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<https://www.youtube.com/c/CityofFranklinWIGov>

CITY OF FRANKLIN
COMMON COUNCIL MEETING*
FRANKLIN CITY HALL – COMMON COUNCIL CHAMBERS
9229 WEST LOOMIS ROAD, FRANKLIN, WISCONSIN
AGENDA**
TUESDAY NOVEMBER 7, 2023 AT 6:30 P.M.

- A. Call to Order, Roll Call and Pledge of Allegiance.
- B.
 - 1. Citizen Comment Period.
 - 2. Mayoral Announcement: Volition Franklin - Received Blue Ribbon Award.
- C. Approval of Minutes:
 - 1. Regular Common Council Meeting of October 17, 2023.
 - 2. Special Common Council Meeting of October 25, 2023.
- D. Hearings.
- E. Organizational - The Mayor has made the following appointments for Common Council confirmation:
 - 1. Gary Grobner, 11436 W. Shields Dr, Ald. Dist. 6 – Board of Water Commissioners (5 year term expiring 09/30/28).
 - 2. Michael Shawgo, 10250 W. Ryan Rd., Ald. Dist. 4 – Plan Commission (1 year unexpired term expiring 4/30/24).
- F. Letters and Petitions: Frank Ornelas Petition Regarding Speed Issues on Puetz Road.
- G. Reports and Recommendations:
 - 1. Solutions to Noise Issues at the ROC Ballpark Commons Update.
 - 2. A Resolution Awarding the Sale of \$2,395,000 General Obligation Promissory Notes, Series 2023B.
 - 3. A Resolution Awarding the Sale of \$6,055,000 General Obligation Corporate Purpose Bonds, Series 2023A.
 - 4. A Resolution Conditionally Approving a 3 Lot Certified Survey Map, Being a Redivision of all of the West 1/2 of the Southwest 1/4 of Section 22, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin; and also Including the North 120 Feet of the South 180 Feet of the East 200 Feet of the West 260 Feet of the Southwest 1/4 of Section 22, in Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin (By Alex Scheler, Carma Laboratories, Inc, Applicant, Carma Laboratories, Inc, Property Owner) (9410 S. 76th Street and 7520 W. Ryan Rd).
 - 5. An Ordinance to Amend the Unified Development Ordinance (Zoning Map) to Rezone Lot 1 of Certified Survey Map No. ____ from R-8 Multiple-Family Residence District and B-3 Community Business District to M-1 Limited Industrial

- District, and Lots 2 and 3 of Certified Survey Map No. ____ to B-3 Community Business District (Property Located at 9410 S. 76th Street and 7520 W. Ryan Rd) (By Alex Scheler, Carma Laboratories, Inc, Applicant, Carma Laboratories, Inc, Property Owner).
6. A Resolution Imposing Conditions and Restrictions for the Approval of a Special Use for Overnight Parking for Vehicles Exceeding 8,000 Pounds Manufactured Gross Vehicle Weight as Part of the Development of a Single-Story Building Housing Offices and Manufacturing Facilities (Carma Laboratories), Upon Property Located at 9410 S. 76th Street (By Alex Scheler, Carma Laboratories, Inc, Applicant, Carma Laboratories, Inc, Property Owner).
 7. A Resolution for raSmith, Inc. to Provide Traffic Signal and Roadway Design Improvement Services for a Traffic Signal at S. 51st Street and S. Preserve Way for \$43,500.
 8. Annual Report of the City of Franklin's Tourism Commission Activity and 2024 Budget.
 9. Request Common Council Approval for the Fire Department to enter a Long-term Preventive Maintenance and Service Agreement for its Four LUCAS Mechanical CPR Compression Devices.
 10. Request Council Approval to accept a \$2,500.00 Donation from Waldera's Towing, to be used toward purchase items and equipment supporting the Dive Team.
 11. Review of Pending Changes to Tax Payment Collection Options.
 12. A Resolution to Revise State/Municipal Financial Agreement for Improvements Related to a Wisconsin Department of Transportation Project on S. Lovers Lane (USH 45/STH 100) from W. Rawson Avenue (CTH BB) to W. College Avenue in the New Amount of \$593,350.
 13. A Resolution Supporting Wisconsin Department of Transportation - Transportation Alternatives Program (TAP) 2024-2028 Award Cycle for the W. Puetz Road Pathway from S. 76th Street to W. St. Martins Road.
 14. A Resolution Requesting an Area Within the City of Franklin to Receive a Franklin Postal Address Designation.
 15. Assessment for Loomis Pathway along East/South Side of W. Loomis Road from W. St. Martins Road to W. Rawson Avenue.
 16. Finance Committee Recommended Changes to the 2024 Mayor's Recommended Budget.
 17. A Resolution Authorizing the Installation of a Deck Within the 44-Foot Public Utility Easement Upon Parcel 2 of the CSM No. 6424 Part of the Twin Oaks of Tuckaway, Expansion Land Being a Part of the Northwest 1/4 and the Southwest 1/4 of the Southwest 1/4 of Section 15, Township 5 North, Range 21 East in the City of Franklin, Milwaukee County, Wisconsin. (8482 S. 76th Street) (TKN 837-9998-014) (Quail Haven LLC, Applicant).
 18. Status Update on the Unified Development Ordinance (UDO) Rewrite.
 19. 2024 Proposed Budget.
 20. Authorize a Budget Amendment Request for Maintenance Staffing Needs.
 21. Update on Private Property Infiltration and Inflow Projects in the Willow Pointe Estates, Root River Heights and Lake Pointe Estates Neighborhoods.

- 22. List of Donations for July - September, 2023.
- 23. Approval to Include the Police Chief as an Eligible Position to Qualify for Retiree Health Insurance.
- 24. City personnel performance evaluation. The Common Council may enter closed session pursuant to Wis. Stat. § 19.85(1)(c), considering employment, promotion, compensation or performance evaluation data of any public employee over which the governing body has jurisdiction or exercises responsibility, Wis. Stat. § 19.85(1)(f), considering financial, medical, social, or personal histories or disciplinary data of specific persons, preliminary consideration of specific personnel problems, or the investigation of charges against specific persons except where par. (b) applies which, if discussed in public, would be likely to have a substantial adverse effect upon the reputation of any person referred to in such histories or data, or involved in such problems or investigations, and Wis. Stat. § 19.85(1)(g), conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is likely to become involved, and to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate.
- 25. City personnel performance evaluation of Director of Administration. The Common Council may enter closed session pursuant to Wis. Stat. § 19.85(1)(c), considering employment, promotion, compensation or performance evaluation data of any public employee over which the governing body has jurisdiction or exercises responsibility, and to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate.

H. Licenses and Permits: License Committee Meeting of November 7, 2023.

I. Bills.

Request for Approval of Vouchers and Payroll.

J. Adjournment.

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

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

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

REMINDERS:

November 9	Plan Commission	6:00 p.m.
November 21	Common Council Meeting	6:30 p.m.
November 23 & 24	City Hall Closed-Thanksgiving	
December 5	Common Council Meeting	6:30 p.m.
December 7	Plan Commission	6:00 p.m.

FOR IMMEDIATE RELEASE

Contact: Megan Conway, Volition Franklin

Phone: 414-427-7530 Email: mconway@franklinwi.gov

To Advance President Biden's Unity Agenda Strategy to Beat the Overdose Epidemic, White House Awards Local Wisconsin Community Coalition at National Youth Substance Use Prevention Summit

Volition Franklin receives Blue Ribbon Award for outstanding work to prevent youth substance use and ensure young people can lead healthy and fulfilling lives

[Franklin, Wisconsin] – Yesterday, local Wisconsin Coalition, Volition Franklin received a Blue Ribbon Award from the White House at the National Youth Substance Use Prevention Summit. Volition Franklin was invited to Washington, D.C. and recognized for their outstanding work to prevent youth substance use and ensure young people can lead healthy and fulfilling lives.

“Drug-Free Community Coalitions are an essential part of our whole-of-society efforts to address the overdose epidemic and save lives,” said White House Office of National Drug Control Policy (ONDCP) Director Dr. Rahul Gupta. “The Biden-Harris Administration has made supporting the nation’s youth and their well-being a top priority, and made historic investments to strengthen substance use prevention. I am grateful to the Blue Ribbon Coalitions awardees, like Volition Franklin, who are leading the way in expanding critical evidence-based prevention efforts and addressing youth substance use so that all young Americans can live healthy and fulfilling lives.”

Volition Franklin was one of 15 Drug-Free Community Coalitions from across the country receiving a Blue Ribbon Award. The Blue Ribbon Coalition Award recognizes high performing coalitions that do an exceptional job creating a foundation for their work by updating and utilizing their coalition products. It is a two-year recognition that opens new doors for coalitions to share their work and become a role model in the prevention field.

More on the White House Youth Substance Use Prevention Summit

The Biden-Harris Administration has made supporting our nation’s young people a top priority, and has made historic investments over the past two years to strengthen local youth prevention and awareness campaigns across the country.

Today, in recognition of National Youth Substance Use Prevention Month, the White House hosted a bipartisan summit to bring together youth leaders, community-based coalitions, and federal partners to discuss efforts to expand evidence-based prevention and ensure local communities have the tools and resources they need to prevent youth substance use and save lives. President Biden declared October as National Youth Substance Use Prevention Month to recommit to providing families, educators, and communities with access to lifesaving resources so that we can ensure that young people have the tools they need to thrive.

Read more about the White House Summit on National Youth Substance Use Prevention [HERE](#)

Read President Biden's full proclamation on National Youth Substance Use Prevention Month [HERE](#).

More on Drug-Free Community Coalitions

The [Drug-Free Communities \(DFC\) Support Program](#), created by the Drug-Free Communities Act of 1997, is the Nation's leading effort to mobilize communities to prevent youth substance use. Directed by ONDCP in partnership with Centers for Disease Control and Prevention's National Center for Injury Prevention and Control, the DFC Program provides grants to community-based coalitions to address youth substance use and support President Biden's [National Drug Control Strategy](#) by implementing evidence-based prevention locally, and ultimately, save lives.

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About ONDCP

The White House Office of National Drug Control Policy (ONDCP) is a component of the Executive Office of the President and coordinates the nation's \$43 billion drug budget and federal policies, including prevention, harm reduction, treatment, recovery support, and supply reduction. Dr. Rahul Gupta is the first medical doctor to serve as the Director of ONDCP.

CITY OF FRANKLIN
COMMON COUNCIL MEETING
OCTOBER 17, 2023
MINUTES

ROLL CALL

A. The regular meeting of the Franklin Common Council was held on October 17, 2023, and was called to order at 6:30 p.m. by Mayor Nelson 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, Alderman Yousef Hasan, Alderwoman Courtney Day, Alderman Mike Barber, and Alderman Jason Craig. Also in attendance were Director of Administration Kelly Hersh, City Engineer Glen Morrow, City Attorney Jesse A. Wesolowski, and City Clerk Karen Kastenson.

MAYORAL
ANNOUNCEMENT

B.2. Alderman Barber moved to suspend the rules and move item B.2. Red Ribbon Week Proclamation ahead of item B.1. Seconded by Alderwoman Day. All voted Aye; motion carried.

Alderman Barber moved to return back to regular order. Seconded by Alderwoman Day. All voted Aye; motion carried.

CITIZEN COMMENT

B.1. Citizen comment period was opened at 6:40 p.m. and was closed at 7:17 p.m.

MINUTES
OCTOBER 3, 2023

C. Alderman Barber moved to approve the minutes of the Common Council meeting of October 3, 2023, as presented. Seconded by Alderman Craig. All voted Aye; motion carried.

LETTERS AND
PETITIONS

F. Email from Police Chief Oliva.

UPDATE TO NOISE
ISSUES AT THE ROC
BALLPARK COMMONS

G.1. Mayor to provide an update as to the solutions to noise issues at the ROC Ballpark Commons.

ENCHANT CHRISTMAS
EVENT ROC BALLPARK
COMMONS
PRESENTATION

G.2. Representatives from ROC Ventures and the Enchant Christmas entity information from for the Enchant Christmas Event at the ROC Ballpark Commons presented and provided information regarding the event.

ORD. 2023-2558
EXTENSION OF THE
CONSECUTIVE DAYS
OF DURATION AND/OR
DAILY HOURS OF A
SPECIAL EVENT

G.19. Alderman Barber move to suspend the rules and move item G.19. after item G.2. Seconded by Alderwoman Day. All voted Aye; motion carried.

Alderwoman Eichmann moved to adopt the Ordinance as written. Failed due to lack of a second.

Alderman Barber moved to adopt Ordinance No. 2023-2558, AN ORDINANCE TO AMEND §121-9E.(1) OF THE MUNICIPAL CODE TO ALLOW FOR AN EXTENSION OF THE CONSECUTIVE DAYS OF DURATION AND/OR DAILY HOURS OF A SPECIAL EVENT BEING OPEN TO THE PUBLIC FOR A SPECIAL EVENT DETERMINED TO BE EXTRAORDINARY AND UNIQUE IN THE BENEFITS PROVIDED TO THE PUBLIC AND THE COMMUNITY AND THE SPECIAL EVENT BEING SUBSTANTIALLY CONTROLLED AND CONTAINED WITHIN THE PREMISES OF THE SPECIAL EVENT TO PROTECT THE PUBLIC HEALTH, SAFETY AND WELFARE with a sunset clause provision that goes through January 15, 2024, and other minor corrections by the City Attorney. Seconded by Alderman Holpfer. On a roll call, motion carried 4-2 with Alderwoman Day and Alderman Craig voting no.

Alderman Craig moved to return back to regular order. Seconded by Alderman Barber. All voted Aye; motion carried.

Mayor Nelson adjourned for a short break at 8:48 p.m.

Mayor Nelson returned to regular order at 8:58 p.m.

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|---|------|--|
| SUBSCRIPTION
CONTRACTS FOR UCS
COMMUNICATION
SERVICES | G.3 | Alderman Barber moved to authorize subscription contracts for UCS communication services (cloud PBX) along with phone and equipment leases from Ring Central/Cornerstone for three years, not exceeding \$185,000. After three years, annual communication expenditures are estimated to be \$47,292.48. Seconded by Alderwoman Eichmann. All voted Aye; motion carried. |
| PRESENTATION OPIOID
MISUSE & OVERDOSE
PREVENTION | G.4. | Alderman Barber moved to place on file the Presentation of Franklin Health Department Opioid Misuse and Overdose Prevention Toolkit document. Seconded by Alderwoman Eichmann. All voted Aye; motion carried. |
| PUBLIC HEALTH
INFRASTRUCTURE
GRANT | G.5. | Alderman Barber moved to approve the acceptance of the State of Wisconsin Department of Health Services Local Public Health Department Public Health Infrastructure Grant. Seconded by Alderman Hasan. All voted Aye; motion carried. |
| 2023-2024 DIVISION OF
PUBLIC HEALTH
COMMUNICABLE
DISEASE GRANT | G.6. | Alderman Holpfer moved to approve the acceptance of the 2023-2024 Division of Public Health Communicable Disease Grants for the Franklin Health Department. Seconded by Alderwoman Eichmann. All voted Aye; motion carried. |
| ORD. 2023-2559
POLICE GRANT FUND | G.7. | Alderman Holpfer moved to adopt Ordinance No. 2023-2559, AN ORDINANCE TO AMEND ORDINANCE 2022-2521, AN |

TO PROVIDE
CARRYFORWARD
RESOURCES AND
APPROPRIATIONS

ORDINANCE ADOPTING THE 2023 ANNUAL BUDGET FOR THE POLICE DEPARTMENT GRANT FUND TO PROVIDE CARRYFORWARD RESOURCES AND APPROPRIATIONS FROM 2022 TO 2023 FOR A POLICE DEPARTMENT MILO USE OF FORCE TRAINING SIMULATOR IN THE AMOUNT OF \$79,735.00. Seconded by Alderman Barber. On roll call; All voted Aye. Motion carried.

ORD. 2023-2560
ADOPTING 2023
ANNUAL BUDGET FOR
GENERAL FUND
ADDITIONAL
APPROPRIATIONS
LABOR LEGAL FEES

G.8. Alderwoman Eichmann moved to adopt Ordinance No. 2023-2560, AN ORDINANCE TO AMEND ORDINANCE 2022-2521, AN ORDINANCE ADOPTING THE 2023 ANNUAL BUDGET FOR THE GENERAL FUND TO PROVIDE ADDITIONAL \$5,025 APPROPRIATIONS FOR UNANTICIPATED LABOR LEGAL FEES. Seconded by Alderman Barber. On roll call; All voted Aye. Motion carried.

RES. 2023-8051
STORM WATER
FACILITIES
MAINTENANCE
AGREEMENT AND
EASEMENTS

G.9. Alderman Craig moved to adopt Resolution No. 2023-8051, A RESOLUTION FOR ACCEPTANCE OF A STORM WATER FACILITIES MAINTENANCE AGREEMENT AND EASEMENTS FOR STORM DRAINAGE, STORM WATER MANAGEMENT ACCESS, AND TEMPORARY TURNAROUND AT 11595 AND 11600 WEST FOREST HOME AVENUE (TKNS 796-9987-001 AND 751-9001-000). Seconded by Alderman Holpfer. All voted Aye; motion carried.

2024 EMPLOYEE
BENEFIT-RELATED
COVERAGES,
CARRIERS, AND
PREMIUM SHARES

G.10. Alderman Hasan moved to approve the 2024 employee benefit-related coverages, carriers, and premium shares, as outlined herein, including health insurance, wellness, health and wellness supplementary programs, and dental insurance; authorize the Director of Administration to execute the appropriate related contracts and authorize Human Resources to incorporate the approved changed into the Employee Handbook. Seconded by Alderman Barber. All voted Aye; motion carried.

RESCHEDULING OF
COMMON COUNCIL
AND LICENSE
COMMITTEE
MEETINGS IN 2024 DUE
TO HOLIDAYS AND
ELECTIONS

G.11. Alderman Barber moved to reschedule the Common Council and License Committee meetings of January 2, 2024 to January 3, 2024 due to the meeting falling on a date the City offices are closed for a holiday, and to reschedule the Common Council and License Committee meetings of February 20, 2024 to February 21, 2024 and to reschedule the Common Council and License Committee meetings of April 2, 2024 to April 3, 2024 and to reschedule the Common Council and License Committee meetings of November 5, 2024 to November 6, 2024 due to all three of those meetings falling on an Election day. Seconded by Alderwoman Day. All voted Aye; motion carried.

ORD. 2023-2561
AMEND MUNICIPAL

G.12. Alderwoman Eichmann moved to adopt Ordinance No. 2023-2561, AN ORDINANCE TO AMEND §133-14 A.(4)(d)[2] OF THE

CODE TO INCREASE
TIME OF SUBMISSION
OF A PERMIT
APPLICATION TO
DIPLAY OR
DISCHARGE
FIREWORKS

MUNICIPAL CODE TO INCREASE THE TIME OF SUBMISSION OF AN APPLICATION FOR A PERMIT TO DISPLAY OR DISCHARGE FIREWORKS FROM NOT LESS THAN SEVEN DAYS PRIOR TO THE DATE OF SUCH DISPLAY TO NOT LESS THAN THIRTY DAYS PRIOR TO THE DATE OF SUCH DISPLAY TO ALLOW MORE TIME FOR REVIEW AND CONSIDERATION OF THE APPLICATION. Seconded by Alderman Barber. All voted Aye; motion carried.

ORD. 2023-2562
2023 ANNUAL
BUDGETS CAPITAL
IMPROVEMENT &
STREET
IMPROVEMENT FUNDS
TO TRANSFER &
REPURPOSE UNUSED
APPROPRIATIONS

G.13. Alderman Barber moved to adopt Ordinance No. 2023-2562, AN ORDINANCE TO AMEND ORDINANCE 2022-2521, AN ORDINANCE ADOPTING THE 2023 ANNUAL BUDGETS FOR THE CAPITAL IMPROVEMENT AND STREET IMPROVEMENT FUNDS TO TRANSFER AND REPURPOSE UNUSED APPROPRIATIONS IN STREET IMPROVEMENT OUTLAY, RECREATION/BIKE TRAIL OUTLAY AND PARKING LOT PAVEMENT RESURFACE OUTLAY TO THE PARKS CAPITAL IMPROVEMENT FUND FOR PICKLEBALL COURT REPAIR APPROPRIATIONS. Seconded by Alderwoman Eichmann. On roll call; All voted Aye with the exception of Alderwoman Day who abstained and Alderman Holpfer who voted no. Motion carried 4-1-1.

RES. 2023-8052
2023 LIONS LEGEND
PARK PICKLEBALL
COURTS CONTRACT
DK CONTRACTORS,
INC.

G.14. Alderwoman Eichmann moved to adopt Resolution No. 2023-8052, A RESOLUTION TO AWARD THE 2023 LIONS LEGEND PARK PICKLEBALL COURTS CONTRACT TO DK CONTRACTORS, INC., IN THE AMOUNT OF \$431,375.00. Seconded by Alderman Holpfer. On a roll call vote; all vote Aye with the exception of Alderwoman Day who abstained. Motion carried 5-0-1.

RES. 2023-8053
STORM WATER
FACILITIES
MAINTENANCE
AGREEMENT &
EASEMENTS 3303 W.
OAKWOOD RD.

G.15. Alderwoman Day moved to adopt Resolution No. 2023-8053, A RESOLUTION FOR ACCEPTANCE OF A STORM WATER FACILITIES MAINTENANCE AGREEMENT AND EASEMENTS FOR STORM WATER MANAGEMENT ACCESS AND WATER MAIN AT 3303 WEST OAKWOOD ROAD (TKN 951-9994-002) subject to changes as approved by City Attorney and City Engineer. Seconded by Alderman Holpfer. All voted Aye; motion carried.

ORD. 2023-2563
2023 ANNUAL BUDGET
CAPITAL OUTLAY
FUND
CARRYFORWARD
APPROPRIATIONS
UNUSED FUNDS
POLICE DEPARTMENT

G.16. Alderman Hasan moved to adopt Ordinance No. 2023-2563, AN ORDINANCE TO AMEND ORDINANCE 2022-2521, AN ORDINANCE ADOPTING THE 2023 ANNUAL BUDGET FOR THE CAPITAL OUTLAY FUND TO PROVIDE CARRYFORWARD APPROPRIATIONS FROM 2022 TO 2023 OF UNUSED FUNDS FOR POLICE DEPARTMENT COMPUTER EQUIPMENT IN THE AMOUNT OF \$25,000. Seconded by Alderman Craig. On roll call; All voted Aye. Motion carried.

- RES. 2023-8054
PROJECT PLAN &
BOUNDRIES FOR
CREATION OF TID
NO. 9
- G.17. Alderman Holpfer moved to adopt Resolution No. 2023-8054, A RESOLUTION APPROVING THE PROJECT PLAN AND ESTABLISHING THE BOUNDARIES FOR AND THE CREATION OF TAX INCREMENTAL DISTRICT NO. 9, CITY OF FRANKLIN, WISCONSIN including the boundary map as recommended by the Plan Commission. Seconded by Alderman Hasan. On a roll call; All voted Aye. Motion carried.
- ORD. 2023-2564
2023 ANNUAL BUDGET
FIRE DEPARTMENT
GRANT FUND
APPROPRIATIONS WI
DEPARTMENT OF
HEALTH LEAVE
BEHIND KITS
- G.18. Alderman Barber moved to adopt Ordinance No. 2023-2564, AN ORDINANCE TO AMEND ORDINANCE 2022-2521, AN ORDINANCE ADOPTING THE 2023 ANNUAL BUDGET FOR THE FIRE DEPARTMENT GRANT FUND TO PROVIDE FOR \$11,916 OF GRANT RESOURCES AND UP TO \$11,916 OF GRANT APPROPRIATIONS FOR THE WISCONSIN DEPARTMENT OF HEALTH LEAVE BEHIND KITS PROJECT. Seconded by Alderwoman Eichmann. On roll call; All voted Aye. Motion carried.
- PROMOTION AND
GRADE LEVEL
INCREASE AIMEE
SCHLUETER
- G.20. Alderwoman Eichmann moved to authorize the promotion and grade level increase for Aimee Schlueter from Permit Coordinator Grade Level 5 (\$28.21/hr.) to Permit Technician Grade Level 6 (\$30.50/hr.). The annual increase is estimated at \$4,763.20, with a yearly salary of \$63,440. Seconded by Alderman Barber. On a roll call; All voted Aye. Motion carried.
- MISCELLANEOUS
LICENSES
- H. Alderwoman Day moved to hold over ROC Ventures–Enchant Christmas until License Committee Meeting on 11/7/23. Seconded by Alderman Craig. Motion carried 2-1, with Alderwoman Eichmann voting no.
- Alderman Barber moved to approve the Franklin Health Department – Trunk or Treat subject to adoption of a motion to recommend approval to the Common Council by the License Committee at their Special License Committee Meeting on October 19, 2024. Seconded by Alderman Holpfer. All voted Aye; motion carried.
- VOUCHERS AND
PAYROLL
- I. Alderman Holpfer moved to approve City vouchers with an ending date of October 12, 2023, in the amount of \$2,227,219.75, and payroll dated October 6, 2023, in the amount of \$466,003.95 and payments of the various payroll deductions in the amount of \$243,684.39, plus City matching payments, and approval to release payment to Velo Village Apartments LLC in the amount of \$765,000, and estimated payroll dated October 20, 2023, in the amount of \$495,000 and payments of the various payroll deductions in the amount of \$535,000, plus City matching payments and estimated payroll dated November 3, 2023 in

the amount of \$455,000 and payments of the various payroll deductions in the amount of \$250,000, plus City matching payments. Seconded by Alderman Craig. On roll call, all voted Aye. Motion carried.

CLOSED SESSION –
CITY PERSONNEL
PERFORMANCE
EVALUATION

- G.21. Alderman Holpfer moved to enter closed session at 10:38 p.m., pursuant to Wis. Stat. §19.85(1)(c), considering employment, promotion, compensation or performance evaluation data of any public employee over which the governing body has jurisdiction or exercises responsibility, Wis. Stat. §19.85(1)(f), considering financial, medical, social, or personal histories or disciplinary data of specific persons, preliminary consideration of specific personnel problems, or the investigation of charges against specific persons except where par. (b) applies which, if discussed in public, would be likely to have a substantial adverse effect upon the reputation of any person referred to in such histories or data, or involved in such problems or investigations, and Wis. Stat. §19.85(1)(g), conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is likely to become involved, and to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate. Seconded by Alderman Eichmann. On roll call, all voted Aye. Motion carried.

Upon re-entering open session at 11:21 p.m.,

Alderman Craig moved to approve the agreement as discussed in closed session between the City of Franklin and Laurie Miller. Seconded by Alderwoman Eichmann. All voted Aye; motion carried.

ADJOURNMENT

- J. Alderman Craig moved to adjourn the meeting of the Common Council at 11:22 p.m. Seconded by Alderwoman Eichmann. All voted Aye; motion carried.

