211	5333			uniform for Officer German
73904	11/30/2016	Century Fence	1,458.00	1	211	5559		5,226.95	Repair to impound fencing
73948	12/27/2016	The Cooke Company	345.00	1	231	5242		345.00	recalibrate light meters
73936	12/20/2016	Tapco - Traffic & Parking	3,047.00	1	331	5343			Sign faces blanks posts
73944	12/27/2016	3M	3,310.45	1	331	5343			Signs
73938	12/16/2016	Western Culvert & Supply	10,163.65	1	331	5355		16,521.10	culvert pipe & bands
73939	12/16/2016	Spectrum Lighting	11,500.00	1	351	5246		19,242.80	10 gardeo fixtures - philips lighting
73953	12/28/2016	Lites & Lamps	7,742.80	1	351	5246		4,950.00	Corn Cob lights
73941	12/27/2016	Crescent Landscape Supply	4,950.00	1	551	5247			wood chips
73875	10/5/2016	Ehlers	7,500.00	1	641	5219		7,500.00	Assessment need for TID 3 - Towne Realty - reimbursed by Towne Realty
			61,435.85					61,435.85	
73677	4/13/2015	Ruekert & Mielke, Inc	3,320.50	27		5219		3,320.50	Impact fee study - Parks & Water fees
73852	4/26/2016	Milw Co House of Correction	500.00	29	541	5313		500.00	2016 Civic Celebration tickets
73954	12/29/2016	Staples Advantage	239.36	41	141	5813		239.36	chair
73882	11/8/2016	Paragon Development	46,951.05	41	144	5841		46,951.05	VM Ware Virtualization & Storage project <i>See 46,951.05</i>
73870	8/18/2016	Bay Communications	26,000.00	41	211	5819			Text 2-9-1-1
73888	11/10/2016	Hardwire LLC	2,035.00	41	211	5819			Door armor Panels
73882	11/8/2016	Paragon Development	58,679.85	41	211	5841			VM Ware Virtualization & Storage project <i>See 58,680.00</i>
		already processed- not							
73882	11/8/2016	matched		41	211	5841		86,714.85	
73930	12/12/2016	Hoppe Woodwork	1,200.00	41	221	5812			Replacement podium for training room
73797	12/28/2015	Waukesha County Radio Sen	11,000.00	41	221	5815			Radio Programming/flash upgrades
73945	12/21/2016	Word Systems Inc	831.00	41	221	5815			Software for recording tactical
73946	12/21/2016	Bay Communications	2,081.50	41	221	5815			Console/letter installation
73951	12/27/2016	Bay Communications	6,000.00	41	221	5815		21,112.50	Arbitrator Dash Camera
73655	2/24/2015	MS Govern	1,732.50	41	231	5843			Remaining work on Conerstone Permit Data Conversion
73656	2/25/2015	MS Govern	13,942.50	41	231	5843		15,675.00	Project per Signed quote MSGOV2293
73937	12/16/2016	Minnesota Wisconsin Playgro	10,775.61	41	551	5835		10,775.61	Govern Open Forms starter kit per Quote dated 12/26/13
			181,468.37					181,468.37	replacement parts - various parks
73866	8/10/2016	Wausau Equipment	9,221.00	42	331	5811			Snobare 10' plow
73872	9/14/2016	Best Truck Repair	27,670.00	42	331	5811		36,891.00	Dump Body - swenson V Box spreader
			36,891.00						
73858	6/29/2016	Ehlers	7,500.00	43	161	5219		7,500.00	Feasibility Study - TID 5
73855	5/18/2016	Graef	2,648.50	43	321	5219		2,648.50	Ballpark Commons TID 5
			10,148.50					10,148.50	

