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CITY OF FRANKLIN
COMMON COUNCIL MEETING
FRANKLIN CITY HALL – COMMON COUNCIL CHAMBERS
9229 WEST LOOMIS ROAD, FRANKLIN, WISCONSIN
AGENDA*
TUESDAY, MAY 4, 2021 AT 6:30 P.M.

- A. Call to Order and Roll Call.
- B.
 - 1. Citizen Comment Period.
 - 2. Mayoral Announcements:
 - (a) A Proclamation in Recognition of the 2021 American Honey Queen Jennifer Hinkel.
 - (b) Update on Surrounding Communities 4th of July Activities.
 - (c) Notice of 2021 Wisconsin Act 29 Impacts (various changes to the Worker's Compensation Law).
 - (d) Update on the Status of Franklin Senior Citizens, Inc.
- C. Approval of Minutes of the Regular Common Council Meeting of April 20, 2021.
- D. Hearings.
- E. Organizational Business:
- F. Letters and Petitions.
- G. Reports and Recommendations:
 - 1. A Resolution Conditionally Approving a Land Combination for Tax Key Nos. 838-9978-000, 839-9990-000 and 839-9991-004 (8225-8255, 8429 and 8459 West Forest Hill Avenue) (Franklin Public Schools, Applicant).
 - 2. An Ordinance to Amend §15-3.0442 of the Unified Development Ordinance Planned Development District No. 37 (The Rock Sports Complex/Ballpark Commons), to Increase the Maximum Permitted Sign Face Area of Approximately 750 Square Feet to 9,820 Square Feet (Distributed Between 29 Signs) for the Indoor Sports Complex (Christopher D. Buday, River Rock Performance Properties, LLC, Applicant), (at Approximately 7095 South Ballpark Drive).
 - 3. A Resolution Imposing Conditions and Restrictions for the Approval of a Special Use for an Automotive Window Tinting Service Business Use Upon Property Located at 8581 South 27th Street, (Michael A. Lafuentes, Owner of Illie Tints, LLC, Applicant).
 - 4. Status Update From the Quarry Monitoring Committee (QMC) on the Franklin Aggregates Reclamation Plan.
 - 5. An Ordinance to Repeal and Recreate Chapter 133 Fire Prevention, Protection, and Control Code, of the Municipal Code of The City of Franklin; and to Discontinue Enforcing Grandfathered Local Code Requirements Under Wisconsin Act 270.
 - 6. Approval and Acceptance of Second (Years 6-10) Drug-Free Community Grant Cycle and Approval for the City of Franklin to Continue to Serve as the Fiscal Agent for the Drug-Free

Common Council Meeting Agenda

May 4, 2021

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Community Grant and Approval of Memorandum of Understanding Between Volition Franklin and the City of Franklin.

7. An Ordinance to Amend §§22-3A. and B. of the Municipal Code Pertaining to Municipal Court Stipulations and Deposits to Update Same with regard to References to the Wisconsin Statutes Provisions, and a Deposit Schedule for non-Police Department (Health, Inspection, Fire, Engineering and City Development [Planning]) Citations.
8. An Ordinance to Amend Chapter §13-4 of the Municipal Code to Provide for Publication of Budget Amendments on the City Website in Conformance with Wis. State §65.90(5).
9. An Ordinance to Amend Ordinance 2020-2453, an Ordinance Adopting the 2021 Annual Budgets for the General and Capital Improvement Funds to Carryforward \$350,000 City Wide Security Appropriations and Reclassifying \$6,600 of Contingency Appropriations to Park Expenditures.
10. A Resolution Declaring Official Intent to Reimburse Expenditures from Proceeds of Borrowing.
11. March 2021 Monthly Financial Report.
12. Recommendations from the Committee of the Whole Meeting of May 3, 2021:
 - (a) Volition Franklin: Drug-Free Community Grant Progress and Future Presentation.
 - (b) Presentation of the 2020 Annual Financial Report for the City of Franklin.
 - (c) Continued Discussion Regarding the Establishment/Use of the following – City of Franklin Common Council Reference Manual:
 - Form of Government.
 - Common Council Code of Conduct.
 - Common Council Rules of Order.
 - Handbook for Wisconsin Municipal Officials.
 - Plan to Update to Existing Policies/Need for Additional Policies.
 - Common Council Training/Professional Development Opportunities.

H. Licenses and Permits.

Miscellaneous Licenses - License Committee Meeting of May 4, 2021.

I. Bills.

Request for Approval of Vouchers and Payroll.

J. Adjournment.

*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:

May 6	Plan Commission Meeting	7:00 p.m.
May 18	Common Council Meeting	6:30 p.m.
May 20	Plan Commission Meeting	7:00 p.m.
May 21	City Hall Closed-Memorial Day	
June 1	Common Council Meeting	6:30 p.m.
June 3	Plan Commission Meeting	7:00 p.m.

a.

CITY OF FRANKLIN
COMMON COUNCIL MEETING
APRIL 20, 2021
MINUTES

- ROLL CALL A. The regular meeting of the Common Council was held on April 20, 2021 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 6:31 p.m. and closed at 6:40 p.m.
- MINUTES
APRIL 5, 2021 C. Alderman Barber moved to approve the minutes of the regular Common Council Meeting of April 5, 2021 as presented at this meeting. Seconded by Alderwoman Hanneman. All voted Aye; motion carried.
- RES. 2021-7721
LUMPIA
MANUFACTURING G.1. Alderman Nelson moved to adopt Resolution No. 2021-7721, A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR A FROZEN LUMPIA MANUFACTURING AND WHOLESALE SALES BUSINESS USE AND FOR PARKING AN 18 FOOT FOOD TRUCK UPON PROPERTY LOCATED AT 10700 WEST VENTURE DRIVE, SUITE C LOWER (SAMANTHA J. KLIMASZEWSKI AND ALEXA L. REYES, D/B/A LUMPIA CITY, APPLICANTS). Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.
- RES. 2021-7722
SPECIAL USE
WP PROPERTY
ACQUISITIONS, LLC G.2. Alderwoman Hanneman moved to adopt Resolution No. 2021-7722, A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR OVERNIGHT PARKING FOR VEHICLES EXCEEDING 8,000 POUNDS MANUFACTURED GROSS VEHICLE WEIGHT AS PART OF THE DEVELOPMENT OF TWO INDUSTRIAL BUILDINGS TOTALING APPROXIMATELY 500,000 SQUARE FEET IN AREA, AND POTENTIALLY UP TO 600,000 SQUARE FEET IN AREA, UPON PROPERTY LOCATED AT 3617 WEST OAKWOOD ROAD (WP PROPERTY ACQUISITIONS LLC, APPLICANT, WENDT FAMILY TRUST, PROPERTY OWNER). Seconded by Alderman Dandrea. All voted Aye; motion carried.

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| WP PROPERTY ACQUISITION LLC, STANDARDS, FINDINGS & DECISION SPECIAL EXCEPTION | G.3. | Alderwoman Hanneman moved to adopt the Standard Findings and Decision of the City of Franklin Common Council upon the application of WP Property Acquisitions LLC, applicant, for a Special Exception to Certain Natural Resource Provisions of the City of Franklin Unified Development Ordinance. Seconded by Alderman Dandrea. All voted, Aye; motion carried. |
| POLICE DEPT. 2021 APPROVED BUDGET PURCHASES | G.4. | Alderman Mayer moved to approve the purchase of items that were approved during the 2021 Police Department Budget process with the Police Department 2021 Capital Budget and authorize proceeding with the solicitation of bids for those capital improvements that are qualified projects under Wis. Stat. §62.15. Seconded by Alderwoman Wilhelm. All voted Aye; motion carried. |
| CITY SECURITY IMPROVEMENTS | G.5. | Alderman Mayer moved to approve the solicitation of bids for City Security Improvements. Seconded by Alderman Barber. All voted Aye; motion carried. |
| PROCUREMENT POLICY | G.6. | Alderwoman Wilhelm moved to approve the Procurement Policy for the City of Franklin. Seconded by Alderman Barber. All voted Aye; motion carried. |
| PARKLAND ACQUISITION STUDY UPDATE | G.7. | Alderwoman Hanneman moved to place on file the Parkland Acquisition Study. Seconded by Alderman Barber. All voted Aye; motion carried. |
| RES. 2021-7723 RYAN CREEK INTERCEPTOR ODOR REDUCTION | G.8. | Alderman Dandrea moved to adopt Resolution No. 2021-7723, A RESOLUTION TO ISSUE CHANGE ORDER NO. 2 TO THE WANASEK CORPORATION FOR THE RYAN CREEK INTERCEPTOR ODOR REDUCTION PROJECT IN THE AMOUNT OF \$130,064 as amended. Seconded by Alderman Barber. All voted Aye; motion carried. |
| RES. 2021-7724 WATER MAIN EASEMENT 9720 S. OAKWOOD PARK DR. | G.9. | Alderman Nelson moved to adopt Resolution No. 2021-7724, A RESOLUTION TO ACQUIRE WATER MAIN EASEMENT FROM 9720 S. OAKWOOD PARK DRIVE (WISCONSIN COMMERCIAL, LLC) TAX KEY NO. 900-9001-000. Seconded by Alderman Barber. All voted Aye; motion carried. |
| LIMITED TERM EMPLOYEE INSPECTION SERVICES | G.10. | Alderwoman Wilhelm moved to authorize the engagement of a limited-term employee in Inspection Services at a cost not to exceed \$16,000. Seconded by Alderwoman Hanneman. All voted Aye; motion carried. |

- SURPLUS DPW EQUIPMENT G.11. Alderman Mayer moved to place on file the results of the sale of the Department of Public Works Surplus Equipment through Auction Associates on April 3, 2021. Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.
- DPW EQUIPMENT PURCHASE G.12. Alderman Mayer moved to approve the purchase of equipment with funds that were approved with the 2021 Capital Outlay Fund for the Department of Public Works. Seconded by Alderman Barber. All voted Aye; motion carried.
- ORD. 2021-2461 SALT APPROPRIATIONS G.13. Alderman Barber moved to adopt Ordinance No. 2021-2461, AN ORDINANCE TO AMEND ORDINANCE 2020-2453, AN ORDINANCE ADOPTING THE 2021 ANNUAL BUDGETS FOR THE GENERAL FUND TO MOVE \$45,000 OF CONTINGENCY APPROPRIATIONS TO SALT APPROPRIATIONS. Seconded by Alderwoman Hanneman. On roll call. All voted Aye. Motion carried.
- RES. 2021-7725 2021 LOCAL STREET IMPROVEMENT PROGRAM G.14. Alderman Barber moved to adopt Resolution No. 2021-7725, A RESOLUTION AWARDDING CONTRACT TO THE LOW BIDDER, PAYNE & DOLAN, INC. \$899,258.00 FOR THE 2021 LOCAL STREET IMPROVEMENT PROGRAM. Seconded by Alderwoman Hanneman. All voted Aye; motion carried.
- RES. 2021-7726 RECONSTRUCT A PORTION OF W. COLLEGE AVE. G.15. Alderman Nelson moved to adopt Resolution No. 2021-7726, A RESOLUTION TO SIGN AN INTERGOVERNMENTAL COOPERATION AGREEMENT WITH VILLAGE OF HALES CORNERS TO RECONSTRUCT A PORTION OF W. COLLEGE AVENUE BETWEEN S. 108TH STREET (USH45\WI-100) AND S. 92ND STREET FOR \$24,000; and hereby authorize the Mayor to execute the City Attorney request for potential conflict of interest informed consent waiver letter with regard to the performance of legal services for the Intergovernmental Cooperation Agreement. Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.
- 2022 BUDGET TIMETABLE G.16. Alderman Barber moved to adopt the 2022 Annual Budget Preparation Timetable, dated April 20, 2021, as presented, subject to any future regular meeting schedule changes if so made by Common Council. Seconded by Alderwoman Hanneman. All voted Aye; motion carried.
- RES. 2021-7727 OFFICIAL NEWSPAPER G.17. Alderman Barber moved to adopt Resolution No. 2021-7727, A RESOLUTION DESIGNATING AN OFFICIAL NEWSPAPER. Seconded by Alderman Dandrea. All voted Aye; motion carried.

COMMITTEE OF THE
WHOLE
RECOMMENDATIONS

G.18.

No action was taken on the following items from the 4/19/2021 Committee of the Whole meeting: American Rescue Plan Introductions/Overview and Wholesale Public Water Supply to Franklin 2024. The following item from the 4/19/2021 Committee of the Whole will return to a future meeting:

Initial Discussion Regarding the Establishment/Use of the following:

City of Franklin Common Council Reference Manual.

Common Council Code of Conduct.

Common Council Rules of Order.

Handbook for Wisconsin Municipal Officials.

Plan to Update to Existing Policies/Need for Additional Policies.

Common Council Training/Professional Development Opportunities.

LICENSES AND
PERMITS

H.1.

Alderwoman Hanneman moved to approve the following:

Grant Class B Combination license to R&C Pub and Grub, LLC, Agent Chrystal Rausch, 11430 W. Swiss Street;

Grant Extraordinary Entertainment and Special Event License to: Root River Center, David Church, 7220 W. Rawson Ave., June 4, 2021, 5:00 pm to 11:00 pm and June 5, 2021, 3:00 pm to 11:00 pm, providing music ends at 10:30 pm;

Grant 2020-2021 and 2021-2022 Operator license to: Ryan T. Brown, 4319 W. Tumble Creek Dr., Franklin; Tyler J. Cherek, 7309 S. North Cape Rd.; Carlos Marchan, 3460 E. American Ave., Oak Creek; Michael J. Swiderski, 4549 S. 47th St., Greenfield; Katie L. Schmidt, 2507 W. Hilltop Ln., Oak Creek; Sarah A. Tode, S78W16125 Woods Rd., Muskego; Anna M. Turdo, 6129 Middleton Ct. S. Greendale; Erika A. Wotnoske, 4045 W. College Ave.;

Hold the 2020-2021 and 2021-2022 Operator applications of Matthew D. Wisniewski, 3660 S. 14th St., Milwaukee for an appearance;

Grant 2020-2021 Operator license to Zackary N. Niesen, 3851 S. Marcy St., Milwaukee;

Hold the 2020-2021 Operator application of Dragan Vasiljevic, 7033 W. Forest Home Ave., Milwaukee;

Grant 2021-2022 Operator licenses to Pamela J. Brys, 1720 W. Meyer Ln. Apt. 6104, Oak Creek; Nicole M. Cruz, 2816 Sunrise Rd., Caledonia; Kristen N. Fenninger, 9750 S. 31st St.; Louis G. Guzzo,

4W Clarendon Dr., Round Lake Beach, IL; Carinn N. Hoffmann, 2745 N. 90th St., Milwaukee; Apolonia P. Kust, 10845 W. St. Martins Rd.; Christian J. Lee, 8401 S. 116th St.; Jane M. Michel, 3720 W. 7 Mile Rd., Caledonia; Jenna K. Rozek, 8945 S. 116th St., Franklin; Jessica L. Rozek, 3222 S. 38th St., Milwaukee; Jaiden S. Theim, 6722 Crocus Ct. Apt. 2, Greendale; Alyssa G. Zacher, 1720 W. Meyer Ln. Apt. 6103, Oak Creek; Danielle E. Zielinski, 9880 S. Glenmoor Ct., Oak Creek.

Seconded by Alderman Nelson. On roll call, Alderman Nelson, Alderman Barber, Alderwoman Hanneman, Alderwoman Wilhelm, and Alderman Dandrea voted Aye; Alderman Mayer Abstained. Motion carried.

Alderwoman Hanneman moved to reconsider the action taken on 4/5/2021 to deny the 2020-2021 and 2021-2022 Operator's licenses for Fontaine A. Bogan Sr., 3003 S. 93rd St., Milwaukee. Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.

On the voice vote to deny the 2020-2021 and 2021-2022 Operator's licenses for Fontaine A. Bogan Sr., 3003 S. 93rd St., Milwaukee, One Aye and Five Noes; motion carried.

Alderwoman Wilhelm then moved to grant the 2020-2021 and 2021-2022 Operator's license to Fontaine A. Bogan Sr., 3003 S. 93rd St., Milwaukee. Seconded by Alderwoman Hanneman. All voted Aye; motion carried.

Alderwoman Hanneman moved to grant an Extraordinary Entertainment and Special Event license to The Rock Sports Complex for their Summer Concert Series, 7044 S. Ballpark Dr., every Saturday from 6/5/2021 through 9/25/2021 and Sunday 7/4/2021, with the provision that music will end at 10:30 pm every Saturday from 6/5/2021 through 9/25/2021 and that the music will end at 9:00 pm on Sunday 7/4/2021. Seconded by Alderman Nelson. On roll call, Alderman Dandrea, Alderwoman Wilhelm, Alderwoman Hanneman, Alderman Barber, and Alderman Nelson voted Aye; Alderman Mayer voted No. Motion carried.

Alderwoman Hanneman moved to grant an Extraordinary Entertainment and Special Event license to The Rock Sports Complex for, "The Hill has Eyes" event, 7044 S. Ballpark Dr., Fridays 10/1, 10/8, 10/15, 10/22, 10/29 and Saturdays 10/2, 10/9, 10/16, 10/23, 10/30 and Sunday 10/31/2021, provided that the COVID-19 precautions are approved by the Dir. of Health and Human Services,

box office ticket sales and DJ music are to end at 11:00 pm, and the last attraction is to be completed by 12:15 am. Seconded by Alderman Nelson. On roll call, Alderman Dandrea, Alderwoman Wilhelm, Alderwoman Hanneman, Alderman Barber, and Alderman Nelson voted Aye; Alderman Mayer voted No. Motion carried.

Alderwoman Hanneman moved to direct staff to prepare an amendment to Municipal Code Chapter 158 relating to off-premise consumption sales by "Class B" retailers to allow sale of intoxicating liquor for off-premise consumption by "Class B" retailers. Seconded by Alderman Nelson. All voted Aye; motion carried.

VOUCHERS AND
PAYROLL

- I. Alderman Barber moved to approve City vouchers with an ending date of April 15, 2021 in the amount of \$949,466.50; Payroll dated April 9, 2021 in the amount of \$396,681.41 and payments of the various payroll deductions in the amount of \$220,617.42 plus City matching payments; Estimated payroll dated April 23, 2021 in the amount of \$427,000.00 and payments of the various payroll deductions in the amount of \$449,000, plus City matching payments; Property Tax disbursements with an ending date of April 14, 2021 in the amount of \$4,855.89 and approval to release property tax settlements in the amount of \$10,915,727.11. Seconded by Alderwoman Hanneman. On roll call, all voted Aye. Motion carried.

OPIOID CRISIS
LITIGATION

- G.19. Alderman Barber moved to enter closed session at 7:17 p.m. pursuant to Wis. Stat. § 19.85 (1)(g), to confer with legal counsel for the Common Council who is rendering advice concerning strategy to be adopted by the body with respect to governmental entities litigation involving manufacturers and distributors of opiates with regard to the opioid crisis, 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 deem appropriate. Seconded by Alderwoman Hanneman. On roll call, all voted Aye. Motion carried.

The Common Council reentered open session at 7:43 p.m.

ADJOURNMENT

- J. Alderman Dandrea moved to adjourn the meeting at 7:43 p.m. Seconded by Alderman Barber. All voted Aye; motion carried.

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B. 2. (a)

City of Franklin Proclamation

A PROCLAMATION IN RECOGNITION OF THE 2021 AMERICAN HONEY QUEEN JENNIFER HINKEL

WHEREAS, the American Beekeeping Federation selected Jennifer Hinkel of the City of Franklin, as the 2021 American Honey Queen; and

WHEREAS, Jennifer previously served as the 2020 Wisconsin Honey Queen and was selected as the 2021 American Honey Queen based upon her skills in marketing, promoting, public speaking and writing; and

WHEREAS, the beekeeping industry touches the lives of every individual in the nation, with honeybees pollinating nearly one-third of the human diet, including a large majority of fruits, nuts and legumes, providing nearly \$19 billion in direct value to United States agriculture; and

WHEREAS, United States honeybees produce over 300 varieties of honey, including Wisconsin honeys such as clover, basswood, cranberry and buckwheat; and

WHEREAS, Jennifer has represented Wisconsin beekeepers, her family, friends, and the City of Franklin with distinction and honor, as evidenced by this award; and

WHEREAS, Jennifer will travel and speak throughout the United States, promoting the American beekeeping industry by giving school, legislative, and community presentations, television, radio, and newspaper interviews, virtual platform presentations, and working at festivals, farmers' markets, and fairs, including the Wisconsin State Fair; and

WHEREAS, the City of Franklin is proud of Jennifer's accomplishments and achievements and her academic success in marketing at the University of Wisconsin-Milwaukee, her entrepreneurial work with her family's pumpkin and Christmas tree farm, and her volunteer work in the agriculture community and wishes her continued success in her future endeavors.

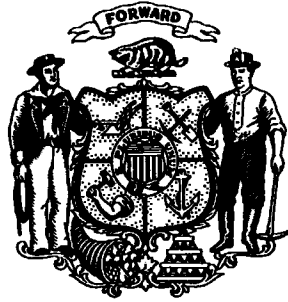
NOW, THEREFORE, BE IT PROCLAIMED, that I, Stephen R. Olson, Mayor, and I, Mark A. Dandrea, Common Council President, of the City of Franklin, Wisconsin, on behalf of all of the Citizens of Franklin, the elected officials and the staff of City government, hereby recognize and state our appreciation and extend our congratulations and appreciation to Jennifer Hinkel on her accomplishments and representation of the City of Franklin and the State of Wisconsin.

Presented to the City of Franklin Common Council this 4th Day of May, 2021.

Mark A. Dandrea,
Common Council President

Stephen R. Olson, Mayor

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2021 Senate Bill 11

Date of enactment: April 27, 2021
Date of publication*: April 28, 2021

2021 WISCONSIN ACT 29

AN ACT to renumber and amend 102 17 (4) and 102 58, to amend 102 04 (2m), 102 13 (2) (a), 102 29 (6m) (a) 3, 102 315 (1) (c), 102 315 (2), 102 42 (1), 102 49 (5) (b), 102 49 (5) (c) and 102 49 (5) (e), and to create 102 04 (2g), 102 17 (9), 102 29 (6m) (a) 1m, 102.315 (2e), 102 315 (2m), 102 315 (2s), 102 42 (1p), 102 44 (7) and 102 49 (5) (cm) of the statutes, relating to: various changes to the worker's compensation law

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 102 04 (2g) of the statutes is created to read

102 04 (2g) Liability under s 102 03 with respect to a leased employee, as defined in s 102 315 (1) (g), shall be determined as provided in s 102 315 (2) or (2m) (c), whichever is applicable

SECTION 2. 102 04 (2m) of the statutes is amended to read

102 04 (2m) ~~A~~ Except as otherwise provided in an employee leasing agreement that meets the requirements of s. 102.315 (2m), a temporary help agency is the employer of an employee whom the temporary help agency has placed with or leased to another employer that compensates the temporary help agency for the employee's services ~~A~~ Except as provided in s. 102.315 (2m) (c), a temporary help agency is liable under s 102 03 for all compensation and other payments payable under this chapter to or with respect to that employee, including any payments required under s 102 16 (3), 102 18 (1) (b) 3 or (bp), 102 22 (1), 102 35 (3), 102 57, or 102 60 Except as permitted under s. 102 29, a temporary help agency may not seek or receive reimbursement from another

employer for any payments made as a result of that liability

SECTION 3. 102 13 (2) (a) of the statutes is amended to read

102 13 (2) (a) An employee who reports an injury alleged to be work-related or files an application for hearing waives any physician-patient, psychologist-patient, or chiropractor-patient privilege with respect to any condition or complaint reasonably related to the condition for which the employee claims compensation Notwithstanding ss 51 30 and 146 82 and any other law, any physician, chiropractor, psychologist, dentist, podiatrist, physician assistant, advanced practice nurse prescriber, hospital, or health care provider shall, within a reasonable time after written request by the employee, employer, worker's compensation insurer, department, or division, or its representative, provide that person with any information or written material reasonably related to any injury for which the employee claims compensation If the request is by a representative of a worker's compensation insurer for a billing statement, the physician, chiropractor, psychologist, dentist, podiatrist, physician assistant, advanced practice nurse prescriber, hospital, or health care provider shall, within 30 days after receiving

* Section 991 11, WISCONSIN STATUTES Effective date of acts "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication "

the request, provide that person with a complete copy of an itemized billing statement or a billing statement in a standard billing format recognized by the federal government.

SECTION 4. 102 17 (4) of the statutes is renumbered 102 17 (4) (a) and amended to read

102 17 (4) (a) Except as provided in this subsection and s 102.555 (12) (b), in the case of occupational disease, the right of an employee, the employee's legal representative, or a dependent, the employee's employer or the employer's insurance company, or other named party to proceed under this section shall not extend beyond 12 years after the date of the injury or death or after the date that compensation, other than for treatment or burial expenses, was last paid, or would have been last payable if no advancement were made, whichever date is latest, and in the case of traumatic injury, that right shall not extend beyond 6 years after that date

(b) In the case of occupational disease, a traumatic injury resulting in the loss or total impairment of a hand or any part of the rest of the arm proximal to the hand or of a foot or any part of the rest of the leg proximal to the foot, any loss of vision, or any permanent brain injury, or a traumatic injury causing the need for an artificial spinal disc or a total or partial knee or hip replacement, there shall be no statute of limitations, except that benefits or treatment expense for an occupational disease becoming due 12 years after the date of injury or death or last payment of compensation, other than for treatment or burial expenses, shall be paid from the work injury supplemental benefit fund under s. 102 65 and in the manner provided in s 102 66 and benefits or treatment expense for such a traumatic injury becoming due 6 years after that date shall be paid from that fund and in that manner if the date of injury or death or last payment of compensation, other than for treatment or burial expenses, is before April 1, 2006

(c) Payment of wages by the employer during disability or absence from work to obtain treatment shall be considered payment of compensation for the purpose of this section if the employer knew of the employee's condition and its alleged relation to the employment

SECTION 5. 102.17 (9) of the statutes is created to read.

102.17 (9) (a) In this subsection:

1. "Fire fighter" means any person employed on a full-time basis by the state or any political subdivision as a member or officer of a fire department, including the 1st class cities and state fire marshal and deputies.

2. "Post-traumatic stress disorder" means that condition, as described in the 5th edition of the Diagnostic and Statistical Manual of Mental Disorders by the American Psychiatric Association.

(b) Subject to par. (c), in the case of a mental injury that is not accompanied by a physical injury and that results in a diagnosis of post-traumatic stress disorder in

a law enforcement officer, as defined in s. 23.33 (1) (g), or a fire fighter, the claim for compensation for the mental injury, in order to be compensable under this chapter, is subject to all of the following:

1. The mental injury must satisfy all of the following conditions:

a. The diagnosis of post-traumatic stress disorder is made by a licensed psychiatrist or psychologist.

b. The conditions of liability under s 102.03 (1) are proven by the preponderance of the evidence.

2. The mental injury may not be a result of any of the following actions taken in good faith by the employer.

a. A disciplinary action.

b. A work evaluation.

c. A job transfer.

d. A layoff.

e. A demotion.

f. A termination.

3. The diagnosis does not need to be based on unusual stress of greater dimensions than the day-to-day emotional strain and tension experienced by similarly situated employees.

(c) No individual may receive compensation for a claim of mental injury under this subsection more than 3 times in his or her lifetime. The limitation under this paragraph applies irrespective of whether the individual becomes employed by a different employer or in a different position with the same employer.

SECTION 6. 102.29 (6m) (a) 1m of the statutes is created to read

102 29 (6m) (a) 1m. The employee leasing company that employs the leased employee

SECTION 7. 102 29 (6m) (a) 3 of the statutes is amended to read

102 29 (6m) (a) 3 Any employee of the client or any employee of that other an employee leasing company described in subd. 2., or the employee leasing company that employs the leased employee, unless the leased employee who has the right to make a claim for compensation would have a right under s 102 03 (2) to bring an action against the employee of the client, the employee leasing company that employs the leased employee, or the leased employee of the other employee leasing company described in subd. 2., if the employees and leased employees were coemployees.

SECTION 8. 102 315 (1) (c) of the statutes is amended to read

102 315 (1) (c) "Divided workforce" means a workforce in which some of the employees of a client are leased employees and some of the employees of the client are not leased employees, but does not include a workforce with respect to a client that has elected to provide insurance coverage for leased employees under sub. (2m)

SECTION 9. 102 315 (2) of the statutes is amended to read

102.315(2) EMPLOYEE LEASING COMPANY LIABLE. As Except as otherwise provided in an employee leasing agreement that meets the requirements of sub. (2m), an employee leasing company is liable under s. 102.03 for all compensation payable under this chapter to a leased employee, including any payments required under s. 102.16(3), 102.18(1)(b) 3 or (bp), 102.22(1), 102.35(3), 102.57, or 102.60. If a client that makes an election under sub. (2m) (a) terminates the election, fails to provide the required coverage, or allows coverage to lapse, the employee leasing company is liable under s. 102.03 as set forth in this subsection. Except as permitted allowed under s. 102.29, an employee leasing company may not seek or receive reimbursement from another employer for any payments made as a result of that liability. An employee leasing company is not liable under s. 102.03 for any compensation payable under this chapter to an employee of a client who is not a leased employee.

SECTION 10. 102.315(2e) of the statutes is created to read:

102.315(2e) TERMINATION OF EMPLOYEE LEASING AGREEMENT. If an employee leasing company terminates an employee leasing agreement with a client that has made an election under sub. (2m) (a), the company shall provide notice of the termination of an employee leasing agreement to the department and the client, on a form prescribed by the department, at least 30 days before the termination of the employee leasing agreement. The notice provided under this subsection must contain all of the following information:

- (a) The name, mailing address, and federal employer identification number of the employee leasing company.
- (b) The name, mailing address, and federal employer identification number of the client.
- (c) The effective date of the termination of the employee leasing agreement.
- (d) The signatures of the authorized representatives of the client and the employee leasing company.

SECTION 11. 102.315(2m) of the statutes is created to read:

102.315(2m) CLIENT ELECTION TO PROVIDE INSURANCE COVERAGE. (a) A client may elect to provide insurance coverage under this chapter for leased employees. Such an election must be provided in an employee leasing agreement, and the leased employees must be insured in the voluntary market and not under a mandatory risk-sharing plan under s. 619.01.

(b) The client shall provide notice of an election or termination of an election under par. (a) to the department and the employee leasing company on a form prescribed by the department at least 30 days before the effective date of the election or termination of the election. The notice provided under this subsection must contain all of the following information:

- 1. The name, mailing address, and federal employer identification number of the client.

2. The name, mailing address, and federal employer identification number of the employee leasing company.

3. The effective date of the employee leasing agreement.

4. The signatures of the authorized representatives of the client and the employee leasing company.

(c) A client that elects to provide insurance coverage under par. (a) is liable under s. 102.03 for all compensation payable to a leased employee, including any payments required under s. 102.16(3), 102.18(1)(b) 3 or (bp), 102.22(1), 102.35(3), 102.57, or 102.60.

(d) If a client makes an election under par. (a), the employee leasing company shall include the client's federal employer identification number on any reports to the department for the purposes of administering the worker's compensation program or the unemployment insurance program under ch. 108.

(e) The experience rating under the standards and criteria under ss. 626.11 and 626.12 remain with a client that makes an election under par. (a).

SECTION 12. 102.315(2s) of the statutes is created to read:

102.315(2s) CLAIM REPORTING. Any claim filed under this chapter for a leased employee shall include the client's federal employer identification number.

SECTION 13. 102.42(1) of the statutes is amended to read:

102.42(1) TREATMENT OF EMPLOYEE. ~~The Subject to the limitations under sub. (1p),~~ the employer shall supply such medical, surgical, chiropractic, psychological, podiatric, dental, and hospital treatment, medicines, medical and surgical supplies, crutches, artificial members, appliances, and training in the use of artificial members and appliances, or, at the option of the employee, Christian Science treatment in lieu of medical treatment, medicines, and medical supplies, as may be reasonably required to cure and relieve from the effects of the injury, and to attain efficient use of artificial members and appliances, and in case of the employer's neglect or refusal seasonably to do so, or in emergency until it is practicable for the employee to give notice of injury, the employer shall be liable for the reasonable expense incurred by or on behalf of the employee in providing such treatment, medicines, supplies, and training. When the employer has knowledge of the injury and the necessity for treatment, the employer's failure to tender the necessary treatment, medicines, supplies, and training constitutes such neglect or refusal. The employer shall also be liable for reasonable expense incurred by the employee for necessary treatment to cure and relieve the employee from the effects of occupational disease prior to the time that the employee knew or should have known the nature of his or her disability and its relation to employment, and as to such treatment subs. (2) and (3) shall not apply. The obligation to furnish such treatment and appliances shall continue as required to prevent further deterioration in the

condition of the employee or to maintain the existing status of such condition whether or not healing is completed

SECTION 14. 102 42 (1p) of the statutes is created to read

102 42 (1p) **LIABILITY FOR TREATMENT OF CERTAIN MENTAL INJURIES** The employer of an employee whose injury is a mental injury that is compensable under s 102 17 (9) is liable for the employee's treatment of the mental injury for no more than 32 weeks after the injury is first reported

SECTION 15. 102 44 (7) of the statutes is created to read

102 44 (7) In the case of an employee whose injury is a mental injury that is compensable under s 102 17 (9), the period of disability may not exceed 32 weeks after the injury is first reported

SECTION 16. 102 49 (5) (b) of the statutes is amended to read

102 49 (5) (b) In addition to the payment required under par (a), in each case of injury resulting in death leaving no person dependent for support, the employer or insurer shall, except as provided in s. 102.58 (2), pay into the state treasury the amount of the death benefit otherwise payable, minus any payment made under s 102 48 (1). The payment under this paragraph shall, except as provided in par. (cm), be made in 5 equal annual installments, with the first installment due as of the date of death

SECTION 17. 102 49 (5) (c) of the statutes is amended to read

102 49 (5) (c) In addition to the payment required under par (a), in each case of injury resulting in death, leaving one or more persons partially dependent for support, the employer or insurer shall, except as provided in s. 102.58 (2), pay into the state treasury an amount which, when added to the sums paid or to be paid on account of partial dependency and under s 102 48 (1), shall equal the death benefit payable to a person wholly dependent

SECTION 18. 102 49 (5) (cm) of the statutes is created to read

102 49 (5) (cm) The employer or insurer may make advance payments of amounts owed under par (b) or (c), up to and including a lump sum payment of the entire amount owed If an employer or insurer makes an advance payment, the department shall give the employer or the insurer an interest credit against its liabil-

ity for payments made in excess of that required under par (b) or (c) The credit shall be computed at 5 percent

SECTION 19. 102 49 (5) (e) of the statutes is amended to read

102 49 (5) (e) The adjustments in liability provided in ss 102 57, 102 58 (1), and 102 60 do not apply to payments made under this section

SECTION 20. 102 58 of the statutes is renumbered 102 58 (1) and amended to read

102 58 (1) If injury is caused by the failure of the employee to use safety devices that are provided in accordance with any statute, rule, or order of the department of safety and professional services and that are adequately maintained, and the use of which is reasonably enforced by the employer, or if injury results from the employee's failure to obey any reasonable rule adopted and reasonably enforced by the employer for the safety of the employee and of which the employee has notice, the compensation and death benefit provided in this chapter shall be reduced by 15 percent, but the total reduction may not exceed \$15,000

(2) If an employee violates the employer's policy concerning employee drug or alcohol use and is injured, and if that violation is causal to the employee's injury, no compensation or death benefits shall be payable to the injured employee or a dependent of the injured employee and no payment under s. 102.49 (5) (b) or (c) shall be payable Nothing in this ~~section~~ subsection shall reduce or eliminate an employer's liability for incidental compensation under s 102 42 (1) to (8) or drug treatment under s 102 425

SECTION 21. Nonstatutory provisions.

(1) **WORKER'S COMPENSATION INSURANCE RATE APPROVAL, NOTICE.** The commissioner of insurance shall submit to the legislative reference bureau for publication in the Wisconsin Administrative Register a notice of the effective date of new rates for worker's compensation insurance first approved by the commissioner after the effective date of this subsection

SECTION 22. Initial applicability.

(1) The treatment of ss. 102 17 (9), 102 42 (1) and (1p), and 102 44 (7) first applies to injuries reported on the effective date of rate changes for worker's compensation insurance approved by the commissioner of insurance under s 626 13 after the effective date of this subsection

<p style="text-align: center;">APPROVAL</p> <p style="text-align: center;"><i>Jur</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;">05/04/21</p>
<p style="text-align: center;">REPORTS & RECOMMENDATIONS</p>	<p style="text-align: center;">A RESOLUTION CONDITIONALLY APPROVING A LAND COMBINATION FOR TAX KEY NOS. 838-9978-000, 839-9990-000 AND 839-9991-004 (8225-8255, 8429 AND 8459 WEST FOREST HILL AVENUE) (FRANKLIN PUBLIC SCHOOLS, APPLICANT).</p>	<p style="text-align: center;">ITEM NUMBER</p> <p style="text-align: center;"><i>G.I.</i></p>
<p>On May 22, 2021, the Plan Commission carried a motion to recommend approval of a Resolution conditionally approving a Land Combination for tax key nos 838-9978-000, 839-9990-000 and 839-9991-004 (8225-8255, 8429 and 8459 West Forest Hill Avenue) The vote was six ‘ayes’, no ‘noes’, no absents (6-0-0).</p> <p style="text-align: center;">COUNCIL ACTION REQUESTED</p> <p>A motion to adopt Resolution No. 2021-_____, a resolution conditionally approving a land combination for tax key nos. 838-9978-000, 839-9990-000 and 839-9991-004 (8225-8255, 8429 and 8459 West Forest Hill Avenue) (Franklin Public Schools, applicant).</p>		

Department of City Development: RMM

RESOLUTION NO. 2021-_____

A RESOLUTION CONDITIONALLY APPROVING A
LAND COMBINATION FOR TAX KEY NOS. 838-9978-000,
839-9990-000 AND 839-9991-004
(8225-8255, 8429 AND 8459 WEST FOREST HILL AVENUE)
(FRANKLIN PUBLIC SCHOOLS, APPLICANT)

WHEREAS, the City of Franklin, Wisconsin, having received an application for approval of a proposed land combination for Franklin Public Schools to combine three properties located at West Forest Hill Avenue: 8225-8255, Forest Park Middle School (39.39 acres), 8429, formerly "Luxembourg Gardens" (9.68 acres) and 8459 (3.85 acres), to enlarge the site for Forest Park Middle School (resulting site will be approximately 54 acres); bearing Tax Key Nos. 838-9978-000, 839-9990-000 and 839-9991-004, more particularly described as follows:

Being a part of the Northeast 1/4 of the Southwest 1/4 and all of the Northwest 1/4 of the Southeast 1/4 of Section 16, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin, described as follows.

Commencing at the West 1/4 corner of Section 16, Township 5 North, Range 21 East;

Thence N 88°27'55"E along the North line of the Southwest 1/4 of said Section 16, 2324.22 feet to the point of beginning (POB) of the parcel to be described;

Thence continuing N 88°27'55"E along said North line, 330.00 feet to the Center 1/4 corner of said Section 16,

Thence N 88°41'25"E along the North line of the Southeast 1/4 of said Section 16, 1328.67 feet to the Northeast corner of the Northwest 1/4 of the Southeast 1/4 of said Section 16;

Thence S 00°32'07"E along the East line of the Northwest 1/4 of the Southeast 1/4 of said Section 16, 1321.89 feet to the Southeast corner thereof;

Thence S 88°33'02"W along the South line of the Northwest 1/4 of the Southeast 1/4 of said Section 16, 1328.90 feet to the Southwest corner thereof;

Thence S 88°29'03"W along the South line of the Northeast 1/4 of the Southwest 1/4 of said Section 16, 330.00 feet to the Southeast corner of Parcel 2 of Certified Survey Map No. 5979;

Thence N 00°31'39"W along the East line of said Parcel 2, 689.00 feet to the Southeast corner of Parcel 1 of said Certified Survey Map No. 5979;

Thence S 88°29'03"W along the South line of said Parcel 1, 330.00 feet to the Southwest corner thereof;

Thence N 00°31'38"W along the West line of said Parcel 1, 465.89 feet;

FRANKLIN PUBLIC SCHOOLS – LAND COMBINATION
RESOLUTION NO. 2021-_____

Page 2

Thence N 88°27'55"E along the West line of said Parcel 1, 225.00 feet;
Thence N 00°31'39"W along the West line of said Parcel 1, 125.02 feet to the Northwest corner of said Parcel 1, said point also being the South right-of-way line of West Forest Hill Avenue;
Thence N 88°27'55"E along the North line of said Parcel 1 and said South right-of-way line, 105.00 feet to the Northeast corner of said Parcel 1;
Thence N 00°31'39"W, 45.01 feet to a point on the North line of the Southwest 1/4 of said Section 16;
Thence N 88°27'55"E along said North line, 330.00 feet to the point of beginning.

Containing: 2,362,553 Square Feet – 54.237 Acres.

WHEREAS, the Plan Commission having reviewed such application and recommended approval thereof and the Common Council having reviewed such application and Plan Commission recommendation and the Common Council having determined that such proposed land combination is appropriate for approval pursuant to law upon certain conditions, all pursuant to §15-9.0312 of the Unified Development Ordinance, Land Combination Permits.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the proposed land combination for Forest Park Middle School, as submitted by Franklin Public Schools, as described above, be and the same is hereby approved, subject to the following conditions

1. Franklin Public Schools, 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 Forest Park Middle School land combination 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.
2. The approval granted hereunder is conditional upon Franklin Public Schools and the Forest Park Middle School land combination project for the properties located at 8225-8255, 8429 and 8459 West Forest Hill Avenue (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

FRANKLIN PUBLIC SCHOOLS – LAND COMBINATION
RESOLUTION NO. 2021-_____

Page 3

Introduced at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2021.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2021.

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____



REPORT TO THE PLAN COMMISSION

Meeting of April 22, 2021

Land Combination

RECOMMENDATION: City Development staff recommends approval of this land combination for 8225-8255 West Forest Hill Avenue (39.39 Ac), 8429 West Forest Hill Avenue (9.68 Ac) and 8459 West Forest Hill Avenue (3.85 Ac).

Project Name:	Franklin Public Schools Land Combination
Project Address:	8225-8255, 8429 and 8459 West Forest Hill Avenue
Property Owner:	Franklin Public Schools
Applicant:	James Milzer, Franklin Public Schools
Agent:	Daniel St. Pierre, Point of Beginning, Inc.
Zoning:	I-1 Institutional
Use of Surrounding Properties:	Residential to the north, south and west; residential multifamily to the east
Comprehensive Plan:	Institutional and Areas of Natural Resource Features
Applicant Action Requested:	Approval of application for land combination
Planner:	Régulo Martínez-Montilva, Principal Planner

Introduction:

The purpose of this application is to combine three (3) properties located at West Forest Hill Avenue: 8225-8255 Forest Park Middle School (39.39 Ac), 8429 formerly “Luxembourg Gardens” (9.68 Ac) and 8459 (3.85 Ac). The resulting Forest Park Middle School site would be approximately 54 acres. These three (3) properties are currently zoned Institutional (I-1), 8429 and 8459 were rezoned from Suburban Single-family Residence (R-6) to Institutional (I-1) in 2019 by request of Franklin Public Schools.

Pursuant to §15-9.0312.B, of the Unified Development Ordinance, the application for the Land Combination Permit shall be considered “relative to City staff recommendations, the lot area and other dimensional requirements of the zoning district(s) within which the parcels are located, the City of Franklin Comprehensive Master Plan and the planned land use for each of the parcels, present use of the parcels and proposed use of the parcels for the purpose to ensure that upon combination, such properties shall comply with the purposes and provisions of this Ordinance.”

Analysis:

The three subject properties are contiguous along West Forest Hill Avenue. If combined, the resulting property would be approximately 57 acres in area and the resulting combined street frontage 1,763 feet based on the provided survey maps. The dimensions of the proposed combined parcel meet the I-1

Development Standards, as indicated in Table 15-3.0312 of the Unified Development Ordinance (UDO). It is noted that this land combination is not a Certified Survey Map (CSM).

This land combination complies with the current zoning of the three subject properties, which is I-1 Institutional. Per Ordinance 2019-2402, 8429 and 8459 W. Forest Hill Avenue were rezoned from Suburban Single-family Residence (R-6) to Institutional (I-1). This proposal is also consistent with the City of Franklin Comprehensive Plan as Ordinance 2019-2401 changed the future land use designation of these two properties from Residential to Institutional and Areas of Natural Resource Features.

During the rezoning and comprehensive master plan amendment review in 2019, City Development staff suggested this land combination because it will be necessary upon the future development of these parcels.

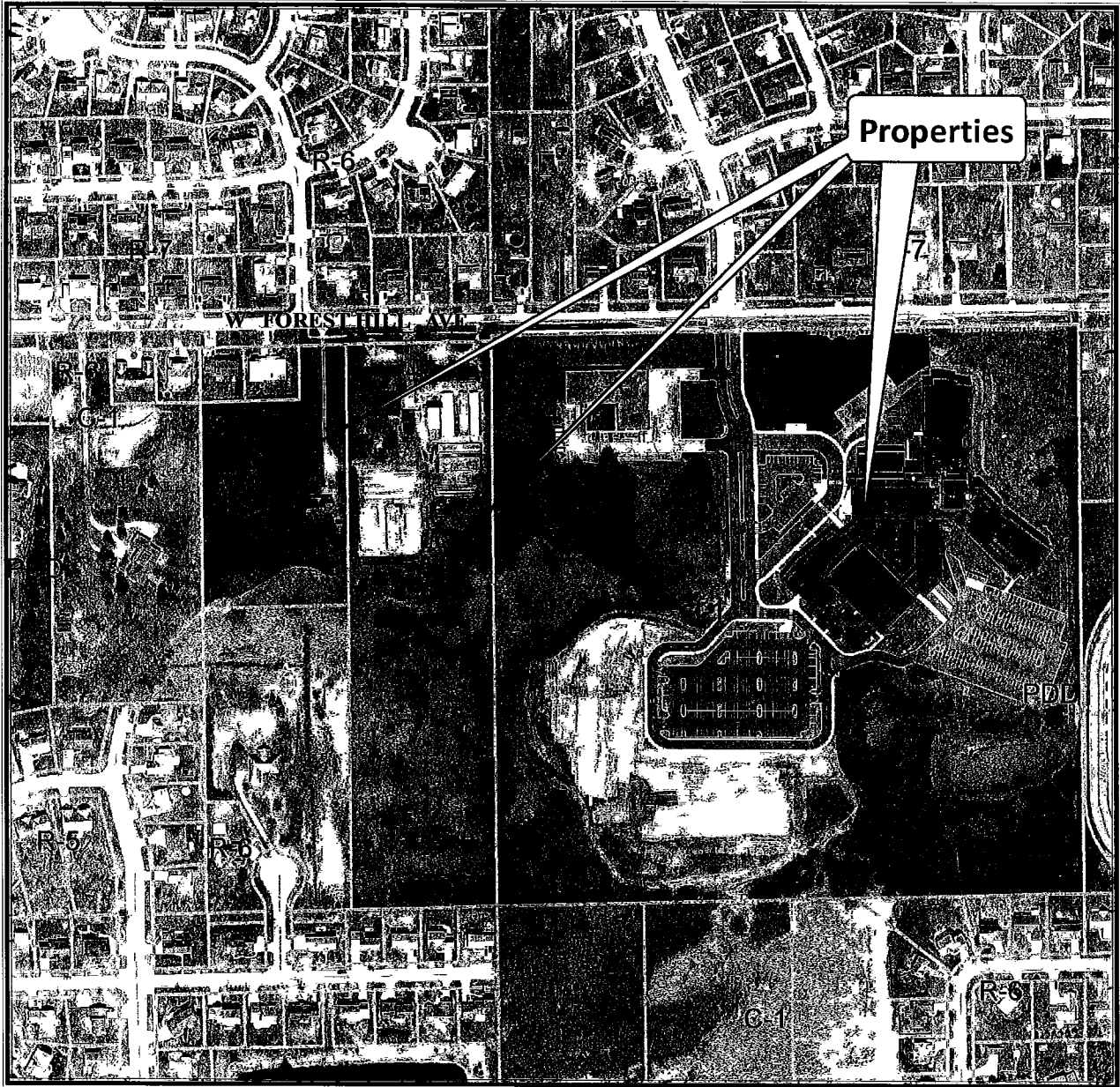
With regards to natural resource features, there is a conservation easement for 8225-8255 W Forest Hill Avenue as part of the site plan and natural resource special exception for the construction of the new Forest Park Middle School in 2017. Wetlands may be present on 8429 and 8459 W Forest Hill Avenue, therefore a full natural resource protection plan will be required for future development of these 2 parcels.

Staff recommendation:

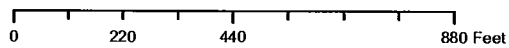
City Development staff recommends approval of this land combination for 8225-8255 West Forest Hill Avenue (39 39 Ac), 8429 West Forest Hill Avenue (9 68 Ac) and 8459 West Forest Hill Avenue (3 85 Ac)

8225-8255 W Forest Hill Ave
8459 W Forest Hill Ave

TKNs 838 9978 000
839 9990 000
839 9991 004



Planning Department
(414) 425-4024

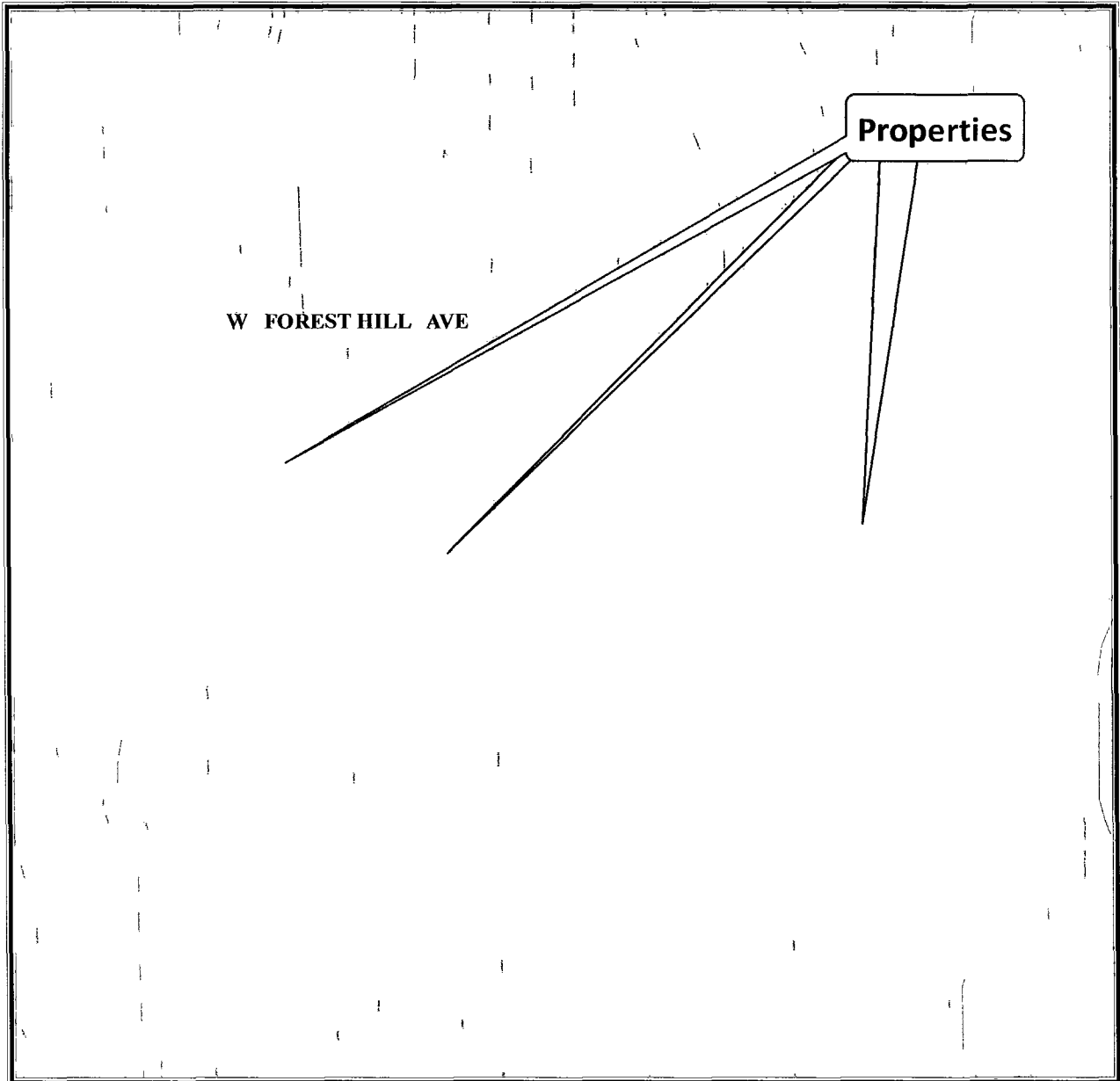


2021 Aerial Photo

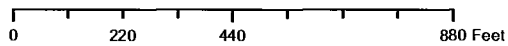
This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor. This map is provided for informational purposes only and may not be sufficient or appropriate for legal engineering or surveying purposes.

8225-8255 W Forest Hill Ave
8459 W Forest Hill Ave

TKNs 838 9978 000
839 9990 000
839 9991 004



Planning Department
(414) 425-4024



2021 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.



Point of Beginning

5709 Windy Drive, Suite D
Stevens Point, WI 54482
715 344 9999
pobinc.com

Regulo Martinez-Montilva
Principal Planner
Department of City Development
City of Franklin
9229 West Loomis Road
Franklin, WI 53132

RE Staff Comments on Application for Land Combination 8225-8255, 8429 and 8459 W Forest Hill Ave
(Franklin Public Schools)

Dear Mr. Martinez-Montilva,

This cover letter serves the purpose of address comments from the Staff letter dated March 22, 2021

- 1 Question The submitted application is for a land combination only, not a certified survey map. Different submittal requirements and filing fees apply to certified survey maps per Unified Development Ordinance (UDO) Division 15-7 0700. Please replace the survey titled "CERTIFIED SURVEY MAP" with a boundary survey as required by UDO §15-9 0312 A 3 "LAND COMBINATION PERMITS"

Answer The provided Preliminary CSM contains all required information in a Boundary Survey. After the lot combination is completed the CSM submittal process will begin. It is understood that this will require separate approval and fees.

- 2 Question What is the proposed use for the properties to be combined? This information is required per UDO §15-9 0312 A 2

Answer The Franklin Public School District purchased the properties located at 8429 and 8459 West Forest Hill Avenue to expand the site that it owns to the east which contains Forest Park Middle School and the Education and Community Center. In the development of the existing middle school site for the new middle school, the school district lost acres of previously usable property to the delineation of wetlands, wetland buffers and conservancy areas. Consequently, there is less usable open land on the site for the larger school population as well as for community recreational use. The District added the Luxembourg Gardens properties to the middle school site to add space to this site for current and future needs. The school district is currently in the process of assessing which of those needs it will pursue on the new property. This use will most likely be a combination of multi-use grass fields for sports such as soccer and lacrosse, as well as district and recreation related facilities. There is interest in using the site for classes run by the Recreation Department for senior citizens and others especially for use during the day.

START here.

