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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 3, 2022, AT 6:30 P.M.

- A. Call to Order and Roll Call.
- B.
 - 1. Citizen Comment Period.
 - 2. Mayoral Announcements - Intergovernmental Cooperation Council and Executive Council, Milwaukee Metropolitan Sewerage District Meeting at Franklin Law Enforcement Center – May 9, 2022 at 1:00 p.m.
- C. Approval of Minutes: Regular Common Council Meeting of April 19, 2022.
- D. Hearings.
- E. Organizational Business – Aldermanic Appointments:
Alderman Holpfer, District 1 Board of Review Appointment:
 - 1. Peter Jankowski, 8160 S. 77th St., Ald. Dist. 1 – Board of Review (3 year term expiring 04/19/25).Alderman Eichmann, District 2 Board of Review Appointment:
 - 2. Rebekah Stuckart, 7548 S. 77th St., Ald. Dist. 2 – Board of Review (3 year term expiring 04/19/25).
- F. Letters and Petitions: Letter from Ann Kaminski Requesting Suspension of Noxious Weed Ordinance for Month of May, 2022 “No Mow May.”
- G. Reports and Recommendations:
 - 1. Consent Agenda:
 - (a) A Resolution Designating an Official Newspaper.
 - (b) Temporary Street Closure Request in Conjunction with the June 4th Franklin Bike Rodeo.
 - 2. Report on Public Library Building - Dennis McKnight.
 - 3. Presentation of a Draft Public Facilities Needs Assessment and Impact Fee Study for Transportation System Facilities, Sanitary Sewer System Facilities, Water System Facilities and Fire and Emergency Medical Service Facilities, Setting Impact Fees for Same and Directing a Public Hearing to be Held for Public Comment on the Needs Assessment and Impact Fees Ordinance Amendment.
 - 4. An Ordinance to Amend the City of Franklin 2025 Comprehensive Master Plan to Change the City of Franklin 2025 Future Land Use Map for Property Bearing Tax Key Number 892-9999-002 from Recreational Use and Areas of Natural Resource

- Features to Residential Use (by Stephen R. Mills, President of Bear Development, LLC, Applicant, Ignasiak Investment Company, LLC, Property Owner).
5. An Ordinance to Amend the Unified Development Ordinance (Zoning Map) to Rezone a certain parcel of land bearing Tax Key Number 892-9999-002 from A-2 Prime Agricultural District and C-1 Conservancy District to R-5 Suburban Single-Family Residence District (by Stephen R. Mills, President of Bear Development, LLC, Applicant, Ignasiak Investment Company, LLC, Property Owner).
 6. Standards, Findings and Decision of the City of Franklin Common Council upon the Application of Fiduciary Real Estate Development, Inc., Applicant, for a Special Exception to Certain Natural Resource Provision of the City of Franklin Unified Development Ordinance, 9801 S 27th Street (Tax Key No. 902-9965-006) and 9605 S 29th Street (Tax Key No. 902-9966-001).
 7. Request from Department of City Development for Discussion Regarding Return-on-Investment Analysis Presentation for Development, Regarding City Expenses for Development and the Maintenance and Costs Thereof and Funding by Way of Property Taxes from Development.
 8. A Resolution in Support of Milwaukee County's Reconditioning of W. Forest Home Avenue (CTH OO) from Hi View Drive to W. Speedway Drive to Include a Multi-Use Pathway from Hi View Drive to the Southern Crossing of the Existing Franklin Hike-Bike Path.
 9. A Resolution to Amend Resolution No. 2022-7816, a Resolution to Enter into a Contract with Hausch Design Agency, LLC to Develop a Messaging Program for Franklin Sewer Utilities Project/Private Property Infiltration & Inflow Reduction Project for \$31,000, to Increase the Price to \$32,500 to Provide for Additional Insurance Coverage.
 10. A Resolution Authorizing Certain Officials to Enter into a Green Solutions Funding Agreement G98005P95 for Hickory Street Bioswales with Milwaukee Metropolitan Sewerage District in the Amount of \$874,232.70.
 11. An Ordinance to Amend §30-1. of the Municipal Code to Amend Ward Boundaries as Required by 2021 Senate Bill 621.
 12. Three Resolutions to Award the 2021-2022 City of Franklin Facility Renovations: Hardscape Renovations to Parking Lot Maintenance, LLC, in the Amount of \$69,265.30; Roofing Renovations to Carlson Racine Roofing & Sheet Metal, Inc., in the Amount of \$37,710; and Building Envelope Renovations to Custom Restoration, Inc., in the Amount of \$61,173.
 13. An Ordinance to Amend Ordinance 2020-2453, an Ordinance Adopting the 2021 Annual Budgets for the General Fund, Fire Grant Fund, Police Grant Fund, St. Martins Fair Fund, Health Grant Fund, Civic Celebrations Fund, Capital Outlay Fund, TID 7 Fund, TID 3 Fund, Development Fund, Capital Improvement Fund and the Self-Insurance/Retiree Health Funds for the City of Franklin to Transfer and Re-Appropriate 2021 Funds and Account for Final Carry Forwards and Encumbrances.
 14. Recommendation from the Committee of the Whole Meeting of May 2, 2022:
 - (a) A Resolution to Modify the Plan for the Southwest Sanitary Sewer District in the Vicinity of W. Ryan Road Between S. 76th Street and S. 92nd Street.
 - (b) Review of Comprehensive Master Plan (Alderman Nelson):
 - (i) Chapter 8: Utilities and Community Facilities.

(ii) Chapter 10: Implementation.

(c) Review of City of Franklin Code of Conduct (Alderman Nelson).

15. Confirmation of the Appointment of Lauren Gottlieb as Director of Health and Human Services. The Common Council may enter closed session pursuant to Wis. Stats. § 19.85(1)(c) and (f), to consider employment, promotion, compensation, or performance evaluation data of a public employee over which the Common Council has jurisdiction or exercises responsibility and to consider financial, social or personal histories of specific persons which, if discussed in public, would be likely to have a substantial adverse effect upon the reputation of any person referred to in such histories and may re-enter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate.
16. Confirmation of the Appointment of Denise Gilbert as Director of Finance & Treasurer. The Common Council may enter closed session pursuant to Wis. Stats. § 19.85(1)(c) and (f), to consider employment, promotion, compensation, or performance evaluation data of a public employee over which the Common Council has jurisdiction or exercises responsibility and to consider financial, social or personal histories of specific persons which, if discussed in public, would be likely to have a substantial adverse effect upon the reputation of any person referred to in such histories and may re-enter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate.
17. Potential Acquisition of Property for Public Park Recommendations Purposes in the General Southwest Area of the City of Franklin. The Common Council May Enter Closed Session Pursuant to Wis. Stat. § 19.85(1)(e), to Consider the Potential Acquisition of Properties Intended to be Used for Public Park Purposes in the General Southwest Area of the City and to Reenter Open Session at the Same Place Thereafter to Act on Such Matters Discussed Therein as it Deems Appropriate.

H. Licenses and Permits.

Miscellaneous Licenses from License Committee Meeting of May 3, 2022.

I. Bills.

Request for Approval of Vouchers and Payroll.

J. Adjournment.

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

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

REMINDERS:

May 5	Plan Commission Meeting	7:00 p.m.
May 17	Common Council Meeting	6:30 p.m.
May 19	Plan Commission Meeting	7:00 pm.
May 30	City Hall Closed-Memorial Day	

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CITY OF FRANKLIN
COMMON COUNCIL MEETING
APRIL 19, 2022
MINUTES

OATHS OF OFFICE

City Clerk Wesolowski administered Oaths of Office to Alderman Edward Holpfer, Alderwoman Michelle Eichmann, and Alderman Michael Barber.

ROLL CALL

- A. The regular meeting of the Common Council was held on April 19, 2022 and called to order at 6:34 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 present: Alderman Ed Holpfer, Alderwoman Michelle Eichmann, Alderwoman Shari Hanneman, Alderman Mike Barber and Alderman John R. Nelson. Alderwoman Wilhelm was Absent. Also in attendance 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 6:35 p.m. and closed at 6:40 p.m.

MINUTES
APRIL 4, 2022

- C. Alderman Barber moved to approve the minutes of the regular Common Council meeting of April 4, 2022, as presented at this meeting. Seconded by Alderman Holpfer. All voted Aye; motion carried.

COUNCIL PRESIDENT

- E. Alderman Barber moved to nominate Alderwoman Hanneman as Council President. Alderman Barber moved to close nominations. Seconded by Alderman Holpfer. Upon vote by paper ballot, Alderwoman Hanneman received five votes for Council President. Motion carried.

ALDERMANIC
APPOINTMENTS

Alderman Barber moved to confirm the following Mayoral Aldermanic appointments:

Alderman Holpfer-Civic Celebrations Commission (2 year term expiring 06/30/24); Personnel Committee (3 year term expiring 04/14/25); Community Development Authority (3 year term expiring 04/14/25); and Finance Committee (1 year term expiring 04/17/23).

Alderwoman Eichmann-Fair Commission (3 year term expiring 04/14/25); Finance Committee (1 year term expiring 04/17/23); Technology Committee (3 year term expiring 04/14/25); and License Committee (1 year term expiring 04/17/23).

Alderswoman Wilhelm-License Committee (1 year term expiring 04/17/23).

Alderswoman Hanneman-Finance Committee (1 year term expiring 04/17/23); License Committee (1 year term expiring 04/17/23); Plan Commission (1 year term expiring 04/17/23); and Parks Commission (1 year term expiring 04/17/23).

Alderman Nelson-Environmental Commission (1 year term expiring 04/17/23); and Personnel Committee (3 year term expiring 04/17/23).

Alderman Barber-Economic Development Commission (3 year term expiring 04/14/25); Personnel Committee (3 year term expiring 04/14/25); Quarry Monitoring Committee (3 year term expiring 04/14/25); and Board of Health (3 year term expiring 04/14/25).

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

BD./COMM.
APPOINTMENTS

Mayor Olson noted that no action was necessary at this time on the appointment confirmation of David Cieszynski to the Architectural Board as his term does not expire until 4/30/25.

Alderman Barber then moved to confirm the following Mayoral appointments:

Jim Arneson, 5188 W. Harvard Dr., Ald. Dist. 5, Architectural Review Board (3 year term expiring 04/30/25).

Nancy Chu, 7350 S. Lovers Lane Road, Apt. 358, Ald. Dist. 2, Architectural Board (3 year term expiring 04/30/25).

Adam Burckhardt, 7541 S. 72nd St., Ald. Dist. 5, Community Development Authority (4 year term expiring 08/30/26).

Timothy Wachter, 3930 W. Victory Creek Dr., Ald. Dist. 3, Economic Development Commission (2 year term expiring 06/30/24).

Robert Goetsch, 4037 W. Forest Hill Ave., Ald. Dist. 5, Economic Development Commission (2 year term expiring 06/30/24).

Jamie Groark, 7971 Chapel Hill Ct. S., Ald. Dist. 2, Environmental Commission (3 year term expiring 04/30/25).

Kenneth Sweeney, 11221 W. St. Martins Rd., Ald. Dist. 6, Fair Commission (3 year term expiring 04/30/25).

David Lindner, 4007 W. Acre Ave., Ald. Dist. 5, Fair Commission (3 year term expiring 04/30/25).

John Trudeau, 11410 W. Mayers Dr., Ald. Dist. 6, Fair Commission (3 year term expiring 04/30/25).

Dennis Ciche, 8128 S. 43rd St., Ald. Dist. 5, Finance Committee (1 year term expiring 04/30/23).

John Howard, 6658 W. Robinwood Ln., Ald. Dist. 5, Finance Committee (1 year term expiring 04/30/23).

Lori O'Neil, 8236 S. 79th St., Ald. Dist. 1, Board of Health (2 year term expiring 04/30/24).

Amy Marzofka, 7950 S. 61st Street, Ald. Dist. 5, Board of Health (2 year term expiring 04/30/24).

Peggy LeMahieu, 7534 W. Tuckaway Pines Circle, Ald. Dist. 1, Board of Health (2 year term expiring 04/30/24).

Karen Malecki, 8072 S. 59th St., Ald. Dist. 5, Parks Commission (3 year term expiring 04/30/25).

Mary Remington, 7600 S. Chapel Hill Dr., Ald. Dist. 6, Parks Commission (3 year term expiring 04/30/25).

Richard Budny, 9237 S. 48th St., Ald. Dist. 4, Personnel Committee (3 year term expiring 04/30/25).

Frank Prusko, 8007 S. Steepleview, Ald. Dist. 2, Personnel Committee (3 year term expiring 04/30/25).

Patrick Leon, 7836 W. Winston Way, Ald. Dist. 2, Plan Commission (3 year term expiring 04/30/25).

Adam Burckhardt, 7541 S. 72nd St., Ald. Dist. 5, Plan Commission (1 year term expiring 04/30/23).

David Woznicki, Jr., 4125 W. McGinnis Dr., Ald. Dist. 4, Board of Public Works (3 year term expiring 04/30/25).

Charles Porter, 7946 S. North Cape Rd., Ald. Dist. 6, Board of Public Works (3 year term expiring 04/30/25).

Jon TenHaken, 9257 S. Sherwood Dr., Ald. Dist. 4, Mayoral Appointment to the Quarry Monitoring Committee (3 year term expiring 05/31/25).

Gregory Stowig, 8128 S. 77th St., Ald. Dist. 1, Technology Commission (3 year term expiring 04/30/25).

Dale Webler, 6846 W. Imperial Dr., Ald. Dist. 5, Technology Commission (3 year term expiring 04/30/25).

Norman Mackesen, 8050 W. Lake Pointe Dr., Ald. Dist. 2, Technology Commission (3 year expiring 04/30/25).

Patrick Hammer, 9720 S 112th St., Ald. Dist. 6, Board of Zoning and Buildings Appeals as an Alternate Member (3 year term expiring 04/30/25).

Ken Humont, 7119 W. Jordan Ct., Ald. Dist. 5, Board of Zoning and Building Appeals (3 year term expiring 04/30/25).

Patrick Leon, 7836 W. Winston Way, Ald. Dist. 2, Board of Zoning and Building Appeals (3 year term expiring 04/30/25).

Doris Weber, 8226 W. Drexel Ave., Ald. Dist. 2, Library Board (3 year term expiring 06/30/25).

Seconded by Alderwoman Hanneman. On roll call, all voted Aye. Motion carried.

QUARRY MONITORING
COMM. ALD. DIST. 5

Alderman Barber moved to confirm Alderman Barber's appointment of Bryan Maersch, 8096 S. 47th St., Ald. Dist. 5, to the Quarry Monitoring Committee for a 3-year unexpired term expiring 5/31/24. Seconded by Alderwoman Hanneman. On roll call, all voted Aye. Motion carried.

QUARRY MONITORING
COMM. ALD. DIST. 3

Alderman Barber moved to confirm Alderwoman Wilhelm's appointment of Edward Pings, 4811 W. Madison Ave., Ald. Dist. 3., to the Quarry Monitoring Committee for a 3-year unexpired term expiring 5/31/23. Seconded by Alderwoman Hanneman. On roll call, all voted Aye. Motion carried.

WEED COMM.
APPOINTMENT

Alderman Barber moved to confirm the Mayoral appointment of Gene Ninnemann as Weed Commissioner for the calendar year 2022 at a weed cutting fee of \$90/hour. Seconded by Alderwoman Hanneman. On roll call, all voted Aye. Motion carried.

RES. 2022-7850
CONSERVATION
EASEMENT
11120 W. LOOMIS RD.
VICTORY OF THE
LAMB CHURCH

G.1. Alderman Nelson moved to adopt Resolution No. 2022-7850, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO ACCEPT A CONSERVATION EASEMENT FOR AND AS PART OF THE APPROVAL OF AN AMENDMENT TO THE SITE PLAN FOR PROPERTY LOCATED AT 11120 WEST LOOMIS ROAD FOR VICTORY OF THE LAMB CHURCH (TAX KAY NO. 889-9989-000) (VICTORY OF THE LAMB, INC., APPLICANT). Seconded by Alderwoman Hanneman. All voted Aye; motion carried.

POLICE DEPT. CAPITAL
OUTLAY AND
OPERATING BUDGET
PURCHASES

G.2. Alderman Nelson moved to approve the purchase of the 2022 Capital Outlay and Operating Budget purchases listed on the Council Action Sheet included in this meeting packet as requested by the Police Department. Seconded by Alderman Barber. All voted Aye; motion carried.

CONTRACT TO SEND
VOLITION REP. TO
SUMMIT IN ATLANTA,
GEORGIA

G.3. Alderman Barber moved to allow the Drug Free Community Coalition Coordinator to sign the contract and scholarship agreement with Community Advocates to send a Volition Franklin representative to the 2022 Rx Drug Abuse & Heroin Summit in Atlanta, Georgia, from April 18 through April 21, 2022. Seconded by Alderman Holpfer. All voted Aye; motion carried.

- RES. 2022-7851
WATER MAIN EXT.
CONTACT TO A.W.
OAKES & SON, INC.
- G.4. Alderman Nelson moved to adopt Resolution No. 2022-7851, A RESOLUTION TO WAIVE BIDDING IRREGULARITIES IN THE BID BONDS AND AWARD CONTRACT FOR THE W. RYAN ROAD WATER MAIN EXTENSION TO A.W. OAKES & SON, INC. IN THE AMOUNT OF \$557,932.50. Seconded by Alderwoman Hanneman. All voted Aye; motion carried.
- RES. 2022-7852
STREET IMPR.
CONTRACT TO
BUTEYN-PETERSON
CONSTRUCTION CO.
- G.5. Alderwoman Hanneman moved to adopt Resolution No. 2022-7852, A RESOLUTION TO AWARD CONTRACT FOR THE FRANKLIN CORPORATE PARK, SOUTH HICKORY STREET IMPROVEMENTS TO BUTEYN-PETERSON CONSTRUCTION CO., INC. IN THE AMOUNT OF \$2,993,327.00, and authorize staff to execute the Notice of Award, with the Notice to Proceed contingent upon obtaining permits. Seconded by Alderman Barber. All voted Aye; motion carried.
- RES. 2022-7853
AMENDMENT TO TASK
ORDER WITH
RUEKERT & MIELKE,
INC. S. HICKORY ST.
- G.6. Alderwoman Hanneman moved to adopt Resolution No. 2022-7853, A RESOLUTION TO AUTHORIZE AMENDMENT NO. 6 TO TASK ORDER NO. 5 TO RUEKERT & MIELKE, INC. FOR SERVICES DURING CONSTRUCTION OF S. HICKORY STREET FOR \$444,550. Seconded by Alderman Holpfer. All voted Aye; motion carried.
- ENG. DEPT. PURCHASE
OF FORD EXPLORER
- G.7. Alderman Nelson moved to authorize the Engineering Department to purchase a 2022 Ford Explorer in the amount of \$28,783.00 with budgeted funds in the 2022 Equipment Replacement Fund. Seconded by Alderwoman Eichmann. All voted Aye; motion carried.
- DPW PURCHASE OF 2
PLOW TRUCK CHASSIS
- G.8. Alderman Barber moved to authorize the Department of Public Works to purchase two plow truck chassis in an amount not to exceed \$273,000.00 with budgeted funds in the 2022 Equipment Replacement Fund. Seconded by Alderwoman Hanneman. All voted Aye; motion carried.
- RES. 2022-7854
APPROVING PARTIAL
TAX RECISSION AND
REFUND
- G.9. Alderman Holpfer moved to adopt Resolution No. 2022-7854, A RESOLUTION APPROVING A PARTIAL PROPERTY TAX RECISSION AND REFUND FOR PARCEL NO. 794-9996-011; and direct staff to file the chargeback request with the Wisconsin Department of Revenue and seek compensation from the other taxing authorities. Seconded by Alderman Nelson. All voted Aye; motion carried.
- AMEND ORD.
ADOPTING 2021
- G.10. Alderman Barber moved to table to the Common Council meeting of May 3, 2022, an Ordinance to Adopt the 2021 Annual Budgets for the

BUDGETS

General Fund, Fire Department Grant Fund, Police Department Grant Fund, St. Martins Fair Fund, Health Grants Fund, Civic Celebrations Fund, Health Grants Fund, Civic Celebrations Fund, Capital Outlay Fund, TID 7 Fund, TID 3 Fund, and Retiree Health Fund for the City of Franklin to Transfer and Re-appropriate 2021 Funds. Seconded by Alderwoman Eichmann. On roll call, all voted Aye. Motion carried.

2023 BUDGET
TIMETABLE

G.11. Alderwoman Hanneman moved to adopt the 2023 Annual Budget Preparation Timetable, dated April 19, 2022, as presented at this meeting, subject to any future regular meeting schedule changes if so made by the Common Council. Seconded by Alderwoman Eichmann. All voted Aye; motion carried.

LICENSES AND
PERMITS

H. Alderman Nelson moved to approve the following:

Grant 2021-2022 Operator License to: Alexandra Mather, Charmaine Barden, Victoria Pitts;

Grant 2022-2023 Renewal Operator License to: Charmaine Barden, Victoria Pitts, Geraldine Arteaga, Amy Balcerzak, John Bergner, John Braovac, Judith Burbey, Daniel Crass, Jeffrey Dejna, Christopher Ewig, Kristen Fenninger, Leonid Kish, Grace Mantyh, Nadiya Mashkina, Jane Michel, Nicholas Nolte, Nand Patel, Hollie Smith, Nadine Stork, Kathleen Varga;

Grant Temporary Class B Beer to: Civic Celebration, Fourth of July Festivities, John Bergner, 9229 W Loomis Rd, 7/1/2022 - 7/4/2022;

Grant Amendment to Public Grant Application to Add Extraordinary Entertainment & Special Event to: Franklin Health Department, Spring Sprint Event, Lauren Gottlieb and Ellen Henry, 8030 S Legend Dr, 5/14/2022, 8:00am-12:30 pm;

Grant Extraordinary Entertainment & Special Event to: The Rock Sports Complex, 5K Walk for Pancreatic Cancer Action Network, Paul Cimoch, 7044 S Ballpark Dr, April 30, 2022, 6:00 am-4:00 pm; and

Grant Temporary Entertainment & Amusement License to:

1. Rainbow Valley Rides, Inc, Fourth of July Festivities, Ronald Kedrowicz, 9229 W Loomis Rd, 7/1/2022-7/4/2022;
2. Civic Celebration, Fourth of July Festivities, John Bergner, 9229 W Loomis Rd, 7/1/2022-7/4/2022.

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

VOUCHERS AND
PAYROLL

- I. Alderwoman Hanneman moved to approve City vouchers with an ending date of April 15, 2022 in the amount of \$816,426.26; payroll dated April 8, 2022 in the amount of \$436,492.17 and payments of the various payroll deductions in the amount of \$249,250.55, plus City matching payments; estimated payroll dated April 22, 2022 in the amount of \$420,000 and payments of the various payroll deductions in the amount of \$445,000, plus City matching payments; property tax disbursements with an ending date of April 15, 2022 in the amount of \$7,975,003.05; and approval to release payment to the State of Wisconsin Environmental Improvement Fund in the amount of \$1,523,161.93. Seconded by Alderman Barber. On roll call, all voted Aye. Motion carried.

ADJOURNMENT

- J. Alderwoman Eichmann moved to adjourn the meeting at 7:55 p.m. Seconded by Alderman Barber. All voted Aye; motion carried.

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<p>APPROVAL <i>Slw</i></p>	<p>REQUEST FOR COUNCIL ACTION</p>	<p>MEETING DATE 05-03-22</p>
<p>REPORTS & RECOMMENDATIONS</p>	<p>Aldermanic Appointments</p>	<p>E.</p>

Alderman Holpfer, District 1 Board of Review Appointment:

1. Peter Jankowski, 8160 S. 77th St., Ald. Dist. 1 – Board of Review (3 year term expiring 04/19/25).

Alderwoman Eichmann, District 2 Board of Review Appointment:

2. Rebekah Stuckart, 7548 S. 77th St., Ald. Dist. 2 – Board of Review (3 year term expiring 04/19/25)

COUNCIL ACTION REQUESTED

Motion to approve the following Alderman Appointment:

Alderman Holpfer, District 1 Board of Review Appointment:

1. Peter Jankowski, 8160 S. 77th St., Ald. Dist. 1 – Board of Review (3 year term expiring 04/19/25).

Alderwoman Eichmann, District 2 Board of Review Appointment:

2. Rebekah Stuckart, 7548 S. 77th St., Ald. Dist. 2 – Board of Review (3 year term expiring 04/19/25)

need waiver

Shirley Roberts

From: volunteerfactsheet@franklinwi.info
Sent: Thursday, April 28, 2022 1:34 PM
To: Lisa Huening; Shirley Roberts; Sandi Wesolowski
Subject: Volunteer Fact Sheet

Name: Rebekah Stuckart
PhoneNumber:
EmailAddress: rebekahstuckart@gmail.com
YearsasResident: 6
Alderman: 2
ArchitecturalBoard: no
CivicCelebrations: no
CommunityDevelopmentAuthority: no
EconomicDevelopmentCommission: no
EnvironmentalCommission: no
FinanceCommittee: no
FairCommission: no
BoardofHealth: no
FirePoliceCommission: no
ParksCommission: no
LibraryBoard: no
PlanCommission: no
PersonnelCommittee: no
BoardofReview: yes
BoardofPublicWorks: no
QuarryMonitoringCommittee: no
TechnologyCommission: no
TourismCommission: no
BoardofZoning: no
WasteFacilitiesMonitoringCommittee: no
BoardWaterCommissioners: no
CompanyNameJob1: Keller Williams Realty
CompanyAddressJob1: 2665 S Moorland Rd.
TelephoneJob1:
StartDateandPositionJob1: January 2017/Realtor
EndDateandPositionJob1: Still there
CompanyNameJob2: Coldwell Banker
AddressJob2: 7198 S 76th St Franklin
TelephoneJob2: 4147622030
StartDateandPositionJob2: March 2005/ Realtor

EndDateandPositionJob2: Jan 2017/Realtor
CompanyNameJob3:
AddressJob3:
TelephoneJob3:
StartDateandPositionJob3:
EndDateandPositionJob3:
Signature: Rebekah Stuckart
Date: 4/28/2022
Signature2: Rebekah Stuckart
Date2: 4/28/2022
SourceDocID: 9278
SourceNavName: Volunteer Fact Sheet
Address: 7548 S 77th St.
PriorityListing:

WhyInterested:

I am interested in the position because I think it is important to be an active member of your community and I'm hoping it also serves as a learning experience. I was recommended for this job by Alderwoman Michelle Eichmann and realtor friend Doug Milinovich.

DescriptionofDutiesJob1: Independent contractor/ Realtor

DescriptionofDutiesJob2:

DescriptionofDutiesJob3:

AdditionalExperience:

See Current Results

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Sandi Wesolowski

From: Ann Kaminski <annhochschild@gmail.com>
Sent: Friday, April 29, 2022 7:54 AM
To: Sandi Wesolowski
Subject: Petition - No Mow May Resolution
Attachments: AK Letter of Petition docx, ATT00001 htm; No Mow May Resolution - Copy docx, ATT00002 htm, No Mow May JS 4_26 docx, ATT00003.htm

Hi Sandi,

If it's not too late, I'd like to submit this letter of petition to the Common Council. Please let me know if there's anything else I have to do.

Thanks,

Ann Kaminski
9880 S 112th Street
Franklin WI 53132

414-539-9727

Letter of Petition

From: Ann Kaminski

9880 S 112TH ST

Franklin, WI 53132

April 29, 2022

To City of Franklin Common Council and Staff,

I am currently a member of the Milwaukee Area Land Conservancy and have personally been active on issues of environmental concern for many years. My neighbors and I have also been very active in the bee keeping community.

I was excited by an April 26th article in the Milwaukee Journal Sentinel, *No Mow May: How preserving pollinators by letting your grass grow is gaining some popularity in the Milwaukee area, (Samantha Hendricksen)*. This article introduces a simple way for homeowners to positively impact our ecosystem. It has been promoted by Lawrence University in Appleton and adopted by many cities in Wisconsin, including our neighboring suburb, Greenfield, WI.

I am requesting that the City Council similarly adopt a resolution to suspend the Noxious Weed Ordinance for the month of May. This would provide homeowners, such as myself, the option to delay mowing part (or all) of our lawn until June, without the risk of penalty. I have included a draft resolution, as well as a copy of the article for the council packet.

Please provide time for me on the Common Council Agenda for May 3 to propose this resolution. If I am not able to attend the Common Council meeting, please provide the opportunity for Debbie Davis to speak in support of the resolution.

Thank you for your attention.

Sincerely,

Ann Kaminski

RESOLUTION

Suspension of Noxious Weed Ordinance for month of May, 2022

“No Mow May”

WHEREAS, the City of Franklin is in a unique position, to significantly increase pollinator-friendly habitat by encouraging pollinator-friendly lawn-care practices, and

WHEREAS, the formative period for establishment of pollinator and other insect species, and the many songbirds and other urban wildlife species which depend upon them, occurs in late spring and early summer when they emerge from dormancy and require flowering plants as crucial foraging habitat; and these opportunities are dramatically reduced with early spring leaf-litter removal and grass-mowing; now, therefore,

BE IT RESOLVED, that for the duration of the month of May, the City of Franklin shall suspend the enforcement of the Noxious Weed Ordinance, allowing homeowners to voluntarily suspend lawncare practices until June, allowing pollinator species to emerge and early flowering grasses and forbes to establish, which may result in ground-cover exceeding established ordinance height restrictions of six inches.

No Mow May: How preserving pollinators by letting your grass grow is gaining some popularity in the Milwaukee area

Overgrown grass, dandelions and Wisconsin's native flora help ensure that the state's pollinators have all the pollen and nectar they need once they come out of hibernation.

**Samantha Hendrickson
Milwaukee Journal Sentinel
April 26, 2022**

"**No Mow May**" started in the United Kingdom, gained national attention in Appleton and now the pro-bee, shaggy lawn movement is creeping closer to the Milwaukee area.

More property owners are deciding to let their hair down about letting their yards go.

The overgrown grass, dandelions and Wisconsin's native flora help ensure that the state's pollinators have all the pollen and nectar they need once they come out of hibernation. "By waiting just a little bit longer to clear our yards and limiting our lawn mowing, you can support [pollinators] and their survival," said Auriana Donaldson, the conservation coordinator for the Zoological Society of Milwaukee.

Following Appleton's lead, Wausau, Stevens Point, Oshkosh and Fort Atkinson adopted No Mow May in 2021. This year, Green Bay, De Pere, Wisconsin Rapids, and La Crosse announced they would be doing their part to feed the bees. Other parts of the country, such as Michigan and New York, are seeing more communities participating.

As part of No Mow May ordinances passed by the municipalities, any citations for overgrown lawns will be waived for the month of May. "The [city staff] were very afraid that there would be massive complaints that they couldn't get on top of," said Appleton Alderperson Vered Meltzer. "But it turned out that this actually gave staff a break through May... I want to emphasize that there was not an avalanche of complaints waiting."

Milwaukee has not adopted No Mow May, and Greenfield is currently the only Milwaukee suburb to do so. More than 75 Greenfield residents have registered and received a little sign telling their neighbors what their growing grass is all about. Some hope Greenfield is just the beginning for the Milwaukee area.

Why No Mow May?

Bee colonies are rapidly declining across the United States, making keeping them happy and healthy more important than ever. Bees of many species are vital to our world's food supply, and their decline has been called a threat by the United Nations. "Nearly 90% of the world's wild flowering plant species depend, entirely, or at least in part, on animal pollination, along with more than 75% of the world's food crops and 35% of global agricultural land," according to the UN.

The month of May is especially important, as it's when most of our flying friends come out of hibernation, but most importantly, it's when the Queen Bees emerge. "It's really a critically important time period for bees," Donaldson said. And letting your yards grow out isn't just about providing food, but also shelter for bees. "They'll actually go into our leaf piles... they'll reuse holes in the ground that other animals have created. And that's where they'll hibernate," Donaldson said. "If we disturb them or disturb where they are choosing to hibernate, we also might be accidentally eliminating these pollinators."

If you've visited the Milwaukee County Zoo and stopped by the Northwestern Mutual Family Farm, then you've seen a pollinator preservation site in action. The zoo's supervisor of horticulture, Noah Huber, said the pollinator area started as a way of preventing soil erosion with different plants and grasses, but soon became a hub for bees and other insects. That quickly spread to other grassy areas around the zoo, and are now marked by placards. "We take care of the pollinators at the insect level with the plant life in our backyards, then that's got a collective ripple effect on human beings at some point," Huber said.

Other ways to help

No Mow May doesn't look the same for every yard, and some homeowners may not be able to participate. But there are plenty of ways to feed our bees, and make your landscape more pollinator friendly, whether or not your municipality is participating.

But the goal is not to just put in plants that bees like. It's to attract pollinators with native, non-invasive plant species. "We have to think of how we're doing things so we can replicate nature as best as possible," said Dennis Fermenich, Greenfield's city forester. "We have all this yard space. That gives us an opportunity to do that. And we're not taking advantage of it, for the most part."

Lauren Boos, a Greenfield resident for over 30 years, is taking that approach seriously during No Mow May. She and her husband are planning to make a one-third acre lot next to their home a haven for pollinators, as well as some parts of their yard, specifically with native plant species.

Lauren Boos and her husband, Erik, of Greenfield on Wednesday, April 20, 2022, have decided to not mow their lawn in order to let it grow out to help preserve pollinators like bees. They are participating in No Mow May in their neighborhood. "My hope is that people eventually will just start seeing that non-native stuff is not the best and native things are really better," Boos said.

But if you don't have a big lot to fill, or your municipality isn't participating, there are still plenty of options for No Mow May. Huber, who lives in West Allis, said he instead uses a 10-foot-by-5-foot area of his backyard to help preserve pollinators. "It doesn't have to be huge," he said. Huber also suggests going to your local gardening center and asking what native plants they have available.

All in all, what's important is making May a marvelous month for our pollinators, not just for our little corner of the world, but for a global food supply, one yard at a time.

Samantha Hendrickson can be reached at 414-223-5383 or shendrickson@jrn.com. Follow her on Twitter at [@samanthajhendr](https://twitter.com/samanthajhendr).

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APPROVAL <i>slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 05/03/22
Reports and Recommendations	A Resolution Designating an Official Newspaper	ITEM NUMBER G.1.(a)

Each year the Common Council must designate the official newspaper for the City of Franklin in which the City publishes its official notices. Pursuant to Chapter 61, Franklin Municipal Code and Sec. 985.03, Wis. Stats., a request for bids was solicited with bids to be opened April 21, 2022.

Attached for your review is the one bid received, which is from NOW Media Group. (NOW).

COUNCIL ACTION REQUESTED

Motion adopting Resolution No. 2022-_____, A Resolution designating an official newspaper.

STATE OF WISCONSIN : CITY OF FRANKLIN : MILWAUKEE COUNTY

RESOLUTION NO. 2022-_____

A RESOLUTION DESIGNATING AN OFFICIAL NEWSPAPER

WHEREAS, The Wisconsin State Statutes, Chapter 985 provide that the City of Franklin name an official newspaper to publish their legal notices; and

WHEREAS, bids have been solicited pursuant to Section 61, Franklin Municipal Code.

NOW, THEREFORE, BE IT RESOLVED that NOW Media Group (NOW) is hereby designated as the official newspaper of the City of Franklin for one (1) year commencing May 1, 2022 and ending April 30, 2023.

BE IT FURTHER RESOLVED that the price of publication shall not exceed the legal rate for like work.

Introduced at a regular meeting of the Common Council of the City of Franklin on the 3rd day of May, 2022 by _____.

Passed and adopted by the Common Council on the 3rd day of May, 2022.

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES ____ NOES ____ ABSENT ____



STATE OF WISCONSIN
DEPARTMENT OF ADMINISTRATION

Tony Evers, Governor
Joel Brennan, Secretary
Jana Steinmetz, Administrator

December 16, 2021

TO: All Wisconsin County Clerks

RE: 2022 Legal Notice and Ballot Rates

Wisconsin newspapers have just received their new certification rates for public/legal notices for the 2022 calendar year. This letter contains valuable information to all of Wisconsin County Clerks. You are asked to share this letter with other government and elected officials who may be required to publish public/legal notices. The new rates take effect on January 1, 2022 and run through December 31, 2022.

As directed by Ch. 985 Wisconsin Statutes, legal notice rate adjustments calculated annually by the Department of Administration based upon the change in costs of newsprint paper and cost of living adjustments. For 2022 there is an increase for legal notice fees.

Legal Notices — Calculating fees for publishing a legal notice by counting the number of lines in the notice within a newspaper column width and applying the newspapers' first and subsequent insertion rates.

Municipalities may place an order for notices published in a classified or display manner; however, fees established herein are applicable to legal notices and are not intended to restrict the use of classified and display advertising which is not required by statute to be published or legal notices which the requisitioning agency orders to be published in a classified or display manner. The discretion of utilizing the display method of publishing official materials shall be vested solely in the public authority ordering such publication and the rate charged for publication in this instance shall not exceed the regular commercial display advertising rate of the publisher. (s. 985.08(7) Wis. Stats.)

Election Ballots — Included with this letter is a *Guide to Computing Fees for Publishing Election Ballots in Newspapers*. This contains special instructions and rates for calculating the fees for ballots.

To document their adjusted rates, newspapers have received a *2022 Certification of Legal Notice Rates* letter issued by the Department of Administration. Each newspaper is able to furnish a copy upon request.

There is a complete listing of all certified newspapers and their rates available on the DOA VendorNet web site: [Newspaper Rates for Publication of Legal Notices](#).

Sincerely,

Bill Goff
Program Manager
Department of Administration

tel: 608.266.1002
e-mail: william2.goff@wisconsin.gov

Enclosure: Guide to Computing Fees for Publishing Election Ballots in Newspapers 2021

GUIDE TO COMPUTING FEES FOR PUBLISHING ELECTION BALLOTS IN NEWSPAPERS 2022

The Department of Administration issues this guide to municipalities as an aid in determining the charges for publishing ballots. The information contained in this publication is for the period January 1, 2022 through December 31, 2022. The laws governing this process are contained in Chapters 5, 10, and 985 Wisconsin Statutes. If you have any questions about this guide or the publication of ballots, contact Bill Goff, State Bureau of Procurement, phone (608) 266-1002, email: william2.goff@wisconsin.gov or mail to Bill Goff, Department of Administration, State Bureau of Procurement, 6th Floor, P. O. Box 7867, Madison, WI 53707-7867.

A complete listing of all certified newspapers is available through our VendorNet website, [State Contract 505ENT-M22-RATECERT-00](#).

GENERAL INFORMATION: Ballots shall be published per the copy furnished by the county and municipal clerks. Unless directed otherwise by the election official, this material shall be published using the appropriate legal notice font and line rate from the newspapers certification. (Please refer to Ch. 5.94, Wis. Stats.)

Horizontal cut-off rules shall be provided above and below the ballot if there is other news or advertising material in adjacent areas. The horizontal rules should be positioned a reasonable distance away from the ballot -- approximately one-fourth inch -- and are included as part of the area occupied by the ballot when calculating fees.

Introductory and descriptive text includes material, which accompanies the ballot but is not part of the actual ballot. Fees for descriptive text are not calculated as ballots but at legal notice rates. Unless directed otherwise by the election official, this material shall be published using the appropriate legal notice typeface and line rate for each newspaper as certified by the State Bureau of Procurement. Municipalities may obtain current legal notice typeface and line rate information by requesting a copy of their newspapers current Legal Notice Rate Certification.

At their option, election officials may request publication of the introductory and descriptive text in a typeface other than that for which the newspaper is certified. The rate charged for such shall not exceed the regular commercial display-advertising rate of the publisher.

SIZE: Ballots may not be enlarged. If appropriate to provide a proper fit for a newspaper's standard column width, ballots may be reduced in size photographically. If reduced, the fee calculations are based on the area covered by the ballot as published, i.e., after it is reduced.

Chapter 10 of the Wisconsin Statutes provides the information necessary to publish election ballots in newspapers.

OPTICAL SCAN BALLOTS: These were developed after the requirements of Ch. 985 of the Wisconsin Statutes were established. Responsibility for readability lies with the county or municipality placing the notice.

COMPUTING RATES: Fees for publishing election ballots are calculated by area or space used. The fee is charged as if the area occupied by the ballot were set in the standard line described in Ch. 985.08 (2)(a), Wis. Stats.

"All legal notices shall be in Arial type face. A standard line shall be 6-point Arial on a 6-point leading without spacing between the lines, and 11 picas in length. One-inch equals 6 postscript pica and 72 postscript points. Nonstandard line lengths shall be allowed with adjustments in fees according to variations in line length."

To calculate ballot rates use the current statute standard line rate of **\$0.8147** first insert and **\$0.6436** subsequent insertion, multiplying by 12 lines per inch, then dividing by 11 picas per column and applying the newspaper's circulation adjustment.

Use the following worksheet to calculate the fees for ballots:

- a) Measure the width of the ballot in picas (1 inch = 6 picas = 72 points): (a) _____
- b) Measure the height (single column) of the ballot in inches: (b) _____
- c) Multiply line (a) times line (b) equals: (c) _____
- d) Enter the appropriate adjustment ballot rate from the table below: (d) \$ _____

Range	Circulation Adjustment	Ballot Rate per line
First Insert: \$0.8147		
8,000 or less	0%	\$0.8147
8,001-12,000	15%	\$0.9480
12,001-16,000	30%	\$1.0813
16,001-20,000	45%	\$1.2146
20,001-24,000	60%	\$1.3480
24,001 and up	75%	\$1.4813
Subsequent Insert: \$0.6436		
8,000 or less	0%	\$0.6436
8,001-12,000	15%	\$0.7489
12,001-16,000	30%	\$0.8542
16,001-20,000	45%	\$0.9595
20,001-24,000	60%	\$1.0649
24,001 and up	75%	\$1.1702

- e) Multiply line (c) times line (d): TOTAL (e) \$ _____

INSERTION RATES: Use first insertion rates to calculate fees for the first date a notice or ballot is published. First insertion rates include an allowance for preparatory work by the publisher. Use subsequent insertion rates for repeat publications of the same notice or ballot, i.e., when no additional preparation is needed.

TEAR SHEETS. Upon request, a tear sheet proof of a multiple insertion notice shall be mailed to the advertiser or the advertiser's attorney within 72 hours after the first insertion, and an additional charge of \$1 for such tear sheet proof may be made. (Please refer to Ch. 985.08 (8), Wis. Stats.)

AFFIDAVITS: The fee for an affidavit of publication shall be \$1.00 (Please refer to s. 985.12(4), Wis. Stats.)
 985.12(1) The affidavit of the editor, publisher, printer or proprietor of any newspaper, or of his or her foreman or principal clerk, of the publication of any legal notice, annexed to a copy of the notice clipped from the newspaper in **either hard copy or electronic format**, and specifying the date of each insertion, and the paper in which it was published, shall be received in all cases as presumptive evidence of the publication and of the facts stated therein.

MEASUREMENTS: For purposes of this certification, 1 inch = 6 picas = 72 points.

RENEWALS: Annually updated legal notice rate certifications will be issued to newspapers who meet the statutory requirements.



Invitation for Bid – 2022

April 11, 2022

City of Franklin
City Clerk- Sandra Wesolowski
9229 W Loomis Rd
Franklin, WI, 53132

The below information is the state certified information for the NOW Newspapers South NOW newspaper for legal advertising.

Name of Type: Arial Classified
Type size: 6

Indicate Line Rates:	1 st Insertion	Subsequent Insertion	Column Width (pica)
1 column	\$.8674	\$.6853	9.17

Display Rates, per column inch:

1st Insertion: \$10.41

Subsequent Insertion: \$5.32

Paid Newspaper Subscriptions to be circulated in this geographic area: 8,027

Affidavit Cost: \$1.00

Affidavits shall be mailed within 10 days of publication.

Dates of Publication: Every Wednesday

Vendor: South NOW

Authorized Signature: /s/ Tara Hamm

Print Name & Title: Tara Hamm, Director- Public Notices
thamm@gannett.com

Address: 333 W. State Street, Milwaukee, WI 53203

Telephone: 414-224-2121

Fax: 877-943-0443

Email: MJS-Legal@gannett.com

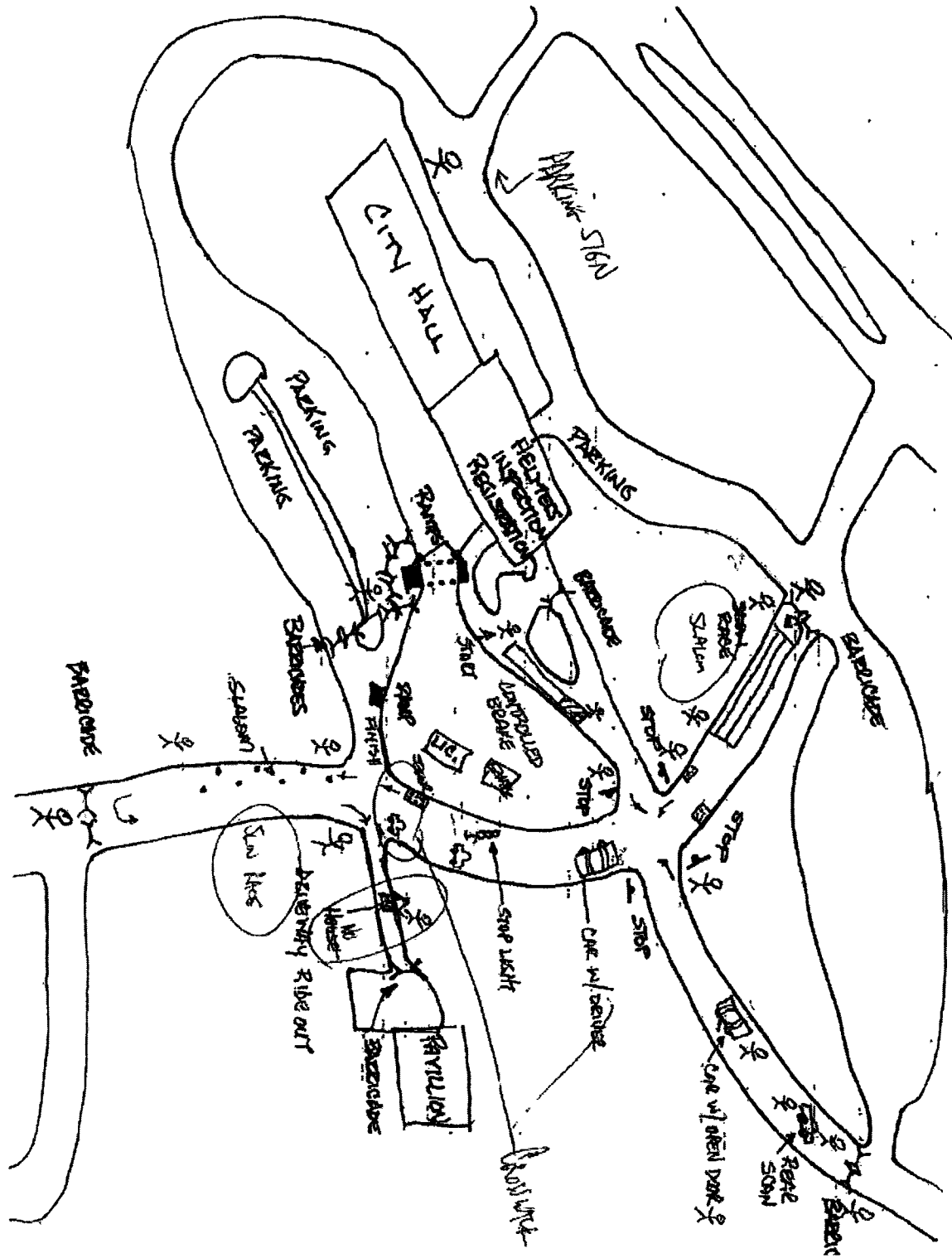
APPROVAL <i>slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE <i>5/03/2022</i>
Reports and Recommendations	Temporary street closure request in conjunction with the June 4th Franklin Bike Rodeo	ITEM NUMBER G.1.(b)

The City of Franklin Health Department along with community partners is hosting the 13th annual Franklin Bike Rodeo at city hall on Saturday June 4, 2022. Over 140 children attend the event with their parents learning bike safety skills. Roads that need to be closed are S. Legend Drive and Schlueter Drive from 6:00 am until 3:00pm as the event occurs in the garage of city hall and on the streets. Legend Park has been reserved to prevent overlap in activities. Condominium complex receives fliers to notify them of the street closure and duration.

COUNCIL ACTION REQUESTED

The health department requests a motion to approve the street closures on S. Legend Drive and Schlueter Pkwy on Saturday June 4 from 6am until 3pm in conjunction with the City of Franklin Health Department Bike Rodeo

Health Department:



<p>APPROVAL</p> <p><i>Slw</i></p>	<p>REQUEST FOR COUNCIL ACTION</p>	<p>MEETING DATE</p> <p>05-03-22</p>
<p>REPORTS AND RECOMMENDATIONS</p>	<p>Report on Public Library Building - Dennis McKnight</p>	<p>ITEM NUMBER</p> <p>G.2.</p>

Dennis McKnight, former Library President will give review of 20 year history of library building construction, reciprocal borrowing, and meeting room usage. In addition, will explain where future expansion might be ideal on site.

COUNCIL ACTION REQUESTED

As Needed

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<p style="text-align: center;">APPROVAL</p> <p style="text-align: center;"><i>Slw</i></p>	<p style="text-align: center;">REQUEST FOR COUNCIL ACTION</p>	<p style="text-align: center;">MEETING DATE</p> <p style="text-align: center;">5/3/2022</p>
<p style="text-align: center;">REPORTS & RECOMMENDATIONS</p>	<p style="text-align: center;">Presentation of a draft Public Facilities Needs Assessment and Impact Fee Study for Transportation System Facilities, Sanitary Sewer System Facilities, Water System Facilities, and Fire and Emergency Medical Service Facilities, setting Impact Fees for same, and directing a Public Hearing to be held for Public Comment on the Needs Assessment and Impact Fees Ordinance Amendment</p>	<p style="text-align: center;">ITEM NUMBER</p> <p style="text-align: center;">G.3.</p>

BACKGROUND

Attached is a draft Public Facilities Needs Assessment and Impact Fee Study. The study addresses public facilities in the areas of Transportation, Sanitary Sewer, Water, and Fire and Emergency Medical Services (EMS).

The Water and Sewer portions of the study were left out of the most recent update in 2020, with plans to bring them forward at another time. In addition, there have been changes since the last update in the Transportation and Fire and EMS areas that prompted including those in this study.

ANALYSIS

Ed Maxwell, the City's consultant from Ruekert & Mielke, Inc. will be present at the May 3, 2022, Common Council Meeting to present, along with staff, this item.

A few important considerations are as follows:

- The Water System Facilities, along with the accompanying impact fees, have not been re-evaluated since being implemented in 2002. Therefore, the planning period of 2000 to 2020 has expired and it is imperative to update at this time.
- The Sanitary Sewer System Facilities, along with the accompanying impact fees, have not been re-evaluated since being implemented in 2013.
- The Fire and EMS Facilities, along with the accompanying impact fees, were updated in 2020; however, changes to the planning of Stations are prompting the need for another review.
- The Transportation Facilities, along with the accompanying impact fees, were updated in 2020; however, changes to the planning of projects, including the Department of Public Works facility expansion, are prompting the need for another review.
- The projects included in the study, if a priority of the City, should be strongly considered for inclusion in impact fee calculations as the alternative would be to have existing property owners pay for new facilities due to growth.
- The Common Council may deviate from the study if it determines that additional costs can/should be funded through other City sources.
- There are changes recommended with regard to impact fee rates due to housing affordability.
- Best practices are to review the fees on a more regular cycle than has been done previously. Therefore, staff is recommending a 5-year cycle for review, unless substantial changes in planning/projects prompt specific areas to be reviewed more frequently.

The draft study, as attached, recommends revised impact fees for single-family, two-family, multi-family, commercial and industrial developments. The study recommends updating the fees as follows:

Table 31 Summary of Impact Fees *				
Type of Impact Fee	Single-family or Two-	Multi family	Commercial Unit	Industrial Unit
	Dwelling Unit	Dwelling Unit	(per 1,000 sq ft)	(per 1,000 sq ft)
Proposed Fees				
Transportation (Proposed)	\$4,602	\$3,554	\$1,947	\$959
Fire (Proposed)	\$320	\$247	\$135	\$67
Water (Proposed, per equivalent meter)	\$2,658	\$2,658	\$2,658	\$2,658
Sanitary Sewer (Proposed, southwest only, per equivalent)	\$3,596	\$3,596	\$3,596	\$3,596
Law Enforcement (Existing Fee -- No Change)	\$545	\$355	\$185	\$91
Parks (Existing Fee -- No Change)	\$2,012	\$1,307	N/A	N/A
Library (Existing Fee -- No Change)	\$354	\$230	N/A	N/A
Total of Proposed Fees	\$14,087	\$11,948	\$8,522	\$7,370
Existing Fees				
Transportation	\$696	\$453	\$235	\$115
Fire	\$477	\$309	\$162	\$79
Water (per equivalent meter)	\$2,822	\$2,822	\$2,822	\$2,822
Sewer (per equivalent meter)	\$3,501	\$3,501	\$3,501	\$3,501
Law Enforcement	\$545	\$355	\$185	\$91
Parks	\$2,012	\$1,307	N/A	N/A
Library	\$354	\$230	N/A	N/A
Total Existing Fees	\$10,407	\$8,977	\$6,905	\$6,608
Change from Existing Fees	\$3,680	\$2,971	\$1,617	\$762
Change from Existing Fees	35%	33%	23%	12%

* does not include administrative fees

FISCAL IMPACT

The fiscal impact is in regard to the amount of fees to be charged, based on the projects included, and the amount of the projects that will be funded with impact fees versus other City funding sources. The specific budgetary impact will be determined as projects are approved for completion.

RECOMMENDATION

Staff recommends acceptance of the Public Facilities Needs Assessment and Impact Fee Study, as well as proceeding with a Public Hearing on the same.

COUNCIL ACTION REQUESTED

Motion to accept the Public Facilities Needs Assessment and Impact Fee Study draft with any changes the Council deems appropriate and direct that a Public Hearing be held to consider input and adopt a revised Impact Fee Ordinance.

Public Facilities Needs Assessment and Impact Fee Study



PREPARED FOR

City of Franklin

9229 W Loomis Rd

Franklin, WI 53132

PREPARED BY.

Ruekert & Mielke, Inc.

W233N2080 Ridgeview Pkwy

Waukesha, WI 53188

Public Facilities Needs Assessment and Impact Fee Study



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PUBLIC FACILITIES NEEDS ASSESSMENT AND IMPACT FEE STUDY

PURPOSE AND BACKGROUND

This study is a public facility needs assessment under Wisconsin Statutes § 66.0617(4). This study develops and recommends impact fees that comply with the impact fee standards in Wis Stat § 66.0617(6).

Ruekert & Mielke, Inc (R/M) and the City of Franklin (Franklin) have prepared several impact fee studies and updates:

- 2002 Public facilities needs assessment and impact fee study for law enforcement & municipal courts, fire & emergency medical services, library, parks, transportation, and water facilities
- 2004 Amendment to impact fees for law enforcement & municipal court, and fire & emergency medical services facilities
- 2012 Public facilities needs assessment and impact fee study for southwest sanitary sewer service area (fees adopted in 2013)
- 2013 Public facilities needs assessment and impact fee study update for parks
- 2015 Public facilities needs assessment and impact fee study update for parks
- 2020 Public facilities needs assessment and impact fee study for law enforcement & municipal courts, fire & emergency medical services, library, parks, and transportation

The level of detail meets the state statutes, which grant latitude to municipalities in how they spend impact fee funds. As the footnotes to Wis Stat § 66.0617 explain, the law “allows a municipality to impose impact fees for a general type of facility without committing itself to any particular proposal before charging the fees.” The footnotes to the statutes make explicit that a “municipality must be allowed flexibility to deal with the contingencies inherent in planning.” The project details that follow in this study represent Franklin’s best planning at this time, but Franklin reserves its statutory right to alter its planning to best suit evolving needs after this study is finished.

As required by the Wisconsin Statutes, each fee section contains an inventory of existing facilities, a list of future projects, the service standards, existing deficiencies, and the calculation of the impact fee. The study also contains the required analysis on the effect the proposed impact fees would have on housing affordability.

The fees contained in this study do not apply to public school facilities per Franklin’s ordinance § 92-9 K, which was amended in April of 2020 to exclude them.

GENERAL

The growth forecast and service area give a common framework for developing impact fees for specific facility types

Growth Forecast

We forecast the following population growth through 2040 as shown in Table 1

Year	Residential Population	Change Since 2020
2010	35,497	
2015	36,270	
2020	36,816	
2025	37,844	1,028
2030	38,984	2,168
2035	40,739	3,923
2040	42,111	5,295

Our population forecast is based on the most recent Wisconsin Department of Administration Demographics Services Center forecast R/M adjusted the Demographics Services Center forecast downward by approximately 25 percent based on conversations with City staff, including the City Planning Manager

This forecast assumes an annual growth rate of approximately 0.7 percent. If Franklin grows at a significantly higher or lower rate, especially over the course of several years, Franklin should update its impact fees to reflect this change.

The population forecast is used to calculate fees that are charged to residential development. For the water impact fees, the residential customer water demand is projected based on the population forecast.

Impact fees for other kinds of development besides residential need to base their forecast on something other than population. Some fees such as transportation fees are based on square feet of new building development. To determine new development for businesses and industry, we used the Southeastern Wisconsin Regional Planning Commission (SEWRPC) land use planning data, Franklin's final statement of assessment for 2020, and Franklin's comprehensive master plan.

In the table below, to forecast through 2040, R/M calculated the annual growth rate that SEWRPC projected by land use class and applied 20 years' worth of growth to the 2020 acreage. Franklin's total land is over 22,000 acres, with approximately three-quarters having been developed. In the table below, only the classes that are both eligible to be charged impact fees and show growth are shown. Similar to the population forecast, the growth for the residential class was adjusted

downward by approximately 25 percent based on conversations with City staff. The growth in each class is shown in the column on the far right of Table 2.

Land Use	2020 Development (Acres)	2040 Development (Acres)	Change (Acres)
Developed Land Eligible for Impact Fees			
Residential *	6,682.0	7,046.8	364.8
Commercial	557.0	644.6	87.6
Industrial **	545.0	643.7	98.7
Total	7,784.0	8,335.0	551.0

* 2040 residential development reduced from SEWRPC's forecast per City staff

** 2040 development adds 71 acres of known industrial development onto SEWRPC's annual growth rate

Table 3 below was created to allocate impact fees among the classes based on their share of the growth. For example, since residential land use is forecast to make up 66 percent of the growth, 66 percent of costs eligible for impact fees will be assigned to and paid for by residential development. The Development column numbers in Table 3 come from the far right column in Table 2.

Land Use	Development (Acres)	Percent of Category
Residential	364.8	66.2
Commercial	87.6	15.9
Industrial	98.7	17.9
Total	551.0	100.0

For transportation fees, as well as fees for fire and emergency services, the residential fees are charged on a per-residence basis. The commercial and industrial fees are charged on a per-square-foot-of-building basis. To arrive at a forecast of square feet of building for commercial and industrial development in Table 4 below, R/M multiplied the anticipated acreage for each class by the ratio of building area to gross lot area. The result, the Forecast Incremental Building Floor Area, serves as the basis for dividing up costs for the two classes.

Table 4 Forecast Incremental Building Floor Area 2020 to 2040

Land Use	Extrapolated Development (Acres)	Average Gross Floor Area Ratio *	Forecast Incremental Building Floor Area (sq ft) **
Commercial	87.6	0.32	1,221,074
Industrial	98.7	0.65	2,794,592
Total	186.2		4,015,666

* Source: City of Franklin Unified Development Ordinance

** 1 acre = 43,560 square feet

The fees for both the water and sanitary sewer departments are forecast on an equivalent-meters basis. The forecast methodology is explained in their respective sections below.

Service Area

Wis Stat § 66.0617(4)(a)2 requires Franklin to base impact fees on an explicitly identified service area. The service area for this study is the entire City of Franklin, except for the sanitary-sewer impact fees. The service area for sanitary-sewer impact fees includes the area within the southwest quadrant of Franklin that is served with sanitary sewer by the Ryan Creek Interceptor. See Appendix A for the map defining Franklin's sanitary-sewer service area.

TRANSPORTATION SYSTEM FACILITIES

Franklin plans to continue to impose impact fees to fund transportation system facilities described in the 2002 impact fee study and updated in the 2020 study.

The table below inventories the key City-owned arterial streets. Arterial streets are the major streets, often with wider cross sections, that serve to carry traffic through the community between major destination points or that carry inter-community traffic. The Average Daily Traffic is on days that the roads are not obstructed due to inclement weather, construction, or other significant events.

