

**CITY OF FRANKLIN
COMMON COUNCIL MEETING
FRANKLIN CITY HALL COMMON COUNCIL CHAMBERS
9229 WEST LOOMIS ROAD, FRANKLIN, WISCONSIN
AGENDA*
TUESDAY, NOVEMBER 17, 2015
AT 6:30 P.M.**

- A. Call to Order and Roll Call.
- B. Citizen Comment Period.
- C. Approval of Minutes:
November 3, 2015 Common Council Meeting.
- D. Hearings:
Public Hearing – 2016 Proposed Budget.
- E. Organizational Business.
- F. Letters and Petitions.
- G. Reports and Recommendations:
 - 1. An Ordinance Adopting the 2016 Annual Budgets for the General, Civic Celebrations, St. Martins Fair, Donations, Grant, Solid Waste Collection, Sanitary Sewer Service, Capital Outlay, Equipment Replacement, Street Improvement, Capital Improvement, Debt Service, Development, Utility Development, Tax Incremental District 3, Tax Incremental District 4 and Internal Service Funds and Establishing the Tax Levy and Other Revenue for the City of Franklin for Fiscal Year 2016.
 - 2. Renewal with Humana and Diversified for Health and Dental Plan and Claim Administration Services, Stop-loss Coverage, and Broker Services and Modification of the Health and Dental Plan Benefits.
 - 3. Request from Fire Department for Council Approval to Repurpose \$2,000 in Unspent 2015 Capital Outlay Allocation in Order to Take Advantage of Demo Pricing on a Rapid Attack Monitor (RAM) Item Requested in 2016 Capital Outlay Request.
 - 4. Donation from the Residents of Brenwood Park in the amount of \$578.50 to the Fire Department.
 - 5. A Resolution Conditionally Approving a 4 Lot Certified Survey Map, being a Part of the Southwest ¼ of the Northwest ¼ of Section 17, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin (Richard A Reuteler and Ann M. Reuteler, Applicants) (10475, 10609 and 10631 West St. Martins Road).
 - 6. A Resolution Authorizing the Installation of a Fence within the 30 Foot Landscape Planting Buffer upon Lot 37 in Wyndham Hills Addition No. 1 Subdivision (776 South Cambridge Court) (Douglas J. Arnold and Christine A. Arnold, Applicants).
 - 7. Agreement with Graef-USA, Inc. for Planning and Engineering Services Related to Area A.
 - 8. A Resolution Pertaining to Naming the Dedicated Trail through the Southbrook Church Property the “Robinbrook Trail.”

9. A Resolution to Approve an Agreement for Professional Consulting Engineer Services to Design, to Permit and to Solicit Bids for the Construction of a Restroom Facility at Market Square Park (11230 West Church Street) or the VFW Property (11310 West Church Street).
10. West College Avenue Sidewalk Development Project (S. 27th Street to S. 35th Street).
11. A Contract for Annual Assessment and Property Revaluation Services with Tyler Technologies for the Period 2016-2018.

- H. Licenses and Permits.
Miscellaneous Licenses.
- I. Bills.
Vouchers and Payroll approval.
- 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:

November 19	Plan Commission	7:00 p.m.
November 26 & 27	Thanksgiving Holiday	City Hall Closed
December 1	Common Council Meeting	6:30 p.m.
December 3	Plan Commission	7:00 p.m.
December 15	Common Council Meeting	6:30 p.m.
December 17	Plan Commission	7:00 p.m.

CITY OF FRANKLIN
COMMON COUNCIL MEETING
NOVEMBER 3, 2015
MINUTES

- ROLL CALL A. The regular meeting of the Common Council was held on November 3, 2015 and called to order at 6:32 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 Taylor, Alderman Doug Schmidt and Alderwoman Susanne Mayer. Also present were City Engineer Glen Morrow, Dir. of Administration Mark Lubberda, City Attorney Jesse A. Wesolowski and City Clerk Sandra Wesolowski.
- CITIZEN COMMENT B. Citizen comment period was opened at 6:33 p.m. and closed at 6:37 p.m.
- MAYORAL
ANNOUNCEMENTS B.1. Director of Administration Lubberda provided an update on the hiring status for Director of Information Technology.
- B.2. City Engineer Morrow provided an update of the hiring status for Project Engineer.
- B.3. Mayor Olson noted the Certificate of Achievement for Excellence in Financial Reporting which the City received from the Government Finance Officers Association.
- B.4. Mayor Olson noted the Wheaton Franciscan corporate change.
- B.5. Mayor Olson introduced Aaron Hertzberg, Director of Economic Development for the City.
- APPROVAL OF MINUTES C. 1. Alderman Schmidt moved to approve the minutes of the regular Common Council Meeting of October 20, 2015 as corrected. Seconded by Alderman D. Mayer. All voted Aye; motion carried.
- C.2. Alderman Dandrea moved to approve the minutes of the Special Common Council Meeting of October 27, 2015. Seconded by Alderman D. Mayer. All voted Aye; motion carried.
- PARK COMMISSION
APPOINTMENT E. Alderman Dandrea moved to confirm the Mayoral appointment of Clarke Johnson to the Parks Commission, 3-year term expires 4/30/2018. Seconded by Alderman D. Mayer. On roll call, all voted Aye. Motion carried.

- ORD. 2015-2197
AMEND UDO-
PERMITTED USE IN B-4
S. 27TH ST. MIXED-USE
DISTRICT (RRA, LLC,
APPLICANT)
- G.1. Alderwoman Wilhelm moved to adopt Ordinance No. 2015-2197, AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE TEXT AT TABLE 15-3.0603 STANDARD INDUSTRIAL CLASSIFICATION TITLE NO. 6211 "SECURITY BROKERS, DEALERS, AND FLOTATION COMPANIES" TO ALLOW FOR SUCH USE AS A PERMITTED USE IN THE B-4 SOUTH 27TH STREET MIXED-USE COMMERCIAL DISTRICT (RRA, LLC, APPLICANT). Seconded by Alderman D. Mayer. All voted Aye; motion carried.
- RES. 2015-7149
STORM WATER MAINT.
AGREEMENT
(VICTORY OF THE LAMB
CHURCH)
- G.2. Alderwoman S. Mayer moved to adopt Resolution No. 2015-7149, A RESOLUTION AUTHORIZING ACCEPTANCE OF STORM WATER MAINTENANCE AGREEMENT FROM VICTORY OF THE LAMB LOCATED AT 11120 W. LOOMIS ROAD subject to technical corrections by the City Attorney. Seconded by Alderman Dandrea. All voted Aye; motion carried.
- CONTRACTS FOR 2016
CIVIC CELEBRATION
EVENT
- G.3. Alderman Taylor moved to authorize the Chairman of the Civic Celebrations Commissions to sign and execute contracts and agreements for the 2016 Franklin Civic Celebrations, a special four day event celebration of the City's 60th Anniversary. Seconded by Alderman Schmidt.
Alderman Taylor moved to suspend the regular order of business to allow John Bergner to speak. Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.
On the vote for the approval of the main motion, all voted Aye. Motion carried.
Alderman Taylor moved to return to the regular order of business. Seconded by Alderman Dandrea. All voted Aye; motion carried.
- KAYLA'S PLAYGROUND
STATUS 10/29/2015
- G.4. Status of Kayla's Playground was provided by City Engineer Glen Morrow.
- RES. 2015-7150
SUBD. DEV.
AGREEMENT
HORIZON/FRANKLIN 2-
LOT CSM
- G.5. Alderman Dandrea moved to adopt Resolution No. 2015-7150, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO EXECUTE A SUBDIVISION DEVELOPMENT AGREEMENT FOR HORIZON/FRANKLIN 2-LOT CSM LOCATED AT THE EXTENSION OF S. 80TH STREET NORTH OF W. STONEWOOD DRIVE subject to technical corrections by staff. Seconded by Alderman D. Mayer. All voted Aye; motion carried.
- RES 2015-7151
AWARD RIVER PARK
TRAIL DESIGN
- G.6. Alderman Schmidt moved to adopt Resolution No. 2015-7151, A RESOLUTION AUTHORIZING THE ENGAGEMENT OF JSD PROFESSIONAL SERVICES, INC. FOR DESIGN SERVICES

FOR A TRAIL AND BRIDGE CROSSING EAST BRANCH OF THE ROOT RIVER IN THE AMOUNT OF \$103,631. Seconded by Alderman D. Mayer. All voted Aye; motion carried.

RES. 2015-7152
CHANGE ORDER #1
BCF CONST., INC.
W. EVERGREEN ST. AND
PLEASANT VIEW PARK

G.7. Alderwoman Wilhelm moved to adopt Resolution No. 2015-7152, A RESOLUTION AUTHORIZING STAFF TO EXECUTE CHANGE ORDER NO. 1 TO BCF CONSTRUCTION, INC. IN THE AMOUNT OF \$6,008 FOR THE EXTENSION OF W. EVERGREEN STREET AND DEVELOPMENT OF PLEASANT VIEW PARK. Seconded by Alderman Schmidt. All voted Aye; motion carried.

RES. 2015-7153
CLASS AND COMP PLAN,
CHANGES TO POSITION
TITLES AND GENERAL
WAGE ADJUSTMENTS
FOR NON-REPRESENTED
EMPLOYEES

G.8. Alderman Dandrea moved to adopt Resolution No. 2015-7153, A RESOLUTION TO ADOPT A POSITION CLASSIFICATION PLAN AND A COMPENSATION PLAN FOR NON-REPRESENTED EMPLOYEES, AN IMPLEMENTATION STRATEGY FOR THE SAME, AND CHANGES TO CERTAIN POSITION TITLES, TO IMPLEMENT 2015 NON-REPRESENTED EMPLOYEE GENERAL WAGE ADJUSTMENTS IN ACCORDANCE WITH THE COMPENSATION PLAN AND IMPLEMENTATION STRATEGY, AND TO AUTHORIZE AMENDMENT TO THE EMPLOYEE HANDBOOK AND THE CIVIL SERVICE SYSTEM PERSONNEL ADMINISTRATION PROGRAM TO REFLECT SUCH CHANGES. Seconded by Alderman Schmidt. On roll call, Alderwoman S. Mayer, Alderman Schmidt, Alderman Taylor and Alderman Dandrea voted Aye; Alderwoman Wilhelm Abstained; and Alderman D. Mayer voted No. Motion carried.

MONTHLY FINANCIAL
REPORT

G.9. Alderman Taylor moved to place on file the September 2015 Monthly Financial Report. Seconded by Alderman Schmidt. All voted Aye; motion carried.

LICENSES AND PERMITS

H.1. Alderman Dandrea moved to approve the following: Grant 2015-2016 Operator License to Troy Petroske, 10502 W. Cortez Cir., #13, Franklin, with a warning letter from the City Clerk; Stephanie Bluemel, 10701 W. Grange Ave., #26, Hales Corners; Jaime Petricek, 5569 S. 41st St., Greenfield; and Julie Schier, 5290 S. 43rd St., Greenfield. Seconded by Alderman Taylor. All voted Aye; motion carried.

VOUCHERS AND
PAYROLL

I.1. Alderwoman S. Mayer moved to approve net general checking account City vouchers in the range of Nos. 158354 through 158533 in the amount of \$1,870,806.00 dated October 16, 2015 through November 2, 2015. Seconded by Alderman Schmidt.

On roll call, all voted Aye. Motion carried.

Alderman Schmidt moved to approve net payroll dated October 30, 2015 in the amount of \$376,457.15 and payments of the various payroll deductions in the amount of \$377,694.25 plus any City matching payments where required. Seconded by Alderwoman S. Mayer. On roll call, all voted Aye; motion carried.

Alderman Dandrea moved to approve net payroll dated November 13, 2015 estimated at \$350,000.00 and payments of the various payroll deductions estimated at \$200,000.00 plus any City matching payments where required. Seconded by Alderwoman S. Mayer. On roll call, all voted Aye. Motion carried.

Alderman Schmidt moved to approve property tax disbursement in the amount of \$84.21 dated September 29, 2015. Seconded by Alderman Dandrea. On roll call, all voted Aye. Motion carried.

Alderman Dandrea moved to approve payment to Jefferson Electric in the amount of \$8,081.73. Seconded by Alderman Schmidt. On roll call, all voted Aye. Motion carried.

ADJOURNMENT

J.

Alderman Taylor moved to adjourn the meeting at 8:35 p.m. Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.

APPROVAL <i>Slw</i> <i>MWL</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 11/17/2015
PUBLIC HEARING	Public Hearing - 2016 Proposed Budget	ITEM NUMBER <i>D.</i>

The Common Council scheduled a Public Hearing on the 2016 Proposed Budget for Tuesday, November 17, 2015. The Public Hearing was duly noticed in accordance with the law. Attached is a copy of the notice that comprises the Summary of the 2016 Proposed Budget and reflects the actions as taken by the Committee of the Whole at their special meeting of October 13, 2015.

The Director of Administration will present an overview of the 2016 Proposed Budget.

COUNCIL ACTION REQUESTED

This item is to hold a Public Hearing on the 2016 Proposed Budget.

**City of Franklin
2016 Proposed Budget**

SUMMARY OF CITY OF FRANKLIN REVENUE AND EXPENDITURES

The Common Council of the City of Franklin, Wisconsin, will hold a public hearing on Tuesday, November 17, 2014, at 6:30 p.m., or as soon thereafter as the matter may be heard, in the Common Council Chambers, 9229 West Loomis Road, Franklin, Wisconsin, for the purpose of hearing any citizen or taxpayer on the proposed 2016 City Budget. Summary of the proposed budget is published herewith and a copy of the complete proposed budget will be available for public inspection at the Office of the City Clerk, Franklin City Hall, Monday - Friday from 8:30 a.m. to 5:00 p.m. (holidays excepted), at the Franklin Public Library, following the date of this notice, and on the City of Franklin website - www.franklinwi.gov.

Sandra Wesolowski, City Clerk

	2013	2014	2015	2015	2015	2015	2016	Percent Change
	Actual	Actual	Adopted Budget	Amended Budget	Actual (6 months)	Estimated (12 months)	Proposed Budget	
General Fund								
Revenue								
Other Taxes	\$1,854,381	\$1,755,836	\$1,816,700	\$1,916,708	\$737,360	\$1,856,700	\$1,895,000	-1.7%
Intergovernmental Revenue	2,571,374	2,536,187	2,480,500	2,480,500	757,134	2,775,197	2,321,200	-8.4%
Licenses and Permits	812,357	804,077	862,100	862,100	418,888	869,200	843,550	-2.2%
Fines, Forfeitures, and Penalties	411,795	421,978	422,600	422,600	266,075	452,600	440,000	4.1%
Public Charges for Services	1,667,884	1,423,198	1,515,070	1,515,870	672,285	1,495,975	1,544,975	2.0%
Intergovernmental Charges	162,308	138,372	201,300	201,300	77,125	201,300	203,200	0.9%
Interest Revenue	(11,514)	290,132	206,500	206,500	148,384	188,100	205,200	-0.6%
Miscellaneous Revenue	166,413	147,239	103,500	103,500	103,960	122,000	183,900	58.4%
Transfers from Other Funds	-	9,931	175,000	175,000	-	-	-	-100.0%
Total non-tax revenue	7,724,978	7,524,758	7,883,270	7,884,070	3,181,329	7,951,072	7,607,025	-3.5%
Property Taxes	16,355,099	16,217,272	16,209,000	16,209,000	14,724,706	16,208,500	16,248,800	0.2%
Total Revenue	24,079,967	23,742,028	24,092,270	24,093,070	17,306,035	24,159,572	23,855,825	-1.0%
Expenditures								
General Government	\$2,708,178	\$2,788,742	\$2,811,117	\$2,851,617	\$1,473,158	\$2,807,823	\$2,816,630	0.2%
Public Safety	15,447,159	16,367,024	16,289,014	16,295,868	7,894,272	16,089,608	16,128,832	-1.0%
Public Works	3,388,738	3,580,384	3,594,852	3,624,971	1,531,371	3,427,038	3,812,003	0.5%
Health and Human Services	635,959	633,959	647,732	647,732	308,055	685,784	684,181	5.8%
Culture and Recreation	174,887	186,999	179,328	180,673	76,247	175,948	191,911	7.0%
Conservation and Development	360,649	355,354	480,427	720,352	190,365	538,293	579,858	20.7%
Contingency	-	1	1,065,000	954,308	-	-	550,000	-48.4%
Other Financing Uses	85,982	-	675,000	725,000	500,000	500,000	1,200,000	77.8%
Total Expenditures	\$22,800,552	\$22,860,463	\$26,642,270	\$26,800,341	\$11,973,476	\$24,304,784	\$25,563,425	0.1%
Fund Balance:								
Beginning of Year	6,602,132	7,781,587	8,633,112	8,633,112	8,633,112	8,497,890	-	
Net Change/Transfer from Fund Bal.	1,279,436	851,545	(1,450,000)	(1,707,271)	(135,222)	(1,707,600)	-	
End of Year	\$7,781,567	\$8,633,112	\$7,183,112	\$6,925,841	\$8,497,890	\$6,790,290	-	
Non-Spendable Fund Balance	\$505,906	\$2,273,071	\$2,416,788	\$2,416,766	\$2,198,816	\$2,198,816	-	
Special Revenue Funds								
Revenue								
Property Taxes - Library	\$1,240,000	\$1,240,000	\$1,240,000	\$1,240,000	\$1,240,000	\$1,240,000	\$1,287,000	3.8%
Intergovernmental Revenue	-	-	-	-	-	-	-	0.0%
Redeemable Borrowing - Library	119,179	101,087	100,000	100,000	-	85,200	78,000	-22.0%
Miscellaneous Revenue	(8,319)	8,369	-	-	1,709	2,200	-	
Library Auxiliary	59,041	77,251	-	-	-	-	-	
Library Celebrations	82,410	106,733	-	-	17,389	99,500	103,000	
St Martin's Fair	45,867	37,042	-	-	2,970	48,000	50,600	
Senior Travel Program	-	-	-	-	-	70,000	70,000	
Donations	22,112	43,054	-	-	14,934	51,300	20,500	
Grants	173,127	186,783	-	-	7,810	160,155	458,150	
Solid Waste Collection	1,556,894	1,507,312	1,586,600	1,586,600	1,389,252	1,575,450	1,591,165	0.3%
Total Revenue	3,396,310	3,407,811	2,926,600	2,926,600	2,653,874	3,252,905	3,658,416	25.0%
Expenditures								
Library	\$1,335,843	\$1,318,044	\$1,412,485	\$1,412,485	\$638,502	\$1,297,430	\$1,433,971	1.5%
Library Auxiliary	33,490	93,178	-	-	-	50,735	50,735	
City Celebrations	90,248	112,057	-	-	43,830	104,375	102,788	
St Martin's Fair	49,505	47,987	-	-	1,497	48,768	50,735	
Senior Travel Program	-	-	-	-	-	70,000	70,000	
Donations	25,025	22,829	-	-	12,285	37,375	133,101	
Grants	188,618	177,388	-	-	63,833	170,728	625,350	
Solid Waste Collection	1,469,132	1,579,235	1,548,813	1,548,813	703,106	1,505,450	1,533,551	-0.8%
Total Expenditures	3,189,861	3,351,216	2,959,098	2,959,098	1,483,086	3,164,133	3,849,496	30.1%
Net Revenue (Expenditures)	110,450	58,393	(32,498)	(32,498)	\$1,190,818	88,872	(191,083)	
Fund Balance								
Beginning of the Year	879,087	1,089,537	1,145,830	1,145,830	-	1,145,830	1,234,602	
End of the Year	\$1,089,537	\$1,145,930	\$1,113,432	\$1,113,432	\$1,234,602	\$1,043,519	-	
Capital Expenditure Funds								
Equipment Replacement Fund, Capital Outlay Fund & Street Improvement Fund								
Revenue								
Property Taxes-Capital Outlay	\$394,000	\$430,000	\$433,200	\$433,200	\$433,200	\$433,200	\$437,100	0.9%
Property Taxes-Equip Replacement	285,000	337,000	339,500	339,500	339,500	339,500	342,600	0.8%
Property Taxes-Street Improvement	610,000	681,800	687,300	687,300	687,300	687,300	693,500	0.9%
Total Prop Tax Levy - Capital	1,289,000	1,448,800	1,460,000	1,460,000	1,460,000	1,460,000	1,473,200	0.9%
Intergovernmental Revenue	6,652	77,354	-	-	4,270	4,270	70,000	
Landfill Siting Revenue	450,000	300,000	300,000	300,000	300,000	300,000	400,000	33.3%
Miscellaneous Revenue	53,378	246,554	230,500	55,500	33,654	39,100	70,000	-69.6%
Transfers from Other Funds	117,012	5,395	525,000	77,000	475,000	500,000	-	-100.0%
Total Revenue	1,926,039	2,077,903	2,515,500	2,515,500	1,972,824	2,303,370	2,013,200	-20.0%
Expenditures								
Capital Outlay-Equip Replacement	\$408,628	\$237,781	\$382,000	\$382,000	\$289,831	\$350,100	\$555,000	71.5%
Capital Outlay-Capital Outlay	548,423	575,424	939,388	1,027,724	485,687	870,736	800,268	-4.2%
Capital Outlay-Street Improvement	949,057	1,013,025	1,180,000	1,180,000	15,282	841,800	940,000	-19.0%
Total Expenditures	1,906,009	1,826,230	2,481,388	2,669,724	750,799	2,072,736	2,495,268	0.6%
Fund Balance								
Beginning of the Year	2,451,162	2,472,183	2,723,856	2,723,856	-	2,723,856	2,954,480	
End of the Year	\$2,472,183	\$2,723,856	\$2,757,970	\$2,669,724	\$2,757,970	\$2,669,724	\$2,472,422	
Debt Service Fund								
Revenue								
Property Taxes - Debt Service	\$1,650,000	\$1,600,000	\$1,600,000	\$1,600,000	\$1,600,000	\$1,600,000	\$1,600,000	-6.3%
Miscellaneous Revenue	-	76	-	-	-	379	-	
Other Financing Sources:								
Transfer from Other Funds	389,276	226,811	206,000	206,000	76,246	206,000	206,000	-0.5%
Transfer from Special Assessments	-	150,763	210,928	210,928	100,000	96,028	-	-100.0%
Total Revenue	2,016,276	1,977,650	2,016,928	2,016,928	1,776,625	1,902,029	1,706,000	-15.5%
Expenditures								
Debt Service *	1,020,380	915,844	954,928	954,928	753,024	931,071	1,591,298	86.6%
Interfund Advances (Repayments)	975,000	1,062,000	1,062,000	1,062,000	-	1,075,000	-	-100.0%
Fund Balance								
Beginning of the Year	(3,086,607)	(2,089,711)	(970,958)	(970,958)	-	(970,958)	(970,958)	
Interfund advances *	2,137,000	1,075,000	1,075,000	1,075,000	1,075,000	1,075,000	-	
End of the Year	\$2,089,711	\$970,958	\$91,042	\$91,042	\$-	\$-	\$113,702	
Special Assessment Fund Balance	608,945	546,237	387,301	387,301	-	402,315	269,607	
*Excludes TIF Districts Debt service and Internal Investment activity								
Summary of Budgeted Funds (without Capital Improvement and Development Funds):								
Total Revenue	\$31,322,812	\$31,205,172	\$31,551,296	\$31,552,098	\$23,708,458	\$31,627,778	\$31,232,440	-1.0%
Total Expenditures	\$28,924,801	\$28,963,555	\$31,937,680	\$32,284,088	\$14,940,346	\$30,472,734	\$33,459,489	4.9%
Total Tax Levy	\$20,599,000	\$20,509,000	\$20,509,000	\$20,509,000	\$18,424,706	\$20,509,500	\$20,509,000	0.0%
Percent of Total Revenue	65.5%	65.7%	65.0%	65.0%	77.7%	64.9%	65.7%	
Assessed Value	3,546,05386	3,268,44800	3,285,477,000	-	-	3,288,602,900	-	1.0%
Tax Rate	\$5.783	\$6.294	\$6.281	-	-	\$6.217	-	-1.0%
Tax Rate - Final	\$5.774	\$6.295	\$6.300	-	-	\$6.300	-	
Total Fund Balance - (incl non-spendable)	\$9,344,614	\$9,805,105	\$9,116,050	\$8,770,481	-	\$10,890,680	\$8,490,523	-6.9%
Sanitary Sewer Fund								
Revenue								
Charges for Services	\$3,286,136	\$3,288,248	\$3,303,201	\$3,303,201	\$1,853,345	\$3,312,000	\$3,378,600	2.3%
Miscellaneous Revenue	(8,455)	59,846	20,000	16,000	18,442	15,000	5,000	-75.0%
Total Revenue	3,277,681	3,328,092	3,323,201	3,319,201	1,871,787	3,327,000	3,383,600	1.8%
Expenditures								
Operations and Maintenance	2,767,421	2,739,532	2,996,102	2,391,785	406,872	2,805,554	3,118,213	5.5%
Capital Outlay & Other	108,228	173,617	170,000	170,000	21,981	170,000	170,000	0.0%
Transfers to Other Funds	96,000	95,400	-	-	96,600	96,000	98,750	0.2%
Total Expenditures	2,969,649	3,008,549	3,222,702	2,668,385	428,833	3,071,554	3,386,963	5.0%
Net Revenue (Expenditures)	288,032	319,543	100,499	650,816	1,242,954	285,446	(1,163)	
Retained earnings								
Beginning of the Year	2,422,861	2,680,8						

