

The Facebook page for the Economic Development Commission (<https://www.facebook.com/forwardfranklin/>) will be live streaming the Common Council meeting so that the public will be able to watch and listen to the meeting.

CITY OF FRANKLIN
COMMON COUNCIL MEETING*
FRANKLIN CITY HALL – COMMON COUNCIL CHAMBERS
9229 WEST LOOMIS ROAD, FRANKLIN, WISCONSIN
AGENDA**
MONDAY, NOVEMBER 2, 2020 AT 6:30 P.M.

Due to the number of anticipated participants for the Citizen Comment Period, each participant will be limited to one comment of three minutes.

- A. Call to Order and Roll Call.
- B.
 - 1. Citizen Comment Period.
 - 2. Mayoral Announcements: Intergovernmental Cooperation Council Letter to Federal Delegation Regarding Pandemic Funding.
- C. Approval of Minutes:
 - 1. Regular Common Council Meeting of October 6, 2020.
 - 2. Regular Common Council Meeting of October 20, 2020.
- D. Hearings.
- E. Organizational Business: Mayor has made the Following Appointment for Council Confirmation: Timothy Solomon, 8026 S. Mission Dr., Ald. Dist. 2 – Community Development Authority, for a 4 year term expiring August 30, 2024.
- F. Letters and Petitions.
- G. Reports and Recommendations:
 - 1. Reconsideration of action taken at the October 20, 2020 Common Council meeting to deny A Resolution Imposing Conditions and Restrictions for the Approval of a Special Use for a Meat Processing Facility Use Upon Property Located at the Southwest Corner of the Intersection of West Loomis Road and the New Monarch Drive (Lot 83 of Ryan Meadows Subdivision) (Strauss Brands LLC, Applicant), and the non-approval thereof. The Common Council may enter closed session pursuant to Wis. Stat. § 19.85(1)(g), to confer with legal counsel for the Common Council who is rendering oral or written advice concerning strategy to be adopted by the body with respect to potential litigation with regard to the Special Use for a Meat Processing Facility Use Upon Property Located at the Southwest Corner of the Intersection of West Loomis Road and the New Monarch Drive (Lot 83 of Ryan Meadows Subdivision) (Strauss Brands LLC, Applicant), in which it is likely to become involved, and to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate.

Common Council Meeting Agenda

November 2, 2020

Page 2

2. Review of TID 6 Financing Plan with Pending \$3 Million Debit Offering.
 3. Agreement with Creative Homes, Inc. and Franklin 49th Street, LLC to Construct West Marquette Avenue from South 51st Street to South 49th Street.
 4. A Resolution to Award a Construction Contract to D.F. Tomasini Contractors, Inc. for the Construction of 2020 Marquette Avenue Road in the Amount of \$737,954.90.
 5. Recommended Funding for Marquette Avenue Extension Project in the 2021 Capital Improvement Budget.
 6. An Ordinance to Modify the Municipal Code Section 245-5. D.(4) Designating Parking Restrictions on both Sides of W. Statesman Way from S. 27th Street to S. 31st Street.
 7. A Resolution Imposing Conditions and Restrictions for the Approval of a Special Use for the Development of Two Approximately 150,000 Square Foot, or One Approximately 300,000 Square Foot Class A Speculative Industrial Buildings and for the Approval of a Special Use for Overnight Parking for Vehicles Exceeding 8,000 Pounds Manufactured Gross Vehicle Weight Upon Properties Located at 3825 West Aspen Way and 3707 West Aspen Way (By HSA Commercial, Inc., D/B/A HSA Commercial Real Estate, Applicant, JHB Properties, LLC, Property Owner).
 8. A Resolution to Authorize Amendment 2, Phase 1 to Task Order 5 to Ruckert & Mielke, Inc. for the Preliminary Design of S. Hickory Street from W. Elm Road to W. Oakwood Road for \$46,500.
 9. Release of the Escrow Deposit for Hidden Oaks Subdivision (Located at W. Oakwood Road and S. 34th St.).
 10. A Resolution for Acceptance of Easements for Storm Drainage, Sanitary Sewer, Watermain and Temporary Turn Around for Ryan Meadows Subdivision Located off of W. Loomis Road between W. Ryan Road and S. 112th Street.
 11. 2021 Proposed Budget.
 12. Report on Expenditures Related to the COVID-19 Public Health Emergency Through October 28, 2020.
 13. September 2020 Monthly Financial Report.
 14. Amended Recommendation for the 2021 Health Reimbursement Arrangement (“HRA”) Administration Services, Selecting United Health Care as the Provider.
 15. Amendment to the Severance Pay Language in the Employee Handbook Due to the Addition of the Wisconsin Retirement Pension System (“WRS”) for Non-represented Employees.
- H. Licenses and Permits.
Miscellaneous Licenses - License Committee Meeting of November 2, 2020.
- I. Bills.
Request for Approval of Vouchers and Payroll.
- J. Adjournment.

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

Common Council Meeting Agenda

November 2, 2020

Page 3

**Supporting documentation and details of these agenda items are available in the Common Council Meeting Packet on the City of Franklin website www.franklinwi.gov

[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 3	General & Presidential Election	7:00 a.m.-8:00 p.m.
November 5	Plan Commission Meeting	7:00 p.m.
November 17	Common Council Meeting	6:30 p.m.
November 19	Plan Commission Meeting	7:00 p.m.
November 26 & 27	Thanksgiving	City Hall Closed

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B.2.

INTERGOVERNMENTAL
COOPERATION COUNCIL

Glendale Mayor Bryan Kennedy, Chair & Secretary, 5909 N Milwaukee River Parkway Glendale WI 53209, (414) 228-1700
West Allis Mayor Dan Devine, Vice-Chair, 7525 West Greenfield Avenue, West Allis, WI 53214, (414) 302-8290
Greenfield Mayor Michael Neitzke Treasurer 7325 W Forest Home Avenue, WI 53220, (414) 329-5200

October 24, 2020

The Hon XX
United States XXXX
Address 1
Address 2
Washington, D C 20225

Dear XXX Last Name:

On behalf of the twenty local governments within Milwaukee County and local health departments we support, we write to thank you for your efforts to support the local response to COVID-19. Local governments like ours have been and continue to lead on the front lines of this response with no end in sight. However, they do so despite great policy and funding challenges that have impacted their capacity and ability to scale up for the inevitable next phases of the response. We urge you to support additional direct and flexible funding and policies that ensure local governments can continue their leadership in the COVID-19 response.

Local governments are the chief strategists of the COVID-19 response in communities across the Wisconsin. Through our front-line response agencies we provide emergency response efforts, testing and contact tracing services, mental health and housing services and support to the aging population of our communities while working to support the economic recovery of our region.

The governmental public health system, including local, state, and federal public health agencies, is the critical infrastructure our nation has to slow the spread of this disease, track our progress, protect particularly vulnerable populations, and preserve critical health care resources. This work is incredibly resource and time intensive, requiring strong funding, staffing, and infrastructure. Unfortunately, as this pandemic continues to grow and affect every corner of our nation, local governments continue to struggle to find the resources to support their response efforts. We appreciate that Congress has appropriated specific funding to support the COVID-19 response at state and local governments, local health departments, as well as the Centers for Disease Control and Prevention (CDC). However, in many cases the funding received must be expended before the end of the calendar year, leaving no resources available to support existing local efforts nor the inevitable rising expenses associated with the next wave of infection beginning to emerge as we enter the winter season.

Therefore, we call on Congress to act quickly to provide substantial additional direct and flexible investments to the local governments who remain your steadfast partners in restoring our public and economic health.

Bayside - Brown Deer – Cudahy - Fox Point – Franklin – Glendale - Greendale
Greenfield - Hales Corners – Milwaukee - Milwaukee County - Oak Creek - River Hills - St. Francis
Shorewood - South Milwaukee – Wauwatosa - West Allis - West Milwaukee - Whitefish Bay



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Greenfield Mayor Michael Neitzke Treasurer 7325 W Forest Home Avenue, WI 53220 (414) 329-5200

[INSERT SIGNATURES]

Bayside - Brown Deer – Cudahy - Fox Point – Franklin – Glendale - Greendale
Greenfield - Hales Corners – Milwaukee - Milwaukee County - Oak Creek - River Hills - St Francis
Shorewood - South Milwaukee – Wauwatosa - West Allis - West Milwaukee - Whitefish Bay

CITY OF FRANKLIN
COMMON COUNCIL MEETING
OCTOBER 6, 2020
MINUTES

ROLL CALL A. The regular meeting of the Common Council was held on October 6, 2020 and called to order at 6:30 p.m. by Mayor Steve Olson in the Franklin City Hall Council Chambers, 9229 W. Loomis Road, Franklin, Wisconsin. On roll call, the following were in attendance: Alderman Mark Dandrea, Alderman Dan Mayer, Alderwoman Kristen Wilhelm, Alderwoman Shari Hanneman, Alderman Mike Barber and Alderman John R. Nelson. Also present were Dir. of Administration Peggy Steeno, City Engineer Glen Morrow, City Attorney Jesse A. Wesolowski and City Clerk Sandra Wesolowski.

CITIZEN COMMENT B.1. Citizen comment period was opened at 6:32 p.m. and closed at 6:53 p.m.

MILWAUKEE MILK MEN PROCLAMATION B.2. Mayor Olson presented a Proclamation Declaring Our Pride in the Milwaukee Milkmen Professional Baseball Team in the Hometown City of Franklin Being the 2020 American Association of Independent Baseball Champions.

MINUTES SEPTEMBER 15, 2020 C. Alderman Barber moved to approve the minutes of the regular Common Council Meeting of September 15, 2020 as presented at this meeting. Seconded by Alderman Dandrea. All voted Aye; motion carried.

MAYORAL APPOINTMENTS E. Alderman Dandrea moved to confirm the following Mayoral Appointments:

1. Peggy LeMahieu, 7534 W. Tuckaway Pines Circle, Ald. Dist. 1, Board of Health, for a 2 year unexpired term expiring 04/30/22.
2. Eric Heinritz, 7906 S. 68th St., Ald. Dist. 4, Architectural Board, for a 3 year unexpired term expiring 04/30/21.
3. James Rehberger, 5522 W. South County Line Rd, Ald. Dist. 4, Technology Commission, for a 3 year unexpired term expiring 04/30/23.
4. Timothy Wachter, 3930 W. Victory Creek Dr., Ald. Dist. 3, Economic Development Commission, for a 2 year unexpired term expiring 06/30/22.
5. David Cyra, 8622 S. Avian Way, Ald. Dist 1, Architectural Board as an Alternate Member, for a 3 year unexpired term expiring 04/30/21.
6. Dr. Judy Miller, School Superintendent, Library Board for a 3 unexpired term expiring 06/30/23.

Seconded by Alderman Nelson. On roll call, all voted Aye. Motion carried.

RES. 2020-7670
SALE OF \$9,770,000 GO
REFUNDING BONDS

G.1. Alderman Barber moved to adopt Resolution No. 2020-7670, A RESOLUTION PROVIDING FOR THE SALE OF NOT TO EXCEED \$9,770,000 TAXABLE GENERAL OBLIGATION REFUNDING BONDS, SERIES 2020A. Seconded by Alderwoman Hanneman. On roll call, all voted Aye. Motion carried.

RES. 2020-7671
AUTHORIZING GO
BONDS NOT TO
EXCEED \$3,175,000

G.2. Alderwoman Hanneman moved to adopt Resolution No. 2020-7671, AN INITIAL RESOLUTION AUTHORIZING GENERAL OBLIGATION BONDS IN AN AMOUNT NOT TO EXCEED \$3,175,000 FOR COMMUNITY DEVELOPMENT PROJECTS IN TAX INCREMENTAL DISTRICTS. Seconded by Alderman Dandrea. On roll call, all voted Aye. Motion carried.

RES. 2020-7672
SALE OF GO BONDS
NOT TO EXCEED
\$3,175,000

Alderman Dandrea moved to adopt Resolution No. 2020-7672, A RESOLUTION PROVIDING FOR THE SALE OF NOT TO EXCEED \$3,175,000 GENERAL OBLIGATION COMMUNITY DEVELOPMENT BONDS, SERIES 2020B. Seconded by Alderwoman Hanneman. On roll call, all voted Aye. Motion carried.

RES. 2020-7673
NOTICE TO ELECTORS
RELATING TO BOND
ISSUE

Alderwoman Wilhelm moved to adopt Resolution No. 2020-7673, A RESOLUTION DIRECTING PUBLICATION OF NOTICE TO ELECTORS RELATING TO BOND SALES. Seconded by Alderman Dandrea. All voted Aye; motion carried.

SOUND SYSTEM AT
FRANKLIN FIELD

G.3. Alderman Mayer moved to table the contract with Shen, Milsom & Wilke for sound consulting services at Ballpark Commons using \$5,000 of General Fund Contingency appropriations for further staff review to recommend what would need to be put in place for preparation of a comprehensive study. Seconded by Alderwoman Wilhelm.

Alderman Nelson moved to suspend the regular order of business to allow Mike Zimmerman to speak. Seconded by Alderman Barber. All voted Aye; motion carried. Alderman Nelson moved to return to the regular order of business. Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.

Alderman Mayer moved to amend the motion to include that this return to the Common Council no later than December 1, 2020. Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.

On the main motion as amended, all voted Aye; motion carried.

PROCLAMATION

G.4. Mayor Olson presented a Light and Unite RED Proclamation.

- RES. 2020-7674
WATER MAIN
EASEMENT
9720 AND 9750 S.
OAKWOOD PARK DR.
- G.5. Alderwoman Wilhelm moved to adopt Resolution No. 2020-7674, A RESOLUTION TO AUTHORIZE STAFF TO EXECUTE AND RECORD THE ATTACHED WATER MAIN EASEMENT FROM 9720 AND 9750 SOUTH OAKWOOD PARK DRIVE (WISCONSIN COMMERCIAL, LLC) TAX KEY 900-0010-005. Seconded by Alderman Nelson. All voted Aye; motion carried.
- POLICE SERGEANT
JOB DESCRIPTION
- G.6. Alderwoman Wilhelm moved to approve the revised job description for Police Sergeant. Seconded by Alderman Mayer. All voted Aye; motion carried.
- RES. NO. 2020-7675
URBAN FORESTRY
GRANT
- G.7. Alderman Mayer moved to adopt Resolution No. 2020-7675, A RESOLUTION TO MAKE A 2021 GRANT APPLICATION REQUEST OF \$10,000 (FOR A PROJECT TOTAL OF \$20,000) FROM THE 2021 WDNR URBAN FORESTRY CATASTROPHIC STORM GRANT PROGRAM AND UNSPECIFIED AMOUNTS FOR YET TO BE DETERMINED CATASTROPHIC STORM EVENT. Seconded by Alderwoman Hanneman. All voted Aye; motion carried.
- NOXIOUS WEED
PROPOSAL
- G.8. Alderman Mayer moved to refer to the Environmental Commission, to work with staff to develop a proposal for classification of Buckthorn as a noxious weed. Seconded by Alderman Barber. All voted Aye; motion carried.
- BILLBOARDS ON W.
RAWSON AVE. AND S.
27TH ST.
- G.9. No action was taken on a status report of billboards on Wisconsin Department of Transportation owned properties at W. Rawson Avenue and S. 27th Street.
- RES. NO. 2020-7676
MAINTENANCE
AGREEMENT FOR
W. LOOMIS RD.
- G.10. Alderman Nelson moved to approve Resolution No. 2020-7676, A RESOLUTION TO AUTHORIZE STATE/MUNICIPAL MAINTENANCE AGREEMENT FOR W. LOOMIS ROAD (STH 36) FROM STH 100 TO S. 51ST STREET RELATED TO CONSTRUCTION OF A PATHWAY AND RELATED FEATURES. Seconded by Alderman Barber. All voted Aye; motion carried.
- MAYOR'S 2021
RECOMMENDED
BUDGET
- G.11. Alderman Barber moved to amend the 2021 Mayor's Recommended Budget for resources and expenditures by Fund and appropriation unit as detailed on the schedule to be included in the Proposed 2021 City of Franklin Budget for the Public Hearing scheduled for November 17, 2020. Seconded by Alderman Nelson. On roll call, all voted Aye. Motion carried.

- ORD. NO. 2020-2449
STOP SIGNS AND
YIELD SIGNS
- G.12. Alderman Dandrea moved to adopt Ordinance No. 2020-2449, AN ORDINANCE TO CODIFY THE MUNICIPAL CODE SECTIONS 245-3.B. STOPS REQUIRED AND 245-3.D. YIELDS REQUIRED. Seconded by Alderman Mayer. All voted Aye; motion carried.
- ORD. NO. 2020-2450
PARKING
RESTRICTIONS W.
CORTEZ CIR.
- G.13. Alderman Nelson moved to adopt Ordinance No. 2020-2450, AN ORDINANCE TO MODIFY THE MUNICIPAL CODE SECTION 245-5.D.(4) DESIGNATING PARKING RESTRICTIONS ON THE NORTH SIDE OF W. CORTEZ CIRCLE TO 176 FEET EAST OF THE CURBLINE OF S. LOVERS LANE ROAD. Seconded by Alderman Mayer. All voted Aye; motion carried.
- DEPT. OF PUBLIC
WORKS HVAC
SYSTEM
- G.14. Alderman Barber moved to authorize the Department of Public Works staff to execute an agreement with Pure Mechanical LLC for the replacement of the split heating and cooling system at the Franklin DPW Building, for the amount of \$29,000.00. Seconded by Alderman Mayer. All voted Aye; motion carried.
- DEPT. OF PUBLIC
WORKS SURPLUS
EQUIPMENT
- G.15. Alderman Nelson moved to authorize Auction Associates to accept the highest bid, on behalf of the Franklin Department of Public Works, for the items, listed on the Common Council Action Sheet for this meeting, being auctioned at their facility on October 10, 2020, and to authorize the Department of Public Works to use Auction Associates to auction surplus and used equipment and vehicles in the future, with permission from Board of Public Works, providing the Common Council with results to view after the auction has closed. Seconded by Alderman Barber. Alderman Nelson withdrew his motion and Alderman Barber withdrew his second.
- Alderman Nelson then moved to authorize the Department of Public Works to use Auction Associates to auction surplus and used equipment and vehicles in the future, with permission from Board of Public Works, providing the Common Council with results to view after the auction has closed. Seconded by Alderman Dandrea. All voted Aye; motion carried.
- AUDIO/VISUAL
EQUIPMENT
- G.16. Alderwoman Hanneman moved to authorize the Director of Administration to execute a quotation and purchase order with Heartland Business Systems to supply and install Audio/Visual Equipment, as well as programming of the same, to be used in the Council Chambers and the Hearing Room, which will also serve as a back-up Emergency Operations Center, for Public Meeting in response to COVID-19, under the CARES Act Funding, Routes to Recovery: Local Government Aids Grant, in an amount not to exceed \$71,300. The appropriation for this purchase is in place, through the already

approved contingency authorized by the Common Council in March of 2020, for COVID-19 purposes. Seconded by Alderman Barber. All voted Aye; motion carried.

TOUCHLESS
PLUMBING AT CITY
HALL AND LIBRARY

G.17. Alderman Barber moved to authorize the Director of Administration to execute a quotation and purchase order with Horner Plumbing to supply and install touchless plumbing fixtures, including faucets, toilet flush valves, and various other related devices for City Hall and the Library in an amount not to exceed \$24,900. Seconded by Alderman Mayer. All voted Aye; motion carried.

BADGER BOOKS

G.18. Alderwoman Wilhelm moved to approve the purchase of additional Badger Books (electronic poll books) in an amount not to exceed \$21,500 and to direct staff to apply for reimbursement from the Routes to Recovery: Local Government Aid Grant Program. The appropriation for this purchase is in place, through the authorized contingency, authorized by the Common Council in March of 2020 for COVID-19 purchases. Seconded by Alderman Dandrea. All voted Aye; motion carried.

2021 EMPLOYEE
BENEFITS

G.19. Alderman Dandrea moved to approve the 2021 employee benefit-related coverages, carriers, and premium shares, including: health insurance, stop loss coverage, wellness, health and wellness supplementary program, and dental insurance; and authorize the Director of Administration to execute the appropriate, related contracts. Seconded by Alderman Barber. All voted Aye; motion carried.

AUGUST 2020
FINANCIAL REPORT

G.20. Alderman Barber moved to receive and place on file the August 2020 Monthly Financial Report. Seconded by Alderman Nelson. All voted Aye; motion carried.

LICENSES AND
PERMITS

H.1. Alderman Nelson moved to approve the following:

Grant 2020-2021 Operator Licenses to: Garry Bignell, 8254 S. 88th St., Franklin; Chloe Drajkowski, 8108 S. Legend Dr., Franklin; Kimberly Hill, 1240 S. 98th St., West Allis;

Hold the Operator License application of Rachel Martinez, 2561 S. 13th St., Milwaukee, for appearance; and

Grant the PUBLIC (People Uniting for the Betterment of Life and Investment in the Community) Grant to the following: David/Noah Grandsard, First Responders Granite Memorial Project.

Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.

H.2. Alderman Nelson moved to approve the Extraordinary Entertainment and Special Event License for The Hill Has Eyes, 7900 S. Ballpark Drive (Scot Johnson/ROC Ventures, LLC, Applicant), on Fridays

(10/9, 10/16, 10/23, 10/30) and Saturdays (10/10, 10/17, 10/24, 10/31), with the understanding that all COVID-19 precautions be in place; and their plan has been worked with and approved by the Director of Health & Human Services; and all patrons and staff shall wear face coverings at all times; and that all ticket sales and DJ music will end at 11:00 p.m.; and that patrons will be in the last attraction by 12:00 Midnight and complete the last attraction by 12:15 a.m.; and further to direct that the Director of Health and Human Services or her designee appear during the event each day to confirm compliance, unless other priorities arise requiring her presence/duties. Seconded by Alderwoman Hanneman. All voted Aye; motion carried.

VOUCHERS AND
PAYROLL

- I. Alderman Nelson moved to approve the following:
City vouchers with an ending date of October 1, 2020 in the amount of \$2,054,769.64; Payroll dated September 25, 2020 in the amount of \$413,140.10 and payments of the various payroll deductions in the amount of \$438,912.56 plus City matching payments; Estimated payroll dated October 9, 2020 in the amount of \$400,000.00 and payments of the various payroll deductions in the amount of \$230,000.00, plus City matching payments; Property Tax disbursements with an ending date of September 30, 2020 in the amount of \$7,970.60. Seconded by Alderman Barber. On roll call, all voted Aye. Motion carried.

CLOSED SESSION
BALLPARK COMMONS
DEV. AGREEMENT

- G.21. Alderman Dandrea motion to enter into closed session at 9:10 p.m. pursuant to Wis. Stat. § 19.85(1)(e), for market competition and bargaining reasons, to deliberate and consider terms relating to an Amendment to Tax Incremental District No. 5 Ballpark Commons Development project Agreement Regarding Impact Fees and Irrevocable Payment Bond by BPC Golf Entertainment, LLC and BPC County Land, LLC, and the investing of public funds and governmental actions in relation thereto, and to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate. Seconded by Alderwoman Hanneman. On roll call, Alderman Dandrea, Alderwoman Wilhelm, Alderwoman Hanneman, Alderman Barber, and Alderman Nelson voted Aye; Alderman Mayer voted No. Motion carried.

Upon reopening at closed session at 9:35 p.m., Alderman Dandrea moved to direct collection of the hotel impact fees, in place of the Luxe Golf impact fees, (due to the construction) not currently commencing; however, retain and defer the 10% interest until the impact fee for Luxe Golf or other improvements on that parcel is paid; and further to amend the Agreement Regarding Impact Fees accordingly. Seconded by Alderman Barber. On roll call, all voted Aye. Motion carried.

CLOSED SESSION
POTENTIAL PROPERTY
FOR PUBLIC PARK

G.22 Alderman Barber moved to enter into closed session at 9:37 p.m. pursuant to Wis. Stat. § 19.85(1)(e), for market competition and bargaining reasons, to consider the potential acquisition of properties to be used for public park purposes in the City of Franklin, including, but not limited to properties for what has been conceptually termed water tower park, located in the 8100 block on the east side of South Lovers Lane Road bearing Tax Key Nos. 801-9984-000, 801-9985-000, 801-9986-000 and 801-9987-000, and to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate. Seconded by Alderman Nelson. On roll call, all voted Aye. Motion carried.

Upon reentering open session at 9:50 p.m. Alderman Barber moved to direct staff to proceed with a counter offer as discussed in closed session. Seconded by Alderman Dandrea. All voted Aye; motion carried.

ADJOURNMENT

J. Alderman Barber moved to adjourn the meeting at 9:51 p.m. Seconded by Alderman Dandrea. All voted Aye; motion carried.

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CITY OF FRANKLIN
COMMON COUNCIL MEETING
OCTOBER 20, 2020
MINUTES

- | | | |
|---|---------|--|
| ROLL CALL | A. | The regular meeting of the Common Council was held on October 20, 2020 and called to order at 6:30 p.m. by Mayor Steve Olson in the Franklin City Hall Council Chambers, 9229 W. Loomis Road, Franklin, Wisconsin. On roll call, the following were in attendance: Alderman Mark Dandrea, Alderman Dan Mayer, Alderwoman Kristen Wilhelm, Alderwoman Shari Hanneman, Alderman Mike Barber and Alderman John R. Nelson. Also present were Dir. of Administration Peggy Steeno, City Engineer Glen Morrow, City Attorney Jesse A. Wesolowski and City Clerk Sandra Wesolowski. |
| CITIZEN COMMENT | B. | Citizen comment period was opened at 6:34 p.m. and closed at 8:32 p.m. |
| MINUTES
OCTOBER 6, 2020 | C. | Alderman Nelson moved to table the minutes of the regular Common Council Meeting of October 6, 2020 to the November 2, 2020 Common Council meeting. Seconded by Alderwoman Hanneman. All voted Aye; motion carried. |
| CONSENT AGENDA | G.1. | Alderman Dandrea moved to approve the following consent agenda items: |
| DPW SURPLUS
EQUIPMENT | G.1.(a) | No action was required on the results of the Department of Public Works sale of surplus equipment. |
| RES. 2020-7677
RYANWOOD
MANOR
PEDESTRIAN
ACCESS & BICYCLE
PATH | G.1.(c) | Adopt Resolution No. 2020-7677, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO ACCEPT A PEDESTRIAN ACCESS AND BICYCLE PATH EASEMENT FOR RYANWOOD MANOR LOCATED AT APPROXIMATELY S. 76 TH STREET AND W. OAKWOOD ROAD (NOW KNOWN AS RYANWOOD MANOR SUBDIVISION). |
| OAKES ESTATES
SUBDIVISION
LIGHTS | G.1.(d) | Installation of Lights for Oakes Estates Subdivision.

Approval of the Consent Agenda items was seconded by Alderwoman Hanneman. All voted Aye; motion carried. |
| NO PARKING-W.
STATESMAN WAY | G.1.(b) | Alderwoman Wilhelm moved to table to the November 2, 2020 Common Council meeting an Ordinance to Modify the Municipal Code Section 245-5.D.(4) Designating Parking Restrictions on Both Sides of W. Statesman Way from S. 27th Street to S. 31st Street. Seconded by Alderman Dandrea. All voted Aye; motion carried. |

Alderman Wilhelm vacated her seat at 8:37 p.m. and returned at 8:39 p.m. Alderman Mayer vacated his seat at 8:39 p.m. and returned at 8:41 p.m.

BEAR DEV. UPDATE G.1.1. No action was taken on the update by S.R. Mills, Bear Development/Tax Incremental District No. 6.

RES. 2020- STRAUSS BRANDS, LLC MEAT PROCESSING G.2. Alderman Dandrea moved to adopt a Resolution Imposing Conditions and Restrictions for the Approval of a Special Use for a Meat Processing Facility Use Upon Property Located at the Southwest Corner of the Intersection of West Loomis Road and the New Monarch Drive (Lot 83 of Ryan Meadows Subdivision) (Strauss Brands LLC, Applicant). Seconded by Alderwoman Hanneman. On roll call, Alderman Dandrea and Alderman Barber voted Aye; Alderman Mayer, Alderwoman Wilhelm, Alderwoman Hanneman, and Alderman Nelson voted No. Motion failed.

Alderman Nelson then moved to deny the Resolution Imposing Conditions and Restrictions for the Approval of a Special Use for a Meat Processing Facility Use Upon Property Located at the Southwest Corner of the Intersection of West Loomis Road and the New Monarch Drive (Lot 83 of Ryan Meadows Subdivision) (Strauss Brands LLC, Applicant), based upon the following criteria: Failure to comply with the General Standards required by the Unified Development Ordinance for granting a special use permission approval for this development. Under Division §15-3.0701 Special Use Standards and Regulations. General Standards. No Special Use Permit shall be recommended or granted pursuant to Ordinance unless the applicant shall establish the following: No undue adverse impact. The proposed use and development will not have a substantial or undue adverse or detrimental effect upon or endanger adjacent property, the character of the area, or the public health, safety, morals, comfort and general welfare and not substantially diminish and impair property values within the community or neighborhood. No interference with surrounding development. The proposed use and development will be constructed, arranged, and operated so as to not dominate the immediate vicinity or to interfere with the use and development of neighboring property in accordance with the applicable zoning district regulations. Seconded by Alderman Mayer.

Alderwoman Wilhelm, seconded by Alderman Nelson, moved to amend the main motion to insert the following Special Use conditions that have not been met: Adequate public facilities for police and fire protection (submitting of the Police report and the letter from the Fire Chief); Additional considerations of alternative location; Public

benefit, the necessity and desirable interest of the public or what it contributes to the general welfare of the neighborhood or community, the desire of interest of the public is not there; and Traffic circulation due to no traffic study.

The vote on the amendment was as follows: Alderman Nelson, Alderwoman Wilhelm, Alderman Mayer voted Aye; Alderman Barber, Alderwoman Hanneman, and Alderman Dandrea voted No. Mayor Olson broke the tie by voting in the affirmative. Motion carried.

On the main motion as amended, the roll call vote was as follows: Alderman Mayer, Alderwoman Wilhelm, and Alderman Nelson voted Aye; Alderman Dandrea, Alderwoman Hanneman, and Alderman Barber voted No. Mayor Olson broke the tie by voting No. Motion failed.

Alderman Dandrea then moved to table the Resolution to the January 19, 2021, Common Council meeting. Seconded by Alderman Barber. On roll call, Alderman Dandrea and Alderman Barber voted Aye; Alderman Mayer, Alderwoman Wilhelm, Alderwoman Hanneman, and Alderman Nelson voted No. Motion failed.

Alderwoman Wilhelm moved to deny the Resolution Imposing Conditions and Restrictions for the Approval of a Special Use for a Meat Processing Facility Use Upon Property Located at the Southwest Corner of the Intersection of West Loomis Road and the New Monarch Drive (Lot 83 of Ryan Meadows Subdivision) (Strauss Brands LLC, Applicant), based upon the following criteria: Failure to comply with the General Standards required by the Unified Development Ordinance for granting a special use permission approval for this development. Under Division §15-3.0701 Special Use Standards and Regulations. General Standards. No Special Use Permit shall be recommended or granted pursuant to Ordinance unless the applicant shall establish the following: No undue adverse impact. The proposed use and development will not have a substantial or undue adverse or detrimental effect upon or endanger adjacent property, the character of the area, or the public health, safety, morals, comfort and general welfare and not substantially diminish and impair property values within the community or neighborhood. No interference with surrounding development. The proposed use and development will be constructed, arranged, and operated so as to not dominate the immediate vicinity or to interfere with the use and development of neighboring property in accordance with the applicable zoning district regulations. Seconded by Alderman Nelson. On roll call, Alderman Mayer, Alderwoman Wilhelm, Alderwoman Hanneman, and Alderman

Nelson voted Aye; Alderman Dandrea and Alderman Barber voted No. Motion carried.

- | | | |
|---|------|--|
| RES. 2020-7678
CONSERVATION
EASEMENT
3617 W. ELM RD. | G.3. | Alderwoman Hanneman moved to adopt Resolution No. 2020-7678, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO ACCEPT A CONSERVATION EASEMENT FOR AND AS PART OF THE APPROVAL OF A CERTIFIED SURVEY MAP (CSM) FOR PROPERTY LOCATED AT APPROXIMATELY 3617 W. ELM ROAD, (SCOTT BILLER, JHB PROPERTIES, LLC, OWNER), APPLICANT), subject to review and approval by the Department of City Development and technical corrections by the City Attorney. Seconded by Alderman Nelson. Alderwoman Wilhelm abstained. All voted Aye; motion carried. |
| 2021 BUDGET | G.4. | No action was taken on the Mayor's 2021 Proposed Budget. |
| RES. 2020-7679
ACQUISITION OF
PROPERTY | G.5. | Alderman Mayer moved to adopt Resolution No. 2020-7679, A RESOLUTION FOR ACQUISITION OF PROPERTY FOR PUBLIC PARK LOCATED IN THE 8100 BLOCK ON THE EAST SIDE OF SOUTH LOVERS LANE ROAD BEARING TAX KEY NOS. 801-9984-000, 801-9985-000, 801-9986-000 AND 801-9987-000 FOR \$325,000. Seconded by Alderman Barber. On roll call, all voted Aye. Motion carried. |
| EMS BILLING
AGREEMENT | G.6. | Alderman Mayer moved to approve an extension of the agreement with EMS Medical Billing Associates for Emergency Medical Service User Fee Billing Services, through December 21, 2021. Seconded by Alderman Nelson. All voted Aye; motion carried. |
| ORD. 2020-2451
INSPECTION
SERVICES VEHICLE | G.7. | Alderwoman Hanneman moved to adopt Ordinance No. 2020-2451, AN ORDINANCE TO AMEND ORDINANCE 2019-2398, AN ORDINANCE ADOPTING THE 2020 ANNUAL BUDGET FOR THE EQUIPMENT REPLACEMENT FUND TO PROVIDE THE APPROPRIATION FOR REPLACEMENT INSPECTION SERVICES VEHICLE IN THE AMOUNT OF \$30,168. Seconded by Alderman Nelson. On roll call, all voted Aye. Motion carried. |
| HP BACKUP
SERVERS AND
LICENSES | G.8. | Alderman Dandrea moved to authorize the IT Director to purchase two HP backup servers and licenses through Heartland Business Systems and CDW-G, at a total cost of \$18,969, as budgeted for in the 2020 Information Services Capital Outlay budget. Seconded by Alderman Barber. All voted Aye; motion carried. |
| MICROSOFT AND | G.9. | Alderman Dandrea moved to authorize the IT Director to purchase |

BITDEFENDER
LICENSES

Microsoft and Bitdefender licenses under the existing CARES Act Funding, Routes to Recovery: Local Government Aids Grant Program and the Health Department COVID-19 Contact Tracing Grant for the estimated total cost of \$11,289.48. Seconded by Alderman Mayer. All voted Aye; motion carried.

HRA AND HSA
PLANS 2021

G.10. Alderman Mayer moved to approve Associated Bank as the administrator of the Health Reimbursement Arrangement (HRA) and Health Savings Account (HSA) plans for 2021; authorize the Director of Administration to execute the appropriate, related contracts and update the Employee Handbook as needed. Seconded by Alderman Dandrea. All voted Aye; motion carried.

RES. 2020-7680
TID 8
DEVELOPMENT
AGREEMENT

G.11. Alderwoman Hanneman moved to adopt Resolution 2020-7680, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO EXECUTE A TAX INCREMENTAL DISTRICT NO. 8 DEVELOPMENT AGREEMENT AND A DEVELOPMENT AGREEMENT FOR TAX INCREMENTAL DISTRICT NO. 8 RELATED PUBLIC IMPROVEMENTS BETWEEN THE CITY OF FRANKLIN, JHB PROPERTIES, LLC AND ZS ENTERPRISES, LLC, SPEC AND/OR COMMERCIAL BUILDINGS MIXED USE DEVELOPMENT. Seconded by Alderman Barber. All voted Aye; Wilhelm abstained.

LICENSES AND
PERMITS

H. Alderman Nelson moved to approve the following:

Grant 2020-2021 Operator licenses to: Rachel Marinez, 2561 S. 13th St., Milwaukee; Frank D'Acquisto, 3322 S. 9th St., Milwaukee; Nicholas Istines, 17285 Ely Ct., Brookfield; Elizabeth Karampelas, 1435 S. Rock Pl., New Berlin; Lori Kochan, 508 W. Main St., Waterford; Owen Rangel, 8024 S. Chapel Hill Dr., Franklin; Stephanie Sanders, 7986 S. Scepter Dr., Franklin; Jaiden Thiem, 6722 Crocus Court Apt.2, Greendale; Jennifer Wall, 11021 W. Denis Ave., Hales Corners;

Hold the Operator License application of Amanda Holterman, S110W14718 Union Church Dr., Muskego, for appearance;

Grant Change of Agent to Pick 'n Save #6431, Joey D Merchan, 8164 S. Legend Dr., Franklin.

Seconded by Alderwoman Hanneman. All voted Aye; motion carried.

VOUCHERS AND
PAYROLL

I. Alderman Dandrea moved to approve the following: City vouchers with an ending date of October 15, 2020 in the amount of

\$1,044,190.91; Payroll dated October 9, 2020 in the amount of \$405,916.90 and payments of the various payroll deductions in the amount of \$235,147.95 plus City matching payments; Estimated payroll dated October 23, 2020 in the amount of \$419,000.00 and payments of the various payroll deductions in the amount of \$455,000.00, plus City matching payments; Property Tax disbursements with an ending date of October 15, 2020 in the amount of \$618.18; and Approval to release payment to Ray Stadler Construction in the amount of \$64,668.00. Seconded by Alderwoman Hanneman. On roll call, all voted Aye. Motion carried.

EMPLOYEE
COMPLAINT

G.12. Alderman Barber made a motion to enter into closed session at 12:19 a.m. pursuant to Wis. Stat. § 19.85 (1)(c), considering employment, promotion, compensation or performance evaluation data of any public employee over which the governing body has jurisdiction or exercises responsibility, and Wis. Stat. § 19.85(1)(f) considering financial, medical, social, or personal histories or disciplinary data of specific persons, preliminary consideration of specific personnel problems or the investigation of charges against specific persons except where par. (b) applies which, if discussed in public, would be likely to have a substantial adverse effect upon the reputation of any person referred to in such histories or data, or involved in such problems or investigations, to strategize on how to address employee complaint, and to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate. Seconded by Alderwoman Hanneman. On roll call, all voted Aye. Motion carried.

Upon reentering open session at 12:43 a.m., Alderman Barber moved to direct staff to proceed as discussed in closed session. Seconded by Alderman Dandrea. All voted Aye; motion carried.

ADJOURNMENT

J. Alderman Nelson moved to adjourn the meeting at 12:44 a.m. Seconded by Alderman Mayer. All voted Aye; motion carried.

<p>APPROVAL <i>slw</i></p>	<p>REQUEST FOR COUNCIL ACTION</p>	<p>MEETING DATE 11-02-20</p>
<p>REPORTS & RECOMMENDATIONS</p>	<p>Mayoral Appointments</p>	<p>ITEM NUMBER E.</p>

The Mayor has made the following appointment for Council confirmation:

Timothy Solomon, 8026 S. Mission Dr., Ald. Dist. 2 – Community Development Authority, for a 4 year term expiring August 30, 2024.

COUNCIL ACTION

Motion to confirm the following Mayoral appointment:

Timothy Solomon, 8026 S. Mission Dr., Ald. Dist. 2 – Community Development Authority, for a 4 year term expiring August 30, 2024.

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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;">November 2, 2020</p>
<p style="text-align: center;">REPORTS AND RECOMMENDATIONS</p>	<p style="text-align: center;">Reconsideration of action taken at the October 20, 2020 Common Council meeting to deny A Resolution Imposing Conditions and Restrictions for the Approval of a Special Use for a Meat Processing Facility Use Upon Property Located at the Southwest Corner of the Intersection of West Loomis Road and the New Monarch Drive (Lot 83 of Ryan Meadows Subdivision) (Strauss Brands LLC, Applicant), and the non-approval thereof. The Common Council may enter closed session pursuant to Wis. Stat. § 19.85(1)(g), to confer with legal counsel for the Common Council who is rendering oral or written advice concerning strategy to be adopted by the body with respect to potential litigation with regard to the Special Use for a Meat Processing Facility Use Upon Property Located at the Southwest Corner of the Intersection of West Loomis Road and the New Monarch Drive (Lot 83 of Ryan Meadows Subdivision) (Strauss Brands LLC, Applicant), in which it is likely to become involved, and to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate</p>	<p style="text-align: center;">ITEM NUMBER</p> <p style="text-align: center;"><i>G. 1.</i></p>
<p>At its meeting of October 20, 2020, the Common Council adopted a motion to deny A Resolution Imposing Conditions and Restrictions for the Approval of a Special Use for a Meat Processing Facility Use Upon Property Located at the Southwest Corner of the Intersection of West Loomis Road and the New Monarch Drive (Lot 83 of Ryan Meadows Subdivision) (Strauss Brands LLC, Applicant), subsequent to an earlier motion to approve failed. At its meeting of October 20, 2020, the Common Council took the following actions (provided by the meeting minutes in draft form at the time of this writing):</p> <p>Alderman Dandrea moved to adopt a Resolution Imposing Conditions and Restrictions for the Approval of a Special Use for a Meat Processing Facility Use Upon Property Located at the Southwest Corner of the Intersection of West Loomis Road and the New Monarch Drive (Lot 83 of Ryan Meadows Subdivision) (Strauss Brands LLC, Applicant). Seconded by Alderwoman Hanneman. On roll call, Alderman Dandrea and Alderman Barber voted Aye; Alderman Mayer, Alderwoman Wilhelm, Alderwoman Hanneman, and Alderman Nelson voted No. Motion failed.</p> <p>Alderman Nelson then moved to deny the Resolution Imposing Conditions and Restrictions for the Approval of a Special Use for a Meat Processing Facility Use Upon Property Located at the Southwest Corner of the Intersection of West Loomis Road and the New Monarch Drive (Lot 83 of Ryan Meadows Subdivision) (Strauss Brands LLC, Applicant), based upon the following criteria: Failure to comply with the General Standards required by the Unified Development Ordinance for granting a special use permission approval for this development. Under Division 15-3.070001 Special Use Standards and Regulations. General Standards. No Special Use Permit shall be recommended or granted pursuant to Ordinance unless the applicant shall establish the following: No undue adverse impact. The proposed use and development will not have a substantial or undue adverse or detrimental effect upon or endanger adjacent property, the character of the area, or the public health, safety, morals, comfort and general welfare and not substantially diminish and impair</p>		

property values within the community or neighborhood. No interference with surrounding development. The proposed use and development will be constructed, arranged, and operated so as to not dominate the immediate vicinity or to interfere with the use and development of neighboring property in accordance with the applicable zoning district regulations. Seconded by Alderman Mayer.

Alderwoman Wilhelm, seconded by Alderman Nelson, moved to amend the main motion to insert the following Special Use conditions that have not been met: Adequate public facilities for police and fire protection (submitting of the Police report and the letter from the Fire Chief); Additional considerations of alternative location; Public benefit, the necessity and desirable interest of the public or what it contributes to the general welfare of the neighborhood or community, the desire of interest of the public is not there; and Traffic circulation due to no traffic study.

The vote on the amendment was as follows: Alderman Nelson, Alderwoman Wilhelm, Alderman Mayer voted Aye; Alderman Barber, Alderwoman Hanneman, and Alderman Dandrea voted No. Mayor Olson broke the tie by voting in the affirmative. Motion carried.

On the main motion as amended, the roll call vote was as follows: Alderman Mayer, Alderwoman Wilhelm, and Alderman Nelson voted Aye; Alderman Dandrea, Alderwoman Hanneman, and Alderman Barber voted No. Mayor Olson broke the tie by voting No. Motion failed.

Alderman Dandrea then moved to table the Resolution to the January 19, 2021, Common Council meeting. Seconded by Alderman Barber. On roll call, Alderman Dandrea and Alderman Barber voted Aye; Alderman Mayer, Alderwoman Wilhelm, Alderwoman Hanneman, and Alderman Nelson voted No. Motion failed.

Alderwoman Wilhelm moved to deny the Resolution Imposing Conditions and Restrictions for the Approval of a Special Use for a Meat Processing Facility Use Upon Property Located at the Southwest Corner of the Intersection of West Loomis Road and the New Monarch Drive (Lot 83 of Ryan Meadows Subdivision) (Strauss Brands LLC, Applicant), based upon the following criteria: Failure to comply with the General Standards required by the Unified Development Ordinance for granting a special use permission approval for this development. Under Division 15-3.070001 Special Use Standards and Regulations. General Standards. No Special Use Permit shall be recommended or granted pursuant to Ordinance unless the applicant shall establish the following: No undue adverse impact. The proposed use and development will not have a substantial or undue adverse or detrimental effect upon or endanger adjacent property, the character of the area, or the public health, safety, morals, comfort and general welfare and not substantially diminish and impair property values within the community or neighborhood. No interference with surrounding development. The proposed use and development will be constructed, arranged, and operated so as to not dominate the immediate vicinity or to interfere with the use and development of neighboring property in accordance with the applicable zoning district regulations. Seconded by Alderman Nelson. On roll call, Alderman Mayer, Alderwoman Wilhelm, Alderwoman Hanneman, and Alderman Nelson voted Aye; Alderman Dandrea and Alderman Barber voted No. Motion carried.

Copies of the October 20, 2020 meeting agenda packet materials on the subject matter are annexed hereto.

§19-7F. of the Municipal Code provides that “[i]t shall be in order for any member who voted in the affirmative on any question which was adopted or for any member who voted in the negative when the number of affirmative votes was insufficient for adoption to move a reconsideration of such vote, at the same or next succeeding regular meeting of the Council. A motion to reconsider having been lost shall not be again in order.” The seconding of a motion to reconsider may be made by any member of the Common Council regardless of how the member voted on the motion to be reconsidered pursuant to *Robert's Rules of Order Newly Revised* 12th Edition §37:9 4.

Also annexed hereto are a letter regarding the above from Jerald Bussen, President of Strauss Brands LLC, a letter from S.R. Mills, CEO of Bear Real Estate Group and a letter from Attorneys Paul G. Kent and Rick Manthe of Stafford Rosenbaum LLP, Special Counsel to Strauss Brands LLC.

COUNCIL ACTION REQUESTED

A motion to reconsider action taken on October 20, 2020 to deny A Resolution Imposing Conditions and Restrictions for the Approval of a Special Use for a Meat Processing Facility Use Upon Property Located at the Southwest Corner of the Intersection of West Loomis Road and the New Monarch Drive (Lot 83 of Ryan Meadows Subdivision) (Strauss Brands LLC, Applicant), and the non-approval thereof;

AND, (if a motion to reconsider passes)

A motion to substitute a motion to adopt A Resolution Imposing Conditions and Restrictions for the Approval of a Special Use for a Meat Processing Facility Use Upon Property Located at the Southwest Corner of the Intersection of West Loomis Road and the New Monarch Drive (Lot 83 of Ryan Meadows Subdivision) (Strauss Brands LLC, Applicant), as presented to the Common Council on November 2, 2020, in place of the motion to deny A Resolution Imposing Conditions and Restrictions for the Approval of a Special Use for a Meat Processing Facility Use Upon Property Located at the Southwest Corner of the Intersection of West Loomis Road and the New Monarch Drive (Lot 83 of Ryan Meadows Subdivision) (Strauss Brands LLC, Applicant), and the non-approval thereof;

AND, (if a motion to substitute as set forth above passes)

A vote upon the motion to adopt A Resolution Imposing Conditions and Restrictions for the Approval of a Special Use for a Meat Processing Facility Use Upon Property Located at the Southwest Corner of the Intersection of West Loomis Road and the New Monarch Drive (Lot 83 of Ryan Meadows Subdivision) (Strauss Brands LLC, Applicant), as presented to the Common Council on November 2, 2020;

OR any amendment thereto or other action on the subject matter;

OR/AND a motion to enter closed session pursuant to Wis. Stat. § 19.85(1)(g), to confer with legal counsel for the Common Council who is rendering oral or written advice concerning strategy to be adopted by the body with respect to potential litigation with regard to the Special Use for a Meat Processing Facility Use Upon Property Located at the Southwest Corner of the Intersection of West Loomis Road and the New Monarch Drive (Lot 83 of Ryan Meadows Subdivision) (Strauss Brands LLC, Applicant), in which it is likely to become involved, and to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate.



October 29, 2020

Steve Olson
Mayor
City of Franklin
9229 W. Loomis Road
Franklin, WI 53132
solson@franklinwi.gov

Jesse Wesolowski, City Attorney
City of Franklin
11402 W. Church Street
Franklin, WI 53132
jweslaw@aol.com

Dear Mayor Olson,

Strauss Brands, LLC (“Strauss”) is writing in support of the request for reconsideration of the motion to deny Strauss’ proposed development in the Ryan Meadows subdivision. Strauss has been located within the City of Franklin (“City”) for over fifty years, and hopes to strengthen its role as a pillar in the community by developing a new processing facility that will add good paying jobs, expand the City’s tax-base, and spur economic growth beyond this project. Strauss understands that some members of the Common Council may have concerns with the project, but Strauss is committed to partnering with the City to make this a success.

We would like to specifically address the City’s grounds for denial of the special use permit, and provide detail as to why this project is entirely consistent with the City’s development requirements.

The first basis for the City’s denial was that the proposed facility would not be in compliance with Uniform Development Ordinance (“UDO”) § 15-3.0701(A)(2). That section states:

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

Strauss’ facility will generate substantial benefits for the City and community. Strauss intends to add an estimated 110 jobs, and potentially more if expansion plans come to fruition. The project will generate at least \$15 million in assessed value, generating \$266,400 in property taxes. Additionally, Strauss supports area farms and other local businesses. Strauss’ investment in the City will spur substantial economic growth beyond this project.



This project was designed to eliminate any potential adverse effects, and ensure neighboring properties will not be effected by the facility. All aspects of the operation, from receiving of animals, to processing, are designed to reduce odors. Every aspect of the process is completely enclosed, and the facility's ventilation system results in over 99% odor reduction. The refrigeration unit will comply with or exceed all federal and state codes, ensuring that it will be entirely safe. Strauss knows that it must be a good corporate citizen because it intends be in Franklin for a long time. Thus, it takes the safety of its facility and its neighbors seriously.

This is an ideal location, not only for Strauss, but for the City. The land is currently zoned limited industrial. The purpose of the district is to provide for manufacturing, industrial, and warehousing uses. It is only one of two districts that allow for meat processing. Thus, this use is exactly the type of use contemplated by the City for this location. The property, and its neighboring parcels, are undeveloped fields. Neighboring properties will have limited views of the facility, there will be no odor, minimal traffic (24 trucks/day), and an environmentally safe facility. This means that neighboring properties will not see any impact from the facility, nor suffer a drop in property values.

Strauss has demonstrated over the past fifty years that it is, and will continue to be, a good, responsible corporate citizen for the City. Strauss already has a processing facility within the City where it is an industry pioneer in the humane treatment of animals in the meat processing industry. Accordingly, there is no basis for denying a special use for inconsistency with "the character of the area, or the public health, safety, morals, comfort, and general welfare...."

The second basis for denying Strauss' application for a special use permit was pursuant to UDO § 15-3.0701(A)(3), which provides:

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

Strauss has taken every precaution to ensure its development will not affect its neighbors. As mentioned earlier, the proposed use is entirely consistent with the property's zoning classification. Strauss has demonstrated that it will comply with all zoning regulations and conditions imposed by any permit, which is why City staff recommended approval of the project.

The facility is designed to ensure that facility operations are contained within the property. Animal intake will be located in a discreet location away from busier areas in the development. The building is not directly adjacent to residential properties. Indeed, much of the surrounding properties are currently undeveloped and open fields. Nor will traffic affect surrounding properties. While the condition in the special use shows a start time of 1:00 am, this will be a



rare occurrence. The majority of truck deliveries will begin at 4 am with the earlier delivery window being utilized for animal safety due to inclement weather. Livestock trailers will have ample bedding as required by the USDA to prevent waste exiting the trailers. The USDA would issue a citation where the bedding requirement is not met. Trucks coming to the facility will not use residential streets, but rather will enter from Monarch Drive from Loomis Road. Consequently, the facility will not interfere with any other person's use or development of their property.

Strauss believes that the proposed processing facility will be a substantial benefit for the City and community. It will create jobs, economic activity, and tax base, while ensuring that the facility will not impact surrounding properties. We encourage you to reconsider your decision, and allow Strauss to continue to demonstrate that it is a valuable asset to Franklin.

Sincerely,

Strauss Brands, LLC

Jerald Bussen
President

BEAR DEVELOPMENT

October 29, 2020

Via email: Mayor Steve Olson

Re: Strauss Brands

Dear Mayor Olson,

We are writing to affirm our support for the reconsideration and granting of the Strauss Brands Special Use Permit. As you know Strauss Brands was the impetus for the Loomis Business Park and an active participant in discussions with the City and Bear dating back to early 2017. With the support of City Staff and Elected Officials, those discussions translated into the rezoning of agricultural lands to an M1 designation for the benefit of Strauss and other future Loomis Business Park occupants. Strauss acquired the first 30-acre parcel within the Loomis Business Park from Bear nearly two years ago with the understanding that they would proceed to a Special Use Permit when their plans were fully developed.


As noted above, Bear has already sold the 30-acre parcel to Strauss and realized any direct financial gains associated from this sale. However, while we won't gain directly from Strauss proceeding, it will be a significant blow to the tax increment of the district, the balance of the neighboring properties within the business park, the local economy and the Franklin taxpayers as a whole. With exception of the dense wooded area, Bear owns all other adjacent parcels as well as the property directly across Loomis Road. Strauss would be a catalyst for future industrial development and not approving the proposed Special Use Permit a significant detriment to future industrial users considering a relocation to the Loomis Business Park. The significant support displayed from their current neighbors in the Franklin Business Park speaks volumes about Strauss' operations as well as their impeccable 50-year track record as a good neighbor.

Concerns were raised with regards to the impact Strauss would have on the marketability of the newly developed Ryan Meadows subdivision located within the 200+/- acre master planned development. Bear firmly believes the Strauss facility will have no adverse impacts on the Ryan Meadows subdivision. This is also evidenced by the six other builders that have proposed to purchase lots within the subdivision. The location of the homes are approximately ¼ to ½ mile

in distance from the proposed Strauss facility, separated by a 20 acre natural buffer and or wooded area as well as a 20 acre future industrial site.

We strongly encourage a reconsideration and approval of the Special Use Permit for the benefit of the neighboring properties and the community as a whole. Thank you for the opportunity to express our viewpoints.

Sincerely,

A handwritten signature in black ink, appearing to read 'S.R. Mills', with a stylized flourish at the end.

S.R. Mills
CEO
Bear Real Estate Group

Paul G. Kent
222 West Washington Avenue, Suite 900
P O Box 1784
Madison, WI 53701 1784
pkent@staffordlaw.com
608 259.2665

Rick Manthe
222 West Washington Avenue, Suite 900
P O Box 1784
Madison, WI 53701 1784
RManthe@staffordlaw.com
608 259.2684

October 29, 2020

VIA EMAIL
solson@franklinwi.gov
jweslaw@aol.com

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

Jesse Wesolowski
City Attorney
City of Franklin
11402 W. Church Street
Franklin, WI 53132

RE: Reconsideration of the Denial of Special Use Permit for Strauss Brands, LLC

Dear Mayor Olson and Attorney Wesolowski:

Our office serves as special counsel to Strauss Brands, LLC (Strauss) with respect to the above matter. We understand that the City of Franklin may be reconsidering the denial of Strauss' special use permit on November 2, 2020. Strauss has been a longstanding member of this community and hopes to continue that relationship with the City. In working to develop a new facility in the City, Strauss' has worked hard with the City and its staff to meet all applicable local requirements. We are writing in support of the requested reconsideration because we believe, both as a matter of law and the facts in this record, the special use permit should be granted.

1. 2017 Wisconsin Act 67 Limits Discretion for Denying Special Use Permits.

Strauss' application for a special use is governed by Wis. Stat § 62.23(7)(de). This statute was recently enacted by the Wisconsin Legislature as part of 2017 Wisconsin Act 67 ("Act 67"). The intent of that law was to significantly limit municipal discretion to deny conditional or special use permits.

Several aspects of the law and its history are relevant to this matter. First, Act 67 provides that if an applicant for a special use permit "meets or agrees to meet all of the requirements and conditions specified in the city ordinance...the city shall grant" the special use permit. Wis. Stat. § 62.23(7)(de)2.a. Second, it requires a city's special use requirements and permit conditions to be "reasonable and, to the extent practicable, measurable." Wis. Stat. § 62.23(7)(de)2.b.

Third, Act 67 reaffirms that the substantial evidence standards apply to such proceedings, but limit the scope of what can be considered substantial evidence. Act 67 provides "substantial evidence" means "facts and information, *other than merely personal preferences or speculation*, directly pertaining to the requirements and conditions an applicant must meet to obtain a conditional use permit and that reasonable persons would accept in support of a conclusion." Wis. Stat. § 62.23(7)(de)1.b. (emphasis added). The applicant must demonstrate with substantial evidence that all requirements and conditions established by the city relating to the special use are or shall be satisfied. Importantly, the city's decision to approve or deny the special use is invalid unless supported by substantial evidence. Wis. Stat. § 62.23(7)(de)2.b.

Act 67 was a significant break from the law prior to its enactment, and was enacted to overrule the Supreme Court of Wisconsin's decision in *AllEnergy Corp. v. Trempealeau Cty. Env't & Land Use Comm.*, 2017 WI 52, 375 Wis. 2d 329, 895 N.W.2d 396. In *AllEnergy*, a majority of justices ruled that local governments could enact broad, subjective conditional use standards and exercise wide discretion in determining whether to grant a permit. The Legislature decisively overturned that decision with Act 67.

Justice Kelly's dissent in *AllEnergy* closely aligns with Act 67's language, and his analysis is especially relevant in this context. Justice Kelly argued that by creating a special use, a municipality legislatively determines that use is consistent with the ordinance's goals *Id.*, ¶ 161 (Kelly, J., dissenting).

As to ordinance standards, Justice Kelly argued that a municipality may not reserve unlimited discretion "to condition issuance of the permit on the basis of such norms or standards as it may from time to time arbitrarily determine." *Id.*, ¶ 181. It forces permit applicants to play the "guess what's in my head" game with the Committee. *Id.*, ¶ 182. Act 67's mandate that special use ordinance requirements be "reasonable, and to the extent practicable, measurable" is

consistent with Justice Kelly's dissent. In other words, Act 67 was designed to eliminate vague public interest standards.

2. Act 67 Standards Apply to Special Use Permits.

Act 67 applies to special use approvals. Wis. Stat. § 62.23(7)(de)1.a. broadly defines a conditional use as "a use allowed under a conditional use permit, *special exception, or other special zoning permission issued by a city*, but does not include a variance." (emphasis added). The City's special use is akin to a conditional use and subject to Act 67's restrictions.

3. The City's Denial of the Special Use Contradicted Act 67.

There are several reasons that the City's denial of the special use was inconsistent with the requirements of Act 67.

First, Strauss met the criteria under the ordinance. Strauss submitted an extensive application that detailed how its development satisfied every single criteria in the special use ordinance by providing facts, such as answering specific questions posed by City staff and council members, environmental compliance documents, stormwater designs, specific written answers to ordinance requirements, and engineering designs. The statute's language is unambiguous: "[i]f an applicant for a [special use] permit meets or agrees to meet all of the requirements and conditions...*the city shall grant* the [special use] permit." Wis. Stat. § 62.23(7)(de)2.a. (emphasis added).

Second, the City can only deny the permit if that decision is supported by substantial evidence. As noted above, Act 67 defines substantial evidence as "facts and information, *other than merely personal preferences or speculation*, directly pertaining to the requirements and conditions an applicant must meet to obtain a...[special use] and that reasonable persons would accept in support of a conclusion." Wis. Stat. § 62.23(7)(de)1.b.

In this case, the City did not cite any evidence to support its decision. The motion to deny simply recited ordinance provisions without providing any factual basis to support how the facility did not satisfy the ordinance standards. Rather, the City relied upon general public opposition to the project based entirely on speculation. One council member even stated that Strauss had lost its loyalty card for the City. The Legislature enacted Act 67 to eliminate those types of subjective reasons for denial. Since the City did not cite any facts to support its denial, the decision was in error.

Finally, the City's ordinance standards used as a basis for denial are not "to the extent practicable, measurable." The motion to deny stated that Sections 15-3.0701(A)(2) and (3) of the Unified Development Ordinance were the reasons for denial. Those sections provide:

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

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

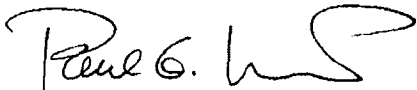
There are no measurable qualities to these standards. These standards force applicants to play the “guess what’s in my head game” with the City, and leads to an unfair process that contravenes Act 67. Relying on these “standards” rather than measurable requirements for applicants to satisfy is not consistent with Act 67 requirements.

4. Requested Relief.

Since the City’s denial of the special use is not consistent with the requirements of Act 67, our client respectfully requests that the City reconsider its decision and grant the special use. Strauss complied with all requests made by the City and complied with all applicable ordinance requirements. Approving the special use would be mutually beneficial to all parties.

Sincerely,

STAFFORD ROSENBAUM LLP



Paul G. Kent
Rick Manthe

PGK/RAM:mai

<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;">10/20/20</p>
<p style="text-align: center;">REPORTS & RECOMMENDATIONS</p>	<p style="text-align: center;">A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR A MEAT PROCESSING FACILITY USE UPON PROPERTY LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF WEST LOOMIS ROAD AND THE NEW MONARCH DRIVE (LOT 83 OF RYAN MEADOWS SUBDIVISION) (STRAUSS BRANDS LLC, APPLICANT)</p>	<p style="text-align: center;">ITEM NUMBER</p> <p style="text-align: center;"><i>G.2.</i></p>

At its October 8, 2020, regular meeting, the Plan Commission carried a motion to recommend approval of this Special Use resolution, the vote was 4-1-1. The public hearing for this item lasted about 2 hours. Additionally, the Plan Commission adopted the Site Plan resolution conditioned upon the approval of this Special Use, the vote was 4-1-1.

COUNCIL ACTION REQUESTED

A motion to adopt Resolution 2020-_____, imposing conditions and restrictions for the approval of a special use for a meat processing facility use upon property located at the southwest corner of the intersection of West Loomis Road and the new Monarch Drive (Lot 83 of Ryan Meadows subdivision) (Strauss Brands LLC, applicant).

RESOLUTION NO. 2020-_____

A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR
THE APPROVAL OF A SPECIAL USE FOR A MEAT PROCESSING FACILITY
USE UPON PROPERTY LOCATED AT THE SOUTHWEST CORNER OF THE
INTERSECTION OF WEST LOOMIS ROAD AND THE NEW MONARCH DRIVE
(LOT 83 OF RYAN MEADOWS SUBDIVISION)
(STRAUSS BRANDS LLC, APPLICANT)

WHEREAS, Strauss Brands LLC having petitioned the City of Franklin for the approval of a Special Use within an M-1 Limited Industrial District under Standard Industrial Classification Title No. 2011 "Meat Packing Plants" to allow for construction of a 152,035 square foot (total building footprint of the single-story building) meat processing facility (Phases I and II (staffed by approximately 261 employees in the production area and 11 employees in the office area)) designed to process 250 to 500 head of cattle per day, which will include cattle pens, a harvest floor, carcass coolers, fabrication areas, packaging areas, warehouse areas, shipping docks, operations offices, employee welfare spaces and associated mechanical support facilities and spaces, upon property located at the southwest corner of the intersection of West Loomis Road and the new Monarch Drive (Lot 83 of Ryan Meadows Subdivision, approximately 30.2 acres), bearing Tax Key No. 891-1083-000, more particularly described as follows:

Parts of Lot 1 and Outlot 1, of Certified Survey Map No. 9095 as recorded in the register of deeds office for Milwaukee County as Document No. 10830741, being a part of the Northeast 1/4 and the Southeast 1/4 of the Northwest 1/4 of Section 30, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin, described as follows: Commencing at the southwest corner of the Northwest 1/4 of said Section 30; thence South 89°39'32" East along the south line of said Northwest 1/4, 1345.74 feet to the southwest corner of Lot 1 Certified Survey Map No. 9095 and the Point of Beginning; Thence North 00°34'12" West, along the west line of said Lot 1, 1523.10 feet to the southerly line of said right-of-way of West Loomis Road; thence North 79°00'41" East along the southerly line of said right-of-way, 156.97 feet; thence North 75°45'51" East along the southerly line of said right-of-way, 215.80 feet to a point of curvature; thence northeasterly along the southerly line of said right-of-way, 30.51 feet along the arc of said curve to the left, whose radius is 1979.86 feet and whose chord bears North 75°19'22" East, 30.51 feet; thence South 29°08'47" East, 22.47 feet; thence South 16°09'38" East, 83.27 feet to a point of curvature; thence southeasterly 198.68 feet along the arc of said curve to the left, whose radius is 265.00 feet and whose chord bears South 37°38'23" East, 194.06 feet; thence South 59°07'06" East, 356.12 feet to a point of curvature; thence southeasterly 170.14 feet along the arc of

said curve to the right, whose radius is 190.00 feet and whose chord bears South 33°27'51" East, 164.52 feet; thence South 07°48'36" East, 543.63 feet to a point of curvature; thence southwesterly 128.99 feet along the arc of said curve to the right, whose radius is 190.00 feet and whose chord bears South 11°38'18" West, 126.52 feet; thence South 31°05'13" West, 282.33 feet to a point of curvature; thence southwesterly 75.12 feet along said curve to the right, whose radius is 190.00 feet and whose chord bears South 42°24'51" West, 74.64 feet; thence South 53°44'29" West, 143.69 feet to the south line of said Northwest 1/4; thence North 89°39'32" West along said south line, 662.99 feet to the Point of Beginning. Containing 1,316,168 square feet (30.2151 acres) of land, more or less; and

WHEREAS, such petition having been duly referred to the Plan Commission of the City of Franklin for a public hearing, pursuant to the requirements of §15-9.0103D. of the Unified Development Ordinance, and a public hearing having been held before the Plan Commission on the 17th day of September, 2020, and the Plan Commission thereafter having determined to recommend that the proposed Special Use be approved, subject to certain conditions, and the Plan Commission further finding that the proposed Special Use upon such conditions, pursuant to §15-3.0701 of the Unified Development Ordinance, will be in harmony with the purposes of the Unified Development Ordinance and the Comprehensive Master Plan; that it will not have an undue adverse impact upon adjoining property; that it will not interfere with the development of neighboring property; that it will be served adequately by essential public facilities and services; that it will not cause undue traffic congestion; and that it will not result in damage to property of significant importance to nature, history or the like; and

WHEREAS, the Common Council having received such Plan Commission recommendation and also having found that the proposed Special Use, subject to conditions, meets the standards set forth under §15-3.0701 of the Unified Development Ordinance.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the petition of Strauss Brands LLC, for the approval of a Special Use for the property particularly described in the preamble to this Resolution, be and the same is hereby approved, subject to the following conditions and restrictions:

1. That this Special Use is approved only for the use of the subject property by Strauss Brands LLC, successors and assigns, as a meat processing facility use, which shall be developed in substantial compliance with, and operated and maintained by Strauss Brands LLC, pursuant to those plans City file-stamped September 28, 2020 and annexed hereto and incorporated herein as Exhibit A.

STRAUSS BRANDS LLC – SPECIAL USE

RESOLUTION NO. 2020-_____

Page 3

2. Strauss Brands LLC, successors and assigns, shall pay to the City of Franklin the amount of all development compliance, inspection and review fees incurred by the City of Franklin, including fees of consults to the City of Franklin, for the Strauss Brands LLC meat processing facility, within 30 days of invoice for same. Any violation of this provision shall be a violation of the Unified Development Ordinance, and subject to §15-9.0502 thereof and §1-19. of the Municipal Code, the general penalties and remedies provisions, as amended from time to time.
3. The approval granted hereunder is conditional upon Strauss Brands LLC and the meat processing facility use for the property located at the southwest corner of the intersection of West Loomis Road and the new Monarch Drive (Lot 83 of Ryan Meadows Subdivision): (i) being in compliance with all applicable governmental laws, statutes, rules, codes, orders and ordinances; and (ii) obtaining all other governmental approvals, permits, licenses and the like, required for and applicable to the project to be developed and as presented for this approval.
4. Hours of livestock delivery shall be between the hours of 1:00 AM to 1:00 PM, Monday thru Friday, unless unforeseen conditions occur. Hours of operation for the harvest area shall be from 5:00 AM to 6:00 PM, Monday thru Friday. These conditions shall not apply to fabrication, grinding, maintenance, cleaning, and administrative activities which can operate 24 hours per day, Monday thru Saturday.
5. No outside storage of supplies and/or equipment shall be permitted.
6. No livestock shall be kept outside the buildings.
7. No livestock shall be kept on the premise overnight except when requested by state or federal inspector.
8. A maximum of 14 empty livestock trucks shall be permitted to park on the premise overnight.
9. No livestock trucks shall be washed or cleaned on the premise.
10. All processing waste shall be removed from the premise daily.
11. Removal of snow from private parking lots, walks and access drives shall be the responsibility of the owner.
12. A site plan amendment shall be required for the future building expansion areas, future truck maintenance facility, future parking and future driveways.

13. This Special Use is not approving any signs, signage requires a separate permit from the Inspection Services Department prior to installation.
14. The applicant shall prepare conservation easements for all protected natural resource features for staff review and Common Council approval, and recording with the Milwaukee County Register of Deeds, prior to issuance of a Building Permit.
15. The applicant shall obtain final approval of grading, erosion control, storm water management, and utilities by the Engineering Department prior to any land disturbance activities.
16. The minimum required off-street parking is 280 parking stalls.
17. The maximum driveway width is 28 feet for the employee parking lot and 48 feet for the truck entrance.
18. The maximum height is 8 feet for chain link fences and 10 feet for masonry walls, measured from grade.
19. The cattle barns and harvest areas shall be ventilated to dissipate odors. Trucks and trailers used to remove remainder animal wastes shall be loaded in enclosed dock areas to reduce spread of odors.
20. In the event of obnoxious odors detected off the premise, the Department of City Development shall immediately notify the operator and the federal or state inspector assigned to the facility.

BE IT FURTHER RESOLVED, that in the event Strauss Brands LLC, successors or assigns, or any owner of the subject property, does not comply with one or any of the conditions and restrictions of this Special Use Resolution, following a ten (10) day notice to cure, and failure to comply within such time period, the Common Council, upon notice and hearing, may revoke the Special Use permission granted under this Resolution.

BE IT FURTHER RESOLVED, that any violation of any term, condition or restriction of this Resolution is hereby deemed to be, and therefore shall be, a violation of the Unified Development Ordinance, and pursuant to §15-9.0502 thereof and §1-19. of the Municipal Code, the penalty for such violation shall be a forfeiture of no more than \$2,500.00, or such other maximum amount and together with such other costs and terms as may be specified therein from time to time. Each day that such violation continues shall be a

STRAUSS BRANDS LLC – SPECIAL USE
RESOLUTION NO. 2020-_____
PAGE 5

separate violation. Failure of the City to enforce any such violation shall not be a waiver of that or any other violation.

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

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

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

Introduced at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2020.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2020.

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

MEMORANDUM

Date October 8, 2020
To Plan Commission
From Department of City Development
RE Straus Brands, LLC meat processing facility.
Revisions to conditions of approval.

The applicant's agent has requested to change the hours of operation per e-mail communication dated October 7

Revision to condition #4 as requested by the applicant:

- *Hours of livestock delivery shall be between the hours of 1:00 AM to 1 00 PM, Monday thru Friday, unless unforeseen conditions occur Hours of operation for the harvest area shall be from 5:00 AM to 6:00 PM, Monday thru Friday These conditions shall not apply to fabrication, grinding, maintenance, cleaning, and administrative activities which can operate 24 hours per day, Monday thru Saturday*

With regards to the areas reserved for future improvements, such as building additions, future parking and driveways, a site plan amendment shall be required for such improvements but not a special use amendment

Revision to condition #12.

- *A site plan amendment shall be required for the future building expansion areas, future truck maintenance facility, future parking and future driveways*

Based on concerns regarding the risk of obnoxious odors off the premise, City Development staff recommends the changes below to the conditions of approval

Revision to condition #19.

- *The cattle barns and harvest areas shall be ventilated to dissipate odors. Trucks and trailers used to remove remainder animal wastes shall be loaded in enclosed dock areas to reduce spread of odors.*

Addition of condition #20

- *In the event of obnoxious odors detected off the premise, the Department of City Development shall immediately notify the operator and the federal or state inspector assigned to the facility*

It is noted that there is no record of complaints associated with the existing Strauss facility located at 9775 S 60th Street (TKN 898-9997-004)

Régulo Martínez-Montilva, AICP
Principal Planner - Department of City Development



REPORT TO THE PLAN COMMISSION

Meeting of October 8, 2020

Special Use and Site Plan

RECOMMENDATION: City Development staff recommends approval of the proposed Special Use and associated Site Plan for Strauss Brands meat processing facility upon property located on Lot 83 of Ryan Meadows subject to the conditions set forth in the draft Resolution

Table with 2 columns: Field Name and Value. Fields include Project Name, Project Address, Applicant, Property Owner, Current Zoning, 2025 Comprehensive Plan, Use of Surrounding Properties, and Applicant Action Requested.

INTRODUCTION

The site area is approximately 30.2 acres. The facility is designed to process 250 to 500 head of cattle per day, and includes cattle pens, kill floor, carcass coolers, fabrication areas, packaging areas, warehouse areas, shipping docks, operations offices, employee welfare spaces and associated mechanical support facilities and spaces. This use is classified under Standard Industrial Classification No. 2011, Meat Packing Plants, which requires a Special Use in the M-1 Zoning District

On April 15, 2020, the applicant submitted Site Plan and Special Use applications for the development of a 127,760 square foot meat processing facility. City staff sent memorandum dated May 18, 2020, with a total of 37 review comments

On July 29, 2020, the applicant resubmitted with the following major changes: a building footprint increase from 127,760 sf to 152,035 sf, as well as an increase to the parking capacity from 234 spaces to 280 spaces. The applicant had addressed most of the review comments in this resubmittal. However, staff sent a second memorandum dated September 2, with 11 review comments including comments from the Mayor and the Alderman of the District

PROJECT DESCRIPTION AND ANALYSIS

Special Use:

Strauss Brands, LLC submitted a substantially complete application for a special use permit, allowing for Section § 15-3 0701 of the Unified Development Ordinance sets out the General Standards for Special Uses. The applicant has submitted responses to each of those standards

City Development staff has the following comments about the general standards for Special Uses:

1. Ordinance and Comprehensive Master Plan Purposes and Intent.

Staff comment The development is compatible with the limited industrial zoning district (M-1) that provides for “manufacturing, industrial and warehousing uses” and the Business Park designation of the Comprehensive Plan

2. No Undue Adverse Impact.

See Fire Department comments below.

With regards to obnoxious odors and noise. The applicant stated that “the wastewater treatment room is fitted with air scrubbers to eliminate odors The cattle barns and harvest areas are ventilated with a high volume of outside air to dissipate buildup of odors Trucks/trailers used to remove hides and inedible waste are kept in enclosed dock areas to eliminate spread of odors All processes are preformed within the building which will eliminate noise concerns. Noise generation will be limited to truck traffic of approximately 20 trucks per day”

3. No Interference with Surrounding Development.

Staff comment: The properties to east and south are also zoned M-1. The adjacent property to the west is zoned residential but a landscape buffer is proposed along the western property line

4. Adequate Public Facilities.

See Fire Department comments below

5. No Traffic Congestion.

Staff comment No expected truck traffic through residential streets

6. No Destruction of Significant Features.

Staff comment Conservation easements are recommended to protect existing on-site natural resources

7. Compliance with Standards.

See site plan analysis presented further in this staff report

The Fire Department has expressed the following

- Significant concern with storage/use of large quantities of ammonia immediately adjacent to and upwind of planned residential, commercial, and multi-use

development Asphyxiant, corrosive/irritant, and potential explosive properties will be present in the event of a release/leak or fire.

- Area is poorly served by existing fire station locations and staffing Response times for Effective Response Force for fire and EMS calls-for-service, and emergency incident types will likely exceed accepted industry standards (possibly significantly) for the entire development

The applicant stated that “the ammonia refrigeration system will meet all current codes and regulations Due to the volume of ammonia on site a Process Safety Management (PSM) program will be in place Furthermore, the system will be provided with an ammonia diffusion tank to allow for emergency evacuation and diffusion in a hazardous ammonia situation” per letter dated June 28, 2020.

Site Plan.

The proposed meat processing facility includes a 152,035 square foot building, oriented north-south and roughly centered on the property and facing east. The site will be accessed at two locations on the future Monarch Drive and will not have access from Loomis Road The first access point on Monarch Drive, located roughly at the midpoint of the lot, will lead to an employee parking lot along the front (east) side of the building The second access point, located at the southern end of the lot, will be for truck receiving and shipping The access drive leads to a guardhouse located approximately 200 feet from the property line. The access drive continues past the guardhouse along the south, west, and north sides of the building A future access drive would be located at the intersection of Chicory Street and Monarch Drive, a separate site plan amendment would be required for this future drive

The building is a single-story structure, the processing area of the building will be 36 feet in height and the office/support areas of the building will be 18 feet in height The building will be a steel framed and concrete slab-on-grade structure enclosed with insulated metal wall panels The exterior of the office/ employee welfare will be a combination of masonry and architectural metal wall panels.

The site plan includes a future expansion area on the west side of the proposed building This includes a roughly 112,000 square foot “building expansion area” and a roughly 47,000 square foot truck maintenance facility The site plan also identifies areas for future truck dock parking north of the proposed meat processing facility. The future development would require review approval by the City before development.

Trucks containing cattle would be unloaded at docks located on the south side of the building The floor plan includes indoor cattle holding pens and areas for various steps of meat processing, including preslaughter handling, stunning, and slaughtering There are extensive coolers for chilling carcasses before fabrication (butchering) and a large area for the fabrication process The floor plan also includes various employee breakrooms, office and conference spaces and restrooms

This project complies with the development standards of the M-1 zoning district as shown below

- Gross Floor Area Ratio (GFAR) 0.20 Maximum allowed 0.42
- Net Floor Area Ratio (NFAR) 0.33 Maximum allowed 0.85
- Landscape Surface Ratio 0.50 Minimum required 0.40

Exterior trash compactors are proposed on the north and southwest sides of the building. Various pieces of mechanical equipment are located on the east and west sides of the building, which are to be concealed by screen walls.

Watermain easements are proposed on all sides of the site. Any future building expansions would need to be designed to avoid the easement.

Driveways

Proposed driveway openings are 28 feet wide for the employee parking lot and 48 feet wide for truck entrance. UDO 15-5 0207B limits width to 24 feet and 30 feet at roadway, however, it also states that the Plan Commission may approve openings for vehicular ingress and egress greater than 30 feet.

Staff has no objections to the request above. However, if the Plan Commission does not approve wider driveways, staff recommends that the applicant shall provide a revised Site Plan with driveway openings no wider than 24 feet and 30 feet at roadway, for Department of City Development review and approval, prior to issuance of a Building Permit.

Parking:

Table 15-5 0203 of the Unified Development Ordinance (UDO) requires two parking spaces per 1,000 square feet of Gross Floor Area for "Light Industry" land uses. Based on the overall square footage (162,830), 324 parking spaces are required.

The applicant is requesting a reduction of 13% (44 stalls) for a total of 280 parking stalls. The applicant stated that *"the overall number of employees is 272 with a maximum of 240 being onsite at the same time. Even with the reduction in parking there would still be 40 overflow spaces available"*

The Plan Commission may approve (up to) a 25% parking reduction, provided that the applicant has submitted sufficient proof that the minimum number of required parking spaces would exceed the proposed use's projected parking demand. Staff has no objection to the justification provided by the applicant. Additionally, the proposed 7 ADA parking spaces comply with Table 15-5 0202(I)(1).

Landscaping

Landscape plantings are provided along the perimeter of the property and concentrated around the stormwater ponds. Bufferyards are required on the north and west sides of this property due to adjacent residential zoning.

The applicant has addressed staff comments regarding landscaping in communication dated June 28, 2020, page 4.

Fencing

Much of the site, including truck traffic drives and the south, west, and north sides of the proposed building, is enclosed by an 8-foot high chain link fence

According to UDO §15-3 0803(C)(2)(b), fences installed in nonresidential zoning districts shall not exceed six feet in height, except when required to enclose outside storage areas or when approved by the Plan Commission may be up to ten feet in height The 8-ft high chain link and the 10-ft high masonry wall are subject to approval by the Plan Commission.

Lighting:

The applicant has provided a Lighting Plan with photometrics. The Lighting Plan includes 31 new light poles, 10 wall-mounted building lights, and 17 wall-mounted emergency egress fixtures. The light poles have an overall height of 30 feet, which is below the maximum permitted height of 50 feet.

The maximum illumination is 0.9 foot-candles and at the property lines, which meets the requirements of Table 15-5.0401(C) of the UDO, and the cutoff angle of fixtures is 90 degrees or less.

Architecture

The exterior of the building will be enclosed with cream-colored insulated metal wall panels. The front façade includes a combination of dark grey masonry and dark brown (wood-like) architectural metal wall panels. The side and rear façades are predominately flat insulated metal wall panels with little to no façade articulation.

Natural Resource Protection Plan:

A natural resource investigation of the property was conducted by Pinnacle Engineering Group on September 12, 2019. There are wetlands at the northwest and southwest corners of the property. A small pond is located just west of the property line. The proposed development maintains all required setbacks and buffers from the wetlands and pond. Staff recommends that the applicant shall prepare a Conservation Easement for all protected natural resource features for staff review and Common Council approval, and recording with the Milwaukee County Register of Deeds, prior to issuance of a Building Permit.

Signage:

The applicant is aware that signs are subject to separate review and approval through the Architectural Review Board and Inspection Department.

Public input

Public comments are attached to the meeting packet.

STAFF RECOMMENDATION

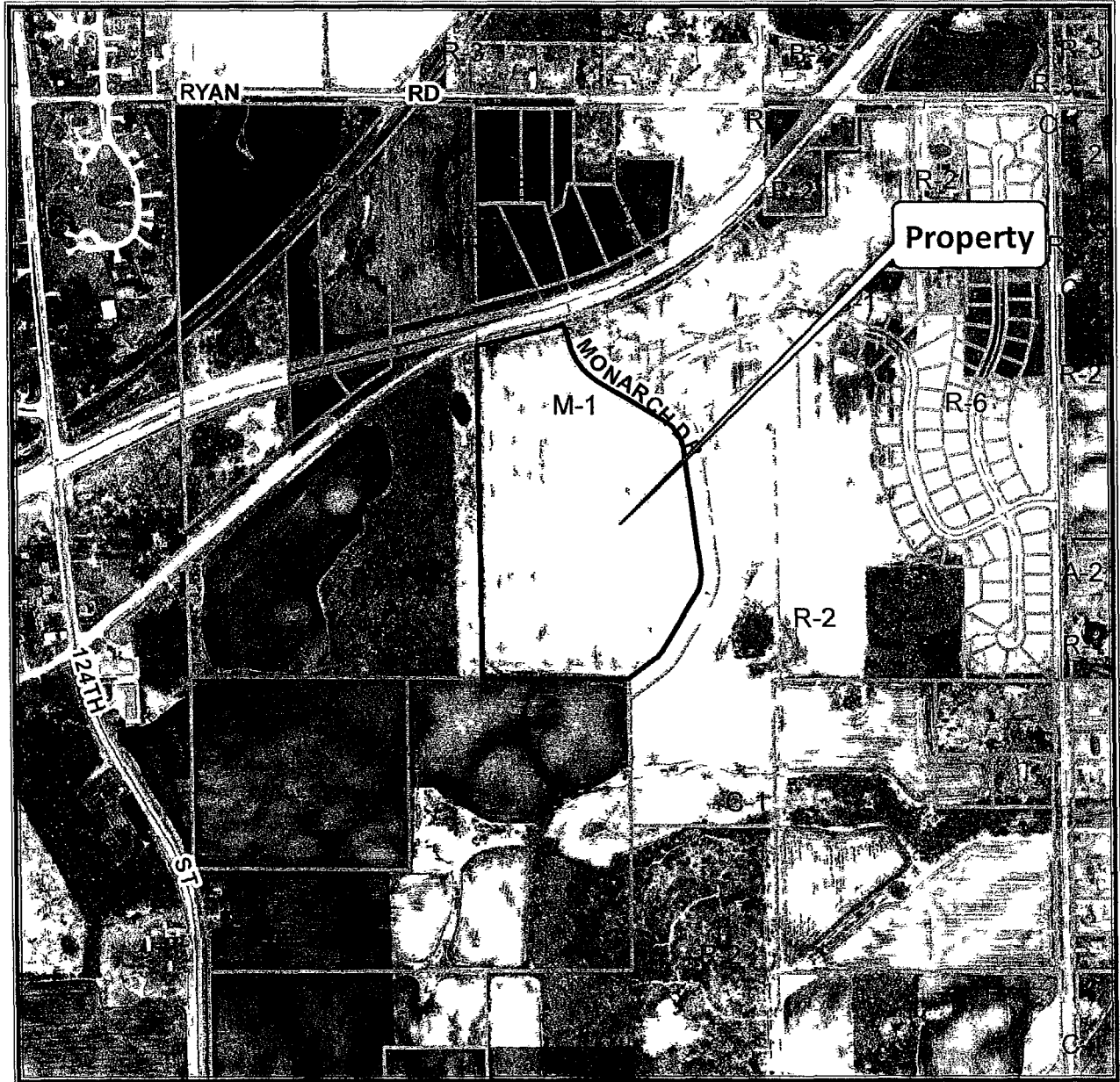
City Development staff recommends approval of the proposed Special Use and associated Site Plan for Strauss Brands meat processing facility upon property located on Lot 83 of Ryan Meadows, subject to the conditions set forth in the draft Resolution

The applicant is also requesting approval of the items below

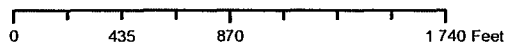
- A 13% reduction of required parking for a total of 280 parking stalls while 324 are required per Table 15-5 0203 of the Unified Development Ordinance (UDO) The Plan Commission may approve up to a 25% parking reduction
- 28 feet wide driveway for the employee parking lot and 48 feet wide for truck entrance while UDO §15-5 0207 B limits width to 24 feet and 30 feet at roadway. The Plan Commission may approve openings for vehicular ingress and egress greater than 30 feet
- 8 feet high chain link fence and 10 feet high masonry wall while fences installed in nonresidential zoning districts shall not exceed six feet in height per UDO §15-3 0803 C 2 b, except when required to enclose outside storage areas or when approved by the Plan Commission may be up to ten feet in height



TKN: 891 1083 000



Planning Department
(414) 425-4024

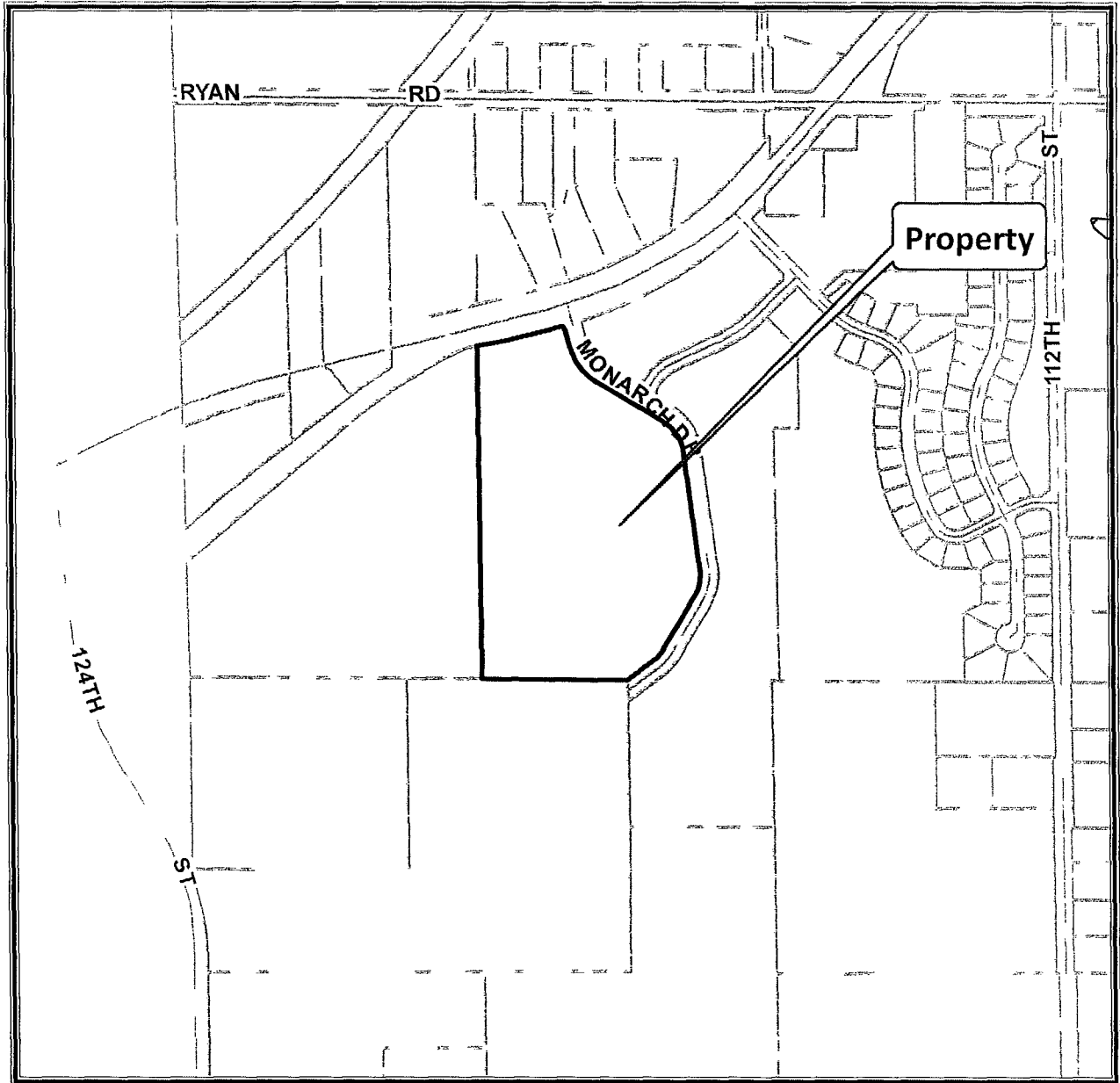


2017 Aerial Photo

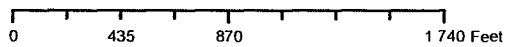
This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor. This map is provided for informational purposes only and may not be sufficient or appropriate for legal engineering or surveying purposes.



TKN: 891 1083 000



Planning Department
(414) 425-4024



2017 Aerial Photo

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

RESOLUTION NO. 2020-_____

A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR
THE APPROVAL OF A SPECIAL USE FOR A MEAT PROCESSING FACILITY
USE UPON PROPERTY LOCATED AT THE SOUTHWEST CORNER OF THE
INTERSECTION OF WEST LOOMIS ROAD AND THE NEW MONARCH DRIVE
(LOT 83 OF RYAN MEADOWS SUBDIVISION)
(STRAUSS BRANDS LLC, APPLICANT)

WHEREAS, Strauss Brands LLC having petitioned the City of Franklin for the approval of a Special Use within an M-1 Limited Industrial District under Standard Industrial Classification Title No. 2011 "Meat Packing Plants" to allow for construction of a 152,035 square foot (total building footprint of the single-story building) meat processing facility (Phases I and II (staffed by approximately 261 employees in the production area and 11 employees in the office area)) designed to process 250 to 500 head of cattle per day, which will include cattle pens, a harvest floor, carcass coolers, fabrication areas, packaging areas, warehouse areas, shipping docks, operations offices, employee welfare spaces and associated mechanical support facilities and spaces, upon property located at the southwest corner of the intersection of West Loomis Road and the new Monarch Drive (Lot 83 of Ryan Meadows Subdivision, approximately 30.2 acres), bearing Tax Key No. 891-1083-000, more particularly described as follows:

Parts of Lot 1 and Outlot 1, of Certified Survey Map No. 9095 as recorded in the register of deeds office for Milwaukee County as Document No. 10830741, being a part of the Northeast 1/4 and the Southeast 1/4 of the Northwest 1/4 of Section 30, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin, described as follows: Commencing at the southwest corner of the Northwest 1/4 of said Section 30; thence South 89°39'32" East along the south line of said Northwest 1/4, 1345.74 feet to the southwest corner of Lot 1 Certified Survey Map No. 9095 and the Point of Beginning; Thence North 00°34'12" West, along the west line of said Lot 1, 1523.10 feet to the southerly line of said right-of-way of West Loomis Road; thence North 79°00'41" East along the southerly line of said right-of-way, 156.97 feet; thence North 75°45'51" East along the southerly line of said right-of-way, 215.80 feet to a point of curvature; thence northeasterly along the southerly line of said right-of-way, 30.51 feet along the arc of said curve to the left, whose radius is 1979.86 feet and whose chord bears North 75°19'22" East, 30.51 feet; thence South 29°08'47" East, 22.47 feet; thence South 16°09'38" East, 83.27 feet to a point of curvature; thence southeasterly 198.68 feet along the arc of said curve to the left, whose radius is 265.00 feet and whose chord bears South 37°38'23" East, 194.06 feet; thence South 59°07'06" East, 356.12 feet to a point of curvature; thence southeasterly 170.14 feet along the arc of

STRAUSS BRANDS LLC – SPECIAL USE
RESOLUTION NO. 2020-_____

Page 2

said curve to the right, whose radius is 190.00 feet and whose chord bears South 33°27'51" East, 164.52 feet; thence South 07°48'36" East, 543.63 feet to a point of curvature; thence southwesterly 128.99 feet along the arc of said curve to the right, whose radius is 190.00 feet and whose chord bears South 11°38'18" West, 126.52 feet; thence South 31°05'13" West, 282.33 feet to a point of curvature; thence southwesterly 75.12 feet along said curve to the right, whose radius is 190.00 feet and whose chord bears South 42°24'51" West, 74.64 feet; thence South 53°44'29" West, 143.69 feet to the south line of said Northwest 1/4; thence North 89°39'32" West along said south line, 662.99 feet to the Point of Beginning. Containing 1,316,168 square feet (30.2151 acres) of land, more or less; and

WHEREAS, such petition having been duly referred to the Plan Commission of the City of Franklin for a public hearing, pursuant to the requirements of §15-9.0103D. of the Unified Development Ordinance, and a public hearing having been held before the Plan Commission on the 17th day of September, 2020, and the Plan Commission thereafter having determined to recommend that the proposed Special Use be approved, subject to certain conditions, and the Plan Commission further finding that the proposed Special Use upon such conditions, pursuant to §15-3.0701 of the Unified Development Ordinance, will be in harmony with the purposes of the Unified Development Ordinance and the Comprehensive Master Plan; that it will not have an undue adverse impact upon adjoining property; that it will not interfere with the development of neighboring property; that it will be served adequately by essential public facilities and services; that it will not cause undue traffic congestion; and that it will not result in damage to property of significant importance to nature, history or the like; and

WHEREAS, the Common Council having received such Plan Commission recommendation and also having found that the proposed Special Use, subject to conditions, meets the standards set forth under §15-3.0701 of the Unified Development Ordinance.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the petition of Strauss Brands LLC, for the approval of a Special Use for the property particularly described in the preamble to this Resolution, be and the same is hereby approved, subject to the following conditions and restrictions:

1. That this Special Use is approved only for the use of the subject property by Strauss Brands LLC, successors and assigns, as a meat processing facility use, which shall be developed in substantial compliance with, and operated and maintained by Strauss Brands LLC, pursuant to those plans City file-stamped September 28, 2020 and annexed hereto and incorporated herein as Exhibit A.

STRAUSS BRANDS LLC – SPECIAL USE

RESOLUTION NO. 2020-_____

Page 3

2. Strauss Brands LLC, successors and assigns, shall pay to the City of Franklin the amount of all development compliance, inspection and review fees incurred by the City of Franklin, including fees of consults to the City of Franklin, for the Strauss Brands LLC meat processing facility, within 30 days of invoice for same. Any violation of this provision shall be a violation of the Unified Development Ordinance, and subject to §15-9.0502 thereof and §1-19. of the Municipal Code, the general penalties and remedies provisions, as amended from time to time.
3. The approval granted hereunder is conditional upon Strauss Brands LLC and the meat processing facility use for the property located at the southwest corner of the intersection of West Loomis Road and the new Monarch Drive (Lot 83 of Ryan Meadows Subdivision): (i) being in compliance with all applicable governmental laws, statutes, rules, codes, orders and ordinances; and (ii) obtaining all other governmental approvals, permits, licenses and the like, required for and applicable to the project to be developed and as presented for this approval.
4. Hours of livestock deliveries shall be from 4:00am to 1:00pm Monday thru Friday. Hours of operation for harvest, fabrication and grinding shall be from 6:00am to 4:30pm Monday thru Friday. This condition shall not apply to maintenance, sanitation and administration activities.
5. No outside storage of supplies and/or equipment shall be permitted.
6. No livestock shall be kept outside the buildings.
7. No livestock shall be kept on the premise overnight except when requested by state or federal inspector.
8. A maximum of 14 empty livestock trucks shall be permitted to park on the premise overnight.
9. No livestock trucks shall be washed or cleaned on the premise.
10. All processing waste shall be removed from the premise daily.
11. Removal of snow from private parking lots, walks and access drives shall be the responsibility of the owner.
12. This Special Use does not include future building expansion areas, future truck maintenance facility, future parking nor future driveways.
13. This Special Use is not approving any signs, signage requires a separate permit from the Inspection Services Department prior to installation.

14. The applicant shall prepare conservation easements for all protected natural resource features for staff review and Common Council approval, and recording with the Milwaukee County Register of Deeds, prior to issuance of a Building Permit.
15. The applicant shall obtain final approval of grading, erosion control, storm water management, and utilities by the Engineering Department prior to any land disturbance activities.
16. The minimum required off-street parking is 280 parking stalls.
17. The maximum driveway width is 28 feet for the employee parking lot and 48 feet for the truck entrance.
18. The maximum height is 8 feet for chain link fences and 10 feet for masonry walls, measured from grade.
19. The cattle barns and harvest areas shall be ventilated with a high volume of outside air to dissipate buildup of odors. Trucks and trailers used to remove hides and inedible waste shall be kept in enclosed dock areas to eliminate spread of odors.

BE IT FURTHER RESOLVED, that in the event Strauss Brands LLC, successors or assigns, or any owner of the subject property, does not comply with one or any of the conditions and restrictions of this Special Use Resolution, following a ten (10) day notice to cure, and failure to comply within such time period, the Common Council, upon notice and hearing, may revoke the Special Use permission granted under this Resolution.

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

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

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

STRAUSS BRANDS LLC – SPECIAL USE
RESOLUTION NO. 2020-_____
PAGE 5

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

Introduced at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2020.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2020.

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

RESOLUTION NO. 2020-_____

A RESOLUTION APPROVING A SITE PLAN FOR CONSTRUCTION OF A MEAT PROCESSING FACILITY WITH ASSOCIATED CATTLE PEN, A HARVEST FLOOR, CARCASS COOLERS, FABRICATION AREAS, PACKAGING AREAS, WAREHOUSE AREAS, SHIPPING DOCKS, OPERATIONS OFFICES, EMPLOYEE WELFARE SPACES, ASSOCIATED MECHANICAL SUPPORT FACILITIES AND SPACES, A FUTURE DEVELOPMENT AREA, STORMWATER PONDS, PARKING LOT AND TRUCK AND EMPLOYEE VEHICLE ENTRANCE DRIVES
(THE SOUTHWEST CORNER OF THE INTERSECTION OF WEST LOOMIS ROAD AND THE NEW MONARCH DRIVE (LOT 83 OF RYAN MEADOWS SUBDIVISION)
(STRAUSS BRANDS LLC, APPLICANT)

WHEREAS, Strauss Brands LLC having applied for approval of a proposed site plan for construction of a 152,035 square foot (total building footprint of the single-story building) meat processing facility (Phases I and II (staffed by approximately 261 employees in the production area and 11 employees in the office area)) designed to process 250 to 500 head of cattle per day, including cattle pens, a harvest floor, carcass coolers, fabrication areas, packaging areas, warehouse areas, shipping docks, operations offices, employee welfare spaces, associated mechanical support facilities and spaces [the proposed Site Plan includes a building positioned north/south on the site (roughly centered on the site) with employee/visitor parking on the east side of the building (280 spaces) and an access drive located along the south, west, and north sides of the building for truck traffic, with all access to the site via Monarch Drive (two access drives will be provided, one for employee auto parking and one for truck receiving and shipping) (the western portion of the site is identified as future building expansion area) (the site is designed to detain all stormwater on-site in three (3) detention ponds; the ponds are designed with a capacity to accommodate the future phases of work as indicated on the site drawings)], property located at the southwest corner of the intersection of West Loomis Road and the new Monarch Drive (Lot 83 of Ryan Meadows Subdivision (approximately 30.2 acres)); and

WHEREAS, the Plan Commission having reviewed such proposal and having found same to be in compliance with the applicable terms and provisions of §15-3.0421 of the Unified Development Ordinance and in furtherance of those express standards and purposes of a site plan review pursuant to Division 15-7.0100 of the Unified Development Ordinance.

NOW, THEREFORE, BE IT RESOLVED, by the Plan Commission of the City of Franklin, Wisconsin, that the Site Plan for the construction of a 152,035 square foot meat processing facility designed to process 250 to 500 head of cattle per day, including cattle pens, a harvest floor, carcass coolers, fabrication areas, packaging areas, warehouse areas, shipping docks, operations offices, employee welfare spaces, associated mechanical support

facilities and spaces [the proposed Site Plan includes a building positioned north/south on the site (roughly centered on the site) with employee/visitor parking on the east side of the building (280 spaces) and an access drive located along the south, west, and north sides of the building for truck traffic, with all access to the site via Monarch Drive (two access drives will be provided, one for employee auto parking and one for truck receiving and shipping) (the western portion of the site is identified as future building expansion area) (the site is designed to detain all stormwater on-site in three (3) detention ponds; the ponds are designed with a capacity to accommodate the future phases of work as indicated on the site drawings)], property located at the southwest corner of the intersection of West Loomis Road and the new Monarch Drive (Lot 83 of Ryan Meadows Subdivision (approximately 30.2 acres)) as depicted upon the plans dated September 28, 2020, attached hereto and incorporated herein, is hereby approved, subject to the following terms and conditions:

1. The property subject to the Site Plan shall be developed in substantial compliance with, and operated and maintained pursuant to the Site Plan for the Strauss Brands LLC meat processing facility dated September 28, 2020.
2. Strauss Brands LLC, successors and assigns, and any developer of the Strauss Brands LLC meat processing facility construction 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, for the Strauss Brands LLC meat processing facility construction project, within 30 days of invoice for same. Any violation of this provision shall be a violation of the Unified Development Ordinance, and subject to §15-9.0502 thereof and §1-19. of the Municipal Code, the general penalties and remedies provisions, as amended from time to time
3. The approval granted hereunder is conditional upon the Strauss Brands LLC meat processing facility construction project (i) being in compliance with all applicable governmental laws, statutes, rules, codes, orders and ordinances; and (ii) obtaining all other governmental approvals, permits, licenses and the like, required for and applicable to the project to be developed and as presented for this approval.
4. That the Strauss Brands LLC meat processing facility construction project shall be developed and constructed pursuant to such Site Plan within one year from the date of adoption of this Resolution, or this Resolution and all rights and approvals granted hereunder shall be null and void, without any further action by the City of Franklin.
5. This Site Plan is conditioned upon the approval of a Special Use to allow for meat packing plants.

STRAUSS BRANDS LLC – SITE PLAN
RESOLUTION NO. 2020-____
Page 3

Introduced at a regular meeting of the Plan Commission of the City of Franklin this
_____ day of _____, 2020.

Passed and adopted at a regular meeting of the Plan Commission of the City of
Franklin this _____ day of _____, 2020.

APPROVED:

Stephen R. Olson, Chairman

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____



September 24, 2020

Régulo Martínez-Montilva, AICP
Associate Planner - Department of City Development
City of Franklin
9229 W Loomis Road
Franklin, WI 53132

Project **Strauss Brands, LLC - New Meat Processing Facility**
West Loomis Road & Monarch Drive
Franklin, Wisconsin

Subject **City Development Department Review Comment Responses**
ESIDS Project No.: 20-1257-01

Dear Régulo

Below please find our responses to the Application for Special Use and Site Plan review comments made by the City Development Department, Engineering Department, and Fire Department, dated September 2, 2020

DEPARTMENT OF CITY DEVELOPMENT

Site Plan

- 1 Per Unified Development Ordinance (UDO) §15-4 0102(E), shore buffers shall remain as undisturbed land and undisturbed natural vegetation. Therefore, grading and landscape plantings are not allowed within the shore buffer located on the west side of the property. Please revise grading plan and landscape plan accordingly.

Response: *Civil Drawings have been updated to eliminate work within the shore buffer. See attached updated drawings C401 and L400.*

- 2 Pursuant to UDO §15-5 0210, the minimum snow storage area is 10% of the total pavement areas (391,687 sf per site data table in sheet C300). Please revise the snow storage plan (sheet L401) to meet this requirement.

Response: *Drawing L401 has been updated to show the required snow storage.*

- 3 According to UDO §15-3 0803(C)(2)(b), fences installed in nonresidential zoning districts shall not exceed six feet in height, except when required to enclose outside storage areas or when approved by the Plan Commission may be up to ten feet in height. Note that the 8-ft high chain link and the 10-ft high masonry wall are subject to approval by the Plan Commission.

Response: *Strauss LLC understands the approval for the request must be approved by the Planning Commission.*

- 4 With regards to previous staff comments dated May 18, 2020, please note that the parking reduction request (#26) and the driveway width increase (#11) are subject to approval by the Plan Commission

Response *Strauss LLC understands the approval for the request must be approved by the Planning Commission.*

Engineering Department Comments

- 5 Engineering have no comments for the Special Use application The site plan is still under review by the Engineering Department

Response: *Site drawings have been revised to comply with the Engineering Departments final review comments and were resubmitted to the Engineering Department on 9-24-2020*

Fire Department Comments

- 6 Previous comments/concerns still apply

Response: *Strauss, LLC understands the concerns raised from the Fire Department.*

Mayor's Comments

- 7 Would have preferred semi parking away from Loomis but if that's the worst thing I can find then we're doing pretty well

Response: *The semi parking area is shielded from Loomis Road by a 6'-7' high landscaped berm that will limit the view of the trucks.*

Alderman John Nelson Comments

- 8 What measures are proposed to mitigate odor and noise?

Response: *The wastewater treatment room is fitted with air scrubbers to eliminate odors. The cattle barns and harvest areas are ventilated with a high volume of outside air to dissipate build up of odors. Trucks/trailers used to remove hides and inedible waste are kept in enclosed dock areas to eliminate spread of odors.*

All processes are preformed within the building which will eliminate noise concerns. Noise generation will be limited to truck traffic of approximately 20 trucks per day.

- 9 What is the expected truck delivery schedule for 250-500 head of cattle per day? Any overnight truck parking on the property?

Response: *Delivery of animals to the site will be from 4:00AM to 1:00PM Monday thru Friday.*

- 10 Ensure no animals will EVER be kept outside

Response: *No animals will be kept outside. All animals will be delivered directly from the trucks to the barns.*

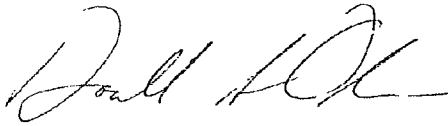
Date September 24, 2020
Project **Strauss Brands, LLC - New Meat Processing Facility**
Franklin, Wisconsin
Subject **City Development Department Review Comment Responses**
Page 3 of 3

11 How will the residents be guaranteed their water wells will not be contaminated?

Response: *All process areas including the cattle barns have sanitary drains that feed directly into the wastewater pre-treatment system which then discharges to the municipal sewer system. There are no exterior wastewater settling ponds of any kind on the project.*

We believe all of your comments have been addressed. If you have any questions or need further clarification, please contact us at your earliest convenience.