City of Franklin

2016 Budget Encumbrances and Carryovers to 2017

PO #	Date	Vendor	Encumbrance	Fund	Dept	Acct	Project	Dept Tot	Description
73901	11/21/2016	Word Systems Inc	20,000.00	46	211	5499			Digital voice recording system
73861	7/25/2016	Motorola Solutions Inc	42,695.85	46	211	5819	7063		Police Radio System - Dispatch Consoles
73900	11/21/2016	Motorola Solutions Inc	126,361.00	46	211	5819	7063	189,056.85	Police Radio dispatch consoles
73871	9/7/2016	RA Smith National	16,119.98	46	331	5216	3609		Study of Root River & Oakwood Rd flooding issues
73842	4/6/2016	Milwaukee Co Dept of Transp	64,860.00	46	331	5826	3717		Highway Improvement - St Martin's Road
73842	4/5/2016	Milwaukee Co Dept of Transp	43,530.00	46	331	5828	3717		Highway Improvement - St Martin's Road
73842	4/7/2016	Milwaukee Co Dept of Transp	30,765.00	46	331	5830	3717		Highway Improvement - St Martin's Road
73943	12/21/2016	Lunda Construction	652,407.99	46	331	5837	9314		St Martin's Rd Bridge replacement
73711	7/22/2015	WI Dept of Transport	5,491.46	46	331	5839	7070		Emergency Vehicle Pre-expition S 100-Drexel /Church St
73712	7/22/2015	WI Dept of Transport	5,491.47	46	331	5839	7070		Emergency Vehicle Pre-expition STH 36 & Drexel Ave
73778	12/21/2015	WI Dept of Transport	1,827.75	46	331	5839	7070		Emergency Vehicle Pre-expition system - Ryan & S 76th
73894	11/15/2016	Tapco - Traffic & Parking	38,475.00	46	331	5839	7070		EVP - 5 locations
73896	11/17/2016	Pro Electric	34,400.00	46	331	5839	7070		EVP - multiple locations
73897	11/17/2016	WI Dept of Transport	38,125.00	46	331	5839	7070	931,493.65	EVP equipment for State Hwy locations
73720	7/30/2015	JSD Professional Services	3,890.50	46	551	5833	9831		Southbrook Trail design
73754	11/19/2015	JSD Professional Services	20,584.91	46	551	5837	9828	24,475.41	River Park Trail & Bridge design
			1,145,025.91					1,145,025.91	
73727	8/13/2015	WI Dept of Transport	161,712.00	48	331	5828	3027		S 27th Street lights and streetscape
73727	8/13/2015	WI Dept of Transport	741,651.32	48	331	5834	3027		
73727	8/13/2015	WI Dept of Transport	432,216.00	48	331	5838	3027		
73854	5/4/2016	HNTB - Great Lakes Division	3,056.26	48	331	5838	3027	1,338,635.58	Final Design - S 27th streetscape
73698	5/21/2015	WI Dept of Transport	2,972.01	48	755	5830	3027	2,972.01	Reconstruction of S 27th Street
			1,341,607.59					1,341,607.59	
73721	7/30/2015	Graef	25,875.00	61	1819	1819			Water & Wastewater design services
73722	7/30/2015	Miron Construction	7,386.03	61	1819	1819		33,261.03	Water & Wastewater building construction
		Total Common Council Contr	2,813,658.75					2,813,658.75	
73721	7/30/2015	Graef	25,875.00	65	1819	1819			Water & Wastewater design services
73722	7/30/2015	Miron Construction	7,386.03	65	1819	1819			Water & Wastewater building construction
		Grand total	2,846,919.78						
Remove PO 73882		Paragon	(46,951.05)	41	144	5841			Manual Correction to BS&A auto entries
		Paragon	(52,680.00)	41	211	5841			Invoice was Processed in Dec without matching to PO
		Total encumbrances	2,747,288.73						Invoice was Processed in Dec without matching to PO
Reconcile to BSA		Above total	2,846,919.78						Amount charged to acct 1420 - non-expenditure
		PO 73854	3,056.27						Excluded from BS&A report in error - Ehlers TID 5 analysis
		Less 73858	(7,500.00)						
		BS&A Report total	2,842,476.05						

