

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

- A. Call to Order and Roll Call.
- B. Citizen Comment Period.
- C. Approval of Minutes:
Regular Common Council Meeting of February 19, 2018.
- D. Hearings.
- E. Organizational Business.
- F. Letters and Petitions.
- G. Reports and Recommendations:
 - 1. Police Department Donations from the Franklin Police Citizen Academy Alumni in the Amount of \$1,100 to be Disbursed Among the Canine, Donation and DARE Funds.
 - 2. A Resolution Authorizing Certain Officials to Accept a Conservation Easement for and as Part of the Review and Approval of a Site Plan and Natural Resource Special Exception for Construction of a Pre-Engineered Metal Building and Associated Parking and Loading Area, Stormwater Pond and Protection of an Existing Wetland for Property Located at 9611 South 58th Street (Krones, Inc., Applicant).
 - 3. A Resolution Authorizing Certain Officials to Accept a Conservation Easement for and as Part 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).
 - 4. Contract General Code, LLC for Unified Development Ordinance Codification Services.
 - 5. A Resolution to Make a Grant Application Request of \$7,500 from the Bay-Lake, East Central Wisconsin, and Northwest Wisconsin Regional Planning Commissions (RPCS) and Wisconsin Department of Natural Resources (WDNR) Great Lakes Basin Tree Planting Grant Program.
 - 6. Authorize a Computing Platform Change for the Franklin Fire Department, Migrating Away from Panasonic Toughbooks and Moving Over to an Apple iPad Mobility Platform 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 Such iPads and Accessories.

7. Authorize the Purchase of a Hardline SCUBA Communications 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 League of Wisconsin Municipalities Mutual Insurance Company for 75 Percent Reimbursement Funding of the SCUBA Communication System and the Budgeted HALO Protective Firefighting Hoods.
8. A Resolution to Modify and Extend Contract with Johns Disposal Service, Inc. for Refuse Collection, Disposal and Recycling from Through for January 1, 2018 Through December 31, 2022.
9. 2018 Sanitary Sewer User Fee Review.
10. A Resolution to Sign a Sewer Service Agreement to Serve Residential Properties in Muskego.
11. A Resolution for Professional Services Contract with Traffic Analysis & Design, Inc. for Traffic Impact Analysis of Proposed West Elm Road Extension in the Amount of \$14,267.00.
12. An Ordinance to Amend Ordinance 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.
13. An Ordinance to Amend Ordinance 2016-2240, Adopting the 2017 Annual Budgets for General, Solid Waste, Donations, Civic Celebrations, Police Grants, TID3, TID 4, and TID 5 Funds for the City of Franklin to Provide Appropriations for Actual Performance to Amended Budget for Calendar 2017.
14. An Ordinance to Amend Ordinance 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.
15. 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.
16. Authorization to Purchase and Proceed with the City Hall Telephone and Voice Mail System Upgrade Project Through SKC Communications.
17. Authorize the Director of Administration to Execute a Professional Services Agreement with L&M Inspections, LLC, for the Services of Lee Greivell as a Fill-In Assistant Building Inspector.
18. 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 the 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.

Common Council Meeting Agenda

March 6, 2018

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19. Authority to Execute Continued ArcGIS Software Maintenance Renewals as Provided thru ESRI, Inc.
20. Schedule Committee of the Whole and Common Council Meetings for June Through December 2018.

H. Licenses and Permits.

Miscellaneous Licenses from License Committee Meeting of March 6, 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 8	Plan Commission Meeting	7:00 p.m.
March 20	Common Council Meeting	6:30 p.m.
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.

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C.

A. The regular meeting of the Common Council was held on February 19, 2018 and called to order at 6:30 p.m. by Mayor Steve Olson in the Franklin City Hall Council Chambers, 9229 W. Loomis Road, Franklin, Wisconsin. On roll call, the following were in attendance: Alderman Mark Dandrea, Alderman Dan Mayer, Alderwoman Kristen Wilhelm, Alderman Steve F. Taylor, Alderman Mike Barber and Alderman John R. Nelson. Also present were City Engineer Glen Morrow, Dir. of Administration Mark Luberd, City Attorney Jesse A. Wesolowski and City Clerk Sandra Wesolowski.

B.1. Citizen comment period was opened at 6:31 p.m. and closed at 6:34 p.m.

B.2.a. Mayor Olson noted a Mayoral Proclamation for the Pride in Premises Award to The Polish Heritage Alliance, Inc. from the South Suburban Chamber of Commerce.

B.2.b. Mayor Olson noted a Mayoral Proclamation for the Business of the Year Award to Summit Credit Union from South Suburban Chamber of Commerce.

C.1. Alderman Barber moved to approve the minutes of the regular Common Council Meeting of February 6, 2018 as presented at this meeting. Seconded by Alderman Dandrea. All voted Aye; motion carried.

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

- (a) Donation of \$100 from Robert Jester to be deposited into the Police Donations account.
- (b) Resolution No. 2018-7347, A RESOLUTION TO AMEND THE CITY OF FRANKLIN INVESTMENT POLICY STATEMENT FOR THE CITY OF FRANKLIN DEFINED BENEFIT RETIREMENT PLAN.
- (c) Three-year agreement for towing and storage of motor vehicles with N & S Towing, Inc.
- (d) Renewal/Extension of current agreement with AT&T for the continued provision of long-distance telephone services.
- (e) Resolution No. 2018-7348, A RESOLUTION URGING THE STATE OF WISCONSIN TO ENACT LEGISLATION PROTECTING LOCATION BUSINESSES, APARTMENT OWNERS AND HOMEOWNERS FROM TAX SHIFTS.

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

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| FRANKLIN SENIOR
CITIZENS, INC.
PROGRAM UPDATE | G.2 | Alderman Taylor moved to accept and file the Franklin Senior Citizens, Inc. program update for 2017. Seconded by Alderman Dandrea. All voted Aye; motion carried. |
| | | Alderman Mayer vacated his seat at 6:38 p.m. and returned at 6:42 p.m. |
| DPW WINTER
OPERATION
PROCEDURES | G.3. | Alderman Taylor moved to receive and place on file the summary of winter operation procedures by the Department of Public Works. Seconded by Alderman Nelson. All voted Aye; motion carried. |
| DPW PURCHASE OF
FLEET TRACKING
SYSTEM | G.4. | Alderman Taylor moved to authorize the Department of Public Works to purchase a fleet tracking system from PreCise MRM for \$6,800.00 for 16 vehicles and approximately \$3,200 operating costs in 2018. Seconded by Alderman Mayer. All voted Aye; motion carried. |
| PROCEED WITH
ANTICIPATION NOTES
FOR BALLPARK
COMMONS DEV. | G.5. | Alderman Taylor moved to direct the Director of Finance to proceed with the solicitation of Note Anticipation Notes authorized per Resolution No. 2017-7299 on September 19, 2017 authorizing the sale of up to \$24.5 million in funding project costs included in the Ballpark Commons Development Agreement. Seconded by Alderman Mayer. On roll call, all voted Aye. Motion carried. |
| ORD. 2018-2314
AMEND UDO FOR
SPECIAL USE (ROOT
RIVER CHURCH INC.,
APPLICANT) | G.6. | Alderman Nelson moved to adopt Ordinance No. 2018-2314, AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE TEXT AT TABLE 15-3.0603 STANDARD INDUSTRIAL CLASSIFICATION TITLE NO. 8661 "RELIGIOUS ORGANIZATIONS" TO ALLOW FOR SUCH USE AS A SPECIAL USE IN THE M-1 LIMITED INDUSTRIAL DISTRICT (ROOT RIVER CHURCH, INC., APPLICANT). Seconded by Alderman Mayer. All voted Aye; motion carried. |
| UPDATE FOR DESIGN OF
W MARQUETTE AVE.
EXTENSION | G.7. | No action was taken on the design of the extension of West Marquette Avenue from approximately South 49th Street westerly to South 51st Street. |
| AMEND ORD. 2017-2301
APPROPRIATIONS FOR
W. MARQUETTE AVE.
EXTENSION
ENGINEERING | G.8. | No action was taken on an Ordinance to amend Ordinance No. 2017-2301, an Ordinance adopting the 2018 annual budgets for the Capital Improvement Fund for the City of Franklin for fiscal year 2018 to provide appropriations for engineering for a West Marquette Avenue extension. |
| PURCHASE OF 2018
FORD F-550 CAB, DUMP | G.9. | Alderman Taylor moved to authorize staff to purchase a 2018 Ford F-550 Super Duty 4WD DRW XLT Regular Cab from Ewald |

BODY AND PLOW
ACCESSORIES

Automotive Group, LLC for \$45,968.00, and purchase dump body and plow accessories from Brake and Equipment for \$20,314.00 pending similar authorization from the Board of Water Commissioners. Seconded by Alderman Nelson. All voted Aye; motion carried.

MONTHLY VEHICLE
ALLOWANCE FOR ASST.
FIRE CHIEF

- G.10. Alderman Taylor moved to authorize a \$400 monthly vehicle allowance for Assistant Fire Chief Patrick Hays in lieu of regular use of a take-home vehicle effective for the first pay period of February 2018 and subject to execution by Assistant Chief Hayes of a vehicle allowance acknowledgement as to be prepared by the Director of Administration. Seconded by Alderman Nelson. Alderman Mayer Abstained. Motion carried.

PUBLIC SAFETY
SERVICES REVIEW

- G.11. Alderman Taylor moved to authorize staff to proceed with a project for a Public Safety Services review, including an Options Assessment and Citizen Survey, relative to Fire Department services and some Police services for an amount not-to-exceed \$42,000 and to authorize the Director of Administration to prepare and execute service contracts as contemplated for the project, including but not limited to a contract with Mueller Communications, subject to input from the City Attorney as needed. Seconded by Alderman Barber. All voted Aye; motion carried.

2019 BUDGET
PREPARATION
TIMETABLE

- G.12. Alderman Taylor moved to adopt the 2019 Annual Budget preparation timetable, dated February 19, 2018, as presented and, subject to any future meeting schedule changes, to schedule a Special Common Council meeting for November 13, 2018, for the public hearing and adoption of the 2019 budget. Seconded by Alderman Mayer. All voted Aye; motion carried.

Alderman Taylor moved to direct the Director of Administration and Director of Finance to prepare or provide a status report on an initial, high-level 2019 budget estimate and a high-level reconciliation of the preliminary 2018 budget estimate with the final adopted 2018 budget for Common Council review. Seconded by Alderman Barber. All voted Aye; motion carried.

LICENSES AND PERMITS H.

Alderman Taylor moved to approve the following:
Operators' Licenses to Deanna Umaske, 1721 Edgewood Ave., South Milwaukee, with a warning letter from the City Clerk; Troy Petroske, N4586 Hickory Rd., Hustisford; Alicia Prindle, 8741 S. Country Dr., Oak Creek; Kendall Wolfram, S72W17140 Briargate Ln., Muskego; Grant Change of Agent to Walgreen #05459, Jessica Marin, 3147 S. Austin St., Milwaukee.
Seconded by Alderman Nelson. All voted Aye; motion carried.

VOUCHERS AND
PAYROLL

- I. Alderman Dandrea moved to approve the following:
City vouchers with an ending date of February 15, 2018 in the amount of \$2,140,671.37; Payroll dated February 16, 2018 in the amount of \$382,775.58 and payments of the various payroll deductions in the amount of \$395,946.00, plus City matching payments; and Estimated Payroll dated March 2, 2018 in the amount of \$374,000.00 and payments of the various payroll deductions in the amount of \$211,000.00, plus City matching payments; and Property tax refunds and payments with an ending date of February 15, 2018 in the amount of \$6,273,383.16. Seconded by Alderman Barber. On roll call, all voted Aye. Motion carried.

ADJOURNMENT

- J. Alderman Taylor moved to adjourn the meeting at 7:47 p.m. Seconded by Alderman Barber. All voted Aye; motion carried.

