

CITY OF FRANKLIN
COMMON COUNCIL MEETING
FRANKLIN CITY HALL – COMMON COUNCIL CHAMBERS
9229 WEST LOOMIS ROAD, FRANKLIN, WISCONSIN
AGENDA*
TUESDAY, MARCH 20, 2018 AT 6:30 P.M.

- A. Call to Order and Roll Call.
- B.
 - 1. Citizen Comment Period.
 - 2. Mayor Announcements:
 - (a) Proclamation to Designate the Week of April 8-14, 2018 as National Public Safety Telecommunicators Week.
 - (b) Proclamation to Designate the Month of April, 2018 as National 911 Education Month.
 - (c) Proclamation to Designate the Week of May 20-26, 2018 as Emergency Medical Services Week.
- C. Approval of Minutes:
 - 1. Regular Common Council Meeting of March 6, 2018.
 - 2. Special Common Council Meeting of March 8, 2018.
 - 3. Special Common Council Meeting of March 13, 2018.
- D. Hearings.
- E. Organizational Business.
- F. Letters and Petitions.
- G. Reports and Recommendations:
 - 1. Donation from Toastmasters International in the amount of \$30 to the Franklin Food Pantries.
 - 2. Status Report Regarding the Ballpark Commons Development Project Proposed at and Near the Rock Sports Complex, 7900 West Crystal Ridge Road.
 - 3. Resolution Authorizing Certain Officials to Approve an Agreement with Milwaukee County for the Maintenance of New Traffic Signals Resulting from the Development of Ball Park Commons at the Intersections of South 76th Street (CTH “U”) and West Highview Drive and West Rawson Avenue (CTH “BB”) and Old Loomis Road.
 - 4. A Resolution Imposing Conditions and Restrictions for the Approval of a Special Use for a Professional Home Cleaning Service Business Use Upon Property Located at 11113 West Forest Home Avenue, Suite 200 (R&R Swan Investments, LLC, D/B/A Molly Maid, Applicant).
 - 5. A Resolution Imposing Conditions and Restrictions for the Approval of a Special Use for an Eyelash Extension Service Business Use Upon Property Located at 11113 West Forest Home Avenue, Suite 240 (Yulia Da Silva, Owner, Fabu, LLC, D/B/A Fabú Eyes, Applicant).

Common Council Meeting Agenda

March 20, 2018

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6. A Resolution Approving a Funding Authorization for the Historical Barn Reconstruction in Lions Legend Park Project to Include an Additional \$40,000 in City Resources (Alderman Taylor).
7. Milwaukee County Transit System (MCTS) Request to Place a Bus Stop on S. 27th Street in Vicinity of Northwestern Mutual Way.
8. An Ordinance to Amend Ordinance 2017-2301, an Ordinance Adopting the 2018 Annual Budgets for the Donation Fund for the City of Franklin for Fiscal Year 2018 to Provide Appropriations for a Police Drone.
9. Request to Purchase Capital Equipment for the Police Department.
10. Intersection Evaluation of West Drexel Avenue and South 51st Street.
11. Authorization for Department of Public Works to Purchase Replacement Playground Equipment for Glen Meadows Park for \$9,228.11.
12. Approval of a New Job Description for the Position of Lead Dispatcher.
13. Authorization for Renewal of a Contract with Inspiron Logistics for the Emergency Notification System.
14. Recommendation from St. Martins Fair Commission to Amend the Municipal Code to Establish First Monday of the Month Fairs from 3:00 p.m. to 7:00 p.m.

H. Licenses and Permits.

Miscellaneous Licenses from License Committee Meeting of March 20, 2018.

I. Bills.

Request for Approval of Vouchers and Payroll.

J. Adjournment.

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

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

REMINDERS:

March 22	Plan Commission Meeting	7:00 p.m.
April 2	Committee of the Whole and Common Council Meeting	6:30 p.m.
April 3	Spring Election	7:00 a.m.-8:00 p.m.
April 5	Plan Commission Meeting	7:00 p.m.
April 17	Common Council Meeting	6:30 p.m.

B.2.(a)

City of Franklin Proclamation

TO DESIGNATE THE WEEK OF APRIL 8-14, 2018, AS NATIONAL PUBLIC SAFETY TELECOMMUNICATORS WEEK

Whereas, emergencies can occur at any time that require fire, law enforcement or emergency medical services; and

Whereas, when an emergency occurs the prompt response of firefighters, police officers, sheriff's deputies and paramedics is critical to the protection of life and preservation of property; and

Whereas, the safety of our firefighters, police officers and sheriff's deputies is dependent upon the quality and accuracy of information obtained from citizens who call 911; and

Whereas, Public Safety Telecommunicators serving our community are the first and most critical contact our citizens have with emergency services; and

Whereas, Public Safety Telecommunicators serving our community are the single vital link for our firefighters, police officers and sheriff's deputies by monitoring their activities by radio and computer-aided dispatch (CAD), providing them information and insuring their safety; and

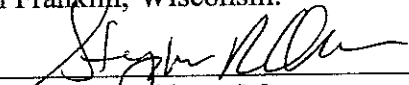
Whereas, Public Safety Telecommunicators serving our community have contributed substantially to the suppression of fires, apprehension of criminals and treatment of patients; and,

Whereas, Public Safety Telecommunicators serving our community include dispatchers and administrators from Franklin Police Department, Franklin Fire Department and Milwaukee County Office of Emergency Management 911 Communications Division; and

Whereas, each dispatcher has exhibited compassion, understanding, diligence and professionalism during the performance of their job to keep our community and citizens safe; now

Therefore, I, Mayor of the City of Franklin, in recognition of this event do hereby proclaim the week of April 8-14, 2018, as **NATIONAL PUBLIC SAFETY TELECOMMUNICATORS WEEK**

Dated this 20th day of March, 2018 in Franklin, Wisconsin.


Stephen R. Olson, Mayor

City of Franklin Proclamation

TO DESIGNATE THE MONTH OF APRIL, 2018, AS NATIONAL 911 EDUCATION MONTH

Whereas, 911 is nationally recognized as the number to call in an emergency to receive immediate help from police, fire, emergency medical services, or other appropriate emergency response entities; and

Whereas, 911 was designated by Congress as the national emergency call number under the Wireless Communications and Public Safety Act of 1999 (Public Law 106-81); and

Whereas, the ENHANCE 911 Act of 2004 (Public Law 108-494) established enhanced 911 as a high national priority as part of our Nation's homeland security and public safety; and

Whereas, the 911 system serving our community consists of first-responders, dispatchers and administrators from Franklin Police Department, Franklin Fire Department and Milwaukee County Office of Emergency Management 911 Communications Division; and


Whereas, people of all ages use 911, and it is critical to educate the public on the proper use of 911; and

Whereas, there is widespread misuse of the 911 system, including non-emergency calls or denial of service attacks, which can result in costly and inefficient use of 911 and emergency response resources; and

Whereas, thousands of 911 calls are made every year by children properly trained on the use of 911, resulting in lives saved which underscores the critical importance of training children early in life about 911; now

Therefore, I, Mayor of the City of Franklin, in recognition of this event do hereby proclaim the month of April, 2018, as **NATIONAL 911 EDUCATION MONTH**.

Dated this 20th day of March, 2018 in Franklin, Wisconsin.


Stephen R. Olson, Mayor

B.2(c)

City of Franklin Proclamation

TO DESIGNATE THE WEEK OF MAY 20-26, 2018, AS EMERGENCY MEDICAL SERVICES WEEK

Whereas, emergency medical services provides a vital public service and delivers important health care in the out-of-hospital setting; and

Whereas, the members of emergency medical services teams are ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and

Whereas, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

Whereas, emergency medical services has grown to fill a gap by providing important, out-of-hospital care, including preventive medicine, follow-up care, and access to telemedicine; and

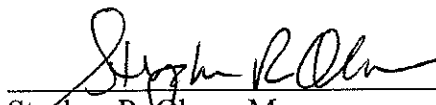
Whereas, the emergency medical services system serving our community consists of Franklin Fire Department paramedics, firefighters and dispatchers; Milwaukee County Office of Emergency Management EMS communicators, instructors, administrators, medical director and quality assurance specialists; emergency nurses, emergency physicians and private ambulance providers; and

Whereas, the members of emergency medical services teams engage in hundreds of hours of specialized training and continuing education to enhance their lifesaving skills; and

Whereas, it is appropriate to recognize the value and the accomplishments of emergency medical services providers by designating Emergency Medical Services Week; now

Therefore, I, Mayor of the City of Franklin, in recognition of this event do hereby proclaim the week of May 20-26, 2018, as **EMERGENCY MEDICAL SERVICES WEEK**.

Dated this 20th day of March, 2018 in Franklin, Wisconsin.


Stephen R. Olson, Mayor

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(ANDERSON FAMILY
DENTAL)

OF THE REVIEW AND APPROVAL OF A SITE PLAN FOR A DENTAL CLINIC DEVELOPMENT FOR PROPERTY LOCATED AT 7215 WEST RAWSON AVENUE (CHARLES C. ANDERSON, OWNER OF ANDERSON FAMILY DENTAL, APPLICANT), subject to review and approval by the Department of City Development and technical corrections by the City Attorney. Seconded by Alderman Taylor. All voted Aye; motion carried.

UDO CODIFICATION
SERVICES

- G.4. Alderwoman Wilhelm moved to contract General Code, LLC for Unified Development Ordinance codification services per the agreement dated April 14, 2017, to be funded with appropriations from the Economic Development Department. Seconded by Alderman Barber. All voted Aye; motion carried.

RES. 2018-7351
GRANT APP. FROM
RPCs AND GREAT
LAKES BASIN TREE
PLANTING
PROGRAM

- G.5. Alderwoman Wilhelm moved to adopt Resolution No. 2018-7351, A RESOLUTION TO MAKE A GRANT APPLICATION REQUEST OF \$7,500 FROM THE 2018 WISCONSIN REGIONAL PLANNING COMMISSIONS AND WISCONSIN DEPARTMENT OF NATURAL RESOURCES GREAT LAKES BASIN TREE PLANTING GRANT PROGRAM. Seconded by Alderman Mayer. All voted Aye; motion carried.

FIRE DEPT.
COMPUTING
PLATFORM CHANGE

- G.6. Alderman Taylor moved to approve the computing platform change for the Franklin Fire Department, migrating away from Panasonic Toughbooks and moving over to an Apple iPad mobility platform, as approved/recommended by the Technology Commission, with the contingency that a successful proof-of-concept study be completed prior to deployment of any new equipment, and to further authorize the redesignation of the Fire Department's 2018 Capital Outlay Computer Equipment funds of \$6,750 to go towards the purchase of 8 to 10 iPads and accessories (cases, keyboards, holding straps). Seconded by Alderman Barber. All voted Aye; motion carried.

PURCHASE OF
SCUBA
COMMUNICATION
SYSTEM AND
GRANT APP.
AUTHORIZATION

- G.7. Alderman Mayer moved to authorize the purchase of a hardline SCUBA communication system for up to \$7,000 anticipated to be from the Grants Fund and to authorize application to and acceptance of a New Safety Equipment Grant from the League of Wisconsin Municipalities Mutual Insurance for 75 percent reimbursement funding of the SCUBA communication system and the budgeted HALO protective firefighting hoods. Seconded by Alderman Barber. All voted Aye; motion carried.

RES. 2018-7352
CONTRACT WITH
JOHN DISPOSAL
SERVICE, INC.

- G.8. Moved to direct staff to finalize a contract extension with Johns Disposal Services
Alderman Barber moved to adopt Resolution No. 2018-7352, A RESOLUTION TO MODIFY AND EXTEND CONTRACT WITH JOHNS DISPOSAL SERVICE, INC. FOR REFUSE COLLECTION,

DISPOSAL AND RECYCLING FROM JANUARY 1, 2018 THROUGH 2022, pending review and technical corrections. Seconded by Alderman Taylor.

Alderman Taylor moved to suspend regular order of business to allow Nate Austin, Johns Disposal Service, Inc., to speak. Seconded by Alderman Mayer. All voted Aye; motion carried.

On the vote for the adoption of Resolution No. 2018-, all voted Aye; motion carried.