Road Segment	Average Daily Traffic
35th St from Drexel to Puetz	720
35th St from Puetz to Ryan	1,100
51st St from College to Rawson	7,800
51st St from Rawson to Puetz	6,150
51st St from Puetz to Ryan	4,300
60th St from Ryan to County Line	1,500
68th St from S T H 36 to Rawson	2,300
68th St from Rawson to Puetz	2,650
92nd St from College to Rawson	1,800
92nd St from St Martins Road to County Line	NA
Woods Road from Cape to W City Limits	4,100
Drexel Ave from 27th to 35th	6,500
Drexel Ave from 35th to 51st	7,500
Drexel Ave from 51st to 76th	7,300
Drexel Ave from 76th to S T H 36th	6,900
Drexel Ave from S T H 36 to S T H 45	8,800
Puetz Rd from 27th to 35th	3,700
Puetz Rd from 35th to 51st	2,500
Puetz Rd from 51st to 76th	3,200
Puetz Rd from 76th to S T H 45	2,700
Oakwood Rd from 27th to 60th	1,300
Oakwood Rd from 60th to 76th	1,300
Oakwood Rd from 76th to 124th	NA
County Line Rd from 27th to 124th	390

Source Department of Transportation Traffic Count Map as of October 2020

NA. not available

The table below inventories all the streets in Franklin This list comes from geographic org

Public Facilities Needs Assessment and Impact Fee Study

100th Street	Country Club Drive	Jenna Court	Pebble Beach Court
107th Street	Countryside Court	Jenna Drive	Pineberry Court
118th Ct N	Countryside Drive	Jerelin Drive	Pleasant View Circle
118th Ct S	County Line Road	Juliana Drive	Princeton Drive
35th Street	Crystal Ridge Road	Karth Court	Redwood Court
42nd Street	Cypress Court	Kathleen Court	Ridgewood Drive
Amberidge Drive	Cypress Lane	Kensington Way	River Meadows Court
Ashland Way	Deerbrooke Court	Knoll Court	River Ridge Pkwy
Basswood Drive	Dory Drive	Lake Pointe Circle	River Terrace Drive
Beachwood Court	Dover Hill Court	Lake Pointe Court	Riverview Road
Beacon Hill Ct E	E Francis Court	Lake Pointe Drive	Grandview Court
Beacon Hill Ct W	Eight Mile Road	Lakewood Court	Root River Drive
Bishops Way	Elmwood Drive	Legend Creek Court	Royal Court
Brenwood Drive	Elroy Court	Legend Drive	S 100th Street
Briarwood Drive	Ernest Drive	Lindner Drive	S 107th Street
Brunn Drive	Evans Court	Links Drive	S 109th Street
Bruss Lane	Evans Drive	Madison Court	S 111th Street
Bur Oak Court	Fairway Circle	Mallard Court	S 112th Street
Cambridge Court	Fieldview Court	Mallory Way	S 116th Street
Cambridge Drive	Forest Hills Circle	Maple Ridge Court	S 117th Street
Canterbury Court	Forest Meadows Circle	Marshfield Court	S 118th Street
Carolyn Court	Forest Meadows Court	Martinton Court	S 120th Street
Carroll Circle	Forest Meadows Drive	Martinton Drive	S 121st Street
Carter Boulevard	Four Oaks Court	McGinnis Drive	S 122nd Street
Carter Circle	Four Oaks Drive	Mission Hills Court	S 123rd Street
Carter Circle E	Foxcroft Court	Mission Hills Drive	S 124th Street
Carter Circle N	Franklin Street	Mission Woods Court	S 27th Street
Carter Circle S	Golden Court	Morningside Court	S 28th Street
Carter Circle W	Golden Lake Court	Mulligan Lane	S 29th Street
Cascade Court	Harvard Drive	Nature Center Drive	S 31st Street
Cascade Oaks Court	Heatheridge Court	Oakwood Drive	S 33rd Street
Castle Court	Heatheridge Drive	Old Loomis Road	S 34th Street
Cedar Ridge Court	High View Drive	Old Orchard Lane	S 35th Street
Chapel Hill Ct E	Hillendale Drive	Park Court	S 36th Street
Chapel Hill Ct N	Hillsdale Drive	Parkcrest Circle	S 37th Street
Chapel Hill Ct W	Hilltop Court	Parkedge Circle	S 38th Street
Clayton Court	Hollyann Lane	Parkland Court	S 39th Court
Conforti Court	Imperial Drive	Parkland Drive	S 39th Street
Coronado Court	Ironwood Drive	Parkview Court	S 40th Street
Country Club Circle	Janet Court	Patricia Court	S 41st Street

Public Facilities Needs Assessment and Impact Fee Study

S 42nd Street	S 83rd Street	S Lannonstone Court	Stonebrook Court
S 43rd Street	S 84th Street	S Longview Court	Stonewood Circle
S 44th Street	S 85th Street	S Lovers Lane Road	Stonewood Drive
S 45th Street	S 87th Street	S Meadowcreek Court	Susanna Court
S 46th Street	S 88th Street	S Mission Drive	Terrace Drive
S 47th Place	S 89th Street	S North Cape Road	Thorncrest Court
S 47th Street	S 90th Street	S Nottingham Way	Tiernan Court
S 48th Street	S 92nd Street	S Oak Creek Court	Travis Court
S 49th Street	S 94th Street	S Oakwood Park Drive	Travis Lane
S 50th Street	S 96th Street	S Pacific Street	Trinity Court
S 51st Street	S 99th Street	S Parkwood Drive	Tuckaway Shores Drive
S 52nd Street	S Avian Way	S Phyllis Lane	Tumble Creek Drive
S 53rd Street	S Barn Owl Court	S Prairiewood Lane	Twin Oaks Boulevard
S 54th Street	S Blackbird Trail	S Preserve Way	Twin Oaks Court
S 55th Street	S Bluestem Court	S Redwing Drive	US Highway 45
S 56th Street	S Brian Court	S Rhonda Court	Valley Drive
S 57th Street	S Bridge View Drive	S River Court	W Acre Avenue
S 57th Street	S Carmel Drive	S River Lane	W Airways Avenue
S 58th Street	S Carroll Circle	S Riverwood Boulevard	W Alanna Court
S 59th Street	S Chapel Hill Court	S Ryan Green Court	W Alesci Drive
S 60th Street	S Chapel Hill Drive	S Scepter Drive	W Allwood Drive
S 61st Street	S Cobblestone Way	S Scherrei Drive	W Anita Lane
S 66th Street	S Cordgrass Circle E	S Shadwell Circle	W Anthony Drive
S 67th Street	S Cordgrass Circle W	S Sherwood Drive	W Balboa Street
S 68th Street	S Craig Court	S Southwood Court	W Barnwood Court
S 69th Street	S Deerwood Lane	S Springhill Lane	W Beacon Hill Drive
S 70th Street	S Dory Drive	S Steepleview Drive	W Beacon Hill Place
S 72nd Street	S Fieldstone Court	S Stone Hedge Drive	W Belmar Drive
S 73rd Street	S Fountain Court	S Tifton Drive	W Berkshire Drive
S 74th Street	S Franklin Drive	S Tumblecreek Drive	W Birchwood Lane
S 75th Street	S Friar Court	S Victory Creek Court	W Blackbird Court
S 76th Street	S Golden Lake Way	S Woelfel Road	W Bosch Lane
S 77th Street	S Grant Lane	S Yorkshire Court	W Briarwood Drive
S 78th Street	S Hawthorne Lane	Sanctuary Road	W Bur Oak Drive
S 79th Street	S Highway 100	Scepter Court	W Callaway Court
S 80th Street	S Hillside Drive	Septer Drive	W Candlestick Lane
S 81st Drive	S Juliana Drive	Sherwood Court	W Canterbury Court
S 81st Street	S Karrington Drive	Spindle Top	W Cardinal Lane
S 81st Street Street	S Kiefer Drive	State Highway 100	W Carmel Drive
S 82nd Street	S Lakeview Drive	State Highway 36	W Carolyn Court

Public Facilities Needs Assessment and Impact Fee Study

W Cascade Drive	W Highlands Drive	W Pine Street	W Swiss Street
W Cedar Ridge Court	W Hillside Court	W Pineberry Rdg	W Sycamore Street
W Central Avenue	W Hilltop Lane	W Plainsview Drive	W Thorncrest Drive
W Charles Court	W Hollow Lane	W Plaza Drive	W Tuckaway Creek Drive
W Church Street	W Hunters Court	W Prairie Grass Way	W Tuckaway Pines Circle
W Claire Court	W Hunting Park Drive	W Preserve Court	W Tumble Creek Drive
W Cobblestone Way	W James Avenue	W Princeton Pines Court	W Tumblecreek Court
W College Avenue	W Janet Court	W Puetz Road	W Tumblecreek Drive
W Cortez Circle	W Jefferson Terrace	W Rawson Avenue	W Valley View Drive
W Cortez Road	W Jodi Place	W Red Leaf Court	W Vanderheyden Drive
W County Line Road	W Jordan Court	W Redwing Drive	W Venture Drive
W Coventry Drive	W Kent Street	W Rhoder Avenue	W Victory Creek Drive
W Crest Court	W Lakeview Drive	W River Park Court	W Villa Drive
W Deerwood Lane	W Lakewood Lane	W River Pointe Drive	W Whispering Ridge Pass
W Devinshire Drive	W Larkspur Road	W Robinwood Lane	W Winston Way
W Dory Drive	W Lauren Court	W Royal Court	W Woelfel Road
W Drake Lane	W Leah Avenue	W Ryan Place	W Woodland Drive
W Drexel Avenue	W Loomis Road	W Ryan Road	W Woods Road
W Edgehill Court	W Madison Avenue	W Saint Michaels Court	W Woodview Drive
W Elm Court	W Madison Boulevard	W Saint Patricks Court	W Woodward Drive
W Elm Leaf Lane	W Magellan Street	W Saint Stephans Drive	W Yorkshire Circle
W Elm Road	W Mallard Court	W Scepter Circle	Weeping Willow Court
W Evergreen Street	W Maplecrest Drive	W Scepter Court	West Virginia Circle
W Fitzsimmons Road	W Margaret Lane	W Scherrer Drive	Whispering Oaks
W Forest Hill Avenue	W Marquette Avenue	W Shadwell Circle	Whitnall Edge Circle
W Forest Home Avenue	W Mary Ann Drive	W Sharon Lane	Whitnall Edge Court
W Francis Court	W Mayers Drive	W Sherwood Drive	Whitnall Edge Drive
W Franklin Drive	W McShane Road	W Shields Drive	Whitnall Edge Road
W Franklin Terrace	W Meadow Lane	W Silverwood Court	Wildwood Creek Court
W Friar Lane	W Melissa Court	W Skamra Avenue	Williams Court
W Glen Court	W Minnesota Avenue	W Somerset Drive	Willow Pointe Court
W Glenwood Drive	W Mission Court	W Southland Drive	Willow Pointe Pkwy
W Grandview Court	W Missouri Avenue	W Southview Drive	Woodbury Court
W Greyhawk Court	W Monastery Drive	W Southway Drive	Woodbury Drive
W Greyhawk Lane	W Mourning Dove Court	W Southwood Drive	Woodcrest Circle
W Hawthorne Lane	W Norwood Lane	W Spring Street	Woodcrest Court
W Herda Place	W Oakwood Drive	W Steepleview Lane	Woodfield Court
W Hidden Oaks Court	W Oakwood Park Drive	W Steven Place	Woodfield Drive
W Hidden Oaks Drive	W Oakwood Road	W Stone Hedge Drive	Wyndham Hills Court
W High Street	W Parkwood Drive	W Street Martins Road	Wyndham Hills Pkwy
W Highland Park Avenue	W Pebble Beach Court	W Sunnybrook Road	Xavier Drive
			Yale Drive

Franklin included one project for an arterial street in the approval two years ago for impact fees, the Oakwood Road Improvements project, but it is now removing that project due to other City priorities

Franklin is considering adding three other projects to this study, two sections of the 112th Street expansion and the Department of Public Works (DPW) building expansion, which combined with the existing space would create a DPW main facility of 82,285 square feet

Project	Cost
DPW Main Facility Expansion *	\$ 13,773,657
112th St (Ryan to Oakwood) **	5,250,000
112th St (Oakwood to 8 Mile) **	5,250,000
Total	\$ 24,273,657

- * 2022 estimate from Kueny Architects, LLC
Estimate excludes fixing existing deficiencies
- ** Estimate per Concord

The cost shown above for the DPW expansion excludes costs that address existing deficiencies. The table below shows the costs that were excluded. Kueny Architects provided the line-item costs as both high and low estimates, the costs below are an average of the high and low estimates

Demo east salt structure	\$ 13,500
Vehicle storage existing	1,570,800
Shop areas (remodel existing office)	716,500
Mezzanine -- existing	180,000
Salt storage - replacement of existing	475,000
Subtotal	\$ 2,955,800
A/E Fee (4.5%)	133,011
Construction Manager (2.5%)	73,895
Contingency (8% to 15%)	339,917
Total	\$ 3,502,623

This amount, \$3.5 million, was deducted from the average total cost between the high and low estimates that Kueny Architects provided, which was just under \$17.3 million. Removing the average cost of existing deficiencies yields the total in Table 7 above of \$13.77 million.

According to City engineering, the current DPW building space suffices for the current needs. The table below inventories the current building space for the department.

Vehicle Parking (sq ft)	28,560
Repair/Office/Shop (sq ft)	10,240
Mezzanine (sq ft)	6,000
East structures (sq ft)	9,930
Salt Storage Facilities (sq ft)	5,400
Total (sq ft)	60,130

The standard for the DPW main facility relates square feet of station space to population. Since the existing facility space measures up as adequate according to Franklin’s engineering staff, the standard is set based on the ratio of the current facility space to the current population. With this standard, Franklin does not have any existing deficiencies, nor does it have any excess capacity. The table below shows the standard of square feet to thousand people living in Franklin. The Current Goal column shows the standard applied to the current population. The current goal matches the inventory below, so the Existing Deficiency column is blank. If the current goal was less than the inventory, then Franklin would have an existing deficiency. Since the current goal and the inventory are equal, there are no existing deficiencies. The Additions column shows the incremental new square footage that will be added. The Additions to Meet 2040 Needs column includes only the square footage that the standards call for in the next 20 years, anything exceeding the 2040 standards cannot be included. This amount is determined by applying the standard to the population growth during the forecast period.

The New Growth Share is the percentage of the overall project cost that can be recovered through impact fees.

Category	Standard for per 1 000			Additions to Meet	
	People	Current Population	Current Goal	2040 Needs	New Growth Share
DPW Facility Space (sq ft)	1 633	36,816	60 130		
Facility	Inventory	Existing Deficiency	Additions *	2040 Needs	New Growth Share
DPW Facility Space (sq ft)	60 130		25 155	8 648	34.4%

* Estimate provided by Kueny Architects LLC

Since the standard indicates some of the facility will serve future growth beyond 2040, only 34 percent of the expansion can be funded through impact fees.

Both sections of the 112th Street expansion project would predominantly serve new growth. The standard is based on population and existing average daily traffic count. Due to anticipated growth largely in the southwest, traffic is expected to increase on this street tenfold.

Public Facilities Needs Assessment and Impact Fee Study

Table 11 Transportation Facility Service Standard for 112th St

Category	Standard Trips per Person *	Current Population Estimate		Additions to Meet		
		Served by Road	Current Goal	Additions *	2040 Needs	New Growth Share
Average Daily Traffic Count	0.75	134	100			
Facility	Inventory	Existing Deficiency				
Average Daily Traffic Year round	100		1,000	900	90%	

* Based on information provided by City Engineer

The table below combines the projects added this year with the existing debt from the projects included in the prior study. It subtracts the existing fund balance before arriving at the amount to be charged through impact fees.

Table 12 Transportation Impact Fees

	Estimated Cost	New Growth		New Growth Cost	
		Share			
DPW Main Facility Expansion	\$ 13,773,657	34.4%	\$	4,735,278	
112th St (Ryan to Oakwood)	5,250,000	90.0%		4,725,000	
112th St (Oakwood to 8 Mile)	5,250,000	90.0%		4,725,000	
Debt for Previous Eligible Projects *				854,291	
Less Existing Transportation Fund Balance				77,269	
Costs to be Charged through Impact Fees			\$	14,962,300	
Share of Costs					
Residential	66.2%	\$		9,905,609	
Commercial	15.9%			2,377,520	
Industrial	17.9%			2,679,171	
Total	100.0%	\$		14,962,300	
Residential Forecast					
Forecast 2040 Population	42,111				
Estimated Current Population	36,816				
Population Growth	5,295				
Recommended Fee per Person	\$ 1,871				
Development Type	Assumed People per Unit	Forecast Units	People per Development Type	Recommended Fee per Development Type	Subtotal Forecast Fees
Single-family or Two-family Dwelling Unit **	2.46	1,657	4,077	\$ 4,602	\$ 7,627,319
Multi-family Dwelling Unit ***	1.90	641	1,218	\$ 3,554	2,278,290
Total		2,298	5,295		\$ 9,905,609
* This total is the remaining debt attributable to the new growth portion of the transportation projects from the prior study					
** Based on US Census data					
*** Based on National Multifamily Housing Council data					
Commercial and Industrial Forecast					
Land Use	Forecast Incremental Building Floor Area (sq ft)	Recommended Fee per 1,000 Sq Ft			Subtotal Forecast Fees
Commercial	1,221,074	\$ 1,947	\$		2,377,520
Industrial	2,794,592	\$ 959	\$		2,679,171
					\$ 5,056,691
Total Forecast Fees					\$ 14,962,300

A public needs assessment and impact fee study determine the upper limit of what can be charged but not the exact amount that a municipality must charge. In other words, a municipality can charge equal to or less than what is presented in an impact fee study.

If the fees above were adopted, transportation fees would increase significantly. The table below shows the current fees and the portion of the potential fees that each project makes up of the fees above. The current fees include debt for completed new-growth projects and the new-growth portion of the Oakwood Road improvements (not included in the proposed fees). If Franklin is concerned fees would increase too much, Franklin could elect to fund only one or two of the projects through impact fees and either forego the other project(s) or fund 100 percent of them with other City funds.

Table 12A Transportation Impact Fee Options

Development Type	Current Fees	Potential Fees				
		Debt less Fund Balance	DPW Facility Expansion	112th St (Ryan to Oakwood)	112th St (Oakwood to 8 Mile)	All Projects
Single-family or Two family Dwelling Unit	\$ 696	\$ 239	\$ 1,456	\$ 1,453	\$ 1,453	\$ 4,602
Multi-family Dwelling Unit	\$ 453	\$ 185	\$ 1,125	\$ 1,122	\$ 1,122	\$ 3,554
Commercial (per 1,000 sq ft)	\$ 235	\$ 101	\$ 617	\$ 615	\$ 615	\$ 1,948
Industrial (per 1,000 sq ft)	\$ 115	\$ 50	\$ 304	\$ 303	\$ 303	\$ 959

SEWER SYSTEM FACILITIES

Sanitary sewer impact fees were first implemented in 2013 for the southwest area of Franklin served by the Ryan Creek Interceptor (RCI).

For the purposes of this study, the entire area is undeveloped with regard to municipal sanitary sewerage facilities except for those residences within developments such as Ryan Meadows, Park Circle, and Ryan Manor that have connected to adjacent facilities and have paid impact fees already. Therefore, all future development within this area is new development with respect to Franklin's sanitary sewerage system, and all the costs are eligible for impact fees.

However, as described in Franklin's Sanitary Sewer Extension Cost Recovery Policy, a portion of the cost of each segment will be charged to abutting properties, either through developer contributions or special assessments. The impact fees must therefore be reduced by the amount of anticipated contributions from abutting property owners. Franklin's policy is to charge a maximum amount per foot of abutting frontage, with the maximum amount determined by the land use of the abutting property and the minimum diameter main required to serve different land uses. Certain types of property, such as wetlands and transportation rights-of-way, cannot be assessed. The contributions, along with the remaining costs, are shown in the table below.

The total that excludes Trunks 12R and 24 is the amount used for calculating impact fees, since those two may not be built during the forecast period. Approximately \$500,000 will be recovered from abutting property owners, leaving approximately \$12.8 million to be recovered through impact fees.

Public Facilities Needs Assessment and Impact Fee Study

Table 13 Project Costs						
Sewer Segment	Land Use	Frontage (feet)	Segment Cost	Maximum Assessable Cost / Foot	Maximum Assessable Cost	Remaining Cost
Trunk 11						
	Commercial	220	\$ 64,905	\$201	\$ 4,416	\$ 60,489
	<u>Non assessable</u>	<u>1,120</u>	<u>330,425</u>	<u>\$0</u>		<u>330,425</u>
	Subtotal	1,340	\$ 395,330		\$ 4,416	\$ 390,914
Trunk 12						
	Business Park	3,640	1,030,994	\$201	73,066	957,928
	Commercial	515	152,103	\$201	10,338	141,765
	Residential	3,690	1,033,763	\$164	60,354	973,409
	<u>Non assessable</u>	<u>14,465</u>	<u>3,467,689</u>	<u>\$0</u>		<u>3,467,689</u>
	Subtotal	22,310	\$ 5,684,549		\$ 143,757	\$ 5,540,792
Trunk 12K						
	Commercial	6,756	1,442,605	\$201	135,613	1,306,992
	Residential	1,844	437,391	\$164	30,160	407,230
	<u>Non assessable</u>	<u>2,280</u>	<u>501,939</u>	<u>\$0</u>		<u>501,939</u>
	Subtotal	10,880	\$ 2,381,935		\$ 165,774	\$ 2,216,161
Trunk 12R						
	Light Manufacturing	1,600	251,204	\$201	32,117	219,087
	Residential	9,556	1,835,853	\$164	156,298	1,679,555
	<u>Non assessable</u>	<u>18,764</u>	<u>3,380,128</u>	<u>\$0</u>		<u>3,380,128</u>
	Subtotal	29,920	\$ 5,467,185		\$ 188,415	\$ 5,278,770
Trunk 14						
	<u>Non assessable</u>	<u>8,730</u>	<u>1,074,597</u>	<u>\$0</u>		<u>1,074,597</u>
Trunk 24						
	Residential	250	43,429	\$164	4,089	39,340
	<u>Non assessable</u>	<u>5,090</u>	<u>884,221</u>	<u>\$0</u>		<u>884,221</u>
	Subtotal	5,340	\$ 927,650		\$ 4,089	\$ 923,561
Trunk 25						
	Residential	750	166,183	\$164	12,267	153,916
	<u>Non assessable</u>	<u>210</u>	<u>46,531</u>	<u>\$0</u>		<u>46,531</u>
	Subtotal	960	\$ 212,714		\$ 12,267	\$ 200,447
Trunk 26						
	Institutional	2,050	753,313	\$201	41,150	712,163
	Residential	3,160	1,067,664	\$164	51,685	1,015,979
	<u>Non assessable</u>	<u>1,520</u>	<u>551,666</u>	<u>\$0</u>		<u>551,666</u>
	Subtotal	6,730	\$ 2,372,643		\$ 92,835	\$ 2,279,809
Trunk 32						
	<u>Non assessable</u>	<u>140</u>	<u>38,353</u>	<u>\$0</u>		<u>38,353</u>
Trunk 34						
	Commercial	4,440	988,233	\$201	89,124	899,109
	<u>Non assessable</u>	<u>860</u>	<u>191,414</u>	<u>\$0</u>		<u>191,414</u>
	Subtotal	5,300	\$ 1,179,647		\$ 89,124	\$ 1,090,523
Total		91,650	\$ 19,734,603		\$ 700,676	\$ 19,033,927
Total less Trunks 12R and 24		56,390	\$ 13,339,768		\$ 508,172	\$ 12,831,596

Notes

Source: City of Franklin Comprehensive Plan, Ruekert/Mielke

Costs include 30% for contingency engineering and administration

Costs updated w/ ENR's Construction Cost Index for annual inflation, index average in 2012 was 9,308 and in Feb 2022 was 12,684

See Appendix A for a map of service area including the trunks

Per City Engineer assumed assessable portion of trunks = 10%

Trunks 35, 39, 40, and 41 have been removed since the prior study. Trunk 39 is no longer needed because of a developer-built trunk while Trunk 41 is not needed anymore because there is now service running adjacent to the Ryan Creek Interceptor in that area. Trunks 35 and 40 have been constructed.

(Note: The RCI sanitary sewer service area sewer impact fee established as part of this study applies to new land development as defined by Wisc. Stat. § 66.0617. An identical fee in the same amount, called a sanitary sewer collection fee, will be applied to any existing residential dwelling units and any existing nonresidential development that connect to the city's sanitary sewerage system. As opposed to the sanitary sewer impact fee, which is collected upon issuance of a building permit by Franklin, the sanitary sewer collection fee will be collected upon issuance of a plumbing permit by Franklin for the connection of these existing facilities to Franklin's sanitary sewerage system.)

Franklin has been charging impact fees for sanitary sewer on an equivalent-meters basis. R/M developed an estimate of equivalent meters that equals the number of new residential units that are being forecast because most if not all of the residential growth is assumed to occur in the southwest section of Franklin. Based on SEWRPC's forecast of development in the southwest, R/M estimates that approximately two-thirds of the nonresidential development will occur in this area as well. Therefore, all the meters for residential development and two-thirds of the nonresidential meters are included in the total number of equivalent meters below. The water impact fee section explains the methodology for how the equivalencies are calculated.

Once the forecast for equivalent meters has been established, we can divide the total eligible costs among the equivalent meters to arrive at an impact fee per meter.

Total Costs less Assessable Costs		12,831,596
<u>Less Existing SW Sanitary Sewer Fund Balance</u>		<u>290,165</u>
Net Costs Eligible for Impact Fees		\$ 12,541,430
Equivalent Meters		3,488
Fee per Equivalent Meter		\$3,596
	Equivalent	Fee per
Meter Size	Meter Factor	Meter
5/8'	1.0	\$3,596
3/4'	1.0	\$3,596
1'	2.5	\$9,052
1.5'	8.2	\$29,621
2"	19.8	\$71,052
3"	69.6	\$250,239
4"	176.9	\$636,067
6"	251.2	\$903,452
8"	354.8	\$1,275,754
10"	458.3	\$1,648,055
12"	561.8	\$2,020,357

A meter for a single-family residence will always equal the cost for a 3/4-inch meter, regardless of the house's actual meter size.

The meter equivalencies have been updated to match the meter equivalencies for water impact fees. This methodology is explained in the water impact fee section.

This new proposed fee is approximately 3 percent higher than the current fee. Several projects have been removed, but the forecast for equivalent meters has fallen.

WATER SYSTEM FACILITIES

Franklin plans to continue to impose impact fees to fund water system improvements. Franklin first imposed impact fees for its water system in 2002. Since then, several projects have been completed, and the system needs new projects to provide service for future growth.

Below is an inventory of the water system's current infrastructure.

Public Facilities Needs Assessment and Impact Fee Study

Table 15 Water Inventory				
Existing Water Supply Facilities		Actual Capacity (gallons/minute)	Primary Purpose	
Well 8		1,000	Standby	
Total		1,000		
Existing Booster Pump Stations		Actual Capacity (gallons/minute)	Primary Purpose	
Drexel Booster Station P1		1,600	Booster	
Drexel Booster Station P2		1,600	Booster	
Drexel Booster Station P3		900	Booster	
Drexel Booster Station P4		1,400	Booster	
Puetz Road Booster Station P1		1,750	Booster	
Puetz Road Booster Station P2		875	Booster	
Puetz Road Booster Station P3		1,750	Booster	
Puetz Road Booster Station P4		875	Booster	
Total		10,750		
Existing Storage Facilities		Total Capacity (gallons)	Type	
Tank 1		500,000	Elevated Tank	
Tank 2		2,000,000	Elevated Tank	
Total		2,500,000		
Existing Water Mains				
	Diameter (inches)	Length (ft)	Function	Material
	4	189	Supply	Other Plastic
	6	48,482	Supply	Other Metal
	6	32,698	Supply	Other Plastic
	8	104,375	Supply	Other Metal
	8	437,495	Supply	Other Plastic
	10	11,579	Supply	Other Plastic
	12	81,069	Transmission	Other Metal
	12	175,595	Transmission	Other Plastic
	16	55,536	Transmission	Other Metal
	16	120,425	Transmission	Other Plastic
	20	19,270	Transmission	Other Metal
	24	16,367	Transmission	Other Metal
Total		1,103,080		

Source 2020 PSC Annual Report

Note Reservoir 8 is no longer in use

All the projects under Phases I and II in the 2002 impact-fee study have been completed, as have several of the Phase III and Phase IV projects. The projects from the study that need to be completed are the two elevated storage tanks, and oversizing of mains for new growth remains an ongoing need.

A new water system study was produced in 2009 by Kaempfer & Associates. The study recommended building three tanks to serve new growth, the same one on Puetz Road that the 2002 impact fee study had included and two on Lovers Lane instead of just one that the original study had included.

For the two towers on Lovers Lane, the 2009 study recommended a combined size of 1.5 million gallons. Franklin plans to construct two 1-million gallon tanks instead. Franklin will take one of its current tanks out of service, a 500,000 gallon tank. Since one-half of one of the new tanks is essentially replacement, one-half of that cost is excluded.

The 2009 study also included a 16-inch transmission main on St. Martins Road, 12-inch transmission main on Church Street, and a building expansion for the water and sewer utility's shared facility. However, only the building expansion was identified as being needed for servicing future growth, the other projects were deemed essential for augmenting reliability for service to existing customers. The other projects are therefore considered existing deficiencies and are not eligible for impact fees.

The project costs listed below for the storage tanks were provided by City Engineering staff. The first Lovers Lane tower is more expensive than the second one because it will include extensive site work and the oversizing costs of the water main needed to connect the towers to the rest of the system. The second tower shows only half the cost since half of its capacity will replace an existing tower's capacity.

The building expansion was finished in 2015 and is listed at actual cost, but it is the cost for only the water-utility portion of the building (the facility was constructed for both the sewer utility and the water utility). The estimate for oversizing in the forecast time period is based on an annual average of oversizing costs since 2006, with the costs adjusted by the Engineering News Record Cost Construction Index (ENR CCI) to 2022 dollars.

Project	Cost
Puetz Road Elevated Storage Tank	\$ 7,360,827
First Lovers Lane Elevated Storage Tank *	\$ 6,126,507
Second Lovers Lane Elevated Storage Tank **	1,688,263
Oversizing 2021-2040	6,100,000
Building Expansion ***	1,680,000
Total	\$ 22,955,597

* Total does not include amount special assessed

** Excludes half the cost since it is replacing existing 0.5 MG tank

*** Total is only for portion of expansion used for water utility

The standard applied to the storage tanks is capacity based on maximum-day demand. The most recent water system study indicates that these projects are needed exclusively to meet the capacity needs for future growth. However, the forecast for growth was based on trends that did not continue since the study was conducted. The 2009 study forecast that in 2020, average daily demand would be over 4.5 million gallons, but average daily demand in 2020 was 2.4

million gallons, or less than 60 percent of what had been forecast. Both lower population growth and increased conservation and efficiency measures have caused actuals to fall below the forecast.

R/M applied long-range compound annual growth rates to create a new forecast for average daily demand. For maximum day demand, a multiyear average of maximum day to average day demand ratio was used. For peak hour demand, the ratio of average day to peak hour demand from the Kaempfer study was applied. The bottom line of the table below compares the R/M forecast to the forecast in the water study.

Study Comparison	Average (million gallons/day)	Max Day (million gallons/day)	Peak Hour (million gallons/day)
2009 Water System Study Forecast	6.1	13.9	24.2
R/M Forecast	3.5	5.9	10.5
Current Forecast as % of Prior Forecast	57.8%	42.5%	43.3%

Only the portion of the project that will serve future needs within the forecast period – the next 20 years – can be recovered through impact fees. The Kaempfer study explained that total water storage is based on maximum-day demand, so per the adjusted forecast, 42 percent of the cost can be recovered using impact fees.

The standard for main oversizing is also capacity. Since by definition oversizing is intended solely to provide excess capacity for anticipated future growth, all oversizing costs can be attributed to future growth.

The standard applied to the building expansion is based on population compared to square footage of building space. Most of the building expansion was needed to serve the existing population, i.e., to fix an existing deficiency, but almost a fifth of it was needed to serve future growth.

Category	Standard per 1,000	Current Population		Future	
	Population	Estimate	Current Goal	Population	Future Goal
Water Building (Square Feet)	276	36,816	10,148	42,111	11,608
Facility	Prior Inventory	Existing Deficiency	Additions	Additions to Meet 2040 Needs	New Growth Share
Water Building (Square Feet)	3,310	6,838	8,298	1,460	17.6%

* Does not include space from the sewer section portion of building.

Prior Inventory refers to the building size before the expansion was completed. The Prior Inventory and Additions include only the portion of the building used by the water utility. Only 18 percent of the cost can be recovered through impact fees.

Below is the costs for the projects with the new growth share shown

Project	Full Cost	New Growth Share	Cost to New Growth
Puetz Road Elevated Storage Tank	\$ 7,360,827	42.5%	\$ 3,126,594
First Lovers Lane Elevated Storage Tank	6,126,507	42.5%	2,602,303
Second Lovers Lane Elevated Storage Tank	1,688,263	42.5%	717,109
Oversizing	6,100,000	100.0%	6,100,000
Building Expansion	1,680,000	17.6%	295,509
Total	\$ 22,955,597		\$ 12,841,515

Franklin reserves the right to amend this list outside of a formal impact fee study based on court rulings regarding impact fees. As the footnotes on Wis. Stat. § 66.0617 explain, the law "allows a municipality to impose impact fees for a general type of facility without committing itself to any particular proposal before charging the fees. The needs assessment must simply contain a good-faith and informed estimate of the sort of costs the municipality expects to incur for the kind of facility it plans to provide. A municipality must be allowed flexibility to deal with the contingencies inherent in planning." Franklin may therefore add projects to serve new growth as needed.

To allocate the cost among new growth, impact fees have been apportioned based on meter size.

RM recommends changing methodology away from apportioning fees based on residential equivalent connections for several reasons. Apportioning fees based on meter size is much easier for customers to understand, offers more consistency and predictability in fees for both customers and the City, and greatly simplifies the City's task of administering the fees.

Forecasting meter count by size was performed differently for each class depending on what was most appropriate for that class. For the single-family residential and multifamily residential classes, the number of new meters was projected based on the number of new units that would be added in the next 20 years. The number of new units was based on the population forecast. Below is the forecast for new residential units.

Table 20 Forecast Residential Units

Population Increase *	5,295		
Development Type	People per Unit	Forecast Units	People
Single family or Two family Dwelling Unit **	2 46	1,657	4,077
Multifamily Dwelling Unit ***	1 90	641	1,218
Total		2,298	5,295

* See Growth Forecast section
 ** Based on US Census data
 *** Based on National Multifamily Housing Council data

For all classes, the growth among each of the meter sizes was proportioned according to their existing distribution. Below is the projected number of new meters for both the single-family and multifamily residential classes.

Table 21 Forecast New Growth Residential Meters

Meter Size	Current Residential Meter Count *	Current Share	Incremental Residential Meters
1/2" **		0 00%	-
3/4"	7,230	94 84%	2,179
1"	212	2 78%	64
1 5"	111	1 46%	33
2"	65	0 85%	20
3"	2	0 03%	1
4"	1	0 01%	-
6"	2	0 03%	1
8"	-	0 00%	-
10"		0 00%	-
12"		0 00%	-
	7,623	100 00%	2,298

* Combines residential and multifamily residential count from 2020 PSC annual report

** Excludes 1/2" meters for forecasting purposes since Franklin is no longer installing them

For the public authority class, the number of new meters was projected based on the compound annual growth rate for the number of customers. For the last four years, the compound annual growth rate is negligible. Coupled with a declining land-use forecast for the institutional class, the flat growth rate caused R/M to forecast no growth in the public-authority meter count.

For irrigation meters, the compound annual growth rate is approximately 1.5 percent for the last four years. However, the land-use forecast for agriculture shows a decline in agriculture, so no irrigation meters were included in the forecast.

For the commercial and industrial classes, the number of new meters was projected to match the forecast land-use growth for each class. The forecast for land-use growth is presented in Table 2, and the relevant data is used in the table below.

Land Use	2020 Development (Acres)	2040 Development (Acres)	Change (Acres)	Change		
Commercial	557.00	644.55	87.55	15.72%		
Industrial	545.00	643.66	98.66	18.10%		
Forecast increase in commercial meters		16%				
Forecast increase in industrial meters		18%				
Meter Size	Commercial	% Share	Incremental Commercial Meters	Industrial	% Share	Incremental Industrial Meters
1/2		0.00%			0.00%	
3/4	164	49.85%	26	3	11.54%	1
1	78	23.71%	12	9	34.62%	2
1.5	46	13.98%	7	6	23.08%	1
2	32	9.73%	5	4	15.38%	1
3	9	2.74%	1	3	11.54%	1
4		0.00%			0.00%	
6		0.00%		1	3.85%	
8		0.00%			0.00%	
10		0.00%			0.00%	
12		0.00%			0.00%	-
	329	100.00%	51	26	100.00%	6

The following table sums up the forecast meters by size.

Meter Size	Residential	Commercial	Industrial	Total
1/2"			-	-
3/4"	2,179	26	1	2,206
1"	64	12	2	78
1.5"	33	7	1	41
2"	20	5	1	26
3"	1	1	1	3
4"			-	-
6"	1			1
8"				-
10"				-
12"				-
Total	2,298	51	6	2,355

Equivalency Factors were created between the meter sizes based on actual demand within Franklin in 2020. Average demand per meter size was calculated, and then the factors were

created in relation to the residential meter size of $\frac{3}{4}$ -inch. For instance, since the average demand for a 1-inch meter was 2.52 times as much as a $\frac{3}{4}$ -inch meter, then the 1-inch meter has an equivalent meter factor of 2.52. Equivalent factors for meter sizes 6 inches and larger were extrapolated using linear regression since Franklin has very few meters this size or larger. The Equivalency Factor was then multiplied by the number of meters per size to equate the number of future connections to the total number of equivalent residential meters.

Meter Size	Equivalency Factor	Incremental Meters	Equivalent Meters
$\frac{3}{4}$ "	1.00	2,206	2,206
1"	2.52	78	196
1.5"	8.24	41	338
2"	19.76	26	514
3"	69.59	3	209
4"	176.88	-	-
6"	251.24	1	251
8'	354.77	-	-
10"	458.30	-	-
12"	561.83	-	-
Total		2,355	3,714

With the total number of equivalent meters and the total cost attributed to new growth, the impact fee per equivalent meter can be calculated. The existing balance in the water impact-fee fund is subtracted from the total cost first, and then the remaining cost is divided by the number of equivalent meters. The fee per equivalent meter is multiplied by the equivalent meter factor to arrive at the impact fee to charge each meter size. A meter for a single-family residence will always equal the cost for a $\frac{3}{4}$ -inch meter, regardless of the house's actual meter size.

Table 25 Calculation of Impact Fee

Total New Growth Costs	\$12,841,515
<u>Less Existing Water Fund Balance</u>	<u>2,969,092</u>
Net Costs Eligible for Impact Fees	\$ 9,872,423
Equivalent Meters	3,714
Fee per Equivalent Meter	\$2,658

Meter Size	Equivalent Meter Factor	Fee per Meter
1/2"	1 00	\$2,658
3/4"	1 00	\$2,658
1"	2 52	\$6,691
1 5"	8 24	\$21,895
2"	19 76	\$52,518
3"	69 59	\$184,966
4"	176 88	\$470,152
6"	251 24	\$667,791
8"	354 77	\$942,979
10"	458 30	\$1,218,168
12"	561 83	\$1,493,356

The proposed fee would reduce the fee to a single-family residence by approximately 6 percent due to several of the projects from the prior study having been completed and paid for

FIRE AND EMERGENCY MEDICAL SERVICES FACILITIES

Franklin plans to continue to impose impact fees to fund facilities improvements for the fire and emergency medical services (EMS) department

The table below inventories existing fire and EMS facilities

Fire Station No	Facility Space	Area (Square Feet)
	Subtotal Station Space	8,029
	Fire Station No 2 Facility Space	
	Subtotal Station Space	8,336
	Fire Station No 3 Facility Space	
	Subtotal Station Space	7,230
	Total Station Space	23,595

Source 2002 Impact Fee Study, except fire station #2 which is from Kueny Architects

Since the impact-fee study that was completed two years ago, the City has pivoted from adding a new station to replacing Station 2 and locating it in the southwest quadrant of Franklin. Since much of the development is anticipated to take place in the southwest, locating a fire station in this quadrant would provide the most benefit and keep response times within guidelines established by the National Fire Protection Association. The original cost and size come from Kueny Architects, LLC. The cost and size have been scaled down, however, to include only the incremental portion of the project. In other words, neither the cost nor size of the portion of the project that is replacing station 2 is included in the table below, only the portion for new growth. The average of the high and low estimates provided by Kueny is \$7.1 million, so since approximately 35 percent of the space is replacing station 2, approximately 35 percent of the cost was removed, bringing the total in the table below to \$4.6 million.

Project	Area (Square Feet)	Cost
Fire Station 2 Relocation and Expansion Station Space	15,224	\$ 4,616,893

* Cost estimate per Kueny Architects, excludes inflationary adjustment

** Cost estimate includes only space incremental to station 2

The standard for fire and EMS facilities relates square feet of station space to population. Since the existing facility space measures up as adequate according to the fire chief, the standard is set based on the ratio of the current facility space to the current population. With this standard, Franklin does not have any existing deficiencies, nor does it have any excess capacity. The table below shows the standards of square feet to population. The Additions column shows the area from prior table. The Additions to meet 2040 needs includes only the square footage that the standards call for in the next 20 years, anything exceeding the 2040 standards cannot be included.

The New Growth Share is the percentage of the overall project cost that can be recovered through impact fees.

Public Facilities Needs Assessment and Impact Fee Study

Category	Standard per 1 000 Population	Current Population Estimate	Current Goal		
Station Space (Square Feet)	641	36 816	23,595		
Facility	Current Inventory	Existing Deficiency	Additions	Additions to Meet 2040 Needs	New Growth Share
Station Space (Square Feet)	23 595		15,224	3 394	22.3%

The table below shows the impact fee calculation. Since Franklin is still paying off the debt for fire station 3, which was included in the prior impact-fee study, this debt is included in what can be charged through impact fees. The existing fund balance is deducted from what can be charged.

	Estimated Cost	New Growth Share	New Growth Cost		
Cost for New Station	\$ 4 616 893	22.3%	\$ 1 029 130		
Debt for Fire Station #3 *			247 240		
Less Existing Fire and Rescue Services Fund Balance			235 130		
Total Eligible for Impact Fees			\$ 1 041 240		
Share of Costs					
Residential	66.2%	\$ 689 340			
Commercial	15.9%	165 454			
Industrial	17.9%	186 446			
Total	100.0%	\$ 1,041 240			
Residential Forecast					
Forecast 2040 Population	42 111				
Estimated Current Population	36,816				
Population Growth	5 295				
Fee per Person	\$ 130				
Assumed People					
Development Type	per Unit	Forecast Units	People per Development Type	Recommended Residential Fees	Subtotal Forecast Fees
Single-family or Two family Dwelling Unit **	2.46	1 657	4,077	\$ 320	\$ 530 792
Multi family Dwelling Unit ***	1.90	641	1 218	\$ 247	158,548
Total		2 298	5 295		\$ 689,340
* This total is the remaining debt attributable to the new growth portion of the new facility's cost					
** Based on US Census data					
*** Based on National Multifamily Housing Council data					
Commercial and Industrial Forecast					
Forecast Incremental					
	Forecast Building Floor Area (sq ft)	Recommended Fee per 1,000 Sq Ft		Subtotal Forecast Fees	
Commercial	1 221 074	\$ 135		\$ 165,454	
Industrial	2 794 592	\$ 67		186,446	
				\$ 351 900	
Total Forecast Fees				\$ 1 041 240	

The recommended fee is approximately 33 percent less than the current fee for a single-family home. The fee declined because the population forecast was lowered, meaning that more of the project cost is attributable to growth beyond the forecast period.

HOUSING AFFORDABILITY

Most households in Franklin find housing affordable. Franklin's median household income of \$75,000 exceeds Wisconsin's median household income of \$56,800. However, housing costs overburden many Franklin households. Data from the US Census Bureau shows that of the families that make less than \$50,000 per year, 65 percent, or nearly two-thirds, pay more than 30 percent of their income for housing. These families alone make up 20 percent of Franklin's total number of households.

The ordinance that Franklin passed reducing impact fees for low-cost housing on April 6, 2020 provides relief to those from lower incomes who are looking to purchase homes within the community. However, implementing this reduction may prove difficult since it is based on a certain percentage of average home cost. It also may not apply to much if any new housing since the ordinance sets eligibility at 40 percent of the average home cost from the year before. This threshold may be too low for new housing units to qualify.

Franklin may want to consider changing the ordinance to apply the reduction to homes that are less than 75 percent of the average square footage of homes from the prior year. Basing on the reduction on average square footage would simplify administering a policy that makes housing more affordable, and setting the size at 75 percent would likely make more new housing units eligible for the reduction. The impact fees for these housing units could be set at 75 percent. For new homes that are 50 percent or less of the average square footage, the fees could be set at 50 percent.

This reduction in fees will likely still not apply to many future homes in Franklin. Therefore, there is no need to adjust the forecast.

The information above provides context for evaluating the effect of impact fees on housing affordability. The table below shows the annual cost of a \$400,000 home, the estimated average value of a new house in Franklin.

Table 30 - Availability of Affordable Housing

	No Impact Fee	Impact Fee**
Home Price*	\$ 400,000	\$ 414,087
Principal and Interest	\$ 23,132	\$ 23,947
Taxes	\$ 8,880	\$ 9,193
Annual Housing Cost	\$ 32,012	\$ 33,139
Income Required	\$ 114,329	\$ 118,355
Additional Income Required		\$ 4,026
Required Percent Increase		3.5%

* Typical new house price estimate provided by City staff

** Includes both proposed and other existing fees except admin fee

SUMMARY AND NEXT STEPS

To fund the facilities needed by growth in the near future, we recommend revising the City's impact fees. The table below summarizes the proposed fees.

Type of Impact Fee	Single-family or Two family Dwelling Unit	Multi family Dwelling Unit	Commercial Unit (per 1 000 sq ft)	Industrial Unit (per 1 000 sq ft)
Proposed Fees				
Transportation (Proposed)	\$4,602	\$3,554	\$1,947	\$959
Fire (Proposed)	\$320	\$247	\$135	\$67
Water (Proposed per equivalent meter)	\$2,658	\$2,658	\$2,658	\$2,658
Sanitary Sewer (Proposed southwest only per equivalent)	\$3,596	\$3,596	\$3,596	\$3,596
Law Enforcement (Existing Fee No Change)	\$545	\$355	\$185	\$91
Parks (Existing Fee No Change)	\$2,012	\$1,307	N/A	N/A
Library (Existing Fee No Change)	\$354	\$230	N/A	N/A
Total of Proposed Fees	\$14,087	\$11,948	\$8,522	\$7,370
Existing Fees				
Transportation	\$696	\$453	\$235	\$115
Fire	\$477	\$309	\$162	\$79
Water (per equivalent meter)	\$2,822	\$2,822	\$2,822	\$2,822
Sewer (per equivalent meter)	\$3,501	\$3,501	\$3,501	\$3,501
Law Enforcement	\$545	\$355	\$185	\$91
Parks	\$2,012	\$1,307	N/A	N/A
Library	\$354	\$230	N/A	N/A
Total Existing Fees	\$10,407	\$8,977	\$6,905	\$6,608
Change from Existing Fees	\$3,680	\$2,971	\$1,617	\$762
Change from Existing Fees	35%	33%	23%	12%

* does not include administrative fees

According to state statute, municipalities must now provide developers with detailed explanations of how the impact fees being collected will be spent. R/M recommends that Franklin provide a written or electronic copy of this study to satisfy this statutory requirement.

To move forward with new impact fees, the following steps need to take place:

- 1) This study is presented to Franklin's Common Council
- 2) The Common Council directs that a public hearing be held to hear public comment on this public facilities needs assessment and the proposed impact fees
- 3) An ordinance is drafted to implement the recommended impact fees
- 4) A Class 1 notice is published in the newspaper to provide the public 20 days' notice prior to the public hearing as required under Wisconsin Statutes 66.0617(4)(3)(b). The needs

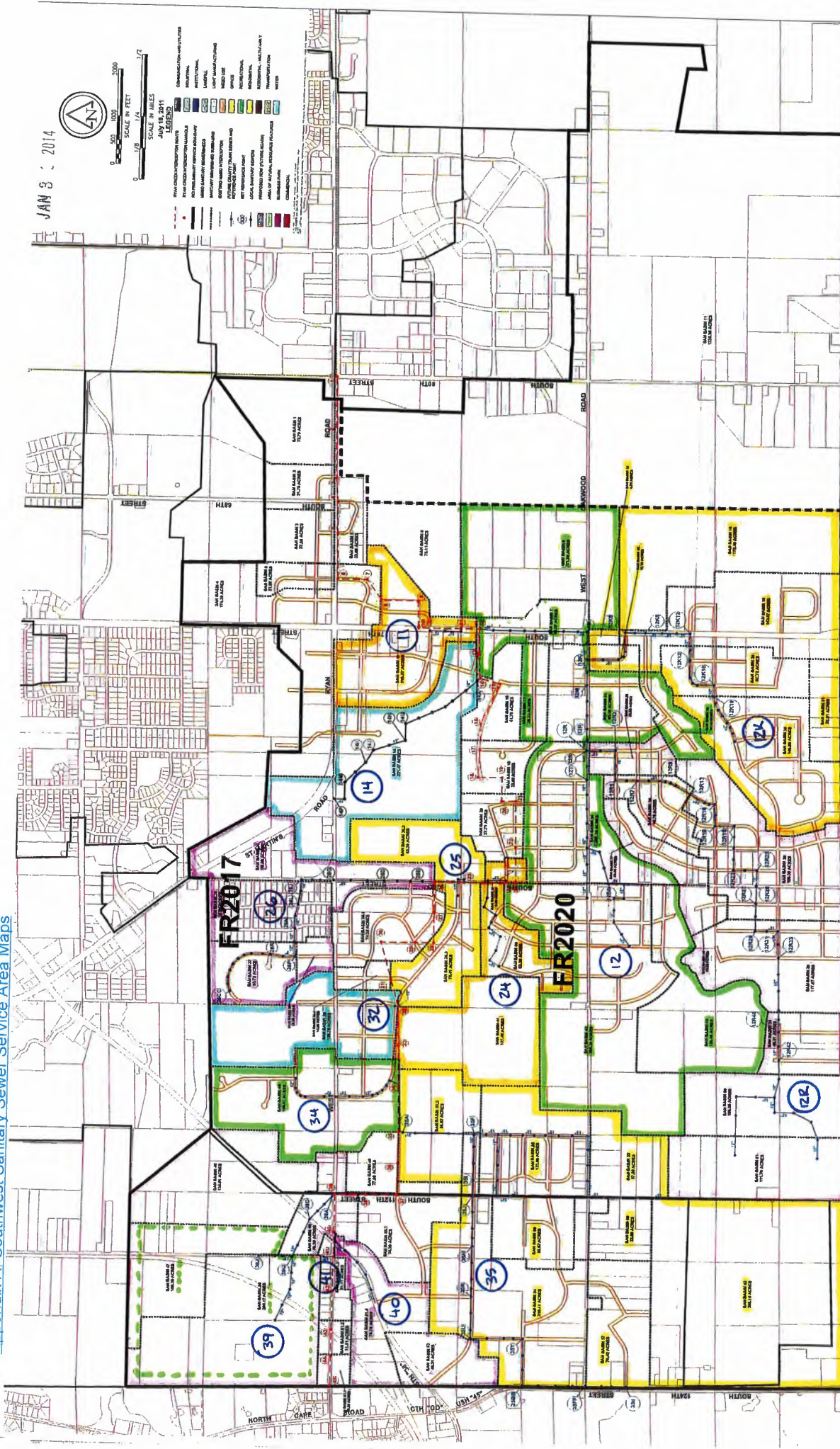
assessment must be available 20 days prior to the public hearing to allow the public sufficient time to review

- 5) A public hearing is held to hear public comment on the needs assessment and the proposed ordinance to impose public facilities impact fees
- 6) After the public hearing, the Common Council may adopt the proposed ordinance as recommended or adopt the ordinance with amendments

R/M encourages Franklin to periodically update its impact fees to ensure they reflect the best growth forecasts, as well as the best capital cost and project estimates. Revisiting the fees every 5 years or as projects substantially change can help a community adjust its plans for new growth to provide the correct level of funding and avoid changing rates as drastically as would be the case if the community waited longer to update its fees.

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Appendix A: Southwest Sanitary Sewer Service Area Maps



Trunk Sewer Tributary Areas 1-30-14
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<p style="text-align: center;">APPROVAL <i>Slw</i></p>	<p style="text-align: center;">REQUEST FOR COUNCIL ACTION</p>	<p style="text-align: center;">MEETING DATE May 3, 2022</p>
<p style="text-align: center;">REPORTS & RECOMMENDATIONS</p>	<p style="text-align: center;">AN ORDINANCE TO AMEND THE CITY OF FRANKLIN 2025 COMPREHENSIVE MASTER PLAN TO CHANGE THE CITY OF FRANKLIN 2025 FUTURE LAND USE MAP FOR PROPERTY BEARING TAX KEY NUMBER 892-9999-002 FROM RECREATIONAL USE AND AREAS OF NATURAL RESOURCE FEATURES TO RESIDENTIAL USE (BY STEPHEN R. MILLS, PRESIDENT OF BEAR DEVELOPMENT, LLC, APPLICANT, IGNASIAK INVESTMENT COMPANY, LLC, PROPERTY OWNER)</p>	<p style="text-align: center;">ITEM NUMBER G.4.</p>

At the Common Council regular meeting of March 1, 2022, the Common Council elected to table the Comprehensive Master Plan Amendment Ordinance (as a prerequisite to a Rezoning Ordinance, which was also tabled, for the same property) to May 3, 2022 so that staff could provide further evaluation of options to approving the change in the Plan, which would have been altered via approval of an Ordinance to amend the *City of Franklin 2025 Comprehensive Master Plan* to change the City of Franklin 2025 Future Land Use Map for property bearing Tax Key Number 892-9999-002 from “Recreational” use and “Areas of Natural Resource Features” to “Residential” use, in order to provide consistency with a Rezoning Application also recommended for approval by the Plan Commission.

The change to the Comprehensive Master Plan would have triggered further changes to other adopted Plan policies (including the Southwest Area Sewer Plan, the Comprehensive Outdoor Recreation Plan, etc.) to match this action. Common Council instructed staff to review potential alternatives as part of the motion to Table to the May 3, 2022 meeting. As a result of this action on the Plan Amendment Ordinance, the Rezoning Application was also tabled to the May 3, 2022 meeting.

At this time, staff is continuing the review process as instructed by Common Council on March 1, 2022. Therefore, staff is requesting to Table this request until the Common Council meeting on June 21, 2022 to continue with this review.

COUNCIL ACTION REQUESTED

A motion to Table Ordinance 2022-_____, amending the *City of Franklin 2025 Comprehensive Master Plan* to change the City of Franklin 2025 Future Land Use Map for property bearing Tax Key Number 892-9999-002 from “Recreational” use and “Areas of Natural Resource Features” to “Residential” use.

<p>APPROVAL</p> <p><i>Slw</i></p>	<p>REQUEST FOR COUNCIL ACTION</p>	<p>MEETING DATE March 1, 2022</p>
<p>REPORTS & RECOMMENDATIONS</p>	<p>AN ORDINANCE TO AMEND THE CITY OF FRANKLIN 2025 COMPREHENSIVE MASTER PLAN TO CHANGE THE CITY OF FRANKLIN 2025 FUTURE LAND USE MAP FOR PROPERTY BEARING TAX KEY NUMBER 892-9999-002 FROM RECREATIONAL USE AND AREAS OF NATURAL RESOURCE FEATURES TO RESIDENTIAL USE (BY STEPHEN R. MILLS, PRESIDENT OF BEAR DEVELOPMENT, LLC, APPLICANT, IGNASIAK INVESTMENT COMPANY, LLC, PROPERTY OWNER)</p>	<p>ITEM NUMBER G.I.</p>

At the regular meeting of the Plan Commission on February 3, 2022, the following action was approved: a motion to adopt a Resolution recommending approval of an Ordinance to amend the *City of Franklin 2025 Comprehensive Master Plan* to change the City of Franklin 2025 Future Land Use Map for property bearing Tax Key Number 892-9999-002 from "Recreational" use and "Areas of Natural Resource Features" to "Residential" use, in order to provide consistency with a Rezoning Application also recommended for approval by the Plan Commission.

COUNCIL ACTION REQUESTED

A motion to approve Ordinance 2022-_____, amending the *City of Franklin 2025 Comprehensive Master Plan* to change the City of Franklin 2025 Future Land Use Map for property bearing Tax Key Number 892-9999-002 from "Recreational" use and "Areas of Natural Resource Features" to "Residential" use.

STATE OF WISCONSIN

CITY OF FRANKLIN

MILWAUKEE COUNTY
[Draft 01-24-22]

ORDINANCE NO. 2022-____

AN ORDINANCE TO AMEND THE CITY OF FRANKLIN 2025
COMPREHENSIVE MASTER PLAN TO CHANGE THE CITY OF FRANKLIN
2025 FUTURE LAND USE MAP FOR PROPERTY BEARING TAX KEY NUMBER 892-
9999-002, GENERALLY LOCATED ON THE EAST SIDE OF SOUTH 112TH STREET,
EAST OF THE RYAN MEADOWS SUBDIVISION AND WEST OF THE FRANKLIN
SAVANNA NATURAL AREA FROM RECREATIONAL USE AND AREAS OF
NATURAL RESOURCE FEATURES USE TO RESIDENTIAL USE
(TOTALING APPROXIMATELY 35 ACRES)
(STEPHEN R. MILLS, PRESIDENT OF BEAR DEVELOPMENT, LLC
(IGNASIAK INVESTMENT CO., LLC, PROPERTY OWNER)

WHEREAS, pursuant to Wis. Stat. §§ 62.23(2) and (3) and 66.1001(4), the City of Franklin is authorized to prepare and adopt and to amend a comprehensive plan as defined in Wis. Stat. §§ 66.1001(1)(a) and 66.1001(2); and

WHEREAS, Stephen R. Mills, President of Bear Development, LLC has applied for an amendment to the Comprehensive Master Plan to change the City of Franklin 2025 Future Land Use Map designation for the property bearing Tax Key Number 892-9999-002, generally located on the east side of South 112th Street, east of the Ryan Meadows subdivision and west of the Franklin Savanna Natural Area, from Recreational Use and Areas of Natural Resource Features Use to Residential Use; and

WHEREAS, the Plan Commission of the City of Franklin by a majority vote of the entire Commission on February 3, 2022, recorded in its official minutes, has adopted a resolution recommending to the Common Council the adoption of the Ordinance to Amend the City of Franklin 2025 Comprehensive Master Plan to change the City of Franklin 2025 Future Land Use Map for three properties generally located on the east side of South 112th Street, east of the Ryan Meadows subdivision and west of the Franklin Savanna Natural Area, from Recreational Use and Areas of Natural Resource Features Use to Residential Use; and

WHEREAS, the City of Franklin held a public hearing upon this proposed Ordinance, in compliance with the requirements of Wis. Stat. § 66.1001(4)(d); the Common Council having received input from the public at a duly noticed public hearing on March 1, 2022; and

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

SECTION 1: The City of Franklin 2025 Comprehensive Master Plan is hereby

amended to change the City of Franklin 2025 Future Land Use Map designation for the property bearing Tax Key Number 892-9999-002, generally located on the east side of South 112th Street, east of the Ryan Meadows subdivision and west of the Franklin Savanna Natural Area, from Recreational Use and Areas of Natural Resource Features Use to Residential Use. Such property is more particularly described within Resolution No. 2022 _____ of even-date herewith.

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 _____, 2022, by Alderman _____.

Passed and adopted by a majority vote of the members-elect of the Common Council at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2022.

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

STATE OF WISCONSIN

CITY OF FRANKLIN
PLAN COMMISSION

MILWAUKEE COUNTY

RESOLUTION NO. 2022-002

A RESOLUTION RECOMMENDING THE ADOPTION OF AN
ORDINANCE TO AMEND THE CITY OF FRANKLIN 2025
COMPREHENSIVE MASTER PLAN TO CHANGE THE CITY OF FRANKLIN
2025 FUTURE LAND USE MAP FOR PROPERTY BEARING TAX KEY NUMBER 892-
9999-002, GENERALLY LOCATED ON THE EAST SIDE OF SOUTH 112TH STREET,
EAST OF THE RYAN MEADOWS SUBDIVISION AND WEST OF THE FRANKLIN
SAVANNA NATURAL AREA FROM RECREATIONAL USE AND AREAS OF
NATURAL RESOURCE FEATURES USE TO RESIDENTIAL USE,
PURSUANT TO WIS. STAT. § 66.1001(4)(b)

WHEREAS, pursuant to Wis. Stat. §§ 62.23(2) and (3) and 66.1001(4), the City of Franklin is authorized to prepare and adopt and to amend a comprehensive plan as defined in Wis. Stat. §§ 66.1001(1)(a) and 66.1001(2); and

WHEREAS, pursuant to Wis. Stat. § 66.1001(4)(b), the Plan Commission may recommend the amendment of the Comprehensive Master Plan to the Common Council by adopting a resolution by a majority vote of the entire Commission, which vote shall be recorded in the official minutes of the Plan Commission; and

WHEREAS, Stephen R. Mills, President of Bear Development, LLC has applied for an amendment to the Comprehensive Master Plan to change the City of Franklin 2025 Future Land Use Map designation for the property generally located on the east side of South 112th Street, east of the Ryan Meadows subdivision and west of the Franklin Savanna Natural Area, from Recreational Use and Areas of Natural Resource Features Use to Residential Use, such property bearing Tax Key Number 892-9999-002, more particularly described as follows:

Lot 2 of Certified Survey Map No. 8293. Being the South 1/2 of the Southwest 1/4 of the Northwest 1/4 of Section 29 and the South 1/2 of the Southeast 1/4 of the Northeast 1/4 of Section 30, Town 5 North, Range 21 East in the City of Franklin, Milwaukee County, Wisconsin (total acreage approximately 35 acres); and

WHEREAS, the Plan Commission having determined that the proposed amendment, in form and content as presented to the Commission on February 3, 2022, is consistent with the Comprehensive Master Plan's goals, objectives and policies and in proper form and content for adoption by the Common Council as an amendment to the 2025 Comprehensive Master Plan, subject to such modifications the Common Council may consider reasonable and necessary, following public hearing, in order to protect and promote the health, safety

RESOLUTION NO. 2022 -002

Page 2

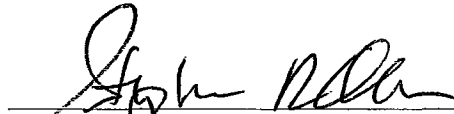
and welfare of the City of Franklin.

NOW, THEREFORE, BE IT RESOLVED, by the Plan Commission of the City of Franklin, Wisconsin, that the application for and the proposed ordinance to amend the City of Franklin 2025 Comprehensive Master Plan to change the City of Franklin 2025 Future Land Use Map designation for property bearing Tax Key Number 892-9999-002, generally located on the east side of South 112th Street, east of the Ryan Meadows subdivision and west of the Franklin Savanna Natural Area, from Recreational Use and Areas of Natural Resource Features Use to Residential Use, be and the same is hereby recommended for adoption and incorporation into the 2025 Comprehensive Master Plan by the Common Council.

Introduced at a regular meeting of the Plan Commission of the City of Franklin this 3rd day of February, 2022.


Passed and adopted at a regular meeting of the Plan Commission of the City of Franklin this 3rd day of February, 2022.

APPROVED:



Stephen R. Olson, Chairman

ATTEST:



Sandra L. Wesolowski, City Clerk

AYES 4 NOES 2 ABSENT 0

Planning Department
 9229 West Loomis Road
 Franklin, Wisconsin 53132
 generalplanning@franklinwi.gov
 (414) 425-4024
 franklinwi.gov



APPLICATION DATE: _____

STAMP DATE: _____ city use only _____

COMMON COUNCIL REVIEW APPLICATION

PROJECT INFORMATION [print legibly]

APPLICANT [FULL LEGAL NAMES]	APPLICANT IS REPRESENTED BY [CONTACT PERSON]
NAME: S.R. Mills	NAME: Daniel Szczap
COMPANY: Bear Development, LLC (Daniel Szczap)	COMPANY: Bear Development, LLC (Daniel Szczap)
MAILING ADDRESS: 4011 80th Street	MAILING ADDRESS: 4011 80th Street
CITY/STATE: Kenosha, WI ZIP: 53142	CITY/STATE: Kenosha, WI ZIP: 53142
PHONE: (262) 949-3788	PHONE: (262) 949-3788
EMAIL ADDRESS: dan@beardevelopment.com	EMAIL ADDRESS: dan@beardevelopment.com

PROJECT PROPERTY INFORMATION

PROPERTY ADDRESS: Vacant 112th Street	TAX KEY NUMBER: 892-9999-002
PROPERTY OWNER: Please see attached	PHONE:
MAILING ADDRESS:	EMAIL ADDRESS:
CITY/STATE: ZIP:	DATE OF COMPLETION: office use only

APPLICATION TYPE

Please check the application type that you are applying for

- Concept Review
 Comprehensive Master Plan Amendment
 Planned Development District
 Rezoning
 Special Use / Special Use Amendment
 Unified Development Ordinance Text Amendment

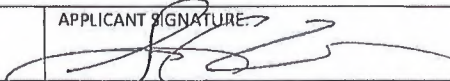
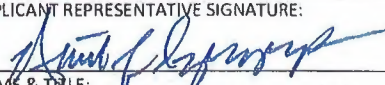
Most requests require Plan Commission review and Common Council approval.
 Applicant is responsible for providing Plan Commission resubmittal materials up to 12 copies pending staff request and comments.

SIGNATURES

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).

- I, the applicant, certify that I have read the following page detailing the requirements for plan commission and common council approval and submittals and understand that incomplete applications and submittals cannot be reviewed.

PROPERTY OWNER SIGNATURE:	APPLICANT SIGNATURE: 
NAME & TITLE: DATE:	NAME & TITLE: S.R. Mills, President DATE: 12/27/2021
PROPERTY OWNER SIGNATURE:	APPLICANT REPRESENTATIVE SIGNATURE: 
NAME & TITLE: DATE:	NAME & TITLE: Daniel Szczap, Project Manager DATE: 12/27/2021



August 18, 2021

Ignasiak Investment Company, LLC
Attn: Mike Ignasiak, Sr.
3132 Ravine Way
Green Bay, WI 54301

Re: Letter of Consent - Zoning and Comprehensive Plan Amendment for Bear Development

This letter certifies that Ignasiak Investment Company, LLC, Owner of Parcel Number 892-9999-002 and 937-9999-004, consent to have Bear Development submit applications for Comprehensive Plan Amendment (Recreational and Areas of Natural Resource Features to Residential) and Rezoning (A-2 Agriculture to R-5 Suburban Single Family).

Dated: 8/18, 2021

Owner:
Ignasiak Investment Company, LLC

By: 
(Authorized Signatory)



December 27, 2021

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

Re: Franklin Expansion Lands- Comprehensive Plan Amendment

Dear Mr. Martinez-Montilva:

Please accept this letter and the enclosed submittal materials as formal application for an amendment to the City of Franklin Comprehensive Plan. Bear Development LLC is contract purchaser of the subject property, acting on behalf, and with authorization, of the owner of record, Ignasiak Investment Company, LLC.

Project Summary

Bear Development, LLC is the contract purchaser of approximately 34.59 acres of land in the City of Franklin. The land is located on the east side of 112th Street and lies south of Ryan Road. The property is directly east of the Ryan Meadows Subdivision.