- 3 Question Pursuant to UDO §15-9 0312, all properties to be combined need to be in common ownership According to our records, property bearing TKN 838-9978-000 is owned by FRANKLIN SCHOOL DIST #5, while properties bearing TKNs 839-9990-000 and 839-9991-004 are owned by FRANKLIN PUBLIC SCHOOLS Please clarify

Answer Both properties are owned by Franklin Public Schools The School District has provided a letter that explains a name change that occurred in 1992 (See attached letter)

If there are any other questions or comments please contact me at Dans@pobinc.com or call 715 498 0764

Dan St Pierre
Project Engineer
Point of Beginning



FRANKLIN

PUBLIC SCHOOLS

Régulo Martínez-Montilva
Principal Planner
Department of City Development
City of Franklin
9229 West Loomis Road
Franklin, WI 53132

RE: Staff Comments on Application for Land Combination
8225-8255, 8429 and 8459 W. Forest Hill Ave. (Franklin Public Schools).

Dear Mr. Martínez-Montilva,

I would like to provide the answer to the Department of City Development comment #3.

*3 Pursuant to UDO §15-9 0312, all properties to be combined need to be in common ownership According to our records, property bearing TKN 838-9978-000 is owned by FRANKLIN SCHOOL DIST #5, while properties bearing TKNs 839-9990-000 and 839-9991-004 are owned by FRANKLIN PUBLIC SCHOOLS
Please clarify*

Franklin Public Schools and Franklin School District #5 are the same entity. The school district was known as Franklin School District #5 until approximately 1992, when the name was changed to Franklin Public Schools. When the properties are combined, the owner should be listed as Franklin Public Schools.

If you need any more information on this just let me know.

James Milzer
Assistant Superintendent for Business and Operations
Franklin Public Schools



Date of Application. 1/17/19

LAND COMBINATION APPLICATION

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

<p>Property Owner(s) (Full Legal Name[s]) Name(s) <u>James Milzer</u> <u>Franklin Public Schools</u> Mailing Address <u>8255 West Forest Hill Avenue</u> City / State <u>Franklin</u> Zip <u>53132</u> Phone <u>414-525-7605</u> Email Address <u>james.milzer@franklin.k12.wi.us</u></p> <p>Project Property #1 Information. Property Address <u>8255 West Forest Hill Avenue</u> Tax Key No <u>8389978000</u> Existing Zoning <u>Institutional</u> Existing Use <u>Institutional</u> Proposed Use <u>Institutional</u> Future Land Use Identification <u>Institutional</u></p>	<p>Applicant is Represented by (contact person) (Full Legal Name[s]): Name <u>Daniel St. Pierre</u> Company <u>Point of Beginning, Inc.</u> Mailing Address <u>4941 Kirschling Court</u> City / State <u>Stevens Point, WI</u> Zip <u>54481</u> Phone <u>715-344-9999</u> Email Address <u>dans@pobinc.com</u></p> <p>Project Property #2 Information: Property Address <u>8429 West Forest Hill Avenue</u> <u>8459 West Forest Hill Avenue</u> Tax Key No <u>8399990000, 8399991004</u> Existing Zoning <u>Institutional</u> Existing Use <u>Commercial</u> Proposed Use <u>Institutional</u> Future Land Use Identification <u>Institutional</u></p>
<p>*The 2025 Comprehensive Master Plan <u>Future Land Use Map</u> is available at http://www.franklinwi.gov/Home/Resources/Documents/Maps.htm</p>	


Land Combination 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 \$400
- Legal Description for the subject properties (WORD doc or compatible format)
- Seven (7) copies of a boundary survey of the parcels to be combined graphically showing the relationship to street access and to adjoining properties
- Email (or CD ROM) with all plans/submittal materials (where applicable) *Plans must be submitted in both Adobe PDF and AutoCAD compatible format.*

- Upon receipt of a complete submittal, staff review will be conducted within ten business days
- Review and consideration of Land Combination approvals shall be in accordance with Section 15-9 0312(B) of the Unified Development Ordinance
- Requests require Plan Commission review and Common Council approval
- Final document will be recorded by the City Clerk's Office with Milwaukee County Register of Deeds

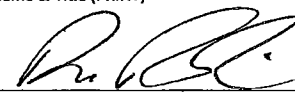
The applicant and property owner(s) hereby certify that, (1) all statements and other information submitted as part of this application are true and correct to the best of applicant's and property owner(s)' knowledge, (2) the applicant and property owner(s) has/have read and understand all information 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 
 Name & Title (PRINT) JAMES MILZER DIRECTOR OF BUSINESS SERVICES
 Date 2-25-21

Signature _____
 Name & Title (PRINT) _____
 Date _____

Signature Applicant _____
 Name & Title (PRINT) _____
 Date _____

Signature 
 Name & Title (PRINT) Dan St. Pierre Project Engineer
 Date 2/17/20



Point of Beginning

5709 Windy Drive, Suite D
Stevens Point, WI 54482
715 344 9999
pobinc.com

LEGAL DESCRIPTION

Being a part of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ and all of the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 16, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin, described as follows

Commencing at the West $\frac{1}{4}$ corner of Section 16, Township 5 North, Range 21 East,
Thence N 88°27'55"E along the North line of the Southwest $\frac{1}{4}$ of said Section 16, 2324 22 feet to the point of beginning (POB) of the parcel to be described,
Thence continuing N 88°27'55"E along said North line, 330 00 feet to the Center $\frac{1}{4}$ corner of said Section 16,
Thence N 88°41'25"E along the North line of the Southeast $\frac{1}{4}$ of said Section 16, 1328 67 feet to the Northeast corner of the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section 16,
Thence S 00°32'07"E along the East line of the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section 16, 1321 89 feet to the Southeast corner thereof,
Thence S 88°33'02"W along the South line of the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of said Section 16, 1328 90 feet to the Southwest corner thereof,
Thence S 88°29'03"W along the South line of the Northeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of said Section 16, 330 00 feet to the Southeast corner of Parcel 2 of Certified Survey Map No 5979,
Thence N 00°31'39"W along the East line of said Parcel 2, 689 00 feet to the Southeast corner of Parcel 1 of said Certified Survey Map No 5979,
Thence S 88°29'03"W along the South line of said Parcel 1, 330 00 feet to the Southwest corner thereof,
Thence N 00°31'38"W along the West line of said Parcel 1, 465 89 feet,
Thence N 88°27'55"E along the West line of said Parcel 1, 225 00 feet,
Thence N 00°31'39"W along the West line of said Parcel 1, 125 02 feet to the Northwest corner of said Parcel 1, said point also being the South right-of-way line of West Forest Hill Avenue,
Thence N 88°27'55"E along the North line of said Parcel 1 and said South right-of-way line, 105 00 feet to the Northeast corner of said Parcel 1,
Thence N 00°31'39"W, 45 01 feet to a point on the North line of the Southwest $\frac{1}{4}$ of said Section 16,
Thence N 88°27'55"E along said North line, 330 00 feet to the point of beginning

Containing 2,362,553 Square Feet – 54 237 Acres

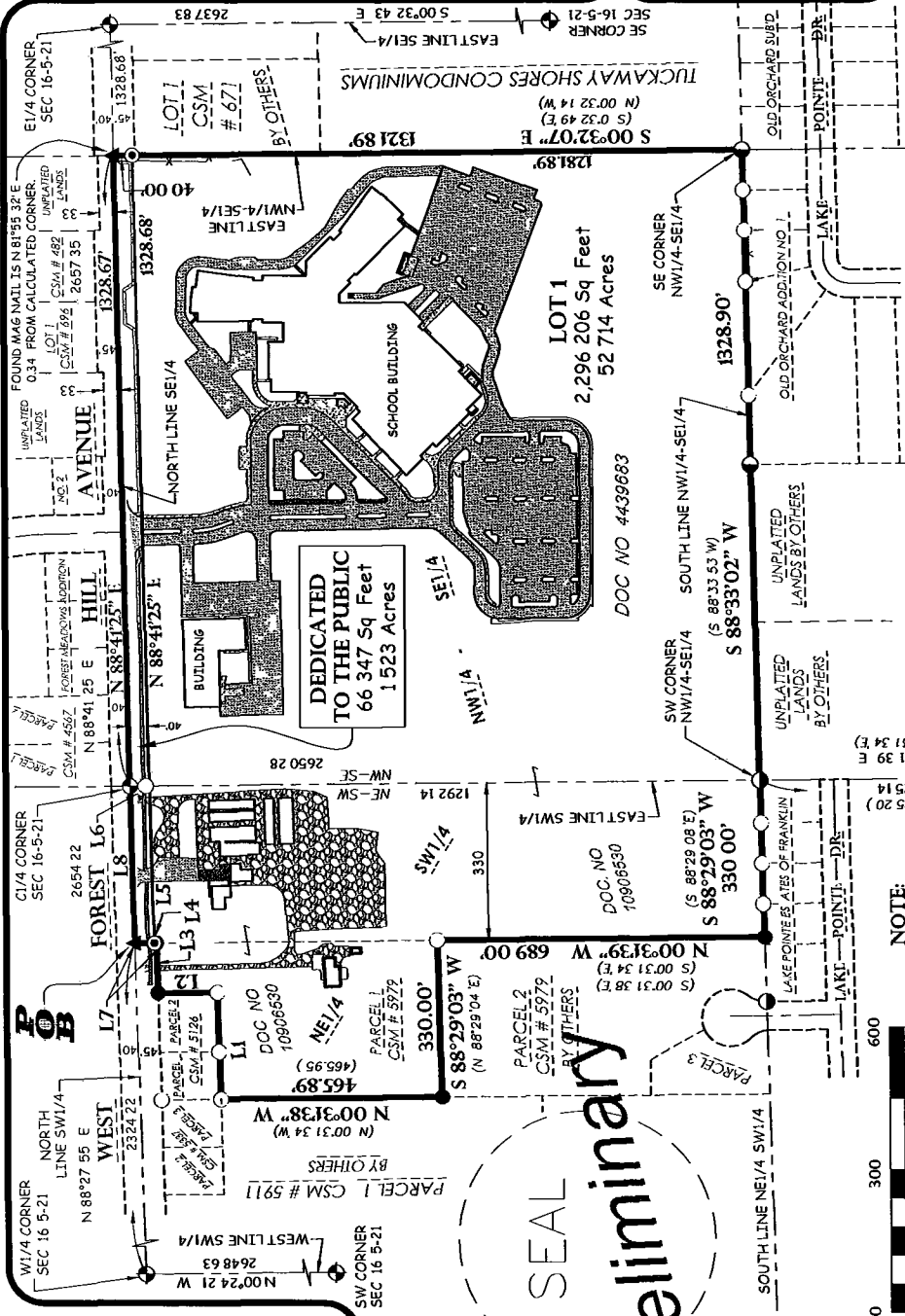
START here.

CERTIFIED SURVEY MAP

BEING A PART OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4, INCLUDING ALL OF PARCEL 1 OF CERTIFIED SURVEY MAP NO 5979 AND ALL OF THE NORTHWEST 1/4 OF SOUTHEAST 1/4, ALL IN SECTION 16, TOWNSHIP 5 NORTH, RANGE 21 EAST, CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN

FIELDWORK COMPLETED ON JAN 6 & 7 2020

SEAL
Preliminary

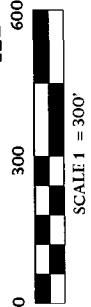


LINE TABLE

LINE	BEARING	DISTANCE	LINE	BEARING	DISTANCE
L1	N 88°27'55" E	225.00'	L5	N 88°27'55" E	330.00'
L2	N 00°31'39" W	125.02'	L6	N 00°31'39" W	33.01'
L3	N 88°27'55" E	105.00'	L7	N 00°31'39" W	45.01'
L4	N 00°31'39" W	5.00'	L8	N 88°27'55" E	330.00'

NOTE:
SEE LEGEND ON SHEET 2

NOTE:
SEE DETAILS ON SHEETS 2 & 3



BASIS FOR BEARINGS
THE NORTH LINE OF THE SW1/4 OF SEC. 16, T.5N R.21E WHICH BEARS N 88°27'55" E, AS REFERENCED TO THE WISCONSIN STATE PLANE CRD SYSTEM, SOUTH ZONE, NAD27

Land Surveying
Civil Engineering
Landscape Architecture
Jordan G Brost PLS #3099
5709 Wendy Drive, Suite D
S. Green Bay, WI 5482
715.244.9999 (m) / 7.3244.9922 (fx)

Point of Beginning

THIS INSTRUMENT WAS DRAFTED BY JORDAN BROST
AND DRAWN BY JORDAN BROST

FIELD BOOK 36 PAGE 42-43
JOB # 20700
SHEET 1 OF 6 SHEETS

CERTIFIED SURVEY MAP

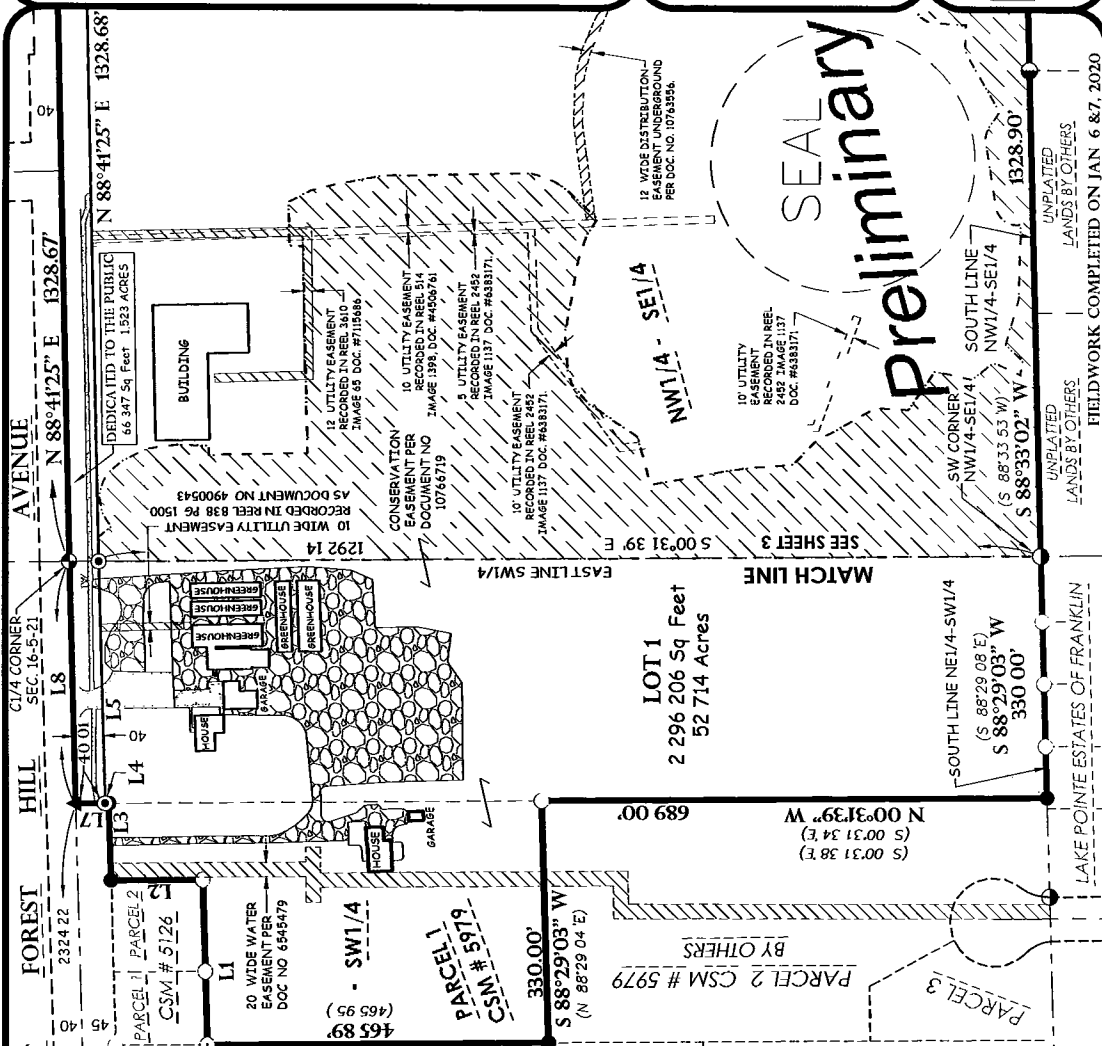
BEING A PART OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4, INCLUDING ALL OF PARCEL 1 OF CERTIFIED SURVEY MAP NO. 5979 AND ALL OF THE NORTHWEST 1/4 OF SOUTHEAST 1/4, ALL IN SECTION 16, TOWNSHIP 5 NORTH, RANGE 21 EAST, CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN

EXISTING EASEMENTS AND BUILDING DETAIL

- SCALE 1" = 200'
- LEGEND**
- 3/4" O D X 18 IRON BAR SET WEIGHING 150 LBS/LIN FT
 - 1-1/4" O D IRON PIPE FOUND
 - 2-1/4" O D IRON PIPE FOUND
 - 3/4" O D IRON BAR FOUND
 - 1-1/4" O D IRON BAR FOUND
 - MAG NAIL SET
 - MAG NAIL FOUND
 - BRASS CAP IN CONC. FOUND
 - RECORDED AS
 - GRAVEL AREA
 - BUILDINGS
 - ASPHALT AREAS
 - CONCRTE AREAS

BASIS FOR BEARINGS

THE NORTH LINE OF THE SW1/4 OF SEC. 16, T.5N. R.21E WHICH BEARS N 88°27'55"E AS REFERENCED TO THE WISCONSIN STATE PLANT CND SYSTEM, SOUTH ZONE, NAD27



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FIELD BOOK 36 PAGE 42-43

JOB # 20700

SHEET 2 OF 5 SHEETS

Land Surveying
Civil Engineering
Landscape Architecture
Jordan G. Brost PLS #3009
5709 Windy Drive, Suite D
3 Evans Point Way, S2422
7.3344792714, 715.3447922714

Point of Beginning

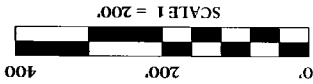
Preliminary

SEAL

CERTIFIED SURVEY MAP

BEING A PART OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4, INCLUDING ALL OF PARCEL 1 OF CERTIFIED SURVEY MAP NO. 5979 AND ALL OF THE NORTHWEST 1/4 OF SOUTHEAST 1/4, ALL IN SECTION 16, TOWNSHIP 5 NORTH, RANGE 21 EAST, CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN

EXISTING EASEMENTS AND BUILDING DETAIL

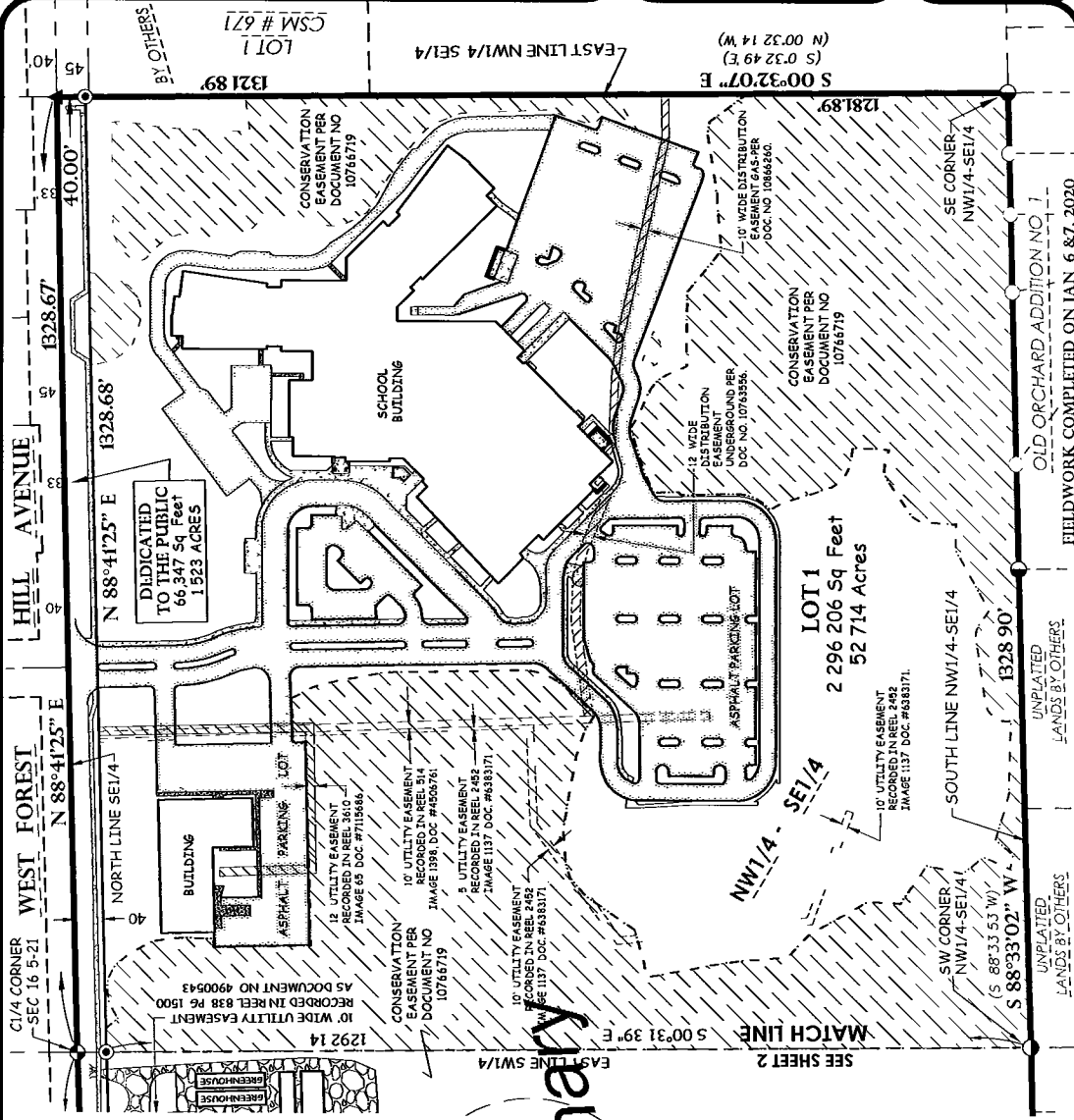


BASIS FOR BEARINGS

THE NORTH LINE OF THE SW1/4 OF SEC. 16, T. 5N, R. 21E, WHICH BEARS N 88°27'55"E AS REFERENCED TO THE WISCONSIN STATE PLANE CRD SYSTEM SOUTH ZONE, NAD27

SEAL

Preliminary



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FIELD BOOK 36 PAGE 42-43

JOB # 20.700

SHEET 3 OF 5 SHEETS

Land Surveying
Civil Engineering
Landscape Architecture
Jordan G. Brost PLS #3009
5709 Wendy Drive, Suite D
Franklin, WI 53120
734.999.9171 / 534.922.2121

Point of Beginning

NOTE: SEE LEGEND ON SHEET 2

UNPLATTED LANDS BY OTHERS

UNPLATTED LANDS BY OTHERS

FIELDWORK COMPLETED ON JAN 6 8 27, 2020

OLD ORCHARD ADDITION NO. 1

CERTIFIED SURVEY MAP

BEING A PART OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4, INCLUDING ALL OF PARCEL 1 OF CERTIFIED SURVEY MAP NO 5979 AND ALL OF THE NORTHWEST 1/4 OF SOUTHEAST 1/4, ALL IN SECTION 16, TOWNSHIP 5 NORTH, RANGE 21 EAST, CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN

Surveyor's Notes:

This Certified Survey Map is not intended to create any new lots but is intended to combine three adjoining parcels owned by Franklin Public Schools into 1 parcel. The following parcels that are to be combined in the City of Franklin are as follows:

- 1 Parcel No 839-9991-004 - Site Address 8459 W FOREST HILL AVE
- 2 Parcel No 839-9990-000 - Site Address 8429 W FOREST HILL AVE
- 3 Parcel No 838-9978-000 - Site Address 8255 W FOREST HILL AVE

Surveyor's Certificate

I, Jordan G Brost Professional Land Surveyor, hereby certify

That I have surveyed, divided, mapped and dedicated a part of the Northeast 1/4 of the Southwest 1/4 including all of Parcel 1 of Certified Survey Map No 5979 and all of the Northwest 1/4 of the Southeast 1/4 of Section 16, Township 5 North, Range 21 East, City of Franklin Milwaukee County Wisconsin described as follows:

Commencing at the West 1/4 corner of Section 16 Township 5 North, Range 21 East
Thence N 88°27'55" E along the North line of the Southwest 1/4 of said Section 16 2324 22 feet to the point of beginning (POB) of the parcel to be described
Thence continuing N 88°27'55" E along said North line, 330 00 feet to the Center 1/4 corner of said Section 16
Thence N 88°41'25" E along the North line of the Southeast 1/4 of said Section 16 1328 67 feet to the Northeast corner of the Northwest 1/4 of the Southeast 1/4 of said Section 16,
Thence S 00°32'07" E along the East line of the Northwest 1/4 of the Southeast 1/4 of said Section 16, 1321 89 feet to the Southeast corner thereof,
Thence S 88°33'02" W along the South line of the Northwest 1/4 of the Southeast 1/4 of said Section 16 1328 90 feet to the Southwest corner thereof
Thence S 88°29'03" W along the South line of the Northeast 1/4 of the Southwest 1/4 of said Section 16 330 00 feet to the Southeast corner of Parcel 2 of Certified Survey Map No 5979
Thence N 00°31'39" W along the East line of said Parcel 2, 689 00 feet to the Southeast corner of Parcel 1 of said Certified Survey Map No 5979,
Thence S 88°29'03" W along the South line of said Parcel 1, 330 00 feet to the Southwest corner thereof,
Thence N 00°31'38" W along the West line of said Parcel 1, 465 89 feet,
Thence N 88°27'55" E along the West line of said Parcel 1 225 00 feet,
Thence N 00°31'39" W along the West line of said Parcel 1, 125 02 feet to the Northwest corner of said Parcel 1 said point also being the South right-of-way line of West Forest Hill Avenue
Thence N 88°27'55" E along the North line of said Parcel 1 and said South right-of-way line, 105 00 feet to the Northeast corner of said Parcel 1,
Thence N 00°31'39" W, 45 01 feet to the point of beginning
Containing 2,362,553 Square Feet - 54 237 Acres

Subject to (if any) covenants, conditions, restrictions, right-of-ways and easements of record

That I have made such survey, land division and plat by the direction of James Milzer of Franklin Public Schools

That such plat is a correct representation of all exterior boundaries of the land surveyed and the subdivision thereof made

That I have fully complied with the provisions of Chapter 236 34 of the Wisconsin Statutes and the Subdivision Ordinances of the City of Franklin in surveying, dividing and mapping the same

Dated this _____ day of _____, 2020

Jordan G Brost
PLS No S-3009

SEAL
Preliminary

PREPARED BY

Point of Beginning, Inc.
4941 Kirschling Court
Stevens Point WI 54481

OWNER

FRANKLIN PUBLIC SCHOOLS
8255 W FOREST HILL AVE
FRANKLIN WI 53132-9705

CLIENT

FRANKLIN PUBLIC SCHOOLS
C/O JAMES MILZER
8255 W FOREST HILL AVE
FRANKLIN WI 53132-9705



Point of Beginning

Land Surveying
Civil Engineering
Landscape Architecture

Jordan G Brost PLS #3009

494 Kirschling Court
Stevens Point WI 54481
7 5.344.9999(Ph) 7 5.344.9922(F)

THIS INSTRUMENT WAS DRAFTED BY JORDAN BROST
AND DRAWN BY JORDAN BROST

FIELD BOOK 36 PAGE 42-43

JOB # 20700

SHEET 4 OF 5 SHEETS

CERTIFIED SURVEY MAP

BEING A PART OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4,
INCLUDING ALL OF PARCEL 1 OF CERTIFIED SURVEY MAP NO 5979 AND
ALL OF THE NORTHWEST 1/4 OF SOUTHEAST 1/4, ALL IN SECTION 16,
TOWNSHIP 5 NORTH, RANGE 21 EAST, CITY OF FRANKLIN, MILWAUKEE
COUNTY, WISCONSIN

Owner's Certificate of Dedication

As owner I hereby certify that I caused the land described on this Certified Survey Map to be surveyed,
divided dedicated and mapped as represented on the map I also certify that this Certified Survey Map is required by s236.34 to
be submitted to the following for approval or objections

City of Franklin

Witness the hand and seal of said owner this _____ day of _____ 2020

James Milzer-Representative of Franklin Public Schools, owner

STATE OF WISCONSIN)

COUNTY OF _____)

Personally came before me this ___ day of _____, 2020 the above named James Milzer Representative of
Franklin Public Schools, owner to me known to be the person who executed the foregoing instrument and hereby acknowledge
the same

Notary Public _____ Wisconsin

My commission expires _____

City of Franklin Common Council Approval

APPROVED and Dedication accepted by the Common Council of the City of Franklin by
Resolution No _____, dated on this _____ day of _____, 2020

APPROVED AND SIGNED

Steve Olson Mayor City of Franklin Date

Sandra L. Wesolowski City Clerk Date

PREPARED BY
Point of Beginning Inc
4941 Kirschling Court
Stevens Point WI 54481

OWNER
FRANKLIN PUBLIC SCHOOLS
8255 W FOREST HILL AVE
FRANKLIN WI 53132-9705

CLIENT
FRANKLIN PUBLIC SCHOOLS
C/O JAMES MILZER
8255 W FOREST HILL AVE
FRANKLIN WI 53132-9705

SEAL
Preliminary



Land Surveying
Civil Engineering
Landscape Architecture
Jordan G Brost PLS #3009
494 Kirschling Court
Stevens Point WI 54481
7.5.344.9999(PH) 7.5.344.9922(X)

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AND DRAWN BY JORDAN BROST

FIELD BOOK 36 PAGE 42-43

JOB # 20700

SHEET 5 OF 5 SHEETS

APPROVED JANUARY 7, 2020

CITY OF FRANKLIN COMMON COUNCIL MEETING DECEMBER 3, 2019 MINUTES

ROLL CALL

- A. The regular meeting of the Common Council was held on November 19, 2019 and called to order at 6:31 p.m. by Mayor Steve Olson in the Franklin City Hall Council Chambers, 9229 W. Loomis Road, Franklin, Wisconsin. On roll call, the following were in attendance: Alderman Mark Dandrea, Alderwoman Kristen Wilhelm, Alderman Steve F. Taylor, Alderman Mike Barber, and Alderman John R. Nelson. Alderman Dan Mayer is excused. Also present were City Engineer Glen Morrow, Dir. of Administration Mark Lubarda, City Attorney Jesse A. Wesolowski and Deputy City Clerk Shirley Roberts.

CITIZEN COMMENT

- B Citizen comment period was opened at 6:32 p.m. and closed at 6:33 p.m.

MINUTES NOVEMBER 19, 2019

- C. Alderwoman Wilhelm moved to approve the minutes of the regular Common Council meeting of November 19, 2019 as presented at this meeting. Seconded by Alderman Dandrea. All voted Aye; motion carried.

HEARINGS 2025 COMP MASTER PLAN 8429 & 8459 W. FOREST HILL AVE.

- D. A public hearing was called to order at 6:34 p.m. regarding a proposed Ordinance to amend the City of Franklin 2025 Comprehensive Master Plan to change the Future Land Use Map use designation for property generally located at 8429 and 8459 West Forest Hill Avenue, from Residential Use and Areas of Natural Resource Features Use to Institutional Use and Areas of Natural Resource Features Use (Franklin Public Schools, Applicant, Ronald S. Pesche and Susan D. Pesche, property owners). The public hearing was closed at 6:36 p.m.

MAYORAL APPOINTMENTS

- E.1. Alderman Dandrea moved to confirm the following Mayoral Appointments: James Schubilski, 7342 S. Cambridge Dr., (Ald. Dist. 2), 5-year term to the Board of Water Commissioners, expiring 09/30/24; and
Tourism Commission:
a) Hotel/Motel Industry Member: Lance A. Schaefer, Everest Hospitality, LLC, 6901 S 76th St. (Ald. Dist. 2), 1-year term expiring 12/31/2020.
b) Shaun Marefka, 7644 S. Mission Ct. (Ald. Dist. 2), 1-year term expiring 12/31/2020.
c) Amy Schermetzler, 4227 W. Central Ave. (Ald. Dist. 4), 1-year term expiring 12/31/2020.
d) Mark Wylie, 7468 Carter Circle S. (Ald. Dist. 5), 1-year term expiring 12/31/2020.

e) Ann Adamski, 7825 S. Stonebrook Ct. (Ald. Dist. 3), 1-year term expiring 12/31/2020.

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

Alderman Barber moved to confirm the Inspectors of Election and alternates for 2020 and 2021 as listed on the action request form dated 12/03/2019. Seconded by Alderwoman Wilhelm. On roll call, all voted Aye; motion carried.

ORD. 2019-2401
AMEND THE 2025
COMP MASTER PLAN
TO CHANGE FUTURE
LAND USE AT 8429 &
8459 W. FOREST HILL
AVE (FRANKLIN
PUBLIC SCHOOLS,
APPLICANT)

G.1 Alderman Dandrea moved to adopt Ordinance No. 2019-2401, AN ORDINANCE TO AMEND THE CITY OF FRANKLIN 2025 COMPREHENSIVE MASTER PLAN TO CHANGE THE CITY OF FRANKLIN 2025 FUTURE LAND USE MAP FOR PROPERTIES LOCATED AT 8429 AND 8459 WEST FOREST HILL AVENUE FROM RESIDENTIAL USE AND AREAS OF NATURAL RESOURCE FEATURES USE TO INSTITUTIONAL USE AND AREAS OF NATURAL RESOURCE FEATURES USE (APPROXIMATELY 13.974 ACRES) (FRANKLIN PUBLIC SCHOOLS, APPLICANT, RONALD S. PESCHE AND SUSAN D. PESCHE, PROPERTY OWNERS). Seconded by Alderman Barber. All voted Aye; motion carried.

ORD. 2019-2402
AMEND UDO TO
REZONE 8429 & 8459
W. FOREST HILL AVE.

G.2. Alderman Dandrea moved to adopt Ordinance No. 2019-2402, AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE (ZONING MAP) TO REZONE TWO PARCELS OF LAND FROM R-6 SUBURBAN SINGLE-FAMILY RESIDENCE DISTRICT TO I-1 INSTITUTIONAL DISTRICT (8429 AND 8459 WEST FOREST HILL AVENUE) (APPROXIMATELY 13.974 ACRES) (FRANKLIN PUBLIC SCHOOLS, APPLICANT, RONALD S. PESCHE AND SUSAN D. PESCHE, PROPERTY OWNERS) Seconded by Alderman Barber. All voted Aye; motion carried.

RES. 2019-7558
MODIFY JOHNS
DISPOSAL CONTRACT

G.3. Alderman Taylor moved to adopt Resolution No. 2019-7558, A RESOLUTION TO MODIFY JOHNS DISPOSAL SERVICES, INC. CONTRACT TO PROVIDE WEEKLY RECYCLING AND AUTOMATED GARBAGE SERVICES subject to technical corrections by City Attorney and City Engineer. Seconded by Alderman Nelson. All voted Aye; motion carried.

RES. 2019-7559
JSA ENVIRONMENTAL
AGREEMENT

G.4. Alderman Nelson moved to adopt Resolution No 2019-7559, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO EXECUTE AN AGREEMENT TO CONTINUE PROFESSIONAL ENVIRONMENTAL ENGINEERING SERVICES TO MONITOR COMPLIANCE AT THE METRO RECYCLING & DISPOSAL

APPROVAL <i>slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 05/04/21
REPORTS & RECOMMENDATIONS	<p align="center">AN ORDINANCE TO AMEND §15-3.0442 OF THE UNIFIED DEVELOPMENT ORDINANCE PLANNED DEVELOPMENT DISTRICT NO. 37 (THE ROCK SPORTS COMPLEX/BALLPARK COMMONS), TO INCREASE THE MAXIMUM PERMITTED SIGN FACE AREA OF APPROXIMATELY 750 SQUARE FEET TO 9,820 SQUARE FEET (DISTRIBUTED BETWEEN 29 SIGNS) FOR THE INDOOR SPORTS COMPLEX</p> <p align="center">(CHRISTOPHER D. BUDAY, RIVER ROCK PERFORMANCE PROPERTIES, LLC, APPLICANT)</p> <p align="center">(AT APPROXIMATELY 7095 SOUTH BALLPARK DRIVE)</p>	ITEM NUMBER <i>6.2.</i>

On May 22, 2021, the Plan Commission carried a motion to recommend approval of an Ordinance to amend §15-3 0442 of the Unified Development Ordinance Planned Development District No 37 (the Rock Sports Complex/Ballpark Commons), to increase the maximum permitted sign face area of approximately 750 square feet to 10,633 square feet (distributed between 29 signs) for the indoor sports complex (at approximately 7095 South Ballpark Drive), with a sign area reduction of 50% for the illuminated North ID wall sign. The vote was six ‘ayes’, no ‘noes’, no absents (6-0-0).

The applicant submitted revised a plan set and scope of work reducing the North ID wall sign from 1,615.25 sf to 802.50 sf following Plan Commission recommendation. The overall sign face area dropped from 10,633 sf to 9,820 sf.

COUNCIL ACTION REQUESTED

A motion to adopt Ordinance No. 2021-_____, an ordinance to amend §15-3.0442 of the Unified Development Ordinance Planned Development District No. 37 (The Rock Sports Complex/Ballpark Commons), to increase the maximum permitted sign face area of approximately 750 square feet to 9,820 square feet (distributed between 29 signs) for the indoor sports complex (Christopher D. Buday, River Rock Performance Properties, LLC, applicant) (at approximately 7095 South Ballpark Drive).

ORDINANCE NO. 2021-_____

AN ORDINANCE TO AMEND §15-3.0442 OF THE UNIFIED DEVELOPMENT
ORDINANCE PLANNED DEVELOPMENT DISTRICT NO. 37 (THE ROCK
SPORTS COMPLEX/BALLPARK COMMONS), TO INCREASE THE
MAXIMUM PERMITTED SIGN FACE AREA OF APPROXIMATELY 750
SQUARE FEET TO 9,820 SQUARE FEET (DISTRIBUTED BETWEEN 29 SIGNS)
FOR THE INDOOR SPORTS COMPLEX
(CHRISTOPHER D. BUDAY, RIVER ROCK
PERFORMANCE PROPERTIES, LLC, APPLICANT)
(AT APPROXIMATELY 7095 SOUTH BALLPARK DRIVE)

WHEREAS, Section 15-3.0442 of the Unified Development Ordinance provides for and regulates Planned Development District No. 37 (The Rock Sports Complex/Ballpark Commons), same having been created by Ordinance No. 2012-2089 and later amended by: Standards, Findings and Decision for a Special Exception to Certain Natural Resource Provisions Dated March 19, 2013; Ordinance No. 2013-2101; Ordinance No. 2016-2212; Ordinance No. 2017-2278, Ordinance No. 2018-2312, Resolution No. 2018-7339, Standards, Findings, and Decision for a Special Exception to Certain Natural Resource Provisions dated January 9, 2018, Ordinance No. 2018-2318, Ordinance No. 2018-2324, Ordinance No. 2018-2323 (re: Buildings B1 thru B4), Ordinance No. 2018-2333 and Ordinance No. 2019-2368, with such District primarily being located at 7095 South Ballpark Drive, bearing Tax Key Nos. 744-1003-000, 744-1004-000, 744-1005-000, 744-1006-000, 744-1007-000, 744-1008-000, 744-1009-000, 744-1010-000, 754-9002-000, 754-9006-000, 754-9007-000, 754-9008-000, 754-9010-000 and 754-9011-000, and is more particularly described below; and

WHEREAS, Planned Development District No. 37 (The Rock Sports Complex/Ballpark Commons) currently includes those lands legally described as follows:

PART OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4; THE NORTHEAST 1/4, NORTHWEST 1/4, SOUTHEAST 1/4, AND SOUTHWEST 1/4 OF THE SOUTHEAST 1/4; AND THE SOUTHEAST 1/4 AND SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 4, TOWNSHIP 5 NORTH, RANGE 21 EAST, AND THE NORTHEAST 1/4 AND SOUTHEAST 1/4 OF THE NORTHWEST 1/4; AND THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 9, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN; COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHEAST 1/4 OF SECTION 4; THENCE NORTH 88°42'47" EAST ALONG THE SOUTH

LINE OF SAID SOUTHEAST 1/4 SECTION, 1452.10 FEET TO LOOMIS ROAD (STATE TRUNK HIGHWAY "36") REFERENCE LINE AS SHOWN IN WISCONSIN DEPARTMENT OF TRANSPORTATION PLAT OF RIGHT OF WAY PROJECT NUMBER F064-I(5)/2240-02-22, DATED JULY 3, 1956 AND THE POINT OF BEGINNING; THENCE SOUTH 49°45'51" WEST ALONG SAID REFERENCE LINE, 908.15 FEET TO A POINT OF CURVE; THENCE SOUTHWESTERLY 1280.09 FEET ALONG SAID REFERENCE LINE AND ALONG THE ARC OF SAID CURVE TO THE LEFT, WHOSE RADIUS IS 3819.72 FEET AND WHOSE CHORD BEARS SOUTH 40°09'15" WEST, 1274.10 FEET TO A POINT OF TANGENCY; THENCE SOUTH 30°33'51" WEST ALONG SAID REFERENCE LINE, 912.57 FEET; THENCE NORTH 59°26'09" WEST, 146.77 FEET TO THE SOUTHEAST CORNER OF STONE HEDGE SUBDIVISION ADDITION NO. 1; THENCE NORTH 00°11'17" WEST ALONG THE EAST LINE OF SAID STONE HEDGE SUBDIVISION ADDITION, 2266.74 FEET TO THE NORTH RIGHT OF WAY LINE OF WEST RAWSON AVENUE; THENCE NORTH 88°31'09" EAST ALONG SAID NORTH RIGHT OF WAY LINE 393.64 FEET; THENCE NORTH 76°43'11" EAST 212.76 FEET TO A POINT ON THE EAST LINE OF PARCEL 1 OF CERTIFIED SURVEY MAP NO. 3107; THENCE NORTH 00°21'06" WEST ALONG THE EAST LINE OF SAID PARCEL 1 AND ALONG THE EAST LINE OF LOTS 14, 13, AND 12 OF BLOCK 1 OF WHITNALL VIEW SUBDIVISION ADDITION NO. 1, 809.21 FEET TO THE NORTHEAST CORNER OF SAID LOT 12; THENCE SOUTH 88°41'11" WEST ALONG THE NORTH LINE OF SAID LOTS 12 AND 11 OF SAID WHITNALL VIEW SUBDIVISION ADDITION, 484.57 FEET TO THE NORTHWEST CORNER OF SAID LOT 11; THENCE NORTH 00°21'07" WEST ALONG THE EAST LINE OF LOTS 10 AND 9 OF SAID WHITNALL VIEW SUBDIVISION, 400.06 FEET TO THE NORTHEAST CORNER OF SAID LOT 9, SAID POINT BEING ON THE NORTH LINE OF THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SAID SECTION; THENCE NORTH 88°41'11" EAST ALONG SAID NORTH LINE, 544.58 FEET TO THE EAST LINE OF SAID SOUTHWEST 1/4 OF SECTION 4; THENCE SOUTH 00°21'07" EAST ALONG SAID EAST LINE OF SAID SOUTHWEST 1/4, 35.86 FEET; THENCE NORTH 88°42'30" EAST, 662.58 FEET TO A POINT ON THE WEST LINE OF THE EAST 1/2 OF THE WEST 1/4 OF SAID 1/4 SECTION; THENCE NORTH 00°22'39" WEST, 1349.21 FEET; THENCE NORTH 88°33'16" EAST 1252.39, FEET; THENCE SOUTH 00°19'12" EAST, 367.35 FEET; THENCE NORTH 54°02'33" EAST, 648.24 FEET; THENCE NORTH 88°33'16" EAST, 204.06 FEET TO THE EAST LINE OF SAID NORTHEAST 1/4 OF SECTION 4, BEING THE CENTERLINE OF SOUTH 76TH STREET; THENCE SOUTH 00°19'12" EAST ALONG SAID EAST LINE, 519.27 FEET TO THE SOUTHEAST CORNER OF SAID NORTHEAST 1/4 OF SECTION 4; THENCE SOUTH 00°25'03" EAST ALONG THE EAST

LINE OF SAID SOUTHEAST 1/4 OF SECTION 4, 1659.84 FEET TO SAID REFERENCE LINE; THENCE SOUTH 49°45'51" WEST ALONG SAID REFERENCE LINE, 1561.74 FEET TO THE POINT OF BEGINNING. CONTAINING IN ALL 8,951,502 SQUARE FEET (205.498 ACRES) OF LAND, MORE OR LESS.

WHEREAS, Christopher D. Buday, River Rock Performance Properties, LLC, having petitioned for a further amendment to Planned Development District No. 37 (The Rock Sports Complex/Ballpark Commons) to revise the District to allow for an increase in the total sign face area for the new Indoor Sports Complex located at 7095 South Ballpark Drive (the Municipal Code allows a maximum sign face area of approximately 750 square feet and the applicant is proposing 9,820 square feet distributed in 29 signs); and

WHEREAS, the City of Franklin Plan Commission on the 8th day of April, 2021, having reviewed the proposed amendment to Planned Development District No. 37 and thereafter having recommended to the Common Council that the proposed amendment be approved subject to the conditions and restrictions included herewith; and

WHEREAS, the Common Council having considered the petition and having concurred with the recommendation of the Plan Commission, and having determined that the proposed amendment to Planned Development District No. 37 (The Rock Sports Complex/Ballpark Commons) is consistent with the 2025 Comprehensive Master Plan of the City of Franklin, Wisconsin, and that it will promote the health, safety and welfare of the Community.

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

SECTION 1: Section 15-3.0102 (Zoning Map) of the Unified Development Ordinance of the City of Franklin, Wisconsin, as previously amended, is hereby amended specifically and only with regard to the Planned Development District No. 37 Indoor Sports Complex building and use and property located at 7095 South Ballpark Drive, to allow for an increase in the total sign face area for the new Indoor Sports Complex located at 7095 South Ballpark Drive (the Municipal Code allows a maximum sign face area of approximately 750 square feet and the applicant is proposing 9,820 square feet distributed in 29 signs).

SECTION 2: Section 15-3.0442A.D.1.e. of the Unified Development Ordinance

of the City of Franklin, Wisconsin, is hereby amended as follows: replace “All signs must be in accordance with the Municipal Code, as amended, and approved by the Architectural Review Board, or as approved by the Plan Commission on an individual site plan basis, and subject to issuance of a Sign Permit through the Inspection Department.” with “All signs will be of construction and style in accordance with the Municipal Code, as amended, and approved by the Architectural Review Board, or approved by the Plan Commission subject to the included criteria for the amended Planned Development District square footage (combined 9,820.67 square feet signage and graphic panels). All signs are subject to issuance of a Sign Permit [through] the Inspection Department. In addition thereto, and specifically and only with regard to the Planned Development District No. 37 Indoor Sports Complex building and use and property located at 7095 South Ballpark Drive, signs may be approved for up to a maximum of a combined 9,820.67 square feet of signage and graphic panels, upon the Indoor Sports Complex building and use and property located at 7095 South Ballpark Drive.”

SECTION 3: All other applicable terms and provisions of §15-3.0442, shall apply to the subject Christopher D. Buday, River Rock Performance Properties, LLC Planned Development District No. 37 (The Rock Sports Complex/Ballpark Commons) district revisions for the Indoor Sports Complex building and use and property located at 7095 South Ballpark Drive, and all terms and provisions of §15-3.0442 as existing immediately prior to the adoption of this Ordinance, except as amended hereunder, shall remain in full force and effect.

SECTION 4: The terms and provisions of this ordinance are severable. Should any term or provision of this ordinance be found to be invalid by a court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

SECTION 5: All ordinances and parts of ordinances in contravention to this ordinance are hereby repealed.

SECTION 6: This ordinance shall take effect and be in force from and after its passage and publication.

Introduced at a regular meeting of the Common Council of the City of

ORDINANCE NO. 2021-____

Page 5

Franklin this _____ day of _____, 2021, by Alderman
_____.

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 _____



CITY OF FRANKLIN



REPORT TO THE PLAN COMMISSION

Meeting of April 22, 2021

Planned Development District (PDD) No. 37 Amendment

RECOMMENDATION: City Development staff recommends denial of the proposed amendment to Planned Development District (PDD) No. 37.

Project Name:	Ballpark Commons (PDD No 37) Planned Development District Amendment for the MOSH Building outdoor signage
Project Address:	7095 S Ballpark Drive Midwest Orthopedic Specialty Hospital (MOSH Building)
Applicant:	Christopher David Buday
Agent:	Michael Dlugi Sign Effectz, Inc
Property Owner:	BPC County Land LLC (A WI LLC)
Current Zoning:	Planned Development District No 37
2025 Comprehensive Plan:	Mixed Use
Use of Surrounding Properties:	Parking lot to the north, S Ballpark Drive to the east, Rawson Avenue to the south and residential single-family (Whitnall View subdivision) to the west
Applicant's Action Requested:	Recommendation to the Common Council for approval of Planned Development District amendment to increase the maximum outdoor signage area to 10,663 sf
Planner:	Régulo Martinez-Montilva, Principal Planner

Introduction:

This application was presented before this Plan Commission at the previous meeting on April 8, the commission carried a motion to *refer back to staff the applicant's request for revisions in coordination with the applicant and bring the revised requested ordinance to amend §15-3 0442 of the unified development ordinance planned development district no 37 (the rock sports complex/ballpark commons), to increase the maximum permitted sign face area of approximately 750 square feet for the indoor sports complex*, the vote was 6-0-0

The applicant submitted a revised proposal on April 14 with the following changes:

- The total signage area has been decreased from 12,507 sf to 10,663 sf, with a total of 29 signs instead of 38
- The four (4) west graphic panels have been removed
- The quantity of south opening graphics has been reduced from eleven (11) to six (6) with an intermittent pattern

As noted in the previous report, the applicant is requesting to amend the Planned Development District (PDD) No. 37 (The Rock Sports Complex/Ballpark Commons) Section 15-3.0442A D 1 e "Signs" which currently states as follows

“All signs must be in accordance with the Municipal Code, as amended, and approved by the Architectural Review Board, or as approved by the Plan Commission on an individual site plan basis, and subject to issuance of a Sign Permit through the Inspection Department ”

Below is the amendment proposed by the applicant:

“All signs will be of construction and style in accordance with the municipal code, as amended, and approved by the Architectural Review Board, or approved by the plan commission subject to the included criteria for the amended PDD square footage (combined 10,633.42 sq feet signage and graphic panels) All signs are subject to issuance of a Sign Permit [through] the Inspection Department.”

The intent of this amendment is to increase the total sign face area for the new Indoor Sports Complex also known as MOSH Building located at 7095 S Ballpark Drive. In fact, the Municipal Code allows a maximum sign face area of approximately 750 square feet (sf) based on a factor of 1.5 of building frontage per §210-4.C(d), while the applicant is now proposing 10,633 sf distributed in 29 signs

Neither a sign variance nor a master sign program can allow such increase, so an amendment to the PDD is required. Planned Development District amendments need review and recommendation of the Plan Commission and Common Council approval.

Project Description and Analysis:

City Development staff noted four (4) concerns in the previous staff report: traffic safety, land use compatibility, content neutrality and equal protection. The land use compatibility issue has been addressed by removing the west graphic panels, but the following still apply to this PDD amendment:

- **Traffic safety.** Even though the proposed signage facing Rawson Avenue has been reduced, it is still over 1,877 sf (not including the south tenant sign), which is more than 2 times the permitted as of right signage area for the entire building (750 sf). The signage facing Rawson Avenue includes: South ID wall sign (1,615 sf), 6 South opening graphics (262 sf total), and the south tenant sign (1.5 factor of tenant fascia)

As noted in the previous staff report, “traffic safety is broadly accepted as a reasonable ground for sign regulations by courts” (Kelly, 1989). Excessive amount of signage may create a traffic safety hazard, especially for Rawson Avenue and South Ballpark Drive. Per report prepared by the Wisconsin Department of Transportation in 2003, “some studies conclude that extra-vehicular distraction cause crashes” and this is particularly important for Rawson Avenue which registered an AADT (annual average daily traffic) of 9,100 in 2017 and it is expected to increase with the new Ballpark Commons Development. Additionally, Section 178-5 of the Municipal Code lists signs near streets as “public nuisance affecting peace and safety”. For these reasons, the Municipal Code Chapter 210 “Signs” limits the sign face area based on building frontage.

- **Content neutrality.** An ordinance that classifies signs by their use, for example regular signs and non-advertising graphic panels, is content-based and therefore it is unconstitutional per *North Olmstead Chamber of Commerce v City of North Olmstead* (N.D. Ohio 2000) (American Planning Association, 2006) The Municipal Code does not have a definition for non-advertising signage or graphic panels, so the graphic panels described in this application should be considered as regular wall signs
- **Equal protection.** The proposed amendment is still increasing the amount of permitted sign area by more than 1,300%, it is an excessive increase compared to a sign variance (20%) or master sign program (100%). The resulting signs would exceed by far the maximum permitted sign area for other properties in the rest of the city. The applicant's justification for such increase is "to beautify and identify the building as part of The Rock Sports development and direct patients, visitors and customers to the appropriate areas while also improving bleak areas of the exposed bare building elevations"

Staff Recommendation:

City Development staff recommends denial of the proposed amendment to Planned Development District (PDD) No. 37 for the reasons noted above.

OR

Alternatively, if the Plan Commission wishes to recommend approval, staff suggests to reduce the total amount of sign area:

- The area of each graphic panel (north and east) of 871 sf exceeds the total maximum permitted sign for the entire building per Municipal Code Reducing the size or quantity of these panels would increase compliance of this proposal with the Municipal Code
- Likewise, the area of each ID Wall signs (north and south) of 1,615 sf is more than the double of the maximum permitted sign for the entire building.

The ordinance attached to this packet is drafted based on the applicant's proposal as presented, the total signage square footage would need to be updated at the discretion of the Plan Commission as necessary.