Sincerely



Donald A. Olsen, AIA, CSI
Vice President of Design/Operations
262-369-3535 Main Line
262-369-3577 Direct Line
262-391-1436 Cell
262-369-3592 Fax
dolsen@esigroupusa.com

cc John Dohogne, President - ESI Design Services, Inc
Timothy P. Gibbons, V.P. Design/Business Development - ESI Design Services, Inc
File M:\ESI_DS_Jobs\2020\20-1257-01 Strauss Franklin WI\03-Agency\20-1257-01 City of Franklin -Staff Comment Response LTR-02.doc

ONSITE CIVIL ENGINEERING INFRASTRUCTURE PLANS FOR PROPOSED NEW FACILITY FOR STRAUSS BRANDS, INC.

LOOMIS ROAD FRANKLIN, WI 53132
 PLANS PREPARED FOR
ESI DESIGN SERVICES, INC.
 950 WALNUT RIDGE DRIVE
 HARTLAND, WI 53029

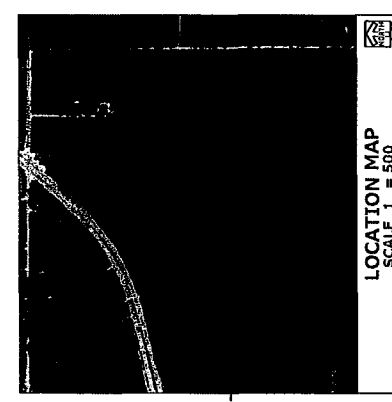
LEGEND

SYMBOL	DESCRIPTION
(Symbol)	EXISTING
(Symbol)	PROPOSED
(Symbol)	CONCRETE
(Symbol)	ASPHALT
(Symbol)	GRAVEL
(Symbol)	STONE
(Symbol)	PIPE
(Symbol)	TRUNCATED DOME
(Symbol)	WATER MAIN
(Symbol)	SEWER
(Symbol)	UTILITY
(Symbol)	LANDSCAPE

ABBREVIATIONS

C	CURB
CA	CONCRETE
AS	ASPHALT
G	GRAVEL
S	STONE
P	PIPE
TD	TRUNCATED DOME
WM	WATER MAIN
SE	SEWER
UT	UTILITY
LS	LANDSCAPE

PROJECT LOCATION



LOCATION MAP
 SCALE 1" = 500'

PROJECT TEAM CONTACTS

CIVIL ENGINEER: MITIYAMA P.E. ESI DESIGN SERVICES, INC. 950 WALNUT RIDGE DRIVE HARTLAND, WI 53029 PHONE: 262-777-7777	APPLICANT: STRAUSS BRANDS, INC. 137 FRANKLIN DRIVE FRANKLIN, WI 53132 PHONE: 262-777-7777
SURVEYOR: ESI DESIGN SERVICES, INC. 950 WALNUT RIDGE DRIVE HARTLAND, WI 53029 PHONE: 262-777-7777	REGISTERED PROFESSIONAL ENGINEER: ESI DESIGN SERVICES, INC. 950 WALNUT RIDGE DRIVE HARTLAND, WI 53029 PHONE: 262-777-7777

GENERAL NOTES

1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES AND AUTHORITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES AND AUTHORITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES AND AUTHORITIES.

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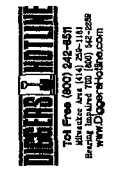
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES AND AUTHORITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES AND AUTHORITIES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM ALL APPLICABLE AGENCIES AND AUTHORITIES.

INDEX OF SHEETS

C100	COVER SHEET
C200	EXISTING CONDITIONS
C300	EXISTING DIMENSIONAL & PAVING PLAN
C400	GRAZING PLAN
C403 - C405	INTERIM GRADING PLAN
C500	UTILITY PLAN
C600	WATER MAIN PLAN & PROFILE
C700 - C702	SITE STABILIZATION PLAN
C800	CONSTRUCTION DETAILS
L100 - L500	LANDSCAPE PLANS

REQUIRED SUBMITTALS FOR APPROVAL

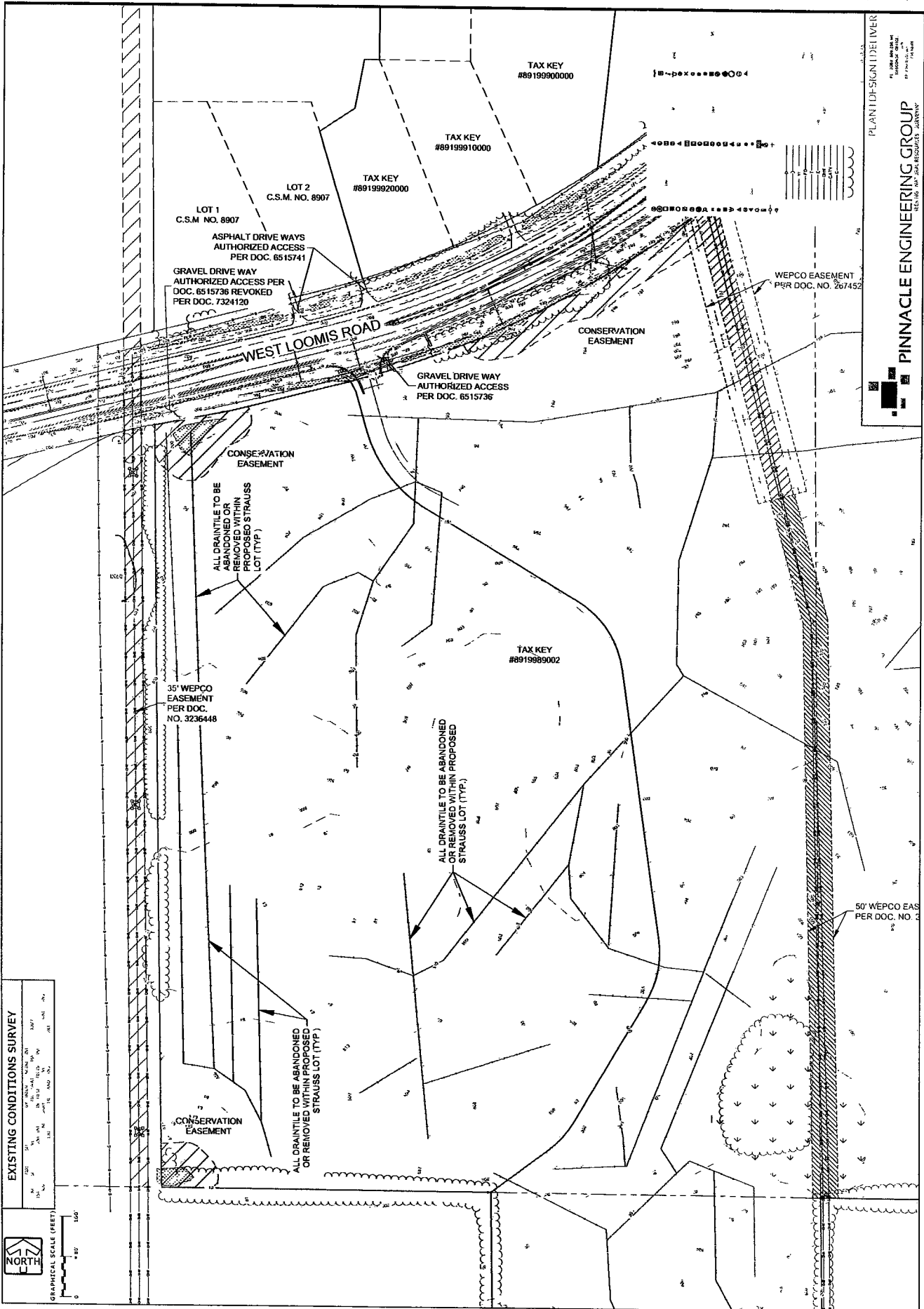
- HOT MIX ASPHALT - MIX DESIGN
 - CONCRETE PAVEMENTS (EXTERIOR)
 - STONE BASE COURSE
 - TRENCH BACKFILL
 - PIPE BEDDING
 - TRUNCATED DOME
- ### REQUIRED SUBMITTALS FOR RECORDS
- WATER MAIN PIPE FITTINGS
 - SANITARY SEWER
 - STORM SEWER
 - LIME MIX DESIGN (IF APPLICABLE)



ESI DESIGN SERVICES, INC.
 950 WALNUT RIDGE DRIVE
 HARTLAND, WI 53029
 PHONE: 262-777-7777
 WWW.ESI-DESIGN.COM

Pinnacle Engineering Group
 1111 N. LAKEVIEW AVENUE
 MILWAUKEE, WI 53233
 PHONE: 414-251-1000
 WWW.PINNACLE-ENGINEERING.COM

NO.	DATE	DESCRIPTION	BY	CHKD
1	05/01/20	ISSUED FOR CONSTRUCTION		
2				
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EXISTING CONDITIONS SURVEY
 1" = 40' HORIZONTAL SCALE
 1" = 20' VERTICAL SCALE
 SURVEYED BY: [Name]
 DATE: [Date]



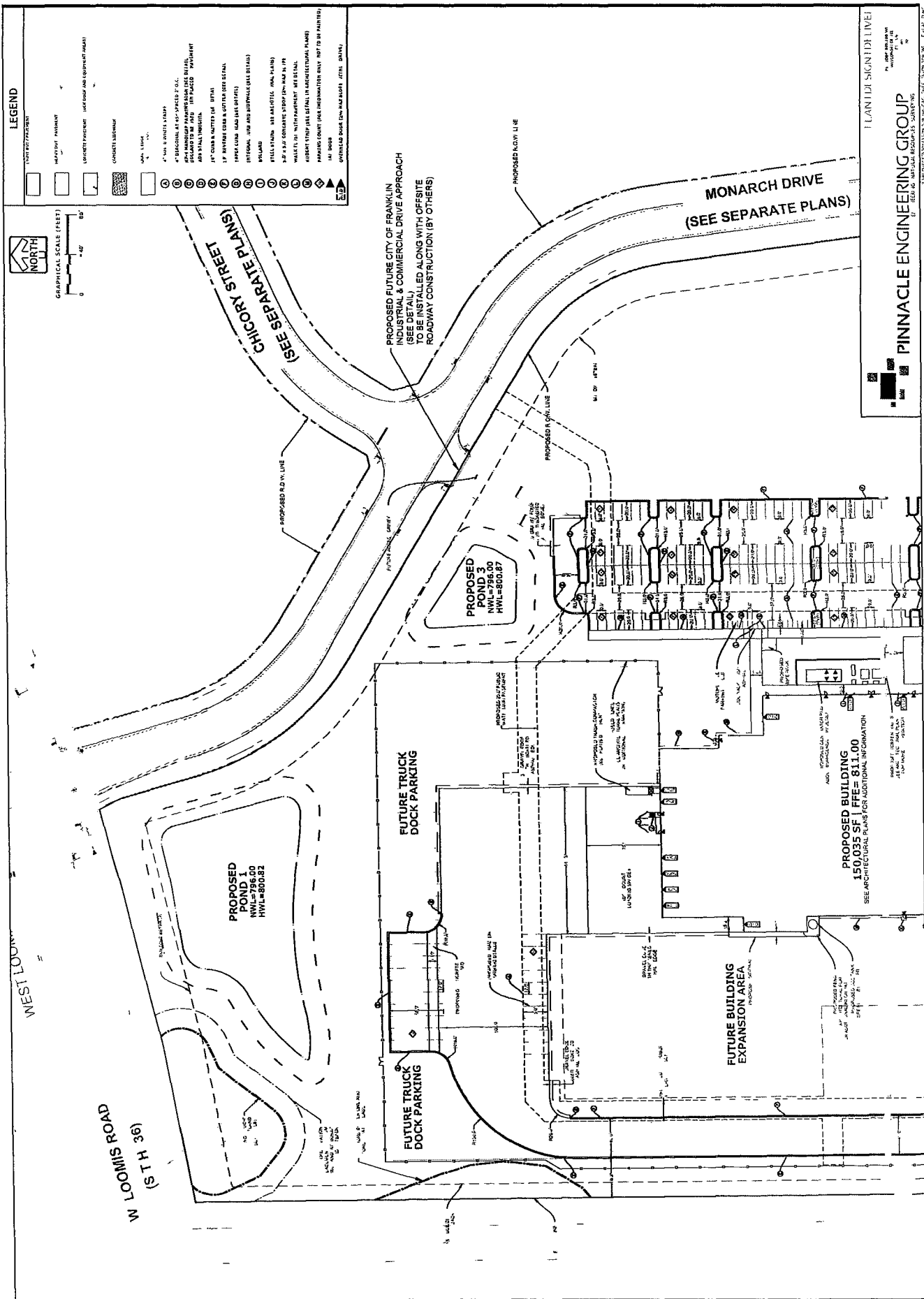
PINNACLE ENGINEERING GROUP
 11000 WISCONSIN AVENUE
 SUITE 200
 WEST BEND, WI 53091
 (608) 835-1234
 WWW.PINNACLE-ENG.COM



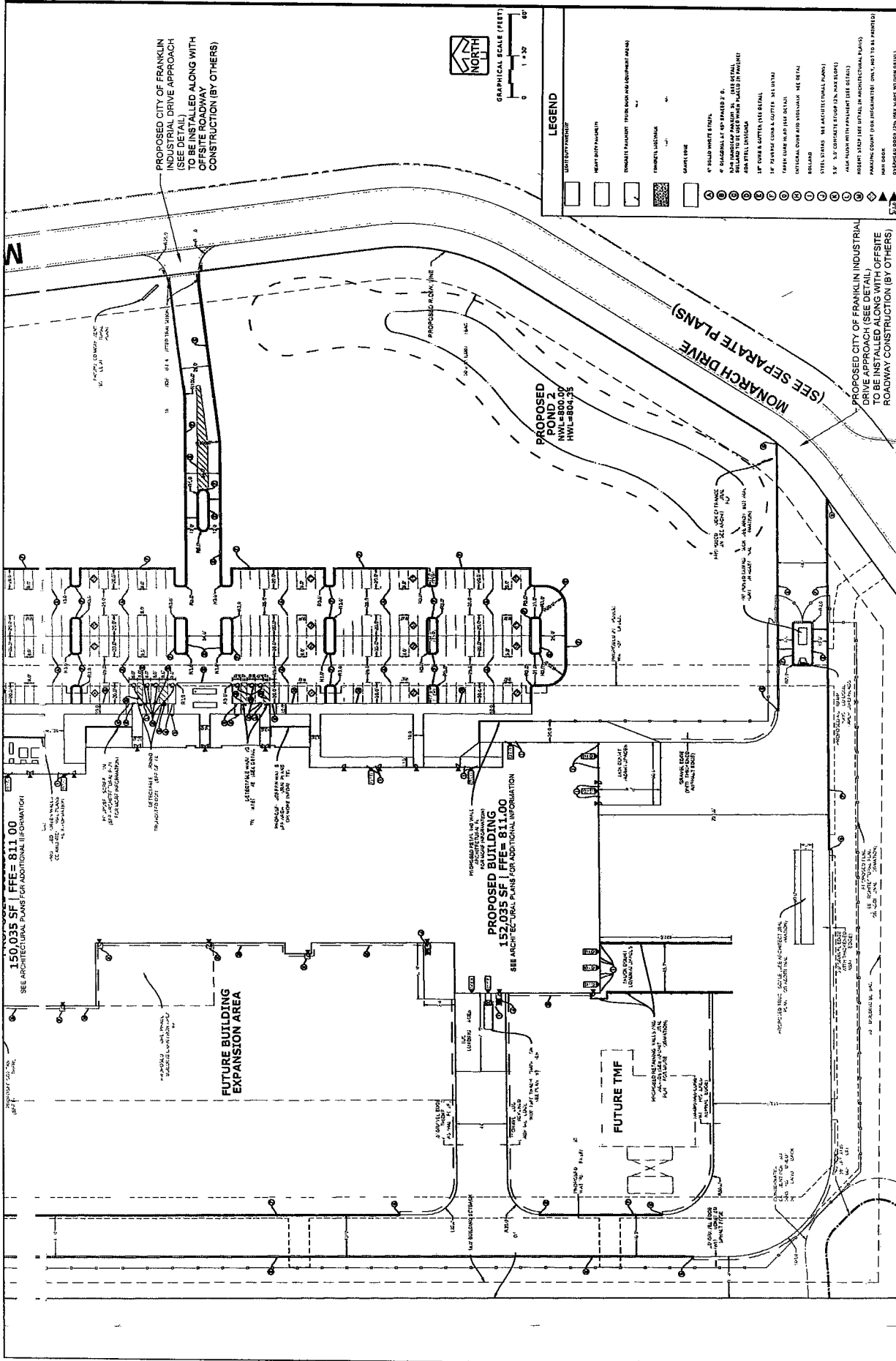
PROPOSED NEW FACILITY FOR STRAUSS BRANDS, INC. FRANKLIN, WI 53132

PROPOSED NEW FACILITY FOR STRAUSS BRANDS, INC. FRANKLIN, WI 53132

PRELIMINARY NOT FOR CONSTRUCTION
C301
 CIVIL
 SITE DIMENSIONAL & PAVING PLAN
 SHEET NO. 05-01-20
 DATE 05-01-20
 DESIGNED BY [Redacted]
 CHECKED BY [Redacted]
 DATE 05-01-20
 SHEET NO. 05-01-20



PINNACLE ENGINEERING GROUP
 11200 W. WISCONSIN AVENUE, SUITE 100
 WISCONSIN, WI 53132
 PROJECT STANDARDS FOR TRUCK DOCK, ROAD SIDE OF E-COR 2017



PROPOSED CITY OF FRANKLIN INDUSTRIAL DRIVE APPROACH TO BE INSTALLED ALONG WITH OFFSITE ROADWAY CONSTRUCTION (BY OTHERS)

LEGEND

- UNPAVED DRIVEWAY
- HEAVY DUTY PAVEMENT
- STANDARD PAVEMENT
- CONCRETE DRIVEWAY
- GRAVEL DRIVEWAY
- 4" FILLUP WHITE BITUM
- 4" GRANULARLY COMPACTED 2" B.
- 1" FILLUP WHITE BITUM
- 1" GRANULARLY COMPACTED 2" B.
- 1" FILLUP WHITE BITUM
- 1" GRANULARLY COMPACTED 2" B.
- 1" FILLUP WHITE BITUM
- 1" GRANULARLY COMPACTED 2" B.
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- 1" FILLUP WHITE BITUM
- 1" GRANULARLY COMPACTED 2" B.
- 1" FILLUP WHITE BITUM
- 1" GRANULARLY COMPACTED 2" B.

PROPOSED CITY OF FRANKLIN INDUSTRIAL DRIVE APPROACH (SEE DETAIL) TO BE INSTALLED ALONG WITH OFFSITE ROADWAY CONSTRUCTION (BY OTHERS)

150,035 SF | FFE = 811.00
SEE ARCHITECTURAL PLANS FOR ADDITIONAL INFORMATION

PROPOSED DETAIL FOR WALL AND ROOF INFORMATION SEE ARCHITECTURAL PLANS FOR ADDITIONAL INFORMATION
152,035 SF | FFE = 811.00

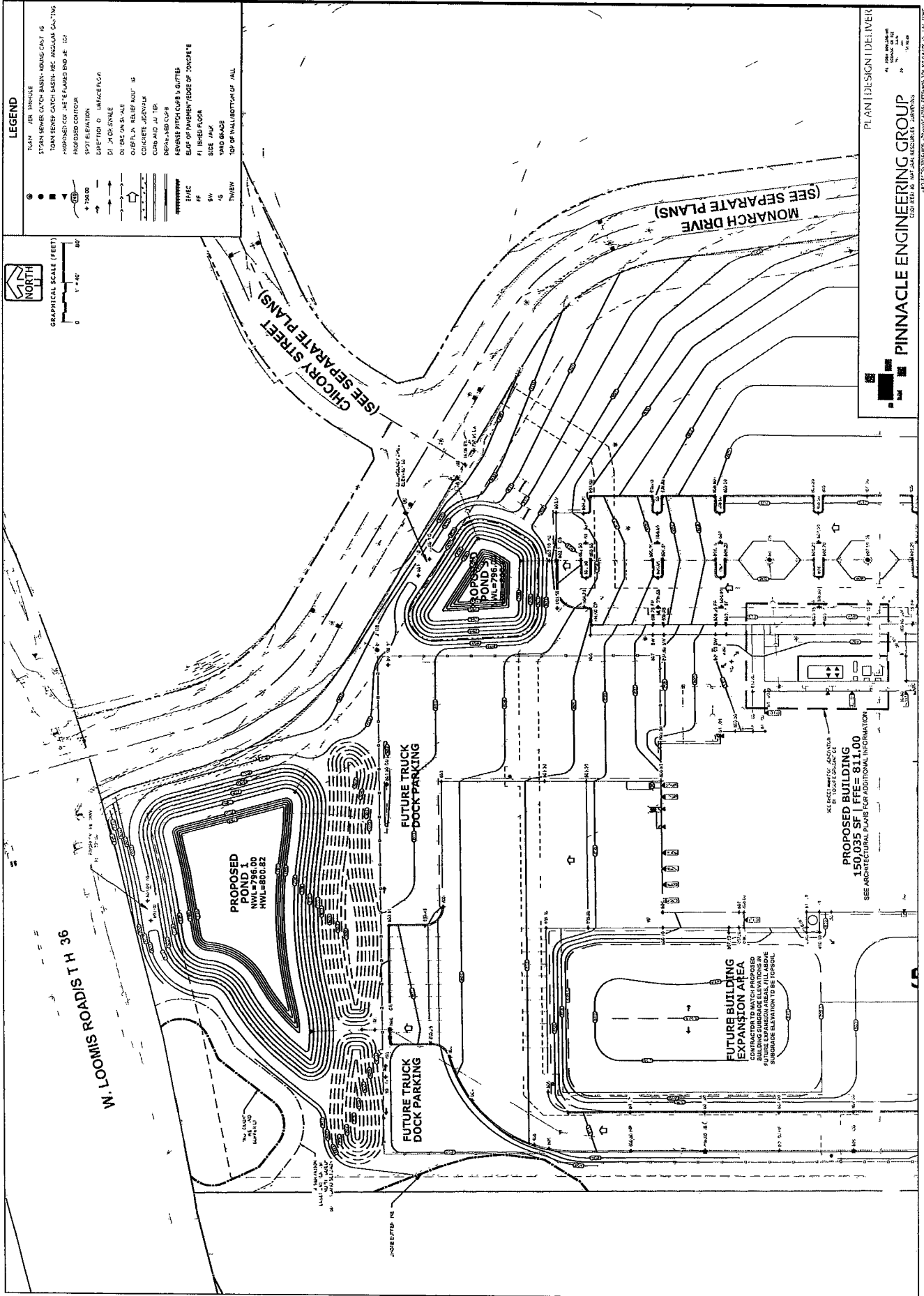
FUTURE TMF

FUTURE BUILDING EXPANSION AREA



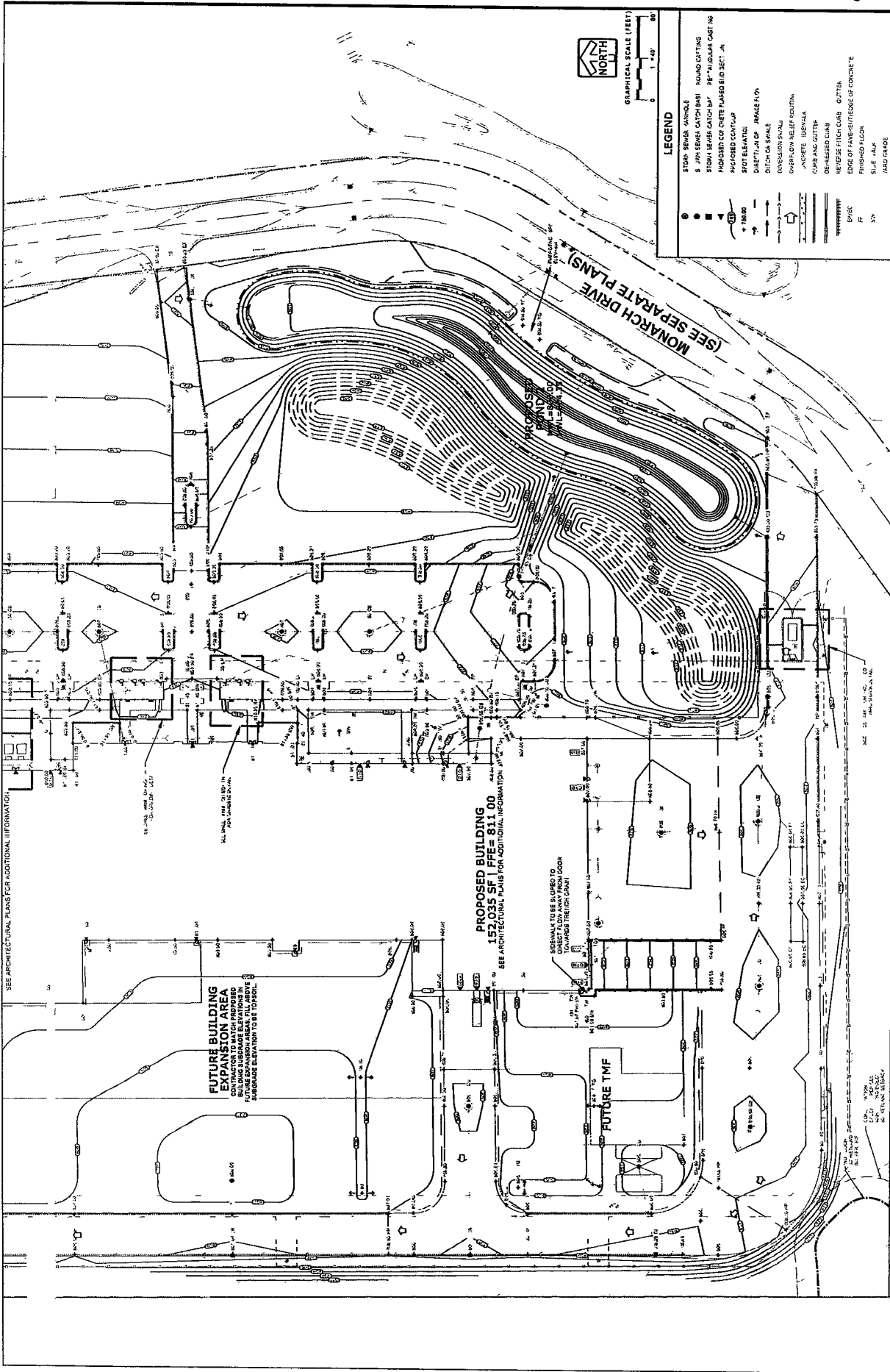
GRAPHICAL SCALE (FEET)
0 10 20

PI PINNACLE ENGINEERING GROUP
150 W. WISCONSIN ST., SUITE 200, WISCONSIN, WI 53132
TEL: 414.224.1100
WWW.PINNACLEENGINEERING.COM

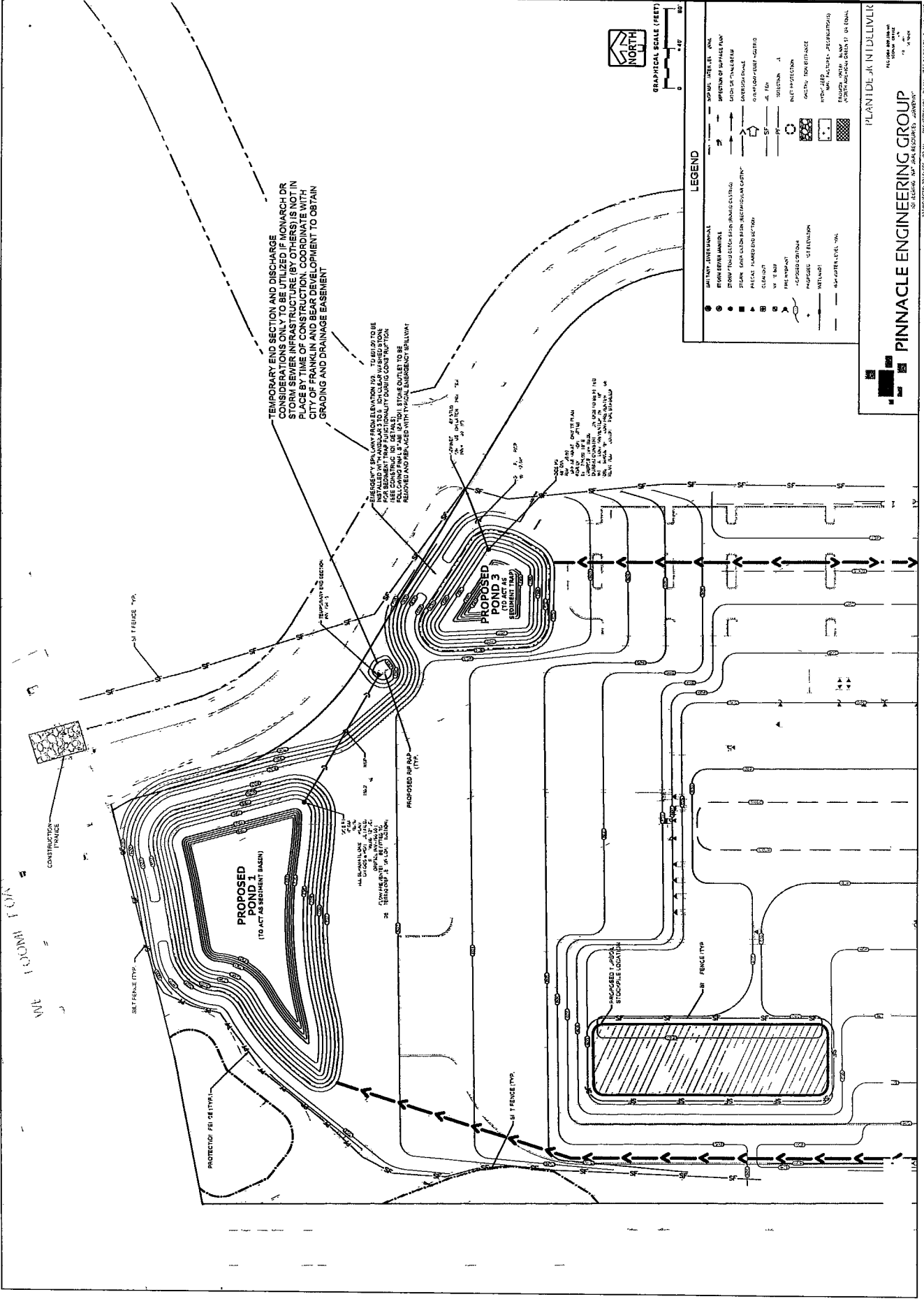


PINNACLE ENGINEERING GROUP
1000 W. WISCONSIN ST. WISCONSIN STATE UNIVERSITY CAMPUS
MADISON, WI 53706
TEL: 608.263.1234
WWW.PINNACLE-ENG.COM
PLANT DESIGN DELIVER

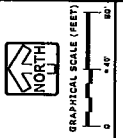
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PINNACLE ENGINEERING GROUP
1100 EAST WISCONSIN AVENUE
MILWAUKEE, WI 53212
TEL: 414.224.4400
WWW.PINNACLE-ENG.COM



LEGEND	
	1/2\"/>
	3/4\"/>
	1\"/>
	1 1/2\"/>
	2\"/>
	3\"/>
	4\"/>
	6\"/>
	8\"/>
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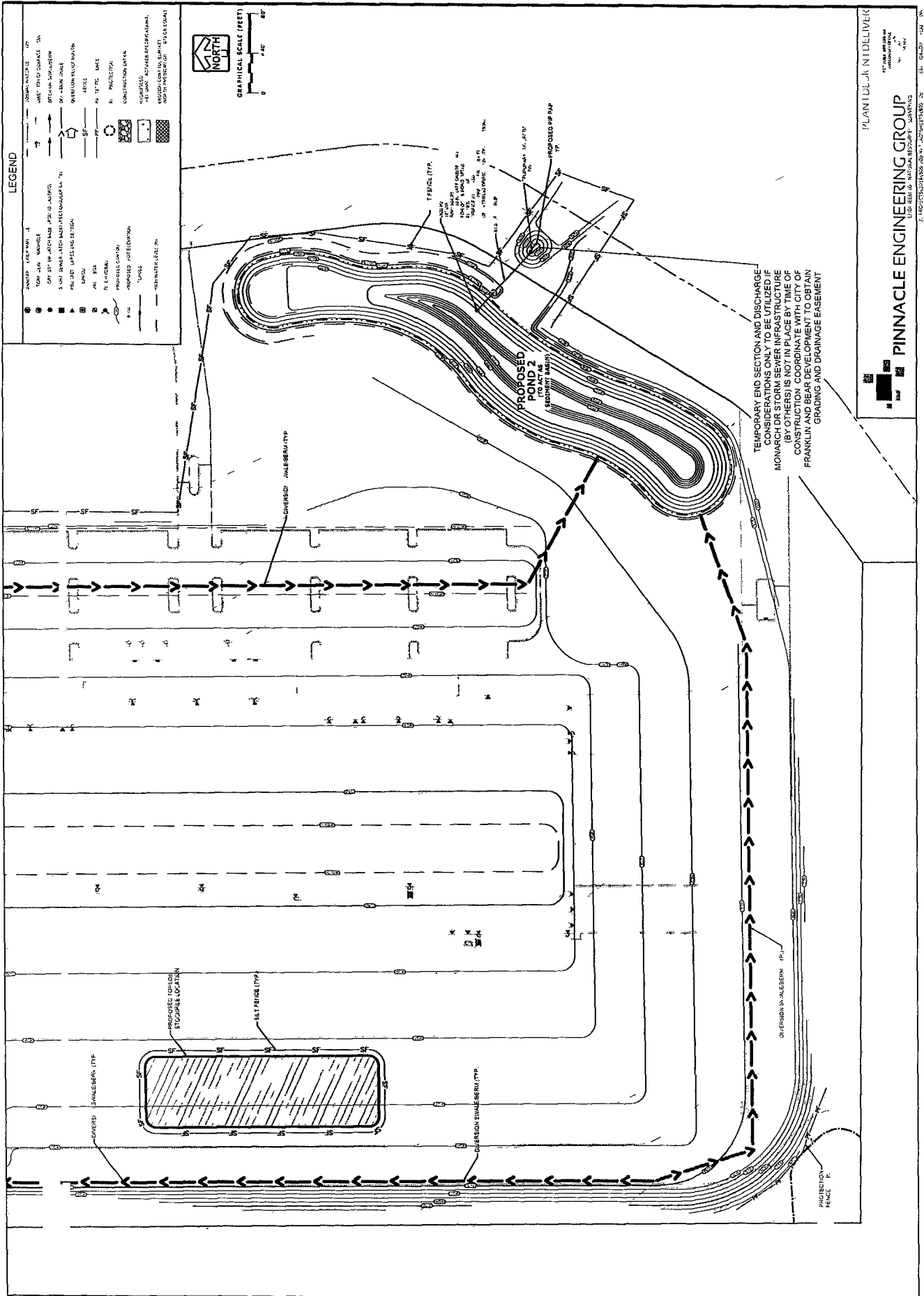
PLANT Dwg No. P404-11-0111

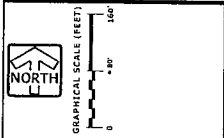
Pinnacle Engineering Group

1050 WEST CENTER STREET
FRANKLIN, WI 53132
TEL: 414.384.0000
WWW.PINCAPLE-ENGINEERING.COM

DATE: 05.01.20
SCALE: 1\"/>

PROJECT: PROPOSED NEW FACILITY FOR STRAUSS BRANDS INC
SHEET NO: C404
DATE: 05.01.20
SCALE: 1\"/>





NOTES

1. ALL UTILITIES SHOWN ARE BASED ON RECORD DRAWINGS AND FIELD SURVEY. VERIFY ALL UTILITIES PRIOR TO CONSTRUCTION.

2. ALL UTILITIES SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NATIONAL ELECTRICAL CODE (NEC) AND THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) CODES.

3. ALL UTILITIES SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NATIONAL SANITATION FOUNDATION (NSF) AND THE INTERNATIONAL ASSOCIATION OF PLUMBERS AND PIPEFITTERS (IAPDF) CODES.

4. ALL UTILITIES SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) CODES.

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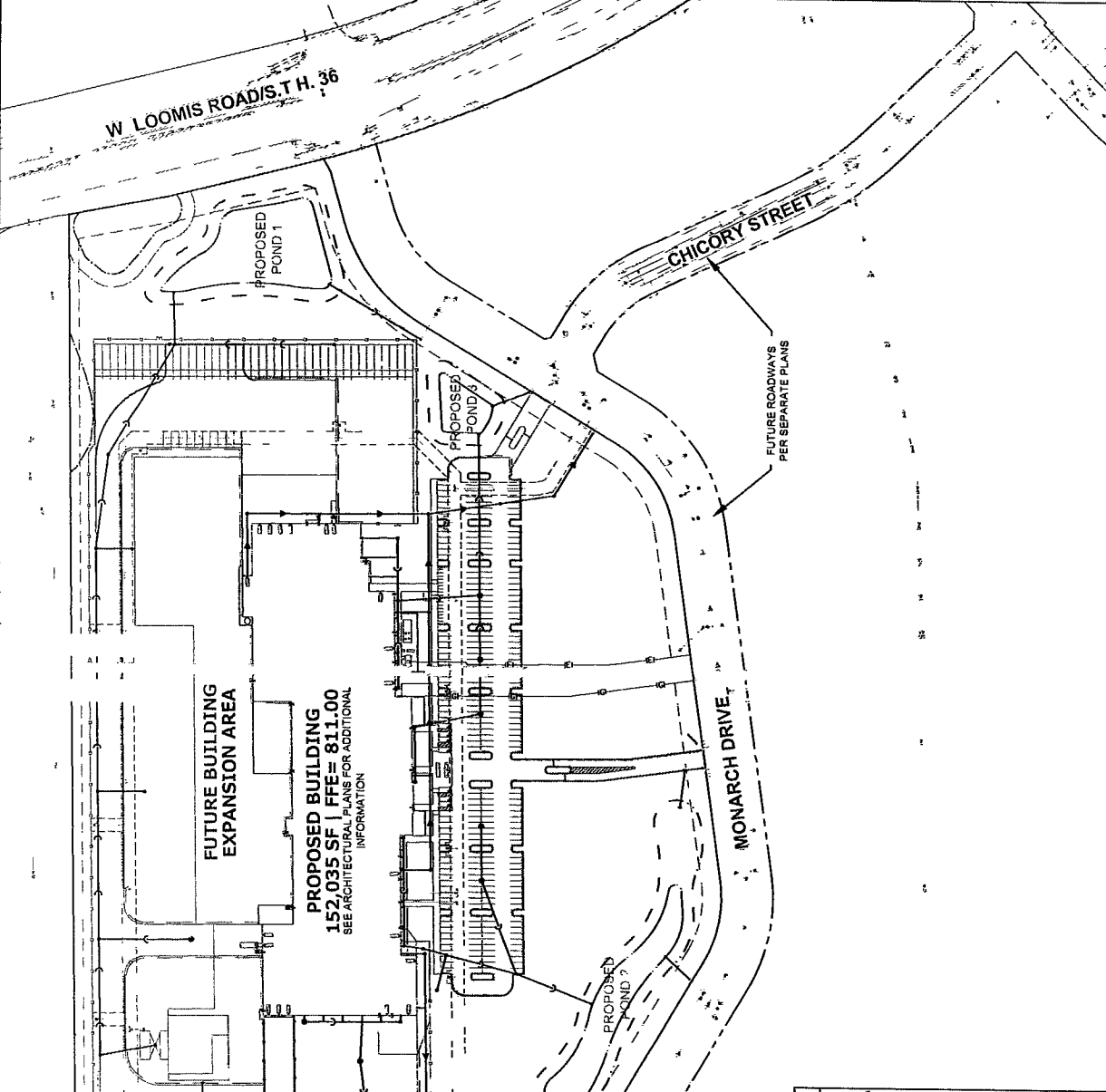
11. ALL UTILITIES SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NATIONAL ELECTRICAL CODE (NEC) AND THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) CODES.

12. ALL UTILITIES SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NATIONAL SANITATION FOUNDATION (NSF) AND THE INTERNATIONAL ASSOCIATION OF PLUMBERS AND PIPEFITTERS (IAPDF) CODES.

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14. ALL UTILITIES SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NATIONAL ELECTRICAL CODE (NEC) AND THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) CODES.

15. ALL UTILITIES SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NATIONAL SANITATION FOUNDATION (NSF) AND THE INTERNATIONAL ASSOCIATION OF PLUMBERS AND PIPEFITTERS (IAPDF) CODES.

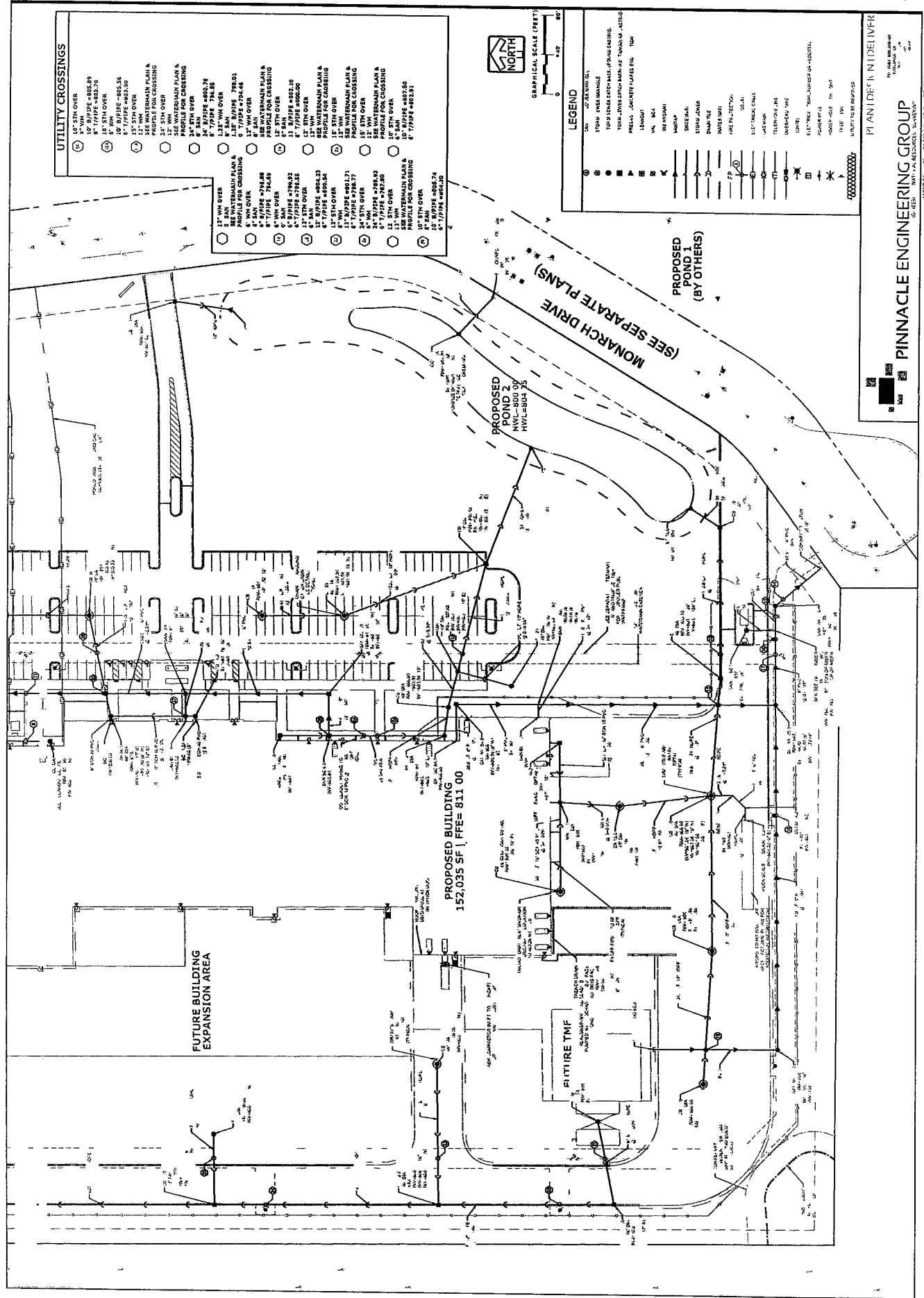


LEGEND

Symbol	Description
Circle with dot	MANHOLE
Circle with cross	WELL
Circle with 'X'	VALVE
Circle with 'S'	SEWER
Circle with 'W'	WATER
Circle with 'G'	GAS
Circle with 'E'	ELECTRIC
Circle with 'T'	TELEPHONE
Circle with 'C'	CABLE
Circle with 'F'	FIBER OPTIC
Circle with 'M'	MEDIA
Circle with 'D'	DATA
Circle with 'V'	VIDEO
Circle with 'A'	AC
Circle with 'R'	REFRIG
Circle with 'H'	HEAT
Circle with 'C'	CHEMICAL
Circle with 'O'	OTHER
Circle with 'U'	UNKNOWN
Circle with 'N'	NOT SHOWN

Pinnacle Engineering Group
 1000 W. Loomis Road
 Franklin, WI 53132
 (414) 461-1000
 www.pinnacle-engineering.com

PLANT DELIVER

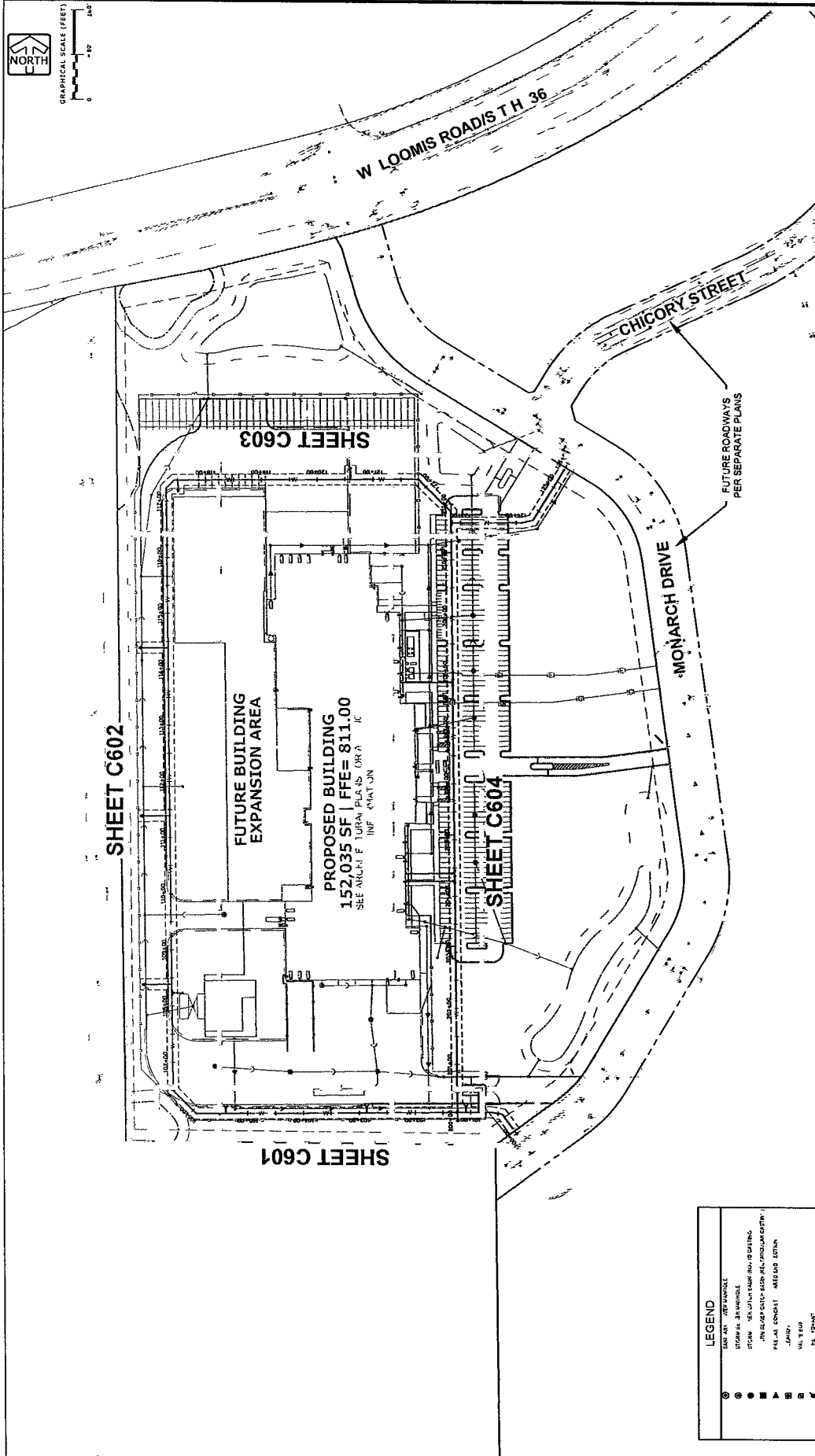


- UTILITY CROSSINGS**
- 1" WATER MAIN OVER
 - 12" WATER MAIN OVER
 - 18" WATER MAIN OVER
 - 24" WATER MAIN OVER
 - 30" WATER MAIN OVER
 - 36" WATER MAIN OVER
 - 42" WATER MAIN OVER
 - 48" WATER MAIN OVER
 - 54" WATER MAIN OVER
 - 60" WATER MAIN OVER
 - 66" WATER MAIN OVER
 - 72" WATER MAIN OVER
 - 78" WATER MAIN OVER
 - 84" WATER MAIN OVER
 - 90" WATER MAIN OVER
 - 96" WATER MAIN OVER
 - 102" WATER MAIN OVER
 - 108" WATER MAIN OVER
 - 114" WATER MAIN OVER
 - 120" WATER MAIN OVER
 - 126" WATER MAIN OVER
 - 132" WATER MAIN OVER
 - 138" WATER MAIN OVER
 - 144" WATER MAIN OVER
 - 150" WATER MAIN OVER
 - 156" WATER MAIN OVER
 - 162" WATER MAIN OVER
 - 168" WATER MAIN OVER
 - 174" WATER MAIN OVER
 - 180" WATER MAIN OVER
 - 186" WATER MAIN OVER
 - 192" WATER MAIN OVER
 - 198" WATER MAIN OVER
 - 204" WATER MAIN OVER
 - 210" WATER MAIN OVER
 - 216" WATER MAIN OVER
 - 222" WATER MAIN OVER
 - 228" WATER MAIN OVER
 - 234" WATER MAIN OVER
 - 240" WATER MAIN OVER
 - 246" WATER MAIN OVER
 - 252" WATER MAIN OVER
 - 258" WATER MAIN OVER
 - 264" WATER MAIN OVER
 - 270" WATER MAIN OVER
 - 276" WATER MAIN OVER
 - 282" WATER MAIN OVER
 - 288" WATER MAIN OVER
 - 294" WATER MAIN OVER
 - 300" WATER MAIN OVER

LEGEND

- 1" WATER MAIN OVER
- 12" WATER MAIN OVER
- 18" WATER MAIN OVER
- 24" WATER MAIN OVER
- 30" WATER MAIN OVER
- 36" WATER MAIN OVER
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- 276" WATER MAIN OVER
- 282" WATER MAIN OVER
- 288" WATER MAIN OVER
- 294" WATER MAIN OVER
- 300" WATER MAIN OVER

PI PINNACLE ENGINEERING GROUP
 10-UTILITY PLAN
 PROJECT: 20-1257-01
 DATE: 05.01.20
 SHEET NO: 10-UTILITY PLAN
 SCALE: AS SHOWN
 PROJECT: PROPOSED NEW FACILITY FOR STRAUSS BRANDS INC LOMIS ROAD FRANKLIN WI 53132



WATER MAIN NOTES

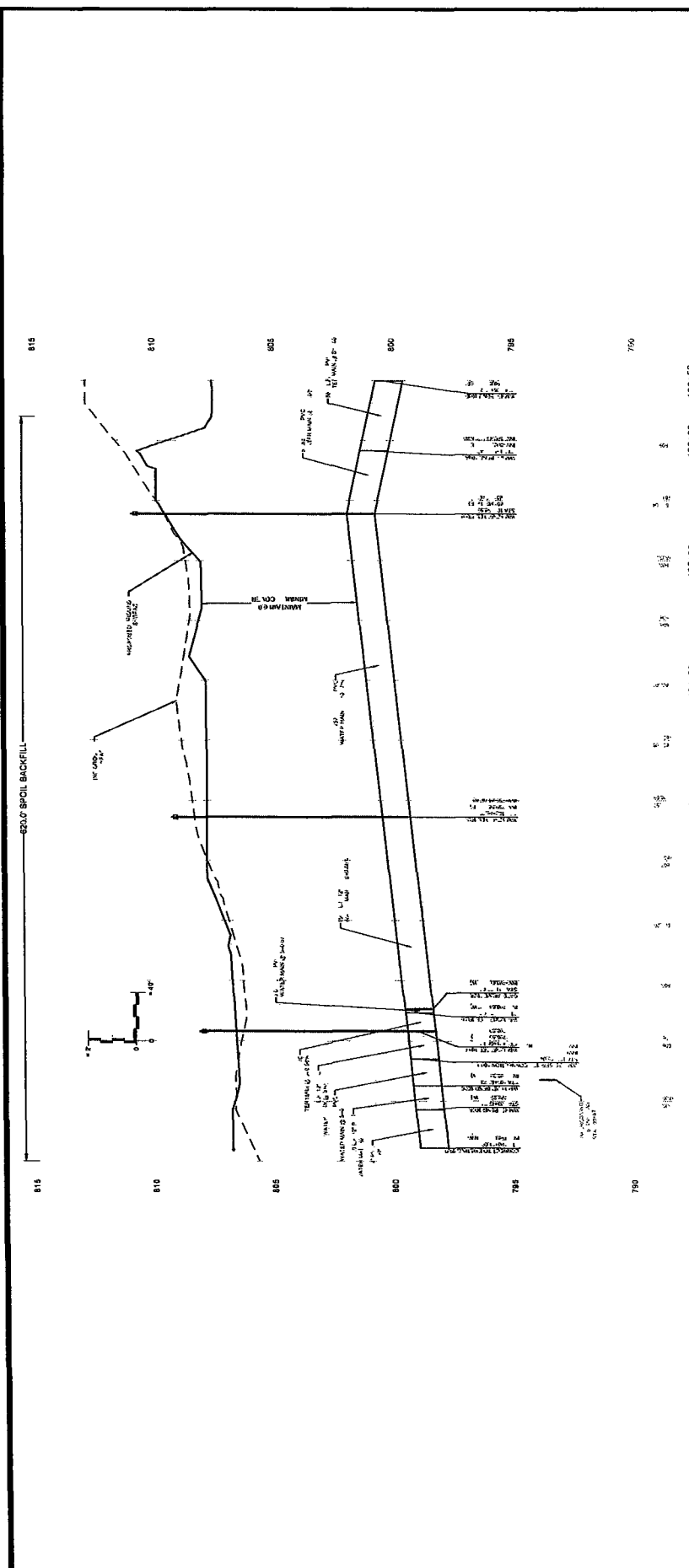
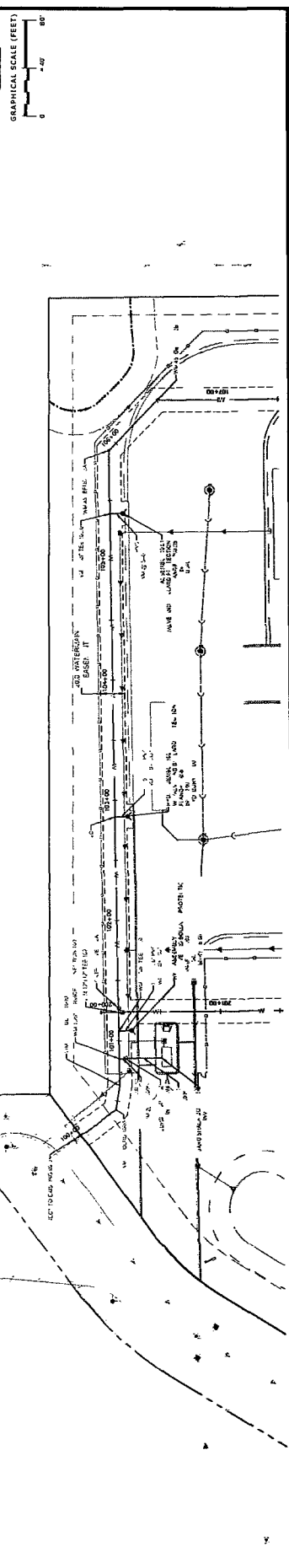
1. ALL CONDUITS SHALL BE 4" DIA. UNLESS OTHERWISE NOTED.
2. ALL CONDUITS SHALL BE INSTALLED AT A MINIMUM 24" COVER UNLESS OTHERWISE NOTED.
3. ALL CONDUITS SHALL BE INSTALLED IN CONFORMANCE WITH THE LATEST EDITION OF THE NATIONAL ELECTRICAL CODE (NEC).
4. ALL CONDUITS SHALL BE INSTALLED IN CONFORMANCE WITH THE LATEST EDITION OF THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 70.
5. ALL CONDUITS SHALL BE INSTALLED IN CONFORMANCE WITH THE LATEST EDITION OF THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 72.
6. ALL CONDUITS SHALL BE INSTALLED IN CONFORMANCE WITH THE LATEST EDITION OF THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 75.
7. ALL CONDUITS SHALL BE INSTALLED IN CONFORMANCE WITH THE LATEST EDITION OF THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 76.
8. ALL CONDUITS SHALL BE INSTALLED IN CONFORMANCE WITH THE LATEST EDITION OF THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 77.
9. ALL CONDUITS SHALL BE INSTALLED IN CONFORMANCE WITH THE LATEST EDITION OF THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 78.
10. ALL CONDUITS SHALL BE INSTALLED IN CONFORMANCE WITH THE LATEST EDITION OF THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 79.
11. ALL CONDUITS SHALL BE INSTALLED IN CONFORMANCE WITH THE LATEST EDITION OF THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 80.
12. ALL CONDUITS SHALL BE INSTALLED IN CONFORMANCE WITH THE LATEST EDITION OF THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 81.
13. ALL CONDUITS SHALL BE INSTALLED IN CONFORMANCE WITH THE LATEST EDITION OF THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 82.
14. ALL CONDUITS SHALL BE INSTALLED IN CONFORMANCE WITH THE LATEST EDITION OF THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 83.
15. ALL CONDUITS SHALL BE INSTALLED IN CONFORMANCE WITH THE LATEST EDITION OF THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 84.
16. ALL CONDUITS SHALL BE INSTALLED IN CONFORMANCE WITH THE LATEST EDITION OF THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 85.
17. ALL CONDUITS SHALL BE INSTALLED IN CONFORMANCE WITH THE LATEST EDITION OF THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 86.
18. ALL CONDUITS SHALL BE INSTALLED IN CONFORMANCE WITH THE LATEST EDITION OF THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 87.
19. ALL CONDUITS SHALL BE INSTALLED IN CONFORMANCE WITH THE LATEST EDITION OF THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 88.
20. ALL CONDUITS SHALL BE INSTALLED IN CONFORMANCE WITH THE LATEST EDITION OF THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 89.
21. ALL CONDUITS SHALL BE INSTALLED IN CONFORMANCE WITH THE LATEST EDITION OF THE NATIONAL FIRE PROTECTION ASSOCIATION (NFPA) 90.

PROPOSED WATER MAIN SHOWN FOR CONCEPTUAL LAYOUT ONLY. FINAL SIZING AND DESIGN SHALL BE DETERMINED BY A LICENSED FIRE PROTECTION ENGINEER.

PLANT DESIGN DELIVERABLE
Pinnacle Engineering Group
REGISTERED PROFESSIONAL ENGINEER
STATE OF WISCONSIN
NO. 101234
DATE: 05/01/20

LEGEND

○	EXISTING WATER MAIN
●	PROPOSED WATER MAIN
○	EXISTING VALVE
●	PROPOSED VALVE
○	EXISTING HYDRANT
●	PROPOSED HYDRANT
○	EXISTING FIRE ALARM
●	PROPOSED FIRE ALARM
○	EXISTING WATER METER
●	PROPOSED WATER METER
○	EXISTING WATER TOWER
●	PROPOSED WATER TOWER
○	EXISTING WATER PUMP
●	PROPOSED WATER PUMP
○	EXISTING WATER STORAGE TANK
●	PROPOSED WATER STORAGE TANK
○	EXISTING WATER DISTRIBUTION SYSTEM
●	PROPOSED WATER DISTRIBUTION SYSTEM
○	EXISTING WATER MAIN CROSSING
●	PROPOSED WATER MAIN CROSSING
○	EXISTING WATER MAIN UNDERPASS
●	PROPOSED WATER MAIN UNDERPASS
○	EXISTING WATER MAIN OVERPASS
●	PROPOSED WATER MAIN OVERPASS
○	EXISTING WATER MAIN TRENCH
●	PROPOSED WATER MAIN TRENCH
○	EXISTING WATER MAIN CONDUIT
●	PROPOSED WATER MAIN CONDUIT
○	EXISTING WATER MAIN MANHOLE
●	PROPOSED WATER MAIN MANHOLE
○	EXISTING WATER MAIN CLEANOUT
●	PROPOSED WATER MAIN CLEANOUT
○	EXISTING WATER MAIN AIR VALVE
●	PROPOSED WATER MAIN AIR VALVE
○	EXISTING WATER MAIN BACKFLOW PREVENTER
●	PROPOSED WATER MAIN BACKFLOW PREVENTER
○	EXISTING WATER MAIN PRESSURE REDUCING VALVE
●	PROPOSED WATER MAIN PRESSURE REDUCING VALVE
○	EXISTING WATER MAIN ISOLATION VALVE
●	PROPOSED WATER MAIN ISOLATION VALVE
○	EXISTING WATER MAIN SHUT-OFF VALVE
●	PROPOSED WATER MAIN SHUT-OFF VALVE
○	EXISTING WATER MAIN CHECK VALVE
●	PROPOSED WATER MAIN CHECK VALVE
○	EXISTING WATER MAIN AIR RELEASE VALVE
●	PROPOSED WATER MAIN AIR RELEASE VALVE
○	EXISTING WATER MAIN SILENCER
●	PROPOSED WATER MAIN SILENCER
○	EXISTING WATER MAIN WATER TAP
●	PROPOSED WATER MAIN WATER TAP
○	EXISTING WATER MAIN WATER METER
●	PROPOSED WATER MAIN WATER METER
○	EXISTING WATER MAIN WATER METER
●	PROPOSED WATER MAIN WATER METER



PLANT DELIVERY

Pinnacle Engineering Group

11500 W. Loomis Rd., Suite 100
Franklin, WI 53120
Phone: 414.255.8800
Fax: 414.255.8801
www.pinnacleeng.com

W LOOMIS RD PUBLIC WATER MAIN EXTENSION FRANKLIN WI

Project No. 808 TO-WI

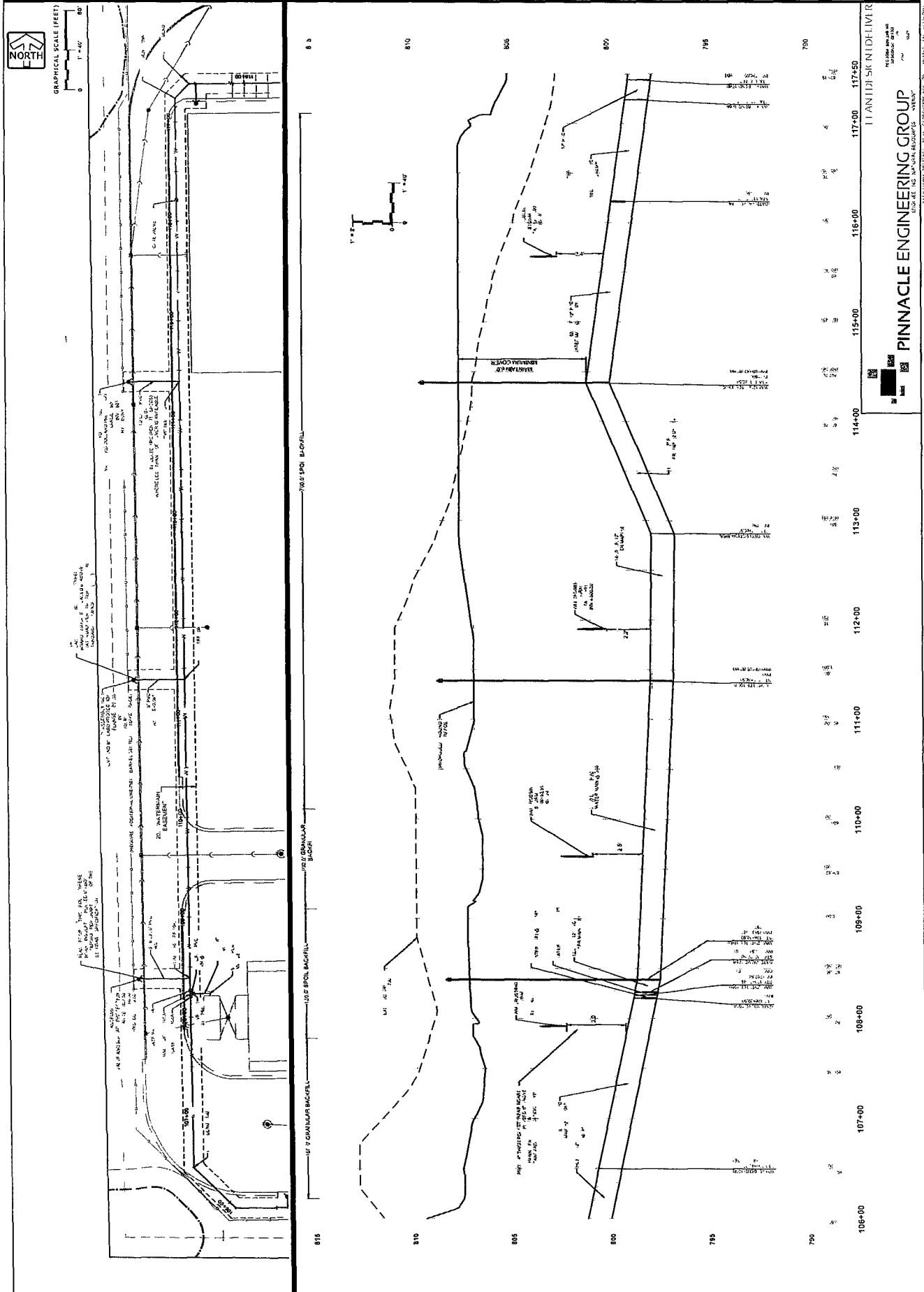
Design No. EC / HAC

Date: 09/10/18

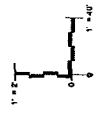
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Sheet No. 106+50

106+50 106+00 105+50 105+00 104+00 103+00 102+00 101+00

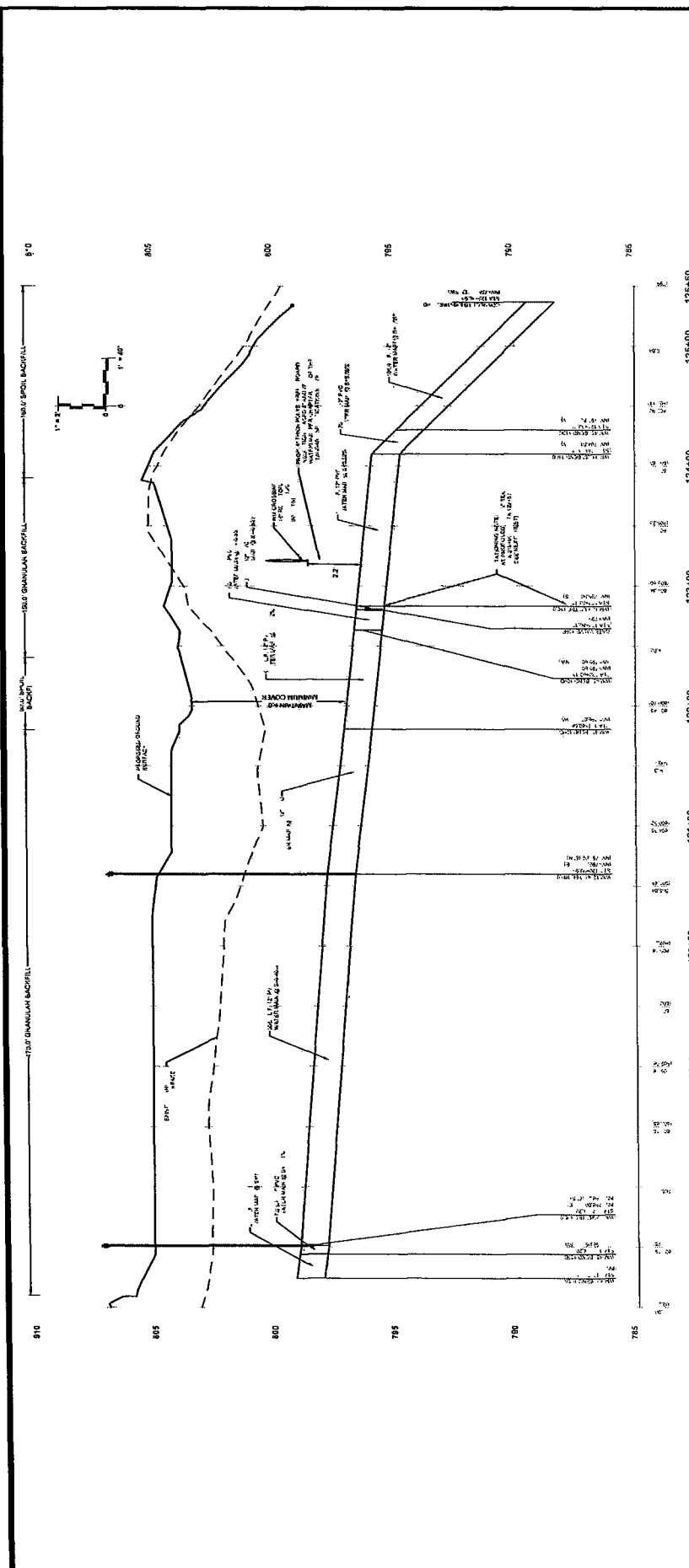
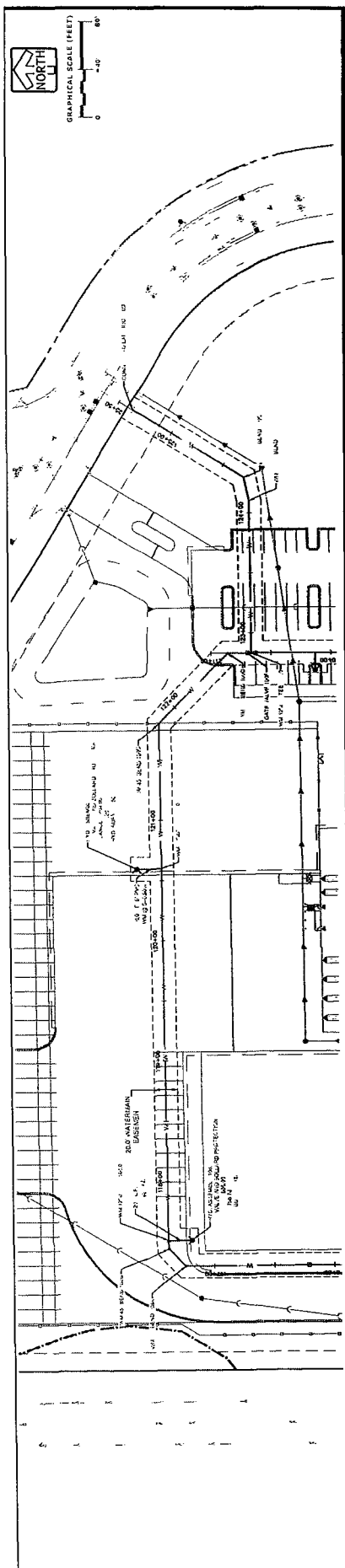


GRAPHICAL SCALE (FEET)
 0 17+40' 80'



Station	106+00	107+00	108+00	109+00	110+00	111+00	112+00	113+00	114+00	115+00	116+00	117+00	117+50
Profile Elevation (ft)	790	795	800	805	810	815	820	825	830	835	840	845	850

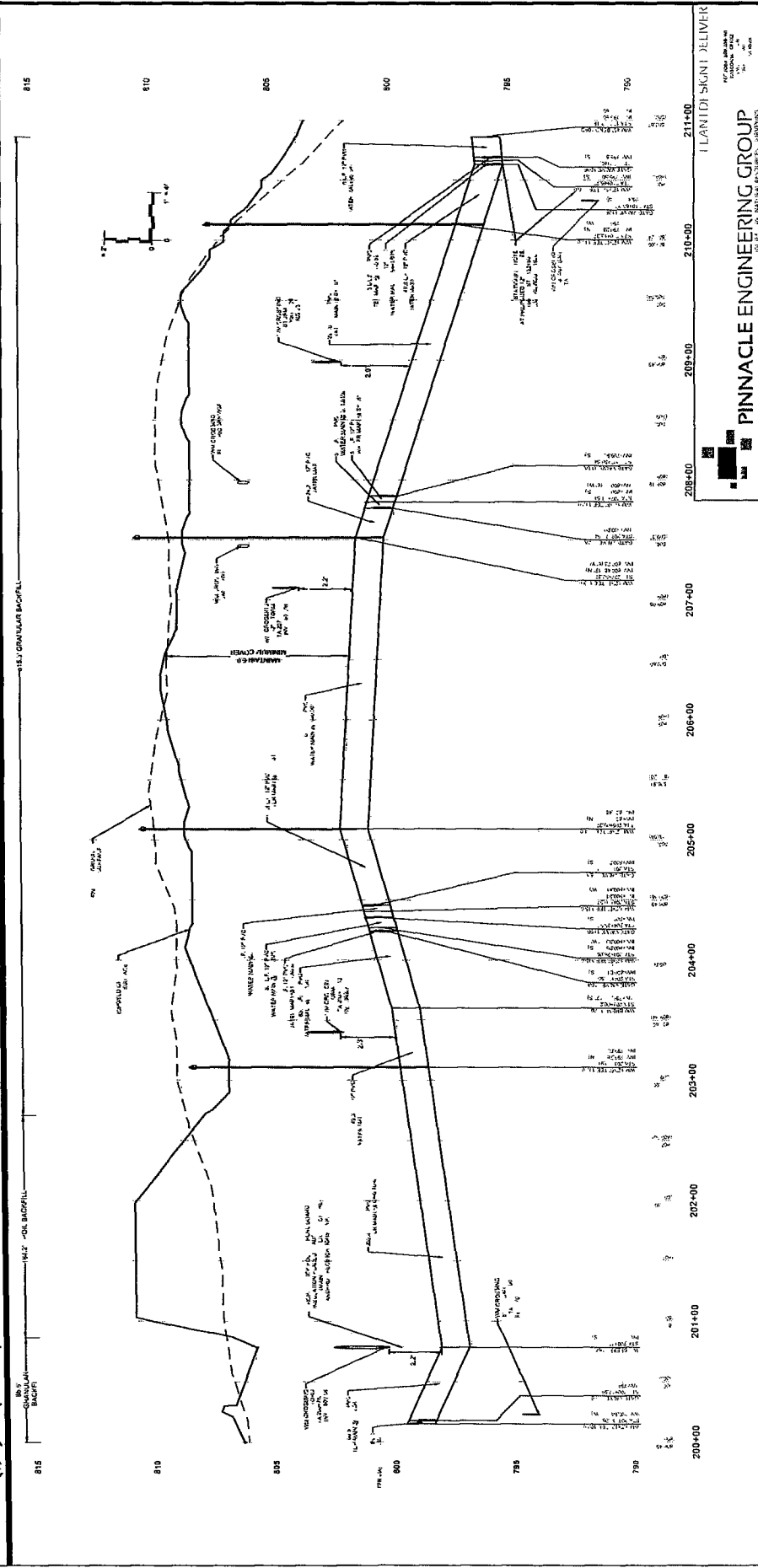
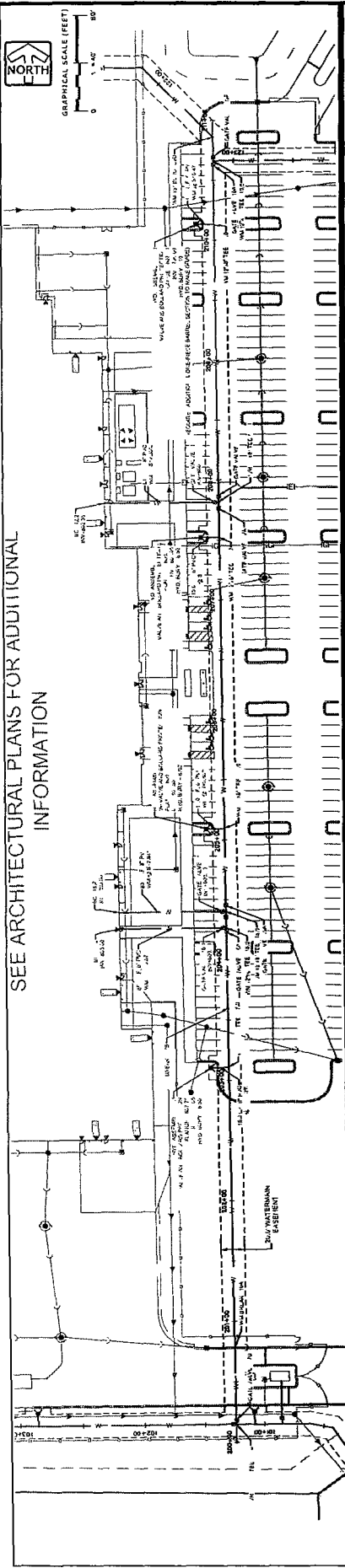
Pinnacle Engineering Group
 111 ANTI-SHIELD DRIVE
 WILSON, WI 53190
 (414) 253-1111
 www.pinnacle-engineering.com



PLAN AND PROFILE

Pinnacle Engineering Group
 1500 WEST WISCONSIN AVENUE, SUITE 200
 MILWAUKEE, WI 53233
 TEL: 414.224.4444
 FAX: 414.224.4444
 WWW.PINNACLE-ENGINEERING.COM

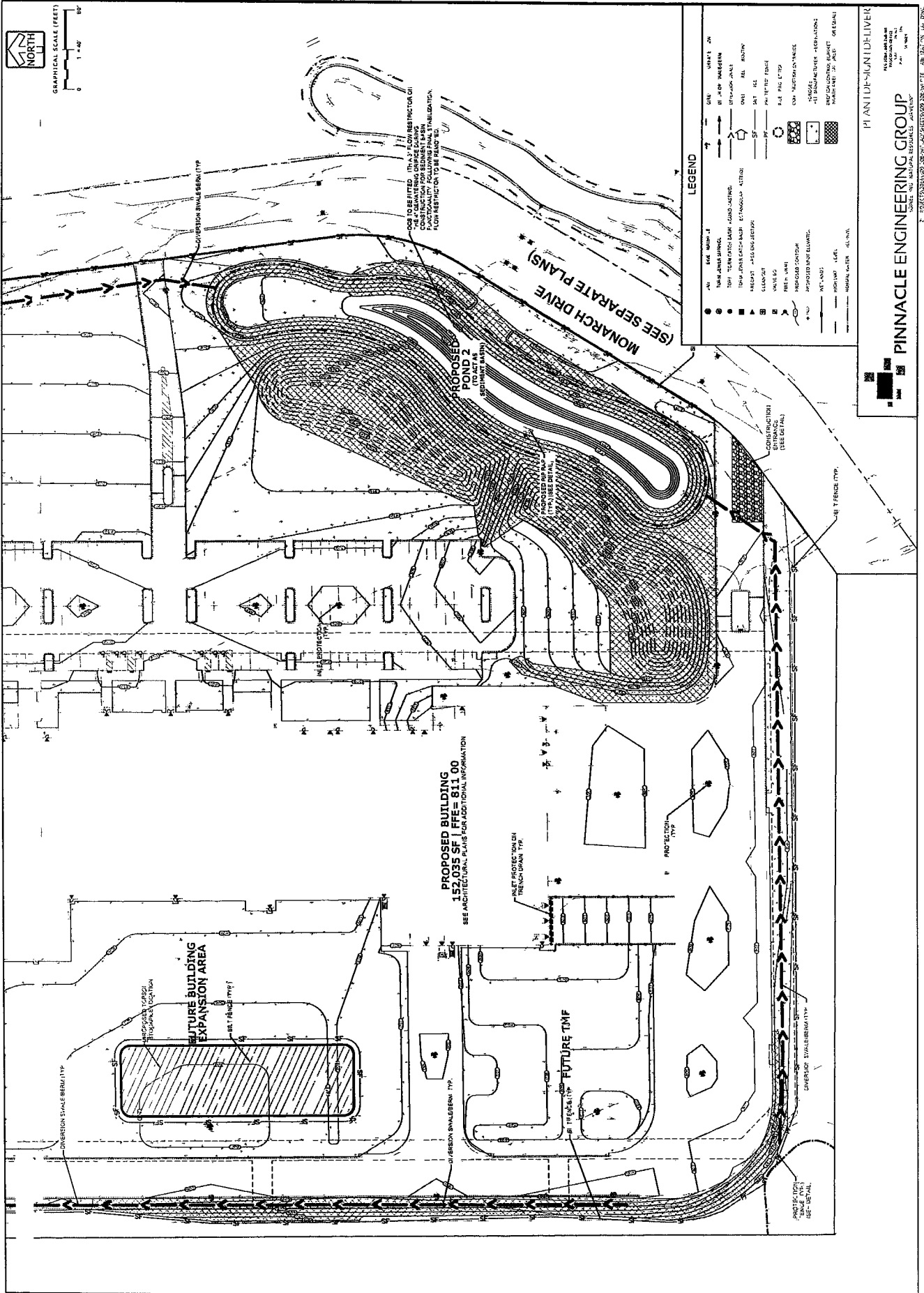
SEE ARCHITECTURAL PLANS FOR ADDITIONAL INFORMATION



PROJECT NO: 808.10-W1
DATE: 09/10/18
SCALE: AS SHOWN
SHEET NO: 1 OF 1
PROJECT: W LOOMIS RD PUBLIC WATER MAIN EXTENSION
CIVIL

SEE ARCHITECTURAL PLANS FOR ADDITIONAL INFORMATION

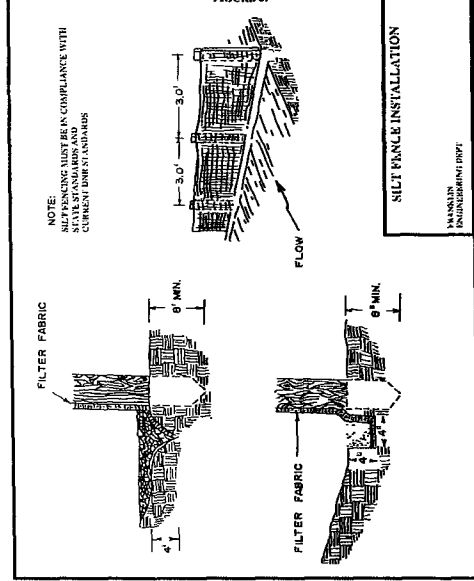
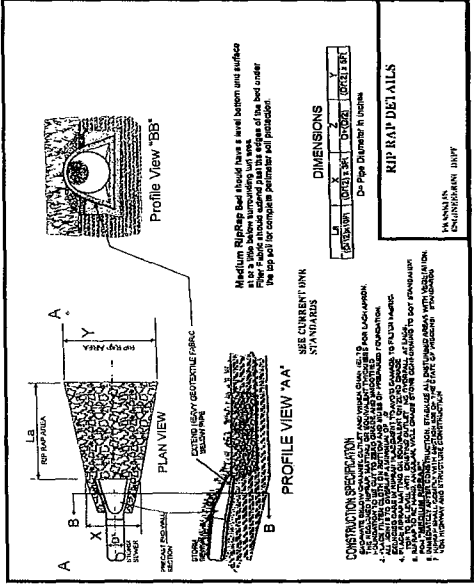
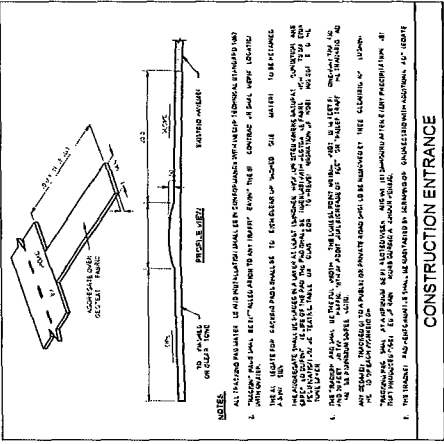
FOR CONSTRUCTION



Pinnacle Engineering Group
11111 Pinnacle Drive
Suite 100, Wauwatosa, WI 53190
Phone: 414.774.1111
Fax: 414.774.1112
www.pinnacleeng.com

PI AN UNLICENSED LIVE (K)

PROJECT NUMBER: 20-024-01 DATE: 05.01.20



POTENTIAL POLLUTANT SOURCES

CONSTRUCTION AND EMISSION CONTROL REQUIREMENTS

STABILIZATION PRACTICES

EROSION AND SEDIMENT CONTROL REQUIREMENTS

GENERAL INFORMATION

SOIL PREVENTION

GENERAL INFORMATION

SOIL AVAILABILITY

SEWERAGE DRAINAGE

SECTION OF RECORDS

GENERAL INFORMATION

SOIL PREVENTION

GENERAL INFORMATION

SOIL AVAILABILITY

SEWERAGE DRAINAGE

SECTION OF RECORDS

GENERAL INFORMATION

SOIL PREVENTION

GENERAL INFORMATION

SOIL AVAILABILITY

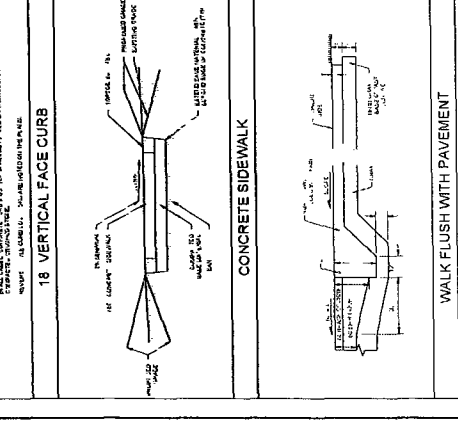
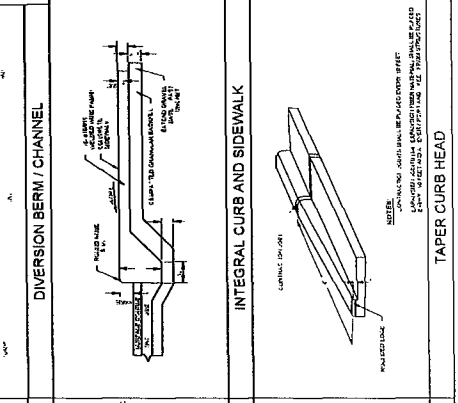
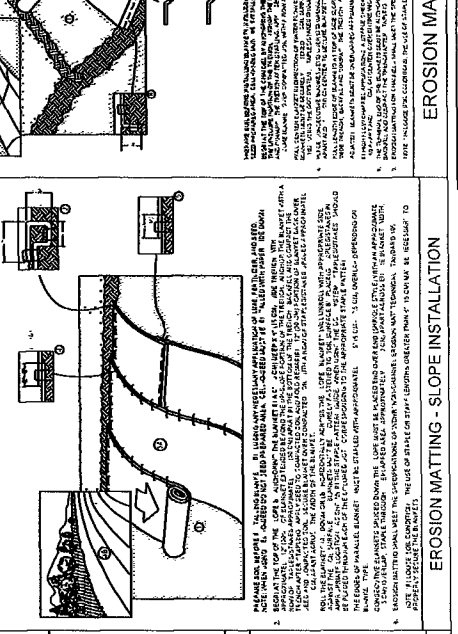
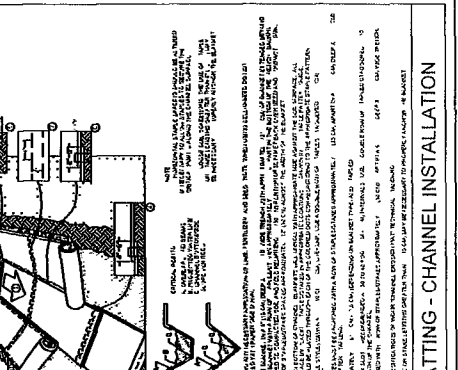
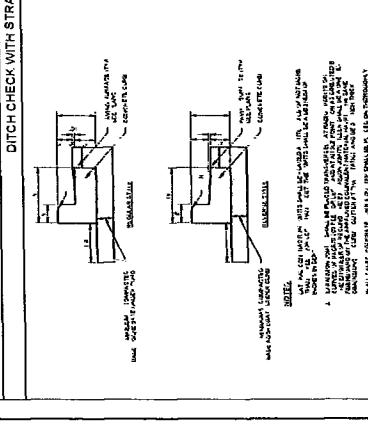
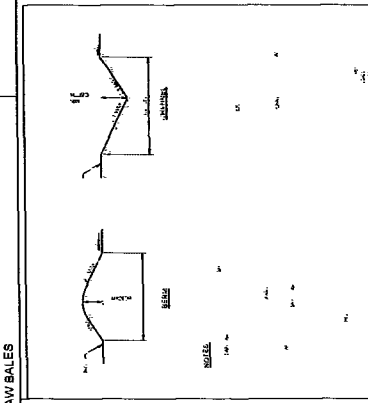
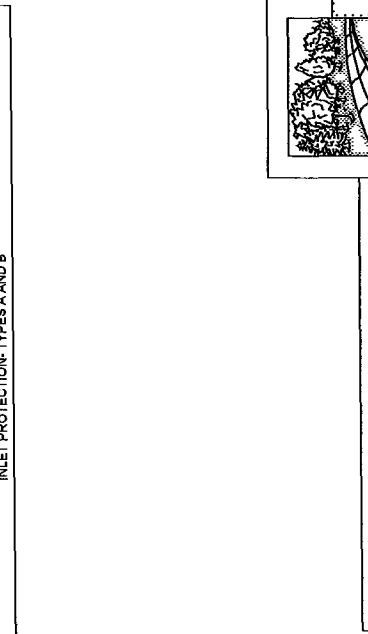
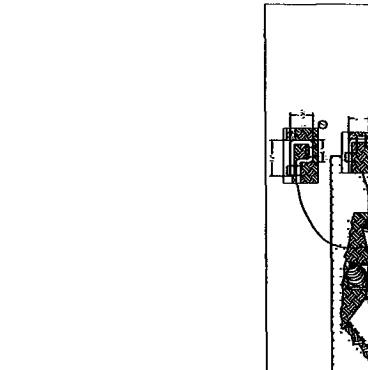
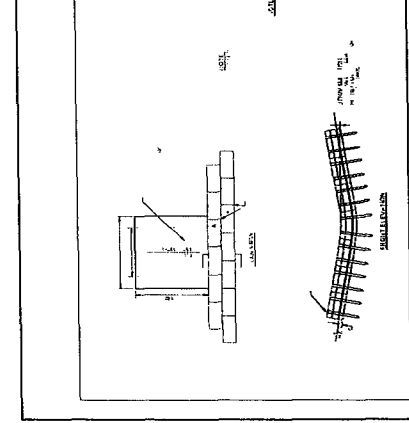
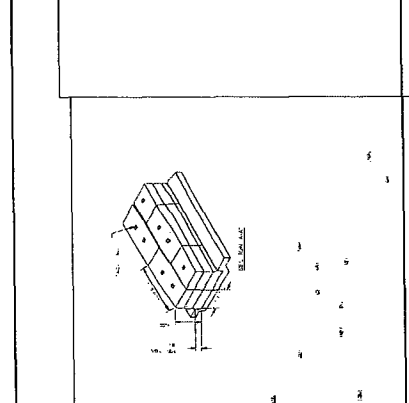
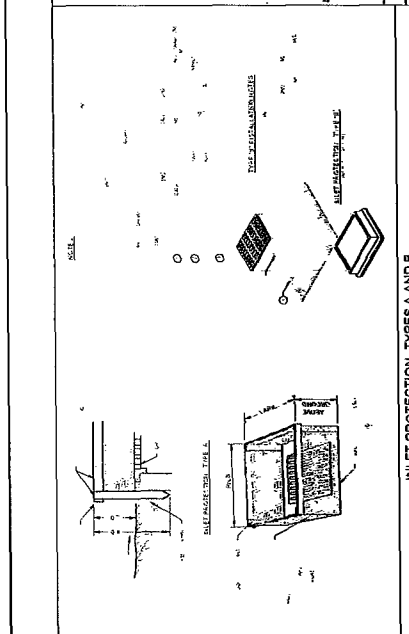
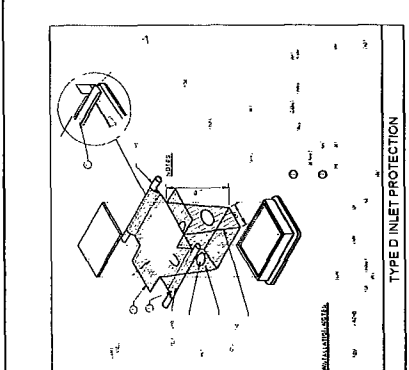
SEWERAGE DRAINAGE

SECTION OF RECORDS

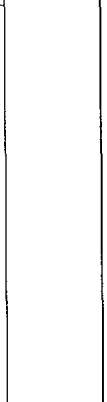
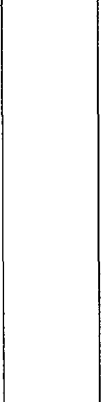
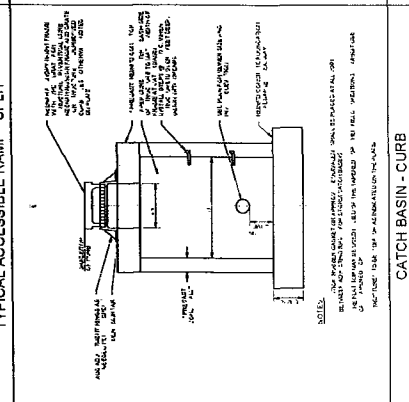
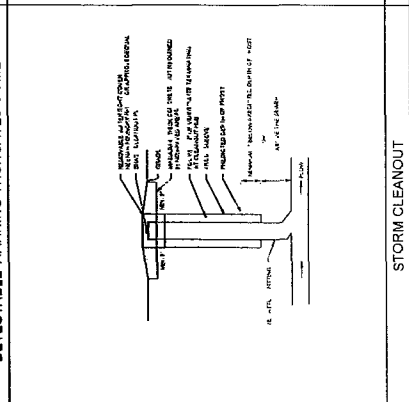
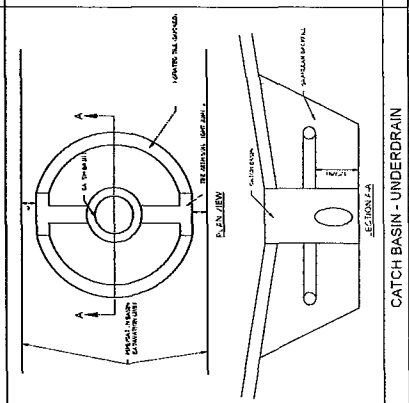
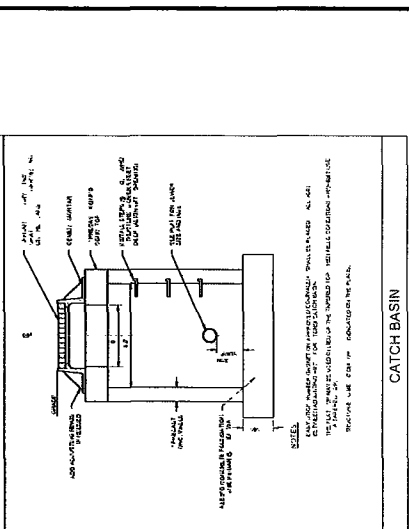
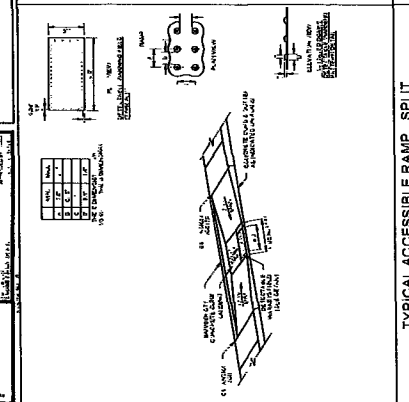
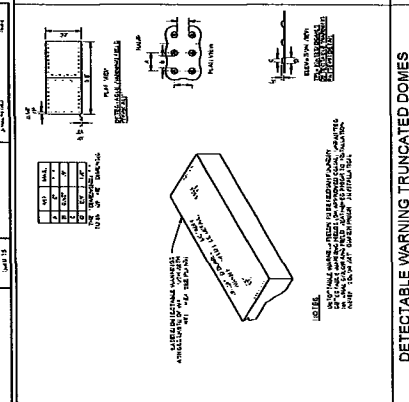
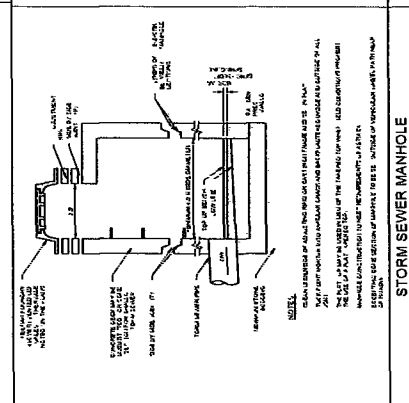
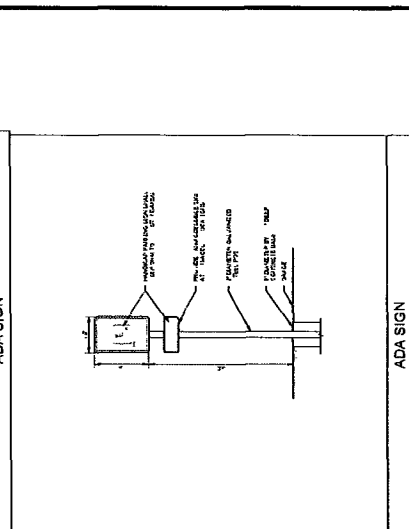
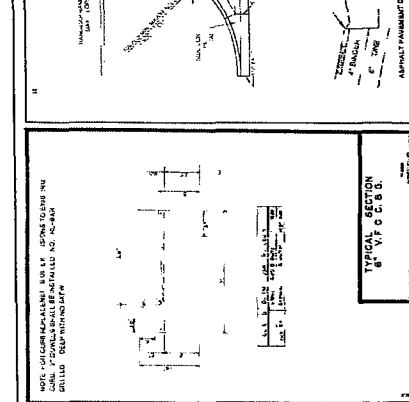
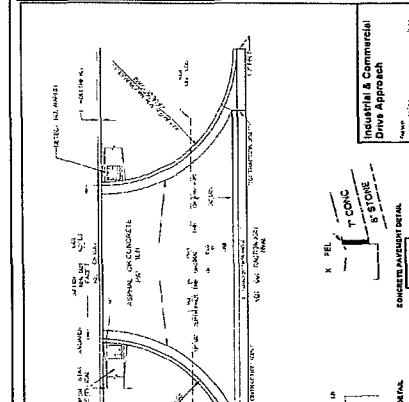
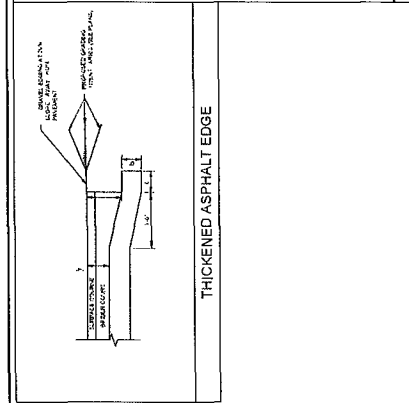
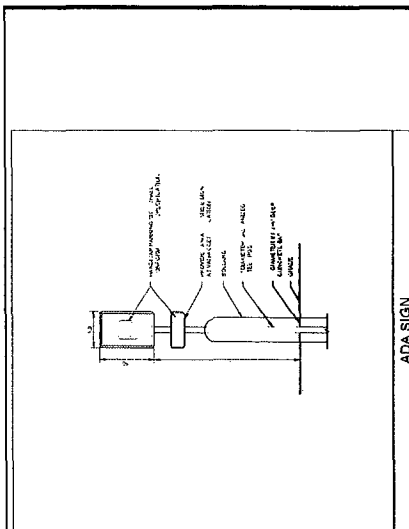
PROPOSED NEW FACILITY FOR
 STRAUSS BRANDS, INC.
 LOOMIS ROAD
 FRANKLIN, WI 53132

PRELIMINARY NOT FOR CONSTRUCTION
 SHEET NO. 20-257-01
 DATE: 05.01.20
 SCALE: 1" = 10'-0"

PINACLE ENGINEERING GROUP
 11 AMERICAN INTERVIEW
 CIVIL



PLAN DESIGNER
 PINNACLE ENGINEERING GROUP
 2000 W. WISCONSIN AVENUE, SUITE 100
 MILWAUKEE, WI 53233
 414.224.7474



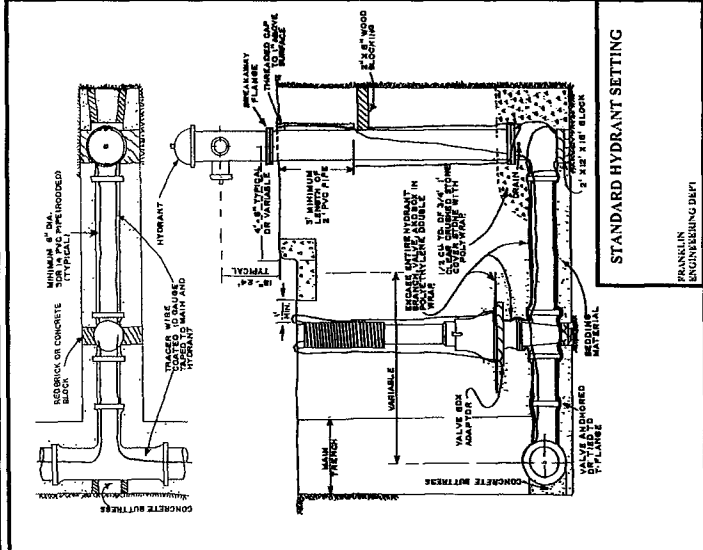
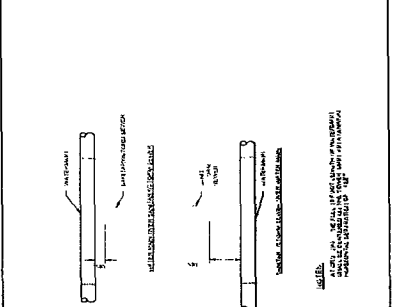
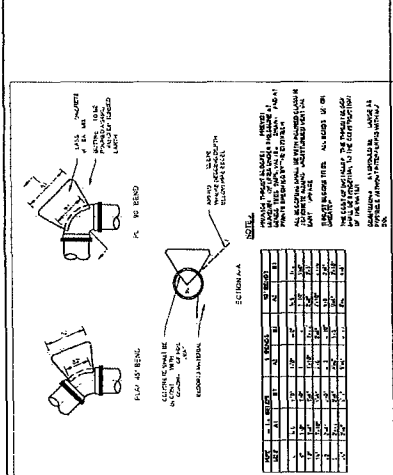


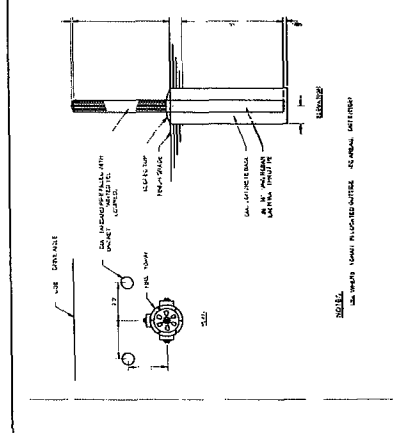
FIGURE 21



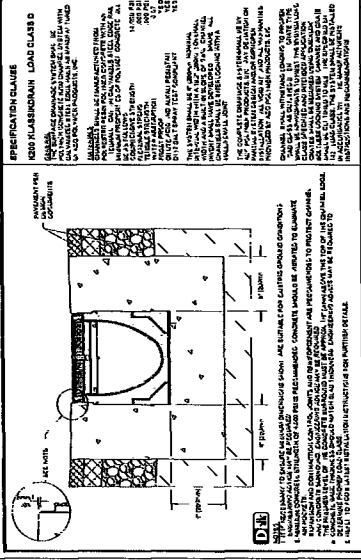
UTILITY SEPARATION



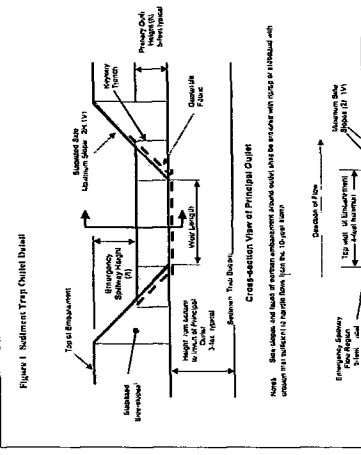
THRUST BLOCK



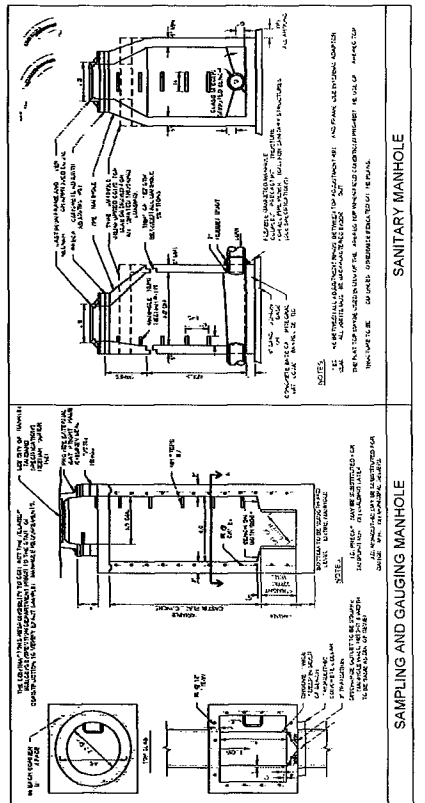
HYDRANT BOLLARD



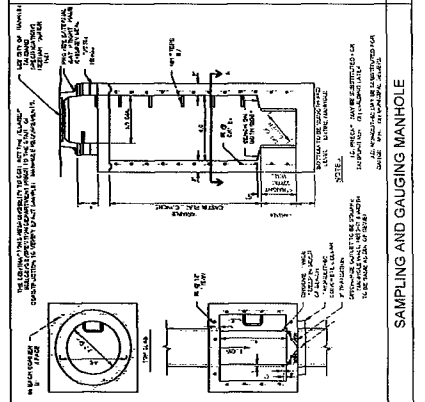
K200 KLASIKDRAIN LOAD CLASS D



SEDIMENT TRAP OUTLET DETAIL (PER WDWNR TECH STD 1083)



SANITARY MANHOLE



SAMPLING AND GAUGING MANHOLE

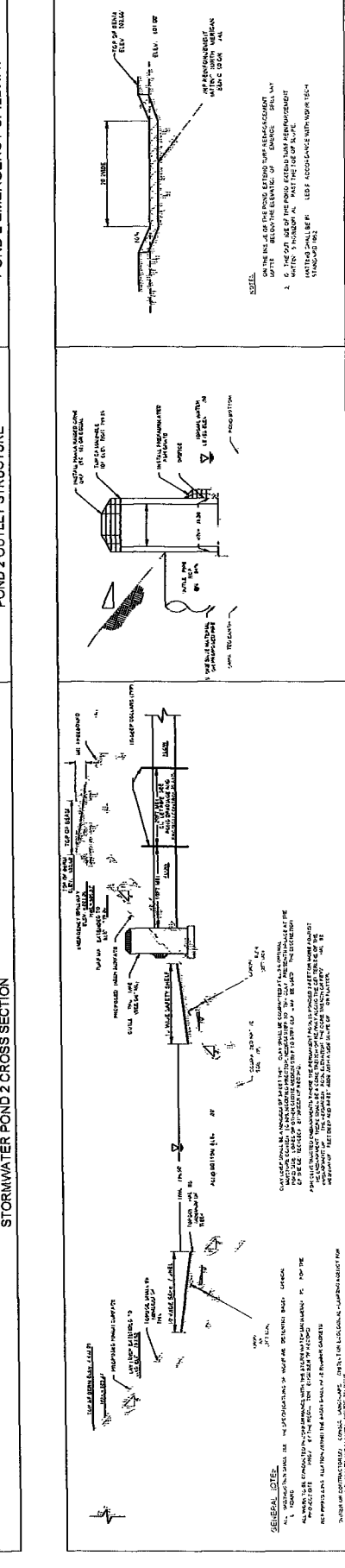
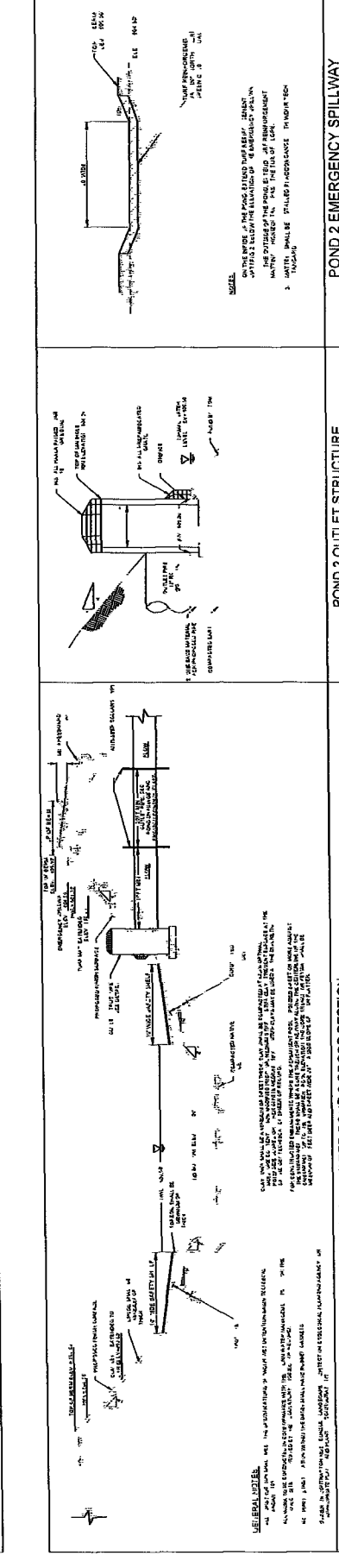
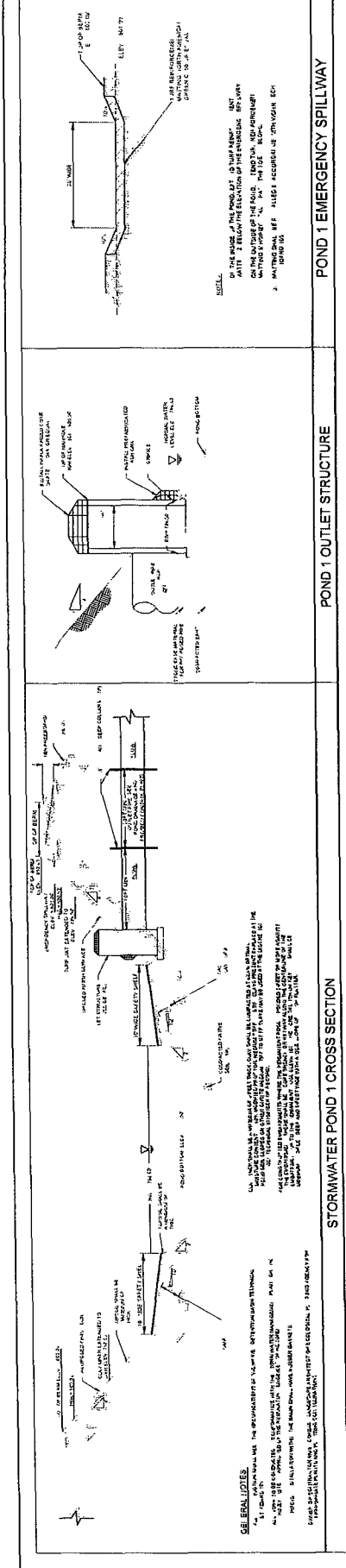
LAND DELIVER

Pinnacle Engineering Group
 10000 W. 16th Ave., Suite 100
 Denver, CO 80202

SCALE: AS SHOWN

DATE: 05.01.20

PROJECT: PROPOSED NEW FACILITY FOR STRAUSS BRANDS INC.