	2013 Actual	2014 Actual	2015 Adopted Budget	2015 Amended Budget	2015 Actual (6 months)	2015 Estimate (12 months)	2016 Proposed Budget	Percent Change
Development Fund (Impact Fees)								
Revenue								
Impact Fees	\$ 987,905	\$ 683,227	\$ 703,500	\$ 703,500	\$ 280,100	\$ 615,428	\$ 585,000	-16.8%
Interest, Investment & Other Revenue	106,079	161,665	106,966	106,966	36,869	68,412	36,334	-66.0%
Total Revenue	1,093,984	844,892	810,466	810,466	316,969	683,840	621,334	-23.3%
Expenditures								
Transfer to Debt Service	366,276	226,811	455,176	455,176	75,247	128,320	455,617	0.1%
Transfer to Capital Improvement	274,912	1,499,910	1,484,625	1,759,625	107,930	939,620	420,953	-71.6%
Other	15,359	-	15,000	15,000	-	161,750	515,000	#####
Total Expenditures	656,547	1,726,721	1,954,801	2,229,801	183,177	1,229,690	1,391,570	-28.8%
Fund Balance								
Beginning of the Year	4,614,731	5,052,168	4,170,339	4,170,339		4,170,339	3,624,489	
Total End of the Year	\$ 5,052,168	\$ 4,170,339	\$ 3,026,004	\$ 2,751,004		\$ 3,624,489	\$ 2,854,253	
Utility Development Fund								
Revenue								
Spec Assessment & Connection Fees	\$ 429,739	\$ 305,695	\$ -	\$ -	\$ 22,849	\$ 261,300	\$ 234,350	
Investment & Other Revenue	47,301	65,710	-	-	525	59,650	59,650	
Total Revenue	477,041	371,405	-	-	23,374	320,950	294,000	
Expenditures								
Transfer to Capital Improv - Water	343,958	130,375	-	-	-	90,000	250,000	
Transfer to Capital Improv - Sewer	231,797	-	-	-	-	-	250,000	
Other	1,255	12,037	-	-	-	-	-	
Total Expenditures	577,010	142,412	-	-	-	90,000	500,000	
Fund Balance								
Beginning of the Year	543,408	443,438	672,431	672,431	672,431	672,431	903,381	
End of the Year	\$ 443,438	\$ 672,431	\$ 672,431	\$ 672,431	\$ 695,805	\$ 903,381	\$ 697,381	
Tax Incremental District #3								
Revenue								
Taxes	\$ 1,547,835	\$ 1,572,198	\$ -	\$ -	\$ 1,681,577	\$ 1,681,577	\$ 1,708,000	
Intergovernmental Revenue	361,741	407,508	-	-	-	421,710	420,000	
Investment & Other	125,731	274,012	-	-	98,525	145,924	3,000	
Total Revenue	2,035,308	2,253,718	-	-	1,780,102	2,249,211	2,131,000	
Expenditures								
Capital Outlay	3,196	330,265	-	-	955,479	1,686,238	1,205,000	
Other	28,634	12,482	-	-	6,450	11,550	13,020	
Principal	3,170,000	9,695,000	-	-	-	20,000	650,000	
Interest	522,341	325,740	-	-	34,410	130,154	109,418	
Total Expenditures	3,724,171	10,363,487	-	-	996,339	1,847,942	1,977,438	
Net Revenues	(1,688,863)	(8,109,769)	-	-	783,763	401,269	153,562	
Loan Proceeds	-	3,284,249	-	-	-	-	-	
Beginning Fund Balance	6,862,362	5,173,498	-	-	-	347,978	749,247	
Ending Fund Balance	\$ 5,173,498	\$ 347,978	\$ -	\$ -		\$ 749,247	\$ 902,809	
Interfund Advances Due	\$ 1,150,000	\$ 3,350,000			\$ 1,700,000	\$ 1,700,000	\$ 450,000	
Tax Incremental District #4								
Revenue								
Taxes	\$ 862,296	\$ 972,728	\$ -	\$ -	\$ 1,101,081	\$ 1,101,000	\$ 1,292,000	
Intergovernmental Revenue	46,504	24,620	-	-	-	19,600	19,000	
Investment & Other	(3,255)	906	-	-	301	900	-	
Total Revenue	905,545	998,254	-	-	1,101,382	1,121,500	1,311,000	
Expenditures								
Capital Outlay	-	83,760	-	-	9,078	-	-	
Other	12,123	9,585	-	-	6,944	9,585	40,855	
Interest	101,797	59,904	-	-	9,235	33,579	5,415	
Total Expenditures	113,920	153,249	-	-	25,257	43,164	46,270	
Net Revenues	791,625	845,005	-	-	1,076,125	1,078,336	1,264,730	
Beginning Fund Balance	(2,850,502)	(2,058,877)	-	-	-	(1,213,872)	(135,536)	
Ending Fund Balance	\$ (2,058,877)	\$ (1,213,872)	\$ -	\$ -		\$ (135,536)	\$ 1,129,194	
Interfund Advances Due	\$ 2,163,000	\$ 1,238,000	\$ -	\$ -	\$ 238,000	\$ 238,000	\$ -	
Internal Service Fund								
Self Insurance Fund								
Revenues								
Medical Insurance Premiums	\$ 3,254,248	\$ 3,101,601	\$ -	\$ -	\$ 1,507,914	\$ 3,006,500	\$ 2,804,139	
Dental Insurance Premiums	158,606	163,200	0	0	82,056	173,550	173,500	
Investment Income	93,648	116,803	0	0	37,424	58,286	56,004	
Total Revenues	3,506,502	3,381,604	0	0	1,627,394	3,238,336	3,033,643	
Medical Claims	2,233,781	1,823,825	0	0	846,439	1,900,000	2,875,000	
Prescription Drug Claims	358,469	288,780	0	0	159,781	290,000	0	
Stop Loss Premiums	488,414	549,788	0	0	305,320	587,160	675,000	
All other costs	174,272	203,268	0	0	127,642	242,900	310,076	
Dental Claims	174,066	182,173	0	0	89,565	170,300	170,300	
Total Expenditures	3,429,002	3,047,834	0	0	1,528,747	3,190,360	4,030,376	
Net Revenues (Expenditures)	77,500	333,770	0	0	98,647	47,976	(996,733)	
Beginning Fund Balance	3,028,901	3,106,401	3,440,171	3,440,171		3,440,171	3,488,147	
Ending Fund Balance	\$ 3,106,401	\$ 3,440,171	\$ 3,440,171	\$ 3,440,171		\$ 3,488,147	\$ 2,491,414	

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<p style="text-align: center;">APPROVAL</p> <p style="text-align: center;"><i>Slw</i></p>	<p style="text-align: center;">REQUEST FOR COUNCIL ACTION</p>	<p style="text-align: center;">MEETING DATE</p> <p style="text-align: center;">11/17/2015</p>
<p style="text-align: center;">REPORTS & RECOMMENDATIONS</p> 	<p style="text-align: center;">Ordinance Adopting the 2016 Annual Budgets for the General, Civic Celebrations, St. Martins Fair, Donations, Grant, Solid Waste Collection, Sanitary Sewer Service, Capital Outlay, Equipment Replacement, Street Improvement, Capital Improvement, Debt Service, Development, Utility Development, TID 3, TID 4, and Internal Service Funds and Establishing the Tax Levy and Other Revenue for the City of Franklin for Fiscal Year 2016</p>	<p style="text-align: center;">ITEM NUMBER</p> <p style="text-align: center;"><i>G.I.</i></p>

Background: The Mayor's 2016 Recommended Budget was presented to the Common Council on September 22, 2015. The Committee of the Whole recommended changes to the Mayor's 2016 budget at their special meeting of October 13, 2015. The attached minutes from the meeting identify the adjustments recommended by the Committee of the Whole. The Public Hearing Notice for the 2016 Proposed Budget was communicated to Franklin residents in the October 29, 2015 issue of the Franklin Now. Additionally, the last City Newsletter, which included a front page story on the proposed budget, was mailed to parcels in the City on October 2, 2015. A Public Hearing was held on Tuesday, November 17, 2015, to receive feedback from residents. The Common Council, therefore, is scheduled to consider adoption of the 2016 Annual Budget and related property tax levy on November 17, 2015.

The Proposed Budget has to comply with two limits. First, the Proposed Budget is subject to a General Fund expenditure restraint limit. Failure to adhere to the expenditure restraint limit would subject the City to the loss of the State's Expenditure Restraint Program revenue incentive, which for 2016 is expected to be \$220,000. The Proposed Budget is \$199,530 below the expenditure restraint limit, despite the inclusion of \$375,000 of additional restricted contingency appropriations as has been the City's practice for a number of years.

The second limit with which the City must comply is the property tax levy limit which restricts the amount the property tax levy can increase. The Proposed Budget is \$192,785 below the levy limit. In summary, the Proposed 2016 Budget, including all funds, requires a total property tax levy of \$20,509,000, the same as last year. This is estimated to produce a property tax rate of \$6.257, based on the most recent estimated total assessed value incorporating the current reported manufacturing property valuation, which number has been updated since the last action by the Committee of the Whole and since the publication of the Public Hearing Notice. The tax rate initially estimated within the Proposed Budget per the Public Hearing Notice was to be \$6.217 based on the previous estimate of manufacturing valuation. Please recall that during the budget process the City always refers to the rate as "approximate" because the final manufacturing

valuation is not yet been set by the State and the State's process of "equalization adjustments" commonly causes nominal annual adjustments that are entirely outside the control of the City. At this point, however, we believe we have incorporated each of the final numbers the State annually reports.

The necessary Common Council action required on the 2016 Budget and the 2016 property tax levy is detailed within the attached ordinance. As with recent previous years, the budget itself is set forth in specific appropriation unit pages, while subsequent departmental detail is provided for accounting purposes and for public transparency. As in past years, after adoption staff will prepare a final budget document for distribution that incorporates any language required to appropriately reflect the proposed budget referred to the public hearing by the Committee of the Whole and any subsequent Common Council's amendments, that removes extraneous support pages, and that makes any technical corrections as necessary.

NOTES:

- 1) The attached ordinance incorporates the adjustments for the 2016 Civic Celebration event based upon the action taken by the Common Council at their meeting of November 3, 2015 related to this event.

- 2) The attached ordinance incorporates the correction by the City Attorney as provided to the Director of Administration that the current Senior Travel Program is not a direct City program operated by City volunteers and, therefore, the Senior Travel Program Special Revenue Fund is not included.

COUNCIL ACTION REQUESTED

Motion to Adopt Ordinance No. 2015-____, An Ordinance Adopting the 2016 Annual Budgets for the General, Civic Celebrations, St. Martins Fair, Donations, Grant, Solid Waste Collection, Sanitary Sewer Service, Capital Outlay, Equipment Replacement, Street Improvement, Capital Improvement, Debt Service, Development, Utility Development, TID 3, TID 4, and Internal Service Funds and Establishing the Tax Levy and other Revenue for the City of Franklin for Fiscal Year 2016.

STATE OF WISCONSIN: CITY OF FRANKLIN: MILWAUKEE COUNTY

ORDINANCE NO. 2015-_____

AN ORDINANCE ADOPTING THE 2016 ANNUAL BUDGETS FOR THE GENERAL, CIVIC CELEBRATIONS, ST MARTINS FAIR, DONATIONS, GRANT, SOLID WASTE COLLECTION, SANITARY SEWER SERVICE, CAPITAL OUTLAY, EQUIPMENT REPLACEMENT, STREET IMPROVEMENT, CAPITAL IMPROVEMENT, DEBT SERVICE, DEVELOPMENT, UTILITY DEVELOPMENT, TID 3, TID 4, AND INTERNAL SERVICE FUNDS AND ESTABLISHING THE TAX LEVY AND OTHER REVENUE FOR THE CITY OF FRANKLIN FOR FISCAL YEAR 2016

WHEREAS, the Committee of the Whole has reviewed and amended, where desired, the 2016 Mayor's Recommended Budgets for the General, Civic Celebrations, St Martins Fair, Donations, Grant, Solid Waste, Sanitary Sewer Service, Capital Outlay, Equipment Replacement, Street Improvement, Capital Improvement, Debt Service, Development, Utility Development, TID 3, TID 4, and Internal Service Funds for the City of Franklin; and

WHEREAS, debt incurred in prior years has 2016 required repayments of \$1,908,968 for TIF District #3; \$238,920 for TIF District #4; and \$1,591,298 for the Debt Service Fund; and the Sanitary Sewer Fund has a Clean Water Fund debt service of \$1,693,241; and

WHEREAS, the 2016 Proposed Budget recommended by the Committee of the Whole includes property taxes of \$20,509,000 that are levied to support the 2016 Annual Budget with a resulting City tax rate of approximately \$6.257 with the Common Council concurring in the need and with the final rate being the mathematical result of statutory property tax billing process, including, but not limited to, inclusion of the required state adjustment for equalization; and

WHEREAS, for the purposes, in part, of accounting detail, transparency of governmental actions and intent, efficiency of operations, and enhanced record keeping, the 2016 Proposed Budget document and format provides greater detail and categorization of anticipated expenditures than required by Wisconsin Statutes §65.90, which provides that "all proposed appropriations for each department, activity and reserve account" shall be listed in the budget; and, therefore, expenditure appropriation unit amounts are itemized and, entitled "Official Budget Appropriation Units," while remaining pages of the document provide supplemental information for informational purposes as earlier noted; and

WHEREAS, a Public Notice of the 2016 Proposed Budget appeared in the Franklin Now on October 29, 2015; and

WHEREAS, a Public Hearing was held by the Common Council on November 17, 2015 regarding the 2016 Proposed Budget; and

WHEREAS, the Common Council has determined that it would be in the best interest of the City to adopt the 2016 Proposed Budget as recommended by the Committee of the Whole.

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

Section 1 That the 2016 Expenditure Budgets, summarized herein, for the General Fund as \$25,563,425, for Civic Celebrations Fund as \$123,389, for the St Martin's Fair Fund as \$50,736, for Donations Fund as \$133,101, for Grants Funds as \$525,350, for the Solid Waste Fund as \$1,533,551, for the Capital Outlay Fund as \$900,268, for the Equipment Replacement Fund as \$655,000, for the Street Improvement Fund as \$940,000, for the Debt Service Fund as \$1,591,298, for City purposes totaling \$32,016,118, for Sewer Service Fund Operating Expenditure Budget as \$3,384,963, for the Capital Improvement Fund for projects having Common Council approval as \$1,827,000, for the Capital Improvement Fund for budgetary appropriation for Projects awaiting Common Council approval as \$1,598,359, for the Development Fund as \$1,391,570, for the Utility Development Fund as \$500,000, for TID3 Fund as \$1,977,438, for TID4 Fund as \$46,270 and for Internal Service Fund as \$4,030,376, with expenditure appropriation unit amounts as set forth on the tables entitled "Official Budget Appropriation Units" (set out in the Proposed 2016 Annual Budget document) and as set forth by department, activity, and reserve account (all as maintained by the City in a multiple fund accounting structure) are adopted as the Annual expenditure budgets for the City of Franklin for fiscal year 2016.

Section 2 That in addition 2016 capital additions for the Sewer Service Fund capitalized equipment accounts of \$52,900 and Debt Service of \$1,693,241, in the Debt Service Fund debt service of \$1,591,298, TIF District #3 Debt Service of \$736,300 and inter-fund advance and interest payments of \$1,173,118, and TIF District #4 Debt Service inter-fund advance and interest payments of \$243,415, are adopted as annual required payments for those respective funds for fiscal year 2016.

Section 3 That the 2016 property taxes used to support the General Fund of \$16,248,800, the Library Fund of \$1,287,000, the Capital Outlay Fund of \$437,100, the Equipment Replacement Fund of \$342,600, the Street Improvement Fund of \$693,500, and the Debt Service Fund of \$1,500,000 for City purposes, totaling \$20,509,000, are levied and adopted as the annual property tax levies for the City of Franklin for fiscal year 2016 with a resulting City tax rate of approximately \$6.257/per thousand assessed value.

Section 4 That the 2016 Revenue Budgets for other than property taxes for the General Fund of \$7,607,025, for the Civic Celebrations Fund of \$103,000, for the St. Martin's Fair Fund of \$50,600, for the Donations Fund of \$20,500, for the Grants Funds of \$458,150, for the Solid Waste Collection Fund of \$1,591,165, for the Sewer Service Fund of \$3,383,800, for the Capital Outlay Fund of \$96,500, for the Equipment Replacement Fund of \$235,000, for the Street Improvement Fund of \$208,500, for the Capital Improvement Fund of \$503,000, for the Development Fund of \$621,334, for the Utility Development Fund of \$294,000, TID #3 Fund \$2,131,000, for TID #4 \$1,311,000, and for the Internal Service Fund of \$3,033,643 for City purposes, totaling \$21,648,217, are adopted as the annual revenue budgets for other than property taxes for the City of Franklin for fiscal year 2016.

- Section 5 That additional Development Fund revenues of \$1,000,000 in the form of new debt are required to fund the Development Fund expenditures.
- Section 6 That transfers into the Civic Celebrations Fund of \$13,000, the St. Martin's Fair Fund of \$11,000, the Debt Service Fund of \$205,000, and the Capital Improvement Fund of \$2,120,953, for a total of \$2,349,953 are adopted as the annual transfers as contained in the budget for the City of Franklin for fiscal year 2016.
- Section 7 That the 2016 Solid Waste Fund fee shall be \$106.95 for each property eligible to receive the solid waste collection service.
- Section 8 That the Capital Improvement Fund expenditure appropriation units shall be administered as if adopted on a per project basis unless otherwise approved, in advance by the Common Council, in the form of a budget modification.
- Section 9 That the single expenditure appropriation for "Contingency" within the General Fund shall be administered for City purposes as if adopted as distinct appropriations for \$375,000 "Restricted" and \$175,000 "Unrestricted" contingency budgets as shown within the "Unclassified, Contingency, and Anticipated Under spending" budget detail, with "Restricted" contingency appropriations not authorized for direct expenditure and requiring a budget modification approved by two-thirds of the Common Council, interpreted consistent with statutes, moving the appropriation to "Unrestricted" contingency or another valid appropriation unit prior to or in conjunction with any spending authorization.
- Section 10 That the Finance Department shall cause to be published and made available a "City of Franklin 2016 Annual Budget" document incorporating the changes from the Mayor's Recommended Budget as approved herein and incorporating the necessary changes to the text thereof as required by such changes; which document to include the 2016 Annual Budgets of the Library Fund, Auxiliary Library Fund and Water Utility Fund as adopted by their respective boards.

Introduced at a regular meeting of the Common Council of the City of Franklin this 17th day of November, 2015 by Alderman _____.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this 17th day of November, 2015.

APPROVED:

ATTEST:

Stephen R Olson, Mayor

Sandra L. Wesolowski, City Clerk

AYES ___ NOES ___ ABSENT ___

APPROVED OCTOBER 20, 2015
CITY OF FRANKLIN
SPECIAL COMMITTEE OF THE WHOLE MEETING
OCTOBER 13, 2015
MINUTES

ROLL CALL

- I. The special meeting of the Committee of the Whole was held on October 13, 2015 and called to order at 6:07 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 Taylor, Alderman Doug Schmidt and Alderwoman Susanne Mayer. Also present were Dir. of Administration Mark Luberda, Finance Office & Treasurer Paul Rotzenberg, City Attorney Jesse A. Wesolowski and City Clerk Sandra Wesolowski.

Mayor Olson vacated his seat at 6:12 p.m. Council President Wilhelm then chaired the meeting, stating she will be voting as Alderwoman.

MAYOR'S
RECOMMENDED 2016
BUDGETS

- II. Alderman Taylor moved to amend the Mayor's Recommended 2016 Budget by deleting from the Capital Improvement Fund and the Capital Improvement Plan the revenues and expenditures associated with the Tax Increment Finance District #4 projects, identified as "Area D Infrastructure" for \$15,000,000 and the Tax Increment Finance District #5 project, identified as "Area A Infrastructure Costs" for \$23,000,000; and deleting such related appropriations for the Tax Increment Fund appropriations; and reducing the General Fund "Anticipated Un-spent Appropriations" by \$10,220. Seconded by Alderman Schmidt. Upon voice vote, five Ayes; one No (Alderman Dandrea). Motion carried.

Alderman Taylor moved to amend the Mayor's Recommended 2016 Budget by deleting from the Capital Improvement Fund the following city funding: \$301,000 Salt Barn; \$100,000 Sidewalks-citizen request; \$25,746 Mini Park #3; \$25,746 Mini Park #4; \$10,260 W. Puetz Road and S. 35th Street/Franklin Woods as well as striking the overall project; \$500,000 City Hall Entrance Remodel; reducing Contingency Account to \$68,350; and an overall reduction of planned borrowing by \$1,000,000; and elimination of \$31,350 from the Christine Rathke Memorial Park Trail. Seconded by Alderwoman S. Mayer. All voted Aye; motion carried.

Alderman Taylor moved to amend the Mayor's Recommended 2016 General Fund Budget by reducing Computer Aids

\$296,000; increasing Transportation Aids \$37,000; and reducing General Fund Property Tax levy \$149,000; and expenditure reductions to Police Department \$20,000; Fire Department \$7,000; Administration/other Departments \$16,000; Department of Public Works \$7,000; Salt \$20,000; Fuel \$80,000; Health Insurance rate adjustment \$40,000; Light Equipment Operator start date of October 1 \$18,000; increase under expenditures \$100,000; and revenue increases to Ambulance revenue \$25,000; Fines and Forfeitures \$20,000; Miscellaneous revenues \$20,000; Insurance Dividend \$20,000; and Building Permits \$15,000; and further that Department allocations would be consistent with the document dated 10/12/2015 titled Mayor's Recommendation to Address State Shared Revenue Shortage and other required allocations determined by the Director of Finance. Seconded by Alderman Dandrea. All voted Aye; motion carried.

Alderman Taylor, moved to tentatively amend the Mayor's Recommended 2016 Budget by increasing the Transfers Out to the Capital Improvement Fund by \$1,200,000 and decreasing the Restricted Contingency by \$500,000. Seconded by Alderman Dandrea. All voted Aye; motion carried.

Alderman Taylor vacated his seat at 7:51 p.m. and returned to his seat at 7:52 p.m.

Alderman D. Mayer moved to suspend the regular order of business to allow Rachel Muchin-Young, Library Director, to speak. Seconded by Alderman Taylor. All voted Aye; motion carried.

Alderman Taylor moved to return to the regular order of business. Seconded by Alderman Dandrea. Upon voice vote, five Ayes; one No (Alderman D. Mayer); motion carried.

Alderman Taylor vacated his seat at 8:10 p.m.

ADJOURNMENT

III.

Alderman Schmidt moved to adjourn the meeting at 8:11 p.m. Seconded by Alderman Dandrea. All voted Aye; motion carried.