References

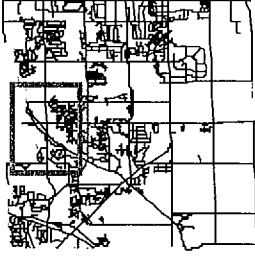
Kelly, Eric Damian 1989 *Sign Regulation for Small and Midsize Communities* Planning Advisory Report No 419 Chicago American Planning Association

Wisconsin Department of Transportation June 10, 2003 "Electronic Billboards and Highway Safety", *Transportation Synthesis Report*

American Planning Association 2006 "Legal Issues in Sign Regulation", *Planning and Urban Design Standards*

Franklin Public Property Viewer

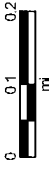
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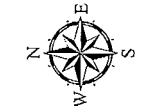
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	Building
	City Boundary
	Condo
	CSM
	Easement
	Elementary District
	Environmental Corridor
	FEMA DFRM Flood Zone A
	FEMA DFRM Flood Zone AE
	FEWA 0.2% Annual Chance
	Parcel
	Park
	Pavement
	County or State Hwy
	Local Road
	Road Right of Way
	School District
	Welland

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	A-2
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Map Printed 3/15/2021

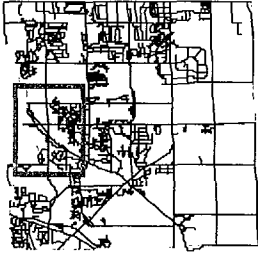


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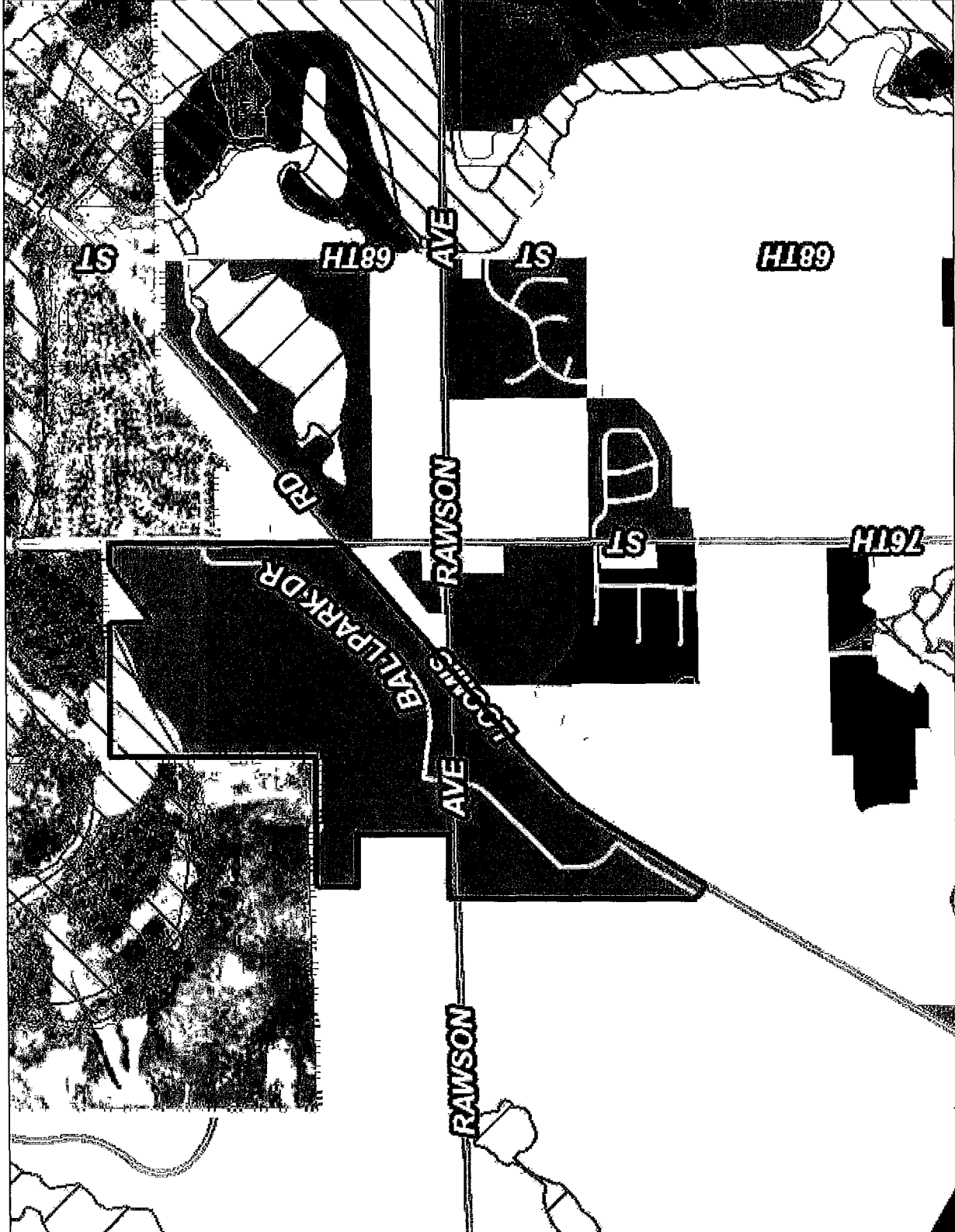
Overview Map



	Alcornoque District
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	City Boundary
	Condo
	CSM
	Easement
	Elementary District
	Environmental Corridor
	FEMA DFIRM Flood Zone A
	FEMA DFIRM Flood Zone AE
	FEMA 0.2% Annual Chance
	Parcel
	Park
	Pavement
	County or State Hwy
	Local Road
	Road Right-of-Way
	School District
	Wetland

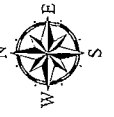
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	PDD
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	R-8
	RC 1
	VB
	VR

Legend includes layers even if they are not visible on the map.



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Purpose and Intent of PDD Minor Amendment

The MOSH building and tenant build-out space signage and graphic panels are intended to beautify and identify the building as part of The Rock Sports development and direct patients, visitors and customers to the appropriate areas while also improving bleak areas of the exposed bare building elevations

We propose to fabricate and install new signage for identification of businesses and their locations relative to driving, parking and entering

Purpose and Intent of this signage and graphics package is twofold

- 1 Signage
 - a To identify the business and/or businesses open and operating within the buildings and where to find them
- 2 Graphic Panels
 - a To beautify the exterior of the building and add imagery to several large open barren walls that otherwise would be a stark wall elevation

Total cost associated with all signage and graphic panels requested is \$350,000 00

Wednesday, April 28th, 2021

Roc Ventures MOSH BUILDING SIGN PACKAGE

Project Detail Summary

NORTH MONUMENT

- Single Faced
 - Internally illumination with routed copy
 - One Cabinet 47" x 120" (39 17 sf)
 - Second Cabinet 24" x 120" (20 sf)
- Masonry Base

NORTH SECONDARY ID WALL SIGN

- Individually illuminated channel letters
 - 43" x 367" (109 59 sf)

EAST ID SIGN

- Individually illuminated channel letters
 - 49" x 367" (143 26 sf)

SOUTH ID WALL SIGN

- Individually illuminated channel letters
 - 164 6" x 1413 1" (1,615 25 sf)

NORTH ID WALL SIGN

- Individually illuminated channel letters
 - 116" x 996 25" (802 5 sf)

ELIMINATED

WEST GRAPHIC PANELS

- ~~Quantity Four (4)~~
 - ~~Non-lit frames and faces~~
 - ~~365 6" x 160" (406 22 sf Each Panel)~~

SOUTH OPENINGS – LOGO GRAPHIC PANELS

- Quantity Six (6)

Sign

SCOPE

1827 W Glendale Ave. Milwaukee WI 53209

Wednesday, April 28th, 2021

- Non-lit frames and vinyl graphics
- Opening overall sized - 144" x 180" (175 sf Each Opening)
25% Allowable for Graphics (43 75 sf)
- $6 \times 43.75 = 262.5$ sf Total

NORTH GRAPHIC PANELS

- Quantity Four (4)
 - Non-lit frames and faces
 - 309 4" x 405 7" (871 69 sf Each Panel)

EAST GRAPHIC PANELS

- Quantity Five (5)
 - Non-lit frames and faces
 - 309 4" x 405 7" (871 69 sf Each Panel)

SOUTH ELEVATION TENANT SIGNAGE

- 1 5 Square foot of signage per linear foot of tenant fascia along the south building elevation

NORTH ELEVATION TENANT SIGNAGE

- 1 5 Square foot of signage per linear foot of tenant fascia along the south building elevation

TOTAL SIGNAGE SQUARE FOOTAGE

10,837 5 sq feet combined area of signage and graphics (non-copy/
advertising) panels

e Signs

All signs will be of construction and style in accordance with the municipal code, as amended, and approved by the Architectural Review Board, or approved by the plan commission subject to the included criteria for the amended PDD square footage (combined 10,663 42 sq feet signage and graphic panels) All signs are subject to issuance of a Sign Permit through the Inspection Department On-site directional signage may be allowed in any area needed to control traffic or parking provided such signage has received approval from the Architectural Review Board or the Plan Commission appropriate

Interior Signage associated with the stadium, the ballfields, the indoor/outdoor golf facility, and the indoor baseball facility, if not visible to the general public located outside The Rock Sports Complex (not withstanding minor or indirect views of such signage), shall be permitted and in addition to, whatever amount of signage as may be allowed by the Municipal Code, subject to Plan Commission approval of associated site plans

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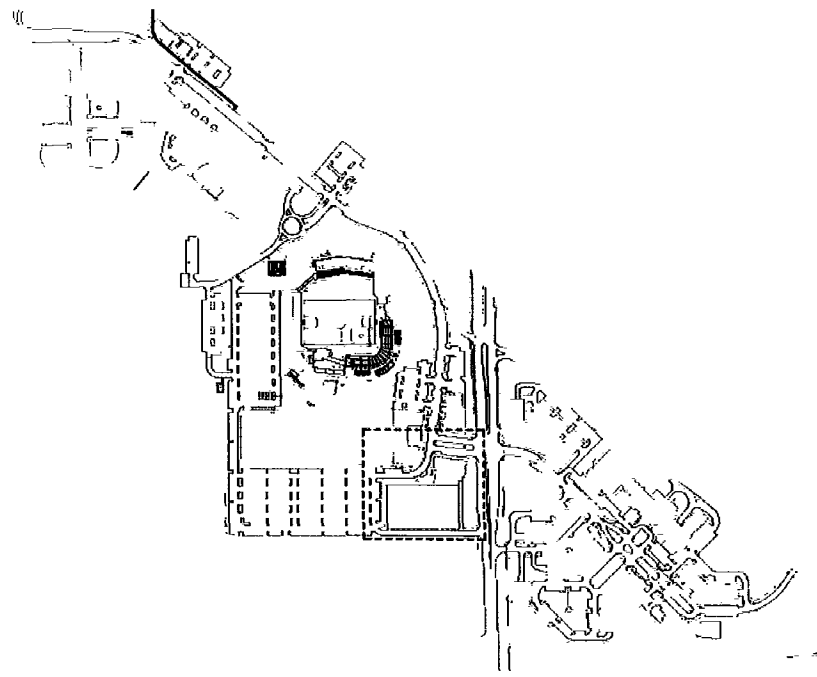
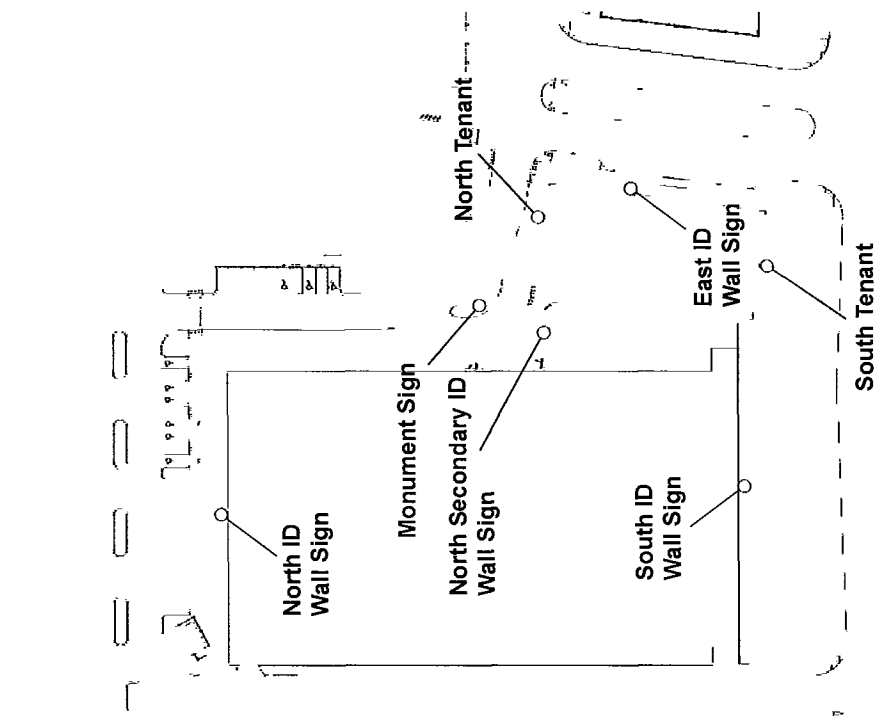
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 Hospital Performance Center
 Fab & Install Description**

Project Address:
 MOOSH
 2095 S. Ballpark Drive, Suite 100
 Franklin, WI 53132

Rev.	Description	Date	Int.
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02	Revisions per Review	04/27/21	JPG
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Concept Notes:
Site Plan Exterior Signage

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 CONCEPT RELEASE NO: 01 PKG: 03 REV: 02
 ESTIMATE QUOTE NO: X



SITE PLAN EXTERIOR SIGNAGE

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 Fab & Install Description**

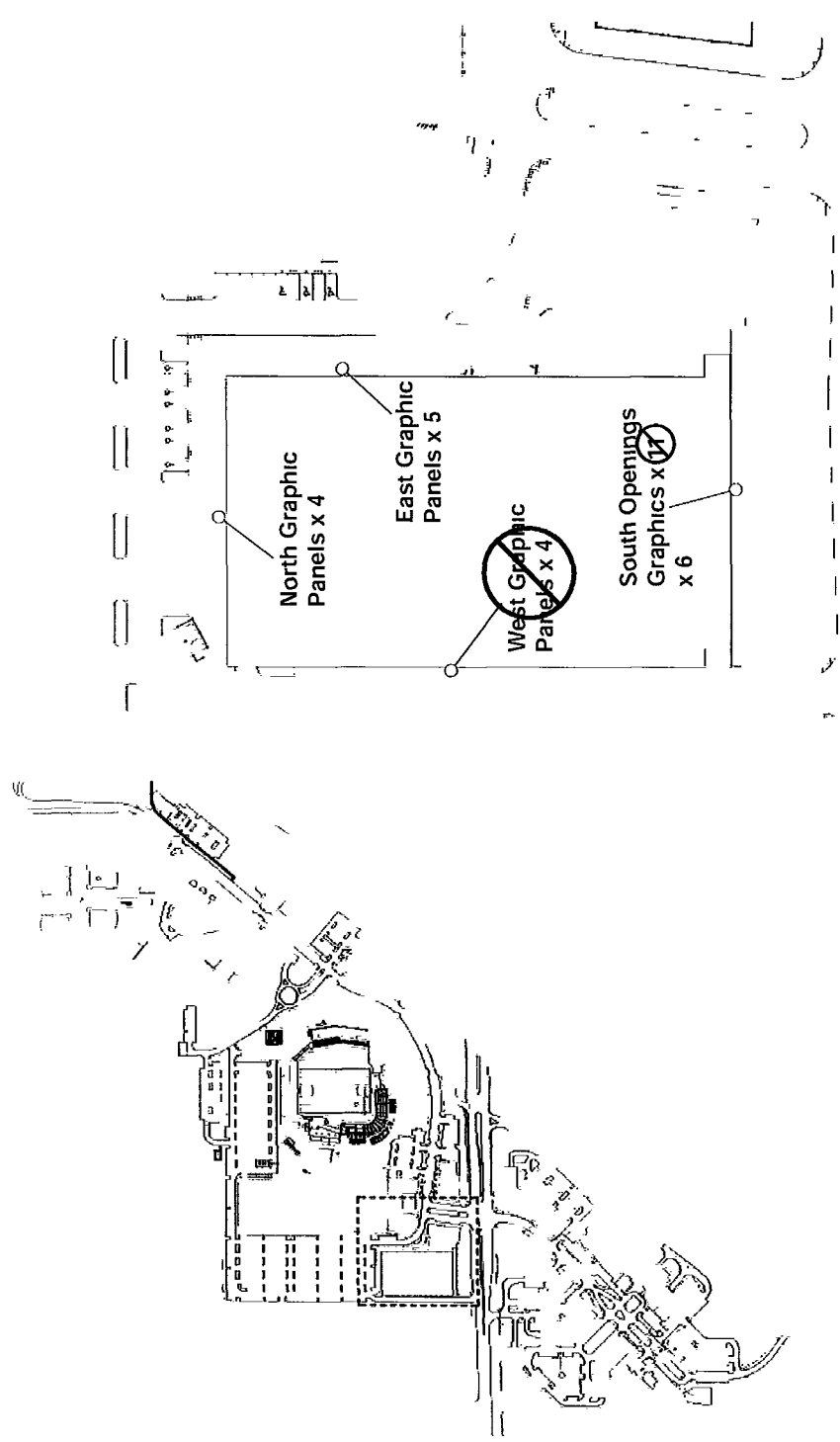
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 Franklin, WI 53132

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Concept Notes:

**Site Plan Graphic Panel
 Signage**

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SITE PLAN GRAPHIC PANEL SIGNAGE

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**Midwest Orthopedic Specialty
Hospital Performance Center**

Fab & install
 Monument, routed face
 push thru acrylic w/.5 exposed
 perf and trans vinyls.
 Channel letters, Stand offs,
 Face lit / halo lit, Translucent vinyls

Project Address:

WOSH
 7095 S Ballpark Drive, Suite 100
 Franklin WI 53132

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ESTIMATE QUOTE NO: X

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North Monument, North Secondary ID

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**Midwest Orthopedic Specialty
Hospital Performance Center**

Fab & Install

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- push thru acrylic w/ /S exposed
- perf and trans vinyls
- Channel letters, Stand offs
- Face lit / halo lit, Translucent vinyls

Project Address:

MOSH
 2095 S. Ballpark Drive, Suite 100
 Franklin, WI 53132

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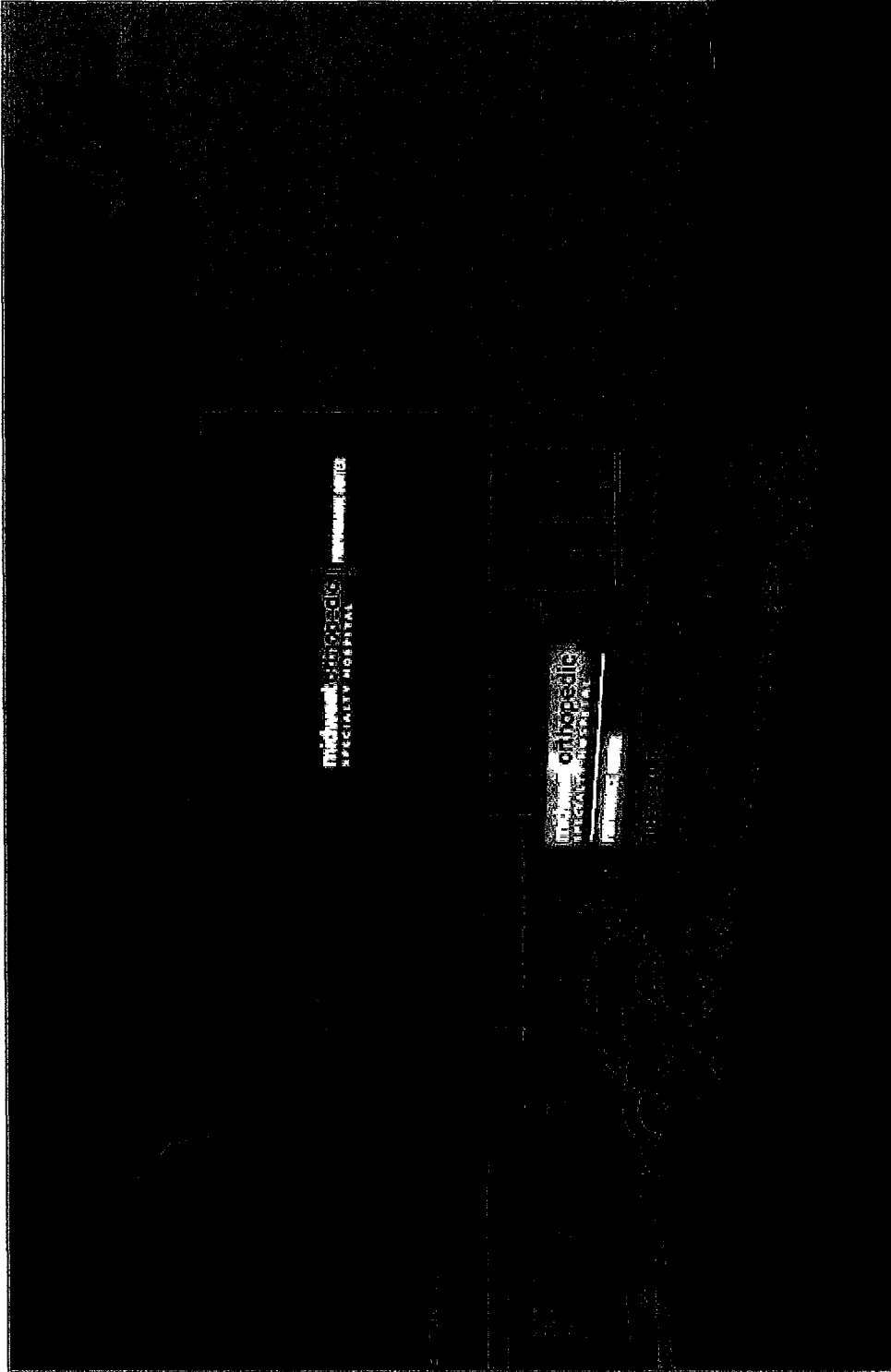
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ESTIMATE QUOTE NO: X



North Monument, North Secondary ID, simulated night view

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**Midwest Orthopedic Specialty
Hospital Performance Center**

Fab & Install:
 Monument, routed face
 push thru acrylic w/5 exposed,
 perf and trans vinyls.

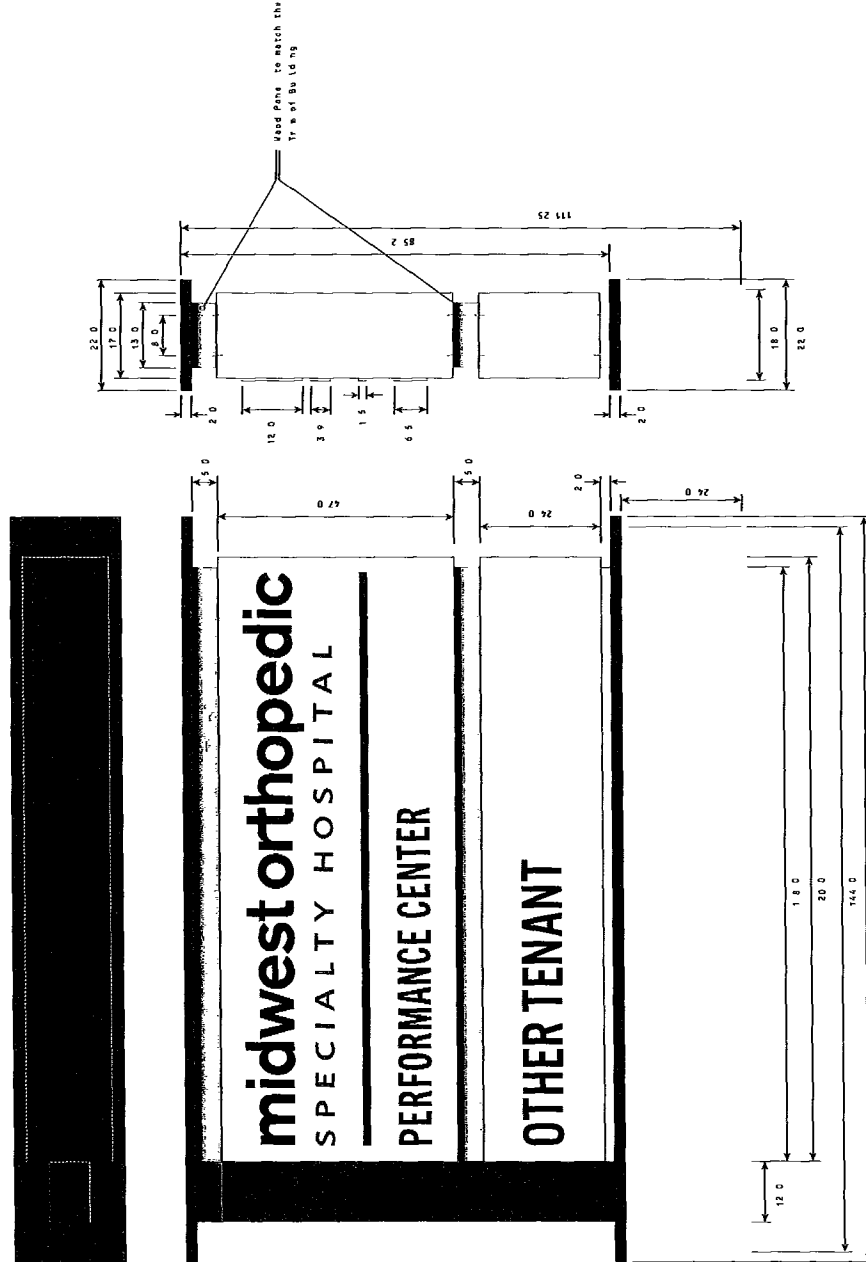
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 Franklin, WI 53132

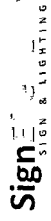
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 CONCEPT RELEASE NO: 01 | PKG: 03 | REV: 02
 ESTIMATE/QUOTE NO: X



North Monument 1/2" = 1' 0" scale



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 414.241.5500
 414.241.5504
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 Channel letters, Stand offs
 Face lit / halo lit, Translucent vinyls

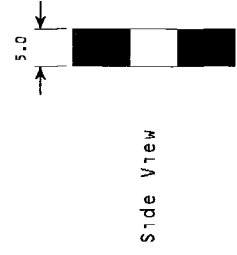
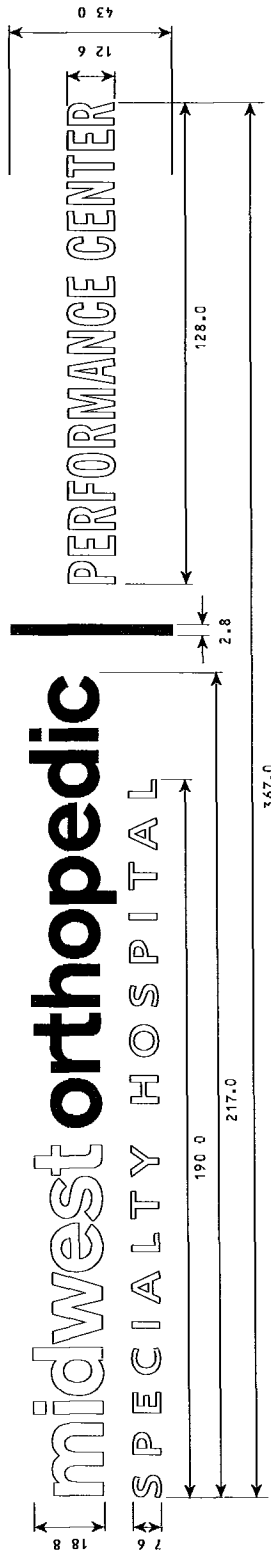
Project Address:
 MCSH
 7095 S Ballpark Drive, Suite 100
 Franklin WI 53132

Rev	Description	Date	Int
01	Revisions per Review	04.12.21	JPG
02	Revisions per Review	04.27.21	JPG
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Concept Notes

PROJECT NUMBER 11880287
 DRAWN BY: JPG CHECK BY: X MGR: JCB
 DATE: 12/10/20 SCALE: 3/8" = 1' 0"
 SIZE: B 1 CONCEPT NO: C-06 SHEET NO:
 CONCEPT RELEASE NO: 01 PKG: 03 REV: 02
 ESTIMATE/QUOTE NO: X

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North Secondary ID 3/8" - 1 0 scale

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 LOCAL CODES THAT INCLUDE THE PROJECT NUMBER AND ENDING OF THE SIGN

**Midwest Orthopedic Specialty
 Hospital Performance Center**

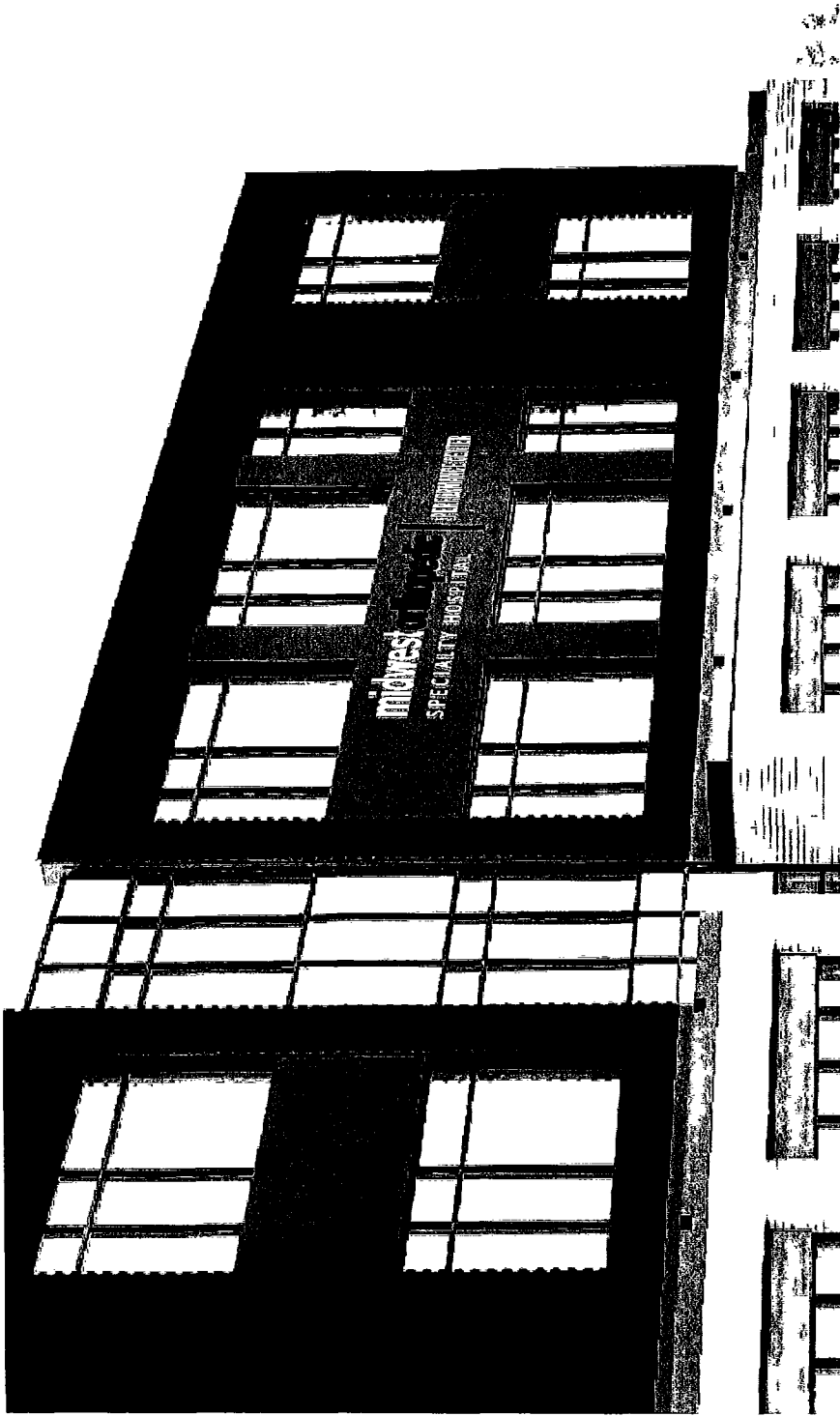
Fab & Install
 Channel letters, Stand offs,
 Face lit / halo lit, Translucent vinyls

Project Address:

MOSH
 7095 S. Bailpark Drive Suite 100
 Franklin WI 53132

Rev	Description	Date	Ink
01	Revisions per Review	04 12 21	JPG
02	Revisions per Review	04 27 21	JPG
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Concept Notes



PROJECT NUMBER 11880287

DRAWN BY: JPG CHECK BY: X MGR: JCB

DATE: 12/10/20 SCALE: XX = 1 0

SIZE: B 1 CONCEPT NO: C_07 SHEET NO:

CONCEPT RELEASE NO: 01 PKG: 03 REV: 02

ESTIMATE/QUOTE NO: X

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East ID

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Fab. & Install:
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Face lit / halo lit, Translucent vinyls

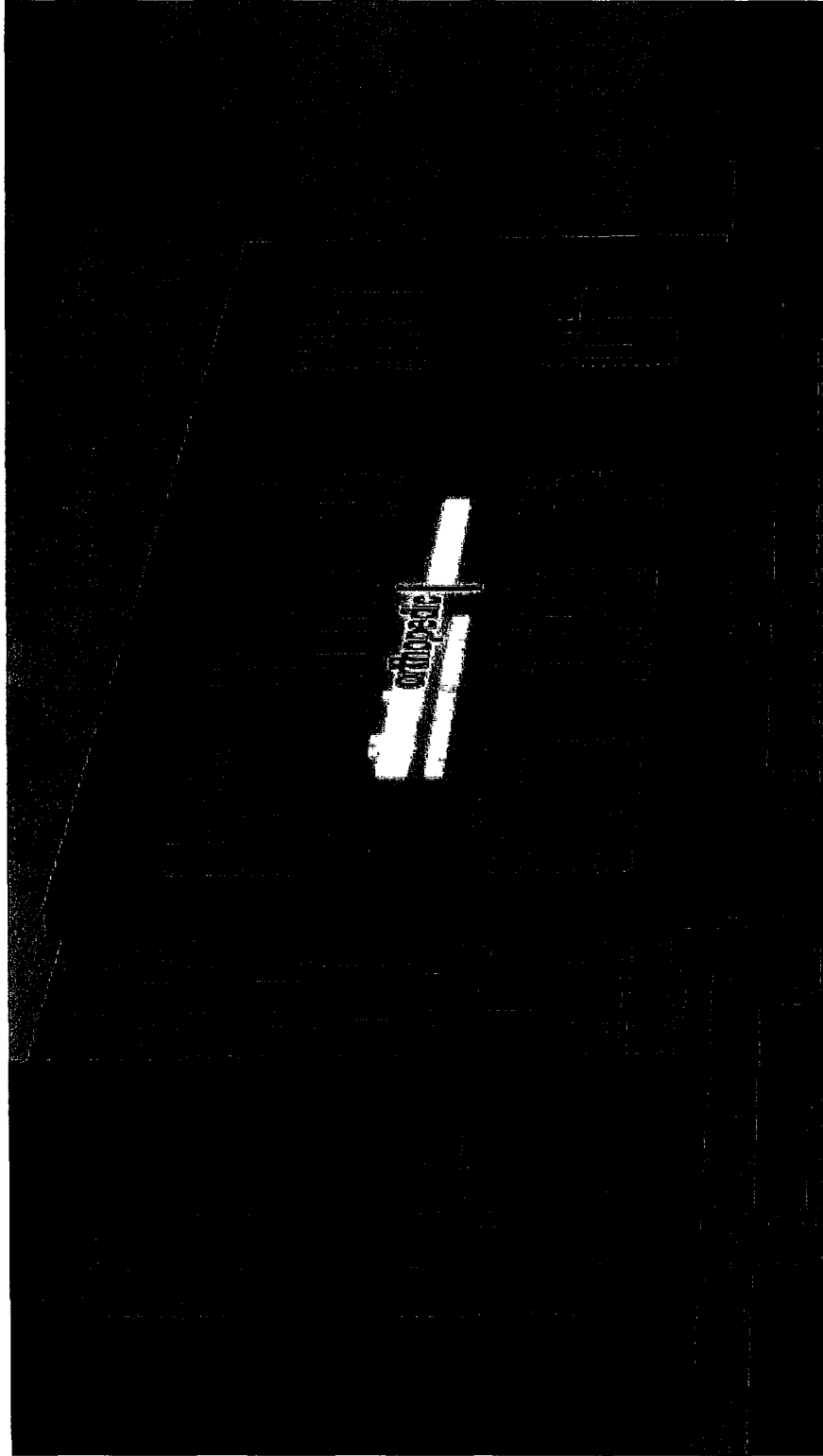
Project Address:

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7095 S. Bailpark Drive, Suite 100
Franklin, WI 53132

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02	Revisions per Review	04-27-21	JCS
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Concept Notes:

PROJECT NUMBER: 11880287
DRAWN BY: JCS CHECK BY: MGR-JCB
DATE: 12/10/20 SCALE: XX = 1 0
B 1 CONCEPT NO C-08 SHEET NO
CONCEPT RELEASE NO 01 PKG.03 REV.02
ESTIMATE QUOTE NO X



East ID simulated night view

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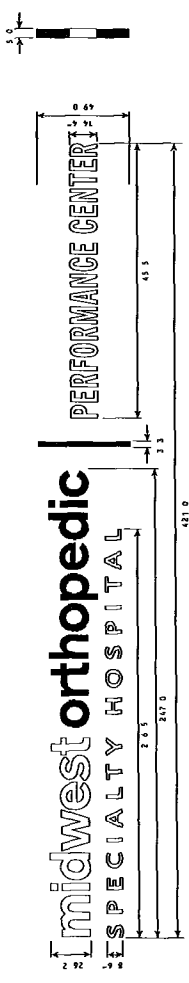
Project Address:
 MOSH
 7095 S. Ballpark Drive Suite 100
 Franklin WI 53132

Rev	Description	Date	Ink
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02	Revisions per Review	04.27.21	JPG
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Concept Notes:

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 DATE: 12/10/20 SCALE: 1/64 = 1.0
 SIZE: B 1 CONCEPT NO. C_09 SHEET NO.
 CONCEPT RELEASE NO. 01 PKG 03 REV 02
 ESTIMATE/QUOTE NO. X

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East ID

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**Midwest Orthopedic Specialty
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- Fab & Install.
- Channel letters, Stand offs.
- Face lit / halo lit, Translucent vinyls
- Printed Graphic panels
- Printed vinyl graphics

Project Address:
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 7095 S Ballpark Drive, Suite 100
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Rev.	Description	Date	Int
01	Revisions per Review	04.13.21	JPG
02	Revisions per Review	04.27.21	JPG
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Convector Notes:

PROJECT NUMBER 11880287

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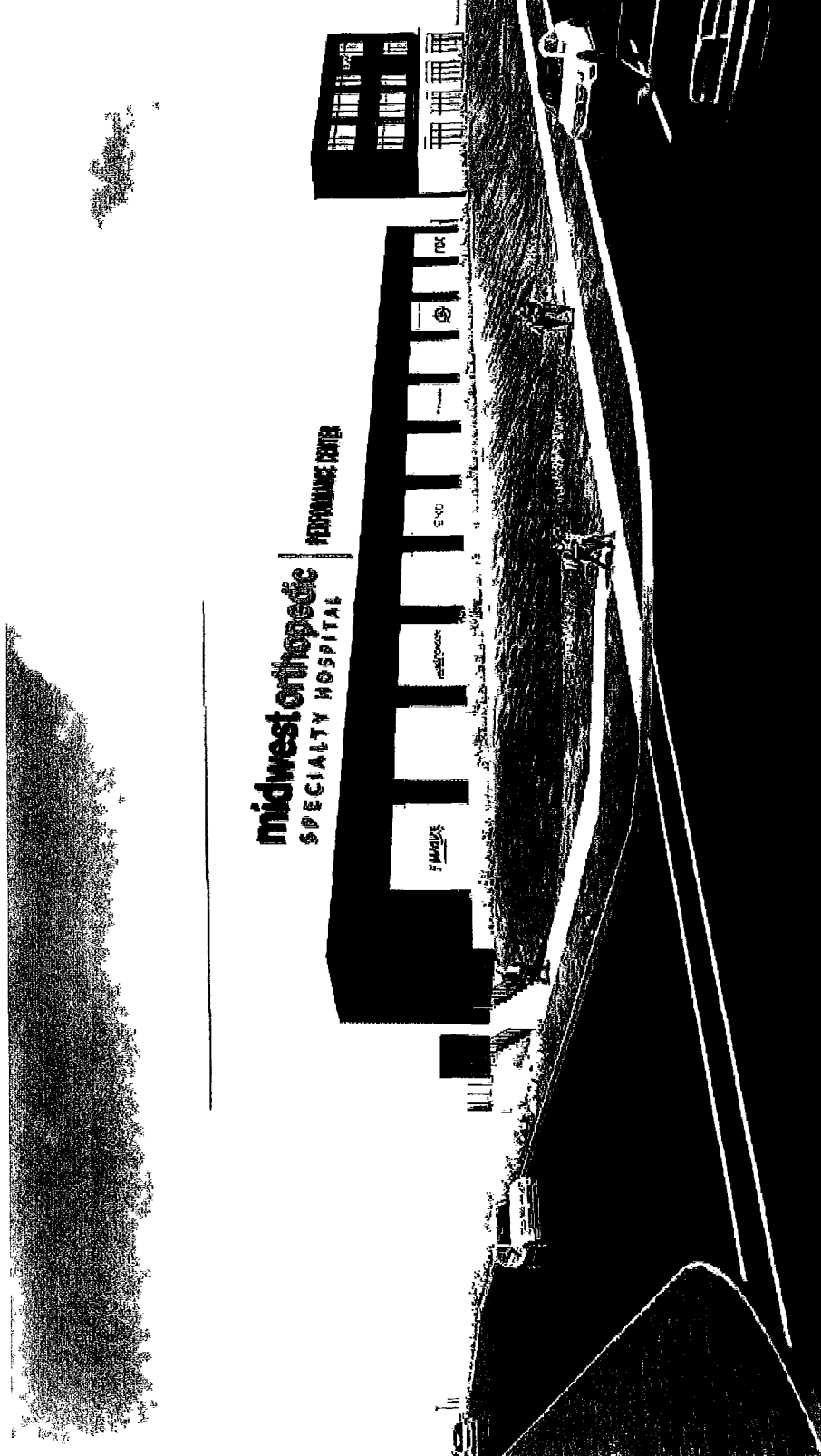
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CONCEPT RELEASE NO: 01 FIG: 03 REV: 02

ESTIMATE QUOTE NO: X

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South ID, West Elevation, South Openings Graphics x6

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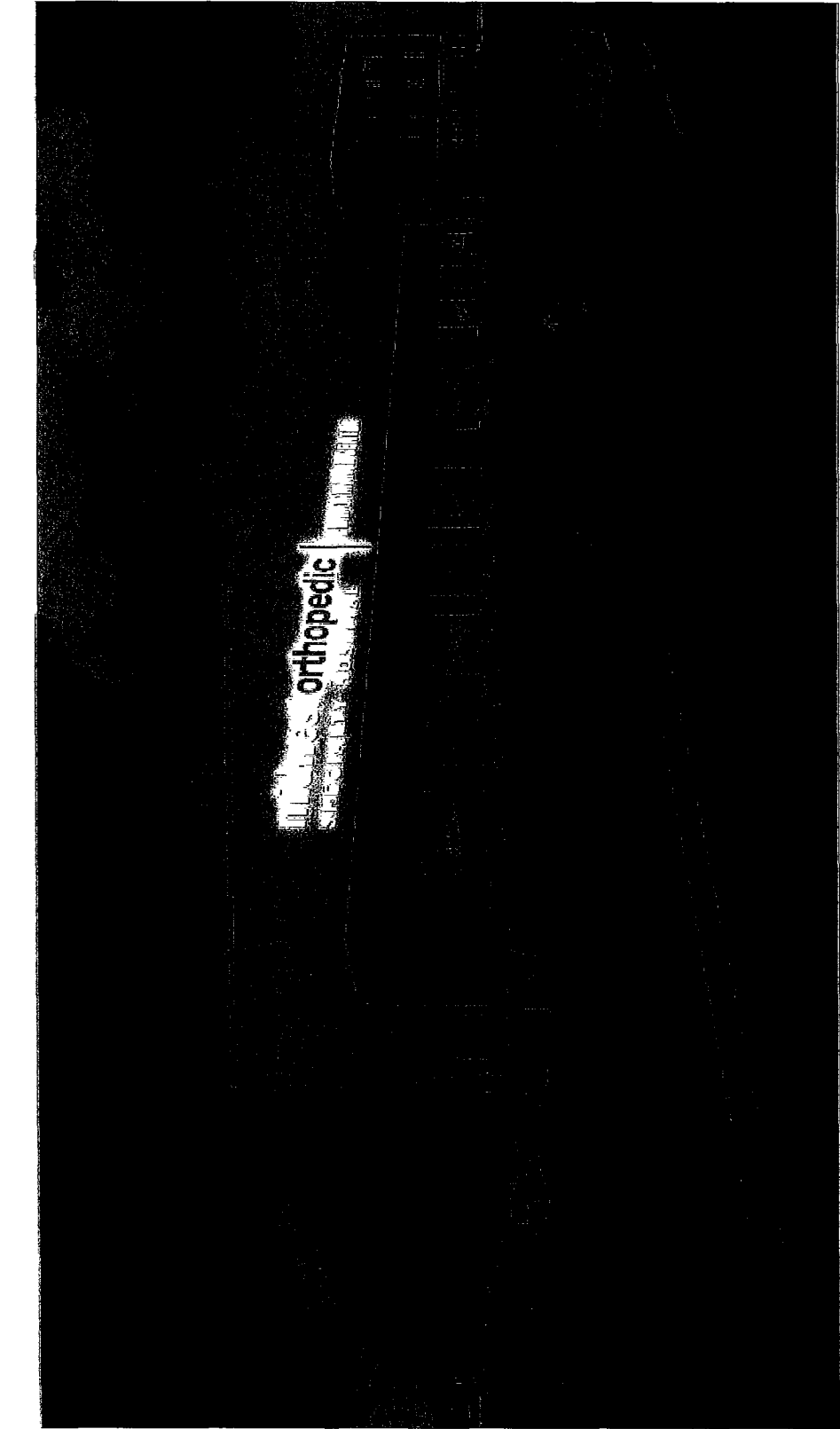
- Fab & Install
- Channel letters, Stand offs
- Face lit / halo lit, Translucent vinyls
- Printed Graphic panels
- Printed Vinyl graphics

Project Address:
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Rev	Description	Date	ink
01	Revisions per Review	04.12.21	JPG
02	Revisions per Review	04.27.21	JPG
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Concept Notes:

PROJECT NUMBER 11880287
 DRAWN BY: JPG CHECK BY: X MGR: JCB
 DATE: 12/10/20 SCALE: XX = 1 0
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 SIZE CONCEPT NO SHEET NO
 CONCEPT RELEASE NO 01 PKG 03 REV 02
 ESTIMATE/QUOTE NO X



South ID, West Elevation, South Openings Graphics x6 simulated night view

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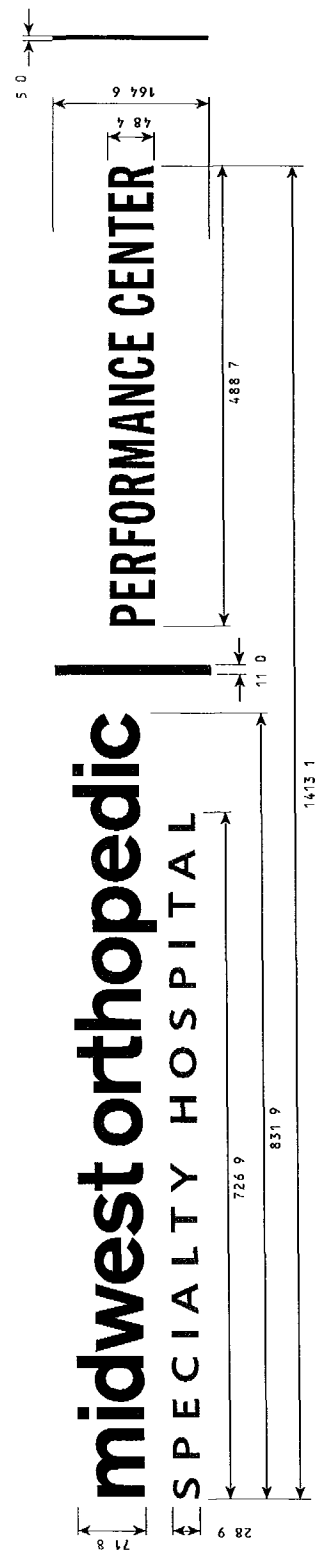
**Midwest Orthopedic Specialty
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 Fabric & install:
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 Face lit / halo lit, Translucent vinyls
 Printed Graphic panels
 Printed vinyl graphics

Project Address:
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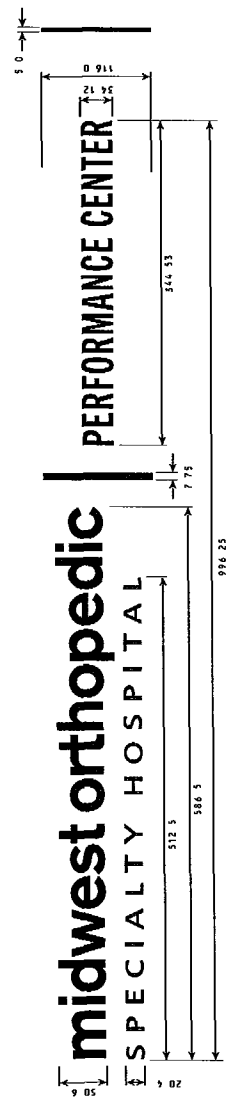
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Concept Notes:

PROJECT NUMBER: 11880287
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 DATE: 12/10/20 | SCALE: as noted
 SIZE: B | CONCEPT NO: C-12 | SHEET NO:
 CONCEPT RELEASE NO: 01 | PKG: 03 | REV: 02
 ESTIMATE QUOTE NO: X



South ID 1 Needed
 SCALE 3/32" = 12"



North ID 1 Needed
 SCALE 3/32" = 12"

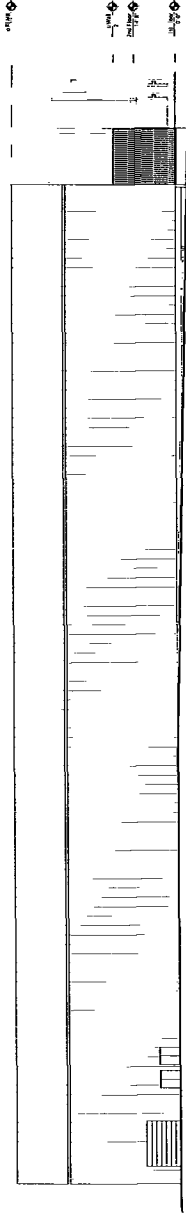
South ID, North ID 1 Each Needed

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 Face lit / halo lit, Translucent vinyls
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not to scale

Rev.	Description	Date	Int.
01	Revisions per Review	04.13.21	JPG
02	Revisions per Review	04.27.21	JPG
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Concept Notes:

PROJECT NUMBER 11880287

DRAWN BY: JPG [CHECK BY: X] JMGR-JCB

DATE: 12/10/20 SCALE: 1/64 = 1' 0"

SIZE: B 1 CONCEPT NO: C-13 SHEET NO.

CONCEPT RELEASE NO: 01 PKG: 03 REV: 02

ESTIMATE QUOTE NO: X

West Elevation

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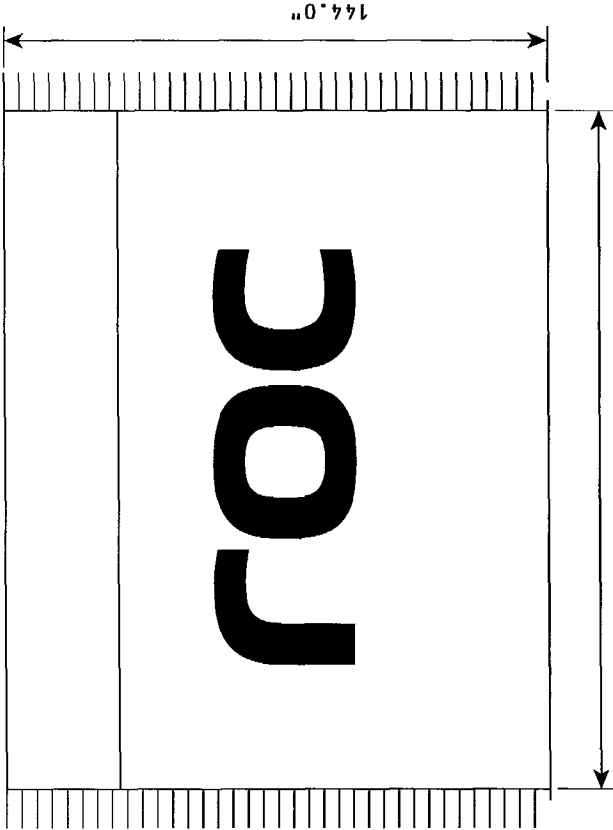
**Midwest Orthopedic Specialty
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 Fab & Install:
 Channel letters, Stand offs
 Face lit / halo lit, Translucent vinyls
 Printed Graphic panels
 Printed Vinyl graphics

Project Address:
 MOSH
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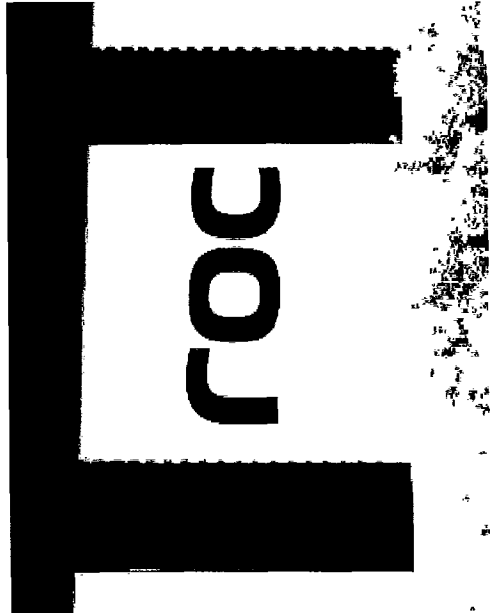
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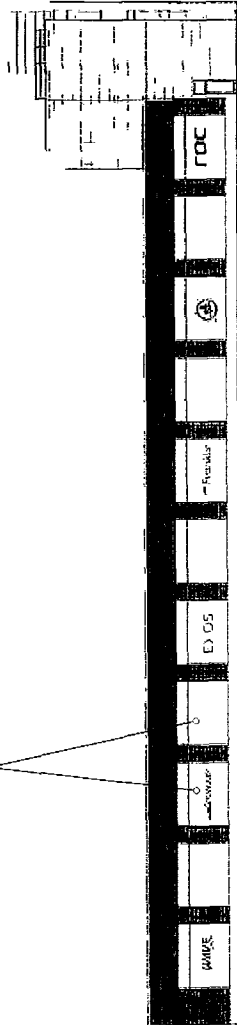
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 DATE 12/10/20 SCALE 3/8 = 1 0
 SIZE B 1 CONCEPT NO C-14 SHEET NO
 CONCEPT RELEASE NO 01 PKG 03 REV 02
 ESTIMATE QUOTE NO X



180.0"
 South Openings



Background to match
 Main Building



not to scale

South Openings Graphics x6

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 414.262.5544
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Fab & Install
 Channel letters, Stand offs
 Face lit / halo lit, Translucent vinyls
 Printed Graphic panels

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Rev	Description	Date	Int
01	Revision for Review	04/13/21	JPG
02	Revision for Review	04/21/21	JPG
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Concept Notes:

PROJECT NUMBER 11880287

DRAWN BY: JPG | CHECK BY: X | MGR: JCB

DATE: 12/10/20 | SCALE: XX = 1 | 0

B 1 | CONCEPT NO. C-15 | SHEET NO.