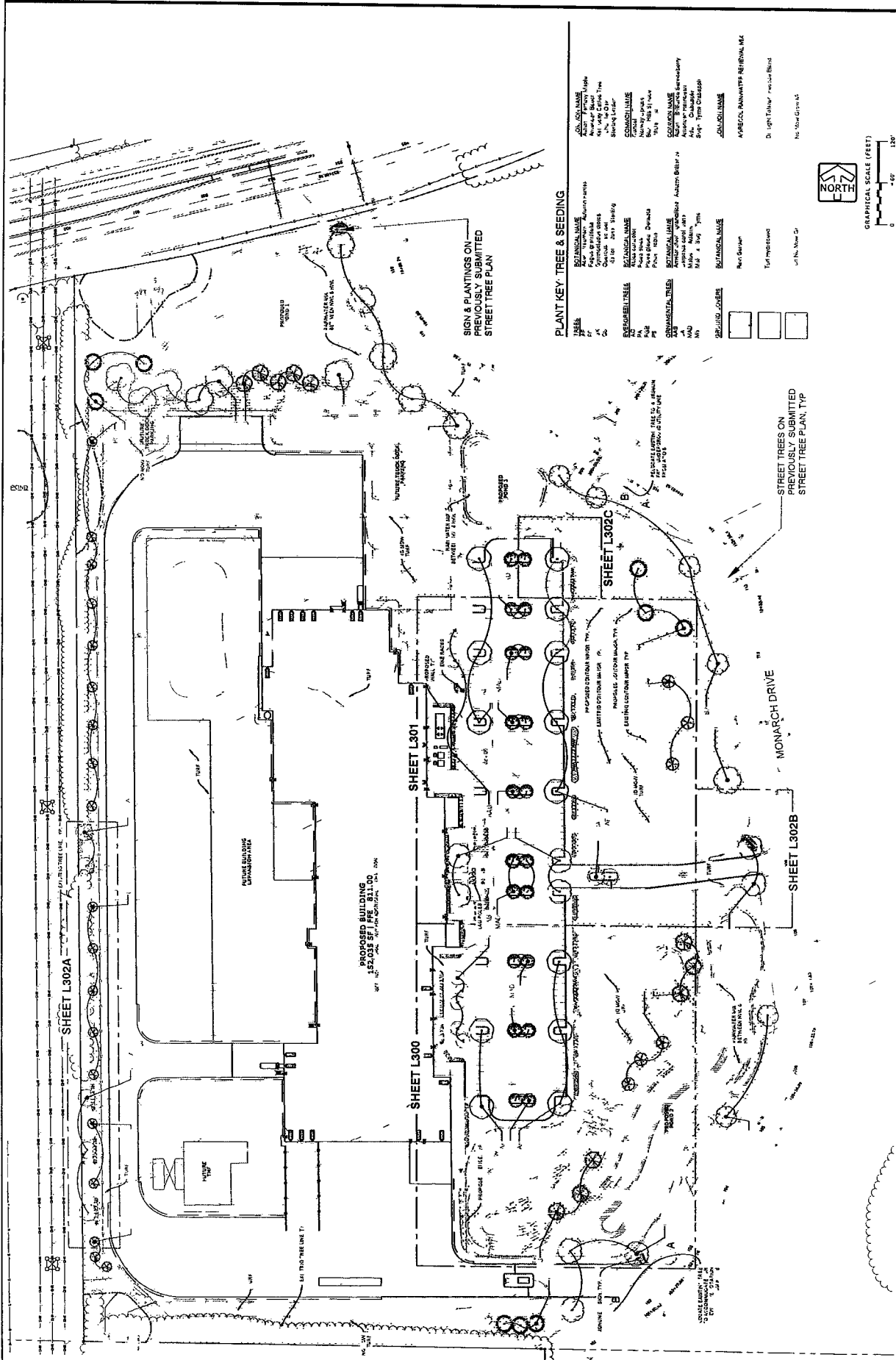
POND 1 EMERGENCY SPILLWAY

POND 2 EMERGENCY SPILLWAY

POND 3 EMERGENCY SPILLWAY

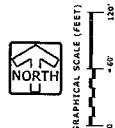
PLANNED DELIVERY

PINNACLE ENGINEERING GROUP
2800 CENTENNIAL BLVD W/11A, SUITE 200 W/11A
MILWAUKEE, WI 53226
TEL: 414.259.1100



PLANT KEY TREE & SEEDING

TREE	SCHEMATIC NAME	COMMON NAME	SEEDING
1	1	Starburst Maple	1" x 1" x 1" x 1"
2	2	Red Maple	1" x 1" x 1" x 1"
3	3	Amelanchier	1" x 1" x 1" x 1"
4	4	Red Maple	1" x 1" x 1" x 1"
5	5	Red Maple	1" x 1" x 1" x 1"
6	6	Red Maple	1" x 1" x 1" x 1"
7	7	Red Maple	1" x 1" x 1" x 1"
8	8	Red Maple	1" x 1" x 1" x 1"
9	9	Red Maple	1" x 1" x 1" x 1"
10	10	Red Maple	1" x 1" x 1" x 1"
11	11	Red Maple	1" x 1" x 1" x 1"
12	12	Red Maple	1" x 1" x 1" x 1"
13	13	Red Maple	1" x 1" x 1" x 1"
14	14	Red Maple	1" x 1" x 1" x 1"
15	15	Red Maple	1" x 1" x 1" x 1"
16	16	Red Maple	1" x 1" x 1" x 1"
17	17	Red Maple	1" x 1" x 1" x 1"
18	18	Red Maple	1" x 1" x 1" x 1"
19	19	Red Maple	1" x 1" x 1" x 1"
20	20	Red Maple	1" x 1" x 1" x 1"
21	21	Red Maple	1" x 1" x 1" x 1"
22	22	Red Maple	1" x 1" x 1" x 1"
23	23	Red Maple	1" x 1" x 1" x 1"
24	24	Red Maple	1" x 1" x 1" x 1"
25	25	Red Maple	1" x 1" x 1" x 1"
26	26	Red Maple	1" x 1" x 1" x 1"
27	27	Red Maple	1" x 1" x 1" x 1"
28	28	Red Maple	1" x 1" x 1" x 1"
29	29	Red Maple	1" x 1" x 1" x 1"
30	30	Red Maple	1" x 1" x 1" x 1"
31	31	Red Maple	1" x 1" x 1" x 1"
32	32	Red Maple	1" x 1" x 1" x 1"
33	33	Red Maple	1" x 1" x 1" x 1"
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36	36	Red Maple	1" x 1" x 1" x 1"
37	37	Red Maple	1" x 1" x 1" x 1"
38	38	Red Maple	1" x 1" x 1" x 1"
39	39	Red Maple	1" x 1" x 1" x 1"
40	40	Red Maple	1" x 1" x 1" x 1"
41	41	Red Maple	1" x 1" x 1" x 1"
42	42	Red Maple	1" x 1" x 1" x 1"
43	43	Red Maple	1" x 1" x 1" x 1"
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45	45	Red Maple	1" x 1" x 1" x 1"
46	46	Red Maple	1" x 1" x 1" x 1"
47	47	Red Maple	1" x 1" x 1" x 1"
48	48	Red Maple	1" x 1" x 1" x 1"
49	49	Red Maple	1" x 1" x 1" x 1"
50	50	Red Maple	1" x 1" x 1" x 1"
51	51	Red Maple	1" x 1" x 1" x 1"
52	52	Red Maple	1" x 1" x 1" x 1"
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54	54	Red Maple	1" x 1" x 1" x 1"
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60	60	Red Maple	1" x 1" x 1" x 1"
61	61	Red Maple	1" x 1" x 1" x 1"
62	62	Red Maple	1" x 1" x 1" x 1"
63	63	Red Maple	1" x 1" x 1" x 1"
64	64	Red Maple	1" x 1" x 1" x 1"
65	65	Red Maple	1" x 1" x 1" x 1"
66	66	Red Maple	1" x 1" x 1" x 1"
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97	97	Red Maple	1" x 1" x 1" x 1"
98	98	Red Maple	1" x 1" x 1" x 1"
99	99	Red Maple	1" x 1" x 1" x 1"
100	100	Red Maple	1" x 1" x 1" x 1"



PLANT DESK (NORTH) IVER

SCALE: 1" = 40'

GRAPHICAL SCALE (FEET)

0 40 80

130°

PINNACLE ENGINEERING GROUP

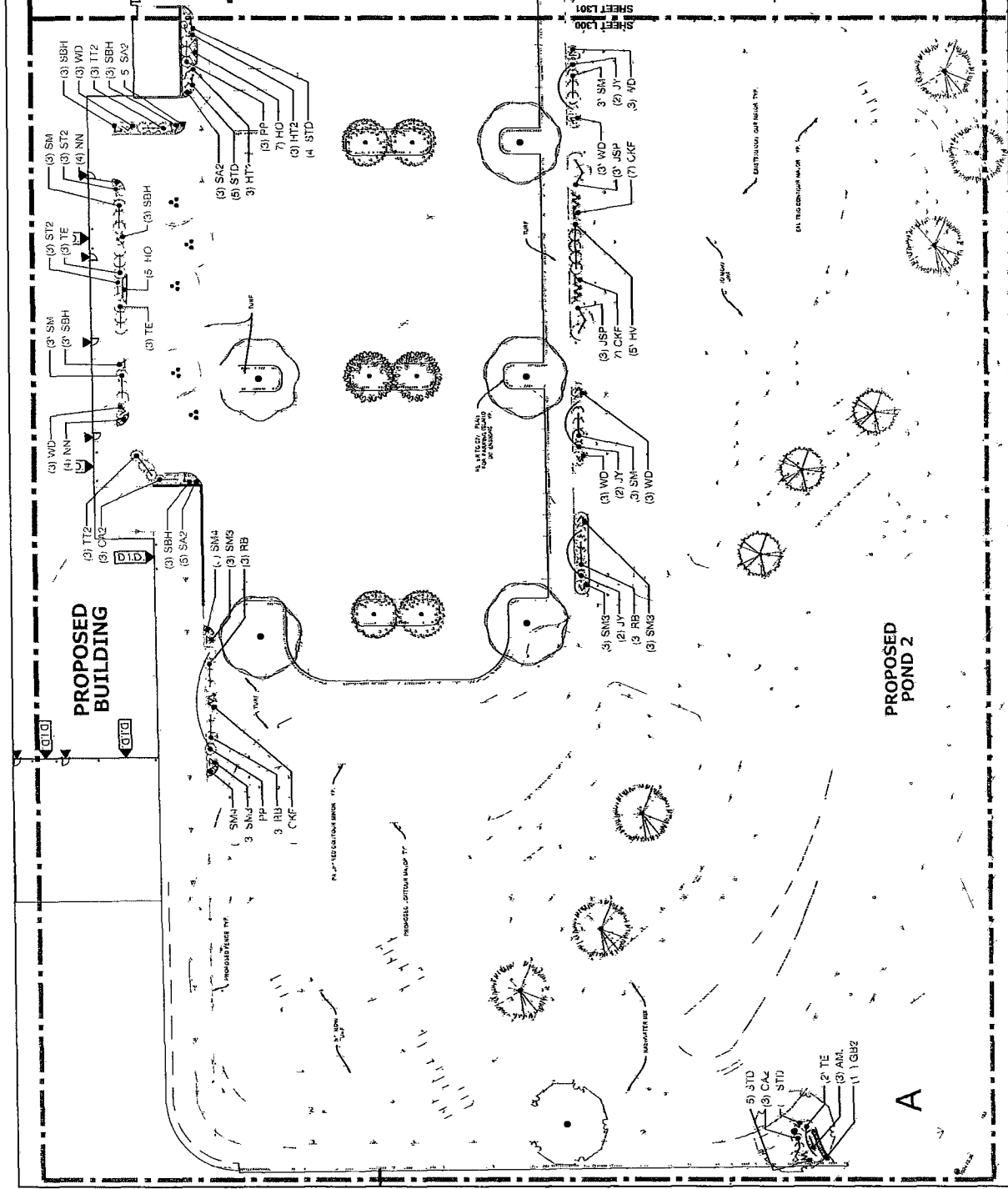
2013.01.20 2013.01.20

PLANT KEY SHRUB & PERENNIAL

SYMBOL	PLANT NAME	PLANT DESCRIPTION	PLANT CODE
SM	SM	SM	SM
ST2	ST2	ST2	ST2
STZ	STZ	STZ	STZ
TE	TE	TE	TE
SBH	SBH	SBH	SBH
SA2	SA2	SA2	SA2
HT2	HT2	HT2	HT2
HT1	HT1	HT1	HT1
RP	RP	RP	RP
HO	HO	HO	HO
STD	STD	STD	STD
JSP	JSP	JSP	JSP
CKF	CKF	CKF	CKF
HV	HV	HV	HV
WD	WD	WD	WD
JY	JY	JY	JY
SM	SM	SM	SM
WD	WD	WD	WD
SBH	SBH	SBH	SBH
SA2	SA2	SA2	SA2
SM4	SM4	SM4	SM4
SM5	SM5	SM5	SM5
RB	RB	RB	RB
RU	RU	RU	RU
CKF	CKF	CKF	CKF
STD	STD	STD	STD
CAZ	CAZ	CAZ	CAZ
AM	AM	AM	AM
GBZ	GBZ	GBZ	GBZ

SYMBOL	PLANT NAME	PLANT DESCRIPTION	PLANT CODE
SM	SM	SM	SM
ST2	ST2	ST2	ST2
STZ	STZ	STZ	STZ
TE	TE	TE	TE
SBH	SBH	SBH	SBH
SA2	SA2	SA2	SA2
HT2	HT2	HT2	HT2
HT1	HT1	HT1	HT1
RP	RP	RP	RP
HO	HO	HO	HO
STD	STD	STD	STD
JSP	JSP	JSP	JSP
CKF	CKF	CKF	CKF
HV	HV	HV	HV
WD	WD	WD	WD
JY	JY	JY	JY
SM	SM	SM	SM
WD	WD	WD	WD
SBH	SBH	SBH	SBH
SA2	SA2	SA2	SA2
SM4	SM4	SM4	SM4
SM5	SM5	SM5	SM5
RB	RB	RB	RB
RU	RU	RU	RU
CKF	CKF	CKF	CKF
STD	STD	STD	STD
CAZ	CAZ	CAZ	CAZ
AM	AM	AM	AM
GBZ	GBZ	GBZ	GBZ

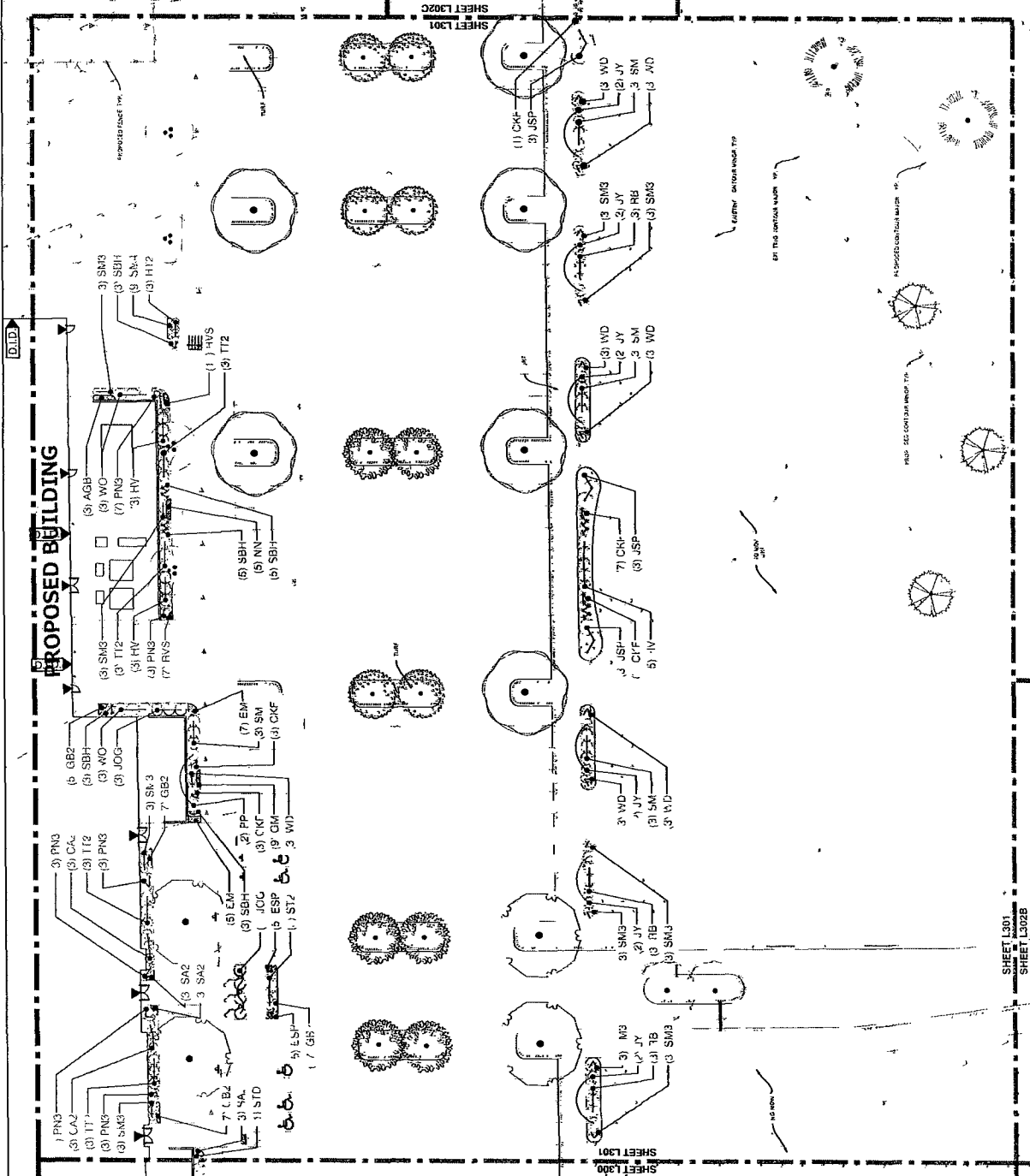
SYMBOL	PLANT NAME	PLANT DESCRIPTION	PLANT CODE
SM	SM	SM	SM
ST2	ST2	ST2	ST2
STZ	STZ	STZ	STZ
TE	TE	TE	TE
SBH	SBH	SBH	SBH
SA2	SA2	SA2	SA2
HT2	HT2	HT2	HT2
HT1	HT1	HT1	HT1
RP	RP	RP	RP
HO	HO	HO	HO
STD	STD	STD	STD
JSP	JSP	JSP	JSP
CKF	CKF	CKF	CKF
HV	HV	HV	HV
WD	WD	WD	WD
JY	JY	JY	JY
SM	SM	SM	SM
WD	WD	WD	WD
SBH	SBH	SBH	SBH
SA2	SA2	SA2	SA2
SM4	SM4	SM4	SM4
SM5	SM5	SM5	SM5
RB	RB	RB	RB
RU	RU	RU	RU
CKF	CKF	CKF	CKF
STD	STD	STD	STD
CAZ	CAZ	CAZ	CAZ
AM	AM	AM	AM
GBZ	GBZ	GBZ	GBZ



PLANT DELIGHT DELIVER
Pinnacle Engineering Group
2000 N. Lincoln Ave. Suite 100
Franklin, WI 53120
761.748.3300
www.pinnacleeng.com

PLANT KEY SHRUB & PERENNIAL

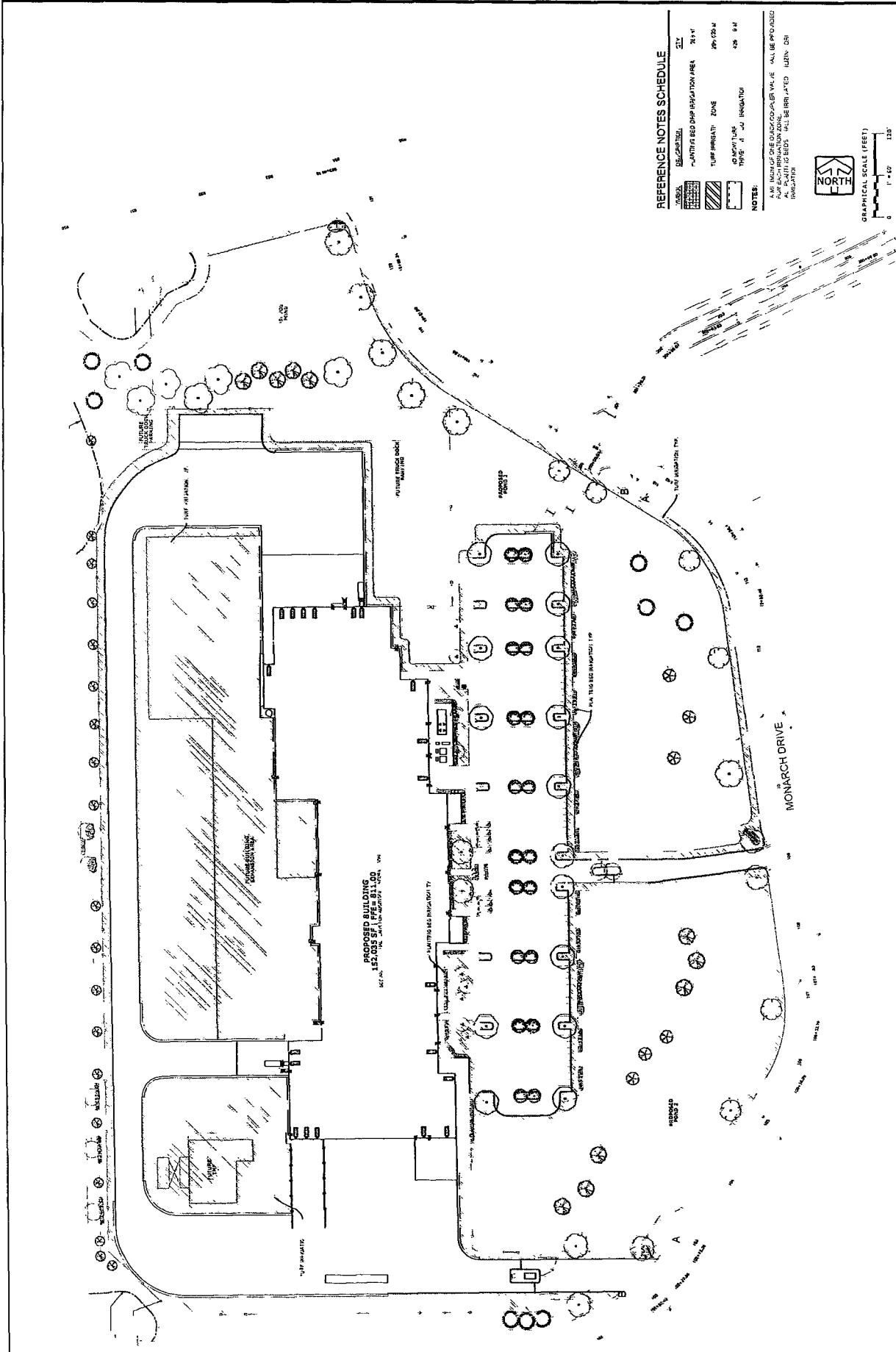
SYMBOL	COMMON NAME	SCIENTIFIC NAME	PLANT TYPE
1	AGB	AGAVE	AGAVE
2	CAJ	CAJUPUTUM	PERENNIAL
3	CAZ	CAZALPANGA	PERENNIAL
4	CBZ	CBZILLA	PERENNIAL
5	CM	CMYRTUS	PERENNIAL
6	CM3	CMYRTUS	PERENNIAL
7	CM4	CMYRTUS	PERENNIAL
8	CM5	CMYRTUS	PERENNIAL
9	CM6	CMYRTUS	PERENNIAL
10	CM7	CMYRTUS	PERENNIAL
11	CM8	CMYRTUS	PERENNIAL
12	CM9	CMYRTUS	PERENNIAL
13	CM10	CMYRTUS	PERENNIAL
14	CM11	CMYRTUS	PERENNIAL
15	CM12	CMYRTUS	PERENNIAL
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63	CM60	CMYRTUS	PERENNIAL
64	CM61	CMYRTUS	PERENNIAL
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77	CM74	CMYRTUS	PERENNIAL
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85	CM82	CMYRTUS	PERENNIAL
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95	CM92	CMYRTUS	PERENNIAL
96	CM93	CMYRTUS	PERENNIAL
97	CM94	CMYRTUS	PERENNIAL
98	CM95	CMYRTUS	PERENNIAL
99	CM96	CMYRTUS	PERENNIAL
100	CM97	CMYRTUS	PERENNIAL
101	CM98	CMYRTUS	PERENNIAL
102	CM99	CMYRTUS	PERENNIAL
103	CM100	CMYRTUS	PERENNIAL



1 PLAN DESIGN (DELIVER)
 Pinnacle Engineering Group
 1111 14th St, Suite 100
 Denver, CO 80202
 Phone: 303.733.8800
 Fax: 303.733.8801
 Website: www.pinnacleeng.com

SYMBOL	DESCRIPTION
(Hatched pattern)	ANTHROPIC DISTURBANCE AREA
(Diagonal lines)	TURF IRRIGATION ZONE
(Dotted pattern)	GRASS TURF IRRIGATION ZONE
(Cross-hatched)	IRRIGATION

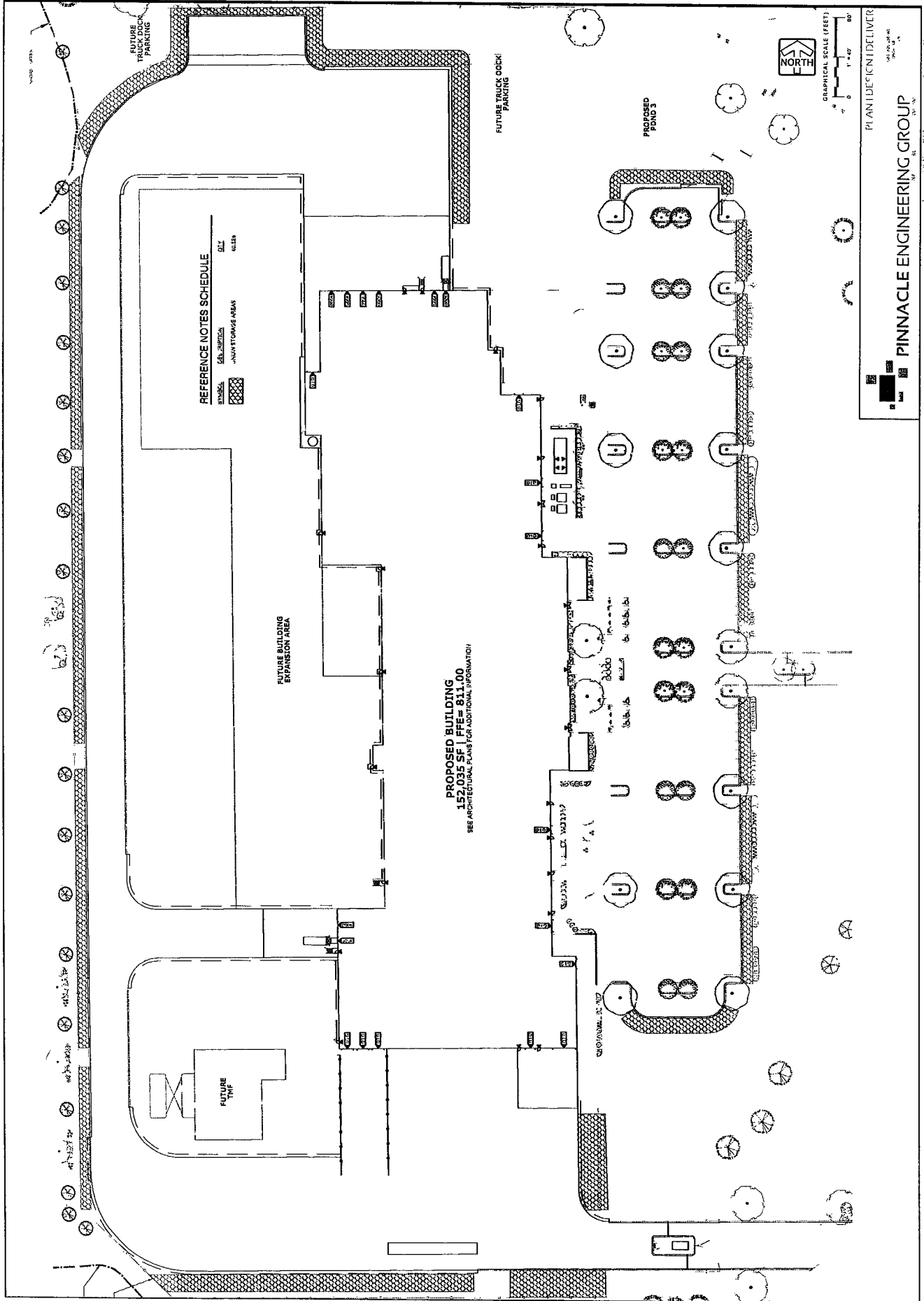
NOTES:
1. ALL IRRIGATION ZONES SHALL BE PROVIDED WITH AN ANTI-EROSION ZONE.
2. ALL IRRIGATION ZONES SHALL BE BARRICADED WITH DR. BARRICADE.



PLANTING SCHEDULE

Pinnacle Engineering Group

1000 W. WISCONSIN AVENUE
MILWAUKEE, WI 53233
TEL: 414.224.1100
WWW.PINNACLE-ENGINEERING.COM



REFERENCE NOTES SCHEDULE

[Hatching Pattern]	CONCRETE
[Hatching Pattern]	ASPH/FLY ASH
[Hatching Pattern]	GRAVEL
[Hatching Pattern]	GRAVEL

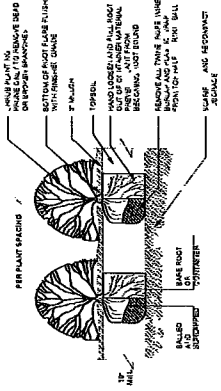
PROPOSED BUILDING
 152,035 SF | FFE = 811,00
 SEE ARCHITECTURAL PLANS FOR ADDITIONAL INFORMATION

PLAN IDENTIFIER DELIVER

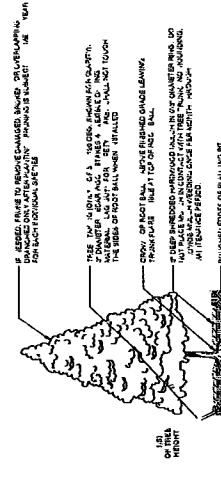
PINNACLE ENGINEERING GROUP

1000 W. WISCONSIN ST. SUITE 200
 MILWAUKEE, WI 53233
 TEL: 414.224.4400
 WWW.PINNACLEENG.COM

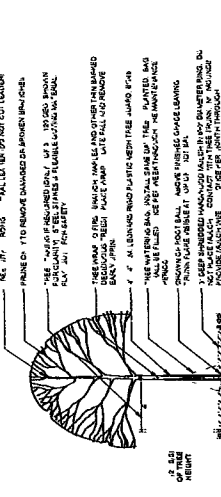
PLANT DELIVERY DELIVER
Pinnacle Engineering Group
10100 W. WISCONSIN AVENUE
SUITE 200
MILWAUKEE, WI 53224
TEL: 414.461.7200
WWW.PINCAPLEENGINEERING.COM



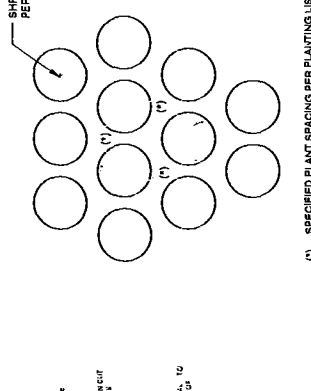
1 TREE PLANTING
EXCAVATE TREE PIT TO BE AT LEAST 2 FEET WIDER THAN ROOT BALL
MATERIAL SHALL BE 3/4\"/>



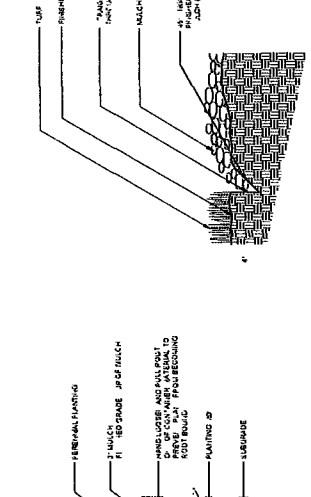
2 EVERGREEN TREE PLANTING
EXCAVATE TREE PIT TO BE AT LEAST 2 FEET WIDER THAN ROOT BALL
MATERIAL SHALL BE 3/4\"/>



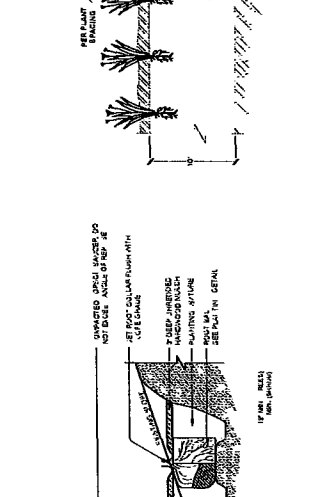
3 SHRUB PLANTING
EXCAVATE TREE PIT TO BE AT LEAST 2 FEET WIDER THAN ROOT BALL
MATERIAL SHALL BE 3/4\"/>



4 TRENCHED BED EDGE
1\"/>



5 PERENNIAL PLANTING
1\"/>



6 SPECIFIED PLANT SPACING PER PLANTING LIST
SHRUB OR PERENNIAL

NO.	DESCRIPTION	QUANTITY	UNIT	DATE
1	TREE PLANTING	1	EA	05/01/20
2	EVERGREEN TREE PLANTING	1	EA	05/01/20
3	SHRUB PLANTING	1	EA	05/01/20
4	TRENCHED BED EDGE	1	LF	05/01/20
5	PERENNIAL PLANTING	1	EA	05/01/20
6	SPECIFIED PLANT SPACING PER PLANTING LIST	1	EA	05/01/20



Date of Application 04/13/2020

SPECIAL USE / SPECIAL USE AMENDMENT APPLICATION

Complete, accurate and specific information must be entered. Please Print.

<p>Applicant (Full Legal Name[s]) Name <u>Jerald Bussen</u> Company <u>Strauss Brands LLC</u> Mailing Address <u>9775 South 60th Street</u> City / State <u>Franklin / Wisconsin</u> Zip <u>53132</u> Phone <u>414-255-3837</u> Email Address <u>geraldb@straussbrands.com</u></p> <p>Project Property Information: Property Address <u>SW Corner of West Loomis Road (STH 36) & Monarch Drive</u> Property Owner(s) <u>Strauss Brands LLC</u></p> <p>Mailing Address <u>9775 South 60th Street</u> City / State <u>Franklin / Wisconsin</u> Zip <u>53132</u> Email Address: <u>geraldb@straussbrands.com</u></p>	<p>Applicant is Represented by: (contact person)(Full Legal Name[s]) Name <u>Donald Olsen</u> Company <u>ESI Design Services, Inc.</u> Mailing Address <u>950 Walnut Ridge Drive</u> City / State <u>Hartland / Wisconsin</u> Zip <u>53029</u> Phone. <u>262-369-3577</u> Email Address <u>dolsen@esigroupusa.com</u></p> <p>Tax Key Nos <u>891 9007 000</u></p> <p>Existing Zoning <u>M-1 Limited Industrial</u> Existing Use <u>Farming</u> Proposed Use <u>Food Processing Facility</u> Future Land Use Identification. _____</p>
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*The 2025 Comprehensive Master Plan Future Land Use Map is available at: <http://www.franklinwi.gov/Home/ResourcesDocuments/Maps.htm>

Special Use/Special Use Amendment submittals for review must include and be accompanied by the following:

- This Application form accurately completed with original signature(s) Facsimiles and copies will not be accepted
- Application Filing Fee, payable to City of Franklin
 - \$1500, New Special Use over 4,000 square feet
 - \$1000 Special Use Amendment
 - \$750, New Special Use under 4,000 square feet
- Legal Description for the subject property (WORD doc or compatible format)
- One copy of a response to the General Standards, Special Standards (if applicable), and Considerations found in Section 15-3 0701(A), (B), and (C) of the Unified Development Ordinance available at www.franklinwi.gov
- Seven (7) complete collated sets of Application materials to include.
 - One (1) original and six (6) copies of a written Project Summary, including description of any new building construction and site work, interior/exterior building modifications or additions to be made to property, site improvement costs, estimate of project value and any other information that is available)
 - Three (3) **folded** full size, drawn to scale copies (at least 24" x 36") of the Site Plan/Site Plan Amendment package (The submittal should include only those plans/items as set forth in Section 17 7 0101, 15-7 0301 and 15-5 0402 of the Unified Development Ordinance that are impacted by the development. (e.g , Site Plan, Building Elevations, Landscape Plan, Outdoor Lighting Plan, Natural Resource Protection Plan, etc.)
 - Four (4) **folded** reduced size (11"x17") copies of the Site Plan/Site Plan Amendment package
- One colored copy (11"x17") of the building elevations, if applicable
- Three copies of the Natural Resource Protection Plan and report, if applicable (see Section 15-4 0102 & 15-7 0201 of the UDO)
- Email (or CD ROM) with all plans/submittal materials *Plans must be submitted in both Adobe PDF and AutoCAD compatible format (where applicable)*

- Upon receipt of a complete submittal, staff review will be conducted within ten business days
- Special Use/Special Use Amendment requests require Plan Commission review, a Public Hearing and Common Council approval

The applicant and property owner(s) hereby certify that (1) all statements and other information submitted as part of this application are true and correct to the best of applicant's and property owner(s)' knowledge; (2) the applicant and property owner(s) has/have read and understand all information in this application, and (3) the applicant and property owner(s) agree that any approvals based on representations made by them in this Application and its submittal, and any subsequently issued building permits or other type of permits, may be revoked without notice if there is a breach of such representation(s) or any condition(s) of approval. By execution of this application, the property owner(s) authorize the City of Franklin and/or its agents to enter upon the subject property(ies) between the hours of 7:00 a m and 7:00 p m daily for the purpose of inspection while the application is under review. The property owner(s) grant this authorization even if the property has been posted against trespassing pursuant to Wis Stat §943 13

(The applicant's signature must be from a Managing Member if the business is an LLC, or from the President or Vice President if the business is a corporation. A signed applicant's authorization letter may be provided in lieu of the applicant's signature below, and a signed property owner's authorization letter may be provided in lieu of the property owner's signature[s] below. If more than one, all of the owners of the property must sign this Application).

Signature - Property Owner
 Name & Title (PRINT) Jerald Bussen - President
 Date: 4/10/2020

Signature Property Owner _____
 Name & Title (PRINT) _____
 Date _____

Signature Applicant
 Name & Title (PRINT) Jerald Bussen - President
 Date: 4/10/2020

Signature Applicant's Representative
 Name & Title (PRINT) Donald A. Olsen - Project Architect
 Date: 4/10/2020

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

Date of Application 04/13/2020

SITE PLAN / SITE PLAN AMENDMENT APPLICATION

Complete, accurate and specific information must be entered. Please Print.

Applicant (Full Legal Name[s]) Name <u>Jerald Bussen</u> Company <u>Strauss Brands LLC</u> Mailing Address <u>9775 South 60th Street</u> City / State <u>Franklin / Wisconsin</u> Zip <u>53132</u> Phone <u>414-255-3837</u> Email Address <u>geraldb@straussbrands.com</u>		Applicant is Represented by: (contact person)(Full Legal Name[s]) Name <u>Donald Olsen</u> Company <u>ESI Design Services Inc.</u> Mailing Address <u>950 Walnut Ridge Drive</u> City / State <u>Hartland / Wisconsin</u> Zip <u>53029</u> Phone <u>262-369-3577</u> Email Address <u>dolsen@esigroupusa.com</u>	
Project Property Information Property Address <u>SW Corner of West Loomis Road (STH 36) & Monarch Drive</u> Property Owner(s) <u>Strauss Brands LLC</u> Mailing Address <u>9775 South 60th Street</u> City / State <u>Franklin / Wisconsin</u> Zip <u>53132</u> Email Address <u>geraldb@straussbrands.com</u>		Tax Key Nos <u>891 9007 000</u> Existing Zoning <u>M-1 Limited Industrial</u> Existing Use <u>Farming</u> Proposed Use <u>Food Processing Facility</u> Future Land Use Identification _____	

*The 2025 Comprehensive Master Plan Future Land Use Map is available at <http://www.franklinwi.gov/Home/ResourcesDocuments/Maps.htm>

Site Plan/Site Plan Amendment submittals for review must include and be accompanied by the following:

- This Application form accurately completed with original signature(s) Facsimiles and copies will not be accepted
- Application Filing Fee, payable to City of Franklin
 - Tier 1 \$2000
 - Tier 2 \$1000 (Lot size ≤ 1 acre)
 - Tier 3 \$500 (≤ 10% increase or decrease in total floor area of all structures with no change to parking; or change to parking only)
- Legal Description for the subject property (WORD doc or compatible format)
- Seven (7) complete collated sets of Application materials to include
 - One (1) original and six (6) copies of a written Project Summary, including description of any new building construction and site work, interior/exterior building modifications or additions to be made to property, site improvement costs, estimate of project value and any other information that is available)
 - Seven (7) folded full size, drawn to scale copies (at least 24" x 36") of the Site Plan/Site Plan Amendment package (The submittal should include only those plans/items as set forth in Section 15-7 0103, 15-7 0301 and 15-5 0402 of the Unified Development Ordinance that are impacted by the development. (e.g., Site Plan, Building Elevations, Landscape Plan, Outdoor Lighting Plan, Natural Resource Protection Plan, etc.)
 - Reduced size (11"x17") copies of the Site Plan/Site Plan Amendment package will be at Planning staff recommendation, if applicable
- One colored copy (11"x17") of the building elevations, if applicable
- One copy of the Site Intensity and Capacity Calculations, if applicable (see Division 15-3.0500 of the UDO)
- Three copies of the Natural Resource Protection report, if applicable (see Section 15-7 0103Q of the UDO)
- Email (or CD ROM) with all plans/submittal materials Plans must be submitted in both Adobe PDF and AutoCAD compatible format (where applicable)

- Upon receipt of a complete submittal, staff review will be conducted within ten business days. Additional materials may be required
- Site Plan/Site Plan amendment requests require Plan Commission or Community Development Authority review and approval

The applicant and property owner(s) hereby certify that (1) all statements and other information submitted as part of this application are true and correct to the best of applicant's and property owner(s)' knowledge, (2) the applicant and property owner(s) has/have read and understand all information in this application, and (3) the applicant and property owner(s) agree that any approvals based on representations made by them in this Application and its submittal, and any subsequently issued building permits or other type of permits, may be revoked without notice if there is a breach of such representation(s) or any condition(s) of approval. By execution of this application, the property owner(s) authorize the City of Franklin and/or its agents to enter upon the subject property(ies) between the hours of 7:00 a.m. and 7:00 p.m. daily for the purpose of inspection while the application is under review. The property owner(s) grant this authorization even if the property has been posted against trespassing pursuant to Wis Stat §943.13

(The applicant's signature must be from a Managing Member if the business is an LLC, or from the President or Vice President if the business is a corporation. A signed applicant's authorization letter may be provided in lieu of the applicant's signature below, and a signed property owner's authorization letter may be provided in lieu of the property owner's signature[s] below. If more than one, all of the owners of the property must sign this Application).

Jerald Bussen
 Signature - Property Owner
Jerald Bussen - President
 Name & Title (PRINT)
 Date 4/10/2020

 Signature - Property Owner
 Name & Title (PRINT)
 Date _____

Donald A. Olsen
 Signature Applicant
Jerald Bussen - President
 Name & Title (PRINT)
 Date 4/10/2020

Donald A. Olsen
 Signature Applicant's Representative
Donald A. Olsen - Project Architect
 Name & Title (PRINT)
 Date 4/10/2020



Strauss Brands LLC - Legal Description

April 10, 2020

Parts of Lot 1 and Outlot 1, of Certified Survey Map No. 9095 as recorded in the register of deeds office for Milwaukee County as Document No. 10830741, being a part of the Northeast 1/4 and the Southeast 1/4 of the Northwest 1/4 of Section 30, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin, described as follows:

Commencing at the southwest corner of the Northwest 1/4 of said section 30, thence South 89°39'32" East along the south line of said Northwest 1/4, 1345.74 feet to the southwest corner of Lot 1 Certified Survey Map No. 9095 and the Point of Beginning;

Thence North 00°34'12" West, along the west line of said Lot 1, 1523.10 feet to the southerly line of said right-of-way of West Loomis Road, thence North 79°00'41" East along the southerly line of said right-of-way, 156.97 feet; thence North 75°45'51" East along the southerly line of said right-of-way, 215.80 feet to a point of curvature; thence northeasterly along the southerly line of said right-of-way, 30.51 feet along the arc of said curve to the left, whose radius is 1979.86 feet and whose chord bears North 75°19'22" East, 30.51 feet; thence South 29°08'47" East, 22.47 feet; thence South 16°09'38" East, 83.27 feet to a point of curvature; thence southeasterly 198.68 feet along the arc of said curve to the left, whose radius is 265.00 feet and whose chord bears South 37°38'23" East, 194.06 feet; thence South 59°07'06" East, 356.12 feet to a point of curvature, thence southeasterly 170.14 feet along the arc of said curve to the right, whose radius is 190.00 feet and whose chord bears South 33°27'51" East, 164.52 feet; thence South 07°48'36" East, 543.63 feet to a point of curvature, thence southwesterly 128.99 feet along the arc of said curve to the right, whose radius is 190.00 feet and whose chord bears South 11°38'18" West, 126.52 feet; thence South 31°05'13" West, 282.33 feet to a point of curvature, thence southwesterly 75.12 feet along said curve to the right, whose radius is 190.00 feet and whose chord bears South 42°24'51" West, 74.64 feet, thence South 53°44'29" West, 143.69 feet to the south line of said Northwest 1/4, thence North 89°39'32" West along said south line, 662.99 feet to the Point of Beginning

Containing 1,316,168 square feet (30.2151 acres) of land, more or less.



City of Franklin - Planning Department
Strauss Brands LLC - Project Summary
 April 10, 2020
 (Updated July 28, 2020)
 (Updated October 1, 2020)

FACILITY SUMMARY:

- The project consists of the construction of a new beef processing facility designed to process 250 to 500 head of cattle per day. The facility includes cattle pens, harvest floor, carcass coolers, fabrication areas, packaging areas, warehouse areas, shipping docks, operations offices, employee welfare spaces and associated mechanical support facilities and spaces.
- The facility will be staffed and operate as follows

Employee Area	Employee Count	Shift (Work Hours)
Dirty Harvest	20	1 st - 6 00 AM - 2 30 PM
Clean Harvest	52	1 st - 7 00 AM - 3 30 PM
Fabrication & Grinding	150	1 st - 8 00 AM - 4 30 PM
Maintenance (1 st Shift)	12	1 st - 6 00 AM - 2 30 PM
Maintenance (2 nd Shift)	12	2 nd - 3 30 AM - 12 00 AM
Sanitation	15	2 nd - 3 30 AM - 12 00 AM
Administration	11	1 st - 8 00 AM - 5 00 PM
TOTAL	272	

- Construction is anticipated to begin in Fall of 2020 with final completion by June of 2022
- The overall estimated project cost is as follows

Area of Work	Estimated Cost
Sitework	\$ 4,715,000 00
Utilities	\$ 2,625,000 00
Building	\$ 57,860,000 00
TOTAL	\$ 65,200,000.00

SITE SUMMARY

- The site is located at the southwest corner of the intersection of West Loomis Road and the new Monarch Drive, covering approximately 30.2 acres
- The building will be orientated in the north/south direction and roughly centered on the site. Employee parking will be located on the east side of the building. An access drive will be located along the south, west and north side of the building for truck traffic.
- All access to the site will come via Monarch Drive. Two (2) access drives will be provided, one for employee auto parking and one for truck receiving and shipping.
- The site is designed to detain all stormwater on-site in three (3) detention ponds. The ponds are designed with a capacity to accommodate the future phases of work as indicated on the site drawings.

BUILDING SUMMARY

- The building will be a steel framed and concrete slab-on-grade structure. The structure is a single-story building with equipment mezzanines. Overall square footage of the building including all levels is as follows:

FIRST FLOOR

CATTLE BARN	17 656 SF
WASTEWATER TREATMENT	5 644 SF
HARVEST AREA	38 047 SF
CARCASS COOLERS	12 274 SF
FABRICATION / GRINDING AREA	33 770 SF
WAREHOUSE	13 853 SF
HARVEST SUPPORT AREA	4 370 SF
MAIN OFFICE / WELFARE	16 945 SF
FABRICATION SUPPORT AREA	9 185 SF
PRE-MANUFACTURED GUARDHOUSE	128 SF
TOTAL BUILDING (FOOTPRINT)	152 035 SF

MEZZANINE FLOOR

MECHANICAL MEZZANINE	1,661 SF
BOX-MAKE-UP MEZZANINE	8,297 SF
PARTS MEZZANINE	837 SF
	10 795 SF

TOTAL BUILDING SQUARE FOOTAGE	162 830 SF
--------------------------------------	-------------------

- The processing area of the building will be 36' in height and the office/support areas of the building will be 18' in height.
- The exterior of the building will be enclosed with high R-Value insulated metal wall panels. The exterior of the office/ employee welfare will be a combination of masonry and architectural metal wall panels.

Date April 10, 2020 (Updated July 28, 2020 & October 1, 2020)
Project Strauss Brands LLC - Meat Processing Plant
Subject City of Franklin - Project Summary
Page 3 of 3

FINANCIAL PLAN FOR PROJECT IMPLEMENTATION

- Strauss Brands, LC is building a 162,830 square foot building on a 30.2 acres parcel. Construction is expected to start in the 4th quarter of 2020 with a completion date of June 2022. Total cost of construction is estimated to be \$65.2 million. The greenfield project will generate a minimum tax assessed value of \$12,000,000 in years 2021 to 2028 and \$15,000,000 in years 2029 to 2041. This will generate property taxes of \$266,400 (2021 to 2028) and \$333,000 (2029 to 2041).

MARKET ANALYSIS

- With a strong trade presence nationwide, the City of Franklin provides a central location within in the Midwest to service the continental United States. With the Milwaukee Metro MSA exceeding 1.57 Million, Strauss will have the ability to source quality candidates for the 100 plus new hires requires in production, warehousing, administration, and management. If we are not able to source viable candidates from the current MSA, Franklin is a very attractive city to relocate employees to.

File: M:\ESI_DS_Jobs\2020\20-1257-01 Strauss Franklin WI\03-Agency\20-1257-01 Strauss Project Summary - 100120.doc



City of Franklin - Planning Department
Strauss Brands LLC - General Standards Response
April 10, 2020

GENERAL STANDARDS:

- **Ordinance and Comprehensive Master Plan Purposes and Intent:** This proposed building is an industrial building located in an M-1 (Light Industrial) zoned area. This building and site will follow all applicable ordinances required by the City of Franklin.
- **No Undue Adverse Impact:** Given the nature of this operation, cattle will be regularly brought onto the site, temporarily housed in the Cattle Pen, and then brought into the building for processing. This facility will be located at the far west side of the Loomis Business Park. Bringing the animals on site and removing the waste from the building will be located in discreet locations away from busier areas of the development.
- **No Interference with Surrounding Development:** This facility will be located at the far west side of the Loomis Business Park. The building will not be directly adjacent to the residential areas in this development, and much of the surrounding area will consist of open, undeveloped area. Traffic to this facility will enter on Monarch Drive from Loomis Road and will not interfere with the nearby residential streets.
- **Adequate Public Facilities:** This facility will be served by all the necessary utilities and public services. Many of these will be provided by Bear Development as part of the Loomis Business Park.
- **No Traffic Congestion:** There will be two entrances into the proposed property. Strauss expects to see +/-20 semi-trucks per day in and out of their facility. The truck entrance is located furthest to the south, while the employee parking entrance will be located towards the center of the property. The trucks will only be on Monarch Drive for a limited time, and the employee vehicles will not need to travel through residential areas of the development.
- **No Destruction of Significant Features:** This proposed use will not result in the destruction, loss, or damage of any natural, scenic, or historic feature of significant importance.
- **Compliance with Standards:** This proposed use will comply with all applicable standards.

SPECIAL STANDARDS

- Not Applicable

CONSIDERATIONS

- **Public Benefit:** Strauss is a well-established business that has been located within the City of Franklin for many years. The proposed site offers ample space for them to expand their operation and continue to grow their business.

Date April 10, 2020
Project Strauss Brands LLC - Meat Processing Plant
Subject City of Franklin - General Standards Responses
Page 2 of 2

- **Alternative Locations:** The location of this building within the development allows for the operation to run discreetly, minimizing the impact to nearby residential areas. The building will not be directly adjacent to the residential areas in this development, and much of the surrounding area will consist of open, undeveloped area. The cattle pen and Inedible Dock will be screened from the rest of the development.
- **Mitigation of Adverse Impacts:** Much of the facility will not be completely visible from Loomis Road or Monarch Drive due to landscaping berms located around the site. The shipping dock will be screened by this landscaping. The cattle pen will be located at the far south end of the site, away from busier areas of the development. The Harvest Floor waste (Inedible Dock) will be removed from the facility on the west side of the building. The building will completely shield the Inedible Dock from the rest of the Loomis Business Park.
- **Establishment of Precedent of Incompatible Uses in the Surrounding Area:** The proposed facility is a stand-alone operation which will not require other industrial buildings nearby to serve its needs. Much of the area around this facility is zoned for residential uses. There is a buffer between this facility and the residential areas, but there likely would not be adequate space for industrial growth in these areas.

File: M:\ESI_DS_Jobs\2020\20-1257-01_Strauss_Franklin_WI\03-Agency\Strauss_General_Standards_Response_4-10-2020.doc



June 28, 2020

Regulo Martínez-Montilva, AICP
Associate Planner - Department of City Development
City of Franklin
9229 W Loomis Road
Franklin, WI 53132

Project **Strauss Brands, LLC - New Meat Processing Facility**
West Loomis Road & Monarch Drive
Franklin, Wisconsin

Subject **City Development Department Review Comment Responses**
ESIDS Project No.: 20-1257-01

Dear Régulo

Below please find our responses to the Application for Special Use and Site Plan review comments made by the City Development Department, Engineering Department, and Fire Department, dated May 18, 2020

DEPARTMENT OF CITY DEVELOPMENT

Special Use

- 1 Unified Development Ordinance (UDO) Division 15-31100 Hazard Abatement Performance Standards Any ammonia refrigeration, flammable or explosive vapors associated with this facility? Please explain

Response: *Yes, the refrigeration system that cools the coolers and processing areas is a central ammonia system. The ammonia refrigeration system will meet all current codes and regulations. Due to the volume of ammonia on site a Process Safety Management (PSM) program will be in place. Furthermore, the system will be provided with an ammonia diffusion tank to allow for emergency evacuation and diffusion in a hazardous ammonia situation.*

- 2 In a revised project narrative, please include the hours of operations and number of employees expected during the large shift

Response: *See attached revised project narrative.*

- 3 Note the future building expansion and truck maintenance facility will require an amendment to the Special Use permit

Response *Strauss understands when they plan to expand or build the truck maintenance facility, they will need request an amendment to the Special Use permit.*

Site Plan

4 Please provide the following information on the Proposed Site Development Plan (Sheet C300)

- **Scale and Site Size** The scale of drawing and the size of the site (in square feet or acres) noted on the Site Plan Please note the size of the site (in square feet or acres) on the Site Plan

Response: See Site Data Table on sheet C300.

- **Soils Data.** The characteristics and types of soils related to contemplated specific uses Soil borings may be required by the City Engineer, Zoning Administrator, and/or Plan Commission Please note the soil types on the Site Development Plan

Response: See Site Data Table on sheet C300. Geotech Report and Borings were previously completed by Terracon in 2018.

- **Off-Street Parking Spaces, Loading, Ingress and Egress, and Driveway Locations of Adjoining Properties** The total number of off-street parking spaces, loading areas, drives, curb cuts, and vehicular ingress and egress locations to the site Please note the total number of off-street parking spaces on the Site Plan

Response: See Site Data Table on sheet C300.

- **Building Height** Height of all building(s), including both principal and accessory, expressed in both feet and stones Please note the heights of the building on the Building Elevations

Response: See updated building elevations on drawing A3.1.

- **Proposed Stormwater Management Facilities.** Location of any proposed stormwater management facilities, including detention/retention area(s), and the submission of stormwater calculations which justify the stormwater detention/retention area(s) Said submission shall indicate how the planned stormwater drainage system meets the requirements of the City's stormwater management plan. Please provide stormwater calculations and Stormwater Management Plan for final submittal

Response: See attached stormwater management plan.

- **Natural Resource Protection Plan.** Conservation Easements Natural resources (as described in Division 15-4.0100 of the UDO) shall be located within conservation easements Please note that conservation easements require a separate approval Conservation easement template is attached

Response: Easement documents have been completed. Strauss will record with the City.

- **Site Intensity and Capacity Calculations** The "Site Intensity and Capacity Calculation" worksheets required under Division 15-3 0500 for determining the maximum site intensity, or development capacity, of the site Please provide Site Intensity and Capacity Calculations per Division 15-3 0500

Response: See requested calcs (attached).

- **Building Elevations.** Please provide building elevations for the guardhouse

Response: See guard house building elevations on drawing A3.2.

- **Market Analysis** In the case of a commercial use on a parcel of land greater than 30,000 square feet in area, a market analysis, prepared and signed by an independent market analyst acceptable to the Plan Commission, containing the following
 - Trade area
 - Population of trade area, present and projected
 - Effective buying power in the trade area, present and projected (in the case of retail)
 - Residual buying power and how it may be expected to be expended in existing business areas serving the trade area Please provide a market analysis within a revised project narrative or supplemental letter

Response: See attached updated Project Summary.

- **Financial Plan for Project Implementation** A financial plan for project implementation, acceptable to the Plan Commission Please include a financial plan within a revised project narrative or supplemental letter

Response: See attached updated Project Summary.

- **Project Summary.** A written project summary including fiscal impact upon the City of Franklin, operational information, building schedule, and estimate of project value and including all site improvement costs Please include a project summary within a revised project narrative or supplemental letter

Response: See attached updated Project Summary.

- 5 Please reconcile the building floor area provided in narrative (Phases I & II 134,000 sf footprint) with the building floor area provided on the Site Plan (Phase I 127,670 sf; no floor area estimate provided for Phase II)

Response Civil plans have been revised to identify the current, proposed building area. See Site Data Table on Sheet C300.

- 6 On Sheet C300, please include additional site data, including square footage of proposed impervious surface, greenspace and Landscape Surface Ratio (see definitions below)

- **Landscape Surface Ratio (LSR).** The ratio derived by dividing the area of landscaped surface by the base site area

Response: See Site Data Table on sheet C300.

- **Landscape Surface Area.** Surface area of land not covered by any building or impervious surface, impervious surface, and that is maintained as a natural area and left undisturbed or to support plant life

Response: See Site Data Table on sheet C300.

- **Maximum Gross Floor Area Ratio.** An intensity measured as a ratio derived by dividing the total gross floor area of a building or structure by the base site area Also see Division 15-3 0500

Response: See Site Data Table on sheet C300.

- **Maximum Net Floor Area Ratio.** An intensity measured as a ratio derived by dividing the total gross floor area of a building or structure by the net buildable site area Also see Division 15-3 0500

Response: See Site Data Table on sheet C300.

- **Site Area, Base.** (See Division 15-3 0500 of this Ordinance)

Response: See Site Data Table on sheet C300.

- 7 Please provide details about proposed fence (height, materials) to ensure it meets the requirement of Division 15 3-0803C

Response: *The fence enclosing the cattle barns, receiving dock and shipping dock is an 8' high chain-link fence.*

- 8 Please provide details about proposed generator screening to ensure it meets the requirements of Division 15 3-0803E

Response: *The generator screening is a 10' high masonry wall with face brick veneer matching the office. See attached detail.*

- 9 Please provide details about proposed trash enclosure to ensure it meets the requirements of Division 15 3-0803I

Response: *The trash enclosure is a 10' high masonry wall with face brick veneer matching the office. See attached detail.*

- 10 Please provide details about the proposed guardhouse (dimensions, area, exterior building materials, height) to ensure it meets the requirements of Division 15 3-0801

Response: *See guard house floor plan and building elevations on drawing A3.2 showing size, height and building materials.*

- 11 Proposed driveway openings are 26 feet wide for the employee parking lot and 48 feet wide for truck entrance Per Division 15-5 0207, openings for vehicular ingress and egress shall not exceed 24 feet at the street right-of-way line and 30 feet at the roadway, unless a greater distance is approved by the Plan Commission in a non-residential district Please revise or submit a separate letter supporting your request, subject to Plan Commission approval

Response: *Please see attached letter supporting the request of wider driveways.*

Landscaping

- 12 Please provide the planting size for each Plant Type (Canopy/Shade Tree, Decorative Trees, Evergreen Trees, etc) Note that evergreens and arborvitae within the bufferyard must have a planting height of six feet

Response: *Planting Sizes have been added to the planting schedule.*

- 13 Please illustrate areas for snow storage on the Landscape Plan in compliance with Section 15-5 0210 of the Unified Development Ordinance

Response: *Sheet L-401 has been added to show snow storage locations.*

- 14 Bufferyards are required on the north and west sides of this property Please label bufferyards and the Landscape Plan and provide a higher concentration of plants within the bufferyard areas Required planting quantity is increased by 30% within bufferyards, per Sections 15-5 0301C and 15-5 0301D of the UDO Please exclude conservation areas and vision triangles from bufferyards

Response: *The plan currently provides more than the required plantings. More plantings have been relocated to the specified buffer locations to provide a higher concentration of plantings in the bufferyards. North bufferyard also contains an 8' high screening berm along with plantings.*

- 15 Please provide the planting size for each Plant Type (Canopy/Shade Tree, Decorative Trees, Evergreen Trees, etc) per Table 15-5 0302 of the UDO Note that evergreens and arborvitae within the bufferyard must have a planting height of six feet

Response: *Planting Sizes have been added to the planting schedule.*

- 16 Please provide the number of plantings by species on the Landscape Plan (Sheet L-100 or Sheet L202) At least 10 plantings of each species are required per Section 15-5 0302F of the UDO Also, see Section 15-5 0302H of the UDO about placement by species

Response: *Plantings have been updated to be in line with the chart found in 15-5.0302F based on plant categories, ie...Shade trees (37 provided requires a min of 6 per species), Deciduous shrubs (199 provided requires a min of 10 per species), etc.*

- 17 Please provide estimated landscaping costs per Section 15-5 0302G 3 of the UDO

Response: *Estimated landscape cost for plantings and seeding is approximately \$150,000.*

- 18 Please note a two-year planting guaranty on the Landscape Plan is required per Section 15-5 0303G 3 of the UDO

Response: *Note has been updated on plans.*

- 19 Please provide the Landscape Surface Ratio percentage, and planting size information for the planting schedule

Response: *Has been added to the plan.*

- 20 Please provide irrigation plans per Section 15-5 0303D of the UDO

Response: *A performance irrigation plan has been provided denoting types of irrigation to be used in what locations. Final irrigation plans to be designed by irrigation contractor prior to installation. (Sheet L-400).*

- 21 Please provide installation plans per Section 15-5 0303F of the UDO

Response: *Notes have been added to the general notes section.*

- 22 Please provide parking lot island dimensions to verify that depth requirements are met, per Section 15-3 0354C 2 The interior landscaping shall be provided within landscaped islands a minimum of 250 square feet in area Landscaped islands shall be three feet shorter than the depth of any adjacent parking space

Response: *Parking lot islands have been updated and dimensioned on the civil plans (C301 and C302). Notes have been added to the landscape plan referencing the civil plans.*

- 23 Clarify whether plants in landscaped parking lot islands are underlain by soil (vs base course material), per Section 15-3 0354C 4

Response: *Landscape planting islands shall be underlain by soil. Existing soil shall be loosened to a minimum depth of 30" (Refer to soil placement notes Sheet L-100).*

Date June 28, 2020
Project **Strauss Brands, LLC - New Meat Processing Facility**
Franklin, Wisconsin
Subject Architectural and Engineering Service Proposal
Page 6 of 8

- 24 Please show the 30-foot vision triangle on the Landscaping Plan to demonstrate compliance with Section 15-5 0201

Response: *The WISDOT vision triangle has been added to the plans.*

Parking

- 25 Please provide a total number of parking spaces proposed, by type, on the face of the Site Plan

Response: *See Site Data Table on sheet C300.*

- 26 Staff determined that the proposed use is classified as "Light Industry" for the purpose of parking demand, per UDO Table 15-5.0203 the required parking for light industry is 2 spaces/1,000 sf of Gross Floor Area Based on the overall square footage (153,250), the required parking is 307 spaces Staff counted 234 parking spaces (including ADA), therefore the proposed parking does not meet the UDO requirements

However, the Plan Commission may approve a parking reduction, below 25% of the required parking, which is a total of 230 parking spaces To request this reduction, please submit the following (UDO §15-5.0203 B)

- Sufficient proof that the minimum number of required parking spaces would exceed the proposed use's projected parking demand Evidence may include, but not limited to, parking standard comparisons and/or comparisons of parking demand for existing similar uses

Response: *Based on the new enlarged plan the gross building square footage is 178,274 S.F. which equates to 358 required parking spaces. Strauss requests the Plan Commission allow a reduction in the number of required stalls by 78 (22%) for a total of 280 parking stalls, not including motorcycle parking. The overall number of employees is 272 with a maximum of 240 being onsite at the same time. Even with the reduction in parking there would still be 40 overflow spaces available.*

- 27 Table 15-5 0202(I)(1) requires 7 ADA parking spaces Six ADA parking spaces are currently provided Parking spaces for use by person with disabilities shall be 13 feet wide by 20 feet long for automobiles and 16 feet wide by 20 feet long for vans, per Section 5-5 0202J 1

Response: *Additional ADA stall has been added to the plan. Proposed stalls meet required dimensions and 2 van spaces are provided.*

- 28 Please clarify the purpose of the 18 smaller parking spaces located north of the main customer entrance If they are motorcycle parking spaces, please label them as such

Response: *These are motorcycle parking spaces. A note has been added to the plans denoting this.*

- 29 Please label the loading spaces on the Site Plan Four loading spaces are required

Response: *Loading spaces are provided within the four proposed truck court/dock areas and this has been noted on the plans (C301 and C302).*

Lighting

- 1 Please provide the light cut-off angles of the luminaires, per Section 15-5 0401. It is noted that if these are cut-off luminaires with angles less than 90 degrees, then they meet the illumination standards. Otherwise, the on-site lighting would not comply with UDO standards.

Response: *See polar candela distribution charts on sheets E3.1, E3.2, E3.3 and E3.4.*

- 30 Please provide a graphic depiction of the luminaire lamp (or bulb) concealment and light cut-off angles per Section 15-5 0402B 4.

Response: *See polar candela distribution charts on sheets E3.1, E3.2, E3.3 and E3.4.*

Signage

- 31 Signage will require separate review and approval by the Architectural Review Board and a Sign Permit from the Inspection Department. Please provide a note on the plans that states signs are shown for reference only and require separate review and approval.

Response: *Strauss, LLC understands that all exterior signage will require a separate review, approval, and permit from the City. Signage will be a deferred submittal at this time.*

City Development Department suggestions (not specifically required by the UDO)

- 32 **Pedestrian Sidewalks and Walkways.** Please provide safe pedestrian and bicycle access to all uses within the development, connections to existing and planned sidewalks.

Response: *Since this facility is not open to the public, nor does Strauss want to encourage pedestrian traffic to the facility, Strauss does not believe it necessary to provide a sidewalk from the building out to the street.*

- 33 **Architecture.** Staff suggests providing additional architectural design element(s) to break up the plane of the wall such as siding design and accent panels.

Response: *Due to the type of construction it is costly to incorporate a siding design or accent panels into the exterior wall. Strauss finds that to cost prohibitive at this time.*

Engineering Department Comments

- 34 There should be no structures within the City's utility easements.

Response: *Understood. All structures will be constructed outside of utility easements.*

- 35 The City's utility easements must always be accessible for its maintenance.

Response: *Utility easements will be made accessible to the City at all times.*

Date June 28, 2020
Project **Strauss Brands, LLC - New Meat Processing Facility**
Franklin, Wisconsin
Subject Architectural and Engineering Service Proposal
Page 8 of 8

Fire Department Comments (dated 8/28/2019)

- 36 Significant concern with storage/use of large quantities of ammonia immediately adjacent to and upwind of planned residential, commercial, and multi-use development a Asphyxiant, corrosive/irritant, and potential explosive properties will be present in the event of a release/leak or fire

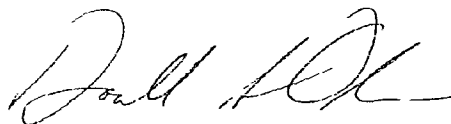
Response: The ammonia refrigeration system will meet all current codes and regulations. Due to the volume of ammonia on site a Process Safety Management (PSM) program will be in place. Furthermore, the system will be provided with an ammonia diffusion tank to allow for emergency evacuation and diffusion in a hazardous ammonia situation.

- 37 Area is poorly served by existing fire station locations and staffing Response times for Effective Response Force for fire and EMS calls-for-service, and emergency incident types will likely exceed accepted industry standards (possibly significantly) for the entire development

Response: Strauss, LLC understands the concerns raised regarding response times from the fire department.

We believe all of your comments have been addressed If you have any questions or need further clarification, please contact us at your earliest convenience

Sincerely



Donald A. Olsen, AIA, CSI
Vice President of Design/Operations
262-369-3535 Main Line
262-369-3577 Direct Line
262-391-1436 Cell
262-369-3592 Fax
dolsen@esigroupusa.com

cc John Dohogne, President - ESI Design Services, Inc
Timothy P. Gibbons, V P Design/Business Development - ESI Design Services, Inc
File M\ESI DS Jobs\2020\20-1257-01 Strauss Franklin WI\03-Agency\20-1257-01 Plan Commission Response LTR.doc

SECTION 15-3.0505

CALCULATION OF SITE INTENSITY AND CAPACITY FOR
NONRESIDENTIAL USES

In order to determine the maximum floor area which may be permitted on a parcel of land zoned in a nonresidential zoning district, the site intensity and capacity calculations set forth in Table 15-3 0505 shall be performed

Table 15-3.0505

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

STEP 1	<p>CALCULATE MINIMUM REQUIRED LANDSCAPE SURFACE</p> <p>Take <i>Base Site Area</i> (from Step 5 in Table 15-3 0502) <u>30 22 AC</u></p> <p>Multiple by Minimum <i>Landscape Surface Ratio (LSR)</i> (see specific zoning district LSR standard) x <u>0 4</u></p> <p>Equals MINIMUM REQUIRED ON-SITE LANDSCAPE SURFACE =</p>	12 09 acres
STEP 2	<p>CALCULATE NET BUILDABLE SITE AREA</p> <p>Take <i>Base Site Area</i> (from Step 5 in Table 15-3 0502) <u>30 22 AC</u></p> <p>Subtract <i>Total Resource Protection Land</i> from Table 15-3 0503) or <i>Minimum Required Landscape Surface</i> (from Step 1 above) whichever is greater - <u>12 09 AC</u></p> <p>Equals NET BUILDABLE SITE AREA =</p>	18 13 acres
STEP 3	<p>CALCULATE MAXIMUM NET FLOOR AREA YIELD OF SITE.</p> <p>Take <i>Net Buildable Site Area</i> (from Step 2 above) <u>18 13 AC</u></p> <p>Multiple by Maximum <i>Net Floor Area Ratio (NFAR)</i> (see specific nonresidential zoning district NFAR standard) x <u>0 85</u></p> <p>Equals MAXIMUM NET FLOOR AREA YIELD OF SITE =</p>	15 41 acres
STEP 4	<p>CALCULATE MAXIMUM GROSS FLOOR AREA YIELD OF SITE</p> <p>Take <i>Base Site Area</i> (from Step 5 of Table 15-3 0502) <u>30 22 AC</u></p> <p>Multiple by Maximum <i>Gross Floor Area Ratio (GFAR)</i> (see specific nonresidential zoning district GFAR standard) x <u>0 42</u></p> <p>Equals MAXIMUM GROSS FLOOR AREA YIELD OF SITE =</p>	12 69 acres
STEP 5	<p>DETERMINE MAXIMUM PERMITTED FLOOR AREA OF SITE</p> <p>Take the <i>lowest</i> of Maximum Net Floor Area Yield of Site (from Step 3 above) or Maximum Gross Floor Area Yield of Site (from Step 4 above)</p> <p>(Multiple results by 43 560 for maximum floor area in square feet)</p>	12 69 acres (<u>552,776</u> sf)



May 22, 2020

Members of the City of Franklin Plan Commission:

Please accept this letter as notification that Strauss Brands, Inc would like to seek Plan Commission approval of driveway widths that exceed the maximum allowed per the City of Franklin Unified Development Ordinance (Division 15-5 0207) The allowable width at the Right of Way line is 24' and at the roadway is 30' per code Strauss is requesting approval for a 28' wide driveway for their main employee entrance and a 48' wide driveway for their truck access entrance. A future access point is also proposed that is 34' wide

The main employee driveway is proposed at 28' wide to allow for a comfortable width for cars entering and exiting the facility at the same time There is also a security badge/gated access island located to the west of the driveway connection to the street. A wider driveway helps support traffic flow through this security check point

The truck access entrance is proposed at 48' wide to allow for large trucks (up to a 53' long trailer) entering and existing the facility to safely utilize the driveway at the same time Similar to the employee entrance, this access point also has a security check point west of the driveway connection to the road. This includes a curbed island with a guard shack and gates, which is supported by the wider driveway. Between the Right of Way line and the roadway itself, a concrete apron is provided

In addition to these two driveways, there is also a future driveway access point intended for if/when the parking lot expands to accommodate future additions to the facility. This driveway is located at the north end of the site and would be approximately 34' wide. Much like the other employee access point, an island with security gates would be proposed and would require a wider driveway to support the traffic circulation

These driveway configurations were also discussed with members of the City Engineering Department and were supported

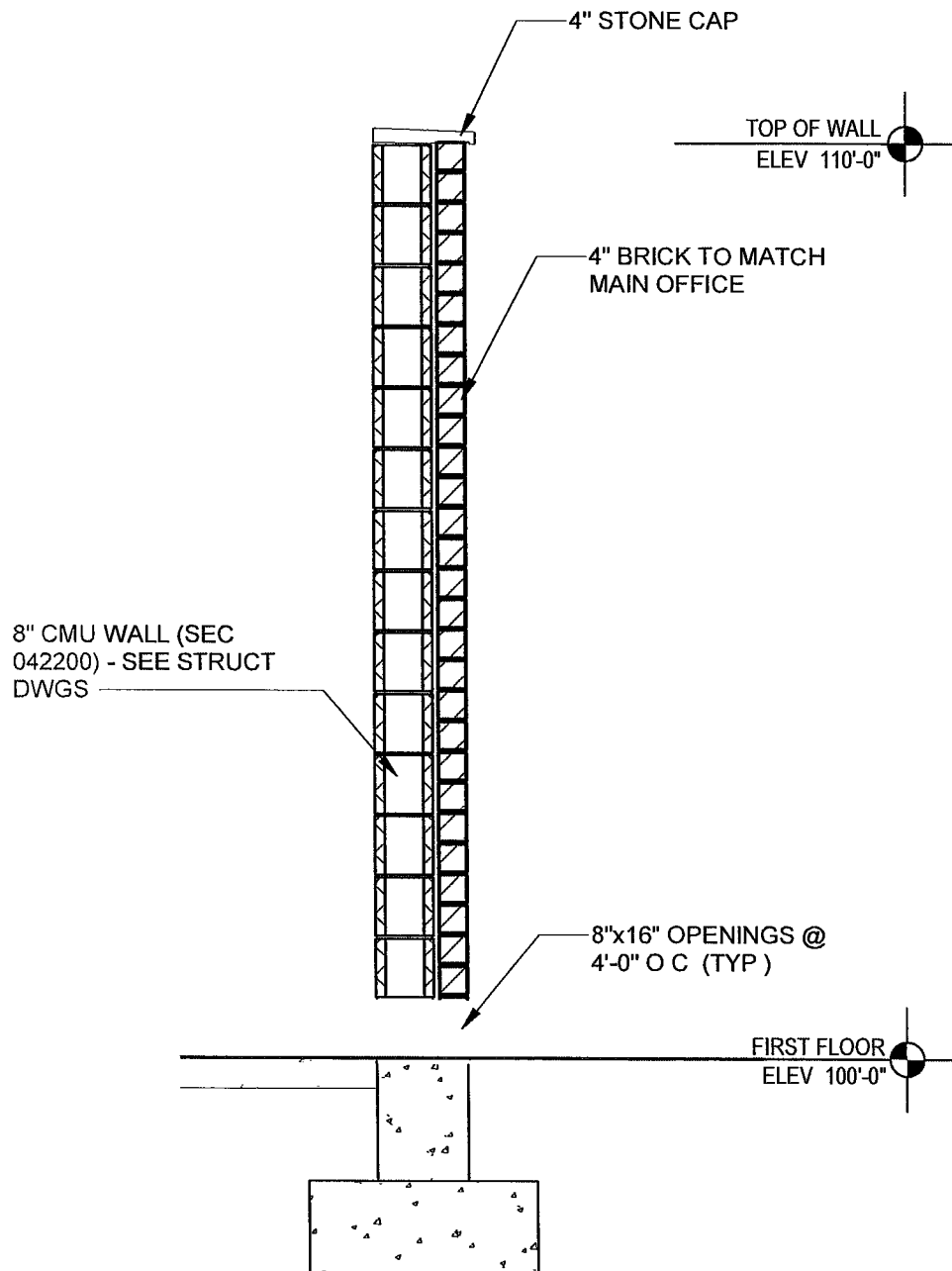
Strauss ownership and the design team both certainly appreciate the Plan Commission's time and consideration of this request Please let us know if you have any additional questions.

Sincerely,

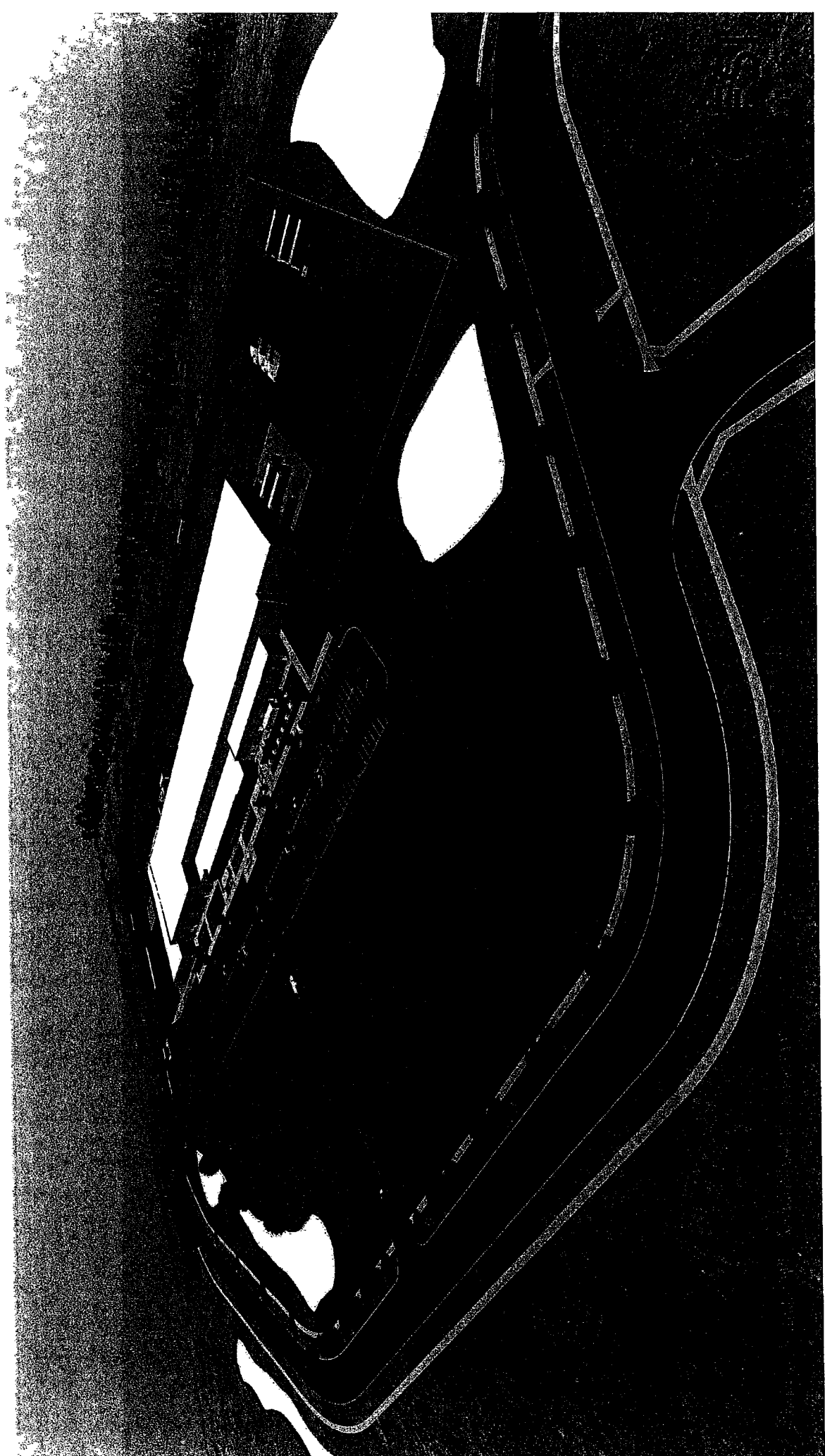
PINNACLE ENGINEERING GROUP

Matt A. Carey, P.E.

Project Manager



3 WALL SECTION - SCREEN WALL
A203 1/2" = 1'-0"





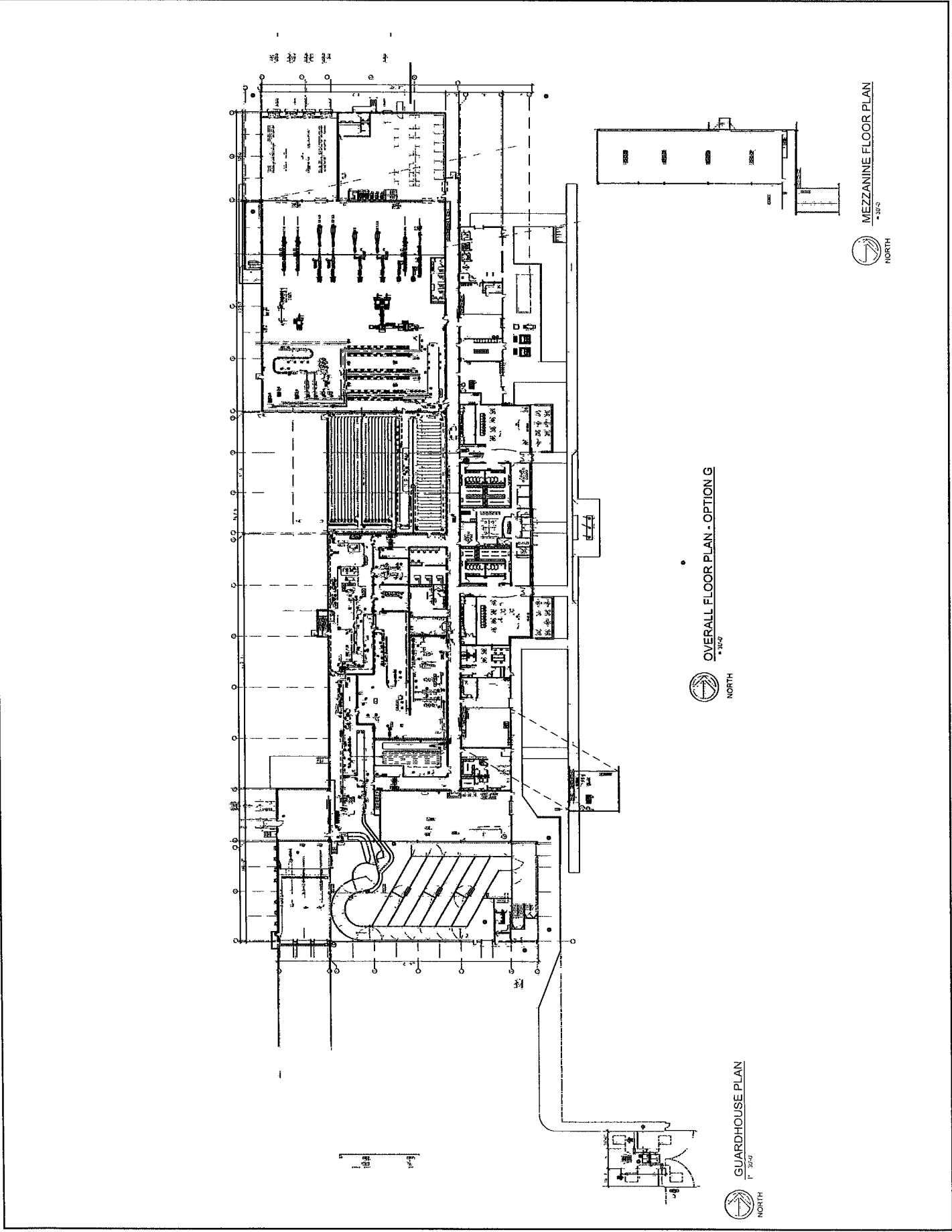
PROPOSED NEW FACILITY FOR
STRAUSS BRANDS LLC
LOOMIS ROAD
FRANKLIN WI 53132

REVISIONS
DDDDDDDD

NO.	DATE	BY	CHK	TPC	SCALE
10	10/26/2021				

PRELIMINARY DATE
FINAL SCALE: 1/8"=1'-0"
SHEET NUMBER

A1.6
ARCHITECTURAL



OVERALL FLOOR PLAN - OPTION G
1"=30'-0"



NORTH

GUARDHOUSE PLAN
1"=30'-0"



NORTH

MEZZANINE FLOOR PLAN
1"=30'-0"



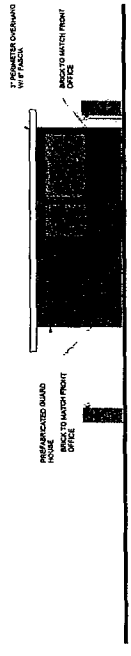
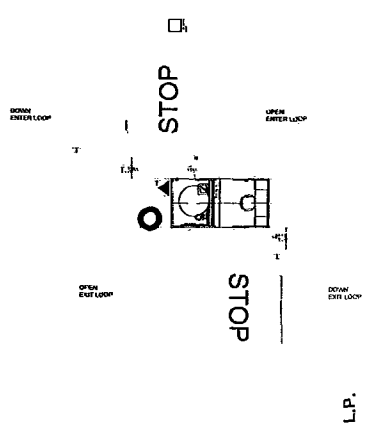
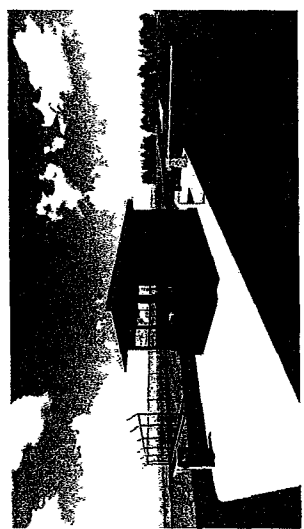
NORTH

REVISIONS

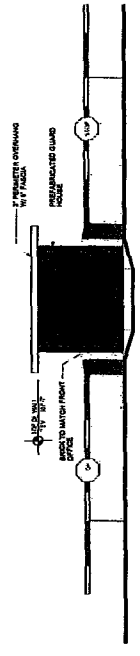
DATE: 07/27/2009
 TIME: 10:24:00
 SHEET TITLE: GUARDHOUSE AREA E

PROJECT: STRAUSS BRANDS
 SHEET NUMBER: A3.2

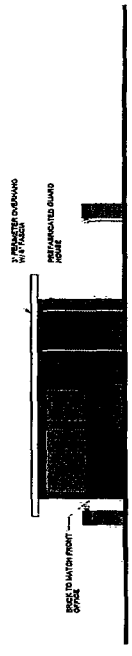
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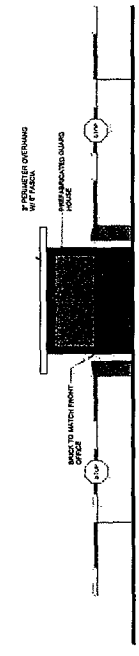
1 SOUTH ELEVATION - GUARDHOUSE
 1/4" = 1'-0"



2 EAST ELEVATION - GUARDHOUSE
 1/4" = 1'-0"



3 NORTH ELEVATION - GUARDHOUSE
 1/4" = 1'-0"



7 WEST ELEVATION - GUARDHOUSE
 1/4" = 1'-0"

AREA E' GUARDHOUSE PLAN
 1/8" = 1'-0"

FROM CABINS TO CONDOS

*The History of
Franklin, Wisconsin
Since 1834*



Published by the Franklin Historical Society

The Airports of Franklin

Rainbow Airport started around 1955 and closed in 1994. It was operated by Ed Radiske and his son, Leon Radiske. The reason the airport closed was that the lease with Milwaukee County was not renewed, due to the land being considered a flood plain along the Root River. The runway, parking lot and one hanger remain there. The airport was located on S. 76th Street, south of Highway 00. Leon gave flying lessons there.

In the 1960s, Leonard Benning (deceased), while employed as an auto mechanic at Loomis Center Garage, had a plane at Rainbow and flew sky divers. He would take them up to 10,000 feet and have them jump out. One of his tricks was to beat them back to the airport with the plane.

Bob Lesser, of Bob Lesser Grading, had a plane at Rainbow, as did Bob Kramer. Both men are deceased. Bob Kramer flew with a crew on a B-17 during World War II. He also was a certified aircraft mechanic at Rainbow Airport.

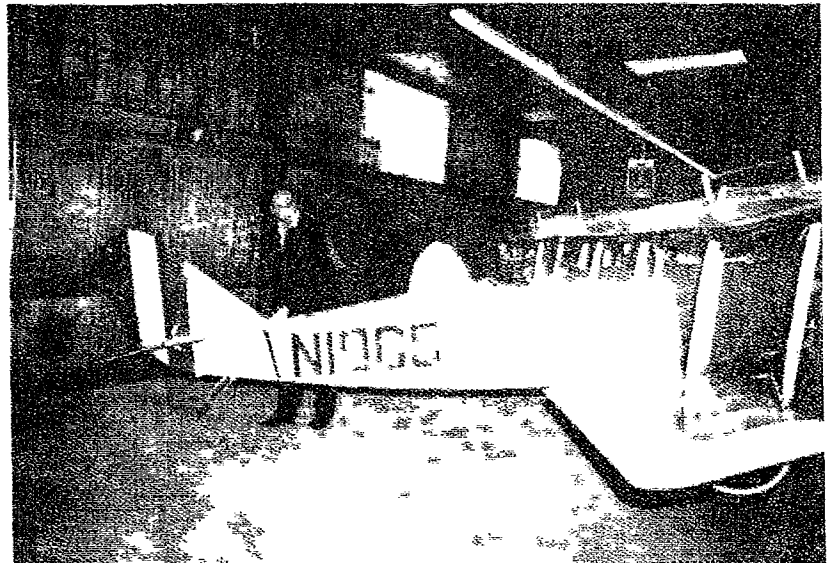
Hales Corners Airport, on Highway 100 and College Avenue in Franklin, operated from 1946 to approximately 1962. Ervin Tretow attended an air show there in 1950. A wing-walker from Illinois fell into Whitnall Park. That was the end of the show.

Duane Sweeney, flagman for Hales Corners Raceway (also a Franklin property) and the Indianapolis 500, flew into Hales Corners Airport to flag races on Saturday nights.

The Tretow Family Band played a couple of Halloween parties in a hanger at Hales Corners Airport in the early 1950s.

The Experimental Aircraft Association (EAA) had its headquarters in Franklin, on Highway 00 for many years, before moving to Oshkosh, Wisconsin.

*Paul Poberezny
at the
Experimental
Aircraft
Association Air
Museum.*



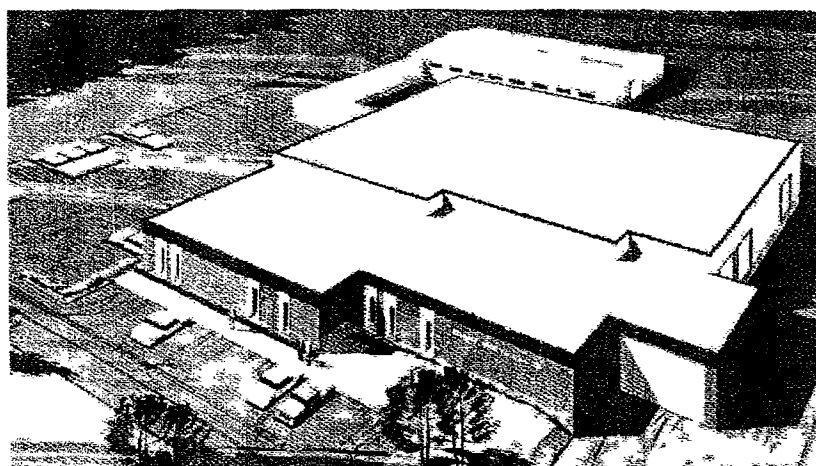
Strauss Veal & Lamb

Strauss Veal & Lamb, the Franklin-based company known for its superior quality veal and lamb, is a third-generation company founded in 1937, in Wisconsin by Milton Strauss, and later built by his son Richard Strauss. The company has now grown through careful management and acquisition at the hands of grandsons Randy and Tim Strauss. Strauss Veal & Lamb serves US and global supermarkets and retailers; cruise lines and airlines,

hotels and resorts; restaurants and country clubs; health care facilities and caterers.

Strauss joined the Franklin Industrial Park in January 1972 and by 2002, the company had sales of \$55 million. With the purchase of Chicago-area Swissland Packing, company sales jumped from \$100 million to \$140 million. As explained by co-president and CEO Randy Strauss, "With this acquisition, we're moving Swissland operations to the Strauss facility

Illustration of Strauss Veal and Lamb Corporate Headquarters.



in Franklin, but will maintain a sales office in the Chicago area, giving us offices in Philadelphia, Dallas and Chicago for optimal support.”

Part of Strauss’ impressive growth is caused by its ability to meet increased demand for deeper product offerings. In

November 2005, Strauss acquired Foodtech, an \$8 million, Texas-based importer of New Zealand and Australian lamb, New Zealand and Australian beef, and New Zealand Cervina venison.

As a result of the unprecedented growth seen over the last three years, Strauss has invested over \$4 million in improvements to the Franklin plant, making it a state of the art facility and a model of quality assurance and food safety that operates 24 hours a day. Strauss has also invested heavily in a research division that is perfecting animal husbandry practices, including free range production.

Another result of growth doubling in three years has been aggressive hiring. Eighty employees in 2001 has increased to 225 with the latest acquisitions. Two recent additions to the team are A. J. Follenweider and his brother David Follenweider, former owners of Swissland

Tri-Town News

In 1949, Phil Nickerson, Sr bought the Tri-Town News, in Hales Corners, from Carl Johnson. The office was located where the entrance to the new shopping area, near the Starbucks coffee shop.

Phil Nickerson, Sr. had sold advertising and when he went to see Mr. Johnson with some advertising ideas, Carl sold him the newspaper! Soon afterward, Phil moved his family to a home on Church Street in Franklin.

Phil Sr. printed all the local news for Muskego and Big Bend. Ester Fockler, of Franklin, was his source for news of the area. Ester, along with several other writers, wrote their articles and brought them into the office to be included in the weekly paper. They were paid so much “per line,” for their efforts. Phil kept his eye on the progress and development of the Town, and eventually, City of Franklin. He saw that the people of the area were kept well informed as the city grew. The paper

became the official paper for Franklin, which meant that all Office Notices and Minutes of all recorded meetings were printed in the paper, the same as they are in the HUB today.

During the summer, Phil would sail his boat on Lake Michigan and, in the winter, he would play hockey with the boys at the Whitnall Park lagoon for relaxation. He organized Sock Hops at the Hales Corners grade school on Janesville Road, for the kids in the area, too.

In 1960, Phil Sr. died of cancer at the young age of 48. Harriet Nickerson, Phil’s wife, sold the paper to the South Milwaukee Voice Journal. After several changes, the paper is known today as the Hub.

His son, Phil Nickerson, still lives in the area and owns an insurance agency in Franklin. His other son, Walter, owns and operates a printing brokerage in Wauwatosa. Tim Nickerson, the third boy, is married and living in Las Vegas.

Franklin Health Department

Memorandum

To Planning Department

Date October 7, 2020

RE Strauss Brand and COVID-19

From Courtney Day, RN, BSN - Director Health and Human Services

This memo is in response to questions and concerns raised by City staff and residents regarding cases of COVID-19 and Strauss Brands. Franklin Health Department (FHD) has had a working relationship with the company since the beginning of the pandemic in March and that relationship continues to this day. We have provided technical assistance to questions and helped in the development of their COVID-19 safety plan which is based on the [CDC guidelines](#) for Meat and Poultry Processing Employers.

The CDC Guidelines referenced in the Strauss Policy were first published on the CDC website on April 25, 2020 and were immediately adopted into the Strauss COVID-19 plan. As physical distancing cannot be accommodated for certain roles, these guidelines outline protocols to protect workers when working within 6 feet of another individual. Their plans also go above the CDC recommendations by including a more robust screening checklist for all employees before they enter the facility each day. The COVID-19 Safety Plan has also been shared in part, with permission by Strauss, with other Franklin manufacturing facilities that were struggling to develop their own plans.

While there have been positive cases tied to individuals that work at Strauss Brands, it is the internal policy of the Franklin Health Department to not divulge the number of individuals that may have tested positive at a business within our jurisdiction to the public. Disclosure of this information is up to the business itself. The contact tracing follow-up for individuals that test positive is conducted by the Health Department where that individual resides, and since no Franklin residents were involved in the positive cases, it is unknown if these cases contracted COVID-19 as a result of working at Strauss Brands or from other community spread sources since we do not have that information.

Based on continued conversations and collaboration with Strauss management, human resources, occupational health, as well as the review of their COVID-19 safety plan, we believe Strauss Brands is doing all they can to prevent spread of COVID in their facility.

APPROVAL <i>slw</i>	REQUEST FOR COMMON COUNCIL ACTION	MEETING DATE Nov 2, 2020
REPORTS & RECOMMENDATIONS	Review of TID6 Financing Plan with Pending \$3 million Debt Offering	ITEM NUMBER <i>9.2.</i>

Background

The City completed a Developer's Agreement with Bear Development in November, 2018. That agreement requires the City to fund up to \$9 million of infrastructure costs in Tax Increment District # 6 (located at Hwy 36 and Ryan Road). The City also agreed to provide a \$3.1 million grant payable with a Municipal Revenue Obligation upon acceptance of the infrastructure. Both of these commitments are to be funded by the increment in the District. The MRO is payable only when the City GO debt is retired and from available TID increment. The GO Debt is backed by the full faith and credit of the City of Franklin.

TID 6 increment had three major components:

1. a large industrial user, \$15 million (reduced from \$20 million in the original project plan),
2. a subdivision, \$33.5 million estimated value (increased from \$30.4 million in the original project plan), and
3. several smaller Commercial lots - \$12.7 million from the territory amendment, (gone was \$13.6 million of increment associated with the Light Industrial and Commercial lots)

Total increment of \$61.2 million.

The Industrial user was considered the anchor tenant in this development.

The City sold \$6.3 million of General Obligation Debt (2019B Bonds) to fund initial infrastructure costs. The 2019B Bonds have a true interest rate of 2.95%

On Oct 6, 2020, the Common Council authorized the sale of \$3.175 million of new GO Bonds to fund the remaining infrastructure project costs. The Bonds are expected to capture historically low interest rates.

Analysis

On October 20, 2020, the Common Council denied a Special Use Permit that would have allowed the industrial user to construct the project. That removes significant increment available to fund the debt service on the existing GO Bond and the planned bond sale in November, 2020.

Learning of this development, the City's Financial Advisor Ehlers inquired if the City wanted to alter the financing plan for TID 6.

A copy of a revised financing plan is attached for Council's review. This plan assumes that the minimum assessment guarantees are called upon to provide the commercial increments. This revised financing plan indicates that a portion of the MRO will expire unpaid. A \$1.5 million additional debt issue to finance additional infrastructure in the District was removed from the financing plan as the District cannot finance the investment given current development assumptions. The Pre-Sale financial model had the TID closing four years before the mandated close with all City obligations (GO & MRO) paid in full.

The Oct 6, 2020 Debt Authorization resolution provides several years to actually sell the bonds.

Options

There are several options available to the City:

1. Proceed with the planned debt sale. The advantage is the capture of historically low financing rates. However, it locks in the debt service costs for the life of the TID. The absence of the Industrial user reduces the annual increment to service debt. It is possible that the general tax levy would increase to meet the GO debt obligations.
2. Replace the planned debt sale with a bridge loan, called Bond Anticipation Notes. This Note would be due in five years, but repayable anytime after 12 months. This vehicle permits time to determine if a replacement project for the industrial user comes along with a known increment stream that could be used to establish future debt service. However, it takes on interest rate risk as future interest rates are unknown.
3. Another strategy would be to sell the current debt issue as planned to capture the current interest rate environment, and refund the 2019B bonds (with a \$4,885,000 balance in 2026) to restructure debt service. This would have the effect of capturing the current favorable interest rates AND open debt service restructuring in five years when more information about increment generation is known. The Oct 6, 2020 Bond authorization Resolution would provide for this strategy.
4. Delay any bond sale to have discussions with the Developer on any revision to construction plans given the new circumstances.

Recommendation

After discussions with Ehlers, staff recommends proceeding with the sale as currently contemplated.

The Finance Committee reviewed this issue at its October 27, 2020 meeting and recommended it go forward to Common Council with no recommendation to provide updated direction to staff on the debt sale plan.

COMMON COUNCIL ACTION REQUESTED

Such action as the Common Council deems appropriate.