CITY OF FRANKLIN
SPECIAL COMMON COUNCIL MEETING
OCTOBER 25, 2023
MINUTES

ROLL CALL

- A. The special meeting of the Franklin Common Council was held on October 25, 2023, and was called to order at 6:32 p.m. by Mayor John Nelson 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, Alderman Yousef Hasan, Alderwoman Courtney and Alderman Jason Craig. Not present was Alderman Barber. Also in attendance were Director of Administration Kelly Hersh, City Attorney Jesse A. Wesolowski, and Deputy Clerk Shirley Roberts.

CITIZEN COMMENT

- B. Citizen comment period was opened at 6:33 p.m. and closed at 6:56 p.m.

LICENSES AND PERMITS

Special License Meeting of October 25, 2023: Alderwoman Eichmann moved to recommend approval of the application for the planned Special Event days November 22 through December 31, 2023, and in the event of a weather event or other occurrence that prevents the day of the event from occurring, outside of the control of the applicant, that an extra day may be added beyond December 31 but no longer than through January 7, 2024; and also, with regard to preparing the site for the event, that may occur starting on November 1 and time for taking down the event facilities, etc., may occur on the premises until January 14, 2024; and approval hereof would also be granting an Exception for meeting the standards for an Exception to allow for exceeding four consecutive days discussed earlier, with regard to the Special Event Exception Ordinance which is to be effective October 26, 2023, and so it is subject upon that becoming effective, and it is when permit approval would become effective. Seconded by Alderman Craig. All voted Aye; motion carried.

Alderwoman Day moved to approve the following Extraordinary Entertainment & Special Event Application: Alderwoman Day moved to approve the application for the Special Event License and the Exception to allow for exceeding four consecutive days, and with regard to the Exception, that the standards set forth in the Special Events Exception Ordinance have been supported by facts received by the Common Council; and that the days of operation shall be from November 22 through December 31, 2023; and that in the event of some weather or other event causing the cancellation of a day of the Event uncontrollable by the applicant, that an additional day for each such day therefore could continue the Event up until days through January 7, 2024. Also, with regard to begin the buildup or set up process, that the applicant is allowed to commence that starting on

November 1, 2023, and to continue that after the Event has ended up until and through January 14, 2024, and that approval of this motion will be effective on the effectiveness, tomorrow's date of October 26, 2023, of the amendment to the Special Events Ordinance which allows for the Exception to be granted. Seconded by Alderwoman Eichmann.

Alderman Craig would like to amend the motion to add: every two weeks following the opening of Enchant Christmas that consequently the Licensing and Common Council meetings would continually approve the continued event to be in operation necessitating approval on the December 5th and 19th Licensing and Common Council meetings. Motion died due to a lack of a second.

Roll call vote: Alderman Holpfer, Alderwoman Eichmann, Alderman Hasan, Alderwoman Day voted Ayes, Alderman Craig voted No. Motion carried.

Enchant Christmas will be put on the December 5th and 19th Common Council meetings for information only.

ADJOURNMENT

- D. Alderwoman Eichmann moved to adjourn the special meeting of the Common Council at 7:56 p.m. Seconded by Alderwoman Day. All voted Aye; motion carried.

<p style="text-align: center;">APPROVAL</p>	<p style="text-align: center;">REQUEST FOR COUNCIL ACTION</p>	<p style="text-align: center;">MEETING DATE 11/07/23</p>
<p style="text-align: center;">ORGANIZATIONAL BUSINESS</p>	<p style="text-align: center;">Boards and Commissions Appointments</p>	<p style="text-align: center;">ITEM NUMBER E.</p>

The Mayor has made the following appointments for Common Council confirmation:

1. Gary Grobner, 11436 W. Shields Dr, Ald. Dist. 6 – Board of Water Commissioners (5 year term expiring 09/30/28).
2. Michael Shawgo, 10250 W. Ryan Rd., Ald. Dist. 4 – Plan Commission (1 year unexpired term expiring 4/30/24).

COUNCIL ACTION REQUESTED

Motion to confirm the Mayoral appointments:

1. Gary Grobner, 11436 W. Shields Dr, Ald. Dist. 6 – Board of Water Commissioners (5 year term expiring 09/30/28).
2. Michael Shawgo, 10250 W. Ryan Rd., Ald. Dist. 4 – Plan Commission (1 year unexpired term expiring 4/30/24).

Shirley Roberts

From: volunteerfactsheet@franklinwi.info
Sent: Tuesday, October 31, 2023 5:16 PM
To: Lisa Huening; Shirley Roberts, Karen Kastenson
Subject: Volunteer Fact Sheet

Name: Mike Shawgo
PhoneNumber:
EmailAddress:
YearsasResident: 44
Alderman: 1
ArchitecturalBoard: no
CivicCelebrations: no
CommunityDevelopmentAuthority: no
EconomicDevelopmentCommission: no
EnvironmentalCommission: no
FinanceCommittee: no
FairCommission: no
BoardofHealth: no
FirePoliceCommission: no
ParksCommission: no
LibraryBoard: no
PlanCommission: yes
PersonnelCommittee: no
BoardofReview: no
BoardofPublicWorks: no
QuarryMonitoringCommittee: no
TechnologyCommission: no
TourismCommission: no
BoardofZoning: no
WasteFacilitiesMonitoringCommittee: no
BoardWaterCommissioners: no
CompanyNameJob1: The Compactor Guy
CompanyAddressJob1: 10250 W. Ryan Road
TelephoneJob1: 414-881-0336
StartDateandPositionJob1: October, 2020-owner
EndDateandPositionJob1: still active
CompanyNameJob2: Wastebuilt
AddressJob2: N60 W14521 Kaul Ave., Menomonee Falls, Wi.
TelephoneJob2: 262-252-5500
StartDateandPositionJob2: January 2013/Site Manager

EndDateandPositionJob2: December 2020/Key Accounts manager
CompanyNameJob3: Stepp Equipment Company
AddressJob3: N58 W14810 Shawn Circle, Menomonee Falls, Wi.
TelephoneJob3: 262-252-5500
StartDateandPositionJob3: November/1979-General Manager
EndDateandPositionJob3: December-2012-General Manager/owner
Signature: Mike Shawgo
Date: 10/31/23
Signature2: Mike Shawgo
Date2: 10/31/23
Address: 10250 West Ryan Road, Franklin, Wi. 53132
PriorityListing:
WhyInterested: Have always had an interest in the future of Franklin and how the many diverse areas should fit together as we grow as a larger community.
DescriptionofDutiesJob1: Consultant to businesses on their waste and recycling programs.
DescriptionofDutiesJob2: Managed the equipment business, including service, sales , and operations. Also key account salesman.
DescriptionofDutiesJob3: Managed entire operation of an equipment distributor, emphasizing waste and recycling equipment. Included service, parts, and sales. Was also key accounts representative. Worked with contractors , developers and architects on planning the implementation of waste and recycling equipment.
AdditionalExperience: Currently sit on four boards. American Baptists of Wisconsin State board, Myanmar Learning Center board, Franklin Lions Club board, and Board of Trustees of the First Baptist Church of West Allis. Have lived here for 44 years, raised my family here, have been active in the community, schools, recreation department, and many other activities. Want to make sure Franklin is headed in the right direction.

See Current Results

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Neighborhood Petition Form Petition for Neighborhood Traffic Calming Measures




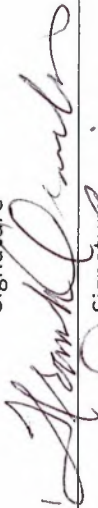




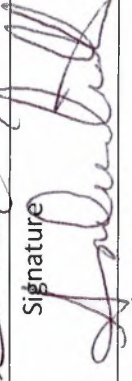
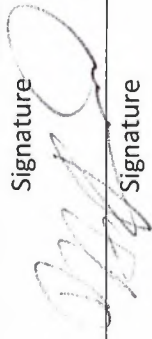
THE UNDERSIGNED AGREE TO THE FOLLOWING:

1. All persons signing this petition do hereby certify that they reside within the impacted area, which is hereby defined as the street segment of West Puetz Avenue, between South 35th street and Hunting Park Drive, which encompasses the Franklin Wood Nature Center, Kaylas Playground and Dog Park.
2. All persons signing this petition do hereby agree to the following problem in the defined impacted area: There is continuous excess speeding and traffic impacting the safety of the neighborhood for its citizens and wildlife.
3. All persons signing this petition do hereby agree that the following contact person(s) represent the neighborhood as facilitator(s) between the neighborhood residents and the City of Franklin Police Department in matters pertaining to items 1 and 2 above:

Frank Ornelas	3820 W. Puetz Road	414-423-1231
Donald Bricco	3828 W. Puetz Road	414-423-7364

Use next page or backside for additional signatures...

Only One Signature Per Address

	Name(Print)	Address	Phone	Signature
1	DANIEL P CRASS	8619 S. 35 th	414 235 0906	
2	AMELIA JOE	8647 S. 35 th	414-405-4732	
3	MOISES GUERRERO	3760 W Puetz	414.707.9158	
4	FRANK DANVERS	3820 W Puetz	414-423-1231	
5	DAN BRICCO	3828 W Puetz Rd	414-443-7364	
6	Hebees Zabea	3842 W Puetz Rd		
7	Tyler Kohn	3910 W Puetz Rd	414.745.7524	
8	Daniel CASL	4038 W Puetz	414-238-8147	
9	Andrea Cavello	4058 W Puetz Rd	414-807-5851	
10	BRAD LAYMAN	4076 W Puetz		
11				

	Name(Print)	Address	Phone	Signature
12				
13	Name(Print)	Address	Phone	Signature
	Glenn Luedtke	4310 W Puetz Franklin	414-423-0583	
14	Name(Print)	Address	Phone	Signature
	Nive Arayo	4335 W Puetz	414-870-3783	
15	Name(Print)	Address	Phone	Signature
	Joselyn Zeman	4305 W Puetz	414 305-5123	
16	Name(Print)	Address	Phone	Signature
	Jean Serwa	8640 S. Hunting Pk. Dr.	414-421-0578	
17	Name(Print)	Address	Phone	Signature
	ROBERT A. SOLKOFF	881 So Hunting Pk Dr	414-475-6859	
18	Name(Print)	Address	Phone	Signature
19	Name(Print)	Address	Phone	Signature
20	Name(Print)	Address	Phone	Signature
21	Name(Print)	Address	Phone	Signature
22	Name(Print)	Address	Phone	Signature
23	Name(Print)	Address	Phone	Signature

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<p>APPROVAL</p> <p><i>[Handwritten Signature]</i></p>	<p>REQUEST FOR COUNCIL ACTION</p>	<p>MEETING DATE</p> <p>11-7-23</p>
<p>REPORTS AND RECOMMENDATIONS</p>	<p>Solutions to Noise Issues at the ROC Ballpark Commons Update</p>	<p>ITEM NUMBER</p> <p>G.1.</p>

The Mayor will provide an update as to the solutions to noise issues at the ROC Ballpark Commons.

COUNCIL ACTION REQUESTED

As the Common Council may determine appropriate.

MAYOR -JRN

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<p style="text-align: center;">APPROVAL</p> <p style="text-align: center;"><i>dx</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;">Nov. 7, 2023</p>
<p style="text-align: center;">REPORTS & RECOMMENDATIONS</p>	<p style="text-align: center;">RESOLUTION AWARDING THE SALE OF \$2,395,000 GENERAL OBLIGATION PROMISSORY NOTES, SERIES 2023B</p>	<p style="text-align: center;">ITEM NUMBER</p> <p style="text-align: center;"><i>G.2.</i></p>

Analysis

On September 19, 2023, the Common Council approved Resolution 2023-8045 authorizing the Sale of approximately \$2,395,000 General Obligation Promissory Notes, Series 2023B.

These Bonds will fund projects outlined in the Capital Improvement Plan. Projects outlined are for public purposes, including paying the cost of improvements to City buildings and facilities, park projects, street improvements and land acquisition

In preparation of the sale, Moody's affirmed the City's debt rating at Aa2 on November 1, 2023

The sale was competitively bid on the morning of November 7, 2023. Results of the same will be presented at the meeting

Quarles & Brady prepared a draft Council Resolution awarding the sale for review. An updated resolution based on the results of the sale will be presented at the meeting for adoption. The draft resolution is attached.

Our Financial Advisor for this transaction is Ehlers & Associates, LLC, represented by Todd Taves. Todd Taves & Ariana Schmidt will be in attendance to describe the Sale Report.

COUNCIL ACTION REQUESTED

Motion adopting Resolution 2023-_____ a Resolution awarding the Sale of \$2,395,000 General Obligation Promissory Notes, Series 2023B.

Finance Dept - DB

STATE OF WISCONSIN: CITY OF FRANKLIN: MILWAUKEE COUNTY

RESOLUTION NO. _____

RESOLUTION AWARDDING THE SALE OF \$2,395,000
GENERAL OBLIGATION PROMISSORY NOTES, SERIES 2023B

WHEREAS, on September 19, 2023, the Common Council of the City of Franklin, Milwaukee County, Wisconsin (the "City") adopted a resolution (the "Set Sale Resolution"), providing for the sale of General Obligation Promissory Notes, Series 2023B (the "Notes") for public purposes, including paying the cost of improvements to City buildings and facilities, park projects, street improvements and land acquisition (collectively, the "Project");

WHEREAS, pursuant to the Set Sale Resolution, the City has directed Ehlers & Associates, Inc. ("Ehlers") to take the steps necessary to sell the Notes to pay the cost of the Project;

WHEREAS, Ehlers, in consultation with the officials of the City, prepared a Notice of Sale (a copy of which is attached hereto as Exhibit A and incorporated herein by this reference) setting forth the details of and the bid requirements for the Notes and indicating that the Notes would be offered for public sale on November 7, 2023;

WHEREAS, the City Clerk (in consultation with Ehlers) caused a form of notice of the sale to be published and/or announced and caused the Notice of Sale to be distributed to potential bidders offering the Notes for public sale on November 7, 2023;

WHEREAS, the City has duly received bids for the Notes as described on the Bid Tabulation attached hereto as Exhibit B and incorporated herein by this reference (the "Bid Tabulation"); and

WHEREAS, it has been determined that the bid proposal (the "Proposal") submitted by the financial institution listed first on the Bid Tabulation fully complies with the bid requirements set forth in the Notice of Sale and is deemed to be the most advantageous to the City. Ehlers has recommended that the City accept the Proposal. A copy of said Proposal submitted by such institution (the "Purchaser") is attached hereto as Exhibit C and incorporated herein by this reference.

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

Section 1. Ratification of the Notice of Sale and Offering Materials. The Common Council hereby ratifies and approves the details of the Notes set forth in Exhibit A attached hereto as and for the details of the Notes. The Notice of Sale and any other offering materials prepared and circulated by Ehlers are hereby ratified and approved in all respects. All actions

taken by officers of the City and Ehlers in connection with the preparation and distribution of the Notice of Sale, and any other offering materials are hereby ratified and approved in all respects.

Section 1A. Authorization and Award of the Notes. For the purpose of paying the cost of the Project, there shall be borrowed pursuant to Section 67.12(12), Wisconsin Statutes, the principal sum of TWO MILLION THREE HUNDRED NINETY-FIVE THOUSAND DOLLARS (\$2,395,000) from the Purchaser in accordance with the terms and conditions of the Proposal. The Proposal of the Purchaser offering to purchase the Notes for the sum set forth on the Proposal, plus accrued interest to the date of delivery, resulting in a true interest cost as set forth on the Proposal, is hereby accepted. The Mayor and City Clerk or other appropriate officers of the City are authorized and directed to execute an acceptance of the Proposal on behalf of the City. The good faith deposit of the Purchaser shall be applied in accordance with the Notice of Sale, and any good faith deposits submitted by unsuccessful bidders shall be promptly returned. The Notes shall bear interest at the rates set forth on the Proposal.

Section 2. Terms of the Notes. The Notes shall be designated "General Obligation Promissory Notes, Series 2023B"; shall be issued in the aggregate principal amount of \$2,395,000; shall be dated November 28, 2023; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered R-1 and upward; and shall bear interest at the rates per annum and mature on March 1 of each year, in the years and principal amounts as set forth on the Pricing Summary attached hereto as Exhibit D-1 and incorporated herein by this reference. Interest shall be payable semi-annually on March 1 and September 1 of each year commencing on March 1, 2024. Interest shall be computed upon the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to the rules of the Municipal Securities Rulemaking Board. The schedule of principal and interest payments due on the Notes is set forth on the Debt Service Schedule attached hereto as Exhibit D-2 and incorporated herein by this reference (the "Schedule").

Section 3. Redemption Provisions. The Notes maturing on March 1, 2032 and thereafter shall be subject to redemption prior to maturity, at the option of the City, on March 1, 2031 or on any date thereafter. Said Notes shall be redeemable as a whole or in part, and if in part, from maturities selected by the City, and within each maturity by lot, at the principal amount thereof, plus accrued interest to the date of redemption.

[The Proposal specifies that certain of the Notes shall be subject to mandatory redemption. The terms of such mandatory redemption are set forth on an attachment hereto as Exhibit MRP and incorporated herein by this reference. Upon the optional redemption of any of the Notes subject to mandatory redemption, the principal amount of such Notes so redeemed shall be credited against the mandatory redemption payments established in Exhibit MRP for such Notes in such manner as the City shall direct.]

Section 4. Form of the Notes. The Notes shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as Exhibit E and incorporated herein by this reference.

Section 5. Tax Provisions.

(A) Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Notes as the same becomes due, the full faith, credit and resources of the City are hereby irrevocably pledged, and there is hereby levied upon all of the taxable property of the City a direct annual irrepealable tax in the years 2023 through 2032 for the payments due in the years 2024 through 2033 in the amounts set forth on the Schedule.

(B) Tax Collection. So long as any part of the principal of or interest on the Notes remains unpaid, the City shall be and continue without power to repeal such levy or obstruct the collection of said tax until all such payments have been made or provided for. After the issuance of the Notes, said tax shall be, from year to year, carried onto the tax roll of the City and collected in addition to all other taxes and in the same manner and at the same time as other taxes of the City for said years are collected, except that the amount of tax carried onto the tax roll may be reduced in any year by the amount of any surplus money in the Debt Service Fund Account created below.

(C) Additional Funds. If at any time there shall be on hand insufficient funds from the aforesaid tax levy to meet principal and/or interest payments on said Notes when due, the requisite amounts shall be paid from other funds of the City then available, which sums shall be replaced upon the collection of the taxes herein levied.

Section 6. Segregated Debt Service Fund Account.

(A) Creation and Deposits. There shall be and there hereby is established in the treasury of the City, if one has not already been created, a debt service fund, separate and distinct from every other fund, which shall be maintained in accordance with generally accepted accounting principles. Debt service or sinking funds established for obligations previously issued by the City may be considered as separate and distinct accounts within the debt service fund.

Within the debt service fund, there hereby is established a separate and distinct account designated as the "Debt Service Fund Account for General Obligation Promissory Notes, Series 2023B" (the "Debt Service Fund Account") and such account shall be maintained until the indebtedness evidenced by the Notes is fully paid or otherwise extinguished. There shall be deposited into the Debt Service Fund Account (i) all accrued interest received by the City at the time of delivery of and payment for the Notes; (ii) any premium which may be received by the City above the par value of the Notes and accrued interest thereon; (iii) all money raised by the taxes herein levied and any amounts appropriated for the specific purpose of meeting principal of and interest on the Notes when due; (iv) such other sums as may be necessary at any time to pay principal of and interest on the Notes when due; (v) surplus monies in the Borrowed Money Fund as specified below; and (vi) such further deposits as may be required by Section 67.11, Wisconsin Statutes.

(B) Use and Investment. No money shall be withdrawn from the Debt Service Fund Account and appropriated for any purpose other than the payment of principal of and interest on the Notes until all such principal and interest has been paid in full and the Notes

canceled; provided (i) the funds to provide for each payment of principal of and interest on the Notes prior to the scheduled receipt of taxes from the next succeeding tax collection may be invested in direct obligations of the United States of America maturing in time to make such payments when they are due or in other investments permitted by law; and (ii) any funds over and above the amount of such principal and interest payments on the Notes may be used to reduce the next succeeding tax levy, or may, at the option of the City, be invested by purchasing the Notes as permitted by and subject to Section 67.11(2)(a), Wisconsin Statutes, or in permitted municipal investments under the pertinent provisions of the Wisconsin Statutes ("Permitted Investments"), which investments shall continue to be a part of the Debt Service Fund Account. Any investment of the Debt Service Fund Account shall at all times conform with the provisions of the Internal Revenue Code of 1986, as amended (the "Code") and any applicable Treasury Regulations (the "Regulations").

(C) Remaining Monies. When all of the Notes have been paid in full and canceled, and all Permitted Investments disposed of, any money remaining in the Debt Service Fund Account shall be transferred and deposited in the general fund of the City, unless the Common Council directs otherwise.

Section 7. Proceeds of the Notes; Segregated Borrowed Money Fund. The proceeds of the Notes (the "Note Proceeds") (other than any premium and accrued interest which must be paid at the time of the delivery of the Notes into the Debt Service Fund Account created above) shall be deposited into a special fund (the "Borrowed Money Fund") separate and distinct from all other funds of the City and disbursed solely for the purpose or purposes for which borrowed. Monies in the Borrowed Money Fund may be temporarily invested in Permitted Investments. Any monies, including any income from Permitted Investments, remaining in the Borrowed Money Fund after the purpose or purposes for which the Notes have been issued have been accomplished, and, at any time, any monies as are not needed and which obviously thereafter cannot be needed for such purpose(s) shall be deposited in the Debt Service Fund Account.

Section 8. No Arbitrage. All investments made pursuant to this Resolution shall be Permitted Investments, but no such investment shall be made in such a manner as would cause the Notes to be "arbitrage bonds" within the meaning of Section 148 of the Code or the Regulations and an officer of the City, charged with the responsibility for issuing the Notes, shall certify as to facts, estimates, circumstances and reasonable expectations in existence on the date of delivery of the Notes to the Purchaser which will permit the conclusion that the Notes are not "arbitrage bonds," within the meaning of the Code or Regulations.

Section 9. Compliance with Federal Tax Laws. (a) The City represents and covenants that the projects financed by the Notes and the ownership, management and use of the projects will not cause the Notes to be "private activity bonds" within the meaning of Section 141 of the Code. The City further covenants that it shall comply with the provisions of the Code to the extent necessary to maintain the tax-exempt status of the interest on the Notes including, if applicable, the rebate requirements of Section 148(f) of the Code. The City further covenants that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Notes) if taking, permitting or omitting to take such action would cause any of the Notes to be an arbitrage bond or a private activity bond within the meaning of the Code or

would otherwise cause interest on the Notes to be included in the gross income of the recipients thereof for federal income tax purposes. The City Clerk or other officer of the City charged with the responsibility of issuing the Notes shall provide an appropriate certificate of the City certifying that the City can and covenanting that it will comply with the provisions of the Code and Regulations.

(b) The City also covenants to use its best efforts to meet the requirements and restrictions of any different or additional federal legislation which may be made applicable to the Notes provided that in meeting such requirements the City will do so only to the extent consistent with the proceedings authorizing the Notes and the laws of the State of Wisconsin and to the extent that there is a reasonable period of time in which to comply.

Section 10. Designation as Qualified Tax-Exempt Obligations. The Notes are hereby designated as "qualified tax-exempt obligations" for purposes of Section 265 of the Code, relating to the ability of financial institutions to deduct from income for federal income tax purposes, interest expense that is allocable to carrying and acquiring tax-exempt obligations.

Section 11. Execution of the Notes; Closing; Professional Services. The Notes shall be issued in printed form, executed on behalf of the City by the manual or facsimile signatures of the Mayor and City Clerk, authenticated, if required, by the Fiscal Agent (defined below), sealed with its official or corporate seal, if any, or a facsimile thereof, and delivered to the Purchaser upon payment to the City of the purchase price thereof, plus accrued interest to the date of delivery (the "Closing"). The facsimile signature of either of the officers executing the Notes may be imprinted on the Notes in lieu of the manual signature of the officer but, unless the City has contracted with a fiscal agent to authenticate the Notes, at least one of the signatures appearing on each Note shall be a manual signature. In the event that either of the officers whose signatures appear on the Notes shall cease to be such officers before the Closing, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until the Closing. The aforesaid officers are hereby authorized and directed to do all acts and execute and deliver the Notes and all such documents, certificates and acknowledgements as may be necessary and convenient to effectuate the Closing. The City hereby authorizes the officers and agents of the City to enter into, on its behalf, agreements and contracts in conjunction with the Notes, including but not limited to agreements and contracts for legal, trust, fiscal agency, disclosure and continuing disclosure, and rebate calculation services. Any such contract heretofore entered into in conjunction with the issuance of the Notes is hereby ratified and approved in all respects.

Section 12. Payment of the Notes; Fiscal Agent. The principal of and interest on the Notes shall be paid by Bond Trust Services Corporation, Roseville, Minnesota, which is hereby appointed as the City's registrar and fiscal agent pursuant to the provisions of Section 67.10(2), Wisconsin Statutes (the "Fiscal Agent"). The City hereby authorizes the Mayor and City Clerk or other appropriate officers of the City to enter into a Fiscal Agency Agreement between the City and the Fiscal Agent. Such contract may provide, among other things, for the performance by the Fiscal Agent of the functions listed in Wis. Stats. Sec. 67.10(2)(a) to (j), where applicable, with respect to the Notes.

Section 13. Persons Treated as Owners; Transfer of Notes. The City shall cause books for the registration and for the transfer of the Notes to be kept by the Fiscal Agent. The person in whose name any Note shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Note shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Note to the extent of the sum or sums so paid.

Any Note may be transferred by the registered owner thereof by surrender of the Note at the office of the Fiscal Agent, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the Mayor and City Clerk shall execute and deliver in the name of the transferee or transferees a new Note or Notes of a like aggregate principal amount, series and maturity and the Fiscal Agent shall record the name of each transferee in the registration book. No registration shall be made to bearer. The Fiscal Agent shall cancel any Note surrendered for transfer.

The City shall cooperate in any such transfer, and the Mayor and City Clerk are authorized to execute any new Note or Notes necessary to effect any such transfer.

Section 14. Record Date. The 15th day of the calendar month next preceding each interest payment date shall be the record date for the Notes (the "Record Date"). Payment of interest on the Notes on any interest payment date shall be made to the registered owners of the Notes as they appear on the registration book of the City at the close of business on the Record Date.

Section 15. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Notes eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the City agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations, which the City Clerk or other authorized representative of the City is authorized and directed to execute and deliver to DTC on behalf of the City to the extent an effective Blanket Issuer Letter of Representations is not presently on file in the City Clerk's office.