APPROVAL <i>Slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE <i>3/06/2018</i>
REPORTS & RECOMMENDATIONS	Police Department Donations Franklin Police Citizen Academy Alumni	ITEM NUMBER <i>G.I.</i>

The City of Franklin Police Department has received three donations from the Franklin Police Citizen Academy Alumni Association as follows:

- 1) \$500.00 to be put toward the Police Department Canine Donation Fund.
- 2) \$300.00 to be put toward the Police Department Donation Fund for the purpose of purchasing Citizen Academy T-shirts.
- 3) \$300.00 to be put toward the Franklin Police Department DARE Donation Fund.

COUNCIL ACTION REQUESTED

Motion to accept these three donations for deposit into the respective donation accounts as listed above.

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APPROVAL <i>Slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 03/06/18
REPORTS & RECOMMENDATIONS	RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO ACCEPT A CONSERVATION EASEMENT FOR AND AS PART OF THE REVIEW AND APPROVAL OF A SITE PLAN AND NATURAL RESOURCE SPECIAL EXCEPTION FOR CONSTRUCTION OF A PRE-ENGINEERED METAL BUILDING AND ASSOCIATED PARKING AND LOADING AREA, STORMWATER POND AND PROTECTION OF AN EXISTING WETLAND FOR PROPERTY LOCATED AT 9611 SOUTH 58TH STREET (KRONES, INC., APPLICANT)	ITEM NUMBER <i>G. 2.</i>

City Development staff recommends approval of a resolution authorizing certain officials to accept a conservation easement for and as part of the review and approval of a site plan and natural resource special exception for construction of a pre-engineered metal building and associated parking and loading area, stormwater pond and protection of an existing wetland for property located at 9611 South 58th Street (Krones, Inc., Applicant).

The applicant is requesting two modifications from the City's standard conservation easement template:

1) The approved mitigation area is located next to the storm water pond. The proposed language below would allow the conservation easement area to be entered as necessary to allow for maintenance of the pond.

To enter protected area adjacent to the storm water pond illustrated on Exhibit B for pond maintenance purposes only. Any disturbed protected area resulting from maintenance activities of the pond shall be restored to its natural state by the Grantor.

2) The applicant is also proposing to mow the remaining wetland buffer and setback areas that are adjacent to the entrance of the building. As such, the italicized language below has been added to the easement document.

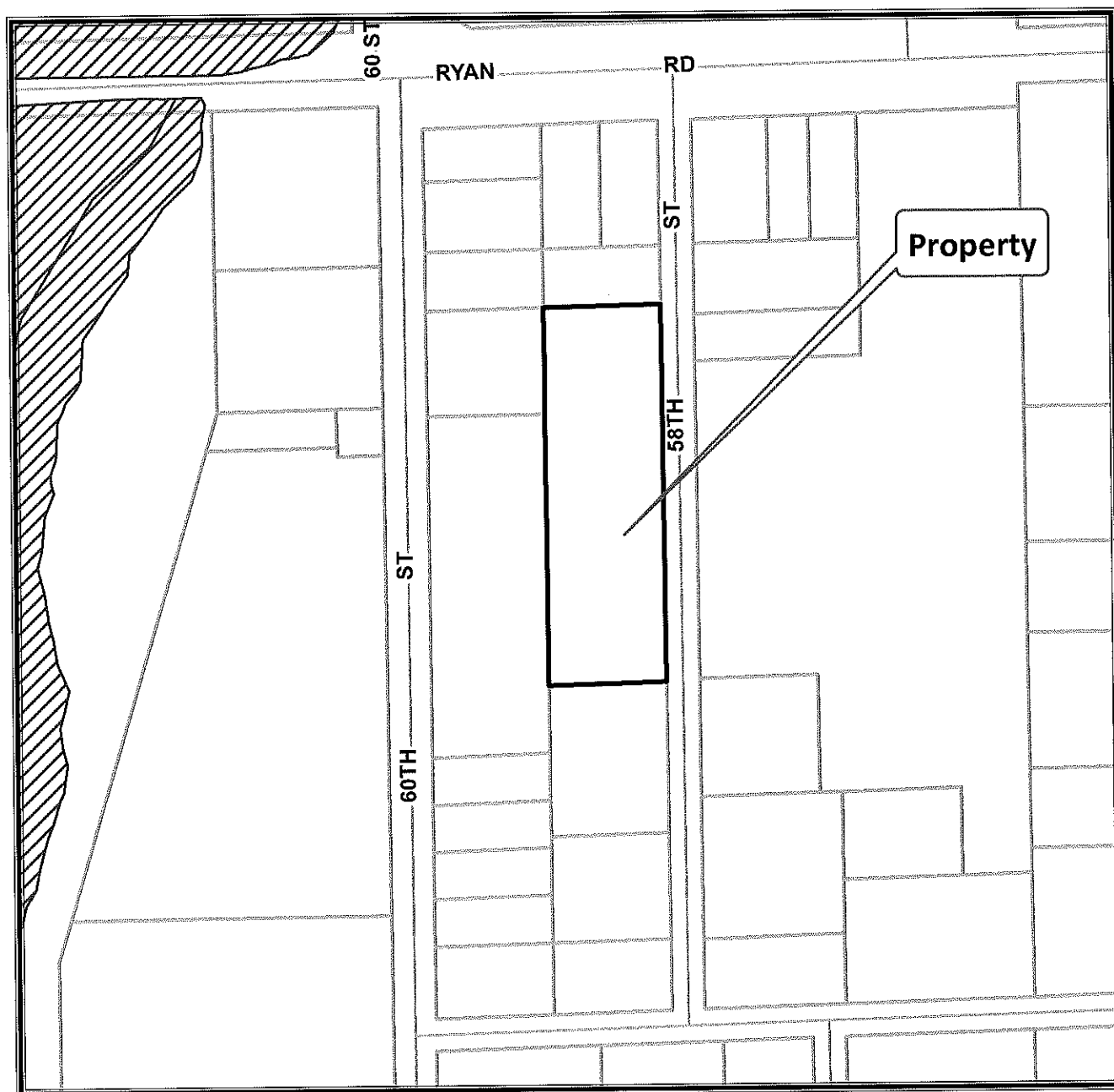
Excavate, dredge, grade, mine, drill, or change the topography of the land or its natural condition in any manner, including any cutting or removal of vegetation, except for the removal of dead or diseased trees, *the mowing of the existing lawn area in the remaining wetland buffer and setback area, and the construction and maintenance of the mitigation measures as shall be approved by the City of Franklin;*

COUNCIL ACTION REQUESTED

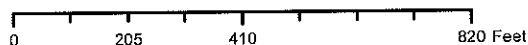
A motion to adopt Resolution No. 2018-_____, authorizing certain officials to accept a conservation easement for and as part of the review and approval of a site plan and natural resource special exception for construction of a pre-engineered metal building and associated parking and loading area, stormwater pond and protection of an existing wetland for property located at 9611 South 58th Street (Krones, Inc., Applicant), subject to review and approval by the Department of City Development and technical corrections by the City Attorney.



9611 S. 58th Street
TKN 899 9990 062



Planning Department
(414) 425-4024



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



2017 Aerial Photo

STATE OF WISCONSIN

CITY OF FRANKLIN

MILWAUKEE COUNTY

RESOLUTION NO. 2018-_____

A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO
ACCEPT A CONSERVATION EASEMENT FOR AND AS PART OF THE REVIEW
AND APPROVAL OF A SITE PLAN AND NATURAL RESOURCE SPECIAL
EXCEPTION FOR CONSTRUCTION OF A PRE-ENGINEERED METAL BUILDING
AND ASSOCIATED PARKING AND LOADING AREA, STORMWATER POND AND
PROTECTION OF AN EXISTING WETLAND FOR PROPERTY LOCATED AT 9611
SOUTH 58TH STREET (KRONES, INC., APPLICANT)

WHEREAS, the Plan Commission having approved a Site Plan and Natural Resource Special Exception upon the application of Krones, Inc., on December 7, 2017, and the Plan Commission having conditioned approval thereof in part upon Common Council approval of a Conservation Easement to protect the wetland and wetland buffer on the site; and

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

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

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

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

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

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

A RESOLUTION AUTHORIZING CERTAIN OFFICIALS
TO ACCEPT A CONSERVATION EASEMENT
KRONES, INC.
RESOLUTION NO. 2018-_____

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APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

CONSERVATION EASEMENT

Krones Training Center

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

WITNESSETH

WHEREAS, Grantor is the owner in fee simple of certain real property, located within Parcel 1 of Certified Survey Map No. 4543 and Parcel 1 of Certified Survey Map No. 4695 in the Northwest 1/4 of the Northwest 1/4 of Section 26, Town 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin, described in Exhibit A and Exhibit B attached hereto and hereby made a part hereof (protected property); and

WHEREAS, the Grantor desires and intends that the natural elements and the ecological and aesthetic values of the protected property including, without limitation the wetland, wetland buffer and mitigation area, and refer to Exhibit A and Exhibit B by CJ Engineering dated February 12, 2018, which is located in the office of the Department of City Development, be preserved and maintained by the continuation of land use that will not interfere with or substantially disrupt the natural elements or the workings of natural systems; and

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

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

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

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

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

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

To enter protected area adjacent to the storm water pond illustrated on Exhibit B for pond maintenance purposes only. Any disturbed protected area resulting from maintenance activities of the pond shall be restored to its natural state by the Grantor.

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

1. Construct or place buildings or any structure;
2. Construct or make any improvements, unless, notwithstanding Covenant 1 above, the improvement is specifically and previously approved by the Common Council of the City of Franklin, upon the advice of such other persons, entities, and agencies as it may elect; such improvements as may be so approved being intended to enhance the resource value of the protected property to the environment or the public and including, but not limited to animal and bird feeding stations, park benches, the removal of animal blockage of natural drainage or other occurring blockage of natural drainage, and the like;
3. Excavate, dredge, grade, mine, drill, or change the topography of the land or its natural condition in any manner, including any cutting or removal of vegetation, except for the removal of dead or diseased trees, the mowing of the existing lawn area in the remaining wetland buffer and setback area, and the construction and maintenance of the mitigation measures as shall be approved by the City of Franklin; Conduct any filling, dumping, or depositing of any material whatsoever, including, but not limited to soil, yard waste, or other landscape materials, ashes, garbage, or debris;
4. Plant any vegetation not native to the protected property or not typical wetland vegetation;
5. Operate snowmobiles, dune buggies, motorcycles, all-terrain vehicles or any other types of motorized vehicles.

To have and to hold this conservation easement unto the Grantee forever. Except as expressly limited herein, the Grantor reserves all rights as owner of the protected property, including, but not limited to, the right to use the protected property for all purposes not inconsistent with this grant. Grantor shall be responsible for the payment of all general property taxes levied, assessed, or accruing against the protected property pursuant to law.

The covenants, terms, conditions, and restrictions set forth in this grant shall be binding upon the Grantor and the Grantee and their respective agents, personal representatives, heirs, successors, and assigns, and shall constitute servitudes running with the protected property in perpetuity. This grant may not be amended, except by a writing executed and delivered by Grantor and Grantee or their respective personal representatives, heirs, successors, and assigns. Notices to the parties shall be personally delivered or mailed by U.S. Mail registered mail, return receipt requested, as follows:

To Grantor:
Krones Incorporated
Attn: Mr. Holger Beckmann
PO Box 321801
Franklin, WI 53132-6241

To Grantee:
City of Franklin
Office of the City Clerk
9229 W. Loomis Road
Franklin, Wisconsin 53132

In witness whereof, the grantor has set its hand and seals this on this date of _____, 20__.

Krones Incorporated

By: _____
Mr. Holger Beckmann, CEO

STATE OF WISCONSIN)
) ss
COUNTY OF MILWAUKEE)

This instrument was acknowledged before me on the _____ day of _____, A.D. 20__ by

Mr. Holger Beckmann, CEO of Krones Incorporated

To me known to be the person(s) who executed the foregoing Easement and acknowledged the same as the voluntary act and deed of said corporation.