City of Franklin, Wisconsin

Tax Increment District # 6

Estimated Project List

Project ID	Project Name/Type	Original 2019	Amended 2021	Total (Note 1)
1	Infrastructure Costs in amended area		1,500,000	1,500,000
2	TID creation/amendment	30,000	30,000	60,000
3	Administration Expenses (original & amended)	537,770		537,770
4	Interest Expense on Debt Issuance (original Plan)	2,667,030		2,667,030
5	Interest on MRO (only if funds are available)	3,173,623		3,173,623
6	Interest Expense on Debt Issuance amended)		0	0
7	Developer Incentive Land Acquisition(original Plan)	3,710,000		3,710,000
8	Infrastructure Costs (original Plan)	8,360,000		8,360,000
	Total Projects	<u>18,478,423</u>	<u>1,530,000</u>	<u>20,008,423</u>

Notes:

Note 1 Project costs are estimates and are subject to modification

Version 1 REDUCED DEVELOPMENT

City of Franklin, Wisconsin

Tax Increment District # 6

Development Assumptions

Construction Year	Actual	Original TID Area Residential	Original TID Area Large Industrial	Original TID Area Commercial & Amended Area	Annual Total	Construction Year
1 2019	(11,200)				(11,200)	2019 1
2 2020		2,235,700	5,000,000		7,235,700	2020 2
3 2021		6,000,000	5,000,000	3,000,000	14,000,000	2021 3
4 2022		6,000,000		8,000,000	14,000,000	2022 4
5 2023		6,000,000		1,000,000	7,000,000	2023 5
6 2024		6,000,000			6,000,000	2024 6
7 2025		5,625,000			5,625,000	2025 7
8 2026					0	2026 8
9 2027					0	2027 9
10 2028		0			0	2028 10
11 2029					0	2029 11
12 2030					0	2030 12
13 2031					0	2031 13
14 2032					0	2032 14
15 2033					0	2033 15
16 2034					0	2034 16
17 2035					0	2035 17
18 2036					0	2036 18
19 2037					0	2037 19
20 2038					0	2038 20
Totals	(11,200)	31,860,700	10,000,000	12,000,000	53,849,500	

Notes: Development assumptions for original area based upon absorptions number provided to the City by the Developer on 9/26/19

Version 1 REDUCED DEVELOPMENT

City of Franklin, Wisconsin

Tax Increment District # 6

Tax Increment Projection Worksheet

Type of District
 District Creation Date
 Valuation Date
 Max Life (Years)
 Expenditure Period/Termination
 Revenue Periods/Final Year
 Extension Eligibility/Years
 Eligible Recipient District

Mixed Use	October 15, 2018	Jan 1, 20	2019
15	10/16/2019	20	2040
Yes	No	3	

Base Value after Amendment
 Appreciation Factor
 Base Tax Rate
 Rate Adjustment Factor
 Tax Exempt Discount Rate
 Taxable Discount Rate

2,006,599	0.00%	\$23.96	1.50%		1.50%
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Construction Year	Value Added	Valuation Year	Inflation Increment	Total Increment	Revenue Year	Tax Rate	Tax Increment
1	-11,200	2020	0	-11,200	2021	\$23.03	0
2	7,235,700	2021	0	7,224,500	2022	\$22.68	163,851
3	14,000,000	2022	0	21,224,500	2023	\$22.34	472,149
4	14,000,000	2023	0	35,224,500	2024	\$22.00	775,101
5	7,000,000	2024	0	42,224,500	2025	\$21.67	915,196
6	6,000,000	2025	0	48,224,500	2026	\$21.35	1,029,564
7	5,625,000	2026	0	53,849,500	2027	\$21.03	1,132,410
8	0	2027	0	53,849,500	2028	\$20.71	1,115,424
9	0	2028	0	53,849,500	2029	\$20.40	1,098,692
10	0	2029	0	53,849,500	2030	\$20.10	1,082,212
11	0	2030	0	53,849,500	2031	\$19.80	1,065,979
12	0	2031	0	53,849,500	2032	\$19.50	1,049,989
13	0	2032	0	53,849,500	2033	\$19.21	1,034,239
14	0	2033	0	53,849,500	2034	\$18.92	1,018,726
15	0	2034	0	53,849,500	2035	\$18.63	1,003,445
16	0	2035	0	53,849,500	2036	\$18.35	988,393
17	0	2036	0	53,849,500	2037	\$18.08	973,567
18	0	2037	0	53,849,500	2038	\$17.81	958,964
19	0	2038	0	53,849,500	2039	\$17.54	944,579
20	0	2039	0	53,849,500	2040	\$17.28	930,411
Totals	53,849,500		0		Future Value of Increment		17,754,888

Notes:

Actual results will vary depending on development, inflation of overall tax rates.
 NPV calculations represent estimated amount of funds that could be borrowed (including project cost, capitalized interest and issuance costs).

Version 1 REDUCED DEVELOPMENT

City of Franklin, Wisconsin

Tax Increment District # 6

Estimated Financing Plan

	2019B	2020B	Municipal Revenue Obligation (MRO) 4/1/2021	G.O. Promissory Note 2021	TID Cash Flow Ongoing	Totals
Projects						
Land Acquisition			3,100,000			3,100,000
Utility Extensions	3,850,000			1,500,000		5,350,000
Interior Infrastructure	1,510,000	3,000,000				4,510,000
Development Incentive	610,000				30,000	610,000
Creation Expenses	30,000				537,770	537,770
Administration Expenses					2,667,030	2,667,030
Interest Expenses City Debt					3,173,623	3,173,623
Interest on MRO (only if funds are available)						
Total Project Funds	6,000,000	3,000,000	3,100,000	1,500,000	6,408,423	20,008,423
Estimated Finance Related Expenses						
Municipal Advisor	14,400	17,300		14,500		46,200
Bond Counsel	14,000	12,500		12,000		38,500
Disclosure Counsel	8,400	7,500		7,200		23,100
Rating Agency Fee	6,000	13,500		13,500		33,000
Paying Agent	662	850		850		2,362
Underwriter Discount	65,638	39,688	0	10.00		105,326
Reoffering Premium	(273,320)			16,050		(257,270)
Capitalized Interest	555,963	86,358		0		642,321
Total Financing Required	6,391,743	3,177,695	3,100,000	1,564,100		14,233,538
Estimated Interest	1.00%	0.25%	0.00%	1.25%		1.13%
Assumed spend down (months)	6	6	0	6		6
Rounding	3,257	2,305	0	50,275		55,837
Net Issue Size	6,365,000	3,175,000	3,100,000	1,605,000		14,245,000

Notes:

Version 1 REDUCED DEVELOPMENT



City of Franklin, Wisconsin
Tax Increment District # 6
Cash Flow Projection

Year	Projected Revenues				Expenses				Balances						
	Tax Increases	Interest Earnings/ (Cost)	Capitalized Interest	Developer Shortfall Payment	Total Revenues	G.O. Bond Dated Date: 02/20/19	G.O. Bond 3/17/20	Municipal Revenue Obligation (MRO) Dated Date: 04/01/21	G.O. Promissory Note Dated Date: 09/01/21	Admin.	Total Expenditures	Annual	Cumulative	Principal Outstanding	Year
2019	0	0	555,963	0	555,963	116,563	0	3,100,000	1,606,000	11,770	128,333	416,630	416,630	6,385,000	2019
2020	4,266	86,358	90,624	0	177,248	219,700	0.91%	0	0	25,000	244,700	(54,076)	272,554	9,540,000	2020
2021	2,726	0	2,726	0	2,726	219,700	0.92%	0	0	25,000	286,995	(78,270)	1,145,000	11,145,000	2021
2022	163,851	(57)	369,879	206,085	738,853	216,500	0.91%	0	0	25,000	451,563	(81,684)	10,985,000	10,985,000	2022
2023	474,149	(874)	548,344	75,069	1,120,519	209,000	0.91%	0	0	25,000	573,714	(112,770)	10,695,000	10,695,000	2023
2024	775,101	(1,128)	773,973	75,069	1,522,111	199,300	0.91%	0	0	25,000	643,195	130,778	18,008	10,325,000	2024
2025	915,196	180	915,376	186,500	1,101,876	190,000	0.95%	0	0	25,000	775,213	136,169	154,172	9,905,000	2025
2026	1,029,564	1,542	1,031,106	168,800	1,199,906	150,000	1.05%	0	0	25,000	905,013	126,093	280,265	9,140,000	2026
2027	1,132,410	2,803	1,135,212	147,800	1,283,012	200,000	1.20%	0	0	25,000	954,025	183,187	463,452	8,405,000	2027
2028	1,115,424	4,635	1,120,058	560,000	1,680,058	250,000	1.95%	0	0	25,000	1,002,238	117,821	581,273	7,595,000	2028
2029	1,098,692	5,613	1,104,505	106,075	1,210,580	300,000	1.90%	0	0	25,000	1,043,475	61,050	642,303	6,720,000	2029
2030	1,082,212	6,423	1,088,635	99,000	1,187,635	325,000	1.80%	0	0	25,000	1,066,075	22,560	664,863	5,800,000	2030
2031	1,065,979	6,649	1,072,627	61,500	1,134,127	350,000	1.70%	0	0	25,000	1,087,350	(14,723)	650,140	4,835,000	2031
2032	1,049,989	6,501	1,056,490	60,000	1,116,991	400,000	1.80%	0	0	25,000	1,158,675	(95,385)	554,756	3,780,000	2032
2033	1,034,239	5,548	1,039,787	650,000	1,694,787	450,000	1.90%	0	0	25,000	1,180,169	(129,382)	425,374	2,680,000	2033
2034	1,018,726	4,254	1,022,979	675,000	1,698,229	400,000	1.95%	0	0	25,000	1,200,832	(277,853)	147,321	1,605,000	2034
2035	1,003,445	1,475	1,004,920	1,004,920	0	0	0	0	0	25,000	1,218,963	(146,044)	1,477	1,005,000	2035
2036	988,393	15	988,408	988,408	0	0	0	0	0	25,000	1,236,963	(156)	622	1,005,000	2036
2037	973,367	6	973,373	973,373	0	0	0	0	0	25,000	1,254,963	(166)	582	1,005,000	2037
2038	958,364	6	958,369	958,369	0	0	0	0	0	25,000	1,272,963	(176)	542	1,005,000	2038
2039	943,379	1,421	944,800	944,800	0	0	0	0	0	25,000	1,290,963	(186)	502	1,005,000	2039
2040	930,411	(0)	930,411	930,411	0	0	0	0	0	25,000	1,308,963	(196)	462	1,005,000	2040
Total	17,754,888	52,202	642,321	281,154	18,730,565	6,365,000	2,169,501	3,381,154	0	537,770	18,730,565	0	0	1,005,000	Total
										Accrued Interest	3,173,623	2,604,611	5,985,765		
										Short Interest	(569,012)				

Notes: 2020 rates based upon Cedarburg sale 9/14/20 plus .40 Financing of additional Infrastructure in the amount of \$1.5 million not reflected in this model Developer shortfall payments assumed not to cover annual administrative expenses.

Version 1 REDUCED DEVELOPMENT

Printed 1/10/2020



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APPROVAL <i>slw</i>	REQUEST FOR COUNCIL ACTION	MTG. DATE November 2, 2020
Reports & Recommendations	AGREEMENT WITH CREATIVE HOMES, INC. AND FRANKLIN 49TH STREET, LLC TO CONSTRUCT WEST MARQUETTE AVENUE FROM SOUTH 51ST STREET TO SOUTH 49TH STREET	ITEM NO. <i>6, 3,</i>

BACKGROUND

On August 4, 2020, Common Council discussed Marquette Avenue. Among other directions in the motion, Staff was directed to “.. prepare the necessary documents to receive developers’ donations for the road right-of-way and engineering specifications for W Marquette Avenue ...”

Staff held several meetings with the developers and Alderwoman Wilhelm to identify the issues and draft an agreement for consideration by the Common Council.

Alderwoman Wilhelm requested that this agreement be brought to Common Council when the bids for the project were received. The award of the bid is included in another Council Action (CA) item on this Common Council agenda. Per that CA, the low bidder is DF Tomasini Contractors, Inc. for a sum of \$737,954.90. The other CA also considers that each developer contributes \$43,000 per this agreement (\$86,000 total).

ANALYSIS

Attached is the October 29, 2020, draft agreement with thirteen issues, as negotiated to date. Both developers are agreeable to the content.

If Common Council has proposed changes, Staff would need to confirm with developers that the changes are acceptable before it may be executed.

If the Common Council agrees with the content of the draft agreement, Legal Staff desires to redraft with legal and technical corrections.

OPTIONS

- A. Authorize staff to finalize agreement and certain officials to sign said agreement, or
- B. Reject agreement, or
- C. Provide other direction to Staff.

FISCAL NOTE

RECOMMENDATION

Option A, B, or C at the direction of Common Council.

Engineering Department: GEM

CITY OF FRANKLIN AGREEMENT TO CONSTRUCT WEST MARQUETTE AVENUE
FROM SOUTH 51ST STREET TO SOUTH 49TH STREET

THIS AGREEMENT is made and entered into, effective _____, 2020, by and between the City of Franklin, 9229 West Loomis Road, Franklin, Wisconsin 53132 (FRANKLIN), a municipal corporation organized and existing under and by virtue of the constitution and laws of the State of Wisconsin, and Creative Homes, Inc. (CREATIVE HOMES), a domestic business incorporated in the state of Wisconsin, and Franklin 49th Street, LLC (49TH STREET) a domestic limited liability company incorporated in the state of Wisconsin. Collectively, FRANKLIN, CREATIVE HOMES and 49TH STREET are the PARTIES.

WHEREAS, CREATIVE HOMES is developing Pleasant View Estates on a 27.01 acre more or less parcel of land (Tax Key No 788-9981-003) that they own on the south side of W. Marquette Avenue; and

WHEREAS, 49TH STREET is developing Oak Ridge Subdivision on a 11.88 acre more or less parcel (Tax Key No. 759-9981-010) that they own on the north side of future W. Marquette Avenue; and

WHEREAS, FRANKLIN desires to construct and/or improve a W. Marquette Avenue roadway, public utilities and ancillary appurtenances from South 51st Street to South 49th Street in a 66-foot wide public right-of-way from S. 51st Street to S. 49th Street. (PROJECT).

NOW, THEREFORE, IT IS HEREBY AGREED, by and between the PARTIES, as follows:

1. CREATIVE HOMES and 49TH STREET grants FRANKLIN permission to full use of all plans, specifications, and related documents to solicit bidders for the PROJECT. FRANKLIN will solicit and receive bids from qualified contractors per applicable Wisconsin State statues and local policies for a public works project. The bidding will allow flexibility to commence construction and require final completion no later than September 1, 2021.
2. CREATIVE HOMES and 49TH STREET will collectively apply for and obtain all applicable permits for sanitary sewer, potable water, and stormwater/drainage systems on FRANKLIN's behalf for the PROJECT and provide necessary engineering to supplement FRANKLIN's efforts in developing and constructing the PROJECT.
3. If additional land acquisition is needed beyond what is defined in the PROJECT, CREATIVE HOMES and/or 49TH STREET will agree to donate such lands in a timely manner as justified necessary by the Franklin City Engineer in writing to CREATIVE HOMES or 49TH STREET, as applicable.
4. CREATIVE HOMES and 49TH STREET shall be ready to proceed with construction of development when FRANKLIN completes public bidding and is ready to issue a notice to proceed to a contractor in a timely manner. Notice to proceed may be delayed as needed for permitting reasons.
5. If CREATIVE HOMES and/or 49TH STREET are not ready to proceed with construction of development when FRANKLIN completes public bidding,

FRANKLIN reserves the right to delay construction, terminate this agreement, or proceed with PROJECT by charging penalties to the non-ready PARTY(IES) all additional costs incurred due to their respective lack of readiness. Payment of penalties will be due upon written notification with documentation from FRANKLIN of related costs associated with the additional engineering, permitting, construction, land acquisition, etc. of the accommodating offsite ancillary appurtenances.

6. The defaulting PARTY(IES) in item 5 shall donate needed easements to accommodate the ancillary appurtenances or waive their right to protest condemnation. Any offsite easements will be vacated by FRANKLIN when the land is developed and stormwater is reincorporated in the development stormwater systems.
7. Notwithstanding provisions above, FRANKLIN shall proceed with the construction of the PROJECT. FRANKLIN will award contract, and provide construction services to oversee the PROJECT.
8. Upon completion of construction of PROJECT by FRANKLIN, CREATIVE HOMES and 49TH STREET will collectively dedicate to FRANKLIN all needed land for a 66-foot wide public right-of-way from S. 51st Street to S. 49th Street.
9. Commitments made by the PARTIES shall run with the land and be commitment to any of its successors and/or assigns. If either CREATIVE HOMES and/or 49TH STREET transfers title of their lands or assigns development responsibilities to other parties, they shall give written notice to the other PARTIES.
10. Notwithstanding additional penalty charges in item 5, FRANKLIN will not specially assess or charge adjacent properties, including CREATIVE HOMES and 49TH STREET, for any improvements associated with the PROJECT.
11. CREATIVE HOMES and 49TH STREET will each make payment to FRANKLIN a sum of \$43,000 upon final completion of construction of PROJECT.
12. CREATIVE HOMES and 49TH STREET will collectively formerly dedicate to FRANKLIN the public right-of-way of the PROJECT from S. 51st Street to S. 49th Street upon final completion of construction of PROJECT.

13. The above stated conditions and terms are accepted and agreed to by the PARTIES and the PARTIES have set their hands and seals as follows:

CITY OF FRANKLIN

Stephen R. Olson, Mayor Dated

Sandra L. Wesolowski, City Clerk Dated

Approved as to form:

Jesse A. Wesolowski, City Attorney Dated

CRATIVE HOMES, INC

Rick Przybyla Dated

Nicole Watson Dated

FRANKLIN 49TH STREET, LLC

Fred Arbanella Dated

Dan Carmody Dated

APPROVAL <i>slw</i>	REQUEST FOR COUNCIL ACTION	MTG. DATE November 2, 2020
Reports & Recommendations	RESOLUTION TO AWARD A CONSTRUCTION CONTRACT TO DF TOMASINI CONTRACTORS, INC. FOR THE CONSTRUCTION OF 2020 MARQUETTE AVENUE ROAD IN THE AMOUNT OF \$737,954.90	ITEM NO. <i>G.4.</i>

BACKGROUND

On August 4, 2020, Common Council discussed Marquette Avenue. Among other directions in the motion, Staff was directed to “. . .advertise for bids for a competitive public works...”

It took some time for the adjacent developers to provide the plans and specifications for the project and an agreement for use of those plans and specifications is elsewhere on this Common Council agenda. However, the public-private effort did occur and bids were received on October 22, 2020. Eighteen bids were received.

ANALYSIS

Of the eighteen bids received, three were non-responsive. Contrary to the Advertisement and Instructions to Bidders, one bidder (UPI, LLC) submitted a paper copy and two bidders (A.W. Oakes & Son, Inc. and Dorner Inc.) did not submit a proper bid bond.

The bid tabulation for the remaining 15 bidders is attached. There was a \$283,066.31 range from the low bidder (DF Tomasini Contractors, Inc. - \$737,954.90) to the high bidder (\$1,021,021.21) and there was \$50,743.60 between the low bidder and the second low bidder.

Staff finds that DF Tomasini Contractors, Inc. is the lowest, responsive, and responsible bidder. They have performed other projects recently in Franklin and Staff believes them to be qualified to construct the project by July 31, 2021.

Staff notes that because of the way the plans were hurriedly prepared in the public-private partnership, a 15% contingency (approximately \$110k) should be budgeted. This amount also does not include professional services during construction (approximately \$75k). The total construction budget for this project should be considered \$925k.

Note that the bid documents allow the City 90 days to award a bid (January 20, 2021). The adjacent developers need to catch up and have their projects ready for construction when DF Tomasini Contractors, Inc. is ready or the project will cost significantly more in accordance with the agreement with the developers. The developers also need to provide permitting for this road project which is not yet been submitted to any agency. A notice to proceed should be anticipated for April 1, 2021.

If this construction contract is awarded, Staff will return to Common Council with a proposal for professional services and any contingencies would occur within the 2021 budget. Awarding the project now will allow bid bonds for the remaining contractors to be released.

OPTIONS

- A. Award bid to DF Tomasini Contractors, Inc. with a notice to proceed for April 1, 2021.
- B. Table award of bid.
- C. Provide other direction to Staff.

FISCAL NOTE

- There is a combined \$750,000 appropriation in the 2020 Budget for W. Marquette Avenue from S. 51st Street, through S. 49th Street, to Pleasant View School.
- Elsewhere on this Common Council agenda is an agreement with the adjacent developers to donate \$86,000, acceptance of this agreement would provide additional resources in the Capital Improvement Fund.
- As bid, Engineering believes a change order will be required.
- The sidewalk portion of the bid, likely qualifies for Park Impact fees of \$15,500 (62%).
- A Budget amendment will be required to provide appropriations for anticipated professional services and contingency. The \$86,000 Contractor contribution and \$15,500 Park Impact fee noted above, would provide the additional resources for at some of the required professional services and contingency appropriations.

RECOMMENDATION

(Option A) Resolution 2020-_____, a resolution to award a construction contract to DF Tomasini Contractors, Inc. for the construction of 2020 Marquette Avenue Road in the amount of \$737,954.90 with a notice to proceed for April 1, 2021.

Engineering Department: GEM

City of Franklin
2020 MARQUETTE AVENUE ROAD BID TABULATION
10/22/2020 11:00 AM CDT

Section Title	Line Item	Item Description	UoM	Quantity	DF Tommasini Contractors, Inc.		Advance Construction Inc.		Rams Contracting, Ltd		DK Contractors	
					Unit Price	Extension	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension
Roadway Construction	1	Mobilization	LS	1	\$43,000.00	\$43,000.00	\$39,450.00	\$39,450.00	\$61,229.96	\$61,229.96	\$81,412.00	\$81,412.00
	2	Clearing, Grubbing, and Demolition	LS	1	\$22,724.00	\$22,724.00	\$9,750.00	\$9,750.00	\$22,724.00	\$22,724.00	\$14,410.00	\$14,410.00
	3	8 Base Aggregate Dense 1 1/4	TON	3,462	\$17.30	\$59,892.60	\$15.40	\$53,314.80	\$17.30	\$59,892.60	\$24.00	\$83,088.00
	4	Excavation Common	CY	3,000	\$14.19	\$42,570.00	\$10.66	\$31,980.00	\$28.16	\$84,480.00	\$5.00	\$15,000.00
	5	Saw-Cut Asphalt Roadway	LF	255	\$765.00	\$195,075.00	\$2.00	\$510.00	\$1.96	\$499.80	\$2.00	\$510.00
	6	Concrete Curb And Gutter 30-Inch	LF	1,810	\$18.55	\$33,575.50	\$17.61	\$31,874.10	\$18.55	\$33,575.50	\$18.00	\$32,580.00
	7	5 Concrete Sidewalk	SF	4,917	\$5.15	\$25,322.55	\$6.10	\$29,993.70	\$5.37	\$26,404.29	\$7.00	\$34,419.00
	8	Asphaltic Concrete Binder Course	TON	1,025	\$62.00	\$63,550.00	\$61.00	\$62,525.00	\$62.00	\$63,550.00	\$63.00	\$64,575.00
	9	Asphaltic Concrete Surface Course	TON	525	\$63.25	\$33,206.25	\$77.50	\$40,687.50	\$63.25	\$33,206.25	\$80.00	\$42,000.00
	10	Detectable Warning Field	SF	90	\$38.00	\$3,420.00	\$30.61	\$2,754.90	\$38.00	\$3,420.00	\$32.00	\$2,880.00
Storm Sewer Construction	11	12 Storm RCP Sewer Class V	LF	316	\$50.00	\$15,800.00	\$80.50	\$25,438.00	\$50.00	\$15,800.00	\$59.00	\$18,644.00
	12	15 Storm RCP Sewer Class IV	LF	396	\$53.00	\$20,988.00	\$61.00	\$24,156.00	\$53.00	\$20,988.00	\$47.00	\$18,612.00
	13	18 Storm RCP	LF	557	\$55.00	\$30,635.00	\$59.00	\$32,863.00	\$55.00	\$30,635.00	\$70.00	\$38,990.00
	14	15 FES	EA	1	\$1,300.00	\$1,300.00	\$1,276.00	\$1,276.00	\$600.00	\$600.00	\$676.00	\$676.00
	15	18 FES	EA	2	\$1,400.00	\$2,800.00	\$1,514.00	\$3,028.00	\$700.00	\$1,400.00	\$815.00	\$1,630.00
	16	Storm Inlet	EA	10	\$1,930.00	\$19,300.00	\$2,400.00	\$24,000.00	\$1,930.00	\$19,300.00	\$2,071.00	\$20,710.00
	17	4 Diameter Storm Manhole	EA	8	\$1,670.00	\$13,360.00	\$2,400.00	\$19,200.00	\$1,670.00	\$13,360.00	\$2,261.00	\$18,088.00
	18	Outlet Structure	EA	1	\$4,300.00	\$4,300.00	\$6,014.00	\$6,014.00	\$3,600.00	\$3,600.00	\$3,228.00	\$3,228.00
Sanitary Sewer Construction	19	Connect to Existing Sanitary Sewer	EA	1	\$8,100.00	\$8,100.00	\$2,056.00	\$2,056.00	\$8,100.00	\$8,100.00	\$4,376.00	\$4,376.00
	20	Sanitary Manhole	EA	4	\$3,420.00	\$13,680.00	\$4,764.00	\$19,056.00	\$3,420.00	\$13,680.00	\$8,163.00	\$32,652.00
	21	Sanitary Manhole Extra Depth	VF	18	\$75.00	\$1,350.00	\$250.00	\$4,500.00	\$75.00	\$1,350.00	\$1.00	\$18.00
	22	Sanitary Manhole Drop Connection	EA	1	\$6,100.00	\$6,100.00	\$1,000.00	\$1,000.00	\$6,100.00	\$6,100.00	\$1.00	\$1.00
	23	8 PVC SDR 26 Sanitary	LF	574	\$151.00	\$86,674.00	\$219.00	\$125,706.00	\$151.00	\$86,674.00	\$166.00	\$95,284.00
	24	8 PVC SDR 35 Sanitary	LF	260	\$96.00	\$24,960.00	\$140.00	\$36,400.00	\$96.00	\$24,960.00	\$100.00	\$26,000.00
	25	6 PVC Lateral Sanitary	LF	115	\$98.00	\$11,270.00	\$113.50	\$13,052.50	\$98.00	\$11,270.00	\$120.00	\$13,800.00
	26	8 PVC Plug Sanitary	EA	3	\$50.00	\$150.00	\$37.00	\$111.00	\$50.00	\$150.00	\$22.00	\$66.00
	27	6 PVC Riser Sanitary	LF	6	\$233.00	\$1,398.00	\$140.00	\$840.00	\$233.00	\$1,398.00	\$12.00	\$72.00
	Watermain Construction	28	Connect to Existing Water Main	EA	1	\$8,300.00	\$8,300.00	\$8,334.00	\$8,334.00	\$8,300.00	\$8,300.00	\$5,484.00
29		8" Gate Valve Water Main	EA	8	\$1,500.00	\$12,000.00	\$1,600.00	\$12,800.00	\$1,500.00	\$12,000.00	\$1,676.00	\$13,408.00
30		6" Gate Valve Water Main	EA	2	\$1,100.00	\$2,200.00	\$1,151.00	\$2,302.00	\$1,100.00	\$2,200.00	\$1,227.00	\$2,454.00
31		8" PVC Main Water Main	LF	1,026	\$79.00	\$81,054.00	\$78.00	\$80,028.00	\$79.00	\$81,054.00	\$64.00	\$65,664.00
32		6" Hydrant Lead Water Main	LF	25	\$154.00	\$3,850.00	\$96.00	\$2,400.00	\$154.00	\$3,850.00	\$83.00	\$2,075.00
33		1 1/4" Lateral Water Main	LF	100	\$63.00	\$6,300.00	\$37.00	\$3,700.00	\$63.00	\$6,300.00	\$53.00	\$5,300.00
34		Curb Stop Water Main	EA	3	\$500.00	\$1,500.00	\$710.00	\$2,130.00	\$500.00	\$1,500.00	\$298.00	\$894.00
35		Hydrants Water Main	EA	2	\$3,700.00	\$7,400.00	\$4,400.00	\$8,800.00	\$3,700.00	\$7,400.00	\$5,015.00	\$10,030.00
36		8 x 6 Tee Water Main	EA	1	\$400.00	\$400.00	\$847.00	\$847.00	\$400.00	\$400.00	\$457.00	\$457.00
37		8 x 8 Tee Water Main	EA	1	\$450.00	\$450.00	\$967.00	\$967.00	\$450.00	\$450.00	\$509.00	\$509.00
Erosion Control/Restoration	38	8 x 8" Cross Water Main	EA	1	\$700.00	\$700.00	\$729.00	\$729.00	\$700.00	\$700.00	\$637.00	\$637.00
	39	8" Plug Water Main	EA	4	\$150.00	\$600.00	\$200.00	\$800.00	\$150.00	\$600.00	\$100.00	\$400.00
	40	1 1/2" Horizontal Bend Water Main	EA	2	\$300.00	\$600.00	\$315.00	\$630.00	\$300.00	\$600.00	\$314.00	\$628.00
	41	Air Release Valve Water Main	EA	3	\$1,000.00	\$3,000.00	\$1,365.00	\$4,095.00	\$1,000.00	\$3,000.00	\$951.00	\$2,853.00
	42	Erosion Mat Class 1 Type B	SY	5,800	\$1.55	\$8,990.00	\$1.50	\$8,700.00	\$1.65	\$9,570.00	\$2.00	\$11,600.00
	43	Silt Fence	LF	1,200	\$1.60	\$1,920.00	\$2.00	\$2,400.00	\$1.50	\$1,800.00	\$2.00	\$2,400.00
	44	Stone Tracking Pad	EA	1	\$2,500.00	\$2,500.00	\$1,500.00	\$1,500.00	\$2,364.00	\$2,364.00	\$1,066.00	\$1,066.00
	45	Lawn Restoration	SY	1,200	\$5.00	\$6,000.00	\$5.00	\$6,000.00	\$4.00	\$4,800.00	\$6.00	\$7,200.00
Base Bid Total:						\$737,954.90		\$788,698.50		\$795,234.80		\$796,780.00

City of Franklin
 2020 MARQUETTE AVENUE ROAD BID TABULATION
 10/22/2020 11:00 AM CDT

Section Title	Line Item	Item Description	UoofM	Quantity	Wilkomm Excavating		PTS Contractors, Inc		Mid City Corporation		Ziegler		
					Unit Price	Extension	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension	
Roadway Construction	1	Mobilization	LS	1	\$36,878.00	\$36,878.00	\$25,000.00	\$331,176.00	\$45,000.00	\$45,000.00	\$77,000.00	\$421,442.04	
	2	Clearing, Grubbing, and Demolition	LS	1	\$10,238.00	\$10,238.00	\$22,000.00	\$22,000.00	\$28,500.00	\$28,500.00	\$10,000.00	\$77,000.00	
	3	8 Base Aggregate Dense 1 1/4	TON	3,462	\$21.00	\$72,702.00	\$17.00	\$58,854.00	\$16.50	\$57,123.00	\$28.00	\$96,936.00	
	4	Excavation Common	CY	3,000	\$8.45	\$25,350.00	\$19.10	\$57,300.00	\$18.60	\$55,800.00	\$17.50	\$52,500.00	
	5	Saw-Cut Asphalt Roadway	LF	255	\$4.00	\$1,020.00	\$2.80	\$714.00	\$3.00	\$765.00	\$5.00	\$1,275.00	
	6	Concrete Curb And Gutter 30-Inch	LF	1,810	\$16.50	\$29,865.00	\$19.10	\$34,571.00	\$18.55	\$33,575.50	\$26.36	\$47,711.60	
	7	5 Concrete Sidewalk	SF	4,917	\$6.50	\$31,960.50	\$6.00	\$29,502.00	\$5.50	\$27,043.50	\$7.07	\$34,763.19	
	8	Asphaltic Concrete Binder Course	TON	1,025	\$64.00	\$65,600.00	\$64.00	\$65,600.00	\$62.00	\$63,550.00	\$62.00	\$63,550.00	
	9	Asphaltic Concrete Surface Course	TON	525	\$81.00	\$42,525.00	\$65.00	\$34,125.00	\$64.00	\$33,600.00	\$63.25	\$33,206.25	
	10	Detectable Warning Field	SF	90	\$32.50	\$2,925.00	\$39.00	\$3,510.00	\$38.00	\$3,420.00	\$50.00	\$4,500.00	
Storm Sewer Construction	11	12" Storm RCP Sewer Class V	LF	316	\$52.00	\$16,432.00	\$91.00	\$28,756.00	\$50.00	\$15,800.00	\$48.00	\$15,168.00	
	12	15" Storm RCP Sewer Class IV	LF	396	\$47.00	\$18,612.00	\$83.00	\$32,868.00	\$60.00	\$23,760.00	\$48.00	\$19,008.00	
	13	18" Storm RCP	LF	557	\$50.00	\$27,850.00	\$55.00	\$30,635.00	\$75.00	\$41,775.00	\$49.25	\$27,432.25	
	14	15 FES	EA	1	\$1,651.00	\$1,651.00	\$640.00	\$640.00	\$1,200.00	\$1,200.00	\$686.00	\$686.00	
	15	18 FES	EA	2	\$1,680.00	\$3,360.00	\$730.00	\$1,460.00	\$1,500.00	\$3,000.00	\$739.00	\$1,478.00	
	16	Storm Inlet	EA	10	\$2,524.00	\$25,240.00	\$2,200.00	\$22,000.00	\$2,325.00	\$23,250.00	\$2,135.00	\$21,350.00	
	17	4 Diameter Storm Manhole	EA	8	\$3,416.00	\$27,328.00	\$2,500.00	\$20,000.00	\$2,750.00	\$22,000.00	\$2,271.00	\$18,168.00	
	18	Outlet Structure	EA	1	\$3,579.00	\$3,579.00	\$4,450.00	\$4,450.00	\$3,500.00	\$3,500.00	\$2,684.00	\$2,684.00	
Sanitary Sewer Construction	19	Connect to Existing Sanitary Sewer	EA	1	\$9,609.00	\$9,609.00	\$4,500.00	\$4,500.00	\$6,000.00	\$6,000.00	\$5,793.00	\$5,793.00	
	20	Sanitary Manhole	EA	4	\$11,500.00	\$46,000.00	\$6,000.00	\$24,000.00	\$4,500.00	\$18,000.00	\$4,155.00	\$16,620.00	
	21	Sanitary Manhole Extra Depth	VF	18	\$366.00	\$6,588.00	\$380.00	\$6,840.00	\$250.00	\$4,500.00	\$439.00	\$7,902.00	
	22	Sanitary Manhole Drop Connection	EA	1	\$20,591.00	\$20,591.00	\$4,900.00	\$4,900.00	\$3,200.00	\$3,200.00	\$7,751.00	\$7,751.00	
	23	8" PVC SDR 26 Sanitary	LF	574	\$139.00	\$79,786.00	\$210.00	\$120,540.00	\$235.00	\$134,890.00	\$203.00	\$116,522.00	
	24	8" PVC SDR 35 Sanitary	LF	260	\$102.00	\$26,520.00	\$114.00	\$29,640.00	\$85.00	\$22,100.00	\$99.00	\$25,740.00	
	25	6" PVC Lateral Sanitary	LF	115	\$139.00	\$15,985.00	\$110.00	\$12,650.00	\$80.00	\$9,200.00	\$63.00	\$7,245.00	
	26	8" PVC Plug Sanitary	EA	3	\$166.00	\$504.00	\$145.00	\$435.00	\$750.00	\$2,250.00	\$27.00	\$81.00	
	27	6" PVC Riser Sanitary	LF	6	\$206.00	\$1,236.00	\$200.00	\$1,200.00	\$125.00	\$750.00	\$139.00	\$834.00	
	28	Connect to Existing Water Main	EA	1	\$10,561.00	\$10,561.00	\$4,800.00	\$4,800.00	\$8,750.00	\$8,750.00	\$8,301.00	\$8,301.00	
	29	8" Gate Valve Water Main	EA	8	\$1,982.00	\$15,856.00	\$1,650.00	\$13,200.00	\$2,900.00	\$20,000.00	\$1,867.00	\$14,936.00	
Watermain Construction	30	6" Gate Valve Water Main	EA	2	\$1,490.00	\$2,980.00	\$1,200.00	\$2,400.00	\$1,750.00	\$3,500.00	\$1,392.00	\$2,784.00	
	31	8" PVC Main Water Main	LF	1,026	\$61.00	\$62,586.00	\$80.00	\$82,080.00	\$75.00	\$76,950.00	\$74.00	\$75,924.00	
	32	6" Hydrant Lead Water Main	LF	25	\$101.00	\$2,525.00	\$95.00	\$2,375.00	\$125.00	\$3,125.00	\$62.00	\$1,550.00	
	33	1 1/4" Lateral Water Main	LF	100	\$75.00	\$7,500.00	\$75.00	\$7,500.00	\$75.00	\$7,500.00	\$37.00	\$3,700.00	
	34	Curb Stop Water Main	EA	2	\$864.00	\$1,728.00	\$700.00	\$1,400.00	\$500.00	\$1,000.00	\$409.00	\$818.00	
	35	Hydrants Water Main	EA	2	\$4,182.00	\$8,364.00	\$4,200.00	\$8,400.00	\$4,500.00	\$9,000.00	\$3,744.00	\$7,488.00	
	36	8" x 6" Tee Water Main	EA	1	\$654.00	\$654.00	\$475.00	\$475.00	\$750.00	\$750.00	\$632.00	\$632.00	
	37	8" x 8" Tee Water Main	EA	1	\$674.00	\$674.00	\$540.00	\$540.00	\$750.00	\$750.00	\$699.00	\$699.00	
	38	8" x 8" Cross Water Main	EA	1	\$720.00	\$720.00	\$720.00	\$720.00	\$1,000.00	\$1,000.00	\$900.00	\$900.00	
	39	8" Plug Water Main	EA	4	\$370.00	\$1,480.00	\$200.00	\$800.00	\$750.00	\$3,000.00	\$405.00	\$1,620.00	
	40	11.25" Horizontal Bend Water Main	EA	2	\$461.00	\$922.00	\$350.00	\$700.00	\$750.00	\$1,500.00	\$494.00	\$988.00	
	41	Air Release Valve Water Main	EA	3	\$3,212.00	\$9,636.00	\$1,450.00	\$4,350.00	\$1,500.00	\$4,500.00	\$3,935.00	\$11,805.00	
	Erosion Control/Restoration	42	Erosion Mat Class 1 Type B	SY	5,800	\$2.31	\$13,398.00	\$2.00	\$11,600.00	\$1.55	\$8,990.00	\$1.40	\$8,120.00
		43	Silt Fence	LF	1,200	\$1.95	\$2,340.00	\$1.60	\$1,920.00	\$1.50	\$1,800.00	\$1.85	\$2,220.00
		44	Stone Tracking Pad	EA	1	\$4,457.00	\$4,457.00	\$3,100.00	\$3,100.00	\$3,500.00	\$3,500.00	\$1,000.00	\$1,000.00
45		Lawn Restoration	SY	1,200	\$2.00	\$2,400.00	\$2.40	\$2,880.00	\$3.50	\$4,200.00	\$3.25	\$3,900.00	
		Base Bid Total			\$795,090.50	\$844,987.00						\$863,698.29	

City of Franklin
 2020 MARQUETTE AVENUE ROAD BID TABULATION
 10/22/2020 11:00 AM CDT

Section Title	Line Item	Item Description	UoFM	Quantity	Super Excavators, Inc.		Five Star Energy Services, LLC		Reemans Excavating & Grading, Inc.	
					Unit Price	Extension	Unit Price	Extension	Unit Price	Extension
Roadway Construction	1	Mobilization	LS	1	\$60,000.00	\$60,000.00	\$32,000.00	\$32,000.00	\$16,376.36	\$16,376.36
	2	Clearing, Grubbing, and Demolition	LS	1	\$17,000.00	\$17,000.00	\$27,500.00	\$27,500.00	\$12,000.00	\$12,000.00
	3	8 Base Aggregate Dense 1.1/4	TON	3,462	\$20.04	\$69,378.48	\$18.50	\$64,047.00	\$22.00	\$76,164.00
	4	Excavation Common	CY	3,000	\$12.00	\$36,000.00	\$15.00	\$45,000.00	\$20.00	\$60,000.00
	5	Saw-Cut Asphalt Roadway	LF	255	\$2.50	\$637.50	\$3.00	\$765.00	\$1.15	\$293.25
	6	Concrete Curb And Gutter 30-inch	LF	1,810	\$18.55	\$33,575.50	\$19.50	\$35,295.00	\$21.00	\$38,010.00
	7	5 Concrete Sidewalk	SF	4,917	\$4.65	\$22,864.05	\$5.00	\$24,585.00	\$6.30	\$30,977.10
	8	Asphaltic Concrete Binder Course	TON	1,025	\$62.00	\$63,550.00	\$66.00	\$67,650.00	\$69.70	\$71,442.50
	9	Asphaltic Concrete Surface Course	TON	525	\$63.25	\$33,206.25	\$67.00	\$35,175.00	\$71.00	\$37,275.00
	10	Detectable Warning Field	SF	90	\$38.00	\$3,420.00	\$40.00	\$3,600.00	\$42.70	\$3,843.00
Storm Sewer Construction	11	12 Storm RCP Sewer Class V	LF	316	\$55.00	\$17,380.00	\$112.00	\$35,392.00	\$79.00	\$24,964.00
	12	15 Storm RCP Sewer Class IV	LF	396	\$61.00	\$24,156.00	\$115.00	\$45,540.00	\$84.00	\$33,264.00
	13	18 Storm RCP	LF	557	\$60.00	\$33,420.00	\$118.00	\$65,726.00	\$85.00	\$47,345.00
	14	15 PES	EA	1	\$1,000.00	\$1,000.00	\$500.00	\$500.00	\$1,375.00	\$1,375.00
	15	18 PES	EA	2	\$1,200.00	\$2,400.00	\$600.00	\$1,200.00	\$1,450.00	\$2,900.00
	16	Storm Inlet	EA	10	\$2,500.00	\$25,000.00	\$1,800.00	\$18,000.00	\$2,650.00	\$26,500.00
	17	4 Diameter Storm Manhole	EA	8	\$2,500.00	\$20,000.00	\$2,250.00	\$18,000.00	\$2,950.00	\$21,200.00
	18	Outlet Structure	EA	1	\$3,200.00	\$3,200.00	\$3,400.00	\$3,400.00	\$5,250.00	\$5,250.00
	19	Connect to Existing Sanitary Sewer	EA	1	\$13,000.00	\$13,000.00	\$500.00	\$500.00	\$1,700.00	\$1,700.00
	20	Sanitary Manhole	EA	4	\$7,000.00	\$28,000.00	\$4,600.00	\$18,400.00	\$3,800.00	\$15,200.00
Sanitary Sewer Construction	21	Sanitary Manhole Extra Depth	VF	18	\$80.00	\$1,440.00	\$250.00	\$4,500.00	\$350.00	\$6,300.00
	22	Sanitary Manhole Drop Connection	EA	1	\$15,000.00	\$15,000.00	\$10,500.00	\$10,500.00	\$11,000.00	\$11,000.00
	23	8 PVC SDR 26 Sanitary	LF	574	\$250.00	\$143,500.00	\$350.00	\$200,900.00	\$340.00	\$195,160.00
	24	8 PVC SDR 35 Sanitary	LF	260	\$190.00	\$49,400.00	\$105.00	\$27,300.00	\$176.00	\$45,760.00
	25	6 PVC Lateral Sanitary	LF	115	\$155.00	\$17,825.00	\$150.00	\$17,250.00	\$315.00	\$36,225.00
	26	8 PVC Plug Sanitary	EA	3	\$35.00	\$105.00	\$250.00	\$750.00	\$865.00	\$2,595.00
	27	6 PVC Riser Sanitary	LF	6	\$204.00	\$1,224.00	\$1,250.00	\$7,500.00	\$490.00	\$2,940.00
	28	Connect to Existing Water Main	EA	1	\$13,000.00	\$13,000.00	\$4,000.00	\$4,000.00	\$4,950.00	\$4,950.00
	29	8 Gate Valve Water Main	EA	8	\$1,750.00	\$14,000.00	\$1,525.00	\$12,200.00	\$2,400.00	\$19,200.00
	30	6 Gate Valve Water Main	EA	2	\$1,260.00	\$2,520.00	\$1,100.00	\$2,200.00	\$1,650.00	\$3,300.00
Watermain Construction	31	8 PVC Main Water Main	LF	1,026	\$100.00	\$102,600.00	\$95.00	\$97,470.00	\$102.00	\$104,652.00
	32	6 Hydrant Lead Water Main	LF	25	\$175.00	\$4,375.00	\$75.00	\$1,875.00	\$206.00	\$5,150.00
	33	1.1/4 Lateral Water Main	LF	100	\$75.00	\$7,500.00	\$65.00	\$6,500.00	\$170.00	\$17,000.00
	34	Curb Stop Water Main	EA	3	\$550.00	\$1,650.00	\$500.00	\$1,500.00	\$825.00	\$2,475.00
	35	Hydrants Water Main	EA	2	\$4,000.00	\$8,000.00	\$4,000.00	\$8,000.00	\$4,275.00	\$8,550.00
	36	8 x 6 Tee Water Main	EA	1	\$445.00	\$445.00	\$800.00	\$800.00	\$1,520.00	\$1,520.00
	37	8 x 8 Tee Water Main	EA	1	\$515.00	\$515.00	\$900.00	\$900.00	\$825.00	\$825.00
	38	8" x 8 Cross Water Main	EA	1	\$725.00	\$725.00	\$650.00	\$650.00	\$1,020.00	\$1,020.00
	39	8 Plug Water Main	EA	4	\$160.00	\$640.00	\$250.00	\$1,000.00	\$625.00	\$2,500.00
	40	1.1.25 Horizontal Bend Water Main	EA	2	\$295.00	\$590.00	\$250.00	\$500.00	\$625.00	\$1,250.00
Erosion Control/Restoration	41	Air Release Valve Water Main	EA	3	\$1,000.00	\$3,000.00	\$1,000.00	\$3,000.00	\$1,750.00	\$5,250.00
	42	Erosion Mat Class 1 Type B	SY	5,800	\$4.40	\$25,520.00	\$1.50	\$8,700.00	\$1.40	\$8,120.00
	43	Silt Fence	LF	1,200	\$2.40	\$2,880.00	\$2.00	\$2,400.00	\$2.50	\$3,000.00
	44	Stone Tracking Pad	EA	1	\$3,150.00	\$3,150.00	\$4,000.00	\$4,000.00	\$1,400.00	\$1,400.00
	45	Lawn Restoration	SY	1,200	\$8.25	\$9,900.00	\$3.50	\$4,200.00	\$4.00	\$4,800.00
Base Bid Total						\$936,691.78		\$970,870.00		\$1,021,021.21

STATE OF WISCONSIN : CITY OF FRANKLIN : MILWAUKEE COUNTY

RESOLUTION NO. 2020- _____

RESOLUTION TO AWARD A CONSTRUCTION CONTRACT TO DF TOMASINI CONTRACTORS, INC. FOR THE CONSTRUCTION OF 2020 MARQUETTE AVENUE ROAD IN THE AMOUNT OF \$737,954.90

WHEREAS, the City of Franklin advertised and solicited bids for the construction of Marquette Avenue Road from S. 51st Street to S. 49th Street; and

WHEREAS, eighteen bids were received. Three of those bids were nonresponsive and fifteen bids were found responsive; and

WHEREAS, the low bidder was DF Tomasini Contractors, Inc. of Sussex, WI with a bid of \$737,954.90; and

WHEREAS, DF Tomasini Contractors, Inc. is a qualified road contractor; and

WHEREAS, it is in the best interest of the City as recommended by the City's staff to award the contract at the total base bid of \$737,954.90 to DF Tomasini Contractors, Inc. with a Notice to Proceed of April 1, 2021.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, DF Tomasini Contractors, Inc. be awarded the contract for the 2020 Marquette Avenue Road project.

BE IT FURTHER RESOLVED, that the Mayor and City Clerk are authorized and directed to execute a contract with DF Tomasini Contractors, Inc. on behalf of the City.

Introduced at a regular meeting of the Common Council of the City of Franklin the _____ day of _____, 2020, by Alderman _____.

PASSED AND ADOPTED by the Common Council of the City of Franklin on the _____ day of _____, 2020.

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

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APPROVAL <i>Slw</i>	REQUEST FOR COMMON COUNCIL ACTION	MEETING DATE Nov 2, 2020
REPORTS & RECOMMENDATIONS	Recommended Funding for Marquette Ave extension project in the 2021 Capital Improvement Budget	ITEM NUMBER <i>G.5.</i>

Background

During the September 2020 Finance Committee review of the 2021 Mayor's Recommended Budget, the Committee requested to re-examine the Marquette Ave project funding, anticipating that the bid opening on October 22, 2020 would provide more insight on the project financing requirements.

Funding options include:

1. A \$600,000 transfer from Fund 51 – Special Assessments
2. Cancellation of the S 116th Trail project net expenditures - \$435,000
3. Park Impact fees for the sidewalk of approximately \$12,000

Staff missed the following funds in the Projected 2020 year-end fund balance and thus the funding is not available at this time

4. Unspent \$100,000 from Marquette Ave project
5. Unspent \$50,000 from Marquette Ave construction – Pleasant View School to S 49th St.

Bids for the Marquette Ave project were opened Oct 22, 2020, with the winning bid of \$737,955.

Options

Total project costs include the bid, Contingency of \$113,000 and inspection costs of \$74,000. The right of way is expected to be donated by the developers. Total costs amount to \$924,955.

Other resources are:

1. A cash contribution from the developers totaling \$86,000,
2. Added landfill siting resources in 2020. Staff included \$342,000 of additional landfill siting resources in the ending 2020 Capital Improvement Fund balance, that amount is subject to change as the landfill operator reports activity thru the end of the year.
3. Potential Transportation Impact fees. A Draft of the Impact Fee Study has Marquette Ave qualifying for significant Transportation impact fees. This resource is dependent upon adoption of the Impact Fee Study for Transportation scheduled to move forward in first quarter, 2021.

Recommendation

The Finance Committee unanimously recommends that the primary resource for the Marquette Ave extension project from S 49th St to S 51st Street be with new General Obligation bonds, with a review of the bonding level to be conducted after the Transportation Impact Fee Study is adopted or as any amount of 2020 landfill siting resources not otherwise dedicated are known and include a \$600,000 transfer from the Special Assessment fund.

Staff notes that the subject Marquette Ave project is not currently included in the 2021 Capital Improvement Fund Budget. At the same time, with the removal of the S 116th Trail project \$435,000 of General Obligation debt proceeds are now falling to fund balance as no project requires those resources.

The suggested Council motion, to accept the Finance Committee recommendation, would be to add the \$925,000 Marquette Ave construction project to the Capital Improvement Fund, and provide resources of a \$86,000 Developer donation, a \$600,000 transfer out of the Special Assessment Fund and into the Capital Improvement Fund. Those two resources (\$86,000 donation and \$600,000 transfer in from the Special Assessment Fund) combined with general obligation debt resources already in the 2021 Budget would provide sufficient resources to fund the project.

Further, at Council's direction, staff would reduce the above debt resources by any additional resources that become available, of available landfill siting fees or a new Transportation Impact Fee Study adoption.

COMMON COUNCIL ACTION REQUESTED

Motion to amend the Proposed 2021 Capital Improvement Fund budget to add a Marquette Ave extension project from S 49th St to S 51 St with a \$925,000 appropriation and a \$86,000 donation from developers, and a \$600,000 transfer from the Special Assessment Fund into the Capital Improvement Fund.

APPROVAL <i>slw</i>	REQUEST FOR COUNCIL ACTION	MTG. DATE November 2, 2020
Reports & Recommendations	ORDINANCE TO MODIFY THE MUNICIPAL CODE SECTION 245-5. D. (4) DESIGNATING PARKING RESTRICTIONS ON BOTH SIDES OF W. STATESMAN WAY FROM S. 27TH STREET TO S. 31ST STREET	ITEM NO. <i>G.6.</i>

BACKGROUND

On October 20, 2020, item G.1.(b): an Ordinance to modify the Municipal Code Section 245-5. D. (4) Designating Parking Restrictions on Both Sides of W. Statesman Way from S. 27th Street to S. 31st Street was tabled.

ANALYSIS

Staff and the Board of Public Works previously recommended that parking be restricted on both sides. Note that historically there was a concern about Northwestern Mutual (NWM) employees parking on the street as far north as W. Minnesota Avenue. W. Statesman Way is a closer location than W. Minnesota Avenue. See attached council action from June 2015 that discusses the problem.

The apartment developer along W. Statesman Way was objecting to parking restrictions and believes that the additional parking spaces are needed for visitor parking. The developer is suggesting that time limits would be appropriate for keeping NWM employees from parking on this street. The developer has also provided Planning staff comments and responses from June 2020 with the following comment “... *I attached the staff comments and our responses from our request for additional surface off-street parking this summer It shows the number of parking spaces prior to and after the recent additions You will note that we originally only had 6 guest spaces, and with the additional parking added 6 more As a result we now have 12 total off-street guest spaces which is 0 07 spaces per unit. Those spaces were intended to be used for overnight guests, while we intended to use parking on one-side of Statesman Way for short term day visitors* ”

Upon further consideration, the Franklin Police Chief noted that he has no objection to parking on one side. He would prefer no time limits as it would tie up resources to check every three or four hours.

The Franklin Street Superintendent also added that the issue is getting the roads cleared in winter weather events so even parking on one side can hinder their operation.

OPTIONS

- A. Follow previous recommendation and restrict parking on the both sides of W. Statesman Way. Or
- B. Restrict parking to one side only. Or
- C. Give further guidance to Staff.

FISCAL NOTE

Adding the existing signs and painting for the curb may be accomplished within the existing DPW budget.

RECOMMENDATION

(Option A) Ordinance 2020-_____ an ordinance to modify the Municipal Code Section 245-5. D. (4) designating parking restrictions on both sides of W. Statesman Way from S. 27th Street to S. 31st Street.

Engineering Department: GEM

APPROVAL	REQUEST FOR COUNCIL ACTION	MTG. DATE 6/16/15
Reports & Recommendations	SUBJECT: An ordinance to prohibit parking, from 9:00 a.m. to 3:00 p.m. on weekdays, on both sides of W. Minnesota Avenue from its intersection with S. 31st Street to 115 feet east and west and on both sides of S. 31st Street from its intersection with W. Minnesota Avenue to 150 feet north.	ITEM NO.

BACKGROUND

The Board of Public Works has considered on street parking at the intersection of S. 31st Street and W. Minnesota Avenue at several meetings. Most of this on street parking is believed to be originating from Northwestern Mutual where its employees are willing to walk to their campus. In November staff was directed to coordinate with the Police Department’s temporary placement of “No Parking” sign at this intersection.

ANALYSIS

At the Board of Public Works June 9, 2015 meeting, having heard testimony of a couple of abutting residents, agreed that the temporary posting is achieving the desired effect of keeping parking away from the intersection without the parking moving to W. Minnesota Avenue. Site vision and an open area for school bus drop off were improved. The Board unanimously recommended the permanent posting of no parking.

OPTIONS

Approve or deny recommendation.

FISCAL NOTE

The cost of signing is to be taken from DPW operational budget.

RECOMMENDATION

Motion to adopt Ordinance No. 2015 - ____ an ordinance to prohibit parking, from 9:00 a.m. to 3:00 p.m. on weekdays, on both sides of W. Minnesota Avenue from its intersection with S. 31st Street to 115 feet east and west and on both sides of S. 31st Street from its intersection with W. Minnesota Avenue to 150 feet north.

RJR/db

APPROVAL <i>Slw</i>	REQUEST FOR COUNCIL ACTION	MTG. DATE October 20, 2020
Reports & commendations	ORDINANCE TO MODIFY THE MUNICIPAL CODE SECTION 245-5. D. (4) DESIGNATING PARKING RESTRICTIONS ON BOTH SIDES OF W. STATESMAN WAY FROM S. 27TH STREET TO S. 31ST STREET	ITEM NO. <i>G.I. (b)</i>

BACKGROUND

Resolution 2017-7309 approved a multifamily residential development for Zilber LTD located at 7333 S. 27th Street. This development included a new road, W. Statesman Way, that was designed at 24-foot width and not intended to have on street parking. Furthermore, the builder of the multifamily residential apartments (Resolution 2020-022) allowed for additional off-street parking for the multi-family development.

ANALYSIS

The construction is sufficiently completed that Staff is ready to post no-parking for W. Statesman Way. The no-parking should be for both directions along the entirety of the new street.

The Board of Public Works considered the matter at the October 13, 2020, meeting and recommended to Common Council that this new road between S. 27th Street and S. 31st Street be designated as no-parking on both sides.

The following should be added to the municipal code:

§ 245-5 Parking, stopping and standing regulated.

D. No parking.

(4) At any time on the following streets or portions of streets:

Name of Street	Sides	Location
W. Statesman Way	North and South	From S. 27 th Street to S. 31 st Street

OPTIONS

- A. Follow Staff's recommendation and restrict parking on the both sides of W. Statesman Way. Or
B. Give further guidance to Staff.

FISCAL NOTE

Adding the existing signs and painting for the curb may be accomplished within the existing DPW budget.

RECOMMENDATION

(Option A) Ordinance 2020-_____ an ordinance to modify the Municipal Code Section 245-5 D (4) designating parking restrictions on both sides of W. Statesman Way from S. 27th Street to S. 31st Street.

Engineering Department: GEM

STATE OF WISCONSIN: CITY OF FRANKLIN: MILWAUKEE COUNTY

ORDINANCE NO. 2020-_____

ORDINANCE TO MODIFY THE MUNICIPAL CODE SECTION 245-5. D. (4)
DESIGNATING PARKING RESTRICTIONS ON BOTH SIDES OF W. STATESMAN WAY
FROM S. 27TH STREET TO S. 31ST STREET

WHEREAS, a new development at 7333 S. 27th Street created a new road, W. Statesman Way, not intended for on-street parking; and

WHEREAS, the Board of Public Works considered the matter at the October 13, 2020, meeting and recommended to Common Council that this new road between S. 27th Street and S. 31st Street be designated as no-parking on both sides.

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

SECTION I. Section 245-5 D. (4) of the Municipal Code of the City of Franklin is hereby amended as follows:

Name of Street	Sides	Location
W. Stateman Way	North and South	From S. 27th Street to S. 31st Street

INTRODUCED at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2020, by Alderman _____.

PASSED AND ADOPTED by the Common Council of the City of Franklin on the _____ day of _____, 2020.

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES ____ NOES ____ ABSENT ____

City of Franklin
Department of City Development

Date: July 7, 2020

To: Ed Ross KM Development Corp.

From: Department of City Development

RE: Site Plan amendment application – 2950 W Statesman Way

Below are comments and recommendations for the Site Plan amendment application submitted on June 16, 2020, to allow for additional parking and a grilling/picnic area in the Statesman Apartments development.

Responses are provided below each comment in blue

Department of City Development comments

- 1 The existing parking for this development is 284 parking spaces. The proposed parking addition exceeds the standard parking ratio. The Plan Commission may approve on-site parking increases above 10% or 5 spaces, subject to the following standards of the Unified Development Ordinance (UDO) §15-5 0203(B)(ii):

1 For on-site parking, the applicant submits reasonably sufficient proof that the maximum number of required parking spaces would be insufficient for the proposed use's projected parking demand. Evidence may include, but not limited to, parking standard comparisons and/or comparisons of parking demand for existing similar uses.

Staff comment: Please provide parking standard comparisons.

The best comparison to use is the actual parking utilization at the Statesman where we are proposing the additional parking

The Statesman currently has leased (75) 1-bedroom units and (96) 2-bedroom units. Many of 1-bedroom apartments have been leased and occupied by (2) residents and most 2 bedroom apartments are occupied by (2) residents. The residents of the leased units currently occupy all available parking spaces and are currently allocated thus

Existing parking (270 Spaces)

186 Underground Spaces for Residents
-75 Surface Spaces for Residents
6 Guest Spaces (only 1 per building)
3 Staff Spaces (currently 5 staff)

Currently available units consist of (3) 1 bedroom units and (7) 2-bedroom units. A concerted effort was made to lease 1-bedrooms with only 1 parking stall. This

approach had limited success. The difficulty we are having with leasing up the final 10 apartment is directly attributed to inadequate parking.

36 Proposed Parking (36 Spaces)

- 26 for residents (20 for unleased units and 6 to allow some currently leased to have two cars)
- 6 for Guests
- 2 for staff
- 2 for vendors (cleaners, maintenance, supplies, etc)

2. *For on-site queuing, the applicant provides reasonably sufficient proof that additional vehicle stacking space is needed to prevent interference with roadways, parking lot circulation or pedestrian safety.*
(not applicable)
3. *For on-site parking, the applicant submits reasonably sufficient proof that there are no reasonable opportunities to share parking within or adjacent to the site.*
Staff comment: Any opportunities to share parking with adjacent sites?

Over the past number of months we have offered up incentives for tenants and potential tenants to park at our neighboring property, Little Cancun, which has proven unsuccessful.

4. *For on-site parking, the applicant submits reasonably sufficient proof of a greater need for handicapped accessible parking spaces, while still needed to provide sufficient standard parking spaces.*
Staff comment: See comment #6.

See comment #6

2. Per UDO §15-7.0103.CC, please provide an estimate of the site improvement costs.
Cost estimate \$120,000
3. Please provide the resulting Open Space Ratio (OSR).

The North Multi-Family Parcel

Lot Area – 340,572 SF
Open Space – 227,383 SF
Open Space Ratio - 66%

The South Multi-Family Parcel

Lot Area – 281,624 SF
Open Space – 207,171 SF
Open Space Ratio – 73%

4. Please indicate parking setbacks. Per UDO §15-5.0202(C), parking lots cannot be located closer than 10 feet to the base setback line.

Please see revised plans for 10'-0" setback line

5. As the required landscaping for multi-family developments is based on the quantity of dwelling units (UDO §15-5.0302), no additional landscaping is required for this project. However, any landscaping feature impacted by the additional parking needs to be relocated or replaced. Please provide a landscape plan.

Please see the Tree Relocation And Snow Storage Plan illustrating impacted plantings requiring relocation

6. Please add the existing and proposed number of accessible parking spaces (ADA). For developments with more than 300 parking spaces, the minimum required accessible parking is 8 spaces per UDO Table 15-5.0202(I)(1).

Existing accessible parking stalls

(6) stalls underground – each building has one (1) accessible stall

(4) stalls at surface parking

(10) total accessible stalls existing

7. A snow storage plan is required per UDO §15-5.0210(B), refer to the noted section for snow storage standards. Please include the area intended for snow storage and the total area for surface parking including access drives (in square feet).

Please see the added Tree Relocation And Snow Storage Plan

8. Please confirm that the relocated light pole will comply with the lighting standards of UDO §15-5.0401.

Please see the added Partial Site Lighting Plan

Engineering Department comments

9. *Engineering is still in the process of reviewing the storm water management and may have comments*

Fire Department comments

10. *The fire department has no comments/concerns regarding the proposed site plan amendment at this location.*

Inspection Services Department comments

11. *Inspection Services has no comments on this project at this time.*

Police Department comments

12. *The Police Department has no issues with this request*

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<p style="text-align: center;">APPROVAL <i>Slw</i></p>	<p style="text-align: center;">REQUEST FOR COUNCIL ACTION</p>	<p style="text-align: center;">MEETING DATE 11/02/2020</p>
<p>REPORTS & RECOMMENDATIONS</p>	<p style="text-align: center;">A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR THE DEVELOPMENT OF TWO APPROXIMATELY 150,000 SQUARE FOOT, OR ONE APPROXIMATELY 300,000 SQUARE FOOT CLASS A SPECULATIVE INDUSTRIAL BUILDINGS AND FOR THE APPROVAL OF A SPECIAL USE FOR OVERNIGHT PARKING FOR VEHICLES EXCEEDING 8,000 POUNDS MANUFACTURED GROSS VEHICLE WEIGHT UPON PROPERTIES LOCATED AT 3825 WEST ASPEN WAY AND 3707 WEST ASPEN WAY (BY HSA COMMERCIAL, INC., D/B/A HSA COMMERCIAL REAL ESTATE, APPLICANT, JHB PROPERTIES, LLC, PROPERTY OWNER)</p>	<p style="text-align: center;">ITEM NUMBER <i>G. 7</i></p>

At the regular meeting of the Plan Commission on October 22, 2020, following a properly noticed public hearing, the following action was approved: a motion to recommend approval of a Resolution imposing conditions and restrictions for the approval of a Special Use for the development of two approximately 150,000 square foot class A speculative industrial buildings, or for one approximately 300,000 square foot class A speculative industrial building, and for the approval of a Special Use for overnight parking for vehicles exceeding 8,000 pounds manufactured gross vehicle weight upon properties located at 3825 West Aspen Way and 3707 West Aspen Way. The Plan Commission's recommendations in regard to the Special Use has been reflected in the attached draft Resolution.

At said meeting of the Plan Commission, a Site Plan for the property was also approved with conditions and waivers of design standards.

The original application request was for approval of two approximately 150,000 square foot buildings. The Plan Commission amended to the Site Plan approval to reflect the possible development of a single building, and likewise recommend this change to the Special Use. Planning notes that a Land Combination application would be necessary to construct a larger building, to remove the setback requirement at the property line.

Due to both the scale of the proposed development and other considerations related to the construction of roads and infrastructure for the site, the applicant has requested that the Special Use approval reflect a longer time allowance for the use to begin. The attached draft resolution for Council consideration reflects language to meet that request.

COUNCIL ACTION REQUESTED

A motion to approve Resolution 2020-_____, imposing conditions and restrictions for the approval of a Special Use for eCommerce/warehousing and distribution require and to allow for overnight parking for vehicles exceeding 8,000 pounds manufactured Gross Vehicle Weight upon properties located at 3825 West Aspen Way and 3707 West Aspen Way, zoned Planned Development District No. 39 (Mixed Use Business Park).

Department of City Development MX

A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS
FOR THE APPROVAL OF A SPECIAL USE FOR THE DEVELOPMENT
OF TWO APPROXIMATELY 150,000 SQUARE FOOT, OR ONE APPROXIMATELY
300,000 SQUARE FOOT CLASS A SPECULATIVE INDUSTRIAL BUILDINGS AND
FOR THE APPROVAL OF A SPECIAL USE FOR OVERNIGHT PARKING FOR
VEHICLES EXCEEDING 8,000 POUNDS MANUFACTURED GROSS VEHICLE
WEIGHT UPON PROPERTIES LOCATED AT 3825 WEST ASPEN WAY AND 3707
WEST ASPEN WAY (BY HSA COMMERCIAL, INC., D/B/A HSA COMMERCIAL
REAL ESTATE, APPLICANT, JHB PROPERTIES, LLC, PROPERTY OWNER)

WHEREAS, HSA Commercial, Inc., d/b/a HSA Commercial Real Estate having petitioned the City of Franklin for the approval of Special Uses within Planned Development District No. 39 (Mixed Use Business Park), to allow for the development of two approximately 150,000 square foot, or one approximately 300,000 square foot Class A speculative industrial buildings at the west end of Elm Road (eCommerce/warehousing and distribution require a Special Use per Section 15-3.0444BB.3.a.e. of the Unified Development Ordinance) and to allow for overnight parking for vehicles exceeding 8,000 pounds manufactured Gross Vehicle Weight (which requires Special Use approval per Section 15-3.0444B.D.1.a.iii. (Design Standards, addendum to Ordinance No. 2016-2238) of the Unified Development Ordinance) (tenants have yet to be identified), upon properties located at 3825 West Aspen Way and 3707 West Aspen Way, zoned Planned Development District No. 39 (Mixed Use Business Park). The properties which are the subject of the application bear Tax Key Nos. 979-9002-000 and 979-9001-000 and are more particularly described as follows:

All of Lots 1 and 2 of Certified Survey Map No. 9243, being a part of the Northeast 1/4 and Northwest 1/4 of the Southwest 1/4 of Section 36, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin, described as follows: Commencing at the northwest corner of the Southwest 1/4 of said Section 36; Thence South 00°21'57" East along the west line of said Southwest 1/4, 1322.10 feet to the south line of said Certified Survey Map; Thence North 88°35'41" East along said south line, 1109.89 feet to the east right of way line of South Birch Street, the southwest corner of said Lot 2 and the Point of Beginning; Thence North 00°21'34" West along said east right of way line, 524.67 feet; Thence North 44°07'02" East, 15.69 feet to the south right of way line of West Aspen Way; Thence North 88°35'37" East along said south right of way line, 1301.60 feet to the west line of Outlot 1 of said Certified Survey Map; Thence South 01°24'19" East along said west line, 444.63 feet; Thence South 33°35'37" West along said west line, 58.55 feet; Thence South 88°35'41" West along said west line, 144.41 feet; Thence South

HSA COMMERCIAL, INC., D/B/A HSA COMMERCIAL REAL ESTATE – SPECIAL
USE

RESOLUTION NO. 2020-_____

Page 2

01°24'19" East along said west line, 43.00 feet to the aforesaid south line of said Certified Survey Map; Thence South 88°35'41" West along said south line, 1144.38 feet to the Point of Beginning; and

WHEREAS, such petition having been duly referred to the Plan Commission of the City of Franklin for a public hearing, pursuant to the requirements of §15-9.0103D. of the Unified Development Ordinance, and a public hearing having been held before the Plan Commission on the 8th day of October, 2020, and the Plan Commission thereafter having determined to recommend that the proposed Special Uses be approved, subject to certain conditions, and the Plan Commission further finding that the proposed Special Uses upon such conditions, pursuant to §15-3.0701 of the Unified Development Ordinance, will be in harmony with the purposes of the Unified Development Ordinance and the Comprehensive Master Plan; that they will not have an undue adverse impact upon adjoining property; that they will not interfere with the development of neighboring property; that they will be served adequately by essential public facilities and services; that they will not cause undue traffic congestion; and that they will not result in damage to property of significant importance to nature, history or the like; and

WHEREAS, the Common Council having received such Plan Commission recommendation and also having found that the proposed Special Uses, subject to conditions, meet the standards set forth under §15-3.0701 of the Unified Development Ordinance.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the petition of HSA Commercial, Inc., d/b/a HSA Commercial Real Estate, for the approval of Special Uses for the properties particularly described in the preamble to this Resolution, be and the same are hereby approved, subject to the following conditions and restrictions:

1. That these Special Uses are approved only for the use of the subject property by HSA Commercial, Inc., d/b/a HSA Commercial Real Estate, successors and assigns, for two approximately 150,000 square foot, or one approximately 300,000 square foot Class A speculative industrial buildings, and for overnight parking for vehicles exceeding 8,000 pounds manufactured Gross Vehicle Weight use, which shall be developed in substantial compliance with, and operated and maintained by HSA Commercial, Inc., d/b/a HSA Commercial Real Estate, pursuant to those plans City file-stamped October 1, 2020 and annexed hereto and incorporated herein as Exhibit A.
2. HSA Commercial, Inc., d/b/a HSA Commercial Real Estate, successors and assigns, shall pay to the City of Franklin the amount of all development

HSA COMMERCIAL, INC., D/B/A HSA COMMERCIAL REAL ESTATE – SPECIAL
USE

RESOLUTION NO. 2020-_____

Page 3

compliance, inspection and review fees incurred by the City of Franklin, including fees of consults to the City of Franklin, for the HSA Commercial, Inc., d/b/a HSA Commercial Real Estate two approximately 150,000 square foot, or one approximately 300,000 square foot Class A speculative industrial buildings, and overnight parking for vehicles exceeding 8,000 pounds manufactured Gross Vehicle Weight Special Uses, within 30 days of invoice for same. Any violation of this provision shall be a violation of the Unified Development Ordinance, and subject to §15-9.0502 thereof and §1-19. of the Municipal Code, the general penalties and remedies provisions, as amended from time to time.

3. The approval granted hereunder is conditional upon the HSA Commercial, Inc., d/b/a HSA Commercial Real Estate two approximately 150,000 square foot, or one approximately 300,000 square foot Class A speculative industrial buildings, and overnight parking for vehicles exceeding 8,000 pounds manufactured Gross Vehicle Weight Special Uses for the properties located at 3825 West Aspen Way and 3707 West Aspen Way: (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.

BE IT FURTHER RESOLVED, that in the event HSA Commercial, Inc., d/b/a HSA Commercial Real Estate, successors or assigns, or any owner of the subject properties, does not comply with one or any of the conditions and restrictions of this Special Use Resolution, following a ten (10) day notice to cure, and failure to comply within such time period, the Common Council, upon notice and hearing, may revoke the Special Use permission granted under this Resolution.

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

HSA COMMERCIAL, INC., D/B/A HSA COMMERCIAL REAL ESTATE – SPECIAL
USE
RESOLUTION NO. 2020-_____
Page 4

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

BE IT FURTHER RESOLVED, pursuant to §15-9.0103G. of the Unified Development Ordinance, that the Special Use permission granted under this Resolution shall be null and void upon the expiration of one year from the date of adoption of this Resolution plus up to and not exceeding an additional 180 days thereafter to account for the time required for the applicant to obtain fee title ownership of the subject property provided that applicant shall personally deliver proof of such fee simple ownership to the Office of the City Clerk within 180 days from the date of adoption of this Resolution, unless the Special Uses have been established by way of the issuance of a Building Permit and construction is actually begun within that period and is thereafter diligently pursued to completion or unless a Zoning Compliance Permit is issued and a use commenced within that period for such lot, pursuant to §15-3.0701G.1. and §15-9.0103G. of the Unified Development Ordinance; in the event that only one approximately 150,000 square foot building on one of the lots subject to this Resolution has been constructed and complied with the foregoing, with regard to the other lot, the Special Use permission granted under this Resolution for such lot shall be null and void upon the expiration of two years from the date of adoption of this Resolution plus up to and not exceeding an additional 180 days thereafter to account for the time required for the applicant to obtain fee title ownership of the subject property provided that applicant shall personally deliver proof of such fee simple ownership to the Office of the City Clerk within 180 days from the date of adoption of this Resolution, unless the Special Uses for such lot have been established by way of the issuance of a Building Permit and construction is actually begun within that period and is thereafter diligently pursued to completion or unless a Zoning Compliance Permit is issued and a use commenced within that period for such lot, pursuant to §15-3.0701G.1. and §15-9.0103G. of the Unified Development Ordinance.

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

Introduced at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2020.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2020.

HSA COMMERCIAL, INC., D/B/A HSA COMMERCIAL REAL ESTATE – SPECIAL
USE
RESOLUTION NO. 2020-_____
Page 5

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

 **CITY OF FRANKLIN** 

REPORT TO THE PLAN COMMISSION

Meeting of October 22, 2020

Special Use and Site Plan

RECOMMENDATION: City Development Staff recommends approval of the Special Use and Site Plan, subject to the conditions in the draft Resolutions.

Project Name:	HSA Franklin.
Project Address:	3825 & 3707 Aspen Way (Formerly 3617 W. Elm Road)
Property Owner:	JHB Properties, LLC
Applicant:	HSA Acquisitions, Inc.
Agent:	Werner H. Briske, Partners in Design
Zoning:	PDD 39
Use of Surrounding Properties:	PDD 39
Applicant Action Requested:	Approval of Site Plan, recommendation to Common Council regarding Special Use

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

INTRODUCTION:

On July 17, 2020., the applicant submitted applications for a Site Plan and Special Use to develop two industrial buildings intended for flexible end users on two parcels located on the newly-created Aspen Way in Planned Development District (PDD) 39. The development does not currently have tenants. The applicants are seeking Special Use approval to accommodate likely future users in the areas of eCommerce, Distribution, and Warehousing, which requires Special Use approval.

A number of approval items are being deferred to future users. Signage is not currently proposed; future tenants will need to request sign approval. Trash enclosures will be designed to meet the needs of future users and will require updating the site plan. The applicant is also not able to specify the desired hours of operation for the development without tenants.

PROJECT DESCRIPTION AND ANALYSIS:

Special Use

This property is located in the “Business Park” area of PDD 39 and subject to the requirements of Section §15-3.0444B with regards to use. In general, the Business Park portion of the PDD is designed to accommodate industrial and other business uses. While specific tenants have not been identified, the applicants hope to attract a variety of possible users as a large, flexible industrial property. They wish to

ensure that future tenants have a smooth occupancy process. Special Use approvals have been requested for:

- eCommerce / Distribution, and Warehousing, which requires Special Use approval per the requirements of §15-3.0444B.B.3
- Overnight parking for vehicles in excess of 8,000 pounds, which requires Special Use approval per §15-3.0444B.D

In addition to the requirements of PDD 39, Special Use applications are subject to §15-3.0701: General Standards for Special Uses. The applicant has provided responses to these standards detailed in the document provided: Special Use Standards and Regulations (Division 15-3.0700) and meets these standards in general.

Site Plan

The two buildings, located in the “Business Park” part of PDD 39, are designed to present a cohesive façade to Aspen Way. 3825 Aspen Way is 8.03 acres and 3707 Aspen Way is 9.2 acres, a combined total of 17.23 acres. While the proposed buildings are on separate lots, they are being developed jointly. Staff suggests that the applicant clarify the development timeline for each building.

The buildings are each 148,813 square feet large and essentially identical in design. Each building will have four potential primary business entrances on the northern façade, with corner features on the northeast and northwest corners. Business entrances will have canopies. 233 total parking spaces are provided for cars at the front of the building, including 10 total ADA spaces. The rear will include loading bays for delivery traffic for each tenant, and parking for trucks.

A driveway will go between the two buildings and connect to the rear parking area. PDD 39 (ORD2016-2238) requires cross-access for both pedestrian and vehicular circulation. Easements are shown on the proposed site plan. Staff recommends that the applicant submit cross access easements for review and approval prior to the issuance of occupancy permits.

The proposed driveway through Outlot 1 is subject to the approval of the Engineering Department, who note that all driveway cuts will need to meet City requirements, and elevations will need to correspond to the approved grading plans. Staff recommends that the applicant obtain Engineering approval of this driveway prior to any land disturbing activities.

Building materials consist of precast panels, glazing, and metal details such as coping and awnings. The applicant notes that these are typical materials for buildings of this type for the market they hope to attract, however these materials do not conform to the requirements of the PDD. §15-3.0444B.D.4.iii. requires brick, stone, tile, and custom architectural masonry as a preferred primary materials; precast concrete should only be used as a secondary material (§15-3.0444B.D.4.iv). Staff recommends, at a minimum, that the lower third of the public facades reflect higher quality materials The applicant has requested a waiver of this standard, among those detailed below.

Staff notes that, as a condition of the CSM for these lots, City of Franklin DPW trucks must be allowed to turn around in the western driveway until such time as the road connection to the south is completed or a hammerhead installed.

The proposed site design meets requirements regarding the quantity and diversity of plantings for the PDD. Staff suggests selection of a plant other than daylilies (Hemerocallis) among perennial ornamentals, as these are listed as a “caution” plant on the WI Department of Natural Resources invasive species list. The Landscape Surface Ratio or LSR for the PDD is 0.25, meaning that 25% of any individual site must consist of greenspace. This site design for the combined sites provides an

LSR of 0.15. The applicants have provided Site Intensity calculations, and meet the requirement for building size for the site, however due to the quantity of paving for vehicles the greenspace ratio is not met. 3707 W. Aspen Way abuts a stormwater outlot which is a separate parcel and does provide additional greenspace; if the calculation were to include this outlot the LSR would be 0.21.

Area	Acres		Landscape Surface Ratio			Acres
3825 Aspen Way	8.03		PDD 39	0.25	Area Needed	4.31
3707 Aspen Way	9.20		Provided	0.15	Area Provided	2.58
Total	17.23				Difference	1.72
Area	Acres		Landscape Surface Ratio			Acres
Outlot	1.22				Need w Outlot	4.61
Total with Outlot	18.45				Provided w Outlot	3.80
					Difference	0.81
			LSR with Outlot	0.21		

The proposed buildings meet the dimensional standards of the PDD with regard to building height and size, setbacks, and general parking design. However, in a number of respects the applicants would like to request waivers of design standards. These properties are subject to the requirements of both the design standards of PDD 39, and additionally, the 27th St. Design Overlay.

Requested Waivers

The Applicant is requesting waivers of the following standards. Staff suggestions and recommendations are noted below.

PDD No. 39 Design Standards, Section 15-3.0444B.D. Business Park Area Design Standards

1. 15-3.0444B.D.1.a.iv. Parking in front of buildings shall be designed primarily for visitors and high turnover usage with employee parking to be located to the side-yard or rear-yard.
 - a. The applicant requests this requirement be waived, so as to have all employee and visitor parking in front of the buildings. Staff concurs that separation of the public from heavy vehicles would be appropriate and recommends approval of this waiver.
2. 15-3.0444B.D.1a.v.; 1a.vi.; and 4a.xi. Loading and unloading areas shall be screened from adjacent streets and sites utilizing landscaping, berms and/or decorative fences.
 - a. The applicant requests the requirement to screen the rear property line be waived. Staff suggests that the applicant provide additional landscaping on street to the building rear to compensate, and recommends approval of the requested waiver.
3. 15-3.0444B.D.2c.iii. Sidewalks shall be provided along the entire length of any façade containing a public entrance, leaving room for foundation planting beds, and shall connect to existing or planned public sidewalks or pedestrian/bike facilities.
 - a. The applicant requests to provide pedestrian facilities in the parking lot. Staff recommends approval of this waiver. However, staff notes the intent to provide a multi-use trail on Aspen Way, and recommends that the applicant provide bicycle parking amenities.
4. 15-3.0444B.D.4a.iii. and iv. Brick, stone, tile, and custom architectural masonry units are preferred primary materials for the solid (non-window) portion of new buildings or additions. iv. Precast concrete, cast stone, plan/smooth concrete masonry units and EIFS are acceptable accent and secondary materials for the solid portion of any buildings or additions.

- a. The applicant requests to be permitted to use articulated, painted precast concrete wall panels for the exterior walls *Staff recommends, at a minimum, that the lower third of the public facades reflect higher quality materials*
5. 15-3.0444B.D.7. Supplemental Design Guidelines. It is intended that the applicable design guidelines set forth in South 27th Street Corridor Plan, and the applicable design standards in the South 27th Street Design Overlay District, be utilized - as a supplemental guide - to the mandatory design standards set forth elsewhere in this [PDD 39] Ordinance.
- a. The applicant requests certain waivers of the 27th St. Design Overlay (§15-3.0350)
 - b. Specific 27th St. Design Overlay waiver requests are below:

UDO, Part 3, Division 15-3.0350, Section 15-3.0351 – South 27th Street Design Overlay District

The 27th St Design Overlay ordinance states that the overlay’s intent is for 27th street to “be a local, regional and statewide destination for people to work, live, shop, recreate, and interact with one another.” While the standards of the overlay are entirely appropriate for retail or office users, the Business Park section of the PDD is intended for industrial users. Many of the standards are encourage design features geared towards an attractive commercial, public-facing aesthetic. They are not appropriate for industrial users, and staff believes it would be appropriate to waive several of them. *Staff recommends that Plan Commission waive the following.*

1. 15-3.0352.A. Parking required and Location Regulated. Not more than 50% of the off-street parking spaces shall be located directly between the front façade of the building and the public street
 - a. The applicant requests to have all employee and visitor parking in front of the buildings. See also Item 1a.iv. in the PDD No. 39 above.
2. 15-3.0353.C.4. Sidewalks shall be provided along the entire length of any façade containing a public entrance, leaving room for foundation planting beds.
 - a. The applicant requests to provide pedestrian facilities in the parking lot. See also Item 2.c.iii. in the PDD No. 39 above.
3. 15-3.0353.C.7. The building shall provide awnings or other weather protection features within 30 feet of all customer entrances along a building.
 - a. The applicant requests to have canopies or awnings only at tenant entrances.
4. 15-3.0353.G. Central Areas/Features. Each development which contains a building over 50,000 square feet in area shall provide public central area(s).
 - a. The applicant requests this requirement be waived.
5. 15-3.0355.B.5.a. Decorative devices at the roofline.
 - a. The applicant requests to use simple metal coping.
6. 15-3.0355.B.7.a. Windows which allow views to the interior activity or display areas
 - a. The applicant requests this requirement be waived.
7. 15-3.0355.C.5 Building Design. A minimum of 20% of all the combined facades of the structure shall employ actual façade protrusions or recesses A minimum of 20% of all of the combined linear roof eave or parapet lines of the structure shall employ differences in height. Roofs with particular slopes may be required by the City to complement existing buildings or otherwise establish a particular aesthetic objective. Ground floor facades that face and are on properties that are in any part within 100 feet of public streets shall have arcades, display windows, entry areas, awnings, or other such features along no less than 50% of their horizontal length. The integration of windows into building design is strongly encouraged.
 - a. The applicant requests: “The proposed design provides façade articulation in the form of precast recesses and projections at the entrance areas for a total of 19.76% of each building’s perimeter. The proposed design also provides varying parapet heights at the entrance areas with a combined percentage of varied parapet being 19.52%. The proposed elevations indicate the relative heights to vary from 1’-2” to 5’-3”. An accent paint scheme and additional glazing are

used to further accentuate the entrance areas. These recesses, projections and elevation changes are appropriate for the visual impact of the entrances and the proportions of each element. The north and west facades are within 100' of the streets. The entries and windows represent 47.0% of the north façade length and 38.0% of the west facade length for a combined total of 45.45%.”

With regards to the following 27th St. Design Overlay items staff does not recommend a waiver. Specific recommendations are:

8. 15-3.0353.E. Bicycle and Pedestrian Amenities Required. The development shall provide secure, integrated bicycle parking and pedestrian furniture in appropriate quantities and location.
 - a. The applicant requests this requirement be waived. *Staff recommends that the applicant provide bicycle parking amenities.*
9. 15-3.0355.B.3.b. Exterior building materials shall convey an impression of durability.
 - a. The applicant requests to use precast concrete wall panels. See also Item 4a.iv. in the PDD No. 39. *Staff recommends, at a minimum, that the lower third of the public facades reflect higher quality materials.*
10. 15-3.0355.C.4. Building Materials.
 - a. The applicant requests to use precast wall panels. See also Item 4a.iv. in the PDD No. 39. *Staff recommends, at a minimum, that the lower third of the public facades reflect higher quality materials.*

Natural Resource Protection Plan

As part of the land division procedure (CSM) to create these parcels, a Natural Resource Protection Plan was submitted and approved. The proposed site plan does not contemplate additional impacts to natural resources which would alter that NRPP.

STAFF RECOMMENDATION:

The Department of City Development staff recommends approval of the Site Plan and Special Use, subject to the conditions in the draft resolutions.

A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS
FOR THE APPROVAL OF A SPECIAL USE FOR THE DEVELOPMENT
OF TWO APPROXIMATELY 150,000 SQUARE FOOT CLASS A SPECULATIVE
INDUSTRIAL BUILDINGS AND FOR THE APPROVAL OF A SPECIAL USE FOR
OVERNIGHT PARKING FOR VEHICLES EXCEEDING 8,000 POUNDS
MANUFACTURED GROSS VEHICLE WEIGHT UPON PROPERTIES
LOCATED AT 3825 WEST ASPEN WAY AND 3707 WEST ASPEN WAY
(BY HSA COMMERCIAL, INC., D/B/A HSA COMMERCIAL REAL
ESTATE, APPLICANT, JHB PROPERTIES, LLC, PROPERTY OWNER)

WHEREAS, HSA Commercial, Inc., d/b/a HSA Commercial Real Estate having petitioned the City of Franklin for the approval of Special Uses within Planned Development District No. 39 (Mixed Use Business Park), to allow for the development of two approximately 150,000 square foot Class A speculative industrial buildings at the west end of Elm Road (eCommerce/warehousing and distribution require a Special Use per Section 15-3.0444BB.3.a.e. of the Unified Development Ordinance) and to allow for overnight parking for vehicles exceeding 8,000 pounds manufactured Gross Vehicle Weight (which requires Special Use approval per Section 15-3.0444B.D.1.a.iii. (Design Standards, addendum to Ordinance No. 2016-2238) of the Unified Development Ordinance) (tenants have yet to be identified), upon properties located at 3825 West Aspen Way and 3707 West Aspen Way, zoned Planned Development District No. 39 (Mixed Use Business Park). The properties which are the subject of the application bear Tax Key Nos. 979-9002-000 and 979-9001-000 and are more particularly described as follows:

All of Lots 1 and 2 of Certified Survey Map No. 9243, being a part of the Northeast 1/4 and Northwest 1/4 of the Southwest 1/4 of Section 36, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin, described as follows: Commencing at the northwest corner of the Southwest 1/4 of said Section 36; Thence South 00°21'57" East along the west line of said Southwest 1/4, 1322.10 feet to the south line of said Certified Survey Map; Thence North 88°35'41" East along said south line, 1109.89 feet to the east right of way line of South Birch Street, the southwest corner of said Lot 2 and the Point of Beginning; Thence North 00°21'34" West along said east right of way line, 524.67 feet; Thence North 44°07'02" East, 15.69 feet to the south right of way line of West Aspen Way; Thence North 88°35'37" East along said south right of way line, 1301.60 feet to the west line of Outlot 1 of said Certified Survey Map; Thence South 01°24'19" East along said west line, 444.63 feet; Thence South 33°35'37" West along said west line, 58.55 feet; Thence South 88°35'41" West along said west line, 144.41 feet; Thence South

HSA COMMERCIAL, INC., D/B/A HSA COMMERCIAL REAL ESTATE – SPECIAL
USE
RESOLUTION NO. 2020-_____
Page 2

01°24'19" East along said west line, 43.00 feet to the aforesaid south line of said Certified Survey Map; Thence South 88°35'41" West along said south line, 1144.38 feet to the Point of Beginning; and

WHEREAS, such petition having been duly referred to the Plan Commission of the City of Franklin for a public hearing, pursuant to the requirements of §15-9.0103D. of the Unified Development Ordinance, and a public hearing having been held before the Plan Commission on the 8th day of October, 2020, and the Plan Commission thereafter having determined to recommend that the proposed Special Uses be approved, subject to certain conditions, and the Plan Commission further finding that the proposed Special Uses upon such conditions, pursuant to §15-3.0701 of the Unified Development Ordinance, will be in harmony with the purposes of the Unified Development Ordinance and the Comprehensive Master Plan; that they will not have an undue adverse impact upon adjoining property; that they will not interfere with the development of neighboring property; that they will be served adequately by essential public facilities and services; that they will not cause undue traffic congestion; and that they will not result in damage to property of significant importance to nature, history or the like; and

WHEREAS, the Common Council having received such Plan Commission recommendation and also having found that the proposed Special Uses, subject to conditions, meet the standards set forth under §15-3.0701 of the Unified Development Ordinance.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the petition of HSA Commercial, Inc., d/b/a HSA Commercial Real Estate, for the approval of Special Uses for the properties particularly described in the preamble to this Resolution, be and the same are hereby approved, subject to the following conditions and restrictions:

1. That these Special Uses are approved only for the use of the subject property by HSA Commercial, Inc., d/b/a HSA Commercial Real Estate, successors and assigns, for two approximately 150,000 square foot Class A speculative industrial buildings, and for overnight parking for vehicles exceeding 8,000 pounds manufactured Gross Vehicle Weight use, which shall be developed in substantial compliance with, and operated and maintained by HSA Commercial, Inc., d/b/a HSA Commercial Real Estate, pursuant to those plans City file-stamped October 1, 2020 and annexed hereto and incorporated herein as Exhibit A.
2. HSA Commercial, Inc., d/b/a HSA Commercial Real Estate, successors and assigns, shall pay to the City of Franklin the amount of all development compliance, inspection and review fees incurred by the City of Franklin, including

HSA COMMERCIAL, INC., D/B/A HSA COMMERCIAL REAL ESTATE – SPECIAL
USE
RESOLUTION NO. 2020-_____
Page 3

fees of consults to the City of Franklin, for the HSA Commercial, Inc., d/b/a HSA Commercial Real Estate two approximately 150,000 square foot Class A speculative industrial buildings, and overnight parking for vehicles exceeding 8,000 pounds manufactured Gross Vehicle Weight Special Uses, within 30 days of invoice for same. Any violation of this provision shall be a violation of the Unified Development Ordinance, and subject to §15-9.0502 thereof and §1-19. of the Municipal Code, the general penalties and remedies provisions, as amended from time to time.

3. The approval granted hereunder is conditional upon the HSA Commercial, Inc., d/b/a HSA Commercial Real Estate two approximately 150,000 square foot Class A speculative industrial buildings, and overnight parking for vehicles exceeding 8,000 pounds manufactured Gross Vehicle Weight Special Uses for the properties located at 3825 West Aspen Way and 3707 West Aspen Way: (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.

BE IT FURTHER RESOLVED, that in the event HSA Commercial, Inc., d/b/a HSA Commercial Real Estate, successors or assigns, or any owner of the subject properties, does not comply with one or any of the conditions and restrictions of this Special Use Resolution, following a ten (10) day notice to cure, and failure to comply within such time period, the Common Council, upon notice and hearing, may revoke the Special Use permission granted under this Resolution.

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

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

HSA COMMERCIAL, INC., D/B/A HSA COMMERCIAL REAL ESTATE – SPECIAL
USE
RESOLUTION NO. 2020-_____
Page 4

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

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

Introduced at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2020.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2020.

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

RESOLUTION NO. 2020-_____

A RESOLUTION APPROVING A SITE PLAN FOR THE DEVELOPMENT OF TWO APPROXIMATELY 150,000 SQUARE FOOT CLASS A SPECULATIVE INDUSTRIAL BUILDINGS WITH ASSOCIATED PARKING, LOADING AREAS, A DRIVEWAY CONNECTION BETWEEN THE TWO BUILDINGS, SIDEWALKS, CROSSWALKS AND A STORMWATER DETENTION POND (3825 WEST ASPEN WAY AND 3707 WEST ASPEN WAY)
(HSA COMMERCIAL, INC., D/B/A HSA COMMERCIAL REAL ESTATE, APPLICANT, JHB PROPERTIES, LLC, PROPERTY OWNER)

WHEREAS, HSA Commercial, Inc., d/b/a HSA Commercial Real Estate having applied for approval of a proposed site plan for the development of two approximately 150,000 square foot Class A speculative industrial buildings at the west end of Elm Road (tenants have yet to be identified), with parking for cars in front of the buildings on the future West Aspen Way and loading areas for trucks at the rear of the building (including overnight truck parking), along with a driveway connection to the rear between the two buildings, street entrances from all future streets, three sidewalks and crosswalks that connect the building entrances to the public sidewalks on the opposite sides of the adjacent streets for pedestrian and bike access, and a stormwater detention pond on the east side of the site in a newly created outlot between the building and South Hickory Street [the proposed buildings are essentially identical, roughly two-story industrial buildings with entrance features on the front, and loading areas at the rear], properties located at 3825 West Aspen Way and 3707 West Aspen Way; and

WHEREAS, the Plan Commission having reviewed such proposal and having found same to be in compliance with the applicable terms and provisions of §15-3.0421 of the Unified Development Ordinance and in furtherance of those express standards and purposes of a site plan review pursuant to Division 15-7.0100 of the Unified Development Ordinance.

NOW, THEREFORE, BE IT RESOLVED, by the Plan Commission of the City of Franklin, Wisconsin, that the Site Plan for the development of two approximately 150,000 square foot Class A speculative industrial buildings at the west end of Elm Road, with parking for cars in front of the buildings on the future West Aspen Way and loading areas for trucks at the rear of the building (including overnight truck parking), along with a driveway connection to the rear between the two buildings, street entrances from all future streets, three sidewalks and crosswalks that connect the building entrances to the public sidewalks on the opposite sides of the adjacent streets for pedestrian and bike access, and a stormwater detention pond on the east side of the site in a newly created outlot between the building and South Hickory Street, as depicted upon the plans dated October 1, 2020, attached hereto and incorporated herein, is hereby approved, subject to the following terms and conditions:

HSA COMMERCIAL, INC., D/B/A HSA COMMERCIAL REAL ESTATE – SITE PLAN
RESOLUTION NO. 2020-_____

Page 2

1. The property subject to the Site Plan shall be developed in substantial compliance with, and operated and maintained pursuant to the Site Plan for the HSA Commercial, Inc., d/b/a HSA Commercial Real Estate industrial buildings dated October 1, 2020.
2. HSA Commercial, Inc., d/b/a HSA Commercial Real Estate, successors and assigns, and any developer of the HSA Commercial, Inc., d/b/a HSA Commercial Real Estate industrial buildings development 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, for the HSA Commercial, Inc., d/b/a HSA Commercial Real Estate industrial buildings development project, within 30 days of invoice for same. Any violation of this provision shall be a violation of the Unified Development Ordinance, and subject to §15-9.0502 thereof and §1-19. of the Municipal Code, the general penalties and remedies provisions, as amended from time to time.
3. The approval granted hereunder is conditional upon the HSA Commercial, Inc., d/b/a HSA Commercial Real Estate industrial buildings development project for the properties located at 3825 West Aspen Way and 3707 West Aspen Way: (i) being in compliance with all applicable governmental laws, statutes, rules, codes, orders and ordinances; and (ii) obtaining all other governmental approvals, permits, licenses and the like, required for and applicable to the project to be developed and as presented for this approval.
4. That the HSA Commercial, Inc., d/b/a HSA Commercial Real Estate industrial buildings development project shall be developed and constructed pursuant to such Site Plan within one year from the date of adoption of this Resolution, or this Resolution and all rights and approvals granted hereunder shall be null and void, without any further action by the City of Franklin.
5. The applicant shall obtain a waiver from the Plan Commission of the Planned Development District No. 39 (Mixed Use Business Park) Design Standards Section 15-3.0444B.D.1.a.iv. (Parking required and location regulated).
6. The applicant shall obtain a waiver from the Plan Commission of the Planned Development District No. 39 (Mixed Use Business Park) Design Standards Section 15-3.0444B.D.1.a.v.; 1.a.vi.; and 4.a.xi. (Parking required and location regulated) (Building Character and Design regulated) provided that the applicant provide additional landscaping on streets adjacent to the rear of the building.
7. The applicant shall obtain a waiver from the Plan Commission of the Planned Development District No. 39 (Mixed Use Business Park) Design Standards Section

HSA COMMERCIAL, INC., D/B/A HSA COMMERCIAL REAL ESTATE – SITE
PLAN

RESOLUTION NO. 2020-_____

Page 3

- 15-3.0444B.D.2.c.iii. (Bicycle and pedestrian amenities) provided that the applicant provide bicycle parking amenities.
8. The applicant shall obtain a waiver from the Plan Commission of the Planned Development District No. 39 (Mixed Use Business Park) Design Standards Section 15-3.0444B.D.4.a.iii. and iv. (Building Character and Design) provided that the applicant provide that the lower third of the public facades reflect higher quality materials.
 9. The applicant shall obtain a waiver from the Plan Commission of the South 27th Street Design Overlay District Standards Section 15-3.0352.A. (Parking required and location regulated).
 10. The applicant shall obtain a waiver from the Plan Commission of the South 27th Street Design Overlay District Standards Section 15-3.0353.C.4. (Pedestrian considerations).
 11. The applicant shall obtain a waiver from the Plan Commission of the South 27th Street Design Overlay District Standards Section 15-3.0353.C.7. (Pedestrian considerations) provided that the applicant include canopies at tenant entrances.
 12. The applicant shall obtain a waiver from the Plan Commission of the South 27th Street Design Overlay District Standards Section 15-3.0353.E. (Bicycle and pedestrian amenities required) provided that the applicant provide bicycle parking amenities.
 13. The applicant shall obtain a waiver from the Plan Commission of the South 27th Street Design Overlay District Standards Section 15-3.0353.G. (Central Areas/Features).
 14. The applicant shall obtain a waiver from the Plan Commission of the South 27th Street Design Overlay District Standards Section 15-3.0355.B.3.b. (Building Materials and Colors) provided that the applicant provide that the lower third of the public facades reflect higher quality materials.
 15. The applicant shall obtain a waiver from the Plan Commission of the South 27th Street Design Overlay District Standards Section 15-3.0355.B.5.a. (Building Façades).

16. The applicant shall obtain a waiver from the Plan Commission of the South 27th Street Design Overlay District Standards Section 15-3.0355.B.7.a. (Windows).
17. The applicant shall obtain a waiver from the Plan Commission of the South 27th Street Design Overlay District Standards Section 15-3.0355.C.4. (Building Materials) provided that the applicant provide that the lower third of the public facades reflect higher quality materials.
18. The applicant shall obtain a waiver from the Plan Commission of the South 27th Street Design Overlay District Standards Section 15-3.0355.C.5 (Building Design).
19. The applicant shall submit cross access easements for approval and recording prior to the issuance of occupancy permits.
20. The applicant shall obtain Engineering approval of any driveway prior to any land disturbing activities.

Introduced at a regular meeting of the Plan Commission of the City of Franklin this _____ day of _____, 2020.

Passed and adopted at a regular meeting of the Plan Commission of the City of Franklin this _____ day of _____, 2020.

APPROVED:

Stephen R. Olson, Chairman

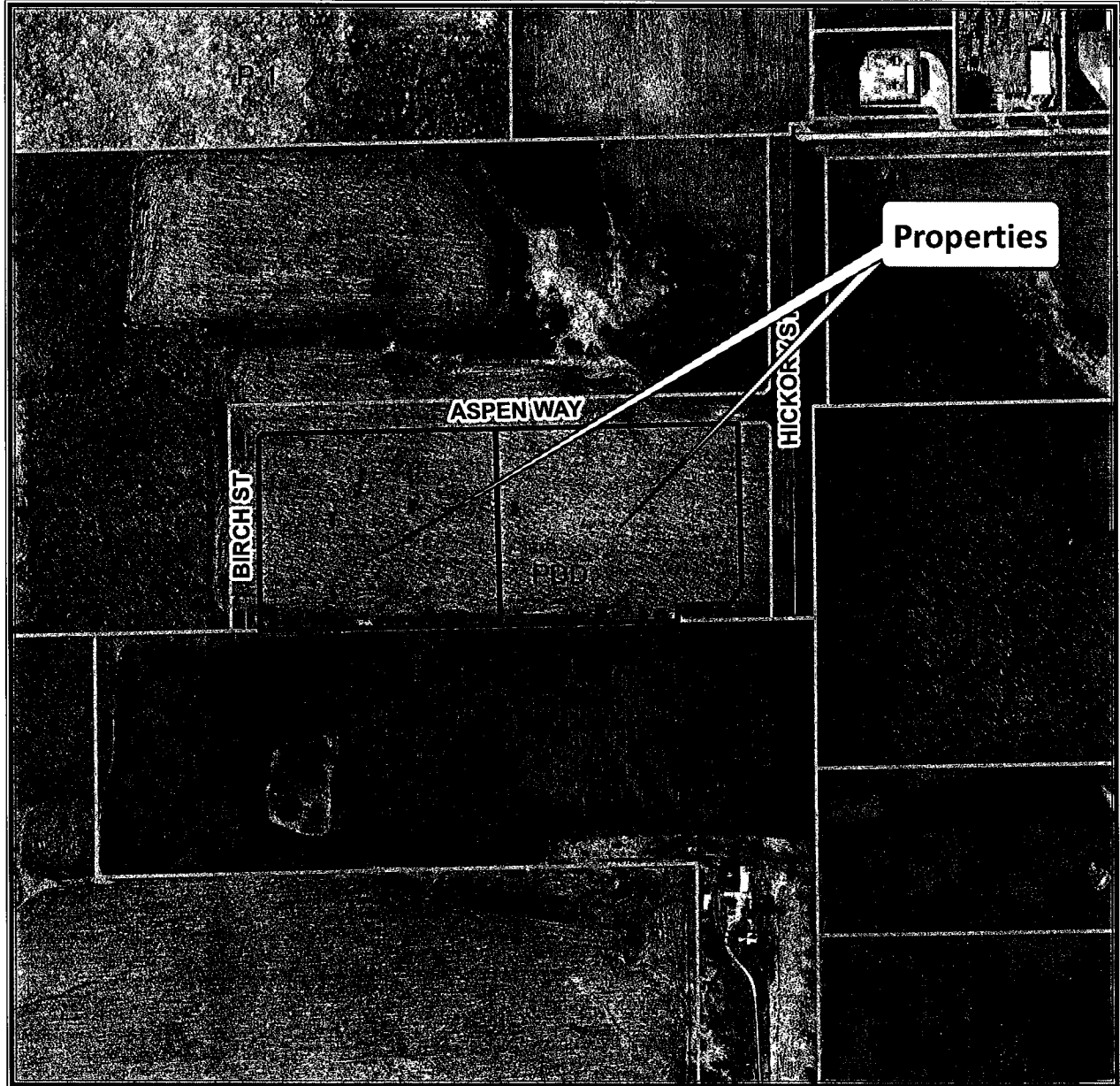
ATTEST:

Sandra L. Wesolowski, City Clerk

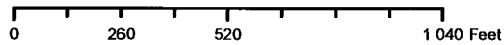
AYES _____ NOES _____ ABSENT _____



3707 & 3825 W. Aspen Way
TKNs: 979 9001 000 & 979 9002 000



Planning Department
(414) 425-4024

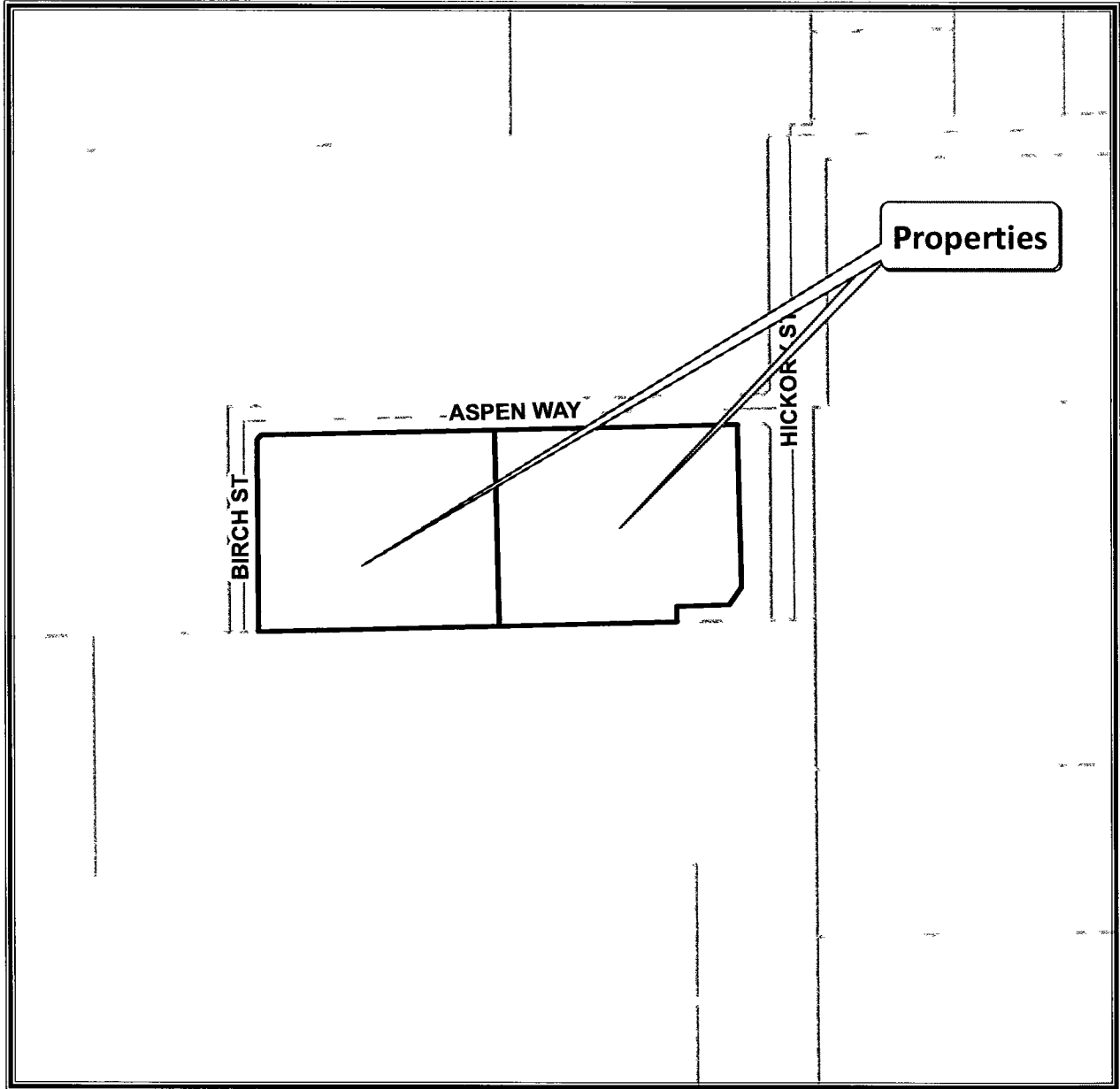


2017 Aerial Photo

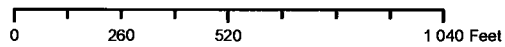
This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor. This map is provided for informational purposes only and may not be sufficient or appropriate for legal engineering or surveying purposes.



3707 & 3825 W. Aspen Way
TKNs: 979 9001 000 & 979 9002 000



Planning Department
(414) 425-4024



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



2017 Aerial Photo

City of Franklin

Department of City Development

Date: September 14, 2020

To: HSA Acquisitions, Inc.

From: City Development Staff

RE: Special Use and Site Plan – 3825 & 3707 Aspen Way - Staff Comments

Please be advised that City Staff has reviewed the above application. Department comments are as follows for the Special Use and Site Plan applications submitted by HSA Acquisitions, Inc. and date stamped by the City of Franklin on July 17, 2020. Our responses are indicated in red below

Department of City Development

The Proposed site plans and special use applications are for lots 1 and 2 of CSM 9243 in the Franklin Corporate Park. The property is zoned Planned Development District (PDD) 39.