Alderman Barber moved to return to the regular order of business. Seconded by Alderman Taylor. All voted aye; motion carried.

2018 SANITARY
SEWER CHARGE

- G.9. Alderman Taylor moved to adopt a quarterly 2018 Residential Sanitary Sewer charge of \$56.45 and a fixed Commercial Connection charge of \$11.31 plus a \$3.20683909 per thousand gallon charge effective January 1, 2018 as provided by Municipal Code 207-14.H.(3)(b). Seconded by Alderman Barber. All voted Aye; motion carried.

RES. 2018-7353
SEWER SERVICE
AGREEMENT-
MUSKEGO

- G.10. Alderman Nelson moved to adopt Resolution No. 2018-7353, A RESOLUTION TO SIGN A SEWER SERVICE AGREEMENT TO SERVE RESIDENTIAL PROPERTIES IN MUSKEGO. Seconded by Alderman Taylor. All voted Aye; motion carried.

RES. 2018-7354
PROFESSIONAL
SERVICES
CONTRACT-TRAFFIC
ANALYSIS-ELM
ROAD EXTENSION

- G.11. Alderman Taylor moved to adopt Resolution No. 2018-7354, A RESOLUTION FOR PROFESSIONAL SERVICES CONTRACT WITH TRAFFIC ANALYSIS & DESIGN, INC. FOR TRAFFIC IMPACT ANALYSIS OF PROPOSED W. ELM ROAD EXTENSION IN THE AMOUNT OF \$14,267. Seconded by Alderman Barber. All voted Aye; motion carried.

ORD. 2018-2315
AMEND ORD. 2017-
2301-GENERAL
FUND,
DEVELOPMENT
FUND, TID 3 & TID 4
& TID 5

- G.12. Alderman Taylor moved to adopt Ordinance No. 2018-2315, AN ORDINANCE TO AMEND ORDINANCE NO. 2017-2301, AN ORDINANCE ADOPTING THE 2018 ANNUAL BUDGETS FOR THE GENERAL FUND, DEVELOPMENT FUND, CAPITAL OUTLAY FUND, EQUIPMENT REPLACEMENT FUND, CAPITAL IMPROVEMENT FUND, TID 3, TID 4, AND TID 5 FOR THE CITY OF FRANKLIN FOR FISCAL YEAR 2018 TO APPROVE BUDGET ENCUMBRANCES FROM THE 2017 BUDGET AS AMENDMENTS TO THE 2018 BUDGET. Seconded by Alderman Barber. On roll call, all voted Aye. Motion carried.

ORD. 2018-2316
AMEND ORD. 2016-
2240-BUDGETS FOR
SOLID WASTE,
DONATIONS, CIVIC
CELEBRATIONS,
POLICE GRANTS

- G.13. Alderman Mayer moved to adopt Ordinance No. 2018-2316, AN ORDINANCE TO AMEND ORDINANCE NO. 2016-2240, ADOPTING THE 2017 ANNUAL BUDGETS FOR GENERAL, SOLID WASTE, DONATIONS, CIVIC CELEBRATIONS, POLICE GRANTS, TID 3, TID 4, AND TID 5 FUNDS FOR THE CITY OF FRANKLIN TO PROVIDE APPROPRIATIONS FOR ACTUAL PERFORMANCE TO AMENDED BUDGET FOR CALENDAR

YEAR 2017. Seconded by Alderman Barber. On roll call, all voted Aye. Motion carried.

ORD. 2018-2317
2018 ANNUAL
BUDGETS FOR
CAPITAL OUTLAY &
IMPROVEMENT
FUND

G.14. Alderman Taylor moved to adopt Ordinance No. 2018-2317, AN ORDINANCE TO AMEND ORDINANCE NO. 2017-2301, AN ORDINANCE ADOPTING THE 2018 ANNUAL BUDGETS FOR THE CAPITAL OUTLAY AND CAPITAL IMPROVEMENT FUND FOR THE CITY OF FRANKLIN FOR FISCAL YEAR 2018 TO CARRYOVER INCOMPLETE 2017 PROJECTS AS AN AMENDMENT TO THE 2018 BUDGET. Seconded by Alderman Mayer. On roll call, all voted Aye. Motion carried.

HEARTLAND
BUSINESS SYSTEMS-
SOUND SYSTEM FOR
COUNCIL
CHAMBERS

G.15. Alderman Taylor moved to authorize the Director of Administration to use Heartland Business Systems for sound system design and product specification services in relation to replacing the Common Council Chamber sound system with such costs to be applied against the approved Capital Outlay Fund project. Seconded by Alderman Barber. All voted Aye; motion carried.

SKC
COMMUNICATIONS
UPGRADE-CITY
HALL TELEPHONE

G.16. Alderman Mayer moved to authorize the Director of Administration to execute the necessary purchase order(s) with SKC Communications to upgrade the City Hall telephone and voice mail system for an amount not to exceed \$55,000 from the Capital Outlay Fund. Seconded by Alderman Nelson. All voted Aye; motion carried.

L&M INSPECTION-
ASSISTANT
BUILDING
INSPECTOR

G.17. Alderman Taylor moved to authorize the Director of Administration to execute a professional services agreement with L&M Inspection, LLC, for the services of Lee Greivell as a fill-in Assistant Building Inspector. Seconded by Alderman Mayer. All voted Aye; motion carried.

AGMT NATIONAL
ASSOCIATION OF
STATE
PROCUREMENT
OFFICERS-
VALUEPOINT

G.18. Alderman Taylor moved to authorize the Mayor or Director of Administration to execute a Participating Agreement through the National Association of State Procurement Officers' ValuePoint Cooperative Purchasing Organization for copiers, printers, and related devices, as approved by the Wisconsin Director of State's Bureau of Procurement; and to authorize Department Heads to acquire budgeted, replacement copiers, printers, and related devices under the terms of the Participating Agreement. Seconded by Alderman Barber. All voted Aye; motion carried.

ESRI AGMT-ARCGIS
SOFTWARE

G.19. Alderman Taylor moved to authorize the Director of Administration to execute ESRI, Inc.'s Quotation No. 25828711, dated 1/19/2018, for the City of Franklin's annual ArcGIS software maintenance renewal, and further authorize the Director of Administration to execute ongoing future annual ArcGIS software maintenance renewals as long as ESRI, Inc. remains the provide and the Common Council

establishes appropriations during the annual budget process. Seconded by Alderman Barber. All voted Aye; motion carried.

2018 COUNCIL MTG
SCHEDULE

- G.20. Alderman Taylor moved to establish the following 2018 meeting schedule: Committee of the Whole meetings will be scheduled at the Mayor's call, if needed. Common Council meetings will be June 5 and 19, July 17, August 7 and 21, September 4 and 18, October 2 and 16, November 5 and 13, and December 4 and 18. Seconded by Alderman Barber. All voted Aye; motion

LICENSES AND
PERMITS

- H.1. Alderman Taylor moved to approve the following licenses:
Grant 2017-18 Class B Beer and Class C Wine licenses, subject to satisfactory inspections, to Lovers Lane Buffet, Inc., Agent JingDuan Jiang, 6514 S. Lovers Lane Rd;
Grant 2017-18 Class B Beer and Class C Wine licenses, subject to Agent completing the Responsible Beverage Server Course and surrender of prior license, to Jiang Saya Enterprises, Inc., Agent Viengsavanh Sayavongsa, 6509B S. 27th St.;
Grant Operator License to Arturo Contreras, 805 S. 94th St., West Allis; Milan Djurina, 2326 W. Clayton Crest Ave., Milwaukee; Yuzeng Jiang, 1325 Sunnyridge Rd., Apt #2, Pewaukee; Yanni Jin, 10375 W. Plum Tree Cir., Apt #201, Hales Corners; Ricky Kloth, N9131 Eastwood Dr., East Troy;
Hold 2017-18 Operator license application for appearance from Christina M Elliott-Pipp, 2100 W. Pierce St, Loft 120, Milwaukee; Tiffany Zebrasky, 230 N. Milwaukee St., Waterford.
Seconded by Alderman Nelson. All voted Aye; motion carried.

VOUCHERS AND
PAYROLL

- I.1. Alderman Barber moved to approve the following vouchers and payroll: City vouchers with an ending date of March 1, 2018 in the amount of \$2,121,046.83; and payroll dated March 2, 2018 in the amount of \$374,588.82 and payments of the various payroll deductions in the amount of \$198,591.54 plus City matching payments; and estimated payroll dated March 16, 2018 in the amount of \$370,000.00 and payments of the various payroll deductions in the amount of \$385,000.00, plus City matching payments; and property tax refunds and payments with an ending date of March 1, 2018 in the amount of \$5,765,459.52; and the release of payment to TI Investors of Franklin Apartments, LLC in the amount of \$109,000.00. Seconded by Alderman Mayer. On roll call, all voted Aye. Motion carried.

ADJOURNMENT

- J. Alderman Nelson moved to adjourn the regular meeting of the Common Council at 7:15 p.m. Seconded by Alderman Barber. All voted Aye; motion carried.

CITY OF FRANKLIN
SPECIAL COMMON COUNCIL MEETING
MARCH 8, 2018
MINUTES

ROLL CALL

A. The special meeting of the Common Council was held on March 8, 2018 and called to order at 8:00 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, Alderwoman Kristen Wilhelm, Alderman Steve F. Taylor, and Alderman Mike Barber. Excused were Alderman Dan Mayer and Alderman John R. Nelson. Also present were Planning Manager Joel Dietl, City Attorney Jesse A. Wesolowski and City Clerk Sandra Wesolowski.

CITIZEN COMMENT

B. Citizen comment period was opened at 8:01 p.m. and closed at 8:06 p.m.

ORD. 2018-2318
AMEND UDO
PDD NO. 37
(THE ROCK SPORTS
COMPLEX/BALLPARK
COMMONS)

C. Alderman Taylor moved to adopt Ordinance No. 2018-2318, AN ORDINANCE TO AMEND SECTION 15-3.0442 OF THE UNIFIED DEVELOPMENT ORDINANCE PLANNED DEVELOPMENT DISTRICT NO. 37 (THE ROCK SPORTS COMPLEX/BALLPARK COMMONS) TO REVISE THE DISTRICT AS IT PERTAINS TO CERTAIN SITE PREPARATION WORK IN THE FOLLOWING MANNER: TO CLARIFY THAT ONLY THOSE LAND DISTURBANCE ACTIVITIES WITHIN THE MILWAUKEE METROPOLITAN SEWERAGE DISTRICT (MMSD) LANDFILL GAS PIPELINE EASEMENT REQUIRE PRIOR MMSD APPROVAL, PURSUANT TO CONDITION NUMBER 8 IN PLANNED DEVELOPMENT DISTRICT NO. 37, ORDINANCE NO. 2016-2212; TO ALLOW GENERAL SITE CLEARING AND GRADING TO OCCUR PRIOR TO ESTABLISHMENT OF ANY NEW ROADWAY BOND FOR THE PORTION OF ANY ROADWAY LOCATED ON THE LANDFILL, PURSUANT TO CONDITION NUMBER 13 IN PLANNED DEVELOPMENT DISTRICT NO. 37, ORDINANCE NO. 2016-2212; AND TO ALLOW GENERAL SITE CLEARING AND GRADING TO OCCUR PRIOR TO APPROVAL OF A COMPREHENSIVE STORMWATER MANAGEMENT PLAN WHICH PLAN MUST BE APPROVED PRIOR TO ISSUANCE OF ANY BUILDING PERMITS, PURSUANT TO CONDITION NUMBER 25 IN PLANNED DEVELOPMENT DISTRICT NO. 37, ORDINANCE NO. 2016-2212 (7900 WEST CRYSTAL RIDGE DRIVE) (ZIM-MAR PROPERTIES, LLC, APPLICANT) (ZIM-MAR PROPERTIES, LLC, AND WISCONSIN DEPARTMENT OF TRANSPORTATION, PROPERTY OWNERS). Seconded by Alderman Barber. All voted Aye; motion carried.