**BLANK PAGE**

APPROVAL <i>Slw pl</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE March 7, 2017
REPORTS & RECOMMENDATIONS	An Ordinance to Amend Ordinance 2015-2198, an Ordinance Adopting the 2016 Annual Budgets for the General Fund, Solid Waste Fund and the Street Improvement Fund for the City of Franklin to Provide Additional Assessor and Municipal Building Appropriations, to Allocate Under Expenditure appropriations and Provide additional Appropriations for the Solid Waste and Street Improvement Funds	ITEM NUMBER <i>G.9.</i>

### Background

The Solid Waste Fund had additional users generating resources greater than budget and also required additional expenditures to provide the Solid Waste service. The amount of the additional user fees exceeded the amount of the additional charges. An additional \$7,000 in tippage fee expenditures is requested along with \$7,000 of added user fee resources to fund the charges.

The City of Franklin worked with the Village of Hales Corners on a W College Ave road improvement in 2016. The Village of Hales Corners provided resources to cover the costs of their portion of the W College Ave repairs. Staff requests a budget amendment for the Street Improvement Fund to provide an additional resource of \$22,000 of intergovernmental revenues and \$22,000 appropriations for Street Improvements for this project. The Street Improvement program was \$21,000 under budget considering the Hales Corners Village participation.

In the General Fund,

- . Contingency in the General Fund includes a \$9,980 charge for additional Traffic Impact Analysis on the W Rawson Ave and W Loomis Road intersection. This cost will be paid by the Ball Park Commons developer by agreement. Additionally, a \$7,650 engineering study on storm water drainage on S 36<sup>th</sup> Street has been appropriated from Contingency. Both of these costs should be classified as Engineering professional fees. Staff recommends that the budget appropriation be moved from General Fund Contingency to Engineering Professional services.

- . The Assessors Department began to use contract services for clerical help in 2016. A prior budget amendment was adopted estimating the amount of additional appropriations needed for the contracted clerical services. There are excess 2016 personnel appropriations and \$585 insufficient non-personnel appropriations. A budget amendment to transfer \$1,000 from Assessor Personnel Appropriations to the Assessor Non-personnel services is requested. Overall, the Assessor Department was \$10,000 under budget.

- . Municipal Buildings required additional resources for HVAC work, dealing with outdated failing air conditioning equipment at City Hall in 2016. An additional \$3,500 appropriation from Contingency is requested.

- . The Common Council anticipated that 2016 staff vacancies and other unused program appropriations in unknown areas will total \$470,220. A single \$470,220 underexpenditure appropriation was attached to General Government. Vacancies and other un-needed program appropriations occurred in several activities such that the anticipated Underexpenditures should be allocated to them.

The following demonstrates the proposed modification allocating the under-expenditure appropriation:

**ALL AMOUNTS IN THOUSANDS**

	Actual Expense (Prelim)	Original Budget	Current Amend Budget	Var Exc (Def)	Allocate Under Expend	Revised Amend Budget	Rev - Var - Excess (Def)
General Government	2,888	3,167	2,747	-141	398	3,145	257
Public Safety	15,768	16,129	16,105	337	-325	15,780	12
Public Works	3,728	3,612	4,004	276	-73	3,931	203
Health & Human Services	647	684	684	37		684	37
Culture & Recreation	185	168	195	10		195	10
Conservation & Development	493	580	608	115		608	115
Transfers to Other funds	1,250	1,224	1,250	0		1,250	0
Total Expenditures	24,959	25,564	25,593	634	0	25,593	634

A budget modification to allocate the original under expenditure is recommended. The suggested allocation is \$73,070 to Gen Government, \$324,580 to Public Safety, and \$72,570 to Public Works for a total of \$470,220.

**Analysis/Fiscal Impact**

With an allocation of under expenditures by Activity, the 2016 performance to the amended budget remains in compliance with the budget. Without an allocation, the General Government expenditures would not have been in compliance with the adopted budget.

As the budgeting process gets tighter to actual expenditures, the need to allocate the anticipated underexpenditures will likely become part of the end of year process.