Site Plan

This property is located in the *Business Park* area of PDD 39 and subject to the requirements of Section §15-3.0444B. In addition to the requirements of PDD 39, Site Plan applications are subject to the standards of §15-7.0100: Site Plan review and Division 15-3.0350: 27th St. Overlay Design Standards.

- 1) City Staff reviewed Site Plan information from sheets C-4/C-16 and C-3/C-16 of the Civil Set, and A1.1 of the Architectural Set (among others), to provide these comments. Please provide a single consolidated site plan submittal for the proposed development for Plan Commission review. A Additional Consolidated site plan information has been added to Sheet A1 1 Refer to civil and landscape drawings for specific and more detailed information as needed

Planned Development District (PDD) 39 Requirements

- 2) Please verify that rear parking facilities meet the required 10' setback per table §15-3.0444B on a consolidated site plan. The setback is indicated on the architectural set but parking is not depicted; on the civil set the setback is not shown where parking is depicted. Confirmed The consolidated site plan shows and notes a "10' parking setback" on the south property line
- 3) Note that no parking will be permitted on any street, driveway, or any place in the District other than in approved parking spaces, and overnight parking of recreational vehicles is prohibited (§15-3.0444B.D.1.i. and ii.) A note has been added to the consolidated site plan
- 4) Overnight parking of trucks and service vehicles under 8,000 pounds Gross Vehicle Weight shall be behind landscape screening so as to minimize visibility from adjacent roadways as required by §15-3.0444B D A note has been added to the consolidated site plan
- 5) Please provide sign information for Plan Commission review and approval, as required by §15-3.0444B.D.5. In addition to Plan Commission approval, signage requires permitting from Inspection Services. Note that wall signs are prohibited. Will there be any additional signage at building entrances? If multitenant monument signs are proposed, staff suggests that the applicant request

approval of proposed monument signs now so that future refacings of signage may be evaluated by staff without requiring further Plan Commission review. Ownership has decided to defer the signage submittal and review for later, after a tenant is identified

- 6) Note that screening is required for service, utility, and mechanical areas both on the roof, and on the ground. Please indicate screening on elevations and site plans. Notes have been added to the consolidated site plan and exterior elevations
- 7) Requested waivers to PDD 39 Design Standards are noted and must be submitted to Plan Commission for review. Below are our requested waivers that have been previously submitted. Text in this response is in black for the standard, blue for the requested exceptions and green for areas where we exceed design standards as originally submitted

PDD No. 39 Design Standards, Section 15-3.0444B.D. Business Park Area Design Standards

Item 1a,iii. Overnight parking of trucks and service vehicles over 8,000 pounds manufactured Gross Vehicle Weight shall be allowed only with a Special Use. Overnight parking of trucks and service vehicles under 8,000 pounds Gross Vehicle Weight shall be behind landscape screening so as to minimize visibility from adjacent roadways.

Request: We are requesting a special use to allow trucks and service vehicles to park in the truck court overnight.

Item 1a,iv. Parking in front of buildings shall be designed primarily for visitors and high turnover usage with employee parking to be located to the side-yard or rear-yard.

Request: In the design of industrial buildings, the goal is to separate the car traffic from truck traffic for safety purposes. All of the employee and visitor car parking is located in parking lots on the north side of the buildings and any truck maneuvering being confined to the south sides of the buildings.

Item 1a,v. Loading and unloading areas shall be screened from adjacent streets and sites utilizing landscaping, berms and/or decorative fences.

Provided: Although allowed in the side yard, loading and unloading areas are limited entirely to the rear yard and are well screened from views from the adjacent streets.

Item 1a,vi. All parking, loading, and unloading areas shall be screened from adjacent streets and sites utilizing landscaping, berms, and/or decorative fences.

Request: The car parking and truck court (loading area) will be screened from the public streets via berms and landscaping. Screening to the south is not practical since there is a significant grade change and slope upward. Screening efforts in this location would not have any appreciable or useful effect.

Item 2a,i. Not less than one-half of the required building setback area from any dedicated street shall be devoted solely to lawns, trees, shrubs, and other landscaping.

Provided: The proposed plan provides for 60% of the building setback area to be devoted to lawns, trees, shrubs and other landscaping – a 20% improvement over the requirement. While

not included in this calculation because it is technically an outlot, the east wall of Building 1 is set back from S. Hickory Street no less than 111' and this entire area is dedicated to a stormwater pond, lawn, trees and other landscaping.

Item 2c,iii. Sidewalks shall be provided along the entire length of any façade containing a public entrance, leaving room for foundation planting beds, and shall connect to existing or planned public sidewalks or pedestrian/bike facilities.

Request: The proposed plan provides three sidewalks and crosswalks that connect the building entrances to the public sidewalks on the opposite sides of the adjacent streets in lieu of a continuous walk across the front of the buildings. We feel that this provides more direct pedestrian access between the building entrances and the public sidewalk. It also allows us to maintain a wider landscape strip between the building and the parking lot and have less total impervious area on the site.

Item 4a,iii. Brick, stone, tile, and custom architectural masonry units are preferred primary materials for the solid (non-window) portion of new buildings or additions. **iv.** Precast concrete, cast stone, plain/smooth concrete masonry units and EIFS are acceptable accent and secondary materials for the solid portion of any buildings or additions.

Request: Articulated, painted precast concrete wall panels are utilized for the exterior walls of the building. This is the industry standard for a Class A building of this type. No concrete masonry units or EIFS is used in the buildings.

Item 4a,xi. Outside loading docks shall be located to the side-yard or rear-yard and screened from view from adjacent streets and sites by extended building walls, berms, decorative fencing, and/or landscaping.

Provided: Similar to I.a.v. above, although allowed in the side yard, loading docks are limited entirely to the rear yard and are well screened from views from the adjacent streets with berms and landscaping.

Item 7. Supplemental Design Guidelines. It is intended that the ***applicable*** design guidelines set forth in South 27th Street Corridor Plan, and the ***applicable*** design standards in the South 27th Street Design Overlay District, be utilized - ***as a supplemental guide*** - to the mandatory design standards set forth elsewhere in this Ordinance pertaining to the Business Park Area portion of the Planned Development District No. 39. The purpose of these supplemental guidelines are to serve as general recommendations to further encourage good quality design in new building and site design, which in turn will support an attractive, interesting, safe, and sustainable District. It is also intended that these supplemental guidelines serve as the supplemental design elements or improvements to be incorporated into any project which requires compensation for any waiver of the additional design standard as set forth in this Ordinance. In particular, it is ***encouraged*** that the design standards, set forth in Section 15-3.0355B and Section 15-3.0355C of South 27th Street Design Overlay District ***be considered***.

Response: The intent as identified in bold text above is noted to encourage considering use of the Supplemental Design Guidelines where applicable, as a supplemental guide. In line with our intent to provide an industrial building which is aesthetically pleasing and appropriate for

its use and location in the business park, the following indicates how the proposed design relates to these encouraged guidelines. Per our discussions with the City, these guidelines are considerably less important for the site of these buildings than they are for more prominent locations.

- a) §15-3.0444B.D.4.iii. requires brick, stone, tile, and custom architectural masonry as a preferred primary materials; precast concrete should only be used as a secondary material (§15-3.0444B.D.4.iv). Staff recommends, at a minimum, that the lower third of the public facades reflect higher quality materials. In addition to our previous submittal, we would like to add the following response Brick, stone, tile and custom architectural masonry materials are not appropriate for a large warehouse facility Load bearing precast wall panels are industry standard and provide an efficient and sustainable solution addressing enclosure and structure Also, of this type due to the height of these buildings, and the material's thermal bowing, applied materials can be problematic Additionally, based on market studies and previous projects, the industrial market does not support the additional cost to provide these materials

Unified Development Ordinance (UDO) Requirements

- 8) Please provide Site Intensity and Site Capacity Calculations as required by §15-7.0100.C. Calculations may be completed using the procedure described by §15-3.0500. The worksheet calculation has been added
- 9) §15-7.0100.G. requires Natural Resource Features Protection. This site plan must conform to the Natural Resource Protection Plan approved with CSM 9243. Should the site plan propose revisions to that NRPP, they are subject to technical review by staff, in accordance with §15-7.0103.Q Please verify that the proposed development is in conformance with that NRPP. Acknowledged and confirmed
- 10) §15-7.0103.K. requires that the site plan depict the location and design of any waste disposal and/or loading facility. Please include the location of trash enclosures or indicate their access points if they are internal to buildings. A note has been added to the consolidated site plan explaining that this information shall be provided and reviewed under a separate future tenant build-out submittal, once specific needs are known
- 11) Please indicate the owner's and/or developer's name and address on the Site Plan as required by §15-7.0103.B. The name has been added to the consolidated site plan The Owner/Developer is Franklin WI Industrial, LLC identified as HSA Commercial in the submitted documents
- 12) As required by §15-7.0103.H. please include the number of parking spaces provided, and the number of ADA parking spaces provided, on a consolidated site plan. A project summary table has been added to the consolidated site plan which includes this information
- 13) Please include building height in both feet, and stories, on the site plan, as required by §15-7.0103.J A project summary table has been added to the consolidated site plan which includes this information
- 14) Note that §15-7.0103.P requires that approval of stormwater plans are a condition of approval for any Site Plan. Please verify that stormwater requirements for the site have been met. The stormwater plans have been submitted and approved

- 15) §15-7.0103X requires that the site plan depict the location of all existing and proposed easements on the site including natural resource protection and mitigation area easements, landscape easements, access easements, utility easements, and all other easements. Note that mid-block utility easements are required for this Site Plan. All existing easements and proposed easements have been added to the consolidated site plan
- 16) Please indicate snow storage areas on the site plan, in accordance with §15-5.0210 The snow storage areas have been added to the consolidated site plan and the landscape plans
- 17) Requested waivers to 27th St. Overlay Design Standards (Division 15-3.0350) are noted and must be submitted to Plan Commission for review. Below are our requested waivers that have been previously submitted Text in this response is in black for the standard, blue for the requested exceptions and green for areas where we exceed design standards as originally submitted It is our understanding that these standards were written for retail oriented developments and the Village is currently reviewing what requirements, if any, are relevant to our industrial project

Village of Franklin Zoning, Chapter UDO, Part 3, Division 15-3.0350, Section 15-3.0351 – South 27th Street Design Overlay District

15-3.0352.A. Parking required and Location Regulated. Not more than 50% of the off-street parking spaces shall be located directly between the front façade of the building and the public street, unless additional buildings in the overall development are or will be located between the main building and the public street. Such additional buildings must be sufficient in size, location, and number to provide an effective visual break between the public street and the parking lot.

Request: As also stated in response to Item 1a.iv. in the PDD No. 39 above, in the design of industrial buildings, the goal is to separate the car traffic from truck traffic for safety purposes. All of the employee and visitor car parking is located in parking lots on the north side of the buildings and any truck maneuvering being confined to the south sides of the buildings.

15-3.0353.C.4. Sidewalks shall be provided along the entire length of any façade containing a public entrance, leaving room for foundation planting beds.

Request: As also stated in response to Item 2.c.iii. in the PDD No. 39 above, the proposed plan provides three sidewalks and crosswalks that connect the building entrances to the public sidewalks on the opposite sides of the adjacent streets in lieu of a continuous walk across the front of the buildings. We feel that this provides more direct pedestrian access between the building entrances and the public sidewalk. It also allows us to maintain a wider landscape strip between the building and the parking lot and have less total impervious area on the site.

15-3.0353.C.7. The building shall provide awnings or other weather protection features within 30 feet of all customer entrances along a building.

Request: The proposed design provides canopies at each of the proposed tenant entrances to accent the entries and provide rain cover while the pedestrian enters the building. Canopies or awnings beyond this are not typical for buildings of this type.

15-3.0353.E. Bicycle and Pedestrian Amenities Required. The development shall provide secure, integrated bicycle parking and pedestrian furniture in appropriate quantities and location.

Request: The proposed design does not include bicycle racks or pedestrian furniture. These are not typical for buildings of this type. These amenities can be provided by the individual tenants if they choose to.

15-3.0353.G. Central Areas/Features. Each development which contains a building over 50,000 square feet in area shall provide central area(s) or feature(s) such as a patio/seating area, pedestrian plaza with benches, outdoor playground area, water feature, and/or other such deliberately designated areas or focal points that adequately enhance the development or community. All such areas shall be openly accessible to the public, connected to the public and private sidewalk system, designed with materials compatible with the building and remainder of the site, and maintained over the life of the building and project.

Request: The proposed design does not include any central area/feature. These are not typical for buildings of this type.

15-3.0355.B.3.b. Exterior building materials shall convey an impression of durability. Materials such as masonry, stone, stucco, and wood are encouraged. Metal is not allowed as the primary exterior building material, though it may be used for accents including awnings.

Request: As also stated in response to Item 4a.iv. in the PDD No. 39 above, articulated, painted precast concrete wall panels are utilized for the exterior walls of the building. This is the industry standard for a Class A building of this type.

15-3.0355.B.5.a. Decorative devices – such as molding, entablature, and friezes – are expected at the roofline. Where such ornamentation is present in the form of a linear molding or board, the band must be at least eight inches wide.

Request: The proposed design includes a simple color coordinated metal coping at the top of the wall.

15-3.0355.B.6. Change in Relief of Building. Buildings must include changes in relief on at least 10% of their primary façade for pedestrian interest and scale. Relief changes include cornices, bases, fenestration, fluted masonry, or other treatments.

Provided: The proposed design provides façade articulation in the form of precast recesses and projections at the entrance areas for a total of 35.67% of the building's north facade. In addition, there are grade level windows, clerestory windows and paint changes to provide further visual interest/relief.

15-3.0355.B.7.a. Windows which allow views to the interior activity or display areas are expected. Windows shall include sills at the bottom and pediments at the top. Glass curtain walls, reflective glass, and painted or darkly tinted glass shall not be used.

Request: The glazing at these buildings will typically be to office areas that are part of the overall function of the tenant's operations. These are not typically retail or showroom display areas as seem to be intended by the language in the standards. This requirement would appear to not be applicable in this location.

15-3.0355.C.4. Building Materials. Building materials shall be unified throughout the building, and shall complement other buildings in the vicinity. Exterior building materials shall be of high and

comparable aesthetic quality on all sides. Building materials such as glass, brick, decorative concrete block, or stucco shall be used. Decorative architectural metal with concealed fasteners may be approved if sensitively incorporated into the overall design of the building.

Request: As also stated in response to Item 4a.iv. in the PDD No. 39 above, articulated, painted precast concrete wall panels are utilized for the exterior walls of the building. This is the industry standard for a Class A building of this type.

15-3.0355.C.5 Building Design. The building exterior shall be unified in design throughout the structure, and shall complement other buildings in the vicinity. The building shall employ varying building setbacks, height, roof treatments, door and window openings, and other structural and decorative elements to reduce apparent size and scale. A minimum of 20% of all the combined facades of the structure shall employ actual façade protrusions or recesses. A minimum of 20% of all of the combined linear roof eave or parapet lines of the structure shall employ differences in height, with such differences being six feet or more as measured eave to eave or parapet to parapet for buildings over 50,000 square feet. Roofs with particular slopes may be required by the City to complement existing buildings or otherwise establish a particular aesthetic objective. Ground floor facades that face and are on properties that are in any part within 100 feet of public streets shall have arcades, display windows, entry areas, awnings, or other such features along no less than 50% of their horizontal length. The integration of windows into building design is strongly encouraged.

Request: The proposed design provides façade articulation in the form of precast recesses and projections at the entrance areas for a total of 19.76% of each building's perimeter. The proposed design also provides varying parapet heights at the entrance areas with a combined percentage of varied parapet being 19.52%. The proposed elevations indicate the relative heights to vary from 1'-2" to 5'-3". An accent paint scheme and additional glazing are used to further accentuate the entrance areas. These recesses, projections and elevation changes are appropriate for the visual impact of the entrances and the proportions of each element. The north and west facades are within 100' of the streets. The entries and windows represent 47.0% of the north façade length and 38.0% of the west façade length for a combined total of 45.45%.

15-3.0355.C.6 Building Entrances. Public building entryways shall be clearly defined and highly visible on the buildings exterior design, and shall be emphasized by on-site traffic flow patterns. Two or more of the following design features shall be incorporated into all public building entryways: canopies or porticos, overhangs, projections, arcades, peaked roof forms, arches, outdoor patios, display windows, distinct architectural details. Unless exempted by the Plan Commission all sides of the building that directly face or abut a public street or public parking area shall have at least one public entrance, except that the City shall not require building entrances on more than two sides of any building.

Request: The proposed design includes two primary corner entrances and two secondary entry features for each building. There are also additional windows provided to either side of the corner entrances. All entries include canopies, storefront glazing and distinct painting treatments.

B. Special Standards for Specified Special Uses. When the zoning district regulations authorize a special use in a particular zoning district and that special use is indicated as having special standards, as set forth in Section 15-3.0702 and 15-3.0703 of this Division, a Special Use Permit for

such use in such zoning district shall not be recommended or granted unless the applicant shall establish compliance with all such special standards.

Response: The applicant is requesting that business classifications of eCommerce Fulfillment, Warehousing, and Distribution uses are considered Permitted Uses, which may be approved by the Zoning Administrator, and not subject to the requirements of Section 15-3.0702 and 15-3.0703.

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

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

Response: The proposed Class A Industrial development will be attractive to many different types of industrial operations who will be looking to capitalize on the access that the newly constructed Elm Boulevard provides to Interstate 94. The development will lead to an immediate return on investment of the Elm Boulevard public infrastructure project as well as a catalyst project for TID 4 which will establish immediate assessed property value increment.

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

Response: The proposed Class A Industrial development site presents an optimal site plan layout which is inclusive of all of the amenities that progressive industrial tenants are searching for. The site is located in the Business Park section of TID 4 which allows the community of Franklin to attract immediate investment and increment, while preserving future development sites closer to the 27th Street corridor for signature corporate headquarter developments.

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

Response: The proposed Class A development promotes maximum density development which maximizes the Per Acre assessed value of land in the community. HSA Commercial was drawn to the pristine natural features of the community of Franklin and they have long been a proponent of creating sustainable long-term development that protects the environment. Maximum Per Acre development ensures that the community maximizes property value while also protecting its natural resources. The opportunity to leverage the natural environment surrounding the

development as part of necessary greenspace requirements will ensure that the community of Franklin will experience both a development that blends into the natural environment and a development that immediately provides a return on investment to the community in TID 4.

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

Response: The proposed development will be the first, Class A Industrial development in the Business Park and it will set the bar for the redevelopment of several outdated industrial properties along the Elm Boulevard corridor.

Special Use

This property is located in the *Business Park* area of PDD 39 and subject to the requirements of Section §15-3.0444B with regards to use. In addition to the requirements of PDD 39, Special Use applications are subject to §15-3.0701: General Standards for Special Uses.

18) Special Use requests are noted: Acknowledged

- a) eCommerce / Distribution, and Warehousing, requires Special Use approval per the requirements of §15-3.0444B.B.3
- b) Overnight parking for vehicles in excess of 8,000 pounds, requires Special Use approval per §15-3.0444B.D

19) Please provide information about the desired hours of operation. Our project is a speculative industrial shell building. The hours of operation will be tenant specific and will be provided and reviewed under a separate future tenant build-out submittal

Additional Planning Comments

20) Staff recommends buildings be setback a minimum of six (6) feet from any conservation easement boundary to allow construction of the building without disturbance or impact to the protected resource feature. Acknowledged. It is our understanding that a conservation easement boundary does not exist on this site per the approved NRPP

21) Note that the proposed driveway through Outlot 1 is subject to the approval of the Engineering Department. Please verify that the driveway has obtained this approval. The proposed driveway access through Outlot 1 as shown on the civil plans is consistent with the approved NRPP

22) Please note that as a condition of the CSM for these lots, City of Franklin DPW trucks are allowed to turn around in the western driveway until such time as the road connection to the south is completed or a hammerhead installed. Acknowledged

23) Retaining wall on the eastern property edge is depicted as 6' high on the civil set for the site plan, but listed as both 4' high and 6' high on the architectural site plan. Please clarify which height is

proposed. The retaining wall label on the civil set for the site plan has been updated, and now reads "300 L F Retaining Wall Height Varies 4' – 6' "

24) PDD 39 (ORD2016-2238) requires cross-access for both pedestrian and vehicular circulation. Staff recommends that the applicant depict cross access on the site plan, and submit easements for review and approval. Proposed access easements have been added to the consolidated site plan.

Fire Department Comments

The fire department has no comment on the special use.

The fire department approves of the hydrant placement and vehicle access as proposed (must approve any future revisions or amendments). Acknowledged

Legal Department Comments

Please provide the correct legal name for the business/applicant. HSA Acquisitions, Inc. is not listed by the WI Department of Financial Institutions. The Owner/Developer is Franklin WI Industrial, LLC identified as HSA Commercial in the submitted documents

HSA FRANKLIN INDUSTRIAL – FRANKLIN CORPORATE PARK

PROJECT SUMMARY:

The project development will be located in the proposed Business Park district situated at the west end of Elm Road. Franklin WI Industrial, LLC (identified as HSA Commercial in these documents) will be developing two (2) Class A speculative industrial buildings in which tenants have not yet been identified. The proposed development will be a Class A industrial development that reflects best in class design standards for the asset class.

Each building will be approximately 149,400 square feet. The buildings will be constructed with load bearing precast concrete painted wall panels and interior steel columns and roof framing. The proposed design includes two primary corner entrances and two secondary entry features each with their own storefront and canopies. Additional windows and clerestory windows are provided. The car traffic has been separated from truck traffic for safety purposes. Car parking is in front of the building to the north with access from West Aspen Way. Truck loading is to the south with access from South Birch Street and South Hickory Street. A shared access drive will be located between the buildings. Three sidewalks and crosswalks that connect the building entrances to the public sidewalks on the opposite sides of the adjacent streets are provided for pedestrian and bike access. A stormwater detention pond will be located on the east side of the site in a newly created outlet between the building and South Hickory Street. The project is in accordance with the approved Natural Resources Protection Plan.

The estimated project value for the development of the two buildings and site work is \$18,000,000. The estimated project schedule is to break ground on Building I in the fourth quarter of 2020 for completion in the summer of 2021.

DIVISION 15-3.0700

SPECIAL USE STANDARDS AND REGULATIONS

SECTION 15-3.0701

GENERAL STANDARDS FOR SPECIAL USES

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

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

Response: The development will be located in the proposed Business Park district situated at the west end of Elm Road. HSA Commercial will be developing two (2) Class A speculative Industrial buildings in which Tenants have not yet been identified. To ensure the success of the project in the COVID -19 era, in which businesses are making decisions on locations under rapidly accelerated time frames, the applicant is requesting additional uses to be considered as approved Permitted Uses for the development. The current Business Park area zoning approves several use classifications such as Light Industrial and Light Manufacturing as a Permitted Use. The applicant is requesting that business classifications of eCommerce Fulfillment, Warehousing, and Distribution uses are considered Permitted Uses. The proposed development will be a Class A Industrial development that reflects best in class design standards for the asset class. The additional approved permitted uses align with the types of businesses that are expanding in the area which will enhance long term property value and maximize assessed property increment to help support TID 4.

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

Response: The proposed development site is situated on the far west end of Elm Road which is further highlighted in the attached Exhibit "D". To the west and east, the development will be bordered by a large wooded corridor that will likely never be developed. To the north, the development will overlook a future industrial site and a detention pond and environmental corridor. To the south, there will be future Industrial/Business Park development. All employee, vendor and logistics access will be directed to the newly constructed Elm Boulevard which will lead to a new diamond interchange at I-94 less than 1 mile away. The reconstruction of Elm Boulevard to a commercial grade road will ensure that unnecessary traffic does not flow through to sensitive residential areas such as Oakwood Road.

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

Response: Given the natural wooded screening to the west and east of the property, 50% of the development will not have immediate visibility. Future development to the North and South of the development will likely be Industrial/Business Park in nature. The development will also lead directly into the newly constructed commercial grade Elm Boulevard which will lead most traffic directly onto I-94.

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

Response: The development will be serviced by all necessary public utilities, infrastructure, and services.

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

Response: The newly constructed commercial grade Elm Boulevard and I-94 interchange, which is less than 1 mile away, will naturally attract the vast majority of traffic patterns. There should be no reason for traffic from the development to funnel into residential neighborhoods in the area.

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

Response: The proposed development will be located on an unimproved site that is bordered on the west and east by heavily wooded areas that will likely never be developed. Additionally, there will be a detention pond and additional environmental corridor directly north of the development. The proposed development blends into the natural environment and will offer prospective Tenants several nature-based amenities that will help attract growing businesses to the area.

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

As part of our application and this submittal, we are requesting some exceptions to the applicable design standards. The requested exceptions are in blue text below. We are also identifying areas where we exceed the design standards – these are in green text.

PDD No. 39 Design Standards, Section 15-3.0444B.D. Business Park Area Design Standards

Item 1a,iii. Overnight parking of trucks and service vehicles over 8,000 pounds manufactured Gross Vehicle Weight shall be allowed only with a Special Use. Overnight parking of trucks and service vehicles under 8,000 pounds Gross Vehicle Weight shall be behind landscape screening so as to minimize visibility from adjacent roadways.

Request: We are requesting a special use to allow trucks and service vehicles to park in the truck court overnight.

Item 1a,iv. Parking in front of buildings shall be designed primarily for visitors and high turnover usage with employee parking to be located to the side-yard or rear-yard.

Request: In the design of industrial buildings, the goal is to separate the car traffic from truck traffic for safety purposes. All of the employee and visitor car parking is located in parking lots on the north side of the buildings and any truck maneuvering being confined to the south sides of the buildings.

Item 1a,v. Loading and unloading areas shall be screened from adjacent streets and sites utilizing landscaping, berms and/or decorative fences.

Provided: Although allowed in the side yard, loading and unloading areas are limited entirely to the rear yard and are well screened from views from the adjacent streets.

Item 1a,vi. All parking, loading, and unloading areas shall be screened from adjacent streets and sites utilizing landscaping, berms, and/or decorative fences.

Request: The car parking and truck court (loading area) will be screened from the public streets via berms and landscaping. Screening to the south is not practical since there is a significant grade change and slope upward. Screening efforts in this location would not have any appreciable or useful effect.

Item 2a,i. Not less than one-half of the required building setback area from any dedicated street shall be devoted solely to lawns, trees, shrubs, and other landscaping.

Provided: The proposed plan provides for 60% of the building setback area to be devoted to lawns, trees, shrubs and other landscaping – a 20% improvement over the requirement. While not included in this calculation because it is technically an outlot, the east wall of Building 1 is set back from S. Hickory Street no less than 111' and this entire area is dedicated to a stormwater pond, lawn, trees and other landscaping.

Item 2c.iii. Sidewalks shall be provided along the entire length of any façade containing a public entrance, leaving room for foundation planting beds, and shall connect to existing or planned public sidewalks or pedestrian/bike facilities.

Request: The proposed plan provides three sidewalks and crosswalks that connect the building entrances to the public sidewalks on the opposite sides of the adjacent streets in lieu of a continuous walk across the front of the buildings. We feel that this provides more direct pedestrian access between the building entrances and the public sidewalk. It also allows us to maintain a wider landscape strip between the building and the parking lot and have less total impervious area on the site.

Item 4a.iii. Brick, stone, tile, and custom architectural masonry units are preferred primary materials for the solid (non-window) portion of new buildings or additions. **iv.** Precast concrete, cast stone, plain/smooth concrete masonry units and EIFS are acceptable accent and secondary materials for the solid portion of any buildings or additions.

Request: Articulated, painted precast concrete wall panels are utilized for the exterior walls of the building. This is the industry standard for a Class A building of this type. No concrete masonry units or EIFS is used in the buildings.

Item 4a.xi. Outside loading docks shall be located to the side-yard or rear-yard and screened from view from adjacent streets and sites by extended building walls, berms, decorative fencing, and/or landscaping.

Provided: Similar to I.a.v. above, although allowed in the side yard, loading docks are limited entirely to the rear yard and are well screened from views from the adjacent streets with berms and landscaping.

Item 7. Supplemental Design Guidelines. It is intended that the ***applicable*** design guidelines set forth in South 27th Street Corridor Plan, and the ***applicable*** design standards in the South 27th Street Design Overlay District, be utilized - ***as a supplemental guide*** - to the mandatory design standards set forth elsewhere in this Ordinance pertaining to the Business Park Area portion of the Planned Development District No. 39. The purpose of these supplemental guidelines are to serve as general recommendations to further encourage good quality design in new building and site design, which in turn will support an attractive, interesting, safe, and sustainable District. It is also intended that these supplemental guidelines serve as the supplemental design elements or improvements to be incorporated into any project which requires compensation for any waiver of the additional design standard as set forth in this Ordinance. In particular, it is ***encouraged*** that the design standards, set forth in Section 15-3.0355B and Section 15-3.0355C of South 27th Street Design Overlay District ***be considered***.

Response: The intent as identified in bold text above is noted to encourage considering use of the Supplemental Design Guidelines where applicable, as a supplemental guide. In line with our intent to provide an industrial building which is aesthetically pleasing and appropriate for its use and location in the business park, the following indicates how the proposed design relates to these encouraged guidelines. Per our discussions with the City, these guidelines are considerably less important for the site of these buildings than they are for more prominent locations.

**Village of Franklin Zoning, Chapter UDO, Part 3, Division 15-3.0350, Section 15-3.0351
– South 27th Street Design Overlay District**

15-3.0352.A. Parking required and Location Regulated. Not more than 50% of the off-street parking spaces shall be located directly between the front façade of the building and the public street, unless additional buildings in the overall development are or will be located between the main building and the public street. Such additional buildings must be sufficient in size, location, and number to provide an effective visual break between the public street and the parking lot.

Request: As also stated in response to Item 1a.iv. in the PDD No. 39 above, in the design of industrial buildings, the goal is to separate the car traffic from truck traffic for safety purposes. All of the employee and visitor car parking is located in parking lots on the north side of the buildings and any truck maneuvering being confined to the south sides of the buildings.

15-3.0353.C.4. Sidewalks shall be provided along the entire length of any façade containing a public entrance, leaving room for foundation planting beds.

Request: As also stated in response to Item 2.c.iii. in the PDD No. 39 above, the proposed plan provides three sidewalks and crosswalks that connect the building entrances to the public sidewalks on the opposite sides of the adjacent streets in lieu of a continuous walk across the front of the buildings. We feel that this provides more direct pedestrian access between the building entrances and the public sidewalk. It also allows us to maintain a wider landscape strip between the building and the parking lot and have less total impervious area on the site.

15-3.0353.C.7. The building shall provide awnings or other weather protection features within 30 feet of all customer entrances along a building.

Request: The proposed design provides canopies at each of the proposed tenant entrances to accent the entries and provide rain cover while the pedestrian enters the building. Canopies or awnings beyond this are not typical for buildings of this type.

15-3.0353.E. Bicycle and Pedestrian Amenities Required. The development shall provide secure, integrated bicycle parking and pedestrian furniture in appropriate quantities and location.

Request: The proposed design does not include bicycle racks or pedestrian furniture. These are not typical for buildings of this type. These amenities can be provided by the individual tenants if they choose to.

15-3.0353.G. Central Areas/Features. Each development which contains a building over 50,000 square feet in area shall provide central area(s) or feature(s) such as a patio/seating area, pedestrian plaza with benches, outdoor playground area, water feature, and/or other such deliberately designated areas or focal points that adequately enhance the development or community. All such areas shall be openly accessible to the public, connected to the public and private sidewalk system, designed with materials compatible with the building and remainder of the site, and maintained over the life of the building and project.

Request: The proposed design does not include any central area/feature. These are not typical for buildings of this type.

15-3.0355.B.3.b. Exterior building materials shall convey an impression of durability. Materials such as masonry, stone, stucco, and wood are encouraged. Metal is not allowed as the primary exterior building material, though it may be used for accents including awnings.

Request: As also stated in response to Item 4a.iv. in the PDD No. 39 above, articulated, painted precast concrete wall panels are utilized for the exterior walls of the building. This is the industry standard for a Class A building of this type.

15-3.0355.B.5.a. Decorative devices – such as molding, entablature, and friezes – are expected at the roofline. Where such ornamentation is present in the form of a linear molding or board, the band must be at least eight inches wide.

Request: The proposed design includes a simple color coordinated metal coping at the top of the wall.

15-3.0355.B.6. Change in Relief of Building. Buildings must include changes in relief on at least 10% of their primary façade for pedestrian interest and scale. Relief changes include cornices, bases, fenestration, fluted masonry, or other treatments.

Provided: The proposed design provides façade articulation in the form of precast recesses and projections at the entrance areas for a total of 35.67% of the building's north facade. In addition, there are grade level windows, clerestory windows and paint changes to provide further visual interest/relief.

15-3.0355.B.7.a. Windows which allow views to the interior activity or display areas are expected. Windows shall include sills at the bottom and pediments at the top. Glass curtain walls, reflective glass, and painted or darkly tinted glass shall not be used.

Request: The glazing at these buildings will typically be to office areas that are part of the overall function of the tenant's operations. These are not typically retail or showroom display areas as seem to be intended by the language in the standards. This requirement would appear to not be applicable in this location.

15-3.0355.C.4. Building Materials. Building materials shall be unified throughout the building, and shall complement other buildings in the vicinity. Exterior building materials shall be of high and comparable aesthetic quality on all sides. Building materials such as glass, brick, decorative concrete block, or stucco shall be used. Decorative architectural metal with concealed fasteners may be approved if sensitively incorporated into the overall design of the building.

Request: As also stated in response to Item 4a.iv. in the PDD No. 39 above, articulated, painted precast concrete wall panels are utilized for the exterior walls of the building. This is the industry standard for a Class A building of this type.

15-3.0355.C.5 Building Design. The building exterior shall be unified in design throughout the structure, and shall complement other buildings in the vicinity. The building shall employ varying building setbacks, height, roof treatments, door and window openings, and other structural and decorative elements to reduce apparent size and scale. A minimum of 20% of all the combined facades of the structure shall employ actual façade protrusions or recesses

A minimum of 20% of all of the combined linear roof eave or parapet lines of the structure shall employ differences in height, with such differences being six feet or more as measured eave to eave or parapet to parapet for buildings over 50,000 square feet. Roofs with particular slopes may be required by the City to complement existing buildings or otherwise establish a particular aesthetic objective. Ground floor facades that face and are on properties that are in any part within 100 feet of public streets shall have arcades, display windows, entry areas, awnings, or other such features along no less than 50% of their horizontal length. The integration of windows into building design is strongly encouraged.

Request: The proposed design provides façade articulation in the form of precast recesses and projections at the entrance areas for a total of 19.76% of each building's perimeter. The proposed design also provides varying parapet heights at the entrance areas with a combined percentage of varied parapet being 19.52%. The proposed elevations indicate the relative heights to vary from 1'-2" to 5'-3". An accent paint scheme and additional glazing are used to further accentuate the entrance areas. These recesses, projections and elevation changes are appropriate for the visual impact of the entrances and the proportions of each element. The north and west facades are within 100' of the streets. The entries and windows represent 47.0% of the north façade length and 38.0% of the west facade length for a combined total of 45.45%.

15-3.0355.C.6 Building Entrances. Public building entryways shall be clearly defined and highly visible on the buildings exterior design, and shall be emphasized by on-site traffic flow patterns. Two or more of the following design features shall be incorporated into all public building entryways: canopies or porticos, overhangs, projections, arcades, peaked roof forms, arches, outdoor patios, display windows, distinct architectural details. Unless exempted by the Plan Commission all sides of the building that directly face or abut a public street or public parking area shall have at least one public entrance, except that the City shall not require building entrances on more than two sides of any building.

Request: The proposed design includes two primary corner entrances and two secondary entry features for each building. There are also additional windows provided to either side of the corner entrances. All entries include canopies, storefront glazing and distinct painting treatments.

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

Response: The applicant is requesting that business classifications of eCommerce Fulfillment, Warehousing, and Distribution uses are considered Permitted Uses, which may be approved by the Zoning Administrator, and not subject to the requirements of Section 15-3.0702 and 15-3.0703.

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

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

Response: The proposed Class A Industrial development will be attractive to many different types of industrial operations who will be looking to capitalize on the access that the newly constructed Elm Boulevard provides to Interstate 94. The development will lead to an immediate return on investment of the Elm Boulevard public infrastructure project as well as a catalyst project for TID 4 which will establish immediate assessed property value increment.

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

Response: The proposed Class A Industrial development site presents an optimal site plan layout which is inclusive of all of the amenities that progressive industrial tenants are searching for. The site is located in the Business Park section of TID 4 which allows the community of Franklin to attract immediate investment and increment, while preserving future development sites closer to the 27th Street corridor for signature corporate headquarter developments.

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

Response: The proposed Class A development promotes maximum density development which maximizes the Per Acre assessed value of land in the community. HSA Commercial was drawn to the pristine natural features of the community of Franklin and they have long been a proponent of creating sustainable long-term development that protects the environment. Maximum Per Acre development ensures that the community maximizes property value while also protecting its natural resources. The opportunity to leverage the natural environment surrounding the development as part of necessary greenspace requirements will ensure that the community of Franklin will experience both a development that blends into the natural environment and a development that immediately provides a return on investment to the community in TID 4.

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

Response: The proposed development will be the first, Class A Industrial development in the Business Park and it will set the bar for the redevelopment of several outdated industrial properties along the Elm Boulevard corridor.

Table 15-3.0505

**Worksheet for the Calculation of Site Intensity and Capacity for Nonresidential Development
3825 & 3707 ASPEN WAY - PARCEL ONLY**

STEP 1:	<p>CALCULATE MINIMUM REQUIRED LANDSCAPE SURFACE: Take Base Site Area (from Step 5 in Table 15-3.0502). <u>16.00 acres</u> Multiple by Minimum Landscape Surface Ratio (LSR) (see specific zoning district LSR standard): X <u>0.25</u> Equals MINIMUM REQUIRED ON-SITE LANDSCAPE SURFACE =</p>	4 00 acres
STEP 2:	<p>CALCULATE NET BUILDABLE SITE AREA: Take Base Site Area (from Step 5 in Table 15-3 0502) <u>16.00 acres</u> Subtract Total Resource Protection Land from Table 15-3 0503) or Minimum Required Landscape Surface (from Step 1 above), whichever is greater. - <u>4.00 acres</u> Equals NET BUILDABLE SITE AREA =</p>	12 00 acres
STEP 3:	<p>CALCULATE MAXIMUM NET FLOOR AREA YIELD OF SITE: Take Net Buildable Site Area (from Step 2 above): <u>12 00 acres</u> Multiple by Maximum Net Floor Area Ratio (NFAR) (see specific nonresidential zoning district NFAR standard): X <u>0.85</u> Equals MAXIMUM NET FLOOR AREA YIELD OF SITE =</p>	10 20 acres
STEP 4:	<p>CALCULATE MAXIMUM GROSS FLOOR AREA YIELD OF SITE: Take Base Site Area (from Step 5 of Table 15-3 0502): <u>16 00 acres</u> Multiple by Maximum Gross Floor Area Ratio (GFAR) (see specific nonresidential zoning district GFAR standard): X <u>0 55</u> Equals MAXIMUM GROSS FLOOR AREA YIELD OF SITE =</p>	8.80 acres
STEP 5:	<p>DETERMINE MAXIMUM PERMITTED FLOOR AREA OF SITE: Take the lowest of Maximum Net Floor Area Yield of Site (from Step 3 above) or Maximum Gross Floor Area Yield of Site (from Step 4 above).</p>	8 80 acres
	<p>(Multiple results by 43,560 for maximum floor area in square feet):</p>	(383,328 square feet)

Table 15-3.0505

<p align="center">Worksheet for the Calculation of Site Intensity and Capacity for Nonresidential Development 3825 & 3707 ASPEN WAY - PARCEL w/ OUTLOT</p>		
STEP 1:	<p>CALCULATE MINIMUM REQUIRED LANDSCAPE SURFACE: Take Base Site Area (from Step 5 in Table 15-3.0502): <u>17.22 acres</u> Multiple by Minimum Landscape Surface Ratio (LSR) (see specific zoning district LSR standard). X <u>0.25</u> Equals MINIMUM REQUIRED ON-SITE LANDSCAPE SURFACE =</p>	4.30 acres
STEP 2:	<p>CALCULATE NET BUILDABLE SITE AREA: Take Base Site Area (from Step 5 in Table 15-3.0502): <u>17.22 acres</u> Subtract Total Resource Protection Land from Table 15-3.0503) or Minimum Required Landscape Surface (from Step 1 above), whichever is greater - <u>4.00 acres</u> Equals NET BUILDABLE SITE AREA =</p>	12.92 acres
STEP 3:	<p>CALCULATE MAXIMUM NET FLOOR AREA YIELD OF SITE: Take Net Buildable Site Area (from Step 2 above): <u>12.92 acres</u> Multiple by Maximum Net Floor Area Ratio (NFAR) (see specific nonresidential zoning district NFAR standard): X <u>0.85</u> Equals MAXIMUM NET FLOOR AREA YIELD OF SITE =</p>	10.98 acres
STEP 4:	<p>CALCULATE MAXIMUM GROSS FLOOR AREA YIELD OF SITE: Take Base Site Area (from Step 5 of Table 15-3.0502): <u>17.22 acres</u> Multiple by Maximum Gross Floor Area Ratio (GFAR) (see specific nonresidential zoning district GFAR standard): X <u>0.55</u> Equals MAXIMUM GROSS FLOOR AREA YIELD OF SITE =</p>	9.47 acres
STEP 5:	<p>DETERMINE MAXIMUM PERMITTED FLOOR AREA OF SITE: Take the lowest of Maximum Net Floor Area Yield of Site (from Step 3 above) or Maximum Gross Floor Area Yield of Site (from Step 4 above):</p>	9.47 acres
	<p>(Multiple results by 43,560 for maximum floor area in square feet).</p>	(412,513 square feet)

LEGAL DESCRIPTION:

All of Lots 1 and 2 of Certified Survey Map No. _____, being a part of the Northeast 1/4 and Northwest 1/4 of the Southwest 1/4 of Section 36, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin, described as follows:

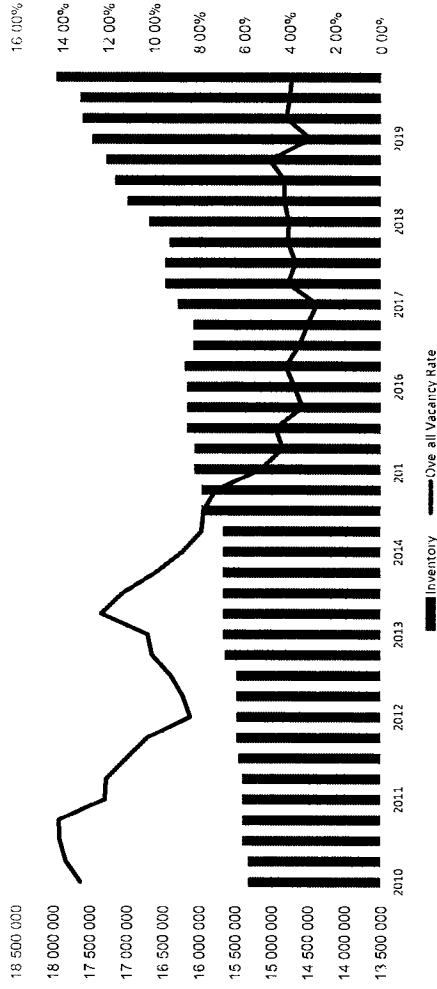
Commencing at the northwest corner of the Southwest 1/4 of said Section 36; Thence South $00^{\circ}21'57''$ East along the west line of said Southwest 1/4, 1322.10 feet to the south line of said Certified Survey Map; Thence North $88^{\circ}35'41''$ East along said south line, 1109.89 feet to the east right of way line of South Birch Street, the southwest corner of said Lot 2 and the Point of Beginning;

Thence North $00^{\circ}21'34''$ West along said east right of way line, 524.67 feet; Thence North $44^{\circ}07'02''$ East, 15.69 feet to the south right of way line of West Aspen Way; Thence North $88^{\circ}35'37''$ East along said south right of way line, 1301.60 feet to the west line of Outlot 1 of said Certified Survey Map; Thence South $01^{\circ}24'19''$ East along said west line, 444.63 feet; Thence South $33^{\circ}35'37''$ West along said west line, 58.55 feet; Thence South $88^{\circ}35'41''$ West along said west line, 144.41 feet; Thence South $01^{\circ}24'19''$ East along said west line, 43.00 feet to the aforesaid south line of said Certified Survey Map; Thence South $88^{\circ}35'41''$ West along said south line, 1144.38 feet to the Point of Beginning.

MARKET STATISTICS – AS OF Q4 2019

Industrial Submarket	# of Buildings	Inventory (SF)	Overall Vacancy Rate	YTD Net Absorption (SF)
Total Airport Industrial Park Submarket	263	17,957,647	3.9%	877,750
Class A Investor	32	4,499,137	8.3%	248,158
Class B Investor	74	5,844,041	3.4%	441,808
Flex Investor	24	776,619	10.9%	9,000

Airport South Industrial



DEVELOPER CONSTRUCTION ACTIVITY – LAST 12 MONTHS

Project	Building SF	Completion	Comments
HSA – 610 W Rawson Avenue Oak Creek	180,178	Q4 2019	39% Leased
Seafield Industrial Properties – Spec – 9705 S Oakwood Oak Creek	88,309	Q4 2019	100% Vacant
St John Properties – 2 Spec Buildings 140 E Rawson Oak Creek	93,680	Q4 2019	Flex – 90% Vacant
HSA 102 W OakView Parkway Oak Creek	132,000	Q2 2019	100% Vacant

UNDER CONSTRUCTION

Amazon – Ryan Business Park Oak Creek	2,600,000	2020 delivery
PROPOSED		
HSA III – OakView Parkway Oak Creek	155,000	Q4 2020 delivery
Dickman III – OakView Parkway Oak Creek	100,000	Q4 2020 delivery

LEASING ACTIVITY

Address	Tenant	Leased SF
5150 International Drive Cudahy	Rexnord	150,465 (Renewal)
5170-5250 S 6 Street Milwaukee	Iron Mountain	110,000 (Renewal)
610 W Rawson Avenue Oak Creek	Safer Mile	69,560
5110 S 6 Street Milwaukee	Used Cardboard Boxes Inc	58,500 (Renewal)
130 150 W Edgerton Avenue Milwaukee	SEKO/KAT Logistics	54,632
5120 S International Drive Cudahy	XPO Last Mile	35,000
10861 S Howell Avenue Oak Creek	Arena America	105,000
5235 International Drive Cudahy	Jeff's Fast Freight	73,598
5315 5319 S 3 Street Milwaukee	First Jet/SkyWest Airlines Inc	56,000
7000 S 10 Street Oak Creek	Aroidt Brothers	51,000
500 Opus Drive	FedEx Truck	126,100
5201 International Drive Cudahy	RR Donnelley (Wetzel)	153,300
525 W Marquette Avenue Oak Creek	Independence Corrugated	112,140
10651 S OakView Parkway	Wayfair	41,864

RECENT SALE COMPS

Address	Building SF	Sale Price	Price PSF	Date	Comments
5211 S 3rd Street Milwaukee	359,988	\$21,500,000	\$59.72	2/26/2020	Class B
5170 S 6 Street Milwaukee	163,200	\$12,000,000	\$73.53	2/26/2020	Class B
5150 International Drive Cudahy	150,465	\$12,650,000	\$84.07	2/26/2020	Class A
100 W Oakwood Drive Oak Creek	139,095	\$12,000,000	\$86.27	2/26/2020	Class A
7624 S 10th Street Oak Creek	100,240	\$5,600,000	\$55.87	2/26/2020	Class B
9905 S 13 Street Oak Creek	82,950	\$6,600,000	\$79.57	2/26/2020	Class A
4700 Ironwood Drive Franklin	123,200	\$8,530,000	\$69.24	12/3/2019	Class A
10000 S Franklin Drive Franklin	246,187	\$17,750,000	\$72.10	10/31/2019	Class A
4700 Ironwood Drive Franklin	123,200	\$8,530,000	\$69.24	12/3/2019	Class A
9909 S 57 Street Franklin	76,505	\$5,250,000	\$68.62	8/19/2019	Class B
305 E Mahn Court and 7420 S Howell Avenue Oak Creek	184,457	\$15,505,000	\$84.06	4/9/2019	Class A

KEY VACANCIES

Address	Building SF	Available SF	Asking Rate	Class
610 W Rawson Avenue Oak Creek	180,178	110,618	\$5.50 NNIN	A
102 W OakView Parkway Oak Creek	132,000	132,000	\$5.50 NNIN	A
9705 S Oakwood Park Drive Franklin	88,309	88,309	\$5.50 NNIN	A
9630 9644 S 54th Street Franklin	80,150	61,550	\$5.75 NNIN	B
4659-4859 W Basswood Drive Franklin	126,000	42,000	\$4.95 NNIN	A
9720-9750 S Oakwood Park Drive Franklin	108,870	73,200	\$4.85 \$9.85 NNIN	B



MARKETBEAT

MILWAUKEE

Industrial Q4 2019

YoY Chg



12 Mo Forecast



4.3%
Vacancy Rate

3.2M

YTD Net Absorption, SF



\$4.47

Asking Rent, PSF



Overall Net Asking Rent

ECONOMIC INDICATORS Q4 2019

YoY Chg



12-Mo Forecast



885.4k

Milwaukee Employment

3.5%

Milwaukee Unemployment Rate



3.6%

U.S. Unemployment Rate



Source: BLS

ECONOMY

Wisconsin's unemployment rate increased by 20 basis points (bps) to 3.3% in the fourth quarter 2019. Year-over-year, the unemployment rate increased 30 bps. Wisconsin continues to post an unemployment rate lower than the national average of 3.6%. The Marquette-Institute of Supply Management (ISM) Report on Manufacturing scored the Milwaukee area at 45.1 for December 2019, a decrease of 2.98 points from November 2019 and the sixth consecutive month of contraction. A reading below 50 demonstrates contraction as a measure of new orders, production, employment, supplier deliveries and inventories in the manufacturing industry.

MARKET OVERVIEW

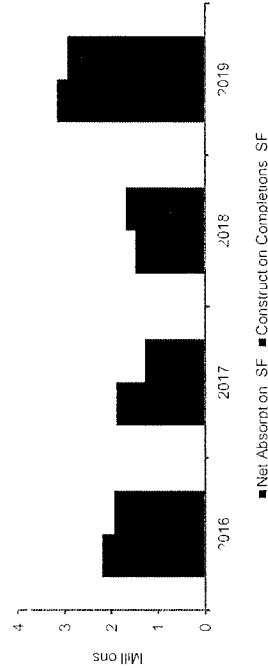
The Metro Milwaukee industrial market finished 2019 with robust activity, showing no signs of slowdown in 2020. Leasing activity totaled 1.4 million square feet (msf) in fourth quarter 2019, up 14.1% quarter-over-quarter and finished the year at 4.4 msf. Overall vacancy increased 30 bps to 4.3%, largely due to a handful of vacancies that resulted in over 600,000 square feet (sf) of newly vacated space in Class B and C buildings. Net absorption however remained over 600,000 sf for the quarter overall, heavily impacted by two 3PL leases signed in Germantown and Milwaukee.

Construction activity continued its record setting pace in the fourth quarter of 2019, reflecting the highest level of construction deliveries since pre-recession times. Year-end, nearly 3.0 msf was delivered, of which 56%, or 1.6 msf is speculative development. Specifically, the I-41 North corridor in Washington County accounted for the largest velocity of new speculative deliveries with over 953,000 sf completed across six buildings of which 35% is pre-leased. Additionally, the Airport-South region of Milwaukee County also remains a hot-bed of activity with nearly 500,000 sf completed across four buildings. The Metro Milwaukee region is showing no signs of slowing down. Currently, over 4.6 msf is currently under construction and set to deliver in 2020 and an additional 3.5 msf proposed to break ground in 2020.

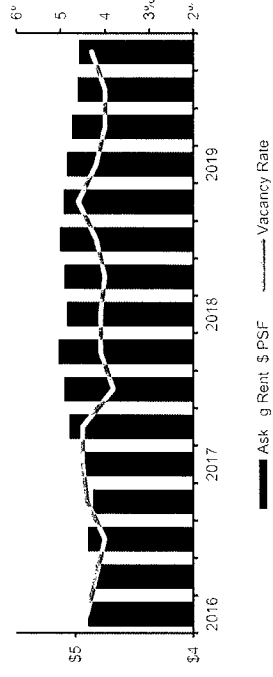
OUTLOOK

While Milwaukee has long been known as a manufacturing city, the region is no longer as dependent on manufacturing. This was demonstrated by the extremely strong year of growth in 2019, while the manufacturing sector contracted. In 2020, expect to see a steady volume of leasing activity, with much of the newly delivered speculative development fully leasing up. Strong absorption figures will stay consistent during upcoming construction deliveries with strong pre-leasing activity. Anticipate average triple net asking rents to remain above \$4.50 per square foot (psf), with average asking rents for Class A product at \$5.50 psf NNN.

SPACE DEMAND / DELIVERIES



OVERALL VACANCY & ASKING RENT



MARKETBEAT MILWAUKEE

Industrial Q4 2019

MARKET STATISTICS

SUBMARKET	INVENTORY (SF)	OVERALL VACANT (SF)	OVERALL VACANCY RATE	CURRENT QTR OVERALL NET ABSORPTION(SF)	YTD OVERALL NET ABSORPTION (SF)	UNDER CNSTR (SF)	CONSTR COMPLETIONS (SF)	OVERALL WEIGHTED AVG NET RENT(MF)*	OVERALL WEIGHTED AVG NET RENT(OS)*	OVERALL WEIGHTED AVG NET RENT(W/D)*
Milwaukee County	98,045,791	6,664,162	6.8%	73,752	562,614	3,070,370	995,792	\$4.04	\$5.74	\$4.04
Ozaukee County	11,777,558	562,970	4.8%	39,744	95,600	0	0	\$4.22	\$5.22	NA
Washington County	20,997,822	451,776	2.2%	256,598	1,103,658	600,868	1,330,172	\$5.64	\$5.00	\$5.53
Waukesha County	73,745,607	1,094,665	1.5%	239,198	1,396,901	956,845	615,546	\$5.32	\$6.15	\$6.75
MILWAUKEE TOTALS	204,566,778	8,773,573	4.3%	609,292	3,158,773	4,628,083	2,941,510	\$4.28	\$5.80	\$4.20

*Rental rates reflect weighted net asking \$psf/year

MIF = Manufacturing OS = Office Service/Flex W/D = Warehouse/Distribution

CLASSES	INVENTORY (SF)	OVERALL VACANT (SF)	OVERALL VACANCY RATE	CURRENT QTR OVERALL NET ABSORPTION(SF)	YTD OVERALL NET ABSORPTION (SF)	UNDER CNSTR (SF)	CONSTR COMPLETIONS (SF)	OVERALL WEIGHTED AVG NET RENT
Manufacturing	110,105,466	2,891,337	2.6%	-119,473	936,699	1,392,210	1,371,295	\$4.28
Office Service / Flex	37,748,481	1,105,688	2.9%	98,948	363,449	0	258,000	\$5.80
Warehouse / Distribution	56,712,831	4,776,548	8.4%	629,817	1,858,625	3,235,873	1,312,215	\$4.20

KEY LEASE TRANSACTIONS 2019

PROPERTY	SUBMARKET	BUYER/SELLER	SF	PRICE/\$ PSF	TENANT	SF	TYPE
11800 W Burling Street Wauwatosa	Milwaukee County		486,197	\$30.1M / \$65	Undisclosed	289,940	New
7025 W Parkland Court Milwaukee	Milwaukee County	W P Carey Inc / Cod Real Estate Holdings LLC	283,769	\$6.1M / \$22	Wacker Neuson SE	230,751	New
W210N12800 Gateway Crossing Germantown	Washington County	Century City Industrial LLC / Phoenix Investors LLC	246,187	\$17.8M / \$72	Smart Warehousing	198,648	New
16595 W Stratton Drive New Berlin	Waukesha County	Exeter 10000 S Franklin LLC / TI Investors of Franklin LLC			Christopher Morgan Fulfillment Services	171,000	Renewal
5150 International Drive Cudahy	Milwaukee County				Rexnord	150,465	Renewal

KEY SALES TRANSACTIONS 2019

PROPERTY	SUBMARKET	BUYER/SELLER	SF	PRICE/\$ PSF	TENANT	SF	TYPE
W P Carey Acquisition Hartford & Milwaukee	Milwaukee and Washington County	W P Carey Inc / Cod Real Estate Holdings LLC	486,197	\$30.1M / \$65	Undisclosed	289,940	New
4143 N 27th Street Milwaukee	Milwaukee County	Century City Industrial LLC / Phoenix Investors LLC	283,769	\$6.1M / \$22	Wacker Neuson SE	230,751	New
10000 S Franklin Drive Franklin	Milwaukee County	Exeter 10000 S Franklin LLC / TI Investors of Franklin LLC	246,187	\$17.8M / \$72	Smart Warehousing	198,648	New

KATIE GREMBAN

Director of Research

+1 414 203 3045 / kgremban@boerke.com

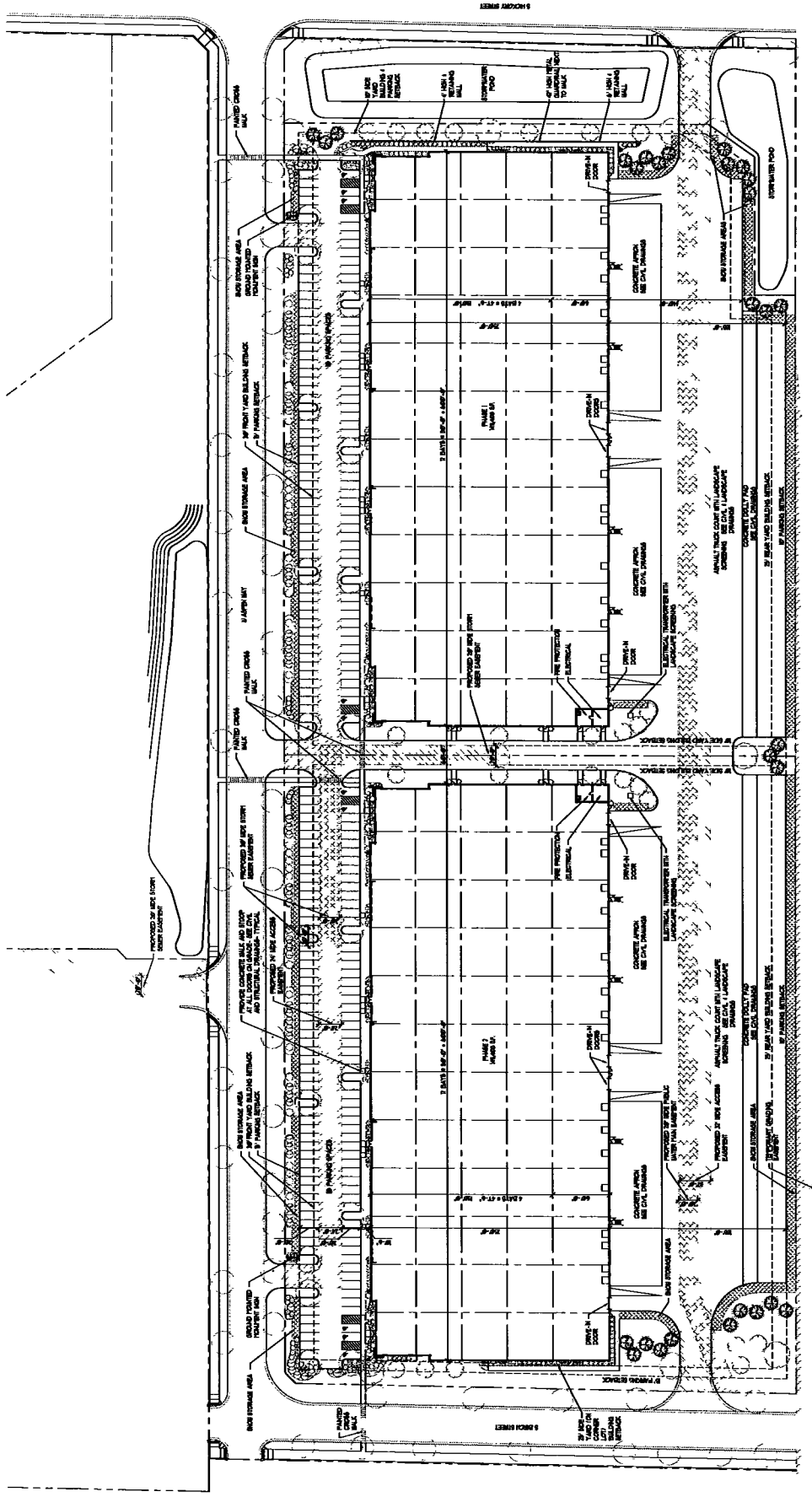
KEY CONSTRUCTION COMPLETIONS 2019

PROPERTY	SUBMARKET	MAJOR TENANT	SF	OWNER/DEVELOPER
W210N12800 Holy Hill Road Germantown	Washington County	Briggs & Stratton	706,044	Zilber
W210N12800 Gateway Crossing I & II Germantown	Washington County	Speculative	403,048 Combined	Zilber

A CUSHMAN & WAKEFIELD RESEARCH PUBLICATION

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cushmanwakefield.com



PROJECT DATA:

DATE:	11/16/2012
DRAWN BY:	WLB
CHECKED BY:	WLB
PROJECT NO:	0923270
SHEET NO:	A11

OWNER/DEVELOPER NAME:
THE OWNER/DEVELOPER IS PROVIDING AN INDIVIDUAL LICENSED AS A CONTRACTOR IN THIS DOCUMENT.

GENERAL NOTES:
1. ALL DIMENSIONS SHALL BE PERTINENT TO ANY STREET, DRIVEWAY, OR ANY OTHER ADJACENT PROPERTY. DIMENSIONS SHALL BE TO THE FACE UNLESS OTHERWISE NOTED.
2. ALL DIMENSIONS SHALL BE TO THE FACE UNLESS OTHERWISE NOTED.
3. ALL DIMENSIONS SHALL BE TO THE FACE UNLESS OTHERWISE NOTED.
4. ALL DIMENSIONS SHALL BE TO THE FACE UNLESS OTHERWISE NOTED.
5. ALL DIMENSIONS SHALL BE TO THE FACE UNLESS OTHERWISE NOTED.
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7. ALL DIMENSIONS SHALL BE TO THE FACE UNLESS OTHERWISE NOTED.
8. ALL DIMENSIONS SHALL BE TO THE FACE UNLESS OTHERWISE NOTED.
9. ALL DIMENSIONS SHALL BE TO THE FACE UNLESS OTHERWISE NOTED.
10. ALL DIMENSIONS SHALL BE TO THE FACE UNLESS OTHERWISE NOTED.

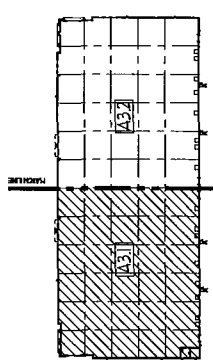
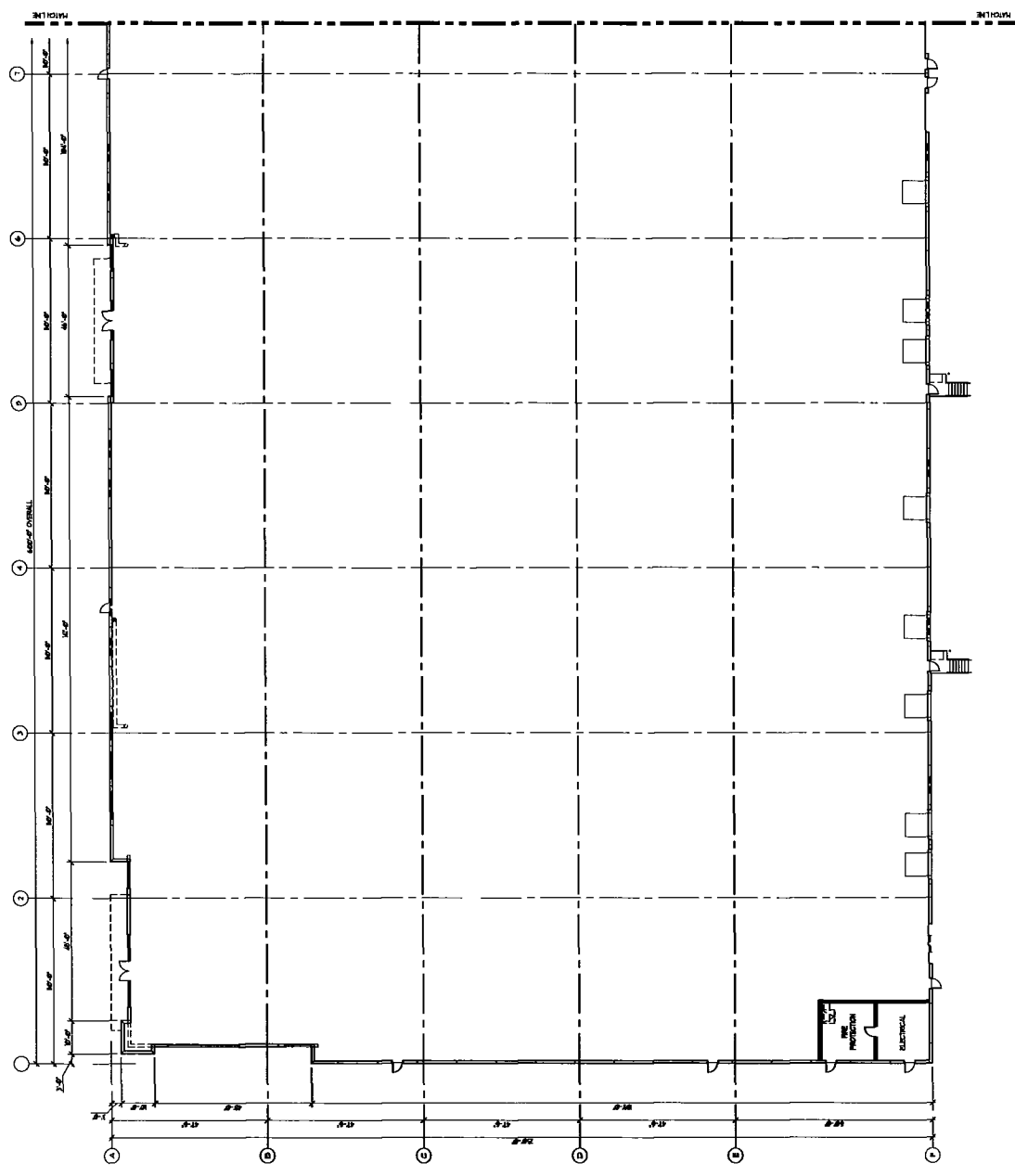
SITE PLAN
1/4" = 1'-0" (1/8" = 1'-0")
SEE CIVIL DRAWINGS FOR DIMENSIONS AND DETAILS

HSA FRANKLIN INDUSTRIAL
Franklin Corporate Park, Franklin, WI
PHASE I - PARTIAL BUILDING PLAN

Partners in Design
ARCHITECTS
27.121 943000
www.partnersindesign.com

PROJECT NO: 15-20-062
OWNER: CTD
DATE: 09/28/20
SHEET: 09/28/20

A3.1



KEY PLAN
NOT TO SCALE

PARTIAL BUILDING PLAN
A3.1 / 1/8" = 1'-0"

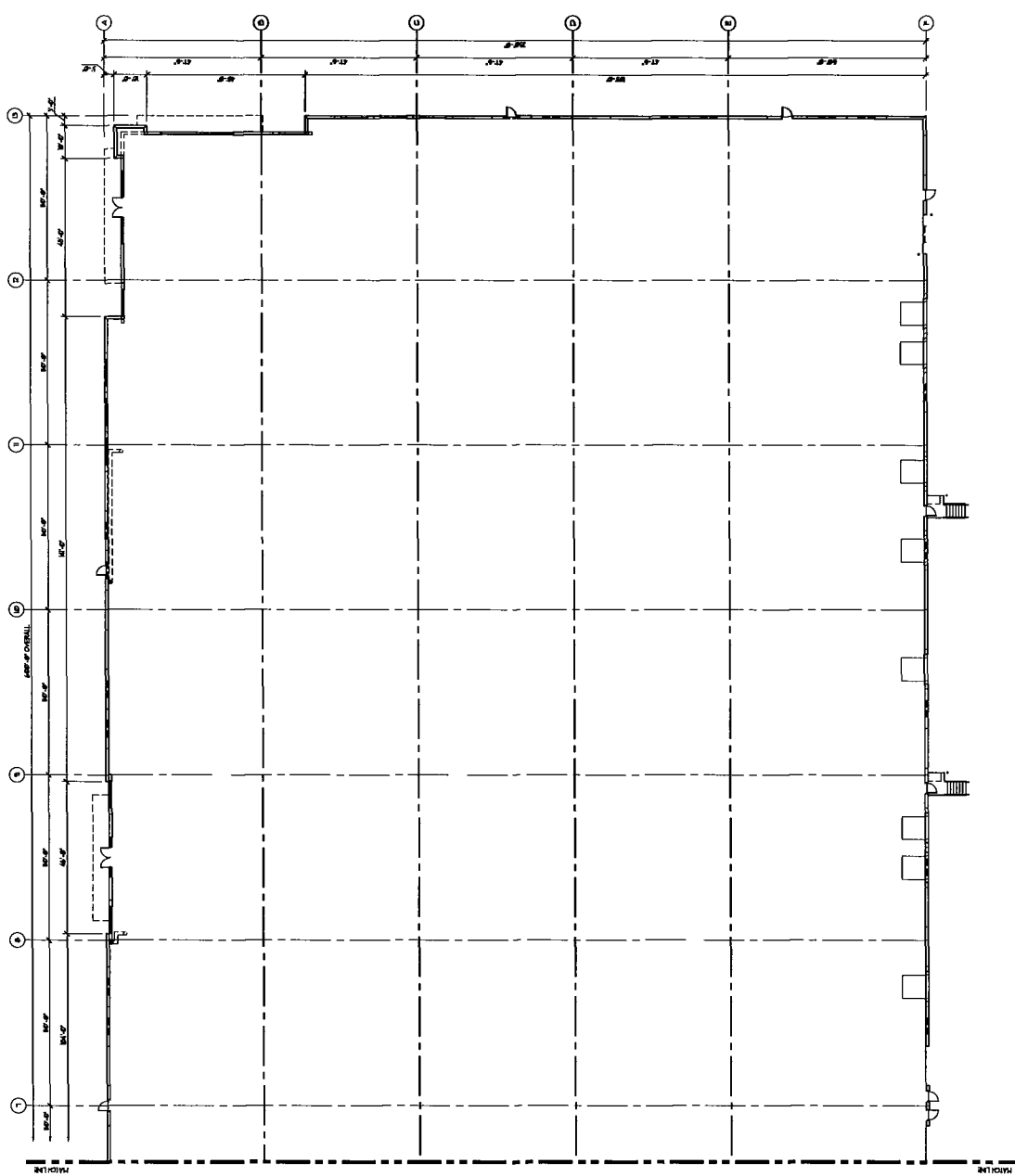
2110 Lee-Cook Blvd.
 Suite 200
 Franklin, WI 53128
 (414) 437-9200
 www.partnersindesign.com

Partners in Design
 ARCHITECTS

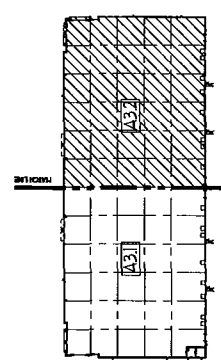
HSA FRANKLIN INDUSTRIAL
 Franklin Corporate Park, Franklin, WI
 PHASE 1 - PARTIAL BUILDING PLAN

SHEET NO: A3.2
 DATE: 10/20/2022
 DRAWN BY: JAMES R. WILHELM
 CHECKED BY: JAMES R. WILHELM
 DATE: 10/20/2022

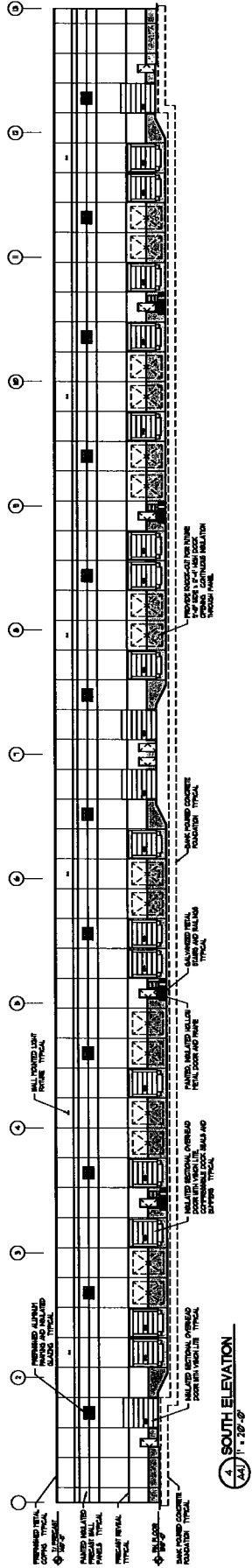
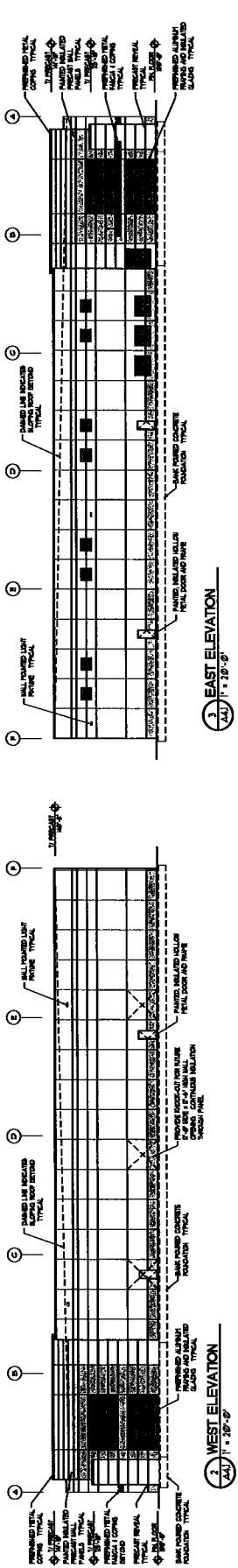
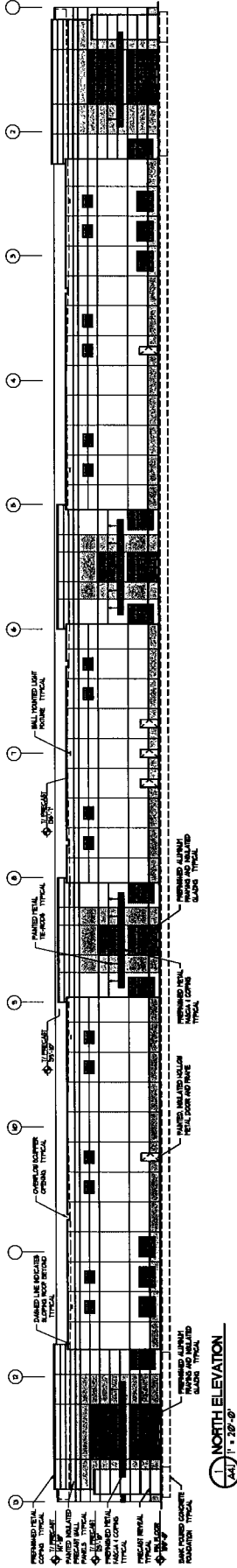
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1 PARTIAL BUILDING PLAN
 1/8" = 1'-0"



KEY PLAN
 NOT TO SCALE

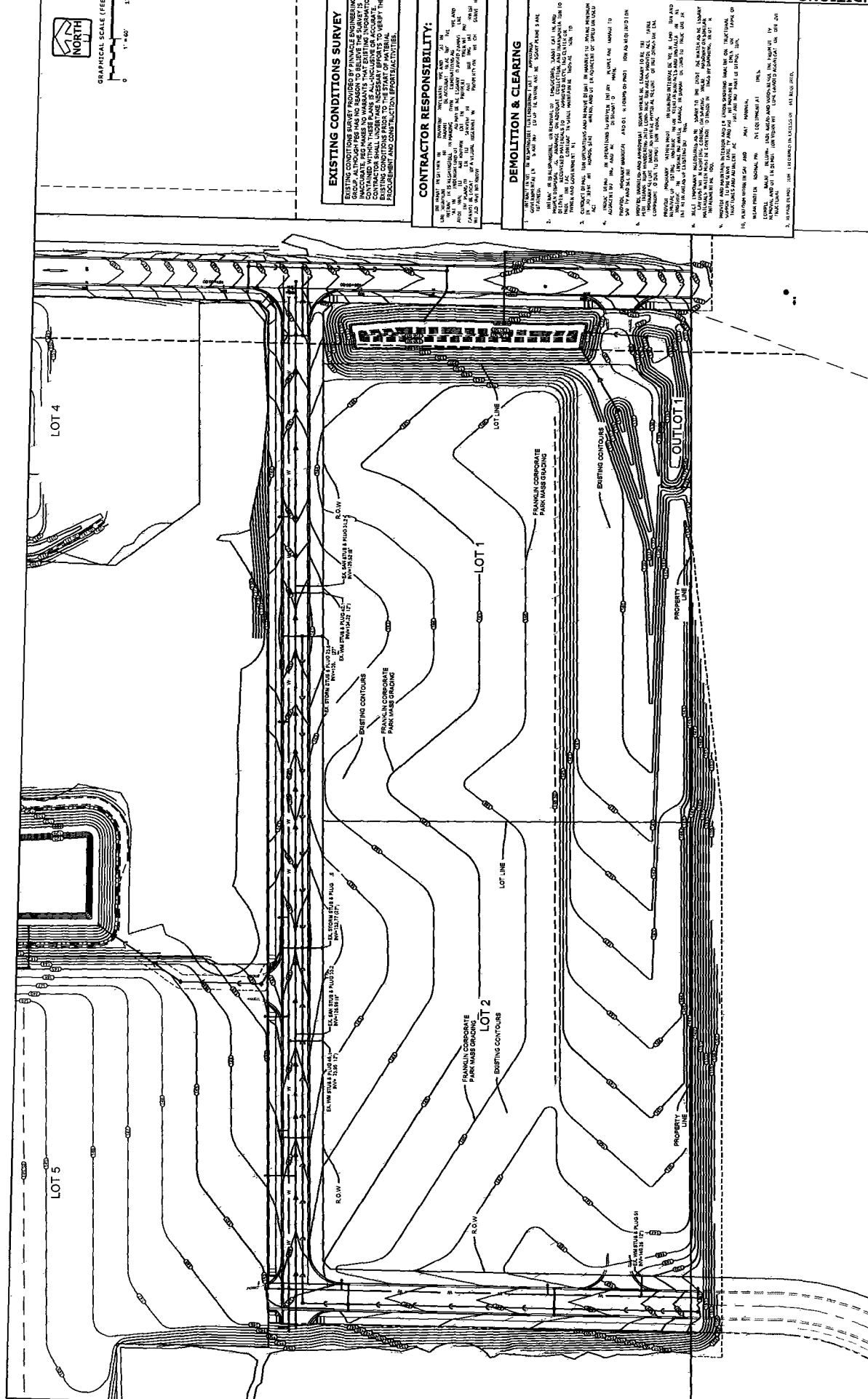


EXTERIOR FINISHES

FINISH	DESCRIPTION
1	PREPARED METAL CORNS TYPICAL
2	PAINTED METAL TRUCKS TYPICAL
3	OVERHEAD DOOR CORNERS TYPICAL
4	DAMAGED LINE INDICATES CORNER ROOF BEYOND TYPICAL
5	PREPARED METAL CORNS TYPICAL
6	PAINTED METAL TRUCKS TYPICAL
7	OVERHEAD DOOR CORNERS TYPICAL
8	DAMAGED LINE INDICATES CORNER ROOF BEYOND TYPICAL
9	PREPARED METAL CORNS TYPICAL
10	PAINTED METAL TRUCKS TYPICAL
11	OVERHEAD DOOR CORNERS TYPICAL
12	DAMAGED LINE INDICATES CORNER ROOF BEYOND TYPICAL

GENERAL NOTES

1. TECHNICAL UNITS WILL BE LOCATED TO SET ARE CONSIDERED TO BE THE BASIS OF THE DESIGN. EXCEPT WHERE SHOWN OTHERWISE ALL DIMENSIONS SHALL BE IN FEET AND INCHES. DIMENSIONS SHALL BE TO FACE UNLESS OTHERWISE NOTED.



EXISTING CONDITIONS	
NO. OF SHEETS	16
NO. OF THIS SHEET	2
NO. OF THIS SHEET IN THIS SET	16
NO. OF THIS SHEET IN THIS PROJECT	16
NO. OF THIS SHEET IN THIS PROJECT	16
NO. OF THIS SHEET IN THIS PROJECT	16

REVISIONS		
NO.	DATE	REVISION
1	02/02/20	ISSUED FOR REVIEW

EXISTING CONDITIONS		
NO.	DATE	REVISION
1	02/02/20	ISSUED FOR REVIEW

HSA FRANKLIN INDUSTRIAL, LLC
 FRANKLIN, WI

PLAN / DESIGN / DELIVER
 PINNACLE ENGINEERING GROUP
 ENGINEERING / SURVEYING / CONSULTING

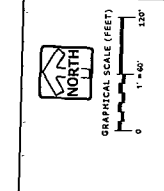
2020 AUG 13 10:31 AM
 2020 AUG 13 10:31 AM
 2020 AUG 13 10:31 AM

EXISTING CONDITIONS SURVEY
 EXISTING CONDITIONS SURVEY CONDUCTED BY PINNACLE ENGINEERING GROUP AS PART OF THE DESIGN AND CONSTRUCTION OF THE FRANKLIN INDUSTRIAL PARK. THIS SURVEY WAS CONDUCTED ON 08/13/2020. THE SURVEY DATA IS BASED ON THE INFORMATION CONTAINED IN THIS SURVEY REPORT. THE SURVEY DATA IS NOT TO BE USED FOR ANY OTHER PURPOSES WITHOUT THE WRITTEN CONSENT OF PINNACLE ENGINEERING GROUP.

CONTRACTOR RESPONSIBILITY:
 THE CONTRACTOR SHALL VERIFY THE EXISTING CONDITIONS SURVEY DATA AND SHALL BE RESPONSIBLE FOR ANY ERRORS OR OMISSIONS. THE CONTRACTOR SHALL VERIFY THE EXISTING CONDITIONS SURVEY DATA AND SHALL BE RESPONSIBLE FOR ANY ERRORS OR OMISSIONS. THE CONTRACTOR SHALL VERIFY THE EXISTING CONDITIONS SURVEY DATA AND SHALL BE RESPONSIBLE FOR ANY ERRORS OR OMISSIONS.

DEMOLITION & CLEARING
 1. ALL EXISTING BUILDINGS AND STRUCTURES TO BE DEMOLISHED SHALL BE DEMOLISHED IN ACCORDANCE WITH THE APPROPRIATE LOCAL, STATE AND FEDERAL REGULATIONS. THE CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES. THE CONTRACTOR SHALL MAINTAIN ALL UTILITIES AND SERVICES AT ALL TIMES. THE CONTRACTOR SHALL MAINTAIN ALL EXISTING CONTOURS AND ELEVATIONS AT ALL TIMES. THE CONTRACTOR SHALL MAINTAIN ALL EXISTING CONTOURS AND ELEVATIONS AT ALL TIMES.

1. ALL EXISTING UTILITIES SHALL BE MAINTAINED AND PROTECTED AT ALL TIMES. THE CONTRACTOR SHALL OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES. THE CONTRACTOR SHALL MAINTAIN ALL UTILITIES AND SERVICES AT ALL TIMES. THE CONTRACTOR SHALL MAINTAIN ALL EXISTING CONTOURS AND ELEVATIONS AT ALL TIMES. THE CONTRACTOR SHALL MAINTAIN ALL EXISTING CONTOURS AND ELEVATIONS AT ALL TIMES.



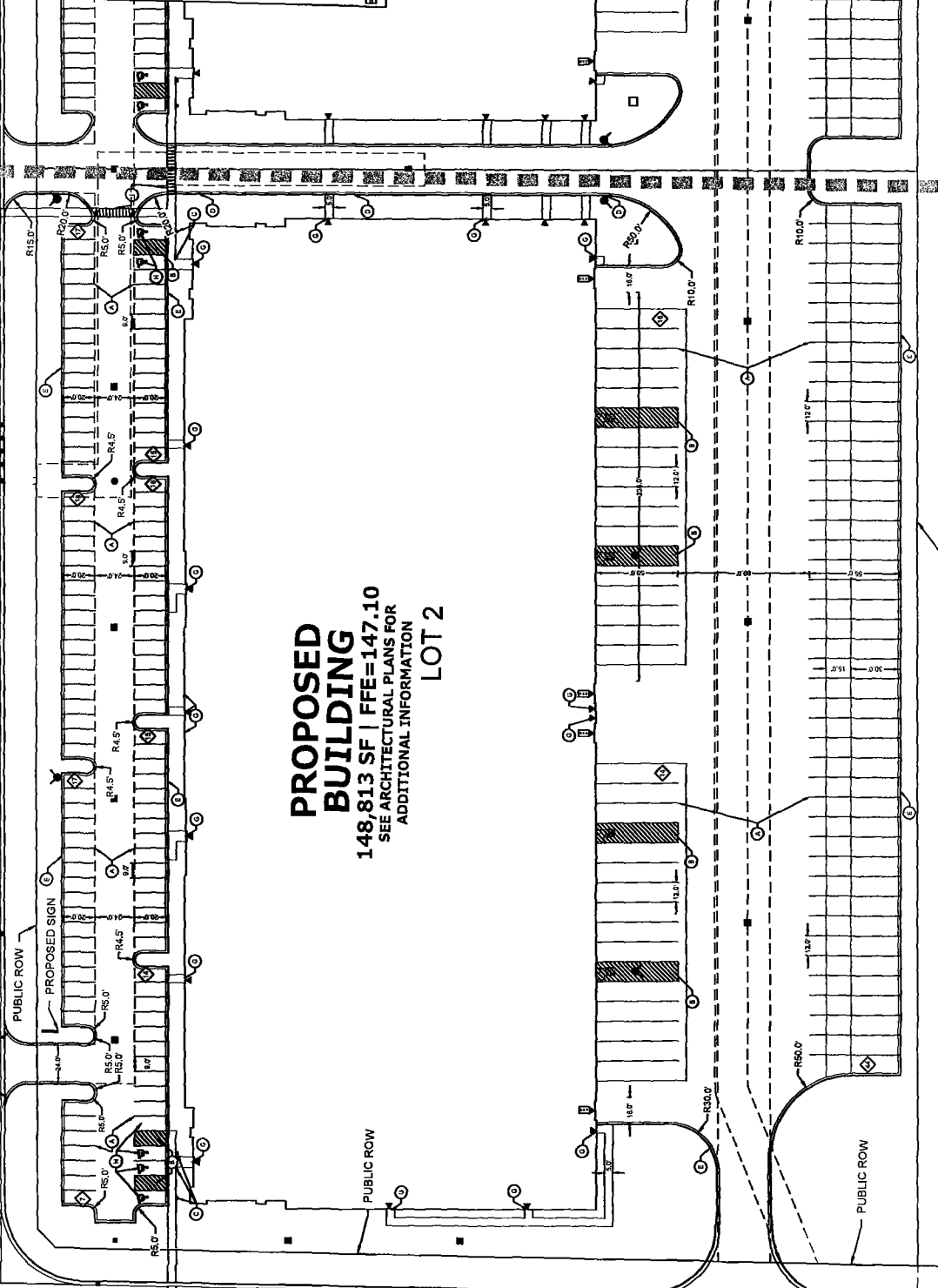


GRAPHICAL SCALE (FEET)
0 20' 40'

LEGEND

- LIGHT DUTY PAVEMENT
- HEAVY DUTY PAVEMENT
- PORTLAND CEMENT PAVEMENT
- CONCRETE REINFORCEMENT
- 4\" SOLID WHITE STRIPE
- 4\" DIAGONAL AT 45° SPACED 2' O.C.
- ADA PARKING STALL STORAGE (SEE DETAIL)
- 18\" CURB & GUTTER (SEE DETAIL)
- 18\" REVERSE CURB & GUTTER (SEE DETAIL)
- TAPERED CURB HEAD (SEE DETAIL)
- SLIDING DOOR SEAL (MAX. MAX SLOPE WITHIN 5'-FT. FROM CURB)
- ADA STALL ENTRANCE
- PAINTED CROSS WALK
- MAN DOOR
- OVERHEAD DOOR

W ASPEN WAY



PROPOSED BUILDING
 148,813 SF | FFE=147.10
 SEE ARCHITECTURAL PLANS FOR ADDITIONAL INFORMATION
 LOT 2

SITE PLAN
 SHEET C-3
 C-16

REVISIONS

NO.	DATE	DESCRIPTION
1	08/22/20	PERMIT COMMENTS

SITE PLAN

HSA FRANKLIN INDUSTRIAL, LLC

FRANKLIN, WI

PLAN DESIGN/DELIVER

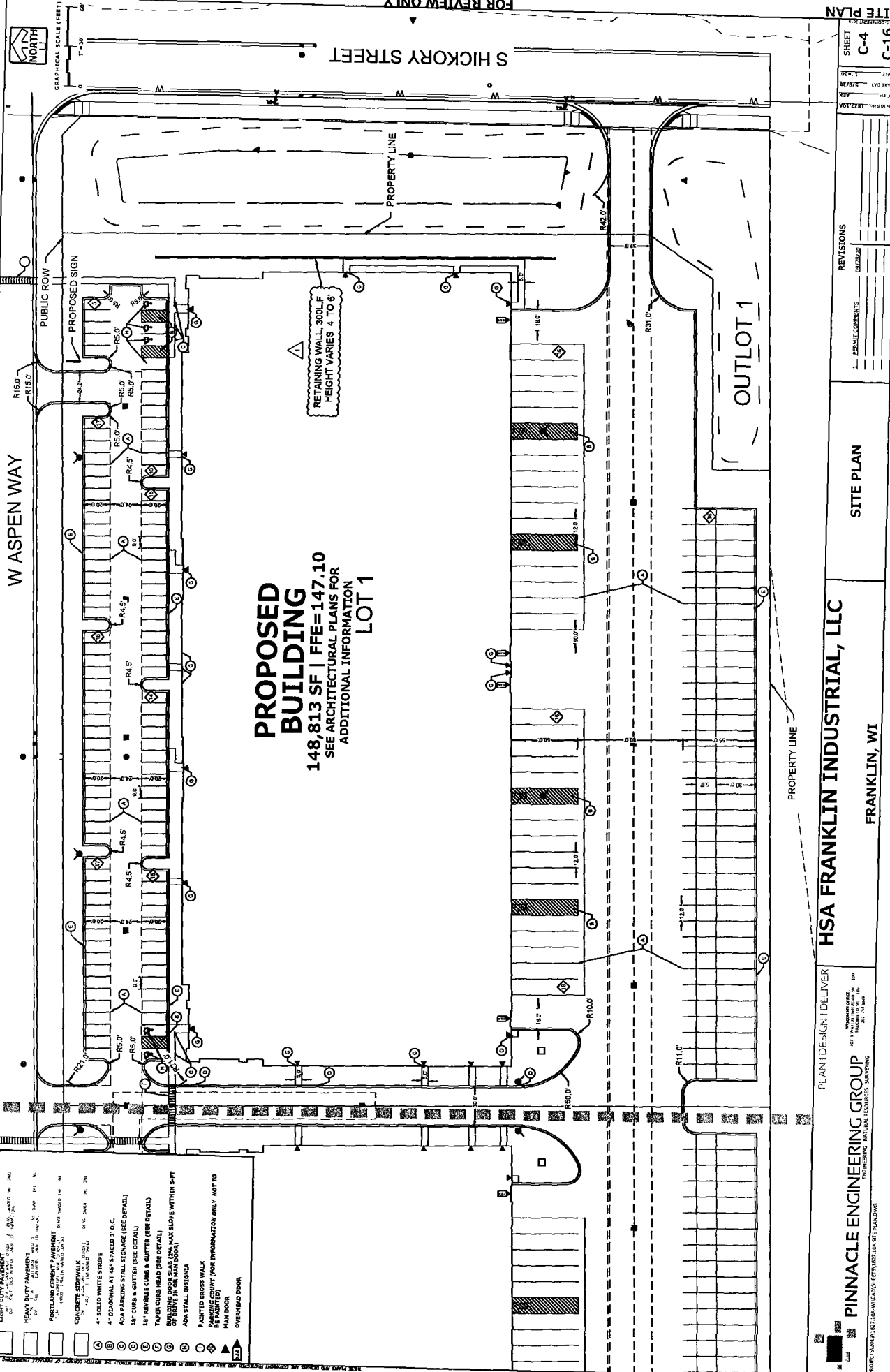
WISCONSIN LICENSE NO. 107
 REGISTERED PROFESSIONAL ENGINEER
 201 W. WISCONSIN AVENUE, SUITE 200
 MADISON, WI 53703

PINNACLE ENGINEERING GROUP
 ENGINEERING, ARCHITECTURE, SURVEYING



PROJECT NO. 118727 | 118727.DWG | 08/22/2020 | 11:54 AM

FOR REVIEW ONLY



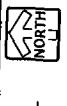
PROPOSED BUILDING
 148,813 SF | FFE=147.10
 SEE ARCHITECTURAL PLANS FOR
 ADDITIONAL INFORMATION
 LOT 1

RETAINING WALL, 300LF
 HEIGHT VARIES 4 TO 6'

OUTLOT 1

W ASPEN WAY

S HICKORY STREET



LEGEND

[Symbol]	LIGHT DUTY PAVEMENT 1" ASPHALT OR 2" CONCRETE ON 4" SAND
[Symbol]	HEAVY DUTY PAVEMENT 4" ASPHALT OR 6" CONCRETE ON 8" SAND
[Symbol]	PORTLAND CEMENT PAVEMENT 4" PORTLAND CEMENT CONCRETE ON 8" SAND
[Symbol]	CONCRETE ASPHALT 1" PORTLAND CEMENT CONCRETE ON 4" SAND
[Symbol]	4" SOLID WHITE STRIPE
[Symbol]	DIAGONAL 1/4" SPACED 2" O.C.
[Symbol]	ADA PARKING STALL SIGNAGE (SEE DETAIL)
[Symbol]	3" CURB & GUTTER (SEE DETAIL)
[Symbol]	12" REINFORCED CURB & GUTTER (SEE DETAIL)
[Symbol]	PAVER CURB HEAD (SEE DETAIL)
[Symbol]	2" REINFORCED CONCRETE CURB WITH 1% MAX SLOPE WITHIN 5'-0" OF CURB HEAD
[Symbol]	ADA STALL SIGNAGE
[Symbol]	PAINTED CROSS WALK
[Symbol]	PAINTED CURB (FOR INFORMATION ONLY NOT TO SCALE)
[Symbol]	MAN DOOR
[Symbol]	OVERHEAD DOOR

SITE PLAN

SHEET C-4 C-16

REVISONS

NO.	PERMIT COMMENTS	DATE

SITE PLAN

HSA FRANKLIN INDUSTRIAL, LLC
 FRANKLIN, WI

PLAN DESIGN DELIVER

PINNACLE ENGINEERING GROUP
 ENGINEERING NATIONAL RESOURCES SURVIVING

PROJECT LOCATION: 100 WICKHAM STREET, FRANKLIN, WI 53120
 PROJECT NUMBER: 2023-001
 DATE: 08/20/2023

GRADING GENERAL NOTES:

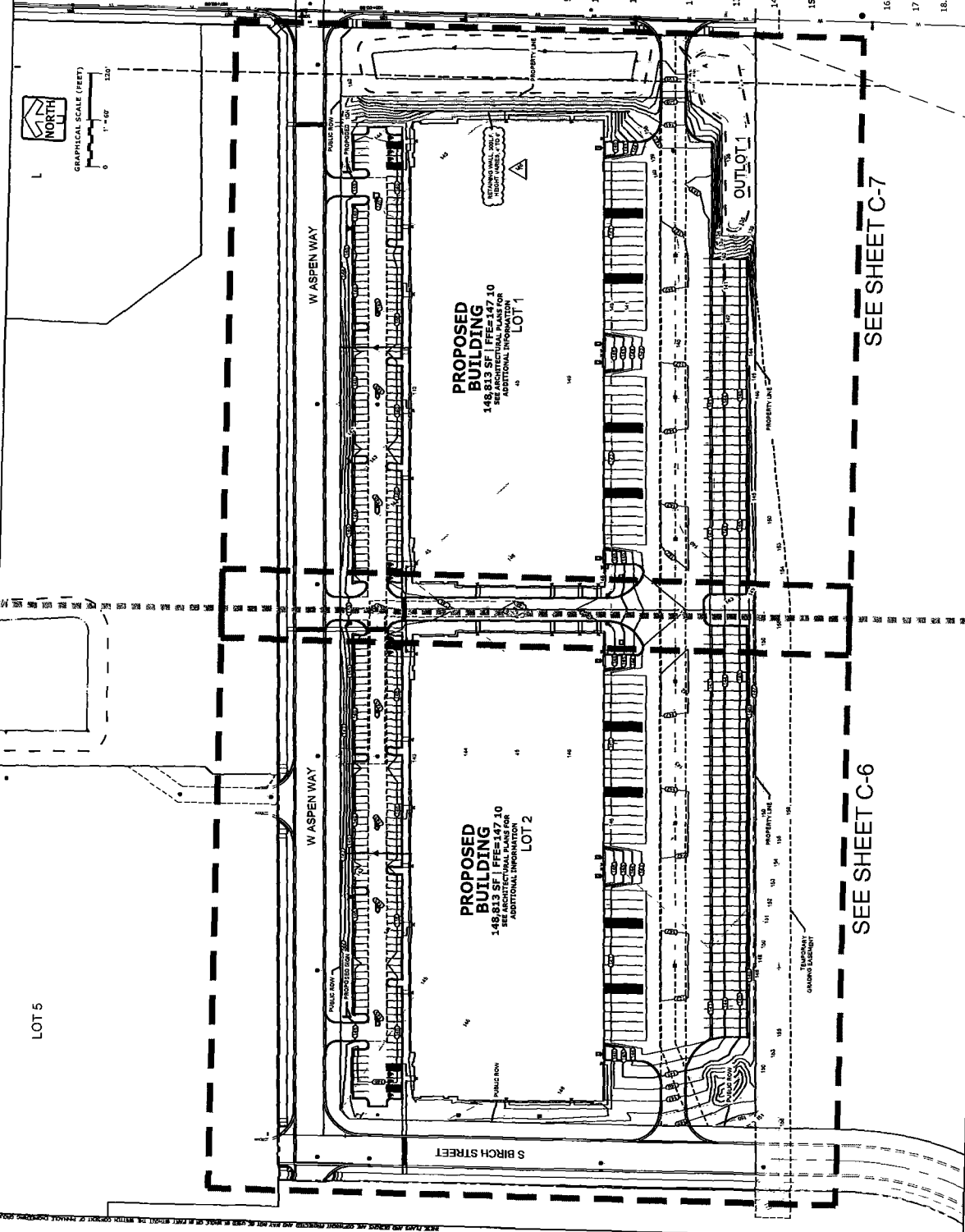
1. CONTRACTOR SHALL VERIFY ALL GRADES, ENSURE ALL AREAS DRAIN PROPERLY AND SHALL BE RESPONSIBLE TO PINNACLE ENGINEERING GROUP PRIOR TO THE START OF ANY CONSTRUCTION ACTIVITIES.
2. ALL EXISTING CONTIGUOUS REPRESENT EXISTING SURFACE GRADES UNLESS OTHERWISE NOTED. ALL UNFINISHED GRADES SHOWN ARE FINISH SURFACE GRADES UNLESS OTHERWISE NOTED.
3. SPOT ELEVATIONS REPRESENT THE GRADE ALONG THE FACE OF CURB UNLESS OTHERWISE NOTED.
4. ALL EXCAVATIONS AND MATERIAL PLACEMENT SHALL BE COMPLETED TO DESIGN ELEVATIONS AS SHOWN IN THE PLANS.

CONTRACTOR SHALL ASSUME SOLE RESPONSIBILITY FOR THE COMPUTATION(S) OF ALL ELEVATIONS AND VOLUMES. THE CONTRACTOR SHALL ATTEMPT TO PROVIDE A COST-EFFECTIVE APPROACH TO BALANCE EARTHWORK. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS, INCLUDING SAFETY, AESTHETICS, AND COMMON ENGINEERING AND INSURANCE. THEREFORE NO GUARANTEE CAN BE MADE FOR A BALANCED SITE.

5. THE CONTRACTOR MAY SOLICIT APPROVAL FROM ENGINEER/OWNER TO ADJUST FINAL GRADES FROM DESIGN GRADES TO PROVIDE AN OVERALL SITE BALANCE AS A RESULT OF FIELD CONDITIONS.
6. GRADING ACTIVITIES SHALL BE IN A MANNER TO ALLOW POSITIVE DRAINAGE ACROSS PROPERTY LINES. WHICH MAY INCLUDE EXCAVATION OF TEMPORARY DITCHES TO PREVENT SOILS FROM BEING WASHED AWAY TO ADJACENT PROPERTY. CONTRACTOR SHALL PREVENT SURFACE WATER FROM BEING DIVERTED TO ADJACENT PROPERTY. IN NO WAY SHALL OWNER BE RESPONSIBLE FOR REMEDIATION OF UNSATURATED SOILS. CONTRACTOR SHALL TAKE NECESSARY PRECAUTIONS TO PREVENT POLLUTION OF ADJACENT PROPERTY. CONTRACTOR SHALL TAKE NECESSARY PRECAUTIONS TO PREVENT POLLUTION OF ADJACENT PROPERTY.
7. THE CONTRACTOR IS RESPONSIBLE FOR CONSTRUCTION OF ALL PAVING OR BEARING SURFACES IN ACCORDANCE WITH PART 2 OF THE STATE STANDARDS. THE CONTRACTOR SHALL NOTIFY ENGINEER/OWNER IF PROPER COMPACTION CANNOT BE OBTAINED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR DETERMINING WHICH IN-SITU SOILS ARE TO BE CONSIDERED UNSUITABLE. THE CONTRACTOR SHALL OBTAIN AND GEOTECHNICAL TESTING CONSULTANT WILL DETERMINE IF REMEDIAL MEASURES WILL BE NECESSARY.

8. IN THE EVENT THAT ANY MOISTURE-DENSITY TEST(S) FAIL TO MEET SPECIFICATION, THE CONTRACTOR SHALL PERFORM CORRECTIVE WORKS NECESSARY TO BRING THE MATERIAL INTO COMPLIANCE AND REPEAT THE FAILED AREA AT NO COST TO THE OWNER.
9. WITH THE AUTHORIZATION OF THE ENGINEER/OWNER, MATERIAL THAT IS TOO WET TO PERMIT PROPER COMPACTION MAY BE REMOVED FROM THE SITE AND REPLACED WITH DRY MATERIAL. CONTRACTOR SHALL CLEARLY MARK THE EXTERIOR LIMITS OF SPREAD MATERIAL. THE LIMITS SHALL BE SUBJECT TO THE ENGINEER/OWNER'S APPROVAL. THE MOST RESTRICTIVE OF THE EFFECTIVE TREATMENT FOR THE MATERIAL SHALL BE USED TO TURN OVER THE SPREAD MATERIAL, OR THE MAXIMUM COMPACTION LIMIT DEPTH.
10. THE CONTRACTOR SHALL IMMEDIATELY NOTIFY ENGINEER/OWNER IF GROUNDWATER IS ENCOUNTERED DURING EXCAVATION.
11. CONTRACTOR IS SOLELY RESPONSIBLE FOR THE DESIGN AND CONSTRUCTION OF ADEQUATE AND SAFE TEMPORARY SHORING, BRACING, RETENTION STRUCTURES, AND EXCAVATIONS.

12. THE SITE SHALL BE COMPLETED TO WITHIN 0.10 FT (+/-) OF THE PROPOSED GRADES SHOWN WITHIN THE PLANS PRIOR TO PLACEMENT OF TOPSOIL OR AGGREGATE BASE COURSE. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FEES. GRADING WITHIN RIGHT-OF-WAY IS SUBJECT TO APPROVAL BY THE CITY OF FRANKLIN. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS IMMEDIATELY UPON COMPLETION OF INDIVIDUAL SMALLER AREAS.
13. CONTRACTOR SHALL CONTACT "DIGGERS HOTLINE" FOR LOCATIONS OF ALL EXISTING UTILITIES PRIOR TO COMMENCEMENT OF ANY CONSTRUCTION. CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING SAID UTILITIES FROM ANY DAMAGE DURING CONSTRUCTION.
14. CONTRACTOR SHALL PROTECT INLETS AND ADJACENT PROPERTIES WITH SILT FENCING. CONTRACTOR SHALL PLACE SILT FENCING AT DOWN SLOPE SIDE OF GRADING LIMITS. CONTRACTOR SHALL BE RESPONSIBLE FOR DAMAGE TO ANY EXISTING FACILITIES OR UTILITIES. ALL FACILITIES AND UTILITIES TO BE REPAIRED TO THE OWNER'S SATISFACTION AT THE EXPENSE OF THE CONTRACTOR.
15. WORKS WITHIN ANY ROADWAY RIGHT-OF-WAY SHALL BE COORDINATED WITH THE APPROPRIATE MUNICIPAL AGENCY. CONTRACTOR SHALL BE RESPONSIBLE FOR ANY CONSTRUCTION ACTIVITIES. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND FEES. GRADING WITHIN RIGHT-OF-WAY IS SUBJECT TO APPROVAL BY THE CITY OF FRANKLIN. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS IMMEDIATELY UPON COMPLETION OF INDIVIDUAL SMALLER AREAS. ITEMS NECESSARY TO RESTORE RIGHT-OF-WAY IN-KIND INCLUDING GRASSING, PAVING, AND LANDSCAPE SHALL COMPLY WITH ALL CITY OF FRANKLIN CONSTRUCTION STANDARDS/ORDINANCES FOR WORK WITHIN THE RIGHT-OF-WAY.
16. CONTRACTOR SHALL COMPLY WITH ALL CITY OF FRANKLIN CONSTRUCTION STANDARDS/ORDINANCES FOR WORK WITHIN THE RIGHT-OF-WAY.
17. LANDSCAPE AND TURF AREAS SHALL HAVE A MINIMUM OF 6-INCH TOPSOIL REPLACEMENT.
18. SURVEY BENCHMARKS AND PIPING HAVE BEEN PROVIDED BY PINNACLE ENGINEERING GROUP. IN NO WAY SHALL THE CONTRACTOR BE RESPONSIBLE FOR THE ACCURACY OR REPRESENTATIVENESS OF ACTUAL CONDITIONS. CONTRACTOR SHALL PROVIDE CHECKS AS NECESSARY TO VERIFY THE BASEMAP CONTENT AND ACCURACY.