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<p>APPROVAL</p> <p><i>Slw</i> </p>	<p>REQUEST FOR COUNCIL ACTION</p>	<p>MEETING DATE</p> <p>11/17/2015</p>
<p>REPORTS & RECOMMENDATIONS</p>	<p>Renewal with Humana and Diversified for Health and Dental Plan and Claim Administration Services, Stop-loss Coverage, and Broker Services and Modification of the Health and Dental Plan Benefits</p>	<p>ITEM NUMBER</p> <p><i>G. 2.</i></p>

The City of Franklin has a self-insured medical, prescription, and dental insurance plan. Claims are processed by a Third Party Administrator (TPA) and a pharmacy benefit management coordinator. To guarantee against catastrophic losses the City carries a stop loss policy for claims for individuals and, for the last two years, for a guaranteed maximum amount of claims. Diversified serves as our consultant/broker for negotiating these agreements as part of the stop-loss renewal process. The administrators receive administrative and service fees through the policies, which fees represent part of the total cost of claims, except for Diversified whose service is no longer based on claims volume.

In 2013, all of the health services were bid out and Humana became the network provider, stop loss insurance provider, TPA, and pharmacy provider. The City signed on with Humana for 2014 with the expectation of a 3-year minimum term. Nonetheless, expected and maximum claims and stop loss rates are subject to renewal negotiations, and the City can discontinue the services and switch providers if the City determines it is in its best interest. Most of the preliminary work has been completed and that review is being considered by the Personnel Committee at their meeting of November 16, 2015. Their recommendation will be reported to the Aldermen at the Common Council meeting on November 17th.

For 2016, the Director of Administration recommends staying with our current provider network and service providers. To a large extent this is consistent with the discussions held with the Common Council in April and July of this year and with the detailed cost explanation provided a year ago that showed the favorable financial position in which Humana has positioned the City. That information provided a detailed discussion of the City's three-year plan and how it related to changes in the current area market place. That discussion can be summarized by the following excerpts:

"Franklin, however, is in a good place with Humana clearly appearing to offer good 2016 numbers to keep people from moving to the BHCG's alternative and the BHCG providing an exciting new option should Humana fail to perform." And

"the actuary we use to analyze our pension trust has.... noted to the Finance Director that no other client of his is experiencing the health insurance cost constraints that we are. Whereas the industry has seen a 26% premium growth from 2009 to 2014, our premiums have gone down and our costs have returned to those levels through plan management and brokered contracts."

At those meetings, the Common Council authorized staying with our same broker, Diversified, and was informed of the intent to remain with Humana provided negotiated claim levels and stop-loss premiums are reasonable and appropriate. To that end, the move to Humana continues to reflect well in total health insurance related costs. As seen in the 2016 budget, 2016 will represent the fourth year in a row where single and family premium rates have declined, and they have declined to the point where they are below the 2007 level. Costs have remained relatively stable since 2012. Much of that is due to Humana's negotiated discounts with providers. Humana also is large enough to offer their own insured cap on total claims, which is a level of guarantee that the City did not previously have. As such, in addition to lower rates we have lower risk as there is a guaranteed maximum to claims. Actual claims this year are anticipated to just about reach that insured maximum (approximately 2.7 million), but Humana, in working with our broker, has kept the contracted expected claims to just 2.55 million for 2016. The stop-loss coverage for larger individual claims will go up due to our usage this year, but an increase from \$597,281 to \$714,683 has been negotiated down to at least \$668,950.

Overall the Director of Administration and Director of Finance agree that our current offer from Humana, which could change slightly in our favor by the time of the Common Council meeting, is a favorable proposal (particularly in terms of the full three-year Humana perspective) and is consistent with the 2016 budget as submitted to public hearing. Broker services would remain with Diversified on a month-to-month basis for 2016. In that way, if the City determines to bid out broker services, Diversified's services can be discontinued without penalty. Additional information will be provided (or confirmed) following continued review and consideration by the Personnel Committee.

Three additional benefit level changes are being proposed.

1. Modify the non-specialty drug pharmacy benefit from \$10/\$25/\$40 (generic, level 2 retail, and level 3 retail respectively) to \$10/\$35/\$50, which our broker identifies as the average for employers our size in the same industry code based on a national benchmark. This would help keep our plan more in line with the industry market place as it has shifted over recent years. The potential impact on cost of this change is currently being calculated and can be provided at the meeting. (#42,564)
2. Add coverage for extraction of wisdom teeth back into the plan. This was always covered by the City in the past and is a commonly covered plan element. However, it was not in the Humana Business Health Care Group package and was not negotiable at the time. With the separation of the BHCG from Humana, the City can now reinstitute this basic coverage level for an annual cost estimated at \$12,752. The broker indicates that 92% of groups cover wisdom teeth extractions in their primary medical plan.
3. Increase the maximum per person annual dental benefit. The City has offered a dental benefit coverage that caps out at \$1,000 per covered member. It has been at that level for at least 10 years and quite likely much longer. Obviously, dental costs have increased in the past 10 years so the effective value of the coverage has eroded significantly. Analysis by Humana as to the change in renewal fee rates indicates that increasing the annual maximum benefit to \$1,500 would add \$11,412 to the expected claims. On the other hand, increasing the benefit amount to \$2,000 only increases the total cost to \$14,724 per year. The broker does indicate that just over a majority of plan providers from 2010 to 2014 provided the \$1,000 benefit, but he has observed a recent trend with plans providing

\$1,500 to \$2,500 in coverage. Considering the compensation's plan target of the 65th percentile, moving to at least the \$1,500 target is advisable. Given the limited additional impact of moving to a \$2,000 benefit it might provide an additional retention and recruiting benefit and employee morale booster without significant cost. Although such an increase is not used by most people in a given year, it does provide some security for those individuals who are subject to more significant events such as a root canal and/or crown.

Tom Jocz with Diversified Insurance Services will be in attendance at the November 16th Personnel Committee meeting and the November 17th Common Council meeting to present the recommended proposed rates and answer any questions that the Director of Administration cannot address.

COUNCIL ACTION REQUESTED

Motion, effective 1/1/2016, to amend plan documents to reflect a non-specialty drug pharmacy benefit of \$10/\$35/\$50 (generic, level 2 retail, and level 3 retail respectively), the inclusion of the extraction of wisdom teeth into the medical plan, and the increase of the maximum per person dental benefit to \$2,000, with plan language and documents as to be approved and executed by the Director of Administration.

Motion to authorize the Director of Administration to execute renewal documents with Humana and Diversified for health and dental plan and claim administration services, specific and aggregate stop loss coverage, and broker services for fees and premiums not to exceed those rates as provided in the "Summary of Partially Self-Funded Premiums for City of Franklin" with the bottom line "Total Estimated Maximum Cost" of \$3,957,723.24 as may be amended to reflect plan language changes as approved by the Common Council. (Final number may be amended following the Personnel Committee meeting).

**Summary of Partially Self-Funded Premiums for
CITY OF FRANKLIN**

Anticipated Contract Period:	(ESTIMATED RENEWAL) January 1, 2016 to December 31, 2016				
Administrator:	Humana Insurance Company				
Insurance Carrier:	Humana Insurance Company				
	Total Health				
FINANCIAL SUMMARY					
Fixed Costs	Single	Family	Monthly	Annual	
Employee count:	46	154			
Annual Administration Fee					
Claim Administration Fee					
Medical	39.58	39.58	7,916.00	94,992.00	
COBRA	0.50	0.50	100.00	1,200.00	
Dental	5.17	5.17	1,034.00	12,408.00	
Utilization Review	Included in Medical Admin				
Preferred Provider Access Fee	Included in Medical Admin				
Humana Health Alerts	Included in Medical Admin				
Humana Nurse Line	0.47	0.47	94.00	1,128.00	
Humana Achieve	Included in Medical Admin				
Rx Admin	Included in Medical Admin				
EAP/Work-Life Multi Face-to-Face 3 sessions	2.16	2.16	432.00	5,184.00	
Humana Vitality*	6.81	6.81	1,362.00	16,344.00	
Integrated Chronic Condition Management*	1.79	1.79	358.00	4,296.00	
Maternity Program*	0.53	0.53	106.00	1,272.00	
Wellness Plus*	3.13	3.13	626.00	7,512.00	
Broker Fee/Consulting Contract			4,408.33	52,899.96	
Stop Loss Premiums					
Specific Stop Loss (M, Rx)	120.71	325.93	55,745.88	668,950.56	12.00%
Deductible: (24/12) \$60,000					
Aggregating Specific: \$75,000					
Aggregate Stop Loss					
Basis 120% of Expected					
Claims:	<u>5.60</u>	<u>15.12</u>	<u>2,586.08</u>	<u>31,032.96</u>	
Total Fixed Costs	\$186.45	\$401.19	\$74,768.29	\$897,219.48	8.55%
Expected Costs					
Total Fixed Cost	186.45	401.19	74,768.29	897,219.48	
Expected Claims	<u>460.24</u>	<u>1,242.62</u>	<u>212,534.52</u>	<u>2,550,414.24</u>	
Total Expected Cost	\$646.69	\$1,643.81	\$287,302.81	\$3,447,633.72	10.12%
Estimated Maximum Annual Costs					
Total Fixed Cost	186.45	401.19	74,768.29	897,219.48	
Maximum Claims	<u>552.28</u>	<u>1,491.15</u>	<u>255,041.98</u>	<u>3,060,503.76</u>	
Total Estimated Maximum Cost	\$738.73	\$1,892.34	\$329,810.27	\$3,957,723.24	10.19%
Additional Plan Information:	Humana Insurance Company (HPN / CHC)				
Preferred Provider Organization:	Unlimited				
Specific Carrier Limit of Liability:	Unlimited				
Annual Plan Limit Per Member:	N/A				
Aggregate Carrier Limit of Liability:	Specific Coverage				
Prescription Drug Coverage Included:	Humana Insurance Company				
Prescription Drug Management Services:					

*If Vitality coverage continued, group needs to elect.
Rates are firm

<p style="text-align: center;">APPROVAL</p> <p style="text-align: center;"><i>Slw</i></p>	<p style="text-align: center;">REQUEST FOR COUNCIL ACTION</p>	<p style="text-align: center;">MEETING DATE</p> <p style="text-align: center;">11/17/15</p>
<p style="text-align: center;">REPORTS AND RECOMMENDATIONS</p>	<p style="text-align: center;">Request Council approval to repurpose \$2,000 in unspent 2015 Capital Outlay allocation in order to take advantage of product demo pricing on an item requested in 2016 Capital Outlay request.</p>	<p style="text-align: center;">ITEM NUMBER</p> <p style="text-align: center;"><i>G, 3.</i></p>

In its 2016 Capital Outlay budget request, the Franklin Fire Department requested a "Rapid Attack Monitor" (RAM) nozzle for each of its three fire engines, at a cost of approximately \$2,740 per unit. The RAM allows a single firefighter to deploy a high-volume exterior attack line that would normally take a crew of three to manage. With one of the Fire Department's stations being staffed full time with a crew of two, and the remaining stations crews increasingly split due to rising EMS call volume, the Department views the RAM as a critical tool in still performing a safe, aggressive fire attack with a short-staffed engine company. At this time, the allocation for the three RAM nozzles is still included in the Mayor's recommended budget for 2016.

The vendor has offered the Department a discount price on a single RAM unit used in the testing and evaluation process. This item is offered as a "demo" on a first-come first served basis throughout the region, and would therefore need to be acted on fairly quickly. The discount price is \$2,200, for a cost savings of \$540 (19.7% savings).

In its approved 2015 Capital Outlay request, FFD requested \$2,000 to pay the 10% match of a federal grant intended to pay for additional equipment and training for "active shooter" responses. At this time, approval of that grant is still pending, and the \$2,000 will not be spent in the 2015 calendar year.

The Fire Department is requesting to re-purpose \$2,000 of the "active shooter" response equipment to the 2015 purchase of one Rapid Attack Monitor. The Fire department would not change the 2015 Capital Outlay appropriation for Fire Department equipment. Should the grant for "active shooter" response equipment become available in 2016, the Fire Department would return with a request to repurpose \$2,000 of the 2016 appropriation for Rapid Attack Monitors to that instead. This would effectively flip the purchase of the two pieces of equipment between 2015 and 2016.

COUNCIL ACTION REQUESTED

Request Council approval to repurpose \$2,000 in unspent 2015 Capital Outlay for Active Shooter equipment grant in order to take advantage of demo pricing on a Rapid Attack Monitor that was requested in 2016 Capital Outlay.



FIRE AND SAFETY EQUIPMENT, LLC.
PROTECTING AMERICA'S HEROES

ELKHART BRASS R.A.M. PACKAGE

Does Your Department Need A New Rapid Attack Monitor? Check Out 5 Alarm's New Promotion

5 Alarm has put together the ultimate package. We have combined the Elkhart Brass R.A.M. Rapid Attack Monitor with the R.A.N. Rapid Attack Nozzle...resulting in an unbeatable firefighting combination that operates unmanned. It's just like having an extra firefighter on scene!

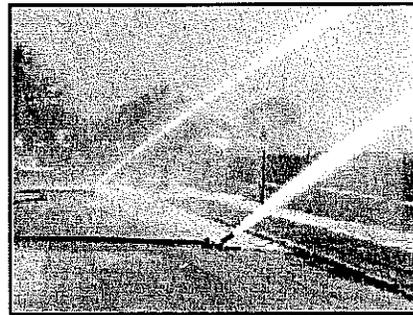


The included R.A.N. nozzle also incorporates a built-in stream shaper which reduces bulk while providing an excellent stream.

Also included is the R.A.M. Truck Mount Bracket for quick deployment.

*This Complete Package
Normally Sells For
\$4,110*

**GET IT NOW FROM 5 ALARM
FOR ONLY
\$2,740**



ELKHART BRASS
Fire Fighting Equipment



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PROTECTING AMERICA'S HEROES

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Sales Representative Today!
800-615-6789
sales@5alarm.com
www.5alarm.com



ALARM
 FIRE AND SAFETY EQUIPMENT, LLC.
 PROTECTING AMERICA'S HEROES

REMIT TO: 350 Austin Circle
 Delafield WI, 53018-2171
 Phone: (262) 646-5911 Fax: (262) 646-5912
 Toll-Free: (800) 615-6789
 Web: www.Salarm.com

INVOICE

Number	152400-1
Invoice Date	11/02/2015
Ordered Date	11/02/2015
Page	1

Bill to: CITY OF FRANKLIN
 ATTN: KURT STUECK
 8901 WEST DREXEL
 FRANKLIN, WI 53132-9725

Ship to: CITY OF FRANKLIN
 ATTN: KURT STUECK
 8901 WEST DREXEL
 FRANKLIN, WI 53132-9725

Email: RMAYER@FRANKLINWI.GOV
 Phone: (414) 425-1420 Fax: (414) 425-7067

Email: RMAYER@FRANKLINWI.GOV
 Phone: (414) 425-1420 Fax: (414) 425-7067

Cust Code	Ordered By	Salesman	Job/Rel#	Customer PO	Wanted Date	
5259	Coh	CURT DUCHOW		ELKHART	11/02/2015	
Entered By			Ship Via		Terms	
Dinah White			UNITED PARCEL SERVICE		NET 10	
Quantity		U/M	Item #	Description	Price	Extension
Order	Ship	Back				
1	1	0	EA 08296701	ELKHART 8296 RAM MONITOR W/ 3896 RAN NOZZLE & 8296-MB BRCK	2200.0000	2200.00

SubTotal 2,200.00

Total 2,200.00

5 Alarm Return Policy

Returns are accepted within 30 days of purchase date on stock items in original, re-sellable packaging. Please call our customer service department at 800-615-6789 for a Return Authorization Number. A copy of the authorization should accompany the return. **Returns will not be accepted without a Return Authorization Number.** Returns are subject to 25% restocking fee which may be waived for exchanges. Purchaser is responsible for freight. Unfortunately all special order, custom items and SCBA cylinders are non-returnable. Other restrictions may apply. Any eligible return will be credited only after a full inspection of the product is completed. 5 Alarm reserves the right to refuse returns not received in the 30 day return period.

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<p>APPROVAL</p> <p><i>Slw</i></p>	<p>REQUEST FOR COUNCIL ACTION</p>	<p>MEETING DATE</p> <p><i>11-17-15</i></p>
<p>REPORTS AND RECOMMENDATIONS</p>	<p>Donation from the Residents of Brenwood Park in the amount of \$578.50 to the Fire Department</p>	<p>ITEM NUMBER</p> <p><i>G.4.</i></p>

The residents of Brenwood Park have generously donated the proceeds of their annual bake sale and craft fair to the Franklin Fire Department. The department relies on donations to help fund fire prevention educational programs and other safety initiatives in the community.

COUNCIL ACTION REQUESTED

Request approval to accept \$578.50 donation from the residents of Brenwood Park, to be used toward funding fire prevention activities.

Brenwood Park Senior Apartments
9501 W. Loomis Rd., Franklin, WI 53132
Office 414-427-8499
Fax 414-525-7349
www.brenwood-park.com

November 11th, 2015

Attention Kurt Stueck
Franklin Fire Chief
8901 W. Drexel Ave.
Franklin, WI 53132

Dear Kurt,

As you already know, we've been collecting money at our annual Arts & Crafts Fair for the Franklin Fire Dept./Paramedics. In past years, our donation for you only consisted of donated raffle craft items. This year, we also donated all our proceeds from our bake sale.

We are very thankful for the great service you provide for our residents here. Please extend a huge thanks to the whole team.

God Bless and protect you all!



Becky Bohne
Assistant Manager

Enclosed check

<p style="text-align: center;">APPROVAL</p> <p style="text-align: center;"><i>Slw</i></p>	<p style="text-align: center;">REQUEST FOR COUNCIL ACTION</p>	<p style="text-align: center;">MEETING DATE</p> <p style="text-align: center;">11/17/15</p>
<p style="text-align: center;">REPORTS & RECOMMENDATIONS</p>	<p style="text-align: center;">RESOLUTION CONDITIONALLY APPROVING A 4 LOT CERTIFIED SURVEY MAP, BEING A PART OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 17, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN (RICHARD A. REUTELER AND ANN M. REUTELER, APPLICANTS) (10475, 10609, 10629 AND 10631 WEST ST. MARTINS ROAD)</p>	<p style="text-align: center;">ITEM NUMBER</p> <p style="text-align: center;">G.5.</p>

At their meeting on November 5, 2015, the Plan Commission approved a motion to recommend approval of a resolution conditionally approving a 4 Lot Certified Survey Map, being a part of the Southwest 1/4 of the Northwest 1/4 of Section 17, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin (Richard A. Reuteler and Ann M. Reuteler, Applicants) (10475, 10609, 10629 and 10631 West St. Martins Road).

Please note that in conjunction with the Certified Survey Map Application, the applicant also submitted a Land Division Variance and Area Exception Applications. At their November 5, 2015 meeting the Plan Commission approved a resolution conditionally approving the Land Division Variance and recommended, to the Board of Zoning and Building Appeals, approval of the Area Exception request.

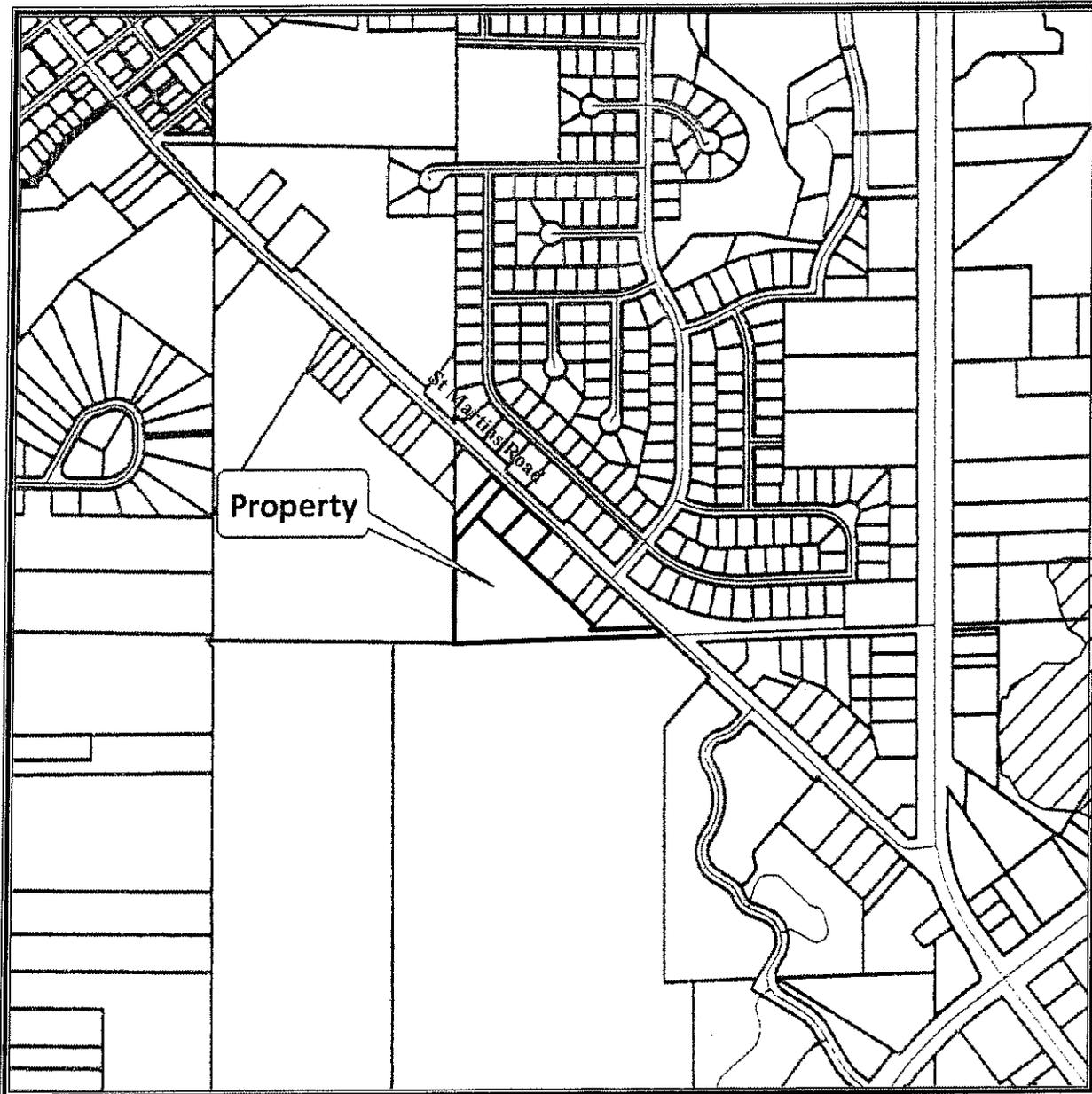
The November 5, 2015 Plan Commission staff report is attached for your review, which further details the application and review process for all three applications.

COUNCIL ACTION REQUESTED

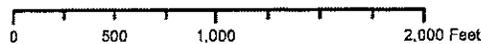
A motion to adopt Resolution No. 2015-_____, conditionally approving a 4 Lot Certified Survey Map, being a part of the Southwest 1/4 of the Northwest 1/4 of Section 17, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin (Richard A. Reuteler and Ann M. Reuteler, Applicants) (10475, 10609, 10629 and 10631 West St. Martins Road).



10475, 10609, 10629 and 10631 W. St Martins Road
4 Lot Certified Survey Map (Redivision of Parcels)



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.



CITY OF FRANKLIN



REPORT TO THE PLAN COMMISSION

Meeting of November 5, 2015

Certified Survey Map, Land Division Variance and Area Exception

RECOMMENDATION: City Development Staff recommends approval of the proposed Certified Survey Map, Land Division Variance and Area Exception, subject to the conditions in the draft resolutions.

Project Name:	Reuteler Certified Survey Map, Land Division Variance and Area Exception
Project Address:	10475, 10609, 10629 & 10631 West St. Martins Road
Applicant:	Richard A. and Ann M. Rueteler
Owners (property):	Richard A. and Ann M. Rueteler, John J. Rueteler, Mark A. and Kristin L. Sinner, Daniel R. Keske
Current Zoning:	R-3 Suburban/Estate Single Family Residence District and C-1 Conservancy District
2025 Future Land Use:	Residential and Areas of Natural Resource Features
Use of Surrounding Properties:	Single-family residential to the north and east and the Indian Community School to the south and west
Applicant Action Requested:	Approval of the Certified Surrey Map, Land Division Variance and Area Exception

INTRODUCTION

Please note:

- Staff recommendations are underlined, in italics and are included in the draft ordinance.
- Staff suggestions are only underlined and are not included in the draft resolution.