Section 16. Payment of Issuance Expenses. The City authorizes the Purchaser to forward the amount of the proceeds of the Notes allocable to the payment of issuance expenses to a financial institution selected by Ehlers at Closing for further distribution as directed by Ehlers. The remaining proceeds shall be forwarded for deposit into the City's account with American Deposit Management or such other financial institution as may be directed by the Finance Director.

Section 17. Official Statement. The Common Council hereby approves the Preliminary Official Statement with respect to the Notes and deems the Preliminary Official Statement as "final" as of its date for purposes of SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule"). All actions taken by officers of the City in connection with the preparation of such Preliminary Official Statement and any addenda to it or final Official Statement are hereby ratified and approved. In connection with the Closing, the appropriate City official shall certify the Preliminary Official Statement and any addenda or final Official Statement. The City Clerk shall

cause copies of the Preliminary Official Statement and any addenda or final Official Statement to be distributed to the Purchaser.

Section 18. Undertaking to Provide Continuing Disclosure. The City hereby covenants and agrees, for the benefit of the owners of the Notes, to enter into a written undertaking (the "Undertaking") if required by the Rule to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. The Undertaking shall be enforceable by the owners of the Notes or by the Purchaser on behalf of such owners (provided that the rights of the owners and the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations thereunder and any failure by the City to comply with the provisions of the Undertaking shall not be an event of default with respect to the Notes).

To the extent required under the Rule, the Mayor and City Clerk, or other officer of the City charged with the responsibility for issuing the Notes, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the City's Undertaking.

Section 19. Record Book. The City Clerk shall provide and keep the transcript of proceedings as a separate record book (the "Record Book") and shall record a full and correct statement of every step or proceeding had or taken in the course of authorizing and issuing the Notes in the Record Book.

Section 20. Bond Insurance. If the Purchaser determines to obtain municipal bond insurance with respect to the Notes, the officers of the City are authorized to take all actions necessary to obtain such municipal bond insurance. The Mayor and City Clerk are authorized to agree to such additional provisions as the bond insurer may reasonably request and which are acceptable to the Mayor and City Clerk including provisions regarding restrictions on investment of Note proceeds, the payment procedure under the municipal bond insurance policy, the rights of the bond insurer in the event of default and payment of the Notes by the bond insurer and notices to be given to the bond insurer. In addition, any reference required by the bond insurer to the municipal bond insurance policy shall be made in the form of Note provided herein.

Section 21. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the Common Council or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

Introduced at a regular meeting of the Common Council of the City of Franklin this 7th day of November, 2023.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this 7th day of November, 2023.

John Nelson
Mayor

ATTEST:

Karen Kastenson
City Clerk

(SEAL)

AYES ___ NOES ___ ABSENT ___

EXHIBIT A

Notice of Sale

To be provided by Ehlers & Associates, Inc. and incorporated into the Resolution.

(See Attached)

EXHIBIT B

Bid Tabulation

To be provided by Ehlers & Associates, Inc. and incorporated into the Resolution.

(See Attached)

EXHIBIT C

Winning Bid

To be provided by Ehlers & Associates, Inc. and incorporated into the Resolution.

(See Attached)

EXHIBIT D-1

Pricing Summary

To be provided by Ehlers & Associates, Inc. and incorporated into the Resolution.

(See Attached)

EXHIBIT D-2

Debt Service Schedule and Irrepealable Tax Levies

To be provided by Ehlers & Associates, Inc. and incorporated into the Resolution.

(See Attached)

[EXHIBIT MRP

Mandatory Redemption Provision

The Notes due on March 1, ____, ____, and ____ (the "Term Bonds") are subject to mandatory redemption prior to maturity by lot (as selected by the Depository) at a redemption price equal to One Hundred Percent (100%) of the principal amount to be redeemed plus accrued interest to the date of redemption, from debt service fund deposits which are required to be made in amounts sufficient to redeem on March 1 of each year the respective amount of Term Bonds specified below:

For the Term Bonds Maturing on March 1, ____

<u>Redemption Date</u>	<u>Amount</u>
_____	\$ _____
_____	_____
_____	_____ (maturity)

For the Term Bonds Maturing on March 1, ____

<u>Redemption Date</u>	<u>Amount</u>
_____	\$ _____
_____	_____
_____	_____ (maturity)

For the Term Bonds Maturing on March 1, ____

<u>Redemption Date</u>	<u>Amount</u>
_____	\$ _____
_____	_____
_____	_____ (maturity)

For the Term Bonds Maturing on March 1, ____

<u>Redemption Date</u>	<u>Amount</u>
_____	\$ _____
_____	_____
_____	_____ (maturity)]

EXHIBIT E

(Form of Note)

REGISTERED UNITED STATES OF AMERICA DOLLARS
STATE OF WISCONSIN
MILWAUKEE COUNTY
NO. R- _____ CITY OF FRANKLIN \$ _____
GENERAL OBLIGATION PROMISSORY NOTE, SERIES 2023B

MATURITY DATE: ORIGINAL DATE OF ISSUE: INTEREST RATE: CUSIP:
March 1, _____ November 28, 2023 _____% _____

DEPOSITORY OR ITS NOMINEE NAME: CEDE & CO.

PRINCIPAL AMOUNT: _____ THOUSAND DOLLARS
(\$ _____)

FOR VALUE RECEIVED, the City of Franklin, Milwaukee County, Wisconsin (the "City"), hereby acknowledges itself to owe and promises to pay to the Depository or its Nominee Name (the "Depository") identified above (or to registered assigns), on the maturity date identified above, the principal amount identified above, and to pay interest thereon at the rate of interest per annum identified above, all subject to the provisions set forth herein regarding redemption prior to maturity. Interest shall be payable semi-annually on March 1 and September 1 of each year commencing on March 1, 2024 until the aforesaid principal amount is paid in full. Both the principal of and interest on this Note are payable to the registered owner in lawful money of the United States. Interest payable on any interest payment date shall be paid by wire transfer to the Depository in whose name this Note is registered on the Bond Register maintained by Bond Trust Services Corporation, Roseville, Minnesota (the "Fiscal Agent") or any successor thereto at the close of business on the 15th day of the calendar month next preceding each interest payment date (the "Record Date"). This Note is payable as to principal upon presentation and surrender hereof at the office of the Fiscal Agent.

For the prompt payment of this Note together with interest hereon as aforesaid and for the levy of taxes sufficient for that purpose, the full faith, credit and resources of the City are hereby irrevocably pledged.

This Note is one of an issue of Notes aggregating the principal amount of \$2,395,000, all of which are of like tenor, except as to denomination, interest rate, maturity date and redemption provision, issued by the City pursuant to the provisions of Section 67.12(12), Wisconsin Statutes, for public purposes, including paying the cost of improvements to City buildings and facilities, park projects, street improvements and land acquisition, as authorized by a resolution adopted on November 7, 2023. Said resolution is recorded in the official minutes of the Common Council for said date.

The Notes maturing on March 1, 2032 and thereafter are subject to redemption prior to maturity, at the option of the City, on March 1, 2031 or on any date thereafter. Said Notes are redeemable as a whole or in part, and if in part, from maturities selected by the City, and within each maturity by lot (as selected by the Depository), at the principal amount thereof, plus accrued interest to the date of redemption.

[The Notes maturing in the years _____ are subject to mandatory redemption by lot as provided in the resolution referred to above, at the redemption price of par plus accrued interest to the date of redemption and without premium.]

In the event the Notes are redeemed prior to maturity, as long as the Notes are in book-entry-only form, official notice of the redemption will be given by mailing a notice by registered or certified mail, overnight express delivery, facsimile transmission, electronic transmission or in any other manner required by the Depository, to the Depository not less than thirty (30) days nor more than sixty (60) days prior to the redemption date. If less than all of the Notes of a maturity are to be called for redemption, the Notes of such maturity to be redeemed will be selected by lot. Such notice will include but not be limited to the following: the designation, date and maturities of the Notes called for redemption, CUSIP numbers, and the date of redemption. Any notice provided as described herein shall be conclusively presumed to have been duly given, whether or not the registered owner receives the notice. The Notes shall cease to bear interest on the specified redemption date provided that federal or other immediately available funds sufficient for such redemption are on deposit at the office of the Depository at that time. Upon such deposit of funds for redemption the Notes shall no longer be deemed to be outstanding.

It is hereby certified and recited that all conditions, things and acts required by law to exist or to be done prior to and in connection with the issuance of this Note have been done, have existed and have been performed in due form and time; that the aggregate indebtedness of the City, including this Note and others issued simultaneously herewith, does not exceed any limitation imposed by law or the Constitution of the State of Wisconsin; and that a direct annual irrepealable tax has been levied sufficient to pay this Note, together with the interest thereon, when and as payable.

This Note has been designated by the Common Council as a "qualified tax-exempt obligation" pursuant to the provisions of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

This Note is transferable only upon the books of the City kept for that purpose at the office of the Fiscal Agent, only in the event that the Depository does not continue to act as depository for the Notes, and the City appoints another depository, upon surrender of the Note to the Fiscal Agent, by the registered owner in person or his duly authorized attorney, together with a written instrument of transfer (which may be endorsed hereon) satisfactory to the Fiscal Agent duly executed by the registered owner or his duly authorized attorney. Thereupon a new fully registered Note in the same aggregate principal amount shall be issued to the new depository in exchange therefor and upon the payment of a charge sufficient to reimburse the City for any tax, fee or other governmental charge required to be paid with respect to such registration. The

Fiscal Agent shall not be obliged to make any transfer of the Notes (i) after the Record Date, (ii) during the fifteen (15) calendar days preceding the date of any publication of notice of any proposed redemption of the Notes, or (iii) with respect to any particular Note, after such Note has been called for redemption. The Fiscal Agent and City may treat and consider the Depository in whose name this Note is registered as the absolute owner hereof for the purpose of receiving payment of, or on account of, the principal or redemption price hereof and interest due hereon and for all other purposes whatsoever. The Notes are issuable solely as negotiable, fully-registered Notes without coupons in the denomination of \$5,000 or any integral multiple thereof.

This Note shall not be valid or obligatory for any purpose until the Certificate of Authentication hereon shall have been signed by the Fiscal Agent.

No delay or omission on the part of the owner hereof to exercise any right hereunder shall impair such right or be considered as a waiver thereof or as a waiver of or acquiescence in any default hereunder.

IN WITNESS WHEREOF, the City of Franklin, Milwaukee County, Wisconsin, by its governing body, has caused this Note to be executed for it and in its name by the manual or facsimile signatures of its duly qualified Mayor and City Clerk; and to be sealed with its official or corporate seal, if any, all as of the original date of issue specified above.

CITY OF FRANKLIN
MILWAUKEE COUNTY, WISCONSIN

By: _____
John Nelson
Mayor

(SEAL)

By: _____
Karen Kastenson
City Clerk

Date of Authentication: _____, _____

CERTIFICATE OF AUTHENTICATION

This Note is one of the Notes of the issue authorized by the within-mentioned resolution of the City of Franklin, Milwaukee County, Wisconsin.

**BOND TRUST SERVICES
CORPORATION,
ROSEVILLE, MINNESOTA**

By _____
Authorized Signatory

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto

(Name and Address of Assignee)

(Social Security or other Identifying Number of Assignee)

the within Note and all rights thereunder and hereby irrevocably constitutes and appoints _____, Legal Representative, to transfer said Note on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

Signature Guaranteed:

(e.g. Bank, Trust Company
or Securities Firm)

(Depository or Nominee Name)

NOTICE: This signature must correspond with the name of the Depository or Nominee Name as it appears upon the face of the within Note in every particular, without alteration or enlargement or any change whatever.

(Authorized Officer)

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<p style="text-align: center;">APPROVAL</p> <p style="text-align: center;"><i>[Signature]</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;">Nov. 7, 2023</p>
<p style="text-align: center;">REPORTS & RECOMMENDATIONS</p>	<p style="text-align: center;">RESOLUTION AWARDING THE SALE OF \$6,055,000 GENERAL OBLIGATION CORPORATE PURPOSE BONDS, SERIES 2023A</p>	<p style="text-align: center;">ITEM NUMBER</p> <p style="text-align: center;">G.3.</p>

Analysis

On September 19, 2023, the Common Council approved Resolution 2023-8048 authorizing the Sale of approximately \$6,055,000 General Obligation Corporate Purpose Bonds, Series 2023A.

These Bonds are appropriated for two separate purposes. One purpose for this bond is to fund the Water System Project. The other purpose for this bond is to fund a cold storage facility for the Department of Public Works.

Staff notes that the Water Tower Project will be out for bid before the end of the year.

In preparation of the sale, Moody's affirmed the City's debt rating at Aa2 on November 1, 2023.

Staff has worked with the City's Financial Advisor, Ehlers, and Disclosure Council, Quarles & Brady LLC, in preparation of the Preliminary Official Statement to market the securities.

The sale was competitively bid on the morning of November 7, 2023. Results of the sale will be presented at the meeting.

Quarles & Brady prepared a draft Council Resolution awarding the sale for review. An updated resolution based on the results of the sale will be presented at the meeting for adoption. The draft resolution is attached.

Our Financial Advisor for this transaction is Ehlers & Associates, LLC, represented by Todd Taves. Todd Taves & Ariana Schmidt will be in attendance to describe the Sale Report.

COUNCIL ACTION REQUESTED

Motion to adopt Resolution No. 2023 - _____ a resolution awarding the sale of \$6,055,000 General Obligation Corporate Purpose Bonds, Series 2021A.

Finance Dept. - DB

STATE OF WISCONSIN: CITY OF FRANKLIN: MILWAUKEE COUNTY

RESOLUTION NO. _____

RESOLUTION AWARDED THE SALE OF \$6,055,000
GENERAL OBLIGATION CORPORATE PURPOSE BONDS, SERIES 2023A

WHEREAS, on September 19, 2023, the Common Council of the City of Franklin, Milwaukee County, Wisconsin (the "City") adopted initial resolutions (the "Initial Resolutions") authorizing the issuance of general obligation bonds in an amount not to exceed (a) \$3,020,000 for the public purpose of paying the cost of buildings for the housing of machinery and equipment and (b) \$3,035,000 for the public purpose of paying the cost of water system projects (collectively, the "Project");

WHEREAS, pursuant to the provisions of Section 67.05, Wisconsin Statutes, within 15 days following the adoption of the Initial Resolutions, the City Clerk caused a notice to electors to be published in the South Now, stating the purpose and maximum principal amount of the bond issues authorized by the Initial Resolutions and describing the opportunity and procedure for submitting a petition requesting a referendum on the bond issues authorized by the Initial Resolutions;

WHEREAS, no petition for referendum has been filed with the City Clerk, and the time to file such a petition has expired;

WHEREAS, on September 19, 2023, the Common Council of the City also adopted a resolution (the "Set Sale Resolution"), providing that the general obligation bond issues authorized by the Initial Resolutions be combined, issued and sold as a single issue of bonds designated as "General Obligation Corporate Purpose Bonds, Series 2023A" (the "Bonds") for the purpose of paying the cost of the Project;

WHEREAS, pursuant to the Set Sale Resolution, the City has directed Ehlers & Associates, Inc. ("Ehlers") to take the steps necessary to sell the Bonds to pay the cost of the Project;

WHEREAS, Ehlers, in consultation with the officials of the City, prepared a Notice of Sale (a copy of which is attached hereto as Exhibit A and incorporated herein by this reference) setting forth the details of and the bid requirements for the Bonds and indicating that the Bonds would be offered for public sale on November 7, 2023;

WHEREAS, the City Clerk (in consultation with Ehlers) caused a form of notice of the sale to be published and/or announced and caused the Notice of Sale to be distributed to potential bidders offering the Bonds for public sale on November 7, 2023;

WHEREAS, the City has duly received bids for the Bonds as described on the Bid Tabulation attached hereto as Exhibit B and incorporated herein by this reference (the "Bid Tabulation");

WHEREAS, it has been determined that the bid proposal (the "Proposal") submitted by the financial institution listed first on the Bid Tabulation fully complies with the bid requirements set forth in the Notice of Sale and is deemed to be the most advantageous to the City. Ehlers has recommended that the City accept the Proposal. A copy of said Proposal submitted by such institution (the "Purchaser") is attached hereto as Exhibit C and incorporated herein by this reference; and

WHEREAS, the Common Council now deems it necessary, desirable and in the best interest of the City that the Bonds be issued in the aggregate principal amount of \$ _____ for the following public purposes and in the following amounts: \$ _____ for buildings for the housing of machinery and equipment and \$ _____ for water system projects.

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

Section 1. Ratification of the Notice of Sale and Offering Materials. The Common Council hereby ratifies and approves the details of the Bonds set forth in Exhibit A attached hereto as and for the details of the Bonds. The Notice of Sale and any other offering materials prepared and circulated by Ehlers are hereby ratified and approved in all respects. All actions taken by officers of the City and Ehlers in connection with the preparation and distribution of the Notice of Sale, and any other offering materials are hereby ratified and approved in all respects.

Section 1A. Award of the Bonds. For the purpose of paying the cost of the Project, there shall be borrowed pursuant to Section 67.04, Wisconsin Statutes and the Initial Resolutions, the principal sum of SIX MILLION FIFTY-FIVE THOUSAND DOLLARS (\$6,055,000) from the Purchaser in accordance with the terms and conditions of the Proposal. The Proposal of the Purchaser offering to purchase the Bonds for the sum set forth on the Proposal, plus accrued interest to the date of delivery, resulting in a true interest cost as set forth on the Proposal, is hereby accepted. The Mayor and City Clerk or other appropriate officers of the City are authorized and directed to execute an acceptance of the Proposal on behalf of the City. The good faith deposit of the Purchaser shall be applied in accordance with the Notice of Sale, and any good faith deposits submitted by unsuccessful bidders shall be promptly returned. The Bonds shall bear interest at the rates set forth on the Proposal.

Section 2. Terms of the Bonds. The Bonds shall be designated "General Obligation Corporate Purpose Bonds, Series 2023A"; shall be issued in the aggregate principal amount of \$6,055,000; shall be dated November 28, 2023; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered R-1 and upward; and shall bear interest at the rates per annum and mature on March 1 of each year, in the years and principal amounts as set forth on the Pricing Summary attached hereto as Exhibit D-1 and incorporated herein by this reference. Interest shall be payable semi-annually on March 1 and September 1 of each year commencing on March 1, 2024. Interest shall be computed upon the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to the rules of the Municipal Securities

Rulemaking Board. The schedule of principal and interest payments due on the Bonds is set forth on the Debt Service Schedule attached hereto as Exhibit D-2 and incorporated herein by this reference (the "Schedule").

Section 3. Redemption Provisions. The Bonds maturing on March 1, 2034 and thereafter shall be subject to redemption prior to maturity, at the option of the City, on March 1, 2033 or on any date thereafter. Said Bonds shall be redeemable as a whole or in part, and if in part, from maturities selected by the City, and within each maturity by lot, at the principal amount thereof, plus accrued interest to the date of redemption.

[The Proposal specifies that certain of the Bonds shall be subject to mandatory redemption. The terms of such mandatory redemption are set forth on an attachment hereto as Exhibit MRP and incorporated herein by this reference. Upon the optional redemption of any of the Bonds subject to mandatory redemption, the principal amount of such Bonds so redeemed shall be credited against the mandatory redemption payments established in Exhibit MRP for such Bonds in such manner as the City shall direct.]

Section 4. Form of the Bonds. The Bonds shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as Exhibit E and incorporated herein by this reference.

Section 5. Tax Provisions.

(A) Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Bonds as the same becomes due, the full faith, credit and resources of the City are hereby irrevocably pledged, and there is hereby levied upon all of the taxable property of the City a direct annual irrepealable tax in the years 2023 through 2042 for the payments due in the years 2024 through 2043 in the amounts set forth on the Schedule.

(B) Tax Collection. So long as any part of the principal of or interest on the Bonds remains unpaid, the City shall be and continue without power to repeal such levy or obstruct the collection of said tax until all such payments have been made or provided for. After the issuance of the Bonds, said tax shall be, from year to year, carried onto the tax roll of the City and collected in addition to all other taxes and in the same manner and at the same time as other taxes of the City for said years are collected, except that the amount of tax carried onto the tax roll may be reduced in any year by the amount of any surplus money in the Debt Service Fund Account created below.

(C) Additional Funds. If at any time there shall be on hand insufficient funds from the aforesaid tax levy to meet principal and/or interest payments on said Bonds when due, the requisite amounts shall be paid from other funds of the City then available, which sums shall be replaced upon the collection of the taxes herein levied.

Section 6. Segregated Debt Service Fund Account.

(A) Creation and Deposits. There shall be and there hereby is established in the treasury of the City, if one has not already been created, a debt service fund, separate and distinct from every other fund, which shall be maintained in accordance with generally accepted accounting principles. Debt service or sinking funds established for obligations previously issued by the City may be considered as separate and distinct accounts within the debt service fund.

Within the debt service fund, there hereby is established a separate and distinct account designated as the "Debt Service Fund Account for General Obligation Corporate Purpose Bonds, Series 2023A" (the "Debt Service Fund Account") and such account shall be maintained until the indebtedness evidenced by the Bonds is fully paid or otherwise extinguished. There shall be deposited into the Debt Service Fund Account (i) all accrued interest received by the City at the time of delivery of and payment for the Bonds; (ii) any premium which may be received by the City above the par value of the Bonds and accrued interest thereon; (iii) all money raised by the taxes herein levied and any amounts appropriated for the specific purpose of meeting principal of and interest on the Bonds when due; (iv) such other sums as may be necessary at any time to pay principal of and interest on the Bonds when due; (v) surplus monies in the Borrowed Money Fund as specified below; and (vi) such further deposits as may be required by Section 67.11, Wisconsin Statutes.

(B) Use and Investment. No money shall be withdrawn from the Debt Service Fund Account and appropriated for any purpose other than the payment of principal of and interest on the Bonds until all such principal and interest has been paid in full and the Bonds canceled; provided (i) the funds to provide for each payment of principal of and interest on the Bonds prior to the scheduled receipt of taxes from the next succeeding tax collection may be invested in direct obligations of the United States of America maturing in time to make such payments when they are due or in other investments permitted by law; and (ii) any funds over and above the amount of such principal and interest payments on the Bonds may be used to reduce the next succeeding tax levy, or may, at the option of the City, be invested by purchasing the Bonds as permitted by and subject to Section 67.11(2)(a), Wisconsin Statutes, or in permitted municipal investments under the pertinent provisions of the Wisconsin Statutes ("Permitted Investments"), which investments shall continue to be a part of the Debt Service Fund Account. Any investment of the Debt Service Fund Account shall at all times conform with the provisions of the Internal Revenue Code of 1986, as amended (the "Code") and any applicable Treasury Regulations (the "Regulations").

(C) Remaining Monies. When all of the Bonds have been paid in full and canceled, and all Permitted Investments disposed of, any money remaining in the Debt Service Fund Account shall be transferred and deposited in the general fund of the City, unless the Common Council directs otherwise.

Section 7. Proceeds of the Bonds; Segregated Borrowed Money Fund. The proceeds of the Bonds (the "Bond Proceeds") (other than any premium and accrued interest which must be paid at the time of the delivery of the Bonds into the Debt Service Fund Account created above) shall be deposited into a special fund (the "Borrowed Money Fund") separate and distinct from all other funds of the City and disbursed solely for the purpose or purposes for which borrowed. Monies in the Borrowed Money Fund may be temporarily invested in Permitted Investments. Any monies, including any income from Permitted Investments, remaining in the Borrowed Money Fund after the purpose or purposes for which the Bonds have been issued have been accomplished, and, at any time, any monies as are not needed and which obviously thereafter cannot be needed for such purpose(s) shall be deposited in the Debt Service Fund Account.

Section 8. No Arbitrage. All investments made pursuant to this Resolution shall be Permitted Investments, but no such investment shall be made in such a manner as would cause the Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Code or the Regulations and an officer of the City, charged with the responsibility for issuing the Bonds, shall certify as to facts, estimates, circumstances and reasonable expectations in existence on the date of delivery of the Bonds to the Purchaser which will permit the conclusion that the Bonds are not "arbitrage bonds," within the meaning of the Code or Regulations.

Section 9. Compliance with Federal Tax Laws. (a) The City represents and covenants that the projects financed by the Bonds and the ownership, management and use of the projects will not cause the Bonds to be "private activity bonds" within the meaning of Section 141 of the Code. The City further covenants that it shall comply with the provisions of the Code to the extent necessary to maintain the tax-exempt status of the interest on the Bonds including, if applicable, the rebate requirements of Section 148(f) of the Code. The City further covenants that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Bonds) if taking, permitting or omitting to take such action would cause any of the Bonds to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause interest on the Bonds to be included in the gross income of the recipients thereof for federal income tax purposes. The City Clerk or other officer of the City charged with the responsibility of issuing the Bonds shall provide an appropriate certificate of the City certifying that the City can and covenanting that it will comply with the provisions of the Code and Regulations.

(b) The City also covenants to use its best efforts to meet the requirements and restrictions of any different or additional federal legislation which may be made applicable to the Bonds provided that in meeting such requirements the City will do so only to the extent consistent with the proceedings authorizing the Bonds and the laws of the State of Wisconsin and to the extent that there is a reasonable period of time in which to comply.

Section 10. Designation as Qualified Tax-Exempt Obligations. The Bonds are hereby designated as "qualified tax-exempt obligations" for purposes of Section 265 of the Code, relating to the ability of financial institutions to deduct from income for federal income tax purposes, interest expense that is allocable to carrying and acquiring tax-exempt obligations.

Section 11. Execution of the Bonds; Closing; Professional Services. The Bonds shall be issued in printed form, executed on behalf of the City by the manual or facsimile signatures of the Mayor and City Clerk, authenticated, if required, by the Fiscal Agent (defined below), sealed with its official or corporate seal, if any, or a facsimile thereof, and delivered to the Purchaser upon payment to the City of the purchase price thereof, plus accrued interest to the date of delivery (the "Closing"). The facsimile signature of either of the officers executing the Bonds may be imprinted on the Bonds in lieu of the manual signature of the officer but, unless the City has contracted with a fiscal agent to authenticate the Bonds, at least one of the signatures appearing on each Bond shall be a manual signature. In the event that either of the officers whose signatures appear on the Bonds shall cease to be such officers before the Closing, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until the Closing. The aforesaid officers are hereby authorized and directed to do all acts and execute and deliver the Bonds and all such documents, certificates and acknowledgements as may be necessary and convenient to effectuate the Closing. The City hereby authorizes the officers and agents of the City to enter into, on its behalf, agreements and contracts in conjunction with the Bonds, including but not limited to agreements and contracts for legal, trust, fiscal agency, disclosure and continuing disclosure, and rebate calculation services. Any such contract heretofore entered into in conjunction with the issuance of the Bonds is hereby ratified and approved in all respects.