On August 17, 2021, Bear Development presented a Concept Plan for the subject property before the Common Council. The Concept Plan received generally positive comments as to the proposed use as a single-family neighborhood. As such, the applicant is seeking an amendment to the City Comprehensive Plan to achieve consistency.

Current Plan Designation- Ignasiak Investment Company, LLC

The subject property (approximately 34.54 acres) is located on the east side of 112th Street adjacent to Milwaukee County Park land known as the Franklin Savanna. The City Comprehensive Plan designates this property as Recreational.

Proposed Comprehensive -Ignasiak Investment Company, LLC

Bear Development and Ignasiak Investment Company, LLC respectfully request a Comprehensive Plan Amendment for the subject property to be changed from the designation "Recreation" to the "Residential" designation. While it is designated as Recreational, we understand there are no plans for either Milwaukee County or the City of Franklin to purchase the property and develop it as a public park. The property has been offered for sale for the past two (2) years.

A legal description and graphic exhibit are enclosed for your reference and review.

We feel the Conceptual Plan presented to the Common Council on August 17, 2021 offers a realistic future land use pattern when considering the current development/growth trends in the area and the public utilities that have been extended nearby. We submit that holding the subject property in a designation of Recreation precludes future development opportunities that can increase tax base on properties that are viable for development on public sewer and water.

Should you have any questions regarding this request, please do not hesitate to contact me. I can be reached at (262) 842-0556 or by email, dan@beardevelopment.com

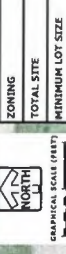
Thank you for your time and consideration.

Respectfully,

Daniel Szczap
Bear Development, LLC

SITE DATA TABLE

ZONING	R-5
TOTAL SITE	35.1 AC
MINIMUM LOT SIZE	13,000 S.F.
FRONT SETBACK	35 FT
SIDE SETBACK	10 FT
SIDE SETBACK (CORNER)	25 FT
REAR SETBACK	30 FT
R.O.W. FRONTAGE	90 FT
R.O.W. FRONTAGE (CORNER)	105 FT
TOTAL LOTS	63
PROPOSED ROADWAY LENGTH	4,443 LF



LAND USE = SF RESIDENTIAL
ZONING = R2 RESIDENTIAL

LAND USE = AGRICULTURE
ZONING = R2 RESIDENTIAL

LAND USE = SF RESIDENTIAL
ZONING = R1 RESIDENTIAL

LAND USE = AGRICULTURE
ZONING = R2 RESIDENTIAL

LAND USE = AGRICULTURE
ZONING = A2 AGRICULTURE



REPORT TO THE PLAN COMMISSION

Meeting of February 3, 2022

Comprehensive Master Plan Amendment and Rezoning

RECOMMENDATION: City Development Staff recommends denial of the Comprehensive Master Plan Amendment and Rezoning applications submitted by Bear Development, LLC.

Table with 2 columns: Field Name and Value. Fields include Project Name, Applicant, Agent, Project Address/Tax Key, Property Owner, Current Zoning, Proposed Zoning, 2025 Comprehensive Plan, Proposed amendment, Action Requested, and Staff.

Introduction

The applicant submitted Comprehensive Master Plan Amendment and Rezoning applications to allow for a future single-family residential subdivision with 63 lots on a 35-acre site.

Prior Actions

The Common Council heard a Concept Review for this development proposal on August 17, 2021. A public hearing was held before the Plan Commission on October 7, 2021, and continued to the next meeting on October 21, 2021, which reviewed a larger residential development project of 115 single family lots on 92 acres, followed by a reduced version of that application which would have been 48 lots on a 35-acre site. The Plan Commission recommendation deadlocked 3-3 for approval. Due to the nature of State Statutes, the Common Council was unable to take a vote following the public hearing for the Comprehensive Master Plan Amendment, and therefore was also unable to vote on the Rezoning application. The applicant withdrew those applications just prior to the Common Council meeting of November 4, 2021, although the public hearing on the Comprehensive Master Plan Amendment did take place. The applicant refiled these applications in mid-November with the reduced request of 48 lots on 35 acres, which were brought to the Plan Commission on December 9, 2021, for the Rezoning Application public hearing and the

recommendation on the Comprehensive Master Plan Amendment. The Plan Commission voted 2-2 on a recommendation of approval for the Plan Amendment, thus killing the applications a second time. The applicant refiled both applications on December 27, 2021, this time requesting approval for a concept that is now increased to 63 lots on 35 acres. This is the third time the Plan Commission will hold a public hearing on a Rezoning Application, with a recommendation on the Plan Amendment, for the subject property.

Comprehensive Master Plan Amendment

The current application site consists of 1 property (TKN 892-9999-002) which is designated as Recreational with inclusions along stream channels for Areas of Natural Resource Features. Given the proposed residential subdivision is not consistent with the Recreational designation of the City of Franklin 2025 Comprehensive Master Plan, the applicant is proposing to change the future land use designation from Recreational and Areas of Natural Resource Features to Residential. It is noted that other adopted planning policies, such as the Comprehensive Outdoor Recreation Plan 2025 (CORP) and the Post-Sanitary Sewer Scenario Map for the southwest portion of the city, also identify this area as recreational, specifically as a “Planned Regional Park”.

Rezoning

The subject property is zoned A-2 Prime Agricultural District with two stream corridors zoned C-1 Conservancy District, which is an obsolete zoning district because the current Unified Development Ordinance require protection of natural resources through conservation easements. The applicant is proposing to rezone the entire site to R-5 Suburban Single-Family Residential.

Project Description/Analysis

The applicant is seeking the rezoning and Comprehensive Master Plan amendment to allow for a 35-acre single-family residential subdivision with 63 lots designed to the development standards of the R-5 Suburban Single-Family Residence District, specifically a gross density of 1.83 dwelling units per acre. It should be noted that the revised Development Concept (attached) does not appear to reflect consideration of existing natural resource constraints on the subject property. This appears to be a “maximum build” concept. The applicant’s previous submission in December accounted substantially for natural resource protections on the subject property. It should be further noted that the applicant’s revised concept is also in line with the maximum yield in the R-5 District.

According to the project narrative submitted for the Concept Review, the estimated site improvement cost is 10 million dollars with a total project value of \$51.75 million dollars or \$562,500 per acre. The overall project cost will be reduced with the smaller project but the average value should be consistent.

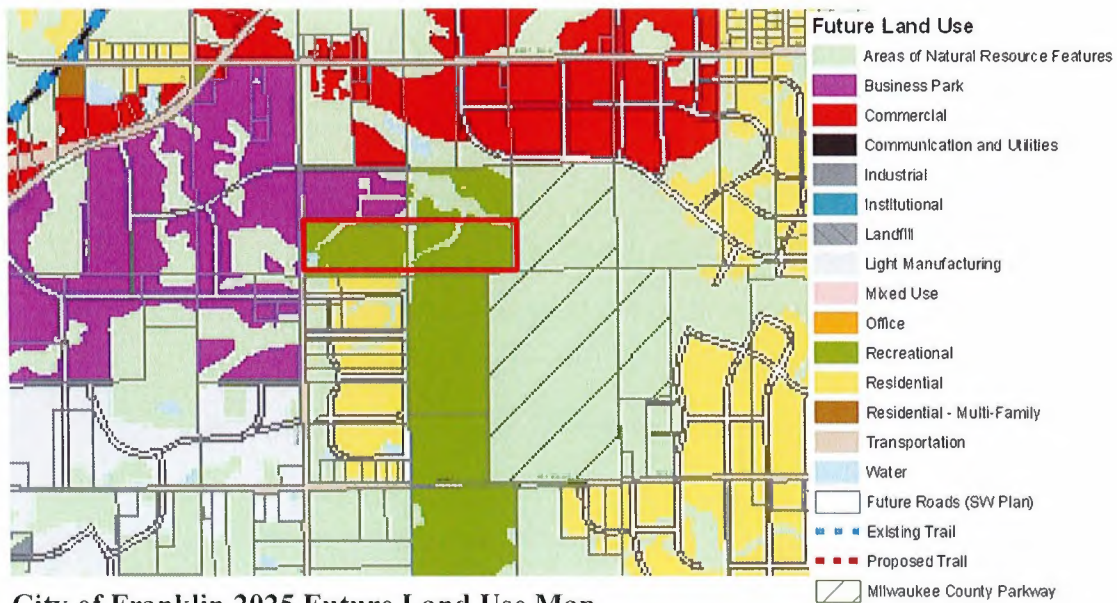
Current zoning

Approximately 94% (32 acres) of the site is currently zoned A-2 Prime Agricultural District. According to the Unified Development Ordinance Section 15-3.0315, the district’s intent is to “prevent the premature conversion of agricultural land to scattered Urban and Suburban uses such as residential, commercial and industrial uses”. It is noted that the A-2 district is limited to “prime agricultural lands”, therefore, this development proposal is contrary to the intent of this zoning district.

Consistency with adopted planning policies

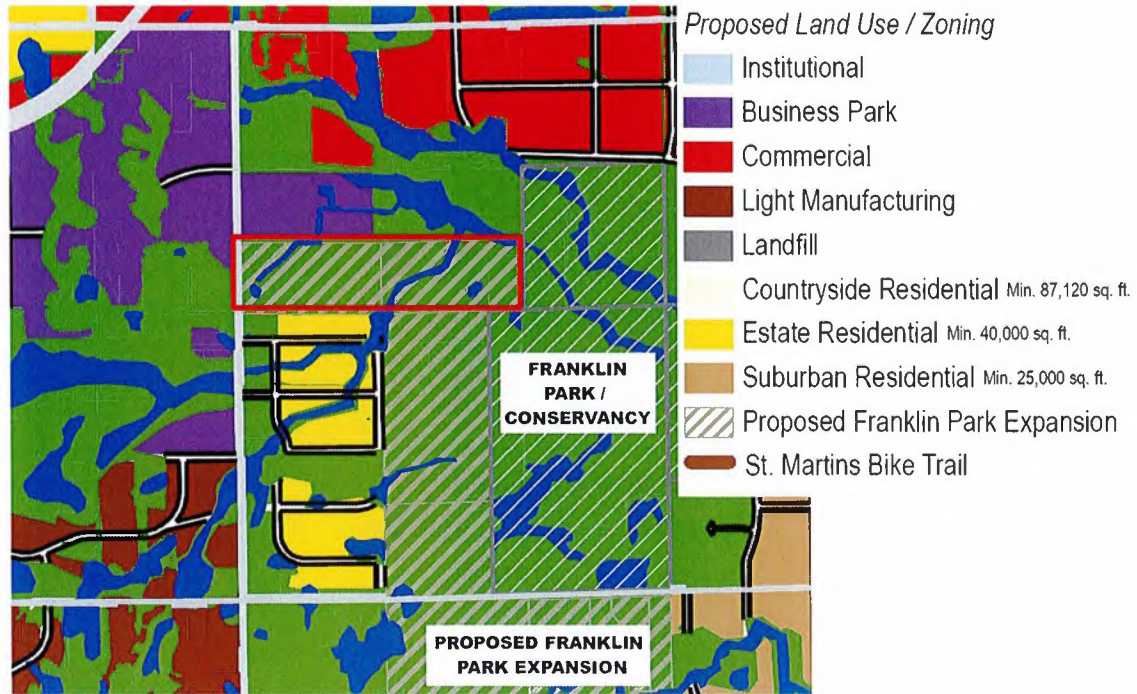
As part of the Concept Review last August, City Development staff informed the applicant that residential development at this location is not “consistent with” any of the adopted city plans, specifically the City of Franklin 2025 Comprehensive Master Plan, the Post Sanitary Sewer Scenario for the Southwest and the Comprehensive Outdoor Recreation Plan 2025 as noted below:

- a. **Not consistent with the city’s Comprehensive Plan.** The same area that it is currently zoned A-2 as noted above, it is designated as Recreational in the future land use map of the City of Franklin 2025 Comprehensive Master Plan. Therefore, this proposal is not consistent with the comprehensive plan. A city zoning ordinance is required to be consistent with the local comprehensive plan per Wisconsin Statutes §66.1001(3), “consistent with” means “furthers or does not contradict the objectives, goals, and policies contained in the comprehensive plan”.



- b. **Not consistent with the southwest subarea plan.** According to the Post-Sanitary Sewer Scenario Map for the southwest portion of the city, the area that is designated as Recreational in the Comprehensive Master Plan is identified as “Proposed Franklin Park Expansion”. This

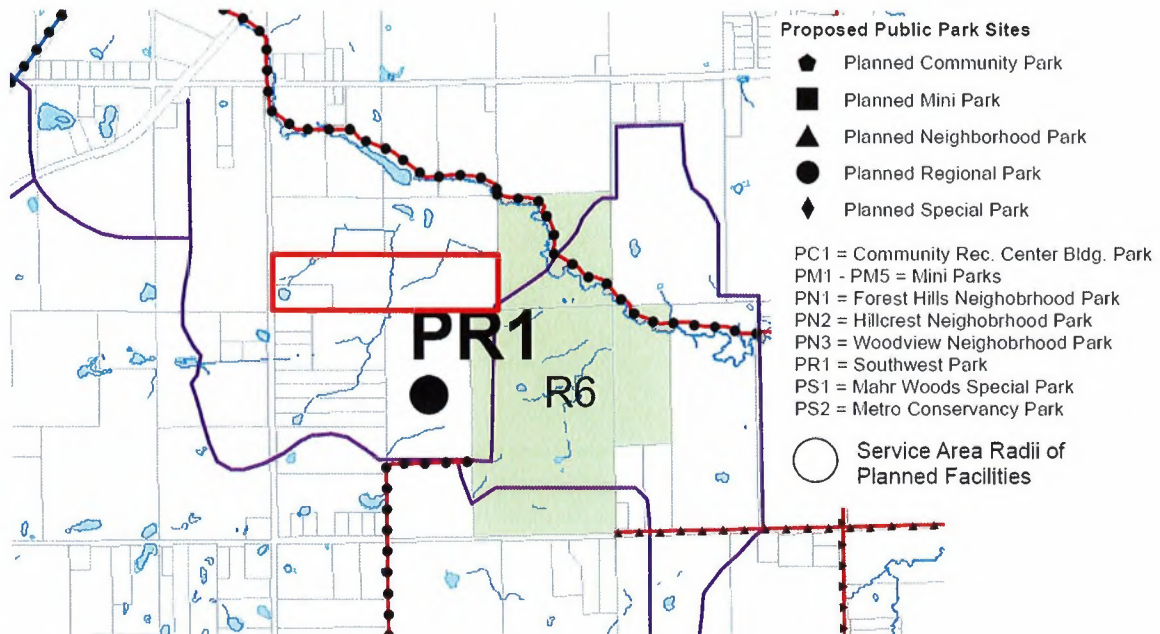
designation as park expansion area is related to the fact that this site is immediately adjacent to the Franklin Savanna Natural Area owned by Milwaukee County and labeled as “Franklin Park/Conservancy”.



Post-Sanitary Sewer Scenario Map (2009)

- c. **Not consistent with the Comprehensive Outdoor Recreation Plan 2025 (CORP).** Following the comprehensive plan and the southwest subarea plan, the “Existing and Planned Public Outdoor Recreation Sites” map of the CORP identifies this area as “Planned Regional Park” PR1. According to the CORP (Chapter 7, page 27), the recommended useable area for the “Southwest Park” should be at least 40 acres. The concept plan does not include any park dedication area, therefore, it is not consistent with the Comprehensive Outdoor Recreation Plan 2025.

Even though the subdivision design is not being reviewed at this time, it is worth noting that the Unified Development Ordinance (UDO) Section 15-5.0110 “Parks, playgrounds and other recreational and municipal facilities” requires that designated park areas shall be made part of the subdivision plat by either dedication of land, reservation or payment of development fee.



Existing and Planned Public Outdoor Recreation Sites map

Natural resources

As previously discussed in the Concept Review staff report, the proposed road layout would be crossing two wetlands, separate Natural Resource Special Exceptions would be required to allow for such wetland impacts in addition to state and federal wetland permits. It is worth noting that one of these wetland crossings would also impact environmental linkages identified in the Comprehensive Master Plan (Map 3.1). This linkage crossing is approximately located between lots 11 and 12. According to the Comprehensive Master Plan, wildlife crossings and culverts that allow for the passage of wildlife is recommended for roads that divide linkage areas.

The subject property was created by Certified Survey Map (CSM) No. 8293 which states that “The natural resource features identified on lot 2 are not based on field surveys in the event of further land division or development of lot 2 with any such natural resource feature, a complete natural resource protection plan with field survey is required”. The natural resources identified in the CSM include proposed wetland linkages per the Comprehensive Master Plan, woodlands per 2008 aerial photography and probable greenway connection per SEWRPC mapping (Southeast Wisconsin Regional Planning Commission).



City of Franklin Comprehensive Master Plan, Map 3.1 Linkages

Additional information

Fiscal Impact. Staff noted previously that single-family subdivision developments do not create tax revenues sufficient to cover the operational and maintenance costs associated with the public infrastructure developed or provided for support. In short, this development will cost more to the City over the long-term than it will generate in revenue.

Ryan Creek trail. It is worth noting that the city is evaluating a trail connection to the S. 116th Street trail as part of the Ryan Creek trail. The exact location has not been determined yet but this would be reviewed at the time of an eventual subdivision plat if the rezoning and comprehensive plan amendment are approved.

Milwaukee County Parks easement request. Bear Development applied for a “Milwaukee County Parks’ Land Utilization” to request consideration of a new sanitary sewer easement on County parkland known as the Franklin Savanna. Per input received from Milwaukee County Parks, “The proposal from Bear Development did not advance after being reviewed through the Land Utilization process. This decision was largely based on the high potential for environmental and hydrologic impacts caused from construction, as well as the need for routine maintenance access within a County natural area. Additionally, there appear to be several alternative routes within close proximity to the future development”, e-mail attached to the meeting packet.

City Departments comments

Comprehensive Master Plan amendment

- **Inspection Services Department.** Inspection Services has no comments on the proposal at this time.
- **Police Department.** The PD has no comment regarding this request.

Rezoning

- **Fire Department.** No comments at this time.
- **Police Department.** The PD has no comment regarding this request.

Staff Recommendation:

City Development staff recommends denial of the proposed Comprehensive Master Plan Amendment and Rezoning Application requests by Bear Development, LLC. The development as proposed appears to require significant additional follow-up applications just to make any development feasible on the subject property, and the applicant's concept design has been revised to maximize the R-5 density (117 times more dense than the existing permitted density), which makes an approval justification contradictory to the overall tenor of the City of Franklin 2025 Comprehensive Master Plan and the intent and purpose of the Unified Development Ordinance. In short, the development project is too dense for the subject property, given the natural resource constraints on-site.

However, should the Plan Commission wish to recommend approval, a draft Resolution recommending approval of the Comprehensive Master Plan Amendment, an Ordinance amending the Comprehensive Master Plan, and an Ordinance amending the Zoning Map are attached for review/revision and adoption.

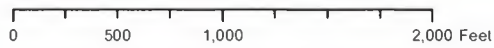
Exhibits:

1. Ordinance 2022 – Bear Development LLC Subdivision Zoning Map Amendment, draft dated January 24, 2022.
2. Ordinance 2022 – Bear Development LLC Subdivision Comprehensive Master Plan Amendment, draft dated January 24, 2022.
3. Resolution 2022 – Bear Development LLC Subdivision Plan Commission recommendation to Common Council on Comprehensive Master Plan Amendment, draft dated January 24, 2022.
4. Planning Maps (2 pages) showing subject property and surrounding area.
5. Revised Development Concept Design, submitted December 27, 2021.
6. Prior Development Concept Design, submitted November 12, 2021.
7. Signed Comprehensive Master Plan Amendment Application, dated December 27, 2021.
8. Request Letter for Comprehensive Master Plan Amendment, dated December 27, 2021.
9. Signed Rezoning Application, dated December 27, 2021.
10. Owners Consent Authorization, dated August 18, 2021.
11. Request Letter for Rezoning, dated December 27, 2021.
12. Legal Description of subject property.
13. Page 1 of CSM #8293, recorded October 11, 2010.
14. Conservation Easement for CSM #8293, as approved for recording September 2010.

0 S. 112th Street
TKN: 892 9999 002



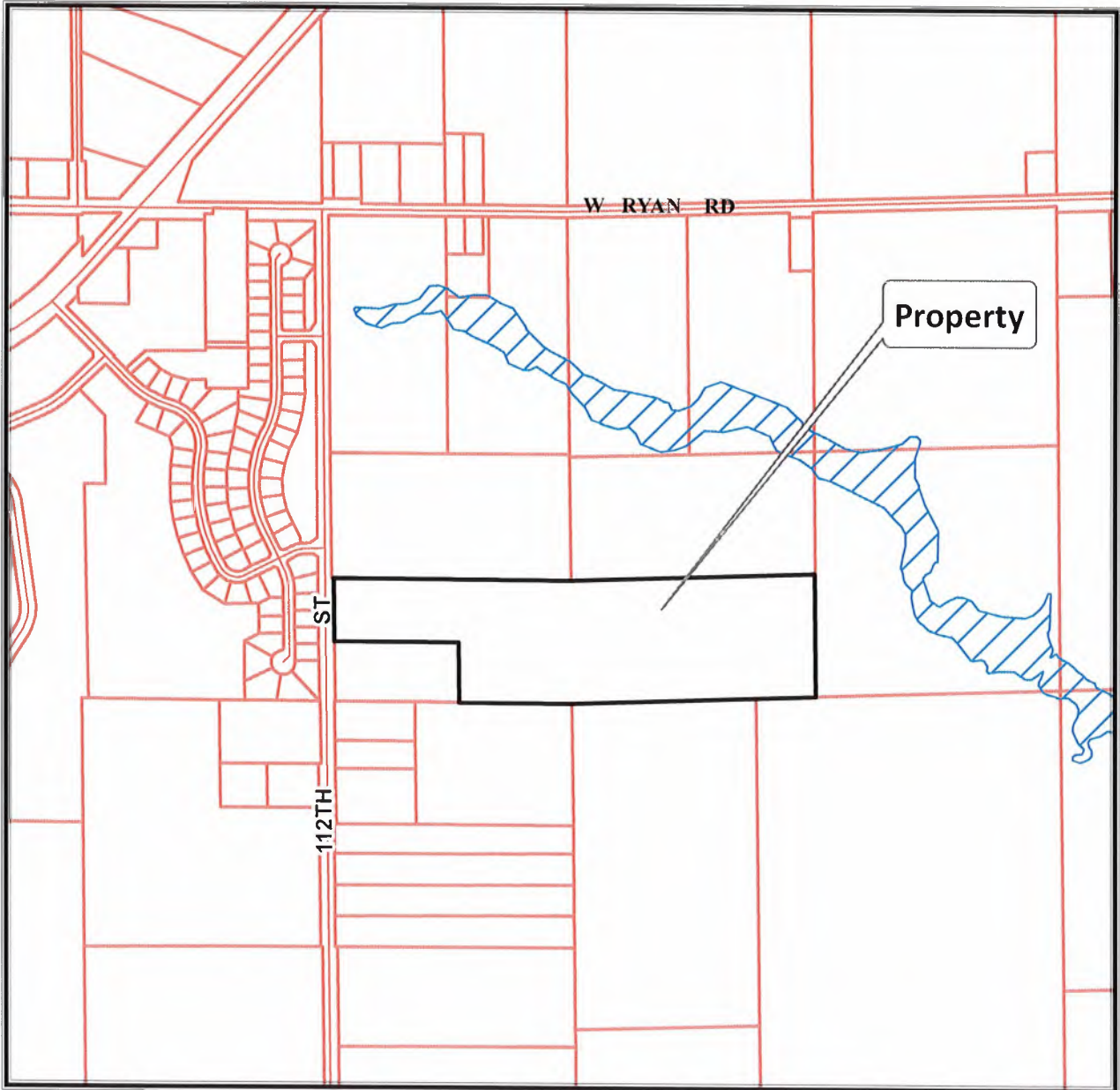
Planning Department
(414) 425-4024



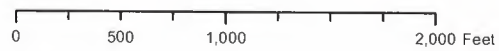
2021 Aerial Photo

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.

0 S. 112th Street
TKN: 892 9999 002



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.

<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 May 3, 2022</p>
<p style="text-align: center;">REPORTS & RECOMMENDATIONS</p>	<p style="text-align: center;">AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE (ZONING MAP) TO REZONE A CERTAIN PARCEL OF LAND BEARING TAX KEY NUMBER 892-9999-002 FROM A-2 PRIME AGRICULTURAL DISTRICT AND C-1 CONSERVANCY DISTRICT TO R-5 SUBURBAN SINGLE-FAMILY RESIDENCE DISTRICT (BY STEPHEN R. MILLS, PRESIDENT OF BEAR DEVELOPMENT, LLC, APPLICANT, IGNASIAK INVESTMENT COMPANY, LLC, PROPERTY OWNER)</p>	<p style="text-align: center;">ITEM NUMBER G.5.</p>

At the Common Council regular meeting of March 1, 2022, the Common Council elected to table the Rezoning Application (as a secondary motion to tabling the Comprehensive Master Plan Amendment Application for the same property) to May 3, 2022 so that staff could provide further evaluation of options to approving the change in the Plan, and subsequently the Zoning Map to rezone the property bearing Tax Key Number 892-9999-002 from A-2 Prime Agricultural District and C-1 Conservancy District to R-5 Suburban Single-Family Residence District.

At this time, staff is continuing the review process as instructed by Common Council on March 1, 2022. Therefore, staff is requesting to Table this request until the meeting on June 21, 2022 to continue said review.

COUNCIL ACTION REQUESTED

A motion to Table Ordinance 2022-_____, amending the Unified Development Ordinance (Zoning Map) to rezone the property bearing Tax Key Number 892-9999-002 from A-2 Prime Agricultural District and C-1 Conservancy District to R-5 Suburban Single-Family Residence District, until the June 21, 2022 Common Council meeting.

<p>APPROVAL <i>Slw</i></p>	<p>REQUEST FOR COUNCIL ACTION</p>	<p>MEETING DATE March 1, 2022</p>
<p>REPORTS & RECOMMENDATIONS</p>	<p>AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE (ZONING MAP) TO REZONE A CERTAIN PARCEL OF LAND BEARING TAX KEY NUMBER 892-9999-002 FROM A-2 PRIME AGRICULTURAL DISTRICT AND C-1 CONSERVANCY DISTRICT TO R-5 SUBURBAN SINGLE-FAMILY RESIDENCE DISTRICT (BY STEPHEN R. MILLS, PRESIDENT OF BEAR DEVELOPMENT, LLC, APPLICANT, IGNASIAK INVESTMENT COMPANY, LLC, PROPERTY OWNER)</p>	<p>ITEM NUMBER G.2.</p>

At the regular meeting of the Plan Commission on February 3, 2022, following a properly noticed public hearing, the following action was approved: a motion to recommend approval of an Ordinance amending the Unified Development Ordinance (Zoning Map) to rezone the property bearing Tax Key Number 892-9999-002 from A-2 Prime Agricultural District and C-1 Conservancy District to R-5 Suburban Single-Family Residence District.

COUNCIL ACTION REQUESTED

A motion to approve Ordinance 2022-_____, amending the Unified Development Ordinance (Zoning Map) to rezone the property bearing Tax Key Number 892-9999-002 from A-2 Prime Agricultural District and C-1 Conservancy District to R-5 Suburban Single-Family Residence District.

STATE OF WISCONSIN

CITY OF FRANKLIN

MILWAUKEE COUNTY

[Draft 01-24-22]

ORDINANCE NO. 2022-____

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT
ORDINANCE (ZONING MAP) TO REZONE A CERTAIN PARCEL OF LAND
BEARING TAX KEY NUMBER 892-9999-002 FROM A-2 PRIME AGRICULTURAL
DISTRICT AND C-1 CONSERVANCY DISTRICT TO R-5 SUBURBAN SINGLE-
FAMILY RESIDENCE DISTRICT (GENERALLY LOCATED ON THE EAST SIDE OF
SOUTH 112TH STREET, EAST OF THE RYAN MEADOWS SUBDIVISION AND
WEST OF THE FRANKLIN SAVANNA NATURAL AREA)
(APPROXIMATELY 35 ACRES)
(STEPHEN R. MILLS, PRESIDENT OF BEAR DEVELOPMENT, LLC, APPLICANT)

WHEREAS, Stephen R. Mills, President of Bear Development, LLC having petitioned for the rezoning of approximately 35 acres of land, from A-2 Prime Agricultural District and C-1 Conservancy District to R-5 Suburban Single-Family Residence District, such land generally located on the east side of South 112th Street, east of the Ryan Meadows subdivision and west of the Franklin Savanna Natural Area; and

WHEREAS, a public hearing was held before the City of Franklin Plan Commission on the 3rd day of February, 2022, upon the aforesaid petition and the Plan Commission thereafter having determined that the proposed rezoning would promote the health, safety and welfare of the City and having recommended approval thereof to the Common Council; 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 rezoning is consistent with the 2025 Comprehensive Master Plan of the City of Franklin, Wisconsin and would 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: §15-3.0102 (Zoning Map) of the Unified Development Ordinance of the City of Franklin, Wisconsin, is hereby amended to provide that the zoning district designation for land generally located on the east side of South 112th Street, east of the Ryan Meadows subdivision and west of the Franklin Savanna Natural Area, described below, be changed from A-2 Prime Agricultural District and C-1 Conservancy District to R-5 Suburban Single-Family Residence District:

Lot 2 of Certified Survey Map No. 8293. Being the South 1/2 of the Southwest 1/4 of the Northwest 1/4 of Section 29 and the South 1/2 of the Southeast 1/4 of the Northeast 1/4 of Section 30, Town 5 North, Range 21 East in the City of Franklin, Milwaukee County, Wisconsin. Tax Key Number 892-9999-002.

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 _____, 2022, by Alderman _____.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2022.

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____



December 27, 2021

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

Re: Rezoning – Franklin Expansion Lands

Dear Mr. Martinez Montilva:

Bear Development is pleased to submit this letter and the enclosed submittal materials as formal application for rezoning. Bear Development is acting with authorization of the owner of record, Ignasiak Investment Company.

Project Summary

Bear Development, LLC is the contract purchaser of approximately 34.59 acres of land in the City of Franklin. The land is located on the east side of 112th Street and south of Ryan Road. Bear Development is respectfully requesting a zoning amendment for the entire property to facilitate a single-family neighborhood. A Conceptual Plan was presented to the Franklin Common Council on August 17, 2021. Common Council comments were perceived as positive with no major objections raised.

Current Use

The subject property (approximately 34.59 acres) is actively farmed for row crops. There are scattered wetlands on the property and established tree lines which separate agricultural fields

Current Zoning- Ignasiak Investment Company, LLC

The subject property is currently zoned A-2 Agriculture with two (2) small areas of C1 Conservancy zoning which follow assumed waterways.

Adjacent Zoning

North: R-2 Residential

South: R-1 and R-2 Residential

East: P1 Parks (Franklin Savanna)

West: R-6, R-1 and R-2 Residential

Adjacent Land Use

North: Agriculture

South: Agriculture

East: Public Lands

West: Residential and Agriculture

Proposed Zoning

Bear Development, LLC is respectfully requesting zoning reclassification of the subject property to the R-5 Suburban Single Family Residence District.

Proposed Land Use

Bear Development is proposing a single-family neighborhood for the subject property. The Conceptual Plan was presented to the Common Council on August 17, 2021. Generally, the feedback from Council was positive and there were no major objections to the proposed plan.

Bear Development, LLC has retained the services of Pinnacle Engineering Group to develop the Conceptual Site Plan, which is enclosed for your review and reference and is considered a working document. Upon favorable hearing, we will advance the Concept Plan into full engineering design.

We feel the Site Plan offers a realistic land use pattern for this area of Franklin considering the recent development trends and the extension of public sewer and water to this area. The Concept Plan and subsequent land divisions will create a land use pattern that is consistent and compatible with the properties in the general area.

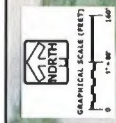
Should you have any questions regarding this request, please do not hesitate to contact me. I can be reached at (262) 842-0556 or by email, dan@beardevelopment.com

Thank you for your time and consideration.

Sincerely,

Daniel Szczap
Bear Development, LLC

SITE DATA TABLE	
ZONING	R-5
TOTAL SITE	35.1 AC
MINIMUM LOT SIZE	13,000 S.F.
FRONT SETBACK	35 FT
SIDE SETBACK	10 FT
REAR SETBACK	25 FT
R.O.W. FRONTAGE	30 FT
R.O.W. FRONTAGE (CORNER)	90 FT
R.O.W. FRONTAGE (CORNER)	105 FT
TOTAL LOTS	63
PROPOSED ROADWAY LENGTH	4,483 LF



LAND USE: AGRICULTURE
ZONING: R2 RESIDENTIAL

LAND USE: PARK
ZONING: P1 PARK

LAND USE: SF RESIDENTIAL
ZONING: R1 RESIDENTIAL

LAND USE: AGRICULTURE
ZONING: R2 RESIDENTIAL

LAND USE: AGRICULTURE
ZONING: R2 AGRICULTURE

Planning Department
 9229 West Loomis Road
 Franklin, Wisconsin 53132
generalplanning@franklinwi.gov
 (414) 425-4024
franklinwi.gov



APPLICATION DATE: _____
 STAMP DATE: _____ city use only

COMMON COUNCIL REVIEW APPLICATION

PROJECT INFORMATION [print legibly]

APPLICANT [FULL LEGAL NAMES]	APPLICANT IS REPRESENTED BY [CONTACT PERSON]
NAME: S.R. Mills	NAME: Daniel Szczap
COMPANY: Bear Development, LLC (Daniel Szczap)	COMPANY: Bear Development, LLC (Daniel Szczap)
MAILING ADDRESS: 4011 80th Street	MAILING ADDRESS: 4011 80th Street
CITY/STATE: Kenosha, WI ZIP: 53142	CITY/STATE: Kenosha, WI ZIP: 53142
PHONE: (262) 949-3788	PHONE: (262) 949-3788
EMAIL ADDRESS: dan@beardevelopment.com	EMAIL ADDRESS: dan@beardevelopment.com

PROJECT PROPERTY INFORMATION

PROPERTY ADDRESS: Vacant 112th Street	TAX KEY NUMBER: 892-9999-002
PROPERTY OWNER: Please see attached	PHONE:
MAILING ADDRESS:	EMAIL ADDRESS:
CITY/STATE: ZIP:	DATE OF COMPLETION: office use only

APPLICATION TYPE

Please check the application type that you are applying for

- Concept Review
 Comprehensive Master Plan Amendment
 Planned Development District
 Rezoning
 Special Use / Special Use Amendment
 Unified Development Ordinance Text Amendment

Most requests require Plan Commission review and Common Council approval.
 Applicant is responsible for providing Plan Commission resubmittal materials up to 12 copies pending staff request and comments.

SIGNATURES

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).

I, the applicant, certify that I have read the following page detailing the requirements for plan commission and common council approval and submittals and understand that incomplete applications and submittals cannot be reviewed.

PROPERTY OWNER SIGNATURE:	APPLICANT SIGNATURE:
NAME & TITLE: DATE:	NAME & TITLE: S.R. Mills, President DATE: 12/27/2021
PROPERTY OWNER SIGNATURE:	APPLICANT REPRESENTATIVE SIGNATURE:
NAME & TITLE: DATE:	NAME & TITLE: Daniel Szczap, Project Manager DATE: 12/27/2021



August 18, 2021

Ignasiak Investment Company, LLC
Attn: Mike Ignasiak, Sr.
3132 Ravine Way
Green Bay, WI 54301

Re: Letter of Consent – Zoning and Comprehensive Plan Amendment for Bear Development

This letter certifies that Ignasiak Investment Company, LLC, Owner of Parcel Number 892-9999-002 and 937-9999-004, consent to have Bear Development submit applications for Comprehensive Plan Amendment (Recreational and Areas of Natural Resource Features to Residential) and Rezoning (A-2 Agriculture to R-5 Suburban Single Family).

Dated 8/18 2021

Owner:
Ignasiak Investment Company, LLC

By: 
(Authorized Signatory)



REPORT TO THE PLAN COMMISSION

Meeting of February 3, 2022

Comprehensive Master Plan Amendment and Rezoning

RECOMMENDATION: City Development Staff recommends denial of the Comprehensive Master Plan Amendment and Rezoning applications submitted by Bear Development, LLC.

Table with 2 columns: Label (Project Name, Applicant, Agent, Project Address/Tax Key, Property Owner, Current Zoning, Proposed Zoning, 2025 Comprehensive Plan, Proposed amendment, Action Requested, Staff) and Value (112th Street properties residential subdivision, Bear Development, LLC, Daniel Szczap. Bear Development, LLC, 892-9999-002, Ignasiak Investment Co LLC, A-2 Prime Agricultural District & C-1 Conservancy District, R-5 Suburban Single-Family Residence District, Recreational and areas of natural resource features, Residential, Recommendation for approval of rezoning and Comprehensive Master Plan amendment, Heath Eddy, AICP, Planning Manager)

Introduction

The applicant submitted Comprehensive Master Plan Amendment and Rezoning applications to allow for a future single-family residential subdivision with 63 lots on a 35-acre site.

Prior Actions

The Common Council heard a Concept Review for this development proposal on August 17, 2021. A public hearing was held before the Plan Commission on October 7, 2021, and continued to the next meeting on October 21, 2021, which reviewed a larger residential development project of 115 single family lots on 92 acres, followed by a reduced version of that application which would have been 48 lots on a 35-acre site. The Plan Commission recommendation deadlocked 3-3 for approval. Due to the nature of State Statutes, the Common Council was unable to take a vote following the public hearing for the Comprehensive Master Plan Amendment, and therefore was also unable to vote on the Rezoning application. The applicant withdrew those applications just prior to the Common Council meeting of November 4, 2021, although the public hearing on the Comprehensive Master Plan Amendment did take place. The applicant refiled these applications in mid-November with the reduced request of 48 lots on 35 acres, which were brought to the Plan Commission on December 9, 2021, for the Rezoning Application public hearing and the

recommendation on the Comprehensive Master Plan Amendment. The Plan Commission voted 2-2 on a recommendation of approval for the Plan Amendment, thus killing the applications a second time. The applicant refiled both applications on December 27, 2021, this time requesting approval for a concept that is now increased to 63 lots on 35 acres. This is the third time the Plan Commission will hold a public hearing on a Rezoning Application, with a recommendation on the Plan Amendment, for the subject property.

Comprehensive Master Plan Amendment

The current application site consists of 1 property (TKN 892-9999-002) which is designated as Recreational with inclusions along stream channels for Areas of Natural Resource Features. Given the proposed residential subdivision is not consistent with the Recreational designation of the City of Franklin 2025 Comprehensive Master Plan, the applicant is proposing to change the future land use designation from Recreational and Areas of Natural Resource Features to Residential. It is noted that other adopted planning policies, such as the Comprehensive Outdoor Recreation Plan 2025 (CORP) and the Post-Sanitary Sewer Scenario Map for the southwest portion of the city, also identify this area as recreational, specifically as a “Planned Regional Park”.

Rezoning

The subject property is zoned A-2 Prime Agricultural District with two stream corridors zoned C-1 Conservancy District, which is an obsolete zoning district because the current Unified Development Ordinance require protection of natural resources through conservation easements. The applicant is proposing to rezone the entire site to R-5 Suburban Single-Family Residential.

Project Description/Analysis

The applicant is seeking the rezoning and Comprehensive Master Plan amendment to allow for a 35-acre single-family residential subdivision with 63 lots designed to the development standards of the R-5 Suburban Single-Family Residence District, specifically a gross density of 1.83 dwelling units per acre. It should be noted that the revised Development Concept (attached) does not appear to reflect consideration of existing natural resource constraints on the subject property. This appears to be a “maximum build” concept. The applicant’s previous submission in December accounted substantially for natural resource protections on the subject property. It should be further noted that the applicant’s revised concept is also in line with the maximum yield in the R-5 District.

According to the project narrative submitted for the Concept Review, the estimated site improvement cost is 10 million dollars with a total project value of \$51.75 million dollars or \$562,500 per acre. The overall project cost will be reduced with the smaller project but the average value should be consistent.

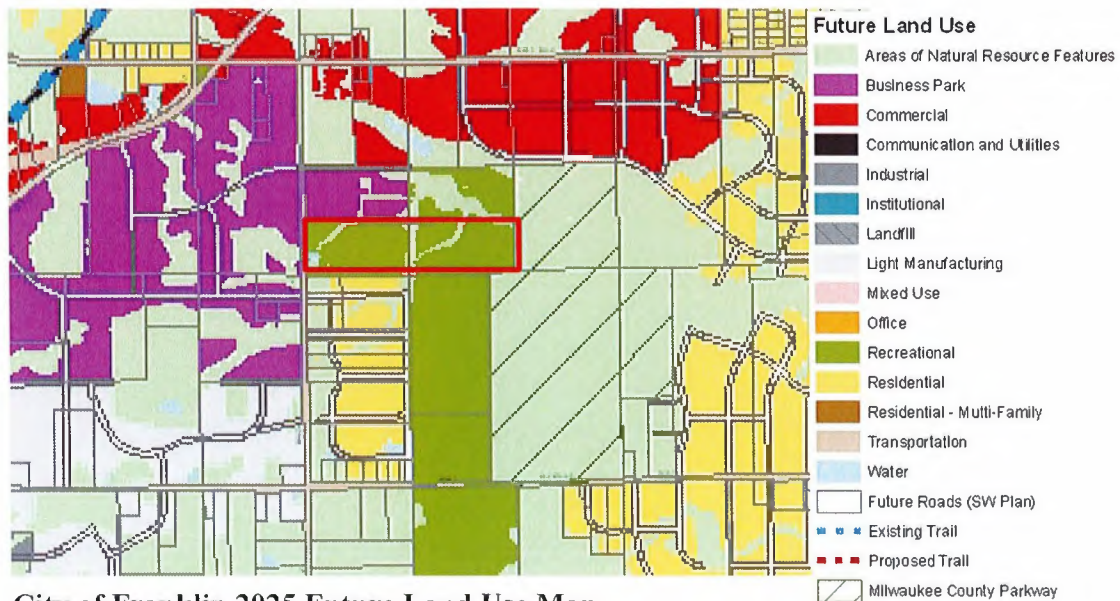
Current zoning

Approximately 94% (32 acres) of the site is currently zoned A-2 Prime Agricultural District. According to the Unified Development Ordinance Section 15-3.0315, the district’s intent is to “prevent the premature conversion of agricultural land to scattered Urban and Suburban uses such as residential, commercial and industrial uses”. It is noted that the A-2 district is limited to “prime agricultural lands”, therefore, this development proposal is contrary to the intent of this zoning district.

Consistency with adopted planning policies

As part of the Concept Review last August, City Development staff informed the applicant that residential development at this location is not “consistent with” any of the adopted city plans, specifically the City of Franklin 2025 Comprehensive Master Plan, the Post Sanitary Sewer Scenario for the Southwest and the Comprehensive Outdoor Recreation Plan 2025 as noted below:

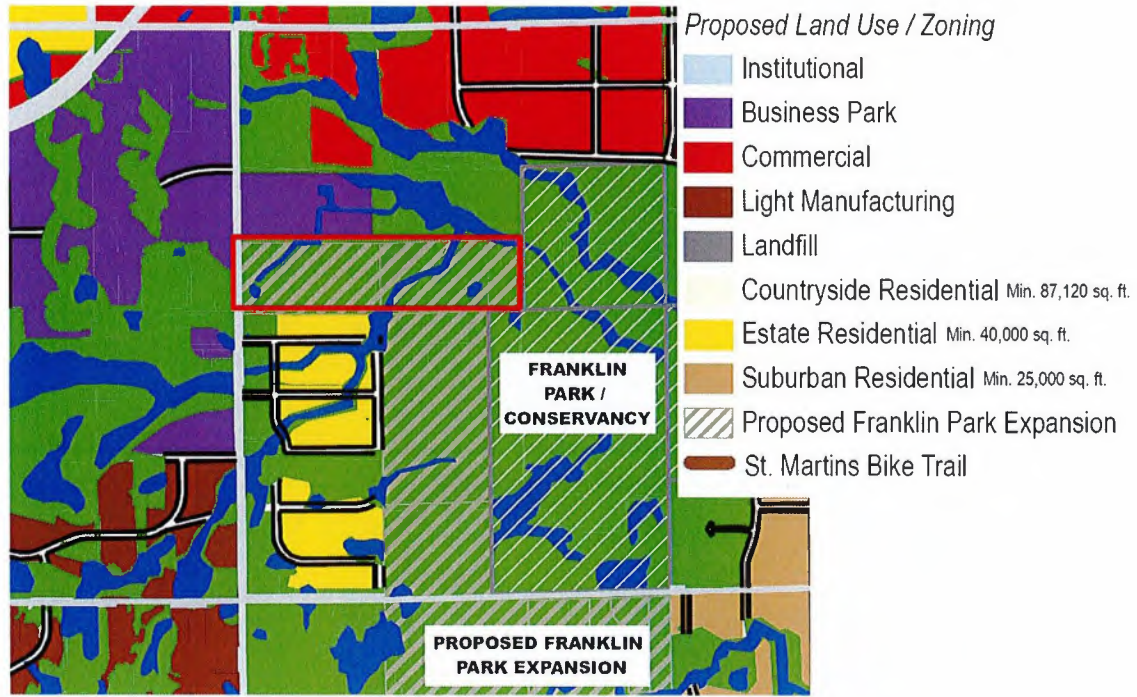
- a. **Not consistent with the city’s Comprehensive Plan.** The same area that it is currently zoned A-2 as noted above, it is designated as Recreational in the future land use map of the City of Franklin 2025 Comprehensive Master Plan. Therefore, this proposal is not consistent with the comprehensive plan. A city zoning ordinance is required to be consistent with the local comprehensive plan per Wisconsin Statutes §66.1001(3), “consistent with” means “furthers or does not contradict the objectives, goals, and policies contained in the comprehensive plan”.



City of Franklin 2025 Future Land Use Map

- b. **Not consistent with the southwest subarea plan.** According to the Post-Sanitary Sewer Scenario Map for the southwest portion of the city, the area that is designated as Recreational in the Comprehensive Master Plan is identified as “Proposed Franklin Park Expansion”. This

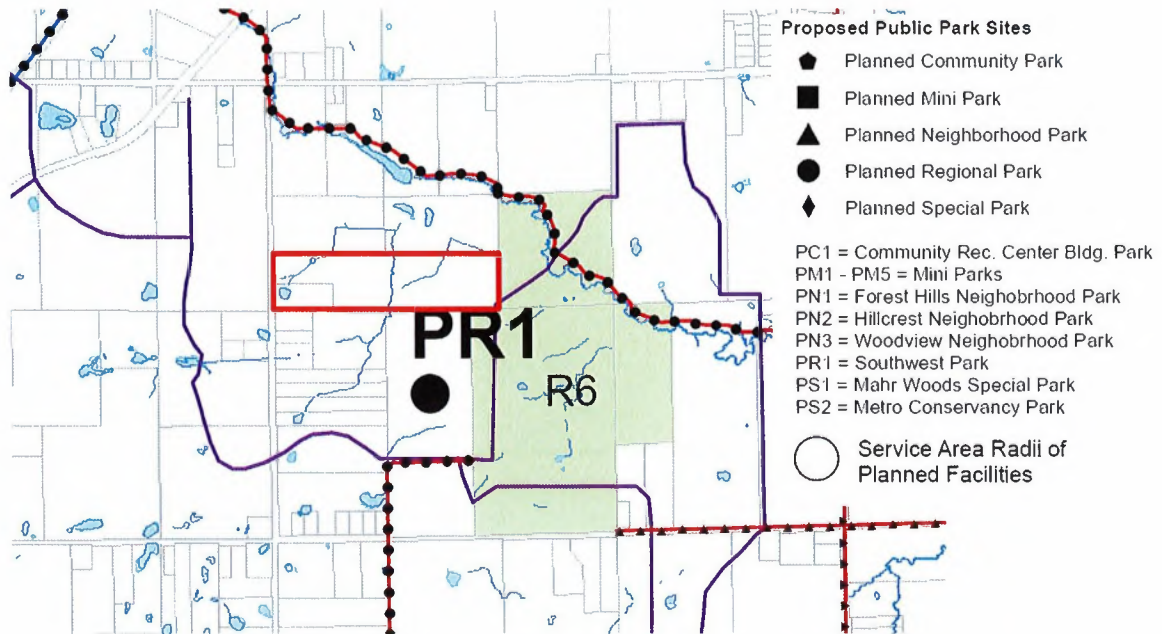
designation as park expansion area is related to the fact that this site is immediately adjacent to the Franklin Savanna Natural Area owned by Milwaukee County and labeled as “Franklin Park/Conservancy”.



Post-Sanitary Sewer Scenario Map (2009)

- c. **Not consistent with the Comprehensive Outdoor Recreation Plan 2025 (CORP).** Following the comprehensive plan and the southwest subarea plan, the “Existing and Planned Public Outdoor Recreation Sites” map of the CORP identifies this area as “Planned Regional Park” PR1. According to the CORP (Chapter 7, page 27), the recommended useable area for the “Southwest Park” should be at least 40 acres. The concept plan does not include any park dedication area, therefore, it is not consistent with the Comprehensive Outdoor Recreation Plan 2025.

Even though the subdivision design is not being reviewed at this time, it is worth noting that the Unified Development Ordinance (UDO) Section 15-5.0110 “Parks, playgrounds and other recreational and municipal facilities” requires that designated park areas shall be made part of the subdivision plat by either dedication of land, reservation or payment of development fee.

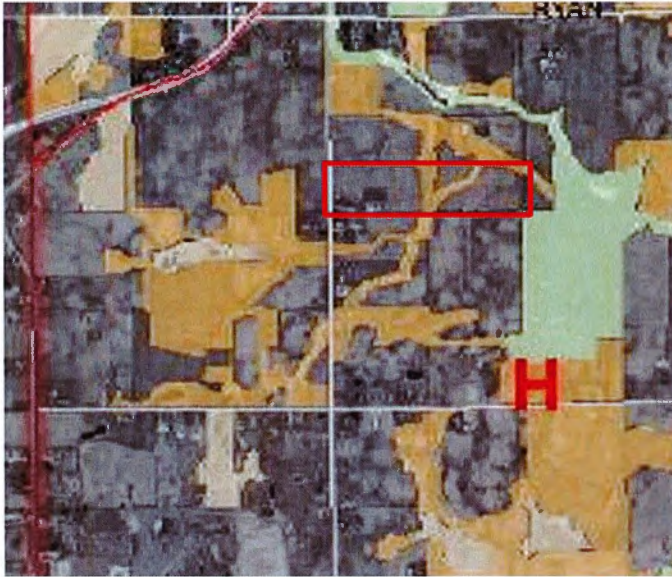


Existing and Planned Public Outdoor Recreation Sites map

Natural resources

As previously discussed in the Concept Review staff report, the proposed road layout would be crossing two wetlands, separate Natural Resource Special Exceptions would be required to allow for such wetland impacts in addition to state and federal wetland permits. It is worth noting that one of these wetland crossings would also impact environmental linkages identified in the Comprehensive Master Plan (Map 3.1). This linkage crossing is approximately located between lots 11 and 12. According to the Comprehensive Master Plan, wildlife crossings and culverts that allow for the passage of wildlife is recommended for roads that divide linkage areas.

The subject property was created by Certified Survey Map (CSM) No. 8293 which states that “The natural resource features identified on lot 2 are not based on field surveys in the event of further land division or development of lot 2 with any such natural resource feature, a complete natural resource protection plan with field survey is required”. The natural resources identified in the CSM include proposed wetland linkages per the Comprehensive Master Plan, woodlands per 2008 aerial photography and probable greenway connection per SEWRPC mapping (Southeast Wisconsin Regional Planning Commission).



City of Franklin Comprehensive Master Plan, Map 3.1 Linkages

Additional information

Fiscal Impact. Staff noted previously that single-family subdivision developments do not create tax revenues sufficient to cover the operational and maintenance costs associated with the public infrastructure developed or provided for support. In short, this development will cost more to the City over the long-term than it will generate in revenue.

Ryan Creek trail. It is worth noting that the city is evaluating a trail connection to the S. 116th Street trail as part of the Ryan Creek trail. The exact location has not been determined yet but this would be reviewed at the time of an eventual subdivision plat if the rezoning and comprehensive plan amendment are approved.

Milwaukee County Parks easement request. Bear Development applied for a “Milwaukee County Parks’ Land Utilization” to request consideration of a new sanitary sewer easement on County parkland known as the Franklin Savanna. Per input received from Milwaukee County Parks, “The proposal from Bear Development did not advance after being reviewed through the Land Utilization process. This decision was largely based on the high potential for environmental and hydrologic impacts caused from construction, as well as the need for routine maintenance access within a County natural area. Additionally, there appear to be several alternative routes within close proximity to the future development”, e-mail attached to the meeting packet.

City Departments comments

Comprehensive Master Plan amendment

- **Inspection Services Department.** Inspection Services has no comments on the proposal at this time.
- **Police Department.** The PD has no comment regarding this request.

Rezoning

- **Fire Department.** No comments at this time.
- **Police Department.** The PD has no comment regarding this request.

Staff Recommendation:

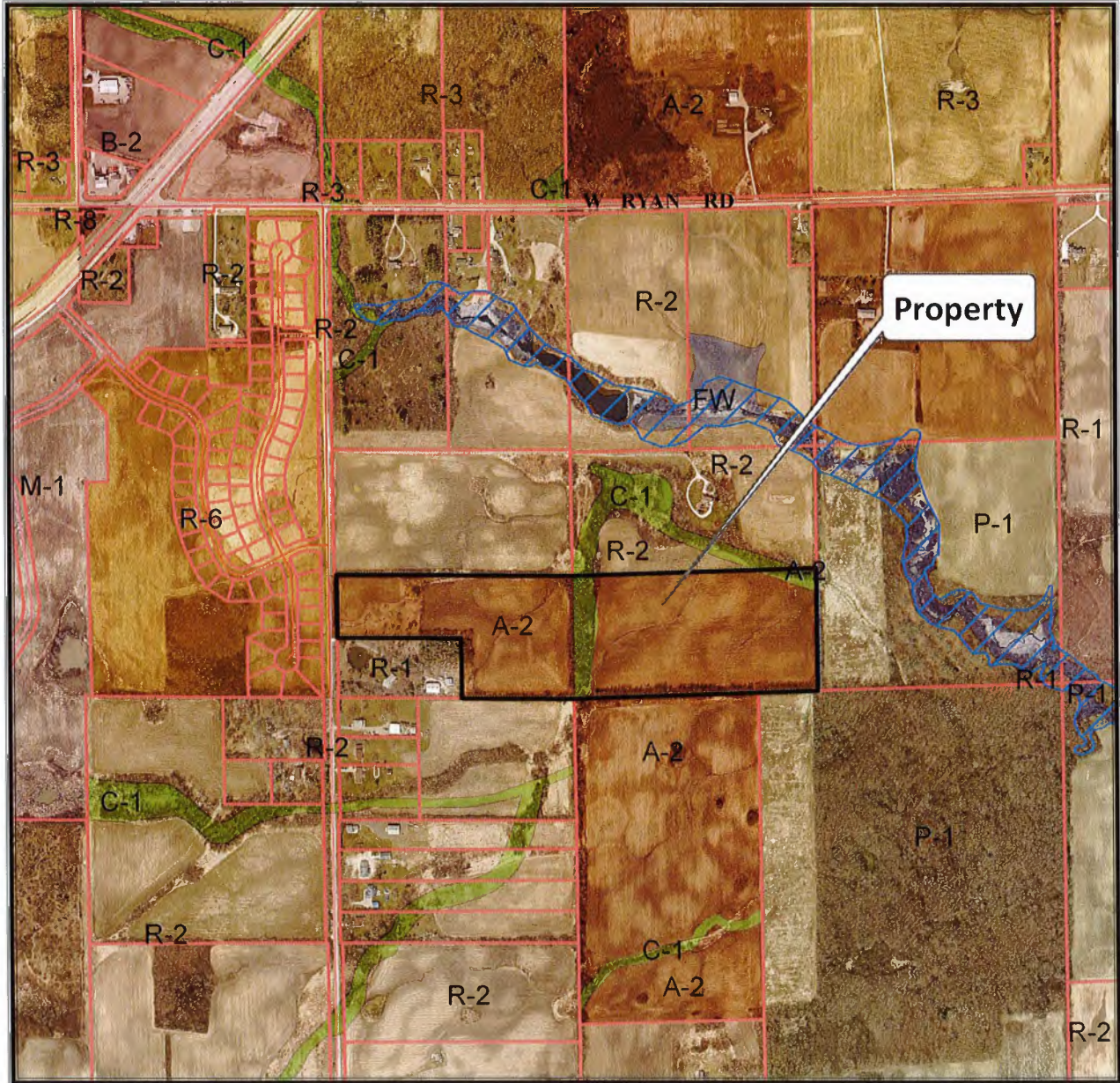
City Development staff recommends denial of the proposed Comprehensive Master Plan Amendment and Rezoning Application requests by Bear Development, LLC. The development as proposed appears to require significant additional follow-up applications just to make any development feasible on the subject property, and the applicant's concept design has been revised to maximize the R-5 density (117 times more dense than the existing permitted density), which makes an approval justification contradictory to the overall tenor of the City of Franklin 2025 Comprehensive Master Plan and the intent and purpose of the Unified Development Ordinance. In short, the development project is too dense for the subject property, given the natural resource constraints on-site.

However, should the Plan Commission wish to recommend approval, a draft Resolution recommending approval of the Comprehensive Master Plan Amendment, an Ordinance amending the Comprehensive Master Plan, and an Ordinance amending the Zoning Map are attached for review/revision and adoption.

Exhibits:

1. Ordinance 2022 – Bear Development LLC Subdivision Zoning Map Amendment, draft dated January 24, 2022.
2. Ordinance 2022 – Bear Development LLC Subdivision Comprehensive Master Plan Amendment, draft dated January 24, 2022.
3. Resolution 2022 – Bear Development LLC Subdivision Plan Commission recommendation to Common Council on Comprehensive Master Plan Amendment, draft dated January 24, 2022.
4. Planning Maps (2 pages) showing subject property and surrounding area.
5. Revised Development Concept Design, submitted December 27, 2021.
6. Prior Development Concept Design, submitted November 12, 2021.
7. Signed Comprehensive Master Plan Amendment Application, dated December 27, 2021.
8. Request Letter for Comprehensive Master Plan Amendment, dated December 27, 2021.
9. Signed Rezoning Application, dated December 27, 2021.
10. Owners Consent Authorization, dated August 18, 2021.
11. Request Letter for Rezoning, dated December 27, 2021.
12. Legal Description of subject property.
13. Page 1 of CSM #8293, recorded October 11, 2010.
14. Conservation Easement for CSM #8293, as approved for recording September 2010.

0 S. 112th Street
TKN: 892 9999 002



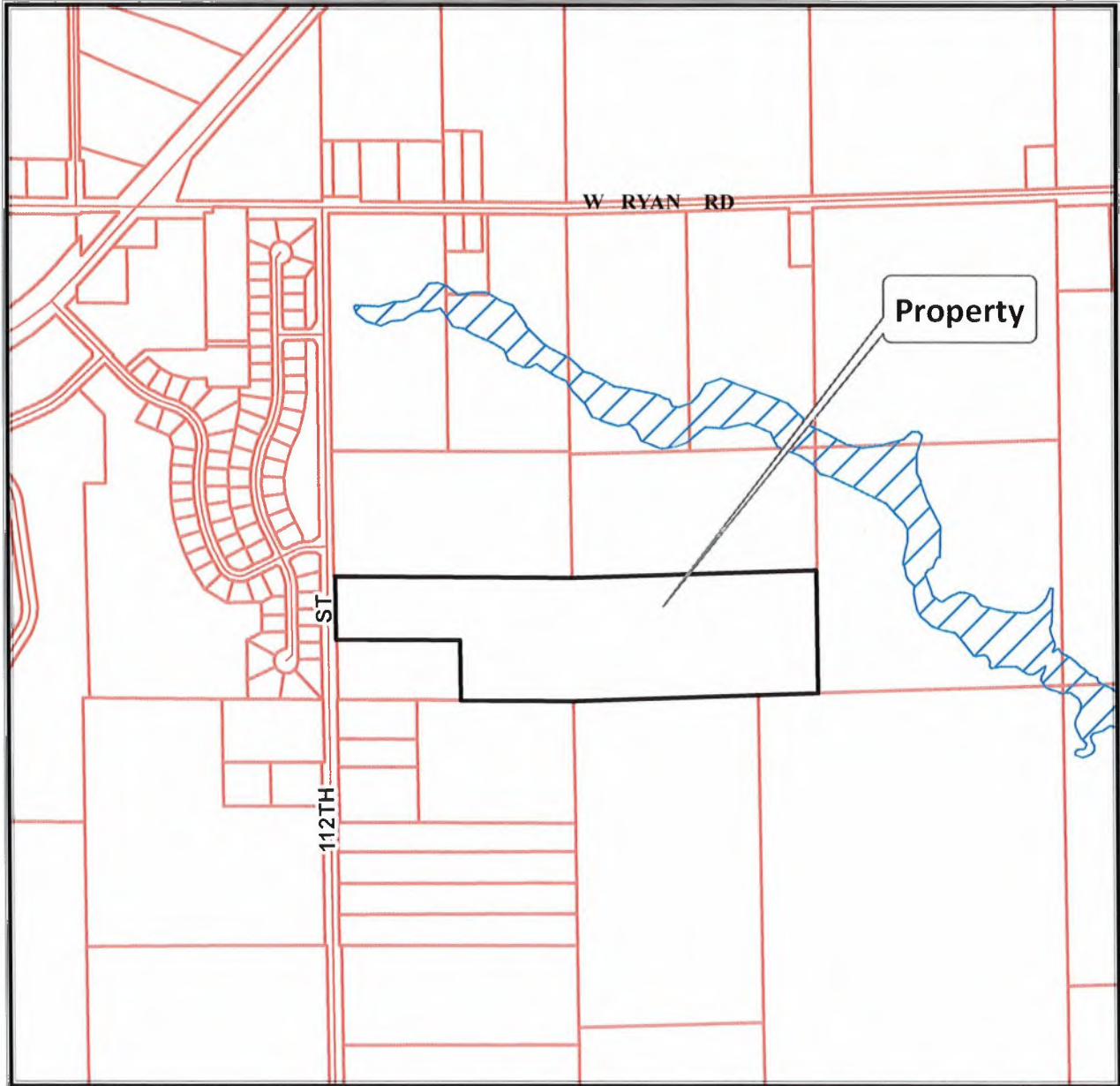
Planning Department
(414) 425-4024



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.

0 S. 112th Street
TKN: 892 9999 002



Planning Department
(414) 425-4024

0 500 1,000 2,000 Feet



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.

<p style="text-align: center;">APPROVAL <i>Slur</i></p>	<p style="text-align: center;">REQUEST FOR COUNCIL ACTION</p>	<p style="text-align: center;">MEETING DATE May 3, 2022</p>
<p style="text-align: center;">REPORTS & RECOMMENDATIONS</p>	<p style="text-align: center;">STANDARDS, FINDINGS AND DECISION OF THE CITY OF FRANKLIN COMMON COUNCIL UPON THE APPLICATION OF FIDUCIARY REAL ESTATE DEVELOPMENT, INC., APPLICANT, FOR A SPECIAL EXCEPTION TO CERTAIN NATURAL RESOURCE PROVISIONS OF THE CITY OF FRANKLIN UNIFIED DEVELOPMENT ORDINANCE</p>	<p style="text-align: center;">ITEM NUMBER G.6.</p>

The applicant's Natural Resource Special Exception (NRSE) request is for impacts to Wetland, Wetland Buffer and Wetland Setback areas for the development of 252 multi-family apartment units on two parcels totaling approximately 24 acres in area. (Common Council approved a Special Use Application for this property in March.) The request was for a total of

- Delineated Wetland: 671 square feet of disturbance (528 square feet of temporary disturbance, 143 square feet of permanent impact)
- Wetland Buffer: 8,018 square feet of disturbance (4,990 square feet of temporary disturbance, 3,028 square feet of permanent impact)
- Wetland Setback: 27,935 square feet of disturbance (24,251 square feet of temporary disturbance, 3,684 square feet of permanent impact)
- The provision of mitigation areas totaling 1,949.14 square feet of compensatory wetland and 99,185 square feet of additional wetland buffer, including provisions for restoration of areas of temporary disturbance and planting of mitigation areas (the minimums per the City of Franklin Unified Development Ordinance (UDO) would be 1,006.34 square feet of wetland and 7,485 square feet of wetland buffer); and
- The provision of Conservation Easements on delineated wetlands, wetland buffers and wetland setbacks, including proposed mitigation areas, sufficient to meet or exceed the requirements of the UDO.