ADJOURNMENT

D. Alderman Taylor moved to adjourn the meeting at 8:12 p.m. Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.

CITY OF FRANKLIN
SPECIAL COMMON COUNCIL MEETING
MARCH 13, 2018
MINUTES

ROLL CALL

- I. The special meeting of the Common Council was held on March 13, 2018 and called to order at 5:30 p.m. by Mayor Steve Olson in the Franklin City Hall Council Chambers, 9229 W. Loomis Road, Franklin, Wisconsin. On roll call, the following were in attendance: Alderman Mark Dandrea, Alderman Dan Mayer, Alderwoman Kristen Wilhelm, Alderman Steve F. Taylor, Alderman Mike Barber, and Alderman John R. Nelson. Also present were City Engineer Glen Morrow, City Attorney Jesse A. Wesolowski and City Clerk Sandra Wesolowski. The Franklin Board of Water Commissioners also met concurrently with the Common Council upon the subject matter listed on the agenda only.

CITIZEN COMMENT

- II. Citizen comment period was opened at 5:31 p.m. and closed at 5:31 p.m.

CLOSED SESSION
PSC CASE NO. 4310-
CW-109;
APPLICATION OF
THE CITY OF OAK
CREEK, AS A WATER
PUBLIC UTILITY

- III.A. Public Service Commission of Wisconsin Case No. 4310-CW-109; Application of the City of Oak Creek, as a Water Public Utility, for Authority to Construct Pumping and Water Storage Improvements and New Disinfection Facilities, in the City of Oak Creek, Milwaukee County, Wisconsin. Alderman Dandrea moved to enter closed session at 5:33 p.m. pursuant to Wis. Stat § 19.85(1)(g) to deliberate upon and to confer with legal counsel for the Common Council who is rendering advice concerning strategy to be adopted by the Common Council with regard to litigation upon the Application of the City of Oak Creek, as a Water Public Utility, for Authority to Construct Pumping and Water Storage Improvements and New Disinfection Facilities, in the City of Oak Creek, Milwaukee County, Wisconsin, and to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate. Seconded by Alderman Mayer. On roll call, all voted Aye. Motion carried.

No action was taken upon reentering open session at 6:02 p.m.

CLOSED SESSION
WHOLESALE PUBLIC
WATER SUPPLY TO
FRANKLIN 2024

- III.B. Wholesale Public Water Supply to Franklin 2024. Alderman Barber moved to enter closed session at 6:04 p.m. pursuant to Wis. Stat § 19.85(1)(e) to deliberate upon information, terms and provisions of the potential provision of public water supply to the City of Franklin as related to the City, the Franklin Municipal Water Utility and its customers in 2024 and beyond; and the potential negotiation of terms in relation thereto, including, but not limited to potential amendments to the Agreement for Oak Creek to Provide Water at Wholesale to Franklin, potential agreement terms with alternate public water supply sources, including, but not limited to the City of Milwaukee and Milwaukee Water Works, and the investing of public funds and governmental actions in relation thereto, for competitive and bargaining reasons, and to reenter open session at the same place thereafter to act on such matters discussed

therein as it deems appropriate. Seconded by Alderman Mayer. On roll call, all voted Aye. Motion carried.

No action was taken upon reentering open session at 7:07 p.m.

ADJOURNMENT

- D. Alderman Taylor moved to adjourn the meeting at 7:08 p.m. Seconded by Alderman Mayer. All voted Aye; motion carried.

APPROVAL <i>Slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE MARCH 20, 2018
	\$30 Donation from Toastmasters International for Franklin food pantries	ITEM NUMBER <i>G.I.</i>

The Health Officer requests to accept a \$30 donation from the Toastmasters International to the Franklin food pantries.

COUNCIL ACTION REQUESTED

Motion to accept the \$30.00 donation to Franklin food pantries.

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<p>Approval <i>Slw</i></p>	<p>Council Action Sheet</p>	<p>MEETING DATE 3/20/18</p>
<p>REPORTS & RECOMMENDATIONS</p>	<p>Status report regarding the Ballpark Commons development project proposed at and near The Rock Sports Complex, 7900 W. Crystal Ridge Road</p>	<p>ITEM NUMBER <i>G.2.</i></p>
<p>City staff will provide an update on the status of the Ballpark Commons (BPC) development project. Below are topics that will be discussed. The requested action is to receive and place on file.</p> <p>Project Management</p> <p>To provide better communication and a more collaborative work environment, City staff and the BPC development team have returned to having weekly meetings. In addition, the City and BPC have each identified a project management/point person to coordinate all aspects of the development and to ensure the development stays within its projected schedule. Nick Fuchs, Assistant to the Mayor for Economic Development, is designated as the City's Project Manager and Greg Marso of Marso Construction is the Project Manager for the BPC development team.</p> <p>Milestones</p> <p>Attached is Exhibit B of the Development Agreement between the City and Ballpark Commons, which indicates the milestones that have been completed as of March 16, 2018. The applicant has provided documentation related to each item that has been completed, which has been reviewed and accepted by City staff.</p> <p>Permits and Approvals</p> <p>The City has issued a Fills/Soils Disturbing Permit to allow for the work related to the methane system. Other utility work has also been allowed as an essential service.</p> <p>The developer has recently begun installation of silt fencing in addition to prepping and signing the site for further construction activities to begin.</p> <p>It is anticipated that additional Fills/Soils Disturbing Permits will be issued for other land disturbing activities such as tree removal, grading and storm water pond construction. Note that WDNR approval is required prior to the City allowing additional land disturbance activities to occur.</p> <p>Infrastructure/Construction</p> <p>As noted above, the City has permitted the methane system replacement work, which is underway. This work is being done by The Sigma Group. An informational sheet, with City and Sigma contact information, will be delivered by the developer to properties directly abutting the Ballpark Commons development the week of March 19th.</p> <p>Staff would also note that Sigma is overseeing all activities on the landfill, and that Ballpark Commons will continue all of the landfill maintenance and monitoring that is required by the</p>		

DNR, including the voluntary methane monitors in nearby homes.

The developer has also provided a letter to neighbors regarding the construction operations and included contact information in case of any questions or concerns.

Application submittals

A Planned Development District Amendment, three separate Certified Survey Maps and two Site Plan Applications are currently under review. These applications request the following:

- Minor Planned Development District Amendment. To reduce/eliminate building setbacks for Building C1 (the proposed retail/office building located north of Rawson Avenue, associated with Lot 1 of the proposed CSM south of the proposed new Crystal Ridge Road). Essentially requesting 0 foot building setbacks from the right-of-way of Rawson Avenue and the proposed new Crystal Ridge Road. Additional PDD revisions related primarily to Building C1 are also anticipated, such as changes to building height limits, lot coverage limits, and building setbacks.
- Three Certified Survey Maps (CSMs).
 - A 128-acre 4 Lot CSM to encompass the proposed right-of-way of the new Crystal Ridge Road and the lands to the north.
 - A 10-acre 4 lot CSM to encompass the lands between the proposed new Crystal Ridge Road and existing S. 76th Street/W. Loomis Road/W. Rawson Avenue.
 - A 34-acre 4 lot CSM to encompass all of lands south of W. Rawson Avenue.
- Two Site Plans.
 - Request for approval of Building C1, the proposed 3-story retail/office building located north of Rawson Avenue (this may also include a portion of the adjacent proposed new Crystal Ridge Road and/or the small parking lot immediately to the north).
 - Request for approval of four of the six proposed apartment buildings (and the future clubhouse building), located south of Rawson Avenue (this may also include a portion of the adjacent proposed new Old Loomis Road, adjacent portions of shared parking lots, and/or adjacent portions of the landscape berm to the west). The four apartment buildings will each be 3-stories tall with one level of underground parking, and each building will have approximately 50 apartment units. The remaining two apartment buildings are not being requested at this time (these may be replaced at some future date with a proposed senior housing development).

The applications noted above may or may not run concurrently; however, staff anticipates that, at a minimum, the Site Plan for the C1 mixed use office building and directly related PDD amendment(s) will be ready for review at the April 5, 2018 Plan Commission meeting and the April 17th Common Council.

The applicant will also soon be submitting a separate PDD Amendment Application. This amendment requests additional PDD changes, the most notable being a request to allow a senior housing use south of W. Rawson Avenue.

A Site Plan Application is also anticipated for the proposed senior housing development.

Right-of-way vacations/TID Boundary Amendment

The developer will be acquiring three separate pieces of existing rights-of-way:

1. The existing right-of-way of Crystal Ridge Drive, owned by Milwaukee County.
2. The triangular piece of land between Old Loomis Road and the Loomis Road onramp south of W. Rawson Avenue, owned by Milwaukee County.
3. The existing right-of-way of Old Loomis Road, owned by the City of Franklin.

It's anticipated that these transactions will be completed in April 2018 for No. 1 above and May for No. 2 and 3. Note that because this land was right-of-way at the time TID No. 5 was created, it was not included within the TID boundary. As such, once the right-of-way is acquired by the developer, staff will request approval of a contract with Ehlers to proceed with an amendment to the TID boundary.

Sound and Lights

The light shields have been installed and the lights adjusted. The applicant will provide further documentation as to the completion of work in the near future.

TID/Financial

The first \$3,080,000 was wired to the Title Company (Knight Barry) on March 2, 2018. The initial draw request from the Developer for \$1,187,397 is under review now.

The City's sale of Note Anticipation Notes is proceeding, with the Preliminary Official Statement prepared by March 26, 2018, the Rating Agency review the week of April 2-6, 2018 and the Award of Sale on April 7, 2018. The Estimated closing date is May 1, 2018. The City will be funding advances on the project from general reserves until closing.

COUNCIL ACTION REQUESTED

Motion to receive and file the status report for the Ballpark Commons development.

MILESTONE BENCHMARKS

Dated: 2/9/2018

Week Of Goal	Development & Entitlement Events	Type	Status	Verified	TIF Spend Cap	Cumulative
1/15/2018	S3:Anchor Tenants Commitment: SC Waukesha & PT Academy	LOI, Press Release	Completed	Completed - NJF		
1/22/2018	C1 Retail Anchor Tenant Commitment	LOI, Press Release	Completed	Completed - NJF		
1/22/2018	B1, B2, B3, and B4 Apartment Site Plan Application	City Submittal	Completed	Completed - NJF		
1/22/2018	C1 Mixed Use (Office & Retail) Site Plan Application	City Submittal	Completed	Completed - NJF		
1/22/2018	CSM and PDD Amendment	City Submittal	Completed	Completed - NJF		
2/6/2018	City Approval of Development Agreement	City Action	Completed	Completed - NJF		
2/12/2018	Developer to Close on Sale of Landfill with Milwaukee County	Sale Contract		Completed - NJF		
2/12/2018	Closing on Remaining Parcels South of Rawson	Sale Contract		Completed - NJF		
2/12/2018	Stadium American Association, New Franchise Binding Commitment	League Letter	Completed	Completed - NJF		
2/19/2018	Start Reconstruction of Methane Control System & Infrastructure	Construction		Completed - NJF		
2/19/2018	C1 Office Tenants Commitment	LOI, Press Release	Completed	Completed - NJF		
2/26/2018	B1, B2, B3, and B4 Apartment GC Selection	Contract		Completed - NJF	3,080,000	3,080,000
3/5/2018	C1 GC Selection	Contract				
3/5/2018	B1, B2, B3, and B4 Apartment Management Company Selection	Contract				
3/12/2018	Stadium UWM Binding Commitment	Lease, Press Release				
3/12/2018	PDD Amendment and Site Plan Application: Senior Housing	City Submittal				
3/19/2018	S3, C2 Site Plan Application, Indoor Facility	City Submittal				
3/19/2018	C2 Medical Anchor Tenant Commitment	LOI, Press Release				
3/19/2018	S3 Naming Rights Commitment	LOI, Press Release				
3/26/2018	S2, C3, and C4 (Restaurant & Golf)Site Plan Application	City Submittal				
3/26/2018	S2, C3, and C4 (Restaurant & Golf) Tenant Commitments	LOI, Press Release			1,540,000	4,620,000
4/2/2018	Site Plan Application - Stadium Phase 1	City Submittal				
4/9/2018	Install of Ballfield Light Visors	City Inspection			1,551,000	6,171,000
5/21/2018	B1, B2, B3, and B4 Apartment Financing & Building Permit	City Approval				
5/21/2018	C1 Mixed Use (Office & Retail) Financing & Building Permit	City Approval				
5/21/2018	Start Stadium Construction	City Approval				
5/21/2018	Ground Breaking Ceremony & Start of Construction -- Apartments & Office	Public Event			2,612,500	8,783,500

APPROVAL <i>Slw</i>	REQUEST FOR COUNCIL ACTION	MTG. DATE 03/20/2018
Reports & Recommendations	Resolution authorizing certain officials to approve an agreement with Milwaukee County for the maintenance of new traffic signals resulting from the development of Ball Park Commons at the intersections of: S. 76th Street (CTH "U") and W. Highview Drive and; W. Rawson Avenue (CTH "BB") and Old Loomis Road	ITEM NO. G.3.