Notary Public

My commission expires _____

Acceptance

The undersigned does hereby consent to and accepts the Conservation Easement granted and conveyed to it under and pursuant to the foregoing Grant of Conservation Easement. In consideration of the making of such Grant Of Conservation Easement, the undersigned agrees that this acceptance shall be binding upon the undersigned and its successors and assigns and that the restrictions imposed upon the protected property may only be released or waived in writing by the Common Council of the City of Franklin, as contemplated by §236.293 of the Wisconsin Statutes.

In witness whereof, the undersigned has executed and delivered this acceptance on the ____ day of _____, A.D.20__.

CITY OF FRANKLIN

By: _____
Stephen R. Olson, Mayor

By: _____
Sandra L. Wesolowski, City Clerk

STATE OF WISCONSIN)
) ss
COUNTY OF MILWAUKEE)

Personally came before me this _____ day of _____, A.D. 20 __, the above named Stephen R. Olson, Mayor and Sandra L. Wesolowski, City Clerk, of the above named municipal corporation, City of Franklin, to me known to be such Mayor and City Clerk of said municipal corporation, and acknowledged that they executed the foregoing instrument as such officers as the Deed of said municipal corporation by its authority and pursuant to Resolution No. _____, adopted by its Common Council on the _____ day of _____, 20 __.

Notary Public

My commission expires _____

This instrument was drafted by the City of Franklin.

Approved as to contents:

Nicholas Fuchs, Principal Planner
Department of City Development

Date

Approved as to form only:

Jesse A. Wesolowski
City Attorney

Date

MORTGAGE HOLDER CONSENT
"NONE"

The undersigned, (name of mortgagee), a Wisconsin banking corporation ("Mortgagee"), as Mortgagee under that certain Mortgage encumbering encumbering the Property and recorded in the Office of the Register of Deeds for Milwaukee County, Wisconsin, on _____, 20____, as Document No. _____, hereby consents to the execution of the foregoing easement and its addition as an encumbrance title to the Property.

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

Name of Mortgagee
a Wisconsin Banking Corporation

By: _____

Name: _____

Title: _____

STATE OF WISCONSIN)
)ss
COUNTY OF MILWAUKEE)

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

Name: _____

Notary Public, State of Wisconsin

My commission expires _____

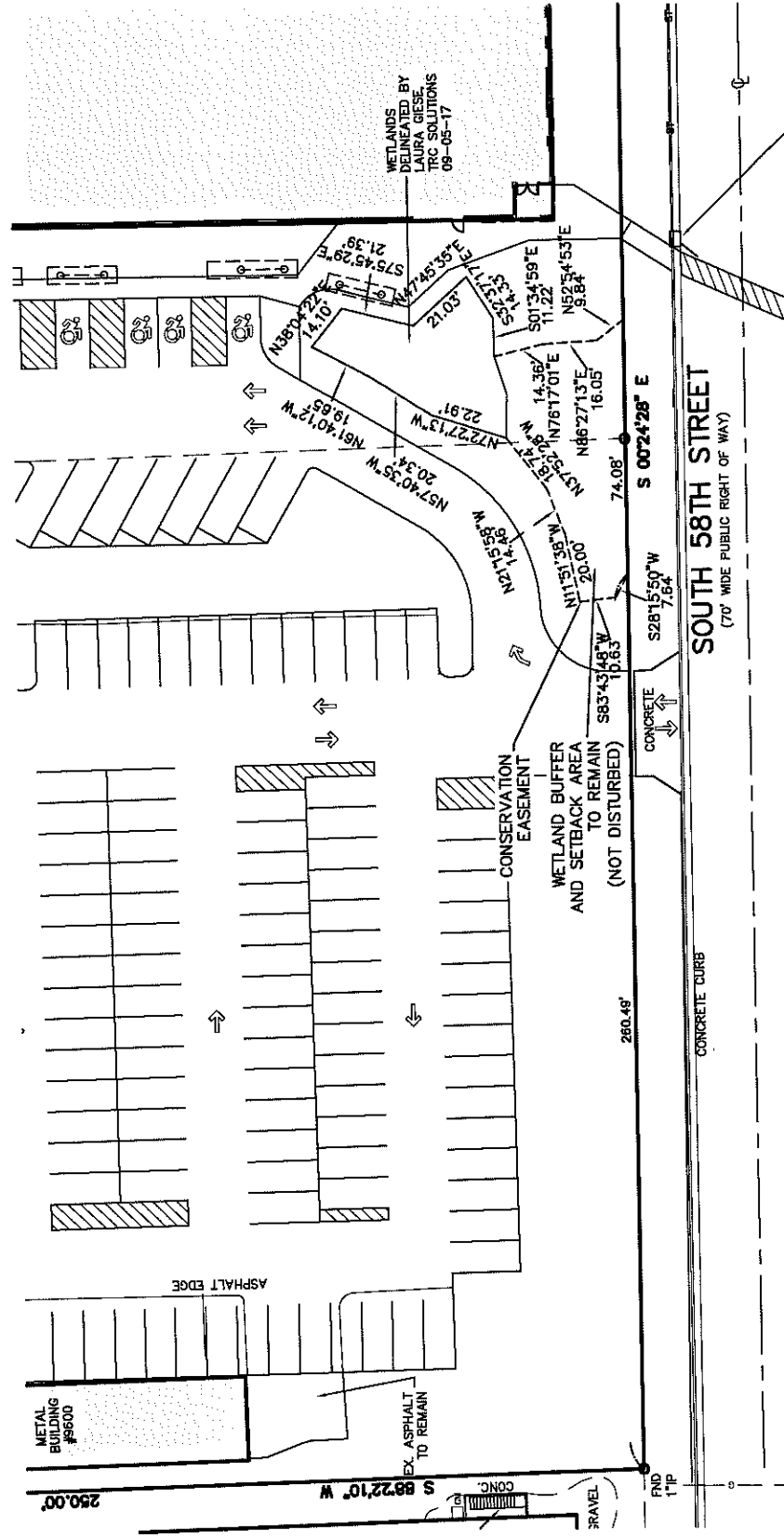
EXHIBIT "A"

CONSERVATION EASEMENT LEGAL DESCRIPTION:

BEING A PART OF PARCEL 1 OF CERTIFIED SURVEY MAP NO. 4543 AND PARCEL 1 OF 4695 IN THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 26, TOWN 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID PARCEL 1, THENCE N 00°24'28" W ALONG THE WEST ROW LINE OF S. 58TH ST, 260.49' TO THE POINT OF BEGINNING: THENCE S 28°15'50" W, 7.64'; THENCE S 83°43'48" W, 10.63'; THENCE N 11°51'38" W, 20.00'; THENCE N 21°15'58" W, 14.46'; THENCE N 37°52'28" W, 18.74'; THENCE N 72°27'13" W, 22.91'; THENCE N 57°40'35" W, 20.34'; THENCE N 61°40'12" W, 19.65'; THENCE N 38°04'22" E, 14.10'; THENCE S 75°45'29" E, 21.39'; THENCE N 47°45'35" E, 21.03'; THENCE S 32°37'17" E, 14.33'; THENCE S 01°34'59" E, 11.22'; THENCE N 76°17'01" E, 14.36'; THENCE N 86°27'13" E, 16.05'; THENCE N 52°54'53" E, 9.84' TO THE WEST ROW LINE OF S. 58TH ST; THENCE S 00°24'28" E, ALONG SAID WEST LINE, 74.08 FEET TO THE POINT OF BEGINNING.

CONTAINING: 3,348 SQUARE FEET



GRAPHIC SCALE



KRONES
9600 S. 58TH ST. FRANKLIN, WI

EXHIBIT "B"

CONSERVATION EASEMENT LEGAL DESCRIPTION:

BEING A PART OF PARCEL 1 OF CERTIFIED SURVEY MAP NO. 4695 IN THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 26, TOWN 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID PARCEL 1, THENCE S 00°24'28" E ALONG THE WEST ROW LINE OF S. 58TH ST, 38.07'; THENCE S 63°11'32" W, 45.29'; THENCE S 40°47'48" W, 2.50'; THENCE N 37°20'55" W, 13.16'; THENCE N 24°27'52" W, 13.35'; THENCE N 03°00'37" W, 8.21'; THENCE N 68°46'37" W, 15.50'; THENCE N 84°14'14" W, 25.80'; THENCE S 87°38'33" W, 21.02'; THENCE S 81°14'15" W, 94.94'; THENCE S 32°42'59" W, 7.18'; THENCE S 05°17'10" W, 35.12'; THENCE S 46°18'39" E, 6.56'; THENCE N 89°27'12" E, 22.65'; THENCE N 81°51'50" E, 80.84'; THENCE N 75°29'26" E, 29.23'; THENCE S 37°20'55" E, 20.70'; THENCE S 40°47'48" W, 4.71'; THENCE S 46°49'18" W, 32.65'; THENCE S 80°57'25" W, 46.44'; THENCE S 65°06'53" E, 46.10'; THENCE S 22°07'22" W, 66.77'; THENCE N 84°29'31" W, 19.45'; THENCE N 01°59'49" E, 48.74'; THENCE N 21°56'49" W, 58.95'; THENCE N 06°00'21" E, 82.84'; THENCE N 88°22'10" E, 229.32' TO THE POINT OF BEGINNING.

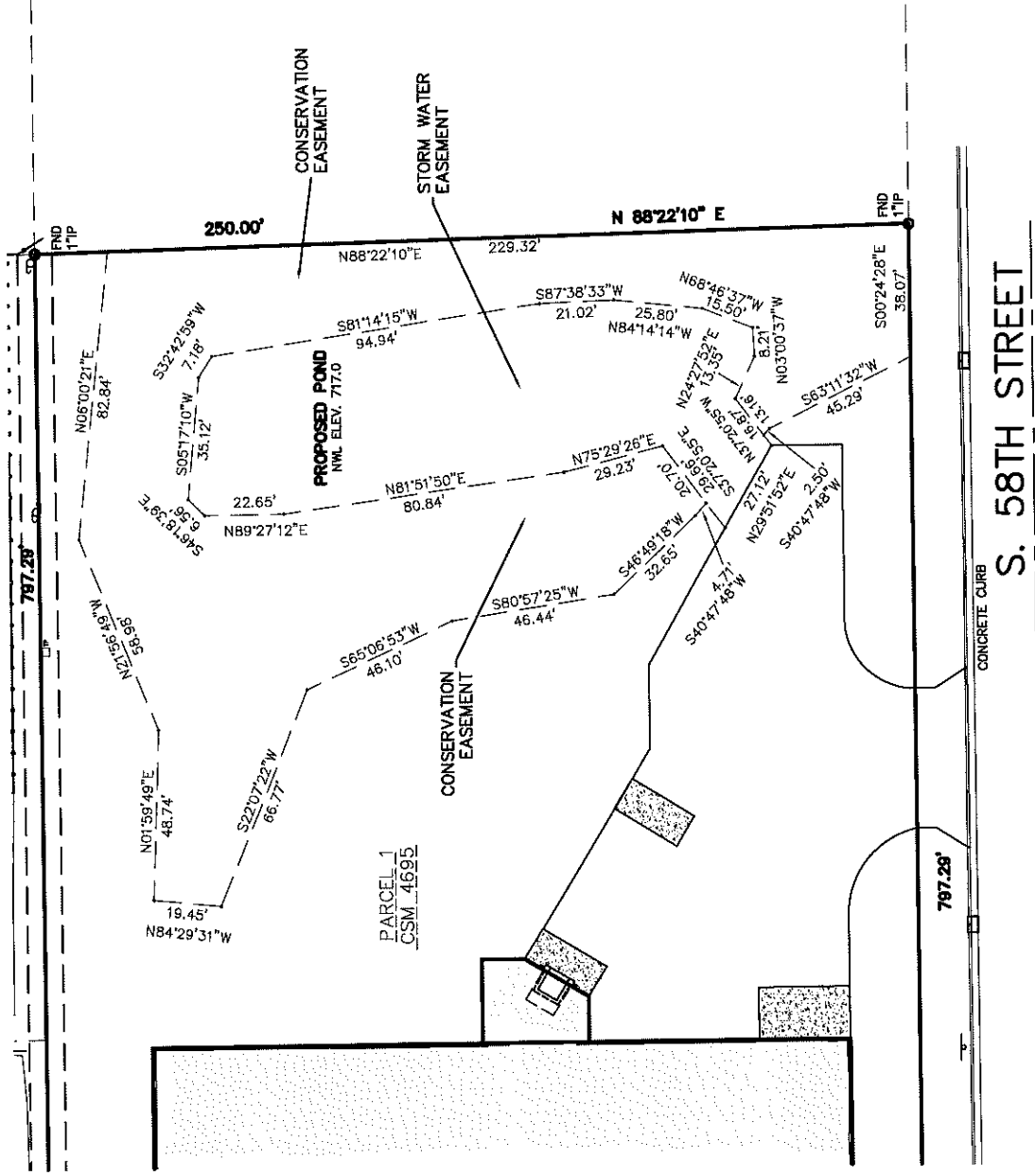
CONTAINING: 17,248 SQUARE FEET

STORM WATER EASEMENT LEGAL DESCRIPTION:

BEING A PART OF PARCEL 1 OF CERTIFIED SURVEY MAP NO. 4695 IN THE NORTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 26, TOWN 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN, BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID PARCEL 1, THENCE S 00°24'28" E ALONG THE WEST ROW LINE OF S. 58TH ST, 38.07'; THENCE S 63°11'32" W, 45.29'; THENCE S 40°47'48" W, 2.50' TO THE POINT OF BEGINNING; THENCE N 37°20'55" W, 13.16'; THENCE N 24°27'52" W, 13.35'; THENCE N 03°00'37" W, 8.21'; THENCE N 68°46'37" W, 15.50'; THENCE N 84°14'14" W, 25.80'; THENCE S 87°38'33" W, 21.02'; THENCE S 81°14'15" W, 94.94'; THENCE S 32°42'59" W, 7.18'; THENCE S 05°17'10" W, 35.12'; THENCE S 46°18'39" E, 6.56'; THENCE N 89°27'12" E, 22.65'; THENCE N 81°51'50" E, 80.84'; THENCE N 75°29'26" E, 29.23'; THENCE S 37°20'55" E, 29.66'; THENCE N 29°51'52" E, 27.12'; THENCE N 37°20'55" W, 3.71' TO THE POINT OF BEGINNING.

CONTAINING: 7,720 SQUARE FEET



GRAPHIC SCALE

CJE NO.: 1740R8

FEBRUARY 12, 2018

KRONES

FRANKLIN, WI

9600 S. 58TH ST.

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APPROVAL <i>Slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 03/06/18
REPORTS & RECOMMENDATIONS	RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO ACCEPT A CONSERVATION EASEMENT FOR AND AS PART 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)	ITEM NUMBER <i>G.3.</i>

City Development staff recommends approval of a resolution authorizing certain officials to accept a conservation easement for and as part 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).

COUNCIL ACTION REQUESTED

A motion to adopt Resolution No. 2018-_____, authorizing certain officials to accept a conservation easement for and as part 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.



7215 W. Rawson Ave.
TKN: 756 9993 017



Planning Department
(414) 425-4024

0 95 190 380 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.



2016 Aerial Photo

STATE OF WISCONSIN

CITY OF FRANKLIN

MILWAUKEE COUNTY

RESOLUTION NO. 2018-_____

A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO
ACCEPT A CONSERVATION EASEMENT FOR AND AS PART 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)

WHEREAS, the Plan Commission having approved a Site Plan upon the application of Charles C. Anderson, owner of Anderson Family Dental, on November 3, 2016, and the Plan Commission having conditioned approval thereof in part upon Common Council approval of a Conservation Easement to protect the wetland and wetland buffer on the site; and

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

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

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

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

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

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

A RESOLUTION AUTHORIZING CERTAIN OFFICIALS
TO ACCEPT A CONSERVATION EASEMENT
CHARLES C. ANDERSON, OWNER OF ANDERSON FAMILY DENTAL
RESOLUTION NO. 2018-_____
Page 2

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

CONSERVATION EASEMENT

(Dr. Anderson – 7215 West Rawson Ave)

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

WITNESSETH

WHEREAS, Grantor is the owner in fee simple of certain real property, located within the City of Franklin, Milwaukee County, Wisconsin, Northwest ¼ of the Northwest ¼ of Section 10, Township 5 North, Range 21 East, described in Exhibit A attached hereto and hereby made a part hereof (protected property); and

WHEREAS, the Grantor desires and intends that the natural elements and the ecological and aesthetic values of the protected property including, without limitation, wetland buffers and wetlands, and refer to attached Easement Exhibit from Site Engineering Services, dated October 20, 2016, which is located in the office of the Department of City Development, be preserved and maintained by the continuation of land use that will not interfere with or substantially disrupt the natural elements or the workings of natural systems; and

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

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

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

WHEREAS, US Bank, mortgagee of the Protected Property ("Mortgagee"), consents to the grant of this Easement by Grantor to Grantee and Mortgagee's consent is attached hereto and identified as "Mortgage Holder Consent".

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

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

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

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

1. Construct or place buildings or any structure;

2. Construct or make any improvements, unless, notwithstanding Covenant 1 above, the improvement is specifically and previously approved by the Common Council of the City of Franklin, upon the advice of such other persons, entities, and agencies as it may elect; such improvements as may be so approved being intended to enhance the resource value of the protected property to the environment or the public and including, but not limited to animal and bird feeding stations, park benches, the removal of animal blockage of natural drainage or other occurring blockage of natural drainage, and the like;
3. Excavate, dredge, grade, mine, drill, or change the topography of the land or its natural condition in any manner, including any cutting or removal of vegetation, except for the removal of dead or diseased trees;
4. Conduct any filling, dumping, or depositing of any material whatsoever, including, but not limited to soil, yard waste, or other landscape materials, ashes, garbage, or debris;
5. Plant any vegetation not native to the protected property or not typical wetland vegetation;
6. Operate snowmobiles, dune buggies, motorcycles, all-terrain vehicles or any other types of motorized vehicles.

To have and to hold this conservation easement unto the Grantee forever. Except as expressly limited herein, the Grantor reserves all rights as owner of the protected property, including, but not limited to, the right to use the protected property for all purposes not inconsistent with this grant. Grantor shall be responsible for the payment of all general property taxes levied, assessed, or accruing against the protected property pursuant to law.

The covenants, terms, conditions, and restrictions set forth in this grant shall be binding upon the Grantor and the Grantee and their respective agents, personal representatives, heirs, successors, and assigns, and shall constitute servitudes running with the protected property in perpetuity. This grant may not be amended, except by a writing executed and delivered by Grantor and Grantee or their respective personal representatives, heirs, successors, and assigns. Notices to the parties shall be personally delivered or mailed by U.S. Mail registered mail, return receipt requested, as follows:

To Grantor:
CCLD Enterprises LLC
Attn:
7218 S. 76th Street
Franklin, WI, 53132

To Grantee:
City of Franklin
Office of the City Clerk
9229 W. Loomis Road
Franklin, Wisconsin 53132

In witness whereof, the grantor has set its hand and seals this on this date of _____, 20__.

CCLD Enterprise LLC

By: _____
Charles C. Anderson

STATE OF WISCONSIN)
) ss
COUNTY OF MILWAUKEE)

This instrument was acknowledged before me on the _____ day of _____, A.D. 20__ by

Kate Haugom as Vice President Client Manager of U.S. Bank

To me known to be the person(s) who executed the foregoing Easement and acknowledged the same as the voluntary act and deed of said corporation, CCLD Enterprise LLC

Notary Public

My commission expires _____

Acceptance

The undersigned does hereby consent to and accepts the Conservation Easement granted and conveyed to it under and pursuant to the foregoing Grant of Conservation Easement. In consideration of the making of such Grant Of Conservation Easement, the undersigned agrees that this acceptance shall be binding upon the undersigned and its successors and assigns and that the restrictions imposed upon the protected property may only be released or waived in writing by the Common Council of the City of Franklin, as contemplated by §236.293 of the Wisconsin Statutes.

In witness whereof, the undersigned has executed and delivered this acceptance on the ____ day of _____, A.D.20__.

CITY OF FRANKLIN

By: _____
Stephen R. Olson, Mayor

By: _____
Sandra L. Wesolowski, City Clerk

STATE OF WISCONSIN)
) ss
COUNTY OF MILWAUKEE)

Personally came before me this _____ day of _____, A.D. 20__, the above named Stephen R. Olson, Mayor and Sandra L. Wesolowski, City Clerk, of the above named municipal corporation, City of Franklin, to me known to be such Mayor and City Clerk of said municipal corporation, and acknowledged that they executed the foregoing instrument as such officers as the Deed of said municipal corporation by its authority and pursuant to Resolution No. _____, adopted by its Common Council on the _____ day of _____, 20__.

Notary Public

My commission expires _____

This instrument was drafted by the City of Franklin.

Approved as to contents:

Nicholas Fuchs, Principal Planner
Department of City Development

Date

Approved as to form only:

Jesse A. Wesolowski
City Attorney

Date

MORTGAGE HOLDER CONSENT

The undersigned, U.S. Bank, a Wisconsin banking corporation ("Mortgagee"), as Mortgagee under that certain Mortgage encumbering encumbering the Property and recorded in the Office of the Register of Deeds for Milwaukee County, Wisconsin, on _____, 20____, as Document No. _____, hereby consents to the execution of the foregoing easement and its addition as an encumbrance title to the Property.

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

U.S. Bank
a Wisconsin Banking Corporation

By: _____

Name: _____

Title: _____

STATE OF WISCONSIN)
)ss
COUNTY OF MILWAUKEE)

On this, the _____ day of _____, 20____, before me, the undersigned, personally appeared Kate Haugom as Vice President Client Manager of U.S. Bank, a Wisconsin banking corporation, and acknowledged that (s)he executed the foregoing instrument on behalf of said corporation, by its authority and for the purposes therein contained.

Name: _____

Notary Public, State of Wisconsin

My commission expires _____

Exhibit A

Legal Description for proposed Conservation Easement:

A part of Parcel 1 of Certified Survey Map No. 6811, being a part of the Northwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of Section 10, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin. Commencing at the Northeast corner of said Parcel 1, thence South $00^{\circ}07'57''$ 10.26 feet to the point of beginning of the easement to be described; thence South $00^{\circ}07'57''$ East 289.74 feet to a point; thence South $89^{\circ}21'01''$ West 150.00 feet to a point; thence North $00^{\circ}07'57''$ West 42.72 feet to a point; thence North $81^{\circ}35'15''$ East 20.76 feet to a point; thence North $43^{\circ}25'56''$ East 33.74 feet to a point; thence South $23^{\circ}11'49''$ East 22.45 feet to a point; thence North $82^{\circ}30'42''$ East 33.03 feet to a point; thence North $19^{\circ}13'40''$ East 88.75 feet to a point; thence North $00^{\circ}32'59''$ West 153.38 feet to a point; thence North $89^{\circ}52'03''$ East 36.34 feet to the point of beginning; containing 0.40 acres of land.