Section 12. Payment of the Bonds; Fiscal Agent. The principal of and interest on the Bonds shall be paid by Bond Trust Services Corporation, Roseville, Minnesota, which is hereby appointed as the City's registrar and fiscal agent pursuant to the provisions of Section 67.10(2), Wisconsin Statutes (the "Fiscal Agent"). The City hereby authorizes the Mayor and City Clerk or other appropriate officers of the City to enter into a Fiscal Agency Agreement between the City and the Fiscal Agent. Such contract may provide, among other things, for the performance by the Fiscal Agent of the functions listed in Wis. Stats. Sec. 67.10(2)(a) to (j), where applicable, with respect to the Bonds.

Section 13. Persons Treated as Owners; Transfer of Bonds. The City shall cause books for the registration and for the transfer of the Bonds to be kept by the Fiscal Agent. The person in whose name any Bond shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Bond shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid.

Any Bond may be transferred by the registered owner thereof by surrender of the Bond at the office of the Fiscal Agent, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the Mayor and City Clerk shall execute and deliver in the name of the transferee or transferees a new Bond or Bonds of a like aggregate principal amount, series and maturity and the Fiscal Agent shall record the name of each transferee in the registration book. No registration shall be made to bearer. The Fiscal Agent shall cancel any Bond surrendered for transfer.

The City shall cooperate in any such transfer, and the Mayor and City Clerk are authorized to execute any new Bond or Bonds necessary to effect any such transfer.

Section 14. Record Date. The 15th day of the calendar month next preceding each interest payment date shall be the record date for the Bonds (the "Record Date"). Payment of interest on the Bonds on any interest payment date shall be made to the registered owners of the Bonds as they appear on the registration book of the City at the close of business on the Record Date.

Section 15. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Bonds eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the City agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations, which the City Clerk or other authorized representative of the City is authorized and directed to execute and deliver to DTC on behalf of the City to the extent an effective Blanket Issuer Letter of Representations is not presently on file in the City Clerk's office.

Section 16. Payment of Issuance Expenses. The City authorizes the Purchaser to forward the amount of the proceeds of the Bonds allocable to the payment of issuance expenses to a financial institution selected by Ehlers at Closing for further distribution as directed by Ehlers. The remaining proceeds shall be forwarded for deposit into the City's account with American Deposit Management or such other financial institution as may be directed by the Finance Director.

Section 17. Official Statement. The Common Council hereby approves the Preliminary Official Statement with respect to the Bonds and deems the Preliminary Official Statement as "final" as of its date for purposes of SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule"). All actions taken by officers of the City in connection with the preparation of such Preliminary Official Statement and any addenda to it or final Official Statement are hereby ratified and approved. In connection with the Closing, the appropriate City official shall certify the Preliminary Official Statement and any addenda or final Official Statement. The City Clerk shall cause copies of the Preliminary Official Statement and any addenda or final Official Statement to be distributed to the Purchaser.

Section 18. Undertaking to Provide Continuing Disclosure. The City hereby covenants and agrees, for the benefit of the owners of the Bonds, to enter into a written undertaking (the "Undertaking") if required by the Rule to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. The Undertaking shall be enforceable by the owners of the Bonds or by the Purchaser on behalf of such owners (provided that the rights of the owners and the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations thereunder and any failure by the City to comply with the provisions of the Undertaking shall not be an event of default with respect to the Bonds).

To the extent required under the Rule, the Mayor and City Clerk, or other officer of the City charged with the responsibility for issuing the Bonds, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the City's Undertaking.

Section 19. Record Book. The City Clerk shall provide and keep the transcript of proceedings as a separate record book (the "Record Book") and shall record a full and correct statement of every step or proceeding had or taken in the course of authorizing and issuing the Bonds in the Record Book.

Section 20. Bond Insurance. If the Purchaser determines to obtain municipal bond insurance with respect to the Bonds, the officers of the City are authorized to take all actions necessary to obtain such municipal bond insurance. The Mayor and City Clerk are authorized to agree to such additional provisions as the bond insurer may reasonably request and which are acceptable to the Mayor and City Clerk including provisions regarding restrictions on investment of Bond proceeds, the payment procedure under the municipal bond insurance policy, the rights of the bond insurer in the event of default and payment of the Bonds by the bond insurer and notices to be given to the bond insurer. In addition, any reference required by the bond insurer to the municipal bond insurance policy shall be made in the form of Bond provided herein.

Section 21. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the Common Council or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

Introduced at a regular meeting of the Common Council of the City of Franklin this 7th day of November, 2023.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this 7th day of November, 2023.

John Nelson
Mayor

ATTEST:

Karen Kastenson
City Clerk

(SEAL)

AYES ___ NOES ___ ABSENT ___

EXHIBIT A

Notice of Sale

To be provided by Ehlers & Associates, Inc. and incorporated into the Resolution.

(See Attached)

EXHIBIT B

Bid Tabulation

To be provided by Ehlers & Associates, Inc. and incorporated into the Resolution.

(See Attached)

EXHIBIT C

Winning Bid

To be provided by Ehlers & Associates, Inc. and incorporated into the Resolution.

(See Attached)

EXHIBIT D-1

Pricing Summary

To be provided by Ehlers & Associates, Inc. and incorporated into the Resolution.

(See Attached)

EXHIBIT D-2

Debt Service Schedule and Irrepealable Tax Levies

To be provided by Ehlers & Associates, Inc. and incorporated into the Resolution.

(See Attached)

[EXHIBIT MRP

Mandatory Redemption Provision

The Bonds due on March 1, _____, _____ and _____ (the "Term Bonds") are subject to mandatory redemption prior to maturity by lot (as selected by the Depository) at a redemption price equal to One Hundred Percent (100%) of the principal amount to be redeemed plus accrued interest to the date of redemption, from debt service fund deposits which are required to be made in amounts sufficient to redeem on March 1 of each year the respective amount of Term Bonds specified below:

For the Term Bonds Maturing on March 1, _____

<u>Redemption</u> <u>Date</u>	<u>Amount</u>
_____	\$ _____
_____	_____ (maturity)
_____	_____ (maturity)

For the Term Bonds Maturing on March 1, _____

<u>Redemption</u> <u>Date</u>	<u>Amount</u>
_____	\$ _____
_____	_____ (maturity)
_____	_____ (maturity)

For the Term Bonds Maturing on March 1, _____

<u>Redemption</u> <u>Date</u>	<u>Amount</u>
_____	\$ _____
_____	_____ (maturity)
_____	_____ (maturity)

For the Term Bonds Maturing on March 1, _____

<u>Redemption</u> <u>Date</u>	<u>Amount</u>
_____	\$ _____
_____	_____ (maturity)]
_____	_____ (maturity)]

EXHIBIT E

(Form of Bond)

REGISTERED	UNITED STATES OF AMERICA	DOLLARS
	STATE OF WISCONSIN	
	MILWAUKEE COUNTY	
NO. R-_____	CITY OF FRANKLIN	\$_____
GENERAL OBLIGATION CORPORATE PURPOSE BOND, SERIES 2023A		

MATURITY DATE:	ORIGINAL DATE OF ISSUE:	INTEREST RATE:	CUSIP:
March 1, _____	November 28, 2023	_____%	_____

DEPOSITORY OR ITS NOMINEE NAME: CEDE & CO.

PRINCIPAL AMOUNT: _____ THOUSAND DOLLARS
(\$ _____)

FOR VALUE RECEIVED, the City of Franklin, Milwaukee County, Wisconsin (the "City"), hereby acknowledges itself to owe and promises to pay to the Depository or its Nominee Name (the "Depository") identified above (or to registered assigns), on the maturity date identified above, the principal amount identified above, and to pay interest thereon at the rate of interest per annum identified above, all subject to the provisions set forth herein regarding redemption prior to maturity. Interest shall be payable semi-annually on March 1 and September 1 of each year commencing on March 1, 2024 until the aforesaid principal amount is paid in full. Both the principal of and interest on this Bond are payable to the registered owner in lawful money of the United States. Interest payable on any interest payment date shall be paid by wire transfer to the Depository in whose name this Bond is registered on the Bond Register maintained by Bond Trust Services Corporation, Roseville, Minnesota (the "Fiscal Agent") or any successor thereto at the close of business on the 15th day of the calendar month next preceding each interest payment date (the "Record Date"). This Bond is payable as to principal upon presentation and surrender hereof at the office of the Fiscal Agent.

For the prompt payment of this Bond together with interest hereon as aforesaid and for the levy of taxes sufficient for that purpose, the full faith, credit and resources of the City are hereby irrevocably pledged.

This Bond is one of an issue of Bonds aggregating the principal amount of \$_____, all of which are of like tenor, except as to denomination, interest rate, maturity date and redemption provision, issued by the City pursuant to the provisions of Section 67.04, Wisconsin Statutes, in an amount of \$_____ for the public purpose of paying the cost of buildings for the housing of machinery and equipment and \$_____ for the public purpose of paying the cost of water system projects, as authorized by resolutions adopted on September 19, 2023 and

November 7, 2023. Said resolutions are recorded in the official minutes of the Common Council for said dates.

The Bonds maturing on March 1, 2034 and thereafter are subject to redemption prior to maturity, at the option of the City, on March 1, 2033 or on any date thereafter. Said Bonds are redeemable as a whole or in part, and if in part, from maturities selected by the City, and within each maturity by lot (as selected by the Depository), at the principal amount thereof, plus accrued interest to the date of redemption.

[The Bonds maturing in the years _____ are subject to mandatory redemption by lot as provided in the resolutions referred to above, at the redemption price of par plus accrued interest to the date of redemption and without premium.]

In the event the Bonds are redeemed prior to maturity, as long as the Bonds are in book-entry-only form, official notice of the redemption will be given by mailing a notice by registered or certified mail, overnight express delivery, facsimile transmission, electronic transmission or in any other manner required by the Depository, to the Depository not less than thirty (30) days nor more than sixty (60) days prior to the redemption date. If less than all of the Bonds of a maturity are to be called for redemption, the Bonds of such maturity to be redeemed will be selected by lot. Such notice will include but not be limited to the following: the designation, date and maturities of the Bonds called for redemption, CUSIP numbers, and the date of redemption. Any notice provided as described herein shall be conclusively presumed to have been duly given, whether or not the registered owner receives the notice. The Bonds shall cease to bear interest on the specified redemption date provided that federal or other immediately available funds sufficient for such redemption are on deposit at the office of the Depository at that time. Upon such deposit of funds for redemption the Bonds shall no longer be deemed to be outstanding.

It is hereby certified and recited that all conditions, things and acts required by law to exist or to be done prior to and in connection with the issuance of this Bond have been done, have existed and have been performed in due form and time; that the aggregate indebtedness of the City, including this Bond and others issued simultaneously herewith, does not exceed any limitation imposed by law or the Constitution of the State of Wisconsin; and that a direct annual irrepealable tax has been levied sufficient to pay this Bond, together with the interest thereon, when and as payable.

This Bond has been designated by the Common Council as a "qualified tax-exempt obligation" pursuant to the provisions of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.

This Bond is transferable only upon the books of the City kept for that purpose at the office of the Fiscal Agent, only in the event that the Depository does not continue to act as depository for the Bonds, and the City appoints another depository, upon surrender of the Bond to the Fiscal Agent, by the registered owner in person or his duly authorized attorney, together with a written instrument of transfer (which may be endorsed hereon) satisfactory to the Fiscal Agent duly executed by the registered owner or his duly authorized attorney. Thereupon a new

fully registered Bond in the same aggregate principal amount shall be issued to the new depository in exchange therefor and upon the payment of a charge sufficient to reimburse the City for any tax, fee or other governmental charge required to be paid with respect to such registration. The Fiscal Agent shall not be obliged to make any transfer of the Bonds (i) after the Record Date, (ii) during the fifteen (15) calendar days preceding the date of any publication of notice of any proposed redemption of the Bonds, or (iii) with respect to any particular Bond, after such Bond has been called for redemption. The Fiscal Agent and City may treat and consider the Depository in whose name this Bond is registered as the absolute owner hereof for the purpose of receiving payment of, or on account of, the principal or redemption price hereof and interest due hereon and for all other purposes whatsoever. The Bonds are issuable solely as negotiable, fully-registered Bonds without coupons in the denomination of \$5,000 or any integral multiple thereof.

This Bond shall not be valid or obligatory for any purpose until the Certificate of Authentication hereon shall have been signed by the Fiscal Agent.

No delay or omission on the part of the owner hereof to exercise any right hereunder shall impair such right or be considered as a waiver thereof or as a waiver of or acquiescence in any default hereunder.

IN WITNESS WHEREOF, the City of Franklin, Milwaukee County, Wisconsin, by its governing body, has caused this Bond to be executed for it and in its name by the manual or facsimile signatures of its duly qualified Mayor and City Clerk; and to be sealed with its official or corporate seal, if any, all as of the original date of issue specified above.

CITY OF FRANKLIN
MILWAUKEE COUNTY, WISCONSIN

By: _____
John Nelson
Mayor

(SEAL)

By: _____
Karen Kastenson
City Clerk

Date of Authentication: _____, _____

CERTIFICATE OF AUTHENTICATION

This Bond is one of the Bonds of the issue authorized by the within-mentioned resolutions of the City of Franklin, Milwaukee County, Wisconsin.

**BOND TRUST SERVICES
CORPORATION,
ROSEVILLE, MINNESOTA**

By _____
Authorized Signatory

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned sells, assigns and transfers unto

(Name and Address of Assignee)

(Social Security or other Identifying Number of Assignee)

the within Bond and all rights thereunder and hereby irrevocably constitutes and appoints _____, Legal Representative, to transfer said Bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

Signature Guaranteed:

(e.g. Bank, Trust Company
or Securities Firm)

(Depository or Nominee Name)

NOTICE: This signature must correspond with the name of the Depository or Nominee Name as it appears upon the face of the within Bond in every particular, without alteration or enlargement or any change whatever.

(Authorized Officer)

CREDIT OPINION

1 November 2023


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CLIENT SERVICES

Amencas 1-212-553-1653
 Asia Pacific 852-3551-3077
 Japan 81 3-5408-4100
 EMEA 44-20-7772-5454

City of Franklin, WI
Update to credit analysis
Summary

Franklin (Aa2) is favorably located within the Milwaukee (A3 stable) metropolitan area. Its continued economic development will support tax base growth and, by extension, property tax revenue. The city's overall financial profile is healthy with solid reserves driven by prudent budgetary management despite strict levy limits. Long-term liabilities are moderate and adjusted fixed costs are modest.

Credit strengths

- » Healthy operating reserves
- » Solid resident income and full value per capita

Credit challenges

- » Limited revenue-raising flexibility because of state-imposed levy limits
- » GDP growth of the MSA lags the nation

Rating outlook

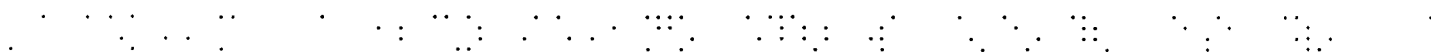
Moody's does not typically assign outlooks to local governments with this amount of debt.

Factors that could lead to an upgrade

- » Maintenance of robust reserves

Factors that could lead to a downgrade

- » Material narrowing of reserves or liquidity
- » Notable growth in long-term leverage



Key indicators

Exhibit 1

Franklin (City of) WI

	2019	2020	2021	2022	Aa Medians
Economy					
Resident income ratio (%)	134 6%	130 5%	136 3%	N/A	115 0%
Full Value (\$000)	\$4,360,269	\$4,587,753	\$4,887,373	\$5,423,303	\$2,649,338
Population	36,064	36,013	36,685	N/A	22,694
Full value per capita (\$)	\$120,904	\$127,392	\$133,225	N/A	\$108,666
Economic growth metric (%)	N/A	-1 3%	-1 2%	N/A	-0 5%
Financial Performance					
Revenue (\$000)	\$52,524	\$52,443	\$55,301	\$64,611	\$48,404
Available fund balance (\$000)	\$22,072	\$21,451	\$30,040	\$26,930	\$24,069
Net unrestricted cash (\$000)	\$56,999	\$39,815	\$64,926	\$73,412	\$32,092
Available fund balance ratio (%)	42 0%	40 9%	54 3%	41 7%	51 0%
Liquidity ratio (%)	108 5%	75 9%	117 4%	113 6%	69 0%
Leverage					
Debt (\$000)	\$71,870	\$68,167	\$73,148	\$68,710	\$34,496
Adjusted net pension liabilities (\$000)	\$37,144	\$52,901	\$74,616	\$74,490	\$55,543
Adjusted net OPEB liabilities (\$000)	\$4,487	\$4,357	\$738	\$1,782	\$6,316
Other long-term liabilities (\$000)	\$2,300	\$2,512	\$2,400	\$2,152	\$1,623
Long-term liabilities ratio (%)	220 5%	244 0%	272 9%	227 7%	244 8%
Fixed costs					
Implied debt service (\$000)	\$3,675	\$5,240	\$4,882	\$5,131	\$2,436
Pension tread water contribution (\$000)	\$1,345	\$857	\$722	N/A	\$1,565
OPEB contributions (\$000)	\$377	\$720	\$374	\$373	\$178
Implied cost of other long-term liabilities (\$000)	\$159	\$168	\$180	\$168	\$109
Fixed-costs ratio (%)	10 6%	13 3%	111%	9 9%	111%

For definitions of the metrics in the table above please refer to the [US Cities and Counties Methodology](#) or see the Glossary in the Appendix below. Metrics represented as N/A indicate the data were not available at the time of publication. The medians come from our most recently published [US Cities and Counties Median Report](#).

The Economic Growth metric cited above compares the five-year CAGR of real GDP for Milwaukee-Waukesha, WI Metropolitan Statistical Area to the five-year CAGR of real GDP for the US.

Sources: US Census Bureau, Franklin (City of) WI's financial statements and Moody's Investors Service, US Bureau of Economic Analysis.

Profile

The city of Franklin encompasses 35 square miles in Milwaukee County (Aa3 stable), 10 miles south of the City of Milwaukee. It provides comprehensive municipal services, including public safety, public works and municipal utilities, to over 36,600 residents.

Detailed credit considerations

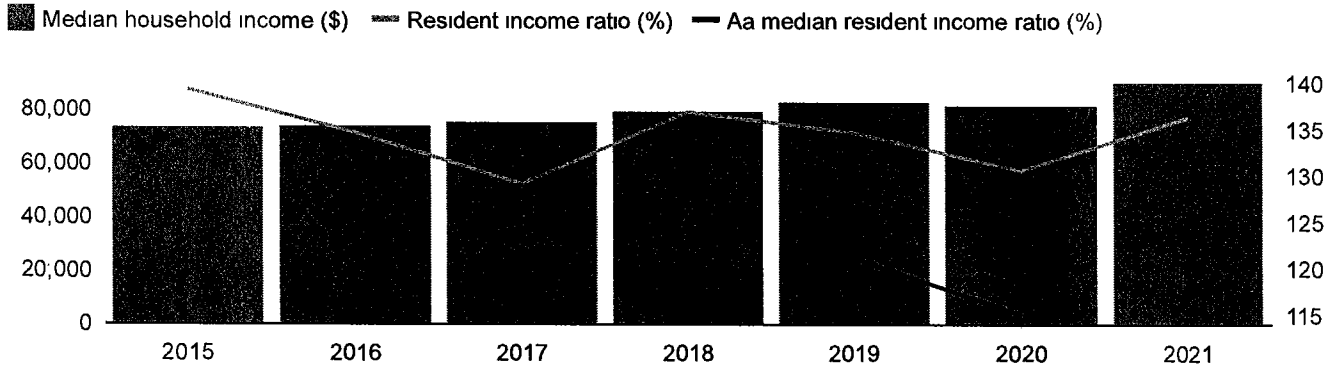
Franklin, WI benefits from a strong financial position with ample liquidity across governmental and business-type activities. The economy will remain stable, given recent growth in building permitting and tax increment districts (TIDs). Among other projects, the city expects to add several new commercial developments, as well as additional residential developments. The city's moderate leverage ratio is slightly below medians, but is not likely to increase in the near-term given limited borrowing plans for capital projects. Adjusted fixed costs are below similarly rated peers.

The city's financial operations are likely to remain strong because of management's conservative budgeting practices and continued economic development. The fiscal 2024 (year-end Dec. 31) budget is essentially balanced. Fiscal 2023 results reports a general fund deficit of about \$2.5 million, which the city plans to use for capital projects. General fund activities comprise roughly 51.8% of total governmental revenue. The city operates a water and sanitary sewer utility that comprises just under 17% of the total revenue base. Fiscal 2022 closed with an available fund balance of \$26.9 million, or 41.7% of total revenue. Unrestricted liquidity across all funds was an even stronger 113.6% of revenue.

This publication does not announce a credit rating action. For any credit ratings referenced in this publication, please see the issuer/deal page on <https://ratings.moodys.com> for the most updated credit rating action information and rating history.

Economy

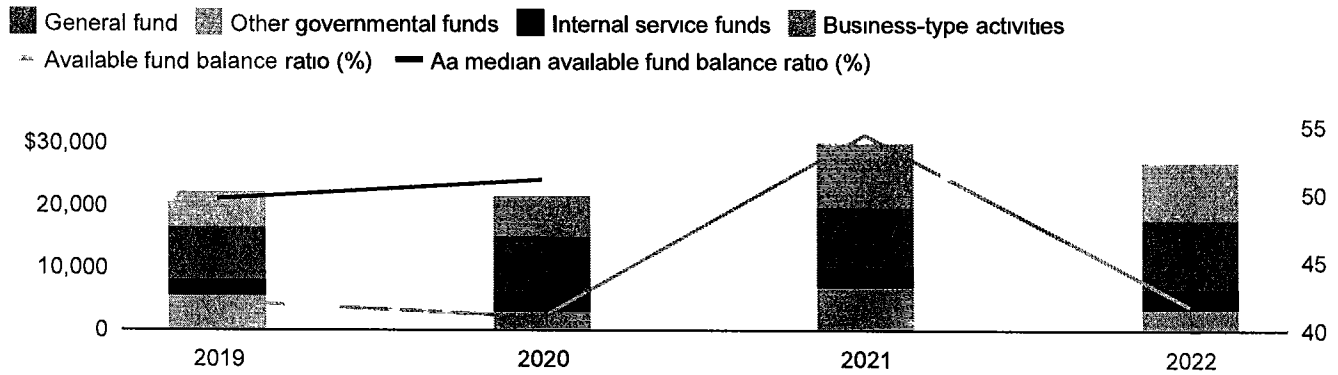
Exhibit 2
Resident Income



Source: Moody's Investors Service

Financial operations

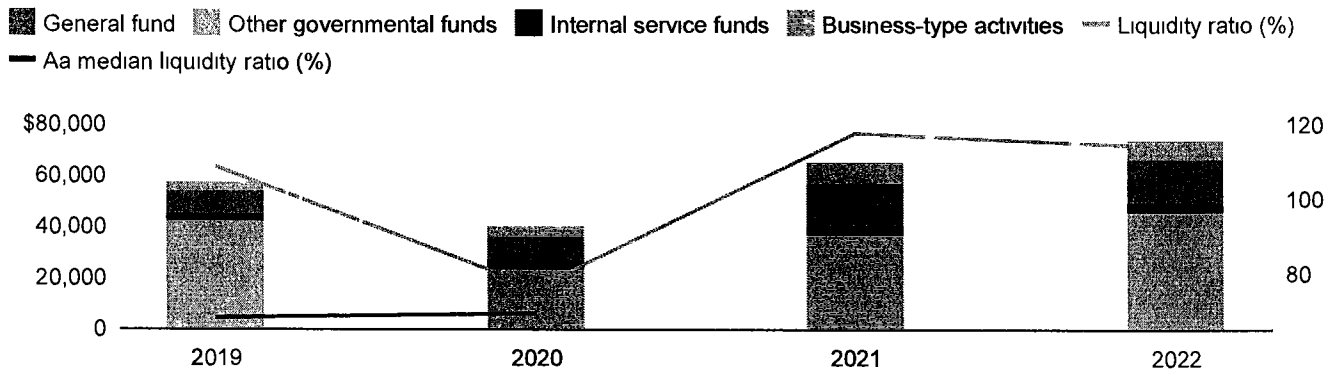
Exhibit 3
Fund Balance



Source: Moody's Investors Service

Liquidity

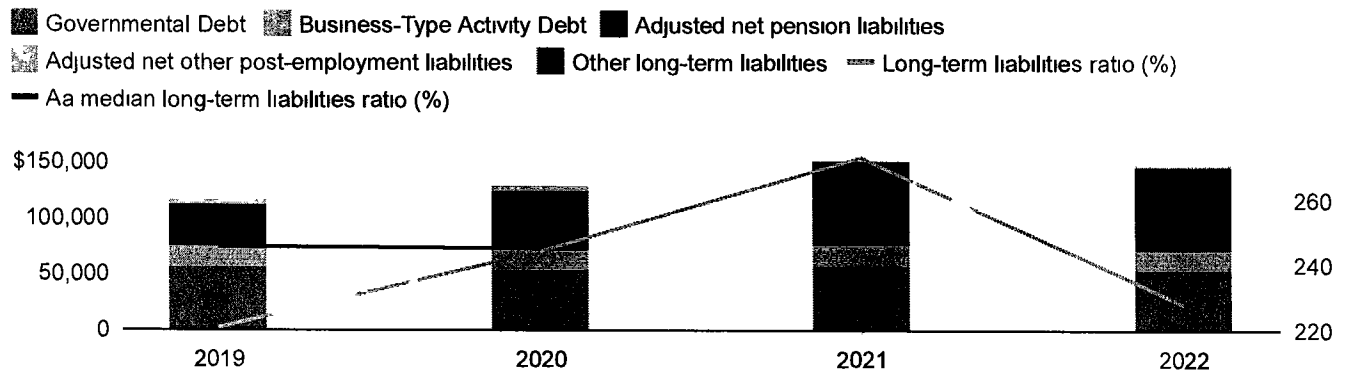
Exhibit 4
Cash



Source: Moody's Investors Service

Leverage

Exhibit 5
Total Primary Government - Long Term Liabilities



Source: Moody's Investors Service

ESG considerations

Environmental

The city's credit profile is not materially affected by environmental considerations. According to data from Moody's Climate on Demand, Franklin is at medium risk of heat stress and water stress compared to other cities nationally. Typically, counties maintains a comprehensive plan for mitigation and response in the event of disaster.

Social

Social considerations such as demographics, labor force, income and education are material considerations that influence the city's economy, demographic, financial and leverage trends. Since the 2010 Census, the city's population has expanded by 3.5% to roughly 36,685 residents. Located 10 miles outside Milwaukee, the city maintains a healthy resident income profile and low poverty rate.

Governance

City management is strong, employing reserve policies and long-term capital planning. Franklin's formal policy to maintain governmental fund balances between 20% and 30% and maintain at least 15% of the succeeding year's budgeted expenditures in working capital.