BACKGROUND

Pursuant to the planned Ballpark Commons Development generally west of W. Loomis Road (STH 36), west of S. 76th Street (CTH "U") north and south of W. Rawson Avenue (CTH "BB"), please be advised that as part of the project traffic signals will be placed at the intersection of S. 76th Street and W. Highview Drive/ Crystal Ridge Drive as well as the intersection of W. Rawson Avenue and W. Old Loomis Road / Crystal Ridge Drive.

ANALYSIS

It has been the practice of Milwaukee County to share with the municipality the cost of the maintenance of traffic signals that serve County trunk highways with City streets.

OPTIONS

Approve, or
Table

FISCAL NOTE

The City has a budget for the City's portion of the shared cost and the shared cost should remain similar to the past years. The cost of the new traffic signals are included in the reconstruction cost.

RECOMMENDATION

Motion to adopt Resolution No. 2018- _____, a resolution authorizing certain officials to approve an agreement with Milwaukee County for the maintenance of new traffic signals resulting from the development of Ball Park Commons at the intersections of: S. 76th Street (CTH "U") and W. Highview Drive and; W. Rawson Avenue (CTH "BB") and Old Loomis Road.

STATE OF WISCONSIN : CITY OF FRANKLIN : MILWAUKEE COUNTY

RESOLUTION NO. 2018- _____

A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO APPROVE AN AGREEMENT WITH MILWAUKEE COUNTY FOR THE MAINTENANCE OF NEW TRAFFIC SIGNALS RESULTING FROM THE DEVELOPMENT OF BALL PARK COMMONS AT THE INTERSECTIONS OF: S. 76TH STREET (CTH "U") AND W. HIGHVIEW DRIVE AND; W. RAWSON AVENUE (CTH "BB") AND OLD LOOMIS ROAD

WHEREAS, new traffic signals will be installed at the intersection of S. 76th Street and W. Highview Drive/ Crystal Ridge Drive as well as the intersection of W. Rawson Avenue and W. Old Loomis Road / Crystal Ridge Drive as part of the infrastructure required for the development of Ballpark Commons, and

WHEREAS, the S. 76th Street and W. Rawson Avenue are county trunk highways CTH "U" and CTH "BB" respectively, and

WHEREAS, it has been past practices of Milwaukee County and the City to share maintenance costs based on a standard form agreement;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the City of Franklin that it would be in the best interest of the City to approve a maintenance agreement between Milwaukee County and the City for the maintenance of new traffic signals at the intersections of: S. 76th Street (CTH "U") and W. Highview Drive and; W. Rawson Avenue (CTH "BB") and Old Loomis Road.

THEREFORE, the Mayor and City Clerk are hereby authorized and directed to execute the agreement on behalf of the City.

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

PASSED AND ADOPTED by the Common Council of the City of Franklin on the _____ day of _____, 2018.

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

**AGREEMENT FOR TRAFFIC SIGNALS AT WEST RAWSON AVENUE (CTH "BB")
AND OLD LOOMIS ROAD**

THIS AGREEMENT is made and entered into between Milwaukee County, a body corporate, hereinafter called "The County", and the City of Franklin, a municipal corporation, hereinafter called "The City", relating to the operation and maintenance of the traffic control signals and related traffic control facilities at the Intersection of West Rawson Ave (CTH "BB") and Old Loomis Rd, hereinafter called "The Intersection".

WHEREAS, the Intersection is under the jurisdiction of Milwaukee County, and

WHEREAS, a Developer is proposing a development at the Intersection, hereinafter call "The Developer".

NOW, THEREFORE, in consideration of the mutual promises of each agency made to the other, and the fulfillment of the terms and conditions, agreements and understandings hereinafter set forth,

IT IS MUTUALLY AGREED by and between the parties that:

Traffic signals and equipment be designed, operated and maintained, emergency vehicle signal preemption equipment be designed, operated and maintained, and street lighting integrated with the traffic signals be designed, operated and maintained, at the Intersection.

CONDITIONS OF THIS AGREEMENT ARE TO BE AS FOLLOWS:

I. The County hereby agrees:

- (a) That the Developer will design, construct and pay the total cost of the traffic signal installation currently proposed for the Intersection including electrical service installation, emergency vehicle preemption equipment, and street lighting. The County will pay for any future upgrades to the Intersection and bill the City for one half (1/2) the cost of the upgrades.
- (b) That the County will operate and maintain the traffic control signals, necessary underground conduit and related traffic control facilities at the Intersection; and will bill the City annually for one half (1/2) the cost of such maintenance.
- (c) That the County as subscriber for service with We Energies, will pay the total cost of energy for the traffic signals at the Intersection and will bill the City annually for one half (1/2) the cost of energy for the traffic control signals at the Intersection.

- (d) That the County will assume routine maintenance responsibility (lamp renewal, cleaning, lens replacement, traffic control signals and control cabinet, controller service, malfunction management unit service, detector service, etc.) excluding the emergency vehicle and street lighting equipment for the entire traffic control signal installation and will bill the City annually for one half (1/2) the cost of said maintenance.
- (e) That the County will make all necessary repairs and replacements to all equipment that fails to function properly as a result of normal wear and deterioration and will bill the City annually for one half (1/2) the cost of said repairs and replacements.
- (f) That the County will make all necessary repairs and replacements to all equipment damaged by accident, vandalism, or act of God, and pursue collection of damages against the responsible party. In the event the damages are not paid within ninety (90) days of the original billing, it will bill the City for one half (1/2) the cost of repairing said damages. It will reimburse the City for one half (1/2) the recovered cost of the damages if the responsible party pays for the damages within ninety (90) days of recovery. If the County is unable to determine the responsible party, the County will bill the City for one half (1/2) the cost of repairs and replacements at the time all costs for the occurrence are known.
- (g) That the County will, after notification and concurrence by the City, make any necessary equipment additions or revisions deemed necessary by changed laws, changed traffic conditions, revised standards or changed Intersection geometry, and within ninety (90) days of completion of said work, bill the City for one half (1/2) the cost of said additions or revisions.
- (h) That the County will make all necessary repairs and replacements to all emergency vehicle preemption equipment and street lighting integrated with the traffic signals, and bill the City for the entire cost of said repairs, additions, or revisions.
- (i) That the County will operate and adjust the traffic signal timing and equipment in such a manner as to best meet prevailing traffic conditions as determined by the County Traffic Engineering Section.
- (j) If discovered by City forces, the City agrees to promptly notify the County through its Highway Maintenance Division (at the phone number listed below), of any damage, lamp outage, lens breakage, or seeming malfunctions of traffic control equipment or related traffic control facilities.

Highway Maintenance Division (414) 257-6566

II. The City hereby agrees:

- (a) That the Developer will pay for the upgrades currently proposed for the Intersection. The County will pay for any future upgrades to the Intersection and bill the City for one half (1/2) the cost of the upgrades.
- (b) That the County as subscriber for service with We Energies, will pay the total cost of energy for the traffic signals at the Intersection and will bill the City for one half (1/2) the cost of energy for the traffic control signals at the Intersection.
- (c) That the County is to perform routine maintenance for the entire traffic control signal installation as indicated in I. (d), necessary repairs and replacements to all traffic control signal equipment which fails to function as indicated in I. (e), necessary repairs and replacements to all traffic control signal equipment which is damaged as indicated in I. (f) and I. (h), and any necessary additions or revisions as indicated in I. (g). The City agrees to pay the costs as stated in items I. (a), I. (b), I. (c), I. (d), I. (e), I. (f), I. (g) and I. (h), when billed by the County.
- (d) That the County is to perform all work related to the operation of the traffic control signals at the subject Intersection, including engineering, except such immediate emergency measures as may need to be taken when County forces are not present and the public safety may be in jeopardy.
- (e) That the County shall operate and adjust the traffic signal controller in such a manner as to best meet prevailing traffic conditions as determined by the County Traffic Engineering Section.
- (f) If discovered by City forces, the City agrees to promptly notify the County through its Highway Maintenance Section (at the phone number listed below), of any damage, lamp outage, lens breakage, or seeming malfunctions of traffic control equipment or related traffic control facilities.

Highway Maintenance Division (414) 257-6566

III. Ownership and Responsibility

After the design and construction work outlined in this agreement is completed by the Developer, all of the traffic signal materials installed shall become the property of the County with the exception of all emergency vehicle preemption equipment and street lighting equipment. If it becomes necessary, removal of City-owned materials will be accomplished by the County and the total cost billed to the City. City-owned materials shall be returned to the City.

IV. Liability

The County shall request layouts of the City underground structures and facilities before performing work of such nature that existing underground facilities must be avoided. The County shall be required to take precautionary measures to avoid

damage to such underground facilities. The City shall supply the County with a complete record of the existing underground material structures at the Intersection and any change or revision thereto as may take place in the future.

In the event that any person or persons make claim for injury or damages arising from alleged malfunctioning of the traffic control facilities at the Intersection, each agency shall defend itself against any claim made against it. In the event that liability and consequent damages are awarded any person or persons from alleged malfunctioning of traffic control facilities at the Intersection, each agency shall pay that portion of said claim as it may be found liable therefore. No agency shall be required to pay any damages assessed against the other agency.

V. Payments

All payments due under this agreement shall be paid within thirty (30) days after receipt of an invoice of same.

VI. Duration

This agreement shall continue to be in force indefinitely unless and until it is superseded by a revised agreement at a later date.

This agreement supersedes, rescinds, and replaces any and all previous agreements that may have been entered into by the County and the City regarding the design, construction, operation, and maintenance of traffic control signals and related traffic control facilities at the Intersection.

_____ day of _____, 20____.

MAYOR

Personally came before me, this _____ day of _____, 20____, Steve Olson, Mayor, of the above named CITY OF FRANKLIN, a municipal corporation, to me known to be the person who executed the foregoing instrument, and to me known to be such Mayor of said municipal corporation, and acknowledged that the executed the foregoing instrument as such officer as the deed of said municipal corporation, by its authority.

My Commission Expires: _____

**AGREEMENT FOR TRAFFIC SIGNALS AT SOUTH 76TH STREET (CTH "U") AND
WEST HIGHVIEW DRIVE**

THIS AGREEMENT is made and entered into between Milwaukee County, a body corporate, hereinafter called "The County", and the City of Franklin, a municipal corporation, hereinafter called "The City", relating to the operation and maintenance of the traffic control signals and related traffic control facilities at the Intersection of South 76th Street (CTH "U") and West Highview Drive, hereinafter called "The Intersection".

WHEREAS, the Intersection is under the jurisdiction of Milwaukee County, and

WHEREAS, a Developer is proposing a development at the Intersection, hereinafter call "The Developer".

NOW, THEREFORE, in consideration of the mutual promises of each agency made to the other, and the fulfillment of the terms and conditions, agreements and understandings hereinafter set forth,

IT IS MUTUALLY AGREED by and between the parties that:

Traffic signals and equipment be designed, operated and maintained, emergency vehicle signal preemption equipment be designed, operated and maintained, and street lighting integrated with the traffic signals be designed, operated and maintained, at the Intersection.

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Highway Maintenance Division (414) 257-6566

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- (d) That the County is to perform all work related to the operation of the traffic control signals at the subject Intersection, including engineering, except such immediate emergency measures as may need to be taken when County forces are not present and the public safety may be in jeopardy.
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Highway Maintenance Division (414) 257-6566

III. Ownership and Responsibility

After the design and construction work outlined in this agreement is completed by the Developer, all of the traffic signal materials installed shall become the property of the County with the exception of all emergency vehicle preemption equipment and street lighting equipment. If it becomes necessary, removal of City-owned materials will be accomplished by the County and the total cost billed to the City. City-owned materials shall be returned to the City.