**COUNCIL ACTION REQUESTED**

Motion to adopt An Ordinance to Amend Ordinance 2015-2198, an Ordinance Adopting the 2016 Annual Budgets for the General Fund, Solid Waste Fund and the Street Improvement Fund for the City of Franklin to provide additional Assessor and Municipal Building Appropriations, to allocate Under expenditure appropriations and Provide additional Appropriations for the Solid Waste and Street Improvement Funds

Roll Call Vote required



STATE OF WISCONSIN: CITY OF FRANKLIN: MILWAUKEE COUNTY

ORDINANCE NO. 2017 \_\_\_\_\_

AN ORDINANCE TO AMEND ORDINANCE 2015-2198, AN ORDINANCE ADOPTING THE 2016 ANNUAL BUDGETS FOR THE GENERAL FUND, SOLID WASTE FUND, AND STREET IMPROVEMENT FUND FOR THE CITY OF FRANKLIN FOR FISCAL YEAR 2016, TO PROVIDE ADDITIONAL ASSESSOR AND MUNICIPAL BUILDING APPROPRIATIONS, TO ALLOCATE UNDER EXPENDITURE APPROPRIATIONS AND PROVIDE ADDITIONAL APPROPRIATIONS FOR THE SOLID WASTE AND STREET IMPROVEMENT FUNDS

---

WHEREAS, the Common Council adopted the 2016 Budget for the City of Franklin providing resources and appropriations for 2016; and

WHEREAS, the Common Council appropriated \$17,630 of General Fund Contingency appropriations for a Traffic Impact Analysis on the W Rawson Ave – W Loomis Road interchange along with professional fees to study storm water drainage on S 36<sup>th</sup> Street which is more appropriately classified as Engineering Professional services; and

WHEREAS, the Solid Waste program had more user revenues and demands for services than anticipated in the 2016 budget such that additional resources and expenditure appropriations are warranted; and

WHEREAS, the Street Improvement program shared the cost of repairs to W College Ave with Hales Corners resulting in Hales Corners paying their portion of the program costs while causing the City of Franklin's program cost to exceed the appropriations; and

WHEREAS, the Common Council anticipates staff vacancies and reduced program costs with a single under expenditure appropriation in the General Government activity which needs to be allocated to Public Safety and Public Works respectively to adequately reflect the vacancies and program savings there; and

WHEREAS, the Common Council deems it appropriate to modify the 2016 appropriations related to the above matters.

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

Section 1	That the 2016 Budget of the General Fund be adjusted as follows:		
	General Gov	Contingency	Decrease 7,000
	General Fund	Contingency	Decrease 17,630
	Assessor	Personnel	Decrease 1,000
	Assessor	Non-Personnel	Increase 1,000
	Muni Bldg	Non-Personnel	Increase 7,000
	Engineering	Non-Personnel	Increase 17,630
	Gen Gov	Under Expenditure	Decrease 397,150
	Public Safety	Under Expenditure	Increase 324,580
	Public Works	Under Expenditure	Increase 72,570

AYES      NOES      ABSENT

APPROVAL <i>Slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 03/07/2017
REPORTS & RECOMMENDATIONS	Committee of the Whole Recommendations	ITEM NUMBER <i>G.10</i>

The following are items from the March 6, 2017 Committee of the Whole meeting:

- (a) Status Report from the Ballpark Commons Development Team Regarding the Project Proposed at and near The Rock Sports Complex, 7900 W. Crystal Ridge Road.
- (b) Presentation by Ruekert & Mielke, Inc., Regarding potential Sewer and Water Extension in Area D, an Area Approximately Between W. Oakwood and W. South County Line Roads and S. 27<sup>th</sup> and 42<sup>nd</sup> Streets.
- (c) Recommendation from the Fair Commission Regarding Changes to the Monthly St. Martins Fairs (Time, Day, Location).
- (d) Request for Commitment to Support a Resolution of the Intergovernmental Cooperation Council Regarding Gun Safety Technologies.