Wisconsin cities have an institutional framework score of "A," which is moderate. The sector's major revenue source, property tax revenue, is subject to a cap that restricts cities from increasing their operating property tax levies except to capture amounts represented by net new construction growth. Revenue and expenditures tend to be predictable. Across the sector, fixed and mandated costs are generally high. Expenditures are somewhat flexible, as collective bargaining is allowed for public safety employees but is curbed for non-public safety employees. Many municipalities use tax increment districts to attract economic development, often issuing debt to fund initial infrastructure in undeveloped areas. While tax increment districts are ultimately expected to generate revenue sufficient to cover initial city outlay, localities are exposed to economic downturns which could halt development.

Rating methodology and scorecard factors

The US Cities and Counties Rating Methodology includes a scorecard, which summarizes the rating factors generally most important to city and county credit profiles. Because the scorecard is a summary, and may not include every consideration in the credit analysis for a specific issuer, a scorecard-indicated outcome may or may not map closely to the actual rating assigned.

Exhibit 6

Franklin (City of) WI

	Measure	Weight	Score
Economy			
Resident income ratio	136.3%	10.0%	Aaa
Full value per capita	167,073	10.0%	Aa
Economic growth metric	-1.2%	10.0%	A
Financial Performance			
Available fund balance ratio	41.7%	20.0%	Aaa
Liquidity ratio	113.6%	10.0%	Aaa
Institutional Framework			
Institutional Framework	A	10.0%	A
Leverage			
Long-term liabilities ratio	227.7%	20.0%	A
Fixed-costs ratio	9.9%	10.0%	Aaa
Notching factors			
No notchings applied			
Scorecard-Indicated Outcome			Aa2
Assigned Rating			Aa2

The complete list of outstanding ratings assigned to the Franklin (City of) WI is available on their [issuer page](#). Details on the current ESG scores assigned to the Franklin (City of) WI are available on their [ESGView page](#).

Sources: US Census Bureau, Franklin (City of) WI's financial statements and Moody's Investors Service

Appendix

Exhibit 7

Key Indicators Glossary

	Definition	Typical Source*
Economy		
Resident income ratio	Median Household Income (MHI) for the city or county, adjusted for Regional Price Parity (RPP), as a % of the US MHI	MHI US Census Bureau - American Community Survey 5-Year Estimates RPP US Bureau of Economic Analysis
Full value	Estimated market value of taxable property in the city or county	State repositories, audited financial statements, continuing disclosures
Population	Population of the city or county	US Census Bureau - American Community Survey 5-Year Estimates
Full value per capita	Full value / population	
Economic growth metric	Five year CAGR of real GDP for Metropolitan Statistical Area or county minus the five-year CAGR of real GDP for the US	Real GDP US Bureau of Economic Analysis
Financial performance		
Revenue	Sum of revenue from total governmental funds, operating and non-operating revenue from total business-type activities, and non-operating revenue from internal services funds, excluding transfers and one-time revenue, e.g., bond proceeds or capital contributions	Audited financial statements
Available fund balance	Sum of all fund balances that are classified as unassigned, assigned or committed in the total governmental funds, plus unrestricted current assets minus current liabilities from the city's or county's business-type activities and internal services funds	Audited financial statements
Net unrestricted cash	Sum of unrestricted cash in governmental activities, business type activities and internal services fund, net of short-term debt	Audited financial statements
Available fund balance ratio	Available fund balance (including net current assets from business-type activities and internal services funds) / Revenue	
Liquidity ratio	Net unrestricted cash / Revenue	
Leverage		
Debt	Outstanding long-term bonds and all other forms of long-term debt across the governmental and business-type activities, including debt of another entity for which it has provided a guarantee disclosed in its financial statements	Audited financial statements, official statements
Adjusted net pension liabilities (ANPL)	Total primary government's pension liabilities adjusted by Moody's to standardize the discount rate used to compute the present value of accrued benefits	Audited financial statements, Moody's Investors Service
Adjusted net OPEB liabilities (ANOL)	Total primary government's net other post-employment benefit (OPEB) liabilities adjusted by Moody's to standardize the discount rate used to compute the present value of accrued benefits	Audited financial statements, Moody's Investors Service
Other long-term liabilities (OLTL)	Miscellaneous long-term liabilities reported under the governmental and business-type activities entries	Audited financial statements
Long-term liabilities ratio	Debt + ANPL + ANOL + OLTL / Revenue	
Fixed costs		
Implied debt service	Annual cost to amortize city or county's long-term debt over 20 years with level payments	Audited financial statements, official statements, Moody's Investors Service
Pension tread water contribution	Pension contribution necessary to prevent reported unfunded pension liabilities from growing, year over year, in nominal dollars, if all actuarial assumptions are met	Audited financial statements, Moody's Investors Service
OPEB contribution	City or county's actual contribution in a given period	Audited financial statements
Implied cost of OLTL	Annual cost to amortize city or county's other long-term liabilities over 20 years with level payments	Audited financial statements, Moody's Investors Service
Fixed-costs ratio	Implied debt service + Pension tread water + OPEB contributions + Implied cost of OLTL / Revenue	

*Note: If typical data source is not available then alternative sources or proxy data may be considered. For more detailed definitions of the metrics listed above please refer to the [US City and Counties Methodology](#)
Source: Moody's Investors Service

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REPORT NUMBER 1384678

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CLIENT SERVICES

Americas	1-212-553 1653
Asia Pacific	852-3551-3077
Japan	81-3-5408-4100
EMEA	44-20-7772-5454

APPROVAL 	REQUEST FOR COUNCIL ACTION	MEETING DATE 11/07/23
REPORTS & RECOMMENDATIONS	A RESOLUTION CONDITIONALLY APPROVING A 3 LOT CERTIFIED SURVEY MAP, BEING A REDIVISION OF ALL OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 22, TOWNSHIP 5 NORTH, RANGE 21 EAST, CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN; AND ALSO INCLUDING THE NORTH 120 FEET OF THE SOUTH 180 FEET OF THE EAST 200 FEET OF THE WEST 260 FEET OF THE SOUTHWEST 1/4 OF SECTION 22, IN TOWNSHIP 5 NORTH, RANGE 21 EAST, CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN (BY ALEX SCHELER, CARMA LABORATORIES, INC, APPLICANT, CARMA LABORATORIES, INC, PROPERTY OWNER) (9410 S 76TH STREET AND 7520 W RYAN RD)	ITEM NUMBER G.A. Ald. Dist. 1

Carmex Development Application Item 1 of 3

At the October 19, 2023, regular meeting, the Plan Commission carried a motion to recommend approval of this resolution.

The applicant has also requested a Rezoning and Special Use to allow for development of Lot 1 at this location, which are provided under separate Action Sheets. The Plan Commission materials with this resolution refer to these requests as well as the related site plan, as they were reviewed concurrently.

The applicant has provided draft easements for the project, which are under review by staff.

COUNCIL ACTION REQUESTED

A motion to adopt Resolution 2023-_____, conditionally approving a 3 Lot Certified Survey Map, being a redivision of all of the west /2 of the southwest ¼ of Section 22, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin; and also including the north 120 feet of the south 180 of the east 200 feet of the west 260 feet of the southwest ¼ of Section 22, Township 5 North, Range 21 East, City of Franklin, Milwaukee County, Wisconsin (BY ALEX SCHELER, CARMA LABORATORIES, INC, APPLICANT, CARMA LABORATORIES, INC, PROPERTY OWNER) (9410 S 76TH STREET AND 7520 W RYAN RD)

STATE OF WISCONSIN

CITY OF FRANKLIN

MILWAUKEE COUNTY

[Draft 10-12-2023]

RESOLUTION NO. 2023-_____

A RESOLUTION CONDITIONALLY APPROVING A 3 LOT CERTIFIED SURVEY MAP, BEING A REDIVISION OF ALL OF THE WEST 1/2 OF THE SOUTHWEST 1/4 OF SECTION 22, TOWNSHIP 5 NORTH, RANGE 21 EAST, CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN; AND ALSO INCLUDING THE NORTH 120 FEET OF THE SOUTH 180 FEET OF THE EAST 200 FEET OF THE WEST 260 FEET OF THE SOUTHWEST 1/4 OF SECTION 22, IN TOWNSHIP 5 NORTH, RANGE 21 EAST, CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN (BY ALEX SCHELER, CARMA LABORATORIES, INC, APPLICANT, CARMA LABORATORIES, INC, PROPERTY OWNER) (9410 S 76TH STREET AND 7520 W RYAN RD)

WHEREAS, the City of Franklin, Wisconsin, having received an application for approval of a certified survey map, such map being a redivision of all of

PARCEL A: The West 1/2 of the Southwest 1/4 of Section 22, in Township 5 North, Range 21 East in the City of Franklin, County of Milwaukee, State of Wisconsin. Excepting that part conveyed to Milwaukee County by deed recorded as Document No. 2328870 and bounded and described as follows: commencing at the Southwest corner of said 1/4 Section; Running thence North along the west line of said 1/4 Section, 400 feet to a point; thence East on a line to a point 60 feet east of (measured at right angles) the West line of said 1/4 Section; thence South on a line 60 feet east of and parallel with the West line of said 1/4 Section to a point 60 feet North of (measured at right angles) the South line of said 1/4 Section; thence East on a line 60 feet north of and parallel with the South line of said 1/4 Section to a point in the East line of said West 1/2 of the Southwest 1/4 of Section 22; thence South along the East line of said West 1/2 to a point in the South line of said 1/4 Section; thence West along said South line to the Place of Beginning. Also Excepting therefrom those lands conveyed by warranty deed recorded as Document No. 3533054, Warranty Deed recorded as Document No. 3861132, and Quit Claim Deed recorded as Document No. 4081857. Further Excepting therefrom, the following: The North 120 feet of the South 180 feet of the East 200 feet of the West 260 feet of the Southwest 1/4 of Section 22, in Township 5 North, Range 21 East, in the City of Franklin, County of Milwaukee, State of Wisconsin; and

PARCEL B: Also including the North 120 feet of the South 180 feet of the East 200 feet of the West 260 feet of the Southwest 1/4 of Section 22, in Township 5 North, Range 21 East, in the City of Franklin, County of Milwaukee, State of Wisconsin. More particularly described as follows: commencing at the Southwest corner of Section 22, Township 5 North, Range 21 East; thence North 88°35'30" East, along the south line of the SW 1/4, of said Section 22, 60.01 feet; thence North 00°26'01" West, parallel with the west line of said SW 1/4, 60.01 feet to the intersection of the north line of S.T.H.100 (Ryan Rd.) with the east line of S. 76 St. and the Point of Beginning; thence North 00°26'01" West, along said east line of S. 76th St. and parallel with said west line of the SW 1/4, 338.97 feet; thence South 88°33'59" West, at a right angle, 60.00

ALEX SCHELER, CARMA LABORATORIES, INC – CERTIFIED SURVEY MAP
RESOLUTION NO. 2023-_____

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feet to said west line of the SW 1/4; thence North 00°26'01" West, along said west line, 1,238.81 feet; thence North 89°18'43" East, 1,311.68 feet to the east line of the West 1/2, of said SW 1/4; thence South 00°24'42" East, along said east line, 1,022.24 feet; thence South 88°35'30" West, parallel with said south line of the SW 1/4, 300.05 feet; thence South 00°24'42" East, parallel with said east line of the West 1/2, of the SW 1/4, 540.08 feet to said south line of the SW 1/4; thence South 88°35'30" West, along said south line of the SW 1/4, 951.20 feet to the Point of Beginning, of property located at 9410 South 76th Street (Parcel A), and 7520 West Ryan Road (Parcel B), bearing Tax Key Number: 884-9997-000 (Parcel A) and 884-9998-000 (Parcel B) Alex Scheler, Carma Laboratories, Inc, applicant; said certified survey map having been reviewed by the City Plan Commission and the Plan Commission having recommended approval thereof pursuant to certain conditions; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the Certified Survey Map submitted by Alex Scheler, Carma Laboratories, Inc., as described above, be and the same is hereby approved, subject to the following conditions:

1. That any and all objections made and corrections required by the City of Franklin, by Milwaukee County, and by any and all reviewing agencies, shall be satisfied and made by the applicant, prior to recording.
2. That all land development and building construction permitted or resulting under this Resolution shall be subject to impact fees imposed pursuant to §92-9 of the Municipal Code or development fees imposed pursuant to §15-5.0110 of the Unified Development Ordinance, both such provisions being applicable to the development and building permitted or resulting hereunder as it occurs from time to time, as such Code and Ordinance provisions may be amended from time to time.
3. Each and any easement shown on the Certified Survey Map shall be the subject of separate written grant of easement instrument, in such form as provided within the *City of Franklin Design Standards and Construction Specifications* and such form and content as may otherwise be reasonably required by the City Engineer or designee to further and secure the purpose of the easement, and all being subject to the approval of the Common Council, prior to the recording of the Certified Survey Map.
4. Alex Scheler, Carma Laboratories, Inc , successors and assigns, and any developer of the Alex Scheler, Carma Laboratories, Inc three (3) lot certified survey map project, shall pay to the City of Franklin the amount of all development compliance, inspection and review fees incurred by the City of Franklin, including fees of consults to the City of Franklin, within 30 days of invoice for same. Any violation of this provision shall be a violation of the Unified Development Ordinance, and subject to §15-9.0502 thereof and

ALEX SCHELER, CARMA LABORATORIES, INC – CERTIFIED SURVEY MAP
RESOLUTION NO. 2023-_____

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§1-19 of the Municipal Code, the general penalties and remedies provisions, as amended from time to time.

5. The approval granted hereunder is conditional upon Alex Scheler, Carma Laboratories, Inc and the 3 lot certified survey map project for the property located at 9410 South 76th Street (Parcel A), and 7520 West Ryan Road (Parcel B): (i) being in compliance with all applicable governmental laws, statutes, rules, codes, orders and ordinances; and (ii) obtaining all other governmental approvals, permits, licenses and the like, required for and applicable to the project to be developed and as presented for this approval.
6. The applicant shall provide cross-access easements to be used at the point in time when the adjacent parcels undergo (re)development that would facilitate the completion of the connection for both pedestrian and vehicular circulation. The city may require a letter of credit as surety (§15-3.0306C 2.).
7. The applicant shall provide Landscape bufferyards on property lines adjacent to parcels with different zoning, to be recorded prior to the issuance of building permits.
8. The applicant shall provide Conservation Easements for natural resources to be protected, to be recorded with the CSM.
9. The applicant must resolve any technical corrections required by the Engineering or Planning Department, or the City Attorney’s Office prior to the recording of the Certified Survey Map.

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

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

Introduced at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2023.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2023.

ALEX SCHELER, CARMA LABORATORIES, INC – CERTIFIED SURVEY MAP
RESOLUTION NO. 2023-_____

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APPROVED:

John R. Nelson, Mayor

ATTEST:

Karen L. Kastenson, City Clerk

AYES _____ NOES _____ ABSENT _____



CITY OF FRANKLIN
REPORT TO THE PLAN COMMISSION



Meeting of October 19, 2023

Rezoning, Certified Survey Map, Special Use, and Site Plan

RECOMMENDATION: Recommended Conditions of Approval are provided in the draft Resolution(s).

Project Name:	Carma Laboratories, Inc
Property Owner:	Carma Laboratories, Inc
Applicant:	Alex Scheler, Carma Laboratories, Inc
Property Address/Tax Key Number:	9410 S 76TH ST / 884 9997 000 and 7520 W RYAN RD / 884 9998 000
Aldermanic District:	District 1
Agent:	Joe Hildebrand, Ryan Companies US, Inc
Zoning District:	R-8 Multiple-Family Residence District and B-3 Community Business District
Use of Surrounding Properties:	P-1 Park (north) R-3 Suburban/Estate Single-Family Residence District, B-3 Community Business District (west) A-1 Agricultural District (east) R-8 Multiple-Family Residence District (south)
Application Request:	Recommendation of approval for Rezoning, Certified Survey Map, and Special Use; and approval of a Site Plan
Staff Planner:	Marion Ecks, AICP

The applicant, Alex Scheler of Carma Laboratories, Inc., is seeking approvals to allow for the development of a new headquarters and manufacturing plant for Carma Laboratories, Inc (Carma Labs), makers of Carmex and other cosmetic and pharmaceutical products. The proposed project will involve two properties located at 9410 S. 76th Street and 7520 W. Ryan Road, on the northeast corner of the intersection of South 76th Street and West Ryan Road. The applicant has requested the creation of a Tax Increment District to support the development.

The area for these applications consists of two lots totaling approximately 41.39 acres. Both parcels are currently vacant, and contain areas of wetland and woodland. The property at 9410 S. 76th Street is zoned R-8 Multiple-Family Residence District and B-3 Community Business District. The property at 7520 W. Ryan Road is zoned B-3 Community Business District.

The surrounding area has a Future Land Use of designation of Commercial, and includes residential, commercial, and park uses, as well as institutional uses. To the immediate north of the development is the Croatian Park soccer facility; to the east is the House of Corrections.

There is a single-family home adjacent to the southeast corner of the development area which shares a property line with it. To the south, across Ryan Road, is an undeveloped lot which is currently zoned R-8 Multiple-Family Residence District and A-1 Agricultural, and has a future land use designation of Commercial. To the southwest are properties with commercial uses, mostly zoned M-1 Limited Industrial District. To the west are lots with B-3 Community Business District zoning and R-3 Suburban/Estate Single-Family Residence. The lots to the west are primarily vacant except for a parcel with a single-family home, but are included in the proposed Tax Increment District. Expansion of infrastructure here may invite additional development; at present they are not served by utilities. To the northwest is a residential subdivision zoned R-5 Suburban Single-Family Residence District. (See Locator Maps)

Concept Description

The applicant is proposing a 225,000 square foot office and manufacturing building. The single-story structure will include approximately 30,000 square feet of office space and approximately 195,000 square feet of manufacturing space. The site also includes 250 parking spaces, stormwater facilities, truck parking, landscaping, and fire access lanes. The site plan includes areas for future expansion of the building on the west and north façade, and parking to the south.

In addition to the industrial facility, the applicant proposes to create two lots for future commercial development on the south portion of the project area, adjacent to Ryan Road

PROJECT ANALYSIS

Approval of this development requires a land division, rezoning, special use permit and site plan. City Development staff has the following comments and concerns about this proposal. Detailed comments to the applicant are provided in the Staff Comments memo attached.

Land Division

The development requires a land division via a Certified Survey Map (CSM), to replat the existing two lots into three. The applicants propose to create one large lot on the northern portion of the 9410 S. 76th Street for the Carma facility, with M-1 zoning, and a pair of smaller lots with B-3 zoning to the south along Ryan Road for future commercial use. Proposed zoning and dimensions are below, the proposed lots meet the dimensional requirements of the zoning.

	Current Zoning	Proposed Zoning	Sq. Ft.	Acres
LOT 1 (Carma)	R-8	M-1	1,488,341	34.168
LOT 2	R-8	B-3	154,873	3.555
LOT 3	R-8 & B-3	B-3	153,244	3.518
Total			1,796,458	41.241

The applicant is required to provide landscape bufferyards on property lines adjacent to parcels with different zoning. A draft easement has been provided

Due to restrictions by the Milwaukee County Department of Transportation regarding connections to Ryan Road and S. 76th St., Lots 2 and 3 may have limited street access; the applicant must therefore provide cross access easements along these property lines.

The CSM requires some technical corrections prior to recording.

Current Zoning and Proposed Rezoning

The choice to change the zoning of any property is a key decision point for the community. These properties are currently zoned R-8 Multiple-Family Residence District and B-3 Community Business District, which do not allow for manufacturing, and thus a rezoning of these properties is necessary to allow for the development.

The City of Franklin 2025 Comprehensive Master Plan designates the property as "Commercial" with areas of "Natural Resources". The Natural Resource designation is not intended to preclude development, but to note the presence and importance of natural resources on the property. The property may be developed according to the standards of adjoining Future Land Uses with consideration to UDO natural resource protection standards. The Business Park where Carma currently is located, PDDs 7 and 18, are also Commercial.

Lot 1 Carma Laboratories Inc. Development

Future Lot 1 of the CSM is proposed to be developed as the Carma Labs facility. The property is currently zoned R-8 Multifamily Residential District; residential zoning districts do not allow for business uses. The applicant's business type is allowed in the Manufacturing zoning types, as well as PDDs 7, 18, and 39

Based on the location among other less intense uses such as housing and a park, the property for the Carma development cannot be rezoned to M-2 General Industrial, as it permits more intense types of manufacturing uses. The lot must be rezoned to M-1 Limited Industrial District, which "Provide[s] for manufacturing, industrial, warehousing, and uses of a limited nature and size in locations where the relative proximity to other uses requires more restrictive regulation (§ 15-3.030)" Staff has attached the district standards, which includes a list of uses (business types) allowed currently in M-1 zoning.

The choice to rezone a parcel is a significant one, and there are several factors the City should consider. Given the location separate from other business park areas of the city, this industrial building will stand alone among lower-intensity uses While the current user may not create potential nuisance issues, or otherwise impinge on its neighbors, it is incumbent on the City's leadership to evaluate the consequences of this choice

- The proposed development will relocate and combine multiple facilities and approximately 310 jobs from within the existing Franklin Business Park to this new location, and assist in retaining Carma Labs in Franklin by allowing them to consolidate operations.
- While requiring Special Use approval for certain categories of uses grants the City the ability to limit the impact of these business types, it should not be viewed as an opportunity to deny a use. Under WI Act 67, whether a Permitted Use or a Special Use, "if an applicant meets, or agrees to meet, all of the requirements and conditions specified in the ordinance or imposed by the zoning board, the local government must grant the [Special Use] (Ohm, Brian, 2018). If the property is rezoned to M-1, all uses listed will be allowable with appropriate approvals.
- Ryan Road (WI Highway 100) is a Wisconsin Department of Transportation designated long truck route, which is able to serve trucking and other industrial use types
- This parcel is currently zoned R-8 Multifamily Residential District. There are a limited number of lots that are currently vacant and zoned for multifamily development in the City. Still fewer of them are adequate for development due to lack of infrastructure, limitations due to the presence of natural resources, or are encumbered by other constraints. Eliminating this residential zoning will reduce the available land for apartments by just under 40 acres.
- Planned Development District (PDD) 39, the location of the new Saputo headquarters, was specifically created to support combined headquarters and production, and would be a more appropriate location for the development under current City zoning. PDD 39 would provide the headquarters with greater access given its proximity to the City's south gateway and major corridors such as South 27th Street and I-94. The City has also been working with Milwaukee County to extend a BRT route along 27th Street and address "last mile" commute issues to better serve workers employed within or potential future workers of businesses in PDD 39. The BRT is currently proposed to stop at the former Northwestern Mutual property. The addition of Carma would further bolster the need for the County to extend the BRT route into PDD 39 and eliminate "last mile" issues for workers at Ascension Hospital and businesses within PDD39 and reduce the gap on "last mile" issues for workers within the PDD18 (W. Ryan Road Business Park).

Lots 2 and 3 Future Commercial

The lots with primary frontage on Ryan Road, Lots 2 and 3, are proposed to be rezoned as B-3 Community Business District. A portion of these properties is already zoned B-3.

Carma Labs (Lot 1)

Special Use: The proposed Special Use request is for the future Lot 1 of the CSM that is currently under review. Lots 2 and 3 will require separate use permitting via either a zoning compliance or Special Use application.

Carma Laboratories, Inc. operates under Standard Industrial Classification (SIC) of 2834 for

Pharmaceutical Preparations, a Permitted Use in M-1 zoning. A special use is required to allow for overnight truck parking (§15-5.0202.G.3). Due to the proximity of truck parking areas to residential and recreational uses, staff has the following suggestions and recommendations:

- No portion of the overnight parking areas of the site should be visible from a residential or park zoning district or public right of way, or located in a front or side yard.
- The applicant should provide significant screening of all truck parking areas. In particular, additional screening should be provided on the north property line.
- A dedicated parking garage is provided for the office area of the owners of Carma Labs. Overnight parking should not be permitted outside this area, as it faces a residential zoning district, and it should only be used for loading and unloading related to the office uses of the building.
- The applicant has provided responses to the required general standards for Special Uses (Division 15-3.0700).
- Special Use standards inquire whether the applicant has considered other locations in their search (§15-3. 3.0701.C.2) The special use requirement for truck parking is applicable in all parts of the City of Franklin, however, a number of other sites do not require rezoning to allow for the specific use type, and have infrastructure designed to adequately serve this feature of the development.

Site Plan: The Site Plan application must comply with the dimensional requirements of M-1 zoning. The current Unified Development Ordinance does not have specific architectural standards but instead requires that a development harmonize with the surrounding area. The proposed location and positioning of the building on the northern portion of the site is close to Stonewood Subdivision, other properties zoned for residential development, and Croatian Park. Some key comments include:

- The building's primary façade (wall), which is part of the office use, faces a parking lot to the south, not S. 76th Street. The applicant worked with staff to provide improved architecture facing 76th Street and the residential properties nearby. The UDO requires that developments be "aesthetically compatible" with their surroundings (§15-7 080), Plan Commission may have additional requests or comments.
- Other options include orienting the building with its primary façade on 76th, or including significant buffering between their property and the adjoining park and residential areas through a combination of high-quality landscaping buffers and the creation of neighborhood-scale commercial development lots.
- The proposed development does not meet the parking requirements of Table 15-5.0203: 490 spaces are required. The applicant has provided sufficient evidence to request a reduction of this requirement from Plan Commission under the provisions of §15-5 0203.B(i).
- The Landscaping plan provided is adequate for the quantity of parking proposed, contingent on Plan Commission granting a parking reduction.
- The application otherwise complies with the requirements of the UDO for Site Plans and site design.

Recommended Conditions of Approval

All resolutions are drafted with a standard set of condition relating to development timelines and requirements, approvals from other jurisdictions and departments, etc. Staff recommends the following additional conditions based on review of these applications for compliance with the Unified Development Ordinance:

Rezoning: None. *This request is the key decision point for the proposed development. Rezoning applications are not conditional, and resulting development must comply with the standards of the Comprehensive Master Plan and Zoning Ordinance.*

CSM:

- Technical Corrections
- Provision of cross access, conservation, and landscape bufferyard easements.

Special Use:

- No portion of the overnight parking areas of the site may be visible from a residential or park zoning district or public right of way, or located in a front or side yard.
- The applicant shall provide significant screening of all truck parking areas; additional screening should be provided on the north property line.
- No overnight parking shall be permitted outside in the office garage area located at the southwest corner of the building.
- The office garage area located at the southwest corner of the building may only be used for parking and loading related to the office uses of the building.

Site Plan:

- Technical Corrections
- No portion of the overnight parking areas of the site may be visible from a residential or park zoning district or public right of way, or located in a front or side yard.
- The applicant shall provide significant screening of all truck parking areas; additional screening should be provided on the north property line.
- The west façade of should harmonize with surrounding development. (§15-7 080)
- The proposed development does not meet the parking requirements of Table 15-5.0203. Plan Commission finds that the applicant has provided sufficient evidence to receive a waiver of this standard under the provisions of §15-5 0203.B(i).