IV. Liability

The County shall request layouts of the City underground structures and facilities before performing work of such nature that existing underground facilities must be

avoided. The County shall be required to take precautionary measures to avoid damage to such underground facilities. The City shall supply the County with a complete record of the existing underground material structures at the Intersection and any change or revision thereto as may take place in the future.

In the event that any person or persons make claim for injury or damages arising from alleged malfunctioning of the traffic control facilities at the Intersection, each agency shall defend itself against any claim made against it. In the event that liability and consequent damages are awarded any person or persons from alleged malfunctioning of traffic control facilities at the Intersection, each agency shall pay that portion of said claim as it may be found liable therefore. No agency shall be required to pay any damages assessed against the other agency.

V. Payments

All payments due under this agreement shall be paid within thirty (30) days after receipt of an invoice of same.

VI. Duration

This agreement shall continue to be in force indefinitely unless and until it is superseded by a revised agreement at a later date.

This agreement supersedes, rescinds, and replaces any and all previous agreements that may have been entered into by the County and the City regarding the design, construction, operation, and maintenance of traffic control signals and related traffic control facilities at the Intersection.

APPROVAL <i>Slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 03/20/18
REPORTS & RECOMMENDATIONS	RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR A PROFESSIONAL HOME CLEANING SERVICE BUSINESS USE UPON PROPERTY LOCATED AT 11113 WEST FOREST HOME AVENUE, SUITE 200 (R&R SWAN INVESTMENTS, LLC, D/B/A MOLLY MAID, APPLICANT)	ITEM NUMBER <i>G.4.</i>

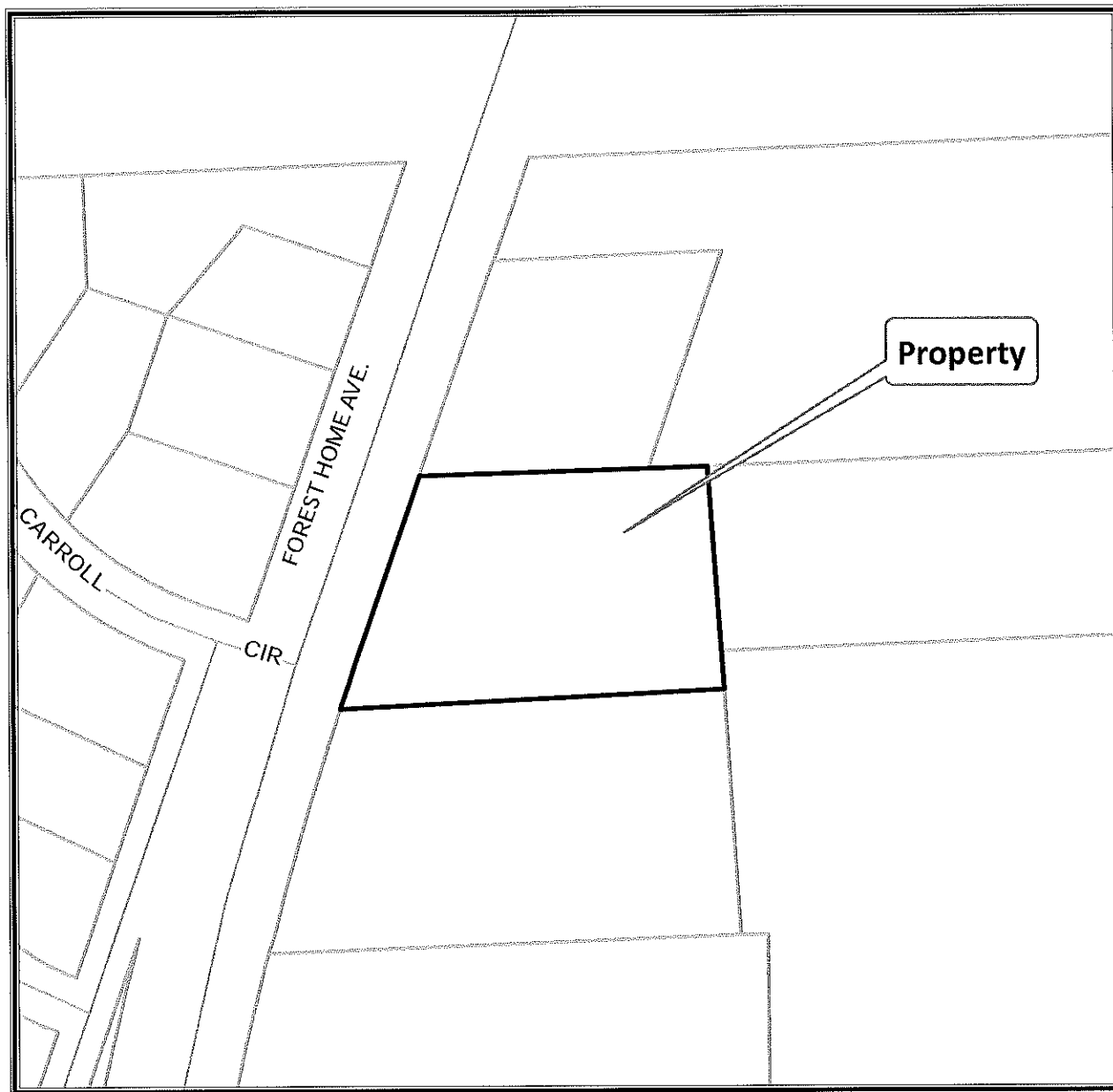
At the March 8, 2018 meeting of the Plan Commission the following action was approved: move to recommend approval of a resolution imposing conditions and restrictions for the approval of a Special Use for a professional home cleaning business use upon property located at 11113 West Forest Home Avenue, Suite 200.

COUNCIL ACTION REQUESTED

A motion to adopt Resolution No. 2018-_____, a resolution imposing conditions and restrictions for the approval of a Special Use for a professional home cleaning business use upon property located at 11113 West Forest Home Avenue, Suite 200 (R&R Swan Investments, LLC, d/b/a Molly Maid, Applicant).



11113 W. Forest Home Ave.
TKN: 704 9978 002



Planning Department
(414) 425-4024

0 100 200 400 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

RESOLUTION NO. 2018-_____

A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS
FOR THE APPROVAL OF A SPECIAL USE FOR A PROFESSIONAL HOME
CLEANING SERVICE BUSINESS USE AND PROPERTY OWNER REQUESTED
REVISED SITE PLAN APPROVAL UPON PROPERTY LOCATED
AT 11113 WEST FOREST HOME AVENUE, SUITE 200
(R & R SWAN INVESTMENTS, LLC, D/B/A MOLLY MAID, APPLICANT)

WHEREAS, R & R Swan Investments, LLC, d/b/a Molly Maid, having petitioned the City of Franklin for the approval of a Special Use within an M-1 Limited Industrial District and C-1 Conservancy District under Standard Industrial Classification Title No. 7349 "Building Cleaning and Maintenance Services, Not Elsewhere", to allow for a maid service business use, with hours of operation from 7:00 a.m. to 5:00 p.m., Monday through Friday, which application also includes a property owner requested revised Site Plan approval for existing site improvements constructed without prior City approval, specifically, reconfiguration of the parking lot in the northwest corner of the property and addition of a new parking lot in the rear of the property, upon property located at 11113 West Forest Home Avenue, Suite 200, bearing Tax Key No. 704-9978-002, more particularly described as follows:

Parcel 1 of Certified Survey Map No. 3988, recorded on March 11, 1981, Reel 1362, Images 185 to 187, as Document No. 5462366, being a part of the Northeast 1/4 of Section 6, Town 5 North, Range 21 East, in the City of Franklin, County of Milwaukee, State of Wisconsin; 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 9th day of November, 2017 and continued on the 7th day of December 2017, and the Plan Commission thereafter having determined to recommend that the proposed Special Use and revised site plan be approved, subject to certain conditions, and the Plan Commission further finding that the proposed Special Use and revised site plan 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

R & R SWAN INVESTMENTS, LLC, /D/B/A MOLLY MAID – SPECIAL USE
RESOLUTION NO. 2018-_____

Page 2

WHEREAS, the Common Council having received such Plan Commission recommendation and also having found that the proposed Special Use and revised site plan, 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 R & R Swan Investments, LLC, d/b/a Molly Maid, for the approval of a Special Use and revised site plan 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 Special Use and revised site plan is approved only for the use of the subject property by R & R Swan Investments, LLC, d/b/a Molly Maid, successors and assigns, as a maid service business use, which shall be developed in substantial compliance with, and operated and maintained by R & R Swan Investments, LLC, d/b/a Molly Maid, pursuant to those plans City file-stamped February 23, 2018 and annexed hereto and incorporated herein as Exhibit A.
2. R & R Swan Investments, LLC, d/b/a Molly Maid, 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 consults to the City of Franklin, for the R & R Swan Investments, LLC, d/b/a Molly Maid maid service business, 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 R & R Swan Investments, LLC, d/b/a Molly Maid and the maid service business use for the property located at 11113 West Forest Home Avenue, Suite 200: (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 property owner shall install a 10' x 10' sight proof wooden dumpster enclosure, located outside of the WEPCO easement as depicted on the Proposed Site Plan, within 90 days of this approval or prior to issuance of any Occupancy Permit whichever may occur first.

R & R SWAN INVESTMENTS, LLC, /D/B/A MOLLY MAID – SPECIAL USE
RESOLUTION NO. 2018-_____

Page 3

5. The property owner shall have the stormwater drainage pipe televised to assess its current condition, provide the results of the inspection to the Engineering Department together with a location map, and repair the pipe as may be necessary, prior to June 6, 2018.
6. The property owner shall remove the semi-trailer and any other commercial vehicles over 8,000 lbs. gross vehicle weight, within 90 days of this approval or prior to issuance of any Occupancy Permit whichever may occur first.
7. The property owner shall prepare a Landscape Plan in accordance with Divisions 15-5.0300 and 15-7.0300 of the UDO, for review and approval by the Department of City Development, within 60 days of this approval or prior to issuance of any Occupancy Permit whichever may occur first.
8. The property owner shall install all required landscaping prior to June 6, 2018.
9. The property owner shall provide an appropriate financial surety to guarantee certain improvements including but not limited to a dumpster enclosure, stormwater drainage pipe televising and possible repair, and landscaping will be completed on schedule, for Department of City Development and Engineering Department review and approval within 60 days of this approval or prior to issuance of any Occupancy Permit whichever may occur first.

BE IT FURTHER RESOLVED, that in the event R & R Swan Investments, LLC, d/b/a Molly Maid, successors or assigns, or any owner of the subject property, does not comply with one or any of the conditions and restrictions of this Special Use and revised site plan 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 Special Use and revised site plan 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.

R & R SWAN INVESTMENTS, LLC, /D/B/A MOLLY MAID – SPECIAL USE
RESOLUTION NO. 2018-_____

Page 4

BE IT FURTHER RESOLVED, that this Resolution shall be construed to be such Special Use Permit as is contemplated by §15-9.0103 of the Unified Development Ordinance.

BE IT FURTHER RESOLVED, pursuant to §15-9.0103G. of the Unified Development Ordinance, that the Special Use and revised site plan permission granted under this Resolution shall be null and void upon the expiration of one year from the date of adoption of this Resolution, unless the Special Use has been established by way of the issuance of an occupancy permit for such use.

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 _____, 2018.

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

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____



CITY OF FRANKLIN



REPORT TO THE PLAN COMMISSION

Meeting of March 8, 2018

Special Use

RECOMMENDATION: City Development Staff recommends approval of the proposed Special Use for a building maintenance services not elsewhere classified (professional home cleaning service business) use and associated site changes upon property located at 11113 W. Forest Home Avenue, subject to the conditions of approval in the attached draft resolution.

Project Name:	Molly Maid Special Use
Project Address:	11113 West Forest Home Avenue, Suite 200
Applicant:	R & R Swan Investments, LLC
Owners (property):	11113 West Forest Home Avenue, LLC
Current Zoning:	M-1 Limited Industrial District & C-1 Conservancy District
2025 Comprehensive Master Plan	Industrial
Use of Surrounding Properties:	WE Energies substation and Ewald automobile dealership to the north, gasoline service station to the south, Ewald Truck Center and Hiller Ford automobile dealership to the east and single-family residential to the west.
Applicant Action Requested:	Recommendation of approval for the proposed Special Use for Molly Maid of Southern Milwaukee County to operate at 11113 West Forest Home Avenue, Suite 200.