SEE SHEET C-6

SEE SHEET C-7

REVISIONS	
NO.	DESCRIPTION

PERMIT COMMENTS	
NO.	DESCRIPTION

SHEET	
NO.	DESCRIPTION

PLANNING DESIGN DELIVER

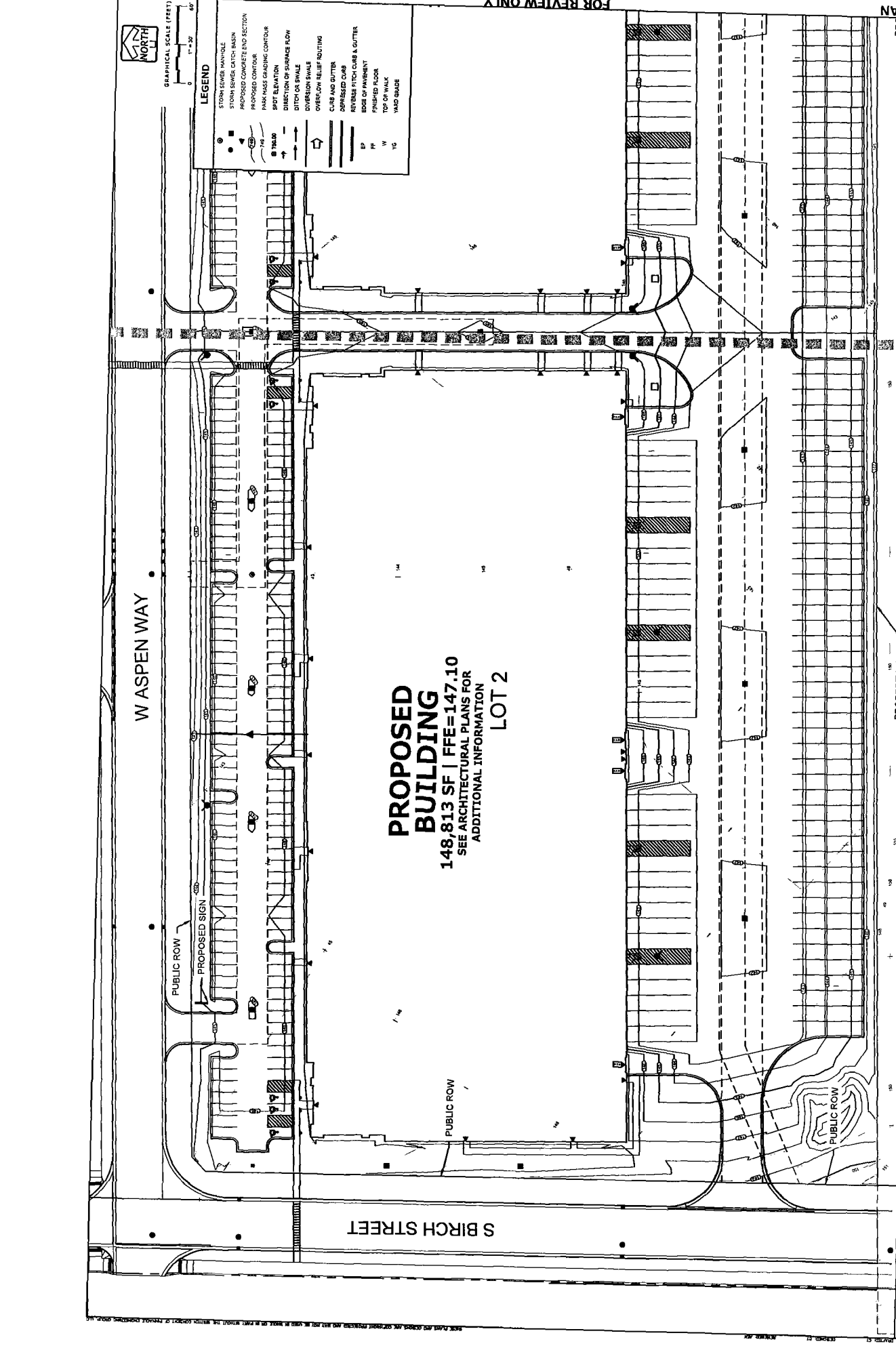
PINNACLE ENGINEERING GROUP
 207 W. GARDNER ST. SUITE 100
 FRANKLIN, WI 53128
 PHONE: 262.433.4400
 FAX: 262.433.4401
 WWW.PINNACLE-ENG.COM

HSA FRANKLIN INDUSTRIAL, LLC
 FRANKLIN, WI

GRADING OVERVIEW

C-16

2:\PROJECTS\131571-100-WHICHS\SET\131571-100-GRADING.PLAN.DWG



W ASPEN WAY

PROPOSED BUILDING
148,813 SF | FFE=147.10
SEE ARCHITECTURAL PLANS FOR
ADDITIONAL INFORMATION
LOT 2

S BIRCH STREET



GRAPHICAL SCALE (FEET)
1" = 50'

LEGEND

- STORM SEWER MANHOLE
- STORM SEWER CATCH BASIN
- PROPOSED CONCRETE EROSION SECTION
- PROPOSED CONTOUR
- PARK WALK GRADING CONTOUR
- SPOT ELEVATION
- DIRECTION OF SURFACE FLOW
- DITCH OR SWALE
- DIVERSION SWALE
- OVERFLOW RELIEF ROUTING
- CURB AND GUTTER
- DEPRESSED CURB
- REVERSE PITCH CURB & GUTTER
- EDGE OF PAVEMENT
- FINISHED FLOOR
- TOP OF WALK
- YARD GRADE

PROJ. NO. 182210A
DATE 11/20/2018
SCALE 1" = 50'
SHEET C-6
C-16

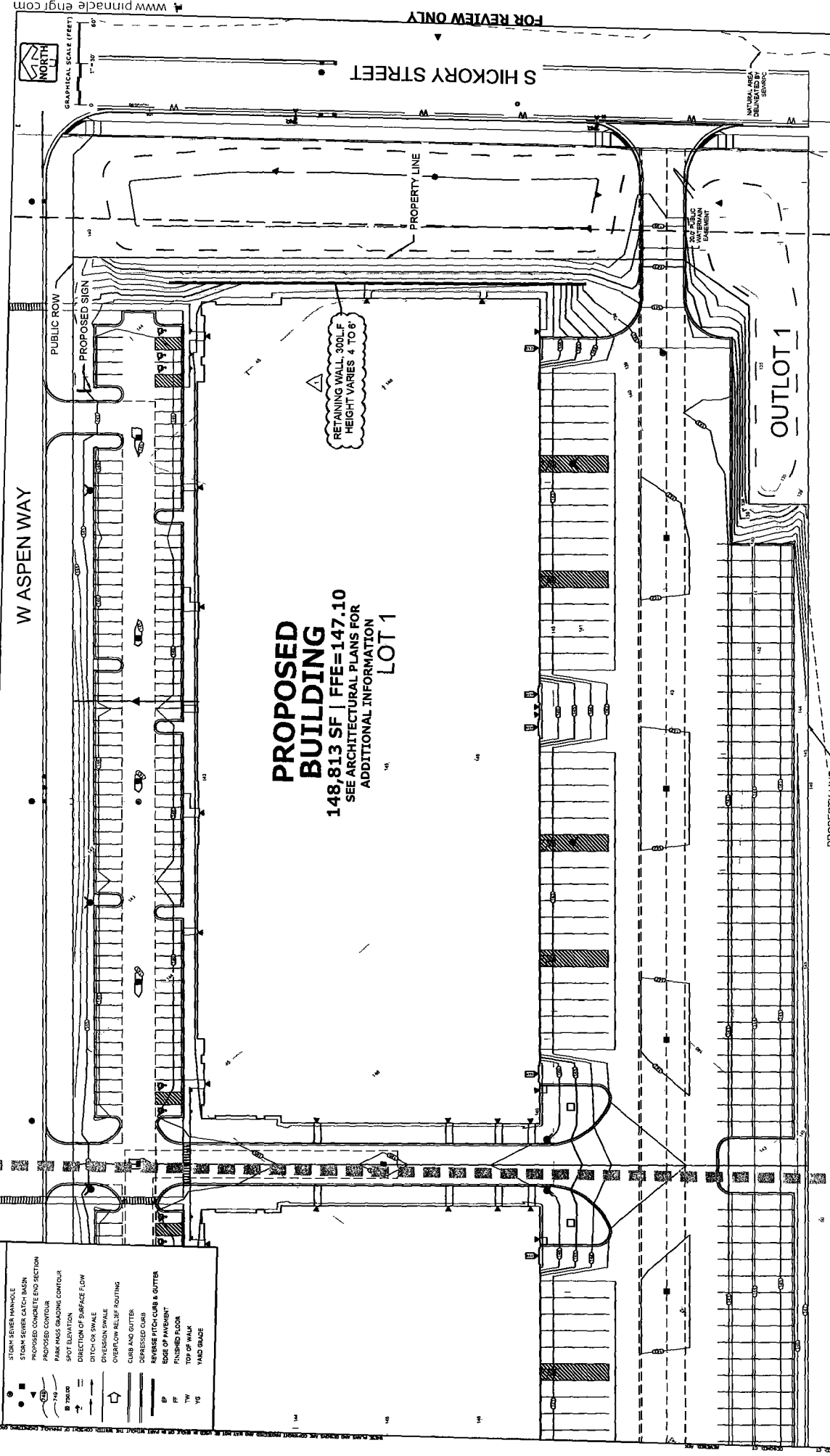
NO.	REVISIONS	DATE
1	PERMIT COMMENTS	08/23/2019

GRADING PLAN

HSA FRANKLIN INDUSTRIAL, LLC
FRANKLIN, WI

PLAN DESIGN DELIVER
PINNACLE ENGINEERING GROUP
100 WILSON DRIVE, SUITE 100
FRANKLIN, WI 53120
P.O. BOX 124
FRANKLIN, WI 53120
ENGINEERING, ARCHITECTURE, SURVEYING

PROJECT NO. 182210A
DATE 11/20/2018
SCALE 1" = 50'



PROPOSED BUILDING
 148,813 SF | FFE=147.10
 SEE ARCHITECTURAL PLANS FOR
 ADDITIONAL INFORMATION
 LOT 1

RETAINING WALL, 300 LF
 HEIGHT VARIES 4 TO 6'

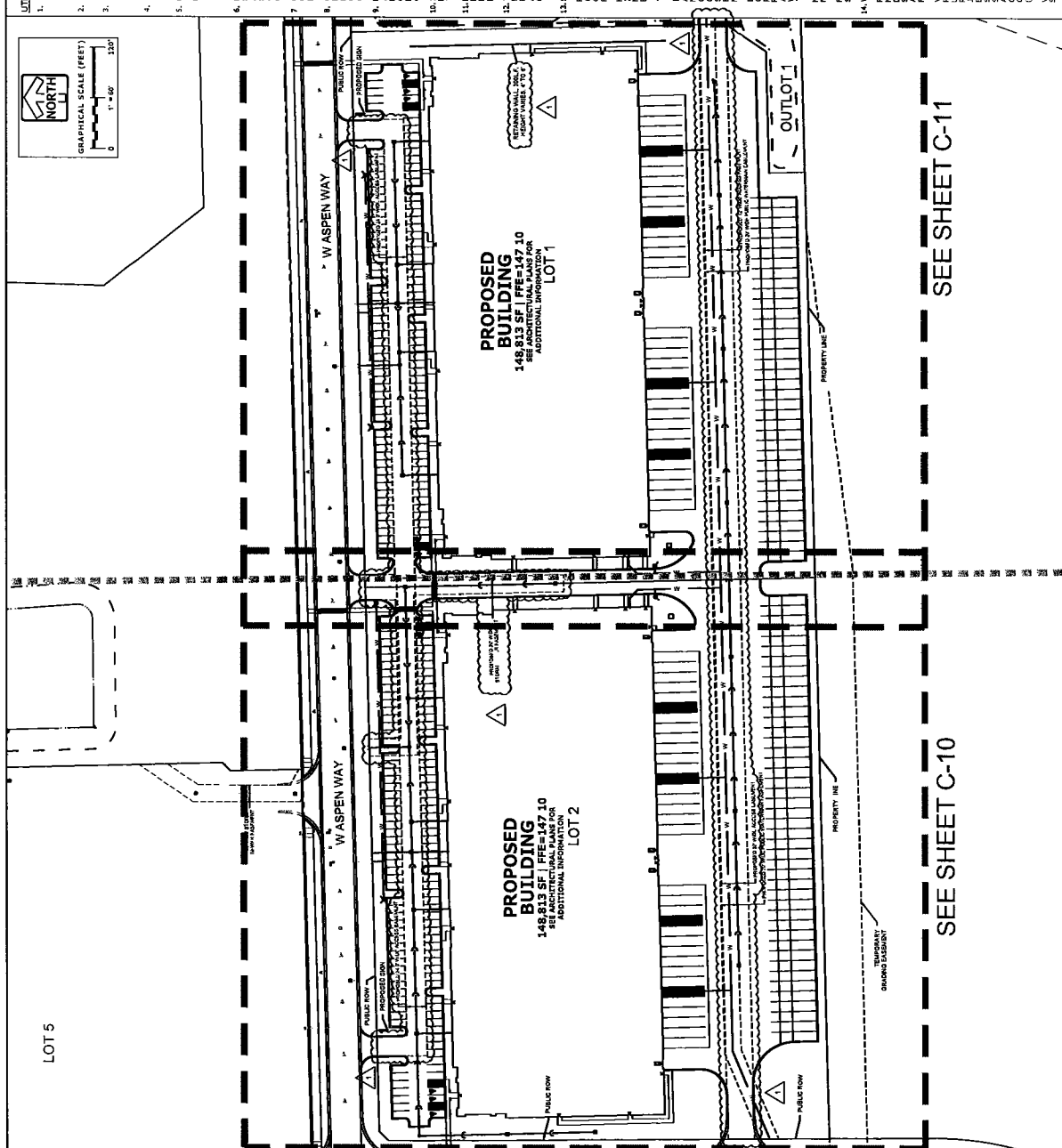
LEGEND

- STORM SEWER MANHOLE
- STORM SEWER CATCH BASIN
- PROPOSED CONCRETE END SECTION
- PROPOSED CONTOUR
- PAVING MASS GRADING CONTOUR
- SPOT ELEVATION
- DIRECTION OF SURFACE FLOW
- DITCH OR SWALE
- DIVERSION SWALE
- OVERFLOW RELIEF ROUTING
- CURB AND GUTTER
- REVERSE FITCH CURB & GUTTER
- DEPRESSED CURB
- EDGE OF PAVEMENT
- FINISHED FLOOR
- TOP OF WALK
- YARD GRADE

PINNACLE ENGINEERING GROUP ENGINEERING, SURVEYING, ARCHITECTURE 1000 W. WISCONSIN AVENUE, SUITE 200 FRANKLIN, WI 53128 (262) 781-1100 WWW.PINNACLE-ENG.COM	PLAN / DESIGN / DELIVER HSA FRANKLIN INDUSTRIAL, LLC FRANKLIN, WI	GRADING PLAN	REVISIONS NO. DATE BY	SHEET C-7 OF C-16
			PERMIT COMMENTS _____ _____ _____	DESIGNER CHECKED DATE

FOR REVIEW ONLY

- UTILITY GENERAL NOTES**
- ALL SANITARY SEWER AND WATERMAIN TO BE INSTALLED SHALL BE IN ACCORDANCE WITH WISCONSIN WATER UTILITY (WU) STANDARDS, SIE SPECIFICATIONS. BE INSTALLED PER BRENDA PHE DRAWING.
 - ALL APPLICATIONS AND FEES FOR SANITARY SEWER AND WATER MAINS MUST BE COMPLETED AND PAID PRIOR TO CONNECTION TO EXISTING WATER SYSTEMS.
 - ALL WATER CONNECTIONS TO EXISTING WATER MAINS SHALL BE COMPLETED PRIOR TO ANY SANITARY SEWER CONNECTIONS TO EXISTING WATER MAINS. SHALL PROVIDE 72 HOURS NOTICE TO WU WHEN CONNECTION IS TO BE MADE.
 - ANY UTILITY WORK IN THE RIGHT-OF-WAY AND ALL SANITARY SEWER AND WATER MAINS SHALL BE INSTALLED AND COVERED BY 10:00 AM, 10:00 AM TO 4:00 PM IN ADVANCE OF CONNECTION TO SEWER.
 - EXISTING UTILITIES ARE SHOWN FOR INFORMATIONAL PURPOSES ONLY AND ARE NOT TO BE USED FOR THE PROJECT. ALL EXISTING UTILITIES SHALL BE UNDERGROUND UNLESS OTHERWISE NOTED. ALL EXISTING UTILITIES SHALL CALL "XOSER'S" HOTLINE PRIOR TO ANY CONSTRUCTION.
 - LENGTHS OF PROPOSED UTILITIES ARE FROM CENTER OF STRUCTURES OR FITTINGS AND MAY VARY SLIGHTLY FROM FINAL DIMENSIONS. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FOR CONSTRUCTION OF UTILITIES REQUIRED TO BE INSTALLED.
 - CONTRACTOR SHALL ADVISE AND/OR RECONSTRUCT EXISTING UTILITY COVERS (SUCH AS MANHOLE COVERS, VALVE BOX COVERS, ETC.) TO MATCH EXISTING COVERS. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FOR CONSTRUCTION OF UTILITIES REQUIRED TO BE INSTALLED.
 - CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FOR CONSTRUCTION OF UTILITIES REQUIRED TO BE INSTALLED.
 - ROUTING OF GAS, ELECTRIC AND TELEPHONE SERVICES ARE SHOWN ON THE DRAWING. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FOR CONSTRUCTION OF UTILITIES REQUIRED TO BE INSTALLED.
 - IT IS THE CONTRACTOR'S RESPONSIBILITY TO COORDINATE WITH THE UTILITIES COMPANIES AND ANY PERMITS REQUIRED.
 - FIELD THE CONNECTION, RESTRICTION OR CONNECTION OF ALL FIELD THE ENCOURAGED DURING CONSTRUCTION SHALL BE INCLUDED IN THE UNIT RECONSTRUCTION WITH THE SAME MATERIAL AS THE EXISTING SEWER.
 - THE CONTRACTOR IS RESPONSIBLE FOR DETERMINING THE SIZE, TYPE AND MATERIAL OF ALL UTILITIES TO BE INSTALLED. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FOR CONSTRUCTION OF UTILITIES REQUIRED TO BE INSTALLED.
 - STORM SEWER SPECIFICATIONS: SEE WU SPECIAL PROVISIONS
 - PIPE REINFORCED CONCRETE PIPE (RCP) SHALL MEET THE REQUIREMENTS OF ASTM CLASS C-76 WITH RUBBER GASKET JOINTS CONFORMING TO ASTM CLASS C-76. ALL OTHER SPECIFICATIONS SHALL BE IN ACCORDANCE WITH THE FOLLOWING:
 - HEIGHT OF COVER (FEET): 0-24 3-6 4-13 16-23
 - MINIMUM CONCRETE PIPE CLASSIFICATION: IV II IV
 - TO SHELVE
 - INLET/CATCH BASINS: INLET/CATCH BASINS SHALL BE CONSTRUCTED IN GRAVEL BEDDING AND CLASS B BEDDING IN A PAVED AREA AND TO A GRADE OF EQUAL TO THE SURFACE FINISH GRADE. ALL INLET/CATCH BASINS SHALL BE CONSTRUCTED IN GRAVEL BEDDING AND CLASS B BEDDING IN A PAVED AREA AND TO A GRADE OF EQUAL TO THE SURFACE FINISH GRADE. ALL INLET/CATCH BASINS SHALL BE CONSTRUCTED IN GRAVEL BEDDING AND CLASS B BEDDING IN A PAVED AREA AND TO A GRADE OF EQUAL TO THE SURFACE FINISH GRADE.
 - BAGGILL AND BEDDING: STORM SEWER SHALL BE CONSTRUCTED WITH GRAVEL BEDDING AND CLASS B BEDDING IN A PAVED AREA AND TO A GRADE OF EQUAL TO THE SURFACE FINISH GRADE. ALL BAGGILL AND BEDDING SHALL BE CONSTRUCTED IN GRAVEL BEDDING AND CLASS B BEDDING IN A PAVED AREA AND TO A GRADE OF EQUAL TO THE SURFACE FINISH GRADE.
 - MANHOLE FRAMES AND COVERS: MANHOLE FRAMES AND COVERS SHALL BE CONSTRUCTED IN GRAVEL BEDDING AND CLASS B BEDDING IN A PAVED AREA AND TO A GRADE OF EQUAL TO THE SURFACE FINISH GRADE. ALL MANHOLE FRAMES AND COVERS SHALL BE CONSTRUCTED IN GRAVEL BEDDING AND CLASS B BEDDING IN A PAVED AREA AND TO A GRADE OF EQUAL TO THE SURFACE FINISH GRADE.
 - WATER MAIN SPECIFICATIONS: SEE WU SPECIAL PROVISIONS
 - WATER MAIN SHALL BE EITHER POLYETHYLENE GLYCOL (PE) PIPE MEETING THE REQUIREMENTS OF AWWA C-900 OR CLASS 150 SPIRIT JOINT OR DUCTILE IRON (DI) PIPE MEETING THE REQUIREMENTS OF AWWA C-150. ALL WATER MAINS SHALL BE CONSTRUCTED IN GRAVEL BEDDING AND CLASS B BEDDING IN A PAVED AREA AND TO A GRADE OF EQUAL TO THE SURFACE FINISH GRADE.
 - VALVE BOXES: VALVE BOXES SHALL BE CONSTRUCTED IN GRAVEL BEDDING AND CLASS B BEDDING IN A PAVED AREA AND TO A GRADE OF EQUAL TO THE SURFACE FINISH GRADE. ALL VALVE BOXES SHALL BE CONSTRUCTED IN GRAVEL BEDDING AND CLASS B BEDDING IN A PAVED AREA AND TO A GRADE OF EQUAL TO THE SURFACE FINISH GRADE.



REVISIONS

NO.	DATE	DESCRIPTION	BY	CHK

UTILITY PLAN

HSA FRANKLIN INDUSTRIAL, LLC

PLANT DESIGN | DELIVER

PINNACLE ENGINEERING GROUP

FRANKLIN, WI

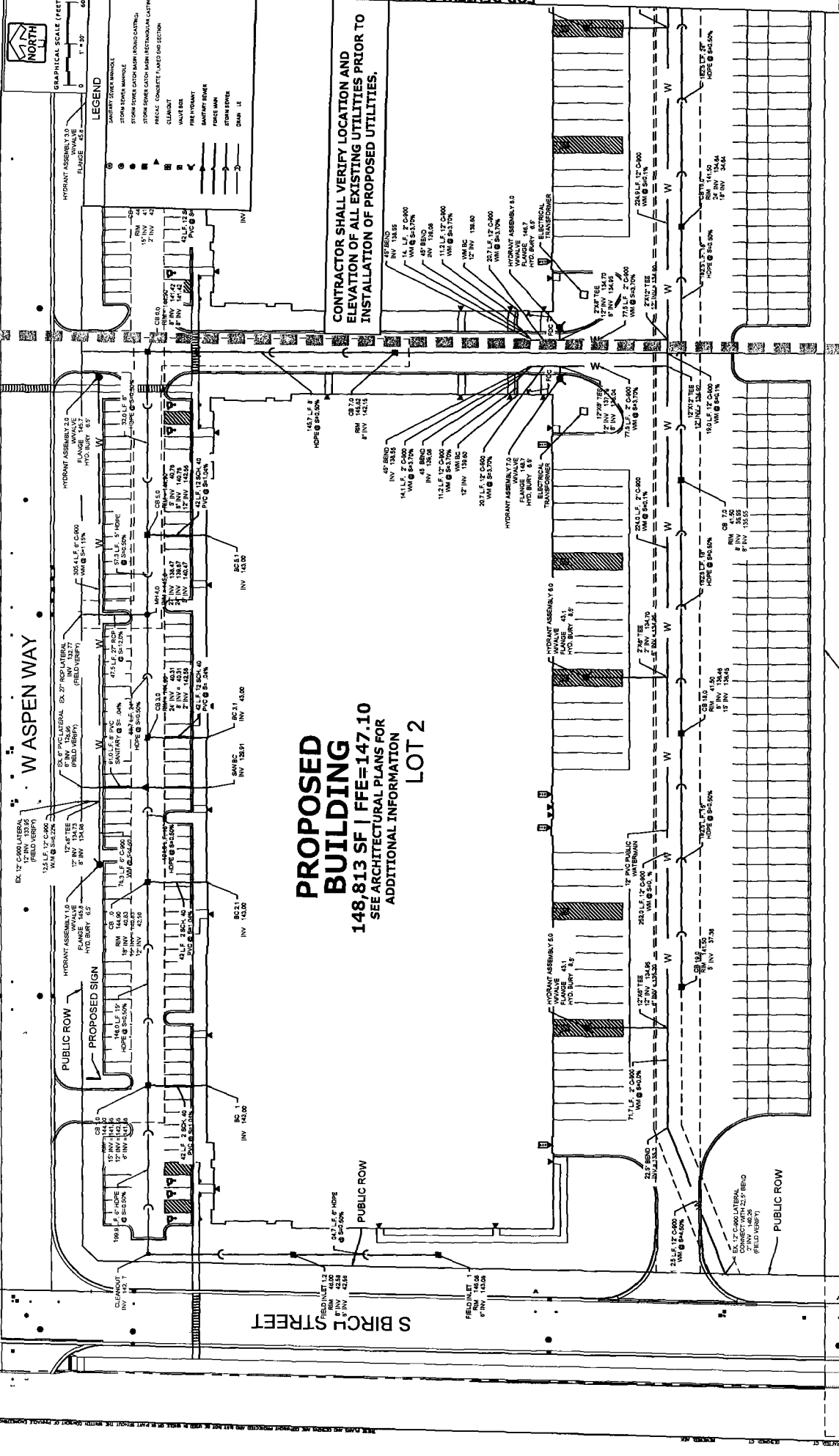
CONTRACTOR SHALL VERIFY LOCATION AND ELEVATION OF ALL EXISTING UTILITIES PRIOR TO INSTALLATION OF PROPOSED UTILITIES.

PROPOSED BUILDING

148,813 SF | FFE=147.10
SEE ARCHITECTURAL PLANS FOR ADDITIONAL INFORMATION
LOT 2

W ASPEN WAY

S BIRCH STREET

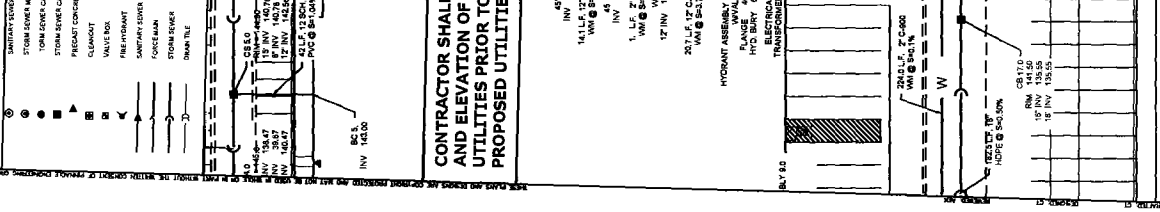
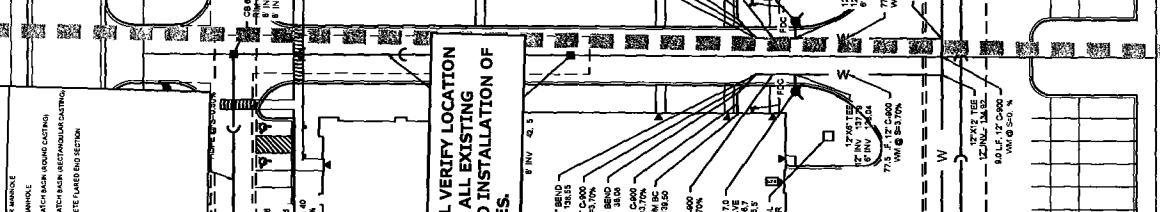
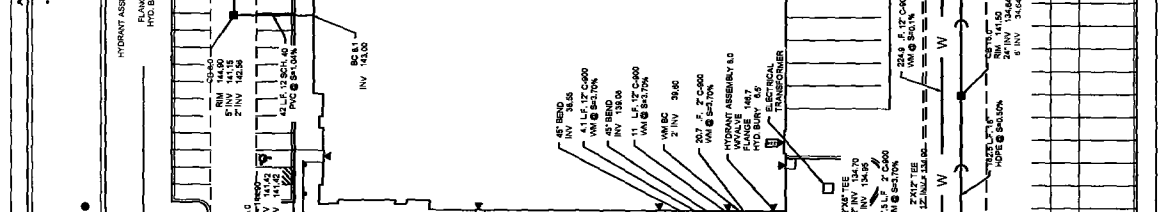
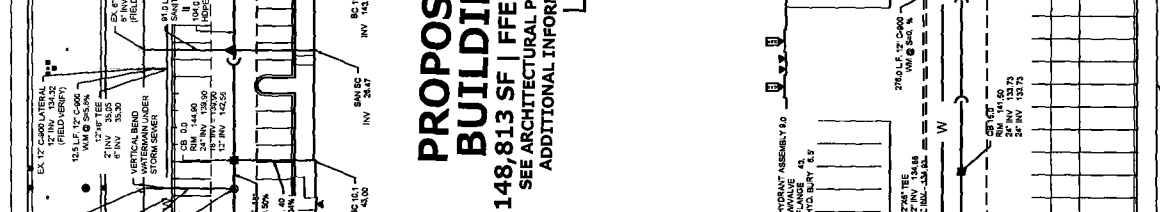
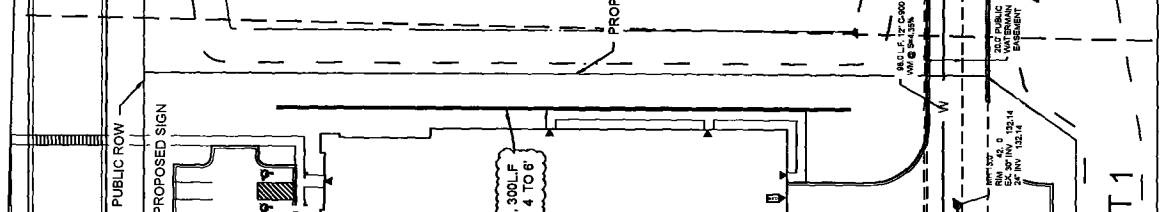
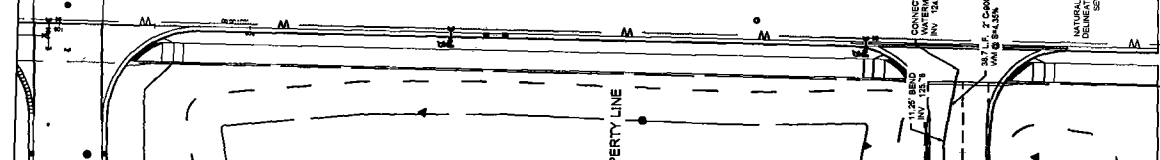


GRAPHICAL SCALE (FEET)
1" = 20'

NORTH

LEGEND

- HYDRANT ASSEMBLY
- VALVE
- ELECTRICAL TRANSFORMER
- MANHOLE
- CATCH BASIN
- PIPE
- CONCRETE LIMITED USE SECTION
- UTILITY
- PROPERTY LINE
- PROPERTY LINE



PROPOSED BUILDING
148,813 SF | FFE=147.10
SEE ARCHITECTURAL PLANS FOR ADDITIONAL INFORMATION
LOT 1

CONTRACTOR SHALL VERIFY LOCATION AND ELEVATION OF ALL EXISTING UTILITIES PRIOR TO INSTALLATION OF PROPOSED UTILITIES.

- LEGEND**
- SANITARY SEWER MANHOLE
 - STORM SEWER MANHOLE
 - STORM SEWER CATCH BASIN (RETAINING WALL SECTION)
 - STORM SEWER CATCH BASIN (RETAINING WALL SECTION)
 - CLEANOUT
 - VALVE BOX
 - FIRE HYDRANT
 - SANITARY SEWER
 - STORM SEWER
 - STORM TILE

REVISIONS

NO.	DATE	REVISIONS
1	02/20/20	REVISIONS

REVISIONS

REVISION COMMENTS

UTILITY PLAN

HSA FRANKLIN INDUSTRIAL, LLC

FRANKLIN, WI

PLAN DESIGN | DELIVER

PINNACLE ENGINEERING GROUP

ENGINEERING - MECHANICAL - PLUMBING

PROJECT NO. 18-017 | DATE: 02/20/20

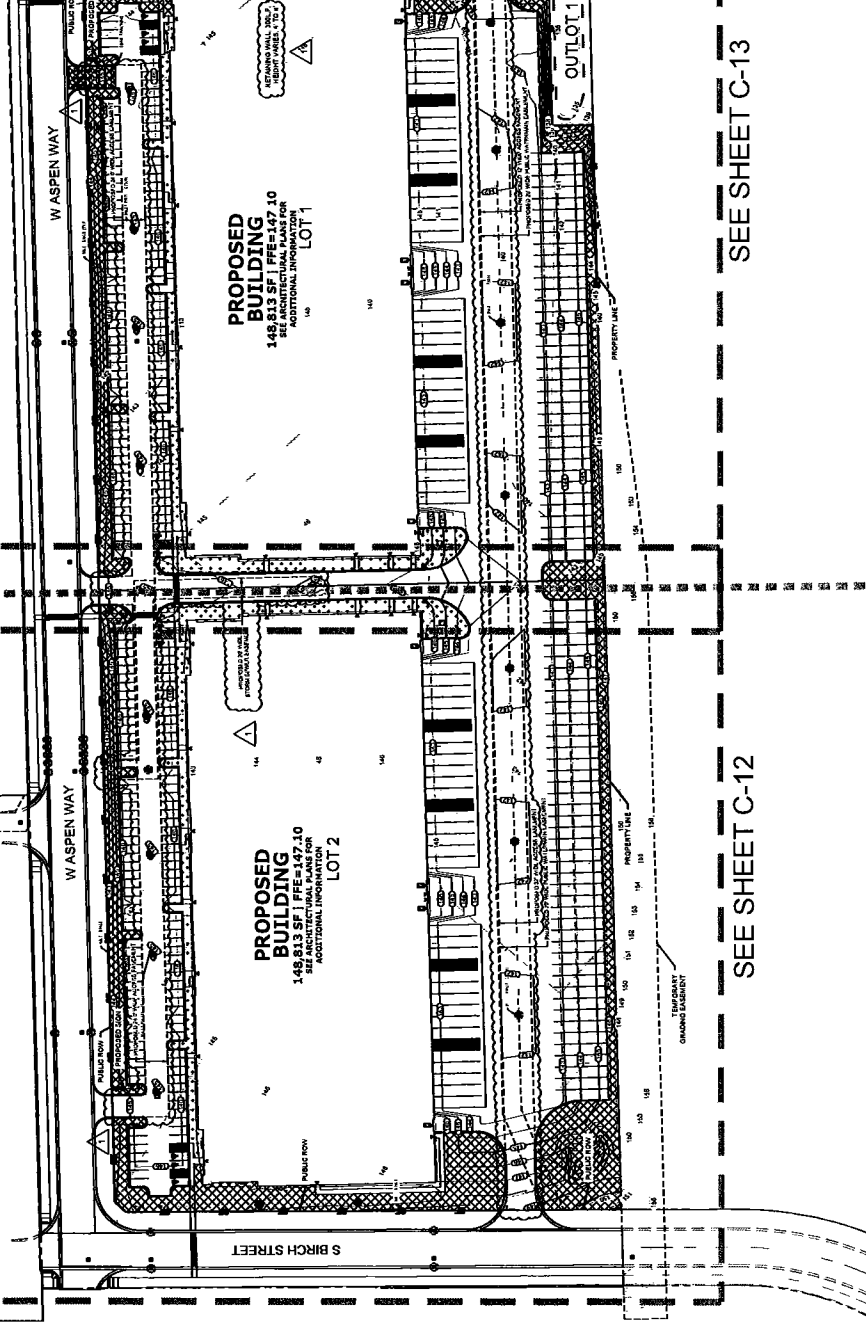
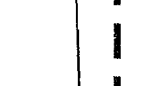
SCALE: 1" = 30'

CONSTRUCTION SITE SEQUENCING

1. INSTALL EROSION CONTROL MEASURES AT THE BEGINNING OF CONSTRUCTION.
2. STORM AND SEDIMENT CONTROL: INSTALL 15% TRENCH AND/OR PERIMETER OF STORMFLOW.
3. COMPLETE STORM CONTROL EFFORTS AND INSTALL CHECK DAMS AND SEDIMENT TRAPS.
4. COMPLETE FINAL GRADING AND STRUCTURES IMMEDIATELY AFTER PROTECTION.
5. COMPLETE FINAL GRADING, PREPARATION OF GRAVEL LAKE COURSE, PLACEMENT OF CURB, AND FINISHING.
6. COMPLETE ALL EROSION CONTROL MEASURES.
7. EROSION CONTROL MEASURES SHALL BE REMOVED ONLY AFTER SITE CONSTRUCTION IS COMPLETE AND ALL EROSION CONTROL MEASURES ARE REMOVED TO MAINTAIN PROTECTION OF ADJACENT PROPERTIES.
8. EROSION CONTROL MEASURES SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD AND REINSTALLED AS NECESSARY TO ACCORDANCE WITH THE CONSTRUCTION SITE EROSION CONTROL REQUIREMENTS.

GENERAL EROSION CONTROL NOTES

1. EROSION CONTROL MEASURES SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD AND REINSTALLED AS NECESSARY TO ACCORDANCE WITH THE CONSTRUCTION SITE EROSION CONTROL REQUIREMENTS.
2. EROSION CONTROL MEASURES SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD AND REINSTALLED AS NECESSARY TO ACCORDANCE WITH THE CONSTRUCTION SITE EROSION CONTROL REQUIREMENTS.
3. EROSION CONTROL MEASURES SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD AND REINSTALLED AS NECESSARY TO ACCORDANCE WITH THE CONSTRUCTION SITE EROSION CONTROL REQUIREMENTS.
4. EROSION CONTROL MEASURES SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD AND REINSTALLED AS NECESSARY TO ACCORDANCE WITH THE CONSTRUCTION SITE EROSION CONTROL REQUIREMENTS.
5. EROSION CONTROL MEASURES SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD AND REINSTALLED AS NECESSARY TO ACCORDANCE WITH THE CONSTRUCTION SITE EROSION CONTROL REQUIREMENTS.
6. EROSION CONTROL MEASURES SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD AND REINSTALLED AS NECESSARY TO ACCORDANCE WITH THE CONSTRUCTION SITE EROSION CONTROL REQUIREMENTS.
7. EROSION CONTROL MEASURES SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD AND REINSTALLED AS NECESSARY TO ACCORDANCE WITH THE CONSTRUCTION SITE EROSION CONTROL REQUIREMENTS.
8. EROSION CONTROL MEASURES SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD AND REINSTALLED AS NECESSARY TO ACCORDANCE WITH THE CONSTRUCTION SITE EROSION CONTROL REQUIREMENTS.
9. EROSION CONTROL MEASURES SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD AND REINSTALLED AS NECESSARY TO ACCORDANCE WITH THE CONSTRUCTION SITE EROSION CONTROL REQUIREMENTS.
10. EROSION CONTROL MEASURES SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD AND REINSTALLED AS NECESSARY TO ACCORDANCE WITH THE CONSTRUCTION SITE EROSION CONTROL REQUIREMENTS.



SEE SHEET C-12

SEE SHEET C-13

NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR PERMIT	10/20/2023	[Signature]

NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR PERMIT	10/20/2023	[Signature]

HSA FRANKLIN INDUSTRIAL, LLC
 FRANKLIN, WI

PINNACLE ENGINEERING GROUP
 ENGINEERING NATIONAL RESOURCES DIVISION

PLAN DESIGN DELIVER
 PROJECT NO: 2023000000100
 DATE: 10/20/2023

NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR PERMIT	10/20/2023	[Signature]

NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR PERMIT	10/20/2023	[Signature]

HSA FRANKLIN INDUSTRIAL, LLC
 FRANKLIN, WI

PINNACLE ENGINEERING GROUP
 ENGINEERING NATIONAL RESOURCES DIVISION

PLAN DESIGN DELIVER
 PROJECT NO: 2023000000100
 DATE: 10/20/2023

148,813 SF | FFE=147.10
SEE ARCHITECTURAL PLANS FOR
ADDITIONAL INFORMATION
LOT 2

W ASPEN WAY

S BIRCH STREET

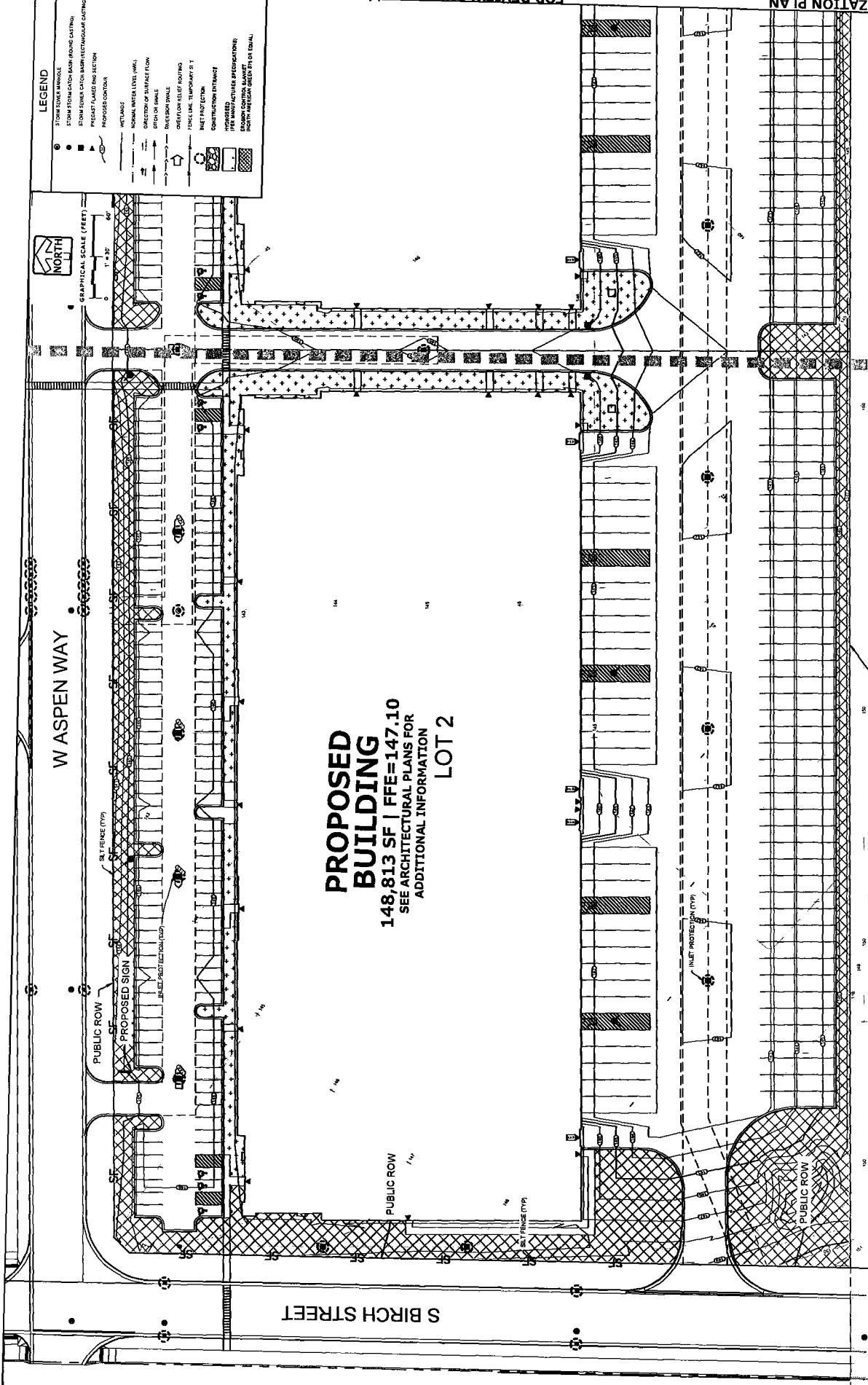


LEGEND

STORM SEWER MANHOLE
STORM SEWER CATCH-BASIN ROUND CASTING
PRECAST LINED INLET SECTION
PROPOSED CONTROL

VERTICALLY
NORMAL WATER LEVEL (NWL)
DIRECTION OF SURFACE FLOW
BACKFLOW PREVENTER

PERFORATED LINED INLET SECTION
PERFORATED LINED SECTION
CONSTRUCTION ENTRANCE
PERMANENT WATER SPECIFICATION
FLOW CONTROL MANHOLE
FLOW CONTROL MANHOLE BY-OUT (S/W)



REVISIONS

NO.	DATE	DESCRIPTION
1	12/21/23	ISSUED FOR PERMIT

SITE STABILIZATION PLAN

HSA FRANKLIN INDUSTRIAL, LLC
FRANKLIN, WI

PLANNING ENGINEERING GROUP
ENGINEERING | NATURAL RESOURCES | SURVEYING

148,813 SF | FFE=147.10
SEE ARCHITECTURAL PLANS FOR
ADDITIONAL INFORMATION
LOT 2

NO.	REVISIONS	DATE

SITE STABILIZATION PLAN

HSA FRANKLIN INDUSTRIAL, LLC
FRANKLIN, WI

PINNACLE ENGINEERING GROUP
ENGINEERING, SURVEYING, ARCHITECTURE
1000 W. WISCONSIN STREET, SUITE 100
FRANKLIN, WI 53140
PH: 262.333.3333 FAX: 262.333.3334
WWW.PINNACLE-ENG.COM

W ASPEN WAY

S HICKORY STREET

OUTLOT 1

PROPOSED BUILDING
148,813 SF | FFE=147.10
SEE ARCHITECTURAL PLANS FOR
ADDITIONAL INFORMATION
LOT 1

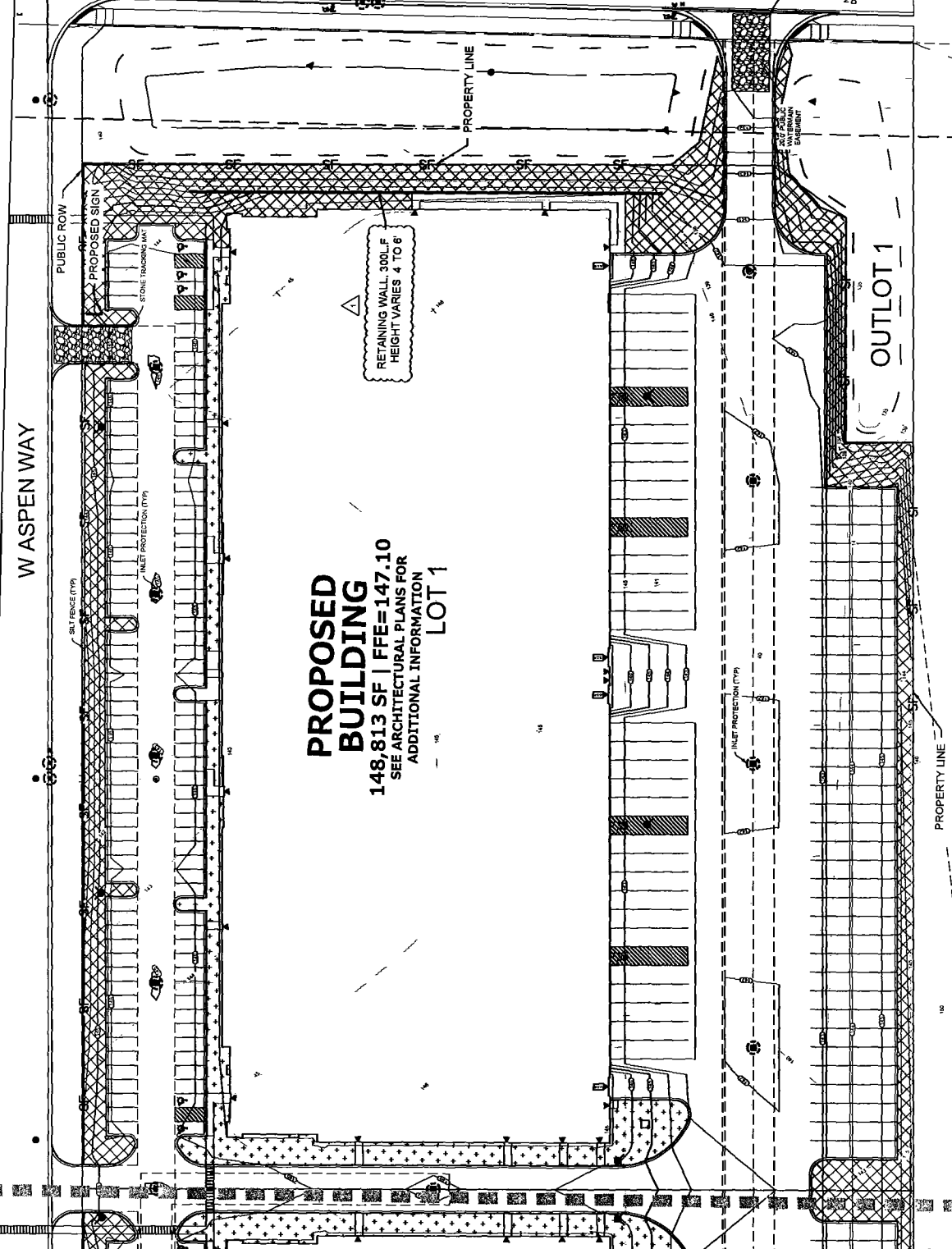
RETAINING WALL, 300LF
HEIGHT VARIES 4 TO 6'

LEGEND

- STONE FENCE (TYP)
- STORM WATER DITCH (NON-ERODING CUTTING)
- STORM WATER DITCH (ERODING CUTTING)
- PROPOSED GRADE (EXISTING)
- PROPOSED GRADE (NEW)
- PROPOSED CONTOUR

WETLANDS

- NORMAL WATER LEVEL (NWL)
- DIRECTION OF SURFACE FLOW
- DEPTH OF SWALE
- OBSTRUCTION (SCALE)
- OVERFLOW RELIEF CUTTING
- FENCE LINE (TEMPORARY T)
- INLET PROTECTION
- CONSTRUCTION ENTRANCE
- UTILITY (EXISTING)
- UTILITY (NEW)
- PROPOSED CONTOUR (PROPOSED)
- PROPOSED CONTOUR (BLANKET)
- ADDITIONAL INFORMATION (SEE SHEET)



THIS PLAN AND SPECIFICATIONS ARE PRELIMINARY AND SUBJECT TO CHANGE WITHOUT NOTICE. THE ENGINEER'S RESPONSIBILITY IS LIMITED TO THE DESIGN AND CONSTRUCTION OF THE STABILIZATION PLAN ONLY.

18. POTENTIAL POLLUTANT SOURCE
 18.1.1. THE PROJECT IS A NEW INDUSTRIAL FACILITY...
 18.1.2. THE FACILITY WILL INCLUDE...
 18.1.3. THE FACILITY WILL INCLUDE...
 18.1.4. THE FACILITY WILL INCLUDE...

19. SOURCE AND EMISSION CONTROL IMPLEMENTATION
 19.1.1. THE SOURCE IS A NEW INDUSTRIAL FACILITY...
 19.1.2. THE SOURCE IS A NEW INDUSTRIAL FACILITY...
 19.1.3. THE SOURCE IS A NEW INDUSTRIAL FACILITY...

20. CONSTRUCTION AND OPERATIONAL CONTROL MEASURES
 20.1.1. THE SOURCE IS A NEW INDUSTRIAL FACILITY...
 20.1.2. THE SOURCE IS A NEW INDUSTRIAL FACILITY...
 20.1.3. THE SOURCE IS A NEW INDUSTRIAL FACILITY...

21. STABILIZATION PRACTICES
 21.1.1. THE SOURCE IS A NEW INDUSTRIAL FACILITY...
 21.1.2. THE SOURCE IS A NEW INDUSTRIAL FACILITY...
 21.1.3. THE SOURCE IS A NEW INDUSTRIAL FACILITY...

22. SPECTRAL PRACTICES
 22.1.1. THE SOURCE IS A NEW INDUSTRIAL FACILITY...
 22.1.2. THE SOURCE IS A NEW INDUSTRIAL FACILITY...
 22.1.3. THE SOURCE IS A NEW INDUSTRIAL FACILITY...

23. SPECTRAL PRACTICES
 23.1.1. THE SOURCE IS A NEW INDUSTRIAL FACILITY...
 23.1.2. THE SOURCE IS A NEW INDUSTRIAL FACILITY...
 23.1.3. THE SOURCE IS A NEW INDUSTRIAL FACILITY...

24. SPECTRAL PRACTICES
 24.1.1. THE SOURCE IS A NEW INDUSTRIAL FACILITY...
 24.1.2. THE SOURCE IS A NEW INDUSTRIAL FACILITY...
 24.1.3. THE SOURCE IS A NEW INDUSTRIAL FACILITY...

25. SPECTRAL PRACTICES
 25.1.1. THE SOURCE IS A NEW INDUSTRIAL FACILITY...
 25.1.2. THE SOURCE IS A NEW INDUSTRIAL FACILITY...
 25.1.3. THE SOURCE IS A NEW INDUSTRIAL FACILITY...

26. SPECTRAL PRACTICES
 26.1.1. THE SOURCE IS A NEW INDUSTRIAL FACILITY...
 26.1.2. THE SOURCE IS A NEW INDUSTRIAL FACILITY...
 26.1.3. THE SOURCE IS A NEW INDUSTRIAL FACILITY...

27. SPECTRAL PRACTICES
 27.1.1. THE SOURCE IS A NEW INDUSTRIAL FACILITY...
 27.1.2. THE SOURCE IS A NEW INDUSTRIAL FACILITY...
 27.1.3. THE SOURCE IS A NEW INDUSTRIAL FACILITY...

28. SPECTRAL PRACTICES
 28.1.1. THE SOURCE IS A NEW INDUSTRIAL FACILITY...
 28.1.2. THE SOURCE IS A NEW INDUSTRIAL FACILITY...
 28.1.3. THE SOURCE IS A NEW INDUSTRIAL FACILITY...

29. SPECTRAL PRACTICES
 29.1.1. THE SOURCE IS A NEW INDUSTRIAL FACILITY...
 29.1.2. THE SOURCE IS A NEW INDUSTRIAL FACILITY...
 29.1.3. THE SOURCE IS A NEW INDUSTRIAL FACILITY...

30. SPECTRAL PRACTICES
 30.1.1. THE SOURCE IS A NEW INDUSTRIAL FACILITY...
 30.1.2. THE SOURCE IS A NEW INDUSTRIAL FACILITY...
 30.1.3. THE SOURCE IS A NEW INDUSTRIAL FACILITY...

CONTROL MEASURES

CONTROL MEASURE	CONTROL MEASURE CHARACTERISTICS
VEGETATIVE STABILIZATION	VEGETATIVE STABILIZATION IS THE USE OF PLANTS TO STABILIZE SOIL AND PREVENT EROSION.
HYDROLOGICAL STABILIZATION	HYDROLOGICAL STABILIZATION IS THE USE OF STRUCTURES TO CONTROL WATER FLOW AND PREVENT EROSION.
STRUCTURAL STABILIZATION	STRUCTURAL STABILIZATION IS THE USE OF STRUCTURES TO STABILIZE SOIL AND PREVENT EROSION.
SOIL STABILIZATION	SOIL STABILIZATION IS THE USE OF MATERIALS TO STABILIZE SOIL AND PREVENT EROSION.
VEGETATIVE STABILIZATION	VEGETATIVE STABILIZATION IS THE USE OF PLANTS TO STABILIZE SOIL AND PREVENT EROSION.
HYDROLOGICAL STABILIZATION	HYDROLOGICAL STABILIZATION IS THE USE OF STRUCTURES TO CONTROL WATER FLOW AND PREVENT EROSION.
STRUCTURAL STABILIZATION	STRUCTURAL STABILIZATION IS THE USE OF STRUCTURES TO STABILIZE SOIL AND PREVENT EROSION.
SOIL STABILIZATION	SOIL STABILIZATION IS THE USE OF MATERIALS TO STABILIZE SOIL AND PREVENT EROSION.

STABILIZATION EFFECTIVENESS (TIME OF YEAR)

STABILIZATION TYPE	WINTER	SPRING	SUMMER	FALL	ANNUAL AVERAGE
VEGETATIVE STABILIZATION	1	2	3	4	2.5
HYDROLOGICAL STABILIZATION	1	2	3	4	2.5
STRUCTURAL STABILIZATION	1	2	3	4	2.5
SOIL STABILIZATION	1	2	3	4	2.5

A RATIONALE BASED ON SEVERAL YEARS WITH PERENNIAL VEGETATION IS SEVERE
 C. SEVERE 7 TONS TRUCK TRAILER CHARGE
 D. SEVERE 7 TONS TRUCK TRAILER CHARGE
 E. SEVERE 7 TONS TRUCK TRAILER CHARGE
 F. SEVERE 7 TONS TRUCK TRAILER CHARGE
 PERMANENTLY (EXCEPT AS NOTED)

41. GENERAL MATERIAL HANDLING PRACTICES
 41.1.1. THE SOURCE IS A NEW INDUSTRIAL FACILITY...
 41.1.2. THE SOURCE IS A NEW INDUSTRIAL FACILITY...
 41.1.3. THE SOURCE IS A NEW INDUSTRIAL FACILITY...

42. GENERAL MATERIAL HANDLING PRACTICES
 42.1.1. THE SOURCE IS A NEW INDUSTRIAL FACILITY...
 42.1.2. THE SOURCE IS A NEW INDUSTRIAL FACILITY...
 42.1.3. THE SOURCE IS A NEW INDUSTRIAL FACILITY...

43. GENERAL MATERIAL HANDLING PRACTICES
 43.1.1. THE SOURCE IS A NEW INDUSTRIAL FACILITY...
 43.1.2. THE SOURCE IS A NEW INDUSTRIAL FACILITY...
 43.1.3. THE SOURCE IS A NEW INDUSTRIAL FACILITY...

44. GENERAL MATERIAL HANDLING PRACTICES
 44.1.1. THE SOURCE IS A NEW INDUSTRIAL FACILITY...
 44.1.2. THE SOURCE IS A NEW INDUSTRIAL FACILITY...
 44.1.3. THE SOURCE IS A NEW INDUSTRIAL FACILITY...

45. GENERAL MATERIAL HANDLING PRACTICES
 45.1.1. THE SOURCE IS A NEW INDUSTRIAL FACILITY...
 45.1.2. THE SOURCE IS A NEW INDUSTRIAL FACILITY...
 45.1.3. THE SOURCE IS A NEW INDUSTRIAL FACILITY...

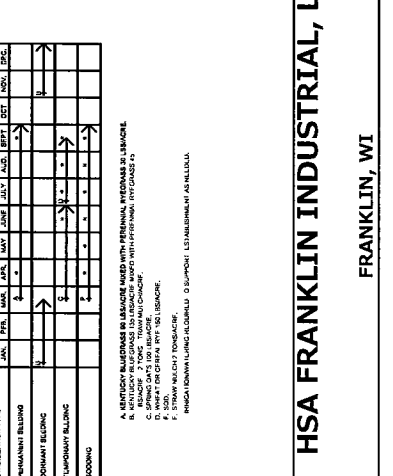
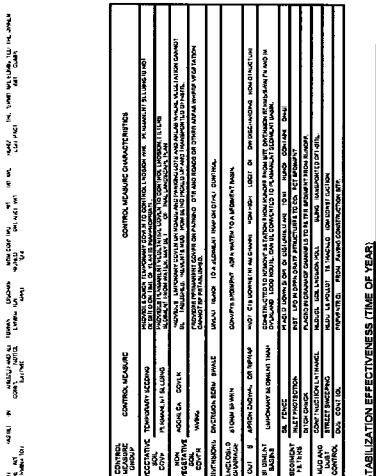
46. GENERAL MATERIAL HANDLING PRACTICES
 46.1.1. THE SOURCE IS A NEW INDUSTRIAL FACILITY...
 46.1.2. THE SOURCE IS A NEW INDUSTRIAL FACILITY...
 46.1.3. THE SOURCE IS A NEW INDUSTRIAL FACILITY...

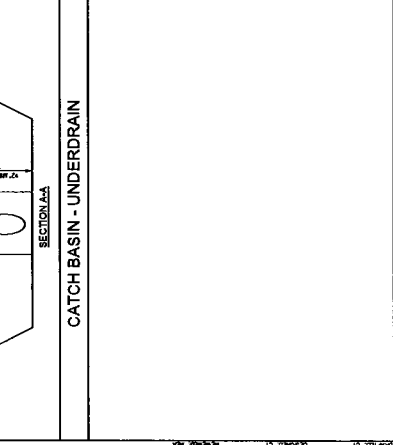
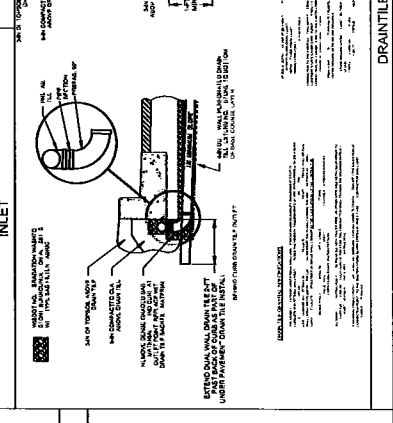
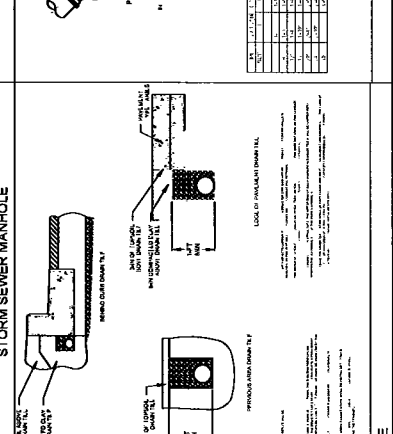
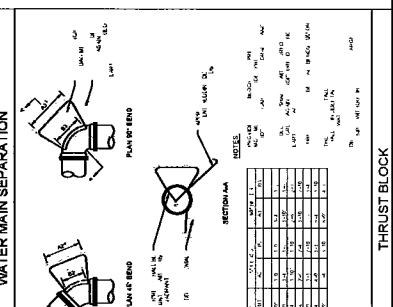
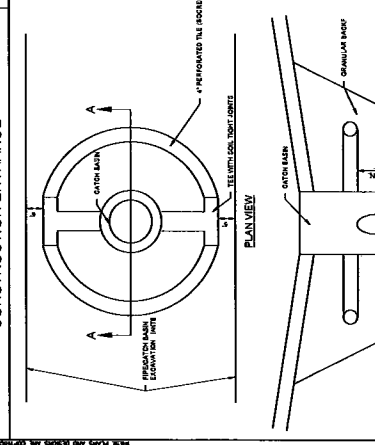
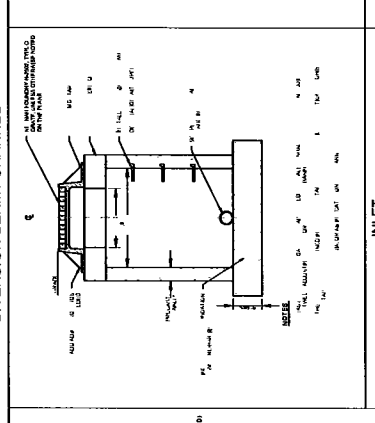
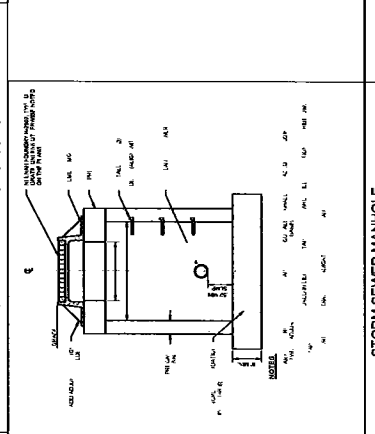
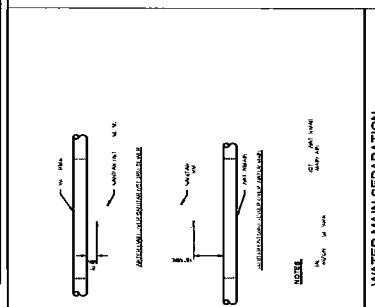
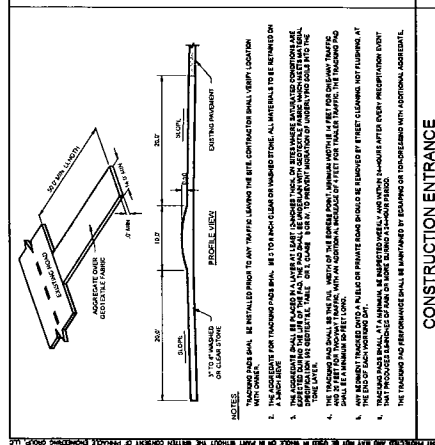
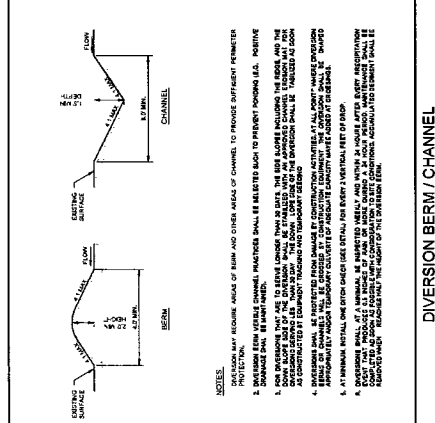
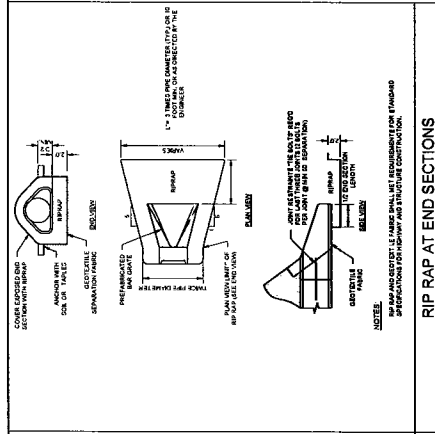
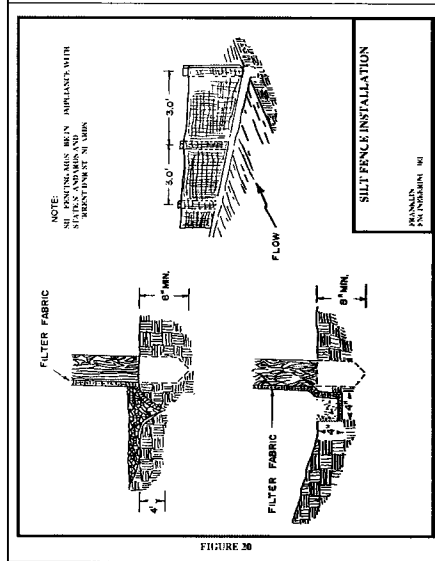
47. GENERAL MATERIAL HANDLING PRACTICES
 47.1.1. THE SOURCE IS A NEW INDUSTRIAL FACILITY...
 47.1.2. THE SOURCE IS A NEW INDUSTRIAL FACILITY...
 47.1.3. THE SOURCE IS A NEW INDUSTRIAL FACILITY...

48. GENERAL MATERIAL HANDLING PRACTICES
 48.1.1. THE SOURCE IS A NEW INDUSTRIAL FACILITY...
 48.1.2. THE SOURCE IS A NEW INDUSTRIAL FACILITY...
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49. GENERAL MATERIAL HANDLING PRACTICES
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50. GENERAL MATERIAL HANDLING PRACTICES
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REVISIONS

NO.	DATE	BY	DESCRIPTION

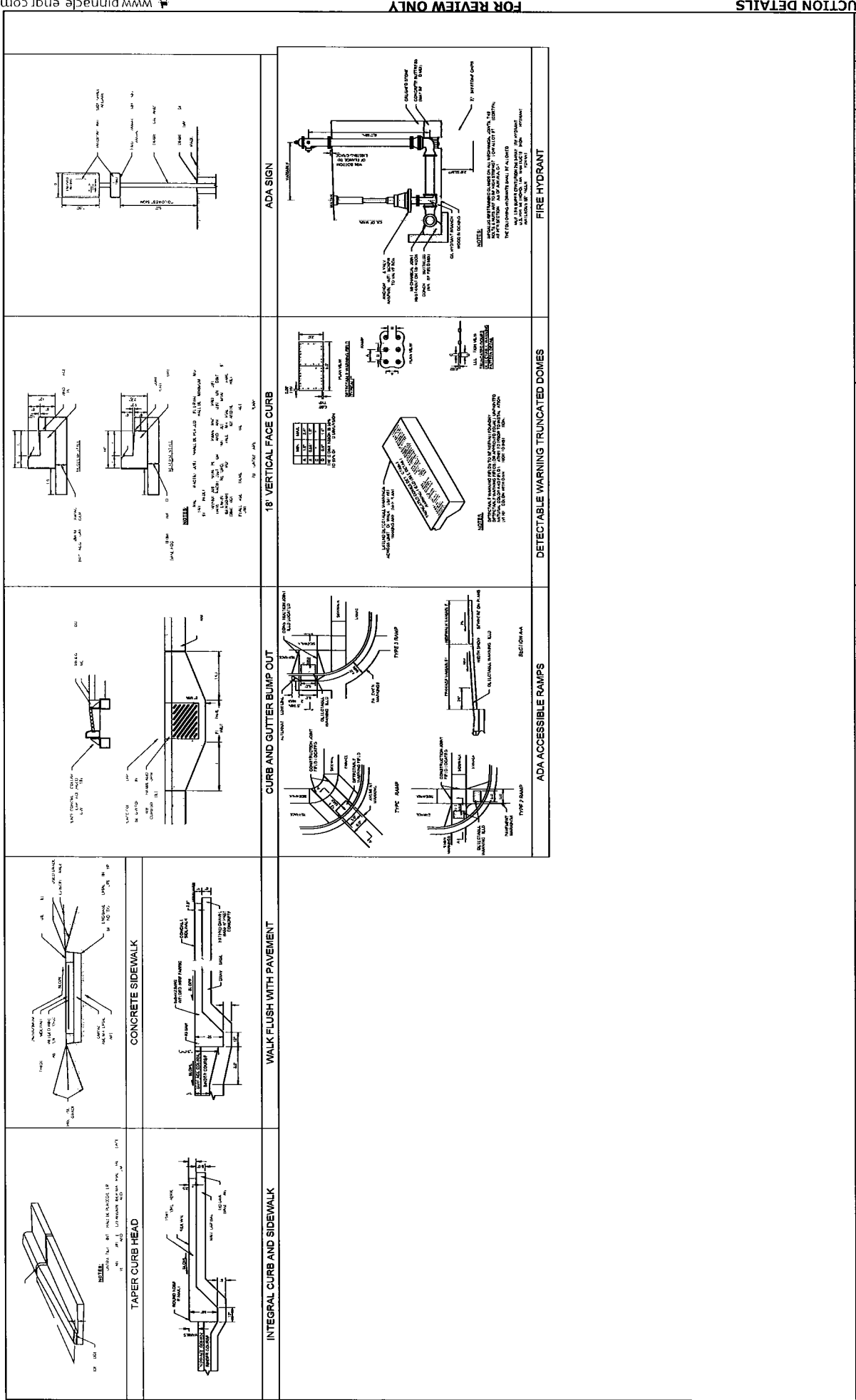
CONSTRUCTION DETAILS

HSA FRANKLIN INDUSTRIAL, LLC

FRANKLIN, WI

PINNACLE ENGINEERING GROUP

CONSTRUCTION DETAILING



PINNACLE ENGINEERING GROUP 1000 W. WISCONSIN AVENUE, SUITE 100 MILWAUKEE, WISCONSIN 53233	PLANT DESIGN DELIVER PROJECT NO. 1922.128 SHEET NO. C-16	HSA FRANKLIN INDUSTRIAL, LLC FRANKLIN, WI	CONSTRUCTION DETAILS	REVISIONS 05/2020
				PERMIT COMMENTS

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APPROVAL <i>Slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE November 2, 2020
REPORTS & RECOMMENDATIONS	RESOLUTION TO AUTHORIZE AMENDMENT 2, PHASE 1 TO TASK ORDER 5 TO RUEKERT & MIELKE, INC. FOR THE PRELIMINARY DESIGN OF S. HICKORY STREET FROM W. ELM ROAD TO W. OAKWOOD ROAD FOR \$46,500	ITEM NUMBER <i>G.8.</i>

BACKGROUND

Ruekert & Mielke has been assisting the City with the development of the Franklin Corporate Park in the vicinity of S. 27th Street, W. Oakwood Road, W. South County Line Road, and the Root River. The expenditure period for Tax Increment District (TID) 4 expired as of June 20, 2020. TID 8 has been created for this same area. On October 20, 2020 the Common Council approved a developers agreement with JHB Properties, LLC and ZS Enterprises, LLC which causes infrastructure investment in the District. There are other yet-to-be named projects expected to occur in the near future.

One of the anticipated projects for TID 8 is the design and construction of a S. Hickory Street north from W. Elm Road to W. Oakwood Road.

ANALYSIS

There are currently no projects approved whose tax increment would pay for the full design and construction of W. Hickory Street. However, there is a need to start design of S. Hickory Street to facilitate the current and future developments. For example, utilities are currently requesting details of the future road so that they can install utilities to serve the JHB/ZS development. These issues place the preliminary design as CRITICAL for the continued efforts of existing and proposed TID 8 projects.

Staff recommends that Ruekert & Mielke be authorized to start a preliminary design (phase 1) to facilitate current and anticipated projects. The full design (phase 2) can be authorized when tax increment from future projects is solidified.

This task order for Ruekert & Mielke would be amendment 2 to task order 5 authorized on November 4, 2014.

Ruekert & Mielke has performed well on all tasks in the Franklin Corporate Park to date and there is no reason to change consultants.

OPTIONS

- A. Resolution to authorize the preliminary design for S. Hickory Street; or
- B. Place amendment to contract on file until a future tax increment project is approved; or
- C. Refer back to Staff with additional direction.

FISCAL NOTE

TID8 has no current known increment to finance this project cost. This investment can be financed by Advances from General Fund to the TID, to be repaid if and when TID8 has increment.

COUNCIL ACTION REQUESTED

(OPTION A) Resolution 2020-_____ a resolution to authorize amendment 2, phase 1 to task order 5 to Ruekert & Mielke, Inc. for the preliminary design of S. Hickory Street from W. Elm Road to W. Oakwood Road for \$46,500.

Engineering: GEM

Amendment 2 To Task Order No. 5 - consisting of 8 pages (including attachments), referred to in and part of the Agreement between Owner and Engineer for Professional Services – Task Order Edition dated November 4, 2014.

1. Background Data:

- a. Effective Date of Task Order 5: June 5, 2018
- b. Owner: City of Franklin
- c. Engineer: Ruekert & Mielke, Inc.
- d. Specific Project: Franklin Corporate Park - Phase I Improvements

2. Description of Modifications

- a. Engineer shall perform the following Additional Services for the design of new pavement and storm sewers along S. Hickory Street from W. Elm Road to W. Oakwood Road:

Phase 1 – Preliminary Design

- Coordinate with team proposing to develop parcel currently owned by the Wendt Trust.
- Identify anticipated wetland impacts from conceptual design for inclusion on wetland impact permit applications prepared by the team proposing to develop the parcel currently owned by the Wendt Trust.
- Prepare preliminary project schedule.
- Prepare updated conceptual project cost estimate.
- Prepare revised base drawings showing updated existing features including underground utilities recently constructed.
- Preliminary design of revised horizontal alignment, vertical alignment and typical cross section of S. Hickory Street pavement.
- Preliminary design of revised storm sewers serving the new S. Hickory Street pavement.
- Preliminary design of cross sections along new S. Hickory Street pavement.
- Coordinate with utility companies that have existing facilities within the work zone.

Phase 2 – Final Design and Bidding

- Prepare storm water management plan for S. Hickory Street pavement runoff.
- Coordinate with engineer for developer of the Wendt Trust parcel who will design the storm water management facilities serving S. Hickory Street pavement.
- Update preliminary design of horizontal alignment, vertical alignment and typical cross section of new S Hickory Street pavement.
- Update preliminary design of storm sewers serving the new S Hickory Street pavement
- Update preliminary design of cross sections along new S. Hickory Street pavement.
- Prepare draft construction drawings including title sheet, general notes, erosion control plan, traffic control plan, street lighting and electrical plan, pavement markings and construction details.

Amendment to Task Order

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- Prepare draft technical specifications and bidding documents.
 - Coordinate with utility companies that have existing facilities within the work zone.
 - Prepare detailed construction cost estimate.
 - Provide draft construction drawings, technical specifications, bidding documents and construction cost estimate to City Staff for review.
 - Attend up to 6 periodic meetings with City Staff and development team.
 - Address preliminary design review comments from City.
 - Prepare 2 legal descriptions and exhibits to be used for two storm sewers outside of existing public rights-of-way serving S. Hickory Street pavement.
 - Prepare final construction drawings, technical specifications and bidding documents.
 - Prepare project quantities and cost estimate.
 - Prepare MMSD Chapter 13 approval application.
 - Prepare a construction site storm water (NOI) permit application.
 - Prepare Natural Resource Protection Plan (NRPP) and Natural Resource Special Exemption (NRSE) for impacts to natural resources (if required).
 - Prepare applications for permits and approvals from Department of Natural Resources (if required).
 - Prepare application for determination of jurisdiction from US Army Corps of Engineers (if required).
 - Submit final bidding documents to Quest for public bidding.
 - Provide public bidding services including:
 - Consultations with City Staff.
 - Answering bidder questions.
 - Preparation of routine addendums.
 - Attend bid opening.
 - Review bids.
 - Preparation of cost comparison of bidders.
 - Preparation of recommendation of award letter.
 - Preparation of notice of award.
- b The Scope of Services currently authorized to be performed by Engineer in accordance with the Task Order and previous amendments, if any, is modified as follows:
- Archive original design of grading, underground utility and transportation improvements along the S. Hickory Street corridor formerly known as "Street A".
- c. Services specifically excluded from this amendment because they are already completed or determined to be unnecessary for the scope of this amendment are as follows:
- Wetland investigations and delineations.
 - Traffic impact analyses.
 - Geotechnical investigations.
 - Phase 1 Environmental assessments and investigations.
 - Historical and cultural investigations.
 - Property boundary surveys.
 - Flood plain investigations and studies
 - Title Reports.
 - Design of storm water management facilities

Amendment to Task Order

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- Special Assessments
 - Plans for mitigation of environmental impacts.
 - Construction phase services.
- d The responsibilities of Owner with respect to the Task Order are modified as follows:
- Acquire real property necessary to construct public storm sewer improvements outside of public rights-of-way to serve the S Hickory Street corridor transportation improvements.
 - Expedite City review and approval processes.
 - Identify location for mitigation of environmental impacts following City of Franklin and regulatory agency requirements.
 - Pay permit and approval application fees.
 - Provide Project Manager to coordinate Owner's activities
 - Provide legal services as required for Project.
 - Attend Project meetings.
 - Coordinate with Owner's Financial Advisors.
- e. For the Additional Services or the modifications to services set forth above, Owner shall pay Engineer the following additional compensation:
- Ruekert & Mielke, Inc. will perform tasks as directed by City Staff on an hourly basis plus reimbursable expenses.
 - Basic Services for Phase 1 – Preliminary Design: \$46,500.
 - Basic Services for Phase 2 – Final Design and Bidding: \$184,425.00.
 - The terms of payment are set forth in Article 4 of the Agreement and in the applicable governing provisions of Exhibit C.
- f. The schedule for rendering services under this Task Order is modified as follows:
- Phase 1 - Preliminary Design services will commence upon authorization and are anticipated to be completed in January 2021
 - Phase 2 - Final Design and Bidding services will commence upon authorization and is scheduled to be completed and ready for bidding at a mutually agreeable time in 2021 in anticipation of construction occurring in 2022.

3. Other Modifications to Agreement and Exhibits:

- Replace Appendices 1 and 2 to Exhibit C in Agreement with the attached:
 - Appendix 1 to Exhibit C - Reimbursable Expenses Schedule – 2020.
 - Appendix 2 to Exhibit C - Standard Hourly Rates Schedule – 2020.

4. Attachments:

- Revised Exhibit A dated November 21, 2019
- Appendix 1 to Exhibit C - Reimbursable Expenses Schedule – 2020.
- Appendix 2 to Exhibit C - Standard Hourly Rates Schedule – 2020.

5. **Consultants retained as of the Effective Date of the Task Order:**

- TRC Environmental Corporation.

6. **Task Order 5 Summary (Reference Only)**

a	Original Task Order amount:	\$ 1,201,850.00
b	Net change for prior amendments:	\$ 0.00
c.	This amendment amount:	\$ 230,925 00
d	Adjusted Task Order amount:	\$ 1,432,775.00

The foregoing Task Order Summary is for reference only and does not alter the terms of the Task Order, including those set forth in Exhibit C.

Amendment to Task Order

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Owner and Engineer hereby agree to modify the above-referenced Task Order as set forth in this Amendment. All provisions of the Agreement and Task Order not modified by this or previous Amendments remain in effect. The Effective Date of this Amendment is November 2, 2020.

OWNER:

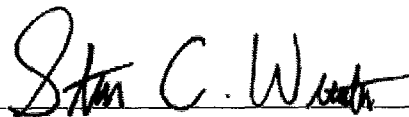
By: _____

Name: _____

Title: _____

Date Signed: _____

ENGINEER:

By:  _____

Name: Steven C. Wurster _____

Title: Vice President/COO _____

Date Signed: October 27, 2020 _____

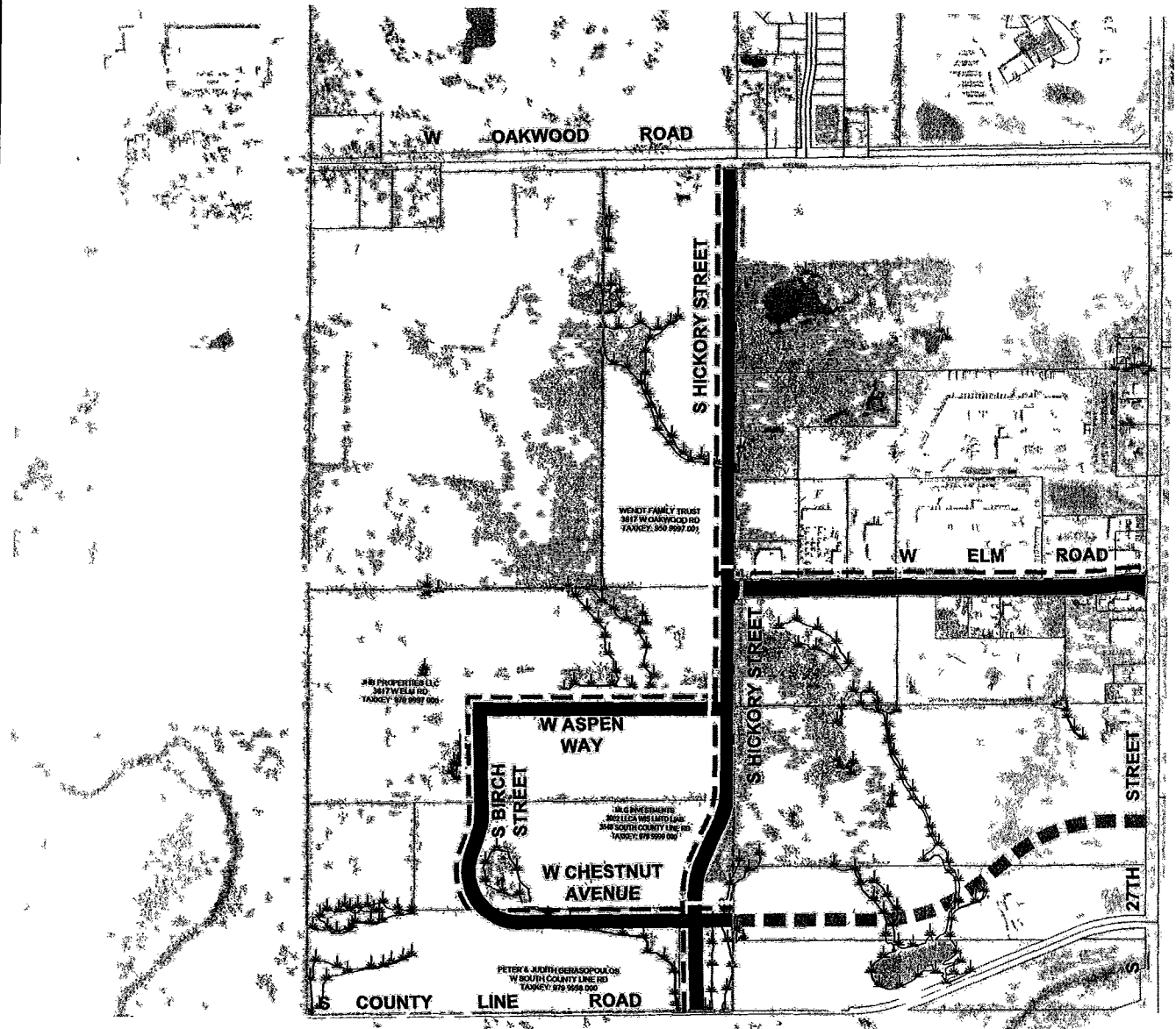
Amendment to Task Order

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REVISED EXHIBIT A

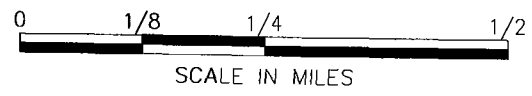
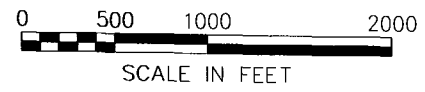
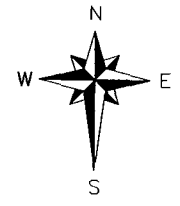
PROPOSED REVISED CONCEPTUAL SANITARY SEWER, WATER MAIN, AND STREET LAYOUT

CITY OF FRANKLIN
MILWAUKEE COUNTY, WISCONSIN



LEGEND

- TASK ORDER #5 & 6 PROJECT LIMITS
- PROPOSED WATER MAIN
- PROPOSED SANITARY SEWER
- PROPOSED SANITARY FORCE MAIN
- PROPOSED SEWAGE PUMPING STATION
- PROPOSED STREET
- FUTURE STREETS (CONCEPTUAL)
- DELINEATED WETLANDS (NOT COMPLETE)



REVISED NOVEMBER 21, 2019
 REVISED SEPTEMBER 24, 2019
 REVISED AUGUST 31 2018
 REVISED JUNE 25, 2018
 DATE MAY 23 2018

© 2019 Copyright Ruekert & Mielke Inc.

Nov 21, 2019 4:48pm PLOTTED BY: AKrueger. SAVED BY: AKrueger
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 XREFS: V052136_Corps.sld

SOURCE
 BASEMAP SOURCE

Appendix 1 to Exhibit C – Reimbursable Expenses Schedule – 2020

MISCELLANEOUS

Mileage

For Engineers and Technicians	61/mile
For Construction Review Technicians	65/mile
For Survey Crews	82/mile

Print Productions	50/sq foot
Color copies	50/page
B&W copies	20/page
Color plots	2 50/sq foot
Scanning	60/scan
GPS equipment	125 00/day
ATV fee	125 00/day
Robotics equipment	125 00/day

Appendix 2 to Exhibit C – Standard Hourly Rates Schedule – 2020

STANDARD HOURLY RATES

ENGINEERING SERVICES

Engineer 1	\$ 105 00
Engineer 2	122 00
Engineer 3	128 00
Engineer 4 (Project Engineer)	152 00
Engineer 5 (PM)	160 00
Engineer 6 (Senior PM)	176 00
Engineer 7 (Team Leader)	194 00
Engineer 8 (President/VP's)	198 00
Engineer 9 (Company CEO)	250 00
Engineer Technician 1	98 00
Engineer Technician 2	109 00
Engineer Technician 3	121 00
Senior Engineer Technician	144 00

PROFESSIONAL CONSULTING SERVICES

Hydraulic Modeler	134.00
Senior Hydraulic Modeler	176.00
Ecologist / Biologist 1	98.00
Ecologist / Biologist 2	121 00
Senior Water Resources Coordinator	150 00
Senior Ecologist / Biologist	176.00
Economic Consultant 2	139.00
Economic Consultant 3	150.00
Senior Economic Consultant	195 00
IT/GIS Technician 1	98.00
IT/GIS Technician 2	109.00
IT/GIS Analyst 1	122.00
IT/GIS Analyst 2	138.00
IT/GIS Analyst 4	167.00
Asset Management Consultant	183.00
SCADA Analyst	166.00
Senior SCADA Analyst	181.00

SURVEYING SERVICES

Surveying Technician	\$ 92 00
Crew Chief/Surveyor	126 00
Professional Surveyor	139 00

STANDARD HOURLY RATES

CONSTRUCTION REVIEW SERVICES

Construction Review Technician 1	\$ 78 00
Construction Review Technician 2	92 00
Senior Construction Review Technician	106 00
Construction Review Manager	134 00
<i>Note Overtime rates will be 120% of standard rate for construction review services</i>	

ADMINISTRATIVE SERVICES

Project Assistant	78 00
Administrative Assistant	78 00
Certified Public Accountant (Company CFO)	188 00

STATE OF WISCONSIN : CITY OF FRANKLIN : MILWAUKEE COUNTY

RESOLUTION NO. 2020- _____

RESOLUTION TO AUTHORIZE AMENDMENT 2, PHASE 1 TO TASK ORDER 5 TO RUEKERT & MIELKE, INC. FOR THE PRELIMINARY DESIGN OF S. HICKORY STREET FROM W. ELM ROAD TO W. OAKWOOD ROAD FOR \$46,500

WHEREAS, RES. 2014-7034 authorized certain officials to execute an agreement with Ruckert & Mielke, Inc. and Hitchcock Design Group for potential business park development engineering and planning services, with costs thereof to be funded by Tax Incremental District No. 4.; and

WHEREAS, the expenditure period for Tax Increment District (TID) 4 expired as of June 20, 2020; and

WHEREAS, a new TID 8 has been created for new projects in and around the TID 4 projects; and

WHEREAS, there is a need to proceed with preliminary design of S. Hickory Street for new developments associated with TID 8; and

WHEREAS, task order 5 of the Ruckert & Mielke agreement needs modification because of scope changes.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that Ruckert & Mielke be authorized a notice to proceed on preliminary design only of an amendment 2 to task order 5 authorized on November 4, 2014, of a professional service agreement for Franklin Corporate Park, Phase 1 dated November 4, 2014.

Introduced at a regular meeting of the Common Council of the City of Franklin the _____ day of _____, 2020, by Alderman _____.

PASSED AND ADOPTED by the Common Council of the City of Franklin on the _____ day of _____, 2020.

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

APPROVAL <i>slw</i>	REQUEST FOR COUNCIL ACTION	MTG. DATE 11/2/2020
Reports & Recommendations	SUBJECT: Release of the Escrow Deposit for Hidden Oaks Subdivision (located at W. Oakwood Road and S. 34 th St.)	ITEM NO. <i>G, 9.</i>

BACKGROUND

Pursuant to the development of the Hidden Oaks Subdivision located at W. Oakwood Road and S. 34th Street, please be advised that staff has reviewed the public improvements contained in the development agreement and find that all items have been completed.

ANALYSIS

The escrow deposit for Hidden Oaks Subdivision is no longer required to be held as the work has been completed as follows:

- The funds for Hidden Oaks Subdivision were funds remaining from the letter of credit.
- The Stormwater Management Practices Maintenance Agreement has been signed and recorded.
- The development is now complete and the escrow deposit can be returned.

OPTIONS

Authorize return of one (1) escrow deposit for the Hidden Oaks Subdivision project.
or
Table

FISCAL NOTE

None

RECOMMENDATION

Motion for release of the escrow deposit for Hidden Oaks Subdivision as recommended by the Engineering Department.

GEM/db

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APPROVAL <i>slw</i>	REQUEST FOR COUNCIL ACTION	MTG. DATE 11/2/2020
Reports & Recommendations	Resolution for acceptance of Easements for Storm Drainage, Sanitary Sewer, Watermain and Temporary Turn Around for Ryan Meadows Subdivision located off of W. Loomis Road between W. Ryan Road and S. 112 th Street.	ITEM NO. <i>G.10.</i>

Pursuant to the development of Ryan Meadows Subdivision, it is necessary to install easements for Storm Drainage, Sanitary Sewer, Watermain and Temporary Turn Around for Ryan Meadows Subdivision located off of W. Loomis Road between W. Ryan Road and S. 112th Street.

It is recommended that the Common Council authorize the Mayor and City Clerk to sign said easements.

RECOMMENDED COUNCIL ACTION

Motion to adopt Resolution No. 2020- _____, a Resolution for acceptance of Easements for Storm Drainage, Sanitary Sewer, Watermain and Temporary Turn Around for Ryan Meadows Subdivision located off of W. Loomis Road between W. Ryan Road and S. 112th Street.

Department of Engineering ML/db

STATE OF WISCONSIN : CITY OF FRANKLIN : MILWAUKEE COUNTY

RESOLUTION NO. 2020 - _____

RESOLUTION FOR ACCEPTANCE OF EASEMENTS
FOR STORM DRAINAGE, SANITARY SEWER, WATERMAIN
AND TEMPORARY TURN AROUND
FOR RYAN MEADOWS SUBDIVISION
LOCATED OFF OF W. LOOMIS ROAD
BETWEEN W. RYAN ROAD AND S. 112TH STREET.

WHEREAS, easements are required to install, maintain and operate storm drainage, sanitary sewer, watermain and temporary turn around for Ryan Meadows Subdivision; and

NOW, THEREFORE BE IT RESOLVED by the Mayor and Common Council of the City of Franklin that it would be in the best interest of the City to accept such easements and therefore the Mayor and City Clerk are hereby authorized and directed to execute the easements accepting it on behalf of the City.

BE IT FURTHER RESOLVED, that the City Clerk is directed to record said easement with the Register of Deeds for Milwaukee County.

Introduced at a regular meeting of the Common Council of the City of Franklin the
_____ day of _____, 2020, by Alderman _____.

PASSED AND ADOPTED by the Common Council of the City of Franklin on the
_____ day of _____, 2020.

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

ML/db

STORM DRAINAGE EASEMENT

Ryan Meadows
Lot 82
Tax Key Number: 891-1082-000

THIS EASEMENT is made by and between the CITY OF FRANKLIN, a municipal corporation of the State of Wisconsin, hereinafter referred to as "City," and BOOMTOWN, LLC, a Wisconsin Limited Liability Company, as owner (including successors and assigns of the City as may become applicable including the heirs, executors, administrators, successors and assigns of above owner(s) as may be or may become applicable), hereinafter called "Grantor," (if more than one grantor is listed above, said language herein referring thereto shall be interpreted in the plural and refer jointly and severally to such grantors).

WITNESSETH

WHEREAS, Grantor is the owner and holder of record Title to certain reel particularly described on Exhibit "A" which is attached hereto and incorporated herein (the Property); and

WHEREAS, the City desires to acquire a perpetual, non-exclusive easement with the right of entry in and across a portion of the property as the same is more particularly hereinafter described, with the right to build and construct and/or operate, maintain, repair, enlarge, reconstruct, relocate and inspect as may be or may become applicable the following facilities and appurtenances thereto, hereinafter collectively called the "Facilities," in, upon and across said portion of the Property: a storm drainage system consisting of an open swale (ditch) and/or storm sewer and associated manholes and catch basins, all as shown on the plan attached hereto as Exhibit "B."; and

WHEREAS, the initial construction and installation of the Facilities shall be made by Grantor at Grantor's expense and the Facilities shall be the property of the City and be deemed dedicated to the City upon the City's inspection and approval of the Facilities as installed, subject to the terms and conditions set forth below:

NOW, THEREFORE, in consideration of the grant of the easement hereinafter described, the initial installation and maintenance of the Facilities by the Grantor, and the City, and the payment of One Dollar (\$1.00) and other valuable considerations to the Grantor, the receipt whereof is hereby acknowledged, said Grantor, being the owner and person interested in the land hereinafter described, does hereby grant unto the City a perpetual, non-exclusive easement on that part of the Northwest quarter of Section 30, Township Five (5) North, Range Twenty-one (21) East, in the City of Franklin, Milwaukee County, Wisconsin, more particularly described on Exhibit C attached hereto (the "Easement Area").

1. That said Facilities not including any open swale/ditch shall be maintained and kept in good order and condition by the City, at the sole cost and expense of the City. Responsibility for maintaining the ground cover and landscaping, including any open swale/ditch, within the Easement area shall be that of the Grantor (including heirs, executors, administrators, successors, and assigns).
2. That in and during whatever construction, reconstruction, enlargement or repair work is or becomes necessary in constructing and/or maintaining of said Facilities, so much of the surface or subsurface of the Easement Area on the property as may be disturbed will, at the expense of the City, be replaced in substantially the same condition as it was prior to

such disturbance; except that the City will in no case be responsible for replacing or paying for replacing any aesthetic plantings, fences, or improvements other than ordinary lawns or standard walks, roadways, driveways and parking lot surfacing which were required to be removed or were otherwise damaged in the course of doing the above work. However, the City shall indemnify and save harmless the Grantor from and against any loss, damage, claim, cost, injury or liability resulting from negligence or willful acts or omissions on the part of the City, its agents or employees in connection with said work involved in constructing and/or maintaining of said Facilities; provided that if the above loss, claim, cost, damage, injury or liability results from the joint negligence of parties hereto, then the liability therefore shall be borne by them in proportion to their respective degree of negligence; provided further, however, that these provisions are subject to the legal defenses available under law which the City or Grantor are entitled to raise, excepting the defense of so-called "sovereign immunity."

3. That no structure, fence, plantings, or other improvements may be placed within the limits of the Easement Area by the Grantor except that improvement such as walks, pavements for driveways and parking lot surfacing, and landscaping may be constructed or placed within the Easement Area as approved by the City Engineer.
4. In connection with the construction by the Grantor of any structure or building abutting said Easement Area, the Grantor will assume all liability for any damage to the Facilities in the above described Easement Area. The Grantor will also save and keep the City clear and harmless from any claims for personal injuries or property damage caused by any negligence or willful acts or omissions of the Grantor or persons acting on behalf of the Grantor, arising out of the construction by the Grantor of any structure or building abutting the said Easement Area, and shall reimburse the City for the full amount of such loss or damage.
5. No charges will be made against the property for the cost of maintenance or operation of said Facilities in the property. Whenever the Grantor makes application for a service connection associated with the services provided by virtue of the Facility, the regular and customary service connection charge in effect at the time of the application shall be charged and paid. The Grantor shall be responsible for the routine maintenance of land on which the easement is located.
6. The City of Franklin shall in no case be responsible for maintaining at its expense any portion of said storm drainage services outside of the Easement Area and outside the limits of any adjoining easements.
7. The Facilities shall be accessible for maintenance by the City at all times. The Grantor shall submit plans for approval to the City Engineer for any underground installation within the Easement Area, which approval shall not be unreasonably withheld, conditioned or delayed
8. That the Grantor shall submit plans for all surface alterations of plus or minus 0.05 foot or greater within the limits of said Easement Area. Said alterations shall be made only with the approval of the City Engineer of the City of Franklin, which approval shall not be unreasonably withheld, conditioned or delayed.

9. The City and Grantor shall each use, and take reasonable measures to cause their employees, officers, customers, agents, contractors and assigns to use, the Easement Area in a reasonable manner and so as not to obstruct or otherwise use the Easement Area in a manner that would unreasonably interfere with the use thereof by the other party hereto or its employees, officers, customers, agents, contractors and assigns.
10. The City and Grantor each hereby waives all rights of subrogation that either has or may hereafter have against the other for any damage to the Easement Area or any other real or personal property or to persons covered by such party's insurance, but only to the extent of the waiving party's insurance coverage; provided, however, that the foregoing waivers shall not invalidate any policy of insurance now or hereafter issued, it being hereby agreed that such a waiver shall not apply in any case which would result in the invalidation of any such policy of insurance and that each party shall notify the other if such party's insurance would be so invalidated.
11. Either party hereto may enforce this easement by appropriate action, and should it prevail in such litigation, that party shall be entitled to recover, as part of its costs, reasonable attorneys' fees.
12. This easement may not be modified or amended, except by a writing executed and delivered by the City and Grantor or their respective successors and assigns.
13. No waiver of, acquiescence in, or consent to any breach of any term, covenant, or condition hereof shall be construed as, or constitute, a waiver of, acquiescence in, or consent to any other, further, or succeeding breach of the same or any other term, covenant, or condition.
14. If any term or provision of this easement shall, to any extent, be invalid or unenforceable under applicable law, then the remaining terms and provisions of this easement shall not be affected thereby, and each such remaining term and provision shall be valid and enforceable to the fullest extent permitted by applicable law.
15. This easement shall be construed and enforced in accordance with the internal laws of the State of Wisconsin.
16. It is understood that at some point in the future all or a portion of the Easement Area may become portions of public streets, in which event, in the City's proceedings for the acquisition of the portion of the property needed for such streets by purchase, dedication or by condemnation, said lands shall be considered the same as though this easement had not been executed or any rights granted thereby exercised
17. That the Grantor shall submit as-built drawings of the installed facilities for approval to the City Engineer, which approval shall not be unreasonably withheld, conditioned, or delayed.

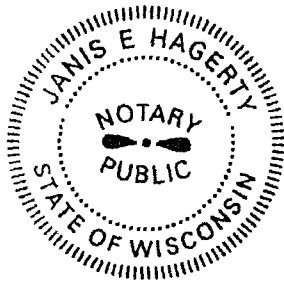
IN WITNESS WHEREOF, the Grantor has hereunto set its hand and seals this

ON THIS DATE OF: October 19, 2020

Boomtwn, LLC
By: [Signature]
Stephen R. Mills, Authorized Member

STATE OF Wisconsin
COUNTY OF Kenosha^{SS}

Before me personally appeared on the 19th day of October, 2020 the above named Stephen R. Mills, Authorized Member of Boomtwn, LLC
(Name printed) (Title) (Development)
to me known to be the person(s) who executed the foregoing Easement and acknowledged the same as the voluntary act and deed of said corporation.



NOTARY PUBLIC [Signature]
My commission expires 02/10/2024

CITY OF FRANKLIN

By: _____
Stephen R. Olson, Mayor

By: _____
Sandra L. Wesolowski, City Clerk

STATE OF _____
COUNTY OF _____^{SS}

On this _____ day of _____, 20____, before me personally appeared Stephen R. Olson and Sandra L. Wesolowski who being by me duly sworn, did say that they are respectively the Mayor and City Clerk of the City of Franklin, and that the seal affixed to said instrument is the corporate seal of said municipal corporation, and acknowledged that they executed the foregoing assignment as such officers as the deed of said municipal corporation by its authority and pursuant to Resolution File No _____ adopted by its Common Council on _____, 20____.

Notary Public
My commission expires _____

MORTGAGE HOLDER CONSENT

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

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

_____ a Wisconsin Banking Corporation

By. _____

Name. _____

Title: _____

STATE OF WISCONSIN)

ss
COUNTY OF MILWAUKEE)

On this, the _____ day of _____, 20 __, before me, the undersigned, personally appeared _____, the _____ of _____, a Wisconsin banking corporation, and acknowledged that (s)he executed the foregoing instrument on behalf of said corporation, by its authority and for the purposes therein contained

Name: _____

Notary Public _____

State of _____

County of _____

My commission expires: _____

This instrument was drafted by the City of Franklin

Approved as to contents

Date: _____

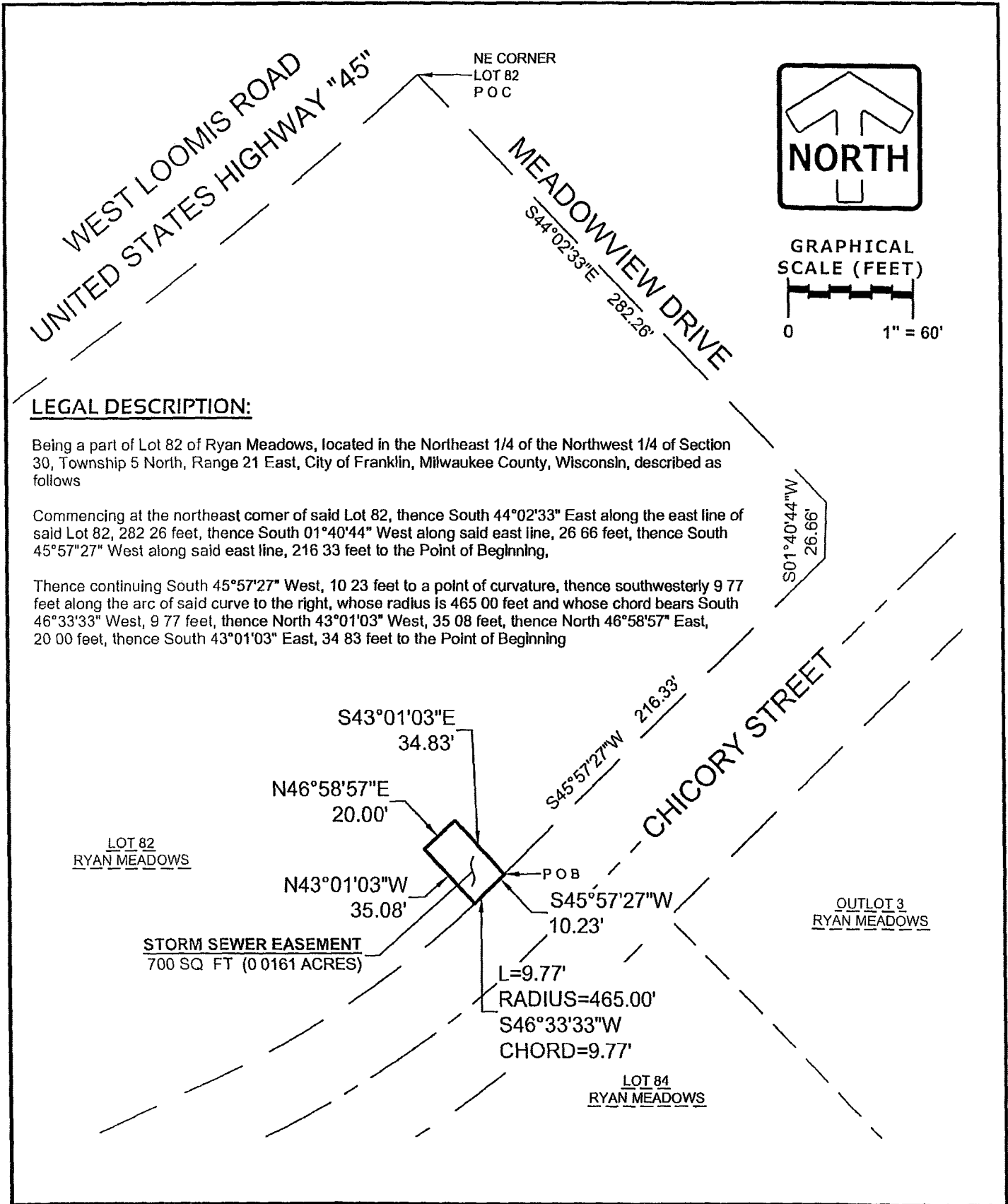
Manager of Franklin Municipal Water Utility

Approved as to form only

Date: _____

City Attorney

EXHIBIT A



LEGAL DESCRIPTION:

Being a part of Lot 82 of Ryan Meadows, located in the Northeast 1/4 of the Northwest 1/4 of Section 30, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin, described as follows

Commencing at the northeast corner of said Lot 82, thence South 44°02'33" East along the east line of said Lot 82, 282.26 feet, thence South 01°40'44" West along said east line, 26.66 feet, thence South 45°57'27" West along said east line, 216.33 feet to the Point of Beginning,

Thence continuing South 45°57'27" West, 10.23 feet to a point of curvature, thence southwesterly 9.77 feet along the arc of said curve to the right, whose radius is 465.00 feet and whose chord bears South 46°33'33" West, 9.77 feet, thence North 43°01'03" West, 35.08 feet, thence North 46°58'57" East, 20.00 feet, thence South 43°01'03" East, 34.83 feet to the Point of Beginning

EXHIBIT

PINNACLE ENGINEERING GROUP

20725 WATERTOWN ROAD | SUITE 100 | BROOKFIELD, WI 53186

WWW.PINNACLE-ENGR.COM

10/15/2020

PLAN | DESIGN | DELIVER

PEG JOB #809 20

EXHIBIT B

STORM SEWER EASEMENT:

Being a part of Lot 82 of Ryan Meadows, located in the Northeast 1/4 of the Northwest 1/4 of Section 30, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin, described as follows:

Commencing at the northeast corner of said Lot 82; thence South 44°02'33" East along the east line of said Lot 82, 282.26 feet; thence South 01°40'44" West along said east line, 26.66 feet; thence South 45°57'27" West along said east line, 216.33 feet to the Point of Beginning;

Thence continuing South 45°57'27" West, 10.23 feet to a point of curvature; thence southwesterly 9.77 feet along the arc of said curve to the right, whose radius is 465.00 feet and whose chord bears South 46°33'33" West, 9.77 feet; thence North 43°01'03" West, 35.08 feet; thence North 46°58'57" East, 20.00 feet; thence South 43°01'03" East, 34.83 feet to the Point of Beginning

Containing 700 square feet (0.0161 acres) of land.