At their meeting on March 23, 2022, the Environmental Commission reviewed this Application and recommended approval with conditions as set forth in the attached City of Franklin Environmental Commission document.

The public hearing for this item was held by the Plan Commission on April 21, 2022. One member of the public spoke at the public hearing with concerns related to disturbance of wetland and opposed such impacts. Following a properly noticed public hearing, the Plan Commission moved to recommend approval of the request by Fiduciary Real Estate Development, Inc. for a Natural Resource Features Special Exception, to allow for temporary and permanent impacts to delineated Wetland, Wetland Buffer and Wetland Setback, pursuant to the Standards, Findings and Decision recommended by the Plan Commission and Common Council consideration of the Environmental Commission recommendations. The Plan Commission's recommendations have been reflected in the Decision section of the attached draft Standards, Findings, and Decision document. The Staff Report to Plan Commission and related materials are attached for further information on the nature of the natural resource impact request.

COUNCIL ACTION REQUESTED

Adopt the standards, findings and decision of the City of Franklin Common Council upon the application of Stephen R. Mills, President of Bear Development, LLC, applicant, for a special exception to certain natural resource provisions of the City of Franklin Unified Development Ordinance.

Draft 4/21/22

Standards, Findings and Decision
of the City of Franklin Common Council upon the Application of Fiduciary Real
Estate Development, Inc., applicant, for a Special Exception
to Certain Natural Resource Provisions of the City of Franklin
Unified Development Ordinance

Whereas, Fiduciary Real Estate Development, Inc., applicant, having filed an application dated January 28, 2022, for a Special Exception pursuant to Section 15-9.0110 of the City of Franklin Unified Development Ordinance pertaining to the granting of Special Exceptions to Stream, Shore Buffer, Navigable Water-related, Wetland, Wetland Buffer and Wetland Setback Provisions, and Improvements or Enhancements to a Natural Resource Feature; a copy of said application being annexed hereto and incorporated herein as Exhibit A; and

Whereas, the application having been reviewed by the City of Franklin Environmental Commission and the Commission having made its recommendation upon the application, a copy of said recommendation dated March 23, 2022 being annexed hereto and incorporated herein as Exhibit B; and

Whereas, following a public hearing before the City of Franklin Plan Commission, the Plan Commission having reviewed the application and having made its recommendation thereon as set forth upon the report of the City of Franklin Planning Department, a copy of said report dated April 21, 2022 being annexed hereto and incorporated herein as Exhibit C; and

Whereas, the properties which are the subject of the application for a Special Exception are located at 9801 South 27th Street and 9605 South 29th Street, zoned B-4 South 27th Street Mixed Use Commercial District, and such properties are more particularly described upon Exhibit D annexed hereto and incorporated herein; and

Whereas, Section 15-10.0208B. of the City of Franklin Unified Development Ordinance, as amended by Ordinance No. 2003-1747, pertaining to the granting of Special Exceptions to Stream, Shore Buffer, Navigable Water-related, Wetland, Wetland Buffer and Wetland Setback Provisions, and Improvements or Enhancements to a Natural Resource Feature, provides in part: “The decision of the Common Council upon any decision under this Section shall be in writing, state the grounds of such determination, be filed in the office of the City Planning Manager and be mailed to the applicant.”

Now, Therefore, the Common Council makes the following findings pursuant to Section 15-10.0208B.2.a., b. and c. of the Unified Development Ordinance upon the application for a Special Exception dated January 28, 2022, by Fiduciary Real

Estate Development, Inc., applicant, pursuant to the City of Franklin Unified Development Ordinance, the proceedings heretofore had and the recitals and matters incorporated as set forth above, recognizing the applicant as having the burden of proof to present evidence sufficient to support the following findings and that such findings be made by not less than four members of the Common Council in order to grant such Special Exception.

1. That the condition(s) giving rise to the request for a Special Exception were not self-imposed by the applicant (this subsection a. does not apply to an application to improve or enhance a natural resource feature): *but rather, the applicant is proposing a design that utilizes the existing unapproved crossings over the narrow portion of the Site. The condition pre-existed the applicant and therefore is not self-created.*

2. That compliance with the stream, shore buffer, navigable water-related, wetland, wetland buffer, and wetland setback requirement will:

a. be unreasonably burdensome to the applicant and that there are no reasonable practicable alternatives: *the limitation on site access creates significant burdens for development of the site. Not permitting the wetland crossing and impacts to Wetland Buffers and Setbacks would remove 45% of the site from the development, which would make development largely infeasible. The proposed impact to the natural resource is minor, and the applicant's proposed mitigation is significantly larger than required; or*

b. unreasonably and negatively impact upon the applicant's use of the property and that there are no reasonable practicable alternatives: *the site is a defunct landscaping operation with potentially significant environmental contamination. The proposed development would remove the derelict structures and potential contamination and create a development with significant upside for the community.*

3. The Special Exception, including any conditions imposed under this Section will:

a. be consistent with the existing character of the neighborhood: *the proposed development with the grant of a Special Exception as requested will be consistent with the existing character of the neighborhood; and*

b. not effectively undermine the ability to apply or enforce the requirement with respect to other properties: *the proposed impacts are within the operational capacity of the City, and Wetland fill activities are already approved by the WDNR; and*

c. be in harmony with the general purpose and intent of the provisions of this Ordinance proscribing the requirement: *the nature of this request is entirely in keeping with the provisions of the Unified Development Ordinance for this type of application, and is generally what this type of request was intended to resolve, and*

d. preserve or enhance the functional values of the stream or other navigable water, shore buffer, wetland, wetland buffer, and/or wetland setback in co-existence with the development: *(this finding only applying to an application to improve or enhance a natural resource feature).*

The Common Council considered the following factors in making its determinations pursuant to Section 15-10.0208B.2.d. of the Unified Development Ordinance.

1. Characteristics of the real property, including, but not limited to, relative placement of improvements thereon with respect to property boundaries or otherwise applicable setbacks: *proposed impacts will occur within the site and do not extend past the property line Impacts to stormwater as suggested by adjacent neighbors should be addressed with the stormwater management planning and implementation process by the City.*
2. Any exceptional, extraordinary, or unusual circumstances or conditions applying to the lot or parcel, structure, use, or intended use that do not apply generally to other properties or uses in the same district: *the extraordinary condition is a wetland complex which bisects the property and would render 45% of the site undevelopable absent relief from the protection standards in UDO §15-4.0101 and the determination requirements of UDO §15-4.0102.*
3. Existing and future uses of property; useful life of improvements at issue; disability of an occupant: *the proposed use has been affirmed through the existing B-4 District zoning of the property and the approval of a Special Use application by the Common Council and Site Plan approval by the Plan Commission.*
4. Aesthetics: *the proposed development will be a significant shift in the character of the site and will result in significant improvements to the overall character of the area.*
5. Degree of noncompliance with the requirement allowed by the Special Exception: *the proposed development and the request for relief under the Special Exception is minimal and well within the operational capacity of the Unified Development Ordinance. The applicant is not requesting relief beyond what is essential in order to gain development feasibility.*
6. Proximity to and character of surrounding property: *proposed impacts will occur within the site and do not extend past the property line. The nearest point of development to the proposed impacts under consideration with this Special Exception is over 340 feet to the west*
7. Zoning of the area in which property is located and neighboring area: *Surrounding zoning consists R-3 Suburban/Estate Single-Family Residence, B-4, B-7 South 27th*

Street Mixed Use Office; PDD-33 (Staybridge Hotel and Walgreens); and Industrial zoning in the City of Oak Creek The area adjacent to R-3 District zoning is proposed to remain a largely intact mature woodland Bufferyard, with enhanced landscaping proposed by the applicant

8. Any negative affect upon adjoining property: *No negative affect upon adjoining property is perceived.*

9. Natural features of the property: *The applicant proposed to impact Young Woodlands up to 50 percent of those located onsite and approximately 19 percent of the Mature Woodlands located onsite, but these are within the operational limits of UDO §15-4 0101*

10. Environmental impacts: *There are no proposed environmental impacts beyond what is already permitted under the WDNR General Permit.*

11. A recommendation from the Environmental Commission as well as a review and recommendation prepared by an Environmental Commission-selected person knowledgeable in natural systems: *The Environmental Commission recommendation and its reference to the report of March 23, 2022 is incorporated herein.*

12. The practicable alternatives analysis required by Section 15-9.0110C.4. of the Unified Development Ordinance and the overall impact of the entire proposed use or structure, performance standards and analysis with regard to the impacts of the proposal, proposed design solutions for any concerns under the Ordinance, executory actions which would maintain the general intent of the Ordinance in question, and other factors relating to the purpose and intent of the Ordinance section imposing the requirement: *The Plan Commission recommendation and the Environmental Commission recommendation address these factors and are incorporated herein*

Decision

Upon the above findings and all of the files and proceedings heretofore had upon the subject application, the Common Council hereby grants a Special Exception for such relief as is described within Exhibit C, upon the conditions:

- 1) that the natural resource features and mitigation areas upon the properties to be developed be protected by a perpetual conservation easement to be approved by the Common Council prior to any development within the areas for which the Special Exception is granted prior to prior to any land disturbing activities.;*
- 2) that the applicant obtain all other necessary approval(s) from all other applicable governmental agencies prior to any development within the areas for which the Special Exception is granted,*
- 3) that all development within the areas for which the Special Exception is granted shall proceed pursuant to and be governed by the approved Natural Resource Protection Plan and all other applicable plans for Anthony DeRosa, Fiduciary Real*

Estate Development, Inc , applicant, and all other applicable provisions of the Unified Development Ordinance.

4) that the applicant shall provide for financial sureties for implementation of restoration.

5) that the applicant shall place boulders or other markers to demarcate the wetland setback on the property

6) that the applicant shall make required technical corrections (UDO §15-4 0102 and §15-7 0200) to Natural Resource Protection Plans, subject to staff approval, prior to the commencement of any land disturbance.

7) that the applicant shall provide for restoration of native wetland species in the mitigation areas.

The duration of this grant of Special Exception is permanent

Introduced at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2022.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2022.

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 21, 2022

Natural Resource Special Exception

RECOMMENDATION: Staff recommends the Plan Commission forward a recommendation of approval for the Natural Resource Features Special Exception for the levels of impact and for the proposed mitigation plan.

Project Name:	The Seasons at Franklin
Project Location:	9801 South 27 th Street, 9605 South 29 th Street (Tax Key No: 902-9965-006 & 902-9966-001)
Property Owner:	CCM-9801 27 th Franklin LLC
Applicant:	Fiduciary Real Estate Development, Inc.
Agent:	Anthony DeRosa, Fiduciary Real Estate Development, Inc.
Current Zoning:	B-4 South 27 th Street Mixed Use Commercial District
2025 Comprehensive Plan:	Mixed Use and Areas of Natural Resource Features
Applicant's Action Requested:	Recommendation to the Plan Commission for approval of the Natural Resource Special Exception Application
Planner:	Heath Eddy, AICP, Planning Manager

On January 6, 2022, the applicant submitted an application requesting approval of a Natural Resource Special Exception to allow for grading and construction related to the development of a 252-unit multifamily apartment complex on the site of the former Nature's Nook. The request is for impacts to wetlands, wetland buffer and setback.

Pursuant to Section 15-10.0208 of the Unified Development Ordinance (UDO), all requests for a Natural Resource Special Exception shall be provided to the Environmental Commission for its review and recommendation.

Project Description:

This site is located along South 27th Street about 1,100 feet south of Ryan Road (STH 100) and just south of Oak Creek (the physical creek, not the City). The natural of the property lines relative to natural resource features to be protected is the basis for this application.

The applicant proposes 12 buildings on the 24.02--acre property to accommodate a total of 252 2-story residential units of varying size (ranging from studios to 3-bedroom units, with the majority either 1- or 2-bedroom units) with parking facilities including attached garages, some detached garage units, and open parking spaces. The development will be located across from Southbranch Boulevard (located in the City of Oak Creek). Site Intensity calculations have been prepared (§15-3.0500), and the proposed development meets specifications regarding "site intensity" or balance of developed land to open space. The proposed development will be served by municipal water and public sanitary sewer.

The property is currently vacant, but was previously the Nature’s Nook landscaping business. The property still shows some of the remainder of the former operation, and that also forms a justification for this application and request. Staff notes that the Site Plan application for this development was approved by the Plan Commission on March 3, 2022, with the Special Use recommended for approval to Common Council. The Common Council is slated to review this request at their March 15, 2022 meeting.

A Natural Resource Protection Plan (NRPP) has been completed for the development as part of these approvals. The property contains approximately 2.22 acres of wetlands, both in a complex on the northeast side of the property, and along a narrow drainage channel running southwest and bisecting the property north and south. A small portion of the property is in the floodplain for Oak Creek. The property also features just under 3 acres of young woodland and 2.17 acres of mature woodland; the applicant proposes to impact approximately 50 percent of the young woodland, and about 19 percent of the mature woodland, both of which fall within the disturbance limits of the Unified Development Ordinance (contained in Table 15-4.0100, below).

Table 15-4.0100						
Natural Resource Protection Standards						
Natural Resource Feature	Zoning District Type					
	Agricultural (g)		Residential (a), (g)		Nonresidential (b), (g)	
	Protection Standard	Mitigation Permitted	Protection Standard	Mitigation Permitted	Protection Standard	Mitigation Permitted
Steep Slopes:	0%	N/A	60% (d)	No	40% (d)	No
10-19%	65% (d)	No	75% (d)	No	70% (d)	No
20-30%	90% (d)	No	85% (d)	No	80% (d)	No
+30%						
Woodlands & Forests:	70% (d)(e)	No	70% (d)(e)	No	70% (e)	Yes
Mature	50% (d)(e)	No	50% (e)	Yes	50% (e)	Yes
Young						
Lakes & Ponds	100% (d)	No	100%	Yes	100%	Yes
Streams	100% (c)(d)	No	100% (c)(d)	No	100% (c)(d)	No
Shore Buffers	100% (c)(d)	No	100% (c)(d)	No(f)	100% (c)(d)	No(f)
Flood- plains/ Flood- ways	100% (c)(d)	No	100% (c)(d)	No	100%(c)	Yes
Wetlands & Shoreland	100% (c)(d)	No	100% (c)(d)	No	100% (c)	Yes
Wetlands						
Wetland Buffers	100% (c)(d)	No	100% (c)(d)	No	100% (c)	Yes

NATURAL RESOURCE SPECIAL EXCEPTION REQUEST

The applicant has provided the attached Natural Resource Special Exception Application, Questionnaire, Project Description, and associated information.

The requested Natural Resource Special Exception is for property bearing Tax Key No. 902 9965 006 and 902 9966 001. The NRSE request is to allow for impacts to the wetland, wetland buffer, and setback as follows:

- Wetland (2.22 acres total area).
 - 528.41 square feet (0.012 acres) of temporary grading impact, and
 - 142.48 square feet (0.003 acres) of permanent structural footprint (roadway culverts).
 - This is a total of 670.89 square feet, or 0.7% of the overall wetland area
 - NOTE. WDNR GP-SE-2021-41-04248 permits a total of 653 square feet of disturbance, or 0.015 acres. The applicant is requesting approx 671 square feet, which is also 0.015 acres. Staff is requesting clarification from WDNR on this.
- Wetland Buffer (2.17 acres total protection area)
 - 3,028 square feet (0.07 acres) of temporary grading impact (3.2% of total Wetland Buffer area) and,
 - 4,990 square feet (0.12 acres) of permanent impacts (5.27% of total Wetland Buffer area)
- Wetland Setback (1.25 acres total protection area)
 - 24,251 square feet (0.56 acres) of temporary grading impacts (primarily for creation of the stormwater basins) (44.6% of total Wetland Setback)
 - 3,684 square feet (0.09 acres) of permanent structure impacts (6.77% of total Wetland Setback)
 - Information about temporary grading impacts to setback was not provided

As noted, the Wetland disturbance/fill was approved through the WDNR via GP-SE-2021-41-04248 on December 23, 2021

Conservation easements must be submitted for all natural resources to be protected. Staff normally recommends that wetland setbacks shall have conservation signage or boulders placed to delineate the area(s) as protected and unbuildable, though in this case the developer will also be the long-term property owner.

Restoration is proposed for areas of disturbance in accordance with §15-4-0102I for appropriate plantings, staff recommends that Plan Commission require financial sureties for restoration (§15-4-0103 D)

Mitigation Plan

The applicant has proposed a significant mitigation area of 1,949.14 square feet of compensatory wetland, and another 99,185 square feet of additional wetland buffer. These are well over the minimums required under UDO §15-4-0103 of 1.50 (which would translate as 1,006.34 square feet of compensatory wetland and 7,485 square feet of wetland buffer). The proposed planting program conceived by the applicant (and included with the Landscape Plan) appears to meet the requirements for mitigation planting and stabilization.

Staff notes, however, that the typical requirement is to place all proposed mitigation areas under Conservation Easements for perpetual protection. A significant portion of the proposed wetland buffer wraps around the proposed stormwater basins, and would represent a conflicting set of priorities for the site: (1) Long-term perpetual maintenance including intrusion and replacement as needed for stormwater facility structures, grading, etc., and (2) Long-term perpetual “leave-it-alone” protection of a designated natural resource feature. Staff will work with the applicant to

resolve this conflict and prepare a recommendation that meets, at minimum, the requirements of the UDO

Natural Resource Protection Plan

A few technical corrections to the Natural Resource Protection Plan were provided in a list to the applicant shortly before this staff report was published. Staff recommends a condition that the applicant submit a NRPP revision factoring in those corrections.

Environmental Commission Recommendation

The Environmental Commission reviewed this application at their March 23, 2022 meeting and provide the attached recommendation, which is codified in the draft Standards, Findings and Decision.

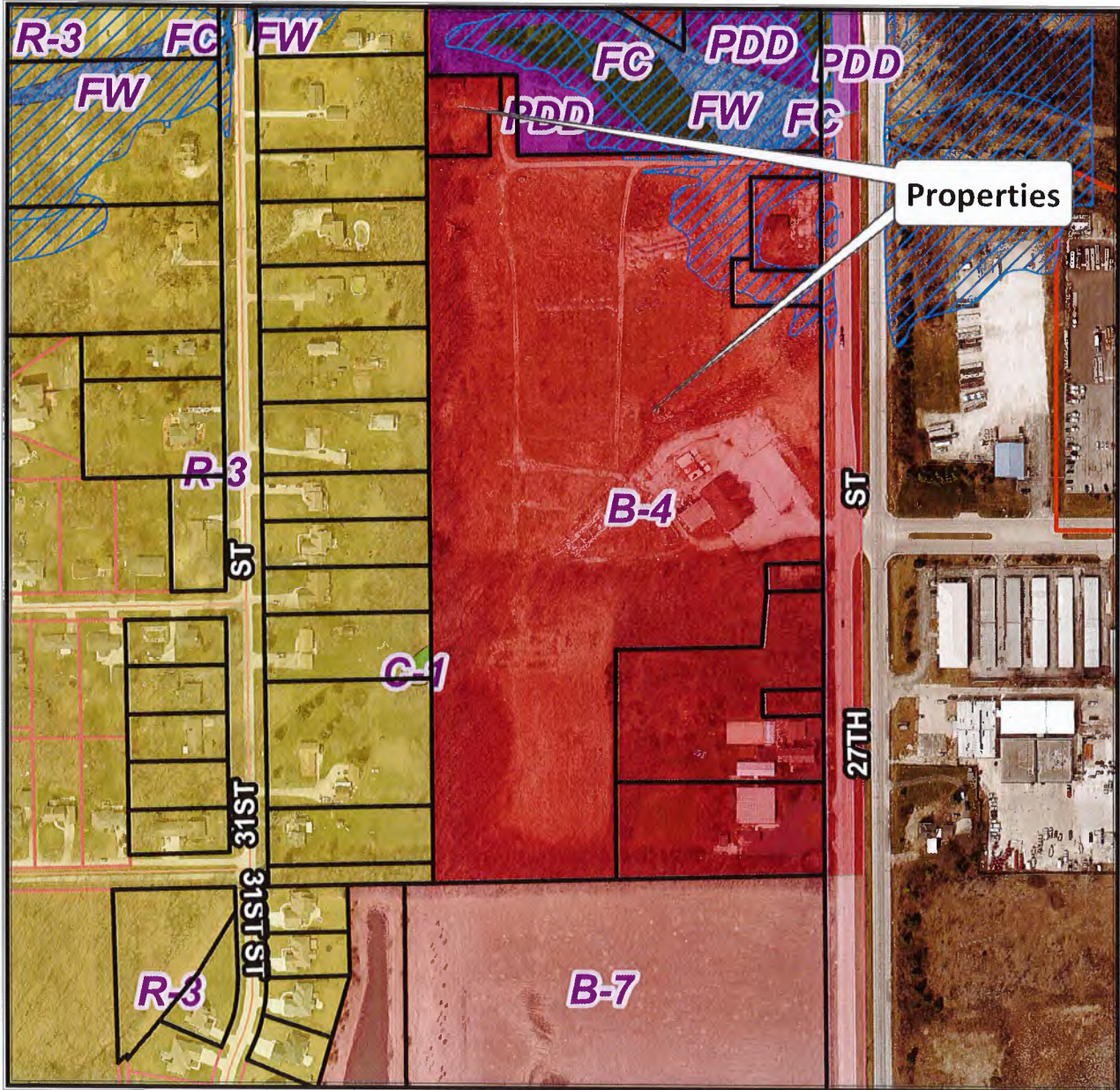
CONCLUSION

Staff finds that the NRSE application is reasonable, based on the underlying assumption that the development design is the best possible result for this site, accounting for real estate valuations and project feasibility. Staff recommendations for proposed conditions of approval are incorporated into the draft Environmental Commission Special Exception Review and Recommendation as recommended conditions of approval.

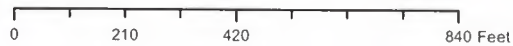
Per Section 15-10.0208 of the Unified Development Ordinance (UDO), the applicant shall have the burden of proof to present evidence sufficient to support a Natural Resource Special Exception (NRSE) request. The applicant has presented evidence for the request by answering the questions and addressing the statements that are part of the Natural Resource Special Exception (NRSE) application. The applicant's responses to the application's questions and statements are attached for your review.

Also attached is a document titled, "City of Franklin Environmental Commission" that the Environmental Commission must complete and forward to the Common Council. The questions and statements on this document correspond with the Natural Resource Special Exception (NRSE) application questions and statements that the applicant has answered and addressed.

9801 S. 27th Street & 9605 S. 29th Street
TKNs 902 9965 006 & 902 9966 001



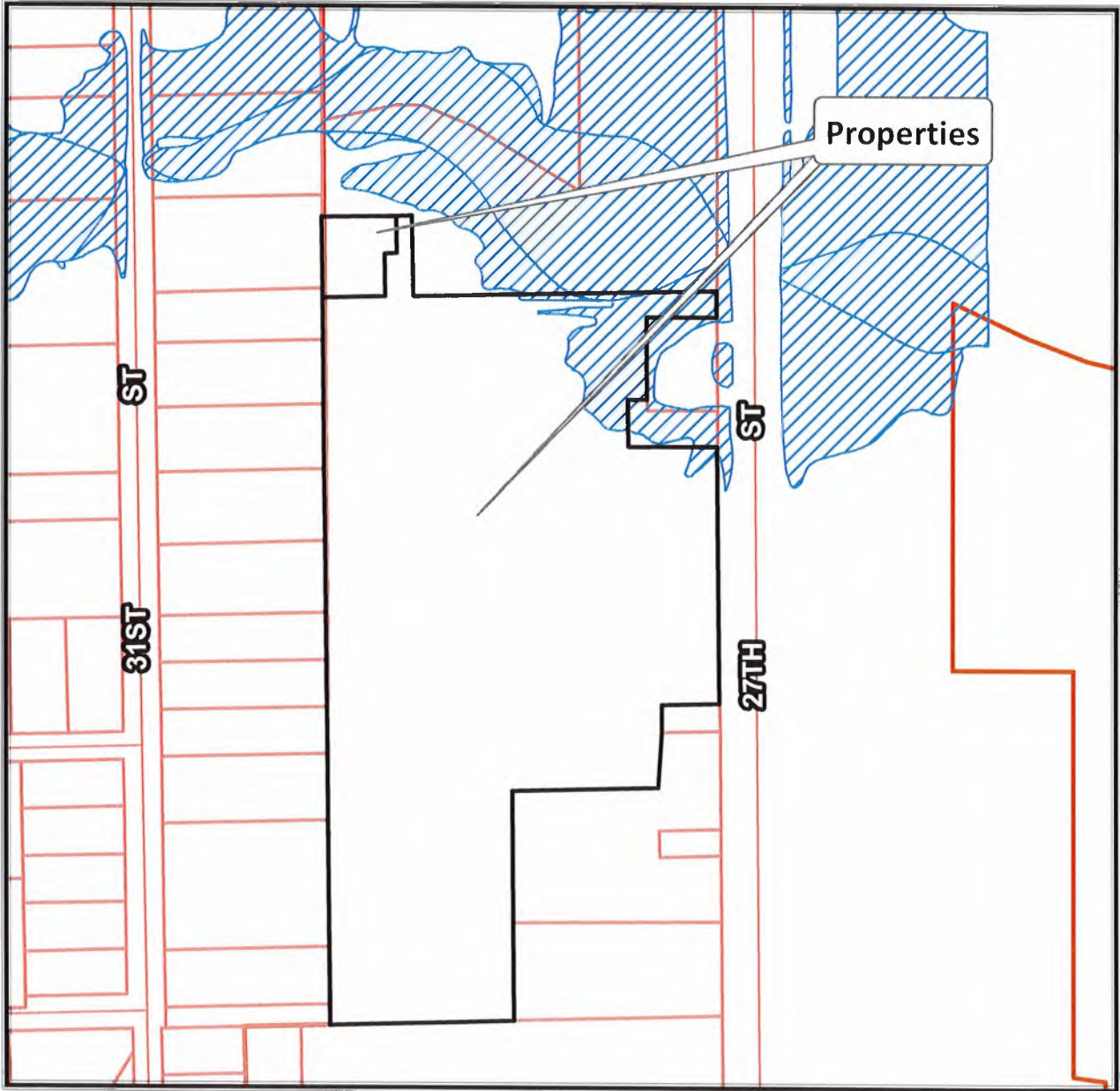
Planning Department
(414) 425-4024



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.

9801 S. 27th Street & 9605 S. 29th Street
TKNs: 902 9965 006 & 902 9966 001



Planning Department
(414) 425-4024

0 210 420 840 Feet

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



MEMORANDUM

Date: April 7, 2022

To: Heath Eddy, AICP, Planning Manager
City of Franklin, Department of City Development

From: Anthony DeRosa, Fiduciary Real Estate Development, Inc

RE: Response for Natural Resource Features Special Exception (NRSE) application,
9801 South 27th Street/9605 South 29th Street (TKNs 902 9965 006 and 902 9966 001)

Below are review comments and recommendations for the above-referenced applications submitted by Anthony DeRosa of Fiduciary Real Estate Development, Inc., o.b.o. CCM-9801 27th Franklin LLC and deemed complete for review on March 1, 2022.

This application is scheduled for review by the City of Franklin Environmental Commission on Wednesday, March 23, 2022 and a public hearing by the City Plan Commission on Thursday, April 21, 2022 (public notices pending).

Department of City Development comments

1. **Application Form.** No comments. Form includes all elements as required.
2. **Legal Description.** No comments.
3. **NRPP.** The submitted NRPP shall comply with UDO §15-7.0201. The following items are missing and shall be placed on a revised NRPP to be provided to the Department of City Development:
 - a. Location – The location of the proposed development (Address and Tax Key Numbers)
This has been added to NRPP
 - b. Names, Address and Telephone Numbers of Owner and Developer.
This has been added to NRPP
 - c. Date – all dates of submittals of the NRPP, including a list of all revision dates.
This has been added to NRPP
 - d. Site Boundary – specifically, total land area encompassed by the site.
This has been added to NRPP
 - e. Location and dimensions of all permanent easements on OR adjacent to the site.
This has been added to NRPP
 - f. Method of Natural Resource Preservation – graphic illustration and notes relating to **how** natural resource features, which are to be preserved, will actually be preserved in perpetuity. There is a general statement indicating perpetual preservation, but no method assigned. Note: City policy typically is a Conservation Easement dedicated to the City, for both existing resources and areas of proposed mitigation.

We've added in proposed extents of a conservation easement around natural resource areas to be protected in perpetuity and have ensured no conflicts with areas that will require access for continued maintenance.

- g. Location of the Secondary Environmental Corridor located immediately north of the site.

This is on the NRPP

- 4. **Mitigation Proposed.** Staff reviewed the proposed planting schema and soils combination and finds them generally suitable. Of note, however: the bulk of the 99,185 square feet of the Wetland Buffer mitigation area is surrounding the two primary stormwater basins. Normally the City requires mitigation areas to be placed under perpetual protection (i.e. Conservation Easements, in favor of the City), and this could create a repeated conflict with the maintenance of the stormwater basins as located and designed. The applicant should consider some method to ensure these conflicts can be resolve operationally so the City and the operator (successors and assigns) don't run into repeated interpretative issues and conflicts going forward. **ALSO, please provide an estimate of the amount of proposed Wetland Buffer mitigation around the stormwater basins and the amount proposed elsewhere.**

We've added in proposed extents of a conservation easement around natural resource areas to be protected in perpetuity and have ensured no conflicts with areas that will require access for continued maintenance. Mitigation areas within the conservation easement exceed City of Franklin required area mitigation areas.

We have also provided a breakdown of mitigation areas around SWM basins and the amount proposed elsewhere. See NRPP.

- 5. The Following Comments are with respect to the document titled "Natural Resource Special Exception Question and Answer Form". **Please provide a revised version of this Narrative for the public process to proceed.**

- a. Missing reference from UDO §15-9.0110A. Name and address of the applicant and all abutting and opposite property owners of record.

See attached document 'Adjacent Property Owners List'

- b. Page 1:

- i. A. – Specific section from which Special Exception is requested. Insert UDO §15-4.0101 Natural Resource Protection Standards and UDO §15-4.0102 Natural Resource Features Determination.

This has been added. See attached NRSE Question and Answer Form

- ii. B. –

- 1. It should be noted that the WDNR General Permit is for 653 square feet of wetland disturbance, so there is a disconnect here. Staff has requested clarification from Ryan Pappas regarding the number, since they also refer to the approval as 0.015 acres (which could also be 671 square feet), and we want to verify which number is the actual limit of fill/disturbance that matters.

The correct number is +/- 653 square feet. See NRPP.

2. The request shall include both Temporary and Permanent Impacts to Wetlands, Wetland Buffers and Wetland Setbacks. This is required for a NRSE.

This is shown on the NRPP.

- iii. C. – Staff doesn't have a comment re justification, except to say that the WDNR written denial of the wetland exemption noted that the wetland along the stream channel has existed for several decades (referencing aerials dating to at least 1937). Therefore at least part of the justification statement regarding maintenance is inaccurate, since several other on-site (but detached) wetlands were declared exempt from wetlands regulations by the WDNR.

Noted.

- iv. D. – no issues with the justifications as presented.

Noted.

c. Page 2: No comments.

d. Page 3:

- i. 1)(c) – no issues with this justification statement

Noted.

- ii. 2) – For all these statements, staff notes that the underlying assumption is “based on the design model we are implementing” which in this case are multi-family 2-story connected units in 20- and 24-unit configurations. Based on that model, these justifications make sense. Staff notes that the reviewing bodies are unlikely to challenge this design limitation and therefore the alternatives analysis will likely be found to be valid.

Noted.

e. Page 4: No comments.

f. Pages 5-6:

- i. (f) – No issues with this “No Build” assumption as this is likely the case.

Noted.

- ii. 3) – Statements under this section again are based on the underlying assumption as noted above. That is not a negative, and as noted probably doesn't impact the final decision.

Noted.

- iii. 4) – Statements here veer into “financial” considerations that are not the purview of the NRSE; this is a specifically designed “Variance” from the requirements of the UDO pertaining to natural resource protections, and therefore it should be understood that while the financial viability is what is driving the request, the actual approval needs to be about what is the “least bad” method for allowing the development design to proceed. This doesn't require a change in the language here, but it's worth noting for the record.

Noted.

g. Page 7-8:

- i. 5) – Good summary
- ii. 6) –The table version of this is a little hard to follow. From staff’s review, it appears c), d), g), and i) are considered “applicable”. As for each of these applicable impacts:
 1. It would be helpful to show what type of impact would occur in these protected areas; For example, what type of structure will be located in the wetland area/wetland buffer/wetland setback?

This is correct. c), d), g), and i) are applicable. See NRPP for site plan and its relationship to wetland/wetland buffer/ wetland setback areas.

2. The wildlife habitat comment is interesting insofar as we understand what “wildlife” would be located in this area to be “impacted”. Providing connections or maintaining/improving overall stream quality are positives to the proposed design and these should be mentioned, particularly the stabilizing and enhancing the Wetland Buffers beyond those that are being impacted/modified.

See NRSE Question and Answer form

h. Page 9: No comments.

Inspection Services Department comments

6. Inspection Services has no comments on the proposal at this time.

Fire Department comments

7. FD has no specific comments on the NRSE.

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



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

Date of Application: _____

NATURAL RESOURCE SPECIAL EXCEPTION APPLICATION

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

Applicant (Full Legal Name[s]):

Name: Anthony DeRosa
 Company: Fiduciary Real Estate Development, Inc.
 Mailing Address: 789 North Water Street, Suite 200
 City / State: Milwaukee, WI Zip: 53202
 Phone: 414-246-8402
 Email Address: lderosa@fred-inc.com

Applicant is Represented by (contact person) (Full Legal Name[s]):

Name: _____
 Company: _____
 Mailing Address: _____
 City / State: _____ Zip: _____
 Phone: _____
 Email Address: _____

Project Property Information:

Property Address: 9801 S 27th Street & 9605 S 29th Street
 Property Owner(s): CCM-9801 27th Franklin LLC
 Mailing Address: 901 S 70th St.
 City / State: West Allis, WI Zip: 53214
 Email Address: njung@cardinalcapital.us

Tax Key Nos: 902-9965-006 & 902-9966-001
 Existing Zoning: B-4
 Existing Use: Vacant Land/Vacant Commercial Building
 Proposed Use: Multi-family Development
 Future Land Use Identification: B-4 Special Use

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

Natural Resource Special Exception Application submittals for review must include and be accompanied by the following:

(See Section 15-10.0208 of the Unified Development Ordinance for review and approval procedures.)

<http://www.franklinwi.gov/Home/Planning/UnifiedDevelopmentOrdinanceUDO.htm>

- This Application form accurately completed with original signature(s). Facsimiles and copies will not be accepted.
- Application Filing Fee, payable to City of Franklin: \$500
- Legal Description for the subject property (WORD.doc or compatible format).
- Seven (7) complete collated sets of Application materials to include:
 - One (1) original and six (6) copies of a written Project Narrative.
 - Three (3) folded full size, drawn to scale copies (at least 24" x 36") of the Plat of Survey (as required by Section 15-9.0110(B) of the Unified Development Ordinance).
 - Three (3) folded full size, drawn to scale copies (at least 24" x 36") of the Natural Resource Protection Plan (See Sections 15-4.0102 and 15-7.0201 for information that must be denoted on or included with the NRPP).
 - Four (4) folded reduced size (11"x17") copies of the Plat of Survey and Natural Resource Protection Plan.
- Three copies of the Natural Resource Protection report, if applicable. (see Section 15-7.0103Q of the UDO).
- One copy of all necessary governmental agency permits for the project or a written statement as to the status of any application for each such permit.
- 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.
- Natural Resource Special Exception requests require review by the Environmental Commission, public hearing and review by the Plan Commission, and Common Council approval prior to recording 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 - Property Owner

Name & Title (PRINT): ERICH SCHWONKER
PRESIDENT Date: 1/5/22

Signature - Property Owner

Name & Title (PRINT) _____ Date: _____

Signature - Applicant
 Anthony DeRosa - Vice President

Name & Title (PRINT) _____ Date: 1/6/2022

Signature - Applicant's Representative

Name & Title (PRINT) _____ Date: _____

Natural Resource Special Exception Question and Answer Form.

Questions to be answered by the Applicant

Items on this application to be provided in writing by the Applicant shall include the following, as set forth by Section 15-9 0110C of the UDO

- A Indication of the section(s) of the UDO for which a Special Exception is requested
Division 15-4 0100 Natural Resources

- B Statement regarding the Special Exception requested, giving distances and dimensions where appropriate A special exemption for the requirement to protect 100% of wetlands, and wetland buffer is being requested. The project will result in 671 square feet of permanent wetland impacts, 3,028 square feet of temporary wetland buffer impacts and 4,990 square feet of permanent wetland buffer impact. It should be noted that the Wisconsin Department of Natural Resources approved of the proposed wetland fill and issued a General Wetland Permit (copy included with this submittal).
- C Statement of the reason(s) for the request The existing wetland area to be impacted runs through the center of the site and cuts off the northwest portion of the site from the rest of the site. The location of the wetlands make it very difficult to develop the northwest portion of the site. In order for the project to be economically feasible, development of the northwest portion of the site is necessary to achieve sufficient density and number of units. Development of the northwest portion of the site will require crossing and impacts to the wetlands. The wetlands to be impacted seem to have formed and developed from land disturbances and lack of maintenance by the previous property owner. The project will protect the higher quality wetlands located in the northeastern portion of the site. Without approval of the exemption request, the project is not viable.
- D Statement of the reasons why the particular request is an appropriate case for a Special Exception, together with any proposed conditions or safeguards, and the reasons why the proposed Special Exception is in harmony with the general purpose and intent of the Ordinance. In addition, the statement shall address any exceptional, extraordinary, or unusual circumstances or conditions applying to the lot or parcel, structure, use, or intended use that do not apply generally to other properties or uses in the same district, including a practicable alternative analysis as follows: The site was previously operated in a way that resulted in contamination on the property that has not been mitigated. The proposed development will mitigate the contamination and protect the wetlands to remain from potential environmental contamination. The existing flow of runoff through the site will be maintained. Only two small areas of low-quality wetlands which bisect the site are proposed to be filled in order provide connections to the northwest and southern portions of the site. Forty five percent of the site would be inaccessible without the wetland crossings. The crossings of the low-quality wetlands also provide a secondary emergency access point that is preferred by the Fire Department. The proposed wetland crossings have been moved from original plans to be centered on the gaps in the delineated wetlands to minimize wetland impacts. The use of smaller multifamily building footprints also helps

avoid the higher quality wetlands on the site. Onsite wetland mitigation at a rate of 1.5 times the area of filled wetlands is provided for on the site.

1) **Background and Purpose of the Project.**

- (a) Describe the project and its purpose in detail. Include any pertinent construction plans. The overall purpose of the development is to build a market rate housing development in the most desirable location that meets the needs of the growing population and workforce of the City of Franklin. In the Franklin area there is a significant need for a market rate housing development of this caliber. Southeastern Wisconsin and specifically the Franklin submarket have seen significant job and population growth in recent years along the I-94 corridor. This has created a strong pent-up demand for new multifamily housing options to serve the rapidly growing population. With this growth there has been a disproportionate number of jobs created relative to new housing units, or in other words the number of housing units created have been extremely low compared to the number of jobs being created, further substantiating the strong demand for housing. The proposed development will include the construction of 12 multifamily residential buildings with a total of 252 units, a clubhouse building and associated roads, surface parking and infrastructure.
- (b) State whether the project is an expansion of an existing work or new construction. The project is new construction although the project is considered a redevelopment project as the majority of the site has previously been disturbed.

- (c) State why the project must be located in or adjacent to the stream or other navigable water, shore buffer, wetland, wetland buffer, and/or wetland setback to achieve its purpose The layout and extent of the wetlands make it challenging to develop the site without impacts to existing wetlands and associated setbacks The proposed project is not requesting TIF support, and as such, adequate development density is required to make the project financially viable and pay for extra ordinary costs on the site including preparing the existing contaminated outlot for development The wetlands to be impacted run through the center of the site and cuts off the northwest portion (45%) of the site from the remainder of the site In order to achieve adequate development density to make the project financially viable, the northwest portion of the site needs to be developed Development of the northwest portion of the site will require crossing of the wetlands and wetland impacts

2) **Possible Alternatives.**

- (a) State all of the possible ways the project may proceed without affecting the stream or other navigable water, shore buffer, wetland, wetland buffer, and/or wetland setback as proposed The only way to develop the site without impacting wetlands would be to omit any development in the northwestern portion of the site eliminating the wetland crossing This is not viable as development of the northwestern portion of the site is required to achieve adequate development density and number of units
- (b) State how the project may be redesigned for the site without affecting the stream or other navigable water, shore buffer, wetland, wetland buffer, and/or wetland setback The project would need to be redesigned to eliminate development in the northwestern portion of the site which would eliminate 6 multi-family buildings Eliminating these buildings would make the project not financially viable
- (c) State how the project may be made smaller while still meeting the project's needs A smaller project is not financially viable alone and would require additional financial support (i.e. TIF District) to justify the reduction of density The developer's original and preferred project layout impacted approximately 0.23-acres of wetland and resulted in 276 total residential units (see Exhibit 1) The project has been made smaller from the original plan and has resulted in a reduced wetland impact area of 0.015-acres and a total of 252 units
Several other alternative layouts for the project minimizing the wetland impacts were evaluated These included a no wetland impact option (Exhibit 2) in which there is no crossing of the wetlands and no development in the northwestern portion of the site This option only provided 104 residential units and does not provide adequate development density to make the project financially viable
A third option (Exhibit 3) was evaluated which resulted in only 0.01-acres of wetland impacts and a total of 208 residential units – 68 fewer units than the preferred option This alternative also did not provide adequate development density and was not considered to be financially viable

The proposed layout (Exhibit 4) results in approximately 0.015-acres of wetland impacts and a total of 252 residential units. Although this is a loss of 24 units from the preferred layout, it does provide adequate development density to make the project financially viable.

- (d) State what geographic areas were searched for alternative sites. Several other sites in Franklin were evaluated by the developer. These include the following.

8671 S. 27th Street, Franklin, WI

This site was not selected for development because it is a smaller site with lower traffic counts and is further away from the I-94/Ryan Road interchange than the proposed project site. There are also significant wetlands mapped on this site that would be impacted by development.

S. 76th Street and W. Ryan Road, Franklin, WI

This site was not selected for development because it is too far from the I-94/Ryan Road interchange and the site is not near the freeway, asking price for property was too expensive, there is a lack of population density in the area and it is not adjacent to or near commercial amenities (i.e. grocery, retail, etc.).

12026 W. Oakwood Road, Franklin, WI

This site was not selected for development because of low traffic counts in the area, it is too far from the I-94/Ryan Road interchange, there is a lack of population density in the area, it is not adjacent to or near commercial amenities (i.e. grocery, retail, etc.) and there are significant mapped wetlands on the site that would be impacted by development.

5732 W. Rawson Avenue, Franklin, WI

This site was not selected for development because the site is too small for viable development, the proposed multi-family residential use does not fit with the City's preferred use for the site (M1 – B2 Zoning), the site is too far from the I-94/Ryan Road interchange, the asking price for the property was too expensive, and the site is in the flood plain.

- (e) State whether there are other, non-stream, or other non-navigable water, non-shore buffer, non-wetland, non-wetland buffer, and/or non-wetland setback sites available for development in the area. See response above.

- (f) State what will occur if the project does not proceed. If the project does not proceed, the site will sit idle, and the expanded tax base associated with the project will not be realized. In addition, existing environmental contamination at the site will continue to be unmitigated and will potentially continue to spread to the wetlands on-site and adjacent properties. The site will also continue to be used as an unauthorized dumping ground as it has been for many years and further jeopardize the environmental condition of the property.

3) Comparison of Alternatives.

- (a) State the specific costs of each of the possible alternatives set forth under sub 2, above as compared to the original proposal and consider and document the cost of the resource loss to the community. See attached cost comparison spreadsheet comparing unit costs for each alternative.
- (b) State any logistical reasons limiting any of the possible alternatives set forth under sub 2, above. NA
- (c) State any technological reasons limiting any of the possible alternatives set forth under sub 2, above. NA
- (d) State any other reasons limiting any of the possible alternatives set forth under sub 2, above. Development of the northwestern portion of the site is necessary to achieve required density and number of residential units to make the project financially viable. The existing wetlands that run through the center of the site will need to be crossed and impacted in order to develop the northwestern portion of the site.

4) Choice of Project Plan.

State why the project should proceed instead of any of the possible alternatives listed under sub 2, above, which would avoid stream or other navigable water, shore buffer, wetland, wetland buffer, and/or wetland setback impacts. The proposed project meets the project purpose and needs as compared to the possible alternatives for the following reasons.

- Layout provides for adequate ingress and egress for the site satisfying the City requirements and meeting transportation design standards.
- The proposed development is in near proximity to the I-94/Ryan Road interchange.
- The development would be able to take advantage of the existing intersection at S 27th Street and Southbranch Blvd and create safer traffic conditions.
- Based on the proposed development density and number of units the proposed development plan is financially viable.
- The proposed development plan provides demonstratable and measurable economic public benefit to the community and region.

The Proposed Development Plan represents the least environmentally damaging practicable alternative taking into consideration practicable alternatives that avoid wetland impacts. The

proposed development minimizes impacting high quality wetlands and will also not result in significant adverse impacts to wetland functional values or in adverse impacts to water quality.

5) **Stream or Other Navigable Water, Shore Buffer, Wetland, Wetland Buffer, and Wetland Setback Description.**

Describe in detail the stream or other navigable water shore buffer, wetland, wetland buffer, and/or wetland setback at the site which will be affected, including the topography, plants, wildlife, hydrology, soils and any other salient information pertaining to the stream or other navigable water, shore buffer, wetland, wetland buffer, and/or wetland setback An unnamed intermittent waterway flows from the southwest to the northeast, across the center of the proposed development site. Surrounding the intermittent waterway is a roughly 2.22-acre wetland complex. The wetland area is a combination of shallow water marsh and disturbed wet meadow. The proposed development plan will result in approximately 671 square feet of permanent wetland impacts, 3,028 square feet of temporary wetland buffer impact, 4,990 square feet of permanent wetland buffer impact, 24,251 square feet of temporary wetland setback impact and 3,684 square feet of permanent wetland setback impact. The shallow water marsh areas are dominated by narrowleaf cattail and reed canary grass. The disturbed wet meadows are dominated by reed canary grass. Both narrowleaf cattail and reed canary grass are considered invasive species.

Approximately 1,949 square feet of wetland mitigation area is being provided which exceeds the required wetland mitigation area of 1,006 square feet based on the 1.5:1 mitigation ratio. The wetland mitigation area will be planted with a wetland seed mix and plugs. The seed mix and plugs specified consist of native plants with extensive root systems that will help increase infiltration rates, reduce erosion, and manage stormwater while creating a visually appealing mass of prairie-like planting. In addition, the proposed biofiltration basin will also be planted with a wetland seed mix and plugs and will function as a wetland feature, however this area was not included in the 1,949 square feet of wetland mitigation area being provided. All newly constructed wetland areas are also being given the required 30' minimum wetland buffer.

Temporary wetland buffer and wetland setback impact areas will be restored with wetland buffer seed mix. This seed mix also consists of native plants that will help filter storm runoff from the surrounding development, trapping sediment, absorbing nutrients, and attenuating high flows into designated wetland areas. Approximately 99,185 square feet of new wetland buffer area is proposed which far exceeds the required wetland buffer mitigation area of 7,485 square feet.

6) **Stream or Other Navigable Water, Shore Buffer, Wetland, Wetland Buffer, and Wetland Setback Impacts.**

- | | | | |
|----|-------------------------------------------------------------------------------------------------------|------------------------------------------------------|--------------------------------------------------|
| a) | Diversity of flora including State and/or Federal designated threatened and/or endangered species | <input checked="" type="checkbox"/> X Not Applicable | <input type="checkbox"/> Applicable |
| b) | Storm and flood water storage | <input checked="" type="checkbox"/> X Not Applicable | <input type="checkbox"/> Applicable |
| c) | Hydrologic functions | <input type="checkbox"/> Not Applicable | <input checked="" type="checkbox"/> X Applicable |
| d) | Water quality protection including filtration and storage of sediments, nutrients or toxic substances | <input type="checkbox"/> Not Applicable | <input checked="" type="checkbox"/> X Applicable |
| e) | Shoreline protection against erosion | <input checked="" type="checkbox"/> X Not Applicable | <input type="checkbox"/> Applicable |
| f) | Habitat for aquatic organisms | <input checked="" type="checkbox"/> X Not Applicable | <input type="checkbox"/> Applicable |
| g) | Habitat for wildlife | <input type="checkbox"/> Not Applicable | <input checked="" type="checkbox"/> X Applicable |
| h) | Human use functional value | <input checked="" type="checkbox"/> X Not Applicable | <input type="checkbox"/> Applicable |
| i) | Groundwater recharge/discharge protection | | |

- Not Applicable XApplicable
j) Aesthetic appeal, recreation, education, and science value
 XNot Applicable Applicable
k) Specify any State or Federal designated threatened or endangered species or species of special concern XNot Applicable Applicable
l) Existence within a Shoreland XNot Applicable Applicable
m) Existence within a Primary or Secondary Environmental Corridor or within an Isolated Natural Area, as those areas are defined and currently mapped by the Southeastern Wisconsin Regional Planning Commission from time to time
 X Not Applicable Applicable

Describe in detail any impacts to the above functional values of the stream or other navigable water, shore buffer, wetland, wetland buffer, and/or wetland setback Impacts to the hydrologic functions of the wetlands to be filled are minimal and will be mitigated by the fact that the majority of wetlands on the site will be maintained and existing drainage patterns will generally be followed

Impacts to water quality functions for the wetlands to be filled will be minimal. The majority of the existing wetlands on the site will be maintained and storm water management BMPs including a biofiltration basin and a wet detention basin have been designed for the site to provide peak flow control and storm water treatment prior to discharge to the existing wetlands in the northeastern portion of the site

Loss of functional value for wildlife habitat will be minimal as the majority of existing wetlands on the site will be maintained and the larger high quality wetland in the northeastern portion of the site will remain

Loss of functional value for groundwater recharge will be minimal as the majority of existing wetlands, including the larger, higher quality wetland in the northeastern portion of the site will remain. In addition, the proposed biofiltration basin will not be lined and will provide for groundwater recharge

7) **Water Quality Protection.**

Describe how the project protects the public interest in the waters of the State of Wisconsin Storm water management BMPs including a wet detention basin and a biofiltration have been designed to provide peak flow control and storm water treatment for runoff from the development prior to being discharged into the wetlands to remain in the northeast portion of the site

**Seasons at Franklin
NRSE Abutting/Opposite Property Owner List**

Parcel No. 9029965012

Parcel Address: 9851 S. 27th Street

**Property Owner: ACJM 1883 LLC
9851 S. 27th Street
Franklin, WI 53132**

Parcel No. 9029965011

Parcel Address: 9843 S. 27th Street

**Property Owner: Adam Murphy
9843 S. 27th Street
Franklin, WI 53132**

Parcel No. 9029969000

Parcel Address: 9835 S. 27th Street

**Property Owner: Nikola Krecak
W188 S7592 Oak Grove Drive
Muskego, WI 53150**

Parcel No. 9029965010

Parcel Address: 9575 S. 27th Street

**Property Owner: Franklin Hotel Company, LLC
1250 Feehanville Drive; Suite 200
Mt. Prospect, IL 60056**

Parcel No. 9029965004

Parcel Address: No address

**Property Owner: JJS Investments
311 King William Ct. S
Waukesha, WI 53186**

Parcel No. 9029967000

Parcel Address: 9677 S. 27th Street

**Property Owner: Milwaukee County Treasurer
901 N. 9th Street; Rm 102
Milwaukee, WI 53233**

Parcel No. 9029981000

Parcel Address: 9644 S. 31st Street

**Property Owner: Michael Thorsen
9644 S. 31st Street
Franklin, WI 53132**

Parcel No. 9029980000

Parcel Address: 9658 S. 31st Street

**Property Owner: Ernest and Florence Plonty
9658 S. 31st Street
Franklin, WI 53132**

Parcel No. 9029979000

Parcel Address: 9692 S. 31st Street

**Property Owner: Gregory and Patricia Dunn
9692 S. 31st Street**

Franklin, WI 53132

Parcel No. 9029978000

Parcel Address: 9712 S. 31st Street

Property Owner: Gregory Dudor

9712 S. 31st Street

Franklin, WI 53132

Parcel No. 9029977000

Parcel Address: 9722 S. 31st Street

Property Owner: Robert Weber

9722 S. 31st Street

Franklin, WI 53132

Parcel No. 9029976000

Parcel Address: 9744 S. 31st Street

Property Owner: Ismael and Yolanda Romero

9744 S. 31st Street

Franklin, WI 53132

Parcel No. 9029974004

Parcel Address: 9750 S. 31st Street

Property Owner: Richard Fenninger

9750 S. 31st Street

Franklin, WI 53132

Parcel No. 9029974005

Parcel Address: 9768 S. 31st Street

Property Owner: Brenda Roepke

9768 S. 31st Street

Franklin, WI 53132

Parcel No. 9029974006

Parcel Address: 9780 S. 31st Street

Property Owner: Gary and Amy Schmidt

9780 S. 31st Street

Franklin, WI 53132

Parcel No. 9029974001

Parcel Address: 9800 S. 31st Street

Property Owner: Katelyn Kraus

9800 S. 31st Street

Franklin, WI 53132

Parcel No. 9029973000

Parcel Address: 9850 S. 31st Street

Property Owner: David and Sandra Gohs

9850 S. 31st Street

Franklin, WI 53132

Parcel No. 9029972000

Parcel Address: 9870 S. 31st Street

Property Owner: Jeffry and Maryann Boucher

**9870 S. 31st Street
Franklin, WI 53132**

Parcel No. 9281032000

Parcel Address: 9910 S. 31st Street

**Property Owner: Victor and Jill Quintana
9910 S. 31st Street
Franklin, WI 53132**

Parcel No. 9289996007

Parcel Address: 10101 S. 27th Street

**Property Owner: Wheaton Franciscan Healthcare – Franklin, LLC
10101 S. 27th Street
Franklin, WI 53132**

Parcel No. 9039015000

Parcel Address: 9810 S. 27th Street; Oak Creek

**Property Owner: Secure Mini Storage LTD Partnership
P.O. Box 25025
Dept. Pt-TX
Glendale, CA 91201**

Parcel No. 9039023000

Parcel Address: 2600 W. Southbranch Blvd; Oak Creek

**Property Owner: Trust Property Management, LLC
2600 W. Southbranch Blvd
Oak Creek, WI 53154**

Table 15-3.0502
WORKSHEET FOR THE CALCULATION OF BASE SITE AREA
FOR BOTH RESIDENTIAL AND NONRESIDENTIAL DEVELOPMENT

STEP 1:	Indicate the total gross site area (in acres) as determined by an actual on-site boundary survey of the property	24.02 Acres
STEP 2:	Subtract (-) land which constitutes any existing dedicated public street rights-of-way, land located within the ultimate road rights-of-way of existing roads, the rights-of-way of major utilities, and any dedicated public park and/or school site area	0 acres
STEP 3:	Subtract (-) land which, as a part of a previously approved development or land division, was reserved for open space	0 acres
STEP 4:	In the case of " <i>Site Intensity and Capacity Calculations</i> " for a proposed residential use, subtract (-) the land proposed for nonresidential uses, or In the case of " <i>Site Intensity and Capacity Calculations</i> " for a proposed nonresidential use, subtract (-) the land proposed for residential uses	0 acres
STEP 5:	Equals "Base Site Area"	= 24.02 acres

Table 15-3.0503

WORKSHEET FOR THE CALCULATION OF RESOURCE PROTECTION LAND

Natural Resource Feature	Protection Standard Based Upon Zoning District Type (circle applicable standard from Table 15-4 0100 for the type of zoning district in which the parcel is located)			Acres of Land in Resource Feature	
	Agricultural District	Residential District	Non-Residential District		
Steep Slopes					
10-19%	0 00	0 60	0 40	X <u> 0 </u> =	0
20-30%	0 65	0 75	0 70	X <u> 0 </u> =	0
+ 30%	0 90	0 85	0 80	X <u> 0 </u> =	0
					<u> 0 </u>
Woodlands & Forests					
Mature	0 70	0 70	0 70	X <u> 2.03 </u> =	1.42
Young	0 50	0 50	0 50	X <u> 2.97 </u> =	1.49
Lakes & Ponds	1	1	1	X <u> 0 </u> =	0
Streams	1	1	1	X <u> 0 </u> =	0
Shore Buffer	1	1	1	X <u> 0 </u> =	0
Floodplains/Floodlands	1	1	1	X <u> 0.75 </u> =	0.75
Wetland Buffers	1	1	1	X <u> 2.17 </u> =	2.17
Wetland Setback	--	--	--	X <u> 1.25 </u> =	1.25
Wetlands & Shoreland Wetlands	1	1	1	X <u> 2.22 </u> =	2.22
TOTAL RESOURCE PROTECTION LAND (Total of Acres of Land in Resource Feature to be Protected)					9.30

Note In conducting the calculations in Table 15-3 0503, if two or more natural resource features are present on the same area of land only the most restrictive resource protection standard shall be used For example if floodplain and young woodlands occupy the same space on a parcel of land the resource protection standard would be 1 0 which represents the higher of the two standards

Table 15-3 0504

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

<p>STEP 1:</p>	<p>CALCULATE MINIMAL REQUIRED ON-SITE OPEN SPACE</p> <p>Take <i>Base Site Area</i> (from Step 5 in Table 15 3 0502) <u>24.02</u></p> <p>Multiple by Minimum <i>Open Space Ratio (OSR)</i> (see specific residential zoning district OSR standard) X <u>0.35</u></p> <p>Equals MINIMUM REQUIRED ON-SITE OPEN SPACE =</p>	<p align="right">8.41 acres</p>
<p>STEP 2:</p>	<p>CALCULATE NET BUILDABLE SITE AREA</p> <p>Take <i>Base Site Area</i> (from Step 5 in Table 15-3 0502) <u>24.02</u></p> <p>Subtract <i>Total Resource Protection Land</i> from Table 15-3 0503) or <i>Minimum Required On-Site Open Space</i> (from Step 1 above), whichever is greater <u>9.30</u></p> <p>Equals NET BUILDABLE SITE AREA =</p>	<p align="right">14.72 acres</p>
<p>STEP 3:</p>	<p>CALCULATE MAXIMUM NET DENSITY YIELD OF SITE:</p> <p>Take <i>Net Buildable Site Area</i> (from Step 2 above) <u>14.72</u></p> <p>Multiple by Maximum <i>Net Density (ND)</i> (see specific residential zoning district ND standard) X <u>8.00</u></p> <p>Equals MAXIMUM NET DENSITY YIELD OF SITE</p>	<p align="right">117.76 D U s</p>
<p>STEP 4:</p>	<p>CALCULATE MAXIMUM GROSS DENSITY YIELD OF SITE</p> <p>Take <i>Base Site Area</i> (from Step 5 of Table 15 3 0502) <u>24.02</u></p> <p>Multiple by Maximum <i>Gross Density (GD)</i> (see specific residential zoning district GD standard) X <u>6.10</u></p> <p>Equals MAXIMUM GROSS DENSITY YIELD OF SITE =</p>	<p align="right">146.52 D U s</p>
<p>STEP 5:</p>	<p>DETERMINE MAXIMUM PERMITTED D U s OF SITE</p> <p>Take the <i>lowest</i> of Maximum Net Density Yield of Site (from Step 3 above) or Maximum Gross Density Yield of Site (from Step 4 above)</p>	<p align="right">117.76 D U s</p>

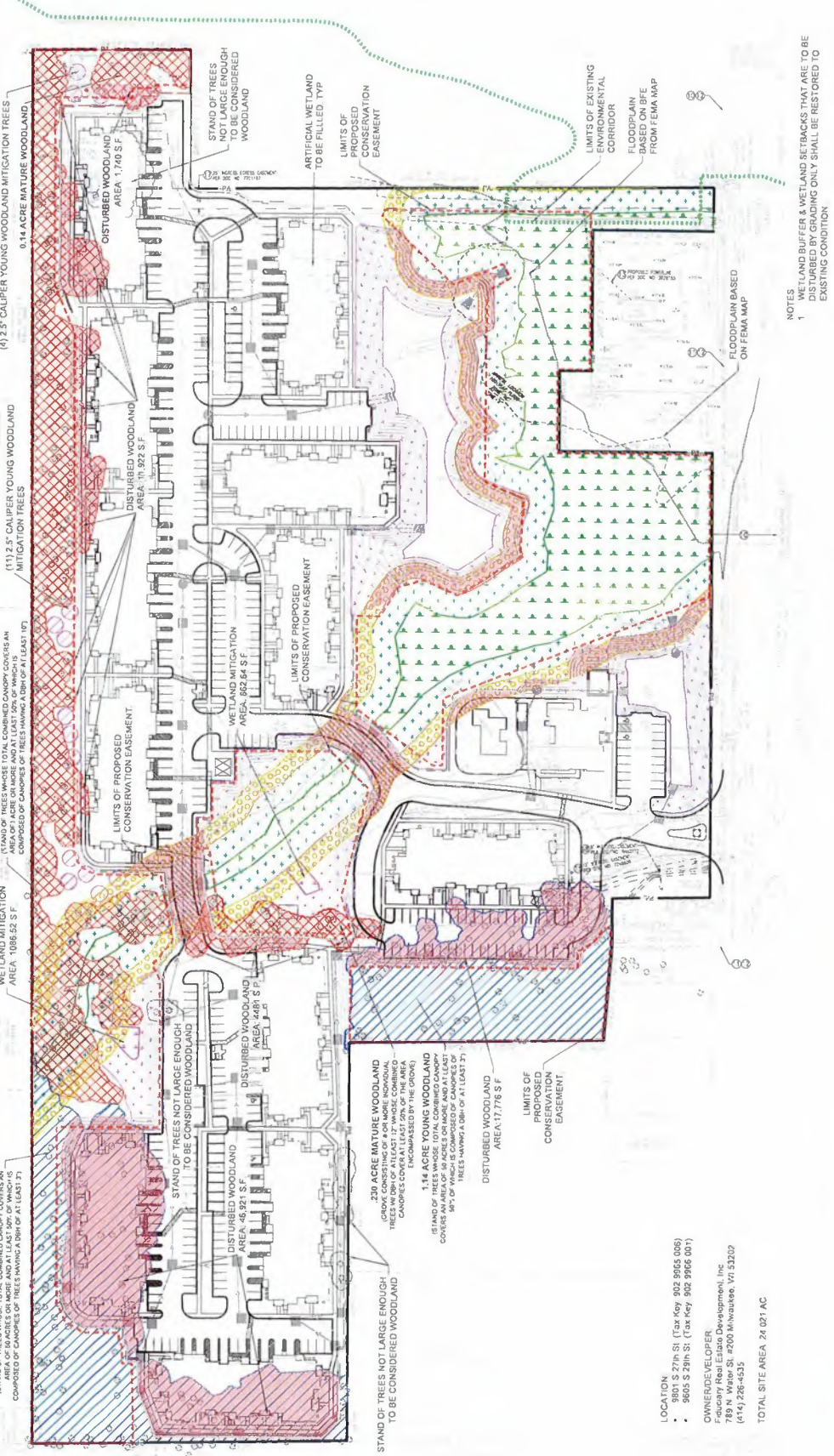


FIDUCIARY RE - FRANKLIN
 27TH STREET
 FRANKLIN, WI
 NATURAL RESOURCE PROTECTION PLAN

PRELIMINARY
 NOT FOR
 CONSTRUCTION

NO	REVISION	DATE	BY
1	Site Plans & Special Use Submittal	8/14/21	JK
2	Site Plans & Special Use Submittal	8/19/21	JK
3	WTC's Submittal	8/22/21	JK
4	WTC's Submittal	8/22/21	JK
5	WTC's Submittal	8/22/21	JK
6	WTC's Submittal	8/22/21	JK