Exhibits:

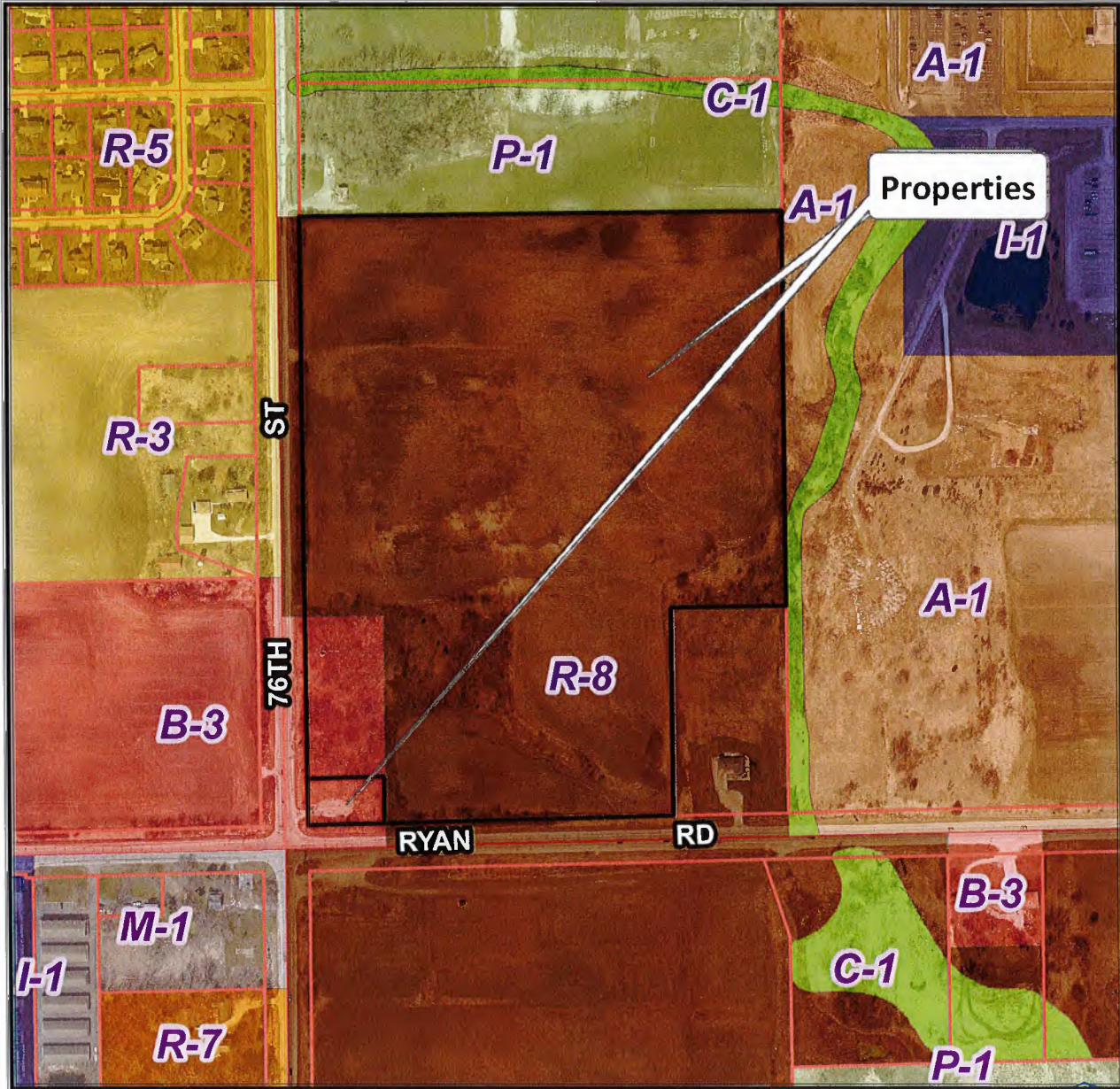
- Zoning Information District Standards Handout – M-1 Limited Industrial District
- Staff Comments

- Applicant Exhibits

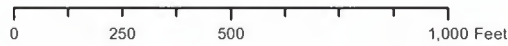
Citations:

Ohm, B. W. (2018, January). *Conditional Use Permits After 2017 Wisconsin Act 67*. Perspectives on Planning . <https://dpla.wisc.edu/wp-content/uploads/sites/1021/2017/06/pop-Conditional-Uses-After-Act-67.pdf>

9410 S. 76th Street & 7520 W. Ryan Road
 TKNs 884 9997 000 & 884 9998 000



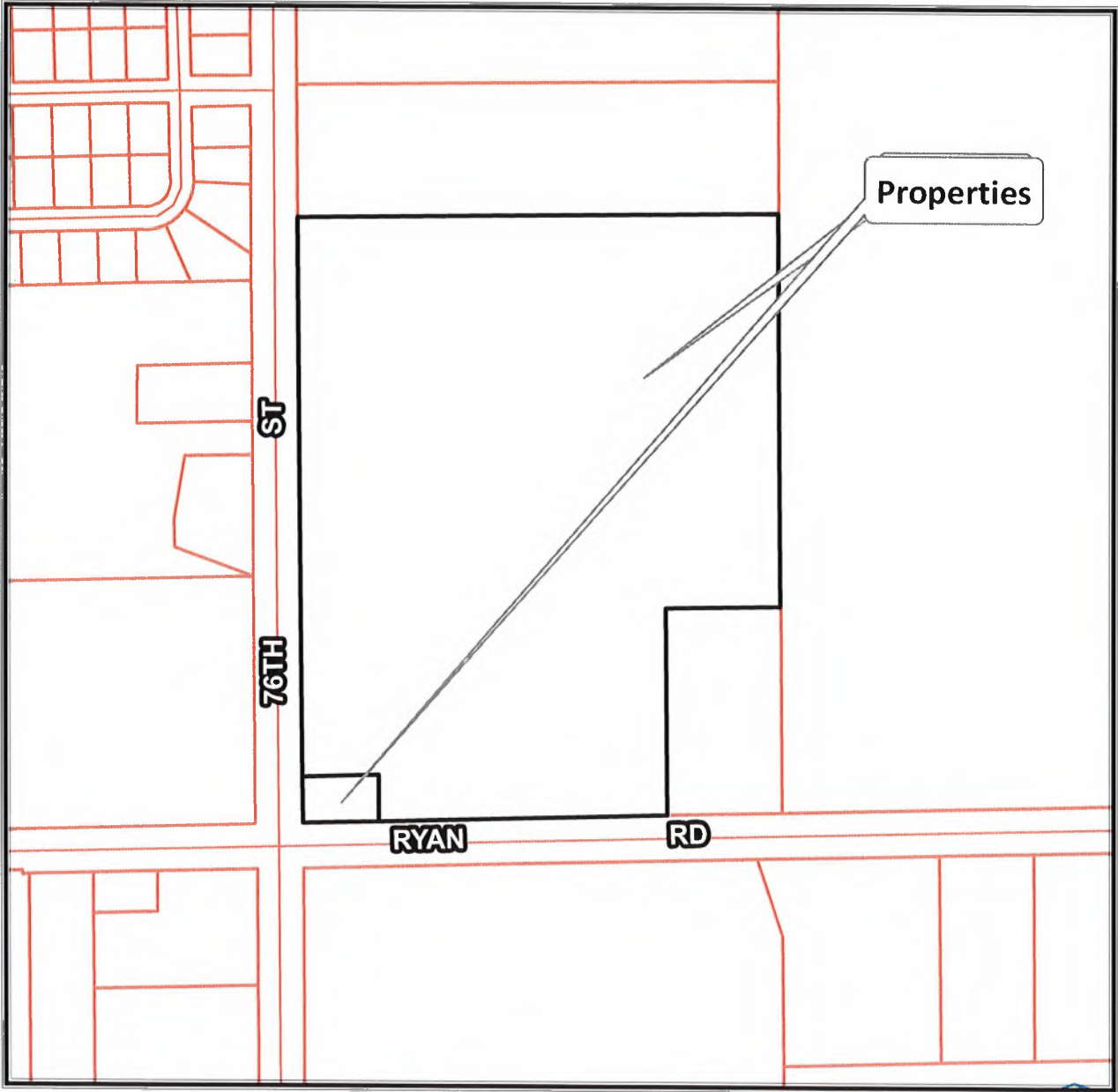
Planning Department
 (414) 425-4024



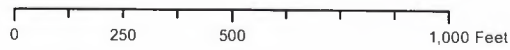
2021 Aerial Photo

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.

9410 S. 76th Street & 7520 W. Ryan Road
TKNs 884 9997 000 & 884 9998 000



Planning Department
(414) 425-4024



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



SECTION 15-3.0309

M-1 LIMITED INDUSTRIAL DISTRICT

A. **District Intent.** The M-1 Limited Industrial District is intended to:

1. Provide for manufacturing, industrial, warehousing, and uses of a limited nature and size in locations where the relative proximity to other uses requires more restrictive regulation.
2. Accommodate existing scattered uses of an industrial nature so as not to make them nonconforming uses.

The M-1 District is *not* intended to accommodate industrial or business parks under unified design and ownership which exceed twenty (20) acres in area. The community character of the M-1 District is SUBURBAN as set forth in the City of Franklin Comprehensive Master Plan.

B. **District Standards.** The M-1 District is further intended to have the development standards as set forth in Table 15-3.0309.

C. **Permitted, Accessory, and Special Uses.** See Sections 15-3.0603, 15-3.0605, 15-3.0606, 15-3.0607, 15-3.0608, 15-3.0609, Division 15-3.0700, Section 15-3.0703, and Division 15-3.0800.

Table 15-3.0309

M-1 LIMITED INDUSTRIAL DISTRICT DEVELOPMENT STANDARDS

Type of Standard	Standard
Landscape Surface Ratio and Floor Area	
Minimum Landscape Surface Ratio (LSR)	0.4
Alternative Minimum Landscape Surface Ratio (LSR) with Required Mitigation (See Section 15-5.0302E)	0.3
Maximum Gross Floor Area Ratio (GFAR)	0.42 (a)
Maximum Net Floor Area Ratio (NFAR)	0.85 (a)
Lot Dimensional Requirements	
Minimum Lot Area (s.f.)	20,000 (c)
Minimum Lot Width at Setback Line (feet)	100
Minimum Front Yard (feet)	30 (b)
Minimum Side Yard (feet)	20 (b)
Minimum Side Yard on Corner Lot (feet)	30 (b)
Minimum Rear Yard (feet)	15 (b)
Minimum Shore Buffer (feet)	75
Minimum Wetland Buffer (feet)	30
Minimum Wetland Setback (feet)	50
Maximum Building Height	
Principal Structure (stories/ft.)	3.0/40
Accessory Structure (stories/ft.)	1.0/25

- (a) For warehousing uses, the maximum gross floor area ratio (GFAR) shall be 0.89, and the maximum net floor area ratio (NFAR) shall be 1.48
- (b) See Division 15-5.0300 for the determination of minimum required bufferyards. See Section 15-5.0108 for increased setback requirements along arterial streets and highways.
- (c) Restaurants shall require a minimum of 40,000 square feet with a minimum lot width of 150 feet.

SIC NO	STANDARD INDUSTRIAL CLASSIFICATION TITLE	M-1
781	Landscape counseling and Planning	P
83	Forest Products	P
831	Forest products	P
2211	Broadwoven fabric mills, cotton	P
222	Broadwoven Fabric Mills, Manmade	P
2221	Broadwoven fabric mills, manmade	P
223	Broadwoven Fabric Mills, Wool	P
2231	Broadwoven fabric mills, wool	P
224	Narrow Fabric Mills	P
2241	Narrow fabric mills	P
2251	Women's hosiery except socks	P
2252	Hosiery, not elsewhere classified	P
2253	Knit outerwear mills	P
2257	Weft knit fabric mills	P
2258	Lace & warp knit fabric mills	P
2259	Knitting mills, not elsewhere classified	P
2273	Carpets and rugs	P
2284	Thread mills	P
2296	Tire cord and fabrics	P
2326	Men's and boys' work clothing	P
2369	Girls' and children's outerwear not elsewhere classified	P
2381	Fabric dress and work gloves	P
2384	Robes and dressing gowns	P
2385	Waterproof outerwear	P
2386	Leather and sheep-lined clothing	P
2391	Curtains and draperies	P
2392	Housefurnishings, not elsewhere classified	P
2394	Canvas and related products	P
2431	Millwork	P
244	Wood Containers	P
2514	Metal household furniture	P
2519	Household furniture, not elsewhere classified	P
2522	Office furniture, except wood	P
2541	Wood partitions and fixtures	P
2542	Partitions and fixtures, except wood	P
2591	Drapery hardware & blinds & shades	P
2653	Corrugated and solid fiber boxes	P
2656	Sanitary food containers	P
2671	Paper coated & laminated, packaging	P
2672	Paper coated and laminated, not elsewhere classified	P
2676	Sanitary paper products	P
2677	Envelopes	P
2679	Converted paper products, not elsewhere classified	P
2711	Newspapers	P
2721	Periodicals	P
2731	Book publishing	P
2754	Commercial printing, gravure	P
2759	Commercial printing, not elsewhere classified	P
2761	Manifold business forms	P
2771	Greeting cards	P
2782	Blankbooks and looseleaf binders	P
2791	Typesetting	P
2796	Platemaking services	P
2813	Industrial gases	P
2834	Pharmaceutical preparations	P
3021	Rubber and plastics footwear	P
3061	Mechanical rubber goods	P
3069	Fabricated rubber products, not elsewhere classified	P
3089	Plastics products, not elsewhere classified	P
3143	Men's footwear, except athletic	P
3144	Women's footwear, except athletic	P
3149	Footwear, except rubber, not elsewhere classified	P
3161	Luggage	P
3171	Women's handbags and purses	P
3229	Pressed and blown glass, not elsewhere classified	P
3231	Products of purchased glass	P
3292	Asbestos products	P
3446	Architectural metal work	P
3496	Miscellaneous fabricated wire products	P
3541	Machine tools metal cutting types	P
3542	Machine tools, metal forming types	P
3543	Industrial patterns	P
3544	Special dies tools, jigs & fixtures	P
3545	Machine tool accessories	P

SIC NO	STANDARD INDUSTRIAL CLASSIFICATION TITLE	M-1
3555	Printing trades machinery	P
3564	Blowers and fans	P
3579	Office machines, not elsewhere classified	P
3599	Industrial machinery, not elsewhere classified	P
3612	Transformers, except electronic	P
3613	Switchgear and switchboard apparatus	P
3634	Electric housewares and fans	P
3643	Current-carrying wiring devices	P
3645	Residential lighting fixtures	P
3651	Household audio and video equipment	P
3679	Electronic components, not elsewhere classified	P
3692	Primary batteries, dry and wet	P
3699	Electrical equipment & supplies, not elsewhere classified	P
3711	Motor vehicles and car bodies	P
3724	Aircraft engines and engine parts	P
3812	Search and navigation equipment	P
3821	Laboratory apparatus and furniture	P
3822	Environmental controls	P
3823	Process control instruments	P
3824	Fluid meters and counting devices	P
3825	Instruments to measure electricity	P
3826	Analytical instruments	P
3845	Electromedical equipment	P
3851	Ophthalmic goods	P
3861	Photographic equipment and supplies	P
3873	Watches, clocks, watchcases & parts	P
3911	Jewelry, precious metal	P
3914	Silverware and plated ware	P
3915	Jewelers' materials & lapidary work	P
3931	Musical instruments	P
3942	Dolls and stuffed toys	P
3944	Games, toys, and children's vehicles	P
3949	Sporting and athletic goods, not elsewhere classified	P
3951	Pens and mechanical pencils	P
3952	Lead pencils and art goods	P
3961	Costume jewelry	P
3965	Fasteners, buttons, needles, & pins	P
3991	Brooms and brushes	P
4221	Farm product warehousing and storage	P
4222	Refrigerated warehousing and storage	P
4225	General warehousing and storage	P
4813	Telephone communications, except radio	P
4961	Steam and air-conditioning supply	P
4971	Irrigation systems	P
5013	Motor vehicle supplies and new parts	P
5014	Tires and tubes	P
5015	Motor vehicle parts, used	P
5021	Furniture	P
5023	Homefurnishings	P
5033	Roofing siding, & insulation	P
5039	Construction materials, not elsewhere classified	P
5043	Photographic equipment and supplies	P
5044	Office equipment	P
5045	Computers peripherals & software	P
5046	Commercial equipment, not elsewhere classified	P
5047	Medical and hospital equipment	P
5048	Ophthalmic goods	P
5049	Professional equipment, not elsewhere classified	P
5051	Metals service centers and offices	P
5052	Coal and other minerals and ores	P
5063	Electrical apparatus and equipment	P
5064	Electrical appliances, TV & radios	P
5065	Electronic parts and equipment	P
5072	Hardware	P
5074	Plumbing & hydronic heating supplies	P
5075	Warm air heating & air conditioning	P
5078	Refrigeration equipment and supplies	P
5082	Construction and mining machinery	P
5087	Service establishment equipment	P
5088	Transportation equipment & supplies	P
5093	Scrap and waste materials	P
5094	Jewelry & precious stones	P
5111	Printing and writing paper	P
5112	Stationery and office supplies	P

SIC NO	STANDARD INDUSTRIAL CLASSIFICATION TITLE	M-1
5113	Industrial & personal service paper	P
5122	Drugs, proprietaries, and sundries	P
5131	Piece goods & notions	P
5136	Men's and boys' clothing	P
5137	Women's and children's clothing	P
5139	Footwear	P
5141	Groceries, general line	P
5142	Packaged frozen foods	P
5143	Dairy products except dried or canned	P
5147	Meats and meat products	P
5148	Fresh fruits and vegetables	P
5149	Groceries and related products, not elsewhere classified	P
5159	Farm-product raw materials, not elsewhere classified	P
5169	Chemicals & allied products, not elsewhere classified	P
5191	Farm supplies	P
5192	Books, periodicals & newspapers	P
5194	Tobacco and tobacco products	P
5198	Paints, varnishes, and supplies	P
5199	Nondurable goods, not elsewhere classified	P
5211	Lumber and other building materials	P
5251	Hardware stores	P
7213	Linen supply	P
7334	Photocopying & duplicating services	P
737	Computer and Data Processing Services	P
7371	Computer programming services	P
7372	Prepackaged software	P
7373	Computer integrated systems design	P
7374	Data processing and preparation	P
7375	Information retrieval services	P
7376	Computer facilities management	P
7377	Computer rental & leasing	P
7378	Computer maintenance & repair	P
7379	Computer related services, not elsewhere classified	P
7383	News syndicates	P
7384	Photofinishing laboratories	P
7622	Radio and television repair	P
7623	Refrigeration service and repair	P
7629	Electrical repair shops, not elsewhere classified	P
7692	Welding repair	P
7694	Armature rewinding shops	P
8071	Medical laboratories	P
8072	Dental laboratories	P
8331	Job training and related services	P
8734	Testing laboratories	P
	Convenience Stores (without the dispensing of gasoline)	P
	Hiking Trails	P
	Historic Monuments or Sites	P
	Jogging Trails	P
	Nature Areas	P
	Nature Trails	P
	Wildlife Sanctuaries	P
175	Deciduous tree fruits	S
179	Fruits and tree nuts not elsewhere classified	S
18	Horticultural Specialties	S
181	Ornamental nursery products	S
182	Food crops grown under cover	S
19	General Farms, Primarily Crop	S
191	General farms, primarily crop	S
722	Crop harvesting	S
723	Crop preparation services for market	S
724	Cotton ginning	S
74	Veterinary Services	S
741	Veterinary services for livestock	S
742	Veterinary services specialties	S
75	Animal Services, Except Veterinary	S
751	Livestock services except veterinary	S
752	Animal specialty services	S
782	Lawn and garden services	S
783	Ornamental shrub and tree services	S
152	Residential Building Construction	S
1521	Single family housing construction	S
1522	Residential construction, not elsewhere classified	S
153	Operative Builders	S
1531	Operative builders	S

SIC NO	STANDARD INDUSTRIAL CLASSIFICATION TITLE	M-1
154	Nonresidential Building Construction	S
1541	Industrial buildings and warehouses	S
1542	Nonresidential construction, not elsewhere classified	S
171	Plumbing, Heating, Air-Conditioning	S
1711	Plumbing, heating, air-conditioning	S
172	Painting and Paper Hanging	S
1721	Painting and paper hanging	S
173	Electrical Work	S
1731	Electrical work	S
174	Masonry, Stonework, and Plastering	S
1741	Masonry and other stonework	S
1742	Plastering, drywall, and insulation	S
1743	Terrazzo, tile, marble, mosaic work	S
175	Carpentry and Floor Work	S
1751	Carpentry work	S
1752	Floor laying and floor work not elsewhere classified	S
176	Roofing, Siding, and Sheet Metal Work	S
1761	Roofing, siding and sheet metal work	S
177	Concrete Work	S
1771	Concrete work	S
178	Water Well Drilling	S
1781	Water well drilling	S
179	Miscellaneous Special Trade Contractors	S
1791	Structural steel erection	S
1793	Glass and glazing work	S
1794	Excavation work	S
1795	Wrecking and demolition work	S
1796	Installing building equipment, not elsewhere classified	S
1799	Special trade contractors, not elsewhere classified	S
201	Meat Products	S
2011	Meat packing plants	S
2013	Sausages and other prepared meats	S
202	Dairy Products	S
2021	Creamery butter	S
2022	Cheese, natural and processed	S
2023	Dry, condensed, evaporated products	S
2024	Ice cream and frozen desserts	S
2026	Fluid milk	S
203	Preserved Fruits and Vegetables	S
2032	Canned specialties	S
2033	Canned fruits and vegetables	S
2034	Dehydrated fruits, vegetables soups	S
2035	Pickles, sauces, and salad dressings	S
2037	Frozen fruits and vegetables	S
2038	Frozen specialties not elsewhere classified	S
204	Grain Mill Products	S
2041	Flour and other grain mill products	S
2043	Cereal breakfast foods	S
2044	Rice milling	S
2045	Prepared flour mixes and doughs	S
2046	Wet corn milling	S
2048	Prepared feeds not elsewhere classified	S
205	Bakery Products	S
2051	Bread, cake, and related products	S
2052	Cookies and crackers	S
2053	Frozen bakery products, except bread	S
206	Sugar and Confectionery Products	S
2061	Raw cane sugar	S
2062	Cane sugar refining	S
2064	Candy & other confectionery product	S
2066	Chocolate and cocoa products	S
2067	Chewing gum	S
2068	Salted and roasted nuts and seeds	S
2074	Cottonseed oil mills	S
2075	Soybean oil mills	S
2076	Vegetable oil mills, not elsewhere classified	S
2077	Animal and marine fats and oils	S
2079	Edible fats and oils, not elsewhere classified	S
208	Beverages	S
2084	Wines, brandy, and brandy spirits	S
2085	Distilled and blended liquors	S
2086	Bottled and canned soft drinks	S
2087	Flavoring extracts and syrups not elsewhere classified	S
209	Miscellaneous Food and Kindred Products	S

SIC NO	STANDARD INDUSTRIAL CLASSIFICATION TITLE	M-1
2091	Canned and cured fish and seafoods	S
2092	Fresh or frozen prepared fish	S
2095	Roasted coffee	S
2096	Potato chips and similar snacks	S
2097	Manufactured ice	S
2098	Macaroni and spaghetti	S
2099	Food preparations, not elsewhere classified	S
2281	Yarn spinning mills	S
2282	Throwing and winding mills	S
2295	Coated fabrics, not rubberized	S
2297	Nonwoven fabrics	S
2299	Textile goods, not elsewhere classified	S
2329	Men's and boys' clothing, not elsewhere classified	S
2339	Women's and misses' outerwear, not elsewhere classified	S
2353	Hats, caps, and millinery	S
2371	Fur goods	S
2395	Pleating and stitching	S
2396	Automotive and apparel trimmings	S
2449	Wood containers, not elsewhere classified	S
2511	Wood household furniture	S
2512	Upholstered household furniture	S
2515	Mattresses and bedsprings	S
2521	Wood Office Furniture	S
2741	Miscellaneous publishing	S
2752	Commercial printing lithographic	S
2833	Medicinals and botanicals	S
2842	Polishes and sanitation goods	S
2843	Surface active agents	S
2844	Toilet preparations	S
2865	Cyclic crudes and intermediates	S
2869	Industrial organic chemicals, not elsewhere classified	S
2873	Nitrogenous fertilizers	S
2875	Fertilizers, mixing only	S
2879	Agricultural chemicals, not elsewhere classified	S
3111	Leather tanning and finishing	S
3131	Footwear cut stock	S
3151	Leather gloves and mittens	S
3172	Personal leather goods, not elsewhere classified	S
3199	Leather goods not elsewhere classified	S
3221	Glass containers	S
3251	Brck and structural clay tile	S
3253	Ceramic wall and floor tile	S
3269	Pottery products, not elsewhere classified	S
3272	Concrete products, not elsewhere classified	S
3281	Cut stone and stone products	S
3299	Nonmetallic mineral products, not elsewhere classified	S
3421	Cutlery	S
3423	Hand and edge tools, not elsewhere classified	S
3429	Hardware not elsewhere classified	S
3432	Plumbing fixture fittings and trim	S
3452	Bolts, nuts, rivets, and washers	S
3469	Metal stampings, not elsewhere classified	S
3471	Plating and polishing	S
3552	Textile machinery	S
3751	Motorcycles, bicycles, and parts	S
3827	Optical instruments and lenses	S
3829	Measuring & controlling devices, not elsewhere classified	S
384	Medical Instruments and Supplies	S
3841	Surgical and medical instruments	S
3842	Surgical appliances and supplies	S
3843	Dental equipment and supplies	S
3993	Signs and advertising specialties	S
3999	Manufacturing industries, not elsewhere classified	S
4121	Taxicabs	S
4131	Intercity & rural bus transportation	S
4141	Local bus charter service	S
4142	Bus charter service, except local	S
4151	School buses	S
4173	Bus terminal and service facilities	S
4214	Local trucking with storage	S
4226	Special warehousing and storage, not elsewhere classified	S
4231	Trucking terminal facilities	S
4311	U S Postal Service	S