On October 6, 2015, the applicant filed a Certified Survey Map (CSM), Land Division Variance and Area Exception Applications with the Department of City Development requesting to remove portions of an approximately 7.73-acre property and combine those portions with three existing adjacent properties to create four reconfigured single-family lots.

The proposed CSM also requires the submittal of a Land Division Variance and Area Exception Applications. The Land Division Variance is to allow the resulting flag lot of the proposed Lot 1. The existing property is currently a flag lot and the applicant is requesting to continue this nonconformity with the proposed land division.

The Area Exception is required, also for the proposed Lot 1, as the R-3 District requires a minimum lot width at the front setback line of 100-feet. At 45-feet back from the front property line, the proposed lot has a width of approximately 62-feet.

Please note that the CSM includes the following four properties:

- 10475 W. St. Martins Road, Taxkey No. 800-9999-000
- 10609 W. St. Martins Road, Taxkey No. 800-9993-000
- 10629 W. St. Martins Road, Taxkey No. 800-9992-000
- 10631 W. St. Martins Road, Taxkey No. 800-9991-001

The Land Division Variance and Area Exception Applications are only related to the proposed Lot 1 of the CSM, which is a portion of the existing lot located at 10475 W. St. Martins Road

The subject property is primarily zoned R-3 Residence District. Approximately 55,000 square feet of the property is zoned C-1 Conservancy District. The applicant is not proposing a zoning change and Lot 1 may be developed within the R-3 zoned portion of the lot; however, staff suggests that the applicant submit a Rezoning Application to rezone the C-1 District portion of the property to the R-3 Residence District, as the City no longer utilizes the C-1 zoning district.

PROJECT DESCRIPTION/ANALYSIS

Certified Survey Map (CSM):

The proposed CSM includes four lots. Lot 1 is currently vacant and has an area of 196,714 square feet. Lot 2, Lot 3 and Lot 4 are all portions of the existing property at 10475 W. St. Martins Road being combined with the existing properties abutting W. St. Martins Road. Lot 2 has an area of 129,403 square feet, Lot 3 has an area of 76,054 square feet and Lot 4 has an area of 39,812 square feet.

It is staff's understanding that the applicant intends to revise the CSM to add land to Lot 4. The property will be a minimum of 40,000 square feet in area to allow the property owner to construct a 900 square foot accessory building. Section 15-3.0801C. of the UDO limits accessory structures to a maximum size of 720 square feet for properties not exceeding 40,000 square feet in area and allows a maximum size of 900 square feet for properties exceeding 40,000 square feet in area. Staff considers this a minor change and all proposed lots will continue to conform to the R-3 District development standards.

The flag lot, Lot 1, has 61.43 feet of frontage along W. St. Martins Road; thus meeting the requirements of Section 15-2.0204 and 15-5.0101B.1. of the Unified Development Ordinance (below).

- Section 15-2.0204. Except as otherwise provided for herein, every building shall be constructed or erected upon a lot or parcel of land which abuts no less than sixty (60) feet upon a dedicated public street right-of-way, including cul-de-sac lots.
- Section 15-5.0101-B(1) Access to Public Streets Required. The Certified Survey Map or Subdivision shall be designed so as to provide each lot with a minimum of 60 feet frontage along a public street.

Lots 2, 3 and 4 all meet the minimum development standards of the R-3 District, including but not limited to, exceeding the 20,000 square foot minimum lot area and the 100-foot minimum lot width requirements. It can be noted that the adjacent lots zoned R-3 are all smaller in size. As

stated, Lot 1 does not meet the minimum lot width requirement and is considered a flag lot per Section 15-5.0106K. of the UDO.

Utilities, Infrastructure and Access

Public sewer and water service is located adjacent to the properties. Lot 1 is the only vacant lot and is planned to be developed. Staff is recommending the extension of public water; however, the potential buyer of Lot 1 is considering requesting an exemption. Staff recommends that development of Lot 1 shall be contingent upon connecting to public sewer and water facilities.

A new driveway access to W. St. Martins Road will be required for development of Lot 1. Lots 2, 3 and 4 will all maintain their existing access locations to W. St. Martins Road. The applicant has not provided Milwaukee County Department of Transportation approval for the new ingress/egress location for Lot 1. Staff recommends that the applicant provide documentation of access approval from Milwaukee County, prior to issuance of a Building Permit for Lot 1. Staff also recommends that an additional 32-feet of right-of-way be dedicated to the City to help eventually achieve a full right-of-way of 130-feet for W. St. Martins Road.

Natural Resource Protection Plan

The applicant has provided a Wetland Delineation Report, dated June 16, 2015, from Thompson and Associates Wetland Services, LLC. A wetland is located on Lots 1 and 2. The buffer and setback also extend onto Lot 3. These features are shown on the attached CSM as well as the Conservation Easement.

A wetland concurrence has not yet been completed. Staff also believes a woodland potentially exists along the southern lot line of Lot 1. Therefore, staff recommends that the Natural Resource Protection Plan shall be subject to review by a consultant of the City's choosing, with all costs of said review being the responsibility of the applicant. Furthermore, the applicant shall address all consultant comments to the satisfaction of the Planning Manager, prior to recording the Certified Survey Map with Milwaukee County.

Staff also recommends that the applicant shall submit a written Conservation Easement for Common Council approval and recording with the Milwaukee County Register of Deeds at the time the Certified Survey Map is recorded.

Consistency with the Comprehensive Master Plan

The proposed Certified Survey Map is consistent with the City of Franklin Comprehensive Master Plan. It can be noted that the Plan's Future Land Use Map identifies the subject area's future land use as single-family residential.

Land Division Variance:

Section 15-5.0106K. of the UDO prohibits flag lots (see below).

Flag Lots Prohibited. Flag-shaped lots, or lots not meeting the minimum frontage requirements of this Ordinance or where access to a public street right-of-way to such lots is by a narrow strip of land, shall not be permitted. Flag lots are where the rear of the lot is disproportionate in width to the front of the lot width without a gradual widening of the lot as the lot increase in depth (shaped like a flag with the pole being the lot frontage).

Per Section 15-9.0310 of the UDO, the Plan Commission may waive or modify land division requirements of Divisions 15-5.0100, 15-8.0100, and 15-8.0200 of this ordinance upon application. This Section states, "Where, in the judgment of the Plan Commission, it would be inappropriate to apply literally the provisions of Divisions 15-5.0100, 15-8.0100, and 15-5.0200 of this Ordinance because exceptional or undue hardship would result, the Plan Commission may waive or modify any requirement to the extent deemed just and proper."

Section 15-9.0310B. of the UDO indicates the findings of fact and conditions that should be considered in granting a land division variance and states, "No variance to the provisions of Divisions 15-5.0100, 15-8.0100, and 15-8.0200 of this Ordinance shall be granted unless the Plan Commission finds by the greater weight of the evidence that all the following facts and conditions exist and so indicates in the minutes of its proceedings." Attached are the facts and conditions as presented by the applicant that will be added to the resolution if approved, subject to any changes by the Plan Commission.

Please note that a majority vote is required by the Plan Commission to approve a land division variance.

Area Exception:

Table 15-3.0203 contains the R-3 District Development Standards. As indicated, Lot 1 does not meet the minimum 100-foot lot width at the setback line.

Section 15-10.0209 of the UDO lists permitted area exceptions, which includes "lot width." Section 15-10.0209F. of the UDO states that the Plan Commission shall hold a public hearing and make a recommendation to the Board of Zoning and Building Appeals (BZBA). The Application is tentatively scheduled for the November 18, 2015 BZBA meeting.

Section 15-10.0209G. of the UDO states the standards that the BZBA shall consider in determining whether to grant or deny an Area Exception request. Attached are the applicant's responses to this section of the UDO for Plan Commission review and consideration.

STAFF RECOMMENDATION

The applicant was not able to submit a revised Certified Survey Map and other information to address staff's comments, which are attached along with the applicant's preliminary responses. Therefore, City Development Staff is recommending that the Plan Commission table the subject applications until the applicant is able to address staff comments.

If the Plan Commission prefers to move the item forward, staff recommends that approval be subject to the following conditions:

1. Applicant shall address all Department of City Development and Engineering Department comments contained within staff's comment letter, dated October 22, 2015, to the satisfaction of the Planning Manager and City Engineer.
2. The development of Lot 1 shall be contingent upon connecting to public sewer and water facilities.

3. The applicant shall provide documentation of access approval from Milwaukee County, prior to issuance of a Building Permit for development of Lot 1.
4. The CSM shall be revised to dedicate an additional 32-feet of right-of-way along West St. Martins Road to the City of Franklin.
5. The Natural Resource Protection Plan shall be subject to review by a consultant of the City's choosing, with all costs of said review being the responsibility of the applicant. Furthermore, the applicant shall address all consultant comments to the satisfaction of the Planning Manager, prior to recording the Certified Survey Map with Milwaukee County.
6. A written Conservation Easement shall be submitted for Common Council approval and recording with the Milwaukee County Register of Deeds at the time the Certified Survey Map is recorded.

The applicant has indicated that they may be able to submit a revised Certified Survey Map and other documentation requested by staff on Monday, November 2nd. Staff will forward revisions to the Plan Commission as soon as they are received.

Please note that staff is still awaiting property owner signatures for three of the parcels involved. If those signatures are not provided prior to Plan Commission review, it would not be appropriate to take action on the applications.

RESOLUTION NO. 2015-_____

A RESOLUTION CONDITIONALLY APPROVING A 4 LOT CERTIFIED SURVEY MAP, BEING A PART OF THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 17, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN
(RICHARD A. REUTELER AND ANN M. REUTELER, APPLICANTS)
(10475, 10609, 10629 AND 10631 WEST ST. MARTINS ROAD)

WHEREAS, the City of Franklin, Wisconsin, having received an application for approval of a certified survey map, such map being a part of the Southwest 1/4 of the Northwest 1/4 of Section 17, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin, more specifically, of the properties located at 10475, 10609, 10629 and 10631 West St. Martins Road, bearing Tax Key Nos. 800-9999-000, 800-9993-000, 800-9992-000 and 800-9991-001, Richard A. Reuteler and Ann M. Reuteler, applicants; said certified survey map having been reviewed by the City Plan Commission and the Plan Commission having recommended approval thereof pursuant to certain conditions; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the Certified Survey Map submitted by Richard A. Reuteler and Ann M. Reuteler, as described above, be and the same is hereby approved, subject to the following conditions:

1. That any and all objections made and corrections required by the City of Franklin, by Milwaukee County, and by any and all reviewing agencies, shall be satisfied and made by the applicant, prior to recording.
2. That all land development and building construction permitted or resulting under this Resolution shall be subject to impact fees imposed pursuant to §92-9. of the Municipal Code or development fees imposed pursuant to §15-5.0110 of the Unified Development Ordinance, both such provisions being applicable to the development and building permitted or resulting hereunder as it occurs from time to time, as such Code and Ordinance provisions may be amended from time to time.
3. Each and any easement shown on the Certified Survey Map shall be the subject of separate written grant of easement instrument, in such form as provided within the *City of Franklin Design Standards and Construction Specifications* and such form

RICHARD A. REUTELER AND ANN M. REUTELER – CERTIFIED SURVEY MAP
RESOLUTION NO. 2015-_____

Page 2

and content as may otherwise be reasonably required by the City Engineer or designee to further and secure the purpose of the easement, and all being subject to the approval of the Common Council, prior to the recording of the Certified Survey Map.

4. Richard A. Reuteler and Ann M. Reuteler, successors and assigns, and any developer of the Richard A. Reuteler and Ann M. Reuteler 4 lot certified survey map project, shall pay to the City of Franklin the amount of all development compliance, inspection and review fees incurred by the City of Franklin, including fees of consults to the City of Franklin, within 30 days of invoice for same. Any violation of this provision shall be a violation of the Unified Development Ordinance, and subject to §15-9.0502 thereof and §1-19. of the Municipal Code, the general penalties and remedies provisions, as amended from time to time.
5. The approval granted hereunder is conditional upon Richard A. Reuteler and Ann M. Reuteler and the 4 lot certified survey map project for the properties located at 10475, 10609, 10629 and 10631 West St. Martins Road: (i) being in compliance with all applicable governmental laws, statutes, rules, codes, orders and ordinances; and (ii) obtaining all other governmental approvals, permits, licenses and the like, required for and applicable to the project to be developed and as presented for this approval.
6. Applicant shall address all Department of City Development and Engineering Department comments contained within staff's comment letter, dated October 22, 2015, to the satisfaction of the Planning Manager and City Engineer.
7. The development of Lot 1 shall be contingent upon connecting to public sewer and water facilities.
8. The applicant shall provide documentation of access approval from Milwaukee County, prior to issuance of a Building Permit for development of Lot 1.
9. The CSM shall be revised to dedicate an additional 32-feet of right-of-way along West St. Martins Road to the City of Franklin.
10. The Natural Resource Protection Plan shall be subject to review by a consultant of the City's choosing, with all costs of said review being the responsibility of the applicant. Furthermore, the applicant shall address all consultant comments to the satisfaction of the Planning Manager, prior to recording the Certified Survey Map with Milwaukee County.
11. A written Conservation Easement shall be submitted for Common Council approval and recording with the Milwaukee County Register of Deeds at the time the Certified Survey Map is recorded.

RICHARD A. REUTELER AND ANN M. REUTELER – CERTIFIED SURVEY MAP
RESOLUTION NO. 2015-_____

Page 3

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

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

Introduced at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2015.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2015.

APPROVED:

Stephen R. Olson, Mayor

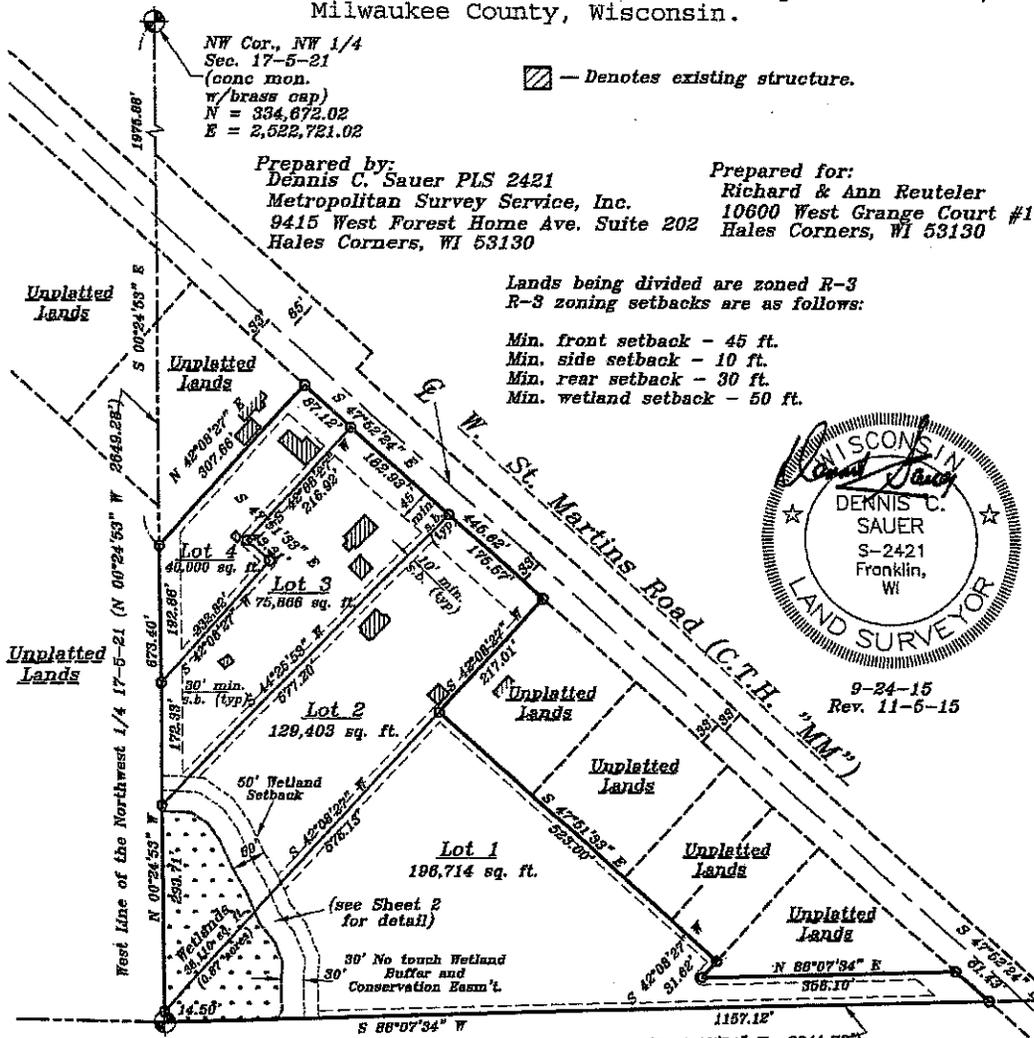
ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

CERTIFIED SURVEY MAP NO.

Being a part of the Southwest 1/4 of the Northwest 1/4 of Section 17, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin.



Prepared by:
 Dennis C. Sauer PLS 2421
 Metropolitan Survey Service, Inc.
 9415 West Forest Home Ave. Suite 202
 Hales Corners, WI 53130

Prepared for:
 Richard & Ann Reuteler
 10600 West Grange Court #1
 Hales Corners, WI 53130

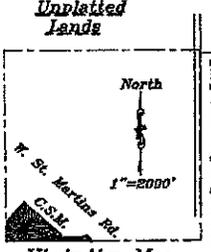
Lands being divided are zoned R-3
 R-3 zoning setbacks are as follows:

- Min. front setback - 45 ft.
- Min. side setback - 10 ft.
- Min. rear setback - 30 ft.
- Min. wetland setback - 50 ft.



9-24-15
 Rev. 11-6-15

Wetlands delineated by:
 Thompson and Associates
 Wetland Services, LLC
 1514 Menomonee Avenue
 South Milwaukee, WI 53172
 JUNE 16, 2015



Vicinity Map
 NW 1/4 Sec. 17, T5N, R21E

GRAPHIC SCALE



(IN FEET)
 1 inch = 200 ft.

Map bearings refer to Grid North of the Wisconsin State Plane Co-ordinate System, South Zone, with the West line of the SE 1/4 of Section 17, T5N, R21E having an assumed bearing of N 00°24'53" W.

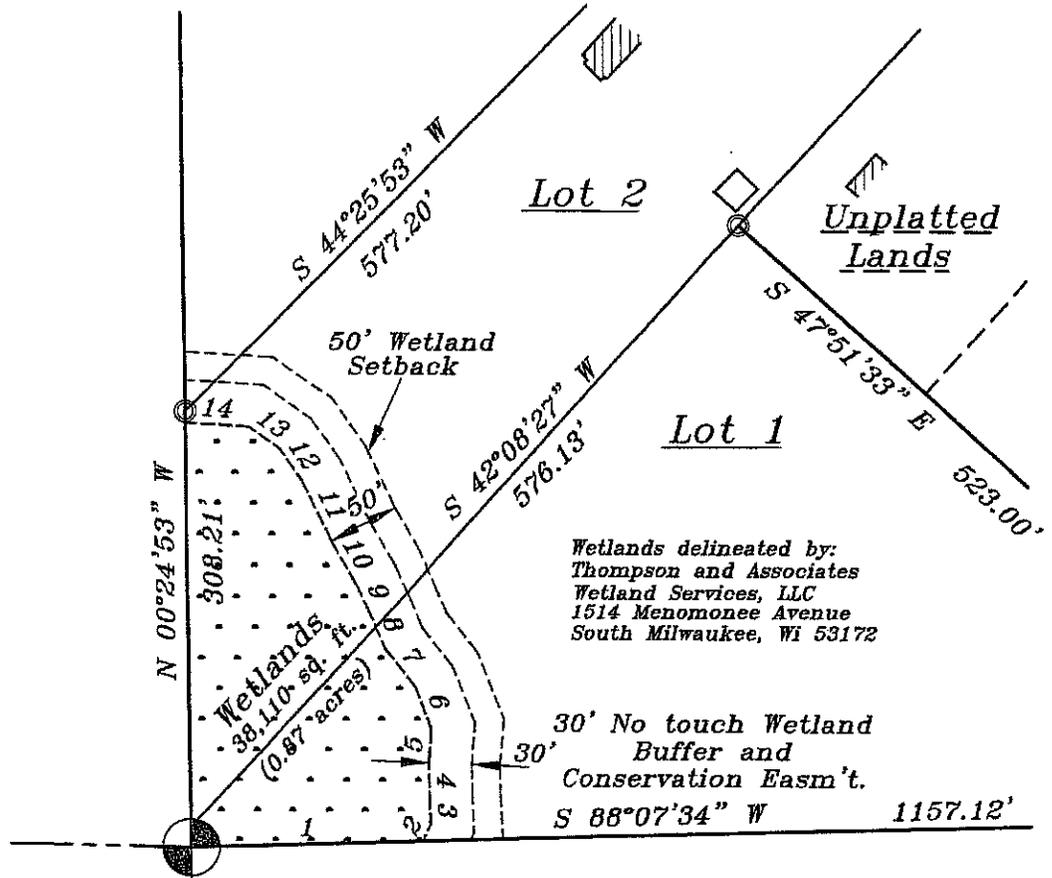
- — Denotes 1" iron pipe set
- — Denoted 1" iron pipe found and accepted or set as noted.

This CSM is served by public sanitary sewer. Public water is ~~not~~ available in this area.

M:\CSM's\Franklin\105829.dwg

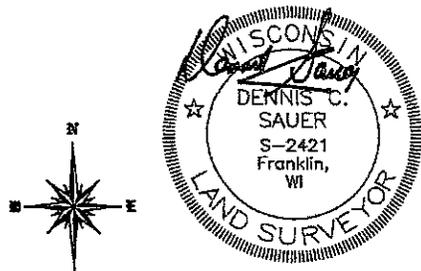
CERTIFIED SURVEY MAP NO. _____

Being a part of the Southwest 1/4 of the Northwest 1/4 of Section 17, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin.



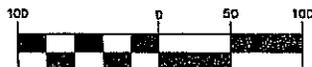
Wetlands delineated by:
Thompson and Associates
Wetland Services, LLC
1514 Menomonee Avenue
South Milwaukee, WI 53172

30' No touch Wetland
Buffer and
Conservation Easment.
S 88°07'34" W 1157.12'



9-24-15
Rev. 11-5-15

GRAPHIC SCALE



(IN FEET)
1 inch = 100 ft.

LINE TABLE		
LINE	LENGTH	BEARING
1	161.87	N88°07'34"E
2	13.50	N24°20'37"E
3	18.42	N02°04'19"W
4	25.83	N00°52'46"W
5	24.41	N04°58'43"E
6	31.64	N21°14'00"W
7	34.04	N37°54'57"W
8	27.76	N22°50'04"W
9	21.60	N24°12'15"W
10	34.45	N30°18'44"W
11	46.64	N25°04'16"W
12	27.25	N34°44'51"W
13	28.95	N55°02'04"W
14	43.85	N86°49'22"W

CERTIFIED SURVEY MAP NO. _____

Being a part of the Southwest 1/4 of the Northwest 1/4 of Section 17, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin.

SURVEYOR'S CERTIFICATE

STATE OF WISCONSIN)
MILWAUKEE COUNTY) SS

I, Dennis C. Sauer, Professional Land Surveyor, do hereby certify: That I have surveyed, divided and mapped a part of the Southwest 1/4 of the Northwest 1/4 of Section 17, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin; Beginning at the Southwest corner of the Northwest 1/4 of Section 17, Township 5 North, Range 21 East; thence N 00° 24' 53" W along the West line of said Northwest 1/4, 673.40 feet; thence N 42° 08' 27" E, 307.66 feet to the South line of W. St. Martins Road thence S 47°52'24" E, along said South line, 445.62 feet; thence S 42°08'27" W, 217.01 feet; thence S 47°51'33" E, 523.00 feet; thence S 42°08'27" W, 31.62 feet; thence N 88°07'34" E, 358.10 feet to the South line of W. St. Martins Road; thence S 47°52'24" E along said South line, 61.43 feet to the South line of the Northwest 1/4 of Section 17, Township 5 North, Range 21 East, thence S 88°07'34" W along said South line, 1157.12 feet to the point of beginning. Said lands containing 441,983.00 square feet (10.14 acres).