SCALE	1" = 40' @
PROJ. NO.	24-027-AC
DESIGN DATE	8/14/21
PLOT DATE	8/14/21
DATE PLOTTED	8/14/21
APPROVED BY	JK
SHEET NO.	EX 3



- NOTES**
- WETLAND BUFFER & WETLAND SETBACKS THAT ARE TO BE DISTURBED BY GRADING ONLY SHALL BE RESTORED TO EXISTING CONDITION
 - WETLAND MITIGATION WILL BE PERFORMED IN ACCORDANCE WITH SECTION 10104 OF THE CITY OF FRANKLIN UNIFIED DEVELOPMENT ORDINANCE. WETLAND BUFFER AND WETLAND SETBACK SHALL PROVIDE SOILS AND NATIVE PLANT SPECIES OF EQUAL OR GREATER QUALITY THAN THOSE TO BE DISTURBED AREAS. (SEE L200 FOR SPECIES COMPOSITION OF SEED MIXES AND PLUGS FOR WETLAND AND WETLAND BUFFER AREAS) UNDER DIVISION 15-2-3.103
 - SEE L200 FOR SPECIES COMPOSITION OF SEED MIXES AND PLUGS FOR WETLAND AND WETLAND BUFFER AREAS
 - SEE L200 FOR INFORMATION ON SEED INSTALLATION AND LONG-TERM VEGETATION MANAGEMENT
 - DEVELOPER WILL DEDICATE A CONSERVATION EASEMENT TO PROTECT AND MAINTAIN EXISTING AND REQUIRED PROPOSED MITIGATED WETLAND AREAS. THE CONSERVATION EASEMENT SHALL NOT IMPEDE ON AREA NEEDED FOR MAINTENANCE OF STORMWATER BASIN AREAS. SEE PLAN FOR PROPOSED EXTENTS

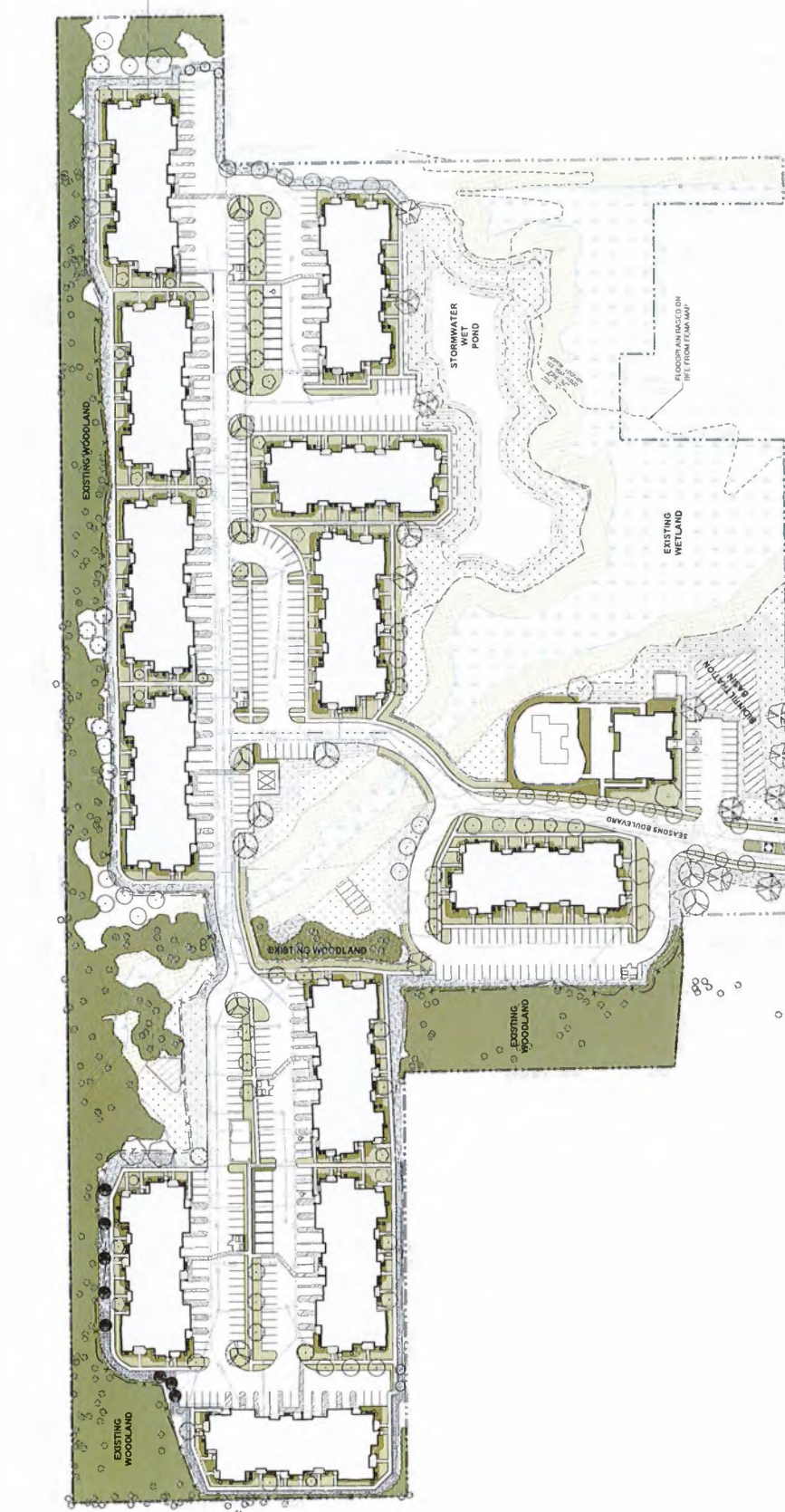
RESOURCE TYPE	MATURE WOODLANDS	YOUNG WOODLANDS	WETLANDS	WETLAND BUFFER
AREA (DISTURBED)	18,403 SF (0.42 AC) (17.2%)	84,893 SF (1.94 AC) (20%)	533,18 SF (0.01 AC) (0.00%)	4,090 SF (0.17 AC) (0.37%)
MITIGATION RATIO	1.25:1.00	1.25:1.00	1.50:1.00	1.50:1.00
MITIGATION AREA REQUIRED	0.57 (0.04 AC)	0.57 (0.04 AC)	0.79 (0.05 AC)	1.46 (0.17 AC)
MITIGATION AREA PROVIDED	0.57 (0.04 AC)	(131.75' CALIBRE TREES @ 10' DIA)	1,343.14 SF (0.04 AC)	1,000.00 SF (0.02 AC) (11.74 AC)

RESOURCE TYPE	MATURE WOODLANDS	YOUNG WOODLANDS	WETLAND BUFFER	WETLAND SETBACK
TOTAL AREA	84,893 SF (1.94 AC)	179,248 SF (0.37 AC)	84,898 SF (1.94 AC)	54,384 SF (1.23 AC)
AREA TO BE DISTURBED (IMPENVIOUS)	18,403 SF (0.42 AC) (19.16%)	84,893 SF (1.48 AC) (20%)	3,298 SF (0.07 AC) (3.77%)	24,215 SF (0.54 AC) (4.85%)
AREA TO BE RESTORED (IMPERVIOUS)	0.57 (0.04 AC) (1%)	0.57 (0.04 AC) (0.15%)	1,460 SF (0.17 AC) (0.57%)	3,884 SF (0.09 AC) (6.77%)

LOCATION:
 5801 S 27th St. (Tax Key: 902 9965 008)
 5605 S 29th St. (Tax Key: 902 9966 001)
OWNER/DEVELOPER:
 789 N Winter St. #200 Milwaukee, WI 53202
 (414) 226-4535
TOTAL SITE AREA: 24.027 AC

WETLAND RESOURCE - 20% Return from Land Use Change/Construction - Existing Use - Use - Existing/20% Impervious

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SOUTH 27TH STREET

**PRELIMINARY
NOT FOR
CONSTRUCTION**

LEGEND:

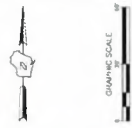
- SEED MIX (TURF GRASS LAWN) (SEE L200)
- HARDWOOD BIOMASS MULCH PLANT (BT D) (SEE L200)
- STONE MULCH
- WETLAND BUFFER SEED MIX (SEE L200)
- WETLAND SEED MIX A (SEE L200)
- BIOMASS MULCH (SEE L200)
- WOOLAND EDGE SEED MIX (SEE L200)
- EXISTING WETLAND
- EXISTING WETLAND BUFFER
- EXISTING WETLAND BUFFER (TO BE PRESERVED)
- EXISTING WOODLAND
- EXISTING WOODLAND (TO BE PRESERVED)

- GENERAL NOTES:**
- VERIFY EXISTING AND PROPOSED CONDITIONS, UTILITIES, AND CONDUITS. VERIFY EXISTING CONDUITS, ETC PRIOR TO BEGINNING CONSTRUCTION.
 - RESPECT THE SUE WITH AND PHOTOGRAPH EXISTING VEGETATION AND RECORD THE LOCATION AND EXTENT OF CONSTRUCTION. THE LANDSCAPE CONTRACTORS SHALL BE RESPONSIBLE FOR THE REMOVAL OF CONSTRUCTION ACTIVITIES.
 - MAINTAIN A MINIMUM 48" DIAMETER MINIMUM CLEAR SOLE OF THE TRENCH WITH CEILING DEPTH OF HANDWOOD DARK MULCH. SEE PLANTING DETAILS.
 - COORDINATE THE INSTALLATION OF PLANT MATERIAL WITH THE INSTALLATION OF UTILITIES AND CONDUITS. PROTECT EXISTING AND PROPOSED UTILITY AND CONDUIT STRUCTURES WITH OTHER TRENCHES.
 - RESTORE AREAS OF THE SITE OR ADJACENT AREAS WHERE DISTURBED AREAS BEING RECLAIMED. RESTORE AREAS OF THE SITE OR ADJACENT AREAS WHERE DISTURBED AREAS BEING RECLAIMED. RESTORE AREAS OF THE SITE OR ADJACENT AREAS WHERE DISTURBED AREAS BEING RECLAIMED.
 - SEE NATURAL RESOURCE PROTECTION PLAN FOR ADDITIONAL INFORMATION ON EXISTING WOODLANDS AND WETLANDS. TO BE PRESERVED AND PHOTOGRAPHED PRIOR TO CONSTRUCTION.

CITY OF FRANKLIN LANDSCAPE REQUIREMENTS

City of Franklin Landscape Requirements:	
Total Dwelling Units (D.U.) 1 - 20	20
Landscape Area Ratio Percentage = 1:2	10
Overall Tree	10
Large Tree	3
Medium Tree	15
Small Tree	30
Number of Species Planted	4

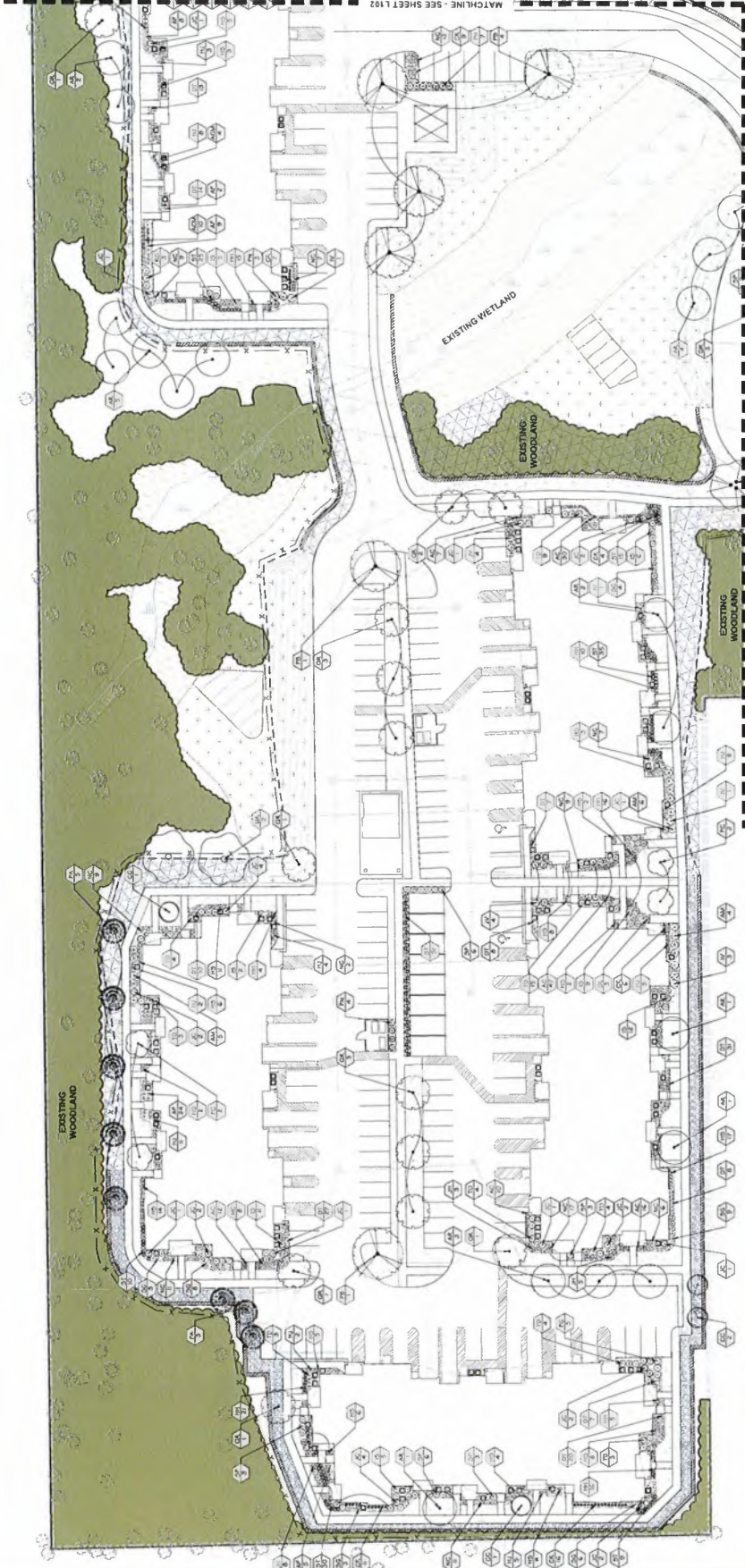
FOR ANY AND ALL INFORMATION ON THIS PLAN, CONTACT THE ARCHITECT AT THE ADDRESS ABOVE. THIS PLAN IS SUBJECT TO THE TERMS AND CONDITIONS OF THE ARCHITECT'S PROFESSIONAL SERVICES AGREEMENT. © 2018 SIGMA GROUP



FIDUCIARY RE - FRANKLIN
 27TH STREET
 FRANKLIN, WI
 DETAILED LANDSCAPE PLAN

**PRELIMINARY
 NOT FOR
 CONSTRUCTION**

SCALE	1" = 30'
PROJECT NO	70987
DESIGN DATE	12/15/2023
DATE	12/15/2023
CHECKED BY	ACT
APPROVED BY	CIC
SHEET NO	L101



MATCHLINE - SEE SHEET L103

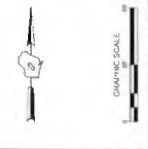
- GENERAL NOTES**
- SEE GENERAL NOTES ON SHEET L100 FOR ADDITIONAL INFORMATION ON SEELED AREAS. SEE L100 FOR ADDITIONAL INFORMATION ON SEELED AREAS AND FINISHES.
 - SEE GENERAL NOTES ON SHEET L100 FOR ADDITIONAL INFORMATION ON SEELED AREAS AND FINISHES.

LEGEND

- SEELED UNIMPERVED LAWN
- SEELED UNIMPERVED LAWN (PEEL LAY)
- HARDWOOD MULCH PLANT BED
- STONE MULCH
- SEELED UNIMPERVED LAWN
- SEELED UNIMPERVED LAWN (PEEL LAY)
- WOOD AND EDGE SEELED AREAS
- WOOD AND EDGE SEELED AREAS (PEEL LAY)
- EXISTING WETLAND
- EXISTING WETLAND BUFFER
- EXISTING WETLAND BUFFER (TO BE PRESERVED)
- EXISTING WETLAND BUFFER (TO BE PRESERVED)

PLANT SCHEDULE L101	SYMBOL	PLANT SPECIES	PLANT SIZE	PLANT QUANTITY	PLANT NOTES
1	(Symbol)	Red Maple (Acer rubrum)	12" DBH	10	Plant in wetland buffer area.
2	(Symbol)	White Birch (Betula papyrifera)	12" DBH	10	Plant in wetland buffer area.
3	(Symbol)	Black Birch (Betula nigra)	12" DBH	10	Plant in wetland buffer area.
4	(Symbol)	Red Pine (Pinus resinosa)	12" DBH	10	Plant in wetland buffer area.
5	(Symbol)	White Pine (Pinus strobus)	12" DBH	10	Plant in wetland buffer area.
6	(Symbol)	Black Pine (Pinus nigra)	12" DBH	10	Plant in wetland buffer area.
7	(Symbol)	White Oak (Quercus alba)	12" DBH	10	Plant in wetland buffer area.
8	(Symbol)	Black Oak (Quercus nigra)	12" DBH	10	Plant in wetland buffer area.
9	(Symbol)	Red Oak (Quercus rubra)	12" DBH	10	Plant in wetland buffer area.
10	(Symbol)	White Oak (Quercus alba)	12" DBH	10	Plant in wetland buffer area.
11	(Symbol)	Black Oak (Quercus nigra)	12" DBH	10	Plant in wetland buffer area.
12	(Symbol)	Red Oak (Quercus rubra)	12" DBH	10	Plant in wetland buffer area.
13	(Symbol)	White Oak (Quercus alba)	12" DBH	10	Plant in wetland buffer area.
14	(Symbol)	Black Oak (Quercus nigra)	12" DBH	10	Plant in wetland buffer area.
15	(Symbol)	Red Oak (Quercus rubra)	12" DBH	10	Plant in wetland buffer area.
16	(Symbol)	White Oak (Quercus alba)	12" DBH	10	Plant in wetland buffer area.
17	(Symbol)	Black Oak (Quercus nigra)	12" DBH	10	Plant in wetland buffer area.
18	(Symbol)	Red Oak (Quercus rubra)	12" DBH	10	Plant in wetland buffer area.
19	(Symbol)	White Oak (Quercus alba)	12" DBH	10	Plant in wetland buffer area.
20	(Symbol)	Black Oak (Quercus nigra)	12" DBH	10	Plant in wetland buffer area.

DATE: 12/15/2023
 DRAWN BY: ACT
 CHECKED BY: ACT
 APPROVED BY: CIC
 PROJECT NO: 70987
 SHEET NO: L101



FIDUCIARY RE - FRANKLIN
 27TH STREET, WI
 FRANKLIN, MI
 DETAILED LANDSCAPE PLAN

PRELIMINARY NOT FOR CONSTRUCTION

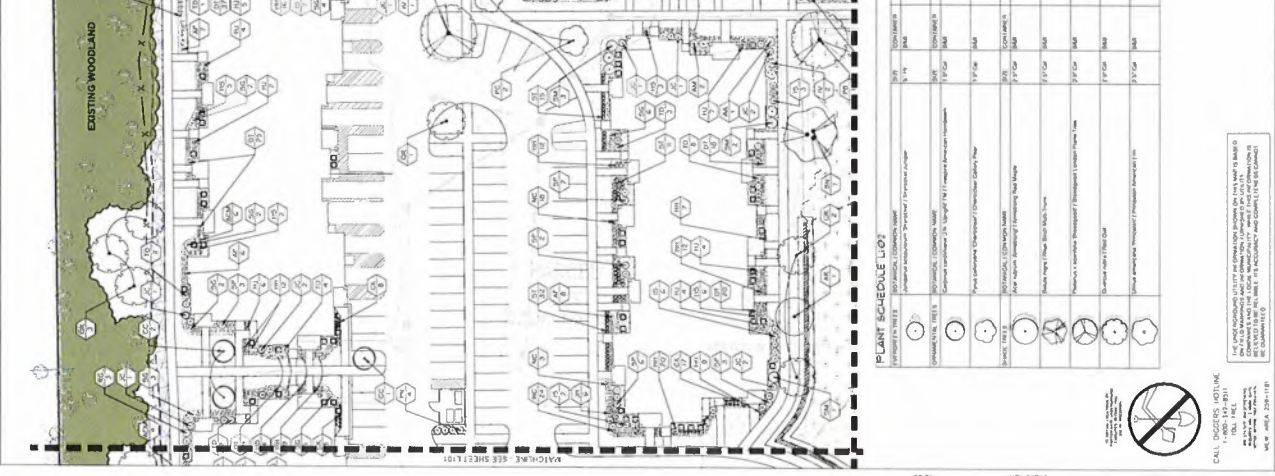
NO. REVISION	DATE	BY
SCALE	1" = 30' @	
PROJECT NO.	20787	
DESIGN DATE	11/15/2023	
DESIGNED BY	AWM	
CHECKED BY	AWM	
APPROVED BY	CTC	
SHEET NO.	L102	



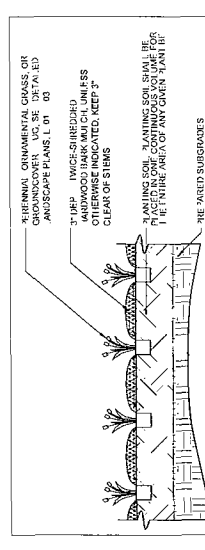
- GENERAL NOTES**
- SEE GENERAL NOTES ON SHEET L103
 - ALL CALLOUTS ON THIS SHEET ARE FOR INFORMATION ONLY. SEE SHEET L103 FOR ADDITIONAL INFORMATION ON SEED AMOUNTS.
 - SEE SHEET L103 FOR ADDITIONAL INFORMATION ON SEED AMOUNTS.
- LEGEND**
- EXISTING (SEE L103)
 - PROPOSED (SEE L103)
 - PROPERTY LINE
 - LIMITS OF GRAVING (SEE L103)
 - EXISTING WETLAND BUFFER (TO BE PRESERVED)
 - PROPOSED WETLAND BUFFER (TO BE PRESERVED)
 - EXISTING WETLAND (TO BE PRESERVED)
 - PROPOSED WETLAND (TO BE PRESERVED)
- SEEDING**
- SEEDED LUFF GRASS LAWN (SEE L103)
 - SEEDED LUFF GRASS LAWN (SEE L103)
 - HARDWOOD MULCH PLANT BED (SEE L103)
 - STONE MULCH
 - WETLAND BUFFER SEED MIX (SEE L103)
 - WETLAND BUFFER PLANT BED (SEE L103)
 - WETLAND BUFFER PLANT BED (SEE L103)
 - WETLAND BUFFER PLANT BED (SEE L103)
 - WETLAND BUFFER PLANT BED (SEE L103)
 - WETLAND BUFFER PLANT BED (SEE L103)

PLANT SCHEDULE L102

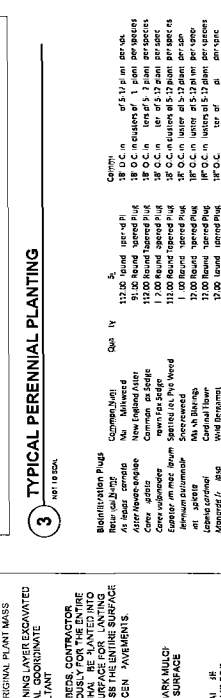
PLANT	QTY	DESCRIPTION	LOCATION
1	100	Large Ornamental Tree	Central Plaza
2	200	Medium Ornamental Tree	Central Plaza
3	500	Small Ornamental Tree	Central Plaza
4	1000	Shrub	Central Plaza
5	2000	Flowering Shrub	Central Plaza
6	100	Large Ornamental Tree	Walkway
7	200	Medium Ornamental Tree	Walkway
8	500	Small Ornamental Tree	Walkway
9	1000	Shrub	Walkway
10	2000	Flowering Shrub	Walkway
11	100	Large Ornamental Tree	Parking
12	200	Medium Ornamental Tree	Parking
13	500	Small Ornamental Tree	Parking
14	1000	Shrub	Parking
15	2000	Flowering Shrub	Parking



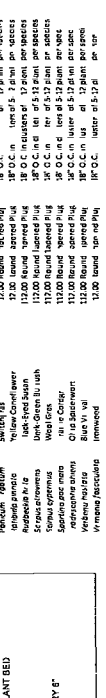
CALL TO SIGMA GROUP INC.
 3000 West Canyon Street
 Suite 100, Grand Rapids, MI 49508
 Phone: (616) 331-7220
 Fax: (616) 331-7210



- NOTES**
1. MAKE SURE THE ROOT BALL IS PLANTED TO THE CORRECT DEPTH. THE ROOT FLARE IS AT THE TOP OF THE HOLE. DO NOT COVER THE ROOT FLARE WITH SOIL.
 2. PLANTING HOLE MUST BE NO DEEPER THAN THE HEIGHT OF THE ROOT BALL.
 3. DO NOT PLACE MULCH IN CONTACT WITH STEMS.
 4. DO NOT PLACE MULCH ON UNSCAVENED OR TAMPED SOIL.
 5. PLACE ROOT BALL ON UNSCAVENED OR TAMPED SOIL.
 6. WATER ALL PLANTS WITHIN 2 HOURS OF INSTALLATION.
 7. WALK ONLY AS NECESSARY TO REPAIR UNHEALTHY BRANCHES. DO NOT REMOVED MORE THAN 25% OF THE ORIGINAL PLANT MASS.
 8. DISPOSE OF BRANCHES AND OTHER DEBRIS PROPERLY.
 9. FOR SHRUBS PLANTED WITHIN PLANTING BEDS, CONTRACTOR SHALL PROVIDE PLANTING SOIL CONTINUOUSLY FOR THE ENTIRE PLANTING BED AND PLANTING SOIL MULCH SURFACE FOR PLANTING BEDS SHALL ALSO BE CONTINUOUS ACROSS THE ENTIRE SURFACE AND HELD TO 1" MAX. BELOW ADJACENT PavEMENTS.



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UNPLANTED TREE SCHEDULE

Common Name	Quantity	Planting Method	Planting Date	Planting Location
...

UNPLANTED SHRUB SCHEDULE

Common Name	Quantity	Planting Method	Planting Date	Planting Location
...

UNPLANTED PERENNIAL SCHEDULE

Common Name	Quantity	Planting Method	Planting Date	Planting Location
...

WETLAND BUFFER SEED MIX

Seed Type	Quantity	Planting Method	Planting Date	Planting Location
...

WOODLAND EDGE SEED MIX

Seed Type	Quantity	Planting Method	Planting Date	Planting Location
...

1 TYPICAL TREE PLANTING

2 TYPICAL SHRUB PLANTING

3 TYPICAL PERENNIAL PLANTING

4 BIORETENTION PLUGS SCHEDULE

5 WETLAND BUFFER SEED MIX

6 WOODLAND EDGE SEED MIX

UNPLANTED TREE SCHEDULE

Common Name	Quantity	Planting Method	Planting Date	Planting Location
...

UNPLANTED SHRUB SCHEDULE

Common Name	Quantity	Planting Method	Planting Date	Planting Location
...

UNPLANTED PERENNIAL SCHEDULE

Common Name	Quantity	Planting Method	Planting Date	Planting Location
...

WETLAND BUFFER SEED MIX

Seed Type	Quantity	Planting Method	Planting Date	Planting Location
...

WOODLAND EDGE SEED MIX

Seed Type	Quantity	Planting Method	Planting Date	Planting Location
...

BIORETENTION PLUGS SCHEDULE

Common Name	Quantity	Planting Method	Planting Date	Planting Location
...

WETLAND SEED MIX

Seed Type	Quantity	Planting Method	Planting Date	Planting Location
...

WOODLAND BUFFER SEED MIX

Seed Type	Quantity	Planting Method	Planting Date	Planting Location
...

WOODLAND EDGE SEED MIX

Seed Type	Quantity	Planting Method	Planting Date	Planting Location
...

WETLAND SEED MIX

Seed Type	Quantity	Planting Method	Planting Date	Planting Location
...

WOODLAND BUFFER SEED MIX

Seed Type	Quantity	Planting Method	Planting Date	Planting Location
...

WOODLAND EDGE SEED MIX

Seed Type	Quantity	Planting Method	Planting Date	Planting Location
...

BIORETENTION PLUGS SCHEDULE

Common Name	Quantity	Planting Method	Planting Date	Planting Location
...

WETLAND SEED MIX

Seed Type	Quantity	Planting Method	Planting Date	Planting Location
...

State of Wisconsin
DEPARTMENT OF NATURAL RESOURCES
1155 Pilgrim Rd.
Plymouth, WI, 53073

Tony Evers, Governor
Preston D. Cole, Secretary
Telephone 608-266-2621
Toll Free 1-888-936-7463
TTY Access via relay - 711



December 23, 2021

GP-SE-2021-41-04248

CCM-9801 27th Franklin LLC
Nicklaus Jung
901 S. 70th Street
West Allis, WI 53214

Sent electronically via email

RE: Coverage under the wetland statewide general permit for Wetland Fill or disturbance for Residential, Commercial, Industrial development, located in the City of Franklin, Milwaukee County, also described as being in the SE ¼ of the NE ¼ section 25 Township 05 North, Range 21 East; docket GP-SE-2021-41-04248.

Dear Mr. Jung,

Thank you for submitting an application for coverage under the wetland statewide general permit for wetland fill or disturbance for residential, commercial, or industrial development, s. 281.36, Wis. Stats.

You have certified that your project meets the eligibility criteria for this activity. **Based upon your signed certification you may proceed with your project to fill 0.015 acres (653 square feet) of wetlands.** Please take this time to re-read the permit standards and conditions. The eligibility standards can be found on your application checklist or in the statewide general permit (found at <https://dnr.wisconsin.gov/topic/Wetlands/permits> - keyword: general permits-GP1). The permit conditions are attached to this letter. **You are responsible for meeting all general permit eligibility standards and permit conditions.** This includes notifying the Department before starting the project and submitting photographs within one week of project completion. Please note your coverage is valid for 5 years from the date of the department's determination or until the activity is completed, whichever occurs first.

The Department conducts routine and annual compliance monitoring inspections. Our staff may follow up and inspect your project to verify compliance with state statutes and codes. If you need to modify your project please contact your local Water Management Specialist, Ryan Pappas at (715) 492-0200 or email Ryan.Pappas@wisconsin.gov to discuss your proposed modifications.

The Department of Natural Resources appreciates your willingness to comply with wetland regulations, which help to protect the water quality, fish and wildlife habitat, recreational value and other functions and values wetlands provide to current and future generations. You are responsible for obtaining any other local, state or federal permits that are required before starting your project.

If you have any questions, please call me at (715) 492-0200 or email Ryan.Pappas@wisconsin.gov .

Sincerely,

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

Ryan Pappas
Water Management Specialist

Copy to USACE Project Manager
 City of Franklin Zoning Administrator
 Consultant

WDNR-GP1-2017 Permit Conditions – Residential/Commercial/Industrial

You agree to comply with the following conditions

- 1 **Application.** You shall submit a complete application package to the Department as outlined in the application materials and section 2 of this permit. If requested, you shall furnish the Department within a reasonable timeframe, any information the department needs to verify compliance with the terms and conditions of this permit.
- 2 **Certification.** Acceptance of general permit WDNR-GP1-2017 and efforts to begin work on the activities authorized by this general permit signifies that you have certified the project meets all eligibility standards outlined in Section 1 of this permit and that you have read, understood and have agreed to follow all terms and conditions of this general permit.
- 3 **Reliance on Applicant's Data.** The determination by this office that a confirmation of authorization is not contrary to wetland water quality standards will be based upon the information provided by the applicant and any other information required by the DNR.
- 4 **Project Plans.** This permit does not authorize any work other than what is specifically described in the notification package and plans submitted to the Department and you certified is in compliance with the terms and conditions of WDNR-GP1-2017.
- 5 **Expiration.** This WDNR-GP1-2017 expires on October 31, 2022. The time limit for completing work authorized by the provisions of WDNR-GP1-2017 ends 5 years after the date on which the discharge is considered to be authorized under WDNR-GP1-2017 or until the discharge is completed, whichever occurs first.
- 6 **Other Permit Requirements.** You are responsible for obtaining any other permit or approval that may be required for your project by local zoning ordinances, other local authority, other state permits and by the U.S. Army Corps of Engineers before starting your project.
- 7 **Authorization Distribution.** You must supply a copy of the permit coverage authorization to every contractor working on the project.
- 8 **Project Start.** You shall notify the Department before starting construction.
- 9 **Permit Posting.** You must post a copy of this permit coverage letter at a conspicuous location on the project site prior to the execution of the permitted activity, and remaining at least five days after stabilization of the area of permitted activity. You must also have a copy of the permit coverage letter and approved plan available at the project site at all times until the project is complete.
- 10 **Permit Compliance.** The department may modify or revoke coverage of this permit if the project is not constructed in compliance with the terms and conditions of this permit, or if the Department determines the project will be detrimental to wetland water quality standards. Any act of noncompliance with this permit constitutes a permit violation and is grounds for enforcement action. Additionally, if any applicable conditions of this permit are found to be invalid or unenforceable, authorization for all activities to which that condition applies is denied.
- 11 **Construction Timing.** Once wetland work commences, all wetland construction activities must be continuous until the permitted activity is completed and the site is stabilized.
- 12 **Construction.** No other portion of the wetland may be disturbed beyond the area designated in the submitted plans.
- 13 **Project Completion.** Within one week of completion of the regulated activity, you shall submit to the Department a statement certifying the project is in compliance with all the terms and conditions of this permit and photographs of the activities authorized by this permit. This statement must reference the Department-issued docket number and be submitted to the Department staff member that authorized coverage.

14 **Proper Maintenance.** You must maintain the activity authorized by WDNR-GP1-2017 in good condition and in conformance with the terms and conditions of this permit utilizing best management practices. Any structure or fill authorized shall be properly maintained to ensure no additional impacts to the remaining wetlands.

15 **Site Access.** Upon reasonable notice, you shall allow access to the site to any Department employee who is investigating the project's construction, operation, maintenance, or permit compliance with the terms and conditions of WDNR-GP1-2017 and applicable laws.

16 **Erosion and siltation controls.** The project site shall implement erosion and sediment control measures that adequately control or prevent erosion, and prevent damage to wetlands as outlined in NR 151.11(6m), Wis. Adm. Code.

17 **Equipment use.** The equipment used in the wetlands must be low ground weight equipment as specified by the manufacturer specifications.

18 **Invasive Species.** All project equipment shall be decontaminated for removal of invasive species prior to and after each use on the project site by utilizing other best management practices to avoid the spread of invasive species as outlined in NR 40, Wis. Adm. Code. For more information, refer to <http://dnr.wi.gov/topic/Invasives/bmp.html>.

19 **Federal and State Threatened and Endangered Species.** WDNR-GP1-2017 does not affect the DNR's responsibility to insure that all authorizations comply with Section 7 of the Federal Endangered Species Act, s. 29.604, Wis. Stats. and applicable State Laws. No DNR authorization under this permit will be granted for projects found not to comply with these Acts/laws. No activity is authorized which is likely to jeopardize the continued existence of a threatened or endangered species or a species proposed for such designation, as identified under the Federal Endangered Species Act and/or State law or which is likely to destroy or adversely modify the critical habitat of a species as identified under the Federal Endangered Species Act.

20 **Special Concern Species.** If the Wisconsin National Heritage Inventory lists a known special concern species to be present in the project area, you will take reasonable action to prevent significant adverse impacts or to enhance the habitat for the species of concern.

21 **Historic Properties and Cultural Resources.** WDNR-GP1-2017 does not affect the DNR's responsibility to insure that all authorizations comply with Section 106 of the National Historic Preservation Act and s. 44.40, Wis. Stats. No DNR authorization under this permit will be granted for projects found not to comply with these Acts/laws. Information on the location and existence of historic resources can be obtained from the State Historic Preservation Office and the National Register of Historic Places. If cultural, archaeological, or historical resources are unearthed during activities authorized by this permit, work must be stopped immediately and the State Historic Preservation Officer must be contacted for further instruction.

22 **Preventive Measures.** Measures must be adopted to prevent potential pollutants from entering a wetland or waterbody. Construction materials and debris, including fuels, oil, and other liquid substances, will not be stored in the construction area in a manner that would allow them to enter a wetland or waterbody as a result of spillage, natural runoff, or flooding. If a spill of any potential pollutant should occur, it is the responsibility of the permittee to remove such material to minimize any contamination resulting from this spill and to immediately notify the State Duty Officer at 1-800-943-0003.

23 **Suitable fill material.** All fill authorized under this permit must consist of clean suitable soil material as defined by s. NR 500.03(214), Wis. Admin. Code, free from hazardous substances as defined by s. 289.01(11), Wis. Stats. and free from solid waste as defined by s. 289.01(11) and (33), Wis. Stats.

24 **Standard for Coverage.** Wetland impacts from the project will cause only minimal adverse environmental impacts as determined by the Department.

25 **Transfers.** Coverage under this permit is transferable to any person upon prior written approval of the transfer by the Department.

26 **Limits of State Liability.** In authorizing work, the State Government does not assume any liability, including for the following:

a Damages to the permitted project or uses thereof as a result of other permitted or unpermitted activities or from natural causes

b Damages to the permitted project or uses thereof as a result of current or future activities undertaken by or on behalf of the State in the public interest

c Damages to persons, property, or to other permitted or unpermitted activities or structures caused by the activity authorized by this permit

d Design or construction deficiencies associated with the permitted work

e Damage claims associated with any future modification, suspension or revocation of this WDNR-GP1-2017

27 **Reevaluation of Decision.** The Department may suspend modify or revoke authorization of any previously authorized activity and may take enforcement action if any of the following occur

a The applicant fails to comply with the terms and conditions of WDNR-GP1-2017

b The information provided by the applicant in support of the permit application proves to have been false, incomplete or inaccurate

c Significant new information surfaces which this office did not consider in reaching the original public interest decision

From: [James Leedom, P.E., LEED AP](#)
To: [Pappas, Ryan J - DNR](#); [Tony DeRosa](#)
Cc: [Marion Ecks](#); [Wirth-Murray, Morgan M MVP](#); [Christopher Carr, P.E.](#); [Ashley Poull](#); [David Ferrell](#); [Sean Miller](#)
Subject: [External] RE: [EXT] Fiduciary Real Estate Seasons_Wetland Permit-HOLD_Request for additional information_Franklin_Milwaukee County
Date: Wednesday, December 22, 2021 4:56:30 PM
Attachments: [Alternatives Analysis Cost Comparison Table.pdf](#)
[Wetland Permit Exhibit Revised ALT 4-ALT 4.pdf](#)
[Wetland Permit Exhibit 5 - Wetland Impact Cross Section.pdf](#)
[2021.12.22_20282_Civil Site Plan.pdf](#)
[2021.12.22_20282_Wetland Fill Offsite Catchment Area.pdf](#)
[2021.12.22_Wetland Bypass Flow Calculation.pdf](#)
[2021.12.22_20282_Civil Grading Plan.pdf](#)

Ryan, see our responses to your comments in red below. Based on your comments, we revisited the proposed site plan and made some revisions to further minimize wetland impacts. A copy of the revised proposed site plan is attached. The revisions result in approximately 6,316 less square feet of wetland disturbance than the originally proposed layout. The revised wetland disturbance area based on the revised plan is 0.015-acres (653 square feet). We look forward to your review of this additional information. Please do not hesitate to contact us should additional information be required to finish your review. Regards, Chip Leedom

James (Chip) B. Leedom, P.E., LEED A.P.
Senior Project Engineer
414-643-4169 (office)/414-217-3333 (Mobile)
The Sigma Group, Inc.
[1300 W. Canal Street, Milwaukee, WI 53233](#)
[www.thesigmagroup.com](#) | jleedom@thesigmagroup.com



This electronic transmission is strictly confidential and intended solely for the addressee. If you are not the intended addressee, you must not disclose, copy or take any action in reliance of this transmission.

From: Pappas, Ryan J - DNR <Ryan.Pappas@wisconsin.gov>
Sent: Wednesday, November 24, 2021 2:46 PM
To: James Leedom, P.E., LEED AP <jleedom@thesigmagroup.com>; njung@cardinalcapital.us; Tony DeRosa <tderosa@fred-inc.com>
Cc: Marion Ecks <MEcks@franklinwi.gov>; Wirth-Murray, Morgan M MVP <Morgan.M.Wirth-Murray@usace.army.mil>
Subject: [EXT] Fiduciary Real Estate Seasons_Wetland Permit-HOLD_Request for additional information_Franklin_Milwaukee County

Good morning Nicklaus, Anthony, and James,

Thank you for submitting a wetland general permit application for the proposed

Fiduciary real estate seasons project proposing to impact 6,970 square feet of wetlands in the City of Franklin, Milwaukee County (GP-SE-2021-41-04248). We have reviewed your application materials, and are writing to notify you that **we need additional information to complete your application** and determine if your proposed project will meet applicable legal standards. It is important that we receive clear detailed information about your project requirements and constraints so the permit application file adequately explains your project and allows the DNR to issue a decision that is supported by the file information. **Specifically, we need the following information:**

Wetland permits require that you demonstrate you have avoided wetland impact where possible, and that you minimized wetland impact to the greatest practicable extent for the purpose and need of your proposed project. This means that you must show that you have used and considered all practicable alternatives where possible that can completely avoid or minimize wetland fill for your proposed project.

Wetland Permit additional information needed:

1). Differentiate between waterway and wetland: The area of wetland impact proposed will need to be reviewed to determine if the feature would be considered a waterway or watercourse by the Wisconsin DNR. The wetland delineation report calls out the feature as an intermittent stream, flowing in a particular direction, that ranges from 2-6 feet wide, and 6 inches – 12 inches deep. These dimension seem to indicate a marginal waterway is present at the site. Waterway and wetland projects have very different permitting requirements, and the DNR will need to visit the site to determine if the waterway/wetland feature would be considered a navigable waterway or not. If the feature is not a navigable waterway, we would then proceed under wetland permitting. If the feature is a navigable waterway, there may be additional waterway permit requirements. The site visit will also serve as a review of wetland functions and values, if the feature is not a waterway. Please let me know if 2PM on Thursday December 2nd would work for a tentative site visit day. **The “waterway” in question was previously determined to be non-navigable by the WDNR in late 2018. An email from Joshua Wied of the WDNR dated 1/4/19 indicating that it is non-navigable was provided to you as documentation. Per the email, no waterway permitting would be required.**

2). Top View plan detail: Please provide a detailed top view plan details of the entire facility, showing all of the following:

- The entire proposed expansion project, including all proposed features, stormwater pond, bioretention pond, roadways, culverts, sewer, utilities, parking areas, filling/grading limits.
- detail showing the limits of all wetland on the parcel, and indicating the proposed wetland impact area. On this figure, please indicate the

amount of wetland proposed to be disturbed in square feet.

The top view plan detail must clearly show exactly which area of wetland you are requesting to fill for your project in context to the proposed expansion project limits. This proposed wetland fill area should either be highlighted, shaded or color-coded for easy reference, and include labels that indicate the amount of wetland disturbance in each area (in square feet). The top view plan detail must also show specifically all limits of disturbance and portions of your proposed development/expansion project as mentioned in your narrative and alternative analysis. **A current set of site civil plans showing the top view of the entire project site including all proposed features were included as attachments to the permit application. In addition, the alternatives analysis attachment included exhibits showing the area of proposed wetland disturbance. The proposed site plan has since been adjusted to address some of your comments below. A revised site plan and revised wetland disturbance plan are included as attachments to this email.**

3). Side View and Cross section plan detail: Please provide cross section/side view plan details for the proposed project, where you are proposing to impact wetlands. This cross section detail should show, road width, side slopes, sidewalks, parking spaces, proposed building edges, culvert details (including diameter, and culvert placement details), proposed swale details on the southwestern side of the site, and all other applicable details.

Please clarify road width, side slope and parking lot details:

- a. **Road width details:** it appears that there are 2 road crossings of the wetland area. Please explain the proposed road width in these areas, and explain how the road width has been minimized to the greatest practicable extent. Please explain if one crossing could work instead of using two road crossings. Please see the attached 'suggested alternative 2' figure that includes a potential road that runs parallel to the south side of the wetland/watercourse, which could reduce wetland impacts by eliminating the other road segment. Please explain the reason for this road width in detail, including the typical widths of equipment, turning radius of typical equipment, and any other applicable details. Most public roads and 2-lane highways (that accommodate 2 directions of travel) have a drivable surface that is 24-30 foot wide drivable surface for 2-way traffic (two - 12 foot lanes, and 3 foot wide shoulders on each side). Please explain in detail why the suggested alternative is not a practicable alternative that minimizes wetland impacts to the greatest practicable extent for the purpose and need of the proposed project. **The drives are 24' in width from face of curb to face of curb. The Franklin Unified Development Ordinance requires drives to be a minimum of 24 feet in width. We are meeting that requirement.**

The suggested alternative of eliminating the east-west wetland crossing by running a drive running parallel to the south side of the wetlands was

considered. However, this alternative would run through a stand of mature woodlands as defined by the City of Franklin. This alternative would result in the loss of approximately 1200 square feet of mature woodlands and would require approximately 400 linear feet of additional retaining wall. The development is trying to balance and minimize impacts to both wetlands and mature woodlands and meet City of Franklin requirements for the protection of natural resources. The delineated areas of mature woodlands have been added to the updated wetland impact plan which is attached to this email.

We have revised the proposed site layout to further minimize the impacts to the wetlands by shifting the drives such that they cross the wetlands at the gaps in the wetlands. This revision results in approximately 6,316 less square feet of wetland impact compared to the original proposed plan.

- b. **Side slope details:** Please explain what the side slopes are proposed to be in the wetland-facing impact areas. Have these side slopes been steepened in order to minimize wetland disturbance to the greatest practicable extent? Can you steepen the side slopes in these areas to 2:1 in certain areas to minimize wetland disturbance to the greatest practicable extent? Or can you utilize retaining walls in these wetland-facing areas to further minimize wetland impacts? If not, please explain in detail. **See attached cross section through the wetland impacts. Vertical retaining walls are being utilized at the wetland crossing and extensively throughout the site to minimize impacts to wetlands and mature woodlands. Retaining walls are placed several feet off of roadways and sidewalks for safety reasons.**

- c. **Parking lot area details:** Part of the proposed wetland impact area is for the purpose of parking stalls. Please explain how the number of parking stalls required was determined. Can you remove parking stalls in this wetland -impact area in order to minimize wetland disturbance to the greatest practicable extent? Can you reorganize the parking stalls in this area in order to minimize wetland disturbance to the greatest practicable extent? Upland areas exist around that area to the south, could you add a few parking spots at that location, and remove the ones associated with the wetland fill to minimize to the greatest practicable extent? **The parking stalls impacting the wetlands have been removed and relocated to avoid the wetland impacts. A revised site plan and wetland impact plan reflecting this revision is attached to this email. The total number of parking stalls is based on City requirements and what the market demands for parking.**

- d. **Sidewalks:** It appears that sidewalks would be included in areas where wetland

impact is proposed. Can you explain the widths of the sidewalk proposed in this area? Can the sidewalks be minimized to minimize overall wetland impacts to the greatest practicable extent? Can the sidewalk be moved over to the edge of the road in order to minimize wetland disturbance to the greatest practicable extent? Please explain in detail. Please explain how you minimized these features in the wetland impact areas. Sidewalks along the drives crossing the wetlands have been moved to the back of the curb and the terrace between the curb and the sidewalk has been eliminated in order to minimize wetland disturbance. Retaining walls are used outside of the sidewalks to transition back to wetland grades and minimize wetland disturbances. As shown on the attached site plan, we have designed the site with extensive retaining walls throughout the site to minimize wetland impacts and impacts to mature woodlands.

- e. **Culverts:** Please provide typical cross sections of the culverts in the wetland area. The wetland/watercourse flows in a particular direction, from the southwest corner of the site to the northeast corner of the site. The swale continues offsite on other private property to the south-west of the parcel in question. Please explain the size of the culverts you are placing to maintain this drainage/watercourse through the site. Please explain how these culverts were sized, and what, if any, engineering or analysis was completed to ensure that the changes to this watercourse would not result in flooding/stormwater concerns on neighboring properties. Please explain in detail. Please indicate the culverts in plans, and show how these features will be installed. Culverts should be embedded to ensure that wetland hydrology is maintained, and that that it would not result in impounding water. Cross sections of the proposed culverts in the wetland area are attached. Off-site runoff from the southwest was modeled using Hydro-Cad modeling and the culverts were sized to safely convey the 100-year storm event. Storm water modeling output is included as an attachment to this email.
- f. **Wetland swale-rerouted area:** Please provide cross section details for the proposed wetland swale rerouted area around the building in the southwest corner of the site. The rerouted area should be designed appropriately, to ensure that wetland hydrology will be maintained, and would not result in impounding water on neighboring properties. Please explain any engineering or analysis that went into the design of this feature, and provide a typical cross section of the proposed swale. The building in the southwest corner has been eliminated and the existing swale conveying offsite runoff from the southwest will remain in that area. As discussed above, the culverts at the drive crossings of the wetlands were sized to safely convey the 100-year storm event.

4). Building details: Please describe how many floors are planned with each of the proposed buildings (1 story, 2 story, 3 story, etc.), the number of unit types (studio, 1 BR, 2 BR, 3 BR, etc.) proposed throughout the site. Can you add floors to the buildings (or some of the buildings) to obtain more units in an alternative 3-layout (alternative 3 of your practicable alternative analysis narrative). **The buildings are all two-story buildings. A total of 252 units are being provided broken down as follows: 30 studio apartments; 96 1-bedroom apartments; 102 2-bedroom apartments and 24 3-bedroom apartments. Three and four-story buildings are not considered viable for the following reasons.**

Market demand is for two-story townhomes with private direct entrances (as proposed) for each apartment unit. The market has been flooded in recent years with three and four-story buildings with common corridors. With the onset of COVID and the typical renter is now significantly more concerned about their health, there is less demand for 3 and 4-story buildings with elevators and common hallways as people desire a more private living experience/entrance. Many renters do not want to share an elevator or common hallway with others.

The developer also conducted a neighborhood meeting last month, and all of the residential neighbors that we spoke with will not support anything taller than a two-story building. They do not want and will not support a three or four-story building in their backyards.

Not only is there less demand for corridor buildings for the reasons noted above and lack of support for taller buildings from neighboring residents, but there are significant implications with the idea of adding a third floor to these buildings as noted below:

- A three-story building will require an elevator. Adding an elevator will require that all three floors now have corridor ADA access and this would actually grow the size of the buildings to accommodate elevators and ADA compliant corridors. This would add an estimated \$1,500,000 to the project budget and the project would no longer be financially feasible, nor desirable to the target customers for what they are looking for.

5). Alternatives analysis details: Regarding the alternatives in your provided alternative analysis, and including a few suggested alternatives below, please consider all of the following components and provide all applicable details and information regarding the alternatives where its applicable to your project. You suggest that fewer units would not be economically feasible, but you didn't provide any supplemental information as to how this was determined. Where economic information is the reason why one alternative is chosen over another, you must provide an economic analysis, and other detailed information as described below how this was determined. Regarding all suggested alternatives below, and your application alternatives, please provide all applicable details and information where applicable to your project:

List of suggested alternatives to evaluate, including but not limited to the following:

- **Suggested alternative 1:** Please describe a suggested alternative that is similar to alternative 3 in your submitted alternative analysis, where you utilize alternative sized buildings (besides just the standard 20-unit building) and fully utilize available upland areas to increase the number of units, making it more economically feasible. Please see suggested alternative 1 attachment – utilizing larger buildings in some areas or smaller unit buildings in other areas to make up for lost units. (i.e. using three 30-unit buildings and a 10-unit building to get closer to that desired 252 unit threshold). Please describe if an alternative like

this could be a practicable alternative that minimizes wetland disturbance to the greatest practicable extent. Please justify with below engineering, safety, logistical, or economic reasons. The current revised plan already includes a combination of 20 unit buildings (with attached garages) along with a few 24 unit buildings (with no attached garages). This was done to minimize wetland impacts to the extent practicable and to utilize more dense buildings in strategic locations. Constructing buildings that are any smaller is not financially feasible on per unit basis due to sunk costs related to footings, foundations, garages, etc. In addition, at our neighborhood meeting the neighboring residents made it clear that they will not support larger buildings than what is currently planned. Larger buildings would also not be as marketable due to their large scale appearance that makes it feel less like a townhome.

- **Suggested alternative 2:** Please describe a suggested alternative using only 1 wetland road crossing, as described in question 3-a above. See attached suggested alternative 2 attachment, should a potential roadway south of the wetland complex, and removing a section of road through wetland areas. As discussed above, this alternative would result in the loss of a significant area of mature woodlands as defined by the City. The development is trying to maintain a fine balance between impacts to wetlands and mature woods while trying to minimize impacts to both. We have, however, revised the site plan to further minimize wetland impacts by shifting the drives such that they cross the wetlands at the gaps in the wetlands. A copy of the revised proposed site plan is attached.
- **Other suggested alternative:** Parking lots or other features with different shape/design (question 3-c as listed above)/reduced number of parking spaces. The parking in the area of wetland impacts has been eliminated. See revised site plan and wetland impact plan.
- **Other suggested alternative:** Using clear span bridges across the waterway/wetland instead of culverts. Use of clear span bridges to cross the wetlands was evaluated. The existing clearance over the wetlands is insufficient and road grades would need to be raised an estimated 2-4' at the crossings to accommodate a clear span bridge which would result in significant additional costs for fill placement and extension of retaining walls. The use of clear span bridges for the wetland crossings would add significant costs to the project – estimated at \$400,000 for the bridges alone. Use of clear span bridges is not financially viable for the project.
- **Other suggested alternative:** Moving/minimizing sidewalk, and maximizing side slopes steepness (2:1) in wetland facing areas or retaining walls to minimize wetland disturbance. Sidewalks at the wetland crossings have been moved to the back of the drive curbs and terraces between the sidewalks and the drive curbs have been eliminated to reduce wetland impacts. We have designed the site with extensive retaining walls throughout the site to minimize wetland impacts and impacts to mature woodlands.
- **Other suggested alternative:** increasing the height of the proposed buildings (or some of the proposed buildings) in order to accommodate desired number of units (2nd, 3rd or more stories) in order to minimize wetland impacts to greatest practicable extent. See discussion above.

Engineering or technical reasons that alternatives are not practicable

- Identification of the source of methods or standards used (citations to literature or professional publications) City of Franklin Unified Development Code
- Calculations relevant to the application of the method or standard to the project
Minimum drive width and parking space requirements
- References to the methods or technical standards used in federal, state or local

regulations (where they occur) **Part 5 of City of Franklin Unified Development Code**

Safety data or reasons that alternatives are not practicable

- ❑ A copy of an official written determination by a municipal governing body or the state transportation agency that a discharge into a non-federal wetland is necessary for public safety, including the basis for the determination
- ❑ Description of safety hazard **Fall hazards from retaining walls. Retaining walls have been located a minimum of three feet from sidewalks for pedestrian safety purposes.**
- ❑ Number and characterization of affected individuals or groups (e.g., school children, employees) **Children and residents**
- ❑ Nature of effect (e.g., death, injury, property damage) and Frequency of effect **Fall hazard – serious injury**
- ❑ Assessment of other methods of hazard reduction

❑ **Logistical reasons that alternatives are not practicable**

- ❑ Description of the logistical difficulty(s) **In order to provide best in class development with logistical efficiencies 250 to 300 units need to be maintained. As you drop below 250 units it becomes a challenge to manage operations and the high level of service demanded for a market rate apartment development. Operating inefficiencies make a smaller project unfeasible.**
- ❑ Number and characterization of affected individuals or groups (e.g., occupant, employees)
- ❑ Frequency of effect
- ❑ Quantify how the degree of difficulty varies with each alternative analyzed
- ❑ Assessment of alternative methods of overcoming logistical difficulties

Economic reasons that alternatives are not practicable (supply all data listed in this section) *Data must include all phases of a project or all adjacent land in common ownership. Copies of source documents or supporting reference information must be provided. See attached cost comparison table for comparison of project costs based on a per unit basis. Other alternatives evaluated would result in an increase of per unit project cost ranging from 132% to 265%. The increase per unit costs cannot be absorbed by the project for it to remain financially feasible.*

- Description, dates and cost of infrastructure or improvements to the property –
- Total number of parking spaces – how this was determined **The total number of parking spaces being provided is based both on what is required per the City of Franklin Unified Development Code as well as what the developer has seen for demand for parking for similar types of development. The current plan reflects a less than typical number of spaces per unit compared to all other comparable residential projects by the developer. The total number of parking spaces is 468 or 1.86 spaces per unit; the developer's typical parking count ratio for this type of development is 2.25 which would result in 567 parking stalls (99 additional spaces).**
- Description of alternative development scenarios **Provided in alternatives analysis**
- Market studies (current market conditions and trends)

- Construction cost estimates
- Financing cost estimates
- Comparable sales, leasing rates (for ultimate uses)
- Calculation of projected amount or rate of return
- Please provide any local/state requirements if applicable that determined specific size/design, and whether you have sought variances from these requirements, and what the outcomes were if applicable.

Local zoning requirements. If any design preferences are related to state/local requirements, please explain in detail, referencing code/ordinances and/or providing correspondence (email/letter) from local zoning official/city officials explaining the zoning/city requirements. This should include parking requirements, fire department/emergency access requirements, documentation of City's denial of other alternatives, and any other local zoning requirements that have dictated plan elements that result in wetland impacts. Please provide any local/state requirements if applicable that determined specific size/design, and whether you have sought variances from these requirements, and what the outcomes were if applicable (parking reduction, building height limitations, road/sidewalk/side slope requirements, etc.).

Please note, if any changes to plans result from review of alternatives, and if wetland impacts can be minimized, we would need all updated plans and specs and wetland impact totals for the new proposed plans.

The review of your application will be placed on HOLD, until we receive all of the detailed information as requested above. Please let me know if you have any questions or concerns. Thank you and have a nice thanksgiving!

Ryan Pappas

We are committed to service excellence.

Visit our survey at <http://dnr.wi.gov/customersurvey> to evaluate how I did.

Ryan Pappas

Water Management Specialist-Waterways and Wetlands

Wisconsin Department of Natural Resources

1155 Pilgrim Road

Plymouth, WI 53073

Phone: (715) 492-0200

Ryan.Pappas@wisconsin.gov



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Alternatives Analysis
Estimated Project Costs Per Unit Compared to Preferred Alternative

Estimated Per Unit Costs	Alternative 2	Alternative 3	Alternative 4 (Proposed Plan)
Land Cost Per Units Developed (\$1,500,000)	265% Increase	132% Increase	109% Increase
Environmental (\$300,000)	265% Increase	132% Increase	109% Increase
Clubhouse & Amenities (1,750,000)	265% Increase	132% Increase	109% Increase
Design & Engineering (1,000,000)	265% Increase	132% Increase	109% Increase
Site Prep/Demolition (250,000)	265% Increase	132% Increase	109% Increase



FIDUCIARY RE - FRANKLIN
 27TH STREET
 FRANKLIN, WI
 DESIGN ALTERNATIVE #2

NO	REVISION	DATE	BY

SCALE	1" = 60' 0"
PROJECT NO	2000
DESIGN DATE	---
PLOT DATE	11/09/21
DRAWN BY	---
CHECKED BY	---
APPROVED BY	---
SHEET NO	---

EXHIBIT 2



ALTERNATIVE #2 - NO WETLAND IMPACT PLAN

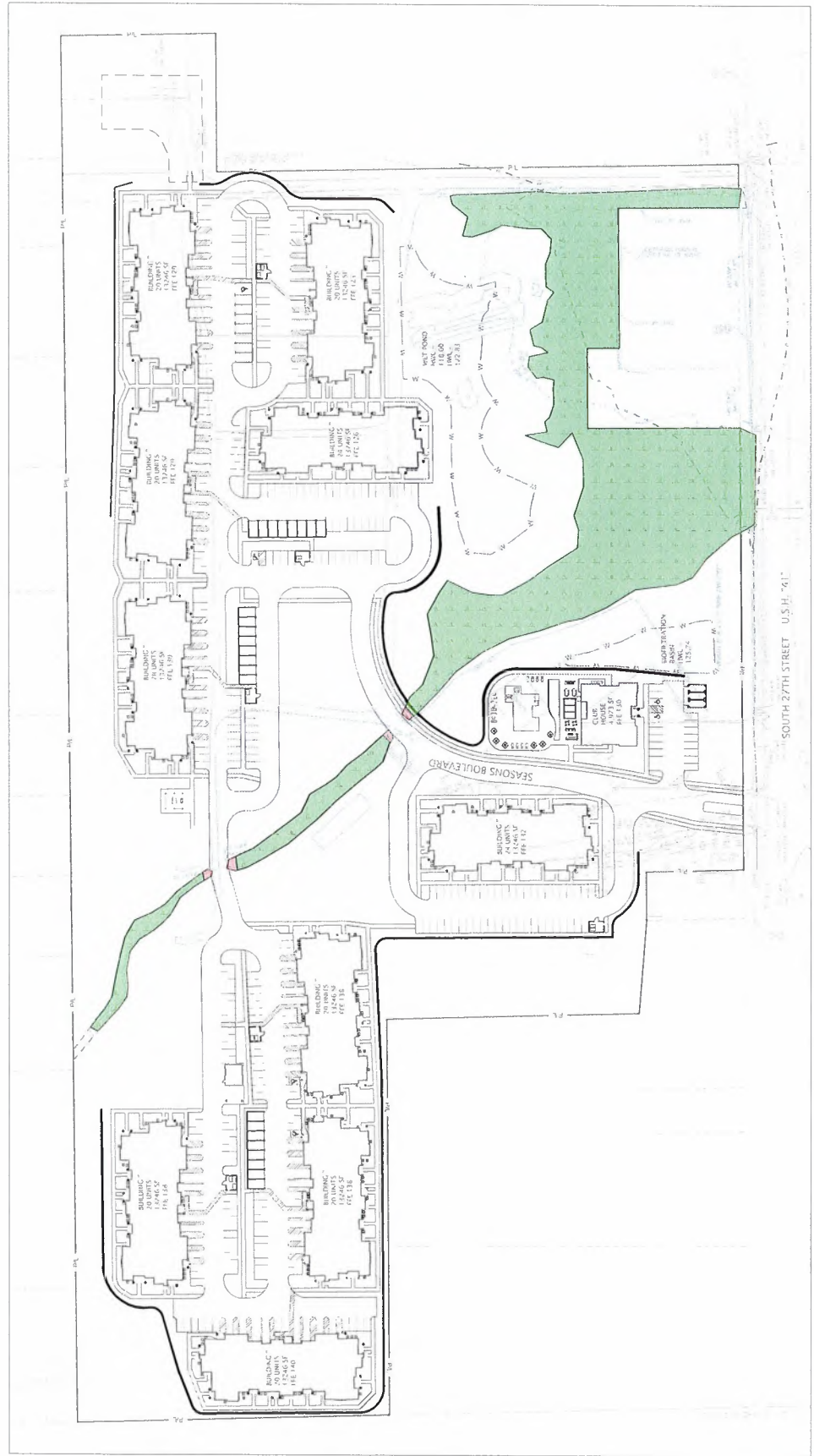
MULTIFAMILY DEVELOPMENT - 104 UNITS WITH CLUBHOUSE (NET LOSS OF 172 UNITS)
 WETLAND IMPACT - 0 ACRES

 WETLAND TO REMAIN

NO	REVISION	DATE	BY

SCALE	1" = 60' 0"
PROJECT NO	208P
DESIGN DATE	
PLOT DATE	11/10/2021
DRAWN BY	
CHECKED BY	
APPROVED BY	
SHEET NO	

EXHIBIT 3



ALTERNATIVE #3 - PARTIAL WETLAND IMPACT PLAN
MULTIFAMILY DEVELOPMENT - 208 UNITS WITH CLUBHOUSE (NET LOSS OF 68 UNITS)
WETLAND IMPACT - 0.01 ACRES
 [Pink Box] WETLAND FILL
 [Green Box] WETLAND TO REMAIN

V:\Industry\10202081 - 27th Street Franklin\0000_CAD\000_CAD\000_Plan\0000_EMB\0000_Mat_Cad\Wetland\Permit Exhibit A1.1.dwg



The Seasons at Franklin

Detailed Proposal Description



January 5, 2022



789 N. Water Street, Suite 200, Milwaukee, Wisconsin 53202
Phone 414.226.4535 • Fax 414.226.4523 • www.fred-inc.com

Subject Property

The subject property is located on the west side of South 27th Street at Southbranch Boulevard. The subject property is approximately 24.06 acres in size and contains the former Nature's Nook building and a single family home.