CONCEPT RELEASE NO 01 | PKG 03 | REV 02

ESTIMATE QUOTE NO. X

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North ID, North Graphic Panels x4

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**Midwest Orthopedic Specialty
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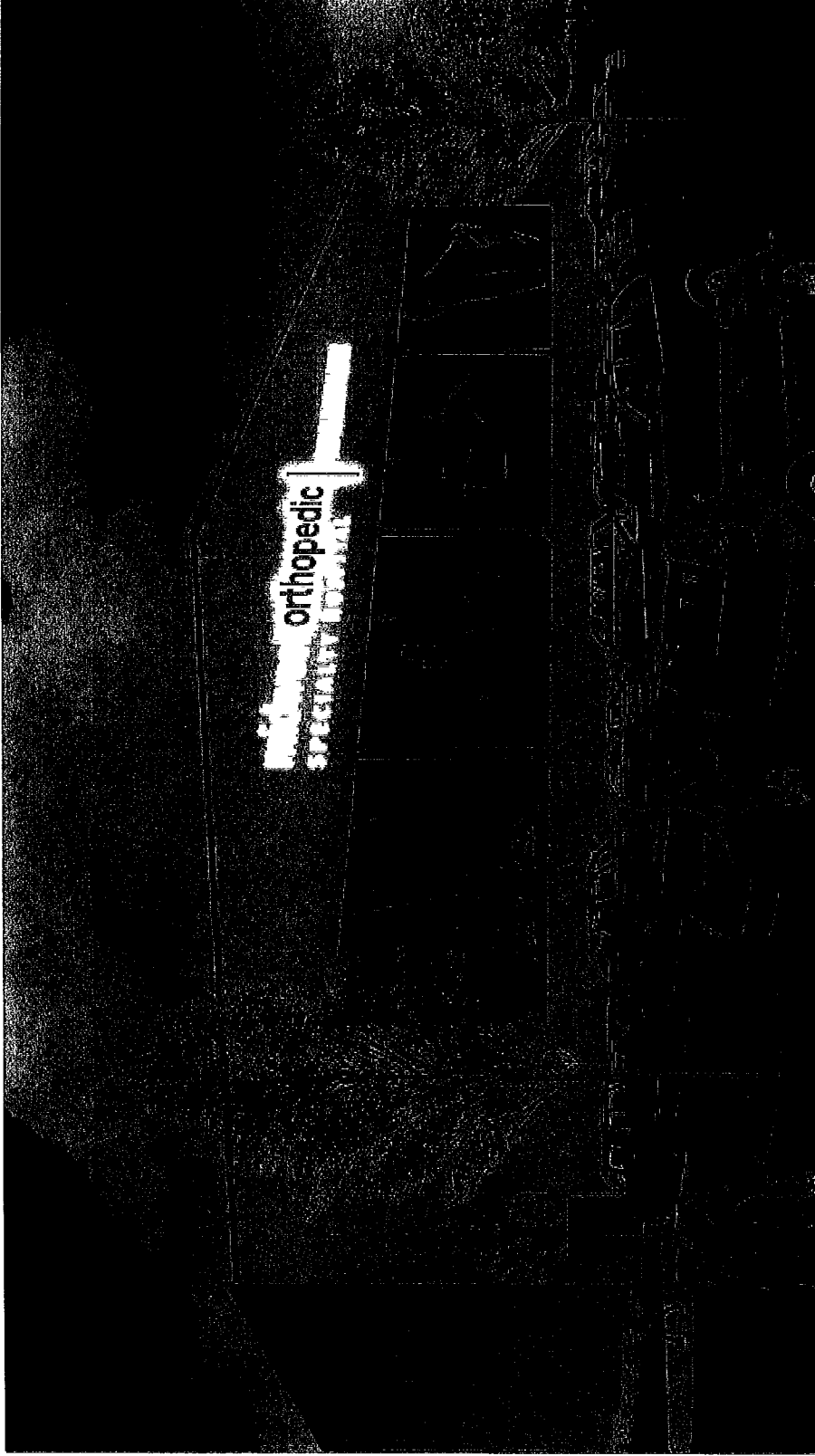
- File & Install:**
 Channel Letters, Stand offs
 Face lit, Halo lit, Translucent vinyls
 Printed Graphic panels

Project Address:
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 7095 S Ballpark Drive, Suite 100
 Franklin WI 53132

Rev	Description	Date	Init
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02	Revisions per Review	04.27.21	JPG
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Concept Notes:

PROJECT NUMBER 11880287
 DRAWN BY: JPG CHECK BY: X MGR: JCB
 DATE: 12/10/20 SCALE: XX = 1 0
 SIZE: B 1 CONCEPT NO: C.16 SHEET NO:
 CONCEPT RELEASE NO: 01 PKG: 03 REV: 02
 ESTIMATE/QUOTE NO: X



North ID, North Graphic Panels x4 simulated night view

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Rev	Description	Date	Int
01	Revised for Review	04.12.21	JPG
02	Revised for Review	04.27.21	JPG
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Concept Notes:

PROJECT NUMBER 11880287

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DATE: 12/10/20 SCALE: 3/8 = 1 0

SIZE: B 1 CONCEPT NO: C-17 SHEET NO.

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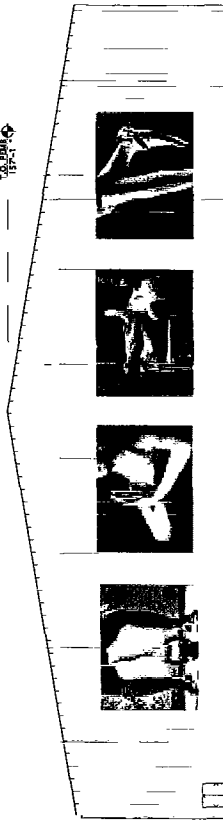
ESTIMATE/QUOTE NO: X

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Typical images TBD

T.O. BRINK



not to scale

North Graphic Panels x4

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Rev	Description	Date	Int
01	Revisions per Review	04/12/21	JPG
02	Revisions per Review	04/27/21	JPG
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Concept Notes

PROJECT NUMBER 11880287

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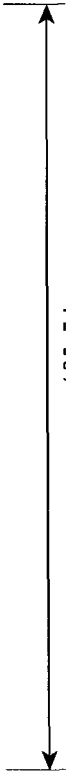
DATE 12/10/20 SCALE 3/8 = 1 0

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CONCEPT RELEASE NO 01 PKG 03 REV 02

ESTIMATE/QUOTE NO X

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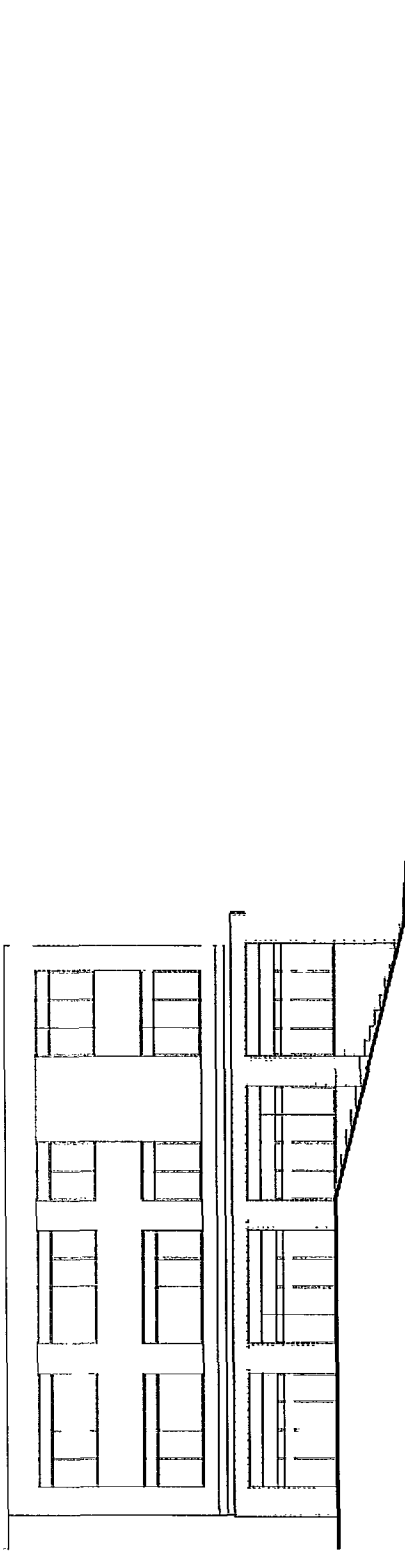
Typical images TBD



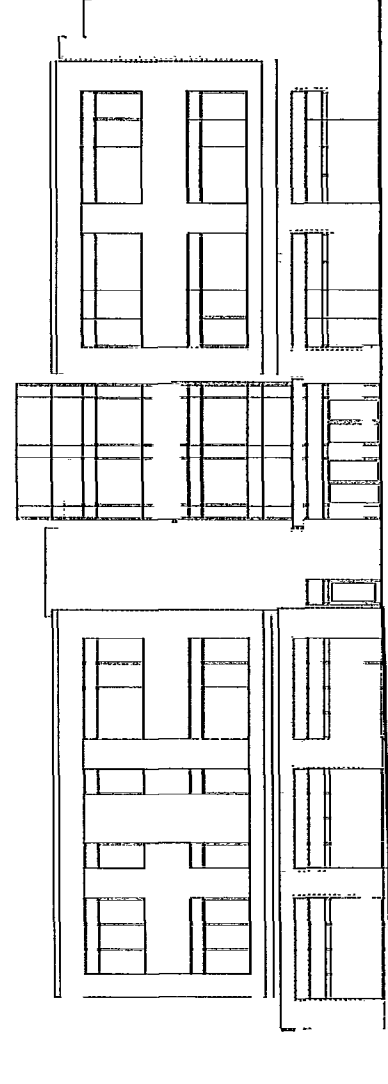
East Graphic Panels x 5

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**Midwest Orthopedic Specialty
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 Fab & Install
 Printed Graphic panels



SOUTH ELEVATION - MOSH



NORTH ELEVATION - MOSH

Project Address:
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Rev	Description	Date	Ink
01	Revision for Review	04.12.21	JPG
02	Revision for Review	04.27.21	JPG
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Concept Notes:

PROJECT NUMBER 11880287
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 SIZE: B 1 CONCEPT NO: C-19 SHEET NO:
 CONCEPT RELEASE NO: 01 PGC: 03 REV: 02
 ESTIMATE QUOTE NO: X

South, North Elevations

<p style="text-align: center;">APPROVAL</p> <p style="text-align: center;"><i>SW</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;">05/04/2021</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 AN AUTOMOTIVE WINDOW TINTING SERVICE BUSINESS USE UPON PROPERTY LOCATED AT 8581 SOUTH 27TH STREET</p> <p style="text-align: center;">(MICHAEL A. LAFUENTES, OWNER OF ILLIE TINTS, LLC, APPLICANT)</p>	<p style="text-align: center;">ITEM NUMBER</p> <p style="text-align: center;"><i>3.5</i></p>

At the regular meeting of the Plan Commission on April 22, 2021, 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 an Automotive Window Tinting Service business use upon property located at 8581 S. 27th Street.

The Plan Commission recommended inclusion of an additional condition No. 4: The applicant and property owner agree to not contest any request or requirement of the Wisconsin Department of Transportation to remove paved parking area located within the public right-of-way of South 27th Street.

The Plan Commission's recommendations in regard to the Special Use has been reflected in the attached draft Resolution.

COUNCIL ACTION REQUESTED

A motion to approve Resolution 2021-_____, imposing conditions and restrictions for the approval of a Special Use to operate an Automotive Window Tinting Service business use upon property located at 8581 S. 27th Street.

RESOLUTION NO. 2021-_____

A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS
FOR THE APPROVAL OF A SPECIAL USE FOR AN AUTOMOTIVE
WINDOW TINTING SERVICE BUSINESS USE UPON PROPERTY
LOCATED AT 8581 SOUTH 27TH STREET
(MICHAEL A. LAFUENTES, OWNER OF ILLIE TINTS, LLC, APPLICANT)

WHEREAS, Michael A. LaFuentes, owner of Illie Tints, LLC, having petitioned the City of Franklin for the approval of a Special Use within a B-4 South 27th Street Mixed-Use Commercial District under Standard Industrial Classification Title No. 7536 “Automotive Glass Replacement Shops”, to operate an automotive window tinting service business, with hours of operation from 9:00 a.m. to 5:00 p.m., Monday through Friday, and on Saturday from 9:00 a.m. to 2:00 p.m., in an existing building located at 8581 South 27th Street, bearing Tax Key No. 832-9997-000, more particularly described as follows:

S 58.865 FT OF N 235.73 FT OF E 370 FT OF 52.50 ACS OF SE 13 5 21
EXC E 80 FT FOR STR CONT 0.392 ACS; 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 22nd day of April, 2021, 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 Michael A. LaFuentes, owner of Illie Tints, 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:

MICHAEL A. LAFUENTES, OWNER OF ILLIE TINTS, LLC – SPECIAL USE
RESOLUTION NO. 2021-_____

Page 3

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 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 _____, 2021.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2021.

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____



REPORT TO THE PLAN COMMISSION

Meeting of April 22, 2021

Special Use

RECOMMENDATION: Department of City Development staff recommends approval of the Special Use Application, subject to the conditions 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, Applicant Action Requested, and Planner.

On January 25, 2021, the applicant submitted a Special Use Application for Illie Tints, to operate an auto glass repair and tinting use upon property located at 8581 South 27th Street. The proposed business use is allowed in the B-4 South 27th Street Mixed Use Commercial District as a Special Use under Standard Industrial Classification Title No.7536 "Automotive glass replacement shops."

The applicant is proposing to occupy space within an existing building and is not proposing any building or site changes.

Project Description/Analysis

Special Use:

The applicant has provided responses to the special use standards and regulations, copy of which has been provided. The application complies with the standards of §15-3.0701: General Standards for Special Uses. Although this is an auto-service business, the applicant is not requesting approval for overnight parking, as tinting can be completed in approximately one hour.

Hours of operation will be Tuesday through Saturday from 9:00 AM through 6:00 PM.

Site Plan:

The subject use is occupying the existing building located at 8581 S. 27th Street, which is approximately 3,050 square feet. Michael F. Paul, owner and operator of Root River Auto Body, owns both the properties. Root River Auto Body uses the detached accessory building on this lot for storage. The applicant is not proposing any exterior building modifications or site changes.

Parking:

The required parking for vehicle repairs shops, per Table 15-5.0203, is 4 parking spaces per service bay. There will be two indoor work areas for the business, necessitating eight (8) parking spaces. Previous office uses required seven (7) spaces based on floor area. The applicant has identified nine (9) parking spaces specific to the business, and a total of 16 available on the lot. The applicant notes that the subject property shares access and parking with Root River Auto, located on the property to the south, 8595 and 8607 S. 27th Street.

Signage:

Any proposed signage will be subject to separate review and approval and require issuance of a Sign Permit through the Inspection Department

Staff Recommendation

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

STATE OF WISCONSIN

CITY OF FRANKLIN

MILWAUKEE COUNTY

[Draft 4-5-21]

RESOLUTION NO. 2021-_____

A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS
FOR THE APPROVAL OF A SPECIAL USE FOR AN AUTOMOTIVE
WINDOW TINTING SERVICE BUSINESS USE UPON PROPERTY
LOCATED AT 8581 SOUTH 27TH STREET
(MICHAEL A. LAFUENTES, OWNER OF ILLIE TINTS, LLC, APPLICANT)

WHEREAS, Michael A. LaFuentes, owner of Illie Tints, LLC, having petitioned the City of Franklin for the approval of a Special Use within a B-4 South 27th Street Mixed-Use Commercial District under Standard Industrial Classification Title No. 7536 “Automotive Glass Replacement Shops”, to operate an automotive window tinting service business, with hours of operation from 9:00 a.m. to 5:00 p.m., Monday through Friday, and on Saturday from 9:00 a.m. to 2:00 p.m., in an existing building located at 8581 South 27th Street, bearing Tax Key No. 832-9997-000, more particularly described as follows:

S 58.865 FT OF N 235.73 FT OF E 370 FT OF 52.50 ACS OF SE 13 5 21
EXC E 80 FT FOR STR CONT 0.392 ACS; 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 22nd day of April, 2021, 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 Michael A. LaFuentes, owner of Illie Tints, 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:

MICHAEL A. LAFUENTES, OWNER OF ILLIE TINTS, LLC – SPECIAL USE
RESOLUTION NO. 2021-_____

Page 2

1. That this Special Use is approved only for the use of the subject property by Michael A. LaFuentes, owner of Illie Tints, LLC, successors and assigns, as an automotive window tinting service business use, which shall be developed in substantial compliance with, and operated and maintained by Michael A. LaFuentes, owner of Illie Tints, LLC, pursuant to those plans City file-stamped April 12, 2021 and annexed hereto and incorporated herein as Exhibit A.
2. Michael A. LaFuentes, owner of Illie Tints, 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 Michael A LaFuentes, owner of Illie Tints, LLC automotive window tinting service business, within 30 days of invoice for same. Any violation of this provision shall be a violation of the Unified Development Ordinance, and subject to §15-9.0502 thereof and §1-19 of the Municipal Code, the general penalties and remedies provisions, as amended from time to time.
3. The approval granted hereunder is conditional upon Michael A. LaFuentes, owner of Illie Tints, LLC and the automotive window tinting service business use for the property located at 8581 South 27th Street: (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 Michael A. LaFuentes, owner of Illie Tints, 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.

MICHAEL A. LAFUENTES, OWNER OF ILLIE TINTS, LLC – SPECIAL USE
RESOLUTION NO. 2021-_____

Page 3

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 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 _____, 2021.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2021.

APPROVED

Stephen R. Olson, Mayor

ATTEST:

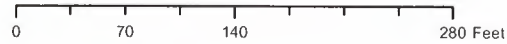
Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

8581 S. 27th Street
TKN: 832 9997 000

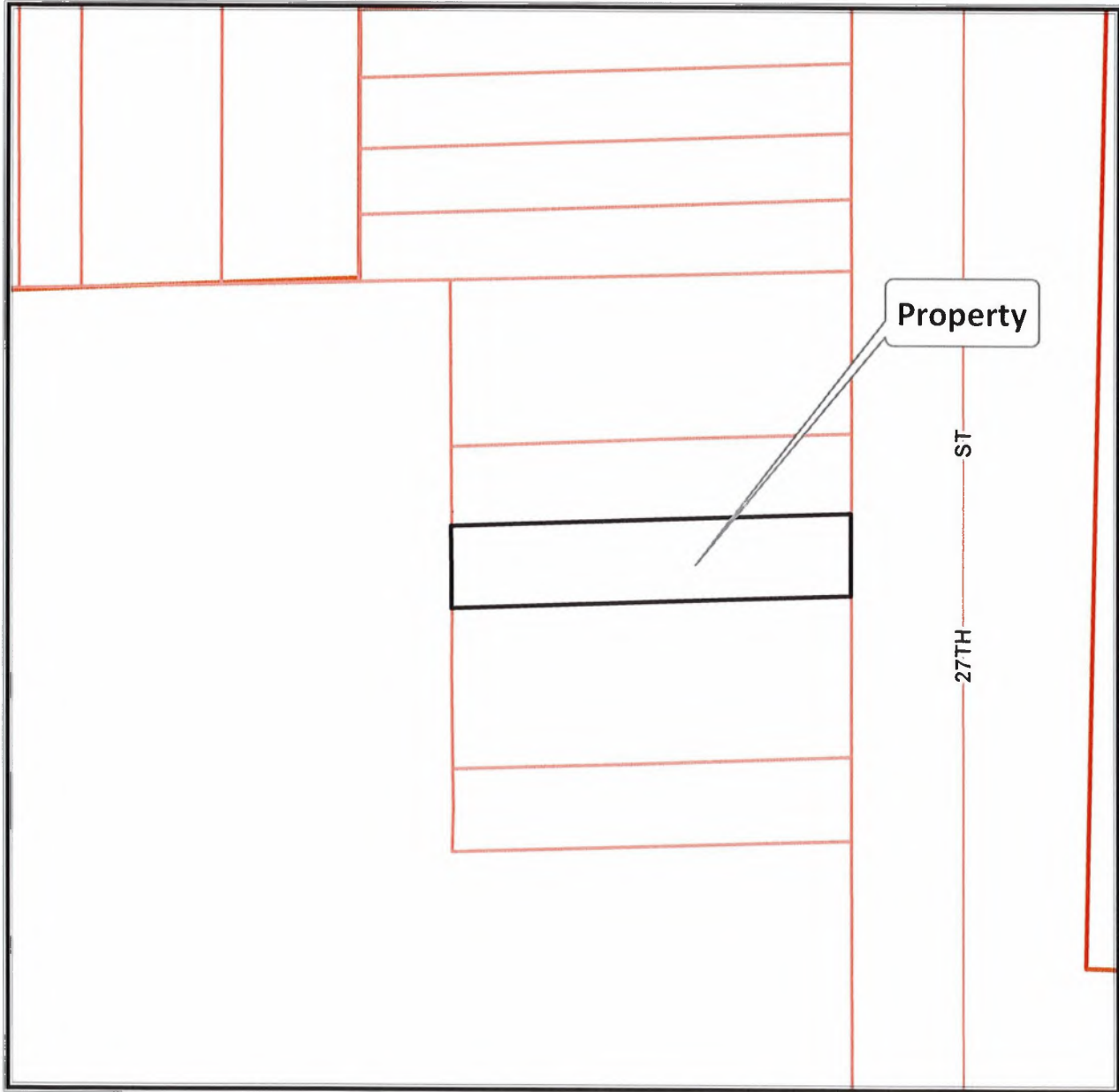


Planning Department
(414) 425-4024

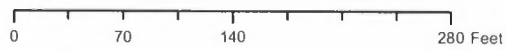


This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor. This map is provided for informational purposes only and may not be sufficient or appropriate for legal, engineering, or surveying purposes.

8581 S. 27th Street
TKN: 832 9997 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.



City of Franklin
Department of City Development

Date: March 22, 2021
To: Steven Greenspan, Root River Auto Body
From: Department of City Development
RE: Special Use – Staff Comments - 8581 South 27th Street

Please be advised that City Staff has reviewed the Special Use Application for Illie Tints, 8581 South 27th Street. Department comments are as follows:

General:

1. What are the hours of operation?
2. How many employees work out of this site?

Unified Development Ordinance (UDO) Requirements

Special Use:

3. The applicant has provided required responses. The application complies with the standards of §15-3 0701 General Standards for Special Uses.

Site Plan:

4. Is a dumpster enclosure located onsite? If not, please further explain how trash is removed from the site. If a dumpster is located on the property that is not currently enclosed, staff recommends that a dumpster enclosure be provided. If providing an enclosure, please include details as part of the Plan Commission submittal. Details must include the location, size, height and materials for construction.

Parking.

5. How many parking spaces will the business use? Please provide information about the location and number of spaces, including a drawing
6. Will the building include service bays or other indoor work areas? If so, how many vehicles will be accommodated and what is the square footage of these bays? Note that the required parking for vehicle repairs shops, per Table 15-5.0203, is 4 parking spaces per service bay.
7. Are any vehicles over 8,000 pounds gross vehicle weight being stored onsite overnight? If so, what types of vehicles, size of vehicles (length and gross vehicle weight), and where will the vehicles be parked? The location must be noted on the site plan. Please let Department of City Development staff know immediately if vehicles will be parked overnight that exceed 8,000 pounds manufactured Gross Vehicle Weight as that request needs to be specifically stated in the public hearing notice.

Lighting:

8. Staff understands that there is no new exterior lighting proposed. If new lighting is proposed, please provide a lighting plan per Section 15-7.0103W. of the UDO. Lighting standards can be found in Division 15-5.0400 of the UDO.

Signage:

9. Please note that vehicle parking must not violate Section 210-10 of the City of Franklin Municipal Code, which states, "Signs placed on or affixed to vehicles and/or trailers, which are parked on a public right-of-way, public property, or private property so as to be visible from a public right-of-way, where the apparent purpose is to advertise a product or direct people to a business or activity located on the same or nearby property, are prohibited. This provision shall not prohibit signs placed on or affixed to vehicles and/or trailers, such as lettering on motor vehicles, where the sign is incidental to the primary use of the vehicle or trailer."
10. Is any new signage proposed? Please note signs require separate review and approval. Please contact the Inspection Department to discuss sign requirements and the process further.

Fire Department Comments

Must comply with fire protection requirements for use and occupancy type

Legal Department Comments

Please provide the legal name of the business owner, including middle name. Please provide the full business name which this business is registered with the Wisconsin Department of Financial Institutions.

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 building located at 8581 has been in use for over 100 years. We are proposing that this building be used for Illie Tints, a company that applies tint film to vehicle windows. This establishment will have a positive effect on the area with less than 10 vehicles per day. There is very little waste and no chemicals or other products used in operating the business.

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: Illie Tints is an established business with a sterling reputation. This is a minority run and owned business that will help add diversity to the 27th Street Corridor. Illie Tints will have no impact on the public health, safety, morals comfort and general welfare of the area.

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

Response: The proposed use will have no impact on any of the surrounding areas and there is no development necessary for the proposed business.

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: Illie Tints has no additional requirements for any public facilities or services. This is an extremely low impact business.

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 proposed business requires no additional considerations for traffic. Most appointments are scheduled several weeks in advance and the current ingress and egress are more than adequate.

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: Illie Tints does not require any modifications

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

Response: Illie Tints will comply with all existing and future regulations, ordinances and standards to assure compliance.

- 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: This business requires no special standards or permits

- 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: Illie Tints provides a service that is in high demand and there are no competitors within 10 miles. Appointments are generally booked several weeks in advance

because of the high demand, outstanding reviews and their business reputation.

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: Illie Tints is best suited in this location because the business relies on visibility and a location that is common to all of the communities served. Most of the cliental will have to wait for an hour or more and spend that time shopping at local businesses. The proposed building is on a shared property with a body shop and provides a unique location and this is a complimentary facility.

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: There are no adverse effects to the area from the proposed business. There will be no site changes other than some additional landscaping in the immediate area adjacent to the building. The forward area along 27th St. belongs to the DOT and cannot be modified..

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: Illie Tints is a standalone business that provides an outstanding presence to the community serving a majority of new and very upscale car owners. Window tinting has been a service for a long time although always as a value added business to an existing facility. This opportunity is unique and could not be duplicated. It would be impossible for another incompatible or undesirable business to use this as a precedent.

8581 Project Summary

Illie Tints is an automotive boutique that services a small number of vehicles per day. They provide one service which is window tinting and the company has been operating for 3 years with an outstanding reputation.

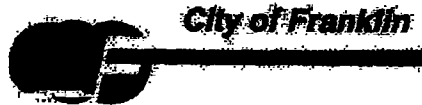
The current building located at 8581 S. 27th St., Franklin WI 53132 will require no current or future modifications, structural changes or site improvements for the proposed business. The current utilities, ingress and egress is more than adequate and the business will have a minimum impact on the vicinity.



INGRESS / EGRESS

ENTER

Measure distance
Click on the map to add to your path
Total area: 13,310.50 sq ft (1,230.99 m²)
Total distance: 498.50 ft (151.94 m)



Date of Application: January 20th, 2021

SPECIAL USE / SPECIAL USE AMENDMENT APPLICATION

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

<p>Applicant (Full Legal Name(s)): Name: <u>Michael Lafuentes</u> Company: <u>Illie Tints</u> Mailing Address: <u>8581 S. 27th St.</u> City / State: <u>Franklin, WI</u> Zip: <u>53132</u> Phone: <u>414-326-7283</u> Email Address: <u>iam_illie@yahoo.com</u></p> <p>Project Property Information: Property Address: <u>8581 S. 27th St., Franklin, WI 53132</u> Property Owner(s): <u>Michael Paul</u> Mailing Address: <u>8595 S. 27th St.</u> City / State: <u>Franklin, WI</u> Zip: <u>53132</u> Email Address: <u>RootRiverAutoBody@SBCGlobal.net</u></p>	<p>Applicant is Represented by: (contact person)(Full Legal Name(s)) Name: <u>Steven Greenspon</u> Company: <u>Root River Auto Body</u> Mailing Address: <u>8695 S. 27th St.</u> City / State: <u>Franklin, WI</u> Zip: <u>53132</u> Phone: <u>414-761-0180</u> Email Address: <u>RootRiverAutoBody@SBCGlobal.net</u></p> <p>Tax Key Nos: <u>832-9997-000</u> Existing Zoning: <u>B4</u> Existing Use: <u>None</u> Proposed Use: <u>Illie Tints-Window Tinting Establishment</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/Resources/Documents/Maps.htm>

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

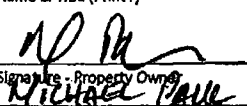
- This Application form accurately completed with original signature(s). Facsimiles and copies will not be accepted.
- Application Filing Fee, payable to City of Franklin:
 - \$1500, New Special Use over 4,000 square feet
 - \$1000 Special Use Amendment
 - \$750, New Special Use under 4,000 square feet
- 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).

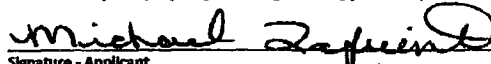

- *Upon receipt of a complete submittal, staff review will be conducted within ten business days.
- *Special Use/Special Use Amendment requests require Plan Commission review, a Public Hearing and Common Council approval

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) _____ Date: _____

 Signature - Property Owner
Michael Paul
 Name & Title (PRINT) _____ Date: JAN 18, 2021


 Signature - Applicant
Michael Lafuentes (owner)
 Name & Title (PRINT) _____ Date: Jan 18, 2021

 Signature - Applicant's Representative
Steven Greenspon / Manager
 Name & Title (PRINT) _____ Date: JAN 18, 2021

because of the high demand, outstanding reviews and their business reputation.

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: Illie Tints is best suited in this location because the business relies on visibility and a location that is common to all of the communities served. Most of the cliental will have to wait for an hour or more and spend that time shopping at local businesses. The proposed building is on a shared property with a body shop and provides a unique location and this is a complimentary facility.

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: There are no adverse effects to the area from the proposed business. There will be no site changes other than some additional landscaping in the immediate area adjacent to the building. The forward area along 27th St. belongs to the DOT and cannot be modified..

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: Illie Tints is a standalone business that provides an outstanding presence to the community serving a majority of new and very upscale car owners. Window tinting has been a service for a long time although always as a value added business to an existing facility. This opportunity is unique and could not be duplicated. It would be impossible for another incompatible or undesirable business to use this as a precedent.

Response to Franklin City Staff request for additional information

1. What are the hours of Operation?
Illie Tints operates Tuesday through Saturday from 9:00 AM through 6:00 PM
2. How many employees work out of this site
There are 2 full time employees
3. Special use responses are adequate
4. Is there a dumpster located onsite?
There is no dumpster located onsite The trash is minimal and is disposed of at the body shop
5. How many parking spaces will the business use?
There are 9 parking spaces dedicated to the business
6. Will the building include service bays or other indoor work areas?
There are 2 indoor work areas
7. Are there any vehicles over 8,000 pounds?
Cars and light trucks are the only vehicles that are serviced There are no vehicles that are over 8,00 pounds
8. There is no new lighting planned
9. There are no vehicles that will be on or near the roadway and there are no trailers with signage placed near the roadway
10. There is no new signage proposed or planned
11. Owner: Michael Anthony LaFuentes
Full Business Name Illie Tints LLC

<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;">05/04/21</p>
<p style="text-align: center;">REPORTS & RECOMMENDATIONS</p>	<p style="text-align: center;">STATUS UPDATE FROM THE QUARRY MONITORING COMMITTEE (QMC) ON THE FRANKLIN AGGREGATES RECLAMATION PLAN</p>	<p style="text-align: center;">ITEM NUMBER</p> <p style="text-align: center;"><i>G.4.</i></p>

On March 25, 2021, the Quarry Monitoring Committee (QMC) carried a motion to *recommend that the Reclamation Plan with updates be provided to the Common Council as ready for review by the Plan Commission*. The vote was four ‘ayes’, no ‘noes’, one absent (4-0-1).

The QMC reviewed previous versions of the reclamation plan at regular meetings on March 25, 2021; November 12, 2020; September 24, July 29, and July 27, 2017.

Attached is a copy of the Franklin Aggregates Reclamation Plan as submitted by Payne & Dolan, Inc. on April 29, 2021. This plan will be presented to the Plan Commission for review and approval, meeting date to be defined.

COUNCIL ACTION REQUESTED

No action is requested on this matter.

Or

A motion to take action on the above item as the Common Council deems appropriate.

April 29, 2021

Mr. Regulo Martinez-Montilva
Department of City Development
9229 W. Loomis Road
Franklin, WI 53132

Subject: Reclamation Plan – Franklin Aggregates

Dear Mr. Martinez-Montilva:

Enclosed is the final reclamation plan as reviewed and approved by the Quarry monitoring committee for the Franklin Aggregates quarry. We appreciate the amount of time and effort that the Quarry Monitoring Committee has spent in reviewing the plan and feel that the committee's input has led to the development of a quality reclamation plan.

The purpose of this reclamation plan is to describe the activities necessary to reclaim the Franklin Aggregates Quarry site to a condition whereby future development is feasible after completion of mineral extraction activities. The plan was designed to achieve final site reclamation that is in compliance with uniform reclamation standards while fulfilling all the applicable requirements as outlined in PDDs #23 & #24, the City of Franklin Non-Metallic Mining Reclamation Ordinance and the state wide reclamation law referred to as NR-135

The proposed land use to which this site will be reclaimed is Green/Open Space. This proposed land use (outside of the envisioned lake) is to be considered a temporary use. The final end use for the reclaimed site is not being proposed at this time. The ultimate land development and end use (beyond grading, vegetation and other requirements detailed in this plan) will be subject to future land use requirements.

No final end-use development proposals shall be implemented prior to submission of detailed end-use plans pursuant to then applicable City of Franklin ordinance requirements, and the granting of detailed zoning and land use approvals in accordance with such applicable ordinance requirements

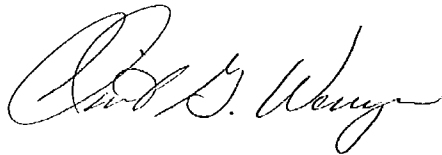
This approach of reclaiming the site to a temporary Green/Open Space land use, will allow for the site to be reclaimed to a proposed land use as required by NR-135 while maintaining flexibility in the land use and development of the site to meet the communities future needs

We would appreciate it if the reclamation plan could be sent to the Plan Commission in the near future for their final review and approval

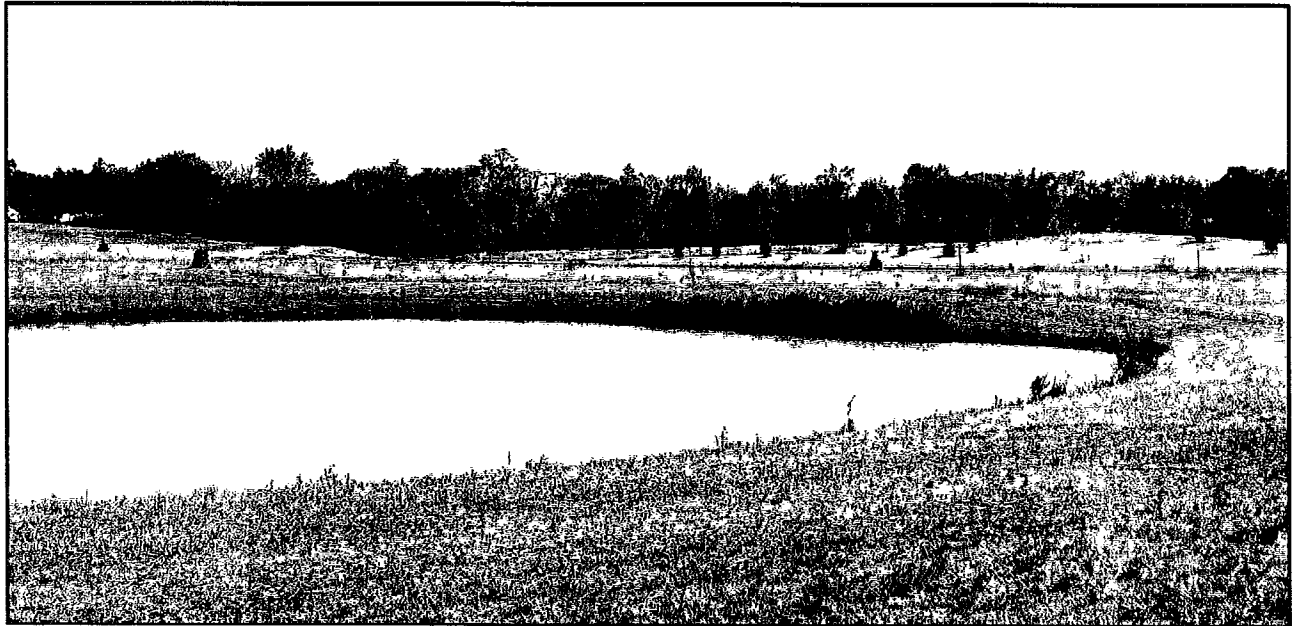
Please do not hesitate to contact me in the office at (262) 524-1258, if you have any additional questions and/or would like some additional information.

Sincerely,

Payne & Dolan, Inc.

A handwritten signature in black ink, appearing to read "Clint S. Weninger". The signature is fluid and cursive, with a large initial "C" and "W".

Clint Weninger, P G
Land Resources Manager



FRANKLIN AGGREGATES

City of Franklin, Milwaukee County, WI

FINAL REVISION – September 1, 2020

SUBMITTED – April 29, 2021

I. Purpose and Scope

The purpose of this reclamation plan is to describe the activities necessary to reclaim the Franklin Aggregates Quarry site to a condition whereby future development is feasible after completion of mineral extraction activities. The plan was designed to achieve final site reclamation that is in compliance with uniform reclamation standards while fulfilling all the applicable requirements as outlined in PDDs #23 & #24, the City of Franklin Non-Metallic Mining Reclamation Ordinance and the state wide reclamation law referred to as NR-135. Implementation of this reclamation plan shall be completed within three (3) years after the cessation of extraction operations.

Reclamation of the site will result in environmental protection, a stable non-eroding site, productive end land uses, the potential to enhance wildlife habitat and increase land values and tax revenues.

The proposed land use to which this site will be reclaimed is Green/Open Space. This proposed land use (outside of the envisioned lake) is to be considered a temporary use. The final end use for the reclaimed site is not being proposed at this time. The ultimate land development and end use (beyond grading, vegetation and other requirements detailed in this plan) will be subject to future land use requirements.

No final end-use development proposals shall be implemented prior to submission of detailed end-use plans pursuant to then applicable City of Franklin ordinance requirements, and the granting of detailed zoning and land use approvals in accordance with such applicable ordinance requirements.

This approach of reclaiming the site to a temporary Green/Open Space land use, will allow for the site to be reclaimed to a proposed land use as required by NR-135 while maintaining flexibility in the land use and development of the site to meet the communities future needs.

Payne & Dolan has a history of completing successful reclamation at this site. After the crushing, stockpiling and loadout operations that were located adjacent to the Root River for many years were moved onto the floor of the quarry in 2003, Payne & Dolan successfully reclaimed the former operations area. See attached Fact Sheet for additional information.

II. Proposed Earthwork and Reclamation

Prior to beginning mineral extraction, the topsoil and other overburden materials covering the nonmetallic mineral deposit are removed and stockpiled separately for future reclamation. Available topsoil and other overburden materials have been stored in berms adjacent to the north, south, and east portions of the active mineral extraction operations. Some overburden materials have also been placed in the bottom of the quarry in areas that have previously been mined.

Reclamation of the site will commence after all non-metallic minerals have been removed from the site. Reclamation of the site will include a 250 acre lake with restored slopes and rock faces surrounding the lake (see Sheet 3 – Final Conditions and Sheet 4 – Cross Sections). The stockpiled topsoil and other overburden materials will be placed over the reclaimed areas surrounding the lake, graded to conform with the surrounding land and seeded. The necessary topsoil and overburden are re-distributed across the parcel and fine graded to present a uniform appearance. Reclaimed slopes will be seeded upon completion of the fine grading.

The berms surrounding the extraction area will be removed and regraded (i.e. leveled) as shown on the reclamation plan view (Sheet 3 – Final Conditions). Excess overburden materials, including but not limited to silt, clay, sand, dirt, rock, gravel and other earth materials lying on top of the limestone, not used in the reclamation of the slopes surrounding the quarry will be placed in the bottom of the extraction area.

The reclamation plan has been designed to maintain pre-mine drainage patterns to the greatest extent possible and to improve upon existing conditions where feasible. Existing grading and stormwater features such as road side ditches, storm water drainage pipe, and the stormwater retention pond shall remain. However, the stormwater currently pumped from the quarry to the Root River will cease after the surrounding slopes are reclaimed and the quarry is allowed to fill with water and stormwater from within the site to create the lake.

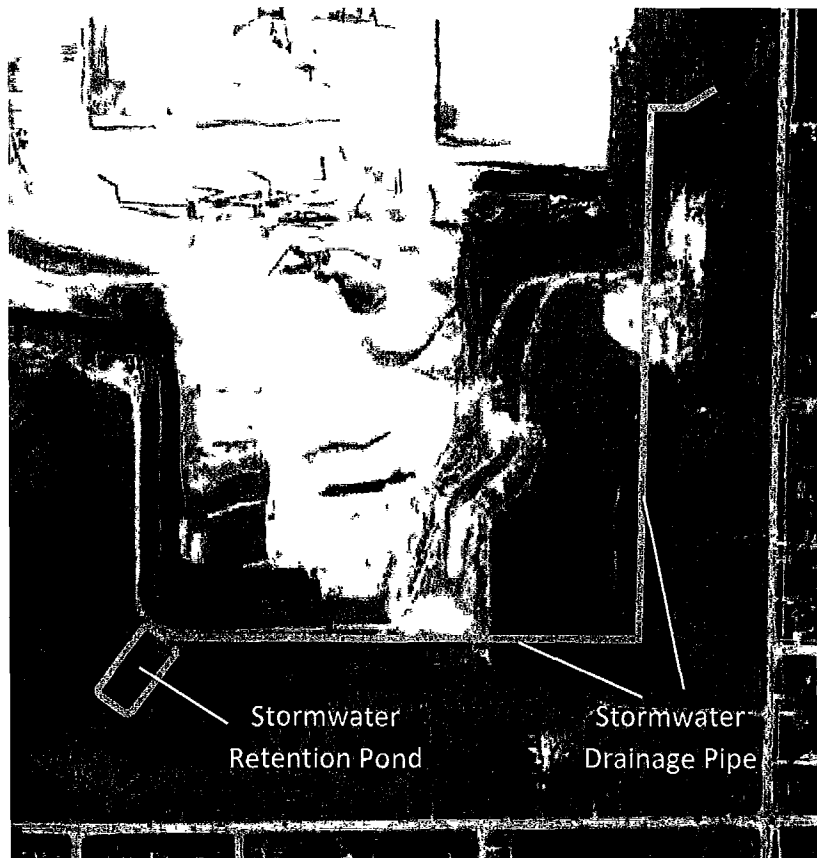


Photo Showing Approximate Location of Stormwater Drainage Pipe and Retention Pond

Note: Constructed per Stormwater Management Plan dated August 8, 1997

Payne & Dolan will perform the necessary grading to achieve the final topography and drainage patterns as outlined in the attached reclamation plan view (Sheet 3 – Final Conditions). Grading activities along the west extent of the property shall be limited so as to minimize the grading that would occur towards the Root River.

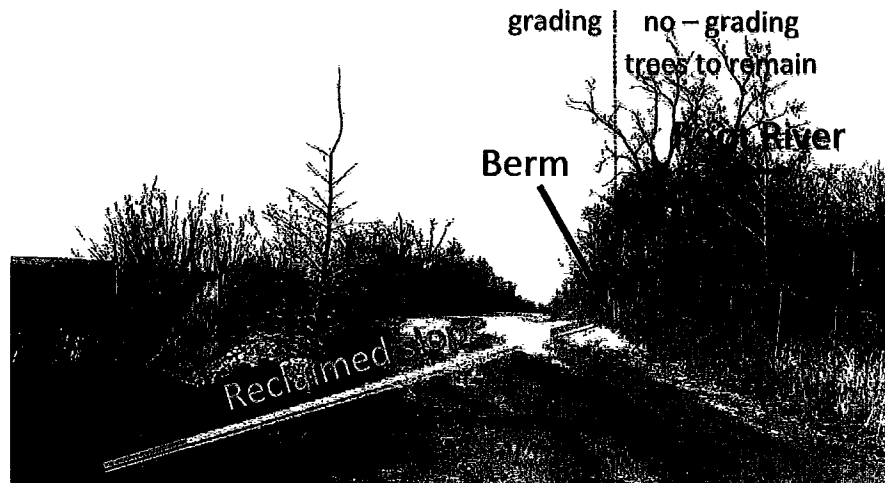


Photo Showing High Road Along West Edge of Quarry (looking South)

Note A majority of the grading for the reclaimed slope along western edge of quarry will occur from the outside edge of the “high road” that extends around the quarry in this area

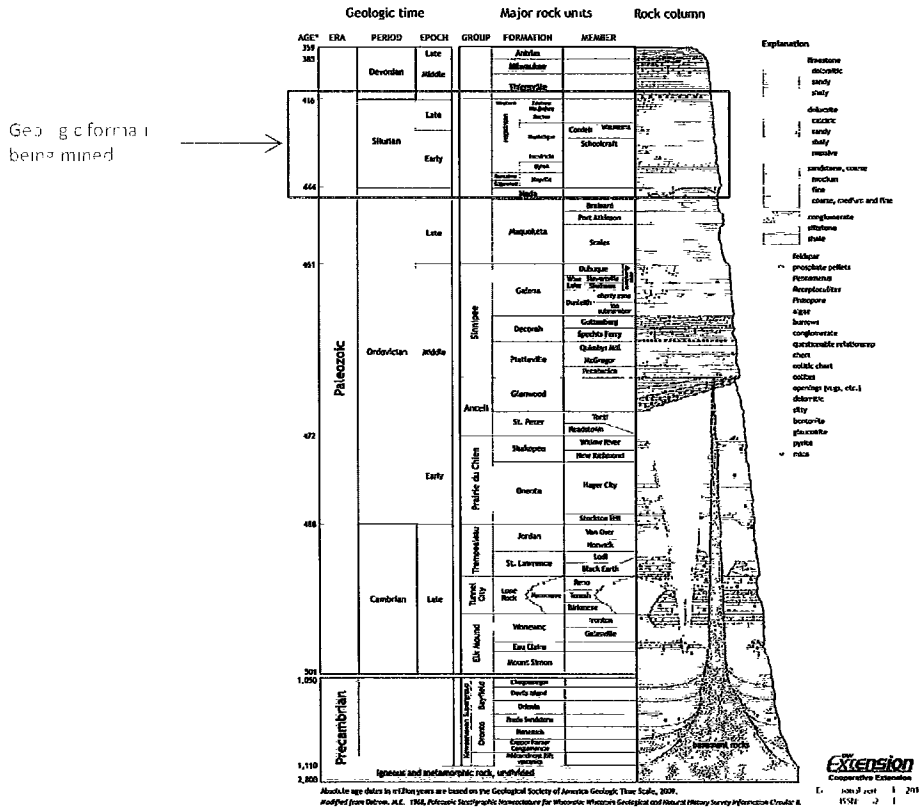
III. Geologic Composition of the Site and Depth of the Nonmetallic Mineral Deposit

The mineral deposit currently extracted consists of Silurian age limestone & dolomite, approximately 210 - 250 feet thick, of which over 90% of which will be extracted from under the water table. The amount of overburden overlying the limestone varies across the site but averages approximately 40 feet. The overburden consists of primarily clay and silt.

Groundwater elevation and subsequent lake water elevation was originally obtained from a technical report published by the Southeastern Wisconsin Regional Planning Commission (Source: Groundwater Resources of Southeastern Wisconsin, Technical Report Number 37, 2002, SEWRPC and WSGNS, p 81). This information provided in this report for this location has been confirmed by two consultants, GAS (now Graef) and most recently by GZA GeoEnvironmental.

Also, groundwater elevations in a well monitored by the United States Geological Survey located on S92nd Street just south of Grange Ave. has shown little movement of the groundwater table from 1/7/2000 – 33.01 ft below the ground surface (bgs) to 1/28/2016 – 31.19 ft bgs.

WISCONSIN GEOLOGICAL AND NATURAL HISTORY SURVEY
 bedrock stratigraphic units in Wisconsin



IV. Revegetation Plan

After the overburden materials have been placed over the reclaimed slopes, a minimum of 6" of topsoil (PDD's #23 and #24 specify a 4" minimum) will be spread over the reclaimed slopes, fine graded, seeded and mulched. Seeding activities will be carried out in accordance with accepted seeding specifications provided in the reclamation plan. Marginally steep slopes (greater than 3:1) will have either a minimum of 8" of topsoil or additional erosion control measures, such as coir (coconut fiber) erosion mat, to stabilize the slope during revegetation.

If any slopes toward the Root River must be re-graded, a seed mixture containing native grasses as provided by the City of Franklin or a WI DOT No. 70 series seed mix, shall be used. A mycorrhizal inoculant or acceptable alternative will be used when seeding any slopes toward the Root River.

TABLE 630-2 NATIVE SEED MIXTURES

SPECIES	SPECIES BOTANICAL NAME	FLURTY & GERMINATION minimum %	MXTJRE PROPORTIONS in percent				
			NO 70	NO 70A	NO 7A	NO 90	
FORBS	Canada Anemone	<i>Anemone canadensis</i>	FLS	2			
	Butterflyweed	<i>Asclepias tuberosa</i>	FLS		2		
	New England Aster	<i>Aster novae-angliae</i>	FLS	2	2		
	Partridge-pea	<i>Chamaecrista (Lacca) fasciculata</i>	FLS		2		
	Purple Prairie Clover	<i>Dalea (Petalostemum) purpurea</i>	FLS	2	2	4	
	Canada Tinkertail	<i>Desmodium canadense</i>	FLS	2			
	Flowering Soursue	<i>Euphorbia corollata</i>	FLS		2		
	Wild Geranium	<i>Geranium maculatum</i>	FLS	2			
	Western Sunflower	<i>Helianthus occidentalis</i>	FLS	3	2		
	Rough Blazing Star	<i>Liatris aspera</i>	FLS		2		
	Prairie Bazingstar	<i>Liatris pycnostachya</i>	FLS	2			
	Lupine	<i>Lupinus perenne</i>	FLS		2		
	Wild Bergamot	<i>Monarda fistulosa</i>	FLS	2			
	Horse Mint	<i>Monarda punctata</i>	FLS		2		
	Yellow Coneflower	<i>Rabbits paw</i>	FLS	2	2		
	Black-eyed Susan	<i>Rudbeckia hirta</i>	FLS				
	Whorled Goldenrod	<i>Solidago serotina</i>	FLS	2	2		
	Sodewort	<i>Tradescantia ohioensis</i>	FLS	2	2		
	Golden Alexanders	<i>Zizia aurea</i>	FLS	2			
	GRASSES	Big Bluestem	<i>Andropogon gerardi</i>	FLS	15	15	10
Beaked Grama		<i>Bouteloua curtipendula</i>	FLS	15	20	20	25
Canada Wildrye		<i>Elymus Canadensis</i>	FLS	15	15	35	25
Border Wheatgrass		<i>Elymus trichocaulus</i>	FLS				20
Junegrass		<i>Koeleria macrantha</i>	FLS		5		
Annual Ryegrass		<i>Lolium multiflorum</i>	FLS			10	10
Switchgrass		<i>Panicum virgatum</i>	FLS				10
Canada Grass		<i>Fucoxella distans</i>	"				2
Little Bluestem		<i>Andropogon scoparium</i>	FLS	15	20	10	10
Indiangrass		<i>Sorghastrum nutans</i>	FLS	15		10	
ALTERNATE FORBS	Sky Blue Aster	<i>Aster azureus</i>	FLS	2			
	White Wild Indigo	<i>Baptisia leucantha</i>	FLS	2			
	Pale Purple Coneflower	<i>Echinacea pallida</i>	FLS	2			
	White Prairie Clover	<i>Petalostemum candidum</i>	FLS	2			
	White Goldenrod	<i>Solidago rigida</i>	FLS	2			
Hoary Verbena	<i>Verbena stricta</i>	FLS	2				

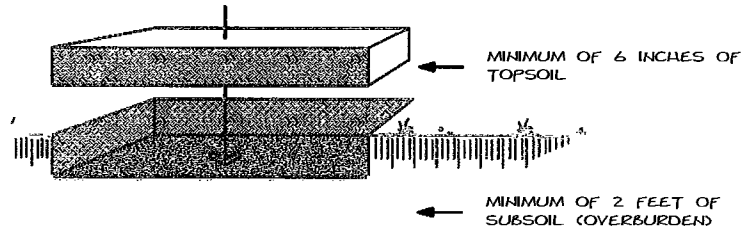
* Provide the minimum purity and germination specified in 230.215.11 (3) in the table of highway seed mixtures

Prepared soil will be seeded at any time during the growing season when soil conditions are suitable but not longer than 7 days after the final grading of reclaimed slopes. Seeding activities should not be carried out immediately following rain, when the ground is too dry, or during windy periods.

Trees that are located within the grading limits as shown on Sheet 3 – Final Conditions shall be removed during the reclamation grading. Trees located outside of the grading limits shall remain.

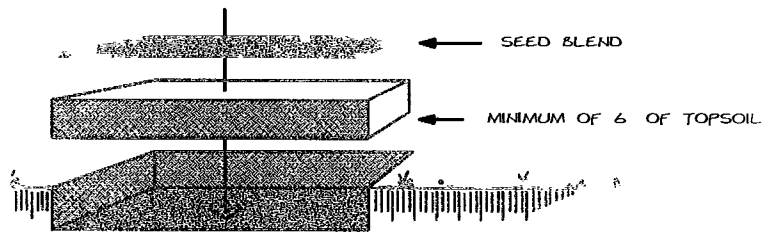
All seeding and mulching will be done in accordance with the State of Wisconsin Department of Transportation Standard Specifications for Seeding and Mulching, Sections 630 and 627, or as updated and amended

[QMC recommends use of a wildflower drill such as Tye, Brillion, or modified Truax instead of hydroseeding]



RETAIN EXISTING TOPSOIL & SUBSOIL FOR DISTRIBUTION DURING RECLAMATION
 STORE TOPSOIL AND SUBSOIL IN TEMPORARY BERMS DURING MINERAL EXTRACTION
 NECESSARY TOPSOIL AND OVERBURDEN SHALL BE SPREAD BY GRADING
 CONTRACTOR TO NON-QUARRIED AREAS ONLY
 PROJECT MANAGER SHALL APPROVE FINISHED GRADE & UNIFORM SLOPES PRIOR TO THE SOWING OF SEED

TOPSOIL PRESERVATION



EXISTING TOPSOIL WILL BE STOCKPILED ON SITE FOR RECLAMATION
 PROJECT MANAGER SHALL APPROVE FINISHED GRADE & UNIFORM SLOPES
 PRIOR TO THE SOWING OF SEED
 ALL SEEDING WILL BE DONE IN ACCORDANCE WITH THE STATE OF
 WISCONSIN DOT STANDARD SPECIFICATIONS FOR SEEDING AND
 MULCHING SECTIONS 630 AND 627
 SEEDING TO BE COMPLETED WITHIN 7 DAYS OF FINAL TOPSOIL GRADING.

RECLAMATION SEED OPERATIONS

V. Erosion Control and Post Operational Maintenance

Upon completion of the mineral extraction operations, operator shall obtain a land disturbance permit, or any other permits required by the City of Franklin, prior to the commencement of the proposed earthwork for reclamation as described above.