That I have made such survey, land division and map by the direction of, Richard A Reuteler & Ann M Reuteler, husband and wife, John J Reuteler, Mark A Sinner & Kristin L Sinner, husband and wife and Daniel R Keske, owners of said land.

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

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

September 24, 2015
Date


Dennis C. Sauer
Professional Land Surveyor S-2421



PREPARED FOR:
Richard & Ann Reuteler
10600 W Grange Ct #1
Hales Corners, WI 53130

PREPARED BY: Dennis C. Sauer
Metropolitan Survey Service
9415 W Forest Home Ave #202
Hales Corners, WI 53130

CERTIFIED SURVEY MAP NO. _____

Being a part of the Southwest 1/4 of the Northwest 1/4 of Section 17,
Township 5 North, Range 21 East, in the City of Franklin, Milwaukee
County, Wisconsin.

OWNER'S CERTIFICATE

As owners, Richard A Reuteler & Ann M Reuteler, husband & wife, do hereby
certify that we have caused the land described on this map to be surveyed,
divided, and mapped as represented on this map in accordance with the
requirements of Chapter 236.34 of the Wisconsin State Statutes and Unified
Development Ordinance - Division 15, of the City of Franklin Municipal
Code.

WITNESS the hand and seal of said owners this _____ day of
_____, 20_____.

Richard A Reuteler, Owner

Ann M Reuteler, Owner

STATE OF WISCONSIN)
MILWAUKEE COUNTY) SS

PERSONALLY came before me this _____ day of _____, 20_____
Richard A Reuteler & Ann M Reuteler, Owners, to me known to be the persons
who executed the foregoing instrument and acknowledged the same.

Notary Public
State of Wisconsin
My Commission Expires: _____

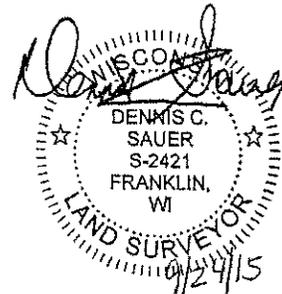
OWNER'S CERTIFICATE:

As owner, John J Reuteler, do hereby certify that I have caused the land
described on this map to be surveyed, divided, and mapped as represented
on this map in accordance with the requirements of Chapter 236.34 of the
Wisconsin State Statutes and Unified Development Ordinance - Division 15,
of the City of Franklin Municipal Code.

WITNESS the hand and seal of said owners this _____ day of
_____, 20_____.

John J Reuteler, Owner

STATE OF WISCONSIN)
MILWAUKEE COUNTY) SS



CERTIFIED SURVEY MAP NO. _____

Being a part of the Southwest 1/4 of the Northwest 1/4 of Section 17,
Township 5 North, Range 21 East, in the City of Franklin, Milwaukee
County, Wisconsin.

OWNER'S CERTIFICATE CONTINUED:

PERSONALLY came before me this _____ day of _____, 20____ John J
Reuteler, Owner, to me known to be the persons who executed the foregoing
instrument and acknowledged the same.

Notary Public
State of Wisconsin
My Commission Expires: _____

OWNER'S CERTIFICATE:

As owners, Mark A Sinner & Kristin L Sinner, husband & wife, do hereby
certify that we have caused the land described on this map to be surveyed,
divided, and mapped as represented on this map in accordance with the
requirements of Chapter 236.34 of the Wisconsin State Statutes and Unified
Development Ordinance - Division 15, of the City of Franklin Municipal
Code.

WITNESS the hand and seal of said owners this _____ day of
_____, 20_____.

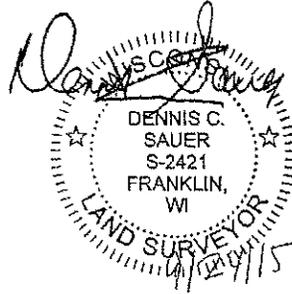
Mark A Sinner, Owner

Kristin L Sinner, Owner

STATE OF WISCONSIN)
MILWAUKEE COUNTY) SS

PERSONALLY came before me this _____ day of _____, 20____ Mark A
Sinner & Kristin L Sinner, Owners, to me known to be the persons who
executed the foregoing instrument and acknowledged the same.

Notary Public
State of Wisconsin
My Commission Expires: _____



CERTIFIED SURVEY MAP NO. _____

Being a part of the Southwest 1/4 of the Northwest 1/4 of Section 17,
Township 5 North, Range 21 East, in the City of Franklin, Milwaukee
County, Wisconsin.

OWNER'S CERTIFICATE:

As owner, Daniel R Keske, do hereby certify that I have caused the land
described on this map to be surveyed, divided, and mapped as represented
on this map in accordance with the requirements of Chapter 236.34 of the
Wisconsin State Statutes and Unified Development Ordinance - Division 15,
of the City of Franklin Municipal Code.

WITNESS the hand and seal of said owners this _____ day of
_____, 20_____.

Daniel R Keske, Owner

STATE OF WISCONSIN)
MILWAUKEE COUNTY) SS

PERSONALLY came before me this _____ day of _____, 20_____ Daniel
R Keske, Owner, to me known to be the persons who executed the foregoing
instrument and acknowledged the same.

Notary Public
State of Wisconsin
My Commission Expires: _____

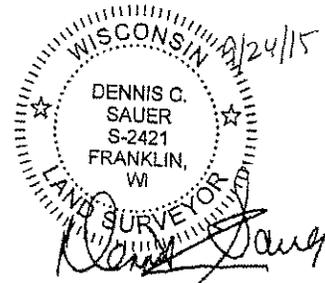
COMMON COUNCIL APPROVAL

APPROVED and accepted by the Common Council of the City of Franklin,
Resolution No. _____, on this _____ day of _____,
20_____.

Stephen Olson, Mayor
City of Franklin

Sandra L. Wesolowski, Clerk
City of Franklin

THIS INSTRUMENT WAS DRAFTED BY:
Dennis C Sauer, P.L.S. S-2421



City of Franklin Department of City Development

Date: October 22, 2015

To: Richard and Ann Reuteler and Mona Elmore, RE/MAX Realty

From: City Development Staff

RE: Certified Survey Map, Land Division Variance and Area Exception Applications

Please be advised that City Staff has reviewed the submitted Certified Survey Map (CSM), Land Division Variance and Area Exception Applications for property located at approximately 10475, 10609, 10629 and 10631 West St. Martins Road. Department comments are as follows for the submittal date-stamped by the City of Franklin on October 5, 2015.

Planning Department

1. As the CSM also includes properties located at 10609, 10629 and 10631 W. St. Martins Road, property owner signatures are required for each of those properties as well. Separate owner verification letters or CSM Applications can be signed by these owners to indicate their approval and support of the CSM Application.
2. Please note that the R-3 District requires public sewer and water facilities. Please continue discussions with the Engineering Department and Department of City Development regarding the extension of water.
3. Please provide the following information on the CSM per Section 15-7.0702
 - **Setbacks, Shore Buffers, Wetland Buffers, Wetland Setbacks, and Building Lines.** All required setbacks, shore buffers, wetland buffers, wetland setbacks, and building lines shall be graphically indicated and dimensioned on the Certified Survey Map. - - The natural resources setbacks are graphically shown, but please also illustrate the building lines.

Building Line. The line nearest the front of and across a zoning lot, establishing the minimum setback to be provided between the front line of a building or structure and the street right-of-way line.
 - **Existing and Proposed Contours.** Existing and proposed contours at vertical intervals of not more than two (2) feet. Elevations shall be marked on such contours based on National Geodetic Vertical Datum of 1929 (mean sea level). This requirement may be waived if the parcel(s) created are fully developed. - - This requirement applies to Lot 1 only.
4. Has Milwaukee County approved the access for the proposed Lot 1 to W. St. Martins Road? Please provide a letter from Milwaukee County approving the new driveway location.
5. The CSM includes two notes regarding sewer and water service. Please revise to include a single note to specify if the lands are served by public sewer and water facilities.
6. Please double check the square footage amounts for the lands encompassed by wetlands and the conservancy easement. The Conservation Easement should include the wetland

and the 30-foot wetland buffer (i.e. the Conservation Easement should be a larger area than the wetland because it also includes the wetland buffer).

7. As previously mentioned, staff suggests rezoning the existing C-1 District to the R-3 District.
8. It is stated in the project narrative that woodlands were not identified onsite. Where the woodlands field surveyed by a professional? Staff believes there are woodlands onsite and recommends that this be verified by a professional landscape architect, forester, arborist or botanist. If woodlands exist onsite, a minimum of 70% of the woodlands must be shown on the CSM and included in the Conservation Easement.

A second option related to the woodlands is to dedicate all of the wooded areas onsite as mature woodlands, which then would not require a tree survey. Again, at least 70% of the wooded area must be preserved in the Conservation Easement.

9. Staff is recommending that a wetland concurrence be completed to ensure that the wetland delineation by Thompson and Associates Wetland Services is accurate. This concurrence can be done by a City consultant with the cost being charged back to the applicant. Another option is to utilize the Department of Natural Resources wetland confirmation process and provide the City with the results of the DNR's review. Additional information can be found at <http://dnr.wi.gov/topic/wetlands/identification.html>.

Please be aware that the wetland delineation season is coming to a end. Staff recommends contacting the DNR immediately or let staff know if you are opting to have a City consultant review the delineation and we will try to get that scheduled right away.

10. A written Conservation Easement is required to protect the natural resource features onsite. Attached is the City's template that must be completed and submitted for Common Council approval.
11. In your re-submittal, please include copies of the Findings and Factors in the Review of Land Division Variances and Standards in the Review of Area Exceptions forms as well as the project narrative, CSM and any other supporting documentation.

Engineering Department

The Engineering Department comments are attached.

Fire Department

The Fire Department has no comments or concerns.

Police Department

The Franklin Police Department has reviewed the application for 10475 West St. Martins Road and has no issues with this request.

Milwaukee County

Milwaukee County comments are attached.



M E M O R A N D U M: FROM ENGINEERING

DATE: October 20, 2015, 2015
TO: Planning and Zoning Department
FROM: Glen Morrow, P.E., City Engineer *Glen Morrow*
SUBJECT: 4-Lots Proposed Certified Survey Map
10475 West St Martins Road

Franklin
OCT 20 2015
City Development

Applicant: Richard A and Ann M. Reuteler

The Engineering Department has completed its review of the above proposal. Prior to recommending it for approval, the following conditions must be met:

Proposed Certified Survey Map

1. Must resolve the technical omissions and deficiencies identified by Milwaukee County. City comments may be revised to reflect changes required by Milwaukee County.
2. Must show date of the wetlands delineation.
3. Must show the dedication of street right of way from 33-feet to 65-feet to comply with the required width of the right of way for this is considered an arterial road (130-FT R.O.W.). Legal description must encompass up to the centerline of St. Martins Road then dedicate the required right of way.
4. Must revise the paragraph on page 6 of 6 of this proposal, under the Common Council Approval, to insert the phrase and "**dedication accepted**" after the word "Approved".
5. Must identify on the proposed certified survey map which lot is being served by sewer and water. Not all lots are served by sewer and water.
6. Must have road access approval from the County of Milwaukee. The approval must include the installation of the culvert at the entrance of the proposed Lot 1 of this C.S.M.
7. Must show the proposed development of Lot 1.
 - Submit design of the future connection for sewer and water.
 - Submit proposed grading plan.

Thank you.

Responses to Comments from CSM

Milwaukee County, Rosita Ross

1. Lot 1 entrance will show dedicated street right of way. Buyer to install culvert at entrance.
2. Lot 1 square footage corrected to xxxx square footage.

City of Franklin Department of Engineering, Glen Morrow

1. Milwaukee County comments corrected.
2. Date of wetlands delineation added to June 16, 2015.
3. Lot 2, Lot 3, Lot 4 will show dedicated street right of way. Legal descriptions updated.
4. Dedication accepted added to Page 6 of CSM proposal.
5. Identification of lots being served by sewer and water completed.
6. Lot 1 entrance will show dedicated street right of way. Buyer to install culvert at entrance.
7. Lot 1 has a proposed buyer, John Schleck of J.P. Schleck Construction, LLC.. Attached is information regarding the future connection of sewer and water Mr. Schleck proposes using from KS Energy Utility Contractor, Paul G Senft and Son's Trenching, and Park View Plumbing.

City of Franklin Department of City Development, City Development Staff

1. Property owners of Lot 2, Lot 3, Lot 4 to sign for approval.
2. Lot 1 has a proposed buyer, John Schleck of J.P. Schleck Construction, LLC.. Attached is information regarding the future connection of sewer and water Mr. Schleck proposes using from KS Energy Utility Contractor, Paul G Senft and Son's Trenching, and Park View Plumbing.
3. CSM updated per Section 15-7.0702 regarding setbacks for building lines and Contours for Lot 1.
4. Milwaukee County, Rosita Ross, does not provide written letters approving the new driveway location. Telephone conversation on October 29, 2015, indicated this is a City of Franklin requirement which is why an Area Exception application and also a Variance application were required. Ms. Ross indicates dedicating the street right of way and a culvert, if required by the City of Franklin, is sufficient for the County of Milwaukee's needs.
5. CSM updated regarding sewer and water service.
6. Conservation Easement attached.
7. Unable to locate any C-1 District on the CSM. All property is recorded as R-3 on city maps.
8. The wetlands report does not identify woodlands. All trees on property were planted by owner. A total of xx trees exist in the proposed driveway area. Of these trees, xx would be removed for the driveway. This is a percentage of xx. Woodlands will be addressed in the Conservation Easement.
9. Wetland concurrence documentation is attached from Thompson and Associates Wetland Services. Ms. Thompson is a Assured Wetland Delineator. In addition, the WDNR reviewed the wetland line and approved it on September 2, 2015.
10. Conservation Easement attached.
11. Documentation updated and re-submitted.

Project Narrative for Reuteler Division and Sale of Property
CSM Application and Area Exception Application

Richard and Ann Reuteler
10475 W. St. Martins Road
Franklin, WI 53132

Approval of the **Certified Survey Map** is requested to sell the vacant land property. Buyers are as follows:

- Lot 1 – unknown (two interested parties)
- Lot 2 – John and Terry Reuteler; purchasing to extend their backyard
- Lot 3 – Mark and Kristin Sinner; purchasing to extend their backyard
- Lot 4 – Dan Keske; purchasing to extend his back sideyard

All property owners in with land adjoining the property, as listed below, were given two opportunities to purchase the land behind their homes / school. As indicated, only Lot 2, Lot 3, and Lot 4 property owners chose to accept.

Approval of the **Area Exception Application** refers to Lot 1 only. Section 15-9-0106:

The current use of the property is as vacant land. It is zoned residential.

The access to the property from St. Martin's Road is 62.93 feet which is over the required 60.00 feet by ordinance for an access. The property narrows to 43.72 feet. The property on either side is unavailable for purchase to widen the access. The Wetland Delineation Report does not identify any woodlands in the area of the driveway. Impact to any mature trees will not exceed 30%.

The property needs a variance so it can be sold as Lot 1 for a residential single family home.

Name and Address of all abutting property owners of record:

Indian Community School Of

Milwaukee Inc	10405 W Saint Martins RD	Franklin	WI	53132	
Debra J Hoch	10501 W Saint Martins RD	Franklin	WI	53132	
Kenneth W & Susan K Stanis	10515 W Saint Martins RD	Franklin	WI	53132	
Joseph & Colleen Smith	10523 W Saint Martins RD	Franklin	WI	53132	
Janice S York	10541 W Saint Martins RD	Franklin	WI	53132	
David A & Dawn M York	10551 W Saint Martins RD	Franklin	WI	53132	
John and Terry Reuteler	10609 W Saint Martins RD	Franklin	WI	53132	Lot 2
Mark and Kristin Sinner	10629 W Saint Martins RD	Franklin	WI	53132	Lot 3
Daniel R Keske	10631 W Saint Martins RD	Franklin	WI	53132	Lot 4

Richard Reuteler
Ann Reuteler
October 1, 2015

SECTION 15-3.0502

CALCULATION OF BASE SITE AREA

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

Table 15-3.0502

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

STEP 1:	Indicate the total gross site area (in acres) as determined by an actual on-site boundary survey of the property.	7.68 acres
STEP 2:	Subtract (-) land which constitutes any existing dedicated public street rights-of-way, land located within the ultimate road rights-of-way of existing roads, the rights-of-way of major utilities, and any dedicated public park and/or school site area.	- 0 acres
STEP 3:	Subtract (-) land which, as a part of a previously approved development or land division, was reserved for open space.	- 0 acres
STEP 4:	In the case of " <i>Site Intensity and Capacity Calculations</i> " for a proposed residential use, subtract (-) the land proposed for nonresidential uses; or In the case of " <i>Site Intensity and Capacity Calculations</i> " for a proposed nonresidential use, subtract (-) the land proposed for residential uses.	1.63 acres
STEP 5:	Equals "Base Site Area"	= 6.05 acres

SECTION 15-3.0503

**CALCULATION OF THE AREA OF NATURAL
RESOURCES TO BE PROTECTED**

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

Franklin

00 5 2008

City Development

Table 15-3.0503

WORKSHEET FOR THE CALCULATION OF RESOURCE PROTECTION LAND

Natural Resource Feature	Protection Standard Based Upon Zoning District Type (circle applicable standard from Table 15-4.0100 for the type of zoning district in which the parcel is located)			Acres of Land in Resource Feature	
	Agricultural District	Residential District	Non-Residential District		
Steep Slopes:					
10-19%	0.00	0.60	0.40	X <u>0</u>	<u>0</u>
20-30%	0.65	0.75	0.70	= <u>0</u>	<u>0</u>
+ 30%	0.90	0.85	0.80	X <u>0</u>	<u>0</u>
				=	
Woodlands & Forests:					
Mature	0.70	0.70	0.70	X <u>.33</u>	<u>.23</u>
Young	0.50	0.50	0.50	X <u>.10</u>	<u>.05</u>
				=	
Lakes & Ponds	1	1	1	X <u>0</u>	<u>0</u>
				=	
Streams	1	1	1	X <u>0</u>	<u>0</u>
				=	
Shore Buffer	1	1	1	X <u>0</u>	<u>0</u>
				=	
Floodplains	1	1	1	X <u>0</u>	<u>0</u>
				=	
Wetland Buffers	1	1	1	X <u>.76</u>	<u>.76</u>
				=	
Wetlands & Shoreland Wetlands	1	1	1	X <u>.87</u>	<u>.87</u>
				=	
TOTAL RESOURCE PROTECTION LAND (Total of Acres of Land in Resource Feature to be Protected)					<u>1.91</u>

Note: In conducting the calculations in Table 15-3.0503, if two or more natural resource features are present on the same area of land, only the most restrictive resource protection standard shall be used. For example, if floodplain and young woodlands occupy the same space on a parcel of land, the resource protection standard would be 1.0 which represents the higher of the two standards.

SECTION 15-3.0504

CALCULATION OF SITE INTENSITY AND CAPACITY FOR RESIDENTIAL USES

In order to determine the maximum number of dwelling units which may be permitted on a parcel of land zoned in a residential zoning district, the site intensity and capacity calculations set forth in Table 15-3.0504 shall be performed.

Franklin

00 5 00

City Development

Table 15-3.0504

WORKSHEET FOR THE CALCULATION OF SITE INTENSITY AND CAPACITY FOR RESIDENTIAL DEVELOPMENT

<p>STEP 1:</p>	<p>CALCULATE MINIMAL REQUIRED ON-SITE OPEN SPACE</p> <p>Take <i>Base Site Area</i> (from Step 5 in Table 15-3.0502): <u>6.05</u></p> <p>Multiply by <i>Minimum Open Space Ratio (OSR)</i> (see specific residential zoning district OSR standard): X <u>0</u></p> <p>Equals MINIMUM REQUIRED ON-SITE OPEN SPACE = <u>6.05</u> acres</p>	
<p>STEP 2:</p>	<p>CALCULATE NET BUILDABLE SITE AREA:</p> <p>Take <i>Base Site Area</i> (from Step 5 in Table 15-3.0502): <u>6.05</u></p> <p>Subtract <i>Total Resource Protection Land</i> from Table 15-3.0503) or <i>Minimum Required On-Site Open Space</i> (from Step 1 above), whichever is greater: <u>-1.63</u></p> <p>Equals NET BUILDABLE SITE AREA = <u>4.42</u> acres</p>	
<p>STEP 3:</p>	<p>CALCULATE MAXIMUM NET DENSITY YIELD OF SITE:</p> <p>Take <i>Net Buildable Site Area</i> (from Step 2 above): <u>6.05</u></p> <p>Multiply by <i>Maximum Net Density (ND)</i> (see specific residential zoning district ND standard): X <u>1.718</u></p> <p>Equals MAXIMUM NET DENSITY YIELD OF SITE = <u>4.33</u> D.U.s</p>	
<p>STEP 4:</p>	<p>CALCULATE MAXIMUM GROSS DENSITY YIELD OF SITE:</p> <p>Take <i>Base Site Area</i> (from Step 5 of Table 15-3.0502): <u>6.05</u></p> <p>Multiply by <i>Maximum Gross Density (GD)</i> (see specific residential zoning district GD standard): X <u>1.718</u></p> <p>Equals MAXIMUM GROSS DENSITY YIELD OF SITE = <u>4.33</u> D.U.s</p>	
<p>STEP 5:</p>	<p>DETERMINE MAXIMUM PERMITTED D.U.s OF SITE:</p> <p>Take the <i>lowest</i> of Maximum Net Density Yield of Site (from Step 3 above) or Maximum Gross Density Yield of Site (from Step 4 above): <u>4.33</u> D.U.s</p>	

Franklin

City Development

State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
Oshkosh Service Center
625 E County Road Y, Suite 700
Oshkosh, WI 54901-9731

Scott Walker, Governor
Cathy Stepp, Secretary
Telephone 608-266-2621
Toll Free 1-888-936-7463
TTY Access via relay - 711



January 30, 2015

Alice Thompson
Thompson & Associates
1514 Menomonee Avenue
South Milwaukee, WI 53172

Subject: Assured Wetland Delineator 2015 Concurrence

Dear Ms. Thompson:

This letter is your concurrence for wetland delineations conducted in calendar year 2015. We have randomly selected three wetland delineation reports from those you submitted during calendar year 2014. A panel reviewed those delineation reports and we are pleased to inform you that your work continues to meet the standards for the Wetland Delineation Professional Assurance Program.

You and your clients will not need to wait for the department to review your wetland delineations before moving forward with project planning. This will help expedite the review process for WDNR's wetland regulatory program. Your name and contact information will continue to be listed on our website at: <http://dnr.wi.gov/topic/wetlands/assurance.html>.

In the instance where a municipality may require a letter of concurrence for your work prior to moving forward in the local regulatory process, this letter shall serve as that concurrence.

Code of Ethics

Being an assured wetland delineator requires a high level of moral integrity and technical competencies. An assured wetland delineator that is no longer fulfilling the moral and ethical standards of the program will be subject to removal. The following are examples of activities that are in violation of the assured program's moral and ethical standards:

- Knowingly taking part in an activity that results in the violation of state or federal wetland or waterway regulations.
- Knowingly falsifying or misrepresenting a wetland boundary.
- Signing your name to a non-assured delineator's work.
- Failing to submit all delineation reports to the wetland assurance program.
- Repeatedly failing to apply standard wetland delineation protocols.
- Failing to keep abreast of the current state of the science, including techniques, methods, and reporting protocols.

In the event that an assured delineator is found to be in violation of the program's moral and ethical standards, they will be notified and allowed a chance to discuss the issue. In the event that a delineator's assured status is revoked, they will be reclassified as conditionally assured, and will need to reapply to the program to regain their previous status.

Continuing Education Requirements

Being an assured delineator requires a high level of technical knowledge related to the science of wetland delineation. For that reason, the program requires assured delineators to accumulate three Continuing Education Credits every three years. The credits need to be gained from activities related to wetland science, such as hydric soils, wetland hydrology, plant identification, wetland delineation, wetland restoration, wetland permitting, or other wetland related topics.