Proposed Multi-Family Development

The Seasons at Franklin is an institutional grade, market rate, amenity rich multifamily development designed with the end user in mind. The development has a true suburban feel with a significant amount of preserved open green space. The community will consist of two-story walkup buildings with 20 and 24 unit configurations. The buildings have been designed in a townhouse style which feature ground level, private direct entrances as well as attached garages for select apartments. The apartments, which include studio, one bedroom, two bedroom, and three bedroom floor plans, are strategically placed within the buildings.

Careful attention was taken to maximize floor plan efficiency, functionality, and flexibility to provide residents with a great value. Each of the 252 market rate apartment homes will feature modern finishes including open concept floor plans, designer cabinetry, expansive windows, quartz countertops, upgraded appliances, oversized balconies/patios, large walk-in closets and 9-foot ceilings. Flooring will consist of high-quality grade carpet in all bedrooms and designer plank flooring throughout the balance of the apartment. All apartments will include a split HVAC system (similar to what is in a new single family home), individual hot water heaters, energy efficient windows and a full-size washer and dryer to maximize efficiency and comfort. The building layouts and floor plan designs of this development provide a variety of housing options and price points that will cater to a broad demographic group. Monthly rents will range from \$1,200 to \$2,500.

In addition to the individual apartment features, the 5,000 square foot clubhouse has been designed to create an unparalleled resident experience with its resort style pool, 24-hour fitness center with high end cardio equipment and club room with an entertaining style kitchen. Walking paths will also be featured throughout the site, including connections to the onsite dog park as well as to Ascension at the south property line.

Over the years, the former Nature's Nook property has become a real eyesore. It has become common practice for people to dump random materials throughout the site. The proposed multi-family portion of the property has the following environmental challenges that Fiduciary intends to remediate:

- Nine 55-gallon drums, containers of gasoline, diesel fuel and kerosene, transmission fluid with potential environmental impacts.
- Diesel fuel stained gravel was observed beneath a 105 gallon street transfer fuel tank
- 300 gallon waste oil tank and containers of drain oil, gear oil, and trans-hydraulic fluid were observed on the property and have the potential to impact the soil and groundwater of the property.
- Solid waste storage areas throughout the site



Natural Resource Protection Plan

The City of Franklin UDO Division 15-4.0100 on Natural Resources requires 100% protection of wetlands and wetland buffers. A special exemption for the requirement to protect 100% of the wetlands and wetland buffers is being requested. The project will impact approximately 671 square feet of wetlands, and permanently impact approximately 4,990 square feet of wetland buffer. The existing wetland area to be impacted runs through the center of the site and cuts off the northwest portion of the site from the rest of the site. The location of the wetlands makes it very difficult to develop the northwest portion of the site. In order for the project to be economically feasible, development of the northwest portion of the site is necessary to achieve sufficient density and number of units. Without approval of the exemption request, the project is not viable. The

proposed development will mitigate the contamination and protect the wetlands to remain from potential environmental contamination. The existing flow of runoff through the site will be maintained. Only two small areas of low-quality wetlands which bisect the site, where existing crossings currently exist, are proposed to be filled in order provide connections to the northwest and southern portions of the site. Forty five percent of the site would be inaccessible without the wetland crossings. The crossings of the low-quality wetlands also provide a secondary emergency access point that is preferred by the Fire Department. The proposed wetland crossings have been moved from original plans to be centered on the gaps in the delineated wetlands to minimize wetland impacts. The use of smaller multifamily building footprints also helps avoid the higher quality wetlands on the site. Onsite wetland mitigation at a rate of 1.5 times the area of filled wetlands will be provided for on the site. We did receive approval from the Department of Natural Resources on December 23rd, 2021, to fill the 671 square feet of wetlands. Permit number GP-SE-2021-41-0428 along with all the corresponding plans are included in this submission.



South 27th Street Design Overlay District

Our development is subject to the 15-3.0351 South 27th Street Design Overlay District requirements. We meet or exceed the landscaping, parking and architectural requirements noted in this subsection of the Unified Development Ordinance. The majority of the requirements are related to commercial uses.

Market Demand

There are a multitude of characteristics that help support the long-term success of a multifamily development including location, community amenities, quality of construction, and overall cost of living. The demand for additional rental housing along with the current overall strength of the local rental market provides Fiduciary an opportunity to bring this "Class A" development to the market.

Fiduciary's market research indicates pent up demand for a unique type of new, luxury apartment rentals in the City of Franklin. This area of Franklin lacks a true Class A market rate rental housing

option. With the addition of the planned industrial developments along the South 27th Street corridor, this proposed development will aid in providing a modern housing option for these future employers and their employees. Specifically, there is a growing demand for alternatives to single family homes. Many of the multifamily housing options in the local submarket are older communities with dated finishes and amenities which cannot fulfill the current market demand.

In recent years, demand, especially from young professionals and empty nesters, has shifted away from home ownership towards multifamily housing. There is a demand for new, high-end market rate apartment homes in Franklin from those that are looking to downsize or no longer own a home, but want to stay within the community, as well as from those professionals that work for major employers in the area. This demand is from a demographic group that will spend their money in the communities in which they live and is looking for an upscale development to call home.



Fiduciary is targeting a different demographic that is not looking to live in the typical 3 or 4 story building with common corridors, but rather a smaller scale building type with private, direct entries creating more of a condo or townhome type feel. This group wants the community they live in to feel more suburban with an abundance of green space, walkability within the development, abundant amenity package and conveniently located.

Given the site characteristics and the pent up demand for high quality multifamily housing in this area, Fiduciary has identified that the highest and best use for the subject property is a multifamily development.

Building and Unit Counts: The multifamily development will include twelve (12) freestanding buildings with 20 or 24 apartments per building for a total of 252 apartments. The unit mix consists of 30 studios (12% of total), 96 one-bedrooms (38% of total), 102 two-bedrooms (40% of total), and 24 three-bedrooms (10% of total).

Design/Materials: The exterior finish of the buildings includes a significant amount of brick, oversized windows, and fiber cement siding. A mix of large balconies and private patios

complement the exterior elevations and the gabled roof details contribute to the suburban feel of the community.

Parking: Parking will be provided through a mix of building-attached garages containing twelve spaces throughout eight garages, detached garages with eight bays each, and surface parking. Total parking provided is 468 spaces for all 252 units, resulting in a parking ratio of 1.85 spaces per unit. The plan includes 124 enclosed garage spaces for an overall garage ratio of .49 garage spaces/unit.

Access and Circulation: Main access from South 27th Street will be provided via the intersection at Southbranch Boulevard. The existing South 29th Street that runs along the north side of the property will stay and be used as an emergency access point. This emergency access road is currently located within the floodplain limits and adjacent to higher quality wetlands.

Landscape/Buffering and Pedestrian Ways: The site plan reveals a greened-up site featuring courtyards and pedestrian walkways that flow throughout the development. The site has been planned so as to comply with tree preservation requirements for both mature and young woodlands found in the Natural Resource Protection Plan.

Finishes: Apartment finishes include: an upgraded stainless steel appliance package, upgraded cabinetry, large windows, open concept floor plans, in-unit full size washer / dryer, walk in closets, and oversized balconies/patios.





Development Details

- Multifamily Property Size: 24.06 acres
- Current Zoning: B-4 South 27th Street Mixed Use Commercial District
- The Comprehensive Plan earmarks this site as Mixed Use.
- Residential Density: 10.5 units per acre.



- Parking Requirements
 - Code requires 1 space per efficiency and one bedroom dwelling units, 2 spaces for two bedroom dwelling units, and 1.96 spaces for three bedroom dwelling units.
 - Per code the multifamily project requires 403 parking spaces

- 468 parking spaces are being provided
 - Minimum Parking Space Size. The size of each parking space shall be not less than 180 square feet nor less than nine feet in width, exclusive of the space required for ingress and egress
 - Parking stalls are currently shown as 9'x18' and 162 square feet
- Significant Increment in Property Taxes:
 - Current property tax: \$32,634.52
 - Estimated property tax upon completion: \$630,000 Making Fiduciary the third largest tax payer within the City of Franklin



- Impact of Additional Consumer Spending in Local Area:
 - \$1,100,000 annually or in excess of \$11,000,000 over a ten year period.
- Architecture
 - Two story design that is in scale with adjacent properties:
 - Parcel to the North – Staybridge Suites/Halquist Stone
 - Parcel to the East – Transport National/Public Storage
 - Parcel to the South – Single family home/Software Training & Development Center/Ascension
 - Parcel to the West – Single family homes
- Storm Water Management
 - Utilizing the natural site characteristics to manage all storm water management on site
 - No additional runoff will be created from the development



About Fiduciary Real Estate Development, Inc.

Fiduciary Real Estate Development, Inc. (FRED) is an experienced developer and investor in commercial real estate focusing on multifamily projects. Founded in 1984, FRED's proven track record of successful investment management has grown the business into one of Wisconsin's largest property management companies. The company owns and manages more than 8,000 market rate apartments, with an owned portfolio conservatively valued at over \$1.5 billion.

FRED's mission is to develop and manage exceptional residential communities that provide a distinctive living experience through enthusiastic service and dynamic teamwork. Visionary leadership, accountability with integrity and camaraderie and passion for people guide the vision of creating communities that are vibrant and enrich residents' lives.





SITE ADDRESS

9801 South 27th Street, City of Franklin, Milwaukee County, Wisconsin

LEGAL DESCRIPTION

Parcel 1 of Certified Survey Map No 6044, recorded November 17, 1994 on Reel 3419, Image 833, as Document No. 7026244, said map being a redivision of Parcel 2 of Certified Survey Map No. 5782, located in the Northeast 1/4 and Southeast 1/4 of the Northeast 1/4 of Section 25, Township 5 North, Range 21 East, in the City of Franklin, County of Milwaukee, State of Wisconsin. EXCEPTING THEREFROM that part of Parcel 1 of Certified Survey Map No 6044, Document No. 7026224, located in the Northeast 1/4 and Southeast 1/4 of the Northeast 1/4 of Section 25, Township 5 North, Range 21 East, in the City of Franklin, County of Milwaukee, State of Wisconsin, more fully described as follows: Beginning at the Southeast corner of said Parcel 1, thence South 88 deg. 29'34" West along the South line of said Parcel 1, 131.00 feet to a point; thence North 00 deg 22'41" West, 95.11 feet to a point, thence North 04 deg 31'38" East, 116.30 feet to a point, thence North 88 deg. 29'34" East, 121.00 feet to a point on the Westerly right-of-way line of South 27th Street (U.S.H. "41"), thence South 00 deg. 23'33" East, along said Westerly right-of-way line, 210.79 feet to the place of beginning. ALSO EXCEPTING those lands a conveyed by a Warranty Deed recorded March 4, 1999 as Document No. 7701197.

SITE ADDRESS

9605 South 29th Street, City of Franklin, Milwaukee County, Wisconsin.

LEGAL DESCRIPTION

Parcel 1:

Part of the East 56 acres of the Northeast 1/4 of Section 25, in Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin, bounded and described as follows:

Commencing at a point in the East line of the said 1/4 Section and 1014.56 feet South of the Northeast corner thereof; thence South 89° 19' West 764 feet to a point, said point being the beginning of the herein described parcel of land, running thence South 89° 19' West 158.80 feet (recorded as 160.00 feet) to a point in the West line of the said East 56 acres, thence Northerly along said West line of the East 56 acres, 80.02 feet to a point, thence North 89° 19' East 159 18 feet (recorded as 161.11 feet) to a point, thence South and parallel to the East line of said 1/4 Section, 80 feet to the place of beginning.

Parcel 2:

That part of Parcel 1 of Certified Survey Map No. 6044, recorded on November 11, 1994, on Reel 3419, Images 833-835 inclusive, as Document No 7026224, being a redivision of all of Parcel 2 of Certified Survey Map No 5782, as Document No 6698838, located in the Northeast ¼ and Southeast 1/4 of the Northeast 1/4, all in Section 25, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin, bounded and described as follows:

Beginning at the Northwest corner of said Parcel 1, said point also being the Southwest corner of lands described in Document No 4338532 of Deeds, on Reel 375, Image 1500, recorded August 21, 1967, thence North 88° 55' 27" East along the North line of Parcel 1 aforesaid, 133.80 feet to a point; thence South 00°23' 33" East 92.75 feet to a point, thence North 88° 53' 59" West 133.36 feet to a point, thence North 00°39' 59" West along the West line of Parcel 1 aforesaid, 92.80 feet to the point of beginning.

Parcel 3

Together with a non-exclusive perpetual easement for ingress and egress over the following described property: Over and across that part of Parcel 1 of Certified Survey Map No 6044, in the Northeast ¼ of Section 25, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin, which is bounded and described as follows:

Beginning at the Northwest corner of said Parcel 1; thence North 88° 55' 27" East along the Northerly line of Parcel 1 aforesaid, 133.80 feet to the beginning of the lands to be described; thence continue North 88°55' 27" East along said Northerly line 28.00 feet to a point; thence South 05° 55' 23" East 93.14 feet to a point; thence North 88° 53' 59" East along the Northerly line of Parcel 1 aforesaid and its extension, 672.02 feet to the Northeast corner of said Parcel 1; thence South 00° 23' 33" East along the West line of South 27th Street, 25.00 feet to a point, thence South 88° 53' 59" West 709.00 feet to a point, thence North 00°23' 33" West 117.83 feet to the point of beginning

<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 3, 2022</p>
<p style="text-align: center;">REPORTS & RECOMMENDATIONS</p>	<p style="text-align: center;">DISCUSSION REGARDING RETURN-ON- INVESTMENT ANALYSIS PRESENTATION</p>	<p style="text-align: center;">ITEM NUMBER</p> <p style="text-align: center;">G.7.</p>

City Development staff are working on an analysis of land development within City limits, based on the financial contributions of properties as well as the financial costs to the City from services provided to properties. This analysis forms the basis for determining the Return on Investment (or ROI) for development around the City, and would provide a better understanding for how to pattern future development and improve the City's ability to maintain infrastructure and services over the long term.

This link (<https://youtu.be/7Nw6qyyrTeI>) is to a YouTube presentation titled "Suburbia is Subsidized: Here's the Math" on the channel "Not Just Bikes" which presents this kind of discussion based on the work of Strong Towns and the consulting firm Urban3. The video is the seventh part of a series the channel is creating to present the work of Strong Towns. Staff, if permitted, will show this presentation at the Council meeting (running length: about 10 minutes).

City Development staff finds that this kind of analysis is critical to understanding how land use decisions impact future revenues for the City, and how a more critical review of our development regulations and policies can lead to better results, higher ROI, and overall improved management of City services/infrastructure.

The video includes a summary of analyses provided for Lafayette, Louisiana; Eugene, Oregon; and Guelph, Ontario. All were analyzed by Urban3 and provide a suitable point of discussion for how to better manage change and achieve fiscal resilience.

City Development staff is interested in having a similar kind of analysis prepared by Urban3, as a precursor to the preparation of an update to the *City of Franklin 2025 Comprehensive Master Plan*. For more detail on the type of work Urban3 performs, please reference this video, "Bad Math and the Panther's Path: A Cautionary Tale from Southwest Florida," featuring Joe Minicozzi, founder of Urban3 (<https://www.youtube.com/watch?v=mMQWq0FwPBU>).

For more information on Strong Towns and Urban3, please see the websites (www.strongtowns.org) and (www.urbanthree.com). Or feel free to check out the other material on "Not Just Bikes," particularly one of the newest, "Business Parks Suck (but they don't have to)" (<https://www.youtube.com/watch?v=SDXB0CY2tSQ>).

COUNCIL ACTION REQUESTED

Staff is looking for direction on whether or not to pursue a similar kind of ROI Analysis by Urban3.

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APPROVAL <i>Slw</i>	REQUEST FOR COUNCIL ACTION	MTG. DATE May 3, 2022
Reports & Recommendation ons	RESOLUTION IN SUPPORT OF MILWAUKEE COUNTY'S RECONDITIONING OF W. FOREST HOME AVENUE (CTH OO) FROM HI VIEW DRIVE TO W. SPEEDWAY DRIVE TO INCLUDE A MULTI-USE PATHWAY FROM HI VIEW DRIVE TO THE SOUTHERN CROSSING OF THE EXISTING FRANKLIN HIKE-BIKE PATH	ITEM NO. G.8.

BACKGROUND

Milwaukee County Department of Transportation (MCDOT) is planning a 2023 road reconditioning (not a full reconstruction) project for W Forest Home Avenue (CTH OO) from W Jefferson Terrace (Hi View Drive / Muskego city limits) to W Speedway Drive. The project will be funded under the Local Road Improvement Program (LRIP). In Milwaukee County, sidewalks and off-road bike / multi-use paths are owned and maintained by the local municipality. For a project funded under the LRIP, the decision to include any sidewalk or off-road bike/multi-use paths within the project is up to the local municipality. Any costs associated with the sidewalk or off-road bike/multi-use paths (i.e. concrete, asphalt materials, base aggregate dense, curb ramps, right of way, etc.) would be paid for 100% by the local municipality through a local municipal agreement (LMA).

On June 1, 2021, the Common Council directed Staff to work with MCDOT for including a pathway along W Forest Home Avenue the length of their project.

ANALYSIS

MCDOT studied the issue and prepared 30% plans and an evaluation where they identified many issues as to why a path along the entire route is not feasible. Some of the reasons include impacts to wetlands, woodlands, and land acquisition requirements. MCDOT is willing to include the referenced path for the southern end only, specifically from Hi View Drive (Muskego) to the southern crossing of the Hike-Bike Trail on the west side of W Forest Home Avenue. This pathway would be just over 1,500 feet long.

Currently, MCDOT is asking Franklin to commit to the ownership and maintenance of the referenced multi-use path prior to finalizing the plans. The language in the attached resolution was proposed by MCDOT staff and is needed for them to proceed.

The cost of this 1,500-foot long path is anticipated to be approximately \$65,000 and completion of the plans will help with a detailed cost estimate. Prior to the final completion of the plans, MCDOT will ask Franklin to provide a commitment for funding the construction.

OPTIONS

Approve or deny the resolution showing support for the W Forest Home project to include a 10-foot wide pathway.

FISCAL NOTE

This project is eligible for use of Park Impact Fees. As the design progresses into the final design stage a more detailed estimate will be provided to assist in the development of the 2023 budget.

RECOMMENDATION MOTIONS

Motion to adopt Resolution 2022-____ a resolution in support of Milwaukee County's reconditioning of W Forest Home Avenue (CTH OO) from Hi View Drive to W Speedway Drive to include a multi-use pathway from Hi View Drive to the southern crossing of the existing Franklin Hike-Bike Path.

Engineering Department: GEM

STATE OF WISCONSIN : CITY OF FRANKLIN : MILWAUKEE COUNTY

RESOLUTION NO. 2022 -

RESOLUTION IN SUPPORT OF MILWAUKEE COUNTY'S
RECONDITIONING OF W. FOREST HOME AVENUE (CTH OO) FROM
HI VIEW DRIVE TO W. SPEEDWAY DRIVE TO INCLUDE A
MULTI-USE PATHWAY FROM HI VIEW DRIVE TO THE SOUTHERN CROSSING
OF THE EXISTING FRANKLIN HIKE-BIKE PATH

WHEREAS, Milwaukee County is planning to recondition W. Forest Home Ave (CTH OO) from Hi View Drive to W. Speedway Drive; and

WHEREAS, Construction is scheduled for 2023; and

WHEREAS, the City supports that the reconditioning will include a multi-use path, on the west side of W. Forest Home Avenue (CTH OO) from Hi View Drive to the southern crossing of the existing Franklin Hike-Bike Path.

NOW, THEREFORE, BE IT RESOLVED the City agrees to own and maintain the referenced pathway and terrace area.

Introduced at a regular meeting of the Common Council of the City of Franklin the _____ day of _____, 2022, by Alderman _____.

PASSED AND ADOPTED by the Common Council of the City of Franklin on the _____ day of _____, 2022.

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

Multi-Use Path Evaluation

**Project No. WH01110011
West Forest Home Avenue (CTH OO)
Hi View Dr. to W. Speedway Dr.
Reconditioning**

Milwaukee County

PREPARED BY:

Milwaukee County Department of Transportation

DATE: September 28, 2021

SUBJECT

WH0111011

W. Forest Home Ave (CTH OO) Hi View Dr to W Speedway Dr

Reconditioning

City of Franklin

Milwaukee County

Multi-Use Path Evaluation

Project No WH0111011 is a 2.15-mile Reconditioning project located in the City of Franklin in Milwaukee County. See Exhibit A. The City of Franklin has requested that the Milwaukee County Department of Transportation (MCDOT) add a 10-ft asphalt multi-use path adjacent to W Forest Home Ave. (CTH OO) as part of the project. The City of Franklin would own and maintain the multi-use path after construction. MCDOT prepared this memorandum to summarize our evaluation of a proposed multi-use path and the impacts to the environment and safety of its users.

MULTI-USE PATH EVALUATION

MCDOT has evaluated the possibility of adding a multi-use path with the WH0111011 Reconditioning Project. The City of Franklin has an existing multi-use (Hike and Bike) path near W Forest Home Ave. (CTH OO). See Exhibit A. The existing path crosses W Forest Home Ave (CTH OO) in two locations. We have evaluated the impacts of adding a multi-use path parallel to W Forest Home Ave (CTH OO) in different sections within the project limits. Below is a summary of our findings.

East or West Side of W. Forest Home Ave. (CTH OO)

Placing the path on the east side of W Forest Home Ave (CTH OO) would have significant impacts to existing utilities with the ditch being required to move outside of the multi-use path. The right-of way is narrow on the east of W Forest Home Ave. (CTH OO) and would require right-of-way acquisition. Right-of-way acquisition would be costly and detrimental to the project completion schedule. Typically, right-of-way acquisition is not included with reconditioning projects. Therefore, the west side of W. Forest Home Ave. (CTH OO) was chosen for additional evaluation of the multi-use path to minimize the utility impacts and the avoid acquiring right-of way.

Environmental Impacts

The multi-use path was modeled in AutoCAD Civil 3D along the west side of W Forest Home Ave (CTH OO). A Project Overview and Plan Details sheets showing the multi-use path environmental impacts are shown in Exhibit B.

To reduce the environmental impacts of the multi-use path, the multi-use path was placed adjacent to the roadway with curb and gutter in areas with wetlands and wooded areas. Catch basins and drainage pipes would be required to drain the stormwater runoff from the roadway and multi-use path into a ditch. Areas with a proposed 2.5:1 or steeper ditch backslopes are noted in Table 1.

The multi-use path has significant environmental impacts to the wetlands and wooded areas along the project corridor even with the efforts to minimize the environmental impacts. Table 1 tabulates the environmental impacts.

If the disturbance of wetlands is under no more than 10,000 square feet (sf), it may be permitted by the Wisconsin Department of Natural Resources (WDNR) under the WDNR-GP2-2017.

Project No WH0111011

W Forest Home Ave (CTH OO) Hi View Dr to W Speedway Dr Reconditioning

General Permit for Municipal Bridges, Arches & Culverts if the disturbance is necessary for roadway construction. If the disturbance of wetlands is over 10,000-sf, a Municipal Transportation Projects Individual Wetland and Waterway Permit (IP) may be required. A pre-application meeting must be held with the WDNR transportation liaison before applying for an IP. If any federal wetlands are impacted, a permit must be obtained through the United States Army Corps of Engineers (ACOE). See [Table 1](#) for wetland area impact totals.

Table 1 Impacts of Proposed Multi-use Path by Segment

Location		Cleaning and Grubbing Areas Required		Length of Curb and Gutter in Areas to Reduce Impacts to Wetlands		Wetland Areas Impacted (sf)	Length of Areas Where Additional Survey Required or Cut Slopes steeper than 2.5:1 (ft)	Length of Areas Requiring Proposed 2.5:1 Cut/Fill Slopes (ft)
		(sf)	(station)	(ft)	(mile)			
SOUTH								
Hi View Dr	South Bike Path Crossing	1,350	2	200		0	195	150
South Bike Path Crossing	S Pacific St	1,435	1	1,500		5,970	0	0
	Subtotal	2,785	3	1,700	0.32	5,970	195	150
NORTH								
W Rawson Ave (CTH BB)	W Cortez Rd	7,680	7	1,800		6,240	0	500
W Cortez Rd	W Speedway Dr	0	0	1,025		5,760	0	0
	Subtotal	7,680	7	2,825	0.54	12,000	0	500
	Total	10,465	10	4,525	0.86	17,970	195	650

Safety Impacts

The multi-use path placed directly behind the curb and gutter reduces the safety and feeling of comfort for pedestrians, especially being adjacent to the highway with a posted speed of 40 mph. The FDM 11-46-1.2.1 states sidewalk placed behind curb and gutter can be accommodated for short distances. The proposed multi-use path, accommodating pedestrians, placed directly behind curb and gutter without a terrace for long distances totals approximately 0.86 miles. See [Table 1](#).

The multi-use path placed directly behind the curb and gutter reduces the area for snow storage. Snow from the highway may be pushed onto the multi-use path requiring the property owners or the City to remove the snow and ice from the multi-use path with no buffer or protection behind the curb from errant vehicles.

Existing Franklin Hike and Bike Path

The City of Franklin has an existing multi-use (Hike and Bike) path near W. Forest Home Ave (CTH OO). The existing path crosses W Forest Home Ave. (CTH OO) in two locations. See [Exhibit A](#).

The existing Franklin Hike and Bike Path near St. Martins is located east of W Forest Home Ave. (CTH OO) and outside of the project limits. Using the Google mapping tool, estimated times were obtained for using the existing path and the proposed path. Using the Google mapping tool, the approximate difference in travel times for a bicyclist is 1-minute. The approximate difference in travel time for a pedestrian walking is 5-minutes. The difference in path length is approximately 1,200-feet. See [Exhibit C](#).

The area between the north Hike and Bike Path crossing, near S. Pacific St , to W Rawson Ave (CTH BB) was excluded from the evaluation because the existing path is located a maximum 350-feet from W Forest Home Ave (CTH OO) within these limits

SUMMARY AND SCHEDULE

MCDOT will include a 10-foot asphalt multi-use path on the west side of W. Forest Home Ave (CTH OO) parallel to W Forest Home Ave (CTH OO) from Hi View Dr to the south crossing of the existing Franklin Hike and Bike Path in the project and subsequent design plans See Exhibit D. The proposed multi-use path will connect the southern residential areas to the existing Franklin Hike and Bike Path

Segment Summary

- Hi View Dr to South Franklin Hike-Bike Path Crossing A new path on the west side of W Forest Home Ave (CTH OO) will be included in the project This new path would provide a connection from the residential areas near Hi View Drive/W Jefferson Terrace to the existing south Franklin Hike-Bike Path crossing.
- South Franklin Hike-Bike Path Crossing to S. Pacific St A new path along W Forest Home Ave (CTH OO) will not be included in the project due to the existing path already connecting the two crossings, 1,435-sf of required clearing and grubbing/woodland impacts, the 5,970-sf of wetland impacts, and safety impacts of a new path being adjacent to approximately 0 28-miles of high speed thru traffic
- S Pacific Street to W Rawson Ave (CTH BB) This segment was not evaluated due to existing path parallel to W. Forest Home Ave (CTH OO)
- W Rawson Ave (CTH BB) to W Speedway Dr A new path along W Forest Home Ave (CTH OO) will not be included in the project due 7,680-sf of required clearing and grubbing/woodland impacts, the 12,000-sf of wetland impacts, additional WDNR and ACOE coordination for permitting, and safety impacts of a new path being adjacent to approximately 0 54-miles of high speed thru traffic

Justification

- MCDOT placed priority on minimizing environmental impacts to nearby wetland and wooded areas within the project limits
- MCDOT placed priority on safety of the pedestrian users of the multi-use path near an arterial highway with a posted speed of 40 mph
- MCDOT placed priority on minimizing utility impacts.
- There is already an existing City of Franklin Hike and Bike Path in the vicinity of the W Forest Home Ave. (CTH OO) project with two existing access points to W Forest Home Ave. (CTH OO)
- Bicyclists can be accommodated with the proposed paved shoulders on W Forest Home Ave. (CTH OO).
- Any R/W acquisition would increase design time schedule and delay construction an additional year This delay would result in the project not meeting the overall project schedule and funding reimbursement deadline

Prior to the completion of the 60% Preliminary Plans MCDOT will request a Resolution from the City of Franklin acknowledging the ownership and maintenance of the multi-use path This resolution does not pertain to payment or costs of the multi-use path That would be covered under the Local Municipal Agreement (LMA) later in the design process

EXHIBIT A
PROJECT LOCATION MAP

Project Location Map
Project No. WH0111011
W. Forest Home Avenue (CTH OO)
Hi View Drive to W. Speedway Drive
Milwaukee County

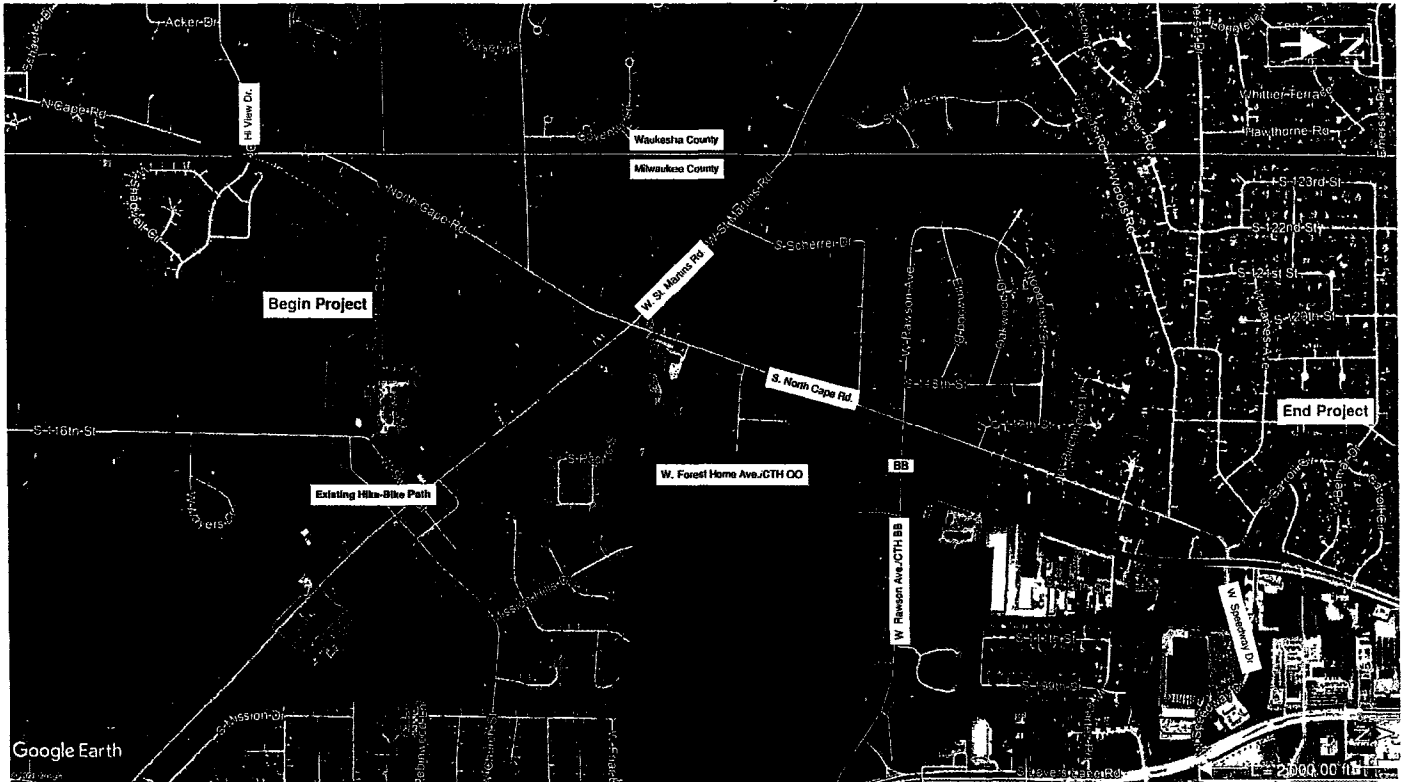


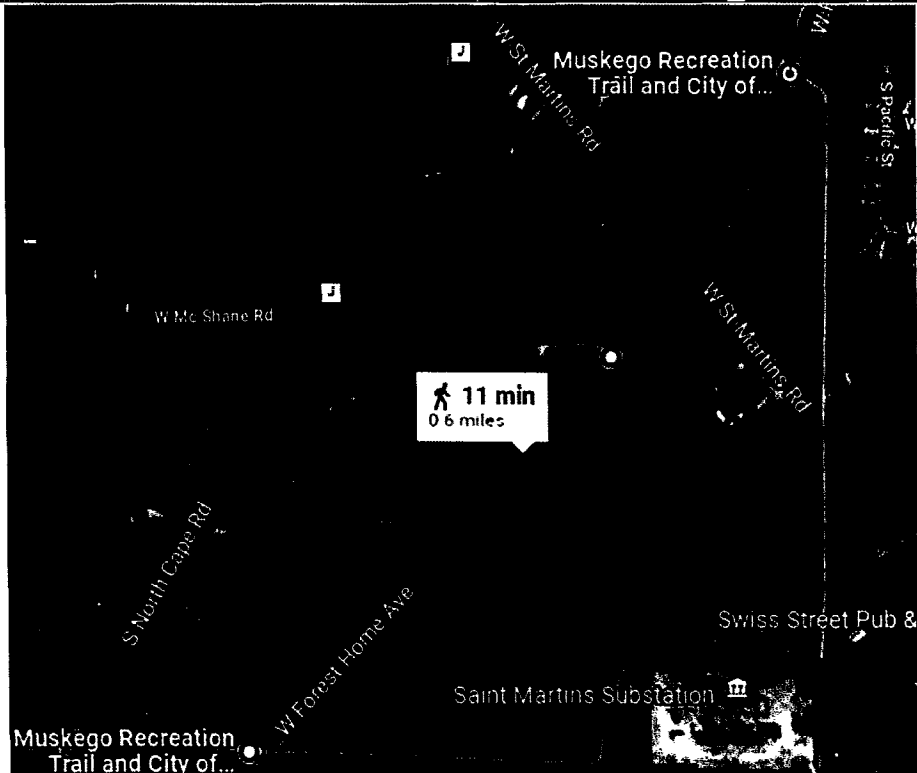
EXHIBIT B

**PLAN SHEETS – MULTI-USE PATH
ENVIRONMENTAL IMPACTS**

***[Ask Franklin
Engineering
Department to
see this exhibit]***

EXHIBIT C
GOOGLE MAPPING TOOL

Google Mapping Tool – Walking



Google Mapping Tool – Biking

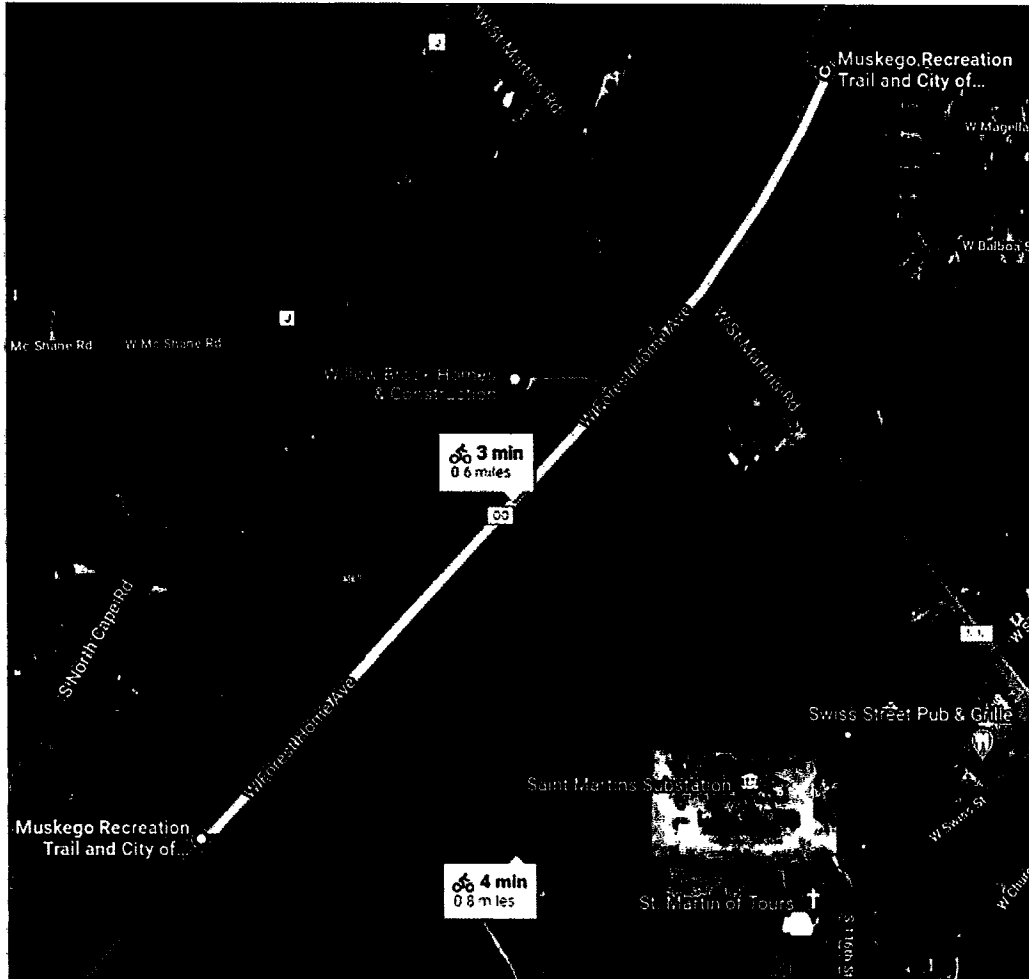
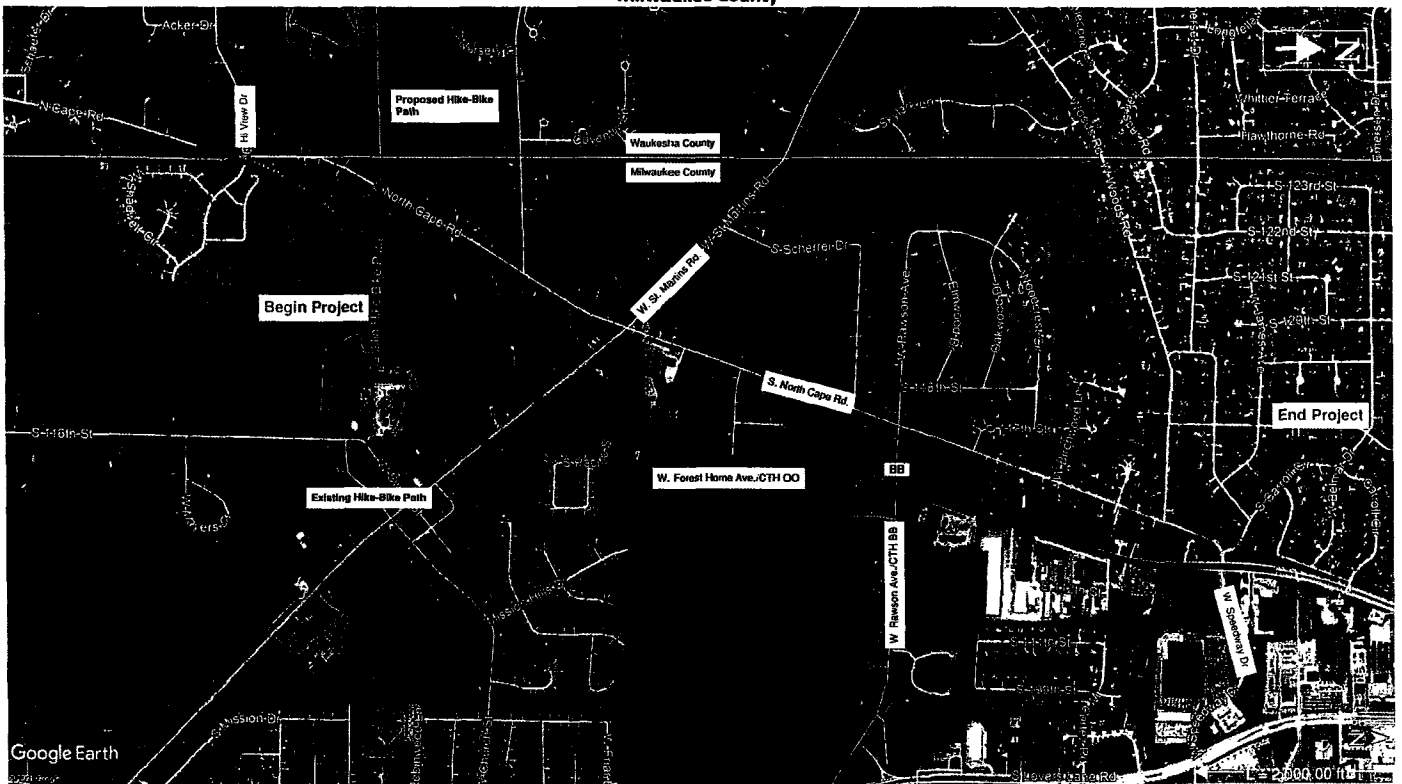


EXHIBIT D

Proposed Multi-Use Path

Project Location Map
Project No. WH0111011
W. Forest Home Avenue (CTH 00)
Hi View Drive to W. Speedway Drive
Milwaukee County



APPROVAL <i>Slw</i>	REQUEST FOR COUNCIL ACTION	MTG. DATE May 3, 2022
Reports & Recommendations	A RESOLUTION TO AMEND RESOLUTION NO. 2022-7816, A RESOLUTION TO ENTER INTO A CONTRACT WITH HAUSCH DESIGN AGENCY, LLC TO DEVELOP A MESSAGING PROGRAM FOR FRANKLIN SEWER UTILITIES PROJECT/PRIVATE PROPERTY INFILTRATION & INFLOW REDUCTION PROJECT FOR \$31,000, TO INCREASE THE PRICE TO \$32,500 TO PROVIDE FOR ADDITIONAL INSURANCE COVERAGE	ITEM NO. G.9.

BACKGROUND

On January 18, 2022, Council adopted Resolution 2022-7816, resolution to enter into a contract with Hausch Design Agency, LLC to develop a messaging program for Franklin Sewer Utilities Project/Private Property Infiltration & Inflow Reduction Project for \$31,000.

During the process to execute the agreement, Staff consulted with the City’s insurance carrier and the proposed insurance levels provided by Hausch are insufficient for the City’s needs.

ANALYSIS

Hausch will have to procure special insurance to meet the requirements of the City. The contract has been revised to include the needed insurance as a lump sum item payable with the first invoice. This reflects an additional \$1,500.

FISCAL NOTE

This PPII program is in the 2022 Sewer Utility budget (61-0731-5829) and primarily funded using Franklin’s allotment of MMSD funds earmarked for this purpose. The non-MMSD-funds needed relate to a large portion of this messaging program and will use local sewer utility funds.

RECOMMENDATION

A motion to adopt A Resolution to Amend Resolution No. 2022-7816, A Resolution to Enter into a Contract With Hausch Design Agency, LLC to Develop a Messaging Program for Franklin Sewer Utilities Project/Private Property Infiltration & Inflow Reduction Project for \$31,000, to Increase the Price to \$32,500 to Provide for Additional Insurance Coverage.

Engineering Department: GEM

STATE OF WISCONSIN : CITY OF FRANKLIN : MILWAUKEE COUNTY

RESOLUTION NO. 2022-_____

A RESOLUTION TO AMEND RESOLUTION NO. 2022-7816, A RESOLUTION TO ENTER INTO A CONTRACT WITH HAUSCH DESIGN AGENCY, LLC TO DEVELOP A MESSAGING PROGRAM FOR FRANKLIN SEWER UTILITIES PROJECT/PRIVATE PROPERTY INFILTRATION & INFLOW REDUCTION PROJECT FOR \$31,000, TO INCREASE THE PRICE TO \$32,500 TO PROVIDE FOR ADDITIONAL INSURANCE COVERAGE

WHEREAS, the Common Council adopted Resolution No. 2022-7816, a Resolution to Enter into a Contract With Hausch Design Agency, LLC to Develop a Messaging Program for Franklin Sewer Utilities Project/Private Property Infiltration & Inflow Reduction Project for \$31,000, subject to liability insurance changes as authorized by the Director of Administration, at its meeting on January 18, 2022; and

WHEREAS, such insurance changes have been processed and obtained, which result in an increase to the contract price of \$1,500, and City staff having recommended approval of an amendment to the contract to provide for same; and

WHEREAS, the Common Council having determined such amendment to the contract to be fair and reasonable.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that Hausch Design Agency, LLC is to develop a messaging program for Franklin Sewer Utilities project/private property infiltration & inflow reduction project for a not-to-exceed amount of \$32,500, that the contract therefore as presented to the Common Council at this meeting be and the same is hereby approved, and that Resolution No. 2022-7816 be and the same is hereby amended accordingly.

BE IT FURTHER RESOLVED, that the Mayor, City Clerk and Director of Finance and Treasurer be and the same are hereby authorized to execute and deliver such contract.

Introduced at a regular meeting of the Common Council of the City of Franklin the _____ day of _____, 2022, by Alderman _____.

PASSED AND ADOPTED by the Common Council of the City of Franklin on the _____ day of _____, 2022.

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

APPROVAL <i>slw</i>	REQUEST FOR COUNCIL ACTION	MTG. DATE May 3, 2022
Reports & Recommendations	A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO ENTER INTO A GREEN SOLUTIONS FUNDING AGREEMENT G98005P95 FOR HICKORY STREET BIOSWALES WITH MILWAUKEE METROPOLITAN SEWERAGE DISTRICT IN THE AMOUNT OF \$874,232.70	ITEM NO. G.10.

BACKGROUND

On April 19, 2022, Common Council awarded a contract for the Franklin Corporate Park – South Hickory Street Improvements to Buteyn-Peterson Construction Co. The project is a complicated design because of the lack of space for a traditional stormwater management system. To accommodate the impervious areas, an elaborate biofilter system was designed as part of the project. These green infrastructure elements are eligible for the Milwaukee Metropolitan Sewerage District (MMSD) Green Solution program with funding earmarked for the City of Franklin.

ANALYSIS

Previous estimates calculated the value of the green elements to be approximately \$1.1 million. A careful analysis of the Buteyn-Peterson Construction Co. bid shows that the cost of the green infrastructure is \$874,232.70.

The attached Green Solutions Funding Agreement G98005P95 with MMSD needs to be executed to initiate the process for reimbursement. After deduction of \$874,232.70, there will be \$583,435 remaining in Green Solutions funds earmarked for Franklin. MMSD would be expected to act on this agreement in early August.

OPTIONS

Approve or deny the agreement.

FISCAL NOTE

The Tax Increment District (TID) 8 budget and borrowing which was already executed for the construction of this road was \$3.5 million. Considering a 10% construction contingency, the project will be approximately \$300,000 under budget.

\$257,750.00	R&M Amendment 4- Hickory Road design work (Nov 16, 2021)
\$28,100.00	R&M Amendment 5- Oakwood median design work (Dec 21, 2021)
\$2,993,327.00	Buteyn-Peterson construction project (April 19, 2022)
\$300,000.00	10% construction contingency
\$444,550.00	R&M Amendment 6 for full time inspection services (April 19, 2022)
\$46,110.00	PSI Contract for materials testing (May 3, 2022)
<u>\$(874,232.70)</u>	Reimbursement from MMSD Green funds (May 3, 2022)
\$3,195,604.30	Current total for Hickory Street

COUNCIL ACTION REQUESTED

Motion to adopt Resolution No. 2022 - _____, a resolution authorizing certain officials to enter into a Green Solutions Funding Agreement G98005P95 for Hickory Street Bioswales with Milwaukee Metropolitan Sewerage District in the amount of \$874,232.70.

Engineering: GEM

STATE OF WISCONSIN: CITY OF FRANKLIN: MILWAUKEE COUNTY

RESOLUTION NO. 2022 - _____

A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO ENTER INTO A
GREEN SOLUTIONS FUNDING AGREEMENT G98005P95 FOR
HICKORY STREET BIOSWALES WITH
MILWAUKEE METROPOLITAN SEWERAGE DISTRICT
IN THE AMOUNT OF \$874,232.70

WHEREAS, the City of Franklin plans to install green infrastructure on the S. Hickory Street project that is in support of Milwaukee Metropolitan Sewerage District (MMSD) green infrastructure goals; and

WHEREAS, the bid to construct S. Hickory Street has been awarded and the cost of the green infrastructure items total \$874,232.70; and

WHEREAS, funds are available from the MMSD Green Solutions Program to fund this amount.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the City of Franklin that the Mayor and City Clerk are authorized and directed to execute Green Solutions Funding Agreement G98005P95 for Hickory Street Bioswales with Milwaukee Metropolitan Sewerage District in the amount of \$874,232.70

Introduced at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2022 by Alderman _____.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2022.

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____



Green Solutions Funding Agreement G98005P95

Hickory Street Bioswales

1. The Parties

This Agreement is between the Milwaukee Metropolitan Sewerage District (District), 260 West Seeboth Street, Milwaukee, Wisconsin 53204-1446, and the City of Franklin (Franklin), 9229 West Loomis Road, Franklin, Wisconsin 53132.

2. Basis for this Agreement

- A. Wisconsin law authorizes any municipality to establish an intergovernmental cooperation agreement with another municipality for the furnishing of services (Wis. Stat. sec. 66.0301).
- B. The District is responsible for collecting and treating wastewater from locally-owned sewerage systems in the District's service area.
- C. During wet weather, stormwater enters the sewerage system, increasing the volume of wastewater the District must collect and treat.
- D. During wet weather, stormwater directly enters surface water, increasing pollution levels in those waterways and increasing the risk of flooding.
- E. Green infrastructure, such as constructed wetlands, rain gardens, green roofs, bioswales, and porous pavement, reduces the volume of stormwater in the sewerage system and the amount of pollutants discharged to surface waters.
- F. The District's WPDES permit includes a goal of 50 million gallons of green infrastructure detention capacity by March 31, 2024.
- G. The District wants to expedite the amount of green infrastructure installed in its service area.
- H. Franklin plans to install green infrastructure that supports the District's green infrastructure goals.

3. Date of Agreement

This Agreement becomes effective immediately upon signature by both parties and ends when Franklin receives final payment from the District or when the parties terminate this Agreement according to sec. 14 of this Agreement.

4. District Funding

The District will reimburse Franklin for the cost of the project described in the attached project description (project), up to \$874,232.70. The District will provide funding after the District receives the Baseline Report and the Maintenance Covenant.

5. Location of Project

The project will be along Hickory Street, from Oakwood Avenue on the north to Elm Road on the south.

6. Baseline Report

After completion of the project, Franklin will provide a Baseline Report using forms provided or approved by the District. The Baseline Report will include:

- A. a site drawing, showing the project as completed;
- B. a topographic map of the project site;
- C. design specifications for the project, including rainwater capture capacity (maximum per storm) and other information regarding runoff rate reduction or pollutant capture;
- D. a tabulation of the bids received, including bidder name and price;
- E. a copy of the executed construction contract;
- F. a legal description of the property where the project is located, including parcel identification numbers, if a maintenance covenant is required;
- G. photographs of the completed project;
- H. a maintenance plan;
- I. an outreach and education strategy, including a description of events or activities completed or planned;
- J. an itemization of all construction costs, with supporting documentation;
- K. a W-9 Tax Identification Number form;
- L. a Small, Veterans, Women, and Minority Business Enterprise Report; and
- M. an Economic Impact Report, showing the total number of people and the estimated number of hours worked on design and construction of the project by Franklin's employees, contractors, consultants, and volunteers.

7. Procedure for Payment

Franklin will submit an invoice to the District for the amount to be reimbursed. The invoice will document all costs to be reimbursed. Invoices from consultants will provide: their hourly billing rates, if applicable; the hours worked, by individual; and a summary of the tasks accomplished.

Franklin will send the Baseline Report and the invoice to:

Andrew Kaminski, Project Manager
Milwaukee Metropolitan Sewerage District
260 West Seeboth Street
Milwaukee, Wisconsin 53204-1446

The District will not provide reimbursement until the project is complete and the District has received all required deliverables.

8. Changes in the Project and Modifications to the Agreement

Any changes to the project must be approved by the District in writing in advance. The District will not reimburse for work that is not described in the original project description unless Franklin obtains prior written approval from the District.

9. Modifications to this Agreement

Any modifications to this Agreement will be in writing and signed by both parties.

10. Project Maintenance

Franklin will maintain the project for at least ten years. If the project fails to perform as anticipated or if maintaining the project is not feasible, then Franklin will provide a report to the District explaining the failure of the project or why maintenance is not feasible. Failure to maintain the project will make Franklin ineligible for future District funding until Franklin corrects maintenance problems.

11. Permits, Certificates, and Licenses

Franklin is solely responsible for compliance with all federal, state, and local laws and any required permits, certificates, or licenses.

12. Procurement

Franklin must select professional service providers according to the ordinances and policies of Franklin. Franklin must procure all non-professional services, such as construction, sewer inspection, and post-construction restoration, according to State of Wisconsin statutes and regulations and the ordinances and policies of Franklin. Whenever work valued over \$25,000 is procured without the use of a public sealed bidding process, the District may request and Franklin must provide an opinion from a licensed attorney representing Franklin explaining why the procurement complies with State of Wisconsin law and the ordinances of Franklin.

13. Responsibility for Work, Insurance, and Indemnification

Franklin is solely responsible for planning, design, construction, and maintenance of the project, including the selection of and payment for consultants, contractors, and materials.

The District will not provide any insurance coverage of any kind for the project or Franklin.

Franklin will defend, indemnify, and hold harmless the District and its Commissioners, employees, and agents against all damages, costs, liability, and expenses, including attorney's fees and related disbursements, arising from or connected with the planning, design, construction, operation, or maintenance of the project.

14. Terminating this Agreement

The District may terminate this Agreement at any time before the commencement of construction. After the commencement of construction, the District may terminate this Agreement only for good cause, including, but not limited to, breach of this Agreement by Franklin. Franklin may terminate this Agreement at any time, but Franklin will not receive any payment from the District if Franklin does not complete the project.

15. Maintenance Covenant

After the completion of construction, the District must receive a Maintenance Covenant from Franklin. The Maintenance Covenant will be limited to the project. The duration of the Maintenance Covenant will be ten years. Franklin will cooperate with the District to prepare the Maintenance Covenant.

16. Exclusive Agreement

This Agreement is the entire agreement between Franklin and the District for the project.

17. Severability

If a court holds any part of this Agreement unenforceable, then the remainder of the Agreement will continue in effect.

18. Applicable Law

The laws of the State of Wisconsin apply to this Agreement.

19. Resolving Disputes

If a dispute arises under this Agreement, then the parties will try to resolve the dispute with the help of a mutually agreed-upon mediator in Milwaukee County. The parties will equally share the costs and fees associated with the mediation, other than attorney’s fees. If the dispute is not resolved within 30 days after mediation, then either party may take the matter to court.

20. Notices

All notices and other communications related to this Agreement will be in writing and will be considered given as follows:

- A. when delivered personally to the recipient's address as stated in this Agreement; or
- B. three days after being deposited in the United States mail, with postage prepaid to the recipient's address as stated in this Agreement.

21. Independence of the Parties

This Agreement does not create a partnership. Franklin does not have authority to make promises binding upon the District or otherwise have authority to contract on the District's behalf.

22. Assignment

Franklin may not assign any rights or obligations under this Agreement without the District's prior written approval.

23. Public Records

Franklin will produce any records in the possession of Franklin that are subject to disclosure by the District pursuant to the State of Wisconsin’s Open Records Law, Wis. Stats. secs. 19.31 to 19.39. Franklin will indemnify the District against all claims, demands, or causes of action resulting from the failure to comply with this requirement.

Signatures on Next Page

**MILWAUKEE METROPOLITAN
SEWERAGE DISTRICT**

CITY OF FRANKLIN

By: _____
Kevin L. Shafer, P.E.
Executive Director

By: _____
Stephen R. Olson
Mayor

Date: _____

Date: _____

Approved as to Form

BY: _____
Sandra L. Wesolowski
City Clerk

By: _____
Attorney for the District

DATE: _____

BY: _____
Peggy Steeno
Director of Finance and Treasurer

Date: _____

Approved as to form:

Jesse A. Wesolowski
City Attorney

DATE: _____

Green Solutions Funding Agreement G98005P95

Hickory Street Bioswales

Project Description

Hickory Street will extend from Oakwood Avenue on the north to Elm Road on the south, As shown in Attachment 1. The total length of Hickory Street associated with this project is approximately 2,750 feet. Hickory Street will serve the Franklin Corporate Park. The street right of way width is 120 feet and will include a 10-foot-wide asphalt trail and urban section 2-lane road designed for industrial traffic, which measures 41-feet from back of curb to back of curb. The remaining cross section will be used for green infrastructure storm water storage and infiltration within bio-retention cells.

Seventeen (17) Bio-retention cells will collect runoff from the road by way of typical catch basin and storm sewer systems. Cells vary in width and length but generally have a bottom width of 5 feet with a 3:1 side slope. Typical depths of the cells are 2 to 3 feet. The running slope of each cell is generally 0.1%. Each cell will have engineered soil to serve as a planting bed for native plants and flowers. An 18-inch layer of engineered soil and sand will help filter and treat road runoff that will be conveyed by perforated underdrains to control structures within each cell that are designed to control peak rates of discharge from each cell. Attachments 2, 3, and 4 show design details.

A 4-inch perforated underdrain will convey runoff from each cell after it has infiltrated through the engineered soil to the outfall structure for the cell. Outfall structures in each cell will contain weir plates with 1-inch orifices to control peak rates of discharge for the smaller storm events. These orifices will be mounted above the discharge pipes to always provide a free discharge. A 4-inch orifice is located within the structure above the 2-year peak water surface elevation to control peak rates of discharge from the larger storm events.

Grates will be mounted on the top of the outfall structure for extreme events. An 8-inch storm sewer will connect each structure and convey the discharge from all cells to the downstream crossing culverts.

Each cell will capture, hold, infiltrate, and slowly release storm events up to and including the 100-year event. Cells were designed to contain the runoff from the 100-year event without overtopping. Peak water surface elevations during the 100-year storm do not exceed the height of the storm sewer grates within the road. In addition, each cell will safely contain the 100-year storm volume without overtopping to downstream cells or exceeding berm heights. Spillways will be cut into the berms between cells to safely convey runoff from storms in excess of the 100-year event.

Drainage from the project is conveyed by storm sewer which connects outfall structures to two existing low points within the right of way. Both low points are natural drainage paths within the landscape. Neither drainage path is designated as a navigable stream. However, both low points contain wetlands that will require wetland fill permits. Culverts will be installed at these

locations to convey both offsite runoff from the east but also discharge water from the bio-retention cells.

General drainage patterns in the areas are from east to west. Ultimately, runoff from the project site is tributary to the Root River.

The total bioswales area will be 11,880 square feet. The bioswales will have a design detention capacity of 89,100 gallons.

Schedule

Franklin will complete construction before December 31, 2022.

Budget

The budget for the funded green infrastructure elements is \$874,232.70, as itemized in Attachment 5

Outreach and Education

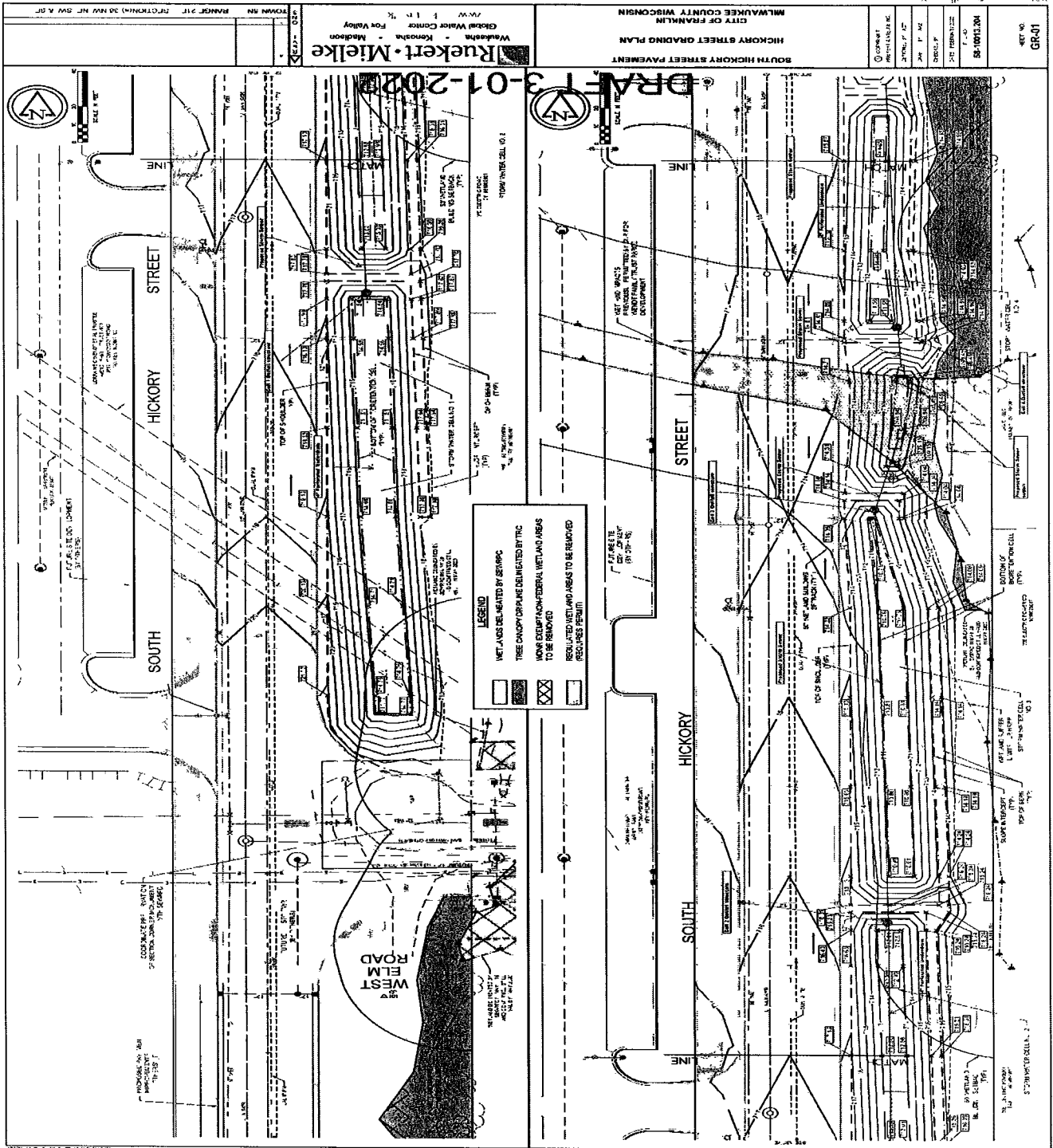
Franklin will post educational signage or describe the project and its benefits in a community newsletter or web page.

Educational materials will acknowledge District funding for the Project.