Erosion control measures will be implemented as necessary to minimize off-site erosion until such time as permanent placement and shaping of overburden and topsoil and seeding is possible. Best Management Practices (BMP's) such as check dams, straw bales, silt fence, surface water diversions, energy dissipaters, mulch or artificial cover, cover crop of vegetation, buffer areas or other appropriate measures will be taken as necessary to limit off-site erosion. All erosion and sediment control practices will be periodically checked for stability and operation on a regular basis by Payne & Dolan and made available to the City.

Erosion control measures shall be inspected within 24 hours of the end of each rainfall event that exceeds 0.25", or daily during periods of prolonged rainfall, or weekly during periods without rainfall. Immediately repair and/or replace any and all damaged, failed, or inadequate erosion control measures. Operator shall maintain records of all inspections and any remedial actions taken on-site.

Remove any sediment reaching a public or private roadway, parking lot, sidewalk, or other pavement. Completely remove any accumulations not requiring immediate attention at least once daily at the end of the workday.

Frequently dispose of all waste and unused construction materials in licensed solid waste or wastewater facilities. Do not bury, dump, or discharge, any garbage, debris, cleaning wastes, toxic materials, or hazardous materials on the site, on the land surface or in detention basins, or otherwise allow materials to be carried off the site by runoff onto adjacent lands or into receiving waters or storm sewer systems.

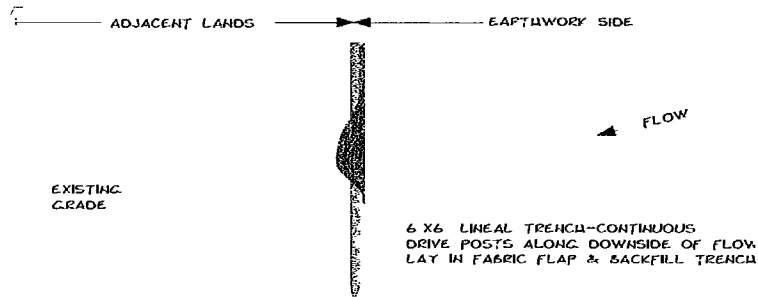
Environmental pollution mitigation will not be needed if all measures outlined in the reclamation plan are followed and adhered to.

Follow up inspections of all reclaimed and otherwise stabilized surfaces along with all erosion control and sediment control practices will be conducted on a monthly basis to ensure their stability until such time as the vegetation required to support the post-mining land use (Green/Open Space) has been successfully established and the financial assurance has been released.

Seeded areas will be reseeded and fertilized as necessary to establish and maintain a dense self-sustaining cover over reclaimed slopes. Re-apply soil stabilizers, tackifiers, polymers and anionic polyacrylamides as needed to prevent erosion of exposed soil. Erosion and sediment control measures will be repaired and /or replaced as necessary. Other preventative measures not mentioned in this reclamation plan will be taken as necessary to minimize off-site erosion.

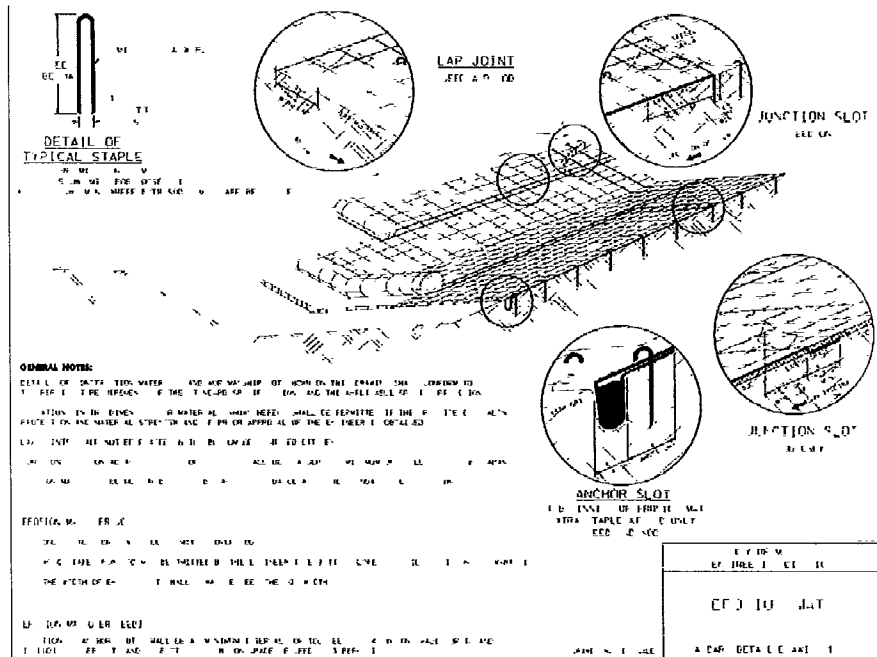
Such Best Management Practices shall be removed at time of final stabilization, as defined within Section 15-8 0303 of the City of Franklin's UDO as may be amended.

INSTALL SILT FENCE AROUND NECESSARY AREAS UNTIL GERMINATION OF HYDROSEED
 PREFABRICATED SILT FENCE W/3 FT FABRIC WGT & 4 FT POSTS



Typical - Silt Fence

Note Silt fence or comparable to be installed around perimeter of site along grading limits as shown on Figure 3 - Final Conditions



Typical - Coir (coconut fiber) Erosion Mat

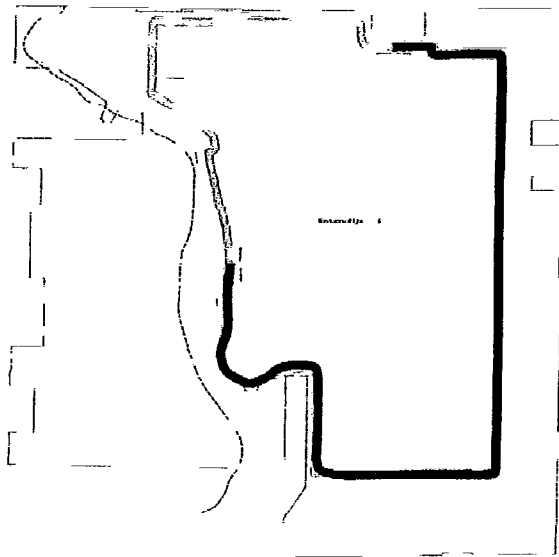
VI. Costs of Reclamation

Reclamation is an on-going process during mineral extraction, with a majority of the reclamation being completed during active mineral extraction. Final reclamation will consist of reclaiming the quarry perimeter upon completion of the mineral extraction activities. Approximately 75 acres will need to be reclaimed and the remaining 250 acres will become a lake.

The estimated costs of reclamation shall approximate the actual costs of reclamation including, but not limited to grading and shaping overburden around the lake perimeter as shown on the reclamation plan, distributing and placing of topsoil, developing public access, installing necessary erosion control measures, seeding, mulching, inspection and maintenance.

Grade Topsoil & Subsoil	Rock Face	5,600	\$7.35	FT	\$41,160.00
Grade Topsoil & Subsoil	Slope Into Water	8,800	\$23.50	FT	\$206,800.00
Grade Excess Overburden		1,000	\$175	Hour	\$175,000.00
Removal of buildings		2	\$20,000	LS	\$40,000.00
Misc. Cleanup		1	\$20,000	LS	\$20,000.00
Public Access Development		1	\$25,000	LS	\$25,000.00
Erosion Control		1	\$25,000	LS	\$25,000.00
Inspection & Maintenance		1	\$10,000	LS	\$10,000.00
Seed, Fertilize & Mulch (per DOT standards)		75	\$1,700	Acre	\$127,500.00

Estimated Costs of Reclamation



Map Showing Rock Face (red) and Reclaimed Slope Location (blue)

Note: All overburden within the quarry extraction area will have been moved to the floor of the quarry during active extraction operations and thus will not need to be moved during reclamation.

VII. Assessing Successful Reclamation

Payne & Dolan will assess successful reclamation with the approved reclamation plan using the following methods:

- 1 All buildings, structures and equipment associated with the mineral extraction activities, but not the ramps into the quarry, have been removed as part of the reclamation process
2. The available overburden and topsoil have been graded to the contours shown on the grading plan, and have been fine graded, seeded and mulched
- 3 Public access has been provided at the location specified on the reclamation plan
- 4 Adequate vegetation has been established to stabilize reclaimed surfaces Adequate vegetation will be determined by utilizing the guideline outlined in the Wisconsin Technical Note-Agronomy-WI 1, Guidelines for Herbaceous Stand Evaluation, dated May 15, 1991 or by percent cover, which will be determined as total cover (minimum 70%) within one year of planting as measured by the canopy (vertical projection of plant parts) and will be recorded by species Revegetation will be measured over the entire revegetated site at no less than 1 randomly placed 10 ft x 10 ft quadrant for each 1 acre area
- 5 The Certification of Reclamation by the City of Franklin as outlined in Chapter 176 Nonmetallic Mining Reclamation

§ 176.29 Completed reclamation: reporting, certification and effect.

- A. Reporting. The operator of a nonmetallic mining site may certify completion of reclamation for a portion or all of the nonmetallic mining site pursuant to a reclamation plan prepared and approved pursuant to this chapter and Chapter NR 135, Wisconsin Administrative Code
- B. Reporting of interim reclamation. The operator of a nonmetallic mining site may report completion of interim reclamation as specified in the reclamation plan for the site prepared and approved pursuant to this chapter and Chapter NR 135, Wisconsin Administrative Code. Reporting of interim reclamation shall be done according to the procedures in Subsection A.
- C. Certification of completed reclamation. The City of Franklin shall inspect a nonmetallic mining site for which reporting of reclamation or interim reclamation has been submitted pursuant to this subsection within 60 days of receipt and make a determination in writing in accordance with § 176.14A(7)(c). If it is determined that interim or final reclamation is complete including revegetation, as specified in a reclamation plan that conforms with § 176.13, the City of Franklin shall issue the mine operator a written certificate of completion.
- D. Effect of completed reclamation. If reclamation is certified by the City of Franklin as complete under Subsection C for part or all of a nonmetallic mining site then:
 - (1) No fee shall be assessed under § 176.27 for the area so certified.
 - (2) The financial assurance required by § 176.14 shall be released or appropriately reduced in the case of completion of reclamation for a portion of the mining site.
- E. Effect of inaction following report of completed reclamation. If no written response as required by Subsection C for a portion of the mine site reported as reclaimed or interim reclaimed is given within 60 days of receiving such request, any annual fee paid to the City of Franklin for it under § 176.27 shall be refunded.

VIII. Public Access

Upon completion of reclamation, public access to the reclaimed quarry lake will be located on the north side of the site along Rawson Avenue, as shown on the reclamation plan, (Sheet 3 – Final Conditions) The public access will include greenspace and a ramp for lake access. The lake shall be a public resource, owned in common by all Wisconsin citizens under the State's Public Trust Doctrine.

The public access will be transferred to the City of Franklin and P&D will provide a temporary easement from the public access to the quarry ramp to allow for public access to the lake while the quarry is filling with water.

Such temporary easement shall be made available for public access use on such terms and conditions as are mutually agreed upon by and between Payne & Dolan and the City of Franklin, which shall include an agreement by the City of Franklin to maintain, operate and manage the public access and to defend and hold harmless Payne & Dolan, from and against any claims, actions, or liability arising out of, or relative to public use of the temporary easement, excepting such claims, actions, or liability for which Payne & Dolan would be responsible due to its acts and/or omissions prior to the date of delivery of such temporary easement, but for such agreement. The temporary easement shall expire when water in the quarry reaches the 675 ft msl elevation. A final contour map of the lake bed shall be provided at that time.

IX. Safety

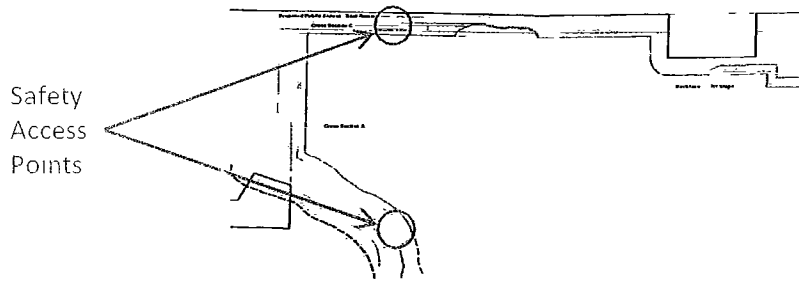
The reclamation of the site will help insure the long term safety to the general public. The site is currently enclosed by a safety fence to limit access. The safety fence shall remain after reclamation until the quarry has filled with water to the projected final lake level.

Approximately 65% of the reclaimed slope around the perimeter of the lake will have 3:1 safety slopes that extend to a minimum depth of 6 ft as required by NR-135. The remaining 35% of the perimeter of the lake will consist of a rock face. However, there will still be two access points to the lake in this area: (1) the public access ramp and (2) the existing quarry ramp.

The exposed highwalls will have the unconsolidated material scaled back at least 25 feet from the quarry edge (drop-off) to form safety ledges as shown on Sheet 4 – Cross Sections. As an added measure of safety, exposed rock highwalls will be scaled (scraped) to remove loose rock and to minimize the potential for rock-falls.

During the time it takes the quarry lake to fill with water, the existing fence shall remain around the perimeter of the property until the quarry lake fills to the elevation outlined in the reclamation plan. At that time the fence may be removed by Payne & Dolan, however a fence shall remain along the reclaimed rock face high wall areas (as previously shown) until such time as those areas are developed.

Given the close proximity of the northwestern edge of the quarry to West Rawson Avenue, a berm or strategic placement of large boulders or beam guard in addition to the fence shall be added.



X. Certification of Reclamation

I hereby certify, as a duly authorized representative or agent, that the reclamation at this nonmetallic mining site will be carried out in accordance with the approved reclamation plan submitted by Payne & Dolan, Inc. I also certify that the information contained herein is true and accurate and complies with the local and statewide nonmetallic mining reclamation standards established in NR-135, Wisconsin Administrative Code.

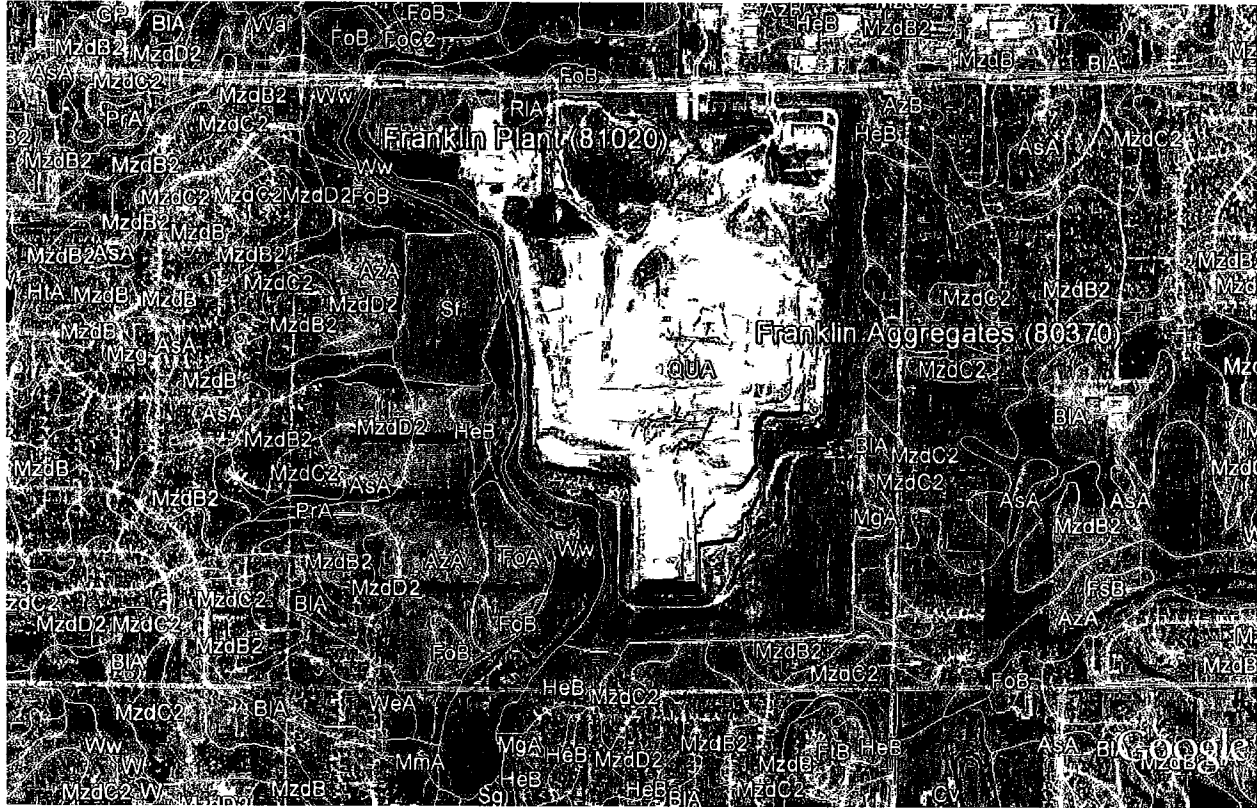
Signature of representative or agent

Date signed

____ April 29, 2021 ____

 Clint G. Weninger, P.G.
 Land Resources Manager
 Payne & Dolan, Inc.

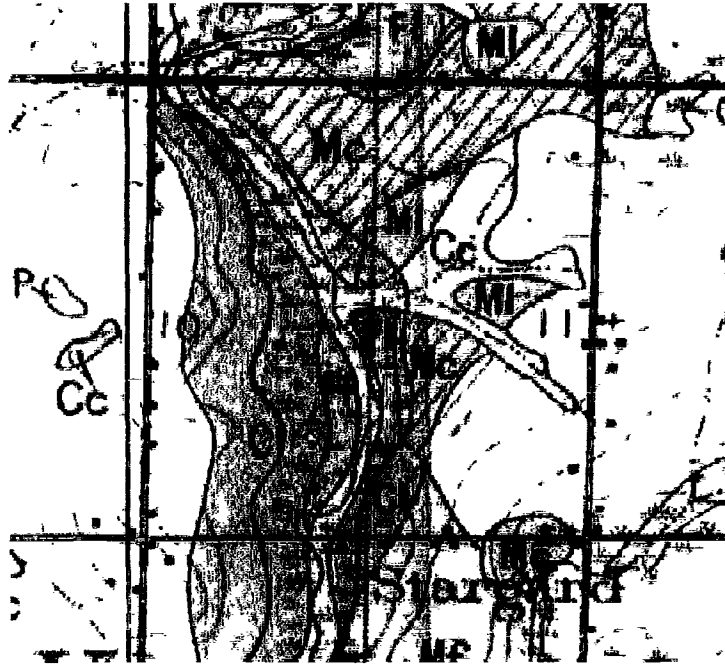
XI. Soils



Current Soils Map

Source USDA NCSS soils information utilizing Google Earth website, 2015

Note All soils within the quarry extraction area have previously been disturbed



Historical Soils Map (1918)

Source USDA Soil Survey of Milwaukee County, WI (1918)

HISTORICAL SOIL TYPES

MI – Miami Loam

MIAMI LOAM.

The surface soil consists of 6 to 10 inches of yellowish or brownish-gray loam to fine sandy loam, and the sub-soil differs very little from the soil. At 24 to 30 inches the material is a more compact, sticky yellowish-brown sandy clay loam or loam. Gravelly sandy loam is often encountered at 30 to 36 inches. The soil is slightly variable, being a sticky sandy clay loam in some places and a more open sandy loam in others. Gravel sometimes occurs on sharp knolls, and bowlders originally were quite numerous, though most of these have been removed. This soil is intimately associated with the Miami clay loam and silty clay loam, and in places the boundary is largely arbitrary.

<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;"><i>5/04/2021</i></p>
<p>REPORTS AND RECOMMENDATIONS</p>	<p style="text-align: center;">An Ordinance to Repeal and Recreate Chapter 133 Fire Prevention, Protection, and Control Code, of the Municipal Code of The City of Franklin; and to Discontinue Enforcing Grandfathered Local Code Requirements Under Wisconsin Act 270</p>	<p style="text-align: center;">ITEM NUMBER</p> <p style="text-align: center;"><i>3.5.</i></p>

Background:

Since at least the 1990's the State of Wisconsin Department of Commerce (AKA "Comm."), more recently titled the Wisconsin Department of Safety and Professional Services (DSPS) has maintained statutory authority over enforcing fire protection standards in new commercial and multi-family buildings. Prior to 2013, DSPS allowed local municipalities to enforce additional code requirements for fire protection systems (fire alarm and fire sprinkler systems) that were "at least" as stringent as the DSPS requirements, which were in fact based on the International Building Code (IBC).

In 2013, the State Legislator passed Wisconsin Act 270, which effectively created a "Min-Max" Wisconsin Commercial Building Code (WCBC) which included fire code requirements for fire protection systems, and local municipalities were no longer permitted to enforce requirements and standards for fire protection systems in commercial buildings that were more stringent than the WCBC requirements. DSPS did, however, allow municipalities to continue to enforce "grandfathered" code requirements that were either substantially consistent with DSPS requirements, or that had no noticeable impact. An example of the latter is Franklin's requirement that a fire alarm pull station be located at every egress point on every floor of every structure. (Smoke detectors would activate the alarm system automatically prior to human intervention whether the structure is occupied or not, so the pull stations were a superfluous - yet extremely costly - local code requirement).

In late 2019, the fire department presented (and the Common Council approved) an updated fire code that simplified the fire code by eliminating redundant and unnecessary language, and which adopted by reference national codes and standards, ensuring that local code requirements would always reflect current DSPS requirements. The revision also removed language regarding plan review submission requirements that are better addressed in procedural documents and guidelines, which can be adjusted as needed to streamline business practices and optimize customer service. An alternative intent in the code revision was to allow the department to transition to a new fire safety consulting firm, which could also act as a delegated agent of DSPS for fire protection system plan reviews, saving considerable time and money to Franklin businesses and property-owners. DSPS has not yet approved the delegation request, based on two concerns.

First, when the department simplified and reorganized the code in 2019, some reformatting took place, and while the language remained identical to grandfathered local code requirements approved and published on the DSPS website, some of the Chapter subheading numbers were changed and did not match the published information.

Secondly, as part of the 2013 Act 270 rules, DSPS requires any changes in fire code related to fire alarm and fire sprinkler systems be submitted to DSPS and be published by the municipality 120 days prior to taking effect. This was an original requirement of Act 270 and was intended to allow DSPS sufficient time to review municipal code submissions in order to compare them to DSPS codes for potential grandfathering. Fire department administration was not aware that this requirement would still be enforced, particularly when the proposed local code changes would bring local code requirements into substantial parity with DSPS code language.

Options:

Fire department administration could make corrections to the revised code, keeping the grandfathered sections of the pre-2013 fire code in their current locations and subchapter designations. This creates an extremely disjointed and confusing document that maintains unnecessary and redundant code requirements. It also ties the department to enforcement of outdated language.

Alternatively, the Fire Chief proposes revising the local code to remove any references to the grandfathered code requirements related to fire alarm and sprinkler systems, as they are unnecessary redundancies - in many cases creating significant cost increases for Franklin business and property owners, while not positively impacting overall life-safety. The department would then withdraw its 2013 request to DSPS to enforce grandfathered language, and would instead strictly enforce DSPS requirements as established and periodically reviewed and amended by industry experts, and adopted by the State. Fire department administration has been in communication with the DSPS Section Chief, who is supportive of this course of action. The fire department would then renew its application for delegated agent status on behalf of DSPS. If approved, this process and authority will represent significant cost savings to stakeholders; and will serve to expedite plan reviews and approvals, keeping construction projects on schedule, and positively impacting the business-friendly posture of the City.

A copy of the proposed fire code revision (Chapter 133 of Franklin Municipal Ordinances) is included. The code has again been reviewed and updated to remove redundant and conflicting language and to follow a more logical and readable format. As stated, references to outdated and unnecessary requirements for fire protection systems have been removed, and the document adopts by reference all applicable national codes and standards, ensuring that the fire department remains in a position to always enforce the most current requirements established and revised by industry experts and enacted by the State.

The Fire Chief and Director of Inspections Services recommend approval of the revised Fire Code (Chapter 133 of Franklin Municipal Ordinances). The Fire Chief also requests approval to withdraw the department's 2013 request to the DSPS to grandfather certain requirements regarding fire protection systems in new construction of public buildings, defined in the city's pre-2013 fire code, and that the newly revised code be published for 120 days prior to effective date.

COUNCIL ACTION REQUESTED

Motion to approve an Ordinance to Repeal and Recreate Chapter 133 Fire Prevention, Protection, and Control Code, of the Municipal Code of The City of Franklin; and to Discontinue Enforcing Grandfathered Local Code Requirements Under Wisconsin Act 270.

Adam Remington

To: Adam Remington
Subject: FW: Fire Code

From: Adam Remington <ARemington@franklinwi.gov>
Sent: Thursday, April 15, 2021 11:18 AM
To: Sandi Wesolowski <SWesolowski@franklinwi.gov>
Cc: Jesse Wesolowski <jweslaw@aol.com>; Steve Olson <Solson@franklinwi.gov>; Catherine Heder <CHeder@franklinwi.gov>
Subject: Fire Code
Importance: High

Please see the attached proposed revision to Chapter 133 of the Municipal Code. All references to items that by law are regulated by other agencies and codes have been removed, along with burdensome, redundant, and often contradictory language related to plan submission requirements related to those items.

Arguably they were appropriate at one time, but they are no longer appropriate or enforceable in this code.

I would characterize this as a "repeal and replace" action, and barring any objections, I plan to put this on the first agenda in May.

Adam J. Remington
Fire Chief
Franklin Fire Department
(414) 425-1420
aremington@franklinwi.gov



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ORDINANCE NO. 2021-____

AN ORDINANCE TO REPEAL AND RECREATE CHAPTER 133 FIRE PREVENTION, PROTECTION, AND CONTROL CODE, OF THE MUNICIPAL CODE OF THE CITY OF FRANKLIN

WHEREAS, the Fire Chief and Fire Department staff having reviewed Chapter 133 of the Municipal Code and having provided a redraft of the entirety of the Chapter to in part provide for updates for consistency with the applicable State of Wisconsin Administrative Code and National Fire Prevention Association Code requirements and regulations, and to provide for further efficiency in the provision of fire prevention, protection and control as has been developed through the years, and the Fire Chief having recommended approval of such revisions; and

WHEREAS, the Common Council having considered the recommendation and having determined same to be in furtherance of the protection of the health, safety and welfare of the Community.

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

SECTION 1: Chapter 133 Fire Prevention, Protection, and Control Code, of the Municipal Code of the City of Franklin, Wisconsin, is hereby repealed and recreated to read as follows:

**Chapter 133
Fire Prevention, Protection, and Control**

- §133-1. General Provisions.
- §133-2. Definitions.
- §133-3. Adoption of Wisconsin Administrative Code.
- §133-4. Adoption of International Code Council (ICC), Inc. Codes.
- §133-5. Adoption by reference of National Fire Prevention Association (NFPA) publications.
- §133-6. Automatic fire sprinkler control and/or fire suppression system protection.
- §133-7. Liability for damages.
- §133-8. Service of correction orders.
- §133-9. Variances.
- §133-10. Revocation of permits.
- §133-11. Closing and vacating buildings.
- §133-12. Investigation of fires.

§133-13. Miscellaneous construction provisions.

§133-14. Miscellaneous use provisions.

§133-15. Flammable, combustible, and hazardous materials.

§133-16. Fire inspection fees.

§133-17. Fees.

§133-18. Violations and penalties.

§133-19. Appeals.

§133-1. General Provisions.

A. Intent. The intent of this chapter is:

- 1) To provide the municipality with comprehensive regulations to improve public safety by attempting to control, limit, restrict, and/or eliminate fire hazards.
- 2) To improve life safety for residents, occupants, employees, firefighters, and frequenters of places of employment and public buildings.
- 3) To regulate the installation, use and maintenance of equipment; to regulate the use of structures, occupancies, and open areas.
- 4) To require the removal and/or reduction of fire hazards; to establish the responsibilities and procedures for code enforcement; and to set the minimum standards for compliance and achievement of those objectives.
- 5) To protect property from the hazards of fire and explosion by establishing minimum standards for the use, operation, maintenance and inspection of building structures and premises.

B. Applicability.

- 1) The provisions of this code shall apply to all public buildings and places of employment. Exceptions: The following buildings and uses are not public buildings or places of employment and are not subject to the provisions of this code:
 - 2) One and two-family dwellings.
 - 3) Buildings used exclusively for farming as described in Wis. Stat. § 102.04(3).
 - 4) Nothing contained in this section shall be construed as applying to the transportation of any article or thing shipped in conformity with the regulations prescribed by the Interstate Commerce Commission, or as applying to the military forces of the United States.
- 5) The provisions of this code shall apply equally to new structures, including additions to existing structures and existing conditions, except that existing conditions not in strict compliance with the terms of this subsection shall be permitted to continue where the exceptions do not constitute a distinct hazard to life or adjoining property as determined by the Authority Having Jurisdiction (AHJ).
- 6) The provisions of this code apply equally to the property owner and/or occupant.
- 7) Sections 133-8., 133-9., 133-10., 133-11., 133-14., 133-15. and 133-18. apply to all individuals and/or properties within the jurisdiction of the municipality.

C. Permits required.

- 1) The fire department shall be responsible for issuing the following permits:

- a Fireworks permits.
 - b Bonfire permits.
 - c Outdoor burning of yard waste (Outdoor Burning Permit must be purchased from the Office of the City Clerk, Franklin City Hall).
- 2) Certificates of occupancy. The AHJ shall have dual authority with the building inspector in the issuance of certificates of occupancy for multifamily, public buildings, places of employment, commercial structures, places of assembly and schools to the extent that the AHJ shall inspect and have approval authority over proposed occupancies to ensure compliance with this chapter.
- D. Stop-work order.
- 1) The AHJ may request that the building inspector issue a stop-work order upon any permit issued subject to the inspection and approval authority of this chapter, where the AHJ finds that any of the conditions for issuance have not been maintained or where there has been any false statement or misrepresentation of any material fact made in the application or plans upon which the issuance was based.
 - 2) If the AHJ determines requirements of this code are not complied with or there may be life safety issues, the AHJ may issue a stop-work order on any project or portion thereof.
- E. Inspection and testing.
- 1) All fire suppression systems and fire alarm systems required under this code shall be inspected by a qualified authorized agent of the AHJ prior to having any of their parts covered up or concealed in any manner whatsoever. The authorized reviewing agent shall be given a 72-hour notice prior to any system inspection.
 - 2) A qualified authorized agent of the AHJ shall witness all tests of fire-controlled systems, fire alarm initiating devices, notification appliances, and any other required system requiring an operational test. The authorized reviewing agent shall be given a seventy-two (72) hour notice prior to any system witness test.
 - 3) All testing shall be conducted in accordance with the NFPA standard applicable to the system being tested.
- F. Right of entry.
- 1) The AHJ and/or his or her authorized representative may, at all reasonable hours, enter any place of employment and/or public building within its jurisdiction for the purposes of making any inspection or investigation which, under the provision of this section, is deemed necessary.
 - 2) The AHJ shall inspect, or cause to be inspected, all places of employment and public buildings as often as may be necessary, but not less than once a year.
 - 3) The purpose of any inspection and/or investigation is to determine if any violations of the provisions or intent of this code and/or codes or standards adopted by reference exist and to order corrections of the violations observed.
 - 4) The AHJ or his/her authorized representative, upon the complaint of any person or whenever he or she deem necessary, shall inspect any place of employment and/or public building and premises within its jurisdiction.

- 5) Any owner or occupant of any place of employment and/or public building who refuses to permit, prevents or interferes with entry into or upon the premises by anyone authorized by the AHJ shall be subject to penalties under §133-18. Exception: The interiors of dwelling units will not be inspected unless an inspection is specifically requested by the owner or occupant and/or as allowed by state statutes.

G. Enforcement and documentation.

- 1) The fire chief, as the AHJ, or anyone the fire chief has designated as an authorized representative or agent of the AHJ, shall enforce the provisions of this code.
- 2) Whenever any authorized representative or agent of the AHJ shall discover fire hazards due to conditions that are not in compliance with the requirements of NFPA 1, this code, and any all other applicable codes and adopted standards, he or she shall order such conditions or materials to be removed or remedied in such manner as may be specified. These hazards may include, but are not limited to, the following:
 - a. Dangerous or unlawful amounts of flammable, combustible, or explosive material as determined by the AHJ.
 - b. Hazardous conditions arising from defective or improperly installed equipment for handling or using flammable, combustible, or explosive material.
 - c. Dangerous accumulations of rubbish, waste paper, boxes, shavings, or other highly flammable materials as determined by the AHJ.
 - d. Accumulations of dust, grease, or waster materials in air conditioning system, exhaust ducts or vent hoods.
 - e. Obstructions to or in fire escape stairs, passageways, doors, or windows liable to interfere with the operation of the fire department or egress of occupants. This includes snow.
 - f. Any building, structure or premises which for want of repairs, lack of exit facilities, fire alarm apparatus or fire extinguishing equipment, or any reason of age or dilapidated condition, or from any cause, creates a fire hazard.
- 3) The AHJ may use any means necessary in documentation of inspections or conditions, including but not limited to the use of electronic equipment.
- 4) No change can be made in the use or occupancy of any building or structure, or any space within a building or structure, either in a different division of the same occupancy group or in a different occupancy group, unless the building or structure complies with this code's requirements for the new division of occupancies, as these requirements exist. Exception: This subsection does not apply to an approved temporary use or to a new use that will be less hazardous, based on life and/or fire risk, than the existing use.
- 5) An inspection by the fire department or an authorized representative or agent of the AHJ shall be required for any new or change of occupancy.

H. Temporary use. The AHJ may allow a building or portion of a building to be used temporarily in a manner that differs from the approved use for the building or space, or may approve a temporary building to be used by the public, subject to all of the following provisions:

- 1) The AHJ shall determine the time frame within which the temporary use is permitted, based on the extent hazards are created by the temporary use.

- 2) The AHJ shall determine any fire protection and/or control devices and life safety provisions that may be needed.

§133-2. Definitions.

- A. Unless otherwise expressly stated in this code, all definitions, including those of occupancy types, shall be as stated in the most current versions of NFPA 1 (Chapter 3), NFPA 101, (Chapter 3) and/or the NFPA standard(s) or code(s) applicable to the specific subject material, that are legislatively adopted by state statute.

§133-3. Adoption of Wisconsin Administrative Code.

- A. The most current legislatively enacted version by the State of Wisconsin of the Wisconsin Administrative Code, on the effective date of this Code, shall apply.

SPS 303	Administrative Procedures
SPS 305	Licenses, Certification and Registration
SPS 307	Explosives and Fireworks
SPS 308	Mines, Pits and Quarries
SPS 310	Flammable, Combustible and Hazardous Liquids
SPS 314	Fire Prevention
SPS 316	Electrical
SPS 318	Elevators, Escalators and Lift Devices
SPS 326	Manufactured Home Communities
SPS 328	Smoke Detectors and Carbon Monoxide Detectors
SPS 333	Passenger Ropeways
SPS 334	Amusement Rides
SPS 335	Infectious Agents
SPS 340	Gas Systems
SPS 341	Boilers and Pressure Vessels
SPS 343	Anhydrous Ammonia
SPS 345	Mechanical Refrigeration
SPS 348	Petroleum and Other Liquid Fuel Products
SPS 361-366	Wisconsin Commercial Building Code
SPS 371	Solar Energy Systems
SPS 375-379	Existing Buildings

- B. Any violation of the incorporated provisions constitutes a violation of this code.
- C. In cases of conflict between local and state codes, the most restrictive provisions, as determined by the AHJ, shall govern.

§133-4. Adoption of International Code Council (ICC), Inc., codes.

- A. The latest ICC publication(s) listed below and published on or before the effective date of this code are adopted by reference, enforced, and incorporated into this code as fully set forth herein.

§133-5. Adoption by reference of National Fire Prevention Association (NFPA) publications.

- A. The latest version of NFPA 1 (*Fire Code*) that is legislatively adopted by reference by State Wisconsin, including all of the publications, codes, standards, and documents adopted by reference by the State of Wisconsin in Chapter 2 of that code, are hereby adopted by reference, enforced, and incorporated into this code as if fully sent forth herein.

§133-6. Automatic fire alarm, fire sprinkler, and fire protection systems.

- A. The design and construction of all automatic fire alarm, fire sprinkler, and fire protection systems in all public buildings and places of employment shall comply with the administrative code provisions under the Wisconsin Department of Safety and Professional Services (DSPS) Wis. Adm. Code §§ SPS 361.03, SPS 361.05 and SPS 314.

§133-7. Liability for damages.

- A. The code shall not be construed to affect the responsibility of any persons owning, operating, or installing equipment for injury to persons or damage to property caused by any defect therein, nor shall the municipality, any person, firm, company or agent(s) for the municipality be held as assuming such liability by reason of any inspection or re-inspection authorized herein or the permit issued herein provided or by reason of the disapproval or approval of any equipment and/or system authorized herein.

§133-8. Service correction orders.

- A. The service of correction orders shall be made upon the owner, occupant or other person responsible for the condition(s) that violates any section of this code. A copy of the service order can be delivered personally to the owner or by leaving it with the person in charge of the premises. Whenever it may be necessary to serve such order upon the owner of the premises, such an order may be served either by delivering to and leaving with the person a copy of the order or, if such owner is absent from the jurisdiction of the AHJ making the order, by mailing such a copy to the owner's last known post office address.
- B. Conditions that are hazardous to life or safety of the occupants shall require immediate correction. All other violations shall be corrected within a specified time or date, as the AHJ shall determine.
- C. When the owner of any property or person in apparent control of the property is issued an order by the AHJ and fails to comply with the order, the municipality may do the work ordered, and the cost of such work shall constitute a special assessment against the property pursuant to Wis. Stat. § 66.0703(12), within 90 days of the date of the final determination of the governing body.
- D. No person shall refuse to permit or shall prevent or interfere with any entry into or upon any building or premise by the AHJ who is lawfully on the premises or interfere with any such inspection. If consent to enter onto personal or real properties which are not public buildings,

or to portions of the buildings which are not open to the public, has been denied, the Fire Inspector shall obtain a special inspection warrant under Wis. Stat. § 66.0119.

§133-9. Variances.

- A. Except as otherwise prohibited by state law, the AHJ shall have power to modify any of the provisions of this code upon application in writing by the owner or occupant, or a duly sworn authorized agent, when there are practical difficulties in the way of carrying out the strict letter of the code, provided that the spirit of the code shall be observed, public safety secured, and substantial justice done.
- B. The AHJ thereon shall enter upon the records of the department, and a signed copy shall be furnished to the applicant, the particulars of such variances when granted.
- C. The AHJ may require tests as proof of compliance with the intent of this code. Such tests are to be made by an approved agency at the expense of the person requesting approval of the alternate material or method of construction.
- D. If technical expertise is unavailable within the municipality because of new technology, process, products, facilities, materials and uses attending design, operation or use of a building premises subject to the inspection of the municipality, the AHJ may require the owner or the person in possession or control of the building or premises to provide without charge to the municipality a technical opinion and report. The opinion and report shall be prepared by a qualified engineer, specialist, laboratory or fire safety organization, acceptable to the AHJ and owner, and shall analyze the fire safety properties of the design, operation or use of the building or premises and the facilities and appurtenances situated thereon, and prescribed the necessary recommended changes. The department may also acquire technical assistance from a consultant and may charge a fee to the owner or occupant for the service provided.

§133-10. Revocation of permits.

- A. The AHJ may revoke any permit issued in accordance with this code in any case where it may find that any of the conditions of the issuance have not been maintained or where there has been false statement or misrepresentation of any material fact in the application or plans on which the issuance was based.
- B. The AHJ shall promptly notify the permit holder of the request for revocation and, if so requested by the permit holder, the effective date of the revocation shall be deferred pending a hearing before the chief of the fire department. The decision of the fire chief for revocation, following the hearing, shall be final.

§133-11. Closing and vacating buildings.

- A. The AHJ may order compliance with this section and all other lawful orders or laws related to fire prevention and fire protection in existing buildings and structures.
- B. Where the public is exposed to immediate danger, the AHJ shall order the closing and vacating of the building at once.

§133-12. Investigation of fires.

- A. The Fire Department shall investigate the cause and origin, and circumstances of fires occurring within their jurisdiction to determine if the fire is of carelessness or design. Such investigations may begin immediately upon the occurrence of such a fire, and if it appears to the officer making such an investigation that such fire is of suspicious origin and of a significant nature, the fire chief shall be notified of the facts. AHJ shall notify the proper authorities designated by law to pursue the investigation of such matters and shall further cooperate with the authorities in the collection of evidence and in the prosecution of the case. A member of the fire investigation team shall file a written report of damage associated with every fire in a timely manner. It shall contain a statement of all facts relating to cause and origin and circumstances of such fire and other information as may be required.
- B. Fire-damaged buildings (securing). All dwelling and buildings within a municipality damaged from fire shall be secured within 24 hours of release of the property by the AHJ. The owner of the damaged property shall assume the liability for the protection of the public until the property is secured.

§133-13. Miscellaneous construction provisions.

- A. Building plan review. The fire department shall conduct plan reviews and issue approvals of fire-safety related elements prior to construction of any public buildings or places of employment.
- B. Addresses and door labeling. Addresses as assigned by the City shall be placed on all structures or property supporting the same as follows:
 - 1) Placement. The address shall be put in place on the structure as soon as reasonably possible during construction at a location acceptable to the AHJ.
 - 2) Description of numbers and letters. Numbers and letters shall be of contrasting colors (e.g. black and white) and readable from the road or highway and:
 - a. Arabic numbers shall be used; script and roman numerals cannot be used alone, but may be used as an addition to the requirements of this section.
 - b. All single-family and two-family residential buildings shall have street numbers, not less than four (4) inches tall and placed on the exterior wall of the principal building that faces the street or service drive providing access to the building. All such residential units shall also have street numbers, not less than three and one-half (3 ½) inches tall, placed on their respective mailbox. If the building setback is greater than 100 feet from the roadway the address shall be moved no further than 25 feet from the roadway and placed within ten (10) feet of the entrance to the property. Numbers and letters shall be visible from the roadway at all times of the year.
 - 3) Commercial and industrial requirements.
 - a. All suite numbers that identify each individual unit shall be placed on the primary entrance to each business or occupancy.
 - b. All commercial or industrial structures which have a rear service door shall identify the occupant and the street address conspicuously and on said rear door in contrasting and reflective letters and/or numbers not less than six (6) inches tall, and shall continually maintain same.

- C. Door, floor and stairway identification. Any occupancy having more than five exterior means of egress and/or more than two floors in height shall number the individual egress areas according to this section:
- 1) An identifying number shall be placed on the interior and exterior of each means of egress doorway not less than six inches tall, and in contrasting color and light reflective.
 - 2) Each floor shall have a sign indicating room numbers, with an arrow indicating the direction to these rooms. The location of this sign must be acceptable to the AHJ.
 - 3) Each interior door providing access to an enclosed stairway that is considered part of an accessible means of egress shall be identified with numbers and letters not less than three and one-half (3 ½) inches tall in the following manner:
 - a. Have a sign indicating floor level posted on both sides of the egress door in a location acceptable to the AHJ.
 - b. Have a sign indicating the exterior exit door egress assigned in compliance with Subsection B (1) located on both sides of the egress door in a location acceptable to the AHJ.
 - (4) Identification numbers shall be placed on the exterior windows of all hotels, motels, nursing homes, and multifamily occupancies to identify room number or address it services. The numbers shall not be less than three and one-half (3 ½) inches tall, light reflective, and in a location acceptable to the AHJ.
- D. Fire Department access roads and fire lanes. Unobstructed fire lanes that are accessible from a public road shall be provided for every building or portion in accordance with Wis. Adm. Code § SPS 362. Fire Department access roads shall comply with the requirements of NFPA 1, (18.2.3.1).
- E. Fire hydrants.
- 1) Intent. The intent of this section is to insure adequate water supply for fire-fighting purposes to structures, buildings, and normal premises. For the purposes of placing hydrants, "normal access routes" are defined as pavement, sidewalks, streets, driveways and paths leading to a building that are clear and maintained year-round. The normal access route does not include grass, parking stalls, ditches, hills, shrubs, flower beds, fences, walls or any other area typically used for ingress or regress to a building.
 - 2) Where required. Any building or structure hereafter erected shall provide, at the owner's expense, approved water hydrants. Fire hydrant location, distribution and installation shall comply with NFPA 1 (18.5)
 - a. Mobile home parks. Any new mobile home or trailer part or any mobile home or trailer park which expands by adding additional trailers or area to the present court site shall provide an approved water hydrant when any trailer or building located in such park is more than 300 feet from an approved hydrant. Water hydrants shall be provided so that no trailer or building is more than 300 feet from an approved hydrant by normal access routes. Fire extinguishers are required in mobile home parks per Chapter 174 of Franklin municipal ordinances.
 - b. Notwithstanding the above, the need and location of any fire hydrant shall be determined by the AHJ as he/she deems necessary to protect life and property.

- 3) Inspection, testing, maintenance and repair.
 - a. Private fire service mains and water tanks shall be inspected, tested and maintained in compliance with the requirements established in NFPA 25.
 - (1) Property owner shall immediately advise the fire department and the Water Utility as to hydrants which have been damaged, are inoperable, or have been found deficient in required fire flow.
 - (2) All inoperable hydrants shall be repaired as soon as is practically possible or within a reasonable time frame as determined by the AHJ.
 - (3) All records of inspections shall be maintained on site and made available to the AHJ upon request.
 - 4) Hydrants must be accessible at all times. Prohibited obstructions may include but are not limited to snow, parked vehicles, materials, equipment, storage and refuse. No obstruction shall be within a four-foot radius of the hydrant.
- F. Access box system requirements.
 - 1) An access box system has been adopted for use by this fire department. The following structures shall be equipped with an access box at or near the main entrance or such location as required by the AHJ.
 - a. Commercial or industrial structures protected by an automatic alarm system or automatic fire suppression system, or such structures that are secured in a way that restricts access during an emergency.
 - b. Multifamily residential structures that have restricted access through locked doors and have a common corridor for access to the living units.
 - c. Nursing homes, community-based residential facilities (CBRFs), child day-cares and other health facilities.
 - d. All educational occupancies.
 - e. The AHJ shall have the authority to require any structure to install and maintain an access box.
 - f. Exception: Any building or site that has twenty-four hour, seven-day-a-week security guard service or any occupancy that remains open 24 hours a day, seven days a week, does not require an access box unless required by the AHJ.
 - 2) All newly constructed structures subject to this section shall have the access box installed and operational prior to the issuance of an occupancy permit. All structures in existence on the effective date of this section and that are subject to this section shall have one year from the date of being ordered by the AHJ to have an access box installed to complete installation.
 - 3) The owner or agent of a structure required to have an access box shall keep the following inside the box:
 - a. Keys to locked points of ingress and egress whether on the interior or exterior.
 - b. The keys to locked mechanical equipment, electrical and elevator control rooms, fire alarm and/or sprinkler riser rooms.
 - c. The keys needed to open any alarm panels.
 - d. Floor plans or maps as required by the AHJ.

- e. The keys to other areas as directed by the AHJ.
- f. Number of keys required:
 - (1) Occupancies less than 10,000 square feet shall provide a minimum of two master keys.
 - (2) Occupancies of at least 10,000 square feet but less than 50,000 square feet shall provide a minimum of three master keys.
 - (3) Occupancies of 50,000 square feet or more and/or those occupancies with special hazards shall provide a minimum of four master keys.
 - (4) Any existed occupancies shall have one year from the date of an AHJ order to provide the required number of keys within the access box.
 - (5) The access box shall be installed at the owner's expense.
 - (6) The size and type of access box must be acceptable to the AHJ.
 - (7) If the locks to the building are changed, the AHJ must be notified and new keys placed in the access box within 24 hours.
- G. Carbon-monoxide (CO) detectors.
 - 1) Intent. The intent of this section is to decrease the leading cause of poisoning deaths in the United States by requiring the installation and maintenance of carbon monoxide (CO) detectors.
 - 2) Installation required. Installation shall be required, installed, tested and maintained as set forth in Wis. Stat. § 101.149.
- H. Smoke Alarms
 - 1) Installation required. A "ten year" smoke alarm with a sealed battery or smoke alarms hardwired to the structure's electrical power with a battery backup and interconnected with each other shall be installed in all multi-family and mixed-use occupancies not later than January 1, 2013. Smoke alarms must be installed in all bedrooms, in the common hallway outside of the bedrooms and/or at the head of all stairways and/or in locations required by the AHJ.
 - 2) Testing and maintenance.
 - a. The owners of multi-family occupancies are responsible for monthly testing and documentation of the same for all smoke alarms not located within tenant areas.
 - b. The owner and/or occupant of mixed-use occupancies are responsible for monthly testing and documentation of the same for all smoke alarms location within areas they occupy.
 - 3) Once notified of a missing or defective smoke alarm, the owner of a multi-family occupancy shall repair or replace the smoke alarm within five days.

§133-14. Miscellaneous use provisions.

- A. Fireworks.
 - 1) Sales. Except as provided in Wis. Stat. §§ 167.10(2) and (4), no person shall sell or possess with the intent to sell fireworks.
 - 2) Possession. No person shall possess, manufacture, use, display, discharge or sell any fireworks without a permit.

- 3) Use. Except as provided in Wis. Stat. § 167.10(3), no person shall possess or use fireworks without a user's permit issued pursuant to Subsection 4)d. below.
 - 4) User permit.
 - a. As provided in Wis. Stat. § 167.10(3), fireworks user's permits may be issued for festivals or celebrations after proper application to the municipality.
 - b. The AHJ shall require certificate of liability insurance or similar proof of coverage on an amount deemed appropriate.
 - c. Fireworks displays shall be required to be conducted in accordance with the conditions and requirements set forth in NFPA 1123, *Code for Fireworks Displays*.
 - d. Permits to display or discharge fireworks shall be issued as follows:
 - (1) An application for a permit may be obtained at the Fire Department
 - (2) Applications shall be submitted not less than seven days prior to the date of such display.
 - (3) No accumulating or purchase of fireworks shall be allowed prior to the issuance of the permit.
 - (4) After review of the application and inspection of the site, a permit shall be issued or denied at the discretion of the provisions of this chapter and the promotion of public safety and security of adjoining property.
 - (5) The AHJ reserves the right to re-inspect the display and landing sites at any time to ensure public safety.
 - (6) NFPA 1123 and 1124 will be used as a guide for these inspections.
 - (7) The cost of such permits shall be set forth under §133-17 of this code.
 - (8) All persons applying for a permit must also submit proof of liability insurance in the amount of \$1,000,000 and a copy of any contract with companies which will be responsible in whole or part for the fireworks, storage, or display.
 - (9) All display companies and personnel who are paid to set off fireworks within the city shall return to the area of fireworks display with 18 hours of the display and during daytime hours to carefully search for and dispose of unexploded fireworks.
 - (10) The Franklin Police Department and/or Fire Department personnel are authorized to enlarge the area required to be searched by the display companies and their personnel.
 - 5) No permits. Permits will not be issued to sell or manufacture fireworks.
 - 6) Use of caps and sparklers. No unlicensed person may use fireworks, caps, or sparklers in a municipal park or at a firework display for which a permit has been issued if the display is open to the public.
 - 7) Pyrotechnics. Pyrotechnics are prohibited in public buildings and places of employment unless authorized by the AHJ and shall be used in accordance with NFPA 1123.
 - 8) The fire chief and/or his or her designee may disallow the display of fireworks due to local circumstances, such as extremely dry conditions or other unforeseen circumstances.
 - 9) Sky lanterns. The use of free-floating sky lanterns and similar devices utilizing an open flame shall be prohibited.
- B. Outdoor burning.

- 1) Restricted Burning (permit required). Outdoor burning of any kind may be restricted upon issuance of a burning ban order by the AHJ for environmental conditions such as prolonged dry periods, or for other reasons at the discretion of the AHJ.
 - a. Open burning. There shall be no open burning of any combustible waste material except as allowed by permit and subject to the following regulations:
 - (1) A Franklin Burning Permit must be obtained from the Office of the City Clerk (9229 W. Loomis Rd.) by the listed property owner prior to ignition. (Permits shall only be issued to owners of one and two-family residential properties.)
 - (2) Wind velocity shall not exceed nine miles per hour.
 - (3) Contents of the pile may contain only dry leaves, brush, and other dry plant material.
 - (4) Burning of construction or packaging materials is prohibited.
 - (5) The size of the burn pile shall not exceed four feet in width or three feet in height.
 - (6) Open burning shall be constantly supervised by a competent person, at least 16 years old, until the fire is extinguished.
 - (7) The pile to be burned shall be a minimum of 50 feet from buildings and 25 feet from any public roadways.
 - (8) If smoke travels in such a manner as to cause a nuisance to neighbors, or obscure any public roadway, the fire shall be required to be extinguished.
 - (9) Open burning shall only be permitted from 7:00 a.m. to ½ hour after sunset.
 - (10) Open burning shall be permitted from April 1 to June 15 and October 15 to November 30th.
 - (11) Flammable or combustible liquids shall not be used to ignite or accelerate the fire at any point.
 - (12) A garden hose or other means of extinguishment must be present and readily accessible at all times.
 - b. Bonfires. Bonfires may be conducted for public ceremonies, celebrations, and special events; only with a permit approved by the fire department, and subject to the following conditions and requirements:
 - (1) An application shall be obtained from and submitted to the fire department no less than seven days prior to the date of the event.
 - (2) The cost of such permit shall be as set forth under §133-17 of this code. (Fees shall be refunded if a bonfire permit application is denied by the AHJ.)
 - (3) After review of the application and inspection of the site, a permit shall be issued or denied at the discretion of the AHJ upon due consideration of the provisions of this chapter and the promotion of public safety and the security of adjoining property.
 - (4) No accumulating of items to burn in the bonfire shall be allowed prior to the issuance of the permit.
 - (5) The AHJ reserves the right to re-inspect the bonfire site at any time to ensure public safety.
 - (6) Fire shall be no larger than 10 feet in diameter or 10 feet tall.