Site Address: 7215 W. Rawson Avenue, Franklin, Wisconsin

CE

NOT FOR CONSTRUCTION

SCALE: 1"=20'
PROJECT NO. 16022
DATE: 10/20/2018
SHEET NUMBER

7215 W. Rawson Ave., Franklin, Wisconsin

Anderson Family Dental
for
EASEMENT EXHIBIT

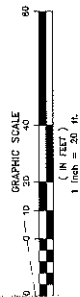
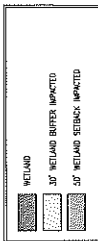
Site Engineering Services



2920 Oakwood Road
Madison, WI 53704
262-357-1500
marty.worland@sesi.net
Cecil Engineer/Consultant

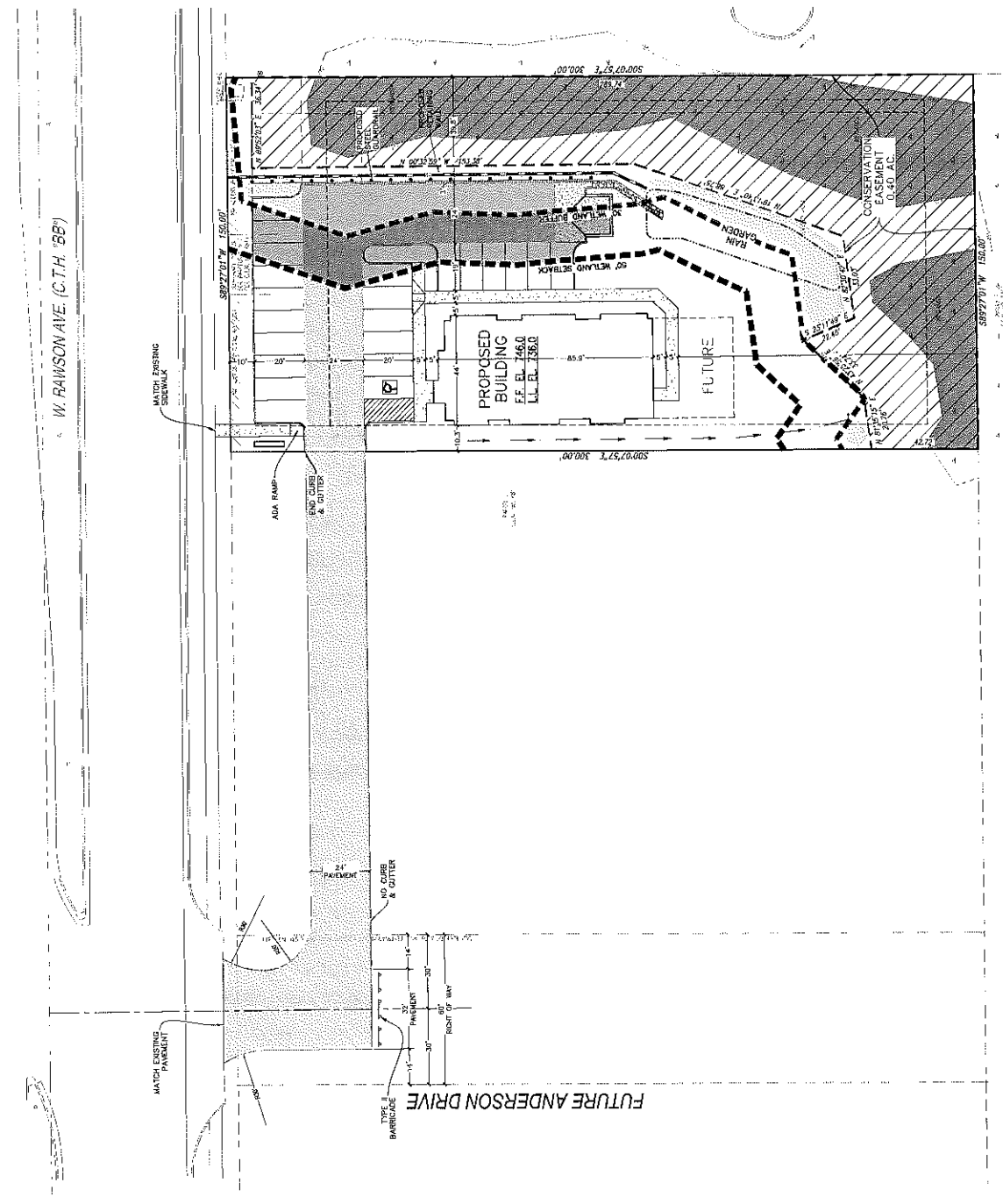
PROJECT TEAM
SSUC
DESCRIPTION
DATE

LEGEND



THE INFORMATION ON THIS PLAN WAS PREPARED BY THE ENGINEER OR SURVEYOR AND IS NOT TO BE USED FOR ANY OTHER PURPOSE WITHOUT THE WRITTEN CONSENT OF THE ENGINEER OR SURVEYOR. THE ENGINEER OR SURVEYOR DOES NOT WARRANT THE ACCURACY OF THE INFORMATION FOR ANY OTHER PURPOSE.

PROPOSED EASEMENT FOR PROPOSED BUILDING
DATE: 10/20/2018
BY: MARTY WORLAND
FOR: ANDERSON FAMILY DENTAL



NOT FOR CONSTRUCTION
PRELIMINARY

Approval <i>Slw</i>	Council Action Sheet	MEETING DATE 3/6/18
REPORTS & RECOMMENDATIONS	CONTRACT GENERAL CODE, LLC FOR UNIFIED DEVELOPMENT ORDINANCE CODIFICATION SERVICES	ITEM NUMBER <i>G. 4.</i>

Background

The Unified Development Ordinance (UDO) was last published with adopted revisions on December 19, 2014. Since that time, there have been about fifteen amendments to the UDO. Unlike the Municipal Code, the City does not have a system in place to update the UDO when amendments occur.

As a result, staff individually has to manually track changes. Furthermore, businesses, developers and their consultants often review and draft plans based on obsolete ordinances.

Proposed Solution

Department of City Development staff is requesting to proceed with a contract with General Code, LLC to codify and integrate the UDO into General Code's eCode360 online platform. General Code is the same company and format the City uses for the Municipal Code.

Once the UDO has been converted to eCode360, the Department of City Development will develop a process to ensure all amendments are sent to General Code to be codified into the UDO. These updates will be billed separately. The cost of updates depends upon the scope of work and specific amendments. Moving forward, the Department of City Development budget must be adjusted to account for these updates. Based upon billing information for the Municipal Code, staff anticipates an annual budget request of \$2,000.

Note that this proposal/agreement will:

- keep the same numbering system within the UDO;
- publish it as a separate volume from the Municipal Code, which will be Volume 1 and remain unchanged;
- not codify Planned Development District ordinances;
- include two hard copies of the updated UDO; and
- not increase the City's current annual maintenance fee for eCode, which is \$1,195.00.

The estimated conversion time is 10 to 12 weeks following the City signing the agreement and General Code receipt of the necessary deliverables outlined in the attached proposal/agreement. Payment will be invoiced upon the posting of the UDO in eCode360.

Also note the proposal is dated April 14, 2017 and states that it is valid for 6 months. Staff confirmed that the attached proposal is still valid.

Approval of the agreement with General Code is subject to review by the City Attorney. Department of City Development staff will serve as the primary contact.

Funding/Fiscal Note

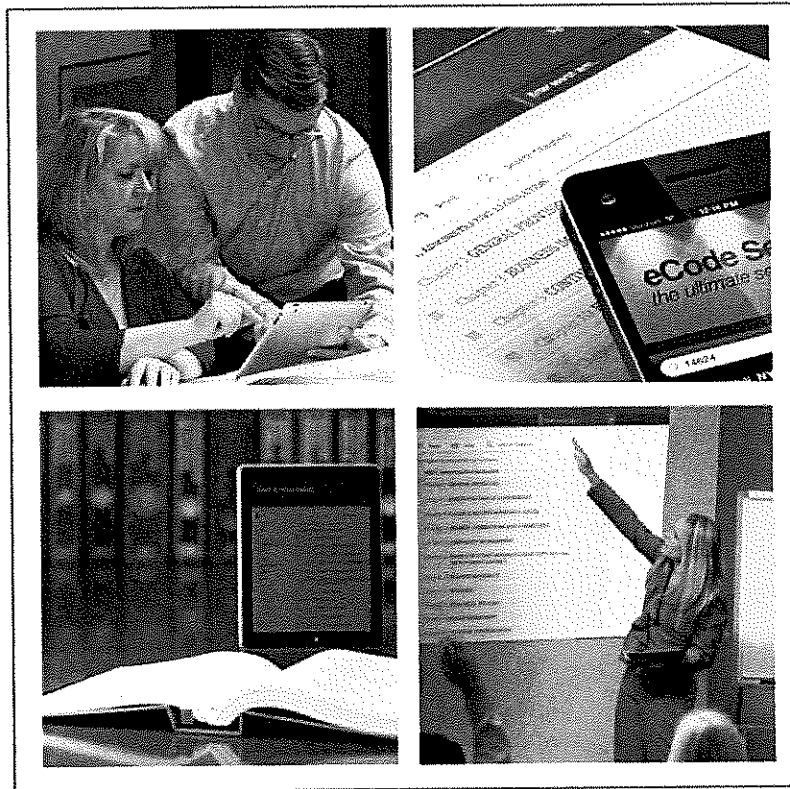
Staff requests authorization for spending up to \$2,200 for initial codification services. Staff requests utilizing Economic Development Department appropriations and, if approved, will bring forward a future budget amendment.

COUNCIL ACTION REQUESTED

Motion to contract General Code, LLC for Unified Development Ordinance codification services per the attached agreement dated April 14, 2017, to be funded with appropriations from the Economic Development Department.

GENERAL CODE

Proposal for Codification Services



Prepared for:

City of Franklin, Wisconsin

Marcia Clifford, Esq.
Codification Account Manager
(855) GEN CODE
mclifford@generalcode.com

Date:
April 14, 2017
(Valid for 6 Months)

**GENERAL
CODE**
Codification Division

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Executive Summary

GENERAL CODE Codification Division

Serving the needs of communities for 55 years, General Code provides codification and enterprise content management solutions to more than 3,000 municipal governments throughout the United States and Canada. Our staff has developed, implemented and maintained codification projects for a wide variety of local governments, ranging from small townships and villages to major cities and counties.

On behalf of General Code, we thank you for the opportunity to provide a proposal for your online Code and the continued updating of your printed volumes. It is our understanding that the City has maintained this information for several years in printed Code books, as well as posting it online. By moving to an improved multiview format, we believe the 35,400 residents of the community would be better served. General Code's eCode360® provides fully searchable online and mobile access to the ever-changing Code for your community. It currently houses the Codes of over 2,000 municipalities nationwide and is accessed over 1.2 million times each month.

It is General Code's professional opinion that the City of Franklin should consider a project to enhance the City Code by moving it to an up-to-date and improved online platform, to allow 24-hour access to the Code for the general public and the staff of the City of Franklin.

General Code's Proposed Solution

- Conversion to eCode360 online code
- Printing of 2 Unified Development Ordinance Code books in a separate volume (Volume II)

Investment Summary

The cost of General Code's recommended solution will be \$2,200.

A detailed breakdown of the investment and available options can be found on page 11.

Accepting this proposal

This document serves both as a proposal and as an agreement. To accept this proposal, complete the form on the last page, including authorized signatures. Scan and email the completed form to ezsupp@generalcode.com, fax the completed form to General Code at (585) 328-8189, or return it by mail to General Code, 781 Elmgrove Road, Rochester, NY 14624.

The General Code Advantage



General Code brings civility to codification, by learning from 55 years of experience addressing the constantly changing concerns and needs of our 3,000 customers, including 169 in Wisconsin. We civilize your experience by listening to you and focusing our efforts on meeting your objectives. Our editorial and technical professionals will offer you options, designed to meet your particular needs so that your Code can be constructed and used accordingly. This collaboration will enhance the long-term viability of your legislation and will allow you a level of customization that you will find invaluable.