INTRODUCTION:

On October 5, 2017, Joel Cook of Ogden Construction submitted a Special Use application on behalf of R & R Swan Investments, LLC dba Molly Maid of Southern Milwaukee County, requesting approval to operate a professional home cleaning service business within the Falcon Commons building located at 11113 West Forest Home Avenue. The proposed use corresponds to Standard Industrial Classification (SIC) Title No. 7349 Building Maintenance Services, Not Elsewhere Classified, which is allowed within the M-1 Limited Industrial District as a Special Use.

This Special Use application includes a request by the property owner to keep site improvements made without City approvals. Specifically, the parking lot in the northwest corner of the property was reconfigured and a new 15,120 square foot paved parking area was added in the rear of the property.

HISTORY:

At the January 4, 2018 Plan Commission meeting, the following action was approved: move to table the item to the first Plan Commission meeting in March 2018.

PROJECT DESCRIPTION AND ANALYSIS:

- Please see the Staff Report from the January 4, 2018 Plan Commission meeting (attached) for a more detailed analysis.

Since this item was tabled at the January 4, 2018 Plan Commission meeting, Ogden Construction contracted Pinnacle Engineering Group to determine whether or not the addition of the parking lot at 11113 W. Forest Home Ave. would require storm water management. According to a letter from Anthony S. Zanon, P.E. dated January 16, 2018, if the property owner reduces the impervious area of the property by approximately 10,386 square feet, then stormwater management would not be required. A Proposed Site Plan was prepared to depict approximately 10,386 square feet of existing gravel surface to be covered with topsoil, seeded, and stabilized with erosion mat, thus converting it into greenspace. The Engineering Department reviewed Mr. Zanon's work and confirmed with his conclusions.

In addition, Ogden Construction contracted Visu-Sewer to televise a 36" stormwater drainage pipe on the east side of the property. While reviewing the report from Visu-Sewer summarizing their work, Engineering Staff discovered the wrong pipe was televised. Therefore, a condition remains for this work to be completed.

Finally, the property owner replaced the existing chain link fence along the east and south sides of the northwestern parking lot with a 6' high sight proof wood fence. The new fence was installed without a Fence Permit from the Building Inspection Department. As such, the property owner will have to apply for a Fence Permit after the fact, and be subject an increased permit fee.

Section 15-3.0701(A) and (C) of the UDO contains the General Standards and Considerations that must be examined for each proposed Special Use prior to granting approval. The applicant has provided a written response to these standards, which is included in your packet.

STAFF RECOMMENDATION:

City Development Staff recommends approval of the proposed Special Use for a building maintenance services not elsewhere classified (professional home cleaning service business) use and associated site changes upon property located at 11113 W. Forest Home Avenue, subject to the following conditions of approval:

- Staff recommends the property owner relocate existing dumpsters into a 10' x 10' sight proof dumpster enclosure located outside of the WEPCO easement as depicted on the Proposed Site Plan, within 90 days of this approval, or prior to issuance of any Occupancy Permit, whichever may occur first.
- Staff recommends the property owner have the stormwater drainage pipe televised to assess its current condition, provide the results of the inspection to the Engineering Department together with a location map, and repair the pipe as may be necessary, prior to June 6, 2018.
- Staff recommends the property owner remove the semi-trailer and any other commercial vehicles over 8,000 lbs. gross vehicle weight, within 90 days of this approval, or prior to issuance of any Occupancy Permit, whichever may occur first.

- Staff recommends the property owner submit a Landscape Plan in accordance with Divisions 15-5.0300 and 15-7.0300 of the UDO, to the Department of City Development for review and approval by Staff, within 60 days of this approval, or prior to issuance of any Occupancy Permit, whichever may occur first.
- Staff recommends the property owner install all required landscaping prior to June 6, 2018.
- Staff recommends the property owner provide an appropriate financial surety to guarantee certain improvements including but not limited to a dumpster enclosure, stormwater drainage pipe televising and possible repair, and landscaping will be completed on schedule, for Department of City Development and Engineering Department review and approval within 60 days of this approval or prior to issuance of any Occupancy Permit, whichever may occur first.



CITY OF FRANKLIN



REPORT TO THE PLAN COMMISSION

Meeting of January 4, 2018

Special Use

RECOMMENDATION: City Development Staff recommends approval of the proposed Special Use for a building maintenance services not elsewhere classified (professional home cleaning service business) use and associated site changes upon property located at 11113 W. Forest Home Avenue, subject to the conditions of approval in the attached draft resolution.

Project Name:	Molly Maid Special Use
Project Address:	11113 West Forest Home Avenue, Suite 200
Applicant:	R & R Swan Investments, LLC
Owners (property):	11113 West Forest Home Avenue, LLC
Current Zoning:	M-1 Limited Industrial District & C-1 Conservancy District
2025 Comprehensive Master Plan	Industrial
Use of Surrounding Properties:	WE Energies substation and Ewald automobile dealership to the north, gasoline service station to the south, Ewald Truck Center and Hiller Ford automobile dealership to the east and single-family residential to the west.
Applicant Action Requested:	Recommendation of approval for the proposed Special Use for Molly Maid of Southern Milwaukee County to operate at 11113 West Forest Home Avenue, Suite 200.

INTRODUCTION:

On October 5, 2017, Joel Cook of Ogden Construction submitted a Special Use application on behalf of R & R Swan Investments, LLC dba Molly Maid of Southern Milwaukee County, requesting approval to operate a professional home cleaning service business within the Falcon Commons building located at 11113 West Forest Home Avenue. The proposed use corresponds to Standard Industrial Classification (SIC) Title No. 7349 Building Maintenance Services, Not Elsewhere Classified, which is allowed within the M-1 Limited Industrial District as a Special Use.

At the November 9, 2017 Plan Commission meeting, following a properly noticed public hearing, the following action was approved: move to postpone and continue the Public hearing to the December 7, 2017 Plan Commission meeting. It can be noted that the property owner had still been working on a revised set of plans and associated information in response to staff's initial review comments, and had not submitted any materials for the Plan Commission meeting.

At the December 7, 2017 Plan Commission meeting, the public hearing was held, no one spoke on the matter, and the hearing was closed. Although included within the Plan Commission packets, as Ogden Construction did not submit revised plans until November 30th, staff did not

have sufficient time to conduct a thorough review. The Plan Commission subsequently moved to "table [this matter] to the January 4, 2018 Plan Commission meeting."

HISTORY:

Molly Maid of Southern Milwaukee County has been operating at 11113 West Forest Home Avenue, Suite 200, since the summer of 2017 without any approvals from the City of Franklin. In order to address this situation, staff has been working with R & R Swan Investments, LLC on obtaining Special Use approval.

This Special Use application also includes a request by the property owner to keep site improvements made without City approvals. Specifically, the parking lot in the northwest corner of the property was reconfigured and a new 15,120 square foot paved parking area was added in the rear of the property.

The applicant's responses to the Special Use Standards and Regulations form are attached.

In addition, some of the terms and conditions from the prior Special Use approval for the subject property (for Ogden Construction Group LLC as set forth in Ordinance 2015-7065), have yet to be addressed, as noted later in this staff report.

PROJECT DESCRIPTION AND ANALYSIS:

The applicant has indicated that they currently occupy the building, utilize the parking lot in the rear of the property for approximately 12 company cars (and employee parking during working hours), but have made no building or site changes. However, staff has the following concerns as noted below.

Site Plan:

Comparison of the attached Site Development Plan to the previously approved plan in 2015 (as well as a comparison of historic aerial photographs with recent site visits) indicates that the property owner has, without City approvals: reconfigured the parking lot at the northwest corner of the property; added an approximately 15,000 square foot paved parking area in the central portion of the property within the WEPCO easement; and paved the previously graveled area immediately behind (east of) the existing building. While staff has no objection to the changes to the parking lot at the northwest corner of the property and to the parking area immediately behind the building, staff has numerous concerns about the large paved parking area within the WEPCO easement. This will be discussed in greater detail in the Parking and Stormwater sections of this report.

In a related matter, it must be noted that a number of site plan related conditions of the City's Special Use approval for Ogden Construction in 2015 (Ordinance 2015-7065) have still not been met. These include:

- Condition #1: Pursuant to the approved plans, a 6' wooden fence was proposed along the east and south sides of the northwestern parking lot.

- Instead, the property owner installed a chain link fence with slats. Pursuant to the approved plans and Section 15-3.0803F. of the UDO (as this screens an open storage area from public view from W. Forest Home Avenue), staff recommends that the property owner shall replace the existing chain link fence along the east and south sides of the northwestern parking lot with a 6' high solid wood fence, for Department of City Development approval, within 90 days of this approval, or prior to the issuance of any Occupancy Permit, whichever may occur first.
- Condition #4: "An architectural elevation of the 10' x 10' wood fence dumpster enclosure shall be submitted to the Department of City Development for review and approval by Staff, prior to issuance of a Building Permit."
 - While an elevation was provided, the wooden dumpster enclosure was not constructed. In addition, Section 15-3.0803I. of the UDO requires dumpster enclosures to consist of sight proof fencing (wood or masonry) and landscaping, unless waived by the Plan Commission. As this area is area is partially visible from adjacent properties and an enclosure was required of the prior Special Use approval, staff recommends that the property owner shall install a 10' high sight proof wooden dumpster enclosure, for Department of City Development approval, within 90 days of this approval, or prior to issuance of any Occupancy Permit, whichever may occur first.

It can also be noted that the dumpsters are currently located within the WEPCO easement, and as a condition of approval for location of the paved parking lot within this easement, the American Transmission Company (ATC) has requested that no structures or dumpsters be located within the easement. Therefore, staff recommends that the property owner shall relocate the dumpsters immediately to the east of the WEPCO easement near the southern boundary of the subject property, for Department of City Development approval, within 90 days of this approval, or prior to issuance of any Occupancy Permit, whichever may occur first.

A trailer, apparently over 8,000 lbs, is parked at the rear of the property and is used for storage. As this requires prior City approval pursuant to Section 15-5.0202G.3. of the UDO, and as this was not included within the property owner's application materials nor indicated within the public hearing notice, staff recommends that the property owner shall remove the trailer and any other commercial vehicles over 8,000 lbs, for Department of City Development approval, within 90 days of this approval, or prior to issuance of any Occupancy Permit, whichever may occur first.

Stormwater Management:

It must be noted that a stormwater related condition of the City's Special Use approval for Ogden Construction in 2015 (Ordinance 2015-7065) has still not been met.

- Condition #8: "Applicant shall have the stormwater drainage pipe televised to assess its current condition, provide the results of the inspection to the Engineering Department together with a location map, repair the pipe as may be necessary, and grant the City of Franklin an easement to protect and access the pipe."
 - In response, the property owner has only identified the location of the manholes associated with the storm sewer, and has drawn a straight line between those two

points. As this condition has still not been addressed, staff recommends that the property owner shall have the stormwater drainage pipe televised to assess its current condition, provide the results of the inspection to the Engineering Department together with a location map, repair the pipe as may be necessary, and grant the City of Franklin an easement to protect and access the pipe, prior to June 1, 2018.

As previously noted, the property owner has constructed a paved parking area without City approvals. Although the owner states that this was located within a previously graveled area, staff partially disagrees, based upon review of historic aerial photographs and current site conditions. Staff also disagrees with the property owner's calculations of pervious and impervious areas. Therefore, staff recommends that the property owner shall prepare a stormwater management plan pursuant to Section 15-7.0103 of the UDO, for Engineering Department review and approval, within 90 days of this approval, or prior to issuance of any Occupancy Permit, whichever may occur first.

Although the subject parking lot has already been constructed, grading, filling, and/or other land disturbing activities has occurred which could impact site drainage. In addition, as noted in the parking section of this report, additional land disturbing activities are recommended by staff. As such, staff recommends that the property owner shall prepare a Grading/Drainage/Erosion Control Plan for Engineering Department review and approval, within 90 days of this approval, or prior to issuance of any Occupancy Permit, whichever may occur first.