STORM DRAINAGE EASEMENT

Ryan Meadows
Lot 8, 9535 Bergamont Drive, Franklin, WI 53132
Tax Key: 891-1008-000

THIS EASEMENT is made by and between the CITY OF FRANKLIN, a municipal corporation of the State of Wisconsin, hereinafter referred to as "City," and Boomtown, LLC, a Wisconsin Limited Liability Company, as owner (including successors and assigns of the City as may become applicable including the heirs, executors, administrators, successors and assigns of above owner(s) as may be or may become applicable), hereinafter called "Grantor," (if more than one grantor is listed above, said language herein referring thereto shall be interpreted in the plural and refer jointly and severally to such grantors).

WITNESSETH

WHEREAS, Grantor is the owner and holder of record Title to certain reel particularly described on Exhibit "A" which is attached hereto and incorporated herein (the Property); and

WHEREAS, the City desires to acquire a perpetual, non-exclusive easement with the right of entry in and across a portion of the property as the same is more particularly hereinafter described, with the right to build and construct and/or operate, maintain, repair, enlarge, reconstruct, relocate and inspect as may be or may become applicable the following facilities and appurtenances thereto, hereinafter collectively called the "Facilities," in, upon and across said portion of the Property: a storm drainage system consisting of an open swale (ditch) and/or storm sewer and associated manholes and catch basins, all as shown on the plan attached hereto as Exhibit "B."; and

WHEREAS, the initial construction and installation of the Facilities shall be made by Grantor at Grantor's expense and the Facilities shall be the property of the City and be deemed dedicated to the City upon the City's inspection and approval of the Facilities as installed, subject to the terms and conditions set forth below:

NOW, THEREFORE, in consideration of the grant of the easement hereinafter described, the initial installation and maintenance of the Facilities by the Grantor, and the City, and the payment of One Dollar (\$1.00) and other valuable considerations to the Grantor, the receipt whereof is hereby acknowledged, said Grantor, being the owner and person interested in the land hereinafter described, does hereby grant unto the City a perpetual, non-exclusive easement on that part of the NE quarter of Section 3D, Township Five (5) North, Range Twenty-one (21) East, in the City of Franklin, Milwaukee County, Wisconsin, more particularly described on Exhibit C attached hereto (the "Easement Area").

1. That said Facilities not including any open swale/ditch shall be maintained and kept in good order and condition by the City, at the sole cost and expense of the City. Responsibility for maintaining the ground cover and landscaping, including any open swale/ditch, within the Easement area shall be that of the Grantor (including heirs, executors, administrators, successors, and assigns).
2. That in and during whatever construction, reconstruction, enlargement or repair work is or becomes necessary in constructing and/or maintaining of said Facilities, so much of the surface or subsurface of the Easement Area on the property as may be disturbed will, at the expense of the City, be replaced in substantially the same condition as it was prior to

such disturbance; except that the City will in no case be responsible for replacing or paying for replacing any aesthetic plantings, fences, or improvements other than ordinary lawns or standard walks, roadways, driveways and parking lot surfacing which were required to be removed or were otherwise damaged in the course of doing the above work. However, the City shall indemnify and save harmless the Grantor from and against any loss, damage, claim, cost, injury or liability resulting from negligence or willful acts or omissions on the part of the City, its agents or employees in connection with said work involved in constructing and/or maintaining of said Facilities; provided that if the above loss, claim, cost, damage, injury or liability results from the joint negligence of parties hereto, then the liability therefore shall be borne by them in proportion to their respective degree of negligence; provided further, however, that these provisions are subject to the legal defenses available under law which the City or Grantor are entitled to raise, excepting the defense of so-called "sovereign immunity."

3. That no structure, fence, plantings, or other improvements may be placed within the limits of the Easement Area by the Grantor except that improvement such as walks, pavements for driveways and parking lot surfacing, and landscaping may be constructed or placed within the Easement Area as approved by the City Engineer.
4. In connection with the construction by the Grantor of any structure or building abutting said Easement Area, the Grantor will assume all liability for any damage to the Facilities in the above described Easement Area. The Grantor will also save and keep the City clear and harmless from any claims for personal injuries or property damage caused by any negligence or willful acts or omissions of the Grantor or persons acting on behalf of the Grantor, arising out of the construction by the Grantor of any structure or building abutting the said Easement Area, and shall reimburse the City for the full amount of such loss or damage.
5. No charges will be made against the property for the cost of maintenance or operation of said Facilities in the property. Whenever the Grantor makes application for a service connection associated with the services provided by virtue of the Facility, the regular and customary service connection charge in effect at the time of the application shall be charged and paid. The Grantor shall be responsible for the routine maintenance of land on which the easement is located.
6. The City of Franklin shall in no case be responsible for maintaining at its expense any portion of said storm drainage services outside of the Easement Area and outside the limits of any adjoining easements.
7. The Facilities shall be accessible for maintenance by the City at all times. The Grantor shall submit plans for approval to the City Engineer for any underground installation within the Easement Area, which approval shall not be unreasonably withheld, conditioned or delayed.
8. That the Grantor shall submit plans for all surface alterations of plus or minus 0.05 foot or greater within the limits of said Easement Area. Said alterations shall be made only with the approval of the City Engineer of the City of Franklin, which approval shall not be unreasonably withheld, conditioned or delayed.

9. The City and Grantor shall each use, and take reasonable measures to cause their employees, officers, customers, agents, contractors and assigns to use, the Easement Area in a reasonable manner and so as not to obstruct or otherwise use the Easement Area in a manner that would unreasonably interfere with the use thereof by the other party hereto or its employees, officers, customers, agents, contractors and assigns.
10. The City and Grantor each hereby waives all rights of subrogation that either has or may hereafter have against the other for any damage to the Easement Area or any other real or personal property or to persons covered by such party's insurance, but only to the extent of the waiving party's insurance coverage; provided, however, that the foregoing waivers shall not invalidate any policy of insurance now or hereafter issued, it being hereby agreed that such a waiver shall not apply in any case which would result in the invalidation of any such policy of insurance and that each party shall notify the other if such party's insurance would be so invalidated.
11. Either party hereto may enforce this easement by appropriate action, and should it prevail in such litigation, that party shall be entitled to recover, as part of its costs, reasonable attorneys' fees.
12. This easement may not be modified or amended, except by a writing executed and delivered by the City and Grantor or their respective successors and assigns.
13. No waiver of, acquiescence in, or consent to any breach of any term, covenant, or condition hereof shall be construed as, or constitute, a waiver of, acquiescence in, or consent to any other, further, or succeeding breach of the same or any other term, covenant, or condition.
14. If any term or provision of this easement shall, to any extent, be invalid or unenforceable under applicable law, then the remaining terms and provisions of this easement shall not be affected thereby, and each such remaining term and provision shall be valid and enforceable to the fullest extent permitted by applicable law.
15. This easement shall be construed and enforced in accordance with the internal laws of the State of Wisconsin.
16. It is understood that at some point in the future all or a portion of the Easement Area may become portions of public streets, in which event, in the City's proceedings for the acquisition of the portion of the property needed for such streets by purchase, dedication or by condemnation, said lands shall be considered the same as though this easement had not been executed or any rights granted thereby exercised.
17. That the Grantor shall submit as-built drawings of the installed facilities for approval to the City Engineer, which approval shall not be unreasonably withheld, conditioned, or delayed.

IN WITNESS WHEREOF, the Grantor has hereunto set its hand and seals this

ON THIS DATE OF: 10/27, 2020

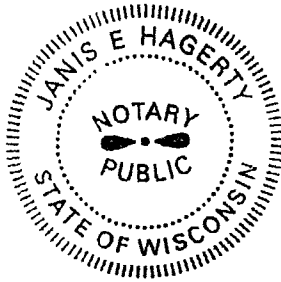
~~BOOMTOWN, LLC~~

By: [Signature]
Stephen R. Mills, Authorized Member

STATE OF WISCONSIN
COUNTY OF KENOSHA^{SS}

Before me personally appeared on the 27th day of October, 2020, the above named Stephen R. Mills, Auth. Member of Boomtown, LLC
(Name printed) (Title) (Development)

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



NOTARY PUBLIC [Signature]

My commission expires 02/10/2024

CITY OF FRANKLIN

By: _____
Stephen R. Olson, Mayor

By: _____
Sandra L. Wesolowski, City Clerk

STATE OF _____
COUNTY OF _____^{SS}

On this _____ day of _____, 20____, before me personally appeared Stephen R. Olson and Sandra L. Wesolowski who being by me duly sworn, did say that they are respectively the Mayor and City Clerk of the City of Franklin, and that the seal affixed to said instrument is the corporate seal of said municipal corporation, and acknowledged that they executed the foregoing assignment as such officers as the deed of said municipal corporation by its authority and pursuant to Resolution File No. _____ adopted by its Common Council on _____, 20____

Notary Public
My commission expires _____

MORTGAGE HOLDER CONSENT

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

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

_____ a Wisconsin Banking Corporation

By: _____

Name: _____

Title: _____

STATE OF WISCONSIN)
 COUNTY OF MILWAUKEE) ^{ss}

On this, the _____ day of _____, 20 __, before me, the undersigned, personally appeared _____, the _____ of _____, a Wisconsin banking corporation, and acknowledged that (s)he executed the foregoing instrument on behalf of said corporation, by its authority and for the purposes therein contained.

Name: _____

Notary Public _____

State of _____

County of _____

My commission expires: _____

This instrument was drafted by the City of Franklin.

Approved as to contents

Date: _____

_____ Manager of Franklin Municipal Water Utility

Approved as to form only

Date: _____

_____ City Attorney

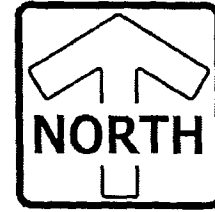
EXHIBIT A

LEGAL DESCRIPTION:

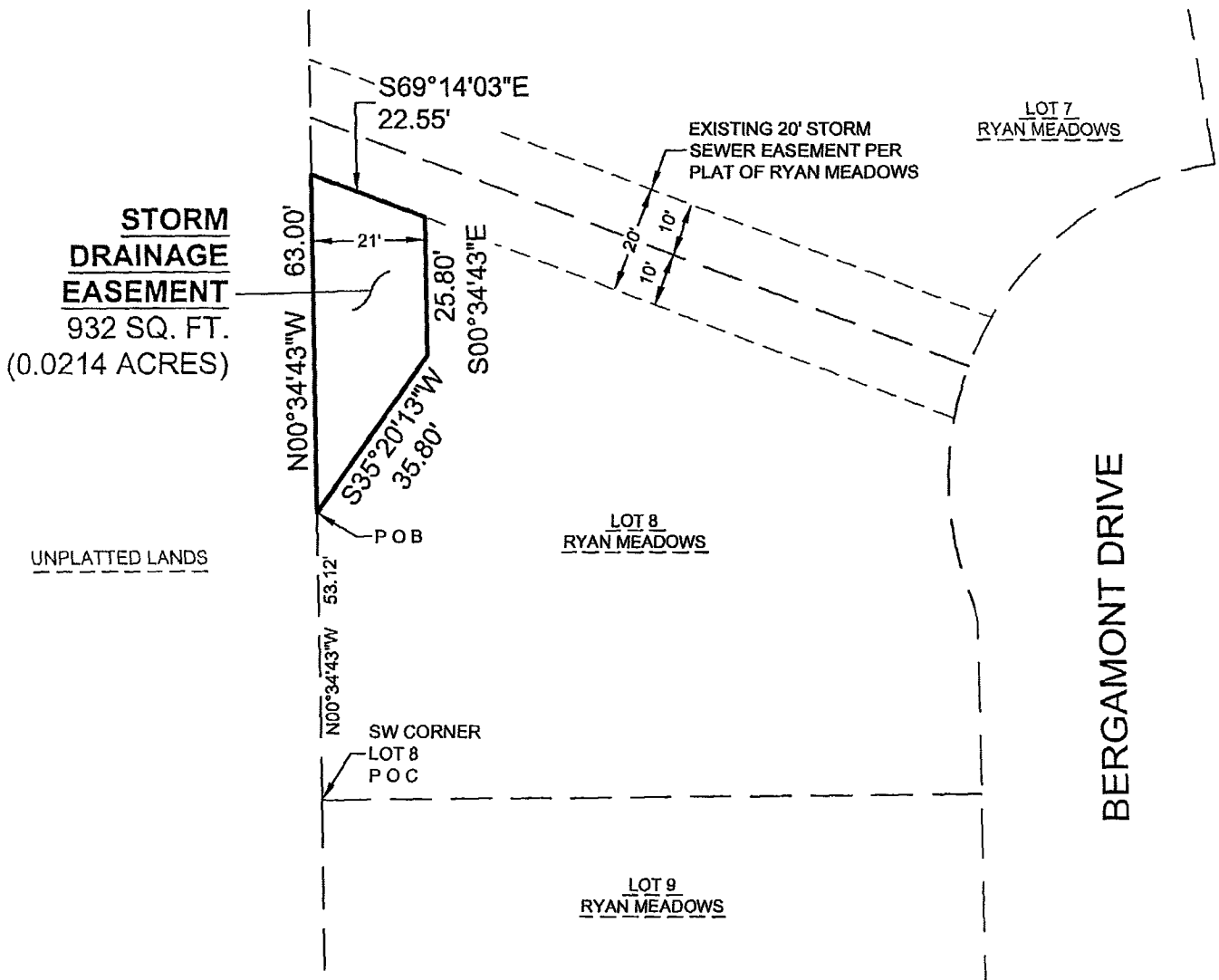
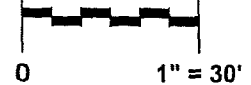
Being a part of Lot 8 of Ryan Meadows, located in the Northwest 1/4 of the Northeast 1/4 of Section 30, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin, described as follows.

Commencing at the southwest corner of said Lot 8; thence North 00°34'43" West along the west line of said Lot 8, 53.12 feet to the Point of Beginning;

Thence continuing North 00°34'43" West along said west line, 63.00 feet to the southerly line of an existing 20' Storm Sewer Easement, thence South 69°14'03" East along said southerly line, 22.55 feet; thence South 00°34'43" East, 25.80 feet; thence South 35°20'13" West, 35.80 feet to the Point of Beginning.



GRAPHICAL
SCALE (FEET)



EXHIBIT

PINNACLE ENGINEERING GROUP

20725 WATERTOWN ROAD | SUITE 100 | BROOKFIELD, WI 53186

WWW.PINNACLE-ENGR.COM

10/15/2020

PLAN | DESIGN | DELIVER

PEG JOB#809.20

EXHIBIT B

STORM DRAINAGE EASEMENT:

Being a part of Lot 8 of Ryan Meadows, located in the Northwest 1/4 of the Northeast 1/4 of Section 30, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin, described as follows:

Commencing at the southwest corner of said Lot 8; thence North 00°34'43" West along the west line of said Lot 8, 53.12 feet to the Point of Beginning;

Thence continuing North 00°34'43" West along said west line, 63.00 feet to the southerly line of an existing 20' Storm Sewer Easement; thence South 69°14'03" East along said southerly line, 22.55 feet; thence South 00°34'43" East, 25.80 feet; thence South 35°20'13" West, 35.80 feet to the Point of Beginning.

Containing 932 square feet (0.0214 acres) of land.

STORM DRAINAGE EASEMENT

Ryan Meadows

THIS EASEMENT is made by and between the CITY OF FRANKLIN, a municipal corporation of the State of Wisconsin, hereinafter referred to as "City," and Mills Hotel Wyoming, LLC, as owner (including successors and assigns of the City as may become applicable including the heirs, executors, administrators, successors and assigns of above owner(s) as may be or may become applicable), hereinafter called "Grantor," (if more than one grantor is listed above, said language herein referring thereto shall be interpreted in the plural and refer jointly and severally to such grantors).

WITNESSETH

WHEREAS, Grantor is the owner and holder of record Title to certain reel particularly described on Exhibit "A" which is attached hereto and incorporated herein (the Property); and

WHEREAS, the City desires to acquire a perpetual, non-exclusive easement with the right of entry in and across a portion of the property as the same is more particularly hereinafter described, with the right to build and construct and/or operate, maintain, repair, enlarge, reconstruct, relocate and inspect as may be or may become applicable the following facilities and appurtenances thereto, hereinafter collectively called the "Facilities," in, upon and across said portion of the Property: a storm drainage system consisting of an open swale (ditch) and/or storm sewer and associated manholes and catch basins, all as shown on the plan attached hereto as Exhibit "B."; and

WHEREAS, the initial construction and installation of the Facilities shall be made by Grantor at Grantor's expense and the Facilities shall be the property of the City and be deemed dedicated to the City upon the City's inspection and approval of the Facilities as installed, subject to the terms and conditions set forth below:

NOW, THEREFORE, in consideration of the grant of the easement hereinafter described, the initial installation and maintenance of the Facilities by the Grantor, and the City, and the payment of One Dollar (\$1.00) and other valuable considerations to the Grantor, the receipt whereof is hereby acknowledged, said Grantor, being the owner and person interested in the land hereinafter described, does hereby grant unto the City a perpetual, non-exclusive easement on that part of the Northwest quarter of Section 30, Township Five (5) North, Range Twenty-one (21) East, in the City of Franklin, Milwaukee County, Wisconsin, more particularly described on Exhibit C attached hereto (the "Easement Area").

- 1 That said Facilities not including any open swale/ditch shall be maintained and kept in good order and condition by the City, at the sole cost and expense of the City. Responsibility for maintaining the ground cover and landscaping, including any open swale/ditch, within the Easement area shall be that of the Grantor (including heirs, executors, administrators, successors, and assigns).
2. That in and during whatever construction, reconstruction, enlargement or repair work is or becomes necessary in constructing and/or maintaining of said Facilities, so much of the surface or subsurface of the Easement Area on the property as may be disturbed will, at the expense of the City, be replaced in substantially the same condition as it was prior to

M-1

such disturbance; except that the City will in no case be responsible for replacing or paying for replacing any aesthetic plantings, fences, or improvements other than ordinary

lawns or standard walks, roadways, driveways and parking lot surfacing which were required to be removed or were otherwise damaged in the course of doing the above work. However, the City shall indemnify and save harmless the Grantor from and against any loss, damage, claim, cost, injury or liability resulting from negligence or willful acts or omissions on the part of the City, its agents or employees in connection with said work involved in constructing and/or maintaining of said Facilities; provided that if the above loss, claim, cost, damage, injury or liability results from the joint negligence of parties hereto, then the liability therefore shall be borne by them in proportion to their respective degree of negligence; provided further, however, that these provisions are subject to the legal defenses available under law which the City or Grantor are entitled to raise, excepting the defense of so-called "sovereign immunity."

3. That no structure, fence, plantings, or other improvements may be placed within the limits of the Easement Area by the Grantor except that improvement such as walks, pavements for driveways and parking lot surfacing, and landscaping may be constructed or placed within the Easement Area as approved by the City Engineer.
4. In connection with the construction by the Grantor of any structure or building abutting said Easement Area, the Grantor will assume all liability for any damage to the Facilities in the above described Easement Area. The Grantor will also save and keep the City clear and harmless from any claims for personal injuries or property damage caused by any negligence or willful acts or omissions of the Grantor or persons acting on behalf of the Grantor, arising out of the construction by the Grantor of any structure or building abutting the said Easement Area, and shall reimburse the City for the full amount of such loss or damage.
5. No charges will be made against the property for the cost of maintenance or operation of said Facilities in the property. Whenever the Grantor makes application for a service connection associated with the services provided by virtue of the Facility, the regular and customary service connection charge in effect at the time of the application shall be charged and paid. The Grantor shall be responsible for the routine maintenance of land on which the easement is located.
6. The City of Franklin shall in no case be responsible for maintaining at its expense any portion of said storm drainage services outside of the Easement Area and outside the limits of any adjoining easements.
7. The Facilities shall be accessible for maintenance by the City at all times. The Grantor shall submit plans for approval to the City Engineer for any underground installation within the Easement Area, which approval shall not be unreasonably withheld, conditioned or delayed.
8. That the Grantor shall submit plans for all surface alterations of plus or minus 0.05 foot or greater within the limits of said Easement Area. Said alterations shall be made only with the approval of the City Engineer of the City of Franklin, which approval shall not be unreasonably withheld, conditioned or delayed.

M-2

9. The City and Grantor shall each use, and take reasonable measures to cause their employees, officers, customers, agents, contractors and assigns to use, the Easement Area

in a reasonable manner and so as not to obstruct or otherwise use the Easement Area in a manner that would unreasonably interfere with the use thereof by the other party hereto or its employees, officers, customers, agents, contractors and assigns.

10. The City and Grantor each hereby waives all rights of subrogation that either has or may hereafter have against the other for any damage to the Easement Area or any other real or personal property or to persons covered by such party's insurance, but only to the extent of the waiving party's insurance coverage; provided, however, that the foregoing waivers shall not invalidate any policy of insurance now or hereafter issued, it being hereby agreed that such a waiver shall not apply in any case which would result in the invalidation of any such policy of insurance and that each party shall notify the other if such party's insurance would be so invalidated.
11. Either party hereto may enforce this easement by appropriate action, and should it prevail in such litigation, that party shall be entitled to recover, as part of its costs, reasonable attorneys' fees.
12. This easement may not be modified or amended, except by a writing executed and delivered by the City and Grantor or their respective successors and assigns.
13. No waiver of, acquiescence in, or consent to any breach of any term, covenant, or condition hereof shall be construed as, or constitute, a waiver of, acquiescence in, or consent to any other, further, or succeeding breach of the same or any other term, covenant, or condition.
14. If any term or provision of this easement shall, to any extent, be invalid or unenforceable under applicable law, then the remaining terms and provisions of this easement shall not be affected thereby, and each such remaining term and provision shall be valid and enforceable to the fullest extent permitted by applicable law.
15. This easement shall be construed and enforced in accordance with the internal laws of the State of Wisconsin.
16. It is understood that at some point in the future all or a portion of the Easement Area may become portions of public streets, in which event, in the City's proceedings for the acquisition of the portion of the property needed for such streets by purchase, dedication or by condemnation, said lands shall be considered the same as though this easement had not been executed or any rights granted thereby exercised.
17. That the Grantor shall submit as-built drawings of the installed facilities for approval to the City Engineer, which approval shall not be unreasonably withheld, conditioned, or delayed

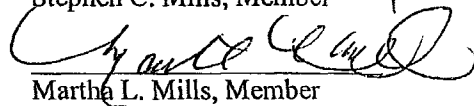
In witness whereof, the grantor has set its hand and seals this on this date of October 7th, 2020.

Mills Hotel Wyoming, LLC

By: Mills Enterprises, LLC its Manager



Stephen C. Mills, Member

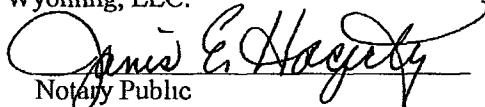
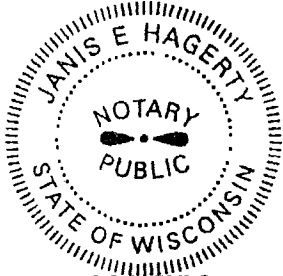


Martha L. Mills, Member

STATE OF WISCONSIN)
) ss
COUNTY OF MILWAUKEE)

This instrument was acknowledged before me on the 7th day of October, A D. 2020 by
Stephen C. Mills. Member, Mills Enterprises, LLC

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



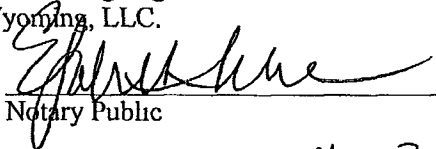
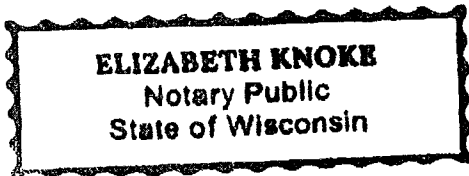
Notary Public

My commission expires 02/10/2024

STATE OF WISCONSIN)
) ss
COUNTY OF MILWAUKEE)

This instrument was acknowledged before me on the 7th day of October, A D. 2020 by
Martha L. Mills Member, Mills Enterprises, LLC

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



Notary Public

My commission expires May 3, 2025

CITY OF FRANKLIN

By: _____
Stephen R. Olson, Mayor

By: _____
Sandra L. Wesolowski, City Clerk

STATE OF _____

ss

COUNTY OF _____

On this _____ day of _____, 20____, before me personally appeared Stephen R. Olson and Sandra L. Wesolowski who being by me duly sworn, did say that they are respectively the Mayor and City Clerk of the City of Franklin, and that the seal affixed to said instrument is the corporate seal of said municipal corporation, and acknowledged that they executed the foregoing assignment as such officers as the deed of said municipal corporation by its authority and pursuant to Resolution File No. _____ adopted by its Common Council on _____, 20____

Notary Public
My commission expires _____

This instrument was drafted by the City of Franklin

Approved as to contents

Date: _____

Manager of Franklin Municipal Water Utility

Approved as to form only

Date: _____

City Attorney

M-5

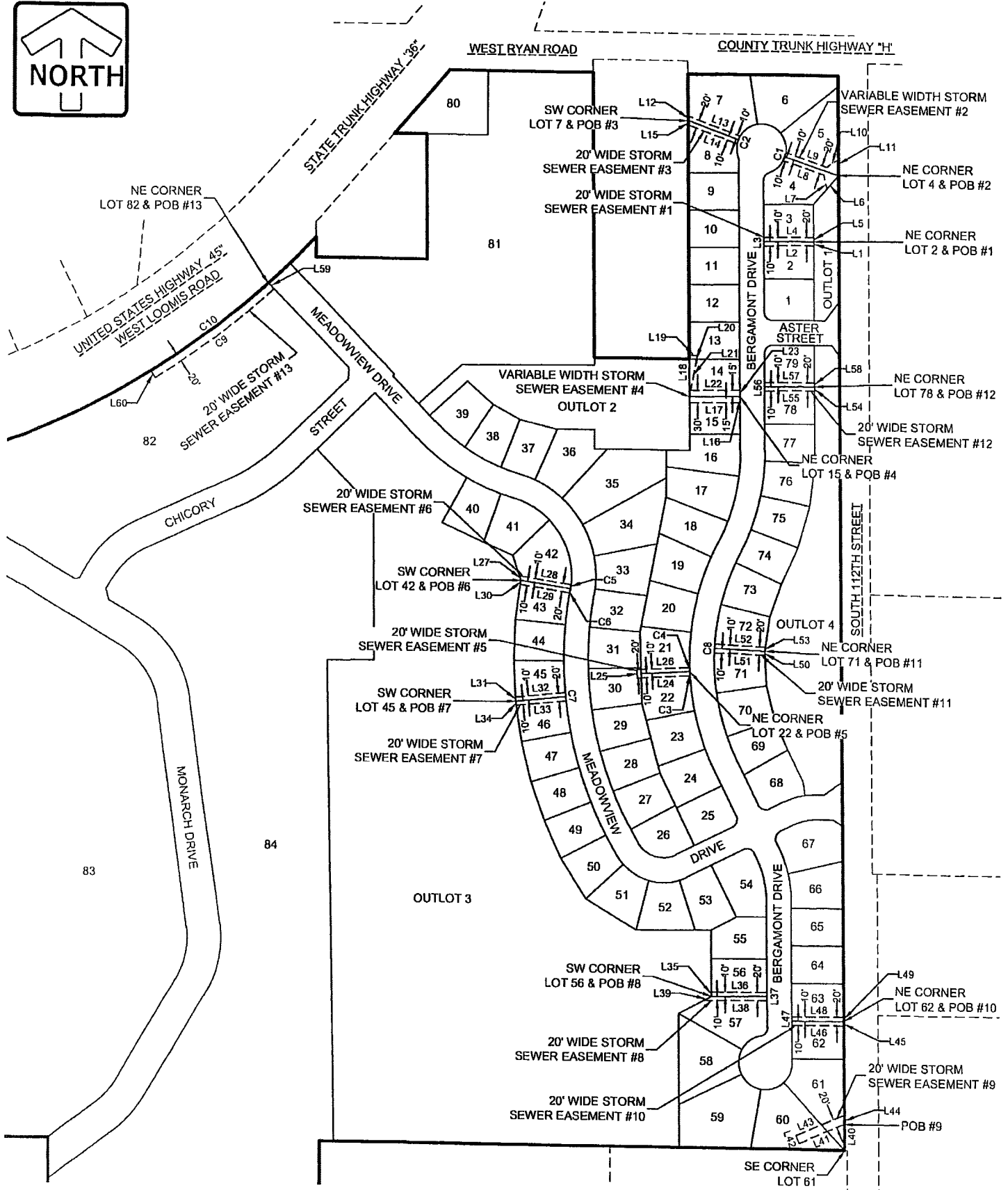
Exhibit A

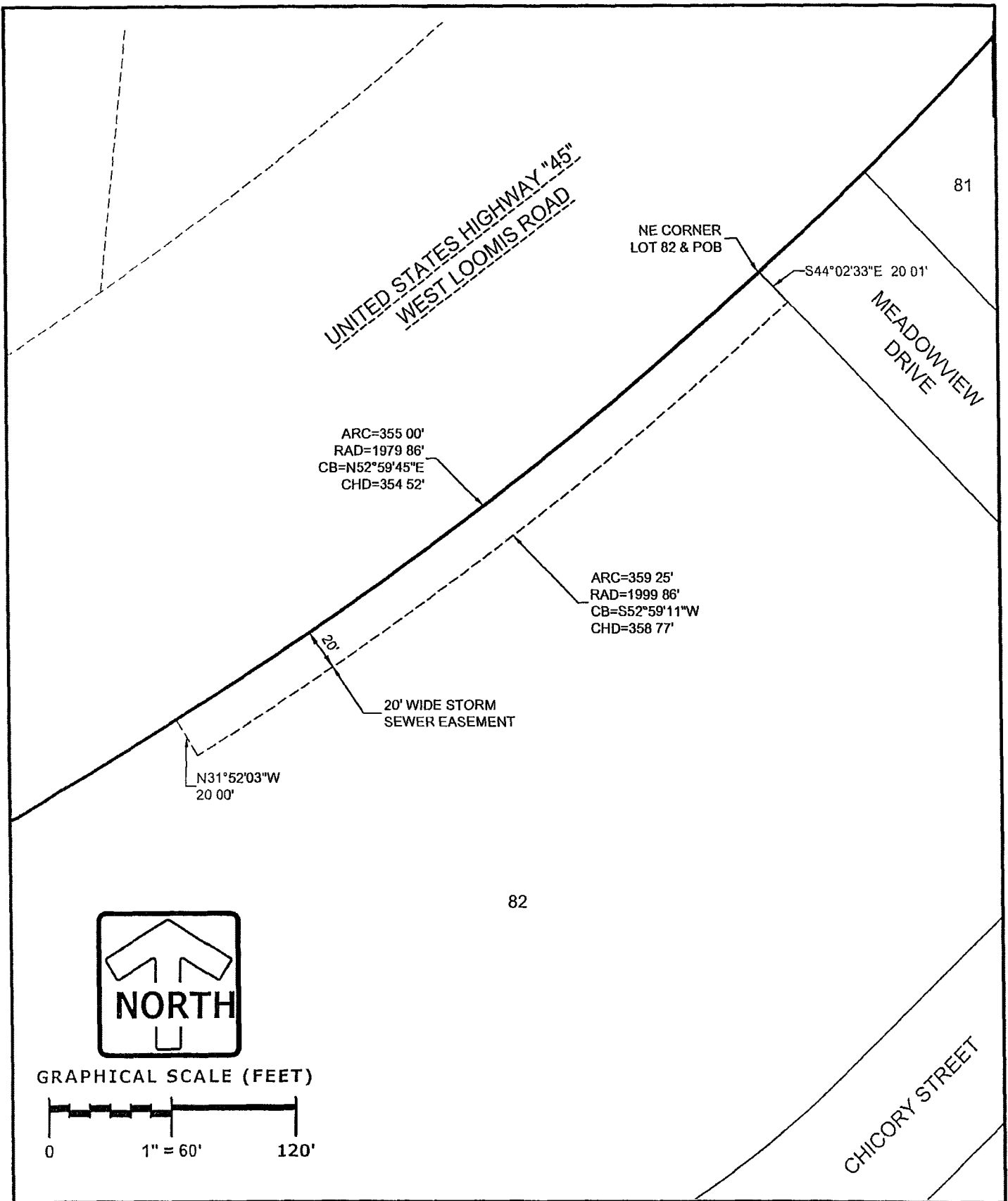
Ryan Meadows Subdivision

Being Lot 1, Lot 2, Lot 3 and Outlot 1 of Certified Survey Map No. 9095 and additional lands in the Southwest $\frac{1}{4}$ and Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ and the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ and the Northeast $\frac{1}{4}$ and the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ all in Section 30, Township 5 North, Range 21 East, City of Franklin, Milwaukee County Wisconsin.

EXHIBIT B

(Depiction of the Facilities)





STORM SEWER EASEMENT

12/09/19

PINNACLE ENGINEERING GROUP

PLAN | DESIGN | DELIVER

20725 WATERTOWN ROAD | SUITE 100 | BROOKFIELD, WI 53186

WWW.PINNACLE-ENGR.COM

PEG JOB#809 20

EXHIBIT B

(Depiction of the Facilities)

LINE TABLE		
LINE NO	BEARING	DISTANCE
L1	S00°34'43"E	10 00'
L2	S89°25'17"W	123 00'
L3	N00°34'43"W	20 00'
L4	N89°25'17"E	123 00'
L5	S00°34'43"E	10 00'
L6	S40°11'22"W	42 50'
L7	N13°50'27"W	34 62'
L8	N71°53'55"W	105 34'
L9	S71°53'55"E	106 02'
L10	N56°09'33"E	34 23'
L11	S00°36'33"E	39 02'
L12	N00°34'43"W	10 74'
L13	S69°14'03"E	136 02'
L14	N69°14'03"W	128 21'
L15	N00°34'43"W	10 74'
L16	S00°34'43"E	15 00'
L17	S89°25'17"W	123 00'
L18	N00°34'43"W	115 00'
L19	N89°25'17"E	18 00'
L20	S00°34'43"E	10 00'

LINE TABLE		
LINE NO	BEARING	DISTANCE
L21	S10°43'53"W	76 49'
L22	N89°25'17"E	120 00'
L23	S00°34'43"E	15 00'
L24	S87°09'15"W	128 37'
L25	N01°44'48"W	20 00'
L26	N87°09'15"E	127 99'
L27	N18°27'37"W	11 26'
L28	S81°03'51"E	127 93'
L29	N81°03'51"W	122 61'
L30	N07°32'43"E	10 00'
L31	N03°10'33"W	10 01'
L32	N84°07'34"E	122 58'
L33	S84°07'34"W	122 58'
L34	N08°34'18"W	10 01'
L35	N00°36'33"W	10 00'
L36	N89°23'27"E	135 00'
L37	S00°36'33"E	20 00'
L38	S89°23'27"W	154 68'
L39	N62°27'23"E	22 08'
L40	N00°36'33"W	62 39'

LINE TABLE		
LINE NO.	BEARING	DISTANCE
L41	S67°01'07"W	121 33'
L42	N22°58'53"W	20 00'
L43	N67°01'07"E	129 56'
L44	S00°36'33"E	21 63'
L45	S00°36'33"E	10 00'
L46	S89°23'27"W	128 00'
L47	N00°36'33"W	20 00'
L48	N89°23'27"E	128 00'
L49	S00°36'33"E	10 00'
L50	S02°51'37"E	10 05'
L51	N87°19'50"W	123 88'
L52	S87°19'50"E	123 88'
L53	S08°11'56"W	10 05'
L54	S00°34'43"E	10 00'
L55	S89°25'17"W	123 00'
L56	N00°34'43"W	20 00'
L57	N89°25'17"E	123 00'
L58	S00°34'43"E	10 00'
L59	S44°02'33"E	20 01'
L60	N31°52'03"W	20 00'

CURVE TABLE					
CURVE NO	LENGTH	RADIUS	DELTA	CHORD BEARING	CH LENGTH
C1	20 09'	60 00'	19°11'17"	N18°06'05"E	20 00'
C2	20 09'	60 00'	19°11'17"	S20°45'57"W	20 00'
C3	10 00'	620 00'	0°55'27"	S03°18'29"E	10 00'
C4	10 00'	620 00'	0°55'27"	S02°23'02"E	10 00'
C5	14 00'	195 00'	4°06'53"	S08°03'14"W	14 00'
C6	6 00'	926 00'	0°22'17"	S09°55'32"W	6 00'
C7	20 00'	926 00'	1°14'15"	S05°52'26"E	20 00'
C8	20 00'	560 00'	2°02'47"	N02°40'10"E	20 00'
C9	359 25'	1999 86'	10°17'33"	S52°59'11"W	358 77'
C10	355 00'	1979 86'	10°16'24"	N52°59'45"E	354 52'

Exhibit C

Legal Description of the Storm Sewer Easement #1

That part of Lots 2 and 3 in Ryan Meadows, being a part of the Northwest 1/4 of the Northeast 1/4 of Section 30, Township 5 North, Range 21 East, City Franklin, Milwaukee County, Wisconsin, bounded and described as follows:

Beginning at the northeast corner of said Lot 2; thence South 00°34'43" East along the east line of said Lot 2, 10.00 feet; thence South 89°25'17" West, 123.00 feet to the east right-of-way line of Bergamont Drive; thence North 00°34'43" West along said east right-of-way line 20.00 feet; thence North 89°25'17" East, 123.00 feet to the east line of said Lot 3; thence South 00°34'43" East along said east line 10.00 feet to the Point of Beginning.

Legal Description of the Storm Sewer Easement #2

That part of Lots 4 and 5 in Ryan Meadows, being a part of the Northwest 1/4 of the Northeast 1/4 of Section 30, Township 5 North, Range 21 East, City Franklin, Milwaukee County, Wisconsin, bounded and described as follows:

Beginning at the northeast corner of said Lot 4; thence South 40°11'22" West along the east line of said Lot 4, 42.50 feet; thence North 13°50'27" West, 34.62 feet; thence North 71°53'55" West, 105.34 to the east right-of-way line of Bergamont Drive and a point on a curve; thence northerly, 20.09 feet along the arc of said curve to the left and said east right-of-way line, whose radius is 60.00 feet and whose chord bears North 18°06'05" East, 20.00 feet; thence South 71°53'55" East, 106.02 feet; thence North 56°09'33" East, 34.23 feet to the east line of said Lot 5; thence South 00°36'33" East along said east line 39.02 feet to the Point of Beginning.

Legal Description of the Storm Sewer Easement #3

That part of Lots 7 and 8 in Ryan Meadows, being a part of the Northwest 1/4 of the Northeast 1/4 of Section 30, Township 5 North, Range 21 East, City Franklin, Milwaukee County, Wisconsin, bounded and described as follows:

Beginning at the southwest corner of said Lot 7; thence North 00°34'43" West along the west line of said Lot 7, 10.74 feet; thence South 69°14'03" East, 136.02 feet to the west right-of-way line of Bergamont Drive and a point on a curve; thence southerly, 20.09 feet along the arc of said curve to the left and said west right-of-way line, whose radius is 60.00 feet and whose chord

bears South 20°45'57" West, 20.00 feet, thence North 69°14'03" West, 128.21 feet to the west line of said Lot 8; thence North 00°34'43" West along said west line 10.74 feet to the Point of Beginning.

Legal Description of the Storm Sewer Easement #4

That part of Lots 13, 14 and 15 in Ryan Meadows, being a part of the Northwest 1/4 of the Northeast 1/4 of Section 30, Township 5 North, Range 21 East, City Franklin, Milwaukee County, Wisconsin, bounded and described as follows:

Beginning at the northeast corner of said Lot 15; thence South 00°34'43" East along the west line of Bergamont Drive 15.00 feet; thence South 89°25'17" West, 123.00 to the west line of said Lot 15; thence North 00°34'43" West along said west line and then along the west line of said Lots 14 and 13, 115.00 feet; thence North 89°25'17" East, 18.00 feet; thence South 00°34'43" East, 10.00 feet to the north line of aforesaid Lot 14; thence South 10°43'53" West, 76.49 feet; thence North 89°25'17" East, 120.00 to the aforesaid west line of Bergamont Drive; thence South 00°34'43" East along said west line 15.00 feet to the Point of Beginning.

Legal Description of the Storm Sewer Easement #5

That part of Lots 21, 22 and 30 in Ryan Meadows, being a part of the Southwest 1/4 of the Northeast 1/4 of Section 30, Township 5 North, Range 21 East, City Franklin, Milwaukee County, Wisconsin, bounded and described as follows:

Beginning at the northeast corner of said Lot 22 and a point on a curve; thence southerly, 10.00 feet along the arc of said curve to the left and the west right-of-way line of Bergamont Drive, whose radius is 620.00 feet and whose chord bears South 03°18'29" East, 10.00 feet; thence South 87°09'15" West, 128.37 feet; thence North 01°44'48" West, 20.00 feet; thence North 87°09'15" East, 127.99 feet to the aforesaid west right-of-way line of Bergamont Drive and a point on a curve; thence southerly, 10.00 feet along the arc of said curve to the left and said west right-of-way line, whose radius is 620.00 feet and whose chord bears South 02°23'02" East, 10.00 feet to the Point of Beginning.

Legal Description of the Storm Sewer Easement #6

That part of Lots 42 and 43 in Ryan Meadows, being a part of the Northwest 1/4 of the Northeast 1/4 of Section 30, Township 5 North, Range 21 East, City Franklin, Milwaukee County, Wisconsin, bounded and described as follows:

Beginning at the southwest corner of said Lot 42; thence North 18°27'37" West along the west line of said Lot 42, 11.26 feet; thence South 81°03'51" East, 127.93 feet to the west right-of-way line of Meadowview Drive and a point on a curve; thence southerly, 14.00 feet along the arc of said curve to the right and said west right-of-way line, whose radius is 195.00 feet and whose chord bears South 08°03'14" West, 14.00 feet to a point of reverse curvature; thence southerly, 6.00 feet along the arc of said curve to the left and said west right-of-way line, whose radius is 926.00 feet and whose chord bears South 09°55'32" West, 6.00 feet; thence North 81°03'51" West, 122.61 feet to the west line of said Lot 43; thence North 07°32'43" East, 10.00 feet to the Point of Beginning.

Legal Description of the Storm Sewer Easement #7

That part of Lots 45 and 46 in Ryan Meadows, being a part of the Southwest 1/4 of the Northeast 1/4 of Section 30, Township 5 North, Range 21 East, City Franklin, Milwaukee County, Wisconsin, bounded and described as follows:

Beginning at the southwest corner of said Lot 45; thence North 03°10'33" West along the west line of said Lot 45, 10.01 feet; thence North 84°07'34" East, 122.58 feet to the west right-of-way line of Meadowview Drive and a point on a curve; thence southerly, 20.00 feet along the arc of said curve to the left and said west right-of-way line, whose radius is 926.00 feet and whose chord bears South 05°52'26" East, 20.00 feet; thence South 84°07'34" West, 122.58 feet to the west line of said Lot 46; thence North 08°34'18" West along the west line of said Lot 46, 10.01 feet to the Point of Beginning.

Legal Description of the Storm Sewer Easement #8

That part of Lots 56 and 57 in Ryan Meadows, being a part of the Southwest 1/4 of the Northeast 1/4 of Section 30, Township 5 North, Range 21 East, City Franklin, Milwaukee County, Wisconsin, bounded and described as follows:

Beginning at the southwest corner of said Lot 56; thence North 00°36'33" West along the west line of said Lot 56, 10.00 feet; thence North 89°23'27" East, 135.00 feet to the west right-of-way line of Bergamont Drive; thence South 00°36'33" East along the said west right-of-way line 20.00 feet; thence South 89°23'27" West, 154.68 feet to the west line of said Lot 57; thence North 62°27'23" East along said west line 22.08 feet to the Point of Beginning.

Legal Description of the Storm Sewer Easement #9

That part of Lots 60 and 61 in Ryan Meadows, being a part of the Southwest 1/4 of the Northeast 1/4 of Section 30, Township 5 North, Range 21 East, City Franklin, Milwaukee County, Wisconsin, bounded and described as follows:

Commencing at the southeast corner of said Lot 61; thence North 00°36'33" West along the east line of said Lot 61, 62.39 feet to the Point of Beginning #9; thence South 67°01'07" West, 121.33 feet; thence North 22°58'53" West, 20.00 feet; thence North 67°01'07" East, 129.56 feet to the aforesaid east line of Lot 61; thence South 00°36'33" East along said east line 21.63 feet to the Point of Beginning #9.

Legal Description of the Storm Sewer Easement #10

That part of Lots 62 and 63 in Ryan Meadows, being a part of the Southwest 1/4 of the Northeast 1/4 of Section 30, Township 5 North, Range 21 East, City Franklin, Milwaukee County, Wisconsin, bounded and described as follows:

Beginning at the northeast corner of said Lot 62; thence South 00°36'33" East along the east line of said Lot 62, 10.00 feet; thence South 89°23'27" West, 128.00 feet to the east right-of-way line of Bergamont Drive; thence North 00°36'33" West along said east right-of-way line 20.00 feet; thence North 89°23'27" East, 128.00 feet to the east line of said Lot 63; thence South 00°36'33" East along said east line 10.00 feet to the Point of Beginning.

Legal Description of the Storm Sewer Easement #11

That part of Lots 71 and 72 in Ryan Meadows, being a part of the Southwest 1/4 of the Northeast 1/4 of Section 30, Township 5 North, Range 21 East, City Franklin, Milwaukee County, Wisconsin, bounded and described as follows:

Beginning at the northeast corner of said Lot 71; thence South 02°51'37" East along the east line of said Lot 71, 10.05 feet; thence North 87°19'50" West, 123.88 feet to the east right-of-way line of Bergamont Drive and a point on a curve; thence northerly, 20.00 feet along the arc of said curve to the right and said east right-of-way line, whose radius is 560.00 feet and whose chord bears North 02°40'10" East, 20.00 feet; thence South 87°19'50" East, 123.88 feet to the east line of said Lot 72; thence South 08°11'56" West along said east line 10.05 feet to the Point of Beginning.

Legal Description of the Storm Sewer Easement #12

That part of Lots 78 and 79 in Ryan Meadows, being a part of the Northwest 1/4 of the Northeast 1/4 of Section 30, Township 5 North, Range 21 East, City Franklin, Milwaukee County, Wisconsin, bounded and described as follows:

Beginning at the northeast corner of said Lot 78; thence South 00°34'43" East along the east line of said Lot 78, 10.00 feet; thence South 89°25'17" West, 123.00 feet to the east right-of-way line of Bergamont Drive; thence North 00°34'43" West along said east right-of-way line 20.00 feet; thence North 89°25'17" East, 123.00 feet to the east line of said Lot 79; thence South 00°34'43" East along said east line 10.00 feet to the Point of Beginning.

Legal Description of the Storm Sewer Easement #13

That part of Lot 82 in Ryan Meadows, being a part of the Northeast 1/4 of the Northwest 1/4 of Section 30, Township 5 North, Range 21 East, City Franklin, Milwaukee County, Wisconsin, bounded and described as follows.

Beginning at the northeast corner of said Lot 82; thence South 44°02'33" East along the south right-of-way line of Meadowview Drive 20.01 feet to a point on a curve; thence southwesterly, 359.25 feet along the arc of said curve to the right, whose radius is 1999.86 feet and whose chord bears South 52°59'11" West, 358.77 feet; thence North 31°52'03" West, 20.00 feet and a point on a curve and the east right-of-way line of West Loomis Road (United States Trunk Highway "45"), thence northeasterly, 355.00 feet along the arc of said curve to the left and said east right-of-way line, whose radius is 1979.86 feet and whose chord bears North 52°59'45" East, 354.52 feet to the Point of Beginning.

SANITARY SEWER EASEMENT

Ryan Meadows

THIS EASEMENT is made by and between the CITY OF FRANKLIN, a municipal corporation of the State of Wisconsin, hereinafter referred to as "City" and Mills Hotel Wyoming, LLC, as owner (including successors and assigns of the City as may become applicable including the heirs, executors, administrators, successors and assigns of above owner(s) as may be or may become applicable), hereinafter called "Grantor," (if more than one grantor is listed above, said language herein referring thereto shall be interpreted in the plural and refer jointly and severally to such grantors).

WITNESSETH

WHEREAS, Grantor is the owner and holder of record Title to certain real property particularly described on Exhibit "A" which is attached hereto and incorporated herein (the Property); and

WHEREAS, the City desires to acquire a non-exclusive easement with the right of entry in and across a portion of the property as the same is more particularly hereinafter described, with the right to build and construct and/or operate, maintain, repair, enlarge, reconstruct, relocate and inspect as may be or may become applicable the following facilities and appurtenances thereto, hereinafter collectively called the "Facilities," in, upon and across said portion of the Property: a sanitary sewer, associated manholes, all as shown on the plan attached hereto as Exhibit "B".

NOW, THEREFORE, in consideration of the grant of the easement hereinafter described, the initial installation and maintenance of the Facilities by the Grantor, and the City, and the payment of One Dollar (\$1.00) and other valuable considerations to the Grantor, the receipt whereof is hereby acknowledged, said Grantor, being the owner and person interested in the land hereinafter described, does hereby grant unto the City a perpetual, non-exclusive easement on that part of the northwest quarter Section 30, Township Five (5), North, Range Twenty-one (21) East", in the City of Franklin, Milwaukee County, Wisconsin, more particularly described on Exhibit C attached hereto (the "Easement Area").

1. That said Facilities shall be maintained and kept in good order and condition by the City, at the sole cost and expense of the City. Responsibility for maintaining the ground cover and landscaping within the Easement area shall be that of the Grantor (including heirs, executors, administrators, successors, and assigns.).
2. That in and during whatever construction, reconstruction, enlargement or repair work is or becomes necessary in constructing and/or maintaining of said Facilities, so much of the surface or subsurface of the Easement Area on the Property as may be disturbed will, at the expense of the City, be replaced in substantially the same condition as it was prior to such disturbance. However, the City shall indemnify and save harmless the Grantor from and against any loss, damage, claim, cost, injury or liability resulting from negligence or willful acts or omissions on the part of the City, its agents or employees in connection with said work involved in constructing and/or maintaining of said Facilities; provided that if the above loss, claim, cost, damage, injury or liability results from the joint negligence of parties hereto, then the liability therefore shall be borne by them in

proportion to their respective degree of negligence; provided further, however, that these provisions are subject to the legal defenses available under law which the City or Grantor are entitled to raise, excepting the defense of so-called "sovereign immunity."

3. That no structure may be placed within the limits of the Easement Area by the Grantor except that improvement such as walks, pavements for driveways and parking lot surfacing and landscaping may be constructed or placed within the Easement Area.
4. That, in connection with the construction by the Grantor of any structure or building abutting said easement area, the Grantor will assume all liability for any damage to the Facilities in the above described Easement Area. The Grantor will also save and keep the City clear and harmless from any claims for personal injuries or property damage caused by any negligence or willful acts or omissions of the Grantor or persons acting on behalf of the Grantor, arising out of the construction by the Grantor of any structure or building abutting the said Easement Area, and shall reimburse the City for the full amount of such loss or damage.
5. That no charges will be made against the property for the cost of maintenance or operation of said Facilities in the property. Whenever the Grantor makes application for a service connection associated with the services provided by virtue of the Facility, the regular and customary service connection charge in effect at the time of the application shall be charged and paid. The Grantor shall be responsible for the routine maintenance of land on which the easement is located.
6. The Facilities shall be accessible for maintenance by the City at all times. The Grantor shall submit plans for approval to the City Engineer for any underground installation within the Easement Area, which approval shall not be unreasonably withheld, conditioned or delayed.
7. That the Grantor shall submit plans for all surface alterations of plus or minus 1 foot or greater within the limits of said Easement Area. Said alterations shall be made only with the approval of the City Engineer of the City of Franklin, which approval shall not be unreasonably withheld, conditioned or delayed.
8. The City and Grantor shall each use, and take reasonable measures to cause their employees, officers, customers, agents, contractors and assigns to use, the Easement Area in a reasonable manner and so as not to obstruct or otherwise use the Easement Area in a manner that would unreasonably interfere with the use thereof by the other party hereto or its employees, officers, customers, agents, contractors and assigns.
9. The City and Grantor each hereby waives all rights of subrogation that either has or may hereafter have against the other for any damage to the Easement Area or any other real or personal property or to persons covered by such party's insurance, but only to the extent of the waiving party's insurance coverage; provided, however, that the foregoing waivers shall not invalidate any policy of insurance now or hereafter issued, it being hereby agreed that such a waiver shall not apply in any case which would result in the invalidation of any such policy of insurance and that each party shall notify the other if such party's insurance would be so invalidated.
10. Either party hereto may enforce this easement by appropriate action, and should it prevail in such litigation, that party shall be entitled to recover, as part of its costs, reasonable attorneys' fees.

11. This easement may not be modified or amended, except by a writing executed and delivered by the City and Grantor or their respective successors and assigns.
12. No waiver of, acquiescence in, or consent to any breach of any term, covenant, or condition hereof shall be construed as, or constitute, a waiver of, acquiescence in, or consent to any other, further, or succeeding breach of the same or any other term, covenant, or condition.
13. If any term or provision of this easement shall, to any extent, be invalid or unenforceable under applicable law, then the remaining terms and provisions of this easement shall not be affected thereby, and each such remaining term and provision shall be valid and enforceable to the fullest extent permitted by applicable law.
14. This easement shall be construed and enforced in accordance with the internal laws of the State of Wisconsin.
15. Upon completion of use of the Easement Area for the specific use as a sanitary sewerage lift station, the City shall remove the lift station, manholes, piping and the enclosure and cause the prompt restoration to a smooth surface contour and neat condition restoring the Easement Area into a condition similar to the remaining parcel as described in Exhibit "A".
16. Upon completion of use of the Easement Area for the specific use as a sanitary sewerage lift station and the restoration of the Easement Area by the City, the Easement Area, the easement shall be terminated by recording a release in recordable form with directions for delivery of same to Grantor at his last address given pursuant hereto, whereupon all rights, duties and liabilities created shall terminate.

In witness whereof, the grantor has set its hand and seals this on this date of October 7th, 2020.

Mills Hotel Wyoming, LLC

By: Mills Enterprises, LLC its Manager

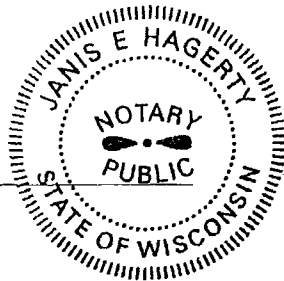
[Signature]
Stephen C. Mills, Member
[Signature]
Martha L. Mills, Member

STATE OF WISCONSIN)
) ss
COUNTY OF MILWAUKEE)

This instrument was acknowledged before me on the 7th day of October, A.D. 2020 by

Stephen C. Mills. Member, Mills Enterprises, LLC

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



[Signature]
Notary Public

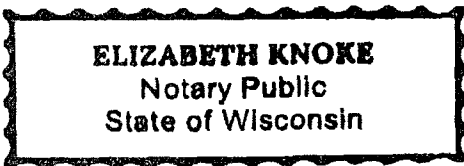
My commission expires 02/10/2024

STATE OF WISCONSIN)
) ss
COUNTY OF MILWAUKEE)

This instrument was acknowledged before me on the 7th day of October, A.D. 2020 by

Martha L. Mills. Member, Mills Enterprises, LLC

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



[Signature]
Notary Public

My commission expires May 3, 2023

This instrument was drafted by the City of Franklin.

Approved as to contents

Date: _____

City Engineer

Approved as to form only

Date: _____

City Attorney

Exhibit A

Ryan Meadows Subdivision

Being Lot 1, Lot 2, Lot 3 and Outlot 1 of Certified Survey Map No 9095 and additional lands in the Southwest $\frac{1}{4}$ and Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ and the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ and the Northeast $\frac{1}{4}$ and the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ all in Section 30, Township 5 North, Range 21 East, City of Franklin, Milwaukee County Wisconsin

EXHIBIT B

(Depiction of the Facilities)

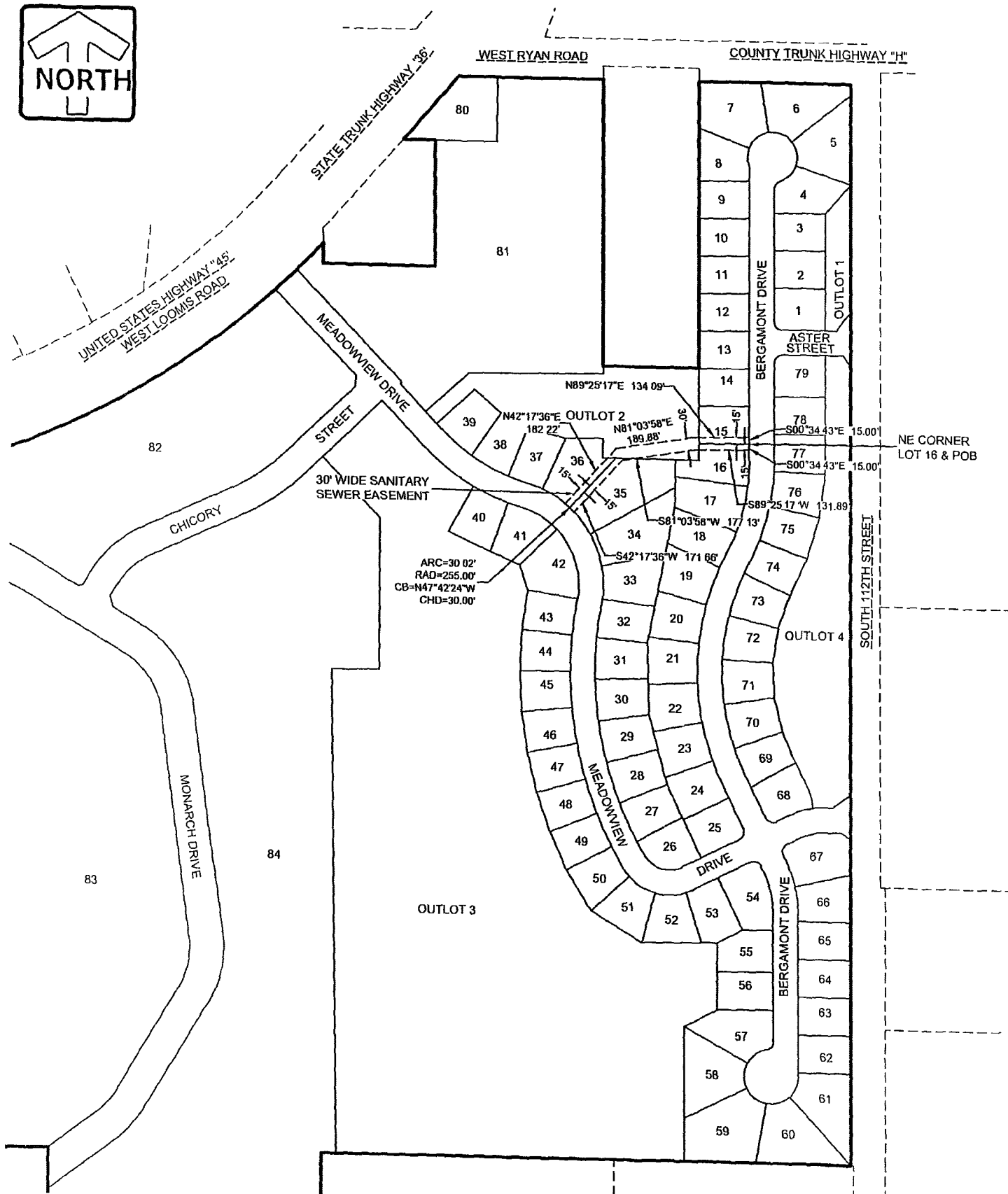


Exhibit C

Legal Description of the Sanitary Sewer Easement

That part of Lots 15, 16, 35 and 36 and Outlot 2 in Ryan Meadows, being a part of the Northwest 1/4 of the Northeast 1/4 of Section 30, Township 5 North, Range 21 East, City Franklin, Milwaukee County, Wisconsin, bounded and described as follows:

Beginning at the northeast corner of said Lot 16; thence South 00°34'43" East along the west right-of-way line of Bergamont Drive, 15.00 feet; thence South 89°25'17" West, 131.89 feet; thence South 81°03'58" West, 177.13 feet; thence South 42°17'36" West 171.66, feet to the north right-of-way line of Meadowview Drive and a point on a curve; thence northwesterly, 30.02 feet along the arc of said curve to the left and said north right-of-way line, whose radius is 255.00 feet and whose chord bears North 47°42'24" West, 30.00 feet; thence North 42°17'36" East, 182.22 feet; thence North 81°03'58" East, 189.88 feet; thence North 89°25'17" East, 134.09 feet to the aforesaid west right-of-way line of Bergamont Drive; thence South 00°34'43" East along said west right-of way line of said Bergamont Drive 15.00 feet to the Point of Beginning.

WATER MAIN EASEMENT

Ryan Meadows

THIS INDENTURE, made by and between the CITY OF FRANKLIN, a municipal corporation of the State of Wisconsin, hereinafter referred to as "City," and Mills Hotel Wyoming, LLC, owner, (including heirs, executors, administrators, successors and assigns of above owner(s) as may be or may become applicable), hereinafter called "Grantor," (If more than one grantor is listed above, said language herein referring thereto shall be interpreted in the plural and refer jointly and severally to such grantors).

WITNESSETH

WHEREAS, Grantor is the owner and holder of record Title to certain real property described on Exhibit "A" which is attached hereto and incorporated herein (the Property); and

WHEREAS, the City desires to acquire a permanent easement with the right of entry in and across the property hereinafter described with the right to build and construct and/or operate, maintain, repair, enlarge, reconstruct, relocate and inspect as may be or may become applicable the following facilities and appurtenances thereto, hereinafter called "Facilities," in, upon and across said portion of the property; a water main and associated fire hydrants, all as shown on the plan attached hereto as Exhibit "B"; and

WHEREAS, the initial construction and installation of the Facilities shall be made by Grantor at Grantor's expense and the Facilities shall be the property of the city and be deemed dedicated to the City upon the City's inspection and approval of the Facilities as installed, subject to the terms and conditions set forth below:

NOW, THEREFORE, in consideration of the grant of the easement hereinafter described and the payment of One Dollar (\$1.00) and other valuable considerations to the Grantor, receipt whereof is hereby acknowledged, said Grantor, being the owner and person interested in the land hereinafter described does hereby grant unto the City a permanent easement in that part of the northwest quarter of Section Thirty (30), Township Five (5) North, Range Twenty-one (21) East, in the City of Franklin, Milwaukee County, Wisconsin, more particularly described on Exhibit C attached hereto (the "Easement Area").

UPON CONDITION

1. That said Facilities shall be maintained and kept in good order and condition by the City. Responsibility for maintaining the ground cover and landscaping within the easement area shall be that of the Grantor (including heirs, executors, administrators, successors and assigns).
2. That in and during whatever construction, reconstruction, enlargement or repair work is or becomes necessary in constructing and/or maintaining of said Facilities, so much of the surface or subsurface of the property as may be disturbed, will at the expense of the City be replaced in substantially the same condition as it was prior to such disturbance; except that the City will in no case be responsible for replacing or paying for replacing any aesthetic plantings or improvements other than ordinary lawns or standard walks, roadways, driveways and parking lot surfacing which were required to be removed in the course of doing the above work. However, the City shall save harmless the Grantor from any loss, damage, injury or liability resulting from negligence on the part of the City in connection with said work involved in constructing and/or maintaining of said Facilities; provided that if above loss, damage, injury or liability results from the joint negligence of parties hereto, then the liability therefore shall be borne by them in proportion to their respective degree of negligence; provided further, however, that these provisions are subject to the legal defenses which under law the City is entitled to raise excepting the defense of so-called "sovereign immunity."

3. That no structure may be placed within the limits of the easement by the Grantor except that improvements such as walks, pavements for driveways and parking lot surfacing may be constructed or placed within the Easement Area.
4. That, in connection with the construction by the grantor of any structure or building abutting said easement defined limits, the Grantor will assume all liability for any damage to the Facilities in the above described property. The Grantor will also save and keep the City clear and harmless from any claims for personal injuries or property damage caused by any negligence of the Grantor or person other than the Grantor, arising out of the construction by the Grantor of any structure or building abutting the said easement defined limits, and shall reimburse the City for the full amount of such loss or damage.
5. That no charges will be made against said lands for the cost of maintenance or operation of said Facilities in the afore-described property. Whenever the Grantor makes application for a service connection, the regular and customary service connection charge in effect at the time of the application shall be charged and paid. The Grantor shall be responsible for the routine maintenance of land on which the easement is located.
6. All conditions pertaining to the "Maintenance of Water Service Piping" as set forth in Chapter 5.12 of the "City of Franklin Design Standards and Construction Specifications dated 2017 and subsequent amendments thereto shall apply to all water services which are within the easement defined limits and also within the limits of any adjoining easements; except that the City of Franklin Water Works, a utility owned by the City of Franklin shall in no case be responsible for maintaining at its expense any portion of said water services outside of the easement defined limits and outside the limits of any adjoining easements regardless of any statement to the contrary in said "Rules and Regulations Governing Water Service."
7. The Facilities shall be accessible for maintenance by the City at all times. The Grantor shall submit plans for approval to the City Engineer for any underground installation within the easement area, which approval shall not be unreasonably withheld, conditioned or delayed.
8. That the Grantor shall submit plans for all surface alterations of plus or minus 1 foot or greater within the limits of said easement. Said alterations shall be made only with the approval of the City Engineer of the City of Franklin, which approval shall not be unreasonably withheld, conditioned or delayed.
9. The City and Grantor shall each use, and take reasonable measures to cause their employees, officers, customers, agents, contractors and assigns to use, the Easement Area in a reasonable manner and so as not to obstruct or otherwise use the Easement Area in a manner that would unreasonably interfere with the use thereof by the other party hereto or its employees, officers, customers, agents, contractors and assigns.
10. The City and Grantor each hereby waives all rights of subrogation that either has or may hereafter have against the other for any damage to the Easement Area or any other real or personal property or to persons covered by such party's insurance, but only to the extent of the waiving party's insurance coverage; provided, however, that the foregoing waivers shall not invalidate any policy of insurance now or hereafter issued, it being hereby agreed that such a waiver shall not apply in any case which would result in the invalidation of any such policy of insurance and that each party shall notify the other if such party's insurance would be so invalidated.
11. Either party hereto may enforce this easement by appropriate action, and should it prevail in such litigation, that party shall be entitled to recover, as part of its costs, reasonable attorneys' fees.
12. This easement may not be modified or amended, except by a writing executed and delivered by the City and Grantor or their respective successors and assigns.

13. No waiver of, acquiescence in, or consent to any breach of any term, covenant, or condition hereof shall be construed as, or constitute, a waiver of, acquiescence in, or consent to any other, further, or succeeding breach of the same or any other term, covenant, or condition.
14. If any term or provision of this easement shall, to any extent, be invalid or unenforceable under applicable law, then the remaining terms and provisions of this easement shall not be affected thereby, and each such remaining term and provision shall be valid and enforceable to the fullest extent permitted by applicable law.
15. This easement shall be construed and enforced in accordance with the internal laws of the State of Wisconsin.
16. It is understood that in the event the above described Real Estate may become portions of public streets; in which event, in the proceedings for the acquisition of the property needed for such streets by purchase, dedication or by condemnation, said lands shall be considered the same as though this easement had not been executed or any rights granted thereby exercised.
17. That the Grantor shall submit as-built drawings of the installed facilities on mylar for approval to the City Engineer, which approval shall not be unreasonably withheld, conditioned, or delayed.

In witness whereof, the grantor has set its hand and seals this on this date of October 7th, 2020.

Mills Hotel Wyoming, LLC

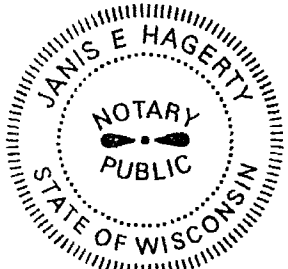
By: Mills Enterprises, LLC its Manager

[Signature]
Stephen C. Mills, Member
[Signature]
Martha L. Mills, Member

STATE OF WISCONSIN)
) ss
COUNTY OF MILWAUKEE)

This instrument was acknowledged before me on the 7th day of October, A.D. 2020 by
Stephen C. Mills. Member, Mills Enterprises, LLC

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

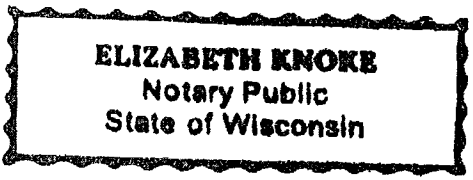


[Signature]
Notary Public
My commission expires 02/10/2024

STATE OF WISCONSIN)
) ss
COUNTY OF MILWAUKEE)

This instrument was acknowledged before me on the 7th day of October, A.D. 2020 by
Martha L. Mills. Member, Mills Enterprises, LLC

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



[Signature]
Notary Public
My commission expires May 3, 2023
Company Name

CITY OF FRANKLIN

By: _____
Stephen R. Olson, Mayor

By: _____
Sandra L. Wesolowski, City Clerk

STATE OF WISCONSIN
 SS
COUNTY OF MILWAUKEE

On this _____ day of _____, 20__ before me personally appeared Stephen R. Olson and Sandra L. Wesolowski who being by me duly sworn, did say that they are respectively the Mayor and City Clerk of Franklin, and that the seal affixed to said instrument is the corporate seal of said municipal corporation, and acknowledged that they executed the foregoing assignment as such officers as the deed of said municipal corporation by its authority, and pursuant to Resolution File No. _____ adopted by its Common Council on _____, 20__.

Notary Public _____

My commission expires _____

MORTGAGE HOLDER CONSENT

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

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

 a Wisconsin Banking Corporation
 By: _____
 Name: _____
 Title: _____

STATE OF WISCONSIN)
 ss
 COUNTY OF MILWAUKEE)

On this, the ___ day of _____, 20____, before me, the undersigned, personally appeared _____ of _____, _____, _____ of _____
 (Name printed) (Title) (Development)
 a Wisconsin banking corporation, and acknowledged that (s)he executed the foregoing instrument on behalf of said corporation, by its authority and for the purposes therein contained

Name: _____
 Notary Public
 State of _____
 County of _____
 My commission expires: _____

This instrument was drafted by the City of Franklin.

Approved as to contents

Manager of Franklin Municipal Water Utility

Date: _____

Approved as to form only

City Attorney

Date: _____

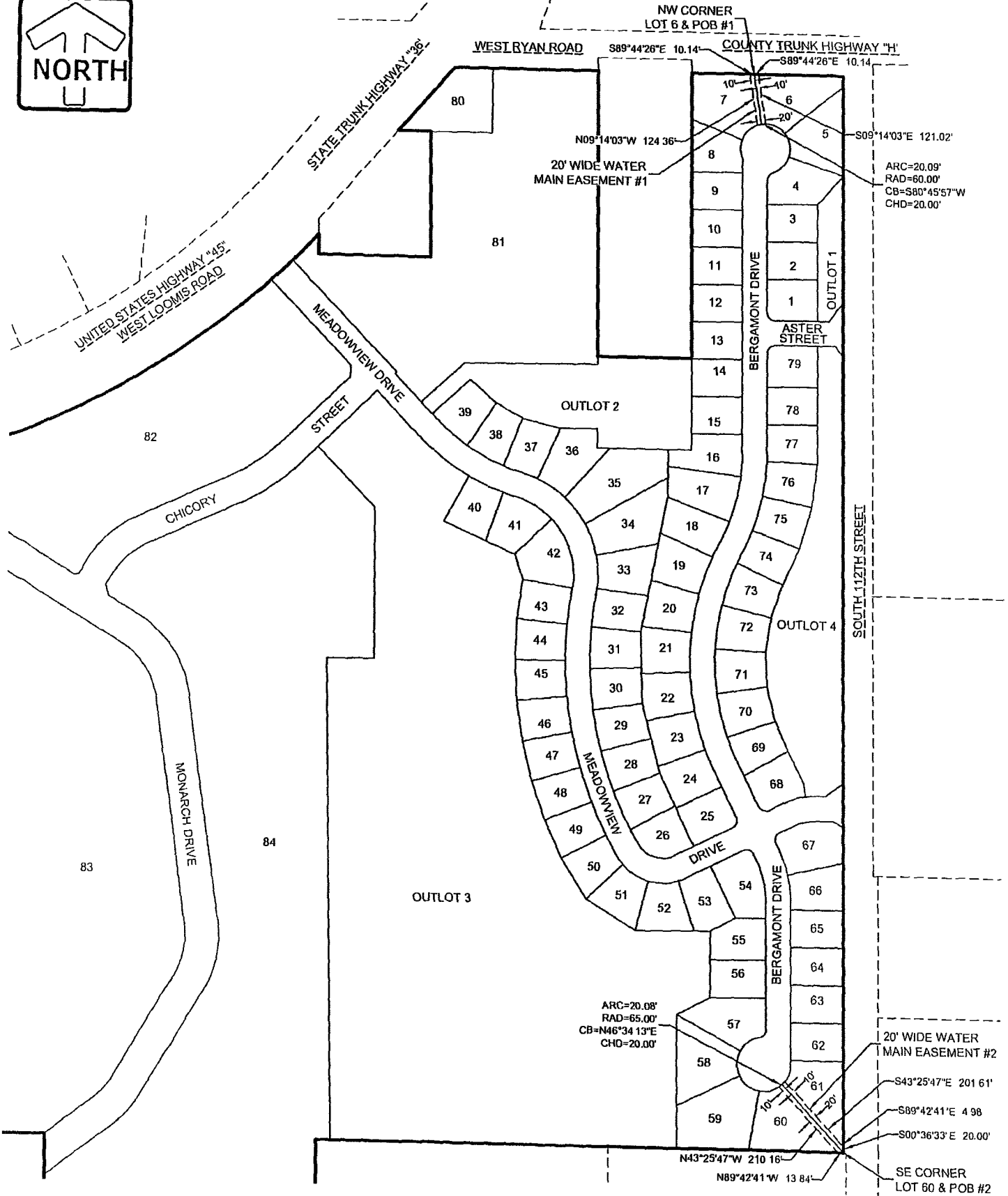
Exhibit A

Ryan Meadows Subdivision

Being Lot 1, Lot 2, Lot 3 and Outlot 1 of Certified Survey Map No 9095 and additional lands in the Southwest $\frac{1}{4}$ and Northwest $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ and the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ and the Northeast $\frac{1}{4}$ and the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ all in Section 30, Township 5 North, Range 21 East, City of Franklin, Milwaukee County Wisconsin.

EXHIBIT B

(Depiction of the Facilities)



DATE 10-21-2019
FILE 809 10 EASEMENT EXHIBITS

Exhibit C

Legal Description of the Water Main Easement #1

That part of Lots 6 and 7 in Ryan Meadows, being a part of the Northwest 1/4 of the Northeast 1/4 of Section 30, Township 5 North, Range 21 East, City Franklin, Milwaukee County, Wisconsin, bounded and described as follows:

Beginning at the northwest corner of said Lot 6; thence South 89°44'26" East along the south right-of-way line of West Ryan Road (County Trunk Highway "H"), 10.14 feet; thence South 09°14'03" East, 121.02 feet to the north right-of-way line of Bergamont Drive and a point on a curve; thence westerly, 20.09 feet along the arc of said curve to the left and said north right-of-way line, whose radius is 60.00 feet and whose chord bears South 80°45'57" West, 20.00 feet; thence North 09°14'03" West, 124.36 feet to the aforesaid south right-of-way line of West Ryan Road (County Trunk Highway "H"); thence South 89°44'26" East along said south right-of-way line 10.14 feet to the Point of Beginning.

Legal Description of the Water Main Easement #2

That part of Lots 60 and 61 in Ryan Meadows, being a part of the Southwest 1/4 of the Northeast 1/4 of Section 30, Township 5 North, Range 21 East, City Franklin, Milwaukee County, Wisconsin, bounded and described as follows:

Beginning at the southeast corner of said Lot 60; thence North 89°42'41" West along the south line of said Lot 60, 13.84 feet; thence North 43°25'47" West, 210.16 feet to the south right-of-way line of Bergamont Drive and a point on a curve; thence northeasterly, 20.08 feet along the arc of said curve to the left and said north right-of-way line, whose radius is 65.00 feet and whose chord bears North 46°34'13" East, 20.00 feet; thence South 43°25'47" East, 201.61 feet; thence South 89°42'41" East, 4.98 feet to the east line of said Lot 61; thence South 00°36'33" East along said east line 20.00 feet to the Point of Beginning

TEMPORARY TURN AROUND EASEMENT

Ryan Meadows

THIS EASEMENT is made by and between the CITY OF FRANKLIN, a municipal corporation of the State of Wisconsin, hereinafter referred to as "City" and Mills Hotel Wyoming, LLC having offices at 4011 *0th Street, Kenosha, WI 53142 as Owners (including successors and assigns of above Owners as may be or may become applicable), hereinafter called "Grantor", (if more than one Grantor is listed above, said language herein referring thereto shall be interpreted in the plural and refer jointly and severally to such as Grantors)

WITNESSETH

WHEREAS, Grantor is the owner and holder of record Title to certain real property particularly described on Exhibit "A" which is attached hereto and incorporated herein (the property); and

WHEREAS, the City desires to acquire a non-exclusive easement with the right of entry in and across a portion of the property as the same is more particularly hereinafter described, with the right to build and construct and/or operate, maintain, repair, enlarge, reconstruct, relocate and inspect as may be or may become applicable, the following facilities and appurtenances thereto, hereinafter collectively called the "Facilities", in, upon and across said portion of the Property: a temporary turn around easement, all as shown on the plan attached hereto as Exhibit "A".

NOW THEREFORE, in consideration of the grant of the easement hereinafter described, the installation and maintenance of the Facilities by the Grantor, and the City, and the payment of One Dollar (\$1.00) and other valuable consideration to the Grantor, the receipt whereof is hereby acknowledged, said Grantor, being the owner and person interested in the land hereinafter described, does hereby grant unto the City a perpetual, non-exclusive temporary turn around easement, more particularly described on Exhibit "A" attached hereto (the "Easement area").

1 That said Facilities shall be maintained and kept in good order and condition by the City, at the sole cost and expense of the City.

2. That in and during whatever construction, reconstruction, enlargement or repair work is or becomes necessary in constructing and/or maintaining of said Facilities, so much of the surface or subsurface of the Easement Area on the Property as may be disturbed will, at the expense of the City, be replaced in substantially the same condition as it was prior to such disturbance. However, the City shall indemnify and save harmless the Grantor from and against any loss, damage, claim, cost, injury, or liability resulting from negligence or willful acts or omissions on the part of the City, its agents or employees in connection with said work involved in constructing and/or maintaining of said Facilities; provided that if the above loss, claim, cost, damage, injury or liability results from the joint negligence of parties hereto, then the liability therefore shall be borne by them in proportion to their respective degree of negligence. provided further, however, that these provision are subject to the legal defenses available under law which the City or Grantor are entitled to raise, excepting the defense of so-called "sovereign immunity".

3. That no structure may be placed within the limits of the Easement Area by the Grantor except that improvements such as walks, pavements for driveways and parking lot surfacing and landscaping may be constructed or placed within the Easement Area.

4 That, in connection with the construction by the Grantor of any structure or building abutting said Easement Area, the Grantor will assume all liability for any damage to the Facilities in the above described Easement Area. The Grantor will also save and keep the City clear and harmless from any claim for personal injuries or property damage caused by any negligence or willful acts or omissions of the Grantor or persons acting on behalf of the Grantor, arising out of the construction by the Grantor of

any structure or building abutting the said Easement Area, and shall reimburse the City for the full amount of such loss or damage

5. That no charges will be made against the property for the cost of maintenance or operation of said Facilities in the property. Whenever the Grantor makes application for a service connection associated with the services provided by virtue of the Facility, the regular and customary service connection charge in effect at the time of the application shall be charged and paid.

6 The Facilities shall be accessible for maintenance by the City at all times. The Grantor shall submit plans for approval to the City Engineer for any underground installation within the Easement Area, which approval shall not be unreasonably withheld, conditioned, or delayed.

7. That the Grantor shall submit plans for all surface alterations of plus or minus 1 foot or greater within the limits of said Easement Area. Said alterations shall be made only with the approval of the City Engineer of the City of Franklin, which approval shall not be unreasonably withheld, conditioned, or delayed

8. The City and Grantor shall each use, and take reasonable measures to cause their employees, officers, customers, agents, contractors, and assigns to use, the Easement Area in a reasonable manner and so as not to obstruct or otherwise use the Easement Area in a manner that would unreasonably interfere with the use thereof by the other party hereto or it's employees, officers, customers, agents, contractors and assigns

9. The City and Grantor each hereby waive all rights of subrogations that either has or may hereafter have against the other for any damage to the Easement Area or any other real or personal property or to persons covered by such party's insurance, but only to the extent of the waiving party's insurance coverage, provided, however, that the foregoing waivers shall not invalidate any policy of insurance now or hereafter issued, it being hereby agreed that such a waiver shall not apply in any case which would result in the invalidation of any such policy or insurance and that each party shall notify the other if such party's insurance would be so invalidated.

10. Either party hereto may enforce this easement by appropriate action, and should it prevail in such litigation, that party shall be entitled to recover, as part of its costs, reasonable attorney's fees.

11. This easement may not be modified or amended, except by a writing executed and delivered by the City and Grantor or their respective successors and assigns.

12. No waiver of, acquiescence in, or consent to any breach of any term, covenant, or condition hereby shall be construed as, or constitute, a waiver of acquiescence in, or consent to any other, further, or succeeding breach of the same or any other term, covenant, or condition.

13. If any term or provision of this easement shall, to any extent, be invalid or unenforceable under applicable law, then the remaining terms and provisions of this easement shall not be affected thereby, and each such remaining term and provision shall be valid and enforceable to the fullest extent permitted by applicable law.

14. This easement shall be construed and enforced in accordance with the internal laws of the State of Wisconsin.

15 Upon completion of the use of the Easement Area for the specific use as a temporary turnaround, the City shall cause the prompt restoration to a smooth surface contour and neat condition, restoring the Easement Area into a condition similar to the remaining parcel as described in Exhibit "A".

16 Upon completion of use of the Easement Area for the specific use as a temporary turnaround and the restoration of the Easement Area by the City, the easement shall be terminated by

recording a release in recordable form with directions for delivery of same to Grantor at his last address given pursuant hereto, whereupon all rights, duties, and liabilities created shall terminate.

In witness whereof, the grantor has set its hand and seals this on this date of October 7, 2020

Mills Hotel Wyoming, LLC

By. Mills Enterprises, LLC its Manager

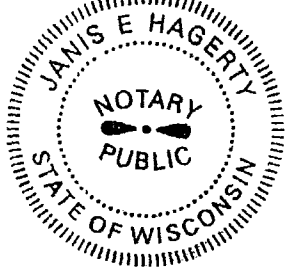
Stephen C. Mills, Member

Martha L. Mills, Member

STATE OF WISCONSIN)
) ss
COUNTY OF MILWAUKEE)

This instrument was acknowledged before me on the 7th day of October, A.D. 2020 by
Stephen C Mills. Member, Mills Enterprises, LLC

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



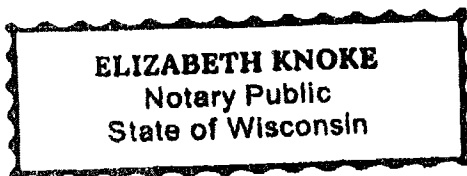
Notary Public

My commission expires 02/10/2024

STATE OF WISCONSIN)
) ss
COUNTY OF MILWAUKEE)

This instrument was acknowledged before me on the 17th day of October, A.D. 2020 by
Martha L Mills. Member, Mills Enterprises, LLC

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



Notary Public

My commission expires May 3, 2023

CITY OF FRANKLIN

By _____
Stephen R. Olson, Mayor

By _____
Sandra L. Wesolowski, City Clerk

STATE OF WISCONSIN)
 SS
COUNTY OF MILWAUKEE)

On this _____ day of _____, 20____, before me personally appeared Stephen R. Olson and Sandra L. Wesolowski who being by me duly sworn, did say that they are respectively the Mayor and City Clerk of the City of Franklin, and that the seal affixed to said instrument is the corporate seal of said municipal corporation, and acknowledged that they executed the foregoing assignment as such officers as the deed of said municipal corporation by its authority, and pursuant to Resolution File No _____ adopted by its Common Council on _____, 20____.

Notary Public, Milwaukee County, Wisconsin

My commission expires _____

MORTGAGE HOLDER CONSENT

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

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

_____ a Wisconsin Banking Corporation

By: _____

Name: _____

Title: _____

STATE OF WISCONSIN)

ss

COUNTY OF MILWAUKEE)

On this, the ___ day of _____, 20___, before me, the undersigned, personally appeared _____, _____, of _____
(Name printed) (Title) (Development)

a Wisconsin banking corporation, and acknowledged that (s)he executed the foregoing instrument on behalf of said corporation, by its authority and for the purposes therein contained

Name: _____
Notary Public

State of _____

County of _____

My commission expires. _____

This instrument was drafted by the City of Franklin.

Approved as to contents

Date: _____

City Engineer

Approved as to form only

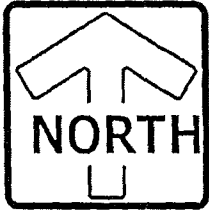
Date: _____

City Attorney

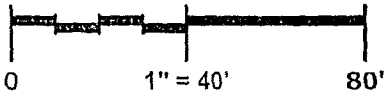
Exhibit B

(Depiction of the Facilities)

LEGAL DESCRIPTION:



GRAPHICAL SCALE (FEET)



83

MONARCH DRIVE

UNPLATTED LANDS

POB

N53°44'29"E
31.87'

N00°34'08"W 570.47'

SW CORNER
LOT 84

TEMPORARY
TURN AROUND
EASEMENT

N53°44'29"E 169.28'

S11°23'57"E
39.82'

ARC=219.12'
RAD=80.00'
CB=S67°04'00"W
CHD=156.77'

84

TEMPORARY TURN AROUND EASEMENT

10/21/19

PINNACLE ENGINEERING GROUP

PLAN | DESIGN | DELIVER

15850 W. BLUEMOUND ROAD | SUITE 210 | BROOKFIELD, WI 53005

WWW.PINNACLE ENGR.COM

PEG JOB# 809.20

Exhibit C

That part of Lot 84 in Ryan Meadows, being a part of the Southeast 1/4 of the Northwest 1/4 and part of the Northeast 1/4 of the Southwest 1/4 of Section 30, Township 5 North, Range 21 East, City Franklin, Milwaukee County, Wisconsin, bounded and described as follows.

Commencing at the southwest corner of said Lot 84, thence North 00°34'08" West along the west line of said Lot 84, 570.47 feet to the east right-of-way line of Monarch Drive, thence North 53°44'29" East along said east right-of-way line 31.87 feet to the Point of Beginning;

Thence continuing North 53°44'29" East along said east right-of-way line 169.29 feet; thence South 11°23'57" East, 39.82 feet to a point on a curvature; thence southwesterly, 219.12 feet along the arc of said curve to the right, whose radius is 80.00 feet and whose chord bears South 67°04'00" West, 156.77 feet to the Point of Beginning.

STORM DRAINAGE EASEMENT

Ryan Meadows
Lot 8, 9535 Bergamont Drive, Franklin, WI 53132
Tax Key: 891-1008-000

THIS EASEMENT is made by and between the CITY OF FRANKLIN, a municipal corporation of the State of Wisconsin, hereinafter referred to as "City," and Boomtown, LLC, a Wisconsin Limited Liability Company, as owner (including successors and assigns of the City as may become applicable including the heirs, executors, administrators, successors and assigns of above owner(s) as may be or may become applicable), hereinafter called "Grantor," (if more than one grantor is listed above, said language herein referring thereto shall be interpreted in the plural and refer jointly and severally to such grantors).

WITNESSETH

WHEREAS, Grantor is the owner and holder of record Title to certain reel particularly described on Exhibit "A" which is attached hereto and incorporated herein (the Property); and

WHEREAS, the City desires to acquire a perpetual, non-exclusive easement with the right of entry in and across a portion of the property as the same is more particularly hereinafter described, with the right to build and construct and/or operate, maintain, repair, enlarge, reconstruct, relocate and inspect as may be or may become applicable the following facilities and appurtenances thereto, hereinafter collectively called the "Facilities," in, upon and across said portion of the Property: a storm drainage system consisting of an open swale (ditch) and/or storm sewer and associated manholes and catch basins, all as shown on the plan attached hereto as Exhibit "B."; and

WHEREAS, the initial construction and installation of the Facilities shall be made by Grantor at Grantor's expense and the Facilities shall be the property of the City and be deemed dedicated to the City upon the City's inspection and approval of the Facilities as installed, subject to the terms and conditions set forth below:

NOW, THEREFORE, in consideration of the grant of the easement hereinafter described, the initial installation and maintenance of the Facilities by the Grantor, and the City, and the payment of One Dollar (\$1.00) and other valuable considerations to the Grantor, the receipt whereof is hereby acknowledged, said Grantor, being the owner and person interested in the land hereinafter described, does hereby grant unto the City a perpetual, non-exclusive easement on that part of the NE quarter of Section 30, Township Five (5) North, Range Twenty-one (21) East, in the City of Franklin, Milwaukee County, Wisconsin, more particularly described on Exhibit C attached hereto (the "Easement Area").

1. That said Facilities not including any open swale/ditch shall be maintained and kept in good order and condition by the City, at the sole cost and expense of the City. Responsibility for maintaining the ground cover and landscaping, including any open swale/ditch, within the Easement area shall be that of the Grantor (including heirs, executors, administrators, successors, and assigns).
2. That in and during whatever construction, reconstruction, enlargement or repair work is or becomes necessary in constructing and/or maintaining of said Facilities, so much of the surface or subsurface of the Easement Area on the property as may be disturbed will, at the expense of the City, be replaced in substantially the same condition as it was prior to

such disturbance; except that the City will in no case be responsible for replacing or paying for replacing any aesthetic plantings, fences, or improvements other than ordinary lawns or standard walks, roadways, driveways and parking lot surfacing which were required to be removed or were otherwise damaged in the course of doing the above work. However, the City shall indemnify and save harmless the Grantor from and against any loss, damage, claim, cost, injury or liability resulting from negligence or willful acts or omissions on the part of the City, its agents or employees in connection with said work involved in constructing and/or maintaining of said Facilities; provided that if the above loss, claim, cost, damage, injury or liability results from the joint negligence of parties hereto, then the liability therefore shall be borne by them in proportion to their respective degree of negligence; provided further, however, that these provisions are subject to the legal defenses available under law which the City or Grantor are entitled to raise, excepting the defense of so-called "sovereign immunity."

3. That no structure, fence, plantings, or other improvements may be placed within the limits of the Easement Area by the Grantor except that improvement such as walks, pavements for driveways and parking lot surfacing, and landscaping may be constructed or placed within the Easement Area as approved by the City Engineer.
4. In connection with the construction by the Grantor of any structure or building abutting said Easement Area, the Grantor will assume all liability for any damage to the Facilities in the above described Easement Area. The Grantor will also save and keep the City clear and harmless from any claims for personal injuries or property damage caused by any negligence or willful acts or omissions of the Grantor or persons acting on behalf of the Grantor, arising out of the construction by the Grantor of any structure or building abutting the said Easement Area, and shall reimburse the City for the full amount of such loss or damage.
5. No charges will be made against the property for the cost of maintenance or operation of said Facilities in the property. Whenever the Grantor makes application for a service connection associated with the services provided by virtue of the Facility, the regular and customary service connection charge in effect at the time of the application shall be charged and paid. The Grantor shall be responsible for the routine maintenance of land on which the easement is located.
6. The City of Franklin shall in no case be responsible for maintaining at its expense any portion of said storm drainage services outside of the Easement Area and outside the limits of any adjoining easements.
7. The Facilities shall be accessible for maintenance by the City at all times. The Grantor shall submit plans for approval to the City Engineer for any underground installation within the Easement Area, which approval shall not be unreasonably withheld, conditioned or delayed.
8. That the Grantor shall submit plans for all surface alterations of plus or minus 0.05 foot or greater within the limits of said Easement Area. Said alterations shall be made only with the approval of the City Engineer of the City of Franklin, which approval shall not be unreasonably withheld, conditioned or delayed.

9. The City and Grantor shall each use, and take reasonable measures to cause their employees, officers, customers, agents, contractors and assigns to use, the Easement Area in a reasonable manner and so as not to obstruct or otherwise use the Easement Area in a manner that would unreasonably interfere with the use thereof by the other party hereto or its employees, officers, customers, agents, contractors and assigns.
10. The City and Grantor each hereby waives all rights of subrogation that either has or may hereafter have against the other for any damage to the Easement Area or any other real or personal property or to persons covered by such party's insurance, but only to the extent of the waiving party's insurance coverage; provided, however, that the foregoing waivers shall not invalidate any policy of insurance now or hereafter issued, it being hereby agreed that such a waiver shall not apply in any case which would result in the invalidation of any such policy of insurance and that each party shall notify the other if such party's insurance would be so invalidated.
11. Either party hereto may enforce this easement by appropriate action, and should it prevail in such litigation, that party shall be entitled to recover, as part of its costs, reasonable attorneys' fees.
12. This easement may not be modified or amended, except by a writing executed and delivered by the City and Grantor or their respective successors and assigns.
13. No waiver of, acquiescence in, or consent to any breach of any term, covenant, or condition hereof shall be construed as, or constitute, a waiver of, acquiescence in, or consent to any other, further, or succeeding breach of the same or any other term, covenant, or condition.
14. If any term or provision of this easement shall, to any extent, be invalid or unenforceable under applicable law, then the remaining terms and provisions of this easement shall not be affected thereby, and each such remaining term and provision shall be valid and enforceable to the fullest extent permitted by applicable law.
15. This easement shall be construed and enforced in accordance with the internal laws of the State of Wisconsin.
16. It is understood that at some point in the future all or a portion of the Easement Area may become portions of public streets, in which event, in the City's proceedings for the acquisition of the portion of the property needed for such streets by purchase, dedication or by condemnation, said lands shall be considered the same as though this easement had not been executed or any rights granted thereby exercised.
17. That the Grantor shall submit as-built drawings of the installed facilities for approval to the City Engineer, which approval shall not be unreasonably withheld, conditioned, or delayed.

IN WITNESS WHEREOF, the Grantor has hereunto set its hand and seals this

ON THIS DATE OF: 10/27, 2020

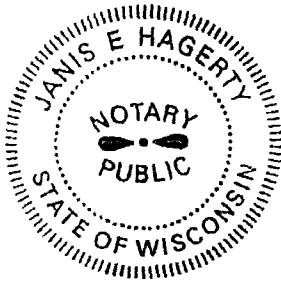
~~BOOMTOWN, LLC~~

By: [Signature]
Stephen R. Mills, Authorized Member

STATE OF WISCONSIN
COUNTY OF KENOSHA^{SS}

Before me personally appeared on the 27th day of October, 2020, the above named Stephen R. Mills, Auth. Member of Boomtown, LLC
(Name printed) (Title) (Development)

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



NOTARY PUBLIC [Signature]

My commission expires 02/10/2024

CITY OF FRANKLIN

By: _____
Stephen R. Olson, Mayor

By: _____
Sandra L. Wesolowski, City Clerk

STATE OF _____
COUNTY OF _____^{SS}

On this _____ day of _____, 20____, before me personally appeared Stephen R. Olson and Sandra L. Wesolowski who being by me duly sworn, did say that they are respectively the Mayor and City Clerk of the City of Franklin, and that the seal affixed to said instrument is the corporate seal of said municipal corporation, and acknowledged that they executed the foregoing assignment as such officers as the deed of said municipal corporation by its authority and pursuant to Resolution File No. _____ adopted by its Common Council on _____, 20____

Notary Public
My commission expires _____

MORTGAGE HOLDER CONSENT

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

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

_____ a Wisconsin Banking Corporation

By: _____

Name: _____

Title: _____

STATE OF WISCONSIN)

ss
COUNTY OF MILWAUKEE)

On this, the _____ day of _____, 20 __, before me, the undersigned, personally appeared _____, the _____ of _____, a Wisconsin banking corporation, and acknowledged that (s)he executed the foregoing instrument on behalf of said corporation, by its authority and for the purposes therein contained.

Name: _____

Notary Public _____

State of _____

County of _____

My commission expires: _____

This instrument was drafted by the City of Franklin.

Approved as to contents

Date: _____

Manager of Franklin Municipal Water Utility

Approved as to form only

Date _____

City Attorney

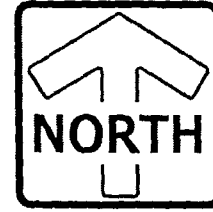
EXHIBIT A

LEGAL DESCRIPTION:

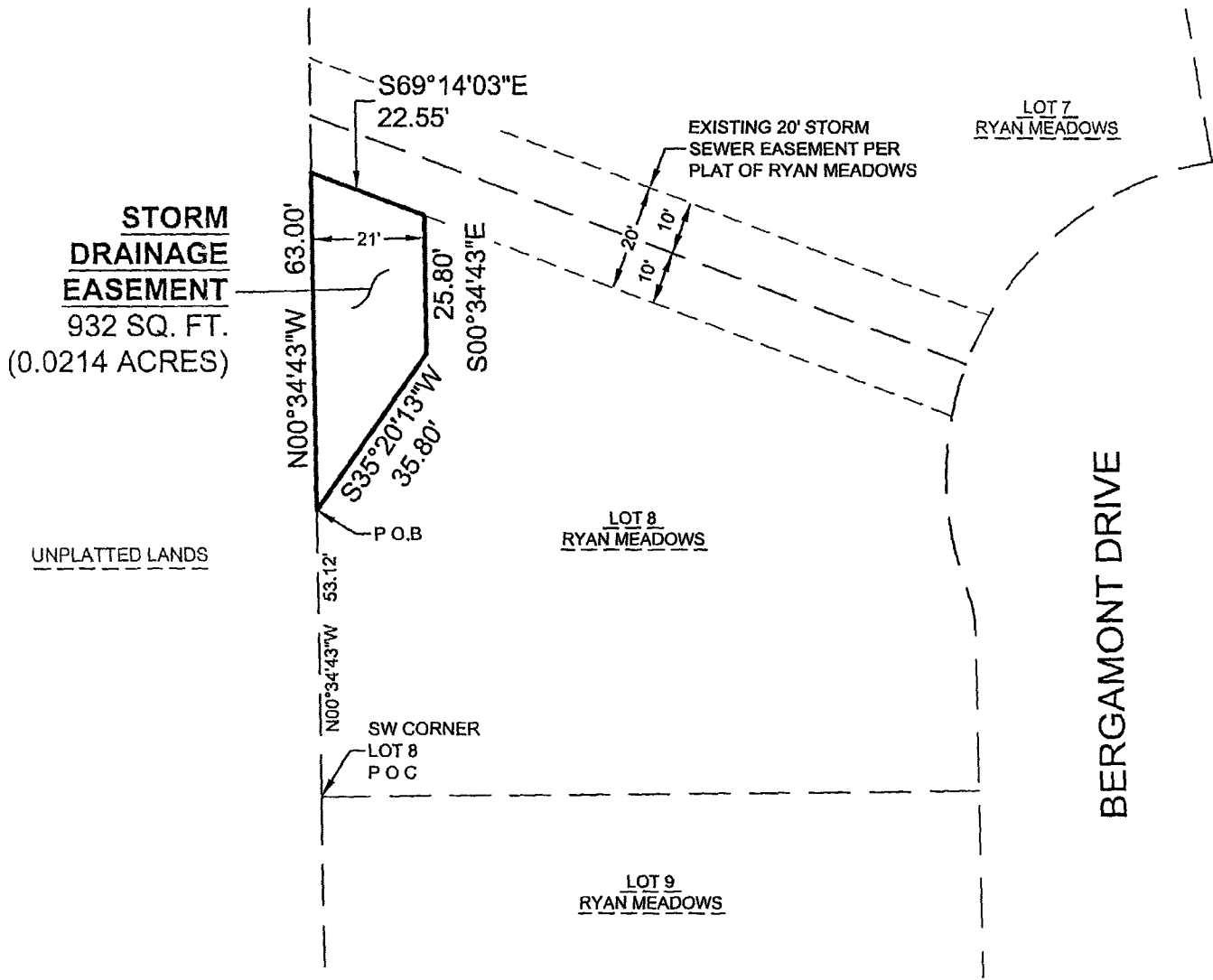
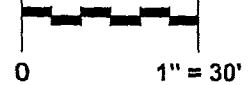
Being a part of Lot 8 of Ryan Meadows, located in the Northwest 1/4 of the Northeast 1/4 of Section 30, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin, described as follows.

Commencing at the southwest corner of said Lot 8, thence North 00°34'43" West along the west line of said Lot 8, 53.12 feet to the Point of Beginning,

Thence continuing North 00°34'43" West along said west line, 63.00 feet to the southerly line of an existing 20' Storm Sewer Easement; thence South 69°14'03" East along said southerly line, 22.55 feet, thence South 00°34'43" East, 25.80 feet, thence South 35°20'13" West, 35.80 feet to the Point of Beginning.



GRAPHICAL
SCALE (FEET)



EXHIBIT

PINNACLE ENGINEERING GROUP

20725 WATERTOWN ROAD | SUITE 100 | BROOKFIELD, WI 53186

WWW.PINNACLE-ENGR.COM

10/15/2020

PLAN | DESIGN | DELIVER

PEG JOB#809.20

EXHIBIT B

STORM DRAINAGE EASEMENT:

Being a part of Lot 8 of Ryan Meadows, located in the Northwest 1/4 of the Northeast 1/4 of Section 30, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin, described as follows:

Commencing at the southwest corner of said Lot 8; thence North 00°34'43" West along the west line of said Lot 8, 53.12 feet to the Point of Beginning;

Thence continuing North 00°34'43" West along said west line, 63.00 feet to the southerly line of an existing 20' Storm Sewer Easement; thence South 69°14'03" East along said southerly line, 22.55 feet; thence South 00°34'43" East, 25.80 feet; thence South 35°20'13" West, 35.80 feet to the Point of Beginning.

Containing 932 square feet (0.0214 acres) of land.

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<p>APPROVAL</p> <p><i>slw</i></p>	<p>REQUEST FOR COUNCIL ACTION</p>	<p>MEETING DATE</p> <p>11/2/2020</p>
<p>REPORTS & RECOMMENDATIONS</p>	<p>2021 Proposed Budget</p>	<p>ITEM NUMBER</p> <p><i>G, 11.</i></p>

Per the budget process timeline and next steps, October 6th thru November 17th was set aside for continued deliberation of the 2021 Proposed Budget. In conjunction with that, staff is including this item on all Common Council agendas during this time period so that further discussions needed on the Proposed 2021 Budget can be discussed at these meetings.

The 2021 Proposed Budget Public Hearing notice was published in the paper on October 28, 2020. The public hearing and Common Council's final consideration of the 2021 Proposed Budget will take place at the November 17, 2020 Common Council Meeting.

Please contact staff with any questions, concerns, or additional information that is needed regarding the Proposed 2021 Budget.

COUNCIL ACTION REQUESTED

Per Common Council direction.

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APPROVAL <i>Slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE Nov 2, 2020
REPORTS & RECOMMENDATIONS	Report on Expenditures related to the COVID-19 Public Health Emergency thru Oct 28, 2020	ITEM NUMBER <i>6.12.</i>

Background

On March 17, 2020 the Common Council authorized spending up to \$250,000 in response to the COVID-19 Public Health Emergency

Thru Oct 28, 2020, the City has spent \$453,124 on pandemic related expenditures. Of that amount, \$390,000 has been or is expected to be submitted to the Route to Recovery grant administered by the State. To date the City has been reimbursed \$169,436 of those costs

The claims regulation rules would permit additional Public Safety and Public Health personnel costs to be claimed with this grant. Franklin was allocated \$585,206 for the Route to Recovery Grant, plus additional grants for Contact Tracing, Testing, Pandemic Response and Elections costs. Some of the election's costs have been included in the \$453,124 noted above.

Final requests for Route to Recovery costs are due November 18, 2020. These costs will continue to be incurred, as the Pandemic has not gone away as yet

The State has indicated that if additional costs have been incurred, we are encouraged to submit those costs such that if funds are available under the program, additional allocations maybe made to Communities

The State has notified the Health Department of additional Grants for health related expenditures, \$307,000 for contact tracing, \$30,000 for Pandemic Response Planning and \$73,600 for COVID testing. The City recently accepted a \$24,400 grant from the Wisconsin Elections Commission related to increased costs stemming from the crisis.

Resource Impacts

In addition, it appears that certain city resources are going to be adversely impacted, specifically, ambulance revenues are down 23% (\$240,000) compared to Sept 2019, hotel tax receipts are only 50% (down \$79,000) of where they were for Q2 2019, (as the major hotels have been effectively shut down), investment income on reduced interest rates (estimated to reduce annual revenues by \$94,000), the school liaison officer – approximately \$22,000 (with the school closed – the officer was not needed). These amounts total \$435,000 so far. While ambulance resources have recovered some, the other resources have shown any improvement

Vacancies in Public Safety and Public Works will more than match these revenue shortfalls, leaving the City with an expected surplus for 2020.

COUNCIL ACTION REQUESTED

Information Only – no action requested

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APPROVAL <i>Slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE Nov 2, 2020
REPORTS & RECOMMENDATIONS	September 2020 Monthly Financial Report	ITEM NUMBER <i>G.13.</i>

Background

The September, 2020 Financial Report is attached.

Park Impact fees have now been retired thru the end of December 2007.

The Finance Committee reviewed these statements at the Oct 27, 2020 Finance Committee meeting and recommends acceptance.

The Director of Finance & Treasurer will be available to answer any questions.

COUNCIL ACTION REQUESTED

Receive and place on file.

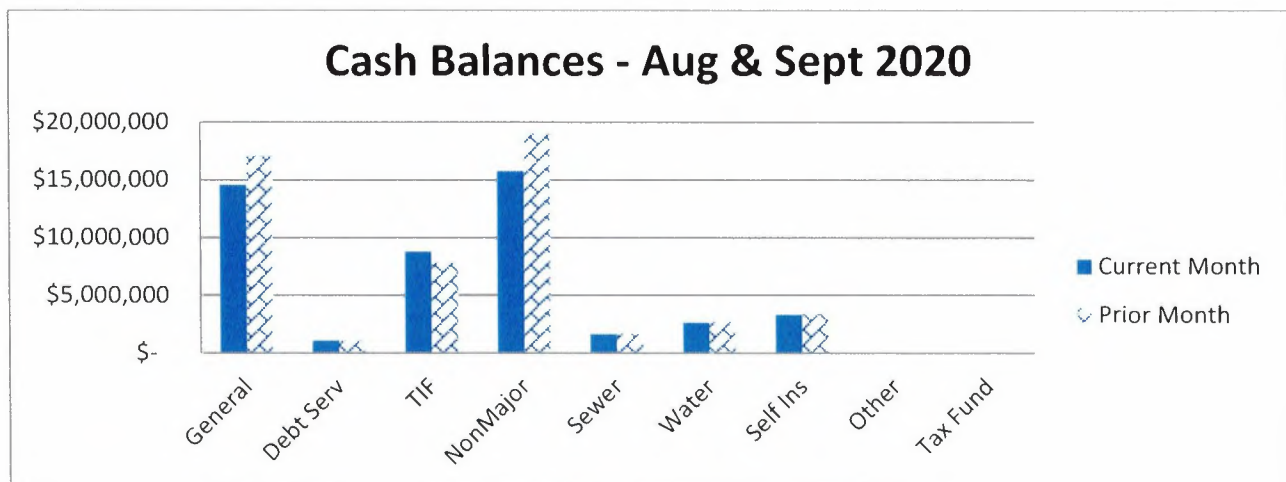


Date: October 15, 2020
 To: Mayor Olson, Common Council and Finance Committee Members
 From: Paul Rotzenberg, Director of Finance & Treasurer
 Subject: September 2020 Financial Report

The September, 2020 financial reports for the General Fund, Debt Service Fund, TID Funds, Library, Tourism, Solid Waste Fund, Capital Outlay Fund, Equipment Replacement Fund, Street Improvement Fund, Capital Improvement Fund, Development Fund, Utility Development, Sanitary Sewer, Water Utility, Self Insurance Fund, Post Employment Insurance Fund and other Minor Funds are attached.