Experience

- Over 3,000 clients in 39 states in the United States and Canada
- Serving local governments since 1962 — over 50 years of broad experience in all aspects of municipal codification
- Unparalleled reputation for quality and service
- Leader in providing technical and innovative codification solutions

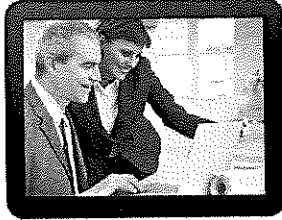
Customer Service Orientation

- Highest customer satisfaction ratings
- Experienced Account Managers
- Quick responses to questions and commitment to person-to-person interaction
- Training and support on an ongoing basis
- Flexible billing plans tailored to meet the specific needs of each client



Professional and Experienced Staff

- Your Project Team will include members of our professional staff of over 100 employees, including attorneys, consultants, and technical specialists, producing over 100 new Code projects and over 2,000 supplements annually
- Team approach, to ensure availability of required personnel and resources until work is complete, as well as consistency and accessibility
- Full-time attorney editors, with extensive experience in both new Code projects, as well as supplementation of existing Codes, in numerous states
- Full-time Code consultants, with experience in codification averaging over 15 years in Wisconsin and other states
- Specially trained indexers, research staff, data entry and proofreaders

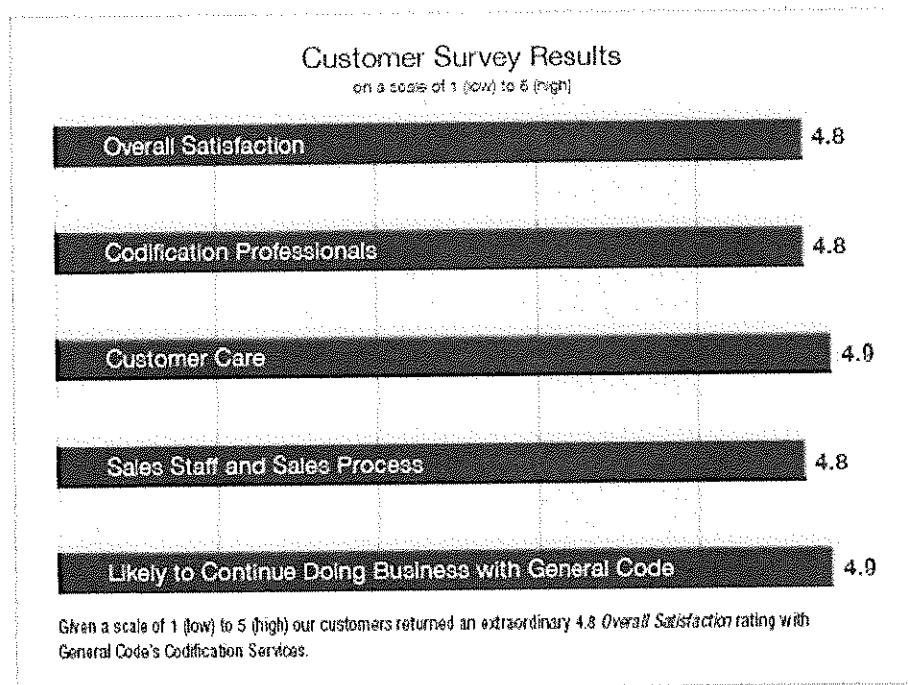


Client Experience

- ♦ User-friendly Code format and organizational system in print and online
- ♦ Fast, reliable, accurate supplementation
- ♦ Consultative service for creative solutions and specific needs
- ♦ Sample legislation service for clients

Customer Satisfaction

These results demonstrate the way our customers recognize and appreciate our passion for excellence and customer focus.



Situation Analysis



Prior Codification

The Code of the City of Franklin was originally published in 1998. Since then it has been supplemented 54 times, most recently in 2017, including legislation through Supplement No. 54/Ordinance No. 2016-2255 (currently in process). Until now, it has included the 1998 Unified Development Ordinance only by reference.

Source Materials

The City of Franklin will provide to General Code the following, which will be used as the source materials for the project:

- ♦ A hard copy of the City's 1998 Unified Development Ordinance, as updated with adopted revisions on December 19, 2014

This proposal only takes into account an estimated 545 pages of legislation submitted for review, which will be included within the scope of this project. General Code requests that the City set up a process during the project to routinely send any new legislation upon adoption. These additional materials will be included in the Code after the initial publication and will be billed separately. An estimate of the applicable charges is available upon request.

Special Considerations

General Code has identified the following specific special considerations that will be addressed by our staff as the project progresses:

- ♦ This proposal provides for the publication of the new Unified Development Ordinance in a separate volume (Volume II) and will consist of a single 8 ½-by-11-inch volume, in Standard Imprinted Post Binders. The Administrative Legislation, General Legislation, and Appendix will remain as a separate volume (Volume I).
- ♦ This proposal is based on maintaining the current organization and numbering system found in the existing Unified Development Ordinance. General Code will work with the City to determine the best way to accommodate the City's needs and requirements for the new Code.

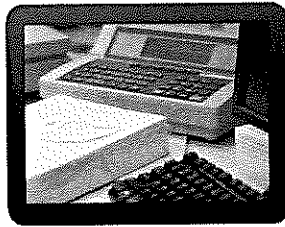
Recommended Solution



Process Outline

Beginning a Code Project

To begin the project, the City of Franklin will provide the source materials for the new Code. For more detail, see the source materials listed on page 5.

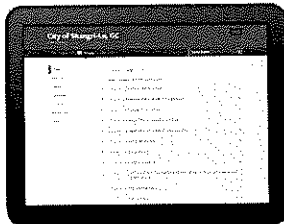


Electronic Inputting; Proofreading; Stylizing

The text of the current Code and any additional materials that may not already be codified will be input and thoroughly proofread to ensure complete accuracy. The 1998 Unified Development Ordinance will be updated with uncoded legislation through December 19, 2014, where appropriate in the text of the Code. An editor will review the legislation to confirm proper placement within the Code and to ensure consistency in the structure and style of the Code. (While we will generally match the style of the Code, please note it is General Code's policy not to include the following code enhancements unless specifically directed to do so by the City Attorney: cross-references; state law references; and Code comparative tables.)

Convert Code

General Code will convert the Unified Development Ordinance into our XML publishing system. This system enables the Code to be printed efficiently. It also provides the foundation for providing the Code on the Web.



Post Code on Web

Upon completion of the conversion of the Unified Development Ordinance, General Code will provide the City with a link to put on the City's Website. This link will seamlessly open the City's fully searchable Code on the Web.

Publication of new Code volumes

The base price includes the publication of 2 new Code volumes in high-quality, custom-imprinted post binders. The Code pages will be designed in an 8 ½-by-11-inch page size, using an 11-point Times New Roman font in a single-column format on 100% recycled paper. You may choose blue, dark red, green, brown, black or gray binders, with white, silver or gold silk-screen lettering. The City Seal can also be embossed on the front and spine if you wish. Each copy of the Code will be serial-numbered, and we will provide forms for you to keep track of the distribution of the Codes.

Code Delivery; Recordkeeping; Supplement Distribution

After the Code is delivered, we will review the project with the City to ensure that everything meets your expectations. At that time, we will work with you to set up an effective recordkeeping system to keep track of the distribution, sale and maintenance of Codes and supplements.

Services Included

Updated *eCode360*

The City's current online Code will remain available for the City's staff and general public for the duration of this project. Once the project has been completed, General Code will update the City's *eCode360* with the new Volume II of the City's Code.

The annual maintenance fee for *eCode360* is an annual recurring flat fee. Therefore it is our recommendation that the City should continue to budget for this service each year. The fee covers annual licensing, web hosting, and posting of new legislation between regular Code supplements. Please note that this does not include the cost for codifying new legislation.

Ongoing Customer Service and Technical Support

Ongoing customer service and technical support is always available. General Code has in-house Account Representatives and customer service specialists available to answer your calls and take your questions from 8:00 a.m. to 5:00 p.m. EST. Online assistance is available 24 hours each day.

The screenshot shows the eCode360 website. At the top, there is a dark header with the eCode360 logo on the left and 'Login | GC' on the right. Below the header is a navigation bar with 'Home' and 'Help' links. The main content area is titled 'Welcome' and contains the following text:

Welcome

eCode360 delivers a searchable online version of your Municipal Code. You can easily search, print, email, and copy and paste any text contained in the Code. The features and functionality of eCode360 provide superior content management.

Introduction

eCode360 offers two modes to help you find the information you're looking for in your Municipal Code: Browse and Search. Browse mode will give you access to the entire Code as published by your municipality, as well as access to Public Documents such as meeting minutes or agendas and budgets. New laws that have not been incorporated into the Code, and a Quick Search bar. Search mode is designed to give you powerful tools to dig in and find exactly the information you need to get your task done.

Questions About Content

This documentation is designed to help you learn more about how to use General Code's eCode360 Platform. **Please be aware that General Code is not allowed to answer specific questions about content.** If you have a question about the content in a Code, please contact your Municipality directly. General Code Customer Service cannot provide specific answers to questions about content of a Code such as "What does this section mean?", or "How tall of a fence can I build?". [\(More information here.\)](#) Feel free to save or bookmark this document for future reference. You can also check out our [Webinar schedule](#) for an hour-long training session on eCode360, free for municipal officials.

Browser Requirements

To make full use of the features of eCode360, we recommend using the latest versions of Chrome, Firefox, or Internet Explorer. Some content in eCode360 requires a PDF reader to view. [Get Adobe PDF Reader for free](#)

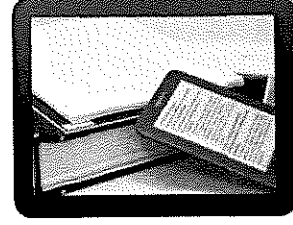
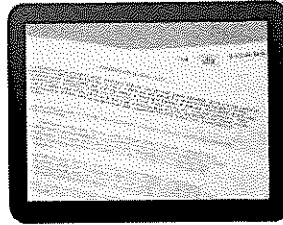
Sign up today for a [FREE eCode360 webinar!](#)

Future Supplementation Services



Your Code is an evolving document.

After your new Code is posted online, in order to protect your investment and maintain an accurate and reliable resource, your Code should be kept up-to-date. General Code's supplementation services are designed to make the process easy, fast and accurate.



Materials

After the enactment of new legislation, the City can forward a copy by whatever method is most convenient.

- Electronic copies of the legislation can be sent via email to ezsupp@generalcode.com. A reply email will be sent confirming receipt of your transmission. We have other options for transferring large files and will provide the necessary information if requested.
- In addition, paper copies of as-adopted legislation can be sent via U.S. Mail or by Fax to 585-328-8189, and a confirmation postcard will be returned upon receipt of materials.

General Code will hold legislation pending a pre-approved schedule, or begin the job, as directed by the City. Please note that charges for supplementation services are outside of the scope of this proposal and will be billed separately. An estimate of the charges applicable to a particular supplement is available upon request.

Posting of New Laws

Between regular Code supplements, General Code will temporarily attach (append) verbatim copies of new legislation to your online electronic Code to provide ready access to information until such time as the legislation can be codified through supplementation. If supplementation does not occur within one year of appending, General Code will remove the link to that legislation.

Schedule

Supplements will be provided on a schedule designed to meet the needs of the City. Typical schedules may be quarterly, semiannual, or annual, or upon authorization by the City. Updates to the electronic version of the Code can occur on a more frequent schedule than printed supplements.

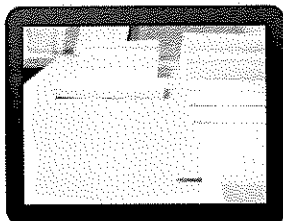
Our average turnaround time for processing routine supplementation is between 4 and 6 weeks.

Editorial Work on Your Supplement

The editorial work on your supplement specifically focuses on the new legislation being incorporated with each supplement. As part of our process for new legislation, we will do the following:

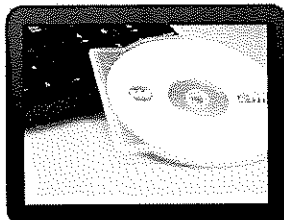
- ✦ Review the legislation to determine proper placement within the Code.
- ✦ Adhere to the structure and style contained in the ordinance, unless changes are required to ensure consistency in the Code.
- ✦ Use or impose section and subsection numbering.
- ✦ Create chapter, article, and section titles as appropriate.
- ✦ Add historical annotations as applicable.
- ✦ Correct misspellings so that searchability in *eCode360* is not compromised.
- ✦ Check and correct internal section hierarchy, capitalization, grammar, and punctuation.
- ✦ Check internal and statutory references.
- ✦ Correct any missing wording.