Continuing education units (CEU's) shall be awarded at the following rate, for the following activities:

- College Courses: 1 College Credit = 1CEU
- Workshops: 0.1 CEU's per hour (eg. 16 hours = 1.6 CEU's)
 - This includes hydric soil, plant identification, wetland delineation, and other similar workshops.
- Presenting or Teaching: 0.2 CEU's per item (leading a group workshop or presenting at a professional meeting = 0.2 CEU's)
- Attending Professional Meetings: 8 hour meeting = 0.25 CEU's.
 - Total accumulation from this category cannot exceed 1 CEU over a three year period.
 - Examples of relevant meetings include, but are not limited to, annual conferences such as those held by the Society of Wetland Scientists or the Wisconsin Wetlands Association.

Using 2012 as a starting point, we have records of you completing 5.9 continuing education credits. Please let us know if this record is incorrect by sending us any pertinent certificates or records. **You have accumulated all required continuing education credits** for the January 1, 2012 through January 1, 2015 time period.

Program Considerations

As an assured wetland delineator, there are a few important general considerations to keep in mind:

- Please submit all delineations throughout the year as they are completed. This is especially important as it relates to required annual field reviews of an assured delineator's work. Submit any late season delineations no later than January 15, 2016. Failure to submit wetland delineation reports before January 15 may result in suspension from this program.
- You must complete and submit at least three delineation reports each year to maintain your assured status.
- You must submit documentation of continuing education on an annual basis. Please submit this information by January 15, 2016. Applicable continuing education includes wetland delineation, vegetation, soils, hydrology, restoration, regulation, ecology or management coursework, as well as wetland conferences or other events. The advanced wetland delineation course offered by UW-LaCrosse or an equivalent course is required every 6 years.
- As an assured delineator, you may not conduct wetland delineations as a non-assured delineator.

General Delineation Considerations

In our review of all assured wetland delineation reports we noted some data-reporting issues that we would like all assured delineators to address:

- If delineations are done very early or very late in the growing season, explain why conditions are suitable, particularly in relation to vegetation identification, or conduct a follow-up visit to verify dominance determinations and wetland boundaries.
- Refer to the *normal range* from the WETS table when determining antecedent hydrologic conditions. Do not compare rainfall data to the *average* values. Clearly state whether the antecedent conditions were

normal, abnormally wet, or abnormally dry. The NRCS weighted month method is a simple way to make this determination, and additional data such as USGS Waterwatch or the Palmer Drought Index can be used as supplemental information.

- If multiple people worked on a delineation, be sure to indicate you, as an assured delineator, were the lead field worker and author.
- Any areas that have been filled need to be evaluated for possible wetland law violations. It is essential to include at least a rough estimate of the date when the wetland was filled, and any permit data if available.
- Dig soil pits to at least 20 inches, or deeper if necessary, to properly assess any potential soil or hydrology indicators. If refusal is encountered when digging the soil pit, document the reasons on the data sheet.
- Adequately characterize a site by documenting the characteristics of all plant communities/landscape positions. The proper amount of data collection should be based upon the site's size and complexity. Guidance on data collection can be found in Part IV, Section D of the Corps of Engineers 1987 Wetland Delineation Manual. Generally speaking, small homogenous areas require less documentation, and large heterogeneous areas require a greater amount of data collection. The following features are examples of areas that should be characterized with a data sheet:
 - wet spot on soil map
 - wetness signature on aerial photography
 - areas of hydric soils or soils with hydric inclusions
 - distinct plant communities observed on aerial photography
 - mapped wetland areas
- Do not make jurisdictional determinations on artificial wetland features such as ditches or ponds. WDNR needs to make a determination whether those features provide significant habitat for aquatic or wetland dependent organisms.
- Have a thorough understanding of disturbed and naturally problematic conditions. Document these conditions on your data sheets as appropriate.
- Please provide additional documentation for hydrology and soil indicators where appropriate and/or required. For example, if hydrology indicator B13 (Aquatic Fauna) is checked on a data form it should be noted what types and amounts of organisms were observed in the remarks.
- Make sure you are properly applying the hydric soil indicators based on soil profile textures.
- If you include regulatory language in your reports, please keep the language updated by removing references to obsolete and/or non-relevant programs and regulatory guidance. The following paragraph is an example of a concise summary of agency regulatory authority¹:

"Wetlands and waterways that are considered waters of the U.S. are subject to regulation under Section 404 of the Clean Water Act (CWA) and the jurisdictional regulatory authority lies with the U.S. Army Corps of Engineers (USACE). Additionally, the Wisconsin Department of Natural Resources (WDNR) has regulatory authority over wetlands, navigable waters, and adjacent lands under Chapters 30 and 281 Wisconsin State Statutes, and Wisconsin Administrative Codes NR 103, 299, 350, and 353. Furthermore, municipalities, townships and counties may have local zoning authority over certain areas or types of wetlands and waterways. The determination that a wetland or waterway is subject to regulatory jurisdiction is made independently by the agencies."

¹ Language provided by Stantec Consulting Services, Inc. Used with permission.

Specific Delineation Considerations

The panel reviewed the Stonecast Site, Pewaukee Crossing, and Boelter Site delineation reports, and based upon this review the panel has the following comments:

- Be sure data forms are legible. Handwritten forms are fine, but understand they need to be legible to others.
- The panel appreciates the inclusion of the Summary of Atypical and Problem Areas Table in each delineation report, but suggests that the term "Atypical" be replaced with "Significantly Disturbed" to more accurately reflect current data form format.
- Do not list items such as rubble, rock, bare ground, or leaf litter as part of the herbaceous layer in the vegetation section of the data forms. We agree this is useful information, but it should be recorded in the remarks of the vegetation section. See Sample Points 2, 4, 6, and 10 of the Stonecast Site report.
- Identify plants to the species level whenever possible. If species identification is not possible, provide an explanation in the remarks section explaining why a more detailed identification was not possible, and if applicable how you determined which indicator status to apply. For example, if you cannot confidently determine which *Typha* spp. is in your sample plot, a reasonable explanation for assigning a wetland indicator status is that all *Typha* spp. are OBL. See various data forms from the Stonecast Site for examples of where this guidance could be applied.
- Use appropriate plant indicator status for *Rubus idaeus* (considered FAC in the Great Lakes portion of NE-NC region) and *Quercus macrocarpa* (FACU in NE-NC region). See data forms from the Boelter Site report.
- Watch for typos. There were a few plant name misspellings on various data forms. This is a minor concern.

It is important to note the review panel did not feel the concerns listed above resulted in inaccurate wetland boundaries, and that we are pleased with the quality of the reports you submitted.

We will be performing field evaluations for assured delineators in 2015. Each assured delineator will have a field review conducted on at least one of their reports. The field reviews will provide an opportunity for us to discuss specific issues that may need to be addressed.

We know you will encounter difficult sites in the upcoming year. If you have any questions about one of those sites, please feel free to contact me. Members of the review panel are happy to meet with you to assist with specific wetland delineations or to discuss general delineation issues. Another good resource for difficult sites, especially related to artificial wetland features and their potential exemption status, are the local Water Management Specialists. We encourage you to contact the local Water Management Specialists for guidance on handling artificial wetland features such as ponds and roadside ditches.

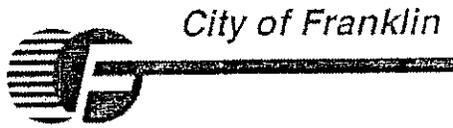
If you or any client has a question regarding your status in the Wetland Delineation Professional Assurance Program, contact me by email at thomas.nedland@wisconsin.gov or phone at 920-303-5439. Thank you for all your hard work and best wishes for the upcoming field season.

Sincerely,



Tom Nedland, PWS
Wetland Identification Program Coordinator
Waterway and Wetland Protection Section
Bureau of Watershed Management

Planning Department
29 West Loomis Road
Franklin, Wisconsin 53132
Email: generalplanning@franklinwi.gov



City of Franklin

Phone: (414) 425-4024
Franklin Fax: (414) 427-7691
Web Site: www.franklinwi.gov

Standards in the Review of Area Exceptions

City Development

Date: 10-1-2015 Case No. _____ Property Owner: Richard and Ann Reuteler
Property Address: 10475 W. St Martins Road, Franklin, WI 53132

Section 15-10.0209G of the City of Franklin Unified Development Ordinance specifically lists Standards to be reviewed by the Board of Zoning and Building Appeals to grant or deny an Area Exception. The Standards are:

- a. That the area exception will not be detrimental to or endanger the public health, safety, comfort or general welfare.
The property is currently vacant land. An area exception will not endanger anyone or any thing. The exception will provide comfort for the owner (buyer) to build a home.
- b. That the uses, values and enjoyment of other property in the neighborhood for purposes already established shall be in no foreseeable manner substantially impaired or diminished by the area exception.
The use of an area exception to install a driveway, on land already mowed and cleared for access to the property will not be changed.
- c. That the area exception will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
This only affects the vacant land in question. The property next to it (Indian Community School) is blocked with trees, bushes, and foliage.
- d. That the area exception will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion on the public streets, or increase the danger of fire within the neighborhood.
No change.
- e. That the area exception shall be in harmony with the general purpose and intent of this Unified Development Ordinance.
The building of a single family home will add to the neighborhood

RESOLUTION NO. 2015-021

A RESOLUTION CONDITIONALLY APPROVING A LAND DIVISION
VARIANCE FOR A 4 LOT CERTIFIED SURVEY MAP, BEING A PART OF THE
SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 17, TOWNSHIP 5 NORTH,
RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN
(RICHARD A. REUTELER AND ANN M. REUTELER)
(10475 WEST ST. MARTINS ROAD)

WHEREAS, the City of Franklin, Wisconsin, having received an application from Richard A. Reuteler and Ann M. Reuteler, for a land division variance to allow a flag-shaped lot, such variance being necessary as a concurrent application for approval of a certified survey map, such map being a part of the Southwest 1/4 of the Northwest 1/4 of Section 17, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin, more specifically, of the property located at 10475 West St. Martins Road, bearing Tax Key No. 800-9999-000, Richard A. Reuteler and Ann M. Reuteler, applicants; and

WHEREAS, §15-9.0310 of the Unified Development Ordinance allows for Land Division Variances in part from the provisions of Division 15-5.0100, §15-5.0106K. providing that flag-shaped lots are prohibited; and

WHEREAS, §15-9.0310 of the Unified Development Ordinance sets forth findings which must be made by the Plan Commission and approved by a majority vote of the entire membership of the Plan Commission (4 votes) for approval of a Land Division Variance application.

NOW, THEREFORE, BE IT RESOLVED, by the Plan Commission of the City of Franklin, Wisconsin, that the Commission makes the following findings upon the greater weight of the evidence that all the following facts and conditions exist:

1. There are exceptional, extraordinary, or unusual circumstances or conditions where a literal enforcement of the requirements of this Ordinance would result in severe hardship, to wit: the property is an existing flag lot, which is being reconfigured and will continue to be a flag lot. The property is located behind residential homes and only has one access point. The property is currently buildable, which is not changed due to the allowance for the continuation of the flag shape. Due to adjacent developed properties, it is not possible to eliminate the narrow access and widen the property.
2. Such hardships should not apply generally to other properties or be of such a recurrent nature as to suggest that the land division portions of the Unified Development Ordinance should be changed, to wit: the property is an existing flag lot, which is being reconfigured. No other known properties exist with an access point that starts at a footage wider than the requirements but narrows to the remainder of the property.

A RESOLUTION CONDITIONALLY APPROVING A LAND DIVISION VARIANCE FOR
RICHARD A. REUTELER AND ANN M. REUTELER
RESOLUTION NO. 2015-021

Page 2

3. Such variance is necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same vicinity, to wit: the access is required so the property is not landlocked or unbuildable. The reconfiguration of the parcel includes combining land with adjacent properties along West St. Martins Road.

4. That the variance will not create substantial detriment to adjacent property and will not materially impair or be contrary to the purpose and spirit of this Ordinance or the public interest, to wit: an approved variance will allow the property to be sold as a residential lot for the intent of building a single-family residence. Adjacent properties are purchasing portions of the parcel to increase the size of their properties. The lot is currently buildable, so the variance does not create a detriment to adjacent properties. Furthermore, the property is zoned and planned for single-family residential development.

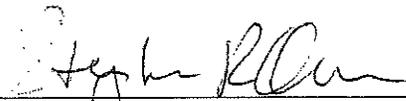
BE IT FURTHER RESOLVED, that a Declaration of Easements, Covenants and Restrictions, Conservation Easement and Access Easements be approved by the Common Council and recorded with the Milwaukee County Register of Deeds prior to the issuance of any Occupancy Permit.

BE IT FINALLY RESOLVED, that the application by Richard A. Reuteler and Ann M. Reuteler, for a Land Division Variance, upon the above findings, be and the same is hereby approved, subject to the approval of the aforesaid certified survey map application by Richard A. Reuteler and Ann M. Reuteler and the foregoing condition.

Introduced at a regular meeting of the Plan Commission of the City of Franklin this 5th day of November, 2015.

Passed and adopted at a regular meeting of the Plan Commission of the City of Franklin this 5th day of November, 2015.

APPROVED:



Stephen R. Olson, Mayor

ATTEST:



Sandra L. Wesolowski, City Clerk

AYES 4 NOES 0 ABSENT 2 (Fowler/Morrow)

Planning Department
9229 West Loomis Road
Franklin, Wisconsin 53132
Email: generalplanning@franklinwi.gov



City of Franklin

Phone: (414) 425-4024
Fax: (414) 427-7691
Web Site: www.franklinwi.gov

Franklin
City Development

Findings and Factors in the Review of Land Division Variances

Date: 10-1-2015

Case No. _____

Property Owner: Richard A and Ann M Reuteler

Property Address: 10475 W. St. Martins Road Franklin, WI 53132

Section 15-9.0310B.1 of the City of Franklin Unified Development Ordinance states, "No variance to the provisions of Divisions 15-5.0100, 15-8.0100, and 15-8.0200 of this Ordinance shall be granted unless the Plan Commission finds by the greater weight of the evidence that all the following facts and conditions exist and so indicates in the minutes of its proceedings:

1. There is exceptional, extraordinary, or unusual circumstances or conditions where a literal enforcement of the requirements of this Ordinance would result in severe hardship.

The property is located behind residential homes. There is only one access point.

2. Such hardships should not apply generally to other properties or be such a recurrent nature as to suggest that the land division portions of the Unified Development Ordinance should be changed.

No other known properties exist with an access point that starts at a footage wider than the requirements but narrows to the remainder of the property.

3. Such variance is necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same vicinity.

The access is required so the property is not land locked or unbuildable.

4. That the variance will not create substantial detriment to adjacent property and will not materially impair or be contrary to the purpose and spirit of this Ordinance or the public interest.

An approved variance will allow the property to be sold as a residential lot for the intent of building a single family residence.

<p style="text-align: center;">APPROVAL</p> <p style="text-align: center;"><i>slw.</i></p>	<p style="text-align: center;">REQUEST FOR COUNCIL ACTION</p>	<p style="text-align: center;">MEETING DATE</p> <p style="text-align: center;">11/17/15</p>
<p style="text-align: center;">REPORTS & RECOMMENDATIONS</p>	<p style="text-align: center;">RESOLUTION AUTHORIZING THE INSTALLATION OF A FENCE WITHIN THE 30 FOOT LANDSCAPE PLANTING BUFFER UPON LOT 37 IN WYNDHAM HILLS ADDITION NO. 1 SUBDIVISION (7776 SOUTH CAMBRIDGE COURT) (DOUGLAS J. ARNOLD AND CHRISTINE A. ARNOLD, APPLICANTS)</p>	<p style="text-align: center;">ITEM NUMBER</p> <p style="text-align: center;"><i>G.6.</i></p>

At its October 22, 2015, meeting the Plan Commission recommended approval of a resolution authorizing the installation of a fence within the 30 foot landscape planting buffer upon lot 37 in Wyndham Hills Addition No. 1 Subdivision (7776 South Cambridge Court) (Douglas J. Arnold and Christine A. Arnold, Applicants).

COUNCIL ACTION REQUESTED

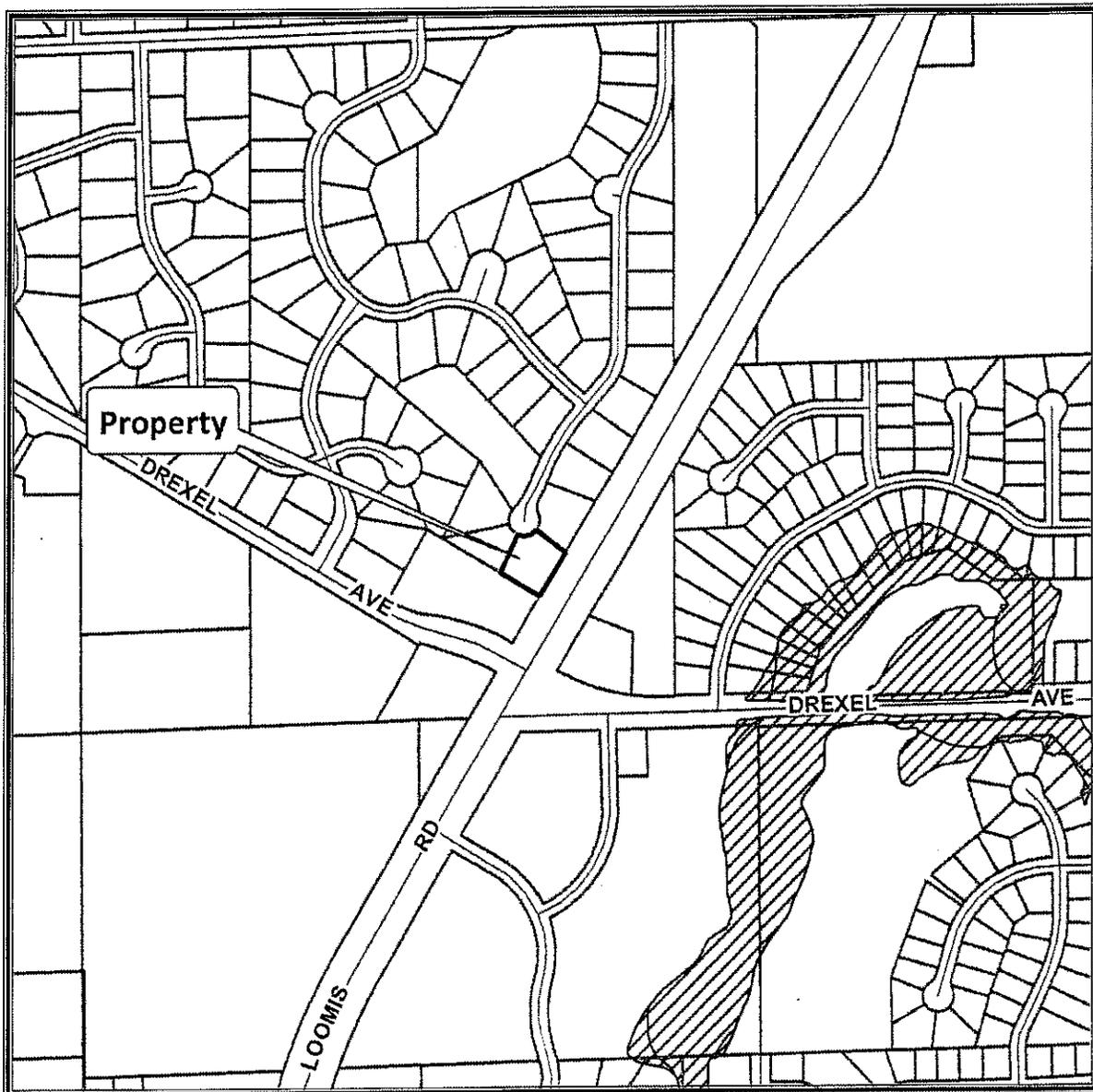
A motion to adopt Resolution No. 2015-_____, a resolution authorizing the installation of a fence within the 30 foot landscape planting buffer upon lot 37 in Wyndham Hills Addition No. 1 Subdivision (7776 South Cambridge Court) (Douglas J. Arnold and Christine A. Arnold, Applicants).



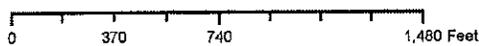
7776 South Cambridge Court

TKN 793-0081-000

Zoned: R-3E Suburban/Estate Single-Family Residence District



Planning Department
(414) 425-4024



2013 Aerial Photo

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

RESOLUTION NO. 2015-_____

A RESOLUTION AUTHORIZING THE INSTALLATION OF A FENCE
WITHIN THE 30 FOOT LANDSCAPE PLANTING BUFFER PLAT RESTRICTION,
UPON LOT 37 IN WYNDHAM HILLS ADDITION NO. 1 SUBDIVISION
(7776 SOUTH CAMBRIDGE COURT)
(DOUGLAS J. ARNOLD AND CHRISTINE A. ARNOLD, APPLICANTS)

WHEREAS, the Wyndham Hills Addition No. 1 Subdivision Plat prohibits the building of structures within the 30 foot "Landscape Planting Buffer" described thereon; and

WHEREAS, Douglas J. Arnold and Christine A. Arnold having applied for a release of the 30 foot "Landscape Planting Buffer" easement restriction upon their property to the extent necessary to install a fence within the existing tree line located on the rear (southeast) side of the property which abuts West Loomis Road to the southeast, and within the easement upon the property located at 7776 South Cambridge Court, such property being zoned R3-E Suburban/Estate Single-Family Residence District, bearing Tax Key No. 793-0081-000, is more particularly described as follows:

LOT 37, WYNDHAM HILLS ADDITION NO. 1, BEING A SUBDIVISION OF A PART OF THE NORTHWEST 1/4 AND SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 9, AND THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 8, TOWN 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN; and

WHEREAS, the 30 foot "Landscape Planting Buffer" easement restriction upon the Final Plat for Wyndham Hills Addition No. 1 Subdivision and its accompanying restriction of the building of structures is a restriction which was imposed by the Franklin Common Council in its approval of the Final Plat; and

WHEREAS, Wis. Stats. § 236.293 provides in part that any restriction placed on platted land by covenant, grant of easement or in any other manner, which was required by a public body vests in the public body the right to enforce the restriction at law or in equity and that the restriction may be released or waived in writing by the public body having the right of enforcement; and

WHEREAS, the Common Council having considered the request for the release of the 30 foot "Landscape Planting Buffer" easement restriction only so as to allow for the subject fence installation, and having considered the proposed location of and type of fence to be installed upon the subject property in conjunction with existing and required landscaping on the property, and that the proposed fence will not be readily visible from the

adjoining highway or create any adverse impact upon the aesthetic or buffering purposes of the landscape bufferyard.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the installation of the proposed fence of the type and specifications as described and only upon the location as set forth within the plans accompanying the application of Douglas J. Arnold and Christine A. Arnold filed on September 22, 2015, be and the same is hereby authorized and approved and that the "Landscape Planting Buffer" easement restriction as it would otherwise apply to such installation upon the subject property only, is hereby waived and released.

BE IT FURTHER RESOLVED, that the applicant shall further obtain all required permit(s) for the installation of the subject fence and that the subject fence shall be installed pursuant to such permit(s) within one year of the date hereof, or all approvals granted hereunder shall be null and void.

BE IT FINALLY RESOLVED, that the City Clerk be and the same are hereby directed to obtain the recording of this Resolution with the Office of the Register of Deeds for Milwaukee County.

Introduced at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2015.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2015.

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

Request for Release of 30' Landscape Bufferyard Easement

Applicants: Douglas & Christine Arnold

Franklin

Property Address: 7776 S. Cambridge Ct., Franklin, WI 53132

OCT 12 2015

Tax Key: 793-0081-000

City Development

Legal Description: LOT 37, WYNDHAM HILLS ADDITION NO. 1, BEING A SUBDIVISION OF A PART OF THE NORTHWEST ¼ AND SOUTHWEST ¼ OF THE SOUTHWEST ¼ OF SECTION 9, AND THE NORTHEAST ¼ OF THE SOUTHWEST ¼ OF SECTION 8, TOWN 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN

Project Summary: This is a request for a release of the 30' Landscape Bufferyard Easement at the property address noted above so that a fence can be installed on a small section of the buffer.