SIC NO	STANDARD INDUSTRIAL CLASSIFICATION TITLE	M-1
4581	Airports, flying fields, & services	S
4724	Travel agencies	S
4783	Packing and crating	S
4822	Telegraph & other communications	S
4832	Radio broadcasting stations	S
4833	Television broadcasting stations	S
4841	Cable and other pay TV services	S
4899	Communications services, not elsewhere classified	S
4911	Electric services	S
4923	Gas transmission and distribution	S
4939	Combination utilities, not elsewhere classified	S
4941	Water supply	S
4952	Sewerage systems	S
5012	Automobiles and other motor vehicles	S
5031	Lumber, plywood, and millwork	S
5032	Brick, stone, & related materials	S
5084	Industrial machinery and equipment	S
5085	Industrial supplies	S
5091	Sporting & recreational goods	S
5092	Toys and hobby goods and supplies	S
5099	Durable goods, not elsewhere classified	S
5182	Wine and distilled beverages	S
5261	Retail nurseries and garden stores	S
5511	New and used car dealers	S
5531	Auto and home supply stores	S
5541	Gasoline service stations	S
5551	Boat dealers	S
5571	Motorcycle dealers	S
5599	Automotive dealers, not elsewhere classified	S
5812	Eating places (without drive through facilities)	S
5813	Drinking places (without drive through facilities)	S
5941	Sporting goods and bicycle shops	S
5943	Stationery stores	S
5961	Catalog and mail-order houses	S
5962	Merchandising machine operators	S
5963	Direct selling establishments	S
5983	Fuel oil dealers	S
5984	Liquefied petroleum gas dealers	S
5989	Fuel dealers, not elsewhere classified	S
5994	News dealers and newsstands	S
6011	Federal reserve banks	S
6021	National commercial banks (without drive through facilities)	S
6022	State commercial banks (without drive through facilities)	S
6029	Commercial banks not elsewhere classified (without drive through facilities)	S
6035	Federal savings institutions (without drive through facilities)	S
6036	Savings institutions except federal (without drive through facilities)	S
6021	National commercial banks (with drive through facilities)	S
6022	State commercial banks (with drive through facilities)	S
6029	Commercial banks not elsewhere classified (with drive through facilities)	S
6035	Federal savings institutions (with drive through facilities)	S
6036	Savings institutions except federal (with drive through facilities)	S
7011	Hotels and motels	S
7212	Garment pressing & cleaners agents	S
7216	Drycleaning plants except rug	S
7217	Carpet and upholstery cleaning	S
7219	Laundry and garment services, not elsewhere classified	S
7221	Photographic studios, portrait	S
7231	Beauty shops	S
7241	Barber shops	S
7251	Shoe repair and shoeshine parlors	S
SIC NO	STANDARD INDUSTRIAL CLASSIFICATION TITLE	M-1
7335	Commercial photography	S
7342	Disinfecting & pest control services	S
7349	Building maintenance services not elsewhere classified	S
735	Miscellaneous Equipment Rental & Leasing	S
7352	Medical equipment rental	S
7359	Equipment Rental & leasing, not elsewhere classified	S
7361	Employment agencies	S

SIC NO	STANDARD INDUSTRIAL CLASSIFICATION TITLE	M-1
7389	Business services, not elsewhere classified	S
751	Automotive Rentals, No Drivers	S
7513	Truck rental and leasing, no drivers	S
7514	Passenger car rental	S
7515	Passenger car leasing	S
7519	Utility trailer rental	S
7521	Automobile parking	S
7532	Top & body repair & paint shops	S
7538	General automotive repair shops	S
7542	Carwashes	S
7549	Automotive services, not elsewhere classified	S
7699	Repair services, not elsewhere classified	S
7812	Motion picture & video production	S
7933	Bowling centers	S
7941	Sports clubs, managers, & promoters	S
7948	Racing, including track operation	S
799	Miscellaneous Amusement, Recreation Services	S
7991	Physical fitness facilities	S
7992	Public golf courses	S
7996	Amusement parks	S
7997	Membership sports & recreation clubs	S
7999	Amusement and recreation, not elsewhere classified	S
8244	Business and secretarial schools	S
8249	Vocational schools, not elsewhere classified	S
8299	Schools & educational services, not elsewhere classified	S
8351	Child day care services	S
8999	Services, not elsewhere classified	S
	Convenience Stores (with the dispensing of gasoline)	S

(Permitted Uses - P, Special Uses - S)

DIVISION 15-3.0700

SPECIAL USE STANDARDS AND REGULATIONS

SECTION 15-3.0701

GENERAL STANDARDS FOR SPECIAL USES

A. ***General Standards.*** No special use permit shall be recommended or granted pursuant to this Ordinance unless the applicant shall establish the following:

1. **Ordinance and Comprehensive Master Plan Purposes and Intent.** The proposed use and development will be in harmony with the general and specific purposes for which this Ordinance was enacted and for which the regulations of the zoning district in question were established and with the general purpose and intent of the City of Franklin Comprehensive Master Plan or element thereof.

Response: Carma Laboratories has worked hand in hand with the City of Franklin on Carma's plans to relocate their global headquarters to the proposed location while keeping in mind current properties and future development plans that Franklin has for this and surrounding properties.

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

Response: The special use that is being requested is for overnight trailer parking. The location where this is indicated is in the area of the shipping docks on north side of the building furthest from 76th Street. The shipping dock area where this occurs is screened from public view by a bumpout in the building as well as by landscaping. This requested special use will have no substantial or undue impact on the health, wellness, or value to neighboring properties and/or the City of Franklin.

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

Response: The special use that is being requested is for overnight trailer parking. The location where this is indicated is in the area of the shipping docks on north side of the building furthest from 76th Street. The shipping dock area where this occurs is screened from public view by a bumpout in the building as well as by landscaping. This requested special use is located and screened specifically where there will be little to no views and will not interfere with the use or development of neighboring properties.

4. **Adequate Public Facilities.** The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities including public water supply system and sanitary sewer, police and fire protection, refuse disposal, public

parks, libraries, schools, and other public facilities and utilities or the applicant will provide adequately for such facilities.

Response: This noted standard does not apply to this requested special use as these items are not affected by trailer parking on the property.

5. **No Traffic Congestion.** The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets. Adequate measures will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

Response: The requested special use for overnight trailer parking is done in part to limit vehicle traffic on public roadways. If the special use is approved, it will allow trailer parking overnight in the locations indicated resulting in less trailer traffic on public roadways than if this special use is not approved and all trailers must leave each afternoon and return in the morning.

6. **No Destruction of Significant Features.** The proposed use and development will not result in the destruction, loss, or damage of any natural, scenic, or historic feature of significant importance.

Response: This special use for overnight trailer parking has no impact on natural, scenic, or historic features of significant importance.

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

Response: This does not apply to this special use for overnight trailer parking. All other regulations will be followed with regards to the proposed building.

- B. **Special Standards for Specified Special Uses.** When the zoning district regulations authorize a special use in a particular zoning district and that special use is indicated as having special standards, as set forth in Section 15-3.0702 and 15-3.0703 of this Division, a Special Use Permit for such use in such zoning district shall not be recommended or granted unless the applicant shall establish compliance with all such special standards.

Response: The requested special use for overnight trailer parking does not apply to residential areas or any of the listed business types in nonresidential districts in these sections.

- C. **Considerations.** In determining whether the applicant's evidence establishes that the foregoing

standards have been met, the Plan Commission and the Common Council shall consider the following:

1. **Public Benefit.** Whether and to what extent the proposed use and development at the particular location requested is necessary or desirable to provide a service or a facility that is in the interest of the public convenience or that will contribute to the general welfare of the neighborhood or community.

Response: With the requested special use for overnight trailer parking, Carma Laboratories will be reducing the trailer traffic on public roadways which will reduce traffic and wear and tear of public roadways.

2. **Alternative Locations.** Whether and to what extent such public goals can be met by the location of the proposed use and development at some other site or in some other area that may be more appropriate than the proposed site.

Response: The requested special use for overnight trailer parking on site is only applicable on this property. Alternate sites for overnight trailer parking will have an adverse impact to the property owner's business and would increase trailer traffic on public roadways.

3. **Mitigation of Adverse Impacts.** Whether and to what extent all steps possible have been taken to minimize any adverse effects of the proposed use and development on the immediate vicinity through building design, site design, landscaping, and screening.

Response: The special use that is being requested is for overnight trailer parking. The location where this is indicated is in the area of the shipping docks on north side of the building furthest from 76th Street. The shipping dock area where this occurs is screened from public view by a bumpout in the building as well as by landscaping.

4. **Establishment of Precedent of Incompatible Uses in the Surrounding Area.** Whether the use will establish a precedent of, or encourage, more intensive or incompatible uses in the surrounding area.

Response: The requested special use for overnight trailer parking was located and screened in a way that would not bring attention to it, nor would it encourage similar or other incompatible uses in the surrounding areas.



October 9, 2023

City of Franklin
Ms. Laurie Miller
Planning Manager
9229 W Loomis Road
Franklin, WI 53132

Ms. Miller:

We are looking forward to sharing details with the City of Franklin on our New Facility project and continuing the tradition that “Carmex is made in Franklin, Wisconsin!” I am submitting to you this Project Narrative for the Plan Commission and Common Council Review along with other supporting documents.

OWNER INFORMATION

Since its inception in 1937, Franklin, Wisconsin-based Carma Laboratories, Inc., has manufactured Carmex brand lip balms. Carma Laboratories, Inc. is a family owned and operated business that was founded in 1937 by Alfred Woelbing, the inventor of Carmex lip balm. Today, the company continues to produce its original lip care formula in its iconic jars as well as tubes and sticks and has expanded the line to include a natural formula, flavored moisture rich lip care products and Carmex Cold Sore Treatment. Carma Labs is a global brand, with its products shipped to 65 countries around the world. For more information, visit www.mycarmex.com.

NEW FACILITY

The proposed Facility for Carma Laboratories includes an approximately 195,000sf manufacturing space with a 32-0ft clear height and total wall height of 37-0. Adjacent to the manufacturing space is a single story, 30,000sf office to support the business. Carma currently owns and leases multiple buildings in Franklin and with this new Facility will be creating a permanent world headquarters at the site and consolidating operations into a single location. This site will accommodate operations and potential expansion for the foreseeable future.

The envelope materials for the manufacturing space will be an insulated precast wall panel with reveals and a patterned paint to help articulate the envelope design. For the office, the predominant material is a textured precast panel with an exposed finish and large punched window openings that are picture framed with prefinished yellow metal. The east half of the office portion is raised higher to create a double high space and is capped with a large yellow overhang that wraps around and terminates into the manufacturing space.

Carma operates under Standard Industrial Classification (SIC) of 2834 for Pharmaceutical Preparations. Our light manufacturing process involves receiving and storing raw materials, batching and mixing, filling various forms, (tubes, sticks, jars), packaging, warehousing, and distribution all of which is held to high standards by the Federal Food and Drug Administration (FDA). Truckload deliveries and shipments (average of 20 trucks per day, maximum of 30 trucks per day) generally occur between the hours of 8am and 5pm Monday – Thursday with limited activity on Friday.



HOURS OF OPERATION

Carma operates a First Shift from 6am – 4:30pm and a reduced Second Shift from 4:45pm – 3:15am. Approximately 170 associates are onsite during First Shift and 60 associates are onsite during the non-overlapping Second Shift. Another 70 associates work hybrid and are onsite only periodically throughout the month. Carma anticipates the need for 250 parking spaces with the option of a second phase of parking lot expansion in the future as needs change.

SITE DESIGN

The Facility is currently designed to be located on the north side of a vacant property at the north-east corner of HWY 100 and 76th street in Franklin. The site has good visibility from HWY 100 and the site gently slopes up toward the building to help provide prominence at the corner. The employee car parking will be located in front of the office and will be broken up with large greenspace islands. The west elevation (facing 76th street) is set off the street for more green space. The north elevation will be where loading docks and dumpsters are located for operations. The building has been situated to take advantage of the views from HWY 100 and allows for future expansion to the north and east if required in the future. Landscaping was added and enhanced beyond code requirements on both the west and north sides of the building to improve screening of the west elevation of the building, the small garage doors for personal vehicles, and the loading dock areas of the building.

The site and parking lot was designed with the building use and occupants in mind. Code would dictate that a larger parking lot would normally be required as the number of parking stalls is determined based upon a calculation using the square feet for the building. However, due to the business use of the building, the space taken up by equipment and racking inside, and the number of employees and anticipated guests at any given time on site, the parking lot was right sized to avoid having a field of un-used asphalt parking lot if designed using the building square foot calculation. This helps not only with aesthetics but is a more environmental friendly design reducing heat island effect and helping with stormwater management.

BUILDING DESIGN

This new Facility is designed to be the new world headquarters for Carma Laboratories. It is being built with current needs and projected growth in mind. The building will house office staff as well as manufacturing, research and development, testing, and shipping and receiving. The west side of the building houses the lab space, research and development, as well as rooms where batching and mixing of ingredients is performed to make the Carmex line of products. These operations are sensitive in nature not only for privacy reasons, but also from exposure to light and UV exposure which makes having windows in this area detrimental to business operations. Since windows must be limited in this part of the building, to enhance the views from 76th Street, not only was the landscaping enhanced on the west side of the building, but other finish elements were brought to the west elevation including brick, metal panels and finish patterns.



ZONING

The 42-acre site is currently zoned as B3 and R8. As recommended by city staff, we are proposing an updated zoning classification to M1 for the new Carma Headquarters, and zoning two smaller parcels on Ryan Road as B3.

SPECIAL USE

As part of the ongoing operations for Carma, it is anticipated that all dock positions be used for active loading and unloading of product, however, there will be overnight onsite trailer parking on the north side of the property. The submitted plans indicate their location at shipping docks. This area is blocked from view from 76th Street by a bump out in the building as well as enhanced landscaping between this location and 76th Street. Also indicated is a potential future location for overnight trailer parking across from these shipping docks. In addition to the building and landscaping screening provided for views from 76th Street, we have also provided added landscape screening above and beyond code requirements on the north property line to screen the trailer parking views from the park to the north.

The west elevation of the office portion of the building includes smaller garage doors. These are garage doors that are similar to those seen at residences, not large dock doors. These doors are for automobile or motorcycle parking, and this area will not be used for loading or unloading. The area between 76th Street and these garage doors have enhanced landscaping design so that those driving by will see more trees and evergreens than garage doors.

CITY OF FRANKLIN SUPPORT

We thank the City of Franklin for its support of economic development and the work performed to date on a TIF without which this more than \$35 million project would not have moved forward.

We look forward to our discussion.

Sincerely,

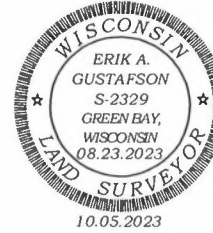
Alex Scheler
Senior Director of IT
Carma Laboratories, Inc.

Enclosures

- 1) Plans
 - a. Site
 - b. Landscaping
 - c. Lighting
 - d. Architectural site and elevations
- 2) Natural Resource Protection Plan
- 3) CSM

CERTIFIED SURVEY MAP NO. _____

Being a part of the part of the West 1/2 of the SW1/4 of Section 22, Township 05 North, Range 21 East, situated in the City of Franklin, Milwaukee County, Wisconsin.



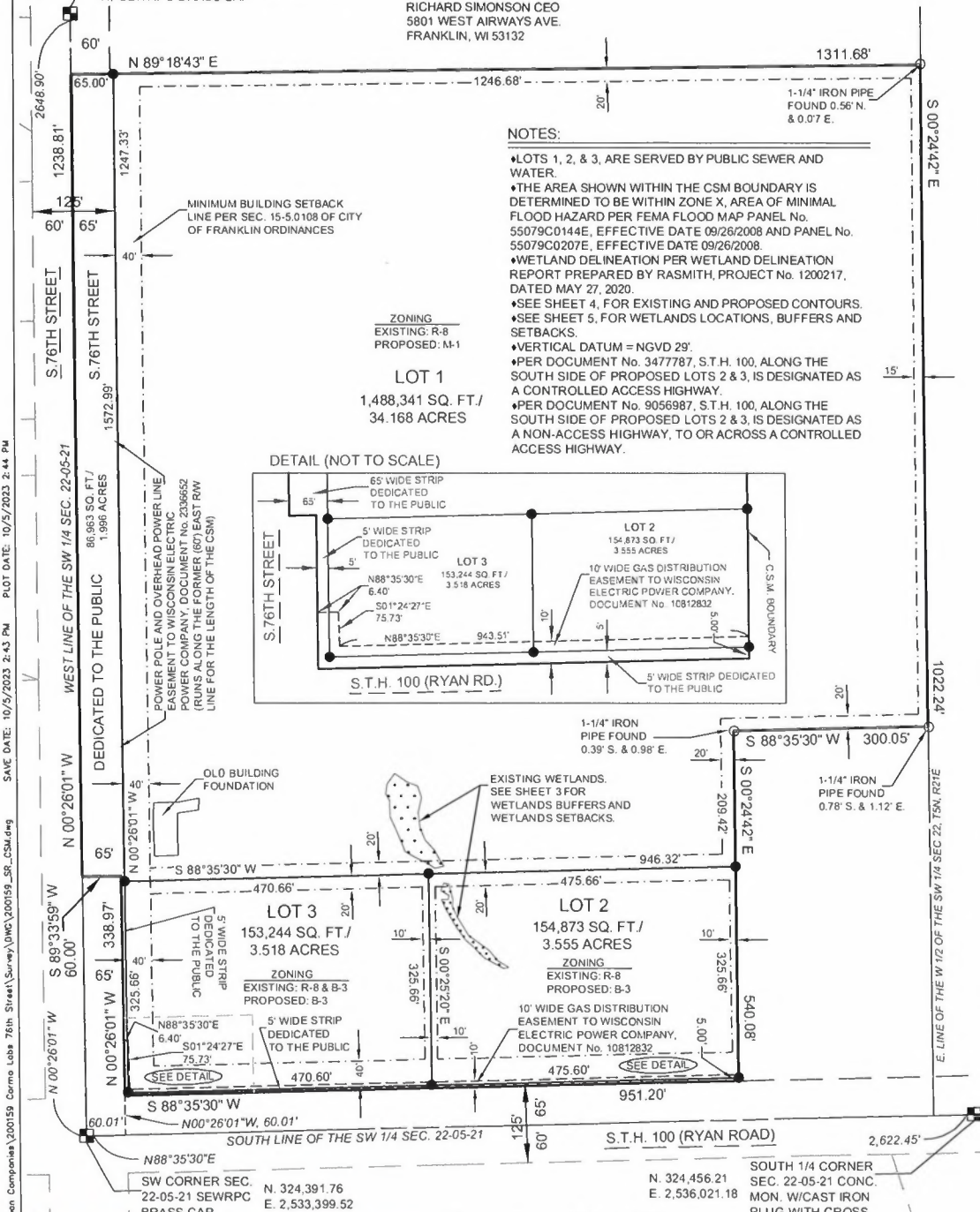
NORTH REFERENCED TO THE WISCONSIN STATE PLANE COORDINATE SYSTEM SOUTH ZONE NAD 27, THE SOUTH LINE OF THE SW 1/4 OF SECTION 22 T.5N., R.21E. BEARING N88°35'30\"E.

LEGEND:

- = 1-1/4" O.D. IRON PIPE FOUND
- = 1-1/4" O.D. X 24" LONG, IRON PIPE SET, WEIGHING 1.68 LBS./LINEAL FT.
- = BUILDING SETBACK LINE

OWNER / SUBDIVIDER:
CARMA LABORATORIES, INC.
RICHARD SIMONSON CEO
5801 WEST AIRWAYS AVE.
FRANKLIN, WI 53132

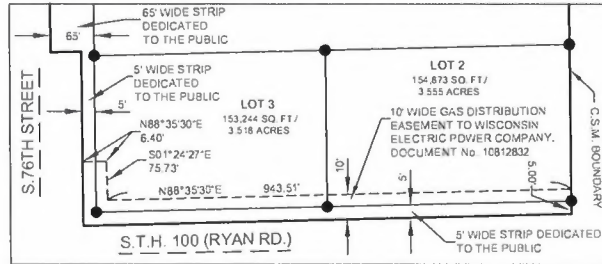
WEST 1/4 CORNER SEC. 22-05-21 CONC. MON. N. 327,040.58
W/ SEWRPC BRASS CAP E. 2,533,379.47



NOTES:

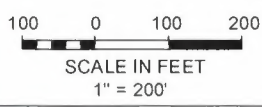
- ♦ LOTS 1, 2, & 3, ARE SERVED BY PUBLIC SEWER AND WATER.
- ♦ THE AREA SHOWN WITHIN THE CSM BOUNDARY IS DETERMINED TO BE WITHIN ZONE X, AREA OF MINIMAL FLOOD HAZARD PER FEMA FLOOD MAP PANEL No. 55079C0144E, EFFECTIVE DATE 09/26/2008 AND PANEL No. 55079C0207E, EFFECTIVE DATE 09/26/2008.
- ♦ WETLAND DELINEATION PER WETLAND DELINEATION REPORT PREPARED BY RASMITH, PROJECT No. 1200217, DATED MAY 27, 2020.
- ♦ SEE SHEET 4, FOR EXISTING AND PROPOSED CONTOURS.
- ♦ SEE SHEET 5, FOR WETLANDS LOCATIONS, BUFFERS AND SETBACKS.
- ♦ VERTICAL DATUM = NGVD 29'.
- ♦ PER DOCUMENT No. 3477787, S.T.H. 100, ALONG THE SOUTH SIDE OF PROPOSED LOTS 2 & 3, IS DESIGNATED AS A CONTROLLED ACCESS HIGHWAY.
- ♦ PER DOCUMENT No. 9056987, S.T.H. 100, ALONG THE SOUTH SIDE OF PROPOSED LOTS 2 & 3, IS DESIGNATED AS A NON-ACCESS HIGHWAY, TO OR ACROSS A CONTROLLED ACCESS HIGHWAY.

DETAIL (NOT TO SCALE)



S:_Lib\Bgn\Bgn_Comp\200159_Corner_Lots_76th_Street\Survey\DWG\200159_SR_CSM.dwg SAVE DATE: 10/5/2023 2:43 PM PLOT DATE: 10/5/2023 2:44 PM

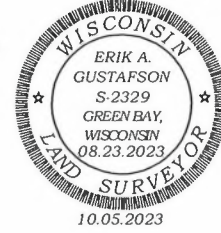
kapur 226 W. WISCONSIN AVE.
APPLETON, WI 54911
kapurinc.com



CERTIFIED SURVEY MAP NO. _____

SHEET 2 OF 7 SHEETS

Being a part of the part of the West 1/2 of the SW1/4 of Section 22, Township 05 North, Range 21 East, situated in the City of Franklin, Milwaukee County, Wisconsin.



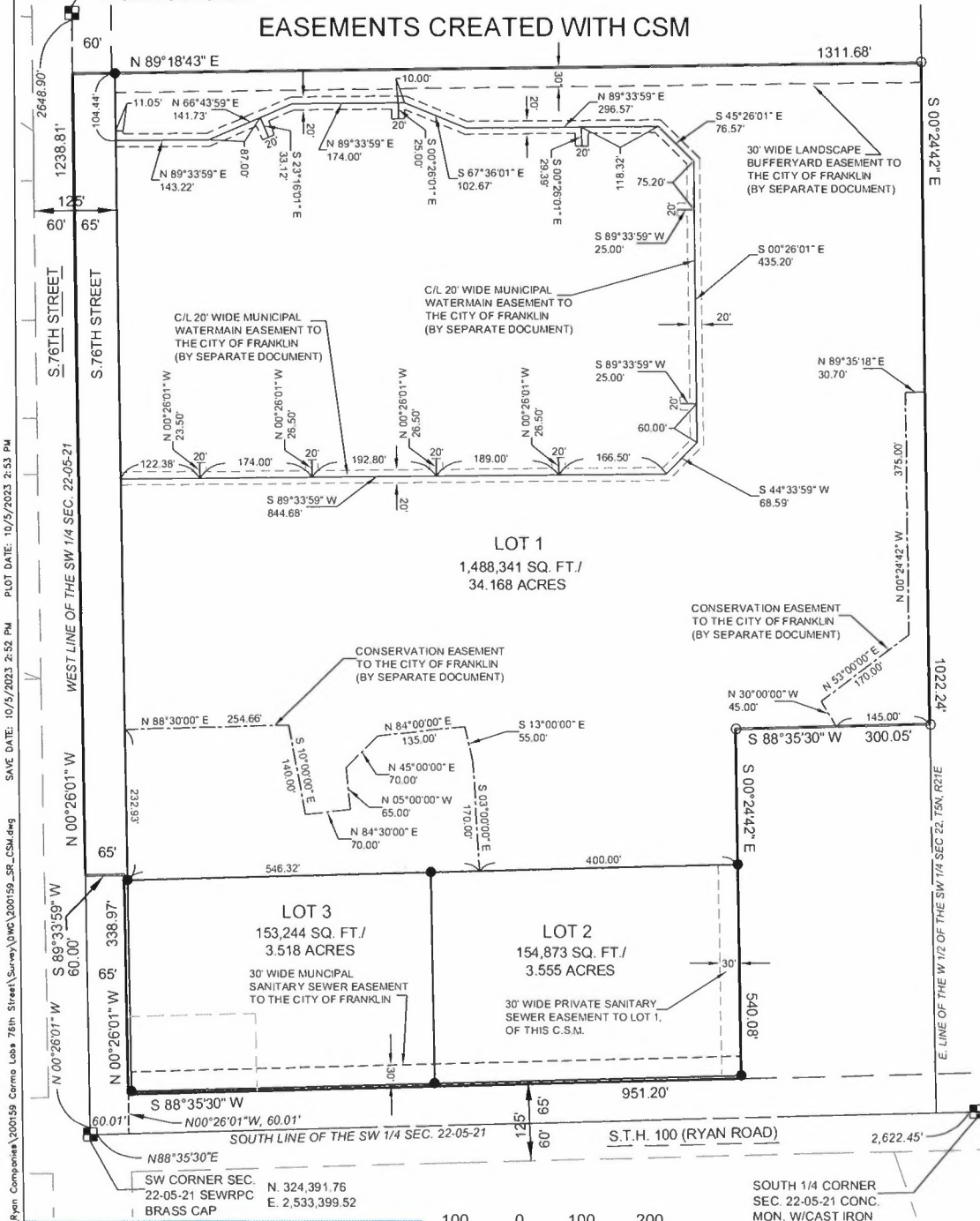
NORTH REFERENCED TO THE WISCONSIN STATE PLANE COORDINATE SYSTEM SOUTH ZONE NAD 27, THE SOUTH LINE OF THE SW 1/4 OF SECTION 22 T.5N., R.21E. BEARING N88°35'30"E.

LEGEND:

- = 1-1/4" O.D. IRON PIPE FOUND
- = 1-1/4" O.D. X 24" LONG, IRON PIPE SET, WEIGHING 1.68 LBS./LINEAL FT.
- = BUILDING SETBACK LINE
- = VERTICAL DATUM = NGVD 29'

WEST 1/4 CORNER SEC. 22-05-21 CONC. MON. W/ SEWRPC BRASS CAP N. 327,040.58 E. 2,533,379.47

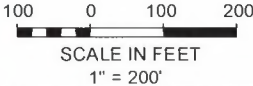
EASEMENTS CREATED WITH CSM



S:\Stedson\Wynn Companies\200159 Cerma Labs 76th Street\Survey\UNC\200159_SR_CSM.dwg SAVE DATE: 10/5/2023 2:52 PM PLOT DATE: 10/5/2023 2:53 PM



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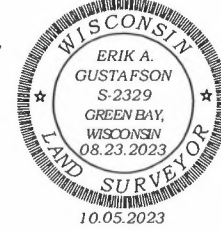


SOUTH 1/4 CORNER SEC. 22-05-21 CONC. MON. W/CAST IRON PLUG WITH CROSS
N. 324,456.21
E. 2,536,021.18

CERTIFIED SURVEY MAP NO. _____

SHEET 3 OF 7 SHEETS

Being a part of the part of the West 1/2 of the SW1/4 of Section 22, Township 05 North, Range 21 East, situated in the City of Franklin, Milwaukee County, Wisconsin.