General Code will also update the Table of Contents and index. Editorial notes will be appended to sections that require additional explanation. Any tables, drawings, or other graphics as are required by the City shall be incorporated into the supplement, with improved presentation as necessary. Additionally, for print supplements, an Instruction Page will be created to advise how to insert and remove pages.



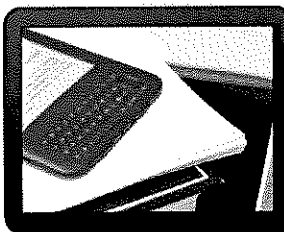
Printed Supplements

Amendments to the printed Code occur in the form of printed supplement pages that are issued as replacement pages. Printed supplements include updated Table of Contents, Disposition List, text pages, as well as an Instruction Page.



Electronic Updates

Amendments to the electronic version of the Code can be provided on their own schedule or can accompany printed supplements. Electronic updates will have been incorporated into the Code, and a fully searchable, complete Code will be delivered online.



Delivery

In the future, printed supplements to the Code will be delivered in bulk to the City, unless the City chooses to utilize General Code's Distribution Services. The website will be updated within one or two business days as electronic updates are delivered.

Investment Detail and Options



Base Project Price

\$ 2,200

Your base project includes the following:

- ✦ Conversion of the 1998 Unified Development Ordinance into an XML Document
- ✦ Proofreading
- ✦ Duplication and Publication of 2 Code Volumes in Standard Imprinted Post Binders
- ✦ Update Standard *eCode360*
- ✦ Posting of New Laws
- ✦ Shipping

Special considerations to be addressed:

- ✦ This proposal provides for the publication of the new Unified Development Ordinance in a separate volume (Volume II) and will consist of a single 8 ½-by-11-inch volume, in Standard Imprinted Post Binders. The Administrative Legislation, General Legislation, and Appendix will remain as a separate volume (Volume I).
- ✦ This proposal is based on maintaining the current organization and numbering system found in the existing Unified Development Ordinance. General Code will work with the City to determine the best way to accommodate the City's needs and requirements for the new Code.

Optional Components

The following is available to you at an additional charge:

Please note: Additional Code books (in addition to the 2 Code books included in the base price) may also be ordered; pricing is available upon request.

Performance and Payment Schedule

Performance Schedule:

- ✦ Delivery of *eCode360*: within 10 to 12 weeks of contract signing and receipt of materials

Payment Schedule:

- ✦ 100% will be invoiced upon posting of *eCode360*

Prices noted are valid for 6 months from the date of this proposal.

Authorization and Agreement

Base Project Price

\$ 2,200

The City of Franklin , Wisconsin, hereby agrees to the procedures outlined above, and to General Code's Codification Terms and Conditions, which are available at www.generalcode.com/TCdocs, and are incorporated herein by reference, and authorizes General Code to proceed with the project.

CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN

By: _____ Witnessed by: _____

Title: _____ Title: _____

Date: _____ Date: _____

GENERAL CODE, LLC

By: _____ Witnessed by: _____

Title: _____ Title: _____

Date: _____ Date: _____

Please sign and return this page to General Code. A signed copy of this agreement will be mailed back to the municipality for its records.

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APPROVAL <i>Slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 03/06/2018
REPORTS AND RECOMMENDATIONS	A RESOLUTION TO MAKE A GRANT APPLICATION REQUEST OF \$7,500 FROM THE BAY-LAKE, EAST CENTRAL WISCONSIN, AND NORTHWEST WISCONSIN REGIONAL PLANNING COMMISSIONS (RPCs) AND WISCONSIN DEPARTMENT OF NATURAL RESOURCES (WDNR) GREAT LAKES BASIN TREE PLANTING GRANT PROGRAM	G.5.

BACKGROUND

The Southeastern Wisconsin Regional Planning Commission is partnering with the Wisconsin Department of Natural Resources (WDNR) and the Bay-Lake, East Central Wisconsin, and Northwest Wisconsin Regional Planning Commissions (RPCs) in a program administered by the Bay-Lake RPC to help communities, counties, and tribes plant trees to mitigate Emerald Ash Borer (EAB) impacts and reduce runoff.

The Bay-Lake RPC has recently announced the availability of new funding under the 2018 Wisconsin RPCs and WDNR Tree Planting Grant Program. The funding is available to all Wisconsin jurisdictions within the Great Lakes Basin. In Southeastern Wisconsin, all, or part, of Kenosha, Milwaukee, Ozaukee, Racine, Washington, and Waukesha Counties is located within the Great Lakes Basin. Just over \$120,000 will be available each year in 2018 and 2019 to fund projects ranging in cost from \$1,000 to \$20,000. All communities within the Wisconsin Great Lakes Basin are eligible, but this program will particularly be targeting projects in communities in the Basin that meet one or more of the following criteria:

- Within an EAB-quarantined county (all six of the Southeastern Wisconsin counties in the Basin are EAB-quarantined, see tinyurl.com/EAB-Quarantine),
- Within a watershed with surface water quality concerns (in Southeastern Wisconsin, certain communities in Milwaukee, Ozaukee, Washington, and Waukesha Counties are in targeted watersheds),
- On tribal lands,
- Within communities that are members of a regional planning commission,
- Within areas of concern (AOCs) for beneficial use impairments, and
- Within a Tree City USA community.

The funding is made available through two FY2018 U.S. Forest Service Great Lakes Restoration Initiative (GLRI) grants received by the Bay-Lake Regional Planning Commission.

In 2017, DPW removed approximately 350 EAB-infested ash trees and planted approximately 200 curbside trees. Because of the EAB infestation, the goal is to annually replace approximately 300 trees. As noted in the 2018 budget, Franklin has seen an increase in the spread of EAB and 2018 includes a budget increase from 2017 of \$2,000 to accommodate grindings. It should be noted that the Mayor's budget recommended \$32,000 for planting approximately 200 replacement trees and only \$5,000 was approved. \$5,000 represents approximately 30 trees.

ANALYSIS

The City of Franklin qualifies for four of the six requirements for this competitive grant because: Milwaukee County is an EAB-quarantined county; Franklin is located within a watershed with surface water quality concerns; Franklin is a member of a regional planning commission- SEWRPC; and Franklin has been a Tree City USA Community since 2000.

Eligible costs are those costs directly related to the completion of a tree planting project and that were incurred

during the project period. Example costs include the cost of purchased services, supplies, equipment use, product, or facilities used on the project (such as trees or staking materials). Trees must be 1 to 2.5 inches in diameter. The funding will not cover the planting of ash, maples, Callery pear (*Pyrus calleryana*), or Scotch pine.

An eligible 25% match includes options for cash or in-kind services provided for the project and that have occurred during the project period. In-kind costs can include employee salaries or fringe benefits for time needed for completing the project and incurred during the project period. Fringe benefit rates are capped at 48.07%. In-kind costs can include volunteer time at \$15/hour. Eligible match activities include costs associated with ash tree removals, purchased/contracted services, equipment use, supplies, or facilities used on the project (such as trees or pesticides).

Enclosed is a DRAFT version of Franklin's application. Staff is requesting \$7,500 that would be used for planting approximately 45 trees that will replace EAB-infected trees. Applications are due on April 9, 2018.

Although there are sufficient matching funds to ask for more, it is anticipated that there will be a lot of competition for the \$120,000. The City has previously applied for this grant and was unsuccessful. It was noted that most of the award winners were requesting smaller amounts.

Note that in-kind matches of labor, materials, and equipment to plant new trees or remove EAB trees are allowed. DPW could track at least \$2,500 of in-kind matches as part of the 25% match that would allow a total purchase of \$7,500 of trees that equates to approximately 45 trees. However, to be competitive, Staff recommends that \$2,500 cash (that is budgeted already for purchase of trees) be pledged with \$2,500 of in-kind services so that Franklin's grant application would only ask for \$7,500 (60%) of a \$12,500 project that results in approximately 60 trees- i.e. the grant would pay only 40% of a project instead of 75% that most communities will request.

This grant award is anticipated to be announced in May 2018.

Note that the attached resolution uses the recommended language from the grant website.

Staff is also anticipating other tree-related grants this year that will be investigated for applicability.

OPTIONS

Table, or

Pass a Resolution to direct Staff to submit grant application and comply with the requirements stipulated in the grant program.

FISCAL NOTE

The \$2,500 match is in the 2018 budget for Highway Capital Outlay. The \$2,500 in-kind services are within other approved operating budgets.

Also available for funds are DPW donation funds that were never spent (\$2,500 from 2014 and \$8,397 from 2010). Staff is in the process of investigating the source of those funds and will attempt to leverage these funds as appropriate.

COUNCIL ACTION REQUESTED

Motion to adopt Resolution No. 2018 - _____, a resolution to make a grant application request of \$7,500 from the 2018 Wisconsin RPCs and DNR Great Lakes Basin Tree Planting Grant Program

Engineering Department

STATE OF WISCONSIN : CITY OF FRANKLIN : MILWAUKEE COUNTY

RESOLUTION NO. 2018 - _____

A RESOLUTION TO MAKE A GRANT APPLICATION REQUEST OF \$7,500 FROM THE
2018 WISCONSIN REGIONAL PLANNING COMMISSIONS AND
DEPARTMENT OF NATURAL RESOURCES GREAT LAKES BASIN TREE
PLANTING GRANT PROGRAM

WHEREAS, the City of Franklin is interested in obtaining a cost-share grant from Wisconsin Regional Planning Commissions (RPCs) and Department of Natural Resources (DNR) 2018 Great Lakes Basin Tree Planting Grant Program for the purpose of funding Emerald Ash Borer mitigation projects under funding originating from the U.S. Forest Service, Great Lakes Restoration Initiative; and

WHEREAS, the applicant attests to the validity and veracity of the statements and representations contained in the grant application; and

WHEREAS, the applicant requests a grant agreement to carry out the project;

NOW, THEREFORE, BE IT RESOLVED, the City of Franklin will comply with all local, state, and federal rules, regulations, and ordinances relating to this project and the cost-share agreement;

BE IT FURTHER RESOLVED, the applicant will budget a sum sufficient to fully and satisfactorily complete the project and hereby authorizes and empowers the City Forester or the Director of Public Works to:

1. Sign and submit the grant application.
2. Sign a grant agreement between applicant and the Bay-Lake Regional Planning Commission.
3. Submit interim and/or final reports to the Bay-Lake Regional Planning Commission to satisfy the grant agreement.
4. Submit reimbursement requests and, if applicable, contractor invoices to the Bay-Lake Regional Planning Commission.
5. Sign and submit other required documentation.

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 _____

**2018 Wisconsin RPCs and DNR
Great Lakes Basin Tree Planting Grant Program**

The Wisconsin RPCs and the DNR are offering Tree Planting grants up to \$20,000 to municipalities, counties, and tribes within the Wisconsin Great Lakes Basin. Funded projects will focus on planting trees to mitigate the impacts of the Emerald Ash Borer and reduce runoff in urban communities.

Project proposals are due at 4:00 PM on April 9, 2018. Funded projects can begin on or after May 1, 2018 and must be completed by December 31, 2018. To apply for a Wisconsin RPCs and DNR Great Lakes Basin Tree Planting grant, **please complete and submit this form in its entirety.**

Submission Instructions: Submit your completed application via e-mail (*preferred*) or mail. If you have any questions, please contact angelaka@baylakerpc.org.

Part I: Applicant Information

Applicant Name: City of Franklin

Organization Type: City

Located in the County of: Milwaukee

Is your community within the Wisconsin Great Lakes Basin (see Attachment A)? ☒ Yes ☐ No

Population: 10,000-50,000

Total number of trees to be planted (including both grand funded and match)?