- (7) The fire area shall be protected by a fire ring or in some other fashion acceptable to the AHJ to prevent fire spread or a fire hazard.
 - (8) Fires shall contain only wood; other building products are prohibited.
 - (9) Fires shall not be started or accelerated using flammable liquids.
 - (10) Fires must be attended at all times by a competent person of at least 18 years of age who has obtained permission of the property owner.
 - (11) The fire must be at least 50 feet from all structures, roadways and lot lines.
 - (12) If smoke travels in such a manner that it obscures roadways, the AHJ reserves the right to require that the fire be extinguished.
 - (13) A garden hose or other means of extinguishment must be present and readily accessible at all times.
- a. Prescribed burns. Prescribed burns may be conducted in order to control invasive weeds, grasses, and brush for the purpose of restoring native prairie plant species and improving wildlife habitat, with the following conditions and restrictions:
 - (1) Prescribed burns shall be conducted only by a professional environmental consulting or engineering firm demonstrating adequate proof of insurance, and with the approval of the fire chief.
 - (2) Prescribed burn requests shall be evaluated and approved or denied on a case-by-case basis at the sole discretion of the fire chief, after consideration of geographic location, present condition, and potential impact on adjoining properties, structures, and roadways.
- 2) Permissible burning (permit not required).
- a. Grills:
 - (1) For other than one- and two-family dwellings, no hibachi, grill, or similar devices used for cooking, heating, or any other purpose shall be used or kindled on any balcony, under any overhanging portion, or within 10 ft (3m) of any structure.
 - (2) For other than one- and two-family dwellings, no hibachi, grill, or other similar devices used for cooking shall be stored on a balcony.
 - (3) Listed equipment permanently installed in accordance with its listing, applicable codes, and manufacturer's instructions shall be permitted.
 - (4) Electric grills shall be permitted to be used and stored on balconies, provided that they are UL-listed and intended for outdoor use; and provided they are left uncovered so as to be readily identified as meeting the requirements of this code.
 - c. Recreational fires:
 - (1) Portable fire pits shall not be used or kindled on any combustible surface, balcony, or under any overhanging portion; or within 25 feet of any structure unless contained in an approved manner.
 - (2) Total fire area shall not exceed three feet in diameter and two feet in height.
 - (3) Only dry firewood may be burned; burning of yard waste, construction materials, or other refuse is prohibited.
 - (4) Recreational fires shall be attended at all times by a competent person at least 16 years old, who has obtained permission of the property owner.

- (5) Flammable or combustible liquids shall not be used to ignite the fire.
- (6) Smoke shall not be a nuisance to neighbors or public roads.
- D. Christmas tree sales. For the purpose of this subsection, the following minimum standards shall apply to the storage, handling, and display of live Christmas trees and foliage: *??*
 - 1) Trees and foliage shall be stacked not closer than 10 feet to any gasoline pump or other device for the transfer of petroleum products.
 - 2) Aisles or clear spaces of not less than three feet shall be maintained at all times.
 - 3) A fire extinguisher with a 2A-10BC rating or greater shall be provided by the merchant for each 75 feet of travel display and/or storage area.
 - 4) All storage and sales of live Christmas trees and foliage shall be held outside of buildings.
- E. Blasting.
 - 1) Blasting shall comply with Chapter SPS 305.20 of the Wisconsin Administrative Code.
 - 2) The fire department shall be notified a minimum of seven (7) days prior to blasting operations.
 - 3) The AHJ reserves the right to re-inspect the project site at any time to ensure public safety.
 - 4) No blasting materials may be accumulated or stored on site.
 - 5) Exemptions: Persons or entities engaging in the active operation of quarrying activities, as a legal, nonconforming, permissive or special use of land, prior to the effective date of this chapter, shall be exempt from the permit requirement hereunder.
- F. Outdoor, ordinary combustible-fired or fuel furnaces. An outdoor wood-fired furnace shall not be installed or used within the City.

§133-15. Flammable, combustible, and hazardous materials.

- A. Storage of flammable, combustible and hazardous materials for all occupancy types shall comply with Chapter 60 of the version of NFPA 1 that is currently adopted by reference by the Wisconsin Administrative Code.
- B. Flammable, combustible and hazardous materials shall be identified in accordance with NFPA 704.

§133-16. Fire inspection fees.

- A. A fire inspection fee shall be charged to the property owner and/or property occupant, jointly and severally, and respectively for each part or portion of a building, structure or premises subject to a separate zoning compliance permit and/or a separate occupancy permit, including for each return or repeat inspection of each building, structure, and premises or part or portion thereof.
- B. The annual fee shall constitute a special charge against the property inspected and shall be entered upon the tax roll as a charge against the property unless previously paid, and all proceedings in relation to the collection, return, and sale of the property for delinquent real estate taxes shall apply to the collection of any unpaid inspection fees.

- C. The fee for the required fire inspections shall be charged to and paid by the owners of multifamily residential property, mixed use property, commercial property, industrial property, health-care-facility property, schools, churches and other places of worship, child day-care centers, rooming houses, community-based residential facility property, adult-family-home property, adult-day-care facility property, nursing home property and assisted living property. Inspection fees to be charged and paid under this section shall be in the amount of \$20 for an inspection which does not exceed 20 minutes in duration; \$30 for an inspection which does not exceed 40 minutes in duration; \$40 for each inspection which does not exceed 60 minutes in duration; and \$40 pro rata for each portion of an inspection hour in addition to and immediately following an initial hour of inspection. Total inspection fees charged to any single property or facility shall not exceed \$500 in a calendar year.
- D. Should re-inspections be necessary for any purpose, the base fee for all re-inspections shall be \$75 for any portion of an hour, however this fee shall be waived if all conditions and violations have been corrected and the building and/or space is in full compliance with the requirements of this code.

§133-17. Fees.

- A. Fees shall be established for permits shall be payable to the municipality. Fees are subject to change.
- B. Permit fees. The fees established in Table 133-17A apply to permits required by this code.

Table 133-17A

Permit	Fee
Bonfires	\$50 per fire
Open Burning	\$15 per year
Blasting	\$100 per project
Fireworks	\$50 per event
Addition, alteration, or removal of 1-20 sprinkler heads or alarm components to an existing system	\$50 per project
Installation of any fire protection system; including fire sprinkler, fire alarm, wet chemical, clean agent, water mist, or other	\$100 per project; in addition to any plan review and inspection fees charged by authorized third party contracted plan review consultant

§133-18. Violations and penalties.

- A. Any person who violates any of the provisions of this code, or who fails to comply with any order made hereunder, or who builds in violation of any detailed statement of specifications or plans submitted and conditionally approved hereunder, or any certificate or permit herein from which no such appeal has been taken, or who fails to comply with such an order as affirmed or

modified by a court of competent jurisdiction within the time fixed herein, shall for each and every violation and noncompliance be subject to the following:

- B. Imposition by forfeiture of no more than \$500 per day by the Municipal Court.
- C. Imposition of a penalty for each such violation shall not excuse the violation or permit it to continue, and such violations or defects shall be corrected or remedied within the time stated in the order. Each and every day that a violation of this code occurs constitutes a separate offense.
- D. False alarms. If the fire department responds to three or more false alarms in one calendar year, the Fire Department may:
 - 1) Fine the building owner or occupant the amount as per City of Franklin §76-7 to reimburse the Fire Department for the cost of equipment and personnel that was used to respond to the alarm.
 - 2) Require that the fire alarm be serviced, upgraded or replaced to bring the alarm system into compliance with current code in order to prevent future false alarms.
- E. Any contractor that begins installation and/or alteration of any system regulated by this code prior to obtaining the required permit will be charged a triple fee.

§133-19. Appeals.

- A. Whenever the AHJ shall disapprove on application or refuse to grant a permit applied for, or when it is claimed that the provision of this code does not apply or that the true intent and meaning of this Code has been misconstrued or wrongly interpreted, the applicant may appeal the decision of the AHJ.
- B. Appeals shall be submitted, in writing, to the Chief of the Fire Department for a review of the initial determination within 30 days from the date of the decision of the AHJ.
- C. All appeals shall follow Wisconsin Statute Chapter 68, Municipal Administrative Procedure.
- D. Whenever the Fire Official shall disapprove an application or refuse to grant a license or permit applied for, or when it is claimed that the provisions of this chapter do not apply or the true intent and meaning of this section have been misconstrued or wrongly interpreted, the applicant may appeal the decision of the Fire Official to the Board of Zoning and Building.

SECTION 2: The terms and provisions of this ordinance are severable. Should any term or provision of this ordinance be found to be invalid by a court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

SECTION 3: All ordinances and parts of ordinances in contravention to this ordinance are hereby repealed.

SECTION 4: This ordinance shall take effect and be in force from and after its passage and publication of a notice thereof within 15 days of passage pursuant to Wis. Stat. § 62.11(4)(a), and 120 days from and after the date of publication pursuant to Wis. Stat. § 101.02(7r)(c)4.

Introduced at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2021, by Alderman _____.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2021.

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

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APPROVAL <i>slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 05/04/2021
Reports and Recommendations	APPROVAL AND ACCEPTANCE OF SECOND (Years 6-10) DRUG-FREE COMMUNITY GRANT CYCLE and APPROVAL FOR THE CITY OF FRANKLIN TO CONTINUE TO SERVE AS THE FISCAL AGENT FOR THE DRUG-FREE COMMUNITY GRANT and APPROVAL OF MEMORANDUM OF UNDERSTANDING BETWEEN VOLITION FRANKLIN AND THE CITY OF FRANKLIN	ITEM NUMBER <i>G.6.</i>

Background: In September of 2016 and with Common Council support the Health Department accepted the Drug-Free Communities Grant on behalf of Volition Franklin (formally known as Franklin Area Parents and Students United). The Drug Free Communities grant is a 10-year grant that runs on two 5-year cycles, with awardees required to submit a competing continuation application prior to year six of funding. The grant application specifies that the City of Franklin will continue to serve as the fiscal agent for the Drug-Free Community Grant which will be administered by the Health Department.

Analysis: Volition Franklin has been a committed coalition in the Franklin community for over 10 years and has actively worked to reduce the threat of alcohol, marijuana, tobacco, and prescription drug misuse in Franklin, particularly amongst our youth. Through donation of in-kind services and relationships with community partners, Volition Franklin has brought over \$1,000,000 to the City of Franklin which goes directly towards furthered youth prevention and health promotion activities. With continued municipal support, Volition Franklin can continue prevention activities and further promote a safe and healthy community.

Options:

1. Approve Volition Franklin's competing continuation application for the Drug-Free Community grant and accept the Drug Free Community grant award (if granted)
2. Decline Volition Franklin's competing continuation application for the Drug-Free Community grant and do not accept the Drug Free Community grant

Recommendation: The Director of Health and Human Services recommends approval of the Drug-Free Community competing continuation application, acceptance of the Drug-Free Community Grant (if granted), approval for the City to continue to serve as the fiscal agent of the grant, and approval of the Memorandum of Understanding between Volition Franklin and the City of Franklin.

Fiscal Note: The second grant cycle is for the budget period 09/30/2021 – 09/29/2026 and the project period of 09/30/2016 – 09/29/2026. Each year of the 5-year project period the City of Franklin can be awarded \$125,000 for the progress in the Drug-Free Community grant work

plan. The City will serve as the fiscal agent for the grant and the Health Department will partner with Volition Franklin in fulfilling the contractual grant obligations.

COUNCIL ACTION REQUESTED

The Director of Health and Human Services requests a motion (1) to approve Volition Franklin's competing continuation application for the second 5-year cycle of the Drug-Free Community Grant, (2) to accept the Drug Free Community grant award (if granted) and (3) to approve a Memorandum of Understanding between Volition Franklin and the City of Franklin outlining expectations to fulfil contractual grant obligations.

E. Henry

<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;">May 4, 2021</p>
<p style="text-align: center;">REPORTS AND RECOMMENDATIONS</p>	<p style="text-align: center;">An Ordinance to Amend §§22-3A. and B. of the Municipal Code Pertaining to Municipal Court Stipulations and Deposits to Update Same with regard to References to the Wisconsin Statutes Provisions, and a Deposit Schedule for non-Police Department (Health, Inspection, Fire, Engineering and City Development [Planning]) Citations</p>	<p style="text-align: center;">ITEM NUMBER</p> <p style="text-align: center;">G.7.</p>

Attached is a copy of a draft of the above-entitled ordinance. Also attached is a copy of a memo from the Municipal Court Judge setting the amount of \$500.00 for a bond deposit for non-Police Department (Health, Inspection, Fire, Engineering and City Development [Planning]) citations, for which there previously had been no deposit amount. Municipal Court staff has been experiencing an increase in these citations non-appearances by persons cited and recommends the proposed citation bond amount to improve such circumstances. Additionally, below is a motion to approve the Deposit Schedule amount for a citation issued pursuant to Municipal Code Ch. 80 Animals, Article V Possession of wild animals, as enforcement and citations thereunder may be performed and issued by the Police Department and non-Police Departments, which is also included in the memo from the Municipal Court Judge.

COUNCIL ACTION REQUESTED

A motion to adopt An Ordinance to Amend §§22-3A. and B. of the Municipal Code Pertaining to Municipal Court Stipulations and Deposits to Update Same with regard to References to the Wisconsin Statutes Provisions;

and

A motion to approve the Deposit Schedule for non-Police Department (Health, Inspection, Fire, Engineering and City Development [Planning]) issued citations, pursuant to the Municipal Court Judge memo dated April 27, 2021;

and

A motion to approve the Deposit Schedule for violations of Municipal Code Ch. 80 Animals, Article V Possession of wild animals, citations, pursuant to the Municipal Court Judge memo dated April 27, 2021.

ORDINANCE NO. 2020-_____

AN ORDINANCE TO AMEND §§22-3A. AND B. OF THE MUNICIPAL CODE PERTAINING TO MUNICIPAL COURT STIPULATIONS AND DEPOSITS TO UPDATE SAME WITH REGARD TO REFERENCES TO THE WISCONSIN STATUTES PROVISIONS

WHEREAS, §§22-3A. and B. of the Municipal Code as it pertains to stipulations and deposits for Municipal Court matters provides citations of Wisconsin Statutes provisions which over time have been repealed or amended and Municipal Court staff having recommended that such Code provisions be amended accordingly to provide current citations pertaining to the Municipal Court stipulations and deposits process; and

WHEREAS, the Common Council having considered the recommendation and having determined same to be reasonable and in the public interest.

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

SECTION 1: §§22-3A. and B. of the Municipal Code of the City of Franklin, Wisconsin, are hereby amended to read as follows [note deletions appear in strike-through text, additions appear in double-underlined text, unchanged text is not highlighted]:

A. Deposit schedule to be established. The Municipal Judge shall establish and submit to the City Council for approval, in accordance with § ~~800.03(3)~~800.037, Wis. Stats., a schedule of deposits for violations of City ordinances, resolutions and bylaws, except traffic regulations, which are governed by § 345.26, Wis. Stats., and boating violations governed by § 23.67, Wis. Stats. When approved by the Council, such deposit schedule shall be posted in the office of the Municipal Court Clerk and the City Police Department.

B. Stipulation and deposit in lieu of court appearance. Persons cited for violations of City ordinances, resolutions or bylaws for which a deposit has been established under this section shall be permitted to make a stipulation of no contest and a deposit in lieu of court appearance as provided in §§ ~~800.03~~800.037, ~~800.04~~800.035 and 800.09, Wis. Stats.

SECTION 2: The terms and provisions of this ordinance are severable. Should any term or provision of this ordinance be found to be invalid by a court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

SECTION 3: All ordinances and parts of ordinances in contravention to this ordinance are hereby repealed.

SECTION 4: This ordinance shall take effect and be in force from and after its passage and publication.

Introduced at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2021, by Alderman _____.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2021.

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____



City of Franklin Municipal Court

9455 West Loomis Road, Franklin, WI 53132

Phone: 414-425-4768 • Fax: 414-858-2625

Frederick F. Klimetz, Municipal Court Judge

April 27, 2021

TO: Franklin Health Department, Franklin Inspection Department, Franklin Fire Department, Franklin Engineering Department, Franklin Planning Department & Franklin Police Department

RE: CITATION BOND AMOUNT PROCEDURES

Upon the approval of the Common Council, the Office of the Municipal Court Clerk shall begin processing non-Police Department (Health, Inspection, Fire, Engineering, Planning) citations which show a mandatory court appearance (date/time) and which show a bond deposit amount of \$500.00. The Municipal Court Clerk will no longer accept nor file any of the affected department citations issued with a \$0.00 bond deposit or with a "blank" bond deposit.

RE: POSSESSION OF WILD ANIMALS BOND AMOUNT

Upon the approval of the Common Council, the bond deposit amount for violations of Franklin Municipal Code Ch. 80 Animal-Article V, Possession of Wild Animals shall be set at \$500.00.

Sincerely,

FRANKLIN MUNICIPAL COURT

Frederick F. Klimetz
Municipal Judge

ORDINANCE NO. 2020-_____

AN ORDINANCE TO AMEND §§22-3A. AND B. OF THE MUNICIPAL CODE PERTAINING TO MUNICIPAL COURT STIPULATIONS AND DEPOSITS TO UPDATE SAME WITH REGARD TO REFERENCES TO THE WISCONSIN STATUTES PROVISIONS

WHEREAS, §§22-3A. and B. of the Municipal Code as it pertains to stipulations and deposits for Municipal Court matters provides citations of Wisconsin Statutes provisions which over time have been repealed or amended and Municipal Court staff having recommended that such Code provisions be amended accordingly to provide current citations pertaining to the Municipal Court stipulations and deposits process; and

WHEREAS, the Common Council having considered the recommendation and having determined same to be reasonable and in the public interest.

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

SECTION 1: §§22-3A. and B. of the Municipal Code of the City of Franklin, Wisconsin, are hereby amended to read as follows [note deletions appear in strike-through text, additions appear in double-underlined text, unchanged text is not highlighted]:

A. Deposit schedule to be established. The Municipal Judge shall establish and submit to the City Council for approval, in accordance with § ~~800.03(3)~~800.037, Wis. Stats., a schedule of deposits for violations of City ordinances, resolutions and bylaws, except traffic regulations, which are governed by § 345.26, Wis. Stats., and boating violations governed by § 23.67, Wis. Stats. When approved by the Council, such deposit schedule shall be posted in the office of the Municipal Court Clerk and the City Police Department.

B. Stipulation and deposit in lieu of court appearance. Persons cited for violations of City ordinances, resolutions or bylaws for which a deposit has been established under this section shall be permitted to make a stipulation of no contest and a deposit in lieu of court appearance as provided in §§ ~~800.03~~800.037, ~~800.04~~800.035 and 800.09, Wis. Stats.

SECTION 2: The terms and provisions of this ordinance are severable. Should any term or provision of this ordinance be found to be invalid by a court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

SECTION 3: All ordinances and parts of ordinances in contravention to this ordinance are hereby repealed.

SECTION 4: This ordinance shall take effect and be in force from and after its passage and publication.

Introduced at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2021, by Alderman _____.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2021.

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

APPROVAL <i>slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE Mat 4, 2021
REPORTS & RECOMMENDATIONS	AN ORDINANCE TO AMEND CHAPTER §13-4 OF THE MUNICIPAL CODE TO PROVIDE FOR PUBLICATION OF BUDGET AMENDMENTS ON THE CITY WEBSITE IN CONFORMANCE WITH STATE STATUTE §65.90(5)	ITEM NUMBER <i>G 8.</i>

Background

Currently Franklin's Municipal code §13-4 requires the "publication within 10 days thereafter in the Official City Newspaper" after adoption of a budget amendment.

State Statutes were amended to require a budget amendment notice:

Shall publish either a class 1 notice of the changes, under ch 985, within 15 days after any change is made or post a notice of the changes on the municipality's website within 15 days after any change is made. [emphasis added]

Franklin spent \$2,858 in 2019 and \$1,216 in 2020 publishing budget amendment notices in the Official newspaper. Rarely, if ever, is there any feedback on those publication notices.

The City maintains a page dedicated to the City Budget. To publish any budget amendment notices to that page would provide a clear link between the Adopted Budget (and its details) to any changes made to that budget for all the public to see.

It is unclear what the Franklin circulation is of the Official Newspaper to Franklin residents. However, folks interested in the City financial information can obtain a wealth of budget and actual financial results by consulting the city website. Posting budget amendments would further serve that transparency.

Analysis

Amending the Municipal code to comply with the State Statutes would provide the flexibility the City needs to reduce cost and become more transparent.

Recommendation

Staff recommends adopting the proposed amendment to the Municipal Code.

COUNCIL ACTION REQUESTED

Motion adopting An ordinance to amend Chapter §13-4 of the Municipal Code to provide for publication of budget amendments on the city website in conformance with State Statute §65.90(5)

ORDINANCE NO. 2021-_____

AN ORDINANCE TO AMEND THE MUNICIPAL CODE §13-4 CHANGES IN
BUDGET; PUBLIC NOTICE, TO PROVIDE NOTICE OF A CITY BUDGET
AMENDMENT ON THE CITY WEBSITE

WHEREAS, Wis. Stat. § 65.90(5)(a) was amended by 2019 Wis. Act 42 to in part provide that in lieu of the publication of a budget amendment ordinance as a class 1 notice within the official municipality newspaper, the notice of the amendment may be made by way of “post a notice of the changes on the municipality's website within 15 days after any change is made”; and

WHEREAS, the Department of Finance and Treasury having recommended an amendment to the Municipal Code accordingly, having considered the costs of official newspaper publications and the City website being an appropriate and readily accessible method of communication to the public; and

WHEREAS, the Common Council having reviewed such proposed Ordinance and having determined same to be reasonable and in the public interest.

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

SECTION 1: §13-4 Changes in budget; public notice, of the Municipal Code of the City of Franklin, Wisconsin, is hereby amended to read as follows: “The amount of the tax to be levied or certified, the amounts of the various appropriations and the purposes thereof shall not be changed after approval of the budget except by a two-thirds vote of the members-elect of the City Council. Notice of such transfer shall be given by publication by either a class 1 notice of the changes, under Wis. Stat. Ch. 985, in the Official City Newspaper within 15 days after any change is made or by posting a notice of the changes on the City's website within 15 days after any change is made. In this subsection, “members-elect” has the meaning given in Wis. Stat. § 66.10015(1)(bs).

SECTION 2: The terms and provisions of this ordinance are severable. Should any term or provision of this ordinance be found to be invalid by a court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

ORDINANCE NO. 2021-_____

Page 2

SECTION 3: All ordinances and parts of ordinances in contravention to this ordinance are hereby repealed.

SECTION 4: This ordinance shall take effect and be in force from and after its passage and publication.

Introduced at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2021, by Alderman _____.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2021.

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

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APPROVAL <i>slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE May 4, 2021
REPORTS & RECOMMENDATIONS	AN ORDINANCE TO AMEND ORDINANCE 2020-2453, AN ORDINANCE ADOPTING THE 2021 ANNUAL BUDGETS FOR THE GENERAL AND CAPITAL IMPROVEMENT FUNDS TO CARRYFORWARD \$350,000 CITY WIDE SECURITY APPROPRIATIONS AND RECLASSIFYING \$6,600 OF CONTINGENCY APPROPRIATIONS TO PARK EXPENDITURES	ITEM NUMBER <i>6.9.</i>

Background

On December 15, 2020, the Council approved a request to carry forward \$350,000 of the 2020 Capital Improvement fund project for city wide security improvements. The project was delayed due to several factors including the change in Director of Administration and the pandemic.

On March 2, 2021, Common Council authorized upto a \$6,600 expenditure from General Fund Contingency for environmental consulting services related to a proposed dog park. Those expenditures are more appropriately categorized as Park Expenditures.

Analysis

The 2020 project was to be funded by a transfer from the General Fund. The General Fund had a \$565,000 surplus in 2020 and fund balance exceeded the upper end policy of 30% of General Fund expenditures.

Unassigned General Fund balance at Dec 31, 2020 exceeded 2020 expenditures by \$778,000. A \$350,000 transfer out would use less than half the excess General Fund balance.

Recommendation

Staff recommends adoption of the proposed 2021 budget amendment providing for:

- Transferring \$6,600 of Contingency appropriations to Park Non-personnel appropriations
- Transferring out of General Fund \$350,000 to the Capital Improvement Fund
- Carrying forward a \$350,000 2020 appropriation for city wide security improvements in the Capital Improvement fund.

COUNCIL ACTION REQUESTED

Motion adopting an Ordinance to amend Ordinance 2020-2453, an Ordinance adopting the 2021 annual budgets for the General Fund and Capital Improvement Fund to carryforward \$350,000 city wide security appropriations and reclassifying \$6,600 of contingency appropriations to park expenditures

Roll Call Vote Required

STATE OF WISCONSIN : CITY OF FRANKLIN : MILWAUKEE COUNTY

ORDINANCE NO. 2021 _____

AN ORDINANCE TO AMEND ORDINANCE 2020-2453, AN ORDINANCE ADOPTING THE 2021 ANNUAL BUDGETS FOR THE GENERAL AND CAPITAL IMPROVEMENT FUNDS TO CARRYFORWARD \$350,000 CITY WIDE SECURITY APPROPRIATIONS AND RECLASSIFYING \$6,600 OF CONTINGENCY APPROPRIATIONS TO PARK EXPENDITURES

WHEREAS, the Common Council of the City of Franklin adopted the 2021 Annual Budgets for the City of Franklin on November 17, 2020; and

WHEREAS, on December 15, 2020 the Common Council directed that \$350,000 of uncompleted citywide security project expenditures be carryforward to the 2021 Capital Improvement Fund with a transfer out of the General Fund as resources; and

WHEREAS, on March 2, 2021 the Common Council authorized the use of up to \$6,600 of General Fund contingency appropriations for environmental consulting services for a potential dog park that are better classified as Park expenditures.

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

Section 1 That the 2021 Budget for the General Fund be amended as follows:

Contingency		Decreased	\$6,600
Park	Non-Personnel	Increased	\$6,600
Transfers Out		Increased	\$350,000

Section 2 That the 2021 Budget for the Capital Improvement Fund be amended as follows:

Transfers In		Increased	\$350,000
Muni Bldg	Capital	Increased	\$350,000

Section 3 Pursuant to §65.90(5)(a), Wis. Stats., the City Clerk is directed to publish a Class 1 notice of this budget amendment within ten days of adoption of this ordinance.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2021.

APPROVED:

Stephen R Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES ____ NOES ____ ABSENT ____

<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;">12/15/2020</p>
<p style="text-align: center;">REPORTS & RECOMMENDATIONS</p>	<p style="text-align: center;">Request to Authorize Carry Forward of Unused 2020 Appropriations, for Use in 2021, in the Amount of \$549,900</p>	<p style="text-align: center;">ITEM NUMBER</p> <p style="text-align: center;">G.14.</p>

The following items, included in the 2020 Budget, are being requested for carryover into 2021, so that the initiatives may be completed in 2021 with the authorized 2020 budgeted funds:

- 1) Initiative: Website Redevelopment
Amount: \$20,000
Account: 41-0144-5843, Capital Outlay Fund-Information Services, Software
Reason: Staff is requesting carryover of these funds to make improvements to the website including: the addition of an urgent alert message panel, the addition of a banner allowing for rotating images, the expansion of authors and editors for the site to be able to improve managing content and keeping data fresh, addition of subscription management to allow interested parties to sign up for notifications of website information, training on the Google Analytics functionality, some auditing for content and accessibility, reorganization of pages, and other improvements as needed.

- 2) Initiative: Ken Windl Pavilion Repairs
Amount: \$65,000
Account: 41-0551-5822, Capital Outlay Fund-Parks, Building Improvements
Reason: Staff is requesting to carryover \$65,000 for this initiative that has been needed for some time, and was approved and budgeted in 2020. With the Buildings and Facilities Survey being scheduled and completed in 2020, this project was delayed. The project did receive a high priority rating, as needing to be completed as soon as possible, in the survey results.

- 3) Initiative: Inspections Limited-Term Temporary Help
Amount: \$78,300
Account: 01-0231-XXXX, General Fund – Inspection Services, Various Payroll Accounts
Reason: Staff is requesting to carryover \$78,300 to preserve the option of hiring limited-term temporary help for the Director of Inspection Services to use and assign as needed. This includes various, appropriately-licensed, commonly-retired individuals to supplement our response in the Department. The Director has access to individuals willing to do the work on such a part-time, on-call basis. This provides additional flexibility to address peak demands. These funds have been carried over in previous years, used sparingly, and will not be replaced when spent.

- 4) Initiative: Merit Pay Pool
Amount: \$36,600
Account: 01-XXXX-XXXX, General Fund-Variou Functions, Appropriate Payroll Accounts
Reason: Staff is requesting to carryover the \$36,600 that was budgeted for 2020, to be used for merit increases, and was not spent due to not having developed the merit plan in 2020. As discussed at budget time, the classification and compensation plan that was approved and implemented approximately five years ago, includes a merit element that allows employees to achieve placement over the 65% level in their pay grade; however, no merit plan has been developed to date, which is creating an issue with retention as employees progress in their positions. Since the \$36,600 was budgeted for this purpose, and remains unused due to the absence of a functioning merit plan, staff did not include additional funds in the 2021 Budget for this purpose. This carry over will allow the implementation of the merit portion of the pay plan only after such plan is approved by the Council.

5) Initiative: Security Improvements

Amount: \$350,000

Account: 46-XXXX-XXXX, Capital Improvement Fund-Variou Functions, Various Accounts

Reason: Staff is requesting to carryover \$350,000 of the \$500,000 that was budgeted in 2020 for citywide security improvements. This initiative is just getting kicked off in Quarter 4 of 2020, with information gathering and research being done, the actual improvements will be completed in 2021. There are a number of needed improvements, including: cameras, interior and exterior; door access control; alarm availability, access, and management; electronic timekeeping; hallway safety; security glass; an emergency plan; training; and other related improvements as needed. While this initiative was originally planned for deficit spending in 2020, staff is working to ensure that the use of fund balance is kept to a minimum. However, since the \$350,000 will likely not suffice for all needed improvements, staff will monitor the year end numbers and consider an additional request depending on the project needs, available funding, and other City priorities.

As noted above, each of the detailed initiatives was part of the authorized 2020 budget that was not able to be completed during the year, so the request is being made to carry the initiatives forward into 2021 so that the funds can be used during 2021 for the same purpose and same manner as previously authorized.

Please note the following in regard to funding of each of the above enumerated initiatives: Items 1 and 2 are already fully funded in the Capital Outlay Fund; Items 3 and 4 are expected to be covered in full by available funds in the General Fund; and for Item 5, although the entire project was slated for deficit spending (i.e. using fund balance), this initiative will be funded first by available funds in the General Fund, which will be transferred to the Capital Improvement Fund, before a request is made for Council to consider utilizing fund balance.

COUNCIL ACTION REQUESTED

Motion to authorize the carry forward of unused 2020 appropriations, for use in 2021, in the amount of \$549,900, and direct the Director of Finance and Treasurer to prepare a 2021 Budget modification for the same, for Council consideration.

BUDGETS FOR CIP
AND SANITARY
SEWER

ORDINANCE ADOPTING THE 2021 ANNUAL BUDGETS FOR THE CAPITAL IMPROVEMENT AND SANITARY SEWER FUNDS TO REMOVE ENCUMBRANCE APPROPRIATIONS FOR 2020 FOR LATE ARRIVING INVOICES CHARGED TO 2020 OPERATIONS Seconded by Alderwoman Hanneman On roll call, all voted Aye. Motion carried.

RFP FOR AUDITING
AND ACCOUNTING
FOR 2021-2025

G.14. Alderwoman Wilhelm moved to authorize a Request for Proposal on auditing and other accounting services for the City of Franklin for calendar years 2021 through 2025 with an option for two additional years Seconded by Alderwoman Hanneman. All approved Aye, motion carried.

ORD. 2021-2459
COVID-19
CONTINGENCY
APPROPRIATIONS

G.15 Alderwoman Hanneman moved to adopt Ordinance No. 2021-2459, AN ORDINANCE TO AMEND ORDINANCE NO. 2019-2398, AN ORDINANCE ADOPTING THE 2020 ANNUAL BUDGETS FOR THE GENERAL FUND, CAPITAL OUTLAY, GRANT, DEBT SERVICE, TID 5, TID 6 AND TID 7 TO ALIGN COVID-19 CONTINGENCY APPROPRIATIONS WITH ACTUAL 2020 EXPENDITURES AND OTHER 2020 BUDGET ADJUSTMENTS. Seconded by Alderman Dandrea On roll call, all voted Aye. Motion carried.

FIBER NETWORK

G.16. Alderman Barber moved to authorize an "Evaluation to Determine the Feasibility of Establishing a Fiber Network to Access Internet Services for City of Franklin Business Operations, Including the Possibility of Additional Infrastructure to Serve the Community", awarding this phase of the project to Multimedia Communications & Engineering, at a cost not to exceed \$12,567, and authorize the Director of Administration to execute the appropriate, related contracts as needed as well as take appropriate action to execute such agreement. Seconded by Alderman Nelson. All voted Aye; motion carried.

SIGMA GROUP
AGMT-DOG PARK
CONSULTING
SERVICES

G.17. Alderwoman Wilhelm moved to enter into an agreement with The Sigma Group, Inc. for environmental consulting services (potential dog park) for a not to exceed fee of \$6,600 with funding provided by the General Fund Contingency Account Seconded by Alderman Nelson All voted Aye, motion carried

VOUCHERS AND
PAYROLL

I. Alderman Dandrea moved to approve the following: City vouchers with an ending date of March 1, 2021 in the amount of \$4,294,582.50, Payroll dated February 26, 2021 in the amount of \$405,140 38 and payments of the various payroll deductions in the amount of \$464,862 23 plus City matching payments; Estimated payroll dated March 12, 2021 in the amount of \$398,000 00 and payments of the various payroll deductions in the amount of \$269,000, plus City matching payments, Property Tax disbursements with an ending date

APPROVAL <i>slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE May 4, 2021
REPORTS & RECOMMENDATIONS	Resolution Declaring Official Intent to Reimburse Expenditures from Proceeds of Borrowing	ITEM NUMBER <i>G. 0.</i>

Background

The 2021 Budget includes debt proceeds for several issues, \$2 million for capital programs, \$3 million for a water tower, \$3 million for replacing a lift station in the industrial park. Debt issues of \$3 million for TID6 and \$6 million in TID8 are included in the 2021 Budget, however don't require any action at this time. Projects to be financed by the debt issues will be initiated at various times of the year, while the actual debt issues likely will be scheduled in Q3 or Q4 of 2021. The debt issues will combined where practical to minimize debt issuance costs.

City 2021 capital programs anticipated a \$2 million Debt issue to provide resources for approved projects. Attached is a list of capital projects in the 2021 Capital Outlay and Capital Improvement Funds that would be financed with the \$2 million debt issue.

Analysis

The Common Council could adopt a Declaration of Intent to reimburse expenditures from debt proceeds to protect any projects initiated prior to the debt sale using current funds on hand.

Prior to the Debt Sale, the projects would use available City cash reserves to finance expenditures. Because the City Financing will take advantage of tax-exempt provisions of the internal Revenue Code, the City must declare its intent to reimburse itself for projects expenditures incurred prior to the Debt sale.

The projects will require expenditures at different times, some before the debt proceeds will become available:

- City capital projects in the 2021 Capital Outlay and Capital Improvement Funds.
- Replacing the lift station in the Industrial park - \$3.2 million
- A \$6 million water tower project on Highway 100 and St Martin's Road.

Recommendation

The Director of Finance & Treasurer recommends the Common Council adopts the proposed Resolution, declaring its intent to reimburse the City from proceeds for expenditures on the projects prior to the debt sale.

COUNCIL ACTION REQUESTED

Motion adopting Resolution 2019-_____, A Resolution declaring official intent to reimburse expenditures from proceeds of borrowing.

STATE OF WISCONSIN: CITY OF FRANKLIN: MILWAUKEE COUNTY

RESOLUTION NO. 2021-_____

RESOLUTION DECLARING OFFICIAL INTENT TO REIMBURSE EXPENDITURES FROM
PROCEEDS OF BORROWING

WHEREAS, the City of Franklin, Milwaukee County, Wisconsin (the “Issuer”) plans to undertake the 2021 Capital program for the City for \$2 million of projects in the Capital Outlay and Capital Improvement Funds combined with a \$6 million Water Tower project and replacement of the Industrial Park Lift Station for \$3 million (the ‘Projects’); and

WHEREAS, the City expects to finance the Projects on a long-term basis by issuing tax-exempt notes or other obligations (collectively, the “Notes”); and

WHEREAS, because the Notes will not be issued prior to commencement of the Project, the Issuer must provide interim financing to cover costs of the Project incurred prior to receipt of the proceeds of the Notes; and

WHEREAS, the Common Council of the Issuer deems it to be necessary, desirable, and in the best interests of the Issuer to advance moneys from its funds on and on an interim basis to pay the costs of the Projects until the Notes are issued.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin that:

Section 1. Expenditure of Funds. The Issuer shall make expenditures as needed from its funds on hand to pay the cost of the Projects until proceeds of the Notes become available.

Section 2. Declaration of Official Intent. The Issuer hereby officially declares its intent under Treasury Regulation Section 1.150-2 to reimburse said expenditures with proceeds of the Notes, the principal amount of which is not expected to exceed \$11 million.

Section 3. Unavailability of Long-Term Funds. No funds for payment of the Project from sources other than the Notes are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside by the Issuer pursuant to its budget or financial policies.

Section 4. Public Availability of Official Intent Resolution. The Resolution shall be made available for public inspection at the office of the Issuer’s Clerk within 30 days after its approval in compliance with applicable State law governing the availability of records of official acts including Subchapter II of Chapter 19, and shall remain available for public inspection until the Notes are issued.

Section 5. Effective Date. This Resolution shall be effective upon its adoption and approval.

Introduced at a regular meeting of the Common Council of the City of Franklin this ____ day of _____, 2021.

Passed at a regular meeting of the Common Council of the City of Franklin this ____ day of _____, 2021.

APPROVED:

Stephen R Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES ____ NOES ____ ABSENT ____

**City Of Franklin WI
Capital Outlay Fund
2021 by Dept**

Where no priorities are listed, none provided by requester

	Priority	Requested	Adopted
Clerk - 141			
Laptop - replacement	1	1,000	-
Total Clerk - 141		1,000	-
Information Services Dept - 144			
Unexpected Hardware Replacements		6,000	5,000
Server & SAN Warranty Extensions		21,600	21,500
Disk Upgrade for VMWare Servers		12,500	12,500
Unexpected Software Upgrades/Replacement		6,000	5,000
Total Information Services Dept - 144		46,100	44,000
Administration Dept - 147			
Computer Equipment		4,000	0
Administration Dept - 147		4,000	-
Municipal Buildings - 181			
Meeting Room Chair Replacement - Remainder	1	6,200	6,200
HVAC Equipment Replacement - North Section City Hall	2	8,000	-
Landscaping/Tree Replacement	3	8,000	5,000
Total Municipal Buildings Dept - 181		22,200	11,200
Total General Government		73,300	55,200

City Of Franklin WI
Capital Outlay Fund
2021 by Dept

Where no priorities are listed, none provided by requester

	Priority	Requested	Adopted
Police Dept - 211			
Ballistic Body Armor (14) - replacement	1	11,500	11,500
Squad Cars and Related Equipment (5) - replacement	2	352,000	352,000
Taser X2 Units & Holsters (5) - replacement	3	10,600	10,600
Portable Radios (5) - replacement	4	26,400	26,400
Squad Tablet (5) - replacement	5	31,200	31,200
Uninterruptible Power System (1) - replacement	6	25,000	-
Digital Forensics Oriented Computer Work Station (1) - new	7	6,200	-
Laptop Computer (1) - new	8	1,400	-
ASP Talon Disc Lock Batons (15) - replacement	9	2,600	-
40mm Single Shot Launcher (2) - new	10	2,200	-
Squad Video System (4) - replacement	11	23,500	23,500
SWAT Rifles (10) - replacement	12	27,600	-
SWAT Communications & Ballistic Helmets (11) - replacement	13	21,200	-
Preliminary Breath Test Units (2) - replacement	14	900	-
Digital Cameras & Cases (7), Memory Cards & SD Card	15	5,600	-
Drone Batteries (2) - new	16	600	-
SWAT Recon Robotics Throwbot 2 Base Kit (1) - new	17	18,000	-
Pet Microchip Reader (1) - replacement	18	500	-
Police Mountain Bikes (2) - replacement	19	2,900	-
Field Training Software - new	20	6,400	-
Smart Board (1) - new	21	600	-
Total Police Dept - 211		576,900	455,200
Fire Dept - 221			
Structural Turnout Gear (5 sets & 2 coat/pants only)	1	25,785	25,785
Hurst E-Draulic Combi-Tool	2	13,550	13,550
Inspection Office Buildout	3	20,000	20,000
Laptop Computers (3) - replacement	4	2,550	-
Fire Station #1 Masonry Repair and Window Replacement	5	105,000	105,000
Misc Replacement of Furnishings	6	3,000	
Blow-Hard Battery-Powered Ventilation Fan	7	4,390	
Plymo-Vent Magnetic Grabber Boots - replace 5 @ St 1	8	15,750	
Stihl Gas-Powered Rotary Saw	9	1,500	
Total Fire Dept - 221		191,525	164,335
Total Public Safety		768,425	619,535

**City Of Franklin WI
Capital Outlay Fund
2021 by Dept**

Where no priorities are listed, none provided by requester

	Priority	Requested	Adopted
Engineering - 321			
Misc Furniture		1,000	
Digital Camera		500	
iPad		750	
Misc Adapters, Add-Ons, etc.		500	
Blue Beam Revu		500	
Seiler TPP Software Maintenance - Trimble Access		700	
Total Engineering Dept - 321		3,950	-
Highway Dept - 331			
3/4 ton Pick-up trucks (2) - new	1	99,000	50,000
Track Skid Steer (1) - new	2	85,000	85,000
Stainless Steel V-Box Salt Spreaders (2) - replacement	3	49,000	49,000
Trailer Mounted Message Sign Board (1) - new	4	19,000	19,000
Tilt Bed Trailer (2) - replacement	5	29,000	15,000
Single Axle Plow Trucks (2) - new	6 **	520,000	270,000
Parking Lot replacement	7	70,000	-
Trailer Mounted Solar Arrow Board (2) - replacement	8	19,000	-
Snowblower Attachment (1) - replacement	9	7,600	-
Sky Lights/Garage Door Openers - replacement - partial work	10	35,000	-
Various Computer Purchases/Projects - replacement	11	3,000	-
Floor scrubber (1) - replacement	12	16,000	-
Street Trees (57), Developer Trees (170) - new	13	39,750	30,000
Fuel Island Fuel Dispenser (1) - replacement	14	23,000	23,000
DPW Exterior Doors - replacement	15	25,000	-
Truck Mounted Brine Geo Sprayer (1) - replacement, but new	16	19,000	-
Various Tables & Chairs - replacement	17	3,500	-
Equipment to Aid in Virtual/Distance Training - new	18	2,500	-
Misc Equipment attachment replacements			10,000
** One plow to equip staffing request, other one to replace two spare units that are frequently not usable			
Total Highway Dept - 331		1,064,350	551,000
Total Public Works		1,068,300	551,000

**City Of Franklin WI
Capital Outlay Fund
2021 by Dept**

Where no priorities are listed, none provided by requester

	Priority	Requested	Adopted
Culture & Recreation			
Parks Dept - 551			
96" Zero Turn Mower - new	1	41,000	41,000
11' Wide General Parks Mower - new	1	97,000	97,000
72" Zero Turn Mower - replacement	1	29,000	29,000
Snow Removal Equipment (shared with DPW) (1) - new	2	98,000	60,000
Tennis Courts (2) - replacement @ Jack Workman & Lion's	3	130,000	65,000
Landscape Trailers (2) - replacements	4	19,000	20,000
Misc replacement/new Park Equipment	5	45,000	40,000
Trees & Landscaping	6	4,000	2,000
Playground Structure Replacement Parts	7	20,000	10,000
Lake Ernie Aeration System		77,000	0
Total Parks Dept - 551		560,000	364,000
Total Culture & Recreation		560,000	364,000
Conservation & Development			
Planning Dept - 621			
Comprehensive Master Plan Update		100,000	-
Unified Development Ordinance Reorganization		200,000	150,000
Comprehensive Outdoor Recreation Plan Update		30,000	30,000
Total Planning Dept - 621		330,000	180,000
Total Conservation & Development		330,000	180,000
Contingency		60,000	40,650
Total Capital Outlay		2,860,025	1,810,385
Resources			1,806,150
Net Rev (expenditures)		(2,860,025)	(4,235)
Forecasted Beginning Fund Balance			322,711
Ending Fund Balance		(2,860,025)	318,476

L:\41803 VOL1 Finance\BUDGET\2021 Budget\Working Files\Captial Requests\[Capital Outlay Requests.xlsx]2021 Requests

City of Franklin
 Capital Improvement Fund
 Budget 2021

Adopted

Project/Name	Activity	Total	Funding Source	Amount	Net City Funds
Landfill Siting Revenue					\$ 51,500
Investment Income		5,000			5,000
Total Revenue		5,000			56,500

Expenditures
APPROVED PROJECTS

PARK DEVELOPMENT					
Pleasant View Park - improvements	Park	300,000	Park Impact Fees	141,000	159,000
Park's Signage	Park	20,000			20,000
116th Street Trail	Park		Park Impact Fees		-
Church Street pathway	Park	75,000	Park Impact Fees	53,250	21,750
Ernie Lake aeration system	Park	15,000			15,000
Water Tower Park Improvements	Park		Park Impact Fees		-
Public Safety					
Parking Lot Replacement @ Police Bldg	Pub Safety				-
Replace roof @ Police Dept	Pub Safety	127,500			127,500
Video Surveillance Cameras - replacement @ Police Bldg	Pub Safety	247,000			247,000
911 Phone system - replacement	Pub Safety	125,000			125,000
Public Works					
Marquette Ave construction - 49th to 51st Street	Pub Wrks	186,000	Grant	101,500	84,500
ADA compliance sidewalk improvements	Pub Wrks				-
Water Main on W Minnesota Ave	Pub Wrks	140,000	Utility Development	140,000	-
Water Tower in Southwest Zone	Pub Wrks	4,000,000	Water Impact Fees	2,000,000	2,000,000
	Pub Wrks		Water Fund	2,000,000	(2,000,000)
Highway Building addition - design work	Pub Wrks	30,000			30,000
Replace Industrial Park temporary Lift	Pub Wrks	3,000,000	Transfer in from Sewer	3,000,000	-
Curb replacements	Pub Wrks	35,000			35,000
Muni Buildings Improvements		350,000			350,000
Total Approved Projects		8,650,500		7,435,750	1,214,750

PROJECTS PENDING APPROVAL

Water Projects	Utility	500,000	Water Connection Fee	500,000	-
Sewer Projects	Utility	500,000	Sewer Connection Fee	500,000	-
					-
Contingency		150,000			150,000

Total Projects Pending Approval					
Total Projects		9,800,500		8,435,750	1,364,750
Net Revenue (Expenditures)					(1,308,250)
Loan Proceeds					1,458,000
Transaction fees					(100,000)
Net Rev (Expenditures)					49,750
Projected Beginning Fund balance					396,395
Projected Ending Fund Balance					\$ 446,145

APPROVAL <i>slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE May 4, 2021
REPORTS & RECOMMENDATIONS	March, 2021 Monthly Financial Report	ITEM NUMBER <i>G.11.</i>

Background

The March, 2021 Financial Report is attached.

The Finance Committee reviewed this report at its April 27, 2021 meeting and recommends its acceptance.

The Director of Finance & Treasurer will be available to answer any questions.

COUNCIL ACTION REQUESTED

Receive and place on file.

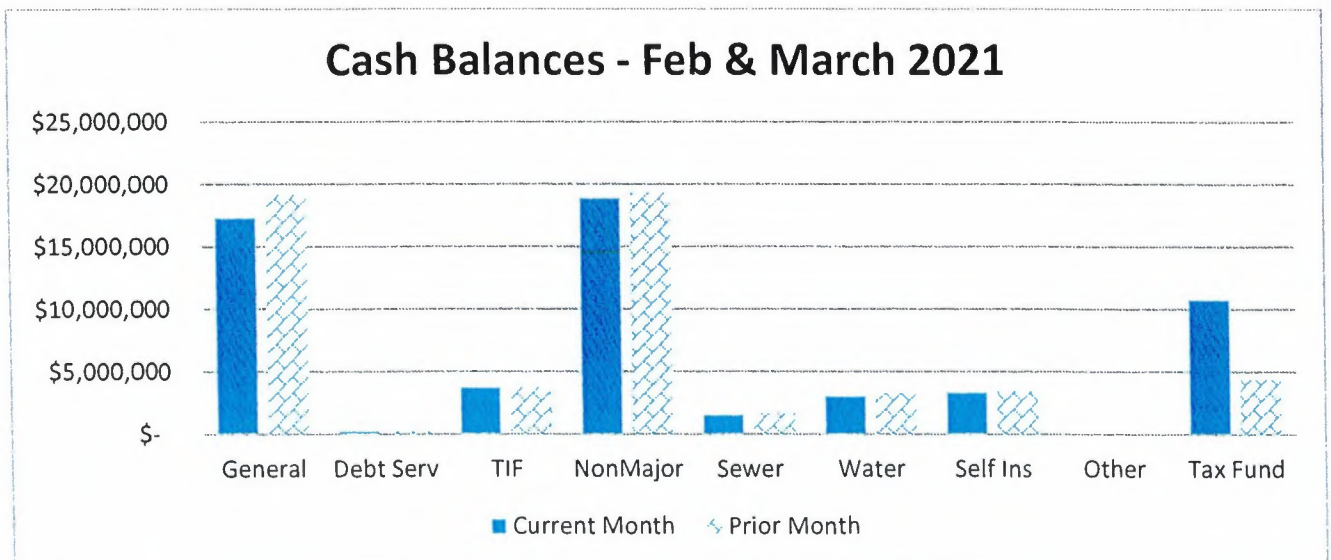


Date: April 20, 2021
 To: Mayor Olson, Common Council and Finance Committee Members
 From: Paul Rotzenberg, Director of Finance & Treasurer
 Subject: Mar 2021 Financial Report

The March, 2021 financial reports for the General Fund, Debt Service Fund, TID Funds, Library Fund, Tourism Fund, Solid Waste Fund, Capital Outlay Fund, Equipment Replacement Fund, Street Improvement Fund, Capital Improvement Fund, Development Fund, Utility Development, Sanitary Sewer Fund, Water Utility Fund, Self Insurance Fund, and Post Employment Insurance Fund are attached.

The budget allocation is completed using an average of the last five years actual spending against the Original Budget. Caution is advised in that spending patterns may have changed. Comments on specific and trending results are provided below to aid the reader in 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. Investment returns are secondary in the investment decisions, while return potential is not ignored. Cash & Investments in the Governmental Funds totaling \$40.1 million decreased \$2.2 million since last month. General fund payroll requirements were the biggest reason for the reduction.



March 2021
Financial report

Investment balances have been reduced at Institutional Capital Management. The yield curve at the short end has flatten and lowered to the point that bank CD's have become more attractive. Our relationship with American Deposit Management has provided the environment to tap the bank CD market. However, in anticipation that the yield curve will steepen, CD's have been limited to 24 months or less. Two-year Treasuries are yielding 15 bp, while the CD's generate 79 bp.

GENERAL FUND revenues of \$14.5 million are \$0.1 million short of budget. Tax collections were a little slower this year than prior years. Ambulance resources were not available for the March report. Investment income was less than budget with continued very low rates of return.

Year to Date expenditures of \$6.5 million are \$138,700 less than budget.

A \$8.0 million surplus is even to budget.

DEBT SERVICE – Debt payments were made March 1 as required.

TIF Districts – The TID's collected the \$3.8 million increment in January as expected.

TID 3 – The 2021 increment was collected and the TID retired \$965,000 of debt along with \$1,006,000 Municipal Revenue Obligation payment. The TID has a \$377,000 fund balance.

TID 4 – The \$1.1 million 2021 increment was collected. \$1.2 million of Advances were repaid. The TID has a \$380,000 deficit related to the \$1.3 remaining Advance outstanding.

TID 5 – The \$558,000 2021 Increment was collected. \$300,000 of debt service was paid. The TID has an \$812,000 fund balance related to capitalized interest.

TID 6 – There is no 2021 Increment. The TID has a \$450,000 fund balance.

TID 7 – There is no activity in TID7 at this time.

TID 8 – There is no activity in TID8 at this time.

LIBRARY FUND – all things are tracking as expected.

TOURISM COMMISSION – Resources are collected in the final quarters of the year. Little activity has taken place so far this year. The fund has a \$376,000 fund balance.

SOLID WASTE FUND – Activity is occurring as budgeted.

CAPITAL OUTLAY FUND – Resources are as expected.

The Police have ordered several squads, and Highway has ordered much of the equipment budgeted for 2021.

EQUIPMENT REPLACEMENT FUND – Resources are as expected so far in 2021.

March 2021
Financial report

The Fire department has ordered the radios planned for 2021. The highway department has begun the snow plow orders.

STREET IMPROVEMENT FUND – There has been little activity in this fund so far in 2021

CAPITAL IMPROVEMENT FUND – Resources have not been received as yet.

Most of the expenditures relate to projects started in 2020, most significantly, Marquette Ave construction. The same can be said for park projects.

DEVELOPMENT FUND – The \$148,000 of resources relate to new housing starts in Aspen Woods.

Transfers to Debt Service account for all the use of Public Safety resources. While the park expenditures relate to commitments to developers on new subdivisions.

There are now \$5.0 million of park impact fees and \$2.9 million water impact fees on hand.

UTILITY DEVELOPMENT FUND – There has been little activity in this fund in 2021.

SANITARY SEWER FUND – Activity is progressing as planned in this fund.

WATER UTILITY – Activity is progressing as planned. Water usage in Q1 was impacted by the pandemic, with residential usage greater than planned, and Commercial/Industrial usage much less than planned.

Operating costs are as expected, with a \$77,000 operating surplus, compared to a \$165,000 surplus in 2020.

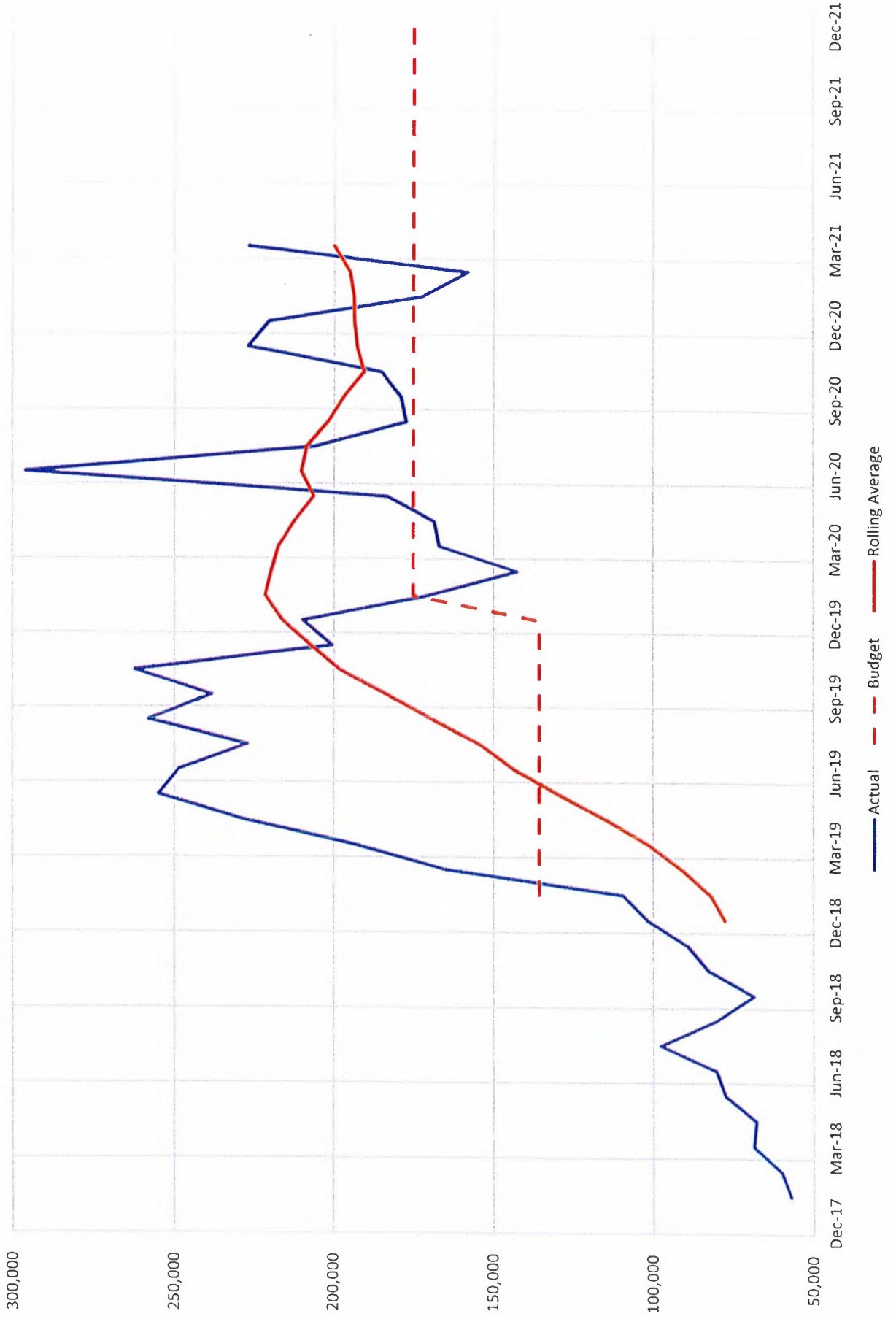
SELF INSURANCE FUND – Resources are as expected thru March 31.