Detailed Description: The Applicants reside at the above address, which is located in the Wyndham Hills subdivision. They would like to install a fence on the Loomis road side of their property for screening purposes. The plat of survey (Attachment B) provides for a 30' wide "Landscaping Planting Buffer" running parallel to Loomis Road.

As illustrated on the project drawing at Attachment A, when the trees on the Loomis Road side of the property were planted, they were planted in such a way that the tree line does not run exactly parallel to the Landscaping Planting Buffer. For aesthetic purposes, the intent is to have the fence run adjacent to the tree line on the interior side of the trees. If the fence is to be installed so that it closely parallels the tree line, it will be necessary to install a portion of it within the Buffer. The total incursion into the Buffer is estimated to be less than 5% of the total Buffer square footage.

Since the fence will be installed on the interior side of the tree line, it will be mostly hidden from view on Loomis Road by the mature tree line in front of it. The area on which it will be installed is planted with grass. There will be no impact to any trees located within the Buffer.

The fence will be installed by a licensed contractor in compliance with the City of Franklin ordinances for fences. All required approvals and permits will be obtained prior to the start of construction. See Attachment D for other approvals that have been obtained.

Ordinances Related to Request

The following City of Franklin Unified Development Ordinance is considered to be applicable to this installation.

SECTION 15-5.0102 LIMITED ACCESS HIGHWAY TREATMENT

Whenever the proposed Subdivision, Certified Survey Map, or Condominium contains or is adjacent to a limited access highway right-of-way, the design shall provide the following treatment:

A. Landscape Bufferyard Easement Required. When lots within the proposed Subdivision, Certified Survey Map, or Condominium back upon the right-of-way of an existing or proposed limited access arterial street or highway, a planting strip (landscape bufferyard easement) a minimum thirty (30) feet in depth (width), or as otherwise required by the City of Franklin Unified Development Ordinance (see Division 15-5.0300 of this Ordinance) or the Comprehensive Master Plan, shall be provided adjacent to the highway in addition to the normal lot depth. **This strip shall be a part of the platted lots but shall have the following restriction lettered on the face of the plat:**
"Landscape Bufferyard Easement: This strip is reserved for the planting of trees and shrubs; the building of structures hereon is prohibited." [Emphasis added]

Attached are survey plats for the property (Attachment B) and the Wyndham Hills subdivision (Attachment C). Both plats refer to a "Landscape Planting Buffer" and not a "Landscape Bufferyard Easement." The plat restriction described above does not appear on either plat, nor does the term "easement" with respect to the Landscape Planting Buffer.

Below are three definitions from the Unified Development Ordinance that refer to fences.

SECTION 15-11.0103 SPECIFIC WORDS AND PHRASES

Bufferyard. An area of land within the boundaries of a lot or site, generally adjacent to and parallel with the property line, either consisting of natural existing vegetation or using trees, shrubs, fences, and/or berms, designed to limit continuously the view and/or sound from the lot or site to adjacent lots or sites. Bufferyards are typically defined by a delineated easement graphically indicated on the face of the Site Plan, Landscape Plan, Certified Survey Map, Subdivision Plat, or Condominium Plat. Bufferyards may be required between zoning districts and/or land uses to eliminate or minimize conflicts between them as set forth in Division 15-3.0300 of this Ordinance.

Landscaping. Living material, such as grass, groundcover, flowers, shrubs, vines, hedges, and trees; and nonliving durable material such as rocks, pebbles, sand, mulch, wood chips or bark, walls, and fences, but not including paving.

Structure. Anything constructed or erected which requires location on the ground, including a fence or free-standing wall. A sign, billboard, or other advertising medium, detached or projecting, shall be construed to be a structure.

As can be seen in the definitions, "bufferyard" contemplates the inclusion of fences. The definition of "landscaping" also includes fences. Thus, one could conclude that a "Landscaping Planting Buffer" would include fences.

The plat restriction specified in 15-5.0102 (which was not included on the face of the plats) states that "the building of structures hereon is prohibited." The definition of "structures" also includes fences. So, if the argument is made that plat restriction applies even if it is not printed on the plat as required by the UDO, then it would be further argued that a fence installation would require special approval. It is that position that necessitates this Application.

With respect to the topic of fences within landscaping buffers, there appears to be conflict within the ordinances and definitions. Adding to that is the absence of the required restriction on the face of the plats. The intent of the inclusion of this discussion here is not to present a legal argument on this situation. It is to highlight that the Ordinances clearly consider fences within the definition of "Landscaping Bufferyards" and thus this request to install a fence within a "Landscape Planting Buffer" is a reasonable request that is consistent with the language of the Unified Development Ordinance.

Precedence

In 2012, a similar request was approved by the Planning Commission for Lot 42 in the Wyndham Hills subdivision. This lot is five lots north of Applicants' lot and within the same Landscaping Planting Buffer line along Loomis Road. In that case, the amount of the buffer covered by the fence was much larger than the area that would be covered by this request.

Conclusion

The Applicants' request to install a fence within a portion of the Landscaping Planting Buffer is reasonable given that:

1. The amount of incursion within the Buffer is small.
2. The fence will be largely obscured from the road.
3. Fences within landscaping bufferyards are clearly considered under the UDO.
4. Similar requests have been granted for larger incursions than this request.

Thank you for your consideration of this Application.

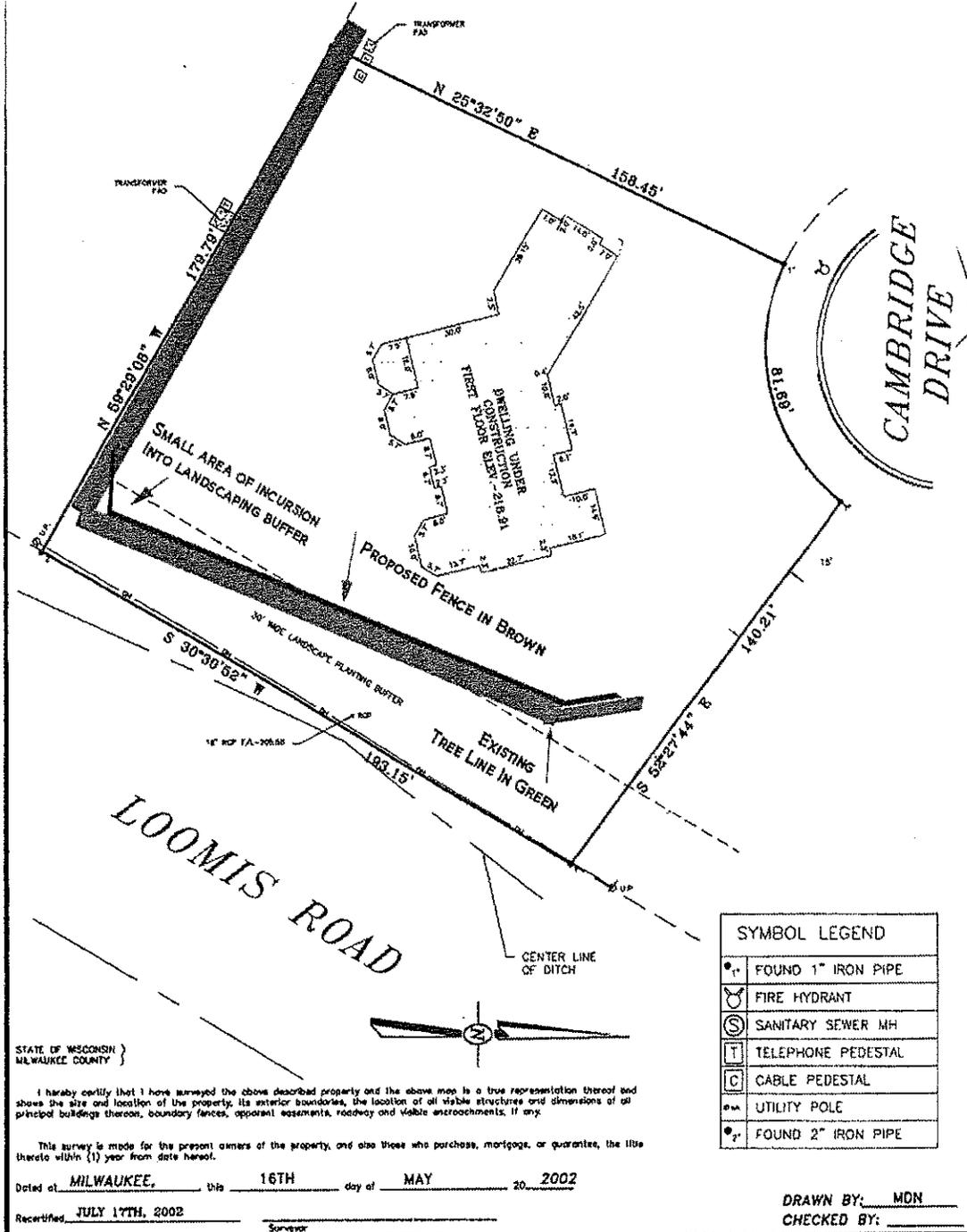
Attachment A

PROJECT DRAWING

Services
Structure

LEGAL DESCRIPTION:

LOT 37, WYNDHAM HILLS ADDITION NO. 1, BEING A SUBDIVISION OF A PART OF THE NORTHWEST 1/4 AND SOUTHWEST 1/4 OF SECTION 9, AND THE NORTHEAST 1/4 OF THE SOUTHWEST 14 OF SECTION 8, TOWN 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN.



Lines depicting the tree line and fence are approximate.

Attachment B – 7776 S. Cambridge Ct. Plat of Survey

Services Offered
 Commercial Site Development
 Subdivision Design and Platting
 Planning and Plan Review
 Streets and Highway Design
 Drainage Studies
 Water Distribution Systems
 Sewer Collection Systems
 Construction Surveying and Stake-out
 Services
 Structures

McCLURE ENGINEERING ASSOCIATES, INC.
 6417 North 116th Court Milwaukee, Wisconsin 53226
 (414) 616-4880 FAX (414) 616-4885

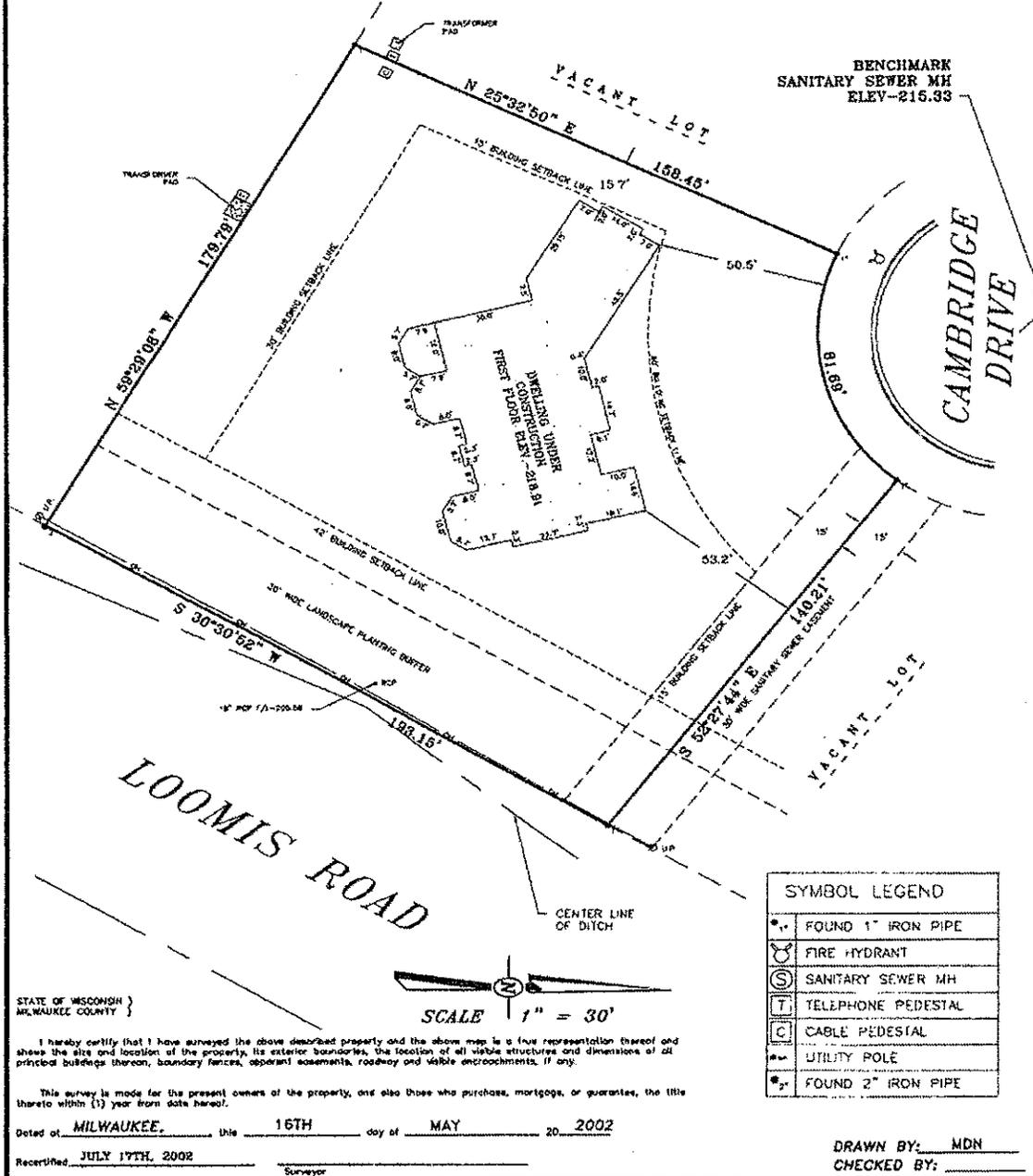
PROJECT NO: 08-13-02-018
 DRAWING: 0201892.DWG

PLAT OF SURVEY

PREPARED FOR: MARK E. CARSTENSEN CONSTRUCTION

LEGAL DESCRIPTION:

LOT 37, WYNDHAM HILLS ADDITION NO. 1, BEING A SUBDIVISION OF A PART OF THE NORTHWEST 1/4 AND SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 9, AND THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 9, TOWN 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN.



STATE OF WISCONSIN }
 MILWAUKEE COUNTY }

I hereby certify that I have surveyed the above described property and the above map is a true representation thereof and shows the site and location of the property, its exterior boundaries, the location of all visible structures and dimensions of all principal buildings thereon, boundary fences, apparent easements, roadway and vehicle encroachments, if any.

This survey is made for the present owners of the property, and also those who purchase, mortgage, or guarantee, the title thereto within (1) year from date hereof.

Dated at MILWAUKEE, this 16TH day of MAY, 20 2002

Recertified JULY 17TH, 2002

Surveyor

DRAWN BY: MDN

CHECKED BY: _____

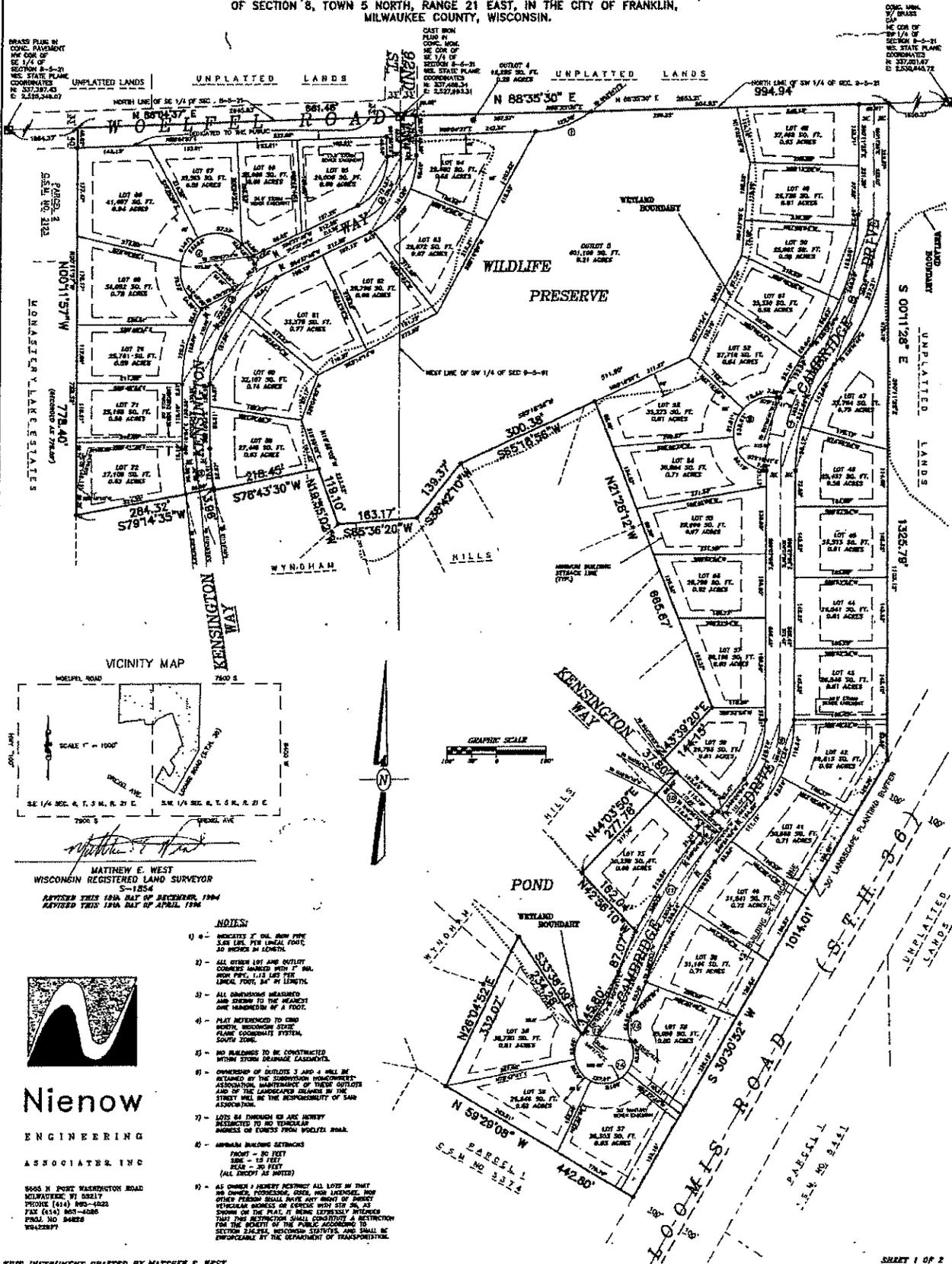
Attachment C – Wyndham Hills Subdivision

145

WYNDHAM HILLS

ADDITION NO. 1

BEING A SUBDIVISION OF A PART OF THE NORTHWEST 1/4 AND SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 9, AND THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 8, TOWN 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN.



MATTHEW E. WEST
 WISCONSIN REGISTERED LAND SURVEYOR
 S-1854
 REVISED THIS 19th DAY OF DECEMBER, 1994
 REVISED THIS 19th DAY OF APRIL, 1996



Nienow
 ENGINEERING
 ASSOCIATES, INC

8665 N. PORT WASHINGTON ROAD
 MILWAUKEE, WI 53227
 PHONE (414) 963-1222
 FAX (414) 963-4222
 TOLL FREE 800-848-2222
 WISCONSIN

- NOTES:**
- 1) INDICATES 1" OIL BURN PIPE 3/8" DIA. PER LOCAL CODE, 10' HIGHER IN LENGTH.
 - 2) ALL OTHER LOT AND OUTLOT CORNERS MARKED WITH 1" DIA. IRON PIPE, 1/2" DIA. LUGS, 10' HIGHER IN LENGTH.
 - 3) ALL DIMENSIONS MEASURED AND GIVEN TO THE NEAREST ONE HUNDREDTH OF A FOOT.
 - 4) PLAT REFERENCED TO GRID NORTH, WISCONSIN STATE PLANE COORDINATE SYSTEM, SOUTH ZONE.
 - 5) NO BUILDINGS TO BE CONSTRUCTED WITHIN STORM DRAINAGE CASSEMENTS.
 - 6) OWNERSHIP OF OUTLOT 3 AND 4 WILL BE RETAINED BY THE SUBDIVISION WORKSHEET. VENDOR'S MAINTENANCE OF THESE OUTLOTS AND OF THE LANDSCAPED AREAS IN THE STREET WILL BE THE RESPONSIBILITY OF SAID SUBDIVISION.
 - 7) LOTS 64 THROUGH 68 ARE HEREBY RESTRICTED TO NO THROUGH TRAFFIC OR EXCESS FROM WOLF HILL ROAD.
 - 8) APPROXIMATE SETBACKS:
 FRONT - 30 FEET
 SIDE - 10 FEET
 REAR - 20 FEET
 (ALL EXCEPT AS NOTED)
 - 9) AS OWNERS HEREBY RESTRICT ALL LOTS IN THAT NO OWNER, POSSESSOR, USER, OR ANY OTHER PERSON SHALL HAVE ANY RIGHT OF ENTRY OR EGRESS FROM ANY LOT OR LOT GROUP, AS SHOWN ON THE PLAT, AT ANY TIME EXCEPT AS EXPRESSLY INTENDED. THIS RESTRICTION SHALL CONSTITUTE A RESTRICTION FOR THE BENEFIT OF THE PUBLIC ACCORDING TO SECTION 23.05, WISCONSIN STATUTES AND SHALL BE ENFORCEABLE BY THE DEPARTMENT OF TRANSPORTATION.

Attachment D – Other Approvals

The request to install the fence has also been reviewed and approved by the Wyndham Hills Homeowners Association and the Wisconsin Department of Transportation (due to the property location along a state highway). Copies of their approvals are provided here to confirm that they have been obtained prior to seeking this request.

No further action is required of the Applicants relative to these two approvals.

WYNDHAM HILLS HOMEOWNERS ASSOCIATION

July 23, 2015

Doug and Chris Arnold
7776 S Cambridge Court
Franklin, WI 53132

Dear Doug & Chris,

Your project, as detailed in your submission, entitled "Proposed Property Enhancement" dated July 2015, to the Wyndham Hills Homeowners Association Architectural Control Committee, has been approved.

Please be aware that this approval, as noted in Article VII of the "Declaration of Covenants and Restrictions for the Wyndham Hills Subdivision", applies primarily to aesthetics and "harmony of exterior design with existing structures...". Applications for and compliance with other approvals, permits, or code restrictions which may be required by any municipality, county, or state entity remain the sole responsibility of the Homeowner.

Sincerely,

Architectural Control Committee

Wyndham Hills Homeowners Association

Alan R. Mann, President



Division of Transportation
System Development
Southeast Regional Office
141 N.W. Barstow Street
P.O. Box 798
Wausau, WI 53187-0798

Scott Walker, Governor
Mark Gottlieb, P.E., Secretary
Internet: www.dot.wisconsin.gov
Telephone: (262) 548-5903
Facsimile (FAX): (262) 548-5662
E-Mail: scott.walker@gov.wisconsin.gov

September 4, 2015

Doug Arnold
7776 S. Cambridge Ct
Franklin, WI 53132

Re: Proposed fence within the 42' Building Setback area on Lot 37 of Wyndham Hills Addition No. 1.

Dear Mr. Arnold,

The Department of Transportation does not object to a fence being constructed within the 42' Building Setback area once the Waiver of Damages is recorded. Enclosed is a copy of the Waiver of Damage form that must be signed, notarized and recorded before the fence can be constructed within the 42' Building Setback area.

If you have any questions or concerns about the Waiver of Damage form, please call me at 262-548-6713.

Thank you,

Susan King

Susan King
Wisconsin Department of Transportation
SE Region
Access Management Specialist

Wyndham Hills Homeowners Association

Document Number
AGREEMENT FOR WAIVER OF DAMAGES
Wisconsin Department of Transportation

This waiver applies to lots in: Northwest 1/4 and Southwest 1/4 of the Southwest 1/4 of section 8, and the Northeast 1/4 of the Southeast 1/4 of section 8, Town of North, Range 31 East, in the City of Friesland, Milwaukee County, Wisconsin, (Lot 37 of Wyndham Hills Addition No. 1).