60

Name of Representative Authorized to Act on Behalf of Applicant Thomas J. Riha	Title City Forester
Street or PO Box 7979 W. Ryan Rd	City, State, Zip Franklin, WI 53132
Email triha@franklinwi.gov	Phone Number (414)-425-2592

Project Manager – Primary Contact (If different from Authorized Representative):

Name	Title
Street or PO Box	City, State, Zip
Email	Phone Number

2018 Wisconsin RPCs and DNR
Great Lakes Basin Tree Planting Grant Program

Part II: Project Overview

1. Briefly describe the project, the schedule, the species to be planted, caliper size, type of rootstock (e.g. seedlings, saplings, bare root, potted, or B&B), and impact to community:

This project will be the Fall replacement of ash trees lost due to Emerald Ash Borer. The city lost over 100 ash trees this year and hopes to replace these trees this fall 2018. The trees lost are city boulevard trees and are located within 6 to 10 feet of the roadway. The trees lost provided great benefits to storm water retention, home value, and aesthetics. Replacing these trees will occur in October/November of 2018. We would like to plant swamp white oak, hackberry, linden, American elms, and buckeye trees. The tree size would be in the 1 3/4in to 2 1/2in caliper size. Fall is a hard time to get these species due to the species digging schedule. The root stock would need to be primarily container grown for oaks, and buckeye. The hackberry, lindens and elms would be B&B. The city of Franklin since 2009 has lost almost 1/3 of the street tree population due to EAB. We have been diligently working to replace as many trees as possible while increasing our species diversity. We are no longer able to remove and replace trees in the same year. This grant would allow us to keep up with our replacements so that roadways are replanted in a timely matter. This would greatly help with storm water retention and the aesthetic value of a tree lined street. If not for the grant these roads will be bare for at least another whole year.

2. Does your project improve species diversity within your community?

☒ Yes ☐ No If yes, how?

We have been following a strict policy of no more than 10% of one species in our community. The addition of these trees will not break that 10% rule.

3. Is your community within an EAB Quarantined County (see tinyurl.com/EAB-Quarantine)?

☒ Yes ☐ No

4. Is your community within a targeted watershed (see Attachment B)?

☒ Yes ☐ No

5. Is your community a member of a Regional Planning Commission (see Attachment C)?

☒ Yes ☐ No

6. Is your community within an AOC (see Attachment D)?

☐ Yes ☒ No

7. Is your community currently designated a Tree City USA (see tinyurl.com/TreeCityUSA)?

☒ Yes ☐ No

8. Will plantings be located on public property?

☒ Yes ☐ No

**2018 Wisconsin RPCs and DNR
Great Lakes Basin Tree Planting Grant Program**

9. Check the ONE box in each category (program level, advocacy, staff, and tree maintenance) that best describes your community forestry program:

Program Level	We have an active, ongoing community tree planting and care program.	<input checked="" type="radio"/>
	We have recently begun or re-started a program of community tree planting and care but it is still in a developmental phase.	<input type="radio"/>
	Tree planting and care activities were once a regular part of a community program that ended. We want to start this program again.	<input type="radio"/>
	We are starting a community tree planting and care program for the first time.	<input type="radio"/>
	We have tree planting, care and removal needs but don't plan to start a community tree program at this time.	<input type="radio"/>
Advocacy	We have a formally established tree advisory group (i.e., committee, commission or tree board) and/or officials that support urban forestry.	<input checked="" type="radio"/>
	We have citizens or groups informally involved in community tree planting and care activities but no advisory group or board officially charged with overseeing a forestry program.	<input type="radio"/>
	The level of involvement and support by boards/committees, organizations and/or elected officials for community tree planting and care activities is low to non-existent.	<input type="radio"/>
Staff	We have professional urban forestry staff (can be part-time position) - OR - a volunteer urban forestry professional(s) - OR - contract with a professional for community tree planting and care. [Professional = forestry degree, certified arborist, CTMI graduate, or comparable formal training.]	<input checked="" type="radio"/>
	We have staff, contractors or a volunteer authorized to handle/advise the municipality on tree planting and care but who is neither a certified arborist nor has comparable formal training.	<input type="radio"/>
	We have no staff, contractors or volunteers authorized to handle or advise our community on tree planting and care.	<input type="radio"/>
Tree Maintenance	We practice systematic, community tree maintenance (i.e., planting, pruning, pest control, tree removal, etc.) on a regular basis.	<input checked="" type="radio"/>
	We practice occasional tree maintenance and removal on an as-needed basis.	<input type="radio"/>
	We do not practice tree maintenance activities (i.e., planting, pruning, pest control, tree removals, etc.).	<input type="radio"/>

10. Where will the trees be planted and in what percentages (approximate)?

% Parkways 100 % Boulevards % Natural Areas

% Other; please explain:

2018 Wisconsin RPCs and DNR
Great Lakes Basin Tree Planting Grant Program

Part III: Budget

11. Use the table below to provide an estimated, itemized project budget.

Deliverables/Items	Funds Requested	Matching Funds	Source of Matching Funds	Total (Requested + Matching Funds)
1 3/4" to 2" trees	\$7,500.00	\$2,500.00	Tree planting budget	\$ 10,000.00
Labor/Equipment	\$ 0.00	\$2,500.00	Operating budget	\$ 2,500.00
	\$	\$		\$ 0.00
	\$	\$		\$ 0.00
	\$	\$		\$ 0.00
	\$	\$		\$ 0.00
	\$	\$		\$ 0.00
	\$	\$		\$ 0.00
	\$	\$		\$ 0.00
	\$	\$		\$ 0.00
	\$	\$		\$ 0.00
TOTALS	\$7,500.00	\$5,000.00		\$ 12,500.00

Note: Matching funds must total 25% of the total project cost.

12. Describe the sources of matching funds (including volunteer hours, equipment, staff hours and benefits rate, supplies, facilities, contracted services, etc.).

The city will provide \$2,500 for tree purchase. The city will also provide all labor and equipment for the project. This value will at least be \$2,500 if not more.

2018 Wisconsin RPCs and DNR Great Lakes Basin Tree Planting Grant Program

Part IV: Certification and Submission

Grant Request: \$ 7,500.00

Applicant Match: \$ 5,000.00

(Minimum of 25%)

Total Project Costs: \$ 12,500.00

To the best of my knowledge, the information contained in this application and application attachments are correct and true.

Applicant's Authorized Representative (print)	Title
Signature of Authorized Representative	Date

Part V: Attachments

- ☐ Resolution -- May be sent separate from the application, but is **due no later than APRIL 20, 2018**.
- ☐ Community map depicting location(s) of project(s).

Part VI: Submission Instructions


Send completed application with required attachments to:

Electronic format (PREFERRED)	Mail hard copies to:
Save, then click <i>Submit by E-mail</i> . You will be given the opportunity to edit the message and provide attachments to an email addressed to: <u>angelaka@baylakerpc.org</u>	BAY-LAKE REGIONAL PLANNING COMMISSION ANGELA KOWALZEK-ADRIANS 425 S ADAMS ST STE 201 GREEN BAY WI 54301

Electronic submissions must be received, OR hardcopies postmarked by 4:00 PM, APRIL 9, 2018

When saving or submitting by e-mail, please rename this PDF and change the e-mail subject to include the name of your organization.

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APPROVAL 	REQUEST FOR COUNCIL ACTION	MEETING DATE 3/6/2018
REPORTS & RECOMMENDATIONS	Authorize a computing platform change for the Franklin Fire Department, migrating away from Panasonic Toughbooks and moving over to an Apple iPad mobility platform 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 such iPads and accessories	ITEM NUMBER G.6,

Under the direction of the Fire Chief and Assistant Fire Chief Adam Remington and Patrick Hays, a computing platform change has been requested for the Franklin Fire Department, one that would slowly eliminate the usage of Panasonic Toughbooks and move over to an Apple iPad mobility platform. The request is being made based upon the successful implementation of iPads in many of the Milwaukee County municipalities. Today the usage of touch-enabled tablets for electronic patient care records (ePCR) has become commonplace. The plan on migrating over to a complete mobility-enabled computing platform will be done within two distinct phases. The timing requirement is largely being driven by Phoenix not having a fully stable CAD/WDA client that will function on a tablet.

Phase 1 will consist of moving the following core applications over to an Apple iPad tablet platform: ImageTrend ePCR, Pulsara hospital notification system, and Drug Integration database. ImageTrend ePCR has been specifically written for a tablet and touch-screen interface, which can function in both online (connected to the Internet) and offline mode. Pulsara is an application that is being mandated by Milwaukee County for 2018 in which all vehicle alerts and notifications will be sent to hospitals using a mobile app instead of traditional radio dispatching. Milwaukee County intends to remove several radio dispatch positions within 2018, and is requiring all municipalities to implement a mobile app-based solution for hospital notifications. The Drug Interaction database is a web-based application that can function either on a tablet or traditional Windows-based platform.

As part of Phase 1, all purchased iPads will contain a cellular modem card which will require an additional account to be set up with Verizon for each iPad. The cellular card will allow for secure connectivity to the Internet without the need for either mobile hotspots or wireless networks. Several municipalities strongly recommend this approach, as they have had problems in the past with hacking attempts when using mobile wireless networks or hotspots. At the February 28th Technology Commission meeting, the Commission members reviewed this approach and concurred that use of individual cellular connections was the most secure method of connectivity and would allow the greatest flexibility and range in establishing Internet connections from field locations. The Director of Information Technology sponsors the approach of using individual cellular connections over shared wireless.

Once Phoenix has stabilized and recommends their mobile CAD/WDA software for production deployment, Phase 2 will consist of moving GPS and CAD functionality from the current Panasonic Toughbook platform over to iPads. Additional iPads will be purchased during this future deployment, where permanent mounted tablets will be placed in each vehicle for GPS/CAD recording. Field tablets from Phase 1 will be used for ePCR data entry of patient diagnostic information. During Phase 2, all current Panasonic Toughbooks will be retired.

For the Fire Department's 2018 Capital Outlay Computer Equipment budget, \$6,750 was adopted to purchase new Toughbooks in order to replace aging equipment in several vehicles. With the planned migration from ruggedized laptops to iPads, a redesignation of these funds is requested that will allow for the purchasing of 8 to 10 iPads at an estimated purchase cost of \$349-\$420 per unit. Ruggedized tablet cases (a.k.a. "Otterboxes"), keyboards, and holding straps will also be purchased under the previously allocated funds. During Phase 1, existing Panasonic Toughbooks will continue to be used, but only for CAD/WDS functionality. Because the units will be kept within the vehicles, using tablets for field data entry, in the event that a Toughbook is no longer functional it can be replaced with a traditional/non-ruggedized laptop.

The Fire Department will have to absorb the cost of the air cards for the ipads. Ultimately, it is expected that the added cost increase should go away once Phoenix is updated and the Toughbooks, with their own air card, can be eliminated.

At the February 28, 2018 Technology Commission meeting, the Commission unanimously approved the platform change of migrating away from Panasonic Toughbooks to iPads, contingent that a success proof-of-concept be completed prior to deploying any new equipment. IT will need to purchase mobility management software as a separate budget item to allow for configuration, feature lock-down, and automatic application deployment. The IT Department has annual funding for emergency software purchases that can be used to cover the purchase of the mobility management software, which shouldn't exceed \$2,000. The IT Director will take recommendations to the Technology Commission on the solution/vendor to pursue. Note that it is possible that a cloud based service, such as VMWare Airwatch/Workspace One, may ultimately be recommended by the Technology Commission. In such an event, the limited cost of \$3.50 to \$5 per month per device are not dramatic and would be absorbed by the IT or Fire Departments for 2018. Also note that, unless otherwise directed by the Common Council and given the low cost involved, the approval requested herein is predicated on implementing a mobility management solution, so if the following motion is approved, the Director of Administration will move forward with selecting and implementing the mobility software after the Technology Commission's review without subsequent re-approval by the Common Council.

COUNCIL ACTION REQUESTED

Motion 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).