The \$845,000 of claims have been greater than expected and 2020.

The fund generated a \$135,000 deficit this first quarter compared to a \$161,000 surplus. The fund has a healthy \$3.1 million fund balance.

RETIREE HEALTH FUND – Insurance results are on par with the prior year. Investment results have been stellar in Q1, with a \$420,000 gain, compared to a \$929,000 loss in Q1 2020. Markets are volatile, so put investment results into perspective with a longer view.

Monthly Landfill Siting Revenue



City of Franklin
Cash & Investments Summary
March 31, 2021

	Cash	American Deposit Management	Institutional Capital Management	Local Government Invest Pool	Total	Prior Month Total
General Fund	\$ (551,512)	\$ 14,418,345	\$ 123,369	\$ 3,286,892	\$ 17,277,094	\$ 19,149,400
Debt Service Funds	6,874	197,871	-	-	204,745	201,230
TIF Districts	98,874	2,964,833	673,442	-	3,737,149	3,713,222
Nonmajor Governmental Funds	716,100	11,414,282	6,760,878	-	18,891,260	19,306,782
Total Governmental Funds	270,336	28,995,330	7,557,689	3,286,892	40,110,248	42,370,633
Sewer Fund	498,555	1,057,812	-	-	1,556,367	1,682,936
Water Utility	1,994	731,233	2,307,423	-	3,040,650	3,250,112
Self Insurance Fund	11,869	460,412	2,879,633	-	3,351,914	3,416,461
Other Designated Funds	12,410	-	-	-	12,410	10,826
Total Other Funds	524,828	2,249,457	5,187,056	-	7,961,341	8,360,335
Total Pooled Cash & Investments	795,164	31,244,787	12,744,745	3,286,892	48,071,588	50,730,968
Property Tax Fund	998,705	9,758,900	-	-	10,757,604	4,363,066
Total Trust Funds	998,705	9,758,900	-	-	10,757,604	4,363,066
Grand Total Cash & Investments	1,793,869	41,003,686	12,744,745	3,286,892	58,829,193	55,094,034
Average Floating Rate of Return		0.09%	2.00%	0.06%		
Avg Weighted Rate of Return - CD's		0.79%				
Maturities:						
Demand	1,793,869	29,935,058	20,529	3,286,892	35,036,348	30,850,676
Fixed Income & Equities						
2021 - Q1	-	-	-	-	-	500,000
2021 - Q2	-	1,022,876	2,005,506	-	3,028,382	3,009,061
2021 - Q3	-	500,000	1,010,313	-	1,510,313	1,511,875
2021 - Q4	-	-	4,547,260	-	4,547,260	4,553,629
2022 - Q1	-	2,752,876	2,081,865	-	4,834,742	2,084,663
2022 - Q2	-	267,876	-	-	267,876	-
2022	-	2,700,000	2,563,728	-	5,263,728	8,242,214
2023	-	3,825,000	515,544	-	4,340,544	4,341,918
	1,793,869	41,003,686	12,744,745	3,286,892	58,829,193	55,094,034

City of Franklin
General Fund
Comparative Statement of Revenue, Expenses and Fund Balance
For the 3 months ended March 31, 2021

<u>Revenue</u>	<u>2021 Original Budget</u>	<u>2021 Amended Budget</u>	<u>2021 Year-to-Date Budget</u>	<u>2021 Year-to-Date Actual</u>	<u>Var to Budget Surplus (Deficiency)</u>
Property Taxes	\$ 19,196,900	\$ 19,196,900	\$ 13,065,092	\$ 12,786,968	\$ (278,124)
Other Taxes	614,900	614,900	18,863	174,336	155,473
Intergovernmental Revenue	1,785,400	1,785,400	262,379	401,085	138,706
Licenses & Permits	1,111,150	1,111,150	198,855	183,740	(15,115)
Law and Ordinance Violations	490,000	490,000	155,713	131,219	(24,494)
Public Charges for Services	2,424,650	2,424,650	541,638	465,045	(76,593)
Intergovernmental Charges	203,200	203,200	11,264	29,632	18,368
Investment Income	359,718	359,718	98,668	30,377	(68,291)
Sale of Capital Assets	10,250	10,250	727	333	(394)
Miscellaneous Revenue	123,000	123,000	18,422	51,939	33,517
Transfers from Other Funds	1,050,000	1,050,000	277,070	278,036	966
Total Revenue	\$ 27,369,168	\$ 27,369,168	\$ 14,648,691	\$ 14,532,710	\$ (115,981)
				99 21%	
<u>Expenditures</u>	<u>2021 Original Budget</u>	<u>2021 Amended Budget</u>	<u>2021 Year-to-Date Budget</u>	<u>2021 Year-to-Date Actual</u>	<u>Var to Budget Surplus (Deficiency)</u>
General Government	\$ 3,160,403	\$ 3,184,743	\$ 918,544	\$ 867,517	\$ (51,027)
Public Safety	18,352,063	18,472,161	4,379,497	4,240,336	(139,161)
Public Works	4,288,736	4,516,454	937,420	1,162,711	225,291
Health & Human Services	713,239	713,239	159,859	144,514	(15,345)
Culture & Recreation	218,343	222,886	50,297	39,533	(10,764)
Conservation and Development	599,884	617,257	125,694	131,276	5,582
Contingency & Unclassified	3,077,500	3,114,100	143,830	6,600	(137,230)
Anticipated Underexpenditures	(315,000)	(315,000)	(78,750)	-	78,750
Transfers to Other Funds	24,000	24,000	-	-	-
Encumbrances	-	-	-	(94,851)	(94,851)
Total Expenditures	\$ 30,119,168	\$ 30,549,840	\$ 6,636,391	\$ 6,497,636	\$ (138,755)
				97 91%	
Excess of revenue over (under) expenditures	(2,750,000)	(3,180,672)	<u>8,012,300</u>	8,035,074	<u>\$ 22,774</u>
Fund Balance, beginning of year	<u>9,199,013</u>	<u>9,199,013</u>		<u>9,199,013</u>	
Fund Balance, end of period	<u>\$ 6,449,013</u>	<u>\$ 6,018,341</u>		<u>\$ 17,234,087</u>	

**City of Franklin
General Fund
Comparative Statement of Revenue
For the 3 months ended March 31, 2021**

Revenue	2021 Original Budget	2021 Amended Budget	2021 Year-to-Date Budget	2021 Year-to-Date Actual	Var to Budget Surplus (Deficiency)
Property Taxes	\$ 19,196,900	\$ 19,196,900	\$ 13,065,092	\$ 12,786,968	\$ (278,124)
Other Taxes:					
Cable television franchise fees	443,000	443,000	12,885	116,807	103,922
Mobile Home	20,000	20,000	5,000	8,593	3,593
Room tax	151,900	151,900	978	48,936	47,958
Total Other taxes	614,900	614,900	18,863	174,336	155,473
Intergovernmental Revenue:					
State shared revenue-per capita	433,000	433,000	-	-	-
Expenditure restraint revenue	45,000	45,000	-	-	-
State computer aid	228,000	228,000	-	-	-
State transportation aids	540,000	540,000	215,144	400,000	184,856
Fire insurance dues	170,000	170,000	-	-	-
Other grants & aid	369,400	369,400	47,235	1,085	(46,150)
Total Intergovernmental Revenue	1,785,400	1,785,400	262,379	401,085	138,706
Licenses & Permits:					
Licenses	170,450	170,450	22,601	15,064	(7,537)
Permits	940,700	940,700	176,254	168,676	(7,578)
	1,111,150	1,111,150	198,855	183,740	(15,115)
Law & Ordinance Violations:					
Fines, Forfeitures & Penalties	490,000	490,000	155,713	131,219	(24,494)
Public Charges for Services:					
Planning Related Fees	75,300	75,300	20,027	31,924	11,897
General Government	8,700	8,700	1,835	3,736	1,901
Architectural Board Review	4,500	4,500	1,007	2,460	1,453
Police & Related	6,800	6,800	1,712	674	(1,038)
Ambulance Services - ALS	1,350,000	1,350,000	347,964	122,396	(225,568)
Ambulance Services - BLS	-	-	-	62,560	62,560
Fire Safety Training	1,500	1,500	486	686	200
Fire Sprinkler Plan Review	4,000	4,000	1,212	700	(512)
Fire Inspections	5,000	5,000	1,098	3,397	2,299
Quarry Reimbursement	45,000	45,000	989	3,550	2,561
Weed Cutting	7,000	7,000	97	-	(97)
Engineering Fees	260,000	260,000	20,211	128,967	108,756
Public Works Fees	36,000	36,000	3,675	7,081	3,406
Investment Mgmt Fees	71,500	71,500	17,875	19,380	1,505
Weights & Measures	7,600	7,600	4	(1)	(5)
Landfill Operations - Siting	345,000	345,000	86,250	56,160	(30,090)
Landfill Operations - Emerald Park	80,000	80,000	12,281	13,927	1,646
Health Department	116,750	116,750	24,915	7,448	(17,467)
Total Public Charges for Services	\$ 2,424,650	\$ 2,424,650	\$ 541,638	\$ 465,045	\$ (76,593)

**City of Franklin
General Fund
Comparative Statement of Revenue
For the 3 months ended March 31, 2021**

Revenue	2021 Original Budget	2021 Amended Budget	2021 Year-to-Date Budget	2021 Year-to-Date Actual	Var to Budget Surplus (Deficiency)
Intergovernmental Charges:					
Milwaukee County - Paramedics	\$ 117,800	\$ 117,800	\$ 11,264	\$ 29,632	\$ 18,368
School Liaison Officer	85,400	85,400	-	-	-
Total Intergovernmental Charges	203,200	203,200	11,264	29,632	18,368
Investment Income:					
Interest on Investments	256,718	256,718	72,918	7,277	(65,641)
Market Value Change on Investments	-	-	-	(221)	(221)
Interest - Tax Roll	100,000	100,000	25,000	21,006	(3,994)
Other Interest	3,000	3,000	750	2,315	1,565
Total Investment Income	359,718	359,718	98,668	30,377	(68,291)
Sale of Capital Assets	10,250	10,250	727	333	(394)
Miscellaneous Revenue:					
Rental of Property	52,000	52,000	14,938	19,487	4,549
Refunds/Reimbursements	20,000	20,000	3,175	971	(2,204)
Insurance Dividend	50,000	50,000	-	-	-
Other Revenue	1,000	1,000	309	31,481	31,172
Total Miscellaneous Revenue	123,000	123,000	18,422	51,939	33,517
Transfer from Other Funds:					
Water Utility-Tax Equivalent	1,050,000	1,050,000	277,070	278,036	966
Total Transfers from Other Funds	1,050,000	1,050,000	277,070	278,036	966
Total Revenue	\$ 27,369,168	\$ 27,369,168	\$ 14,648,691	\$ 14,532,710	\$ (115,981)
				99.21%	

**City of Franklin
General Fund
Comparative Statement of Expenditures
For the 3 months ended March 31, 2021**

Expenditures	2021 Original Budget	2021 Amended Budget	2021 Year-to-Date Budget	2021 Year-to-Date Actual	Var to Budget Surplus (Deficiency)
General Government:					
Mayor & Aldermen - Labor	\$ 65,903	\$ 65,903	\$ 16,476	\$ 16,476	\$ -
Mayor & Aldermen - Non-Personnel	37,350	38,760	16,036	17,070	(1,034)
Municipal Court - Labor	189,109	189,109	43,641	44,025	(384)
Municipal Court - Non-Personnel	21,475	23,040	14,436	13,966	470
City Clerk Labor	334,272	334,272	76,942	75,775	1,167
City Clerk - Non-Personnel	28,500	28,500	6,018	5,226	792
Elections - Labor	28,922	28,922	9,561	9,064	497
Elections - Non-Personnel	25,000	25,000	1,811	869	942
Information Services - Labor	102,343	102,342	23,041	23,403	(362)
Information Services - Non-Personnel	432,736	454,102	128,385	108,815	19,570
Administration - Labor	262,816	262,816	59,500	60,841	(1,341)
Administration - Non-Personnel	129,755	129,755	28,743	28,611	132
Finance - Labor	424,474	424,474	96,302	86,963	9,339
Finance - Non-Personnel	122,490	122,490	45,279	40,685	4,594
Independent Audit	30,050	30,050	1,439	4,750	(3,311)
Assessor - Non-Personnel	237,650	237,650	59,375	44,221	15,154
Legal Services	353,600	353,600	94,791	74,439	20,352
Municipal Buildings - Labor	106,778	106,778	21,328	22,356	(1,028)
Municipal Buildings - Non-Personnel	120,615	120,615	26,463	22,753	3,710
Property/liability insurance	106,565	106,565	148,977	167,209	(18,232)
Total General Government	3,160,403	3,184,743	918,544	867,517	51,027
Public Safety:					
Police Department - Labor	9,133,458	9,133,458	2,107,721	2,071,500	36,221
Police Department - Non-Personnel	1,235,790	1,277,535	398,567	279,709	118,858
Pandemic Emergency - Labor	-	-	-	33,429	(33,429)
Fire Department - Labor	6,268,073	6,268,073	1,447,260	1,482,353	(35,093)
Fire Department - Non-Personnel	515,980	516,033	138,069	89,835	48,234
Public Fire Protection	283,300	283,300	72,240	70,007	2,233
Building Inspection - Labor	753,818	832,118	175,615	174,168	1,447
Building Inspection - Non-Personnel	154,044	154,044	40,025	39,335	690
Weights and Measures	7,600	7,600	-	-	-
Total Public Safety	18,352,063	18,472,161	4,379,497	4,240,336	139,161
Public Works:					
Engineering - Labor	599,419	599,419	135,340	133,530	1,810
Engineering - Non-Personnel	292,850	320,797	73,061	146,973	(73,912)
Highway - Labor	2,015,467	2,015,467	464,746	483,163	(18,417)
Highway - Non-Personnel	1,016,750	1,176,681	193,103	344,642	(151,539)
Street Lighting	357,200	397,040	71,170	54,403	16,767
Weed Control	7,050	7,050	-	-	-
Total Public Works	\$ 4,288,736	\$ 4,516,454	\$ 937,420	\$ 1,162,711	\$ (225,291)

City of Franklin
General Fund
Comparative Statement of Expenditures
For the 3 months ended March 31, 2021

Expenditures	2021 Original Budget	2021 Amended Budget	2021 Year-to-Date Budget	2021 Year-to-Date Actual	Var to Budget Surplus (Deficiency)
Health & Human Services:					
Public Health - Labor	\$ 597,789	\$ 597,789	\$ 139,832	\$ 131,717	\$ 8,115
Public Health - Non-Personnel	67,450	67,450	6,377	4,846	1,531
Animal Control	48,000	48,000	13,650	7,951	5,699
Total Health & Human Services	713,239	713,239	159,859	144,514	15,345
Culture & Recreation:					
Senior Travel & Activities	22,000	22,000	5,618	-	5,618
Parks - Labor	122,368	122,368	28,239	28,211	28
Parks - Non-Personnel	73,975	78,518	16,440	11,322	5,118
Total Culture & Recreation	218,343	222,886	50,297	39,533	10,764
Conservation & Development:					
Planning - Labor	367,941	367,941	84,908	83,555	1,353
Planning - Non-Personnel	75,650	81,673	8,736	11,857	(3,121)
Economic Dev - Labor	95,793	95,793	21,434	21,859	(425)
Economic Dev - Non-Personnel	60,500	71,850	10,616	14,005	(3,389)
Total Conservation & Development	599,884	617,257	125,694	131,276	(5,582)
Contingency & Unclassified:					
Restricted - other	2,500,000	2,500,000	-	-	-
Severance Payments	200,000	236,600	50,000	-	50,000
Unrestricted	375,000	375,000	93,750	6,600	87,150
Unclassified	2,500	2,500	80	-	80
Total Contingency & Unclassified	3,077,500	3,114,100	143,830	6,600	137,230
Anticipated Underexpenditures	(315,000)	(315,000)	(78,750)	-	(315,000)
Transfers to Other Funds:					
Capital Improvement Fund	-	-	-	-	-
Other Funds	24,000	24,000	-	-	-
Total Transfers to Other Funds	24,000	24,000	-	-	-
Total Expenditures	\$ 30,119,168	\$ 30,549,840	\$ 6,636,391	\$ 6,592,487	\$ (192,346)
Less Encumbrances				(94,851)	
Net Expenditures				\$ 6,497,636	
% of YTD Budget				97.91%	

**City of Franklin
General Fund
Balance Sheet**

ASSETS	3/31/2021	3/31/2020
Cash & Investments	\$ 17,277,094	\$ 17,051,435
Accounts & Taxes & Interest Receivable	7,129,885	6,731,534
Due from Other Funds & Advances	206,450	123,200
Due from Other Governments	1,738	2,658
Prepaid Expenditures & Inventories	35,935	26,661
Total Assets	<u>\$ 24,651,102</u>	<u>\$ 23,935,488</u>
LIABILITIES		
Accounts Payable	\$ 415,589	\$ 300,594
Accrued Liabilities	316,601	915,936
Due to Other Funds & Governments	139,466	137,523
Special Deposits	132,151	80,134
Unearned Revenue	6,413,208	5,955,498
Total Liabilities	<u>7,417,015</u>	<u>7,389,685</u>
FUND BALANCES		
Nonspendable - Inventories, Prepaids, Advances, Assigned	242,385	186,800
Unassigned	<u>16,991,702</u>	<u>12,235,658</u>
Total Fund Balances	<u>17,234,087</u>	<u>16,545,803</u>
Total Liabilities & Fund Balances	<u>\$ 24,651,102</u>	<u>\$ 23,935,488</u>

**City of Franklin
Debt Service Funds
Balance Sheet
March 31, 2021 and 2020**

	2021 Special Assessment	2021 Debt Service	2021 Total	2020 Special Assessment	2020 Debt Service	2020 Total
Assets						
Cash and investments	\$ 204,757	\$ (13)	\$ 204,744	\$ 785,831	\$ 350,758	\$ 1,136,589
Taxes receivable	-	-	-	-	-	-
Special assessment receivable	15,838	-	15,838	30,255	-	30,255
Total Assets	\$ 220,595	\$ (13)	\$ 220,582	\$ 816,086	\$ 350,758	\$ 1,166,844
Liabilities and Fund Balance						
Unearned & unavailable revenue	\$ 15,838	\$ -	\$ 15,838	\$ 30,255	\$ -	\$ 30,255
Unassigned fund balance	204,757	(13)	204,744	785,831	350,758	1,136,589
Total Liabilities and Fund Balance	\$ 220,595	\$ (13)	\$ 220,582	\$ 816,086	\$ 350,758	\$ 1,166,844

**Statement of Revenue, Expenses and Fund Balance
For the Three months ended March 31, 2021 and 2020**

	2021 Special Assessment	2021 Debt Service	2021 Year-to-Date Actual	2021 Original Budget	2020 Special Assessment	2020 Debt Service	2020 Year-to-Date Actual
Revenue							
Property Taxes	\$ -	\$ 1,100,000	\$ 1,100,000	\$ 1,100,000	\$ -	\$ 1,100,000	\$ 1,100,000
Special Assessments	2,854	-	2,854	21,000	6,221	-	6,221
Investment Income	775	400	1,175	15,000	11,980	3,038	15,018
GO Debt Issuance	-	-	-	-	-	-	-
Total Revenue	3,629	1,100,400	1,104,029	1,136,000	18,201	1,103,038	1,121,239
Expenditures:							
Debt Service							
Principal	-	1,480,000	1,480,000	1,480,000	-	1,425,000	1,425,000
Interest	-	77,056	77,056	137,363	-	74,961	74,961
Bank Fees	-	-	-	-	-	1,200	1,200
Total expenditures	-	1,557,056	1,557,056	1,617,363	-	1,501,161	1,501,161
Transfers in	-	180,900	180,900	479,895	-	397,950	397,950
Transfers out	-	-	-	(25,886)	-	-	-
Net change in fund balances	3,629	(275,756)	(272,127)	(27,354)	18,201	(173)	18,028
Fund balance, beginning of year	201,128	275,743	476,871	476,871	767,630	350,931	1,118,561
Fund balance, end of period	\$ 204,757	\$ (13)	\$ 204,744	\$ 449,517	\$ 785,831	\$ 350,758	\$ 1,136,589

City of Franklin
Consolidating TID Funds
Balance Sheet
March 31, 2021 and 2020

	Northwestern Mutual TID 3	Ascension Hospital TID 4	Ballpark Commons TID 5	Loomis & Ryan TID 6	Velo Village TID 7	S 27th Business Park TID 8	Total
Assets							
Cash & Investments	\$ 1,227,307	\$ 996,419	\$ 790,442	\$ 453,218	\$ 248,366	\$ 21,398	\$ 3,737,150
Accounts Receivables	15,734	-	22,646	-	4,500,000	-	4,538,380
Taxes Receivables	(2)	-	3,000	-	-	-	2,998
Total Assets	\$ 1,243,039	\$ 996,419	\$ 816,088	\$ 453,218	\$ 4,748,366	\$ 21,398	\$ 8,278,528
Liabilities and Fund Balance							
Accounts Payable	\$ 150	\$ 76,433	\$ 303	\$ 1,685	\$ 150	\$ 11,450	\$ 90,171
Accrued Liabilities	865,126	-	-	-	-	-	865,126
Advances from Other Funds	-	1,300,000	-	-	1,500,000	100,000	2,900,000
Deferred Inflow	-	-	-	-	4,500,000	-	4,500,000
Unearned Revenue	(2)	-	3,000	-	-	-	2,998
Total Liabilities	865,274	1,376,433	3,303	1,685	6,000,150	111,450	8,358,295
Ending Fund Balance	377,765	(380,014)	812,785	451,533	(1,251,784)	(90,052)	(79,767)
Total Liabilities and Fund Balance	1,243,039	996,419	816,088	453,218	4,748,366	21,398	8,278,528

Statement of Revenue, Expenses and Fund Balance
For the Three months ended March 31, 2021 and 2020

	Northwestern Mutual TID 3	Ascension Hospital TID 4	Ballpark Commons TID 5	Loomis & Ryan TID 6	Velo Village TID 7	S 27th Business Park TID 8	Total
Revenue							
General Property Tax Levy	\$ 2,067,581	\$ 1,160,642	\$ 558,438	\$ -	\$ 11,911	\$ -	\$ 3,798,572
Payment in Lieu of Tax	62,938	58,830	90,585	-	-	-	212,353
Investment Income	1,204	784	63	304	136,068	-	138,423
Miscellaneous revenue	-	-	-	89	-	-	89
Total revenue	2,131,723	1,220,256	649,086	393	147,979	-	4,149,437
Expenditures							
Debt Service Principal	\$ 965,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 965,000
Debt Service Interest & Fees	35,100	15,625	300,315	120,544	77,570	-	549,154
Administrative Expenses	1,230	2,730	3,240	10,365	1,530	11,625	30,720
Professional Services	1,839	3,400	503	4,065	150	13,906	23,863
Capital outlay	-	58,091	-	-	-	1,311	59,402
Development Incentive & Obligation Payments	1,050,225	-	-	-	-	-	1,050,225
Total expenditures	2,053,394	79,846	304,058	134,974	79,250	26,842	2,678,364
Excess of revenue over expenditures	78,329	1,140,410	345,028	(134,581)	68,729	(26,842)	1,471,073
Fund balance beginning of year	299,436	(1,520,424)	467,757	586,114	(1,320,513)	(63,210)	(1,550,840)
Fund balance end of period	\$ 377,765	\$ (380,014)	\$ 812,785	\$ 451,533	\$ (1,251,784)	\$ (90,052)	\$ (79,767)

City of Franklin
Tax Increment Financing District #3 - Northwestern Mutual
Balance Sheet
March 31, 2021 and 2020

<u>Assets</u>	2021	2020
Cash & investments	\$ 1,227,307	\$ 693,910
Accounts receivable	15,734	-
Taxes receivable	(2)	-
Total Assets	<u>\$ 1,243,039</u>	<u>\$ 693,910</u>
<u>Liabilities and Fund Balance</u>		
Accounts Payable	\$ 150	\$ -
Accrued Liabilities	865,126	865,136
Unearned Revenue	(2)	-
Total Liabilities	<u>865,274</u>	<u>865,136</u>
Assigned fund balance	<u>377,765</u>	<u>(171,226)</u>
Total Liabilities and Fund Balance	<u>\$ 1,243,039</u>	<u>\$ 693,910</u>

Statement of Revenue, Expenses and Fund Balance
March 31, 2021 and 2020

	2021 Annual Budget	2021 Year-to-Date Budget	2021 Year-to-Date Actual	2020 Year-to-Date Actual
Revenue				
General property tax levy	\$ 2,107,000	\$ 2,107,000	\$ 2,067,581	\$ 1,401,748
Payment in Lieu of Taxes	62,000	15,500	62,938	-
State exempt aid	537,440	15,360	-	-
Bond proceeds	-	-	1,204	6,966 00
Total revenue	<u>2,706,440</u>	<u>2,137,860</u>	<u>2,131,723</u>	<u>1,408,714</u>
Expenditures				
Debt service principal	965,000	965,000	965,000	665,000
Debt service interest & fees	55,795	15,665	35,100	45,075
Administrative expenses	4,920	1,230	1,230	1,770
Professional services	150	38	1,839	-
Development incentive & obligation payments	1,050,225	1,050,225	1,050,225	760,005
Total expenditures	<u>2,076,090</u>	<u>2,032,158</u>	<u>2,053,394</u>	<u>1,471,850</u>
Revenue over (under) expenditures	630,350	105,702	78,329	(63,136)
Fund balance, beginning of year	<u>304,981</u>	<u>299,436</u>	<u>299,436</u>	<u>(108,090)</u>
Fund balance, end of period	<u>\$ 935,331</u>	<u>\$ 405,138</u>	<u>\$ 377,765</u>	<u>\$ (171,226)</u>

City of Franklin
Tax Increment Financing District #4 - Ascension Hospital
Balance Sheet
March 31, 2021 and 2020

Assets	2021	2020
Cash & investments	\$ 996,419	\$ 4,706,246
Total Assets	\$ 996,419	\$ 4,706,246
Liabilities and Fund Balance		
Accounts Payable	\$ 76,433	\$ 116,592
Advances from Other Funds	1,300,000	-
Total Liabilities	1,376,433	116,592
Assigned fund balance	(380,014)	4,589,654
Total Liabilities and Fund Balance	\$ 996,419	\$ 4,706,246

Statement of Revenue, Expenses and Fund Balance
March 31, 2021 and 2020

	2021	2021	2021	2021	2020
	Annual	Amended	Year-to-Date	Year-to-Date	Year-to-Date
	Budget	Budget	Budget	Actual	Actual
Revenue					
General Property Tax Levy	\$ 1,183,000	\$ 1,183,000	\$ 1,183,000	\$ 1,160,642	\$ 1,138,802
Payment in Lieu of Tax	50,000	50,000	45,000	58,830	73,889
State Exempt Aid	86,060	86,060	17,365	-	-
Investment Income	-	-	-	784	62,232
Total Revenue	1,319,060	1,319,060	1,245,365	1,220,256	1,274,923
Expenditures					
Debt service interest & fees	36,875	36,875	9,219	15,625	-
Administrative expenses	4,920	4,920	1,230	2,730	7,530
Professional services	-	194,276	-	3,400	13,137
Capital outlays	-	281,557	-	58,091	732,542
Total expenditures	41,795	517,628	10,449	79,846	753,209
Revenue over (under) expenditures	1,277,265	801,432	1,234,916	1,140,410	521,714
Fund balance, beginning of year	(3,178,830)	(1,520,424)	(1,520,424)	(1,520,424)	4,067,940
Fund balance, end of period	\$ (1,901,565)	\$ (718,992)	\$ (285,508)	\$ (380,014)	\$ 4,589,654

City of Franklin
Tax Increment Financing District #5
Balance Sheet
March 31, 2021 and 2020

<u>Assets</u>	2021	2020
Cash & investments	\$ 790,442	\$ 815,573
Accounts receivable	22,646	45,780
Taxes receivable	3,000	-
Total Assets	<u>\$ 816,088</u>	<u>\$ 861,353</u>
<u>Liabilities and Fund Balance</u>		
Accounts Payable	\$ 303	\$ 2,639
Unearned Revenue	3,000	-
Total Liabilities	<u>3,303</u>	<u>2,639</u>
Assigned fund balance	812,785	858,714
Total Liabilities and Fund Balance	<u>\$ 816,088</u>	<u>\$ 861,353</u>

Statement of Revenue, Expenses and Fund Balance
March 31, 2021 and 2020

	2021 Annual Budget	2021 Amended Budget	2021 Year-to-Date Budget	2021 Year-to-Date Actual	2020 Year-to-Date Actual
Revenue					
General Property Tax Levy	\$ 501,000	\$ 501,000	\$ 125,250	\$ 558,438	\$ 721,361
Payment in Lieu of Tax	91,600	91,600	22,900	90,585	91,560
State Exempt Aid	25,640	25,640	6,410	-	-
Investment Income	-	-	-	63	26,358
Miscellaneous revenue	220,000	220,000	55,000	-	-
Total Revenue	<u>838,240</u>	<u>838,240</u>	<u>209,560</u>	<u>649,086</u>	<u>839,279</u>
Expenditures					
Debt service principal	-	-	-	-	4,000,000
Debt service interest & fees	822,646	822,646	324,174	300,315	427,844
Administrative expenses	12,920	12,920	3,029	3,240	1,770
Professional services	150	16,429	32	503	5,663
Total expenditures	<u>835,716</u>	<u>851,995</u>	<u>327,235</u>	<u>304,058</u>	<u>4,435,277</u>
Revenue over (under) expenditures	2,524	(13,755)	(117,675)	345,028	(3,595,998)
Fund balance, beginning of year	<u>541,758</u>	<u>467,757</u>	<u>467,757</u>	<u>467,757</u>	<u>4,454,712</u>
Fund balance, end of period	<u>\$ 544,282</u>	<u>\$ 454,002</u>	<u>\$ 350,082</u>	<u>\$ 812,785</u>	<u>\$ 858,714</u>

City of Franklin
Tax Increment Financing District #6 - Loomis & Ryan
Balance Sheet
March 31, 2021 and 2020

<u>Assets</u>	2021	2020
Cash & investments	\$ 453,218	\$ 5,343,365
Total Assets	<u>\$ 453,218</u>	<u>\$ 5,343,365</u>
<u>Liabilities and Fund Balance</u>		
Accounts Payable	\$ 1,685	\$ 495
Total Liabilities	<u>1,685</u>	<u>495</u>
Assigned fund balance	<u>451,533</u>	<u>5,342,870</u>
Total Liabilities and Fund Balance	<u>\$ 453,218</u>	<u>\$ 5,343,365</u>

Statement of Revenue, Expenses and Fund Balance
March 31, 2021 and 2020

	2021 Annual Budget	2021 Year-to-Date Budget	2021 Year-to-Date Actual	2020 Year-to-Date Actual
Revenue				
General Property Tax Levy	\$ -	\$ -	\$ -	\$ -
Investment Income	-	-	304	22,499
Bond Proceeds	3,000,000	-	-	-
Miscellaneous revenue	-	-	89	-
Total Revenue	<u>3,000,000</u>	<u>-</u>	<u>393</u>	<u>22,499</u>
Expenditures				
Debt service interest & fees	392,850	135,713	120,544	109,850
Administrative expenses	41,480	10,370	10,365	7,530
Professional services	150	-	4,065	4,100
Capital outlays	3,000,000	750,000	-	-
Total expenditures	<u>3,434,480</u>	<u>896,083</u>	<u>134,974</u>	<u>121,480</u>
Revenue over (under) expenditures	(434,480)	(896,083)	(134,581)	(98,981)
Fund balance, beginning of year	<u>212,851</u>	<u>586,114</u>	<u>586,114</u>	<u>5,441,851</u>
Fund balance, end of period	<u>\$ (221,629)</u>	<u>\$ (309,969)</u>	<u>\$ 451,533</u>	<u>\$ 5,342,870</u>

City of Franklin
Tax Increment Financing District #7 - Velo Village
Balance Sheet
March 31, 2021 and 2020

<u>Assets</u>	2021	2020
Cash & investments	\$ 248,366	\$ 2,598,158
Accounts receivable	4,500,000	2,463,236
Total Assets	<u>\$ 4,748,366</u>	<u>\$ 5,061,394</u>
<u>Liabilities and Fund Balance</u>		
Accounts Payable	\$ 150	\$ -
Advances from Other Funds	1,500,000	1,910,000
Deferred Inflow	4,500,000	-
Total Liabilities	<u>6,000,150</u>	<u>1,910,000</u>
Assigned fund balance	<u>(1,251,784)</u>	<u>3,151,394</u>
Total Liabilities and Fund Balance	<u>\$ 4,748,366</u>	<u>\$ 5,061,394</u>

Statement of Revenue, Expenses and Fund Balance
March 31, 2021 and 2020

	2021 Annual Budget	2021 Amended Budget	2021 Year-to-Date Budget	2021 Year-to-Date Actual	2020 Year-to-Date Actual
Revenue					
General Property Tax Levy	\$ 12,500	\$ 12,500	\$ 3,125	\$ 11,911	\$ -
Investment Income	270,000	270,000	67,500	136,068	12,063
Total Revenue	<u>282,500</u>	<u>282,500</u>	<u>70,625</u>	<u>147,979</u>	<u>12,063</u>
Expenditures					
Debt service interest & fees	153,271	153,271	38,318	77,570	32,415
Administrative expenses	6,120	6,120	1,530	1,530	1,770
Professional services	150	9,250	38	150	2,829
Capital outlays	-	-	-	-	166,663
Total expenditures	<u>159,541</u>	<u>168,641</u>	<u>39,886</u>	<u>79,250</u>	<u>203,677</u>
Revenue over (under) expenditures	122,959	113,859	30,739	68,729	(191,614)
Fund balance, beginning of year	<u>3,378,636</u>	<u>(1,320,513)</u>	<u>(1,320,513)</u>	<u>(1,320,513)</u>	<u>3,343,008</u>
Fund balance, end of period	<u>\$ 3,501,595</u>	<u>\$ (1,206,654)</u>	<u>\$ (1,289,774)</u>	<u>\$ (1,251,784)</u>	<u>\$ 3,151,394</u>

City of Franklin
Tax Increment Financing District #8 - S 27th Business Park
Balance Sheet
March 31, 2021 and 2020

<u>Assets</u>	2021	2020
Cash & investments	\$ 21,398	\$ -
Total Assets	<u>\$ 21,398</u>	<u>\$ -</u>
<u>Liabilities and Fund Balance</u>		
Accounts Payable	\$ 11,450	\$ -
Advances from Other Funds	100,000	-
Total Liabilities	<u>111,450</u>	<u>-</u>
Assigned fund balance	(90,052)	-
Total Liabilities and Fund Balance	<u>\$ 21,398</u>	<u>\$ -</u>

Statement of Revenue, Expenses and Fund Balance
March 31, 2021 and 2020

	2021 Annual Budget	2021 Amended Budget	2021 Year-to-Date Budget	2021 Year-to-Date Actual	2020 Year-to-Date Actual
Revenue					
General Property Tax Levy	\$ -	\$ -	\$ -	\$ -	\$ -
Bond Proceeds	6,000,000	6,000,000	-	-	-
Total Revenue	<u>6,000,000</u>	<u>6,000,000</u>	<u>-</u>	<u>-</u>	<u>-</u>
Expenditures					
Debt service interest & fees	100,000	100,000	25,000	-	-
Administrative expenses	46,480	46,480	11,620	11,625	-
Professional services	623,150	652,402	155,788	13,906	-
Capital outlays	5,150,500	5,150,500	1,287,625	1,311	-
Development incentive & obligation payments	2,500,000	2,500,000	625,000	-	-
Total expenditures	<u>8,420,130</u>	<u>8,449,382</u>	<u>2,105,033</u>	<u>26,842</u>	<u>-</u>
Revenue over (under) expenditures	(2,420,130)	(2,449,382)	(2,105,033)	(26,842)	-
Fund balance, beginning of year	<u>(63,210)</u>	<u>(63,210)</u>	<u>(63,210)</u>	<u>(63,210)</u>	<u>-</u>
Fund balance, end of period	<u>\$ (2,483,340)</u>	<u>\$ (2,512,592)</u>	<u>\$ (2,168,243)</u>	<u>\$ (90,052)</u>	<u>\$ -</u>

**City of Franklin
Library Fund
Balance Sheet
March 31, 2021 and 2020**

Assets	Operating		Restricted	
	2021	2020	2021	2020
Cash and investments	\$ 1,524,971	\$ 1,582,696	\$ 142,338	\$ 139,727
Total Assets	\$ 1,524,971	\$ 1,582,696	\$ 142,338	\$ 139,727
Liabilities and Fund Balance				
Accounts payable	\$ 3,651	\$ 15,536	\$ 49	\$ 2,983
Accrued salaries & wages	1,874	29,330	-	-
Assigned fund balance	1,519,446	1,537,830	142,289	136,744
Total Liabilities and Fund Balance	\$ 1,524,971	\$ 1,582,696	\$ 142,338	\$ 139,727

**Statement of Revenue, Expenses and Fund Balance - Operating Fund
For the Three months ended March 31, 2021 and 2020**

	2021 Annual Budget	2021 Amended Budget	2021 Year-to-Date Budget	2021 Year-to-Date Actual	2020 Year-to-Date Actual
Revenue					
Property taxes	\$ 1,337,200	\$ 1,337,200	\$ 1,337,200	\$ 1,337,200	\$ 1,340,500
Reciprocal borrowing (restricted)	48,500	48,500	-	3,000	-
Landfill Siting	20,000	20,000	-	-	2,312
Investment income	-	-	-	565	10,472
Total Revenue	1,405,700	1,405,700	1,337,200	1,340,765	1,353,284
Expenditures:					
Salaries and benefits	1,004,686	1,004,686	231,970	224,552	252,910
Contractual services	8,200	8,200	6,733	7,037	7,037
Supplies	30,550	30,550	6,885	12,359	4,941
Services and charges	95,798	95,798	44,576	58,408	53,625
Facility charges	195,180	195,180	41,205	33,102	38,884
Capital outlay	139,000	140,515	29,054	34,489	21,484
Encumbrances	-	-	-	-	-
Total Library Costs	1,473,414	1,474,929	360,423	369,947	378,881
Total expenditures	1,473,414	1,474,929	360,423	369,947	378,881
Revenue over (under) expenditures	(67,714)	(69,229)	<u>976,777</u>	970,818	974,403
Fund balance, beginning of year	547,146	548,628		548,628	563,427
Fund balance, end of period	<u>\$ 479,432</u>	<u>\$ 479,399</u>		<u>\$ 1,519,446</u>	<u>\$ 1,537,830</u>

**City of Franklin
Tourism Commission
Balance Sheet
March 31, 2021 and 2020**

<u>Assets</u>	<u>2021</u>	<u>2020</u>
Cash and investments	\$ 351,005	\$ 469,121
Accounts receivable	32,832	-
Total Assets	<u>\$ 383,837</u>	<u>\$ 469,121</u>
<u>Liabilities and Fund Balance</u>		
Accounts payable	\$ 7,718	\$ -
Assigned fund balance	376,119	469,121
Total Liabilities and Fund Balance	<u>\$ 383,837</u>	<u>\$ 469,121</u>

**Comparative Statement of Revenue, Expenses and Fund Balance
For the Three months ended March 31, 2021 and 2020**

	<u>2021 Original Budget</u>	<u>2021 Amended Budget</u>	<u>2021 Year-to-Date Budget</u>	<u>2021 Year-to-Date Actual</u>	<u>2020 Year-to-Date Actual</u>
Revenue:					
Room Taxes	\$ 83,000	\$ 83,000	\$ -	\$ -	\$ (2,061)
Investment Income	-	-	-	278	1,731
Total revenue	<u>83,000</u>	<u>83,000</u>	<u>-</u>	<u>278</u>	<u>(330)</u>
Expenditures:					
Personal Services	40,000	40,000	9,231	-	-
Legal Services	41,500	41,500	10,375	11,591	-
Sundry Contractors	190,000	190,000	-	375	-
Supplies & Printing	1,000	1,000	-	133	-
Training & Memberships	7,500	7,500	3,790	1,000	-
Marketing	-	-	-	-	1,871
Advertising	40,000	65,424	10,000	25,424	-
Encumbrances	-	-	-	(25,424)	(1,371)
Total expenditures	<u>320,000</u>	<u>345,424</u>	<u>33,396</u>	<u>13,099</u>	<u>500</u>
Revenue over (under) expenditures	(237,000)	(262,424)	<u>(33,396)</u>	(12,821)	(830)
Fund balance, beginning of year	<u>566,951</u>	<u>388,940</u>		<u>388,940</u>	<u>469,951</u>
Fund balance, end of period	<u>\$ 329,951</u>	<u>\$ 126,516</u>		<u>\$ 376,119</u>	<u>\$ 469,121</u>

**City of Franklin
Solid Waste Collection Fund
Balance Sheet
March 31, 2021 and 2020**

<u>Assets</u>	<u>2021</u>	<u>2020</u>
Cash and investments	\$ 1,760,601	\$ 1,775,415
User fees receivable	46	-
Accrued Receivables	1,909	1,043
Total Assets	<u>\$ 1,762,556</u>	<u>\$ 1,776,458</u>
<u>Liabilities and Fund Balance</u>		
Accounts payable	\$ 155,826	\$ 149,083
Accrued salaries & wages	227	460
Restricted fund balance	1,606,503	1,626,915
Total Liabilities and Fund Balance	<u>\$ 1,762,556</u>	<u>\$ 1,776,458</u>

**Statement of Revenue, Expenses and Fund Balance
For the Three months ended March 31, 2021 and 2020**

<u>Revenue</u>	<u>2021 Original Budget</u>	<u>2021 YTD Budget</u>	<u>2021 Year-to-Date Actual</u>	<u>2020 Year-to-Date Actual</u>
Grants	\$ 69,000	-	\$ -	\$ -
User Fees	1,539,449	1,536,421	1,543,211	1,533,834
Landfill Operations-tippage	370,000	56,086	86,361	53,943
Investment Income	20,000	6,248	759	12,888
Sale of Recyclables	-	-	245	-
Total Revenue	<u>1,998,449</u>	<u>1,598,755</u>	<u>1,630,576</u>	<u>1,600,665</u>
Expenditures:				
Personal Services	16,384	3,780	2,091	2,873
Refuse Collection	766,300	198,444	182,191	178,554
Recycling Collection	718,000	185,966	182,566	177,950
Leaf & Brush Pickups	60,000	-	140	-
Tippage Fees	483,300	75,231	68,167	69,188
Miscellaneous	5,000	1,505	1,325	310
Printing	-	-	-	-
Total expenditures	<u>2,048,984</u>	<u>464,926</u>	<u>436,480</u>	<u>428,875</u>
Revenue over (under) expenditures	(50,535)	<u>1,133,829</u>	1,194,096	1,171,790
Fund balance, beginning of year	<u>466,131</u>		<u>412,407</u>	<u>455,125</u>
Fund balance, end of period	<u>\$ 415,596</u>		<u>\$ 1,606,503</u>	<u>\$ 1,626,915</u>

**City of Franklin
Capital Outlay Fund
Balance Sheet
March 31, 2021 and 2020**

<u>Assets</u>	<u>2021</u>	<u>2020</u>
Cash and investments	\$ 908,095	\$ 758,273
Accrued Receivables	72	-
Total Assets	\$ 908,167	\$ 758,273
<u>Liabilities and Fund Balance</u>		
Accounts payable	\$ 63,974	\$ 88,905
Assigned fund balance	844,193	669,368
Total Liabilities and Fund Balance	\$ 908,167	\$ 758,273

**Statement of Revenue, Expenses and Fund Balance
For the Three months ended March 31, 2021 and 2020**

<u>Revenue</u>	<u>2021 Original Budget</u>	<u>2021 Amended Budget</u>	<u>2021 Year-to-Date Budget</u>	<u>2021 Year-to-Date Actual</u>	<u>2020 Year-to-Date Actual</u>
Property Taxes	\$ 296,000	\$ 296,000	\$ 296,000	\$ 296,000	\$ 295,700
Grants	15,000	15,000	3,750	2,038	-
Landfill Siting	904,100	904,100	149,143	145,341	55,929
Investment Income	7,800	7,800	1,950	494	8,492
Miscellaneous Revenue	41,250	41,250	7,330	775	6,002
Notes Proceeds	542,000	542,000		-	-
Total Revenue	1,806,150	1,806,150	458,173	444,648	366,123
Expenditures:					
General Government	55,200	82,194	10,000	10,247	32,029
Public Safety	619,535	703,105	173,975	313,237	332,344
Public Works	551,000	648,849	175,327	445,743	31,199
Health and Human Services	-	-	-	-	900
Culture and Recreation	364,000	429,000	57,772	14,359	-
Conservation and Development	180,000	180,000	45,000	-	-
Contingency	40,650	40,650	1,744	-	-
Encumbrances			-	(490,888)	(208,006)
Total expenditures	1,810,385	2,083,798	463,818	292,698	188,466
Revenue over (under) expenditures	(4,235)	(277,648)	<u>(5,645)</u>	151,950	177,657
Fund balance, beginning of year	<u>311,711</u>	<u>692,243</u>		<u>692,243</u>	<u>491,711</u>
Fund balance, end of period	<u>\$ 307,476</u>	<u>\$ 414,595</u>		<u>\$ 844,193</u>	<u>\$ 669,368</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
March 31, 2021 and 2020**

<u>Assets</u>	<u>2021</u>	<u>2020</u>
Cash and investments	\$ 2,277,786	\$ 2,649,340
Total Assets	\$ 2,277,786	\$ 2,649,340
<u>Liabilities and Fund Balance</u>		
Accounts payable	\$ -	\$ 189,374
Assigned fund balance	2,277,786	2,459,966
Total Liabilities and Fund Balance	\$ 2,277,786	\$ 2,649,340

**Comparative Statement of Revenue, Expenses and Fund Balance
For the Three months ended March 31, 2021 and 2020**

	<u>2021 Original Budget</u>	<u>2021 Amended Budget</u>	<u>2021 Year-to-Date Budget</u>	<u>2021 Year-to-Date Actual</u>	<u>2020 Year-to-Date Actual</u>
Revenue:					
Property Taxes	\$ -	\$ -	\$ -	\$ -	\$ -
Landfill	604,400	604,400	103,823	95,800	78,317
Investment Income	37,400	37,400	9,350	797	50,410
Property Sales	30,000	30,000	1,724	-	-
Total revenue	671,800	671,800	114,897	96,597	128,727
Expenditures:					
Public Safety	361,500	391,668	88,980	355,305	243,605
Public Works	807,000	1,047,130	75,680	500,835	683,034
Encumbrances	-	-	-	(647,493)	(729,816)
Total expenditures	1,168,500	1,438,798	164,660	208,647	196,823
Revenue over (under) expenditures	(496,700)	(766,998)	<u>(49,763)</u>	(112,050)	(68,096)
Fund balance, beginning of year	2,130,162	2,389,836		2,389,836	2,528,062
Fund balance, end of period	\$ 1,633,462	\$ 1,622,838		\$ 2,277,786	\$ 2,459,966

**City of Franklin
Street Improvement Fund
Balance Sheet
March 31, 2021 and 2020**

<u>Assets</u>	<u>2021</u>	<u>2020</u>
Cash and investments	\$ 633,320	\$ 553,689
Total Assets	<u>\$ 633,320</u>	<u>\$ 553,689</u>
<u>Liabilities and Fund Balance</u>		
Accounts payable	\$ -	\$ -
Assigned fund balance	633,320	553,689
Total Liabilities and Fund Balance	<u>\$ 633,320</u>	<u>\$ 553,689</u>

**Statement of Revenue, Expenses and Fund Balance
For the Three months ended March 31, 2021 and 2020**

	<u>2021 Original Budget</u>	<u>2021 Amended Budget</u>	<u>2021 Year-to-Date Totals</u>	<u>2020 Year-to-Date Totals</u>
Revenue:				
Property Taxes	\$ -	\$ -	\$ -	\$ -
Landfill Siting	175,000	175,000	26,420	42,591
Investment Income	7,500	7,500	268	5,942
Intergovernmental Resources	1,074,500	1,074,500	3,642	-
Total revenue	<u>1,257,000</u>	<u>1,257,000</u>	<u>30,330</u>	<u>48,533</u>
Expenditures:				
Street Reconstruction Program - Current Year	1,000,000	1,000,000	-	975,940
Encumbrances	-	-	-	(974,889)
Total expenditures	<u>1,000,000</u>	<u>1,000,000</u>	<u>-</u>	<u>1,051</u>
Revenue over (under) expenditures	257,000	257,000	30,330	47,482
Fund balance, beginning of year	<u>506,207</u>	<u>602,990</u>	<u>602,990</u>	<u>506,207</u>
Fund balance, end of period	<u>\$ 763,207</u>	<u>\$ 859,990</u>	<u>\$ 633,320</u>	<u>\$ 553,689</u>

**City of Franklin
Capital Improvement Fund
Balance Sheet
March 31, 2021 and 2020**

<u>Assets</u>	<u>2021</u>	<u>2020</u>
Cash and investments	\$ 2,007,097	\$ 1,613,681
Accrued receivables	737,129	951,949
Total Assets	<u>\$ 2,744,226</u>	<u>\$ 2,565,630</u>
<u>Liabilities and Fund Balance</u>		
Accounts payable	\$ 88,507	\$ 11,154
Contracts Payable	51,132	356,670
Deferred Inflow	508,000	943,000
Assigned fund balance	2,096,587	1,254,806
Total Liabilities and Fund Balance	<u>\$ 2,744,226</u>	<u>\$ 2,565,630</u>

**Statement of Revenue, Expenses and Fund Balance
For the Three months ended March 31, 2021 and 2020**

	<u>2021 Original Budget</u>	<u>2021 Amended Budget</u>	<u>2021 Year-to-Date Totals</u>	<u>2020 Year-to-Date Totals</u>
Revenue:				
Landfill Siting	\$ 51,500	\$ 51,500	\$ -	\$ 83,449
Transfers from Other Funds	5,000,000	5,000,000	-	-
Transfers from Impact Fees	2,209,750	2,209,750	-	23,484
Transfers from Connection Fees	1,140,000	1,140,000	-	-
Bond Proceeds	1,458,000	1,458,000	-	-
Donations	86,000	86,000	-	-
Investment Income	5,000	5,000	1,205	12,731
Total revenue	<u>9,950,250</u>	<u>9,950,250</u>	<u>1,205</u>	<u>119,664</u>
Expenditures:				
General Government	350,000	362,408	(56,873)	98,858
Public Safety	499,500	636,572	139,311	1,021,256
Public Works	252,000	1,072,874	962,491	589,039
Culture and Recreation	410,000	622,301	212,390	190,333
Sewer & Water	8,140,000	8,140,000	-	199,000
Contingency	150,000	150,170	170	20,170
Bond/Note Issuance Cost	100,000	100,000	-	-
Encumbrances	-	-	(1,103,287)	(1,241,322)
Total expenditures	<u>9,901,500</u>	<u>11,084,325</u>	<u>154,202</u>	<u>877,334</u>
Revenue over (under) expenditures	48,750	(1,134,075)	(152,997)	(757,670)
Fund balance, beginning of year	396,395	2,022,792	2,022,792	2,012,476
Fund balance, end of period	<u>\$ 445,145</u>	<u>\$ 888,717</u>	<u>\$ 1,869,795</u>	<u>\$ 1,254,806</u>

City of Franklin
Capital Improvement Fund
Budget 2021

Project/Name	Activity	Amended				Actual Thru March 31, 2021			
		Total	unding Sourc	Amount	Net City Funds	Total	Funding Source	Amount	Net City Funds
Landfill Siting Revenue					\$ 51,500				\$ -
Investment Income		5,000			5,000				1,205
Total Revenue		5,000			56,500				1,205
GENERAL GOVERNMENT									
City Hall Roof, HVAC		10,013			10,013	(59,268)			(59,268)
Historical Society - Barn		2,395			2,395	2,395			2,395
PARK DEVELOPMENT									
Pleasant View Park - Improvements	Park	300,000	Park Impact Fees	141,000	159,000		Park Impact Fees		-
Pleasant View Park pavilion	Park	19,287			19,287	19,287			19,287
116th Street Trail design	Park	100,762			100,762	100,454			100,454
Park Signage	Park	20,000			20,000				-
Church Street pathway	Park	75,000	Park Impact Fees	53,250	21,750		Park Impact Fees		-
Ernie Lake aeration system	Park	15,000			15,000	397			397
Pleasant View Park - Improvement Planning	Park	88,616	Park Impact Fees		88,616	88,616			88,616
Land Purchase - ROW - Water Tower Park	Park	3,636			3,636	3,636			3,636
Public Safety									
Replace roof @ Police Dept	Pub Safety	127,500			127,500				-
Video Surveillance Cameras - replacement @ Police Bldg	Pub Safety	247,000			247,000				-
911 Phone system - replacement	Pub Safety	125,000			125,000				-
Indoor Shooting Range	Pub Safety	39,054			39,054	39,054			39,054
Fire Station Specific Alerting	Pub Safety	37,313			37,313	38,089			38,089
Inspection Software	Pub Safety	60,705			60,705	62,168			62,168
Public Works									
Marquette Ave construction - 49th to 51st	Pub Wrks	924,955	Grant	101,500	823,455	861,365	Grant		861,365
S 51st/Drexel Roundabout	Pub Wrks	9,003			9,003	9,003			9,003
S 68th St/Loomis to Puetz - sight line	Pub Wrks	27,741			27,741	27,741			27,741
Water Main on W Minnesota Ave	Pub Wrks	140,000	Utility Development	140,000	-		Utility Development		-
Water Tower in Southwest Zone	Pub Wrks	4,000,000	Water Impact Fees	2,000,000	2,000,000		Water Impact Fees		-
	Pub Wrks		Water Fund	2,000,000	(2,000,000)		Water Fund		-
Highway Building addition - design work	Pub Wrks	30,000			30,000				-
Replace Industrial Park temporary Lift Station	Pub Wrks	3,000,000	Transfer in from Sewer Fund	3,000,000	-		Transfer in from Sewer Fund		-
Curb replacements	Pub Wrks	35,000			35,000				-
Traffic Signals - Emergency Veh Preemption	Pub Wrks	32,375			32,375	32,375			32,375
Rawson Homes - Storm sewer	Pub Wrks					18,206			18,206
Land purchase - ROW 51st & Drexel	Pub Wrks	13,800			13,800	13,800			13,800
Muni Buildings Improvements		350,000			350,000				-
Total Approved Projects		9,834,155		7,435,750	2,398,405	1,257,318			1,257,318
PROJECTS PENDING APPROVAL									
Water Projects	Utility	500,000	Water	500,000	-		Water		-
Sewer Projects	Utility	500,000	Sewer Connection Fees	500,000	-		Sewer Connection Fees		-
Contingency		150,170			150,170	170			170
Encumbrances									(1,103,285)
Total Projects		10,984,325		8,435,750	2,548,575	1,257,488			154,203
Net Revenue (Expenditures)					(2,492,075)				(152,998)
Loan Proceeds					1,458,000				
Transaction fees					(100,000)				
Net Rev (Expenditures)					(1,134,075)				(152,998)
Beginning Fund balance					2,022,793				2,022,793
Ending Fund Balance					\$ 888,718				\$ 1,869,795