The State of Wisconsin Department of Transportation hereby agrees to grant a Special Exception to allow a fence to be constructed in the 42' Building Setback area.

Grantor(s) hereby agree(s) to waive any and all claims against the State of Wisconsin Department of Transportation for damages related to any improvements placed in the 42' Building Setback area incurred by any highway improvement project on the above land. It is understood that the waiver of damages applies to all new improvements constructed within the 42' Building Setback area.

In the event that the State of Wisconsin would require any additional right of way within the 42' Building Setback area, the State would pay the market value of the land as if were vacant. Further, the State would not be obligated to pay any damages to the remaining land, buildings, or other improvements on the remaining land as a result of the additional right of way acquired.

Grantor(s) further agree(s) that the above conditions shall apply to and bind their heirs, executors, administrators, successors, and assigns.

[Signature]
(Print Name)
Douglas Arnold
(Print Name)

HILERY GARDIS
Notary Public
State of Wisconsin

State Approval History Certificate
State of Wisconsin
Notary Public
9-4-2015
Hilery Gardis
Notary Public, State of Wisconsin
11-20-2016
(Date Commission Expires)

4 1 0 4 9 8 4 2 5
DOC. # 10498425
RECORDED 09/14/2015 08:05AM
JENI L. FORT
REGISTER OF DEEDS
MILWAUKEE COUNTY, WI
AMOUNT: 20.00
FEE EXEMPT #:

This space is reserved for recording title
Wisconsin Department of Transportation
SE Region
141 NW Barstow Street
PO Box 798
Wausau, WI 53187-0798
Attn: Susan King
Phone: 262.548.6713
Fax: 262.548.5662

This instrument was drafted by Wisconsin Department of Transportation

As required in the approval letter, the above Agreement has been filed with the Register of Deeds.

ADDENDUM 1
City of Franklin Department of Development Questions

As part of the City Staff review of the application, two questions were raised. This addendum will provide the answers to those two questions.

1. Is the landscaping currently maintained by you the home owner, or does the Wyndham Hills Homeowner's Association maintain the plantings within the 30' Landscape Planting Buffer?

ANSWER: The landscaping in the 30' Landscape Planting Buffer is maintained by the homeowner. It is not included in the subdivision common areas.

2. After the installation of the fence, will the landscaping still be accessible from the residence for routine maintenance?

ANSWER: Yes, the landscaping will still be accessible from the residence after the installation of the fence. Specifically, there will be sufficient space between the end of the fence and the property line to allow access to the non-residence side of the fence without entering on to adjacent properties.

<p style="text-align: center;">APPROVAL</p> <p style="text-align: center;"><i>slw</i></p>	<p style="text-align: center;">REQUEST FOR COMMON COUNCIL</p>	<p style="text-align: center;">MEETING DATE</p> <p style="text-align: center;">11/17/2015</p>
<p style="text-align: center;">REPORTS & RECOMMENDATIONS</p>	<p style="text-align: center;">GRAEF-USA, INC. AREA A CONCEPT PLANS PROPOSAL</p>	<p style="text-align: center;">ITEM NUMBER</p> <p style="text-align: center;"><i>G. 7.</i></p>

Attached is a proposal from GRAEF-USA, Inc. to address the August 18, 2015 Common Council motion below.

Alderman Schmidt moved to direct staff to secure contract prices from Graef to provide seven alternate concepts for retail development in area A and work with staff and aldermen to accomplish that. Seconded by Alderman Dandrea. On roll call, Alderman Dandrea, Alderwoman Wilhelm, Alderwoman Evans, Alderman Schmidt and Alderwoman S. Mayer voted Aye; Alderman D. Mayer voted No. Motion carried.

Following discussions with City staff, Graef submitted the attached proposal, which addresses the Common Council's motion in two phases. Phase I consist of landowner interviews and continued investigation. Staff and Graef felt it important to engage property owners to discuss potential opportunities and their level of interest in the project before moving forward with additional concept plans.

Phase I also consists of an economic development tool to map and sort commercial parcels and buildings for sale or lease, which would be available on the City's website.

For Phase II, Graef will develop master plans and development scenarios for specific sites and areas. Those areas will be chosen based upon the Phase I interviews with landowners. Additional details are included in the attached proposal.

Graef has estimated a cost of \$17,000 for phase one and phase two costs will be dependent upon the results of the first phase. Funding is available from the Unrestricted Contingency.

COUNCIL ACTION REQUESTED

A motion to table action on the agreement with GRAEF-USA, Inc. for planning and engineering services related to Area A, due to an expected proposal overlapping the study area.

or

A motion as deemed appropriate by the Common Council.



collaborāte / formulāte / innovāte

October 16, 2015

Mayor Steve Olson
City of Franklin
9229 W. Loomis Road
Franklin, WI 53132

SUBJECT: Planning and Engineering Services for Franklin, Wisconsin.

Dear Mr. Mayor,

GRAEF-USA, Inc. (GRAEF) is pleased to provide this proposal to the City of Franklin. This proposal is for professional planning and engineering services related to development planning of the area surrounding 76th Street & Rawson Avenue (Area A) in Franklin, WI. An executed copy of this proposal will become our Agreement dated November 21, 2014.

It is our understanding that the project involves continued planning services for the redevelopment of Area A. Our work will be a two phased approach. First we will focus on landowner interviews and real estate promotion to further our understanding of the existing conditions and the market. Our second phase will use that information to prepare additional master plans and Project Proforma for individual developments within the area.

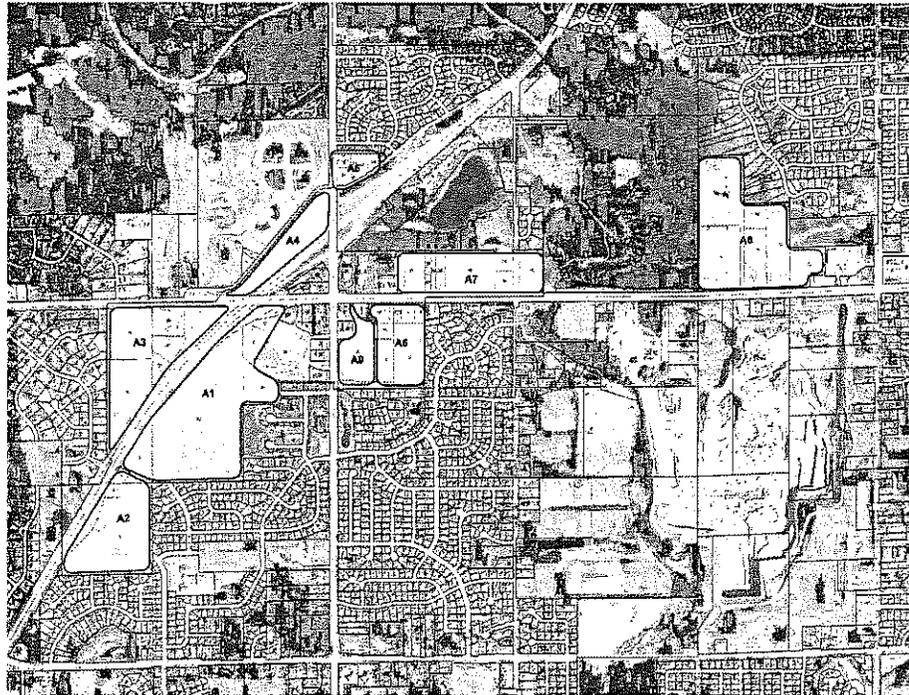
For this PROJECT, GRAEF proposes to provide the following Basic Services:

Phase I – Continued Investigation

- Landowner Interviews – Meet with individual land owners to gain better understanding of land prices, interests, options and other real estate.
- Economic Development Tool - City of Franklin Area A
 - Parcels
 - Future Land Use or Zoning (need layer from MSA)
 - Aerial imagery
 - Environmental corridors
 - Link to Google Street View
 - Recent projects approved/built in City
 - Topography
 - Businesses (logos, weblinks)
 - Traffic counts (based on WIDOT data)
 - Commercial parcels/buildings for sale or lease (with broker link)
 - Ability to sort available parcels by various criteria (size, location, etc)
 - TIF districts

Phase II - Master Planning

- Prepare a site development master plans and development scenarios for each of the following areas based on the results of the Landowner Interviews and a predetermined limit of combined parcels: A1, A2, A5, A6 and A9
- Prepare a development Pro Forma for each of the development scenarios including an opinion of probable off-site construction and public infrastructure costs.



We are prepared to begin this project within one week of your notice to proceed and will work with you to develop a mutually agreed upon project schedule.

For this PROJECT, it is our understanding the Client will provide the following services, items and/or information:

- Access to the subject property for field investigation.
- Available landowner information, reports, documents and information as needed.
- GIS and real estate information for economic development tool

For the Basic Services, the City of Franklin agrees to compensate GRAEF on a time and material basis, plus reimbursable expenses. Reimbursable expenses include express mail and delivery charges, plan reproduction and mileage. Reimbursable expenses are estimated at \$500.

Phase I – Continued Investigation

Landowner Interviews	\$10,000
Economic Development Tool	\$6,500
Total:	\$16,500

Phase II – Master Planning

Phase II - Master Planning - T.B.D. based on level of effort and Phase I results



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Our design fees and reimbursable expenses will be billed on a monthly basis as work is completed.

For this PROJECT, GRAEF can provide the following Additional Services for Additional Compensation as detailed below:

- Environmental investigation services: Phase II Environmental Site Assessments and Asbestos and Hazardous Material Investigations.
- Development of detailed engineering drawings and specifications, topographic survey, utility, grading, paving plans, construction staking, inspection, contract administration, etc.

To accept this proposal, please sign and an enclosed copy and return one to us. Upon receipt of an executed copy, GRAEF will commence work on the Project.

Thank you for this opportunity and we look forward to working with you on this project. Should you have any questions regarding this proposal feel free to call us at 414.259.1500.

Sincerely,

GRAEF-USA Inc.

Pat Kressin, PLA, LEED AP
Mixed Use Development Market Team Leader
Principal

Accepted by: City of Franklin

(Signature)

Michael N. Paulos, P.E., C.D.T., LEED AP
Municipal Market Team Leader
Principal

(Name Printed)

(Title)

Date: _____

PJK:pjk

G:\Mkt\Mkt\Proposals\Proposals\MUN\Franklin, City of_Economic Development Planning\GRAEF Proposal - AREA A Additional - 2015-10-16.docx

<p style="text-align: center;">APPROVAL</p> <p style="text-align: center;"><i>Stw</i></p>	<p style="text-align: center;">REQUEST FOR COUNCIL ACTION</p>	<p style="text-align: center;">MEETING DATE</p> <p style="text-align: center;">11/17/15</p>
<p style="text-align: center;">REPORTS & RECOMMENDATIONS</p>	<p style="text-align: center;">RESOLUTION PERTAINING TO NAMING THE DEDICATED TRAIL THROUGH THE SOUTHBROOK CHURCH PROPERTY THE "ROBINBROOK TRAIL"</p>	<p style="text-align: center;"><i>G. 8.</i></p>

On October 6, 2015, the Common Council moved to preliminarily name the dedicated trail through the Southbrook Church property located at 11010 West St. Martins Road, the "Robinbrook Trail" and to publish the recommended name as a Class 2 notice, specifying a thirty (30) day public comment period in the City's official newspaper, in accordance with Resolution No. 2010-6634, A City Buildings, Parks and Facilities Naming Policy.

The City Clerk's Office only received one comment during the public comment period, from October 15 to November 13, 2015. It was an email from Alderman Dan Mayer stating, "It seems that Southbrook Church officials would prefer to have the trail named Robinwood instead of my suggestion of Robinbrook Trail. Is it possible to reconsider this name?"

According to Part V. Naming City Buildings, Parks and Facilities, Number 6, of Resolution No. 2010-6634, "After the thirty (30) day public comment period, the Common Council will pass a resolution adopting or rejecting the name".

COUNCIL ACTION REQUESTED

A motion to adopt Resolution No. 2015-_____, a resolution pertaining to naming the dedicated trail through the Southbrook Church property the "Robinbrook Trail".

Or,

Action on the above item as the Common Council deems appropriate

Orrin Sumwalt

From: Daniel Mayer
Sent: Friday, October 16, 2015 10:10 AM
To: Mark Lubberda; Joel Dietl; Orrin Sumwalt
Cc: Daniel Mayer
Subject: Robinwood --RobinwoodBrook Trail

Good Morning,

It seems that South Brook Church officials would prefer to have the trail named Robinwood instead of my suggestion of RobbinBrook Trail. Is it possible to reconsider this name?

Thanks,
Dan

CITY OF FRANKLIN
NOTICE OF PUBLIC COMMENT PERIOD

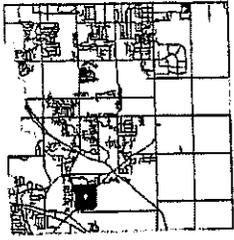
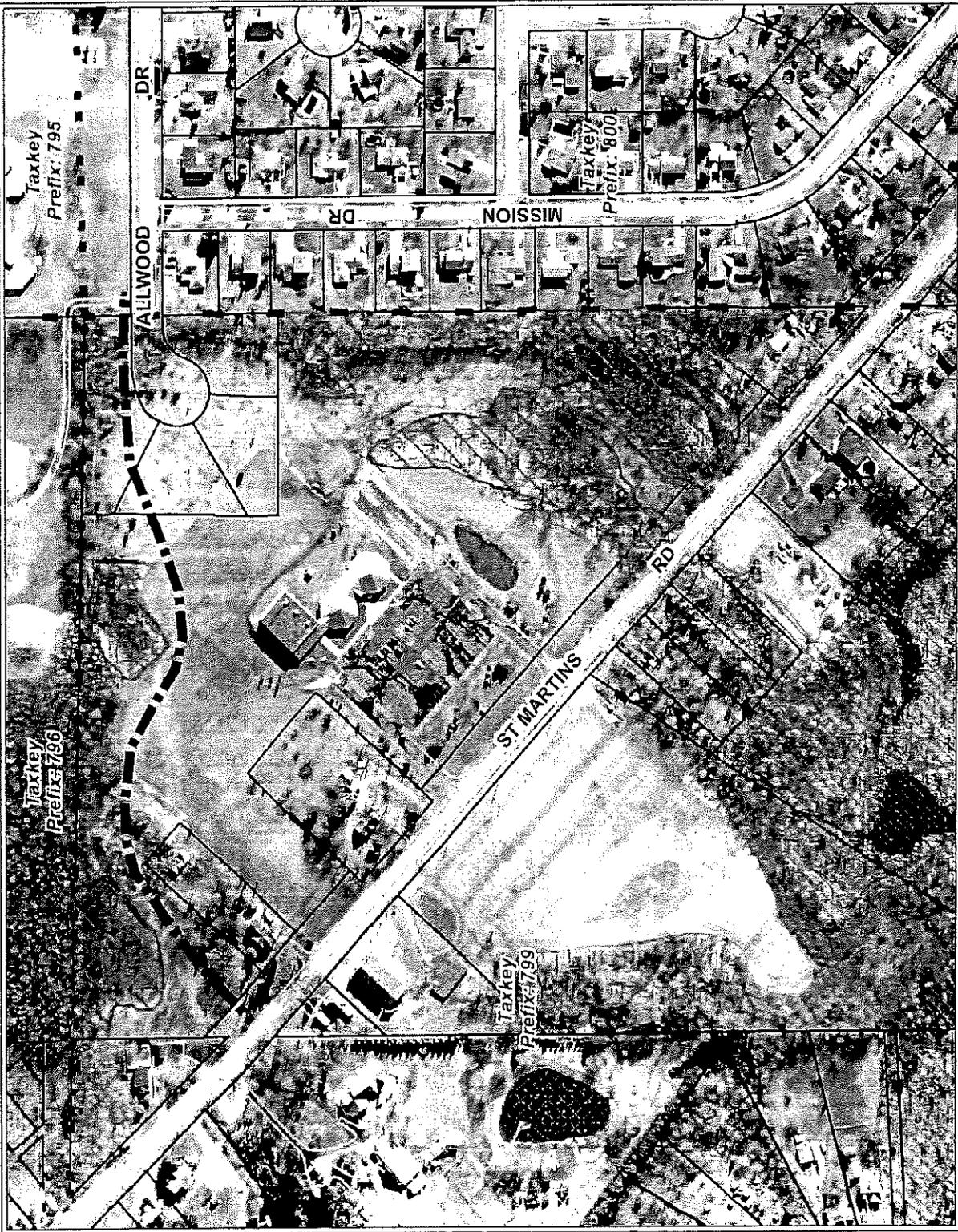
NOTICE IS HEREBY GIVEN that the Common Council of the City of Franklin at its regular meeting on October 6, 2015, adopted a motion to preliminarily name the dedicated trail through the Southbrook Church property located at 11010 West St. Martins Road "Robinbrook Trail", and that the recommended name be published as a Class 2 notice, specifying a thirty (30) day public comment period in the City's official newspaper, in accordance with Resolution No. 2010-6634, A City Buildings, Parks and Facilities Naming Policy.

NOTICE IS HEREBY FURTHER GIVEN that the Common Council will accept citizen comments and recommendations with regard to the proposed "Robinbrook Trail" official name from October 15, 2015 through November 13, 2015. Pursuant to Resolution No. 2010-6634 Section V.5., citizen comments and recommendations must be in writing to the City Clerk (9229 West Loomis Road, Franklin WI 53132) and must be postmarked within the thirty (30) day public comment period. Pursuant to Resolution No. 2010-6634 Section V.6., the Common Council will thereafter pass a resolution adopting or rejecting the name. The subject matter shall appear on the Common Council agenda for its regular meeting currently scheduled for November 17, 2015.

Sandra L. Wesolowski, City Clerk

Publish October 15, 2015 and October 22, 2015

4. Southbrook Church Property Trail - W. St. Martins Road to W. Allwood Drive



Legend

- Parcel with Address Owner
- Road ROW
- Street Centerline
- Road Edge
- Easement



City of Franklin
 GIS Department
 9229 W. Loomis Rd.
 Franklin, WI 53132
 www.franklinwi.gov

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.

RESOLUTION NO. 2010-6634

A RESOLUTION ESTABLISHING A CITY BUILDINGS, PARKS AND FACILITIES NAMING POLICY

WHEREAS, the Common Council having considered the value of establishing a uniform policy to address the naming of City buildings, parks and facilities to assist in the consideration of requests received and proposals and considerations made from time to time to name City property; and

WHEREAS, the Parks Commission and the Board of Public Works having considered the terms of a naming policy for City property as directed by the Common Council and having reported their respective recommendations to the Common Council; and

WHEREAS, the Common Council having considered such recommendations in its deliberations and having determined a policy for the naming of City property which will promote the public welfare and best interests of the City.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the naming of City buildings, parks and facilities be conducted as follows:

City of Franklin Public Buildings, Parks and Facilities Naming Policy

I. Purpose

The purpose of this policy is to establish a uniform procedure for the naming of City buildings, parks and facilities throughout the City of Franklin.

II. Authorization

The Common Council shall have the authority for the naming of all City buildings, parks and facilities by passing or rejecting a resolution at a regular or special Common Council meeting. The Common Council shall request the review and recommendation of the Parks Commission for the naming of any public park or park facility. The Common Council shall request the review and recommendation of the Board of Public Works for the naming of any public building. In the event the Common Council does not receive the requested recommendation from the Commission or the Board within 45 days of such request, respectively, the Common Council may take action without such recommendation(s).

III. Objectives

- Provide name identification

- Provide citizen/neighborhood input into the process
- Insure control for naming policy

IV. Qualifying Name

- Geographic location to facility
- Outstanding feature
- Adjoining subdivision
- Historical event, group, or individual; except that eligibility shall commence only after five years following the event or other basis establishing the historical significance
- Exceptional service in the public interest that has had a major impact and benefit to the City by an individual who demonstrates dedication to service to the City and/or to individuals, families, groups, or community services, extraordinarily above and beyond the call of duty; except that in the event of a public employee or elected or appointed official, eligibility shall commence only after five years following the completion of their public service
- Exceptional service in the public building, park or facility's interest
- Contribution to acquisition/development of the public building, park or facility

V. Naming City Buildings, Parks and Facilities

The City's approval of a naming proposal is the conferral of a privilege, not a right, and at all times the City shall reserve the right to reject any naming proposal for any reason not prohibited by law. The following guidelines will be used when naming a public building, park or facility:

1. A name is intended to be permanent.
2. Duplication of other places or facility names in the City shall not be considered.
3. Any consideration of a proposal for a name must be commenced by a motion authorizing the same made by the Common Council.
4. Prominent geographic features or local reference points (i.e., hill, stream, lake, notable tree, street, community or neighborhood) shall be considered for a potential name.
5. After the Common Council preliminarily decides upon a name, public notice of the recommended name shall be published as a Class 2 notice, specifying a thirty (30) day public comment period in the City's official newspaper. Citizen comments and recommendations must be in writing to the City Clerk and must be postmarked within the thirty (30) day public comment period.
6. After the thirty (30) day public comment period, the Common Council will pass a resolution adopting or rejecting the name.
7. An existing name of a public building, park and/or facility, particularly one of local or national importance or outstanding feature, shall not be changed unless there are extraordinary circumstances of local or national interest.

VI. Renaming

a. The renaming of public buildings, parks and facilities is strongly discouraged. It is recommended that efforts to change a name be subject to the most critical

examination so as not to diminish the original justification for the name or discount the value of the prior contributors.

b. City buildings, parks and facilities named after individuals shall never be changed unless it is found that the individual's personal character is or was such that the continued use of the name for a park or facility would not be in the best interest of the community.

c. In order for a City building, park or facility to be considered for renaming, the recommended name must qualify according to Sections IV. and V. of this Policy.

VII. Other Naming Alternatives

a. City buildings, parks and facilities that are donated to the City can be named by deed restriction by the donor. The naming and acceptance of land is subject to the guidelines set forth above and approval by the Common Council.

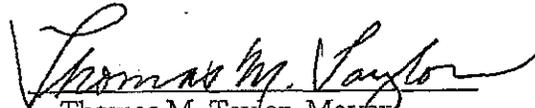
b. A facility within a park, i.e., playground, picnic shelter, etc., can be named separately from the park or facility location subject to this Policy.

c. This Policy does not apply to the naming of public streets.

Introduced at a regular meeting of the Common Council of the City of Franklin this 16th day of March, 2010.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this 16th day of March, 2010.

APPROVED:


Thomas M. Taylor, Mayor

ATTEST:


Sandra L. Wesolowski, City Clerk

AYES 6 NOES 0 ABSENT 0

RESOLUTION NO. 2015-_____

A RESOLUTION PERTAINING TO NAMING THE DEDICATED TRAIL THROUGH THE SOUTHBROOK CHURCH PROPERTY THE "ROBINBROOK TRAIL"

WHEREAS, Common Council at its regular meeting on October 6, 2015 adopted a motion to preliminarily name the dedicated trail through the Southbrook Church property located at 11010 West St. Martins Road, the "Robinbrook Trail", and to publish the recommended name as a Class 2 notice, specifying a thirty (30) day public comment period in the City's official newspaper, in accordance with Resolution No. 2010-6634, A City Buildings, Parks and Facilities Naming Policy; and

WHEREAS, the Parks Commission at its regular meeting on September 14, 2015 recommended "Allwood Trail or Robinwood Trail" for consideration as the name of the trail, and the Common Council considered such recommendations at its October 6, 2015 meeting and recognized the significance of the adjoining area property uses and the property dedicator use all working together in making its determination; and

WHEREAS, no Citizen comments were received during the thirty (30) day public comment period[, though further discussions were had with the property dedicator with regard to its preferences as to the trail name].

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, pursuant to Resolution No. 2010-6634 Section V.6., that [the dedicated trail through the Southbrook Church property located at 11010 West St. Martins Road, be and the same is hereby named the "Robinbrook Trail"] [the preliminary name for the dedicated trail through the Southbrook Church property located at 11010 West St. Martins Road, "Robinbrook Trail", be and the same is hereby rejected].

Introduced at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2015.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2015.

APPROVED:

Stephen R. Olson, Mayor

RESOLUTION NO. 2015-____
Page 2

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

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