Parking:

Pursuant to the current uses within the subject building, and the parking standards contained within the UDO, 45 parking spaces are required. However, the subject property provides 83 parking spaces, or 38 spaces or about 84 percent more than required. While Section 15-5.0203 of the UDO allows parking increases above 10% of the standard parking ratio, with the submittal of reasonably sufficient proof that additional parking is needed, staff does not believe that sufficient information has been submitted. In particular, it can be noted that Molly Maid, who the paved parking area may have been primarily constructed for, only requires approximately 37 spaces, while the paved parking area provides 56 parking spaces. Therefore, staff recommends that the property owner shall remove approximately 20 parking spaces, and restore the area to turf lawn, for Department of City Development review and approval, prior to June 1, 2018. Staff would note that removal of such parking, and restoration to a grassy surface, may benefit the stormwater management plan from the standpoint of the amount of impervious surface and the sizing of any required stormwater facilities.

Pursuant to Section 15-5.0202E. of the UDO, staff recommends that the property owner shall install curb and gutter for the recently paved parking area, for Engineering Department review and approval, prior to June 1, 2018. It can be noted that the UDO does allow the Plan Commission to waive this requirement for additions to existing structures located in areas without a predominance of curb and gutter. However, as this parking area is not due to a building addition, is separate from the existing paved parking areas, and such installation could potentially benefit site drainage/stormwater efforts, staff would continue to recommend that curb and gutter be installed at this time.

Landscaping:

Although the property owner has paved an additional parking area, the owner has not prepared a revised landscape plan, nor verified the minimum required Landscape Surface Ratio pursuant to that plan, nor installed any additional plantings for the additional parking spaces. Therefore, staff recommends that the property owner shall prepare a Landscape Plan pursuant to Divisions 15-5.0300 and 15-7.0300 of the UDO, for review and approval by the Department of City Development, within 90 days of this approval, or prior to issuance of any Occupancy Permit, whichever may occur first. Staff further recommends that the property owner shall install all required landscaping prior to June 1, 2018.

Natural Resource Protection Plan:

It can be noted that C-1 Conservancy District zoning is located on the far eastern portion of the subject property, and that a Natural Resource Protection Plan has not been prepared for the subject property. However, the City does have on file a letter from R.A. Smith National Inc. dated 2011 that indicates there are no protected natural resource features within the subject property. Although site changes were not proposed within the eastern half of the property in the 2015 Special Use request, the property owner has since constructed a paved parking area approximately 50' from the C-1 zoning district. Therefore, *staff suggests that the property owner prepare a Natural Resource Protection Plan for Department of City Development review and approval.* Furthermore, should it be determined that no natural resources are present, *staff suggests that the property owner apply for a rezoning to remove the C-1 zoning district from the subject property.*

Signage:

The applicant and the property owner have indicated that no new signage is proposed, and have been advised that any signage will require separate review and approval by the Architectural Review Board and issuance of a Sign Permit from the Inspection Department.

STAFF RECOMMENDATION:

Due to the fact that the property owner has not completed all of the conditions associated with the 2015 Special Use approval, as the property owner had constructed a parking lot without City approvals, as a number of related conditions are proposed in the current Special Use request, and pursuant to Sections 15-3.0701D. and E. of the UDO (regarding Conditions on Special Use Permits), and Section 15-7.0105 of the UDO (regarding Site Plan improvements), staff recommends that the property owner shall provide an appropriate financial surety to guarantee that improvements including improved off-street parking, open space areas, utilities, and landscaping will be completed on schedule, for Department of City Development and Engineering Department review and approval within 60 days of this approval, or prior to issuance of any Occupancy Permit, whichever may occur first.

City Development Staff recommends approval of the proposed Special Use for a building maintenance services not elsewhere classified (professional home cleaning service business) use and associated site changes upon property located at 11113 W. Forest Home Avenue, subject to the conditions of approval in the attached draft resolution.

February 23, 2018

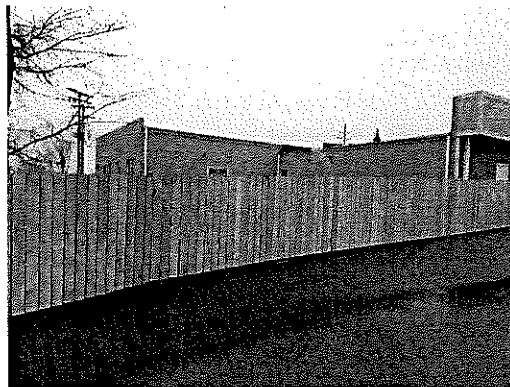
Orrin Sumwalt & Sova Arnold
City Plan Commission
City of Franklin
9229 W Loomis Rd
Franklin, WI 53132

RE: proposed project summary for 11113 W Forest Home Ave

I am writing in response to your staff comments dated 12/28/17.

Item #1: Wepco easement- Wepco granted the easement it was submitted to the city in late 2017.

Item #2: 6' high wood fence- Fence has been completed (see attached pictures).



Item #3: 6' high dumpster enclosure- This will be completed when frost is out of the ground for the slat and posts. We propose a June 1st deadline.

Item #4: Semi trailer- the trailer has been donated to Veterans Tiny Homes. We need dry weather to get a truck to move it off site. We propose a June 1st deadline.

Item #4: Trucks over 8000 lbs. – We currently do not have any trucks over 8000 lbs.

Franklin

FEB 23 2018

Item #5: Visu Sewer- Work has been completed and report is attached. We feel no other work is needed as the sewer appears to be clear.

Item #6: Storm water management, grading and erosion- Per the new drawings from Pinnacle Engineering the City agrees no storm water management, grading and erosion are necessary.

Item #7: 20 Parking Spaces- Since we will meet the imperious area requirement per the new attached Pinnacle Engineering drawings, we feel it is not necessary to remove any parking spaces. Molly Maid on most days requires 51-53 parking spaces of the 56. We propose a June 1st deadline to plant the grass.

Item #8: Curb & Gutter- After the January plan commission meeting, we believe it was determined that we do not need the curb and gutter.

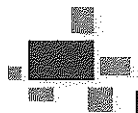
Item #9: Landscape plan- With the Pinnacle Engineering plan scoping where we will plant grass, we feel a landscape plan is not necessary.

Item #10: Re-zone C-1 – Ogden Construction will apply for a re-zone of the C-1. We propose a June 1st deadline.

If you have any questions, please do not hesitate to call us.

Sincerely,
Ogden Construction Group, LLC

Michael Cook
Vice President



1/16/2018

Sara Arnold
Assistant City Engineer
City of Franklin
9229 W. Loomis Road
Franklin, WI 53132

Re: Ogden Construction
11113 West Forest Home Avenue
City of Franklin, Milwaukee County
PEG #1162.00-WI

Dear Ms. Arnold,

I am following up on our telephone conversation from last month regarding the Ogden Construction property located at 11113 West Forest Home Avenue. Since our conversation, my firm has completed an existing survey on the property. I have attached the existing site plan and a proposed site plan for your review. I have the following comments:

1. Existing Site Plan

- a. The existing site plan shows surveyed topography, all visible improvements and utilities based on the field survey.
- b. I have also shown the contour lines from the Milwaukee County GIS as per our discussion. By reviewing the surveyed contours versus the GIS contours, you can see the difference in the contours occurs around the easterly parking lot area.
- c. The storm sewer is now better identified based on the field survey work. Per Ogden Construction, the storm sewer is scheduled to be televised on February 5th, weather depending. They will forward the documentation to you once that work is complete.
- d. The existing survey shows that the impervious area on site is 72% which exceeds the 60% maximum allowable.

2. Proposed Site Plan


- a. A proposed site plan was prepared to show the area of gravel that will be covered with topsoil, seeded and stabilized with erosion mat in order to decrease the impervious area on the property to the 60% allowable. Inlet control and silt logs will be installed during this grading work.
- b. The original approved dumpster location will be moved to an area closer to the parking lot so that the amount of impervious area can be reduced.
- c. A note has been added stating that Ogden Construction will apply for a rezone of the C-1 area to M-1 per their discussion with staff.

Based on our conversation, you wanted to verify the need for storm water management. For reference, I have attached the 2000 aerial on which I have calculated the amount of impervious area on site at that time (approximately 45,304 square feet) and the 2005 aerial (approximately 54,069 square feet) for comparison to what is on site now (62,056 square feet) and what will be on site after the additional grass is installed (51,670 square feet). Comparing the impervious in 2000 with the impervious area currently on site shows an increase in impervious of 0.39 acres. That will be reduced to 0.15 acres after the impervious area is reduced. I have also attached a markup of the proposed site plan where I have estimated the amount of disturbed area for the parking lot and this latest proposed grading work. I have estimated 0.8 acres of disturbance. Based on my review, the increase in impervious is less than 0.5 acres and the area of disturbance is less than one acre so storm water management would not be required.

Please review the information and let me know if you have any questions or comments. It is my understanding the developer is working with plan staff on other questions and comments on this site but I wanted to get back to you on the engineering items we discussed.