COUNCIL ACTION

As directed

**BLANK PAGE**

<b>APPROVAL</b> <i>Slw</i>	<b>REQUEST FOR COUNCIL ACTION</b>	<b>MEETING DATE</b> 3/7/17
<b>LICENSES AND PERMITS</b>	<b>MISCELLANEOUS LICENSES</b>	<b>ITEM NUMBER</b> H.1.
<p>See attached list from meeting of March 7, 2017.</p> <p><b>COUNCIL ACTION REQUESTED</b></p>		



# City of Franklin

9229 W. Loomis Road  
Franklin, WI 53132-9728

414-425-7500

## License Committee

### Agenda\*

#### Aldermen's Room

March 7, 2017 – 5:50 pm

1.	Call to Order & Roll Call	Time:		
2.	Applicant Interviews & Decisions			
<b>License Applications Reviewed</b>		<b>Recommendations</b>		
<b>Type/ Time</b>	<b>Applicant Information</b>	<b>Approve</b>	<b>Hold</b>	<b>Deny</b>
Operator 2016-17	<b>Luis M Gumucio</b> 1720 W Meyer Ln, #6105 Oak Creek, WI 53154 Mulligan's Irish Pub & Grill			
Operator 2016-17	<b>Katlin M Keller</b> 7751 S Scepter Dr, #25 Franklin, WI 53132 Walgreen #15020			
Operator 2016-17	<b>Cynthia R Knight</b> 6964 S 27 <sup>th</sup> St Oak Creek, WI 53154 7-Eleven			
Operator 2016-17	<b>Michael A Wichman</b> 6436 W Ohio Ave Milwaukee, WI 53219 Sendik's Food Market			
Operator 2016-17	<b>Addy J Sadowski</b> 3408 W Southwood Dr Franklin, WI 53132 Mulligan's Irish Pub & Grill			
Temporary Class B Beer & Wine	<b>St. Martin of Tours Church – Grand March</b> Person in Charge: David Goehring Location: 7933 S 116 <sup>th</sup> St Date of the Event: 03/25/2017			
3.	Adjournment			
		Time		

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

<b>APPROVAL</b> <i>Slw</i>	<b>REQUEST FOR COUNCIL ACTION</b>	<b>MEETING DATE</b> <b>3/7/17</b>
<b>Bills</b>	<b>Vouchers and Payroll Approval</b>	<b>ITEM NUMBER</b> <b>I. 1</b>

Attached are vouchers dated February 17, 2017 through March 2, 2017 Nos. 163957 through Nos. 164102 the amount of \$ 589,287.52. Included in this listing are EFT's Nos. 3388 through Nos. 3403 and Library vouchers totaling \$ 41,553.68. Voided checks in the amount of \$ (366.16) are separately listed.

Early release disbursements dated February 17, 2017 through March 1, 2017 in the amount of \$ 328,960.43 are provided on a separate listing and are also included in the complete disbursement listing. These payments have been released as authorized under Resolution 2013-6920.

The net payroll dated March 3, 2017 is \$ 382,922.80 previously estimated at \$ 369,000.00. Payroll deductions for March 3, 2017 are \$ 218,176.96, previously estimated at \$ 226,000.00.

The estimated payroll for March 17, 2017 is \$ 381,000.00 with estimated deductions and matching payments of \$ 407,000.00.

Attached is a list of property tax settlements and refunds Nos. 17173 through Nos. 17174 and EFT Nos. 139 through Nos. EFT 145 dated February 17, 2017 through March 2, 2017 in the amount of \$ 18,748,287.78. These payments have been released as authorized under Resolution 2013-6920. Voided checks in the amount of \$ (14,353.02) are separately listed.

### **COUNCIL ACTION REQUESTED**

Motion approving the following:

- City vouchers with an ending date of March 2, 2017 in the amount of \$ 589,287.52 and
- Payroll dated March 3, 2017 in the amount of \$ 382,922.80 and payments of the various payroll deductions in the amount of \$ 218,176.96 plus City matching payments and
- Estimated payroll dated March 17, 2017 in the amount of \$ 381,000.00 and payments of the various payroll deductions in the amount of \$ 407,000.00, plus City matching payments and
- Property tax payments and refunds with an ending date of March 2, 2017 in the amount of \$ 18,748,287.78.