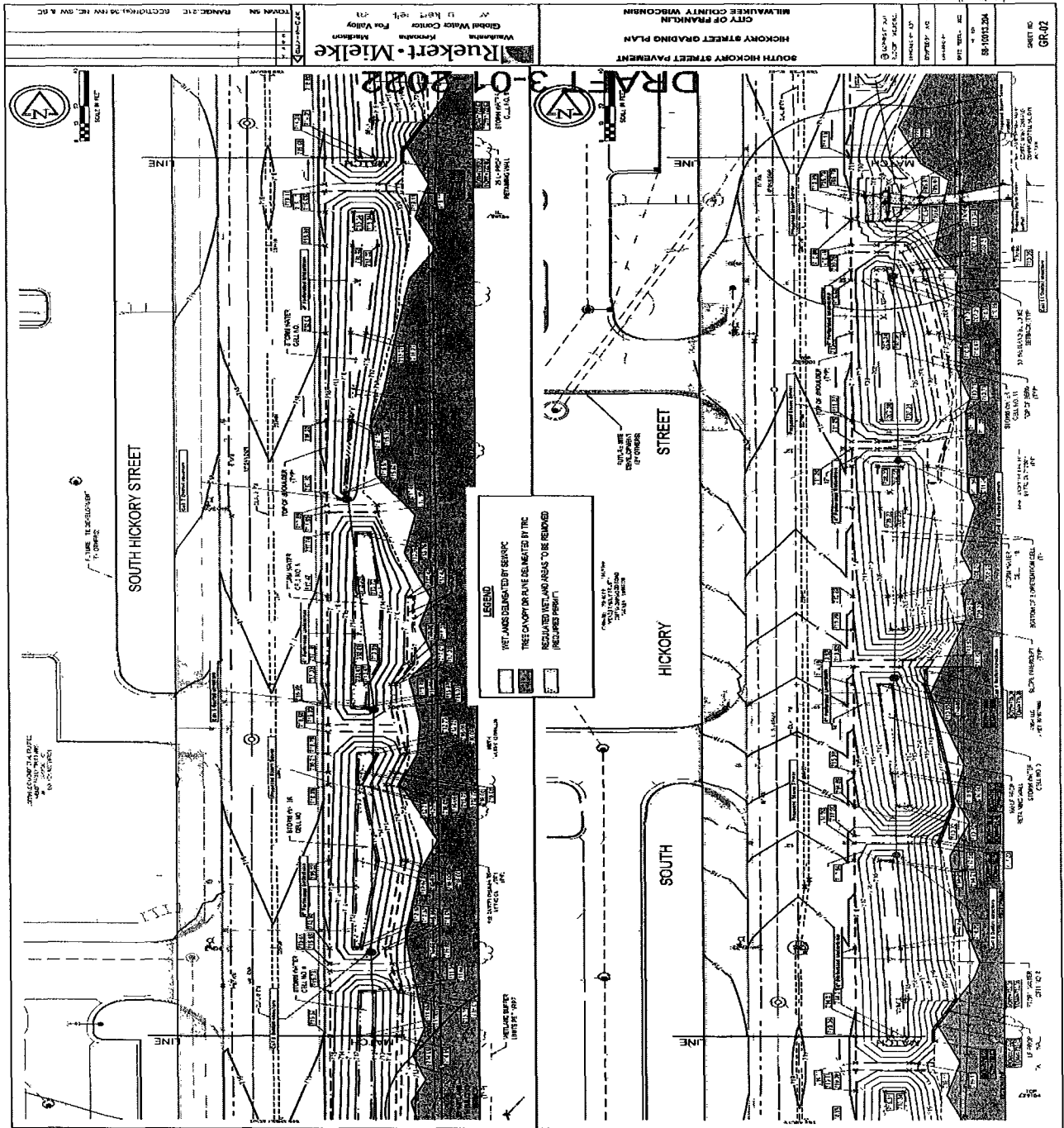
Signage will:

1. be either designed and provided by the District and approved by Franklin or provided by Franklin and approved by the District,
2. be at a location approved by the District, and
3. identify the District as funding the green infrastructure by name, logo, or both.

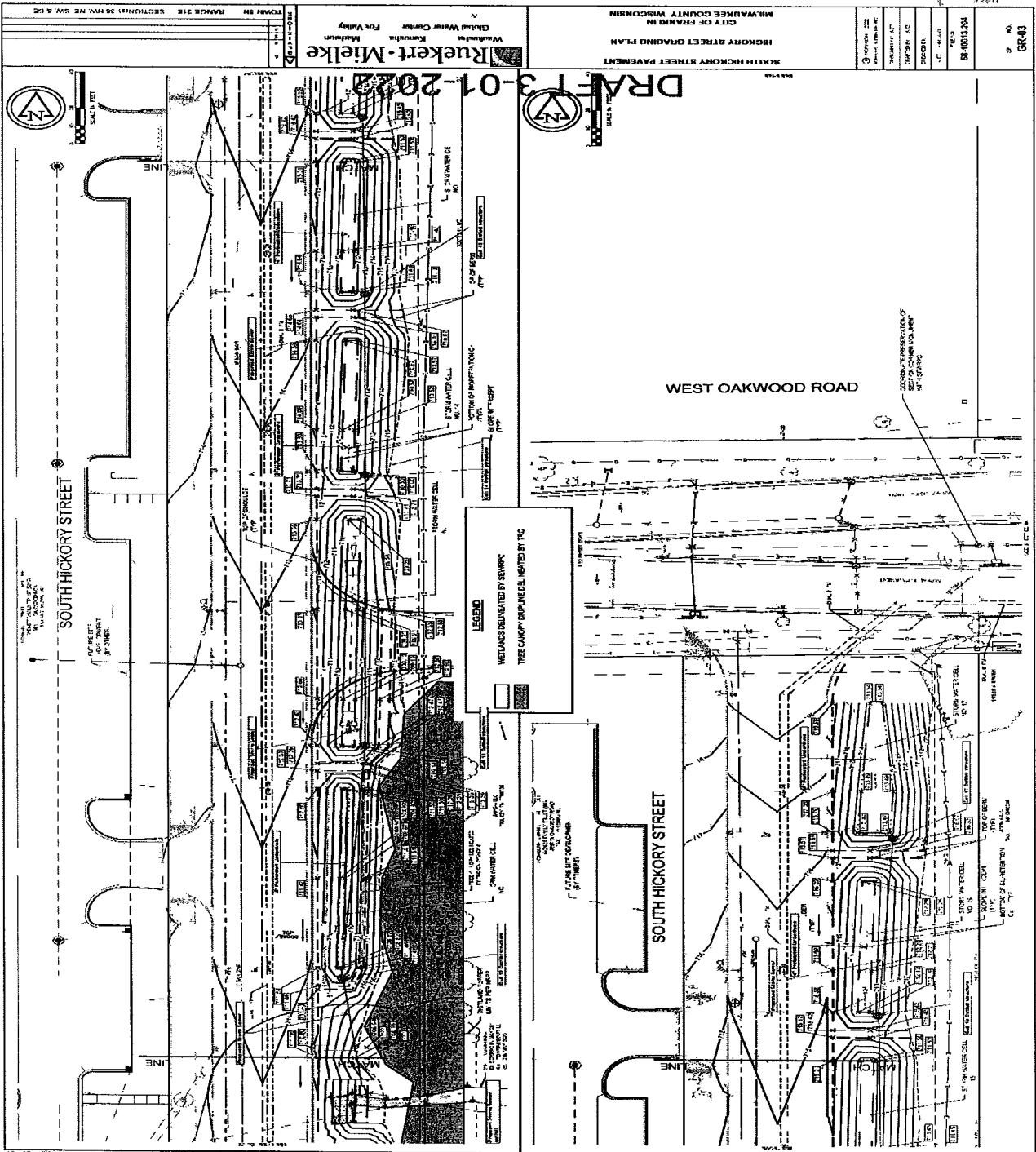
Attachment 2 Bioswale Design



Attachment 3 Bioswale Design



Attachment 4 Bioswale Design



**Attachment 5
Estimated Costs**

LOW BIDDER - GREEN INFRASTRUCTURE CONSTRUCTION COST ESTIMATE						
<i>Project Name: Franklin Corporate Park - South Hickory Street Pavement Improvements</i>						
<i>Client Name City of Franklin</i>						
<i>Project # 58-10013.204</i>						
					Date Modified:	4/19/2022
Item No.	Description	Unit	Quantity	Unit Price	Total	
Contract A - South Hickory Street						
2	Clearing, Grubbing and Tree Removal	L.S	1	\$ 7,500.00	\$ 7,500.00	
5	Barrier Fence	L.F	2,695	\$ 4.60	\$ 12,397.00	
6	Manufactured Slope Interruption Device (Silt Fence)	L.F	4,118	\$ 1.90	\$ 7,824.20	
8	Tracking Pad	S.F	5,150	\$ 2.20	\$ 11,330.00	
9	12-Inch Minimum Manufactured Ditch Check (Erosion Logs)	L.F	306	\$ 12.50	\$ 3,825.00	
12	Inlet Protection, Type C	Ea.	52	\$ 65.00	\$ 3,380.00	
13	Grading	L.S	0.41	\$ 353,000.00	\$ 144,730.00	
33	Storm Sewer, 38-Inch x 60-Inch RCEP CL III w/ Granular Backfill	L.F	630	\$ 220.00	\$ 13,860.00	
34	Storm Sewer, 30-Inch RCP CL IV w/ Granular Backfill	L.F	312	\$ 138.00	\$ 43,056.00	
35	Storm Sewer, 12-Inch RCP CL V w/ Granular Backfill	L.F	1,090	\$ 55.00	\$ 59,950.00	
36	Storm Sewer, 8-Inch C-900 PVC w/ Granular Backfill	L.F	70	\$ 67.00	\$ 4,690.00	
37	Flared End Section, 38-Inch x 60-Inch RCEP CL III	Ea.	1	\$ 4,500.00	\$ 4,500.00	
38	Flared End Section, 30-Inch RCP CL IV	Ea.	3	\$ 2,800.00	\$ 8,400.00	
39	Flared End Section, 12-Inch RCP CL V	Ea.	17	\$ 765.00	\$ 13,005.00	
40	Storm Manhole, 96-Inch	V.F	7	\$ 1,450.00	\$ 10,150.00	
41	Storm Manhole, 72-Inch	V.F	9	\$ 750.00	\$ 6,750.00	
42	Storm Manhole, 60-Inch	V.F	10	\$ 630.00	\$ 6,300.00	
43	24-Inch x 36-Inch Precast Concrete Inlets	Ea	52	\$ 2,200.00	\$ 114,400.00	
45	Medium Rip-Rap Over Geotextile Fabric	Tons	120	\$ 95.00	\$ 11,400.00	
46	Concrete Modular Block Retaining Wall	S.F	735	\$ 58.80	\$ 43,218.00	
47	Bioretention Underdrain, 4-Inch Perforated PVC SDR-35 w/ Geotextile Wrap	L.F	1,925	\$ 14.00	\$ 26,950.00	
48	Bioretention Storm Sewer, 6-Inch PVC SDR-35 w/ Granular Backfill	L.F	256	\$ 50.00	\$ 12,800.00	
49	Bioretention Storm Sewer, 8-Inch PVC SDR-35 w/ Granular Backfill	L.F	531	\$ 65.00	\$ 34,515.00	
50	Bioretention Storm Sewer, 12-Inch PVC SDR-35 w/ Granular Backfill	L.F	610	\$ 80.00	\$ 48,800.00	
51	Bioretention Storm Sewer, 15-Inch PVC SDR-35 w/ Granular Backfill	L.F	482	\$ 95.00	\$ 45,790.00	
52	Flared End Section Bioretention storm sewer 8-inch HDPE	Ea.	1	\$ 235.00	\$ 235.00	
53	Flared End Section Bioretention storm sewer 12-inch HDPE	Ea.	1	\$ 260.00	\$ 260.00	
54	Flared End Section Bioretention storm sewer 15-inch HDPE	Ea.	2	\$ 260.00	\$ 520.00	
55	Bioretention underdrain 4-inch PVC SDR35 solid wall clean out	Ea.	17	\$ 250.00	\$ 4,250.00	
56	24-Inch x 36-Inch Precast Concrete Bioretention Control Structure	Ea.	17	\$ 2,650.00	\$ 45,050.00	
57	Bioretention Storm Manhole, 48-Inch	V.F	23	\$ 610.00	\$ 14,030.00	
58	18-Inch Thick Engineered Bioretention Topsoil	S Y	1,320	\$ 18.00	\$ 23,760.00	
88	Seed, Fertilizer and Class 2, Type B Erosion Mat	S Y	7,550	\$ 4.15	\$ 31,332.50	
90	Turf Reinforcement Mat, Topsoil, Seed, Fertilizer and Class 2, Type B Erosion Mat	S Y	225	\$ 36.60	\$ 8,235.00	
91	Bioretention Facility Plants	Ea.	5,376	\$ 8.75	\$ 47,040.00	
Subtotal Contract A Green Infrastructure Construction =					\$874,232.70	

<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;">5/03/2022</p>
<p style="text-align: center;">REPORTS AND RECOMMENDATIONS</p>	<p style="text-align: center;">An Ordinance to Amend §30-1. of the Municipal Code to Amend Ward Boundaries as Required by 2021 Senate Bill 621</p>	<p style="text-align: center;">ITEM NUMBER</p> <p style="text-align: center;">G.11.</p>

On April 15, 2022, the Wisconsin Supreme Court, in Johnson v. Wisconsin Elections Commission, adopted state legislative district maps drawn by the Wisconsin Legislature after the United States Supreme Court, in Wisconsin Legislature, et al. v. Wisconsin Elections Commission, et al. and Glenn Grothman et al. v. Wisconsin Elections Commission et al., reversed the Wisconsin Supreme Court's decision with regard to state legislative districts. The United States Supreme Court left in place the Wisconsin Supreme Court's decision with regard to Congressional districts. The City of Franklin is now required to amend the ward plan to accommodate legislative redistricting plans enacted by the legislature. The City's ward plan has three wards (1, 12, and 15) that are impacted by the new state legislative district maps; however, the ward plan is not impacted by Congressional district boundary changes.

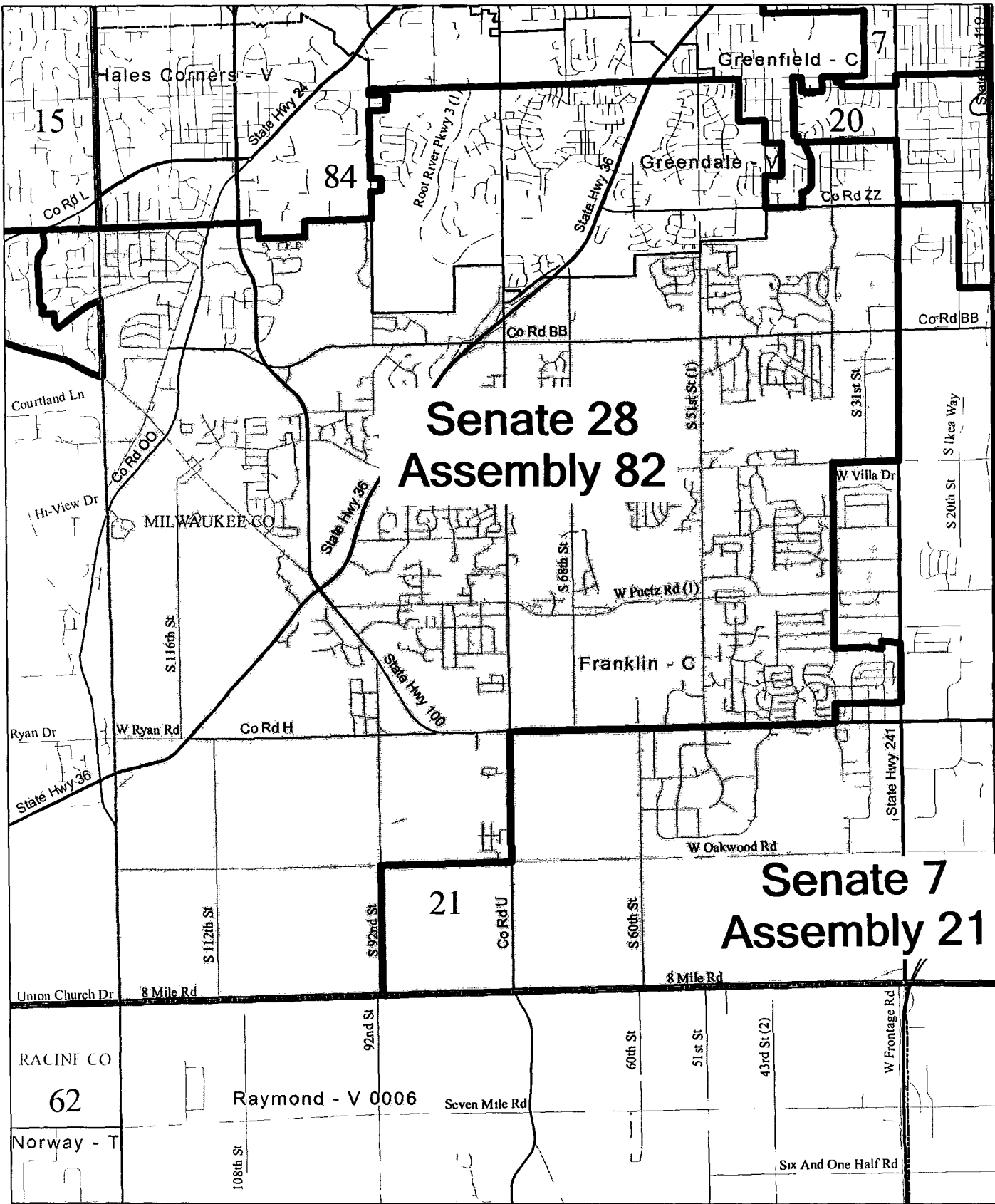
The City is only authorized to amend wards to the extent necessary to create wards where legislative district lines in the Senate Bill 621 do not coincide with the ward boundaries in the original ward plan adopted December 7, 2021. New wards created to accommodate legislative districts do not need to meet the minimum population requirements for municipal wards (for Franklin, that would be a minimum of 600 and maximum of 2,100) and Aldermanic District boundaries are not amended. The affected wards (1, 12, and 15) have been divided into three sections each, thereby creating six additional wards. There will now be a total of 28 wards (an increase from 22 wards as adopted on December 7, 2021. As shown on the attached map, Franklin will now be part of Senate Districts 7 and 28, and part of Assembly Districts 21 and 82.

Fiscal Impact

As Franklin is statutorily required to administer elections by ward and we are now adding wards, there will be additional costs at future elections for the printing of additional ballot styles, ballot tabulating equipment programming, and other election-related processes that involve wards and school district splits. As there are no municipal offices on the August 9 Partisan Primary Election ballot or the November 8 General Election ballot, any additional expenditures will be minimal and it is anticipated no additional funds will be needed in the Elections budget. There will be an increase in funding for future years' budgets.

COUNCIL ACTION REQUESTED

Motion to adopt Ordinance No. 2022-, An Ordinance to Amend §30-1. of the Municipal Code to Amend Ward Boundaries as Required by 2021 Senate Bill 621.



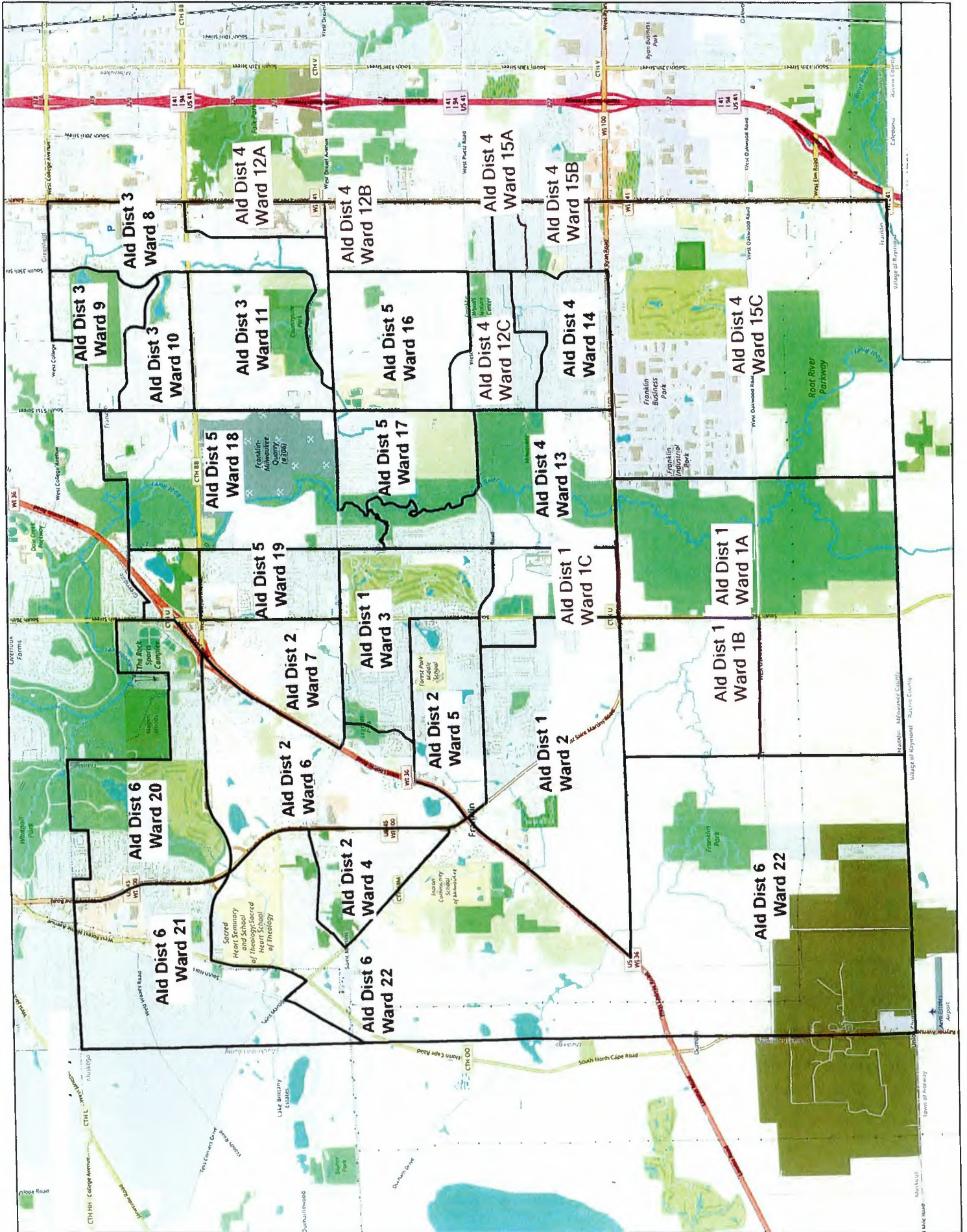
**Senate 28
Assembly 82**

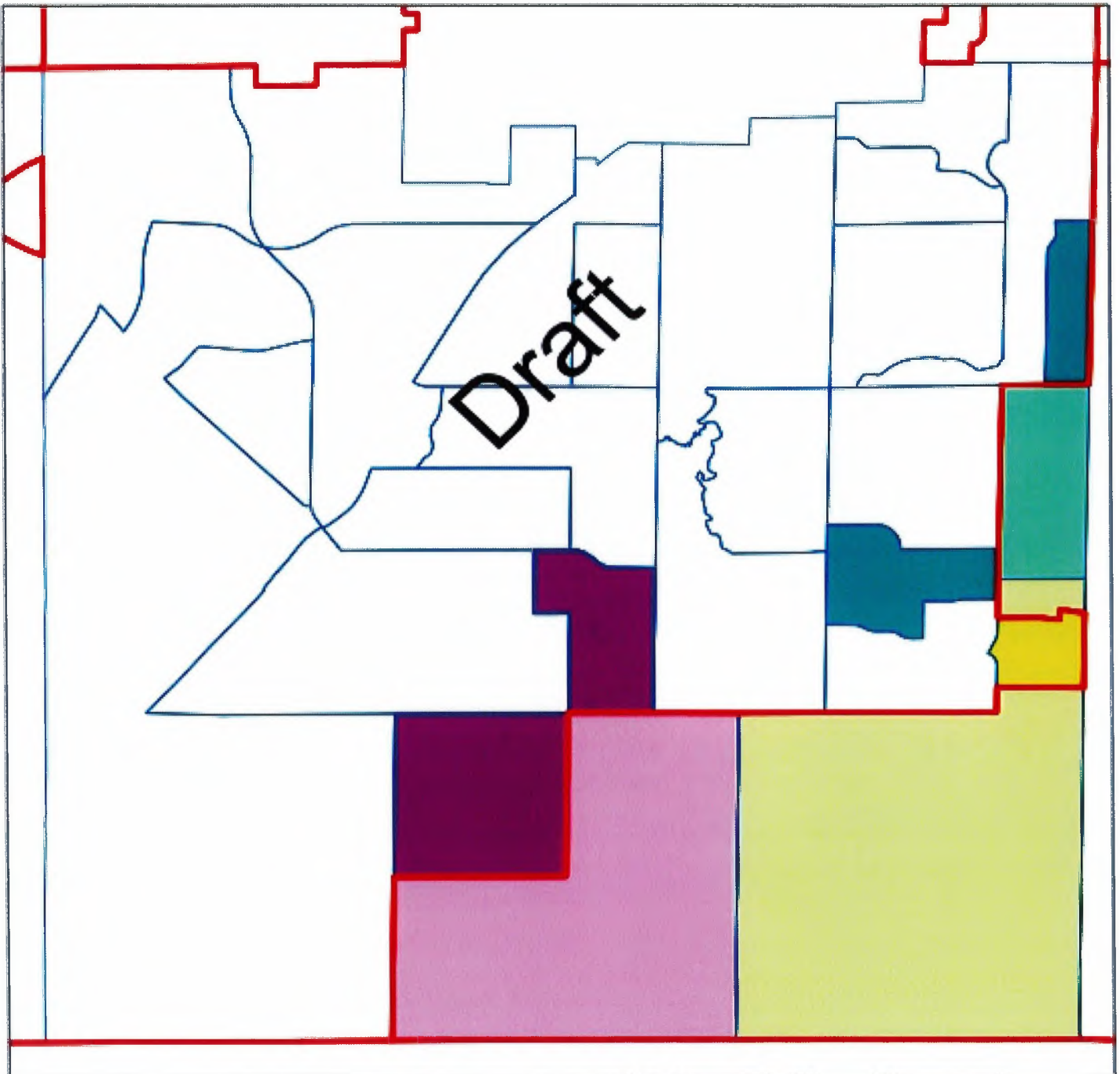
**Senate 7
Assembly 21**

City of Franklin

1:60,000

- Legislative
- Municipalities
- Split Municipality
- Counties





Ward Changes April 2022

 **_Districts_2021_Johnson_v_WEC**

Ward 1 _2021_Johnson_v_WEC changes required

 Assembly Dist 21 Senate Dist 7
 Assembly Dist 82 Senate Dist 28

Ward 12 _2021_Johnson_v_WEC changes required

 Assembly Dist 21 Senate Dist 7
 Assembly Dist 82 Senate Dist 28

Ward 15 _2021_Johnson_v_WEC changes required

 Assembly Dist 21 Senate Dist 7
 Assembly Dist 82 Senate Dist 28

STATE OF WISCONSIN : CITY OF FRANKLIN : MILWAUKEE COUNTY

AN ORDINANCE TO AMEND §30-1. OF THE MUNICIPAL CODE TO AMEND WARD
BOUNDARIES AS REQUIRED BY 2021 SENATE BILL 621

WHEREAS, on December 7, 2021, the City of Franklin adopted Ordinance No. 2021-2485, an Ordinance to amend §30-1. of the Municipal Code to establish Aldermanic District and Ward boundaries, thereby complying with Wis. Stats. § 5.15, which requires every municipality over 1,000 in population to be divided into wards according to the final published results of the most recent Federal Census; and

WHEREAS, 2021 Senate Bill 621, per Wisconsin Supreme Court adoption of SB 621 on April 15, 2022, requires that wards be altered to accommodate SB 621; and

WHEREAS, the City of Franklin is a municipality affected by 2021 Senate Bill 621 and must adopted an amended ward plan to the extent necessary to create six additional wards where legislative district lines in the redistricting acts do not coincide with the ward boundaries in the original ward plan adopted by the City on December 7, 2021. The City of Franklin does hereby ordain as follows:

SECTION I. §30-1. of the Municipal Code is hereby repealed and recreated as follows: Under the provisions of §§ 5.15 and 6.08, Wis. Stats., the division of the City into six aldermanic districts and twenty-eight wards as shown on the official map of the City of Franklin describing the boundaries of each ward, which map is attached hereto, incorporated herein and made a part hereof by reference, as if fully set forth herein.

SECTION II: Within five days after adoption of this Ordinance, the City Clerk shall transmit one copy of the Ordinance to the Milwaukee County Clerk, accompanied by the map and census block numbers for each ward specified above.

SECTION III: All ordinances or parts of ordinances in contravention to this ordinance are hereby repealed.

SECTION IV: This ordinance shall take effect upon its passage and publication as required by law.

Introduced at a regular meeting of the Common Council on this 3rd day of May, 2022, by

Passed and adopted by the Common Council on the 3rd day of May, 2022.

APPROVED:

ATTEST:

Stephen R. Olson, Mayor

Sandra L. Wesolowski, City Clerk

AYES _____ NOES _____ ABSENT _____

STATE OF WISCONSIN : CITY OF FRANKLIN : MILWAUKEE COUNTY

ORDINANCE NO. 2021-2485

AN ORDINANCE TO AMEND §30-1. OF THE MUNICIPAL CODE TO ESTABLISH
ALDERMANIC DISTRICT AND WARD BOUNDARIES

WHEREAS, §5.15, Stats. requires every municipality over 1,000 in population, within 60 days after receipt of a tentative supervisory district plan from the county in which the municipality lies, to be divided into wards according to the final published results of the most recent decennial Federal Census.

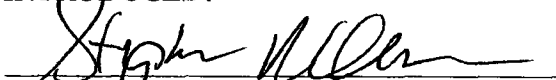
NOW, THEREFORE, the Common Council of the City of Franklin does hereby ordain as follows:

- SECTION I. §30.1 of the Municipal Code is hereby repealed and recreated as follows:
Under the provisions of Wis. Stats. §§ 5.15 and 62.08, the division of the City into six aldermanic districts with 22 wards as shown on the official map of the City of Franklin describing the boundaries of each ward, which map is attached hereto, incorporated herein and made a part hereof by reference, as if fully set forth herein.
- SECTION II. The City Clerk is directed to deliver, within five days of the date of adoption of this Ordinance, true and correct copies of this Ordinance, the official ward map, and a list of the census block numbers used to create the wards, to the Milwaukee County Clerk and to the Wisconsin State Legislative Reference Bureau.
- SECTION III. 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 IV. All ordinances or parts of ordinances in contravention to this ordinance are hereby repealed.

Introduced at a regular meeting of the Common Council on this 2nd day of November, 2021, by Alderman Nelson.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this 7th day of December, 2021.

INTRODUCED:



Stephen R. Olson, Mayor

ATTEST


Sandra L. Wesolowski, City Clerk

AYES 6 NOES 0 ABSENT 0

§30-1. Aldermanic District and Ward Boundaries

The City of Franklin shall be divided into six (6) aldermanic districts, comprised of twenty-two (22) wards, with the respective boundaries as follows:

Aldermanic District 1 (Consisting of Wards 1, 2, 3)

WARD 1

Commencing at the intersection of South County Line Road and South 92nd Street also a point at the south line of the City of Franklin corporate limits; thence East, along the centerline of South County Line Road, also the south line of said corporate limits to the intersection of South 60th Street, thence North, along the centerline of South 60th Street to the intersection of West Ryan Road, thence West, along the centerline of West Ryan Road to the intersection of South 68th Street; thence North, along the centerline of South 68th Street to the intersection of West Puetz Road, thence West, along the centerline of West Puetz Road to the intersection of South 79th Street; thence South, along the centerline of South 79th Street to the intersection of West High Street, thence East, along the centerline of West High Street to the intersection of South 76th Street, thence South, along the centerline of South 76th Street to the intersection of West Ryan Road; thence West, along the centerline of West Ryan Road to the intersection of South 92nd Street, thence South, along the centerline of South 92nd Street to the point of commencement.

Containing census blocks beginning with 550791 and ending with 503032000, 503032001, 503032004, 503032005, 503032017, 872001008, 872001009, 872001010, 872001017, 872001018, 872001019, 872001020, 872001021, 872001038, 872001044, 872004000

WARD 2

Commencing at the intersection of South 76th Street and West Ryan Road; thence West, along the centerline of West Ryan Road to the intersection of West Loomis Road; thence Northeast, along the centerline of West Loomis Road to the intersection of West Saint Martins Road, thence Southeast, along the centerline of West Saint Martins Road to the intersection of West Puetz Road; thence East, along the centerline of West Puetz Road to the intersection of South 79th Street; thence South, along the centerline of South 79th Street to the intersection of High Street;

thence East, along the centerline of High Street to the intersection of South 76th Street; thence South, along the centerline of South 76th Street to the point of commencement.

Containing census blocks beginning with 550791 and ending with 503013012, 503013013, 503013014, 503013015, 503013016, 503013017, 503013018, 503013019, 503013020, 503013024, 503013025, 503013026, 503032002, 503032003, 503032006, 503032007, 503032008, 503032009, 503032010, 503032011, 503032012, 503032013, 503032014, 503032015, 503032016, 503032018, 503032019.

WARD 3

Commencing at the intersection of South 68th Street and West Puetz Road; thence West, along the centerline of West Puetz Road to the intersection of South 76th Street; thence North, along the centerline of South 76th Street to the intersection of Forest Hill Avenue; thence West, along the centerline of Forest Hill Avenue approximately 0.96 mile to the centerline of a navigable Legend Creek River; thence North, along the centerline of a navigable of a winding Legend Creek River to the centerline of West Drexel Avenue; thence East, along the centerline of West Drexel Avenue to the intersection of South 68th Street; thence South, along the centerline of 68th Street to the point of commencement.

Containing census blocks beginning with 550791 and ending with 503031000, 503031001, 503031002, 503031003, 503031013, 503031014, 503031015, 503031016, 503031017, 503031018, 503031019, 503031020, 503031021, 503031022, 503031023, 872002016, 872003005, 872003006, 872003007, 872003008, 872003016.

ALDERMANIC DISTRICT 2 (Consisting of Wards 4, 5, 6, 7)

WARD 4

Commencing at the intersection of South Lovers Lane Road and West Saint Martins Road, thence Northwest, along the centerline of West Saint Martins Road to the intersection of West Church Street; thence Northwest, along the centerline of West Church Street to the intersection of Mission Hills Drive; thence East, along the centerline of West Church Street to the intersection of South Lovers Lane Road; thence South, along the centerline of South Lovers Lane Road to the point of commencement.

Containing census blocks beginning with 550791 and ending with 503012005, 503012008, 503012011, 503012012, 503012013, 503012014, 503012015, 503012016, 503012018, 503012019, 503012020.

WARD 5

Commencing at the intersection of South 76th Street and West Puetz Road; thence West, along the centerline of West Puetz Road to the intersection of West Saint Martins Road; thence Northwest, along the centerline of West Saint Martins Road to the intersection of West Loomis Road; thence Northeasterly, along the centerline of West Loomis Road to the intersection of

Forest Hill Avenue, thence East, along the centerline of Forest Hill Avenue to the intersection of South 76th Street; thence South, along the centerline of South 76th Street to the point of commencement.

Containing census blocks beginning with 550791 and ending with 503031011, 503051012, 503033001, 503033002, 503033003, 503033004, and 503033005.

WARD 6

Commencing at the intersection of West Loomis Road and West Saint Martins; thence Northwest, along the centerline of West Saint Martins Road to the intersection of South Lovers Lane Road; thence North, along the centerline of South Lovers Lane Road to the intersection of West Rawson Avenue; thence Northeasterly, along the centerline of West Rawson Avenue to the intersection of West Loomis Road; thence Southwest, along the centerline of West Loomis Road to the intersection of West Drexel Avenue; thence Southeast, along the centerline of West Drexel Avenue approximately 785 feet to the centerline of a navigable Legend Creek River; thence South, along the centerline of a navigable of a winding Legend Creek River to the centerline of West Forest Hill Avenue, thence West, along the centerline of Forest Hill Avenue to the intersection of West Loomis Road; thence Southwesterly, along the centerline of West Loomis Road to the point of commencement.

Containing census blocks beginning with 550791 and ending with 503012000, 503012007, 503031004, 503031005, 503031006, 503031007, 503031008, 503031009, 503031010, 503031024, 503043001, 503043002, 503043003, 503043004, 503043005, 503043006, 503043007

WARD 7

Commencing at the intersection of South 76th Street and West Drexel Avenue, thence West, along the center line of West Drexel Avenue to the intersection of West Loomis Road; thence Northeast, along the centerline of West Loomis Road to the intersection of South 76th Street; thence North, along the centerline of South 76th Street approximately 0.21 miles to the north line of the City of Franklin corporate limits; thence East, along said corporate limits approximately 680 feet to a point; thence South, along the corporate limits of the City of Franklin to the intersection of Old Loomis Road; thence Northeast, along the centerline of Old Loomis Road to the north line of the City of Franklin corporate limits; thence East, along the north line of said corporate limits to the intersection of South 68th Street; thence South, along the centerline of South 68th Street to the intersection of West Rawson Avenue; thence West, along the centerline of West Rawson Avenue to the intersection of South 76th Street; thence South along the centerline of South 76th Street to the point of commencement.

Containing census blocks beginning with 550791 and ending with 501004009, 501004010, 501004011, 501004012, 503041000, 503041001, 503041002, 503041003, 503041004, 503041005, 503041006, 503041007, 503041008, 503041009, 503043000, 503044009.

**ALDERMANIC DISTRICT 3
(Consisting of Wards 8, 9, 10, 11)**

WARD 8

Commencing at the intersection of West College Avenue and South 27th Street also, the northwest corner of the City of Franklin corporate limits; thence South, along the centerline of South 27th Street to the intersection of West Rawson Avenue; thence West, along the centerline of West Rawson Avenue to the intersection of South 31st Street; thence South, along the centerline of South 31st Street to the intersection of West Drexel Avenue; thence West, along the centerline of West Drexel Avenue to the centerline of a navigable East Branch Root River; thence North-Northeast along the centerline of a navigable winding East Root River Branch to the west line of the Southeast one-quarter of Section 12, approximately 865 feet north of the intersection of South 35th and West Drexel Avenue; thence North, along the west line of said quarter section to the intersection of West Marquette Avenue and South 35th Street; thence continue North, along the centerline of South 35th Street to the intersection of West College Avenue; thence East, along the centerline of West College Avenue to the point of commencement

Containing census blocks beginning with 550791 and ending with 501001001, 501001014, 501001027, 501001028, 501002000, 501002001, 501002002, 501002003, 501002009, 501002012, 501002013, 501002014, 501002023.

WARD 9

Commencing at the intersection of South 51st Street and West Tumblecreek Drive; thence North, along South 51st Street to the north line of the City of Franklin corporate limits, thence East, along the north line of said corporate limits to the west line of the City of Franklin corporate limits, thence North, along the west line of said corporate limits to the north line of the City of Franklin corporate limits, also the centerline of West College Avenue; thence East along the north line of said corporate limits to the intersection of South 35th Street; thence South, along the centerline of South 35th Street to the intersection of West Jerelin Drive; thence West, along the centerline of West Jerelin Drive to the intersection of South Tumblecreek Drive; thence North, along the centerline of South Tumblecreek Drive to intersection of West Tumblecreek Drive; thence West, along the West Tumblecreek Drive to the point of commencement

Containing census blocks beginning with 550791 and ending with 501002004, 501002005, 501002006, 501002007, 501002010, 501002011, 501002015, 501002016, 501002020

WARD 10

Commencing at the intersection of South 51st Street and West Tumblecreek Drive; thence East, along the centerline of West Tumblecreek Drive to the intersection of South Tumblecreek Drive, thence South, along the centerline of South Tumblecreek Drive to the intersection of West Jerelin Drive; thence East, along the centerline of West Jerelin Drive to the intersection of South 35th Street; thence South, along the centerline of South 35th Street to the intersection of West Rawson Avenue; thence West, along the centerline of West Rawson Avenue to the intersection

of South 51st Street; thence North, along the centerline of South 51st Street to the point of commencement

Containing census blocks beginning with 550791 and ending with 501002008, 501002017, 501002018, 501002019, 501002021, 501002022, 501002024, 501002025, 501002026.

WARD 11

Commencing at the intersection of South 51st Street and West Drexel Avenue; thence East, along the centerline of West Drexel Avenue, approximately 817 feet to the centerline of a navigable East Root River Branch, thence North-Northeast along the centerline of a navigable of a winding East Root River Branch to the west line of the Southeast one-quarter of Section 12, approximately 865 feet north of the intersection of South 35th and West Drexel Avenue; thence North, along the west line of said quarter section to the intersection of West Rawson Avenue; thence West, along the centerline of West Rawson Avenue to the intersection of South 51st Street, thence South, along the centerline of South 51st Street to the point of commencement.

Containing census blocks beginning with 550791 and ending with 501001002, 501001003, 501001004, 501001005, 501001006, 501001007, 501001008, 501001009, 501001010, 501001011, 501001012, 501001013, 501001015, 501001016, 501001017, 501001018, 501001019, 501001020, 501001021, 501001022, 501001023, 501001025, 501001026.

ALDERMANIC DISTRICT 4
(Consisting of Wards 12, 13, 14, 15)

WARD 12

Commencing at the intersection of West Rawson Avenue and South 27th Street also, a point on the City of Franklin corporate limits; thence South, along the centerline of South 27th Street, also east line of said corporate limits, to the intersection of West Franklin Terrace; thence West, along the centerline of West Franklin Terrace to the intersection of South 35th Street; thence South, along the centerline of South 35th Street to the intersection of West Woodward Drive; thence West, along the centerline of West Woodward Drive to the intersection of South 42nd Street; thence South, along the centerline of 42nd Street to the intersection of West Hilltop Lane, thence West, along the centerline of West Hilltop Lane to the intersection of South 51st Street, thence North, along the centerline of South 51st Street to the intersection of West Hunting Park Drive, thence East, along the centerline of West Hunting Park Drive to the intersection of West Puetz Road; thence East, along the centerline of West Puetz Road to the intersection of South 35th Street; thence North, along the centerline of South 35th Street to the intersection of West Drexel Avenue, thence East, along West Drexel Avenue to Street to the intersection of South 31st Street; thence North, along the centerline of South 31st Street to the intersection of West Rawson Avenue, thence East, along the centerline of West Rawson Avenue to the point of commencement

Containing census blocks beginning with 550791 and ending with 501001000, 501001024, 873001000, 873001001, 873001002, 873001003, 873001004, 873001005, 873001006, 873001007, 873001008, 873001009, 873003000, 873003001, 873003002, 873003003.

WARD 13

Commencing at the intersection of West Ryan Road and South 68th Street; thence North, along the centerline of South 68th Street, approximately 1.7 miles to the centerline of a navigable Legend Creek River; thence North-Northeast, along the centerline of a navigable of a winding Legend Creek River to the intersection of a navigable Root River Creek, thence East-Southwest, along the centerline of a navigable of a winding Root River Creek to the centerline of West Puetz Road; thence East, along the centerline of West Puetz Road to the intersection of South 51st Street; thence South, along the centerline of South 51st Street to the intersection of West Ryan Road, thence West, along the centerline of West Ryan Road to the point of commencement.

Containing census blocks beginning with 550791 and ending with 872003002, 872003003, 872003004, 872003009, 872003010, 872003011, 872003012, 872003013, 872003014, 872003015

WARD 14

Commencing at the intersection of West Ryan Road and South 51st Street; thence East, along the centerline of West Ryan Road to the intersection of South 35th Street; thence North, along the centerline of South 35th Street to the intersection of West Woodward Drive; thence West, along the centerline of West Woodward Drive to the intersection of South 42nd Street; thence South, along the centerline of South 42nd Street to the intersection of West Hilltop Lane; thence West, along the centerline of West Hilltop Lane to the intersection of South 51st Street; thence South, along the centerline of South 51st to the point of commencement.

Containing census blocks beginning with 550791 and ending with 873001012, 873003004, 873003005, 873003006, 873003007, 873003008, 873003016, 873003017, 873003018, 873003019, 873003020, 873003021, 873003022, 873003031, 873003032, 873003033, 873003034, 873003035, 873003036, 873003037, 873003038, 873003039, 873003040.

WARD 15

Commencing at the intersection of South County Line Road and South 60th Street, also the south line of the City of Franklin corporate limits; thence East, along the centerline of South County Line Road, also the south line of the City of Franklin corporate limits to the intersection of South 27th Street, also the east line of the City of Franklin corporate limits; thence North, along the east line of said corporate limits to the intersection of West Franklin Terrace; thence West, along the centerline of West Franklin Terrace to the intersection of South 35th Street, thence South, along the centerline of South 35th Street to the intersection of West Ryan Road; thence West, along the centerline of West Ryan Road to the intersection of South 60th Street; thence South, along the centerline of South 60th Street to the point of commencement.

Containing census blocks beginning with 550791 and ending with 872001000, 872001001, 872001002, 872001003, 872001004, 872001005, 872001006, 872001007, 872001022, 872001023, 872001024, 872001025, 872001026, 872001027, 872001028, 872001029, 872001030, 872001031, 872001032, 872001033, 872001034, 872001035, 872001036, 872001037, 872001039, 872001040, 872001041, 872001042, 873001010, 873001011, 873003009, 873003010, 873003011, 873003012, 873003013, 873003014, 873003015, 873003023, 873003024, 873003025, 873003026, 873003027, 873003028, 873003029, 873003030, 873003041, 873003042, 873003043, 873003044, 873003045.

ALDERMANIC DISTRICT 5
(Consisting of Wards 16, 17, 18, 19)

WARD 16

Commencing at the intersection of South 51st Street and West Drexel Avenue; thence East, along the centerline of West Drexel Avenue to the intersection of South 35th Street; thence South, along the centerline of South 35th Street to the intersection of West Puetz Road, thence West, along the centerline of West Puetz Road to the intersection of West Hunting Park Drive, thence North-West, along the centerline of West Hunting Park Drive to the intersection of South 51st Street, thence North, along the centerline of South 51st Street to the point of commencement.

Containing census blocks beginning with 550791 and ending with 873002000, 873002001, 873002002, 873002003, 873002004, 873002005, 873002006, 873002007, 873002008, 873002009, 873002010, 873002011, 873002012, 873002013, 873002014, 873002015, 873002016, 873002017, 873002018, 873002019, 873002020, 873002021, 873002022

WARD 17

Commencing at the intersection of South 51st and West Drexel Avenue; thence South, along the centerline of South 51st Street to the intersection of West Puetz Road; thence West, along the centerline of West Puetz Road, approximately 2,917 feet to the centerline of a navigable Root River Creek; thence North, along the centerline of a navigable of a winding Root River Creek to the centerline of West Drexel Avenue, also approximately 1,512 feet east of the intersection South 68th Street and West Drexel Avenue; thence East, along the centerline of West Drexel Avenue to the point of commencement.

Containing census blocks beginning with 550791 and ending with 872002000, 872002001, 872002002, 872002003, 872002004, 872002005, 872002006, 872002007, 872002008, 872002009, 872002010, 872002011, 872002012, 872002013, 872003000, 872003001.

WARD 18

Commencing at the intersection of South 68th Street and the north line of the City of Franklin corporate limits; thence East, along the north line of said corporate limits to a point; thence

North, along said corporate limits to a point; thence East, along said corporate limits to the centerline of South 51st Street; thence South, along the centerline of South 51st Street to the intersection of West Drexel Avenue; thence West, along the centerline of west Drexel Avenue, approximately 3,742 feet to the centerline a navigable Legend Creek; thence South-Southwest, along of a navigable of a winding Legend Creek to the centerline of South 68th Street; thence North, along the centerline of South 68th Street to the point of commencement.

Containing census blocks beginning with 550791 and ending with 501004000, 501004001, 501004002, 501004003, 501004004, 501004005, 501004006, 501004007, 501004008, 501004013, 501004014, 501004015, 501004016, 872002014, 872002015.

WARD 19

Commencing at the intersection of South 68th Street and West Drexel Avenue; thence West, along the centerline of West Drexel Avenue to the intersection of South 76th Street; thence North, along the centerline of South 76th Street to the intersection of West Rawson Avenue, thence East, along the center line of West Rawson Avenue to the intersection of South 68th Street, thence South, along the centerline of South 68th Street to the point of commencement.

Containing census blocks beginning with 550791 and ending with 501003000, 501003001, 501003002, 501003003, 501003004, 501003005, 501003006, 501003007, 501003008, 501003009, 501003010, 501003011, 501003012, 501003013, 501003014, 501003015, 501003016, 501003017, 501003018, 501003019.

ALDERMANIC DISTRICT 6 (Consisting of Wards 20, 21, 22)

WARD 20

Commencing at the intersection of South Lovers Lane Road and West College Avenue; thence east, along the centerline of West College Avenue approximately 819 feet to a point; thence south, along the corporate limits of the City of Franklin approximately 656.5 feet to a point; thence east, along the corporate limits of the City of Franklin approximately 0.34 miles to a point; thence north, along the corporate limits of the City of Franklin approximately 655.5-feet to the intersection of West College Avenue; thence east, along the centerline of West College Avenue to the intersection of South 92nd Street; thence south, along the centerline of South 92nd Street approximately 0.72 miles to a point; thence east, along the corporate limits of the City of Franklin approximately 0.5 miles to a point; thence south, along the corporate limits of the City of Franklin approximately 40-feet to a point; thence east, along the corporate limits of the City of Franklin to a point; thence north, along the corporate limits of the City of Franklin approximately 0.35 miles to a point; thence east, along the corporate limits of the City of Franklin to the intersection of South 76th Street; thence south, along the centerline of South 76th Street to the intersection of West Loomis Road; thence southwest, along the centerline of West Loomis Road to the intersection of West Drexel Avenue; thence west, along the centerline of West Drexel Avenue to the intersection of South Lovers Lane Road; thence north, along the centerline of South Lovers Lane Road to the point of commencement.

Containing census blocks beginning with 550791 and ending with 503011000, 503011025, 503011026, 503011030, 503011031, 503011034, 503011036, 503011037, 503042000, 503042001, 503042002, 503042003, 503042004, 503044000, 503044001, 503044002, 503044003, 503044004, 503044005, 503044006, 503044007, 503044008, 503044010, 503044011

WARD 21

Commencing at the intersection of West College Avenue and South Lovers Lane, thence South along the centerline of Lovers Lane to the intersection of West Rawson Avenue; thence Northwesterly, along the centerline of West Rawson Avenue to the intersection of West Forest Home Avenue; thence Southwesterly along the centerline of West Forest Home to the intersection of St Martins Road; thence Northwest, along the centerline of St Martins Road to the intersection of South North Cape Road; thence Southwest, along the centerline of South North Cape Road to the west line corporate limits of the City of Franklin; thence North along said west line corporate limits to the North line corporate limits of the City of Franklin; thence East along the north line of said corporate limits to the point of commencement.

Containing census blocks beginning with 550791 and ending with 503011001, 503011002, 503011003, 503011004, 503011005, 503011006, 503011007, 503011008, 503011009, 503011010, 503011011, 503011012, 503011013, 503011014, 503011015, 503011016, 503011017, 503011018, 503011019, 503011020, 503011021, 503011022, 503011023, 503011024, 503011027, 503011028, 503011029, 503011032, 503011033, 503011035, 503014000, 503014001, 503014002, 503014003, 503014004, 503014005, 503014006, 503014007, 503014008, 503014009, 503014010, 503014011, 503014012, 503014013, 503014014, 503014016, 503014017, 503014018.

WARD 22

Commencing at the intersection of South 124th Street and South County Line Road, also the corner of the South and West line of the City of Franklin corporate limits; thence North along the west line of the corporate limits to the intersection of South North Cape Road; thence Northeast, along the centerline of South North Cape Road to the intersection of West St Martins Road; thence Southeast, along the centerline of West St Martins Road to the intersection of West Forest Home Avenue; thence Northeasterly, along the centerline of West Forest Home to the intersection of West Rawson Avenue; thence, East along the centerline of West Rawson Avenue to the intersection of South Lovers Lane; thence Southeasterly, along the centerline of South Lovers Lane to the intersection of West Drexel Avenue; thence West, along the centerline of West Drexel Avenue to the intersection of West St Martins Road; thence Southeast, along the West St Martins Road to intersection of South Lovers Lane Road; thence Southeast along the centerline of South Lovers Lane Road to the intersection of West Loomis Road; thence Southwest, along the centerline of West Loomis Road to the intersection of West Ryan Road; thence East, along the centerline of West Ryan Road to the intersection of 92nd Street; thence South, along the centerline of South 92nd Street to the intersection of West County Line Road

also the corporate **limits of City of Franklin; thence West along said corporate limits to the place of commencement.**

Containing census blocks **beginning with 550791 and ending with 503011038, 503012001, 503012002, 503012003, 503012004, 503012006, 503012009, 503012010, 503012017, 503013000, 503013001, 503013002, 503013003, 503013004, 503013005, 503013006, 503013007, 503013008, 503013009, 503013010, 503013011, 503013021, 503013022, 503013023, 503014015, 872001011, 872001012, 872001013, 872001014, 872001015, 872001016, 872001043.**

APPROVAL <i>Slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 5/3/2022
REPORTS & RECOMMENDATIONS	Three Resolutions to Award the 2021-2022 City of Franklin Facility Renovations: Hardscape Renovations to Parking Lot Maintenance, LLC, in the Amount of \$69,265.30; Roofing Renovations to Carlson Racine Roofing & Sheet Metal, Inc., in the Amount of \$37,710; and Building Envelope Renovations to Custom Restoration, Inc., in the Amount of \$61,173	ITEM NUMBER G.12.

BACKGROUND

The City of Franklin owns and operates numerous facilities. Due to the age and condition of the facilities, as well as the critical functions those buildings support, it is extremely important to maintain those facilities. As part of this initiative, on October 5, 2021, the Common Council approved a motion authorizing the 2021-2022 Annual Maintenance Repair Specifications Work Order with regard to City of Franklin facilities and associated infrastructure as attached.

Staff worked with the City's consultant, Industrial Roofing Services, Inc. (IRS), to solicit competitive bids for each of the three disciplines: (1) hardscape renovations, (2) roofing renovations, and (3) building envelope renovations, in accordance and compliance with all applicable state and local statutes and ordinances.

Bid documents were prepared and the Advertisement for Bid notice was published in the newspaper April 6, 2022 and April 13, 2022. Bids were opened at 10 a.m. on Thursday, April 21, 2022.

ANALYSIS

The lump sum bids received for each of the three disciplines are as follows:

Hardscape Renovations

Parking Lot Maintenance, LLC (PLM Paving) \$69,265.30
Poblocki Paving \$89,814.40

Roofing Renovations

Carlson Racine Roofing & Sheet Metal, Inc. \$37,710.00
SRS Roofing \$42,820.00
Kaschak Roofing, Inc. \$63,275.00

Building Envelope Renovations

Custom Restoration, Inc. \$61,173.00
Statz Restoration \$165,250.00

All bid materials from the three low bid contractors appear complete and satisfactory and all are qualified to perform the proper installation of the system. Staff has received very positive reports on each of the low bidders and recommends that the Common Council award each of the projects to the low bidder as noted above.

IRS will be working on the City's behalf to manage the projects, ensuring that each one is completed according to the specifications and to the satisfaction of the City.

FISCAL NOTE

The funds for this project were part of the 2021 Budget. That appropriation was then carried forward to 2022, as authorized by the Common Council on December 21, 2021, along with the accompanying budget amendment that was approved on April 4, 2022. In addition, there is a 2022 appropriation for the Library portions of the project in the Library Budget. The project will be charged to Account Number 46-0181-5822, General Fund Building Improvements, and Account Number 15-0511-5822, Library Building Improvements.

The original estimates for all of the projects included in this bid packet was \$289,850. However, the bids came in very favorably, with the total of all three bids amounting to \$168,148.30. In addition, the fee payable to IRS was also lowered from \$25,000 to \$16,814.83, as it is calculated as a function of the bids.

RECOMMENDATION

Staff recommends that Council award all bids as detailed above.

COUNCIL ACTION REQUESTED

A motion to approve Resolution No. 2022-_____, A Resolution to Award the 2021-2022 City of Franklin Facility Renovations – Hardscape Renovations to Parking Lot Maintenance, LLC, in the amount of \$69,265.30.

A motion to approve Resolution No. 2022-_____, A Resolution to Award the 2021-2022 City of Franklin Facility Renovations – Roofing Renovations to Carlson Racine Roofing & Sheet Metal, Inc., in the amount of \$37,710.

A motion to approve Resolution No. 2022-_____, A Resolution to Award the 2021-2022 City of Franklin Facility Renovations – Building Envelope Renovations to Custom Restoration, Inc., in the amount of \$61,173.

RESOLUTION NO. 2022-_____

A RESOLUTION TO AWARD THE 2021-2022 CITY OF FRANKLIN FACILITY RENOVATIONS – HARDSCAPE RENOVATIONS TO PARKING LOT MAINTENANCE, LLC IN THE AMOUNT OF \$69,265.30

WHEREAS, the City of Franklin advertised and solicited bids for the 2021-2022 City of Franklin Facility Renovations – Hardscape Renovations project; and

WHEREAS, the low bidder was Parking Lot Maintenance, LLC, with a lump sum bid of \$69,265.30; and

WHEREAS, the 2021 Budget contained sufficient appropriations for this project which were carried forward to 2022 as authorized by the Common Council on December 21, 2021, and the budget amendment further approved on April 4, 2022, as well as sufficient 2022 appropriations in the Library Budget for the Library portions of the project; and

WHEREAS, staff has recommended to the Common Council that the 2021-2022 City of Franklin Facility Renovations – Hardscape Renovations project be awarded to Parking Lot Maintenance, LLC in the amount of \$69,265.30.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the 2021-2022 City of Franklin Facility Renovations - Hardscape Renovations project be awarded to Parking Lot Maintenance, LLC.

BE IT FURTHER RESOLVED, that the Mayor and City Clerk are authorized and directed to execute a contract with Parking Lot Maintenance, LLC on behalf of the City of Franklin.

Introduced at a regular meeting of the Common Council of the City of Franklin this 3rd day of May, 2022 by Alderman _____.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this 3rd day of May, 2022.

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

YES _____ NOES _____ ABSENT _____

RESOLUTION NO. 2022-_____

A RESOLUTION TO AWARD THE 2021-2022 CITY OF FRANKLIN FACILITY RENOVATIONS – ROOFING RENOVATIONS TO CARLSON RACINE ROOFING & SHEET METAL, INC. IN THE AMOUNT OF \$37,710

WHEREAS, the City of Franklin advertised and solicited bids for the 2021-2022 City of Franklin Facility Renovations – Roofing Renovations project; and

WHEREAS, the low bidder was Carlson Racine Roofing & Sheet Metal, Inc., with a lump sum bid of \$37,710; and

WHEREAS, the 2021 Budget contained sufficient appropriations for this project which were carried forward to 2022 as authorized by the Common Council on December 21, 2021, and the budget amendment further approved on April 4, 2022, as well as sufficient 2022 appropriations in the Library Budget for the Library portions of the project; and

WHEREAS, staff has recommended to the Common Council that the 2021-2022 City of Franklin Facility Renovations – Roofing Renovations project be awarded to Carlson Racine Roofing & Sheet Metal, Inc. in the amount of \$37,710.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the 2021-2022 City of Franklin Facility Renovations - Roofing Renovations project be awarded to Carlson Racine Roofing & Sheet Metal, Inc.

BE IT FURTHER RESOLVED, that the Mayor and City Clerk are authorized and directed to execute a contract with Carlson Racine Roofing & Sheet Metal, Inc. on behalf of the City of Franklin.

Introduced at a regular meeting of the Common Council of the City of Franklin this 3rd day of May, 2022 by Alderman _____.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this 3rd day of May, 2022.

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

YES _____ NOES _____ ABSENT _____

RESOLUTION NO. 2022-_____

A RESOLUTION TO AWARD THE 2021-2022 CITY OF FRANKLIN FACILITY RENOVATIONS – BUILDING ENVELOPE RENOVATIONS TO CUSTOM RESTORATION, INC. IN THE AMOUNT OF \$61,173

WHEREAS, the City of Franklin advertised and solicited bids for the 2021-2022 City of Franklin Facility Renovations – Building Envelope Renovations project; and

WHEREAS, the low bidder was Custom Restoration, Inc., with a lump sum bid of \$61,173; and

WHEREAS, the 2021 Budget contained sufficient appropriations for this project which were carried forward to 2022 as authorized by the Common Council on December 21, 2021, and the budget amendment further approved on April 4, 2022; and

WHEREAS, staff has recommended to the Common Council that the 2021-2022 City of Franklin Facility Renovations – Building Envelope Renovations project be awarded to Custom Restoration, Inc. in the amount of \$61,173.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the 2021-2022 City of Franklin Facility Renovations – Building Envelope Renovations project be awarded to Custom Restoration, Inc.

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

Introduced at a regular meeting of the Common Council of the City of Franklin this 3rd day of May, 2022 by Alderman _____.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this 3rd day of May, 2022.

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

YES _____ 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;">10/5/2021</p>
<p style="text-align: center;">REPORTS & RECOMMENDATIONS</p>	<p style="text-align: center;">Authorization of an Annual Maintenance Repair Specifications Work Order with Regard to City of Franklin Facilities, with Industrial Roofing Services, Inc. (IRS)</p>	<p style="text-align: center;">ITEM NUMBER</p> <p style="text-align: center;">G.10.</p>

BACKGROUND

The City of Franklin owns and operates numerous facilities. Due to the age and condition of the facilities, as well as the critical functions those buildings support, it is extremely important to have a facilities plan. Strong facilities plans detail the current state of all facilities as well as identify ongoing maintenance needs and future capital improvements to ensure the viability of the facilities and associated infrastructure. In addition, facilities plans must include a strategy for action.

Industrial Roofing Services, Inc. (IRS) was hired by the City in the spring of 2020 to complete a facilities survey to establish a baseline and determine immediate, mid-term, and long-term actions needed to ensure the viability of City facilities and the associated infrastructure. The results of this survey were presented to staff in time to include funding in the 2021 Budget for both maintenance and capital needs.

As part of the kick-off for this initiative, staff from each applicable department has received a copy of the report and met with IRS to review the needs for its facilities and associated infrastructure.

ANALYSIS

The attached proposed Annual Maintenance Repair Specifications Work Order outlines the role that IRS will fill in assisting the City in maintaining its facilities and associated infrastructure. Specifically, IRS will be partnering with the City, working on its behalf to: (1) scope the work needed; (2) obtain competitive pricing for all non-public bid items, whenever possible, and assist with public bidding under Wisconsin State Statutes § 62.15, when required; and (3) manage the contractors performing the work to ensure professional, appropriate workmanship.

This new partnership will strengthen the longevity of the City's facilities and associated infrastructure as well as lessen the burden for these matters from City staff. The Director of Administration, in concert with all Department Heads, will manage the work of IRS and management of budget funds.

The Annual Maintenance Repair Specifications Work Order includes estimated pricing to accomplish each needed repair/improvement, along with an estimated fee to be paid to IRS. This proposed fee is very reasonable for a number of reasons: (1) the City does not have personnel on staff with the expertise that IRS offers; (2) City staff does not have available time to research, obtain competitive

pricing, and contract with and manage each contractor to perform the work; and (3) the margin requested is in line with industry standards.

In addition to the Annual Maintenance Repair Specifications Work Order, staff is recommending that the City contract with IRS to manage the capital needs related to its facilities and associated infrastructure. The role that IRS will fill in this regard will match the role it fills with the maintenance activities; however, the pricing structure will be different. It will be based on a percentage of the project, typically 7%, based on the specific projects.

RECOMMENDATION

Staff recommends that the Common Council approve the recommended 2021-2022 Annual Maintenance Repair Specifications Work Order, with regard to the City of Franklin facilities and associated infrastructure, with Industrial Roofing Services, Inc.

COUNCIL ACTION REQUESTED

Motion to authorize a 2021-2022 Annual Maintenance Repair Specifications Work Order with regard to City of Franklin facilities and associated infrastructure, with Industrial Roofing Services, Inc.; and to authorize the Director of Administration to execute the appropriate related agreement as needed.



IRS

Industrial Roofing Services, Inc.

13000 West Silver Spring Drive

Butler, Wisconsin 53007

Phone (262) 432-0500

Fax (262) 432-0504

www.irsroof.com

Proposal for
ANNUAL MAINTENANCE REPAIR SPECIFICATIONS
Of
MULTIPLE SITES PER ATTACHED LIST

Submitted by

KEITH A. DIPPEL

Prepared for

Ms Peggy Steeno

City of Franklin
9229 W Loomis Road
Franklin, WI 53132

August 30, 2021

The logo for Industrial Roofing Services, Inc. (IRS) is positioned at the top left of the page. It consists of the letters "IRS" in a bold, sans-serif font, with a stylized graphic of a roof structure to its right.