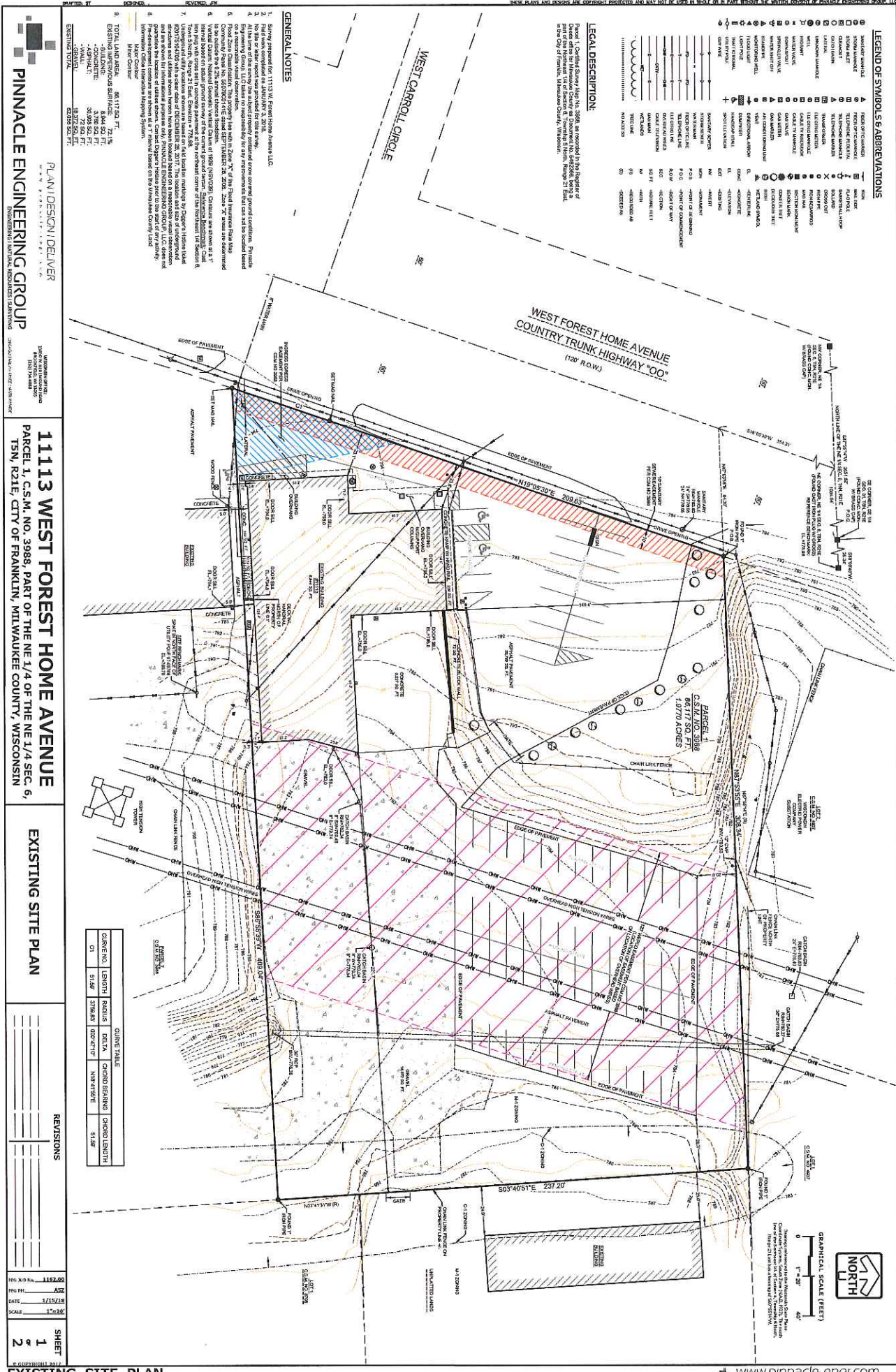
Sincerely,

PINNACLE ENGINEERING GROUP



Anthony S. Zanon, P.E.
Senior Project Manager

Copy: Joel Cook, Ogden Construction
Orrin Sumwalt, City Planning



LEGEND OF SYMBOLS & ABBREVIATIONS

- STREET LIGHT
 FIRE HYDRANT
 MANHOLE
 SEWER VALVE
 WATER VALVE
 GAS VALVE
 ELECTRIC POLE
 TELEPHONE POLE
 STORM DRAIN
 SEWER LINE
 WATER LINE
 GAS LINE
 ELECTRIC LINE
 TELEPHONE LINE
 STORM WATER
 SEWERAGE
 WATER MAIN
 GAS MAIN
 ELECTRIC CABLE
 TELEPHONE CABLE
 STORM WATER PIPE
 SEWER PIPE
 WATER PIPE
 GAS PIPE
 ELECTRIC CONDUIT
 TELEPHONE CONDUIT
 STORM WATER PIPE (UNDERGROUND)
 SEWER PIPE (UNDERGROUND)
 WATER PIPE (UNDERGROUND)
 GAS PIPE (UNDERGROUND)
 ELECTRIC CONDUIT (UNDERGROUND)
 TELEPHONE CONDUIT (UNDERGROUND)

LEGAL DESCRIPTION

Parcel 1, Containing 18.1775 Acres, more or less, situated in the Northeast 1/4 of Section 6, Township 5 North, Range 21 East, of the City of Franklin, Wisconsin County, Wisconsin.

GENERAL NOTES

- Survey prepared for 11113 West Forest Home Avenue LLC.
- All dimensions are in feet and inches.
- The line of the survey is shown by a dashed line.
- The line of the survey is shown by a solid line.
- The line of the survey is shown by a dotted line.
- The line of the survey is shown by a dash-dot line.
- The line of the survey is shown by a long-dash line.
- The line of the survey is shown by a short-dash line.
- The line of the survey is shown by a long-dash-dot line.
- The line of the survey is shown by a short-dash-dot line.
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- The line of the survey is shown by a short-dash-dot-dot-dot-dot line.

PINNACLE ENGINEERING GROUP
 11113 WEST FOREST HOME AVENUE
 PARCEL 1, C.S.M. NO. 3988, PART OF THE NE 1/4 OF THE NE 1/4 SEC. 6, T5N, R21E, CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN

11113 WEST FOREST HOME AVENUE
 PARCEL 1, C.S.M. NO. 3988, PART OF THE NE 1/4 OF THE NE 1/4 SEC. 6, T5N, R21E, CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN

EXISTING SITE PLAN

REVISIONS

SHEET 1
 2

[illegible]

Parcel 1, Certified Survey Map No. 3088, as recorded in the Register of Deeds office for Milwaukee County as Document No. 5462856, being a part of the Northeast 1/4 of Section 8, Township 5 North, Range 21 East in the City of Franklin, Milwaukee County, Wisconsin.

Parcel 1, Certified Survey Map No. 3088, as recorded in the Register of Deeds office for Milwaukee County as Document No. 5462856, being a part of the Northeast 1/4 of Section 8, Township 5 North, Range 21 East in the City of Franklin, Milwaukee County, Wisconsin.

1. Survey prepared for 11113 W. Forest Home Avenue LLC

[illegible]

TOTAL LAND AREA		PROPOSED INTERVALLA SURFACE	
EXISTING - BUILDINGS	26,117 SQ. FT.	- BUILDING	8,644 SQ. FT.
- CONCRETE	8,644 SQ. FT.	- CONCRETE	3,760 SQ. FT.
- WALL	3,760 SQ. FT.	- WALL	30,720 SQ. FT.
- GRAVEL	18,352 SQ. FT.	- GRAVEL	17,696 SQ. FT.
EXISTING TOTAL	42,533 SQ. FT.	TOTAL	51,076 SQ. FT.

PLAN | DESIGN | DELIVER
www.pinnacle-engineering.com

PINNACLE ENGINEERING GROUP
Pinnacle Engineering Group is a leading provider of engineering and design services, offering a wide range of services to its clients. The company is a member of the Pinnacle Group, which is a leading provider of engineering and design services.

11113 WEST FOREST HOME AVENUE
PARCEL 1, C.S.M. NO. 3988, PART OF THE NE 1/4 OF THE NE 1/4 SEC. 6
T5N, R21E, CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN

PROPOSED SITE PLAN

REVISIONS

SHEET

PROPOSED SITE PLAN

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1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
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Parcel 1, Certified Survey Map No. 3888, as recorded in the Register of Deeds office for Milwaukee County as Document No. 5462366, being a part of the Northeast 1/4 of Section 6, Township 5 North, Range 21 East in the City of Franklin, Milwaukee County, Wisconsin.

[illegible]

a. TOTAL LAND AREA:		PROPOSED IMPERVIOUS SURFACE:	
EXISTING IMPERVIOUS SURFACE:		BUILDING	
- BUILDINGS	8,844 SQ. FT.	8,844 SQ. FT.	90.0%
- COVERED	3,700 SQ. FT.	3,700 SQ. FT.	- CONCRETE
- ASPHALT	35,000 SQ. FT.	35,000 SQ. FT.	- ASPHALT
- GRAVEL	18,372 SQ. FT.	7,666 SQ. FT.	- GRAVEL
EXISTING TOTAL	62,556 SQ. FT.	51,670 SQ. FT.	TOTAL

PINNACLE ENGINEERING GROUP
ENGINEERING | NATURAL RESOURCES | SUSTAINMENT

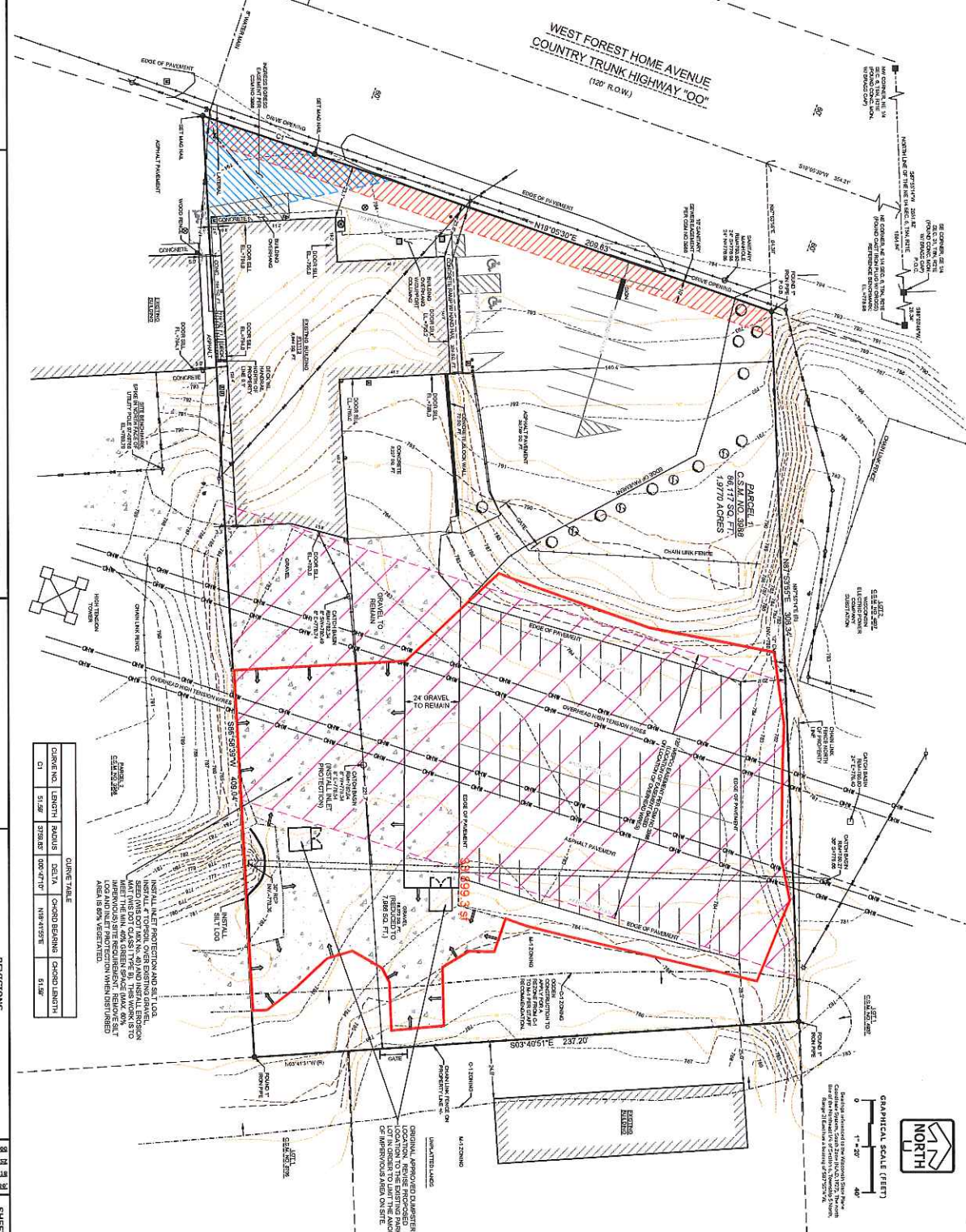
ENGINEERING | NATURAL RESOURCES | SURVEYING

15N, K21E, CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN

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PROPOSED SITE PLAN



GRAPHICAL SCALE (FEET)

0 1" = 20' 40'

Readings are referenced to the WILMOUTH STATE Plane
Coordinate System, South Zone (NAD 83, 1972). The north
line of the Northeast 1/4 of Section 6, Township 6 North
Range 21 East has a bearing of S 07° 25' 24" W.

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MILWAUKEE COUNTY INTERACTIVE MAPPING SERVICE



94
NAD 1987 StatePlane_Wisconsin_South_FPS_4803
© MCAMLS

1:564

THIS MAP IS NOT TO BE USED FOR NAVIGATION

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Notes
2000 AERIAL



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Notes

2005 AERIAL

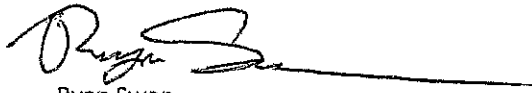


To whom may concern,

9-20-17

R&R Swan Investments LLC DBA. Molly Maid operates a professional home cleaning service. We operate Monday thru Friday from 7 am. To 5pm. We employ 20 to 25 employees. We have 12 company cars that are parked on the site in a lower parking in the evening. Are employee also park in the lower lot during their working hours. The current location is 11113 W Forest Home Ave Suite 200 Franklin WI. 53132. We took the space as is. No work has been done to our space.

Thank You



Ryan Swan

R&R Swan Investments LLC.

414-427-6100

Molly Maid of Southern Milwaukee County

11113 W. Forest Home Avenue Suite 200 Franklin, WI 53132 Ph: (414)427-6100 swan.rick@sbcglobal.net www.mollymaid.com

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: We will occupy current space at 11113 W. Forest Home Ave. Suite 200, Franklin WI. 53132

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: We will have no undue adverse impact.

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: We will have no interference with surrounding development.

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: We will be served by current facilities.

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.

Response: We will cause no traffic congestion.

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: We will cause no destruction of significant features.

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: We will be in compliance with all 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: We will be in compliance with all special standards.

- 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: We will service Franklin and all surrounding communities.

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: This location and space will take care of our needs for a long time.

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: NA.

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: We will be a great business with high standards to serve the Franklin and surrounding communities.

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