**City of Franklin
Development Fund
Balance Sheet
March 31, 2021 and 2020**

<u>Assets</u>	<u>2021</u>	<u>2020</u>
Cash and investments	\$ 6,427,795	\$ 6,888,993
Impact fees receivable	-	232,640
Due From TID 7	2,800,000	1,910,000
Total Assets	<u>\$ 9,227,795</u>	<u>\$ 9,031,633</u>
 <u>Liabilities and Fund Balance</u>		
Accounts payable	\$ -	\$ 1,397
Payable to Developers- Oversizing	337,643	221,759
Unearned Revenue - Other	-	232,640
Assigned fund balance	8,890,152	8,575,837
Total Liabilities and Fund Balance	<u>9,227,795</u>	<u>9,031,633</u>

**Comparative Statement of Revenue, Expenses and Fund Balance
For the Three months ended March 31, 2021 and 2020**

	<u>2021 Original Budget</u>	<u>2021 Amended Budget</u>	<u>2021 Year-to-Date Actual</u>	<u>2020 Year-to-Date Actual</u>
Revenue:				
Impact Fee: Parks	\$ 146,117	\$ 146,117	\$ 30,362	\$ 92,339
Southwest Sewer Service Area	112,000	112,000	35,301	39,135
Administration	7,535	7,535	880	1,430
Water	498,000	498,000	50,604	87,690
Transportation	158,825	158,825	10,497	3,335
Fire Protection	108,875	108,875	7,183	13,212
Law Enforcement	124,750	124,750	8,223	24,556
Library	24,750	24,750	5,325	26,131
Total Impact Fees	<u>1,180,852</u>	<u>1,180,852</u>	<u>148,375</u>	<u>287,828</u>
Investment Income	106,250	106,250	1,395	93,253
Interfund Interest Income	79,250	79,250	29,567	1,594
Total revenue	<u>1,366,352</u>	<u>1,366,352</u>	<u>179,337</u>	<u>382,675</u>
Expenditures:				
Other Professional Services	15,000	18,321	3,321	8,603
Transfer to Debt Service:				
Law Enforcement	205,182	205,182	180,900	199,856
Fire	42,941	42,941	-	39,863
Transportation	71,886	71,886	-	64,249
Library	134,000	134,000	-	93,982
Total Transfers to Debt Service	<u>454,009</u>	<u>454,009</u>	<u>180,900</u>	<u>397,950</u>
Transfer to Capital Improvement Fund				
Transfer(s) Out	-	-	-	-
Park	1,259,250	1,259,250	93,000	48,769
Water	2,000,000	2,000,000	-	554,759
Total Transfers to Capital Improve	<u>3,259,250</u>	<u>3,259,250</u>	<u>93,000</u>	<u>603,528</u>
Sewer Fees	75,000	75,000	-	-
Water Fees	250,000	250,000	-	-
Encumbrances	-	-	(96,321)	(369,784)
Total expenditures	<u>4,053,259</u>	<u>4,056,580</u>	<u>180,900</u>	<u>640,297</u>
Revenue over (under) expenditures	(2,686,907)	(2,690,228)	(1,563)	(257,622)
Fund balance, beginning of year	<u>8,528,646</u>	<u>8,891,715</u>	<u>8,891,715</u>	<u>8,833,459</u>
Fund balance, end of period	<u>\$ 5,841,739</u>	<u>\$ 6,201,487</u>	<u>\$ 8,890,152</u>	<u>\$ 8,575,837</u>

City of Franklin

Development Fund

Summary of Impact Fee Activity
For the three months ended March 31, 2021

Cash Acct Revenue Acct Expenditure Acct	Preliminary							Net Cash Balance	
	4292	4293	4294	4295	4296	4297	4299		
	Parks Recreation	SW Sewer	Admin Fee *	Water	Transportation	Fire Protection	Law Enforcement	Library	
Beginning Bal, 01/01/21	4,983,586	204,715	88,633	2,790,633	117,307	254,025	208,676	244,140	8,891,715
1st Quarter									
Impact Fees	30,362	35,301	880	50,604	10,497	7,183	8,223	5,325	148,375
Expenditures	0	240,016	89,513	2,841,237	127,804	261,208	(180,900)	249,465	(180,900)
subtotal	5,013,948						35,999		8,859,190
Transfers									0
Investment Income	17,438	776	311	9,823	428	899	427	861	30,962
Ending balance 3/31/2021	5,031,386	240,792	89,824	2,851,060	128,231	262,106	36,426	250,326	8,890,152
2021 Impact Fees	30,362	35,301	880	50,604	10,497	7,183	8,223	5,325	148,375
2020 Impact Fees	259,254	113,304	6,713	570,239	69,495	61,149	89,461	60,698	1,230,313
2019 Impact Fees	948,902	48,440	21,684	1,158,186	113,102	174,135	322,218	262,058	3,048,725
2018 Impact Fees	869,037	4,689	20,625	938,441	55,533	136,410	250,076	243,988	2,518,799
2017 Impact Fees	66,591	0	2,695	122,539	19,218	17,970	33,017	19,383	281,413
2016 Impact Fees	209,983	0	4,950	210,581	8,570	30,198	56,096	57,725	578,103
2015 Impact Fees	137,670	2,928	3,630	133,352	20,533	27,116	50,222	38,526	413,977
2014 Impact Fees	184,592	17,568	5,830	235,415	51,436	48,134	88,431	51,821	683,227
2013 Impact Fees	317,206	11,712	6,160	427,429	31,829	45,110	82,280	66,179	987,905

* Funded by an Administrative Fee not an impact fee

	Scheduled	Unpaid Balance @	Deferred principal & interest
	73,499	42,996	205,004
	570,450	189,200	275,100
	270,444	0	1,449,632
	475,463.00		
			Oversizing payments due in future periods

1 Debt service payments

2 Oversizing payments made

**City of Franklin
Utility Development Fund
Balance Sheet
March 31, 2021 and 2020**

<u>Assets</u>	<u>2021</u>	<u>2020</u>
Cash and investments - Water	\$ 1,070,194	\$ 977,732
Cash and investments - Sewer	1,321,699	1,265,686
Special Assessment - Water Current	43,720	74,826
Special Assessment - Water Deferred	136,365	153,513
Special Assessment - Sewer Current	105,205	153,411
Reserve for Uncollectible	(16,776)	(16,776)
Total Assets	<u>\$ 2,660,407</u>	<u>\$ 2,608,392</u>
<u>Liabilities and Fund Balance</u>		
Accounts payable	\$ -	\$ -
Unearned Revenue	268,514	364,974
Total Fund Balance	<u>2,391,893</u>	<u>2,243,418</u>
Total Liabilities and Fund Balance	<u>\$ 2,660,407</u>	<u>\$ 2,608,392</u>

**Comparative Statement of Revenue, Expenses and Fund Balance
For the Three months ended March 31, 2021 and 2020**

	<u>2021 Original Budget</u>	<u>2021 Year-to-Date Budget</u>	<u>2021 Year-to-Date Actual</u>	<u>2020 Year-to-Date Actual</u>
Revenue:				
Special Assessments				
Water	\$ 45,000	\$ 9,317	\$ -	\$ 17,148
Sewer	40,000	8,003	-	9,503
Connection Fees				
Water	-	-	-	-
Sewer	40,000	5,812	2,100	12,803
 Total Assessments & Connection Fees	 125,000	 23,132	 2,100	 39,454
Special Assessment Interest	-	-	-	142
Investment Income	17,500	4,375	1,616	9,025
Total revenue	<u>142,500</u>	<u>27,507</u>	<u>3,716</u>	<u>48,621</u>
 Transfer to Capital Improvement Fund				
Water	500,000	125,000	-	-
Sewer	500,000	125,000	-	-
Total Transfers to Capital Improven	<u>1,000,000</u>	<u>250,000</u>	<u>-</u>	<u>-</u>
Revenue over (under) expenditures:	(857,500)	(222,493)	3,716	48,621
Fund balance, beginning of year	<u>2,373,797</u>	<u>2,388,177</u>	<u>2,388,177</u>	<u>2,194,797</u>
Fund balance, end of period	<u>\$ 1,516,297</u>	<u>\$ 2,165,684</u>	<u>\$ 2,391,893</u>	<u>\$ 2,243,418</u>

City of Franklin
Sanitary Sewer Fund
Statement of Revenue, Expenditures,
and Changes in Net Assets
For the Three months ended March 31, 2021 and 2020

	2021 Amended Budget	2021 Year-to-Date Budget	Current Year-to-Date Totals	Prior Year-to-Date Totals
Operating Revenue				
Residential	\$ 2,271,000	\$ 604,678	\$ 596,264	\$ 538,880
Commercial	630,200	154,250	144,797	144,885
Industrial	433,700	123,624	122,525	236,915
Public Authority	170,000	45,980	41,152	88,845
Penalties/Other	37,000	6,665	3,086	5,751
Multi Family	524,000	131,000	141,637	129,330
Total Operating Revenue	<u>4,065,900</u>	<u>1,066,197</u>	<u>1,049,461</u>	<u>1,144,606</u>
Operating Expenditures				
Salaries and benefits	\$ 582,437	\$ 156,655	\$ 144,910	\$ 156,274
Contractual services	152,775	79,940	57,879	94,583
Supplies	102,975	25,744	22,336	10,879
Facility charges	61,400	15,986	9,924	13,352
Shared meter costs	7,000	1,750	-	-
Sewer service - MMSD	2,515,000	628,750	637,066	741,650
Other operating costs	24,450	7,003	4,481	5,281
Allocated expenses	130,680	32,670	34,920	33,465
Sewer improvements	195,068	48,750	37,836	15,367
Depreciation	230,500	57,625	57,630	37,800
Encumbrances	-	-	(9,545)	(11,302)
Total operating expenditures	<u>4,002,285</u>	<u>1,054,873</u>	<u>997,437</u>	<u>1,097,349</u>
Operating Income (Loss)	63,615	11,324	52,024	47,257
Non-Operating Revenue (Expenditures)				
Miscellaneous income	-	-	350	470
Investment income	399,730	99,833	942	7,100
Interest expense	(384,730)	(96,183)	-	-
Capital expenditures	(152,184)	(12,675)	(100,641)	(49,237)
Encumbrances	-	-	100,641	49,237
Total non-operating revenue (expenditures)	<u>(137,184)</u>	<u>(9,025)</u>	<u>1,292</u>	<u>7,570</u>
Income (Loss) before Capital Contributions	<u>(73,569)</u>	<u>2,299</u>	<u>53,316</u>	<u>54,827</u>
Retained Earnings- Beginning	1,766,134	1,766,134	1,766,134	1,725,771
Transfer (to) from Invested in Capital Assets	(1,995,217)	(498,804)	5,836	23,162
Retained Earnings- Ending	<u>(302,652)</u>	<u>1,269,629</u>	<u>1,825,286</u>	<u>1,803,760</u>
Capital Contributions	-	-	-	-
Depreciation - CIAC	(2,020,000)	(505,000)	(504,990)	(509,760)
Transfer (to) from Retained Earnings	1,995,217	498,804	(5,836)	(23,162)
Change in Net Investment in Capital Assets	(24,783)	(6,196)	(510,826)	(532,922)
Net Investment in Capital Assets-Beginning	63,253,260	67,404,097	67,404,097	62,463,346
Net Investment in Capital Assets-Ending	<u>63,228,477</u>	<u>67,397,901</u>	<u>66,893,271</u>	<u>61,930,424</u>
Total net assets	<u>\$ 62,925,825</u>	<u>\$ 68,667,530</u>	<u>\$ 68,718,557</u>	<u>\$ 63,734,184</u>

**City of Franklin
Sanitary Sewer Fund
Comparative Balance Sheet
March 31, 2021 and 2020**

	<u>2021</u>	<u>2020</u>
<u>Assets</u>		
Current assets		
Cash and investments	\$ 1,556,367	\$ 1,614,219
Accounts receivable	1,134,000	1,226,956
Miscellaneous receivable	73,834	12,139
Total current assets	<u>2,764,201</u>	<u>2,853,314</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	3,325,768	3,308,050
Improvements other than buildings	84,169,122	81,653,509
Machinery and equipment	1,231,869	1,223,803
Construction in progress	4,651,335	95,510
	<u>94,103,688</u>	<u>87,006,466</u>
Less accumulated depreciation	<u>(27,210,417)</u>	<u>(25,076,042)</u>
Net sanitary sewer plant in service	<u>66,893,271</u>	<u>61,930,424</u>
Deferred assets		
Pension assets	<u>232,450</u>	<u>373,360</u>
Total Assets	<u><u>\$ 86,169,990</u></u>	<u><u>\$ 82,712,438</u></u>
<u>Liabilities and Net Assets</u>		
Current liabilities		
Accounts payable	\$ 74,678	\$ 797,037
Accrued liabilities	648,422	37,255
Due to General Fund - non-interest bearing	61,695	72,035
Total current liabilities	<u>784,795</u>	<u>906,327</u>
Non current liabilities		
Accrued compensated absences	77,058	75,900
Pension liability (GASB 68)	(11,855)	328,016
General Obligation Notes payable - CWF	16,280,069	17,555,341
Total liabilities	<u>17,130,067</u>	<u>18,865,584</u>
Deferred inflows		
Pension liabilities	321,366	112,670
Net Assets.		
Invested in capital assets, net of related debt	50,613,203	44,375,084
Restricted balances - LT receivable	16,280,068	17,555,340
Retained earnings	1,825,286	1,803,760
Total net assets	<u>68,718,557</u>	<u>63,734,184</u>
Total Liabilities and Net Assets	<u><u>\$ 86,169,990</u></u>	<u><u>\$ 82,712,438</u></u>

**City of Franklin
Sanitary Sewer Fund
Statement of Cash Flows
For the Three months ended March 31, 2021 and 2020**

	<u>2021</u>	<u>2020</u>
Cash Flows from Operating Activities		
Operating income (loss)	\$ 52,024	\$ 47,257
Adjustments to reconcile operating income to net cash provided by operating activities		
Depreciation	57,630	37,800
(Increase) decrease in assets:		
Accounts receivable	(136,860)	(247,576)
Taxes receivable	103,387	118,953
Due from MMSD & Other Governments		
Increase (decrease) in liabilities		
Accounts payable	(699,935)	134,972
Accrued expenses	637,066	-
Total Adjustments	<u>(38,712)</u>	<u>44,149</u>
Net Cash Provided by Operating Activities	<u>\$ 13,312</u>	<u>\$ 91,406</u>
 Cash Flows From Capital & Related Financing Activities		
Acquisition of capital assets	(51,794)	(14,638)
Net Cash Provided (Used) in Capital and Financing Activities	<u>(51,794)</u>	<u>(14,638)</u>
 Cash Flows from Investing Activities		
Interest and other income	1,292	7,570
Interest expense	-	-
Net Change in Cash and Cash Equivalents	(37,190)	84,338
Cash and Cash Equivalents, beginning of period	1,593,557	1,529,881
Cash and Cash Equivalents, end of period	<u>\$ 1,556,367</u>	<u>\$ 1,614,219</u>

Franklin Municipal Water Utility
Statement of Revenue, Expenditures
and Changes in Net Assets
For the period ended March 31, 2021 and 2020

Account Description	Amended Budget	Year to Date Budget	Current Year to Date	Prior Year to Date
Operating Revenue				
Metered Sales-Residential	\$ 3,077,600	696,398	\$ 698,204	\$ 670,887
Metered Sales-Commercial	683,500	156,954	135,281	154,066
Metered Sales-Industrial	453,300	125,620	113,547	254,479
Other Sales to Public Authority	259,000	70,038	56,559	128,455
Metered Sales-Multifamily	771,400	192,850	182,328	181,065
Metered Sales-Irrigation	140,800	35,200	25,008	7,714
Total Metered Sales	5,385,600	1,277,060	1,210,927	1,396,666
Unmetered Sales	15,000	1,335	374	707
Private Fire Protection	125,000	33,248	32,209	31,731
Public Fire Protection	545,000	140,580	137,780	136,858
Forfeited Discount	54,000	9,748	4,413	8,216
Total Operating Revenue ¹	\$ 6,124,600	\$ 1,461,971	\$ 1,385,703	\$ 1,574,178
Operating Expenditures				
Operation and maintenance expense				
Source of Supply	3,000,300	746,205	661,066	813,727
Pumping	185,250	46,332	44,200	33,420
Water Treatment	15,800	3,560	763	2,250
Transmission & Distribution	506,400	104,286	54,263	66,907
Customer Accounts	66,250	15,104	15,597	15,249
Administrative and general	587,027	122,413	99,512	97,354
Total Operation and Maintenance Expenditures	4,361,027	1,037,900	875,401	1,028,907
Depreciation	598,050	148,475	149,520	105,450
Taxes-Property Tax Equivalent Amortization	1,050,000	277,773	278,036	268,800
GASB Employee Benefit Costs	25,000	5,769	-	-
Loss on Abandoned Property	-	-	-	-
Capital Expenditures	35,452	1,075	-	-
Taxes-FICA	31,790	7,336	5,484	6,472
Total Operating Expenditures ²	6,101,319	1,478,328	1,308,441	1,409,629
Operating Income	\$ 23,281	\$ (16,357)	\$ 77,262	\$ 164,549
Non-Operating Revenue (Expenditures)				
Total non-operating revenue	44,100	17,172	9,918	24,210
Income before capital contributions	\$ 67,381	\$ 815	\$ 87,180	\$ 188,759
Retained earnings - beginning	3,462,592	3,462,592	3,462,592	2,805,630
Transfer (to) from invested in capital assets	278,100	69,525	48,351	30,933
Retained earnings - ending	\$ 3,808,073	\$ 3,532,932	\$ 3,598,123	\$ 3,025,322
Capital contributions	2,000,000	500,000	-	-
Depreciation - CIAC	(837,500)	(209,375)	(209,400)	(212,250)
Transfer (to) from retained earnings	(278,100)	(69,525)	(48,351)	(30,933)
Change in net investment	8,500,546	7,356,489	(257,751)	(243,183)
Net investment in capital assets - beginning	50,277,613	50,277,613	50,277,613	47,409,195
Net investment in capital assets - ending	\$ 58,778,159	\$ 57,634,102	\$ 50,019,862	\$ 47,166,012
Total net assets	\$ 62,586,232	\$ 61,167,034	\$ 53,617,985	\$ 50,191,334

Franklin Municipal Water Utility
Comparative Balance Sheet
March 31, 2021 & 2020

Assets	<u>2021</u>	<u>2020</u>
Current Assets:		
Cash and investments	\$ 3,040,650	\$ 2,442,892
Accounts receivable	1,456,392	1,656,897
Total current assets	<u>4,497,042</u>	<u>4,099,789</u>
Utility plant in service:		
Land	162,885	162,885
Buildings and improvements	3,414,033	3,394,166
Construction in Progress	2,019,579	1,065,176
Improvements other than buildings	63,681,798	60,725,142
Machinery and equipment	<u>4,691,985</u>	<u>4,620,616</u>
	73,970,280	69,967,985
Less accumulated depreciation	<u>22,997,738</u>	<u>21,741,326</u>
Net utility plant in service	<u>50,972,542</u>	<u>48,226,659</u>
Deferred Assets:		
Pension Assets	232,638	430,264
Deferred Costs	-	-
Total deferred assets	<u>232,638</u>	<u>430,264</u>
Total Assets	<u><u>\$ 55,702,222</u></u>	<u><u>\$ 52,756,712</u></u>
Liabilities and Net Assets		
Liabilities:		
Accounts payable	\$ 27,020	\$ 83,146
Accrued liabilities	671,518	824,252
Advance from municipality	106,450	123,200
Pension liability	(32,005)	385,222
Compensated absences reserve	77,058	75,900
Bond Payable	<u>892,680</u>	<u>951,682</u>
	1,742,721	2,443,402
Deferred Liabilities:		
Pension & OPEB Liabilities	<u>341,516</u>	<u>121,976</u>
Total liabilities	<u>2,084,237</u>	<u>2,565,378</u>
Net Assets		
Invested in capital assets, net of related debt	50,019,862	47,166,012
Retained earnings	<u>3,598,123</u>	<u>3,025,322</u>
Total net assets	<u>53,617,985</u>	<u>50,191,334</u>
Total Liabilities and Net Assets	<u><u>\$ 55,702,222</u></u>	<u><u>\$ 52,756,712</u></u>

Franklin Municipal Water Utility
Comparative Statement of Cash Flows
For the period ended March 31, 2021 and 2020

	2021	2020
Cash Flows from Operating Activities		
Operating income (loss)	\$ 77,262	\$ 164,549
Adjustments to reconcile operating income to net cash provided by operating activities:		
Depreciation & Amortization	149,520	105,450
Depreciation-shared meters		-
(Increase) decrease in assets:		
Accounts receivable	(23,514)	(261,436)
Taxes receivable	145,647	161,985
Prepaid expenses	-	-
Increase (decrease) in liabilities:		
Accounts payable	(758,632)	(860,232)
Advance from municipality	-	-
GASB 68 pension	-	-
Compensated absences reserve	-	-
	173,021	(42,233)
Net Cash Provided (Used) by Operating Activities	250,283	122,316
 Cash Flows From Capital & Related Financing Activities		
Acquisition of capital assets	(101,169)	(76,057)
Investment in Deferred Assets	-	-
Capital Contribution - Impact Fees	-	-
Interest paid on long term debt	(14,994)	(15,544)
Principal on long term debt	(60,000)	(55,000)
Net Cash Provided (Used) in Capital and Financing Activities	(176,163)	(146,601)
 Cash Flows from Investing Activities		
Interest, property rental & other income	24,912	41,294
 Net Change in Cash and Cash Equivalents	99,032	17,009
Cash and Cash Equivalents, beginning of period	2,941,618	2,425,883
Cash and Cash Equivalents, end of period	\$ 3,040,650	\$ 2,442,892

Franklin Municipal Water Utility
Notes to the Financial Statements
For the period ended March 31, 2021 and 2020

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 March 31, 2021 total \$ 1,070,194.

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 2021 total \$50,604. Water Impact fees on hand at March 31, 2020 total \$ 2,851,060.

Franklin Municipal Water Utility
Comparative Statement of Revenue, Expenditures,
and Changes in Net Assets
For the period ended March 31, 2021 and 2020

	<u>2021</u>	<u>2020</u>
Operating Revenue		
Total metered sales	1,210,927	1,396,666
Fire protection	169,989	168,589
Forfeited discounts, penalties and other	<u>4,787</u>	<u>8,923</u>
Total Operating Revenue	<u>1,385,703</u>	<u>1,574,178</u>
Operating Expenditures		
Operation and maintenance expenses:		
Source of supply	661,066	813,727
Pumping	44,200	33,420
Water treatment	763	2,250
Transmission and distribution	54,263	66,907
Customers' accounts	15,597	15,249
Administrative and general	<u>99,512</u>	<u>97,354</u>
Total operation and maintenance expenses	875,401	1,028,907
Depreciation	149,520	105,450
Amortization and Pension Expenses	-	-
Taxes	<u>283,520</u>	<u>275,272</u>
Total Operating Expenditures	<u>1,308,441</u>	<u>1,409,629</u>
Operating Income (Loss)	<u>77,262</u>	<u>164,549</u>
Non-Operating Revenue (Expenses)		
Sundry	23,482	22,829
Interest on investments	1,430	18,465
Interest on long term debt	(14,994)	(15,544)
Interest-Debt to Municipality	-	(1,540)
Total Non-Operating Revenue (Expenses)	<u>9,918</u>	<u>24,210</u>
Income before Capital Contributions	<u>87,180</u>	<u>188,759</u>
Capital Contributions-Developer & Municipality	-	-
Depreciation - CIAC	(209,400)	(212,250)
Net change in net assets	<u>(122,220)</u>	<u>(23,491)</u>
Net Assets, beginning of period	<u>53,740,205</u>	<u>50,214,825</u>
Net Assets, end of period	<u><u>\$ 53,617,985</u></u>	<u><u>\$ 50,191,334</u></u>

City of Franklin
Self Insurance Fund - Actives
Balance Sheet
March 31, 2021 and 2020

<u>Assets</u>	<u>2021</u>	<u>2020</u>
Cash and investments	\$ 3,424,799	\$ 2,825,077
Accounts receivable	324	324
Total Assets	\$ 3,425,123	\$ 2,825,401
<u>Liabilities and Net Assets</u>		
Accounts payable	\$ 4,295	\$ 683
Claims payable	311,800	175,000
Unrestricted net assets	3,109,027	2,649,718
Total Liabilities and Fund Balance	\$ 3,425,122	\$ 2,825,401

City of Franklin Self Insurance Fund - Actives
Statement of Revenue, Expenses and Fund Balance
For the Three months ended March 31, 2021 and 2020

<u>Revenue</u>	<u>2021</u> <u>Original</u> <u>Budget</u>	<u>2021</u> <u>Year-to-Date</u> <u>Budget</u>	<u>2021</u> <u>Year-to-Date</u> <u>Actual</u>	<u>2020</u> <u>Year-to-Date</u> <u>Actual</u>
Medical Premiums-City	\$ 2,213,369	\$ 570,641	\$ 587,680	\$ 615,790
Medical Premiums-Employee	478,630	123,912	113,291	126,364
Other - Invest Income, Rebates	159,800	39,951	16,799	56,164
Medical Revenue	<u>2,851,799</u>	<u>734,504</u>	<u>717,770</u>	<u>798,318</u>
Dental Premiums-City	112,000	29,657	29,504	29,924
Dental Premiums-Retirees	3,600	1,796	1,296	1,296
Dental Premiums-Employee	60,000	15,878	13,993	14,721
Dental Revenue	<u>175,600</u>	<u>47,331</u>	<u>44,793</u>	<u>45,941</u>
Total Revenue	<u>3,027,399</u>	<u>781,835</u>	<u>762,563</u>	<u>844,259</u>
Expenditures:				
Medical				
Medical claims	1,848,536	415,923	577,183	301,324
Prescription drug claims	-	-	45,368	46,005
Refunds-Stop Loss Coverage	-	-	-	-
Total Claims	<u>1,848,536</u>	<u>415,923</u>	<u>622,551</u>	<u>347,329</u>
Medical Claim Fees	107,041	28,599	38,224	25,013
Stop Loss Premiums	540,610	137,622	133,253	130,595
Other - Miscellaneous	177,245	33,167	7,183	7,412
HSA Contributions	224,650	51,843	32,563	119,250
Plan Administration	-	-	11,775	-
Total Medical Costs	<u>2,898,082</u>	<u>667,154</u>	<u>845,549</u>	<u>629,599</u>
Dental				
Active Employees & COBRA	179,000	41,188	48,557	51,532
Retiree	5,700	1,467	3,061	1,931
Total Dental Costs	<u>184,700</u>	<u>42,655</u>	<u>51,618</u>	<u>53,463</u>
Claims contingency			-	-
Total Expenditures	<u>3,082,782</u>	<u>709,809</u>	<u>897,167</u>	<u>683,062</u>
Revenue over (under) expenditures	(55,383)	<u>\$ 72,026</u>	(134,604)	161,197
Net assets, beginning of year	<u>2,488,521</u>		<u>3,243,631</u>	<u>2,488,521</u>
Net assets, end of period	<u>\$ 2,433,138</u>		<u>\$ 3,109,027</u>	<u>\$ 2,649,718</u>

City of Franklin
City of Franklin Post Employment Benefits Trust
Balance Sheet
March 31, 2021 and 2020

<u>Assets</u>	<u>2021</u>	<u>2020</u>
Cash and investments	\$ 110,480	\$ 76,297
Investments held in trust - Fixed Inc	2,807,046	2,224,682
Investments held in trust - Equities	5,285,082	3,294,104
Accounts receivable	29,227	24,303
Total Assets	<u>\$ 8,231,835</u>	<u>\$ 5,619,386</u>
<u>Liabilities and Net Assets</u>		
Accounts payable	\$ -	\$ -
Claims payable	16,600	10,000
Net assets held in trust for post emp	8,215,235	5,609,386
Total Liabilities and Fund Balance	<u>\$ 8,231,835</u>	<u>\$ 5,619,386</u>

City of Franklin Post Employment Benefits Trust
Statement of Revenue, Expenses and Fund Balance
For the Three months ended March 31, 2021 and 2020

<u>Revenue</u>	<u>2021</u> <u>Year-to-Date</u> <u>Actual</u>	<u>2020</u> <u>Year-to-Date</u> <u>Actual</u>
ARC Medical Charges - City	\$ 43,478	\$ 63,977
Medical Charges - Retirees	74,777	68,526
Implicit Rate Subsidy	-	-
Medical Revenue	<u>118,255</u>	<u>132,503</u>
Expenditures:		
Retirees-Medical		
Medical claims	67,118	30,979
Prescription drug claims	24,148	28,606
Refunds-Stop Loss Coverage	-	-
Total Claims-Retirees	<u>91,266</u>	<u>59,585</u>
Medical Claim Fees	4,763	3,885
Stop Loss Premiums	22,226	17,056
Miscellaneous Expense	-	-
ACA Fees	-	-
Total Medical Costs-Retirees	<u>118,255</u>	<u>80,526</u>
Revenue over (under) expenditures	-	51,977
Annual Required Contribution-Net	27,072	34,717
Other - Investment Income, etc.	<u>393,249</u>	<u>(1,016,068)</u>
Total Revenues	420,321	(981,351)
Net Revenues (Expenditures)	420,321	(929,374)
Net assets, beginning of year	<u>7,794,914</u>	<u>6,538,760</u>
Net assets, end of period	<u>\$ 8,215,235</u>	<u>\$ 5,609,386</u>

**COMBINING STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE
NONMAJOR GOVERNMENTAL FUNDS FOR CITY OF FRANKLIN
Period Ending 03/31/2021**

GL Number	FIRE DEPT GRANT FUND	ST MARTINS FAIR FUND	HEALTH DEPT GRANT FUND	OTHER GRANTS	DONATIONS FUND	CIVIC CELEBRATIONS FUND	TOTAL
REVENUES							
INTERGOVERNMENTAL	-	-	19,222	-	-	-	19,222
MISCELLANEOUS REVENUE	-	-	-	-	50	-	50
Total Revenues	-	-	19,222	-	50	-	19,272
EXPENDITURES							
PERSONAL SERVICES	-	-	12,671	-	-	-	12,671
EMPLOYEE BENEFITS	-	-	96,555	-	-	-	96,555
CONTRACTUAL SERVICES	-	-	683	-	-	145	828
SUPPLIES	299	-	29,195	-	3,624	-	33,118
SERVICES & CHARGES	-	-	1,919	-	-	-	1,919
Total Expenditures	299	-	141,023	-	3,624	145	145,090
Excess (deficiency) of Revenues vs Expenditures	(299)	-	(121,801)	-	(3,574)	(145)	(125,818)
OTHER FINANCING SOURCES							
FUND TRANSFERS	-	-	-	-	-	-	-
OTHER FINANCING USES							
CAPITAL OUTLAY	-	-	-	-	154	-	154
Net Change in Fund Balance	(299)	-	(121,801)	-	(3,728)	(145)	(125,972)
Fund Balance - Beginning	27,679	3,636	239,382	5,315	235,736	69,268	581,016
Fund Balance - Ending	27,381	3,636	117,581	5,315	232,008	69,123	455,044

**City of Franklin
Park Commission
Statement of Revenue and Expenses
For the Three months ended March 31, 2021 & 2020**

	2021 Amended Budget	2021 Year-to-Date Budget	Current Year-to-Date Totals	2020 Year-to-Date Totals
General Fund Operating Revenue:				
Park & Field Reservation	<u>\$ 18,000</u>	<u>\$ 6,953</u>	<u>\$ 6,850</u>	<u>\$ 7,525</u>
General Fund Operating Expenses:				
Personal Services	\$ 122,368	\$ 28,239	\$ 28,211	\$ 33,300
Park Maintenance	59,543	12,533	8,700	14,733
Uniforms	350	-	-	-
Allocated insurance	-	-	-	-
Mileage	3,200	112	-	74
Utilities	15,425	3,796	2,621	2,074
Building maintenance	-	-	-	-
Total Operating Fund Expenses	<u>\$ 200,886</u>	<u>\$ 44,680</u>	<u>\$ 39,532</u>	<u>\$ 50,181</u>
Capital Outlay Fund Expenses:				
Landscaping-Park/Tree Maint	\$ 42,000	\$ 10,500	\$ 1,424	\$ -
Park Improvements-Development	75,000	18,750	12,935	-
Building Improvements	65,000	-	-	-
Park Equipment & Supplies	247,000	28,522	-	-
Total Capital Outlay Expenditures	<u>\$ 429,000</u>	<u>\$ 57,772</u>	<u>\$ 14,359</u>	<u>\$ -</u>
Development Fund Revenue:				
Impact Fee-Parks & Recreation	<u>\$ 146,117</u>	<u>\$ 22,579</u>	<u>\$ 30,362</u>	<u>\$ 92,339</u>
Development Fund Expenses:				
Reimb to Developers & Others	\$ -	\$ -	\$ -	\$ 25,285
Transfer to Capital Improvement Fund	1,259,250	100,753	93,000	23,484
Total Capital Improvement Expenditures	<u>1,259,250</u>	<u>100,753</u>	<u>93,000</u>	<u>48,769</u>
Capital Improvement Fund Expenses:				
General Park Development	\$ 35,001	\$ 8,750	\$ 1	\$ 22,618
Improvements - Ken Windl Park	-	-	-	-
Ernie Lake Park - Park Equipment	-	-	397	-
Pleasant View Park - Pavilion	19,287	-	19,287	127,826
Pleasant View Park - Park Equipment	300,000	75,000	-	19,989
Pleasant View Park - Master Plan Update	88,616	-	88,616	19,900
116th Street Trail	101,761	-	100,454	-
Land Purchase Water Tower Park	3,636	-	3,636	-
Church Street Pathway	75,000	-	-	-
Total Capital Improvement Expenditures	<u>623,301</u>	<u>83,750</u>	<u>212,391</u>	<u>190,333</u>
Less Impact Fees Transfer	<u>1,259,250</u>	<u>100,753</u>	<u>93,000</u>	<u>23,484</u>
Net Expenditures (after Impact Fee contribution)	<u>\$ (635,949)</u>	<u>\$ (17,003)</u>	<u>\$ 119,391</u>	<u>\$ 166,849</u>

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APPROVAL <i>slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 05-04-21
REPORTS & RECOMMENDATIONS	Committee of the Whole Recommendations	ITEM NUMBER <i>G. 12.</i>

Recommendations from the Committee of the Whole Meeting of May 3, 2021:

- (a) Volition Franklin: Drug-Free Community Grant Progress and Future Presentation.
- (b) Presentation of the 2020 Annual Financial Report for the City of Franklin.
- (c) Continued Discussion Regarding the Establishment/Use of the following – City of Franklin Common Council Reference Manual:
 - Form of Government.
 - Common Council Code of Conduct.
 - Common Council Rules of Order.
 - Handbook for Wisconsin Municipal Officials.
 - Plan to Update to Existing Policies/Need for Additional Policies.
 - Common Council Training/Professional Development Opportunities.

COUNCIL ACTION REQUESTED

As directed

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APPROVAL <i>slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 05/04/2021
LICENSES AND PERMITS	MISCELLANEOUS LICENSES	ITEM NUMBER H.

See attached listing from meeting of May 4, 2021.

COUNCIL ACTION REQUESTED



414-425-7500

**License Committee
Agenda*
Alderman's Room
May 4, 2021 – 4:45 p.m.**

1.	Call to Order & Roll Call	Time:
2.	Applicant Interviews & Decisions	
License Applications Reviewed		Recommendations

Type/ Time	Applicant Information	Approve	Hold	Deny
Operator 2020-2021 New 5:00 p.m.	Vasiljevic, Dragan 7033 W. Forest Home Ave. Milwaukee, WI 53220 The Rock Sports Complex			
Operator 2020-2021 New 5:05 p.m.	Wisniewski, Matthew D. 3660 S. 14 th Street Milwaukee, WI 53221 Country Lanes			
Operator 2021-2022 Renewal	Wisniewski, Matthew D. 3660 S. 14 th Street Milwaukee, WI 53221 Country Lanes			
Temporary Entertainment & Amusement 2020-2021	The Bowery Bar & Grill Applicant: Roger Hein 3023 W Ryan Road Event date: Saturday June 5, 2021 6pm-10pm Live Music (one person band) on outdoor patio			
Operator 2021-2022 New	Leisner, Katie Jo 10586 W. Cortez Cir Apt# 10 Franklin, WI 53132 Andy's on Ryan Rd.			
Operator 2020-2021 New	Balistreri, Dakotah D 107 Michaels Ct #6 Mukwonago, WI 53149 The Rock Sports Complex			
Operator 2021-2022 Renewal	Balistreri, Dakotah D 107 Michaels Ct #6 Mukwonago, WI 53149 The Rock Sports Complex			
Operator 2020-2021 New	Banaszak, Michelle L. 8160 N. 100 th St. Milwaukee, WI 53224 Irish Cottage			
Operator 2021-2022 Renewal	Banaszak, Michelle L. 8160 N. 100 th St. Milwaukee, WI 53224 Irish Cottage			
Operator 2020-2021 New	Cruz-Gonzalez, Diego A. 3722 W. Oklahoma Ave. Milwaukee, WI 53215 7-Eleven			

Type/ Time	Applicant Information	Approve	Hold	Deny
Operator 2021-2022 Renewal	Cruz-Gonzalez, Diego A. 3722 W. Oklahoma Ave. Milwaukee, WI 53215 7-Eleven			
Operator 2020-2021 New	Jacobs, Eric K. 11304 W. Upham Ave. Hales Corners, WI 53130 Hideaway Pub & Eatery			
Operator 2021-2022 Renewal	Jacobs, Eric K. 11304 W. Upham Ave. Hales Corners, WI 53130 Hideaway Pub & Eatery			
Operator 2020-2021 New	Jesinski, Terese M. 3548 S. 80 th St. Milwaukee, WI 53220 No Location			
Operator 2021-2022 Renewal	Jesinski, Terese M. 3548 S. 80 th St. Milwaukee, WI 53220 No Location			
Operator 2020-2021 New	Nuss, Jennifer M. 2276 Hope Lane Oak Creek, WI 53154 The Rock Sports Complex			
Operator 2021-2022 Renewal	Nuss, Jennifer M. 2276 Hope Lane Oak Creek, WI 53154 The Rock Sports Complex			
Operator 2020-2021 New	Wachter, Jill M. 3930 W. Victory Creek Dr. Franklin, WI 53132 The Rock Sports Complex			
Operator 2021-2022 Renewal	Wachter, Jill M. 3930 W. Victory Creek Dr. Franklin, WI 53132 The Rock Sports Complex			
Operator 2021-2022 Renewal	Balcerzak, Amy B. 2605 E. Emily Ave. Oak Creek, WI 53154 Walgreens #15020			
Operator 2021-2022 Renewal	Braovac, John D. 8623 S. Deerwood Lane Franklin, WI 53132 Croatian Park			
Operator 2021-2022 Renewal	Bryant, Sara A. 3925 W. Denis Ave. Greenfield, WI 53221 Root River Center			
Operator 2021-2022 Renewal	Bucher, Deanna L. 2743 76 th St. Franksville, WI 53126 Swiss Street Pub & Grill			

Type/ Time	Applicant Information	Approve	Hold	Deny
Operator 2021-2022 Renewal	Cauley, Joseph A. 1813 S. 70 th St. West Allis, WI 53214 Rawson Pub			
Operator 2021-2022 Renewal	Chatfield, Anthony M. 10224 W. Forest Home Ave. Apt# 319 Hales Corners, WI 53130 Croation Park			
Operator 2021-2022 Renewal	Gagliano, Eric M. 3723 Meadow Rose Ct. Franksville, WI 53126 Bowery Bar & Grill			
Operator 2021-2022 Renewal	Grochowski, Halina 1111 W. Rosewood Trl Oak Creek, WI 53154 Buckhorn Bar & Grill			
Operator 2021-2022 Renewal	Itsines, Nicholas D. 17285 Ely Ct. Brookfield, WI 53045 Honey Butter Cafe			
Operator 2021-2022 Renewal	Jaskie, Shane R. 7811 W. Winston Way Franklin, WI 53132 Iron Mike's			
Operator 2021-2022 Renewal	Jubeck, Adam J. 2430 W. Briar Lake Way #2B Oak Creek, WI 53154 Bowery Bar & Grill			
Operator 2021-2022 Renewal	Kagerbauer, Justin D. S86 W18930 Woods Rd. Muskego, WI 53150 Croation Park			
Operator 2021-2022 Renewal	Kaur, Paramjeet 185 W. Rainbow Ridge Dr. #301 Oak Creek, WI 53154 Franklin Liquor Store			
Operator 2021-2022 Renewal	Kochan, Lori A. 508 W. Main Street Waterford, WI 53185 Swiss Street Pub & Grill			
Operator 2021-2022 Renewal	Laughery, Kimberlee B. 1333 S. 116 th St. West Allis, WI 53214 Sendik's Food Market			
Operator 2021-2022 Renewal	Marinez, Rachel M. 2561 S. 13 th St. Milwaukee, WI 53215 Hideaway Pub & Eatery			
Operator 2021-2022 Renewal	Martinez, Carlos L. 7000 W. Southridge Dr. Apt. 40 Greenfield, WI 53220 Walgreens #15020			

Type/ Time	Applicant Information	Approve	Hold	Deny
Operator 2021-2022 Renewal	Martinez, Jennifer L. 8725 Wood Creek Dr. #8 Oak Creek, WI 53154 Swiss Street Pub & Grill			
Operator 2021-2022 Renewal	Mashkina, Nadiya 9667 W. Forest Home Ave. #1 Hales Corners, WI 53130 Walgreens #15020			
Operator 2021-2022 Renewal	Mayrand, Mandy L. W224 S9950 Big Bend Dr. Big Bend, WI 53103 Swiss Street Pub & Grill			
Operator 2021-2022 Renewal	Nelson, Samantha A. S75 W16880 Gregory Dr. Apt. D Muskego, WI 53150 Milwaukee Burger Company			
Operator 2021-2022 Renewal	Planton, Allison M. 14900 W. Wilbur Dr. Unit 1204 New Berlin, WI 53151 The Rock Sports Complex			
Operator 2021-2022 Renewal	Rabiega, Richard G. 7731 W. Cedar Ridge Ct. Franklin, WI 53132 Polonia Sport Club			
Operator 2021-2022 Renewal	Rinke, Kristen L. S97 W12719 Champions Dr. Muskego, WI 53150 Hideaway Pub & Eatery			
Operator 2021-2022 Renewal	Ruyle, Toni M. 1835 Ellis Ave. Racine, WI 53402 Swiss Street Pub & Grill			
Operator 2021-2022 Renewal	Scheffler, Ryan M. 730 N. Rochester St. #11 Mukwonago, WI 53149 Swiss Street Pub & Grill			
Operator 2021-2022 Renewal	Schneider, Judy A 8418 Tuckaway Shores Dr. Franklin, WI 53132 Michaelangelo's Pizza			
Operator 2021-2022 Renewal	Smith, Hollie C. 6873 S. 35 th St. Franklin, WI 53132 Walgreens #15020			
Operator 2021-2022 Renewal	St. Louis, Jessica N. 10598 W. Cortez Cir #34 Franklin, WI 53132 The Landmark			
Operator 2021-2022 Renewal	Stork, Nadine A. 8636 W. Marshfield Ct. Franklin, WI 53132 Walgreens #15020			

Type/ Time	Applicant Information	Approve	Hold	Deny
Operator 2021-2022 Renewal	Trippler, Stacie L. 5331 N. 37 th St. Milwaukee, WI 53209 On The Border			
Operator 2021-2022 Renewal	Varga, Kathleen A. 3739 S. Packard Ave #120 St. Francis, WI 53235 Walgreens #15020			
Operator 2021-2022 Renewal	Zalewski, Raquel M. 3625 W. Ruskin St. Milwaukee, WI 53215 Rawson Pub			
Amusement Device Operator 2021-2022	American Entertainment W337 S5059 Hwy GG Dousman, WI 53118 Kenneth J Grothman, Owner			
Amusement Device Operator 2021-2022	Games R Us Inc W144 S6315 College Ct Muskego, WI 53150 Steven Murphy, Owner			
Amusement Device Operator 2021-2022	Mitchell Novelty Co 3506 W National Ave Milwaukee, WI 53215 Ralph A Fleege, Owner			
Amusement Device Operator 2021-2022	National Entertainment Network 325 Interlocken Pkwy B Broomfield, CO 80021 James F Sevalt, Owner			
Amusement Device Operator 2021-2022	Red's Novelty Ltd 1921 S 74 St West Allis, WI 53132 Rosalie Jacomet, Agent			
Amusement Device Operator 2021-2022	Wisconsin P&P Amusements 12565 W Lisbon Rd Brookfield, WI 53005 Michael Weigel, Owner			
Day Care 2021-2022	Academy of Preschool Learning, Inc Dba Academy of Preschool Learning 3900 W Ryan Rd Nadeen Balsis, Manager			
Day Care 2021-2022	Discovery Days Childcare III, Inc. DBA Discovery Days Childcare 9758 S Airways Ct Tina Kraussel, Manager			
Day Care 2021-2022	Faith Academy for Kids Dba Faith Academy 7700 W Faith Dr Jennifer Finch, Manager			
Day Care 2021-2022	Ingenious, Inc 7260 S 76 St Franklin, WI 53132 Banmeet K Dadwal, Manager			

Type/ Time	Applicant Information	Approve	Hold	Deny
Day Care 2021-2022	Jubilee Faith Center, Inc. Db a Jubilee Christian School 3639 W Ryan Rd Tanya L Soich, Manager			
Day Care 2021-2022	KinderCare Education LLC KinderCare 6350 S 108 th St Theresa Castronovo, Manager			
Day Care 2021-2022	Kinder Care Education, LLC Falk Park KinderCare 7363 S 27 th St Katelyn Rekowski, Manager			
Day Care 2021-2022	Mrs. Rikki's Structured Daycare 11224 W Forest Home Ave Rochelle S Boyce, Manager			
Entertainment & Amusement 2020-2021	R&C PUB & GRUB LLC Db a Swiss Street Pub & Grill 11430 W Swiss Street Chrystal Rausch, Agent			
Entertainment & Amusement 2021-2022	Innovative Health & Fitness Building LLC 8800 S 102 nd St Scott Cole, Owner			
Entertainment & Amusement 2021-2022	Milwaukee County Parks Milwaukee County Sports Complex 6000 W Ryan Rd Andrea Wallace, Agent			
Entertainment & Amusement 2021-2022	Milwaukee County Parks Oakwood Park Golf Course 3600 W Oakwood Rd Andrea Wallace, Agent			
Entertainment & Amusement 2021-2022	Milwaukee County Parks Whitnall Park Golf Course 6751 S 92 nd St Andrea Wallace, Agent			
Mobile Home 2021-2022	Badger MHP, LLC Db a Badger Mobile Home Park 6405 S 27 th St Jason P Janda, Manager			
Mobile Home 2021-2022	Franklin Mobile, LLC DBA Franklin Mobile Estates 6361 S 27 th St David Steinberger, Manager			
Potential Amendment to Municipal Code Chapter 158 Relating to Off-Premise Consumption Sales by "Class B" Retailers to Allow Sale of Intoxicating Liquor for Off Premise Consumption by "Class B" Retailers	2021 Wisconsin Act 21 which became effective on March 28, 2021 allows "Class B" Liquor retailers to sell wine and intoxicating liquor by the glass, or otherwise not in its original container for off premise consumption provided the item is sealed with a tamper-evident seal.			
		Time		
3.	Adjournment			

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

Sandi Wesolowski

From: jweslaw <jweslaw@aol.com>
Sent: Tuesday, April 27, 2021 3:59 PM
To: Sandi Wesolowski
Subject: "Tamper-evident seal" alcohol sales Stat and Mun Code

The §158-3J. Subsection you mentioned is at the bottom below. "Class C" is not included in the Act 21, only "Class B". So in terms of the Act 21, not seeing a need to amend the Code pursuant thereto (re: "as amended from time to time" provision). Westlaw has not been updated re: Act 21 as yet, did do a check and while Class C is not mentioned in Act 21, cite: "Wis. Stat. § 125.51(3r) Sales of wine by the bottle in restaurants. (a) Notwithstanding subs. (3)(a) and (b) and (3m)(b), a "Class B" license or "Class C" license authorizes the retail sale of wine in an opened original bottle, in a quantity not to exceed one bottle, for consumption both on and off the premises where sold if all of the following apply: *****" Thanks.

Wis. Stat. § 125.51

Date of enactment: **March 26, 2021**
2021 Assembly Bill 32 Date of publication*: **March 27, 2021**

* Section 99.11(1), WISCONSIN STATUTES Effective date of acts "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication."

2021 WISCONSIN ACT 21

AN ACT to amend 125.51(3)(a), 125.51(3)(am) and 125.51(3)(b), and to create 125.02(20g) of the statutes, relating to the retail sale of intoxicating liquor by the glass for consumption away from the licensed premises

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows

SECTION 1. **125.02** (20g) of the statutes is created to read

125.02(20g) "Tamper-evident seal" means a device or material that is used to securely and fully close off a container, with no perforations, in such a manner that access to the contents of the container cannot be gained without showing evidence of tampering

SECTION 2. **125.51**(3)(a) of the statutes is amended to read 125.51(3)(a) **"Class**

B" license authorizes the retail sale of intoxicating liquor for consumption on the premises where sold by the

glass and not in the original package or container for consumption on the premises where sold or for consumption off the premises if the licensee seals the container of intoxicating liquor with a tamper-evident seal before the intoxicating liquor is removed from the premises. In addition, wine may be sold in the original package or container in any quantity to be consumed off the premises where sold. This paragraph does not apply to a municipality in which the governing body elects to come under par. (b) or to a winery that has been issued a "Class B" license. Paragraph (am) applies to all wineries that have been issued a "Class B" license

SECTION 3. **125.51** (3) (am) of the statutes is amended to read

125.51(3)(am) A **"Class B"** license issued to a winery authorizes the sale of wine to be consumed by the glass or in opened containers only on the premises where sold and off the premises if the licensee seals the container of wine with a tamper-evident seal before the wine is removed from the premises. The "Class B" license also authorizes the sale of wine in the original

package or container to be consumed off the premises where sold, but does not authorize the sale of fermented malt beverages or any intoxicating liquor other than wine

SECTION 4. **125.51** (3) (b) of the statutes is amended to read

125.51 (3) (b) In all municipalities electing by ordinance to come under this paragraph, a retail "**Class B**" license authorizes the sale of intoxicating liquor to be consumed by the glass only on the premises where sold and off the premises if the licensee seals the container of intoxicating liquor with a tamper-evident seal before the intoxicating liquor is removed from the premises. The "Class B" license also authorizes the sale of intoxicating liquor in the original package or container, in any quantity, to be consumed off the premises where sold. Thus paragraph does not apply to a warranty that has been issued a "Class B" license. Paragraph (am) applies to all warranties that have been issued a "Class B" license.

Mun. Code

§158-1 State statutes adopted.

The provisions of Ch. 125, Wis. Stats., **enumerated below and as amended from time to time**, exclusive of any provisions relating to any penalty to be imposed or the punishment for the violation of such statutes, unless otherwise indicated, **are hereby adopted by reference** and made a part of this chapter.

GENERAL PROVISIONS

125.02

Definitions ***

INTOXICATING LIQUOR

125.51

Retail licenses and permits ***


§158-3 License fees.

There shall be the following classes and denominations of licenses which, when issued by the City Clerk under the authority of the City Council, after payment of the fee specified in Chapter 169, Licenses and Permits, shall permit the holder to sell, deal or traffic in intoxicating liquor or fermented malt beverages as provided in §§ 125.17, 125.26 and **125.51**, Wis. Stats. ***

J.

Class C Retail Wine License. A Class C license authorizes the retail sale of wine by the glass or in opened original container for consumption on the premises where sold.

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APPROVAL 	REQUEST FOR COUNCIL ACTION	MEETING DATE 05/04/2021
Bills	Vouchers and Payroll Approval	ITEM NUMBER I
<p>Attached are vouchers dated April 16, 2021 through May 3, 2021 Nos. 182814 through Nos. 183002 in the amount of \$ 2,240,275.12. Also included in this listing are EFT's Nos. 4564 through Nos. 4580. Library vouchers totaling \$ 28,777.94, Tourism vouchers totaling \$ 150,000.00 Water Utility vouchers totaling \$ 30,273.83 and Property Tax refunds totaling \$ 3,000.00. Voided checks in the amount of (\$ 7,527.80) are separately listed.</p> <p>Early release disbursements dated April 16, 2021 through April 30, 2021 in the amount of \$ 741,780.56 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.</p> <p>The net payroll dated April 23, 2021 is \$ 439,373.98, previously estimated at \$ 427,000. Payroll deductions dated April 23, 2021 are \$ 446,784.28 previously estimated at \$ 449,000.</p> <p>The estimated payroll for May 7, 2021 is \$ 399,000 with estimated deductions and matching payments of \$ 236,000.</p> <p>Attached is a list of property tax reimbursements EFT's Nos. 375 through EFT Nos. 379 and EFT Nos. 284(S) through 286 (S) dated April 15, 2021 through April 29, 2021 in the amount of \$ 3,623,947.17. \$ 10,915,727.11 represents settlements and \$ 3,000.00 represents refunds/other. These payments have been released as authorized under Resolution 2013-6920. (Property tax settlements in the amount of \$10,915,727.11 were approved at the meeting dated April 20, 2021.)</p>		
<p style="text-align: center;">COUNCIL ACTION REQUESTED</p>		
<p>Motion approving the following:</p> <ul style="list-style-type: none"> • City vouchers with an ending date of May 3, 2021 in the amount of \$ 2,240,275.12 and • Payroll dated April 23, 2021 in the amount of \$ 439,373.98 and payments of the various payroll deductions in the amount of \$ 446,784.28 plus City matching payments and • Estimated payroll dated May 7, 2021 in the amount of \$ 399,000 and payments of the various payroll deductions in the amount of \$ 236,000, plus City matching and • Property Tax disbursements with an ending date of April 29, 2021 in the amount of \$ 3,623,947.17. 		
<p>ROLL CALL VOTE NEEDED</p>		