Industrial Roofing Services, Inc.
13000 West Silver Spring Drive
Butler, Wisconsin 53007
Phone (262) 432-0500
Fax (262) 432-0504
www.irsroof.com

August 30, 2021

Ms Peggy Steeno
City of Franklin
9229 W Loomis Road
Franklin, WI 53132

SUBJECT: Proposal for an Annual Maintenance Repair Specifications of the Roof, Hardscape, and Exterior Systems at Multiple Sites per Attached List, located in Franklin, WI.

Dear Ms Steeno

Industrial Roofing Services, Inc is pleased to submit the following proposal to develop an Annual Maintenance Repair Specification (AMRS) for Multiple Sites per Attached List. The AMRS provides management with a detailed, documented scope of work to execute required maintenance procedures. The AMRS can be made available to selected contractors via the IRS website to facilitate competitive bidding of the identified deficiencies. A repair scope shall be created by discipline (Roof, Exteriors, Hardscape) and bid to a group of contractors appropriate for each trade. Contractor shall submit bids directly to the City of Franklin.

The Annual Maintenance Repair Specification developed by IRS shall include the following:

- ◆ Unique deficiencies recommended for preventative maintenance will be identified and located on a CAD drawing
- ◆ Each unique deficiency identified on the CAD drawing will be documented with a photograph
- ◆ A written scope of work will be created for identified deficiencies describing the repairs to be performed
- ◆ Acceptable manufacturers and materials will be listed if the deficiencies occur on a warranted surface, but are deemed beyond the scope of the warranty. All deficiencies on warranted roof systems deemed to be covered under the warranty obligation will be identified separately for resolution with the issuer of the warranty.
- ◆ The scope of work for each repair will describe the proper methods to be utilized in effecting the repairs.
- ◆ The Annual Maintenance Repair Specifications, photographs and CAD drawing, locating each deficiency will be provided for your records. The AMRS allows selected contractors to competitively bid the work. A copy of the AMRS will be available to selected or assigned contractors via IRS website's secure contractor's login.

Ms Steeno
August 30, 2021
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FEES

Industrial Roofing Services, Inc shall provide the above-described services for the lump sum fee of twenty-five thousand dollars (\$25,000 00)

AUTHORIZATION

To acknowledge acceptance of this proposal, please return a signed copy of the Authorization page with any paperwork (i.e. a purchase order or signed contract) to our corporate headquarters

Industrial Roofing Services, Inc
13000 West Silver Spring Drive
Butler, WI 53007
Fax (262) 432-0504

Upon receipt of a purchase order or signed contract we will enter the information in our system and schedule the work to be completed

Should you have any questions regarding this proposal, please do not hesitate to call We appreciate this opportunity and look forward to working with you on this project

Sincerely yours,
INDUSTRIAL ROOFING SERVICES, INC

Keith A. Dippel

Keith A Dippel
President

akp

Acknowledged by:

Name Title Date: _____

Ms Steeno
 August 30, 2021
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**AMRS REPAIR LIST BY FACILITY
 &
 ESTIMATED BUDGETS FOR EACH**

<u>Site Name</u>	<u>Site Address</u>	<u>Estimated Repair Cost</u>
Roofs		
Public Library	9151 W Loomis Road	\$28,300
Police Dept	9229 West Loomis Road	\$ 9,800
	<i>Contingency</i>	\$ 5,000
Hardscape		
Public Library	9151 W Loomis Road	\$20,800
Police Dept	9229 West Loomis Road	\$12,250
Fire Station 1	8901 West Drexel Avenue	\$13,550
Fire Station 2	9911 South 60th Street	\$ 9,550
Fire Station 3	4755 West Drexel Avenue	\$25,900
Ken Windl	11615 West Rawson Avenue	\$ 6,800
Lions Legend	8050 Legend Drive Lions	\$12,600
Vernon Barg	8717 W Drexel Ave Lions	\$14,300
City Hall	9229 W Loomis Road	\$28,000
	<i>Contingency</i>	\$18,000
Exteriors		
City Hall	9229 W Loomis Road	\$10,200
Police Dept	9229 West Loomis Road	\$12,250
Fire Station 1 – Overhead Doors	8901 West Drexel Avenue	\$25,000
Fire Station 2	9911 South 60th Street	\$16,650
Fire Station 3	4755 West Drexel Avenue	\$ 5,900
	<i>Contingency</i>	\$15,000
TOTAL		\$289,850.00
	<i>IRS Fees</i>	\$25,000 00
TOTAL + IRS Fees		\$314,850.00

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APPROVAL	REQUEST FOR COMMON COUNCIL ACTION	MEETING DATE May 3, 2022
REPORTS & RECOMMENDATIONS	An Ordinance to Amend Ordinance 2020-2453, An Ordinance Adopting the 2021 Annual Budgets for the General Fund, Fire Grant Fund, Police Grant Fund, St. Martins Fair Fund, Health Grant Fund, Civic Celebrations Fund, Capital Outlay Fund, TID #7 Fund, TID #3 Fund, Development Fund, Capital Improvement Fund, and the Self-Insurance/Retiree Health Funds for the City of Franklin to Transfer and Re-Appropriate 2021 Funds and Account for Final Carry Forwards and Encumbrances	ITEM NUMBER G.13.

BACKGROUND

One of the regular steps in the year end process requires an evaluation of the overall spending from the year, in this case 2021. In doing so, all accounts are evaluated by the variances which are the amounts over or under the respective budgets for the year, including carry forwards and encumbrances. The transfer process includes utilizing funds from accounts that were under spent, as well as revenues and fund equity when necessary, to support the accounts that were over spent. Because this effectively alters the previous year's budget, Council approval is required.

ANALYSIS

All recommended carry transfers, carry forwards, and encumbrances are outlined in detail per the accompanying schedules and the attached ordinance. The transfers have been separated into the following schedules: General Fund Expenditures, Capital Funds Expenditures, TID Fund Expenditures, and Other Fund Expenditures. The ordinance then combines all funds to establish the complete list of transfers needed.

FISCAL IMPACT

There is no direct fiscal impact related to this action. Rather, it is an accounting function that reconciles the budget to the actual spending, including carry forwards and encumbrances, for the 2021 fiscal year.

RECOMMENDATION

Staff recommends approval of the attached ordinance amendment based on the established budget and actual spending, including the authorized 2021 encumbrances and carry forwards.

COMMON COUNCIL ACTION REQUESTED

Motion adopting an Ordinance 2022-_____ to amend Ordinance 2020-2453, an Ordinance adopting the 2021 Annual Budgets for the General Fund, Fire Grant Fund, Police Grant Fund, St. Martins Fair Fund, Health Grant Fund, Civic Celebrations Fund, Capital Outlay Fund, TID #7 Fund, TID #3 Fund, Development Fund, Capital Improvement Fund, and the Self-Insurance/Retiree Health Funds for the City of Franklin to transfer and re-appropriate 2021 Funds.

ROLL CALL VOTE REQUIRED

STATE OF WISCONSIN: CITY OF FRANKLIN: MILWAUKEE COUNTY

ORDINANCE NO. 2022_____

AN ORDINANCE TO AMEND ORDINANCE 2020-2453, AN ORDINANCE ADOPTING THE 2021 ANNUAL BUDGETS FOR THE GENERAL FUND, FIRE GRANT FUND, POLICE GRANT FUND, ST. MARTINS FAIR FUND, HEALTH GRANT FUND, CIVIC CELEBRATIONS FUND, CAPITAL OUTLAY FUND, TID #7 FUND, TID #3 FUND, DEVELOPMENT FUND, CAPITAL IMPROVEMENT FUND, AND THE SELF-INSURANCE/RETIREE HEALTH FUNDS TO TRANSFER AND RE-APPROPRIATE 2021 FUNDS AND ACCOUNT FOR FINAL CARRYFORWARDS AND ENCUMBRANCES

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, the 2021 fiscal year in the process of being closed and requires an evaluation of the overall spending and commitments made for the year; and

WHEREAS, the transfer process includes utilizing funds from accounts that were under spent, as well as revenues and fund balance when necessary, to support the accounts that were over spent; and

WHEREAS, this effectively alters the previous year's budget requiring Common Council approval.

NOW, THEREFORE, the Common Council of the City of Franklin does hereby ordain that the following budget transfers/appropriations, including carry forwards and encumbrances, be made:

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

<u>Fund/Department Number</u>	<u>Department Name</u>	<u>Amount</u>
To:		
01-0152	Auditor	\$ 405
01-0181	Municipal Buildings	16,720
01-0194	Insurance	44,071
01-0221	Fire	212,844
01-0321	Engineering	60,286
01-0551	Parks	121,533
From:		
01-0151	Finance	\$ 405
01-0147	Administration	16,720
01-0151	Finance	44,071
01-0211	Police	212,844
01-0331	Highway	60,286
01-0331	Highway	121,533

Section 2 That the 2021 Budget for the *Other Funds* be amended as follows:

<u>Department/Fund Number</u>	<u>Department Name</u>	<u>Amount</u>
To:		
Fund 20	Fire Grant Expenditures	\$ 1,535
Fund 21	Police Grant Expenditures	63,124
Fund 24	St. Martins Fair Fund Expenditures	3,308
Fund 25	Health Grant Fund Expenditures	221,830
Fund 29	Civic Celebrations Expenditures	4,150
Fund 61	Sewer Fund Expenses	2,530,936
Funds 75/80	Self-Insurance/Retiree Health Exp.	267,943
From:		
Fund 20	Fire Grant Fund-Fund Balance	\$ 1,535
Fund 21	Police Grant Fund-Fund Balance	63,124
Fund 01	St. Martins Fair Fund-Fund Balance	3,308
Fund 25	Health Grant Fund-Fund Balance	221,830
Fund 29	Civic Celebrations-Fund Balance	4,150
Fund 61	Sewer Fund-Fund Balance	2,530,936
Funds 75/80	Self-Ins. / Retiree Health Fund Bal.	267,943

Section 3 That the 2021 Budget for the *Capital Funds* be amended as follows:

<u>Department/Fund Number</u>	<u>Department Name</u>	<u>Amount</u>
To:		
Fund 27-0211	Police Impact Fees Expenditures	\$ 335
Fund 27-0221	Fire Impact Fee Expenditures	608
Fund 27-0331	Highway Impact Fee Expenditures	2,504
Fund 27-0511	Library Impact Fee Expenditures	39
Fund 41-0000	General Capital Outlay	13,402
Fund 46-0221	Cap. Improvement-Fire	776
Fund 46-0231	Cap. Improvement-Inspections	1,463
Fund 46-0551	Cap. Improvements-Parks	47,740
From:		
Fund 27-0211	Police Impact Fee-Fund Balance	\$ 335
Fund 27-0221	Fire Impact Fee-Fund Balance	608
Fund 27-0331	Highway Impact Fee-Fund Balance	2,504
Fund 27-0511	Library Impact Fee-Fund Balance	39
Fund 41-0000	Capital Outlay Contingency	13,402
Fund 46-0221	Cap. Improvement Contingency	776
Fund 46-0231	Cap. Improvement Contingency	1,463
Fund 46-0551	Cap. Improvements-Highway	47,740

Section 4 That the 2021 Budget for the TID Funds be amended as follows:

<u>Department/Fund Number</u>	<u>Department Name</u>	<u>Amount</u>
To:		
Fund 48	TID #3 Expenditures	\$ 3,686
Fund 45	TID #7 Expenditures	1,412
From:		
Fund 48	TID #3 Fund Balance	\$ 3,686
Fund 45	TID #7 Fund Balance	1,412

Section 5 Pursuant to §65.90(5)(a), Wis. Stats., the City Clerk is directed to post a notice of this budget amendment within fifteen days of adoption of this Ordinance on the City's web site.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this ____ day of _____, 2022.

APPROVED:

Stephen R Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES___NOES___ABSENT___

General Fund Department Number	Department Description	2020 Actual Expenditures	2021 Original Budgeted Expenditures	2021 Budget Amendments	2021 Amended Budgeted Expenditures	2021 Actual Expenditures	2021 YE Fund Balance Reservations / Carry Forwards	2021 Final YE Encumbrances	2021 Over/(Under Budget to Actual with F8 Reservations and Encumbrances	2022 Amended Budgeted Expenditures	2022 Original Budgeted Expenditures
0101	MAYOR	23,946	30,486	1,410	31,896	26,165			5,731	30,494	30,494
0102	ALDERMEN	69,885	72,767	0	72,767	69,379			3,388	73,663	73,663
0121	MUNICIPAL COURT	202,213	210,584	1,565	212,149	209,716			2,433	221,594	221,594
0141	CITY CLERK	350,466	362,772	0	362,772	347,326			15,446	375,029	375,029
0142	ELECTIONS	89,090	53,922	0	53,922	28,255	10,000		15,667	93,171	93,171
0144	INFORMATION SERVICES	451,907	535,079	21,366	556,445	432,584	73,500	9,324	41,037	451,449	442,125
0147	ADMINISTRATION	358,493	392,571	0	392,571	362,984			29,587	426,658	426,658
0151	FINANCE	528,371	546,964	0	546,964	491,960			55,004	544,095	544,095
0152	AUDITOR	36,480	30,050	7,925	37,975	38,380			(405)	42,525	42,525
0154	CITY ASSESSORS	230,743	237,650	0	237,650	235,396			2,254	240,895	240,895
0161	LEGAL SERVICES	287,565	353,600	0	353,600	325,537			28,063	334,600	334,600
0181	MUNICIPAL BUILDINGS	361,122	227,393	0	227,393	219,113		25,000	(16,720)	269,716	244,716
0194	INSURANCE	89,748	106,565	0	106,565	150,636			(44,071)	126,585	126,585
0198	UNCLASSIFIED EXPENSES		2,500	10,000	12,500	8,384			4,116	2,500	2,500
0199	CONTINGENCY		2,760,000	(57,925)	2,702,075	0	36,600		2,665,475	2,432,329	2,432,329
0211	POLICE DEPT	8,724,499	9,161,685	41,745	9,203,430	8,560,921		48,657	593,853	9,190,285	9,177,135
0212	PD DISPATCH	1,147,150	1,207,563	0	1,207,563	1,149,928			57,635	1,262,526	1,262,526
0221	FIRE DEPT	6,441,600	6,784,053	53	6,784,106	6,996,950			(212,844)	7,332,332	7,332,332
0223	FIRE PROTECTION	279,995	283,300	0	283,300	280,117			3,183	283,300	283,300
0231	INSPECTION SERVICES	870,526	907,862	78,300	986,162	874,859	66,000		45,303	903,281	903,281
0239	SEALER OF WEIGHTS & MEASURES	7,600	7,600	0	7,600	7,600			0	7,800	7,800
0321	ENGINEERING	1,092,143	892,269	27,947	920,216	980,502			(60,266)	906,353	906,353
0331	HIGHWAY	2,644,254	3,032,217	204,931	3,237,148	2,817,155		65,645	354,348	2,982,353	2,969,990
0351	STREET LIGHTING	325,554	357,200	64,840	422,040	397,549		14,991	9,500	395,621	387,200
0361	WEED CONTROL	3,662	7,050	0	7,050	3,820			3,230	7,050	7,050
0411	PUBLIC HEALTH	618,289	665,239	0	665,239	659,710			5,529	704,186	704,186
0431	ANIMAL CONTROL	45,687	48,000	0	48,000	46,276			1,724	47,500	47,500
0521	RECREATION	3,280	35,000	0	35,000	18,185	6,815		10,000	35,000	35,000
0529	ST MARTINS FAIR-USE FUND 24		11,000	0	11,000	11,000			0	11,000	11,000
0551	PARKS	285,107	196,343	11,143	207,486	323,686		5,333	(121,533)	435,182	429,849
0621	PLANNING	455,340	443,591	6,023	449,614	403,828		5,911	39,876	467,434	461,523
0641	ECONOMIC DEVELOPMENT	142,073	156,293	19,350	175,643	127,560			48,083	156,725	156,725
0998	OTHER FINANCING USES/TRSFERS	48,379		350,000	350,000	350,000			0		
	Total for General Fund (01)	26,215,167	30,119,168	788,673	30,907,841	26,955,461	192,915	174,859	3,584,605	30,793,231	30,713,729
									2,750,000		79,502
									834,605		
									788,673		
									45,932		

Less: 2021 Unfunded Contingency
 Equals 2021 Underspent Expenditures
 Less: 2021 Unfunded Budget Amendments
 2021 Net Underspent Expenditures

Other Funds - Account Number	Description	2020 Actual Expenditures	2021 Original Budget	2021 Budget Amendments	2021 Amended Budget	2021 Actual Expenditures	2021 YE Fund Balance Reservations / Carry Forwards	2021 Final YE Encumbrances	2021 Over/(Under) Budget to Actual with FB Reservations and	2022 Original Budget	2022 Amended Budget
	Total Fund 19	2,013,227	2,048,984	0	2,048,984	2,027,478			21,506	2,056,965	2,056,965
	Total Fund 20	3,921	10,000	0	10,000	11,555			(1,535)	5,000	5,000
	Total Fund 21		25,000	0	25,000	88,124			(63,124)	118,760	118,760
	Total Fund 24		52,551	0	52,551	55,859			(3,308)	58,592	58,592
	Total Fund 25	323,621	319,224	0	319,224	541,054			(221,830)	1,153,968	1,153,968
	Total Fund 26	671,882									
	Total Fund 28	29,118	94,600	18,000	112,600	31,289			81,311	127,605	127,605
	Total Fund 29	8,048	122,123	0	122,123	126,273			(4,150)	129,005	129,005
	Total Fund 31	1,616,963	1,617,363	0	1,617,363	1,616,963			401	129,005	129,005
	Total Fund 61	6,381,935	6,460,847	101,552	6,562,399	6,532,425			(2,530,936)	7,103,099	9,662,877
	Total - Funds 75/80	2,829,784	3,082,782	0	3,082,782	3,350,725			(267,943)	3,361,692	3,361,692
	Total - All Funds	13,878,499	13,833,474	119,552	13,953,026	14,381,724	0	2,560,910	(2,989,609)	14,243,691	16,803,469

Capital Funds - Department Number	Account Description	2020 Actual Expenditures	2021 Original Budgeted Expenditures	2021 Budget Amendments	2021 Amended Budgeted Expenditures	2021 Actual Expenditures	2021 YE Fund Balance Reservations / Carry Forwards	2021 Final YE Encumbrances	2021 Variances - Over/Under Budget to Actual with F8 Reservations and Encumbrances	2022 Amended Budgeted Expenditures	2022 Original Budgeted Expenditures	
Fund 22 - UTILITY DEVELOPMENT FUND												
0755	WATER CONNECTION		500,000	0	500,000				500,000	1,046,450	1,046,450	
0756	SEWER CONNECTION		500,000	0	500,000				500,000	500,000	500,000	
	Total Fund 22	0	1,000,000	0	1,000,000	0	0	0	1,000,000	1,546,450	1,546,450	
Fund 27 - DEVELOPMENT/IMPACT FEE FUND												
0000	GENERAL				3,321				3,321			
0147	ADMINISTRATION	27,769	15,000	0	15,000	6,621			8,379	25,000	25,000	
0211	POLICE DEPT	205,083	205,182	0	205,182	205,517			(335)	175,000	175,000	
0221	FIRE DEPT	42,937	42,941	0	42,941	43,549			(608)	127,750	127,750	
0331	HIGHWAY	75,519	71,886	0	71,886	74,390			(2,504)	312,375	312,375	
0511	LIBRARY	93,982	134,000	0	134,000	134,039			(39)	305,000	305,000	
0551	PARKS	311,301	1,259,250	84,795	1,344,045	92,997		93,000	1,158,048	904,040	904,040	
0755	WATER CONNECTION	554,760	2,250,000	0	2,250,000				2,250,000	3,674,325	3,674,325	
0756	SEWER CONNECTION		75,000	0	75,000	11,454		3,246	60,300	3,246		
	Total Fund 27	1,309,351	4,053,259	88,116	4,141,375	568,567	0	96,246	3,476,562	5,526,736	5,523,490	
Fund 41 - CAPITAL OUTLAY FUND												
0000	GENERAL					13,402			(13,402)			
0142	ELECTIONS	59,895		6,280	6,280				6,280	4,800	4,800	
0144	INFORMATION SERVICES	61,547	44,000	20,714	64,714	39,688	18,600		6,426	175,000	175,000	
0147	ADMINISTRATION			0								
0151	FINANCE	21		0								
0181	MUNICIPAL BUILDINGS	62,920	11,200	18,000	29,200	17,274	11,900		26	203,740	203,740	
0199	CONTINGENCY		40,650	(22,685)	17,965				17,965	50,000	50,000	
0211	POLICE DEPT	354,596	455,200	63,716	518,916	480,627		6,995	31,294	372,785	366,285	
0221	FIRE DEPT	78,513	164,335	29,362	193,697	53,578	3,070	33,876	103,173	91,075	65,167	
0231	INSPECTION SERVICES	1,000		13,943	13,943	270			13,673			
0321	ENGINEERING	7,259		0					0	35,000	35,000	
0331	HIGHWAY	82,533	551,000	97,849	648,849	598,289		50,560	0	323,822	323,822	
0411	PUBLIC HEALTH	900		0					0	30,000	30,000	
0551	PARKS	10,617	364,000	65,000	429,000	265,561	130,000		9,786	236,000	236,000	
0621	PLANNING	1,467	180,000	7,190	187,190	57,217		129,973	0	176,137	46,500	
	Total Fund 41	722,792	1,810,385	299,369	2,109,754	1,525,906	163,570	245,057	175,221	1,725,919	1,536,314	
Fund 42 - EQUIPMENT REPLACEMENT FUND												
0221	FIRE DEPT	247,993	326,500	0	326,500	324,967			1,533	740,000	740,000	
0231	INSPECTION SERVICES		35,000	30,168	65,168	30,338			34,830	28,467	28,467	
0321	ENGINEERING									75,000	75,000	
0331	HIGHWAY	558,373	807,000	240,130	1,047,130	709,467		337,600	63	1,190,000	988,000	
	Total Fund 42	806,366	1,168,500	270,298	1,438,798	1,064,772	0	337,600	36,426	2,033,467	1,831,467	
Fund 46 - CAPITAL IMPROVEMENT FUND												
0000	GENERAL		100,000	0	100,000	31,775			68,225			
0181	MUNICIPAL BUILDINGS	(73,163)	350,000	362,408	712,408		700,000	(69,281)	81,689	1,721,200	1,721,200	
0199	CONTINGENCY		150,000	(65,935)	84,065				84,065	140,000	140,000	
0211	POLICE DEPT	979,764	499,500	97,054	596,554	166,056	247,000		183,498			
0221	FIRE DEPT	190,577	37,313	37,313	37,313	38,089			(776)	211,000	211,000	
0231	INSPECTION SERVICES	120,435	60,705	60,705	62,168				(1,463)			
0321	ENGINEERING							44,048	288	38,655		
0331	HIGHWAY	334,907	252,000	877,374	1,129,374	818,765		151,607	159,002	988,607	849,500	
0551	PARKS	642,151	410,000	282,302	692,302	228,514	395,000	116,528	(47,740)	2,352,334	2,252,806	
0755	WATER CONNECTION		4,640,000	0	4,640,000		4,000,000		640,000	8,015,500	8,015,500	
0756	SEWER CONNECTION	200,988	3,500,000	0	3,500,000				3,500,000	500,000	500,000	
	Total Fund 46	2,395,669	9,901,500	1,725,621	11,627,121	1,375,431	5,342,000	242,903	4,666,787	13,977,296	13,690,006	
Fund 47 - STREET IMPROVEMENT FUND												
0331	HIGHWAY	1,130,167	1,000,000	0	1,000,000	1,059,275		(84,233)	24,958	1,494,000	1,494,000	
	Total Fund 47	1,130,167	1,000,000	0	1,000,000	1,059,275	0	(84,233)	24,958	1,494,000	1,494,000	
	Total for Capital Funds (22/27/41/42/46)	6,364,345	18,933,644	2,383,404	21,317,048	5,593,951	5,505,570	837,573	9,379,954	26,303,868	25,621,727	

Capital Funds - Department Number	Department Description	2020 Actual Expenditures	2021 Original Budget	2021 Budget Amendments	2021 Amended Budget	2021 Actual Expenditures	2021 YE Fund Balance Reservations / Carry Forwards	2021 Final YE Encumbrances	2021 Over/(Under) Budget to Actual with FB Reservations and	2022 Original Budget	2022 Amended Budget
Fund 48 - TIF #3 - Northwestern Mutual - S 27 St/Rawson-Drexel											
	Total TIF #3 Fund	1,511,054	2,076,090	77,000	2,153,090	2,156,776	0	0	(3,686)	1,022,791	1,022,791
Fund 49 - TIF #4 - Ascension - S 27th Street - Fitzsimmons/South County Line											
	Total TIF #4 Fund	6,927,809	41,795	475,834	517,629	247,182	0	229,108	41,339	20,445	249,554
Fund 43 - TID #5 Ballpark Commons - 76th & Rowson											
	Total TIF #5 Fund	531,741	836,110	16,279	852,389	660,195	0	0	192,194	1,407,910	1,407,910
Fund 44 - TID #6 Bear Developmt-Loomis/Ryan/S 112											
	Total TIF #6 Fund	7,803,629	3,434,480	0	3,434,480	323,924	0	0	3,110,556	1,982,972	1,982,972
Fund 45 - TID #7 VELO VILLAGE-Loomis south of Rawson											
	Total TIF #7 Fund	4,752,904	159,541	9,100	168,641	179,553	0	(9,500)	(1,412)	914,293	914,293
Fund 40 - TID #8 S 27th Corporate Park											
	Total TIF #8 Fund	63,212	8,420,130	29,252	8,449,382	271,503	0	293,808	7,884,071	5,939,170	6,225,479
	Total - All TID Funds	21,590,349	14,968,146	607,465	15,575,611	3,839,133	0	513,417	11,223,061	11,287,581	11,802,999

APPROVAL <i>slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 05-03-22
REPORTS & RECOMMENDATIONS	Committee of the Whole Recommendations	ITEM NUMBER G.14.

Recommendation from the Committee of the Whole Meeting of May 2, 2022:

- (a) A Resolution to Modify the Plan for the Southwest Sanitary Sewer District in the Vicinity of W. Ryan Road Between S. 76th Street and S. 92nd Street.
- (b) Review of Comprehensive Master Plan (Alderman Nelson):
 - (i) Chapter 8: Utilities and Community Facilities.
 - (ii) Chapter 10: Implementation.
- (c) Review of City of Franklin Code of Conduct (Alderman Nelson).

COUNCIL ACTION REQUESTED

As directed

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APPROVAL <i>Slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 5/3/2022
REPORTS & RECOMMENDATIONS	<p>Confirmation of the Appointment of Lauren Gottlieb as Director of Health and Human Services</p> <p>The Common Council may enter closed session pursuant to Wis. Stats. §19.85(1)(c) and (f), to consider employment, promotion, compensation, or performance evaluation data of a public employee over which the Common Council has jurisdiction or exercises responsibility and to consider financial, social or personal histories of specific persons which, if discussed in public, would be likely to have a substantial adverse effect upon the reputation of any person referred to in such histories and may re-enter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate</p>	ITEM NUMBER G.15.
<p>Mayor Olson and Board of Health Chairman Henry Wengelewski, DDS, request confirmation of Lauren Gottlieb, MPH, CHES as the City of Franklin Director of Health and Human Services and Health Officer pending successful completion of the background check, which is underway, and a pre-employment drug screen, which will take place after successful completion of the background check.</p> <p>The selection and appointment of the Director (Health Officer) is defined by State Statutes; and, confirmation has been received from the State Health Officer that Ms. Gottlieb meets the requirements set forth in Wis. Stats. §251.06 as a Level II health officer.</p> <p>Ms. Gottlieb's resume, as well as the job description for this position, is attached for review.</p> <p style="text-align: center;">COUNCIL ACTION REQUESTED</p> <p>The Common Council may enter closed session pursuant to Wis. Stats. §19.85(1)(c) and (f), to consider employment, promotion, compensation, or performance evaluation data of a public employee over which the Common Council has jurisdiction or exercises responsibility and to consider financial, social or personal histories of specific persons which, if discussed in public, would be likely to have a substantial adverse effect upon the reputation of any person referred to in such histories and may re-enter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate.</p> <p>Motion to confirm the appointment of Lauren Gottlieb as Director of Health and Human Services for the City of Franklin pending successful completion of a background check and pre-employment drug screen.</p>		

LAUREN GOTTLIEB

PUBLIC HEALTH PROFESSIONAL

EDUCATION

2014 - 2016
Master of Public Health
University of Wisconsin -
La Crosse

2009 - 2013
Bachelor of Science
University of Wisconsin -
Eau Claire

RESEARCH EXPERIENCE & PUBLICATIONS

2019
Impact of Volunteerism on
Thoughts and Behaviors of Health
Care Workers and Match to
Organizational Values

2016
Evaluation of LIVESTRONG® at the
YMCA, a Cancer Survivorship
Program at a Midwest Facility; A
retrospective Study Graduate Thesis

2016
Health Advocacy at the State
Legislature A Mixed Methods
Translational Research Study to
Develop Effective Health Education
Leadership in the 21st Century

2015
Determining the relationship
between self-reported quality of life
and lifestyle in post-treatment breast
cancer patients as reported by
accelerometry

CERTIFICATION

Certified Health Education Specialist: 2015 - Present

WORK EXPERIENCE

Public Health Program Manager
2022 - Present, Franklin Health Department
Franklin, WI

- Oversee daily Health Department programming and services to ensure compliance with state statute, community need, and departmental goals
- Monitor all department grants and alignment with program goals and department budget
- Continued leadership on planning, implementation, and assessment for the Community Health Assessment (CHA), Community Health Improvement Plan (CHIP), and Department Strategic Plan
- Secure funding and grant awards for future and continued department programming
- Prepare and present program and department reports

Public Health Specialist
2019 - 2021, Franklin Health Department
Franklin, WI

- Facilitate partnerships and data driven outreach activities within the community
- Project Director in collaboration with Volition Franklin for Center for Disease and Prevention 10 year \$125 million grant award
- Act as the Designee for the Health Department in the absence of the Health Officer for 2 consecutive months in 2021. Manage budget and day to day operations
- Facilitation of the planning, implementation, and assessment for the CHA, CHIP, and Department Strategic Plan
- Secure funding for department programming
- Management of communicable disease caseload within Wisconsin Electronic Disease Surveillance System
- Management of department emergency preparedness plans in coordination with local and regional partners
- Serve as department Public Information Officer as identified in the Public Health Emergency Response Plan
- Preceptorship and internship supervisor for High School, Bachelor, and Master level students

LEADERSHIP

2022

Employee Enrichment: Having the Tough Conversation
Cities and Villages Mutual Insurance Company (CVMIC)

2021

Public Health Generalist Network
Chairperson

Leadership (Technical View)
(CVMIC)

Leadership (Soft Skills)
CVMIC

Leadership (People View)
CVMIC

Employee Differences (Diversity)
CVMIC

Ethical Leader
CVMIC

Internal Communication for Leaders
CVMIC

Professional Communication for Leaders
CVMIC

REFERENCES

Lori O'Neil, BSN, RN
District Nurse, Board of Health Member,
Franklin, WI

Tracy Johnson
Managing Partner
TTJ Group, LLC
815-519-8572

William Wucherer, RN
Former Health Officer
Franklin, WI

WORK EXPERIENCE CONTINUED

Coalition Coordinator

2016- 2019, Franklin Health Department
Franklin, WI

- Managed \$125,000 Drug Free Communities Federal Grant award
- Facilitated data informed initiatives within the community
- Generated in kind resources of over \$125,000 annually
- Developed and maintained community relationships
- Led intentional recruitment of coalition members
- Created annual reports for federal and state funders, as well as the Franklin Community
- Collected community data, garnered input, and mobilized volunteers for prevention initiatives
- Focused on professional development through attendance at local and national prevention conferences
- Facilitated community surveys, focus groups, and key informant interviews to inform coalition strategic plan
- Coordinated efforts of over 100 active members
- Managed coalition website to build brand awareness of coalition and efforts
- Collaborated to successfully update local policy

Environmental Health Educator

2016, Keep Greater Milwaukee Beautiful
Milwaukee, WI

- Collaborated with community organizations to create and facilitate educational programming
- Developed evaluations to obtain insights on program effectiveness
- Successfully secured grant funding for outreach programs

Community Health Education Graduate Assistant

2014 - 2016, University of Wisconsin - LaCrosse
LaCrosse, WI

- Facilitated classroom lectures focused on Community Health Education course material
- Evaluated undergraduate and graduate student coursework
- Assisted with department research and reports
- Collaborated with professors to plan, organize, and evaluate a student advocacy summit at the capitol building in Madison, Wisconsin
- Served as a mentor for Community Health Education undergraduate students

Community Wellness Preceptee

2015, Medical College of Wisconsin: Cancer Center
Wauwatosa, WI

March 9, 2022

To Whom It May Concern,

It is a pleasure for me to write a letter of recommendation for Lauren Gottlieb. Lauren would be an outstanding choice to become the next Franklin Health Department Health Officer for the great city of Franklin. I have had the privilege of partnering with Lauren for the past 6 years with a shared goal of community health, wellness and safety.

We have worked collaboratively together from the beginning of Lauren's time at the Franklin Health Department where she began as the Collation Coordinator for Volition Franklin through her most recent role as Public Health Program Manager.

Lauren was instrumental in vision and work to make Volition the thriving community coalition it is today that provides education to youth about alcohol, tobacco and drugs while empowering them to make positive informed decisions. Volition is the asset it is today due to Lauren's leadership, commitment and passion for the health and wellbeing of our youth.

In Lauren's various roles at the Franklin Health Department she has always been passionate, positive and willing to partner with not only the Franklin Public School District, but all community partners. She has a positive, uplifting presence that she brings with her. I had the pleasure of working with Lauren as she led the Fit Franklin initiative and also during my time serving on the Franklin Board of Health. Lauren has been an exceptional colleague to partner with and has remained calm and poised while excelling in scenarios that have required tact. She has demonstrated excellent interpersonal skills to appropriately and quickly deal with tense situations and upset community members.

During the COVID-19 pandemic, in my role as a District Nurse for Franklin Public Schools, I have the opportunity to partner closely with Lauren. She has demonstrated an astute ability to think quickly during a dynamic and ever-changing stressful situation and respond in a thoughtful and professional manner. There have been situations we've collaboratively navigated that Lauren showed the utmost conscientiousness and professionalism in her handling of them.

I have full confidence in her expertise, knowledge and leadership. I have no doubt that Lauren would thrive as Health Officer and positively impact the health of our Franklin community.

Sincerely,

Lori O'Neil BSN, RN

[REDACTED]

[REDACTED]

TTJ Group, LLC

Re. Letter of Recommendation for Lauren Margaret Gottlieb

Date: March 7, 2022

I have known Lauren Margaret Gottlieb for over five (5) years. In this time, I have witnessed her high-level leadership skill, both with her colleagues and community members. while at City of Franklin Health Department as the Public Health Specialist, Volition Franklin Drug Free Community Coalition, and her current role as Project Director and formally the Coalition Coordinator. In addition, her leadership skills displays confidence, knowledge of community systems and collaborative support. My company, SheRay's & Associates, LLC provides innovative consulting services to nonprofit, for profits, community, and County government organizations nationally. SheRay's & Associates focuses on evidence-based strategies which are multicultural in nature and gives an organization a unique advantage in providing the most effective strategies and programs. Our Expertise consists of working with states and local communities, policymakers and local leaders, agencies, and task forces to put into practice the evidence-based prevention activities, programs, technologies, and services that work. ***We have been fortunate to provide different trainings and consultation work for Ms. Gottlieb in multiple capacities and her leadership to manage which I have witnessed is phenomenal.***

As it relates to my work with Ms. Gottlieb, she has displayed understanding, experience and an aptitude for working will all different ethnic and racial group groups at all ages. She has displayed a high level of administrative knowledge in Prevention work for the Franklin community. She has a strong organizational background which allows her to work with all cultures and backgrounds.

She possesses other critical leadership skills for community-based organizations such as: understanding community assets, effective work with young people, substance abuse prevention and mental health awareness and practices, collaboration and getting appropriate partners to the table, effective programming for schools and communities. She has a high business acumen and is a forward thinker as well as a visionary. She has excellent leadership skills including her display of commitment, empathy/compassion and strong will for change within the context of human services and serving others for the betterment of all communities.

Ms. Lauren Gottlieb has been great asset to the residents of Franklin she's been involved with as well as her ability to give hope to many youth and adults. She is a dynamic professional and is second to none! I wholeheartedly recommend her for Health Officer at City of Franklin Public Health Department.

Sincerely

Mr. Tracy Johnson, Managing Partner
TTJ Group, LLC.
www.ttjgroupllc.com
815-519-8572

Providing common sense solutions
12100 E Ford Road
Farmers Branch, Texas 75234
www.ttjgroupllc.com

Dana Zahn, Human Resource Coordinator
City of Franklin
9229 W. Loomis Road 53132

March 7, 2022

Dear Ms. Zahn,

The purpose of this letter is to recommend Lauren Gottlieb for the position of Director of Health and Social Services in the City of Franklin. Lauren fulfills the statutory requirements for this position having earned a Master's Degree in Public Health in 2016 and achieved the required years of public health community service. Lauren is also a certified health education specialist which is an added asset for the discharge of her duties as the health department director. Certainly, the City of Franklin is aware of her work history and many accomplishments which has culminated in her recent managerial promotion to Public Health Program Manager within the health department. Combined, her education and work history are stellar and most deserving of this career advancement.

As you know, for several years, I had the pleasure to be Lauren's direct supervisor for the city's federal Drug Free Community grant. She was devoted to her grant-funded position and worked diligently towards its success. Doing so, the City of Franklin was rewarded a continuation of the federal grant which is administered by a new employee whom Lauren now supervises.

From the beginning I was impressed by her entry level skill set which further blossomed into a full-time position as a Public Health Specialist. Lauren has growth in her capacity to collaboratively work with multiple community organizations as well as the department staff. Selection of Lauren as the next Director of Health and Social Services would assist Mayor Olson and the Common Council in their overarching community goal.

Thank you for your consideration.

Sincerely,

William M. Wucherer

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

CITY OF FRANKLIN
Job Description

Job Title: Director of Health & Human Services

Department: Health

Reports To: Mayor

Appointing Authority: Mayor

Salary Level: Management/Administrative/Supervisory Range 11

FLSA Status: Exempt

Prepared By: Dana Zahn, Human Resources Coordinator

Prepared Date: May 4, 2018

Approved By: Common Council

Approved Date: May 15, 2018

Summary:

Perform administrative and professional nursing work to fulfill the mission of the Franklin Health Department and to ensure an environment in which the public health personnel can conduct activities that provide quality public health services.

Essential Duties and Responsibilities:

Responsible for the design of a high-quality and cost-effective system that complements various health services available in the community to prevent disease and promote wellness of individuals, families, and groups.

Responsible for control of communicable diseases.

Enforce municipal code, state statutes, and rules and regulations of the Wisconsin Division of Health.

Manage departmental resources, prepare budgets, approve purchases, and maintain records of expenditures for accountability.

Locate, write, and manage County, State, and Federal health related grants.

Represent the Health Department as official spokesperson to community agencies, professionals, and the general public.

Prepare agenda for and regular participation in Board of Health meetings.

Construct community assessment database reflective of health needs in the City of Franklin.

Analyze community assessment data to identify the health needs of the City of Franklin in the context of federal and state public health priorities and local resources.

Establish short- and long-term goals to meet identified public health needs of the City of Franklin.

Develop programs to be implemented by Public Health personnel to meet established goals.

Develop and interpret department policies and procedures based on recognized standards of practice.

Orient new employees upon hire to the position and the organization's policies and procedures.

Promote professional growth of Health Department personnel by providing continuing educational opportunities.

Implement and maintain Quality Assurance program for evaluation, by measuring process and outcome of services offered.

Attend meetings as required by the Mayor and Common Council. This may include meetings outside of normal business hours.

Peripheral Duties:

Act as a public health nurse, clinic nurse, and secretary as needed

Participate in committees when necessary

Membership in professional organizations.

Assemble materials and equipment in preparation for clinic sessions and maintains adequate supplies.

Minimum Qualifications:

Education and Experience:

Graduation from an accredited college or university with a Bachelor's degree in nursing, public health, environmental health, physical or biological sciences, or a related field. Three (3) years of progressively responsible full-time employment with a public health agency, including responsibility for communicable disease prevention and control.

Necessary Knowledge, Skills, and Abilities:

Knowledge and skills required for the position of Public Health Nurse.

Knowledge of principles, practices, and methods of public health nursing, department supervision, and administration.

Knowledge of health and safety codes, and rules and regulations of City, County, and State.

Knowledge of information regarding detection, evaluation and planning to meet public health needs.

Ability to establish and maintain effective professional relationships with community leaders, professionals, staff, citizens, and others.

Knowledge of the social, political, and economic influences affecting health care delivery systems.

Knowledge of educational trends as they relate to the health care field.

Ability to effectively communicate, both verbally and in writing.

Ability to utilize initiative, responsibility, and integrity.

Ability to recruit, train, and utilize volunteers.

Ability to make independent judgments which have highly significant impacts on the organization.

Supervision Received:

Works under broad general guidance and direction of the Mayor

Supervision Exercised:

Exercises supervision over Health Department personnel.

Responsibility for Public Contact:

Frequent contact requiring courtesy, discretion, and sound judgment.

Licensing and Certification:

Licensed by State of Wisconsin as a registered professional nurse or sanitarian, if applicable.

Valid driver's license.

Tools and Equipment Used:

Copy machine; telephone; blood pressure cuff; stethoscope; scale; audiometer; visual charts; syringes; thermometer; computer terminal; personal computer including word processing software; automobile; and fax machine.

Physical Demands:

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is frequently required to sit, talk and hear. The employee is occasionally required to walk; use hands and fingers to operate, handle or feel objects, tools, or controls; and reach with hands and arms.

The employee must occasionally lift and/or move up to 25 pounds. Specific vision abilities required by this job include close vision and the ability to adjust focus.

Work Environment:

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of the job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Work is performed primarily in office, vehicles, outdoor settings, private residences, and commercial buildings. Work can be performed in emergency and stressful situations. Individual is exposed to hazards associated with rendering emergency medical assistance,

including blood-borne pathogens in body fluids. The noise level in the work environment is quiet.

The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to the position.

The job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.

APPROVAL <i>Slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 5/3/2022
REPORTS & RECOMMENDATIONS	<p align="center">Confirmation of the Appointment of Denise Gilbert as Director of Finance & Treasurer</p> <p align="center">The Common Council may enter closed session pursuant to Wis. Stats. §19.85(1)(c) and (f), to consider employment, promotion, compensation, or performance evaluation data of a public employee over which the Common Council has jurisdiction or exercises responsibility and to consider financial, social or personal histories of specific persons which, if discussed in public, would be likely to have a substantial adverse effect upon the reputation of any person referred to in such histories and may re-enter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate</p>	ITEM NUMBER G.16.
<p>Mayor Olson and Director of Administration Steeno request confirmation of Denise Gilbert as the City of Franklin Director of Finance & Treasurer pending successful completion of the background check, which is underway, and a pre-employment drug screen, which will take place after successful completion of the background check.</p> <p>Ms. Gilbert's resume, as well as the job description for this position, is attached for review.</p> <p align="center">COUNCIL ACTION REQUESTED</p> <p>The Common Council may enter closed session pursuant to Wis. Stats. §19.85(1)(c) and (f), to consider employment, promotion, compensation, or performance evaluation data of a public employee over which the Common Council has jurisdiction or exercises responsibility and to consider financial, social or personal histories of specific persons which, if discussed in public, would be likely to have a substantial adverse effect upon the reputation of any person referred to in such histories and may re-enter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate.</p> <p>Motion to confirm the appointment of Denise Gilbert as the Director of Finance & Treasurer for the City of Franklin pending successful completion of a background check and pre-employment drug screen.</p>		

Denise Gilbert

PROFESSIONAL SUMMARY

Over 20 years of diverse and progressive financial management experience in dynamic business environments. A results-oriented initiative has produced accomplishments in the following areas:

People Development and Management
Project Planning and Management
Financial Planning and Forecasting
Computer Automation and Instruction

EDUCATION AND PROFESSIONAL CERTIFICATION

Certified Management Accountant – Institute of Management Accountants March 1996
Graduated April 28, 1990 – Summa Cumlaude, Bachelor of Science Degree with Accounting major
Northern Michigan University, Marquette, MI GPA 3.96

EXPERIENCE

Government Services Manager

(2015 – Present)

Andrea & Orendorff, LLP, Kenosha, WI 53143

*Government Services Manager: Responsibilities include directing staff and providing fiscal services for four municipalities. Services provided include the annual budget process, month and year end closing, audit preparation, payroll, utility billing and completion of required State reporting while ultimately improving internal controls and processes for each location. Creating relationships with each Administrator is critical for success.

*Divisional Fiscal Manager - Kenosha County Division of Health (2015 – 2021)

Responsibilities included managing the annual budget process, including presentation to the Board of Health. Prepared and improved operating and financial reporting to provide meaningful information for management decision making. Completed and reviewed grant reporting and reimbursement requests to ensure compliance with audit requirements. Managed the month and year end accounting close process. Supervised and developed two Staff Accountants. Served as AR Team Leader for successful county-wide implementation of Microsoft Dynamics AX.

Accounting Manager

(2013 – 2014)

MedSpeed, LLC., Lake Geneva, WI 53147

*Company Accounting Manager: Responsibilities included cash management for high growth company in a borrowing situation. Managed the fixed asset accounting process including all activities needed to close the subsystem. Managed the Accounts Receivable asset for the company (\$6M) and continually implemented changes to improve billing process. Supervised Staff Accountant and month end close process.

Senior Financial Analyst

(2006 – 2013)

Jockey International, Inc., Kenosha, WI 53141

*Treasury Department Senior Financial Analyst: Responsibilities included managing the Accounts Receivable asset for the company (\$25M to \$60M asset depending on time of year) and continually implementing changes to improve DSO. Managed the Capital Expenditure process (approximately \$8M annually) for the company from budget through expenditure. Completed all month end activities necessary to close the Accounts Receivable subsystem. Prepared all necessary journal entries and completing account reconciliations for receivable accounts, all discounts, and bad debt. Supported all aspects of the Accounts Receivable system and balancing the subsystem to the General Ledger.

*Promoted to Senior Financial Analyst in 2010 and began to manage Jockey Credit Manager.

*Took Financial Analyst role in Treasury department in 2007.

*Started at Jockey in 2006 as Strategic Business Unit Financial Analyst.

Director of Customer Accounting and Credit

(2003 – 2006)

Journal Sentinel, Inc., Milwaukee, WI 53201

*Area Director: Responsibilities included implementing and managing billing systems and processes for approximately 400,000 subscribers and 20,000 advertisers. Developed a staff of 7 managers and supervisors and directed a total group of 33 individuals. Implemented process improvements to streamline paper intensive credit process and implemented workflows. Provided revenue reporting and analysis for both operational and corporate management to aid in business growth development. Managed bad debt write offs to their lowest level ever (.1% of total ad revenue).

Director of Financial Services

(1997 – 2000)

Gannett Co., Inc. (formerly Thomson Wisconsin Newspapers), Appleton, WI 54912

*Area Director: Responsibilities included consolidating and directing the customer service and billing functions for all newspaper advertisers for eight daily newspapers with \$70 million in advertising sales. Customer Accounting, Credit, Circulation Accounting and PBS (Advertising System) Administration were all included in realm of responsibility. Developed a staff of 20 employees. Maintained planning responsibility after taking on Financial Services role.

*Director of Planning: Instituted a strategic planning process for the newspaper group, managed the annual budget process, and reported financial and operational results to corporate and local management. Served as the strategic financial partner for newspaper management.

Manager, Financial Analysis & Reporting

(1995 – 1997)

Fisher Hamilton, Inc. Two Rivers, WI 54241

*Department Manager: Responsibilities included completing month end closing, reporting divisional financial results to corporate and local management, completing quarterly financial forecasts, managing the annual budget process and developing capital project justification.

Manager, Budgets & Financial Analysis

(1991 – 1995)

The Iams Company, Dayton, OH 45414

*Department Manager: Directed and developed department of professional analysts. Managed budget process for Multinational Corporation. Prepared quarterly forecasts of company performance for use in top management planning and decision making. Earned three promotions in four years with company.

Other positions held at Iams:

*Budget Analyst II: Duties included costing and pricing new products, development of standard costs, development of sales, manufacturing and expense budgets, and preparing cost/benefit analysis on all major company purchases.

*Financial Analyst: Responsible for cash management system for company, which included electronic lockbox management, investing and receivable collection.

References Relevant references available upon request.

CITY OF FRANKLIN
Job Description

Job Title: Director of Finance & Treasurer
Department: Finance
Reports to: Director of Administration
Salary level: Management/Administrative/Supervisory Level XI
FLSA Status: Exempt
Prepared by: Calvin A. Patterson
Prepared Date: February 1, 2012
Approved By: **Common Council**
Approved Date: February 7, 2012

Summary:

Supervise, direct, analyze, interpret and communicate the finance and treasury operations of the City, provide management of the finance and treasury offices, and provide information and guidance to the Mayor, Director of Administration, Finance Committee and Common Council Members

Essential Duties and Responsibilities:

Evaluate, develop, recommend and implement fiscal and treasury policies that will result in sound fiscal and treasury management

Analyze, interpret and communicate financial operating results (monthly, quarterly and through special reports) to provide information and guidance to City officials and departments and provide technical financial support to City departments

Prepare complex financial analysis and reports and provide high level consultation to City officials on financial and treasury management issues

Responsible for establishing and maintaining good internal control polices and procedures and for ensuring proper segregation of duties to the extent possible with available manpower in order to see that all receipts are properly deposited, all disbursements are properly expended and City assets are safeguarded to the extent possible. To ensure the proper review of bank statements is performed on a regular basis, each month's bank statement reconciliation to cash receipts ledger must be signed and dated by both the preparer and the Director indicating the bank reconciliations were completed, reviewed and were acceptable

Act in the lead role in debt management, bond issuance and credit rating issues including determining appropriate times to refinance existing debt to ensure the most efficient use of the City's bond capacity and borrowed monies

Manage the investment of City funds including but not limited to making the short term investment decisions for the City in accordance with investment policies and

goals, and local, state and federal regulations including maintaining required investment records and preparing necessary reports

Supervise the annual property tax collection to ensure that all funds received are properly credited against taxpayers receivable balance and deposited daily, that timely payment is made to other taxing jurisdictions and that the final settlement is timely made to the County

Supervise the subsequent collection of delinquent personal property taxes to maximize the subsequent collection of these delinquent taxes to the extent possible and the timely chargeback of any uncollected personal property taxes to the taxing jurisdictions.

Supervise the City's cash receipting system to insure the proper receipt, deposit and recording of all funds received

Oversee and maintain the operation of the financial and treasury data processing systems and analyze and recommend data processing alternatives.

Provide financial management of impact fees and the Self Insurance Fund including the setting of reimbursement rates from City departments, employees and retirees to ensure the solvency of this fund

Supervise the calculation of the tax bills to ensure that the proper amounts get billed to taxpayers

Provide financial management of the water utility, sewer fund and TIF Districts including providing the Board of Water Commissioners and Community Development Authority with professional guidance, assistance and consultation

Monitor operations under the responsibility of the Deputy Finance Director and provide direction, guidance, and input on such responsibilities including, but not limited to, budget preparation and development, payroll operations, accounts payable, various annual financial reports, and special assessment collections

Supervise and train assigned personnel, to ensure development of their full potential

Ensure the statutory duties of Treasurer are performed as required and serve as an "officer" of the City of Franklin

Attend meetings, when required, to support financial items This may include meeting outside of normal business hours

Maintain and catalog permanent records as required by the State

Peripheral Duties:

Perform other duties and assume other responsibilities as apparent or as delegated

Minimum Qualifications:**Education and Experience:**

Graduation from an accredited college or university with a Bachelor's degree in accounting or finance, five (5) years of either accounting experience (municipal accounting preferred) or finance experience (a focus on treasury, banking, or investments preferred), a minimum of two years in public accounting preferred, or any equivalent combination of education and experience

Licensing and Certification:

Certified Public Accountant, Certified Public Finance Officer certification or Certified Governmental Finance Manager certification

Necessary Knowledge, Skills and Abilities:

Thorough knowledge of regulations, policies and procedures that apply to accounting and financing in municipal government

Ability to read, analyze and interpret complex documents

Working knowledge of data processing equipment and applications which apply to municipal government

Ability to formulate, initiate and administer policies and procedures for effective fiscal control

Ability to plan, delegate and supervise personnel in a manner that will gain and maintain respect

Ability to maintain effective and respected work relationships with other appointed officials, elected officials, department heads and the general public

Ability to present and communicate ideas and concepts in public and private, both verbally and in writing

Ability to make independent judgments that have highly significant impacts on the organization

Supervision Received:

Reports to: Director of Administration

Supervision Exercised:

Exercises supervision of the Deputy Finance Director and Deputy Treasurer

Responsibility for Public Contact:

Daily contact requiring courtesy, discretion and sound judgment

Tools and Equipment Used:

Familiar with computers and computer software including financial, tax, cash receipting, special assessment and payroll software, spreadsheet, database, presentation and word processing software, copy machine, fax machine, 10-key calculator and telephone

Physical Demands:

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is frequently required to sit, talk and hear. The employee is occasionally required to walk, use hands and fingers to operate, handle, or feel objects, tools, or controls, and reach with hands and arms.

The employee must occasionally lift and/or move up to 10 pounds. Specific vision abilities required by this job include close vision and the ability to adjust focus.

Work Environment:

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

The noise level in the work environment is usually moderately quiet.

The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position.

The job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.

<p>APPROVAL</p> <p><i>Slw</i></p>	<p>REQUEST FOR COUNCIL ACTION</p>	<p>MEETING DATE</p> <p>5/3/2022</p>
<p>REPORTS & RECOMMENDATIONS</p>	<p>Potential Acquisition of Property for Public Park Recommendations Purposes in the General Southwest Area of the City of Franklin. The Common Council may enter closed session pursuant to Wis. Stats. §19.85(1)(e), to consider the potential acquisition of properties intended to be used for public park purposes in the general southwest area of the City and to re-enter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate.</p>	<p>ITEM NUMBER</p> <p>G.17.</p>

COUNCIL ACTION REQUESTED

The Common Council may enter closed session pursuant to Wis. Stats. §19.85(1)(e), to consider the potential acquisition of properties intended to be used for public park purposes in the general southwest area of the City and to re-enter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate.

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APPROVAL <i>Slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 05/03/2022
LICENSES AND PERMITS	MISCELLANEOUS LICENSES	ITEM NUMBER H.

See attached listing from meeting of May 3, 2022.

COUNCIL ACTION REQUESTED

As recommended by the License Committee.



414-425-7500

**License Committee
Agenda*
Alderman Room
May 03, 2022 – 5:00 p.m.**

1.	Call to Order & Roll Call	Time:
2.	Applicant Interviews & Decisions	
License Applications Reviewed		Recommendations

Type/ Time	Applicant Information	Approve	Hold	Deny
Extraordinary Entertainment & Special Event and Temporary Class B Beer 5:05 p.m.	Xaverian Missionaries – Annual Festival Person in Charge: Fr. Alejandro Rodriguez Location: Xaverian Missionaries at 4500 W. Xavier Dr. Dates & Times of Event: 6/25/2022 – 3:00pm - 11:00pm; 6/26/2022 – 12:00pm - 8:00pm			
Extraordinary Entertainment & Special Event 5:10 p.m.	Rock Sports Complex – Fireworks Displays after Milkmen Games Person in Charge: Paul Cimoch Location: 7011 S. Ballpark Dr. Dates of Event: 5/13, 6/4, 6/25, 7/9, 7/23, 8/6, 8/20, 8/27			
Extraordinary Entertainment & Special Event 5:15 p.m.	Rock Sports Complex – Summer Concert Series '22 Person in Charge: Paul Cimoch Location: 7044 S. Ballpark Dr. Dates of Event: Every Saturday from 6/4/2022 through 9/24/2022			
Operator 2022-2023 New	Heisel, Hydn T Iron Mike's			
Operator 2022-2023 New	Kreiter, Lucien D Pick'n Save #6431			
Operator 2021-2022 New	Bonk, Jaclyn D The Rock Sports Complex			
Operator 2022-2023 Renewal	Bonk, Jaclyn D The Rock Sports Complex			
Operator 2021-2022 New	Bratel, Adriana-Cristina The Rock Sports Complex			

Type/ Time	Applicant Information	Approve	Hold	Deny
Operator 2022-2023 Renewal	Bratel, Adriana-Cristina The Rock Sports Complex			
Operator 2021-2022 New	Farrington, Chloe I Walgreens #05459			
Operator 2022-2023 Renewal	Farrington, Chloe I Walgreens #05459			
Operator 2021-2022 New	Julian, Amanda N Walgreens #15020			
Operator 2022-2023 Renewal	Julian, Amanda N Walgreens #15020			
Operator 2021-2022 New	Karow, Jenel M The Rock Sports Complex			
Operator 2022-2023 Renewal	Karow, Jenel M The Rock Sports Complex			
Operator 2021-2022 New	Kaur, Navdeep Mann Liquor & Indian Grocery			
Operator 2022-2023 Renewal	Kaur, Navdeep Mann Liquor & Indian Grocery			
Operator 2021-2022 New	Mercado, Hannah M Bowery Bar & Grill			
Operator 2022-2023 Renewal	Mercado, Hannah M Bowery Bar & Grill			
Operator 2021-2022 New	Paskiewicz, Abigail Walgreens #05459			
Operator 2022-2023 Renewal	Paskiewicz, Abigail Walgreens #05459			

Type/ Time	Applicant Information	Approve	Hold	Deny
Operator 2021-2022 New	Peterson, Tricia Tuckaway Country Club			
Operator 2022-2023 Renewal	Peterson, Tricia Tuckaway Country Club			
Operator 2021-2022 New	Spinello, Danielle A The Rock Sports Complex			
Operator 2022-2023 Renewal	Spinello, Danielle A The Rock Sports Complex			
Operator 2021-2022 New	Thousand, Katelyn A Country Lanes Bowling Center			
Operator 2022-2023 Renewal	Thousand, Katelyn A Country Lanes Bowling Center			
Operator 2021-2022 New	Zess, Shaye B The Rock Sports Complex			
Operator 2022-2023 Renewal	Zess, Shaye B The Rock Sports Complex			
Operator 2022-2023 Renewal	Bartolone, Michael J On the Border			
Operator 2022-2023 Renewal	Berg, Sarah A Polish Center of Wisconsin			
Operator 2022-2023 Renewal	Brys, Pamela Buckhorn Bar & Grill			
Operator 2022-2023 Renewal	Fitzpatrick, Desmon K Walgreens #15020			
Operator 2022-2023 Renewal	Fons, Dennis M Franklin Noon Lions Club			

Type/ Time	Applicant Information	Approve	Hold	Deny
Operator 2022-2023 Renewal	Gagliano, Eric M Bowery Bar & Grill			
Operator 2022-2023 Renewal	Grachowski, Halina Buckhorn Bar & Grill			
Operator 2022-2023 Renewal	Helgeland, Sierra L Walgreens #05884			
Operator 2022-2023 Renewal	Idzikowski, Marie E Polish Center of Wisconsin			
Operator 2022-2023 Renewal	Ishaque, Amber M Hideaway Pub & Eatery			
Operator 2022-2023 Renewal	Jin, Yani Lovers Lane Sushi and Seafood Buffet			
Operator 2022-2023 Renewal	Kaur, Harpreet Pick'n Save #6431			
Operator 2022-2023 Renewal	Kaur, Paramjeet Franklin Liquor Store			
Operator 2022-2023 Renewal	Klafka, Taylor I Rawson Pub			
Operator 2022-2023 Renewal	Kuglitsch, Kelly K Irish Cottage			
Operator 2022-2023 Renewal	Laughery, Kimberlee B Sendik's Food Market			
Operator 2022-2023 Renewal	Lonzaga, Marcia G Walgreens #05884			
Operator 2022-2023 Renewal	Losiniecki, Amanda Milwaukee Burger Company			

Type/ Time	Applicant Information	Approve	Hold	Deny
Operator 2022-2023 Renewal	Megna, Anthony Civic Celebration			
Operator 2022-2023 Renewal	Moehlenpah, Ann C Walgreens #05884			
Operator 2022-2023 Renewal	Nickolaus, Sarah S Walgreens #05884			
Operator 2022-2023 Renewal	Niesen, Zackary N Sendik's Food Market			
Operator 2022-2023 Renewal	Norman, Martha E Polish Center of Wisconsin			
Operator 2022-2023 Renewal	Norman, Michael S Polish Center of Wisconsin			
Operator 2022-2023 Renewal	Rabiega, Richard G Polonia Sport Club			
Operator 2022-2023 Renewal	Rice, Brnadon T Sendik's Food Market			
Operator 2022-2023 Renewal	Rinke, Kristen Hideaway Pub & Eatery			
Operator 2022-2023 Renewal	Sakiewicz, Bobette A Walgreens #05884			
Operator 2022-2023 Renewal	Sawinski, Brian Civic Celebration			
Operator 2022-2023 Renewal	Singh, Amrit P Franklin Liquor Store			
Operator 2022-2023 Renewal	Smith, Catherine M Sendik's Food Market			

Type/ Time	Applicant Information	Approve	Hold	Deny
Operator 2022-2023 Renewal	St. Louis, Jessica N The Landmark			
Operator 2022-2023 Renewal	Tietjen, William G Franklin Noon Lions Club			
Operator 2022-2023 Renewal	Trippler, Stacie L On the Border			
Operator 2022-2023 Renewal	Vargas, Isaiah J Sendik's Food Market			
Amusement Device Operator 2022-2023	Mitchell Novelty Co 3506 W National Ave Milwaukee, WI 53215 Ralph Fleege, Owner			
Amusement Device Operator 2022-2023	Red's Novelty Ltd 1921 S 74 St West Allis, WI 53219 Jay Jacomet, Owner			
Amusement Device Operator 2022-2023	Reggie's Amusements, LLC 4918 S Packard Ave Cudahy, WI 53110 Reginald Zeniecki, Owner			
People Uniting for the Betterment of Life and Investment in the Community (PUBLIC) Grant	Franklin Police Department – National Night Out Fee waivers: Temporary Entertainment & Amusement, Food License, Non-intoxicating Beverages License Date of Event: 8/1/2022 6-9pm Location: Franklin Public Library, 9151 W. Loomis Rd.			
Temporary Entertainment & Amusement	Franklin Police Dept.—National Night Out Person in Charge: PO Gary Wallace Event: National Night Out Kick Off Event Date: Monday, 8/1/2022			
3.	Set meeting dates for review and recommendation of 2022-2023 licenses			
4.	Adjournment			
				Time

*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.

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APPROVAL <i>PS Slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 5/03/2022
Bills	Vouchers and Payroll Approval	ITEM NUMBER I

Attached are vouchers dated April 16, 2022 through May 2, 2022 Nos 187744 through Nos 187895 in the amount of \$ 2,792,485 83 Also included in this listing are EFT's Nos 4923 through Nos 4943, Library vouchers totaling \$ 20,247 39, Tourism vouchers totaling \$ 4,430 00 and Water Utility vouchers totaling \$ 19,752 41 Voided checks in the amount of (\$ 547 67) are separately listed

Included in this listing is The State of Wisconsin Environmental Improvement Fund for principal and interest in the amount of \$ 1,523,161 93 which was approved for payment at the Council meeting on April 19, 2022

Early release disbursements dated April 16, 2022 through April 30, 2022 in the amount of \$ 2,146,324 69 are provided on a separate listing and are also included in the complete disbursement listing These payments have been released as authorized under Resolutions 2013-6920, 2015-7062 and 2022-7834

The net payroll dated April 22, 2022 is \$ 463,454 52, previously estimated at \$ 420,000 Payroll deductions dated April 22, 2022 are \$ 455,768 12, previously estimated at \$ 445,000

The estimated payroll for May 6, 2022 is \$ 460,000 with estimated deductions and matching payments of \$ 256,000

There were no property tax disbursements

COUNCIL ACTION REQUESTED

Motion approving the following

- City vouchers with an ending date of May 2, 2022 in the amount of \$ 2,792,485 83 and
- Payroll dated April 22, 2022 in the amount of \$ 463,454 52 and payments of the various payroll deductions in the amount of \$ 455,768 12, plus City matching payments and
- Estimated payroll dated May 6, 2022 in the amount of \$ 460,000 and payments of the various payroll deductions in the amount of \$ 256,000, plus City matching payments