The budget allocation is completed using an average of the last five years actual spending against the Amended Budget. Caution is advised in that spending patterns may have changed. Comments on specific and trending results are provided below to aid understanding or explaining current year financial results.

Cash & Investments Summary – is provided to aid in understanding the resources available to meet current activities. Cash & investments are positions with safety and liquidity as primary objectives as stated in the City’s Investment policy. While return potential is not ignored, investment returns are secondary in the investment decisions. Cash & Investments in the Governmental Funds totaling \$40.1 million decreased \$4.9 million since last month. Gen Fund decreased \$2.5 million on operating expenditures, while TID cash balances increased a net \$925,000 with a \$2.5 million Advance from the Development Fund to TID 4 and several project costs.



Short term investment returns plummeted to 0.15% in late summer from 1.6% in January. That has cut investment returns by 90%. To help mitigate that decline, \$3 million in short term holdings were converted in May to 6-18 month CD's locking in rates from 0.5 to 1.15%.

GENERAL FUND revenues of \$24.4 million are even to budget. With the extra time granted to pay tax installments, the County delayed settling until late Sept.

The Pandemic has had impacts on Gen Fund Revenues, reduced Ambulance fees, fines & forfeitures and investment earnings. This has totaled \$300,000 thru August.

Year to Date expenditures of \$19.4 million are \$2.3 million less than budget. Several vacant positions in Public Safety and Public Works has reduced labor costs, which has more than offset the extra costs incurred for the Pandemic. Much of the Pandemic costs are now reflected in the Grants Funds as they are substantially covered by a Federal Grant.

The Common Council authorized \$250,000 of Contingency to address the Pandemic Emergency. Most of the pandemic operating costs are being absorbed by CARES Act funding. However, vacant positions are driving the reduced spending.

Additional resources will be needed in Elections to handle the tsunami of mail ballots. While the City received a Grant thru the CARES ACT to aid the added elections costs, additional costs may be eligible under the Route to Recovery Grant if identified by management as incurred. Be on alert for a budget amendment to consider these extra costs as they become better understood.

A \$5.0 million surplus is \$2.3 million greater than budget. That surplus is primarily related to under spending. It is unlikely that results in Dec will reflect a surplus of this size.

Landfill Siting Resources were budgeted to be \$2.7 million for 2020 spread across multiple funds. Early in the year, the monthly resources were operating at a much lower rate, such that the 2020 Landfill Siting Budget Resource was lowered to \$1.6 million. Since that amendment, receipts have increased. Expectations are now that Landfill Siting resources will approximate \$2.2 – 2.4 million. Any additional resources are being credited to the Capital Improvement Fund.

DEBT SERVICE – Debt payments were made March 1 and Sept 1 as required. The increased development activity of late has permitted more impact fee transfers than expected in the budget.

TIF Districts – In general 2020 TID performance is spending down the debt resources acquired in 2019 to fund project costs. TID fund balances have declined \$13.9 million in 2020, principally reflecting the \$6.7 million of project costs in TID 4, the \$4 million refunding in TID 5 and the \$4.5 million mortgage in TID7.

TID 3 – The 2020 increment was collected and the TID retired \$650,000 of debt along with a \$760,000 Municipal Revenue Obligation payment. The TID moved to a surplus in mid-

September 2020

Financial report

summer when state shared revenues were received TID3's expenditure period closed in June 2020

TID 4 – The 2020 increment was collected The City committed to \$7 million of infrastructure costs to begin the business park development, nearly \$ 6 million has been spent A \$2 5 million Advance from the Development Fund provided the financing for the project costs With the Jan 2021 tax increment, over \$1 million of the Advance will be repaid The TID 4 expenditure period closed in June 2020

TID 5 – The 2020 Increment was collected A \$4 million portion of the 2018 NAN was refunded in March With favorable interest rates, the final \$9 8 million balance on the 2018 NAN is expected to be refunded in December, 2020

TID 6 – Considerable work has been done on the southwest business park, however, the developer took a \$1 million draw in 2019 The Developer sent a \$4 9 million draw request recently, that is being reviewed A further \$3 million was committed by the City and planned to be funded in December, 2020

TID 7 – Mortgage advances totaling all \$4 5 million have been made and reflected as a Grant and as a Deferred Inflow No new project costs are expected The \$4 7 million current deficit reflects the \$4 5 million advance to fund the mortgage note The deficit fund balance reflects the internal advance from the Self Insurance Fund for the current portion of the mortgage

LIBRARY FUND – activity is occurring as planned

TOURISM FUND – the pandemic has depressed hotel activity, so little new hotel tax resources are expected in 2020 The primary expenditure supports an advertising to promote business sites

SOLID WASTE FUND – Activity is occurring as budgeted

CAPITAL OUTLAY FUND – This fund is much more dependent upon landfill siting resources in 2020 than prior years Those resources arrive ratably over the year as opposed to Q1 for tax levy resources The Police have ordered the three squads authorized for 2020 While Highway has spent \$41,000 on trees and ordered the salt spreader Muni building projects are nearly done

EQUIPMENT REPLACEMENT FUND – Landfill siting is the primary resource here A \$178,000 grant related to the SCBA purchase in 2019 was recently received, enhancing resources All of the 2020 budgeted equipment has now been ordered The fund has significant fund balance to call upon in the short term for the 2020 program

STREET IMPROVEMENT FUND –General Transportation Aids will fund the 2020 program 2020 GTA's are \$100,000 more than anticipated, which have been captured here The 2020 program is substantially complete

CAPITAL IMPROVEMENT FUND – A revised formatted report reflecting spending by project is attached. The City Hall HVAC project is complete. The Indoor Shooting range project is substantially complete, and commitments have been made on the Station Alerting system. The Community Development software has been ordered and scheduled for install in January, 2021.

The 68th Street project is nearly done, and significant progress on the Odor Control project.

Park projects are in various stages, with the Pleasant View pavilion nearly complete.

DEVELOPMENT FUND – Resources are falling behind 2019 and expectations. This may signal a slow down in development activity. No large permit has been pulled so far in 2020.

The March 1 debt payments were fully funded in 2020 for the first time in several years, and those transfers out to the Debt Service fund were made. As the park projects are getting completed, park impact fees are transferring to the Capital Improvement Fund. Park Impact fees have now been spent thru December, so the rebate period has been delayed until early 2021. Commitments on other park projects extend Park Impact Fee usage even further. Schedules are attached.

Water impact fees have been pledged to developer on their projects, with payments over the next several years.

There are now \$5.1 million of park impact fees on hand and \$2.4 million water impact fees. The acceptance of the Loomis Road water main represents the \$213,000 of water impact fee usage. Acceptance of the Ryan Manor mains committed a further \$317,130 of water impact fees.

UTILITY DEVELOPMENT FUND – Activity in this fund centers on balances rolling to the tax roll in December each year as well as collection of utility special assessments.

SANITARY SEWER FUND – Operating resources are slightly ahead of budget and prior year. The largest overage is in MMSD charges for processing, which are matched by the higher resources noted earlier. Operating results are positive as compared to a budgeted deficit. Cash generation is greater in 2020 than 2019 on lower capital expenditures.

WATER UTILITY FUND – drier conditions in 2020 resulted in greater water usage and resources than budget and 2019. That pushed the Source of Water costs up. Lower Administrative costs compensated for the Source of Water increases. Operating Income of \$315,000 is much better than budget and 2019.

Cash generation is much better than 2019 resulting from much lower capital spending – no water main project in 2020.

SELF INSURANCE FUND – Resources are approximately on plan, as participation has remained steady compared to 2019. Benefit payments declined sharply in April/May, and while having returned to more normal levels, the April/May costs were not delayed to later months. The Public Health Emergency has delayed some elective procedures, further delaying costs. Summer claim costs returned to normal. The plan has an unexpected \$760,000 surplus, when a deficit was planned for 2020, raising the fund balance to over \$3 million.

September 2020

Financial report

RETIREE HEALTH FUND – Insurance results are favorable on lower claims costs. The March decline in the equity markets moderated later in the year. The fixed income position shielded the portfolio some during that decline. While investment returns have recovered and now reflect a small gain, expected actuarial investment results are not being met in 2020.

City of Franklin
Cash & Investments Summary
September 30, 2020

	Cash	American Deposit Management	Institutional Capital Management	Local Government Invest Pool	Total	Prior Month Total
General Fund	\$ (852,004)	\$ 3,948,598	\$ 8,153,187	\$ 3,285,784	\$ 14,535,565	\$ 17,066,716
Debt Service Funds	16,706	494,813	552,078	-	1,063,596	1,063,451
TIF Districts	46,227	8,058,871	673,068	-	8,778,166	7,851,475
Nonmajor Governmental Funds	597,029	7,400,161	7,731,021	-	15,728,211	18,990,014
Total Governmental Funds	(192,042)	19,902,442	17,109,354	3,285,784	40,105,538	44,971,657
Sewer Fund	497,908	1,127,725	-	-	1,625,633	1,666,868
Water Utility	7,294	2,184,133	429,892	-	2,621,319	2,698,236
Self Insurance Fund	15,611	1,434,525	1,877,432	-	3,327,568	3,384,782
Other Designated Funds	7,036	-	-	-	7,036	8,294
Total Other Funds	527,848	4,746,383	2,307,324	-	7,581,555	7,758,180
Total Pooled Cash & Investments	335,806	24,648,825	19,416,678	3,285,784	47,687,093	52,729,837
Property Tax Fund	58,054	7,130	-	-	65,184	67,821
Total Trust Funds	58,054	7,130	-	-	65,184	67,821
Grand Total Cash & Investments	393,860	24,655,955	19,416,678	3,285,784	47,752,277	52,797,658
Average Rate of Return		0.15%	1.98%	0.13%		
Maturities:						
Demand	393,860	21,410,955	52,580	3,285,784	25,143,179	29,995,395
Fixed Income & Equities						
2020 - Q3	-	-	-	-	-	167,000
2020 - Q4	-	500,000	4,521,249	-	5,021,249	5,027,575
2021 - Q1	-	1,245,000	2,014,531	-	3,259,531	3,262,969
2021 - Q2	-	1,000,000	2,025,874	-	3,025,874	3,029,152
2021 - Q3	-	-	1,019,688	-	1,019,688	1,021,406
2021 - Q4	-	500,000	4,581,394	-	5,081,394	5,086,872
2022	-	-	4,682,249	-	4,682,249	4,687,675
2023	-	-	519,115	-	519,115	519,614
	393,860	24,655,955	19,416,678	3,285,784	47,752,277	52,797,658

City of Franklin
General Fund
Comparative Statement of Revenue, Expenses and Fund Balance
For the 9 months ended September 30, 2020

<u>Revenue</u>	2020 Original Budget	2020 Amended Budget	2020 Year-to-Date Budget	2020 Year-to-Date Actual	Var to Budget Surplus (Deficiency)
Property Taxes	\$ 19,015,200	\$ 19,015,200	\$ 18,989,778	\$ 19,015,333	\$ 25,555
Other Taxes	676,400	676,400	383,964	323,371	(60,593)
Intergovernmental Revenue	1,746,400	1,746,400	1,118,419	1,206,595	88,176
Licenses & Permits	903,200	903,200	681,578	816,479	134,901
Law and Ordinance Violations	546,000	546,000	421,575	305,299	(116,276)
Public Charges for Services	2,527,300	2,351,900 A	1,631,354	1,455,840	(175,514)
Intergovernmental Charges	182,000	182,000	112,157	113,683	1,526
Investment Income	343,580	343,580	262,538	255,285	(7,253)
Sale of Capital Assets	10,750	10,750	9,307	11,161	1,854
Miscellaneous Revenue	128,500	128,500	104,322	158,449	54,127
Transfers from Other Funds	1,050,000	1,050,000	825,327	806,400	(18,927)
Total Revenue	\$ 27,129,330	\$ 26,953,930	\$ 24,540,319	\$ 24,467,895 99.70%	\$ (72,424)
<u>Expenditures</u>	2020 Original Budget	2020 Amended Budget	2020 Year-to-Date Budget	2020 Year-to-Date Actual	Var to Budget Surplus (Deficiency)
General Government	\$ 3,365,482	\$ 3,469,418 A	\$ 2,692,757	\$ 2,299,616	\$ (393,141)
Public Safety	18,446,978	18,676,439	14,301,236	13,364,235	(937,001)
Public Works	4,151,677	4,906,734	3,549,779	2,860,045	(689,734)
Health & Human Services	737,635	737,635	566,391	516,096	(50,295)
Culture & Recreation	210,448	210,448	148,563	182,570	34,007
Conservation and Development	619,400	716,294	520,962	476,853	(44,109)
Contingency & Unclassified	1,487,500	1,322,315 A	187,384	-	(187,384)
Anticipated Underexpenditures	(315,000)	(315,000)	(236,250)	-	236,250
Transfers to Other Funds	524,000	524,000	22,581	-	(22,581)
Encumbrances	-	-	-	(292,340)	(292,340)
Total Expenditures	\$ 29,228,120	\$ 30,248,283	\$ 21,753,403	\$ 19,407,075 89.21%	\$ (2,346,328)
Excess of revenue over (under) expenditures	(2,098,790)	(3,294,353)	<u>2,786,916</u>	5,060,820	<u>\$ 2,273,904</u>
Fund Balance, beginning of year	<u>8,633,754</u>	<u>8,633,754</u>		<u>8,633,754</u>	
Fund Balance, end of period	<u>\$ 6,534,964</u>	<u>\$ 5,339,401</u>		<u>\$ 13,694,574</u>	

A Represents an amendment to Adopted Budget

E Represents an encumbrance for current year from prior year

**City of Franklin
General Fund
Comparative Statement of Revenue
For the 9 months ended September 30, 2020**

Revenue	2020 Original Budget	2020 Amended Budget	2020 Year-to-Date Budget	2020 Year-to-Date Actual	Var to Budget Surplus (Deficiency)
Property Taxes	\$ 19,015,200	\$ 19,015,200	\$ 18,989,778	\$ 19,015,333	\$ 25,555
Other Taxes:					
Cable television franchise fees	480,000	480,000	247,973	221,801	(26,172)
Mobile Home	21,000	21,000	15,750	13,920	(1,830)
Room tax	175,400	175,400	120,241	87,650	(32,591)
Total Other taxes	676,400	676,400	383,964	323,371	(60,593)
Intergovernmental Revenue:					
State shared revenue-per capita	405,000	405,000	69,810	65,008	(4,802)
Expenditure restraint revenue	150,000	150,000	149,738	118,605	(31,133)
State computer aid	228,000	228,000	228,000	228,051	51
State transportation aids	535,000	535,000	385,842	452,980	67,138
Fire insurance dues	165,000	165,000	165,000	175,674	10,674
Other grants & aid	263,400	263,400	120,029	166,277	46,248
Total Intergovernmental Revenue	1,746,400	1,746,400	1,118,419	1,206,595	88,176
Licenses & Permits:					
Licenses	162,000	162,000	154,412	160,306	5,894
Permits	741,200	741,200	527,166	656,173	129,007
	903,200	903,200	681,578	816,479	134,901
Law & Ordinance Violations:					
Fines, Forfeitures & Penalties	546,000	546,000	421,575	305,299	(116,276)
Public Charges for Services:					
Planning Related Fees	72,800	72,800	53,963	51,760	(2,203)
General Government	8,700	8,700	6,896	10,414	3,518
Architectural Board Review	4,500	4,500	3,436	6,260	2,824
Police & Related	6,800	56,800 ^A	38,828	1,765	(37,063)
Ambulance Services - ALS	1,350,000	1,350,000	1,034,207	494,228	(539,979)
Ambulance Services - BLS	-	-	-	307,015	307,015
Fire Safety Training	1,500	1,500	918	1,649	731
Fire Sprinkler Plan Review	40,000	40,000	31,320	3,400	(27,920)
Fire Inspections	19,500	19,500	14,223	5,438	(8,785)
Quarry Reimbursement	43,000	43,000	21,784	30,295	8,511
Weed Cutting	7,000	7,000	4,518	2,259	(2,259)
Engineering Fees	330,000	330,000	172,365	223,940	51,575
Public Works Fees	3,500	16,100	9,624	64,366	54,742
Weights & Measures	7,600	7,600	3,505	-	(3,505)
Landfill Operations - Siting	438,000	200,000	150,000	200,000	50,000
Landfill Operations - Emerald Park	80,000	80,000	49,191	46,484	(2,707)
Health Department	114,400	114,400	36,576	6,567	(30,009)
Total Public Charges for Services	\$ 2,527,300	\$ 2,351,900	\$ 1,631,354	\$ 1,455,840	\$ (175,514)

A Represents an amendment to Adopted Budget

E Represents an encumbrance for current year from prior year

City of Franklin
General Fund
Comparative Statement of Revenue
For the 9 months ended September 30, 2020

Revenue	2020 Original Budget	2020 Amended Budget	2020 Year-to-Date Budget	2020 Year-to-Date Actual	Var to Budget Surplus (Deficiency)
Intergovernmental Charges:					
Milwaukee County - Paramedics	\$ 100,000	\$ 100,000	\$ 65,526	\$ 89,966	\$ 24,440
School Liaison Officer	82,000	82,000	46,631	23,717	(22,914)
Total Intergovernmental Charges	<u>182,000</u>	<u>182,000</u>	<u>112,157</u>	<u>113,683</u>	<u>1,526</u>
Investment Income:					
Interest on Investments	240,500	240,500	185,228	134,449	(50,779)
Market Value Change on Investments	-	-	-	58,647	58,647
Interest - Tax Roll	100,000	100,000	75,000	60,009	(14,991)
Other Interest	3,080	3,080	2,310	2,180	(130)
Total Investment Income	<u>343,580</u>	<u>343,580</u>	<u>262,538</u>	<u>255,285</u>	<u>(7,253)</u>
Sale of Capital Assets	<u>10,750</u>	<u>10,750</u>	<u>9,307</u>	<u>11,161</u>	<u>1,854</u>
Miscellaneous Revenue:					
Rental of Property	50,000	50,000	44,291	57,155	12,864
Refunds/Reimbursements	35,000	35,000	17,591	35,742	18,151
Insurance Dividend	40,000	40,000	40,000	58,683	18,683
Other Revenue	3,500	3,500	2,440	6,869	4,429
Total Miscellaneous Revenue	<u>128,500</u>	<u>128,500</u>	<u>104,322</u>	<u>158,449</u>	<u>54,127</u>
Transfer from Other Funds:					
Water Utility-Tax Equivalent	1,050,000	1,050,000	825,327	806,400	(18,927)
Total Transfers from Other Funds	<u>1,050,000</u>	<u>1,050,000</u>	<u>825,327</u>	<u>806,400</u>	<u>(18,927)</u>
Total Revenue	<u>\$ 27,129,330</u>	<u>\$ 26,953,930</u>	<u>\$ 24,540,319</u>	<u>\$ 24,467,895</u>	<u>\$ (72,424)</u>
				99.70%	

A Represents an amendment to Adopted Budget

E Represents an encumbrance for current year from prior year

City of Franklin
General Fund
Comparative Statement of Expenditures
For the 9 months ended September 30, 2020

Expenditures	2020 Original Budget	2020 Amended Budget	2020 Year-to-Date Budget	2020 Year-to-Date Actual	Var to Budget Surplus (Deficiency)
General Government:					
Mayor & Aldermen - Labor	\$ 65,891	\$ 65,891	\$ 50,685	\$ 49,417	\$ 1,268
Mayor & Aldermen - Non-Personnel	33,501	34,345 A	28,424	24,519 E	3,905
Municipal Court - Labor	193,490	193,490	148,838	142,539	6,299
Municipal Court - Non-Personnel	19,625	19,625	17,615	13,225	4,390
City Clerk Labor	353,001	353,001	271,730	235,054	36,676
City Clerk - Non-Personnel	27,200	27,200	21,344	16,619	4,725
Elections - Labor	70,404	70,404	58,523	44,811	13,712
Elections - Non-Personnel	16,500	16,500	11,768	26,051	(14,283)
Information Services - Labor	131,451	236,451 A	181,896	99,348	82,548
Information Services - Non-Personnel	429,878	346,271	257,978	285,025 E	(27,047)
Administration - Labor	411,533	411,533	316,979	187,193 E	129,786
Administration - Non-Personnel	129,655	129,655	92,579	69,618	22,961
Finance - Labor	419,877	419,877	324,769	324,130	639
Finance - Non-Personnel	115,710	115,710	79,473	89,118	(9,645)
Independent Audit	30,050	30,050	27,062	25,480	1,582
Assessor - Non-Personnel	233,350	233,350	175,025	123,012	52,013
Legal Services	357,000	357,000	272,222	212,993	59,229
Municipal Buildings - Labor	114,001	154,001	122,039	77,508	44,531
Municipal Buildings - Non-Personnel	117,515	159,214 A	82,234	112,409 E	(30,175)
Property/liability insurance	95,850	95,850	151,574	141,547	10,027
Total General Government	3,365,482	3,469,418	2,692,757	2,299,616	393,141
Public Safety:					
Police Department - Labor	9,167,605	9,217,605 A	7,096,077	6,659,262	436,815
Police Department - Non-Personnel	1,226,530	1,249,060 A	913,916	720,274 E	193,642
Pandemic Emergency - Labor	-	-	-	51,561	(51,561)
Fire Department - Labor	6,286,453	6,286,453	4,840,276	4,705,207	135,069
Fire Department - Non-Personnel	566,500	566,831 A	418,966	348,441	70,525
Public Fire Protection	283,300	283,300	214,293	207,481	6,812
Building Inspection - Labor	768,655	846,955	649,026	564,853	84,173
Building Inspection - Non-Personnel	140,335	218,635	161,082	99,556	61,526
Weights and Measures	7,600	7,600	7,600	7,600	-
Total Public Safety	18,446,978	18,676,439	14,301,236	13,364,235	937,001
Public Works:					
Engineering - Labor	590,261	590,261	457,664	391,859	65,805
Engineering - Non-Personnel	342,820	342,820	256,014	317,819	(61,805)
Highway - Labor	1,974,746	2,604,746	2,007,207	1,295,995	711,212
Highway - Non-Personnel	890,800	975,737 A	581,100	637,318 E	(56,218)
Street Lighting	346,000	386,120 A	242,945	214,810 E	28,135
Weed Control	7,050	7,050	4,849	2,244	2,605
Total Public Works	\$ 4,151,677	\$ 4,906,734	\$ 3,549,779	\$ 2,860,045	\$ 689,734

A Represents an amendment to Adopted Budget

E Represents an encumbrance for current year from prior year

City of Franklin
General Fund
Comparative Statement of Expenditures
For the 9 months ended September 30, 2020

<u>Expenditures</u>	<u>2020 Original Budget</u>	<u>2020 Amended Budget</u>	<u>2020 Year-to-Date Budget</u>	<u>2020 Year-to-Date Actual</u>	<u>Var to Budget Surplus (Deficiency)</u>
Health & Human Services:					
Public Health - Labor	\$ 628,585	\$ 628,585	\$ 480,164	\$ 427,789	\$ 52,375
Public Health - Non-Personnel	65,250	65,250	51,967	42,620	9,347
Animal Control	43,800	43,800	34,260	45,687	(11,427)
Total Health & Human Services	737,635	737,635	566,391	516,096	50,295
Culture & Recreation:					
Senior Travel & Activities	24,000	24,000	16,542	3,280	13,262
Parks - Labor	119,998	119,998	92,306	150,156	(57,850)
Parks - Non-Personnel	66,450	66,450	39,715	29,134 E	10,581
Total Culture & Recreation	210,448	210,448	148,563	182,570	(34,007)
Conservation & Development:					
Planning - Labor	358,680	358,680	275,908	268,572 E	7,336
Planning - Non-Personnel	74,950	133,844 A	87,419	88,962 E	(1,543)
Economic Dev - Labor	126,770	126,770	97,583	94,542	3,041
Economic Dev - Non-Personnel	59,000	97,000 A	60,052	24,777 E	35,275
Total Conservation & Development	619,400	716,294	520,962	476,853	44,109
Contingency & Unclassified:					
Restricted - other	1,335,000	1,035,000 A	-	-	-
Unrestricted	125,000	259,815 A	171,055	-	171,055 E
Unclassified	27,500	27,500	16,329	-	16,329
Total Contingency & Unclassified	1,487,500	1,322,315	187,384	-	187,384
Anticipated Underexpenditures	(315,000)	(315,000)	(236,250)	-	(315,000)
Transfers to Other Funds:					
Capital Improvement Fund	500,000	500,000	-	-	-
Other Funds	24,000	24,000	22,581	-	22,581
Total Transfers to Other Funds	524,000	524,000	22,581	-	22,581
Total Expenditures	\$ 29,228,120	\$ 30,248,283	\$ 21,753,403	\$ 19,699,415	\$ 1,975,238
Less Encumbrances				(292,340)	
Net Expenditures				\$ 19,407,075	
% of YTD Budget				89.21%	

A Represents an amendment to Adopted Budget
E Represents an encumbrance for current year from prior year

**City of Franklin
General Fund
Balance Sheet**

ASSETS	9/30/2020	9/30/2019
Cash & Investments	\$ 14,534,886	\$ 12,858,776
Accounts & Taxes & Interest Receivable	576,241	888,125
Due from Other Funds & Advances	123,200	159,234
Due from Other Governments	935	56,945
Prepaid Expenditures & Inventories	35,030	27,566
Total Assets	<u>\$ 15,270,292</u>	<u>\$ 13,990,646</u>
 LIABILITIES		
Accounts Payable	\$ 378,436	\$ 559,344
Accrued Liabilities	1,003,011	746,034
Due to Other Funds & Governments	126,145	151,656
Special Deposits	65,013	59,393
Unearned Revenue	3,113	51,761
Total Liabilities	<u>1,575,718</u>	<u>1,568,188</u>
 FUND BALANCES		
Nonspendable - Inventories, Prepaids, Advances, Assigned	158,230	186,800
Unassigned	<u>13,536,344</u>	<u>12,235,658</u>
Total Fund Balances	<u>13,694,574</u>	<u>12,422,458</u>
Total Liabilities & Fund Balances	<u>\$ 15,270,292</u>	<u>\$ 13,990,646</u>

**City of Franklin
Debt Service Funds
Balance Sheet
September 30, 2020 and 2019**

	2020 Special Assessment	2020 Debt Service	2020 Total	2019 Special Assessment	2019 Debt Service	2019 Total
Assets						
Cash and investments	\$ 788,017	\$ 275,579	\$ 1,063,596	\$ 738,235	\$ 269,167	\$ 1,007,402
Special assessment receivable	30,255	-	30,255	58,474	-	58,474
Total Assets	\$ 818,272	\$ 275,579	\$ 1,093,851	\$ 796,709	\$ 269,167	\$ 1,065,876
Liabilities and Fund Balance						
Unearned & unavailable revenue	\$ 30,255	\$ -	\$ 30,255	\$ 58,474	\$ -	\$ 58,474
Unassigned fund balance	788,017	275,579	1,063,596	738,235	269,167	1,007,402
Total Liabilities and Fund Balance	\$ 818,272	\$ 275,579	\$ 1,093,851	\$ 796,709	\$ 269,167	\$ 1,065,876

**Statement of Revenue, Expenses and Fund Balance
For the Nine months ended September 30, 2020 and 2019**

	2020 Special Assessment	2020 Debt Service	2020 Year-to-Date Actual	2020 Original Budget	2019 Special Assessment	2019 Debt Service	2019 Year-to-Date Actual
Revenue							
Property Taxes	\$ -	\$ 1,100,000	\$ 1,100,000	\$ 1,100,000	\$ -	\$ 1,300,000	\$ 1,300,000
Special Assessments	6,221	-	6,221	65,000	5,729	-	5,729
Investment Income	14,166	3,916	18,082	12,000	18,172	9,700	27,872
GO Debt Issuance	-	-	-	-	-	-	-
Total Revenue	20,387	1,103,916	1,124,303	1,177,000	23,901	1,309,700	1,333,601
Expenditures:							
Debt Service							
Principal	-	1,425,000	1,425,000	1,387,500	-	1,405,000	1,405,000
Interest	-	150,818	150,818	199,132	-	134,137	134,137
Bank Fees	-	1,400	1,400	1,140	-	1,200	1,200
Total expenditures	-	1,577,218	1,577,218	1,587,772	-	1,540,337	1,540,337
Transfers in	-	397,950	397,950	453,682	-	231,419	231,419
Transfers out	-	-	-	(600,000)	-	-	-
Net change in fund balances	20,387	(75,352)	(54,965)	(557,090)	23,901	782	24,683
Fund balance, beginning of year	767,630	350,931	1,118,561	1,118,561	714,334	268,385	982,719
Fund balance, end of period	\$ 788,017	\$ 275,579	\$ 1,063,596	\$ 561,471	\$ 738,235	\$ 269,167	\$ 1,007,402

City of Franklin
Consolidating TID Funds
Balance Sheet
September 30, 2020

	Northwestern Mutual TID 3	Ascension Hospital TID 4	Ballpark Commons TID 5	Loomis & Ryan TID 6	Velo Village TID 7	Total
Assets						
Cash & investments	\$ 1,165,725	\$ 1,553,613	\$ 453,676	\$ 5,197,619	\$ 425,692	\$ 8,796,325
Accounts & mortgage receivable	-	-	-	-	4,500,000	4,500,000
Total Assets	<u>\$ 1,165,725</u>	<u>\$ 1,553,613</u>	<u>\$ 453,676</u>	<u>\$ 5,197,619</u>	<u>\$ 4,925,692</u>	<u>\$ 13,296,325</u>

Liabilities and Fund Balance

Accounts payable	\$ -	\$ 366,407	\$ 2,125	\$ 3,781	\$ -	\$ 372,313
Accrued liabilities	865,136	-	-	-	-	865,136
Deferred inflow	-	2,500,000	-	-	4,500,000	4,500,000
Advances from other funds	-	2,866,407	2,125	3,781	1,745,000	4,245,000
Total Liabilities	<u>865,136</u>	<u>2,866,407</u>	<u>2,125</u>	<u>3,781</u>	<u>6,245,000</u>	<u>9,982,449</u>
Assigned fund balance	300,599	(1,312,794)	451,551	5,193,838	(1,319,308)	3,313,886
Total Liabilities and Fund Balance	<u>\$ 1,165,735</u>	<u>\$ 1,553,613</u>	<u>\$ 453,676</u>	<u>\$ 5,197,619</u>	<u>\$ 4,925,692</u>	<u>\$ 13,296,335</u>

**Statement of Revenue, Expenses and Fund Balance
For the Nine months ended September 30, 2020**

	Northwestern Mutual TID 3	Ascension Hospital TID 4	Ballpark Commons TID 5	Loomis & Ryan TID 6	Velo Village TID 7	Total
Revenue						
General property tax levy	\$ 1,401,748	\$ 1,138,802	\$ 721,361	\$ -	\$ -	\$ 3,261,911
Payment in lieu of taxes	-	73,889	91,560	-	-	165,449
State exempt aid	510,053	53,731	12,883	-	-	576,667
Investment & misc income	8,368	72,465	29,036	27,285	128,641	265,795
Total revenue	<u>1,920,169</u>	<u>1,338,887</u>	<u>854,840</u>	<u>27,285</u>	<u>128,641</u>	<u>4,269,822</u>
Expenditures						
Debt service principal, interest & fees	\$ 745,265	\$ -	\$ 4,842,375	\$ 220,100	\$ 115,255	\$ 5,922,995
Administrative expenses	5,460	27,101	5,460	23,958	5,460	67,439
Professional services	750	581,800	35,395	32,839	(2,321)	648,463
Capital outlays	-	7,388,119	-	-	166,663	7,554,782
Development incentive & obligation payments	760,005	-	-	-	4,500,000	5,260,005
Encumbrances	-	(1,277,399)	(25,228)	(1,600)	5,900	(1,298,327)
Total expenditures	<u>1,511,480</u>	<u>6,719,621</u>	<u>4,858,002</u>	<u>275,297</u>	<u>4,790,957</u>	<u>18,155,357</u>
Revenue over (under) expenditures	408,689	(5,380,734)	(4,003,162)	(248,012)	(4,662,316)	(13,885,535)
Fund balance, beginning of year	(108,090)	4,067,940	4,454,713	5,441,850	3,343,008	17,199,421
Fund balance, end of period	<u>\$ 300,599</u>	<u>\$ (1,312,794)</u>	<u>\$ 451,551</u>	<u>\$ 5,193,838</u>	<u>\$ (1,319,308)</u>	<u>\$ 3,313,886</u>

City of Franklin
Tax Increment Financing District #3 - Northwestern Mutual
Balance Sheet
September 30, 2020 and 2019

<u>Assets</u>	2020	2019
Cash & investments	\$ 1,165,725	\$ 1,586,798
Taxes receivable	-	-
Total Assets	<u>\$ 1,165,725</u>	<u>\$ 1,586,798</u>
<u>Liabilities and Fund Balance</u>		
Accounts payable	\$ -	\$ -
Accrued liabilities	865,126	865,135
Interfund advance from Development Fund	-	-
Unearned revenue	-	-
Total Liabilities	<u>865,126</u>	<u>865,135</u>
Assigned fund balance	300,599	721,663
Total Liabilities and Fund Balance	<u>\$ 1,165,725</u>	<u>\$ 1,586,798</u>

Statement of Revenue, Expenses and Fund Balance
For the Nine months ended September 30, 2020 and 2019

	2020 Annual Budget	2020 Amended Budget	2020 Year-to-Date Budget	2020 Year-to-Date Actual	2019 Year-to-Date Actual
Revenue					
General property tax levy	\$ 1,409,000	\$ 1,409,000	\$ 1,409,000	\$ 1,401,748	\$ 1,114,683
State exempt aid	507,500	507,500	500,625	510,053	482,476
Investment income	25,000	25,000	19,560	8,368	90,340
Bond proceeds	-	-	-	-	3,001,886
Total revenue	<u>1,941,500</u>	<u>1,941,500</u>	<u>1,929,185</u>	<u>1,920,169</u>	<u>4,689,385</u>
Expenditures					
Debt service principal	665,000	665,000	665,000	665,000	-
Debt service interest & fees	80,265	80,265	80,265	80,265	65,298
Administrative expenses	7,250	7,250	5,438	5,460	96,196
Professional services	6,000	6,000	4,500	750	1,095
Capital outlays	-	-	-	-	880,082
Development incentive & obligation payments	711,005	760,005	747,755	760,005	4,458,656
Total expenditures	<u>1,469,520</u>	<u>1,518,520</u>	<u>1,502,958</u>	<u>1,511,480</u>	<u>4,621,245</u>
Revenue over (under) expenditures	471,980	422,980	<u>\$ 426,227</u>	408,689	68,140
Fund balance, beginning of year	<u>(127,252)</u>	<u>(127,252)</u>		<u>(108,090)</u>	<u>653,523</u>
Fund balance, end of period	<u>\$ 344,728</u>	<u>\$ 295,728</u>		<u>\$ 300,599</u>	<u>\$ 721,663</u>

City of Franklin
Tax Increment Financing District #4 - Ascension Hospital
Balance Sheet
September 30, 2020 and 2019

<u>Assets</u>	<u>2020</u>	<u>2019</u>
Cash & investments	\$ 1,553,613	\$ 4,271,603
Total Assets	<u>\$ 1,553,613</u>	<u>\$ 4,271,603</u>
<u>Liabilities and Fund Balance</u>		
Accounts payable	\$ 366,407	\$ 288
Due to Other Funds - Interfund Advance	2,500,000	-
Total Liabilities	<u>2,866,407</u>	<u>288</u>
Assigned fund balance	<u>(1,312,794)</u>	<u>4,271,315</u>
Total Liabilities and Fund Balance	<u>\$ 1,553,613</u>	<u>\$ 4,271,603</u>

Statement of Revenue, Expenses and Fund Balance
For the Nine months ended September 30, 2020 and 2019

	<u>2020</u> <u>Annual</u> <u>Budget</u>	<u>2020</u> <u>Amended</u> <u>Budget</u>	<u>2020</u> <u>Year-to-Date</u> <u>Budget</u>	<u>2020</u> <u>Year-to-Date</u> <u>Actual</u>	<u>2019</u> <u>Year-to-Date</u> <u>Actual</u>
Revenue					
General property tax levy	\$ 1,144,700	\$ 1,144,700	\$ 1,144,700	\$ 1,138,802	\$ 1,011,224
Payment in Lieu of Taxes	120,000	120,000	120,000	73,889	121,759
State exempt aid	48,900	48,900	40,825	53,731	21,414
Investment income	74,000	74,000	55,500	72,465	99,424
Bond proceeds	<u>6,200,000</u>	<u>6,200,000</u>	<u>4,650,000</u>	<u>-</u>	<u>-</u>
Total revenue	<u>7,587,600</u>	<u>7,587,600</u>	<u>6,011,025</u>	<u>1,338,887</u>	<u>1,253,821</u>
Expenditures					
Debt service interest & fees	75,000	75,000	56,250	-	-
Administrative expenses	30,290	30,290	22,718	27,101	27,762
Professional services	1,000	127,675	95,756	581,800	137,149
Capital outlay	11,000,000	11,656,606	8,742,454	7,388,119	714,802
Encumbrances	-	-	-	(1,277,399)	(805,748)
Total expenditures	<u>11,106,290</u>	<u>11,889,571</u>	<u>8,917,178</u>	<u>6,719,621</u>	<u>73,965</u>
Revenue over (under) expenditures	(3,518,690)	(4,301,971)	(2,906,153)	(5,380,734)	1,179,856
Fund balance, beginning of year	<u>4,229,419</u>	<u>4,067,940</u>		<u>4,067,940</u>	<u>3,091,459</u>
Fund balance, end of period	<u>\$ 710,729</u>	<u>\$ (234,031)</u>		<u>\$ (1,312,794)</u>	<u>\$ 4,271,315</u>

City of Franklin
Tax Increment Financing District #5 - Ballpark Commons
Balance Sheet
September 30, 2020 and 2019

Assets	2020	2019
Cash & investments	\$ 453,676	\$ 3,179,217
Accounts receivable	-	-
Total Assets	<u>\$ 453,676</u>	<u>\$ 3,179,217</u>
Liabilities and Fund Balance		
Accounts payable	\$ 2,125	\$ 2,031
Due to other funds	-	-
Interfund advance from Development Fund	-	-
Total Liabilities	<u>2,125</u>	<u>2,031</u>
Assigned fund balance	451,551	3,177,186
Total Liabilities and Fund Balance	<u>\$ 453,676</u>	<u>\$ 3,179,217</u>

Statement of Revenue, Expenses and Fund Balance
For the Nine months ended September 30, 2020 and 2019

	2020 Annual Budget	2020 Amended Budget	2020 Year-to-Date Budget	2020 Year-to-Date Actual	2019 Year-to-Date Actual
Revenue					
General property tax levy	\$ 756,000	\$ 756,000	\$ 378,000	\$ 721,361	\$ 30,951
Payment in lieu of taxes	-	-	-	91,560	-
State exempt aid	12,900	12,900	6,450	12,883	123
Investment income	1,000	1,000	750	29,036	96,862
Bond proceeds	-	-	-	-	10,600,102
Total revenue	<u>769,900</u>	<u>769,900</u>	<u>385,200</u>	<u>854,840</u>	<u>10,728,038</u>
Expenditures					
Debt service interest & fees	890,763	4,890,763	3,721,414	4,842,375	10,821,647
Administrative expenses	12,250	12,250	6,622	5,460	29,472
Professional services	16,050	48,188	10,095	35,395	128,684
Capital outlay	-	-	-	-	5,292,427
Development incentive & obligation payments	-	-	-	-	-
Encumbrances	-	-	-	(25,228)	(35,863)
Total expenditures	<u>919,063</u>	<u>4,951,201</u>	<u>3,738,131</u>	<u>4,858,002</u>	<u>16,236,367</u>
Revenue over (under) expenditures	(149,163)	(4,181,301)	<u>\$ (3,352,931)</u>	(4,003,162)	(5,508,329)
Fund balance, beginning of year	<u>376,133</u>	<u>376,133</u>		<u>4,454,713</u>	<u>8,685,515</u>
Fund balance, end of period	<u>\$ 226,970</u>	<u>\$ (3,805,168)</u>		<u>\$ 451,551</u>	<u>\$ 3,177,186</u>

City of Franklin
Tax Increment Financing District #6 - Loomis & Ryan
Balance Sheet
September 30, 2020 and 2019

<u>Assets</u>	2020	2019
Cash & investments	\$ 5,197,619	\$ 6,500,216
Total Assets	<u>\$ 5,197,619</u>	<u>\$ 6,500,216</u>
<u>Liabilities and Fund Balance</u>		
Accounts payable	\$ 3,781	\$ 3,421
Advances from other funds	-	13,000
Total Liabilities	<u>3,781</u>	<u>16,421</u>
Assigned fund balance	5,193,838	6,483,795
Total Liabilities and Fund Balance	<u>\$ 5,197,619</u>	<u>\$ 6,500,216</u>

Statement of Revenue, Expenses and Fund Balance
For the Nine months ended September 30, 2019 and 2018

	2020	2020	2020	2020	2019
	Annual	Amended	Year-to-Date	Year-to-Date	Year-to-Date
	Budget	Budget	Budget	Actual	Actual
Revenue					
Investment income	\$ 32,500	\$ 32,500	\$ 24,375	\$ 27,285	\$ 94,012
Bond proceeds	3,250,000	3,250,000	2,437,500	-	6,638,320
Total revenue	<u>3,282,500</u>	<u>3,282,500</u>	<u>2,461,875</u>	<u>27,285</u>	<u>6,732,332</u>
Expenditures					
Debt service interest & fees	\$ 326,940	\$ 326,940	\$ 265,262	\$ 220,100	\$ 229,022
Administrative expenses	30,290	30,290	22,755	23,958	1,171
Professional services	8,750	9,906	7,430	32,839	6,156
Capital outlay	3,000,000	9,000,000	6,750,000	-	-
Encumbrances	-	-	-	(1,600)	(1,156)
Total expenditures	<u>3,365,980</u>	<u>9,367,136</u>	<u>7,045,447</u>	<u>275,297</u>	<u>235,193</u>
Revenue over (under) expenditures	(83,480)	(6,084,636)	<u>\$ (4,583,572)</u>	(248,012)	6,497,139
Fund balance, beginning of year	<u>626,563</u>	<u>626,563</u>		<u>5,441,850</u>	<u>(13,344)</u>
Fund balance, end of period	<u>\$ 543,083</u>	<u>\$ (5,458,073)</u>		<u>\$ 5,193,838</u>	<u>\$ 6,483,795</u>

City of Franklin
Tax Increment Financing District #7 - Velo Village
Balance Sheet
September 30, 2020 and 2019

<u>Assets</u>	2020	2019
Cash & investments	\$ 425,692	\$ (33,241)
Mortgage receivable	4,500,000	
Total Assets	<u>\$ 4,925,692</u>	<u>\$ (33,241)</u>
<u>Liabilities and Fund Balance</u>		
Accounts payable	\$ -	\$ 1,094
Advances from other funds	1,745,000	-
Deferred Inflow	4,500,000	-
Total Liabilities	<u>6,245,000</u>	<u>1,094</u>
Assigned fund balance	<u>(1,319,308)</u>	<u>(34,335)</u>
Total Liabilities and Fund Balance	<u>\$ 4,925,692</u>	<u>\$ (33,241)</u>

Statement of Revenue, Expenses and Fund Balance
For the Nine months ended September 30, 2019 and 2018

	2020 Annual Budget	2020 Amended Budget	2020 Year-to-Date Actual	2019 Year-to-Date Actual
Revenue				
Investment & misc income	\$ 270,000	\$ 270,000	\$ 128,641	\$ -
Bond proceeds	-	-	-	-
Total revenue	<u>270,000</u>	<u>270,000</u>	<u>128,641</u>	<u>-</u>
Expenditures				
Debt service interest, fees, bond issuance	\$ 268,549	\$ 268,549	\$ 115,255	\$ -
Administrative expenses	7,250	7,250	5,460	1,161
Professional services	6,750	30,850	(2,321)	33,174
Capital outlay	-	-	166,663	-
Development incentive & obligation payments	-	-	4,500,000	-
Encumbrances	-	-	5,900	-
Total expenditures	<u>282,549</u>	<u>306,649</u>	<u>4,790,957</u>	<u>34,335</u>
Revenue over (under) expenditures	(12,549)	(36,649)	(4,662,316)	(34,335)
Fund balance, beginning of year	<u>2,970,100</u>	<u>2,970,100</u>	<u>3,343,008</u>	<u>-</u>
Fund balance, end of period	<u>\$ 2,957,551</u>	<u>\$ 2,933,451</u>	<u>\$ (1,319,308)</u>	<u>\$ (34,335)</u>

**City of Franklin
Library Fund
Balance Sheet
September 30, 2020 and 2019**

<u>Assets</u>	<u>Operating</u>		<u>Restricted</u>	
	<u>2020</u>	<u>2019</u>	<u>2020</u>	<u>2019</u>
Cash and investments	\$ 927,503	\$ 875,493	\$ 140,092	\$ 152,745
Total Assets	<u>\$ 927,503</u>	<u>\$ 875,493</u>	<u>\$ 140,092</u>	<u>\$ 152,745</u>
<u>Liabilities and Fund Balance</u>				
Accounts payable	\$ 17,071	\$ 18,587	\$ 3,028	\$ 2,676
Accrued salaries & wages	29,330	26,067	-	-
Assigned fund balance	881,102	830,839	137,064	150,069
Total Liabilities and Fund Balance	<u>\$ 927,503</u>	<u>\$ 875,493</u>	<u>\$ 140,092</u>	<u>\$ 152,745</u>

**Statement of Revenue, Expenses and Fund Balance - Operating Fund
For the Nine months ended September 30, 2020 and 2019**

	<u>2020 Annual Budget</u>	<u>2020 Amended Budget</u>	<u>2020 Year-to-Date Budget</u>	<u>2020 Year-to-Date Actual</u>	<u>2019 Year-to-Date Actual</u>
Revenue					
Property taxes	\$ 1,340,500	\$ 1,340,500	\$ 1,340,500	\$ 1,340,500	\$ 1,312,700
Reciprocal borrowing (restricted)	40,000	40,000	16,078	-	671
Landfill Siting	20,000	20,000	15,000	19,171	-
Investment income	15,000	15,000	11,250	13,013	23,870
Transfers in	-	-	-	-	8,100
Total Revenue	<u>1,415,500</u>	<u>1,415,500</u>	<u>1,382,828</u>	<u>1,372,684</u>	<u>1,345,341</u>
Expenditures:					
Salaries and benefits	998,134	998,134	767,795	725,709	682,473
Contractual services	10,250	10,250	9,189	7,908	9,593
Supplies	23,100	23,100	14,681	15,460	25,260
Services and charges	85,717	85,717	69,965	73,204	77,045
Contingency	-	-	-	-	6,240
Facility charges	195,418	195,418	139,778	152,849	140,809
Capital outlay	154,000	154,000	125,579	79,879	68,991
Encumbrances	-	-	-	-	(6,240)
Total Library Costs	<u>1,466,619</u>	<u>1,466,619</u>	<u>1,126,987</u>	<u>1,055,009</u>	<u>1,004,171</u>
Total expenditures	<u>1,466,619</u>	<u>1,466,619</u>	<u>1,126,987</u>	<u>1,055,009</u>	<u>1,004,171</u>
Revenue over (under) expenditures	(51,119)	(51,119)	<u>255,841</u>	317,675	341,170
Fund balance, beginning of year	<u>452,085</u>	<u>563,427</u>		<u>563,427</u>	<u>489,669</u>
Fund balance, end of period	<u>\$ 400,966</u>	<u>\$ 512,308</u>		<u>\$ 881,102</u>	<u>\$ 830,839</u>

**City of Franklin
Tourism Commission
Balance Sheet
September 30, 2020 and 2019**

<u>Assets</u>	<u>2020</u>	<u>2019</u>
Cash and investments	\$ 468,332	\$ 310,501
Total Assets	\$ 468,332	\$ 310,501
<u>Liabilities and Fund Balance</u>		
Accounts payable	\$ 19,579	\$ 250
Assigned fund balance	448,753	310,251
Total Liabilities and Fund Balance	\$ 468,332	\$ 310,501

**Comparative Statement of Revenue, Expenses and Fund Balance
For the Nine months ended September 30, 2020 and 2019**

	<u>2020 Original Budget</u>	<u>2020 Amended Budget</u>	<u>2020 Year-to-Date Budget</u>	<u>2020 Year-to-Date Actual</u>	<u>2019 Year-to-Date Actual</u>
Revenue:					
Room Taxes	\$ 210,179	\$ 210,179	\$ 30,235	\$ (961)	\$ 437
Investment Income	-	-	-	2,370	5,439
Donations	-	-	-	500	-
Total revenue	210,179	210,179	30,235	1,909	5,876
Expenditures:					
Personal Services	35,000	35,000	26,923	-	-
Sundry Contractors	-	-	-	-	14,080
Supplies & Printing	15,000	15,000	12,500	186	-
Training & Memberships	10,000	10,000	8,319	1,346	439
Tourism Events	10,000	10,000	10,000	-	3,734
Marketing	60,000	61,371	22,819	2,446	70,381
Advertising	309,000	309,000	231,750	1,000	-
Capital Outlay	-	-	-	19,500	-
Encumbrances	-	-	-	(1,371)	(16,940)
Total expenditures	439,000	440,371	312,311	23,107	71,694
Revenue over (under) expenditures	(228,821)	(230,192)	<u>(282,076)</u>	(21,198)	(65,818)
Fund balance, beginning of year	234,658	469,951		469,951	376,069
Fund balance, end of period	<u>\$ 5,837</u>	<u>\$ 239,759</u>		<u>\$ 448,753</u>	<u>\$ 310,251</u>

City of Franklin
Solid Waste Collection Fund
Balance Sheet
September 30, 2020 and 2019

<u>Assets</u>	2020	2019
Cash and investments	\$ 1,063,735	\$ 944,220
Accrued Receivables	1,116	349
Total Assets	<u>\$ 1,064,851</u>	<u>\$ 944,569</u>
<u>Liabilities and Fund Balance</u>		
Accounts payable	\$ 160,446	\$ 132,270
Accrued salaries & wages	460	458
Restricted fund balance	903,945	811,841
Total Liabilities and Fund Balance	<u>\$ 1,064,851</u>	<u>\$ 944,569</u>

Statement of Revenue, Expenses and Fund Balance
For the Nine months ended September 30, 2020 and 2019

Revenue	2020 Original Budget	2020 YTD Budget	2020 Year-to-Date Actual	2019 Year-to-Date Actual
Grants	\$ 69,000	69,000	\$ 68,834	\$ 68,858
User Fees	1,534,349	1,533,437	1,536,637	1,215,549
Landfill Operations-tippage	365,000	238,916	250,709	240,795
Investment Income	20,000	16,357	15,909	25,756
Sale of Recyclables	1,500	1,125	2,003	2,204
Total Revenue	<u>1,989,849</u>	<u>1,858,835</u>	<u>1,874,092</u>	<u>1,553,162</u>
Expenditures:				
Personal Services	17,638	13,568	9,299	10,345
Refuse Collection	722,300	529,322	536,835	533,636
Recycling Collection	697,149	511,040	535,687	295,915
Leaf & Brush Pickups	60,000	19,995	20,000	20,000
Tippage Fees	469,200	298,371	322,771	310,702
Miscellaneous	5,000	3,748	680	1,470
Total expenditures	<u>1,971,287</u>	<u>1,376,044</u>	<u>1,425,272</u>	<u>1,172,068</u>
 Revenue over (under) expenditures	 18,562	 <u>482,791</u>	 448,820	 381,094
 Fund balance, beginning of year	 <u>501,072</u>		 <u>455,125</u>	 <u>430,747</u>
 Fund balance, end of period	 <u>\$ 519,634</u>		 <u>\$ 903,945</u>	 <u>\$ 811,841</u>

**City of Franklin
Capital Outlay Fund
Balance Sheet
September 30, 2020 and 2019**

<u>Assets</u>	<u>2020</u>	<u>2019</u>
Cash and investments	\$ 800,723	\$ 672,750
Accrued Receivables	2,754	-
Total Assets	<u>\$ 803,477</u>	<u>\$ 672,750</u>
<u>Liabilities and Fund Balance</u>		
Accounts payable	\$ 31,446	\$ 43,641
Assigned fund balance	772,031	629,109
Total Liabilities and Fund Balance	<u>\$ 803,477</u>	<u>\$ 672,750</u>

**Statement of Revenue, Expenses and Fund Balance
For the Nine months ended September 30, 2020 and 2019**

	<u>2020 Original Budget</u>	<u>2020 Amended Budget</u>	<u>2020 Year-to-Date Budget</u>	<u>2020 Year-to-Date Actual</u>	<u>2019 Year-to-Date Actual</u>
Revenue					
Property Taxes	\$ 295,700	\$ 295,700	\$ 295,700	\$ 295,700	\$ 452,800
Grants	6,000	45,900	22,350	18,573	8,998
Landfill Siting	483,900	475,000	433,738	437,752	308,490
Investment Income	7,800	7,800	5,850	10,279	15,138
Miscellaneous Revenue	25,000	43,125	28,713	57,661	12,170
Total Revenue	<u>818,400</u>	<u>867,525</u>	<u>786,351</u>	<u>819,965</u>	<u>797,596</u>
Expenditures:					
General Government	232,050	232,050	118,968	124,343	106,561
Public Safety	447,600	584,666	482,159	481,615	451,316
Public Works	162,800	194,382	143,351	99,669	51,617
Health and Human Services	900	900	600	900	1,006
Culture and Recreation	76,000	76,000	57,661	9,717	20,623
Conservation and Development	10,000	10,000	5,779	1,467	503
Contingency	60,000	33,000	24,568	-	2,303
Encumbrances	-	-	-	(178,066)	(40,399)
Total expenditures	<u>989,350</u>	<u>1,130,998</u>	<u>833,086</u>	<u>539,645</u>	<u>593,530</u>
Revenue over (under) expenditures	<u>(170,950)</u>	<u>(263,473)</u>	<u>(46,735)</u>	280,320	204,066
Fund balance, beginning of year	<u>239,473</u>	<u>491,711</u>		<u>491,711</u>	<u>425,043</u>
Fund balance, end of period	<u>\$ 68,523</u>	<u>\$ 228,238</u>		<u>\$ 772,031</u>	<u>\$ 629,109</u>

A Portion of Municipal Building, Police, Highway & Parks appropriations are contingent upon Landfill Siting revenue growth

**City of Franklin
Equipment Replacement Fund
Balance Sheet
September 30, 2020 and 2019**

<u>Assets</u>	<u>2020</u>	<u>2019</u>
Cash and investments	\$ 2,460,311	\$ 3,255,902
Total Assets	\$ 2,460,311	\$ 3,255,902
<u>Liabilities and Fund Balance</u>		
Accounts payable	\$ 52,512	\$ -
Assigned fund balance	2,407,799	3,255,902
Total Liabilities and Fund Balance	\$ 2,460,311	\$ 3,255,902

**Comparative Statement of Revenue, Expenses and Fund Balance
For the Nine months ended September 30, 2020 and 2019**

	<u>2020 Original Budget</u>	<u>2020 Amended Budget</u>	<u>2020 Year-to-Date Budget</u>	<u>2020 Year-to-Date Actual</u>	<u>2019 Year-to-Date Actual</u>
Revenue:					
Property Taxes	\$ -	\$ -	\$ -	\$ -	\$ 175,000
Landfill	677,600	400,000	346,757	393,840	377,220
Investment Income	37,400	37,400	28,050	58,914	77,691
Grants	-	-	-	178,624	-
Property Sales	56,500	56,500	32,585	-	727
Total revenue	771,500	493,900	407,392	631,378	630,638
Expenditures:					
Public Safety	241,000	257,974	244,265	248,353	633,395
Public Works	609,000	799,000	542,257	798,503	210,431
Encumbrances	-	-	-	(295,215)	(823,395)
Total expenditures	850,000	1,056,974	786,522	751,641	20,431
Revenue over (under) expenditures	(78,500)	(563,074)	(379,130)	(120,263)	610,207
Fund balance, beginning of year	2,266,695	2,528,062		2,528,062	2,645,695
Fund balance, end of period	\$ 2,188,195	\$ 1,964,988		\$ 2,407,799	\$ 3,255,902

**City of Franklin
Street Improvement Fund
Balance Sheet
September 30, 2020 and 2019**

<u>Assets</u>	<u>2020</u>	<u>2019</u>
Cash and investments	\$ 718,359	\$ 290,724
Total Assets	\$ 718,359	\$ 290,724
<u>Liabilities and Fund Balance</u>		
Accounts payable	\$ 190,305	\$ 44,809
Assigned fund balance	528,054	245,915
Total Liabilities and Fund Balance	\$ 718,359	\$ 290,724

**Statement of Revenue, Expenses and Fund Balance
For the Nine months ended September 30, 2020 and 2019**

	<u>2020 Original Budget</u>	<u>2020 Amended Budget</u>	<u>2020 Year-to-Date Totals</u>	<u>2019 Year-to-Date Totals</u>
Revenue:				
Property Taxes	\$ -	\$ -	\$ -	\$ 18,200
Landfill Siting	368,500	350,000	305,466	170,550
Investment Income	4,800	4,800	7,590	12,602
Intergovernmental Resources	845,000	845,000	600,000	600,000
Total revenue	1,218,300	1,199,800	913,056	801,352
Expenditures:				
Street Reconstruction Program - Current Year	1,300,000	1,487,936	1,211,360	1,156,213
Encumbrances	-	-	(320,151)	(201,388)
Total expenditures	1,300,000	1,487,936	891,209	954,825
Revenue over (under) expenditures	(81,700)	(288,136)	21,847	(153,473)
Fund balance, beginning of year	350,588	506,207	506,207	399,388
Fund balance, end of period	\$ 268,888	\$ 218,071	\$ 528,054	\$ 245,915

**City of Franklin
Capital Improvement Fund
Balance Sheet
September 30, 2020 and 2019**

<u>Assets</u>	<u>2020</u>	<u>2019</u>
Cash and investments	\$ 1,656,819	\$ 2,574,975
Accrued receivables	516,950	8,949
Total Assets	<u>\$ 2,173,769</u>	<u>\$ 2,583,924</u>
<u>Liabilities and Fund Balance</u>		
Accounts payable	\$ 185,467	\$ 1,142,738
Contracts Payable	100,037	228,231
Deferred Inflow	508,000	-
Assigned fund balance	1,380,265	1,212,955
Total Liabilities and Fund Balance	<u>\$ 2,173,769</u>	<u>\$ 2,583,924</u>

**Statement of Revenue, Expenses and Fund Balance
For the Nine months ended September 30, 2020 and 2019**

	<u>2020 Original Budget</u>	<u>2020 Amended Budget</u>	<u>2020 Year-to-Date Totals</u>	<u>2019 Year-to-Date Totals</u>
Revenue:				
Other Grants	\$ 500,000	\$ 1,443,000	\$ 608,365	\$ -
Landfill Siting	722,000	180,000	156,345	682,412
Transfers from Other Funds	600,000	600,000	-	92,000
Transfers from General Funds	500,000	500,000	-	-
Transfers from Impact Fees	621,500	692,900	85,969	102,932
Transfers from Connection Fees	1,120,000	1,120,000	-	-
Refunds & Reimbursements	-	-	-	65
Investment Income	25,000	25,000	14,723	76,486
Total revenue	<u>4,088,500</u>	<u>4,560,900</u>	<u>865,402</u>	<u>953,895</u>
Expenditures:				
General Government	500,000	623,286	111,045	1,760,861
Public Safety	225,000	1,506,601	1,389,123	1,475,857
Public Works	1,150,000	1,343,809	425,509	2,562,618
Culture and Recreation	1,300,000	1,467,704	404,893	570,199
Sewer & Water	1,570,000	1,570,000	200,798	-
Contingency	175,000	171,070	16,508	23,663
Encumbrances	-	-	(1,050,263)	(3,328,886)
Total expenditures	<u>4,920,000</u>	<u>6,682,470</u>	<u>1,497,613</u>	<u>3,064,312</u>
Revenue over (under) expenditures	(831,500)	(2,121,570)	(632,211)	(2,110,417)
Fund balance, beginning of year	1,012,833	2,012,476	2,012,476	3,323,372
Fund balance, end of period	<u>\$ 181,333</u>	<u>\$ (109,094)</u>	<u>\$ 1,380,265</u>	<u>\$ 1,212,955</u>

City of Franklin
 Capital Improvement Fund
 9/30/2020

	Amended			Actual		
	Total	Amount	Net City Funds	YTD	Resources	Net
Landfill Siting Revenue	180,000		180,000		154,303	
Transfers In	-		-		17,572	
Investment Income	25,000		25,000		14,723	
Total Revenue	205,000		205,000		186,598	
Expenditures						
General Government						
City Hall & Police Security Enhancements	500,000	500,000	-	-	-	-
Franklin Historical Society Barn	40,000	-	40,000	19,857	-	19,857
City Hall Roof, HVAC	83,286	-	83,286	91,189	-	91,189
Total General Government	623,286	500,000	123,286	111,046	-	111,046
Public Safety						
Community Development Enterprise Resource Program - Migration	225,000	-	225,000	181,140	-	181,140
Police Radio System Dispatch Console	42,696	-	42,696	42,696	-	42,696
Indoor Shooting Range	973,905	-	973,905	976,122	-	976,122
Fire Station Specific Alerting System	265,000	-	265,000	189,165	-	189,165
Software	-	-	-	-	-	-
Total Public Safety	1,506,601	-	1,506,601	1,389,123	-	1,389,123
Public Works						
S 68th Street - Hill Mitigation	339,425	-	339,425	331,340	-	331,340
S 50th St Improvement	100,000	-	100,000	-	-	-
Marquette Ave Improvements - Pleasant View Sch to S 49th St	50,000	-	50,000	-	-	-
Marquette Ave Improvements - S 49th St to S 51st	700,000	600,000	100,000	-	-	-
Ryan Creek Interceptor Sanitary Sewer Odor Control	450,000	1,393,000	(943,000)	200,289	608,365	(408,076)
Watermain Extension - S 50th & Minnesota Ave	120,000	120,000	-	-	-	-
S 51 St	115,903	-	115,903	15,003	-	15,003
Other Public Works	83,481	-	83,481	79,674	2,041	77,633
Total Public Works	1,958,809	2,113,000	(154,191)	626,306	610,406	15,900
Culture						
Pleasant View Park - Master Plan	150,000	70,500	79,500	19,900	3,180	16,720
Pleasant View Park - Pavilion	140,697	71,400	69,297	155,399	50,642	104,757
Pleasant View Park - Park Equipment	19,989	-	19,989	19,989	9,395	10,594
Park Land Acquisition - Various Parks	534,400	247,500	286,900	46,439	4,871	41,568
Ken Windl Pavilion Repairs	22,618	-	22,618	12,666	-	12,666
Overflow parking @ Kayla's Playground	250,000	117,500	132,500	-	-	-
Cascade Trail	65,000	46,150	18,850	500	310	190
116th Street Trail	93,000	-	93,000	150,000	-	150,000
Trails, Bicycle Routes & Linkages	192,000	189,850	2,150	-	-	-
Total Culture	1,467,704	742,900	724,804	404,893	68,398	336,495
Contingency						
Contingency	126,070	-	126,070	16,508	-	16,508
Total Contingency	126,070	-	126,070	16,508	-	16,508
Total Approved Projects	5,682,470	3,355,900	2,326,570	2,547,876	678,804	1,869,072
PROJECTS PENDING APPROVAL						
Water Projects	500,000	500,000	-	-	-	-
Sewer Projects	500,000	500,000	-	-	-	-
Total Projects Pending Approval	1,000,000	1,000,000	-	-	-	-
Total Projects	6,682,470	4,355,900	2,326,570	2,547,876	678,804	1,869,072
Net Revenue (Expenditures)			(2,121,570)			(1,882,474)
Projected Beginning Fund balance			2,012,476			2,012,476
Projected Ending Fund Balance			<u>\$ (109,094)</u>			<u>\$ 330,002</u>

**City of Franklin
Development Fund
Balance Sheet
September 30, 2020 and 2019**

<u>Assets</u>	<u>2020</u>	<u>2019</u>
Cash and investments	\$ 4,852,417	\$ 6,779,275
Impact fees receivable	232,640	-
Due From TID 7	4,245,000	-
Total Assets	<u>\$ 9,330,057</u>	<u>\$ 6,779,275</u>
 <u>Liabilities and Fund Balance</u>		
Accounts payable	\$ 484	\$ -
Payable to Developers- Oversizing	475,463	103,934
Unearned Revenue - Other	232,640	-
Assigned fund balance	8,621,470	6,675,341
Total Liabilities and Fund Balance	<u>9,330,057</u>	<u>6,779,275</u>

**Comparative Statement of Revenue, Expenses and Fund Balance
For the Nine months ended September 30, 2020 and 2019**

	<u>2020 Original Budget</u>	<u>2020 Amended Budget</u>	<u>2020 Year-to-Date Actual</u>	<u>2019 Year-to-Date Actual</u>
Revenue:				
Impact Fee Parks	\$ 804,000	\$ 804,000	\$ 196,377	\$ 227,257
Southwest Sewer Service Area	48,000	48,000	93,643	25,608
Administration	15,000	15,000	4,070	5,161
Water	679,000	679,000	257,845	304,343
Transportation	22,000	22,000	27,433	44,714
Fire Protection	133,500	133,500	35,596	50,131
Law Enforcement	207,700	207,700	55,063	92,410
Library	224,000	224,000	49,668	63,799
Total Impact Fees	<u>2,133,200</u>	<u>2,133,200</u>	<u>719,695</u>	<u>813,423</u>
Investment Income	120,000	120,000	110,575	153,507
Interfund Interest Income	-	-	24,007	-
Total revenue	<u>2,253,200</u>	<u>2,253,200</u>	<u>854,277</u>	<u>966,930</u>
Expenditures:				
Other Professional Services	25,000	33,552	30,909	15,253
Transfer to Debt Service				
Law Enforcement	205,082	205,082	205,083	133,800
Fire	42,937	42,937	42,937	39,333
Transportation	71,923	71,923	73,519	18,000
Library	134,000	134,000	93,982	132,286
Total Transfers to Debt Service	<u>453,942</u>	<u>453,942</u>	<u>415,521</u>	<u>323,419</u>
Transfer to Capital Improvement Fund				
Transfer(s) Out	-	71,400	-	-
Park	621,500	646,785	186,683	128,218
Total Transfers to Capital Improve	<u>621,500</u>	<u>718,185</u>	<u>186,683</u>	<u>128,218</u>
Sewer Fees	250,000	250,000	-	-
Water Fees	1,025,000	1,368,130	554,759	317,130
Encumbrances	-	-	(121,606)	(352,235)
Total expenditures	<u>2,375,442</u>	<u>2,823,809</u>	<u>1,066,266</u>	<u>431,785</u>
Revenue over (under) expenditures	(122,242)	(570,609)	(211,989)	535,145
Fund balance, beginning of year	<u>8,663,277</u>	<u>8,833,459</u>	<u>8,833,459</u>	<u>6,140,196</u>
Fund balance, end of period	<u>\$ 8,541,035</u>	<u>\$ 8,262,850</u>	<u>\$ 8,621,470</u>	<u>\$ 6,675,341</u>

City of Franklin

Development Fund

Summary of Impact Fee Activity
For the six months ended June 30, 2020

	4292	4293	4294	4295	4296	4297	4299	27 1100 1111	-27 2000,2117
Cash Acct	Revenue Acct	Expenditure Acct							
	Parks Recreation	SW Sewer	Admin Fee	Water	Transportation	Fire Protection	Law Enforcement	Library	Net Cash Balance
Beginning Bal, 01/01/20	4,955,794.67	89,358.23	108,103.32	2,733,341.10	119,988.90	232,306.86	320,898.03	273,668.29	8,833,459.40
1st Quarter									
Impact Fees	92,339.00	39,135.00	1,430.00	87,690.00	3,335.00	13,212.00	24,556.00	26,131.00	287,828.00
Expenditures	(23,484.00)		(5,153.18)	(213,710.18) ²	(64,248.93) ¹	(39,862.75)	(199,855.90)	(93,982.09) ¹	(640,297.03)
subtotal	5,024,649.67	128,493.23	104,380.14	2,607,320.92	59,074.97	205,656.11	145,598.13	205,817.20	8,480,990.37
Transfers									0.00
Investment Income	54,672.09	1,193.37	1,163.96	29,255.73	980.90	2,399.13	2,555.43	2,626.58	94,847.19
Ending balance 3/31/2020	5,079,321.76	129,686.60	105,544.10	2,636,576.65	60,055.87	208,055.24	148,153.56	208,443.78	8,575,837.56
2nd Quarter									
Impact Fees	50,945.00	21,300.00	770.00	63,360.00	1,964.00	7,244.00	13,159.00	14,227.00	172,969.00
Expenditures	(25,595.00)		(20,710.24)	(23,919.50)					(70,224.74)
subtotal	5,104,671.76	150,986.60	85,603.86	2,676,017.15	62,019.87	215,299.24	161,312.56	222,670.78	8,678,581.82
Transfers									0.00
Investment Income	8,068.18	238.64	135.30	4,229.58	98.03	340.29	254.96	351.94	13,716.92
Ending balance 6/30/2020	5,112,739.94	151,225.24	85,739.16	2,680,246.73	62,117.90	215,639.53	161,567.52	223,022.72	8,692,298.74
3rd Quarter									
Impact Fees	53,093.00	33,208.00	1,870.00	106,795.00	22,134.00	15,140.00	17,348.00	9,310.00	258,898.00
Expenditures	(19,319.00)	0.00	(1,724.25)	(317,130.00) ³	(9,269.81) ¹	(3,074.50) ¹	(5,226.90) ¹	0.00	(355,744.46)
subtotal	5,146,513.94	184,433.24	85,884.91	2,469,911.73	74,982.09	227,705.03	173,688.62	232,332.72	8,595,452.28
Transfers	0.00								0.00
Investment Income	15,578.14	558.27	259.96	7,476.25	226.97	689.25	525.74	703.26	26,017.84
Ending balance 9/30/2020	5,162,092.08	184,991.51	86,144.87	2,477,387.98	75,209.06	228,394.28	174,214.36	233,035.98	8,621,470.12
2020 Impact Fees	196,377.00	93,643.00	4,070.00	257,845.00	27,433.00	35,596.00	55,063.00	49,668.00	719,695.00
2019 Impact Fees	948,902.00	48,440.00	21,684.00	1,158,186.00	113,102.00	174,135.00	322,218.00	262,058.00	3,048,725.00
2018 Impact Fees	869,037.00	4,689.00	20,625.00	938,441.00	55,533.10	136,409.82	250,076.12	243,988.00	2,518,799.04
2017 Impact Fees	66,591.00	0.00	2,695.00	122,539.00	19,218.00	17,970.00	33,017.00	19,383.00	281,413.00
2016 Impact Fees	209,983.00	0.00	4,950.00	210,581.00	8,570.00	30,198.00	56,096.00	57,725.00	578,103.00
2015 Impact Fees	137,670.00	2,928.00	3,630.00	133,352.00	20,533.00	27,116.00	50,222.00	38,526.00	413,977.00
2014 Impact Fees	184,592.00	17,568.00	5,830.00	235,415.00	51,436.00	48,134.00	88,431.00	51,821.00	683,227.00
2013 Impact Fees	317,206.00	11,712.00	6,160.00	427,429.00	31,829.00	45,110.00	82,280.00	66,179.00	987,905.00

* Funded by an Administrative Fee not an impact fee

¹ Debt service payments

² Oversizing payments made

Oversizing payments due in future periods

City of Franklin
Summary of Park Impact Fee Availability
12/31/20 - Preliminary

	Spent By	Current Impact Fees				Net Total
		Impact Fee	Interest	Encum	Expenditures	
2020						
	1st Qtr 2028	92,339 00	54,672 09		23,484 00	123,527 09
	2nd Qtr 2028	50,945 00	8,038 13		25,595 00	33,388 13
	3rd Qtr 2028	53,093 00	15,578 14	93,000 00	19,319 00	49,352.14
	4th Qtr 2028				0 00	-
	2020	196,377 00	78,288 36	93,000.00	68,398 00	206,267 36
2019						
	2019	948,902 00	120,952 47	25,285 00	212,630 78	857,223 69
2018						
	2018	869,037 00	47,964 42		202,038 51	714,962 91
2017						
	2017	66,591 00	33,123 42		661 26	99,053 16
2016						
	Total	209,983 00	28,120 12		212,221 99	25,881 13
2015						
	Total	137,670 00	55,558 15		607,299 51	(414,071 36)
2014						
	Total	184,592 00	133,563 95		626,182 10	(308,026 15)
2013						
	Total	317,206 00	84,950 58		124,912 10	277,244 48
2012						
	Total	263,398 00	102,473 34		-	365,871 34
2011						
	Total	163,106 00	44,506 30		-	207,612 30
2010						
	Total	145,479 00	66,273 18		46 87	211,705 31
2009						
	Total	80,215 00	86,651 98		5,459 02	161,407 96
2008						
	1st Qtr 2018	58,674 00	18,822.94		-	77,496 94
	2nd Qtr 2018	20,832 00	20,607.67		-	41,439 67
	3rd Qtr 2018	35,712 00	19,237 67		-	54,949 67
	4th Qtr 2018	17,856 00	37,319 62		10,913 04	44,262 58
	Total	133,074 00	95,987 90		10,913 04	218,148 86
2007						
	Total	220,706.00	172,806 38		823,897 23	(430,384 85)
2006						
	Total	646,907.00	144,950 45		392,618 08	399,239 37
2005						
	Total	1,006,696.00	63,382 62		471,251 40	598,827 22
2004						
	Total	1,028,255.00	17,433 14		28,523 46	1,017,164 68
2003						
	Total	668,917.00	6,283 52		-	675,200 52
2002						
	Total	275,620.00	3,114 10		-	278,734 10
Total						
	Spent	7,562,731 00	1,386,384 38	118,285 00	3,787,053 35	5,162,062 03

**City of Franklin
Utility Development Fund
Balance Sheet
September 30, 2020 and 2019**

<u>Assets</u>	<u>2020</u>	<u>2019</u>
Cash and investments - Water	\$ 1,011,135	\$ 853,111
Cash and investments - Sewer	1,293,806	1,138,818
Special Assessment - Water Current	60,216	201,739
Special Assessment - Water Deferred	136,365	170,661
Special Assessment - Sewer Current	143,426	191,587
Reserve for Uncollectible	(16,776)	(16,776)
Total Assets	<u>\$ 2,628,172</u>	<u>\$ 2,539,140</u>
 <u>Liabilities and Fund Balance</u>		
Accounts payable	\$ -	\$ -
Unearned Revenue	323,231	547,211
Total Fund Balance	<u>2,304,941</u>	<u>1,991,929</u>
Total Liabilities and Fund Balance	<u>\$ 2,628,172</u>	<u>\$ 2,539,140</u>

**Comparative Statement of Revenue, Expenses and Fund Balance
For the Nine months ended September 30, 2020 and 2019**

	<u>2020 Original Budget</u>	<u>2020 Year-to-Date Budget</u>	<u>2020 Year-to-Date Actual</u>	<u>2019 Year-to-Date Actual</u>
Revenue:				
Special Assessments				
Water	\$ 50,000	\$ 15,017	\$ 48,906	\$ 145,791
Sewer	25,000	5,701	19,488	70,898
Connection Fees				
Water	-	-	-	-
Sewer	-	-	29,002	31,920
Total Assessments & Connection Fees	<u>75,000</u>	<u>20,718</u>	<u>97,396</u>	<u>248,609</u>
Special Assessment Interest	-	-	634	-
Investment Income	<u>18,000</u>	<u>13,500</u>	<u>12,114</u>	<u>30,782</u>
Total revenue	<u>93,000</u>	<u>34,218</u>	<u>110,144</u>	<u>279,391</u>
Transfer to Capital Improvement Fund				
Water	620,000	-	-	-
Sewer	500,000	-	-	-
Total Transfers to Capital Improven	<u>1,120,000</u>	<u>-</u>	<u>-</u>	<u>-</u>
Revenue over (under) expenditures	(1,027,000)	34,218	110,144	279,391
Fund balance, beginning of year	<u>2,030,838</u>	<u>2,194,797</u>	<u>2,194,797</u>	<u>1,712,538</u>
Fund balance, end of period	<u>\$ 1,003,838</u>	<u>\$ 2,229,015</u>	<u>\$ 2,304,941</u>	<u>\$ 1,991,929</u>

City of Franklin
Sanitary Sewer Fund
Statement of Revenue, Expenditures,
and Changes in Net Assets
For the Nine months ended September 30, 2020 and 2019

	<u>2020</u> <u>Amended</u> <u>Budget</u>	<u>2020</u> <u>Year-to-Date</u> <u>Budget</u>	<u>Current</u> <u>Year-to-Date</u> <u>Totals</u>	<u>Prior</u> <u>Year-to-Date</u> <u>Totals</u>
Operating Revenue				
Residential	\$ 2,099,400	\$ 1,573,693	\$ 1,620,178	\$ 1,548,839
Commercial	588,000	450,289	473,137	455,415
Industrial	429,000	326,743	342,166	321,628
Public Authority	172,000	128,354	128,797	131,431
Penalties/Other	37,000	18,540	5,745	17,128
Multi Family	511,200	383,400	411,234	379,109
Miscellaneous Revenue	-	-	-	-
Total Operating Revenue	<u>3,836,600</u>	<u>2,881,019</u>	<u>2,981,257</u>	<u>2,853,550</u>
Operating Expenditures				
Salaries and benefits	\$ 713,362	\$ 414,125	\$ 429,080	\$ 388,322
Contractual services	148,175	115,490	144,829	133,068
Supplies	84,150	63,112	35,264	45,664
Facility charges	63,100	46,613	34,351	37,504
Shared meter costs	7,000	5,250	-	-
Sewer service - MMSD	2,497,000	1,872,750	1,944,856	1,837,548
Other operating costs	27,500	21,165	13,301	13,362
Allocated expenses	126,050	94,537	100,395	96,641
Sewer improvements	195,367	135,000	152,097	208,677
Depreciation	151,600	113,700	113,400	135,000
Encumbrances	-	-	(11,114)	(74,860)
Total operating expenditures	<u>4,013,304</u>	<u>2,881,742</u>	<u>2,956,459</u>	<u>2,820,926</u>
Operating Income (Loss)	(176,704)	(723)	24,798	32,624
Non-Operating Revenue (Expenditures)				
Miscellaneous income	(3,500)	(2,625)	1,570	1,825
Property sale	2,500	-	-	-
Investment income	425,800	319,350	224,854	260,032
Interest expense	(400,800)	(300,600)	(216,106)	(447,534)
Capital expenditures	(87,424)	(15,787)	(219,257)	(10,137)
Encumbrances	-	-	218,065	8,648
Total non-operating revenue (expenditures)	<u>(63,424)</u>	<u>338</u>	<u>9,126</u>	<u>(187,166)</u>
Income (Loss) before Capital Contributions	<u>(240,128)</u>	<u>(385)</u>	<u>33,924</u>	<u>(154,542)</u>
Retained Earnings- Beginning	1,725,771	1,725,771	1,725,771	1,578,345
Transfer (to) from Invested in Capital Assets	116,900	87,675	15,020	1,212
Retained Earnings- Ending	<u>1,602,543</u>	<u>1,813,061</u>	<u>1,774,715</u>	<u>1,425,015</u>
Capital Contributions	1,000,000	750,000	-	-
Depreciation - CIAC	(2,039,000)	(1,529,250)	(1,529,280)	(1,513,575)
Transfer (to) from Retained Earnings	(116,900)	(87,675)	(15,020)	(1,212)
Change in Net Investment in Capital Assets	(1,155,900)	(866,925)	(1,544,300)	(1,514,787)
Net Investment in Capital Assets-Beginning	<u>62,463,346</u>	<u>62,463,346</u>	<u>62,463,346</u>	<u>61,590,890</u>
Net Investment in Capital Assets-Ending	<u>61,307,446</u>	<u>61,596,421</u>	<u>60,919,046</u>	<u>60,076,103</u>
Total net assets	<u>\$ 62,909,989</u>	<u>\$ 63,409,482</u>	<u>\$ 62,693,761</u>	<u>\$ 61,501,118</u>

City of Franklin
Sanitary Sewer Fund
Statement of Cash Flows
For the Nine months ended September 30, 2020 and 2019

	2020	2019
Cash Flows from Operating Activities		
Operating income (loss)	\$ 24,798	\$ 32,624
Adjustments to reconcile operating income to net cash provided by operating activities		
Depreciation	113,400	135,000
allocated from water utility	-	-
(Increase) decrease in assets		
Accounts receivable	(183,764)	(184,345)
Taxes receivable	118,953	108,886
Prepaid expenses	-	2,291
Increase (decrease) in liabilities		
Accounts payable	111,619	256,342
Total Adjustments	160,208	318,174
Net Cash Provided by Operating Activities	\$ 185,006	\$ 350,798
 Cash Flows From Capital & Related Financing Activities		
Due from MMSD & Other Governments	1,275,272	1,244,629
Due to general fund	-	-
Notes payable	(1,275,272)	(1,244,629)
Acquisition of capital assets	(99,572)	(135,277)
Investment in deferred assets/liabilities	-	-
Net Cash Provided (Used) in Capital and Financing Activities	(99,572)	(135,277)
 Cash Flows from Investing Activities		
Interest and other income	226,424	261,857
Interest expense	(216,106)	(447,534)
Net Change in Cash and Cash Equivalents	95,752	29,844
 Cash and Cash Equivalents, beginning of period	1,529,881	1,383,225
 Cash and Cash Equivalents, end of period	\$ 1,625,633	\$ 1,413,069

**City of Franklin
Sanitary Sewer Fund
Comparative Balance Sheet
September 30, 2020 and 2019**

	<u>2020</u>	<u>2019</u>
<u>Assets</u>		
Current assets.		
Cash and investments	\$ 1,625,633	\$ 1,413,069
Accounts receivable	1,163,144	1,134,124
Miscellaneous receivable	12,139	6,980
Total current assets	<u>2,800,916</u>	<u>2,554,173</u>
Non current assets		
Due from MMSD	16,280,068	17,555,340
Sanitary Sewer plant in service.		
Land	725,594	725,594
Buildings and improvements	3,308,050	3,308,050
Improvements other than buildings	81,653,509	78,754,451
Machinery and equipment	1,290,750	1,223,202
Construction in progress	112,305	95,510
	<u>87,090,208</u>	<u>84,106,807</u>
Less accumulated depreciation	<u>(26,171,162)</u>	<u>(24,030,704)</u>
Net sanitary sewer plant in service	<u>60,919,046</u>	<u>60,076,103</u>
Deferred assets:		
Pension assets	<u>373,360</u>	<u>89,558</u>
Total Assets	<u><u>\$ 80,373,390</u></u>	<u><u>\$ 80,275,174</u></u>
<u>Liabilities and Net Assets</u>		
Current liabilities:		
Accounts payable	\$ 773,684	\$ 876,918
Accrued liabilities	37,255	29,109
Due to General Fund - non-interest bearing	72,035	77,143
Total current liabilities	<u>882,974</u>	<u>983,170</u>
Non current liabilities		
Accrued compensated absences	75,900	75,360
Pension liability (GASB 68)	328,016	57,415
General Obligation Notes payable - CWF	16,280,069	17,555,341
Total liabilities	<u>17,566,959</u>	<u>18,671,286</u>
Deferred inflows:		
Pension liabilities	112,670	102,770
Net Assets		
Invested in capital assets, net of related debt	44,638,978	42,520,763
Restricted balances - LT receivable	16,280,068	17,555,340
Retained earnings	1,774,715	1,425,015
Total net assets	<u>62,693,761</u>	<u>61,501,118</u>
Total Liabilities and Net Assets	<u><u>\$ 80,373,390</u></u>	<u><u>\$ 80,275,174</u></u>

Franklin Municipal Water Utility
Statement of Revenue, Expenditures
and Changes in Net Assets
For the period ended September 30, 2020 and 2019

Account Description	Amended Budget	Year to Date Budget	Current Year to Date	Prior Year to Date
Operating Revenue				
Metered Sales-Residential	\$ 3,064,300	2,363,376	\$ 2,480,999	\$ 2,213,080
Metered Sales-Commercial	704,900	543,200	509,015	519,581
Metered Sales-Industrial	491,900	369,926	349,228	330,307
Other Sales to Public Authority	263,600	196,827	190,840	205,671
Metered Sales-Multifamily	766,700	575,025	579,071	558,171
Metered Sales-Irrigation	150,500	112,875	124,322	92,309
Total Metered Sales	5,441,900	4,161,229	4,233,475	3,919,119
Unmetered Sales	7,500	2,747	30,446	9,884
Private Fire Protection	125,000	93,602	95,400	93,506
Public Fire Protection	541,000	407,432	408,554	408,217
Forfeited Discount	54,000	26,414	8,208	24,303
Total Operating Revenue ¹	\$ 6,169,400	\$ 4,691,424	\$ 4,776,083	\$ 4,455,029
Operating Expenditures				
Operation and maintenance expense				
Source of Supply	3,044,120	2,271,973	2,600,618	2,338,558
Pumping	156,250	114,500	117,708	117,284
Water Treatment	18,300	12,833	4,545	9,823
Transmission & Distribution	443,200	316,241	257,855	241,093
Customer Accounts	52,400	38,467	49,421	49,523
Administrative and general	727,273	547,573	287,307	277,538
Total Operation and Maintenance Expenditures	4,441,543	3,301,587	3,317,454	3,033,819
Depreciation	421,900	296,833	316,350	396,900
Taxes-Property Tax Equivalent Amortization	1,075,000	847,696	806,400	787,500
GASB Employee Benefit Costs	15,000	11,538	-	31,545
Loss on Abandoned Property	100,000	100,000	-	-
Taxes-FICA	29,082	22,371	20,144	17,818
Total Operating Expenditures ²	6,082,525	4,580,025	4,460,348	4,267,582
Operating Income	\$ 86,875	\$ 111,399	\$ 315,735	\$ 187,447
Non-Operating Revenue (Expenditures)				
Total non-operating revenue	59,832	51,562	75,707	80,516
Income before capital contributions	\$ 146,707	\$ 162,961	\$ 391,442	\$ 267,963
Retained earnings - beginning	2,805,630	2,805,630	2,805,630	3,294,662
Transfer (to) from invested in capital assets	278,100	208,575	202,919	(784,027)
Retained earnings - ending	\$ 3,230,437	\$ 3,177,166	\$ 3,399,991	\$ 2,778,598
Capital contributions	1,600,000	-	-	-
Depreciation - CIAC	(849,000)	(636,750)	(636,750)	(631,125)
Transfer (to) from retained earnings	(278,100)	(208,575)	(202,919)	784,027
Change in net investment	6,933,773	5,717,582	(839,669)	152,902
Net investment in capital assets - beginning	47,409,195	47,409,195	47,409,195	42,367,393
Net investment in capital assets - ending	\$ 54,342,968	\$ 53,126,777	\$ 46,569,526	\$ 42,520,295
Total net assets	\$ 57,573,405	\$ 56,303,943	\$ 49,969,517	\$ 45,298,893

Franklin Municipal Water Utility
Comparative Statement of Cash Flows
For the period ended September 30, 2020 and 2019

	2020	2019
Cash Flows from Operating Activities		
Operating income (loss)	\$ 315,735	\$ 187,447
Adjustments to reconcile operating income to net cash provided by operating activities:		
Depreciation & Amortization	316,350	428,445
(Increase) decrease in assets:		
Accounts receivable	(657,674)	(482,039)
Taxes receivable	161,985	173,499
Prepaid expenses	-	2,291
Increase (decrease) in liabilities:		
Accounts payable	(829,271)	(678,791)
Accrued expenses	1,035,000	910,739
Due to other funds	-	-
Advance from municipality	-	(16,500)
Total Adjustments	26,390	337,644
Net Cash Provided (Used) by Operating Activities	342,125	525,091
 Cash Flows From Capital & Related Financing Activities		
Acquisition of capital assets	(168,936)	(1,162,036)
Interest paid on long term debt	(30,138)	(31,238)
Principal on long term debt	(55,000)	(55,000)
Net Cash Provided (Used) in Capital and Financing Activities	(254,074)	(1,248,274)
 Cash Flows from Investing Activities		
Interest, property rental & other income	107,385	115,246
Net Change in Cash and Cash Equivalents	195,436	(607,937)
Cash and Cash Equivalents, beginning of period	2,425,883	2,731,422
Cash and Cash Equivalents, end of period	\$ 2,621,319	\$ 2,123,485

**Franklin Municipal Water Utility
Comparative Balance Sheet
September 30, 2020 & 2019**

Assets	<u>2020</u>	<u>2019</u>
Current Assets:		
Cash and investments	\$ 2,621,319	\$ 2,123,485
Accounts receivable	<u>2,053,135</u>	<u>1,881,891</u>
Total current assets	4,674,454	4,005,376
Utility plant in service:		
Land	162,885	162,885
Buildings and improvements	3,394,166	3,394,166
Construction in Progress	1,070,470	1,059,406
Improvements other than buildings	60,725,142	55,613,608
Machinery and equipment	<u>4,708,201</u>	<u>4,607,360</u>
	70,060,864	64,837,425
Less accumulated depreciation	<u>22,376,726</u>	<u>21,266,997</u>
Net utility plant in service	<u>47,684,138</u>	<u>43,570,428</u>
Deferred Assets:		
Pension Assets	430,264	102,915
Deferred Costs	-	10,514
Total deferred assets	<u>430,264</u>	<u>113,429</u>
Total Assets	<u><u>\$ 52,788,856</u></u>	<u><u>\$ 47,689,233</u></u>
Liabilities and Net Assets		
Liabilities:		
Accounts payable	\$ 114,107	\$ 81,868
Accrued liabilities	1,047,252	922,624
Due to City of Franklin	-	-
Advance from municipality	123,200	123,200
Pension liability	385,222	66,480
Compensated absences reserve	75,900	75,360
Bond Payable	<u>951,682</u>	<u>1,005,647</u>
	2,697,363	2,275,179
Deferred Liabilities:		
Pension & OPEB Liabilities	<u>121,976</u>	<u>115,161</u>
Total liabilities	2,819,339	2,390,340
Net Assets		
Invested in capital assets, net of related debt	46,569,526	42,520,295
Retained earnings	<u>3,399,991</u>	<u>2,778,598</u>
Total net assets	<u>49,969,517</u>	<u>45,298,893</u>
Total Liabilities and Net Assets	<u><u>\$ 52,788,856</u></u>	<u><u>\$ 47,689,233</u></u>

Franklin Municipal Water Utility
Notes to the Financial Statements
For the period ended September 30, 2020 and 2019

Water Connection Fee

Prior to May 31, 2002, the City collected a water connection fee on new construction and connections to existing properties, to be used to fund water main construction projects. The water connection fees on hand on September 30, 2020 total \$ 1,011,136.

Water Impact Fee

Since May 31, 2002 a water impact fee on residential and commercial construction replaced the water connection fee. Water Impact Fees collected in 2020 total \$257,845. Water Impact fees on hand at September 30, 2020 total \$ 2,477,388.

**City of Franklin
Self Insurance Fund - Actives
Balance Sheet
September 30, 2020 and 2019**

<u>Assets</u>	<u>2020</u>	<u>2019</u>
Cash and investments	\$ 3,427,442	\$ 2,518,701
Accounts receivable	648	309
Total Assets	<u>\$ 3,428,090</u>	<u>\$ 2,519,010</u>
<u>Liabilities and Net Assets</u>		
Accounts payable	\$ 4,338	\$ 33,849
Claims payable	175,000	290,700
Unrestricted net assets	3,248,752	2,194,461
Total Liabilities and Fund Balance	<u>\$ 3,428,090</u>	<u>\$ 2,519,010</u>

**City of Franklin Self Insurance Fund - Actives
Statement of Revenue, Expenses and Fund Balance
For the Nine months ended September 30, 2020 and 2019**

<u>Revenue</u>	<u>2020 Original Budget</u>	<u>2020 Year-to-Date Budget</u>	<u>2020 Year-to-Date Actual</u>	<u>2019 Year-to-Date Actual</u>
Medical Premiums-City	\$ 2,648,046	\$ 1,987,509	\$ 1,823,417	\$ 1,820,246
Medical Premiums-Employee	538,440	403,918	372,309	393,919
Other - Invest Income, Rebates	165,000	123,750	155,575	216,655
Medical Revenue	<u>3,351,486</u>	<u>2,515,177</u>	<u>2,351,301</u>	<u>2,430,820</u>
Dental Premiums-City	112,000	84,095	89,534	83,686
Dental Premiums-Retirees	-	-	2,592	2,472
Dental Premiums-Employee	60,000	44,967	43,282	42,739
Dental Revenue	<u>172,000</u>	<u>129,062</u>	<u>135,408</u>	<u>128,897</u>
Total Revenue	<u>3,523,486</u>	<u>2,644,239</u>	<u>2,486,709</u>	<u>2,559,717</u>
Expenditures:				
Medical				
Medical claims	2,414,478	1,732,695	777,351	1,192,534
Prescription drug claims	-	-	139,221	157,286
Refunds-Stop Loss Coverage	-	-	(5,394)	22
Total Claims	<u>2,414,478</u>	<u>1,732,695</u>	<u>911,178</u>	<u>1,349,842</u>
Medical Claim Fees	105,677	81,465	112,407	125,297
Stop Loss Premiums	666,331	497,250	386,831	414,541
Other - Miscellaneous	112,477	52,878	17,043	9,290
HSA Contributions	237,000	182,308	180,281	94,375
Vitality Rewards	500,000	375,000	-	-
Transfer to Other Funds	-	-	-	-
Total Medical Costs	<u>4,035,963</u>	<u>2,921,596</u>	<u>1,607,740</u>	<u>1,993,345</u>
Dental				
Active Employees & COBRA	193,000	144,198	113,123	128,988
Retiree	4,900	3,914	5,615	3,091
Total Dental Costs	<u>197,900</u>	<u>148,112</u>	<u>118,738</u>	<u>132,079</u>
Claims contingency			-	-
Total Expenditures	<u>4,233,863</u>	<u>3,069,708</u>	<u>1,726,478</u>	<u>2,125,424</u>
Revenue over (under) expenditures	(710,377)	<u>\$ (425,469)</u>	760,231	434,293
Net assets, beginning of year	<u>2,325,068</u>		<u>2,488,521</u>	<u>1,760,168</u>
Net assets, end of period	<u>\$ 1,614,691</u>		<u>\$ 3,248,752</u>	<u>\$ 2,194,461</u>

City of Franklin
City of Franklin Post Employment Benefits Trust
Balance Sheet
September 30, 2020 and 2019

<u>Assets</u>	<u>2020</u>	<u>2019</u>
Cash and investments	\$ 207,773	\$ 96,685
Investments held in trust - Fixed Inc	2,596,506	2,301,485
Investments held in trust - Equities	3,936,128	3,791,993
Accounts receivable	26,176	33,643
Total Assets	\$ 6,766,583	\$ 6,223,806
<u>Liabilities and Net Assets</u>		
Accounts payable	\$ 590	\$ 4,496
Claims payable	10,000	131,100
Net assets held in trust for post emp	6,755,993	6,088,210
Total Liabilities and Fund Balance	\$ 6,766,583	\$ 6,223,806

City of Franklin Post Employment Benefits Trust
Statement of Revenue, Expenses and Fund Balance
For the Nine months ended September 30, 2020 and 2019

<u>Revenue</u>	<u>2020</u> <u>Year-to-Date</u> <u>Actual</u>	<u>2019</u> <u>Year-to-Date</u> <u>Actual</u>
ARC Medical Charges - City	\$ 196,682	\$ 213,086
Medical Charges - Retirees	138,576	152,195
Implicit Rate Subsidy	-	36,974
Medical Revenue	335,258	402,255
Expenditures:		
Retirees-Medical		
Medical claims	93,484	212,347
Prescription drug claims	73,112	92,184
Refunds-Stop Loss Coverage	-	(1,393)
Total Claims-Retirees	166,596	303,138
Medical Claim Fees	16,486	37,864
Stop Loss Premiums	52,232	60,736
Miscellaneous Expense	(195)	345
ACA Fees	127	172
Total Medical Costs-Retirees	235,246	402,255
 Revenue over (under) expenditures	 100,012	 -
 Annual Required Contribution-Net	 99,400	 80,105
Other - Investment Income, etc.	17,821	778,701
Total Revenues	117,221	858,806
 Net Revenues (Expenditures)	 217,233	 858,806
 Net assets, beginning of year	 6,538,760	 5,229,404
 Net assets, end of period	 \$ 6,755,993	 \$ 6,088,210

**COMBINING STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE
NONMAJOR GOVERNMENTAL FUNDS FOR CITY OF FRANKLIN
Period Ending 09/30/2020**

GL Number	FIRE DEPT GRANT FUND	ST MARTINS FAIR FUND	HEALTH DEPT GRANT FUND	OTHER GRANTS	DONATIONS FUND	CIVIC CELEBRATIONS FUND	TOTAL
REVENUES							
REAL ESTATE TAXES	-	-	-	-	-	-	-
TAXES	-	-	-	-	-	-	-
INTERGOVERNMENTAL	9,129	-	117,619	24,567	-	-	151,315
SPECIAL ASSESSMENTS	-	-	-	-	-	-	-
CHARGES FOR SERVICES	-	-	-	-	-	-	3,107
MISCELLANEOUS REVENUE	-	-	6,310	-	62,672	-	93,253
INVESTMENT EARNINGS	-	-	-	-	-	-	1,221
Total Revenues	9,129	-	123,929	24,567	62,672	-	248,896
EXPENDITURES							
UNCLASSIFIED	-	-	-	-	-	-	-
PERSONAL SERVICES	-	-	41,031	104,701	-	-	145,731
EMPLOYEE BENEFITS	-	-	6,785	-	-	-	6,785
CONTRACTUAL SERVICES	-	-	77,386	2,251	-	3,400	89,789
SUPPLIES	690	-	30,859	23,420	7,751	1,628	82,636
SERVICES & CHARGES	-	-	12,647	7	-	2,640	20,076
FACILITY CHARGES	-	-	-	16,139	-	-	16,555
CLAIMS, CONTRIB AND AWARDS	-	-	-	-	-	-	696
DEBT SERVICE	-	-	-	-	-	-	-
INTEREST	-	-	-	-	-	-	-
Total Expenditures	690	-	168,708	146,518	7,751	7,668	362,269
Excess (deficiency) of Revenues vs Expenditures	8,440	-	(44,779)	(121,950)	54,921	(7,668)	(113,373)
OTHER FINANCING SOURCES							
FUND TRANSFERS	-	-	-	-	-	-	-
OTHER FINANCING USES							
CAPITAL OUTLAY	1,150	-	2,996	23,199	149	-	35,539
Net Change in Fund Balance	7,290	-	(47,775)	(145,149)	54,772	(7,668)	(148,911)
Fund Balance - Beginning	21,621	3,636	171,625	5,315	161,342	77,316	588,300
Fund Balance - Ending	28,911	3,636	123,850	(139,834)	216,114	69,648	439,389

<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 ACTION</p>	<p style="text-align: center;">MEETING DATE</p> <p style="text-align: center;">11/2/2020</p>
<p style="text-align: center;">REPORTS & RECOMMENDATIONS</p>	<p style="text-align: center;">Amended recommendation for the 2021 Health Reimbursement Arrangement (HRA) administration services, selecting United Health Care as the provider</p>	<p style="text-align: center;">ITEM NUMBER</p> <p style="text-align: center;"><i>G.14.</i></p>

Below is information relative to an amended recommendation for the 2021 Health Reimbursement Arrangement (HRA) administration services in conjunction with the recently approved insurance program for City employees.

BACKGROUND

The Personnel Committee, on 10/19/2020, and the Common Council, on 10/20/2020, approved Associated Bank as the vendor to administer the newly approved HRA program which is part of the City's 2021 insurance offering.

However, recently the City has been made aware of a shortcoming in the process if it continues with Associated Bank for this service. With Associated Bank as the administrator of the HRA program, and United Health Care as the City's third-party administrator for health insurance, the employees would have to pay the monies that are covered under the HRA program and request reimbursement outside of the insurance claims process, which could prove to unnecessarily complicate the claims payment process for all involved.

ANALYSIS

Since the marketing was done for HRA administration services, whereby Associated Bank was the selected vendor to administer the services, Associated Bank and United Health Care have informed the City that it is not feasible to send/receive electronic file feeds between the two institutions as part of the claims payment process. It was also learned that United Health Care has improved their service model for this service and is able to provide the administration of the HRA program within the claims processing process. Since a vendor other than Associated Bank needs to be selected if the City would like the HRA program administered as part of the claims process, and the cost for United Health Care to perform this additional service is \$2.62 per member per month, compared to the next lowest vendor, Associated Bank, at \$4.00 per member per month, it is prudent to move forward with the lower cost, as well as more streamlined, provider. City staff and the City's insurance consultant will monitor the service provided by United Health Care throughout the year.

RECOMMENDATION

Staff recommends approval of the amended selection of United Health Care to administer the HRA program for 2021; and, authorization of the Director of Administration to execute the appropriate, related contracts and update the Employee Handbook as needed.

COMMON COUNCIL ACTION REQUESTED

Motion to approve the amended recommendation for the 2021 Health Reimbursement Arrangement (HRA) administration services, selecting United Health Care as the provider; authorize the Director of Administration to execute the appropriate, related contracts and update the Employee Handbook as needed.

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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 COMMON COUNCIL ACTION</p>	<p style="text-align: center;">MEETING DATE</p> <p style="text-align: center;">11/2/2020</p>
<p style="text-align: center;">REPORTS & RECOMMENDATIONS</p>	<p style="text-align: center;">Amendment to the Severance Pay Language in the Employee Handbook due to the addition of the Wisconsin Retirement Pension System (WRS) for non-represented employees</p>	<p style="text-align: center;">ITEM NUMBER</p> <p style="text-align: center;"><i>6.15.</i></p>

Below is information relative to and a recommendation related to amending the severance pay language in the Employee Handbook to clarify employee eligibility for severance pay, for non-represented employees, due to the addition of WRS for the City's non-protective service employees.

This item was considered by the Personnel Committee on October 19, 2020, and recommended for approval.

BACKGROUND

As you know, the City of Franklin transitioned to the WRS pension plan for non-protective service, eligible employees in January of 2019. At the time of the transition, there was a required, one-time irrevocable decision to be made by each active, eligible employee with regard to either electing the new pension plan or remaining in one of the City's existing pension plans. Because of this transition, and the specific definition of 'retirement' under the WRS System, the severance pay benefit as detailed in the Employee Handbook was inadvertently altered or became undefined, as it is a conflicting definition in comparison to the City's previous pension plans.

ANALYSIS

During the transition to the WRS pension plan, the severance pay language was not considered, and, therefore, not clarified appropriately to ensure the clarity of administering the benefit. Since then, questions have arisen on this topic, with approximately seventeen (17) active employees being affected, and staff is recommending that it be resolved through an amendment since the intent at that time was not to alter the severance pay benefit. The affected employees are at risk of not retaining that benefit, depending on when they retire, if the severance pay language is not amended, and the term 'retirement' is not defined.

The term 'retirement' for non-represented employees was previously defined based on the respective pension plan an employee is in, as follows:

- For non-represented, Public Works Employees - 'ending employment on or after age 55, with 10 years of service, or ending their employment on or after age 60, with any years of service'; and
- For all other non-represented employees - 'ending employment on or after age 55, with 10 years of service, or ending their employment on or after age 65, with any years of service'.

The term 'retirement', under WRS, is defined as:

- 'normal retirement age of 65, with any number of years of service, or a minimum retirement age of 55, with at least 5 years of WRS service', which would result in a reduction for early retirement.

Because WRS's definition is less restrictive than the City's previous definitions, it would be prudent to clearly define the prior definitions as the ones to be used for the severance pay benefit, thereby not changing the benefit.

To that end, staff is recommending that the language under the severance pay section of the Employee Handbook be amended to include the City's definition of retirement, regardless of which pension plan an employee retires under, as follows:

Upon retirement, an Extended-Term Full-Time or Extended-Term Part-Time with Benefits employee may cash in any accumulated, unused sick days as severance pay, subject to the following:*

- *An employee is entitled to cash in two (2) sick days for every year of service, (Example Employee with 17 years of service and 40 unused sick days may cash in 2 days for every year of service, in this case, 34 days), except Police and Fire Department Officers and Command Staff for whom a maximum of sixty (60) days applies.*
 - *Severance pay shall be based upon the rate of pay the employee is earning at the time of retirement*
- See also "Application of Benefits for Extended-Term, Part-Time Employees with Benefits"*

**Retirement is defined as follows:*

- *For non-represented, Public Works Employees - 'ending employment on or after age 55, with 10 years of service, or ending their employment on or after age 60, with any years of service', and*
- *For all other non-represented employees - 'ending employment on or after age 55, with 10 years of service, or ending their employment on or after age 65, with any years of service'*

RECOMMENDATION

Staff recommends that the Common Council approve the recommended amendment to the severance pay language, as noted above, in the Employee Handbook to clarify eligibility for the benefit.

COMMON COUNCIL ACTION REQUESTED

Motion to approve an amendment to the severance pay language in the Employee Handbook due to the addition of the Wisconsin Retirement Pension System (WRS) for non-represented employees, to clarify employee eligibility for the severance pay benefit.

APPROVAL <i>Slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 11/02/2020
LICENSES AND PERMITS	MISCELLANEOUS LICENSES	ITEM NUMBER H.
<p data-bbox="196 407 979 443">See attached listing from meeting of November 2, 2020.</p> <p data-bbox="529 1612 1105 1648" style="text-align: center;">COUNCIL ACTION REQUESTED</p>		

APPROVAL <i>Skw pd</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 11/02/2020
Bills	Vouchers and Payroll Approval	ITEM NUMBER <i>I.1.</i>

Attached are vouchers dated October 16, 2020 through November 2, 2020 Nos. 180147 through Nos. 180301 in the amount of \$ 1,438,241.93. Also included in this listing are EFT's Nos. 4423 through Nos. 4430, Library vouchers totaling \$ 29,607.35, Tourism vouchers totaling \$ 87.01 and Water Utility vouchers totaling \$ 20,377.98. Voided checks in the amount of (\$ 80.00) are separately listed.

Included in this voucher report is the Environmental Improvement Fund loan interest payment totaling \$ 200,407.65.

Early release disbursements dated October 16, 2020 through November 1, 2020 in the amount of \$ 644,694.15 are provided on a separate listing and are also included in the complete disbursement listing. These payments have been released as authorized under Resolution 2013-6920.

The net payroll dated October 23, 2020 is \$ 428,741.44 previously estimated at \$ 419,000.00. Payroll deductions dated October 23, 2020 are \$ 446,097.15 previously estimated at \$ 445,000.00.

The estimated payroll for November 6, 2020 is \$ 422,000.00 with estimated deductions and matching payments of \$ 250,000.00.

Attached is a list of property tax disbursements Nos. 17922 dated October 16, 2020 through November 2, 2020 in the amount of \$ 69,330.98.

Approval to release payment to Oakwood at Ryan Creek LLC for Ryanwood Manor subdivision per the Developer's Agreement for construction costs on a trail dedicated to the City for \$ 25,285.00.

Approval to release payment to Super Excavators Inc for Hickory Street utility improvements in TID 4 in the amount of \$ 126,758.70.

Approval to release payment to Loomis & Ryan Inc for Ryan Rd and Loomis Rd for infrastructure costs in TID6 in the amount of \$ 4,731,123.64.

COUNCIL ACTION REQUESTED

Motion approving the following

- City vouchers with an ending date of November 2, 2020 in the amount of \$ 1,438,241 93 and
- Payroll dated October 23, 2020 in the amount of \$ 428,741.44 and payments of the various payroll deductions in the amount of \$ 446,097.15 plus City matching payments and
- Estimated payroll dated November 6, 2020 in the amount of \$ 422,000 00 and payments of the various payroll deductions in the amount of \$ 250,000.00, plus City matching payments and
- Property Tax disbursements with an ending date of November 2, 2020 in the amount of \$ 69,330.98 and
- Approval to release payment to Oakwood Ryan Creek LLC in the amount of \$ 25,285 00 and
- Approval to release payment to Super Excavators Inc in the amount of \$ 126,758 70 and
- Approval to release payment to Loomis & Ryan Inc in the amount of \$ 4,731,123.64.

ROLL CALL VOTE NEEDED