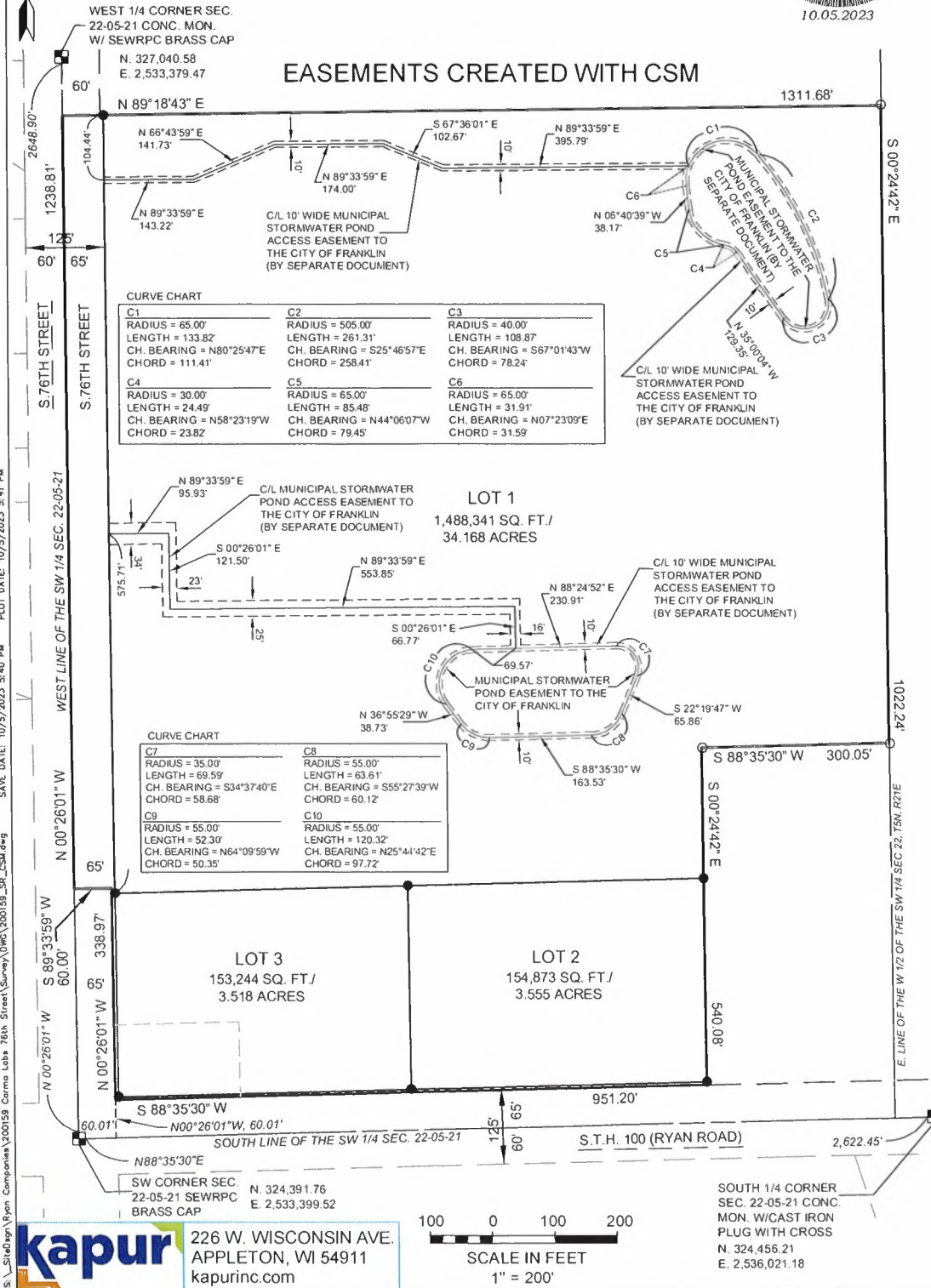


NORTH REFERENCED TO THE WISCONSIN STATE PLANE COORDINATE SYSTEM SOUTH ZONE NAD 27, THE SOUTH LINE OF THE SW 1/4 OF SECTION 22 T.5N., R.21E. BEARING N88°35'30"E

LEGEND:

- = 1-1/4" O.D. IRON PIPE FOUND
- = 1-1/4" O.D. X 24" LONG, IRON PIPE SET, WEIGHING 1.68 LBS./LINEAL FT.

EASEMENTS CREATED WITH CSM



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CERTIFIED SURVEY MAP NO. _____

SHEET 4 OF 7 SHEETS

Being a part of the part of the West 1/2 of the SW1/4 of Section 22, Township 05 North, Range 21 East, situated in the City of Franklin, Milwaukee County, Wisconsin.

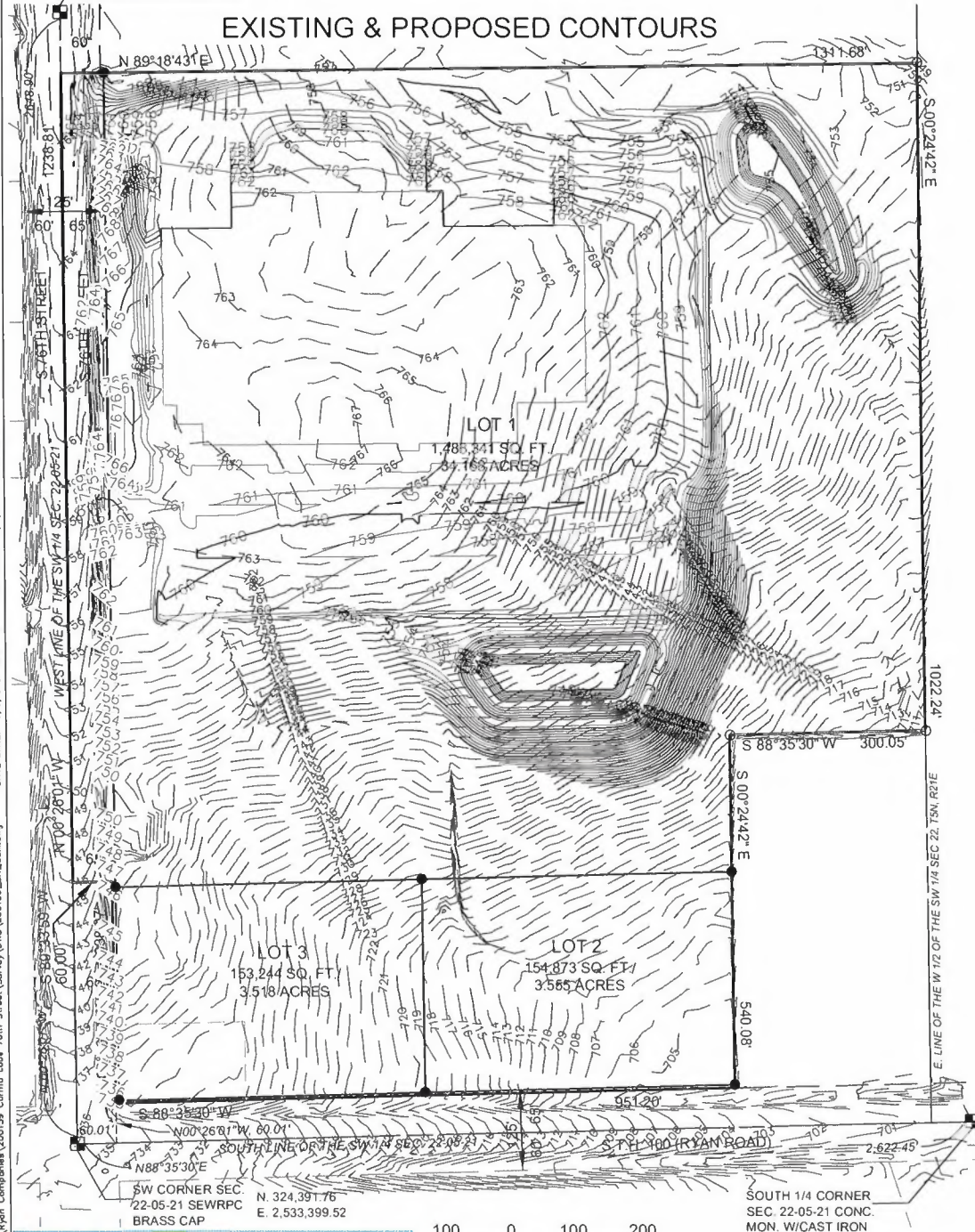


NORTH REFERENCED TO THE WISCONSIN STATE PLANE COORDINATE SYSTEM SOUTH ZONE NAD 27, THE SOUTH LINE OF THE SW 1/4 OF SECTION 22 T.5N., R.21E. BEARING N88°35'30"E.

- LEGEND:**
- = 1-1/4" O.D. IRON PIPE FOUND
 - = 1-1/4" O.D. X 24" LONG, IRON PIPE SET, WEIGHING 1.68 LBS./LINEAL FT.
 - = BUILDING SETBACK LINE
- VERTICAL DATUM = NGVD 29'

WEST 1/4 CORNER SEC. 22-05-21 CONC. MON. N. 327,040.58
W/ SEWRPC BRASS CAP E. 2,533,379.47

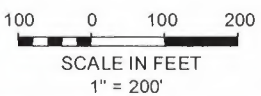
EXISTING & PROPOSED CONTOURS



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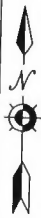
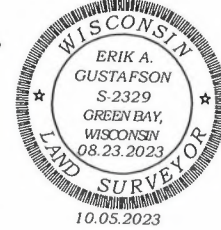


SOUTH 1/4 CORNER SEC. 22-05-21 CONC. MON. W/CAST IRON PLUG WITH CROSS
N. 324,456.21
E. 2,536,021.18

CERTIFIED SURVEY MAP NO. _____

SHEET 5 OF 7 SHEETS

Being a part of the part of the West 1/2 of the SW1/4 of Section 22, Township 05 North, Range 21 East, situated in the City of Franklin, Milwaukee County, Wisconsin.



NORTH REFERENCED TO THE WISCONSIN STATE PLANE COORDINATE SYSTEM SOUTH ZONE NAD 27, THE SOUTH LINE OF THE SW 1/4 OF SECTION 22 T.5N., R.21E. BEARING N88°35'30\"E.

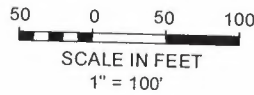
LEGEND:

- = 1-1/4" O.D. IRON PIPE FOUND
- = 1-1/4" O.D. X 24" LONG, IRON PIPE SET, WEIGHING 1.68 LBS./LINEAL FT.
- = BUILDING SETBACK LINE
- = VERTICAL DATUM = NGVD 29'

WETLANDS BOUNDARY

Line #	Length	Direction
L1	451.68	S88°35'30"W
L2	11.59	N01°24'30"W
L3	14.60	S76°09'00"W
L4	12.89	N56°09'50"W
L5	19.58	N62°56'56"W
L6	19.27	N59°52'48"W
L7	13.60	N21°59'20"W
L8	23.67	N22°41'47"W
L9	21.69	N24°18'45"W
L10	24.46	N01°24'50"W
L11	11.43	N29°47'51"W
L12	17.09	N07°23'58"E
L13	19.41	N37°58'07"E
L14	22.82	S53°58'15"E

WETLANDS, WETLANDS BUFFERS & WETLANDS SETBACKS



LOT 1
1,488,341 SQ. FT./
34.168 ACRES

WETLANDS BOUNDARY

Line #	Length	Direction
L28	31.99	S31°59'33"E
L29	21.73	S53°42'48"E
L30	16.90	S55°17'21"E
L31	22.09	S39°38'35"E
L32	18.56	S59°14'54"E
L33	7.46	S70°55'45"W
L34	34.74	N61°09'27"W
L35	19.04	N43°14'23"W
L36	21.47	N49°00'54"W
L37	26.18	N34°04'03"W
L38	28.22	N29°31'23"W
L39	17.44	N25°43'59"W
L40	11.01	N87°53'09"E
L41	5.76	N14°41'20"E
L42	14.60	N60°13'26"W
L43	13.29	N19°27'38"E
L44	452.14	S88°35'30"W

WETLANDS BOUNDARY

Line #	Length	Direction
L15	17.61	S67°42'45"E
L16	18.36	S20°57'07"E
L17	24.40	S12°35'56"W
L18	23.21	S05°31'17"E
L19	21.88	S22°37'38"E
L20	20.55	S41°34'30"E
L21	16.52	S28°59'35"E
L22	10.73	S33°56'01"E
L23	14.43	S01°24'30"E
L24	8.50	S72°03'09"E
L25	25.15	S14°09'42"E
L26	8.90	S11°35'04"W
L27	19.76	S23°16'32"E

WETLAND SETBACK 50' OFFSET

LOT 3
153,244 SQ. FT./
3.518 ACRES

LOT 2
154,873 SQ. FT./
3.555 ACRES

PLOT DATE: 10/5/2023 2:59 PM
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kapur 226 W. WISCONSIN AVE.
APPLETON, WI 54911
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NOTE:
*WETLAND DELINEATION PER WETLAND DELINEATION REPORT PREPARED BY RASMITH, PROJECT No. 1200217, DATED MAY 27, 2020.

CERTIFIED SURVEY MAP NO. _____

Being a part of the part of the West 1/2 of the SW1/4 of Section 22, Township 05 North, Range 21 East, situated in the City of Franklin, Milwaukee County, Wisconsin.

SURVEYOR'S CERTIFICATE:

I hereby certify that by the direction of Carma Laboratories Inc., I have surveyed, divided, and mapped the land shown and described hereon, being a part of the West 1/2 of the SW1/4 of Section 22, Township 05 North, Range 21 East, situated in the City of Franklin, Milwaukee County, Wisconsin, bounded and described by deed as follows:

Property description per the parcel title policy:

The West 1/2 of the Southwest 1/4 of Section 22, in Township 5 North, Range 21 East in the City of Franklin, County of Milwaukee, State of Wisconsin.

Excepting that part conveyed to Milwaukee County by deed recorded as Document No. 2328870 and bounded and described as follows:

Commencing at the Southwest corner of said 1/4 Section; Running thence North along the west line of said 1/4 Section, 400 feet to a point; thence East on a line to a point 60 feet east of (measured at right angles) the West line of said 1/4 Section; thence South on a line 60 feet east of and parallel with the West line of said 1/4 Section to a point 60 feet North of (measured at right angles) the South line of said 1/4 Section; thence East on a line 60 feet north of and parallel with the South line of said 1/4 Section to a point in the East line of said West 1/2 of the Southwest 1/4 of Section 22; thence South along the East line of said West 1/2 to a point in the South line of said 1/4 Section; thence West along said South line to the Place of Beginning.

Also Excepting therefrom those lands conveyed by warranty deed recorded as Document No. 3533054, Warranty Deed recorded as Document No. 3861132, and Quit Claim Deed recorded as Document No. 4081857.

More particularly described as follows:

Commencing at the Southwest corner of Section 22, Township 5 North, Range 21 East; thence North 88°35'30" East, along the south line of the SW 1/4, of said Section 22, 60.01 feet; thence North 00°26'01" West, parallel with the west line of said SW 1/4, 60.01 feet to the intersection of the north line of S.T.H. 100 (Ryan Rd.) with the east line of S. 76 St. and the Point of Beginning; thence North 00°26'01" West, along said east line of S. 76th St. and parallel with said west line of the SW 1/4, 338.97 feet; thence South 89°33'59" West, at a right angle, 60.00 feet to said west line of the SW 1/4; thence North 00°26'01" West, along said west line, 1,238.81 feet; thence North 89°18'43" East, 1,311.68 feet to the east line of the West 1/2, of said SW 1/4; thence South 00°24'42" East, along said east line, 1,022.24 feet; thence South 88°35'30" West, parallel with said south line of the SW 1/4, 300.05 feet; thence South 00°24'42" East, parallel with said east line of the West 1/2, of the SW 1/4, 540.08 feet to said south line of the SW 1/4; thence South 88°35'30" West, along said south line of the SW 1/4, 951.20 feet to the Point of Beginning.

Containing 1,877,177 square feet / 43.094 acres of land, more or less.

I further certify that I have fully complied with the provisions of Section 236.34 of the Wisconsin Statutes and the City of Franklin Unified Development Ordinance Division 15, in surveying, dividing, and mapping and that this Certified Survey Map is a true and correct representation of all of the exterior boundaries of the land surveyed and the division of said land.

Dated this ____ day of _____, 20__.

Erik A. Gustafson S-2329



S:_SrvDwg\Ryan Components\200159 Carma Labs 76th Street\Survey\DWG\200159_SR_CSM.dwg SAVE DATE: 10/5/2023 3:02 PM PLOT DATE: 10/5/2023 3:02 PM



226 W. WISCONSIN AVE.
APPLETON, WI 54911
kapurinc.com

OWNER / SUBDIVIDER:
CARMA LABORATORIES, INC.
RICHARD SIMONSON CEO
5801 WEST AIRWAYS AVE.
FRANKLIN, WI 53132

SURVEYOR:
KAPUR & ASSOCIATES, INC.
7711 N. PORT WASHINGTON ROAD
MILWAUKEE, WI 53217
414.351.6668

CERTIFIED SURVEY MAP NO. _____

SHEET 7 OF 7 SHEETS

Being a part of the part of the West 1/2 of the SW1/4 of Section 22, Township 05 North, Range 21 East, situated in the City of Franklin, Milwaukee County, Wisconsin.

OWNER'S CERTIFICATE:

Carma Laboratories Inc., as owner, does hereby certify that they have caused the land shown and described on this Certified Survey Map to be surveyed, divided, mapped and dedicated as represented hereon.

IN WITNESS WHEREOF, the said Carma Laboratories Inc., has caused these presents to be signed by Rich Simonson, the Chief Operating Officer of Carma Laboratories Inc. at _____, Wisconsin, on this ____ day of _____, 20____.

By: Carma Laboratoies Inc.
Rich Simonson, Chief Operating Officer

STATE OF WISCONSIN)
_____ COUNTY) SS

Personally came before me this ____ day of _____, 20____, Rich Simonson, the Chief Operating Officer of Carma Laboratories Inc., to me known to be the person who executed the foregoing instrument, and known to be such Chief Operating Officer of Carma Laboratories Inc., and acknowledges that he executed the foregoing instrument as such Chief Operating Officer of Carma Laboratories Inc., by its authority.

(Notary Seal) _____

Notary Public, _____ County, Wisconsin.

My Commission (expires) (is permanent) _____.

CITY OF FRANKLIN COMMON COUNCIL APPROVAL:

This Certified Survey Map is hereby approved and the dedication accepted by the Common Council of the City of Franklin, Resolution No. _____, signed on this ____ day of _____, 20____.

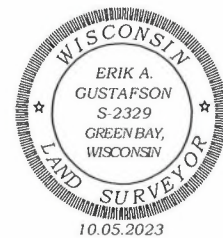
John R. Nelson, City of Franklin Mayor

Karen Kastenson, City of Franklin City Clerk

S:_StdApps\Byen_Compasien\200159_Carmo Labs 76th Street\Survey\DWG\200159_SF_CSM.dwg SAVE DATE: 10/5/2023 3:02 PM PLOT DATE: 10/5/2023 3:03 PM



226 W. WISCONSIN AVE.
APPLETON, WI 54911
kapurinc.com



PROJECT

CARMA LABORATORIES CORPORATE HQ
FRANKLIN, WISCONSIN

APPLICANT:
JOE HILDEBRAND
RYAN COMPANIES
1100 N. STATE STREET, SUITE 415
MILWAUKEE, WI 53202
414-918-8527
johildebrand@ryancompanies.com

PROPERTY OWNER:
CARMA LABORATORIES INC.
9750 S. FRANKLIN DR.
FRANKLIN, WI 53132
carma@carma.com

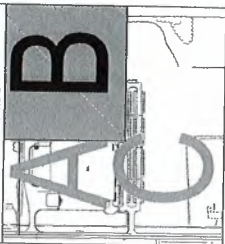
CIVIL ENGINEER:
STEPHEN PERRY SMITH ARCHITECTS, INC.
KAPUR & ASSOCIATES, INC.
788 E. JEFFERSON STREET SUITE 200
MILWAUKEE, WI 53202
stephen@spssai.com
nrczabzon@kapurinc.com



Scale: 1" = 30'
0 15 30 60

DIGGERS HOTLINE
Dial 811 or (800)242-8511
www.DiggersHotline.com

VICINITY MAP



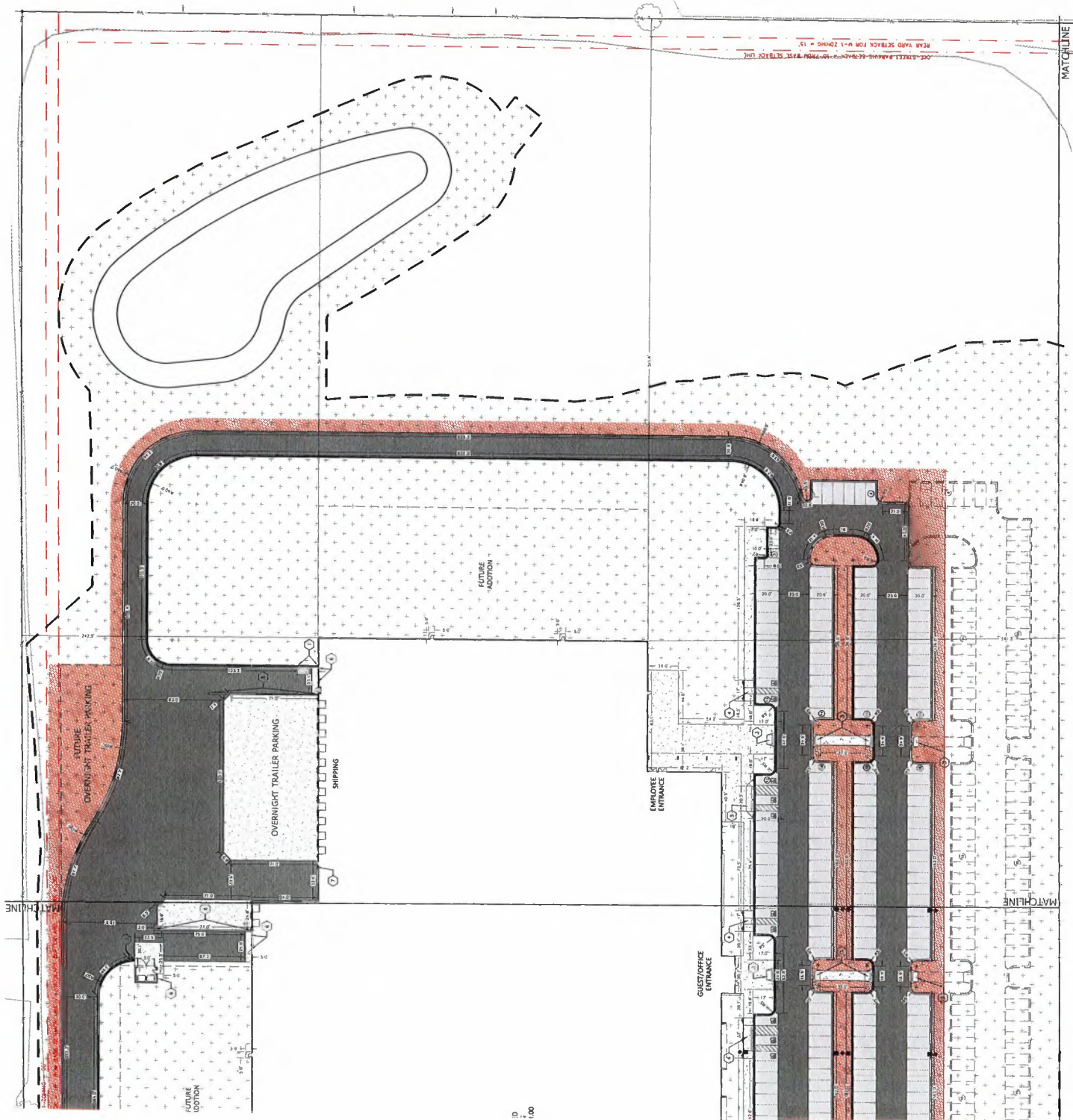
KEY INDEX

1	EXISTING ASPHALT DRIVE	10	CONCRETE DRIVE	19	CONCRETE DRIVE
2	EXISTING ASPHALT DRIVE	11	CONCRETE DRIVE	20	CONCRETE DRIVE
3	EXISTING ASPHALT DRIVE	12	CONCRETE DRIVE	21	CONCRETE DRIVE
4	EXISTING ASPHALT DRIVE	13	CONCRETE DRIVE	22	CONCRETE DRIVE
5	EXISTING ASPHALT DRIVE	14	CONCRETE DRIVE	23	CONCRETE DRIVE
6	EXISTING ASPHALT DRIVE	15	CONCRETE DRIVE	24	CONCRETE DRIVE
7	EXISTING ASPHALT DRIVE	16	CONCRETE DRIVE	25	CONCRETE DRIVE
8	EXISTING ASPHALT DRIVE	17	CONCRETE DRIVE	26	CONCRETE DRIVE
9	EXISTING ASPHALT DRIVE	18	CONCRETE DRIVE	27	CONCRETE DRIVE
10	EXISTING ASPHALT DRIVE	19	CONCRETE DRIVE	28	CONCRETE DRIVE
11	EXISTING ASPHALT DRIVE	20	CONCRETE DRIVE	29	CONCRETE DRIVE
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21	EXISTING ASPHALT DRIVE	30	CONCRETE DRIVE	39	CONCRETE DRIVE
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82	EXISTING ASPHALT DRIVE	91	CONCRETE DRIVE	100	CONCRETE DRIVE

INFORMATION

PROJECT NUMBER: 271701
ISSUED FOR: REVIEW SET
DATE: 10/08/2023

SHEET
SEE LAYOUT PLAN AREA B



1.00

PROJECT

CARMA
LABORATORIES
CORPORATE HQ
FRANKLIN, WISCONSIN

DISCLAIMER
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REVISIONS

NO REVISIONS DATE

Scale: 1" = 60'
0 15 30 45 60 75 90 105 120

DIGGERS HOTLINE
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www.DiggersHotline.com

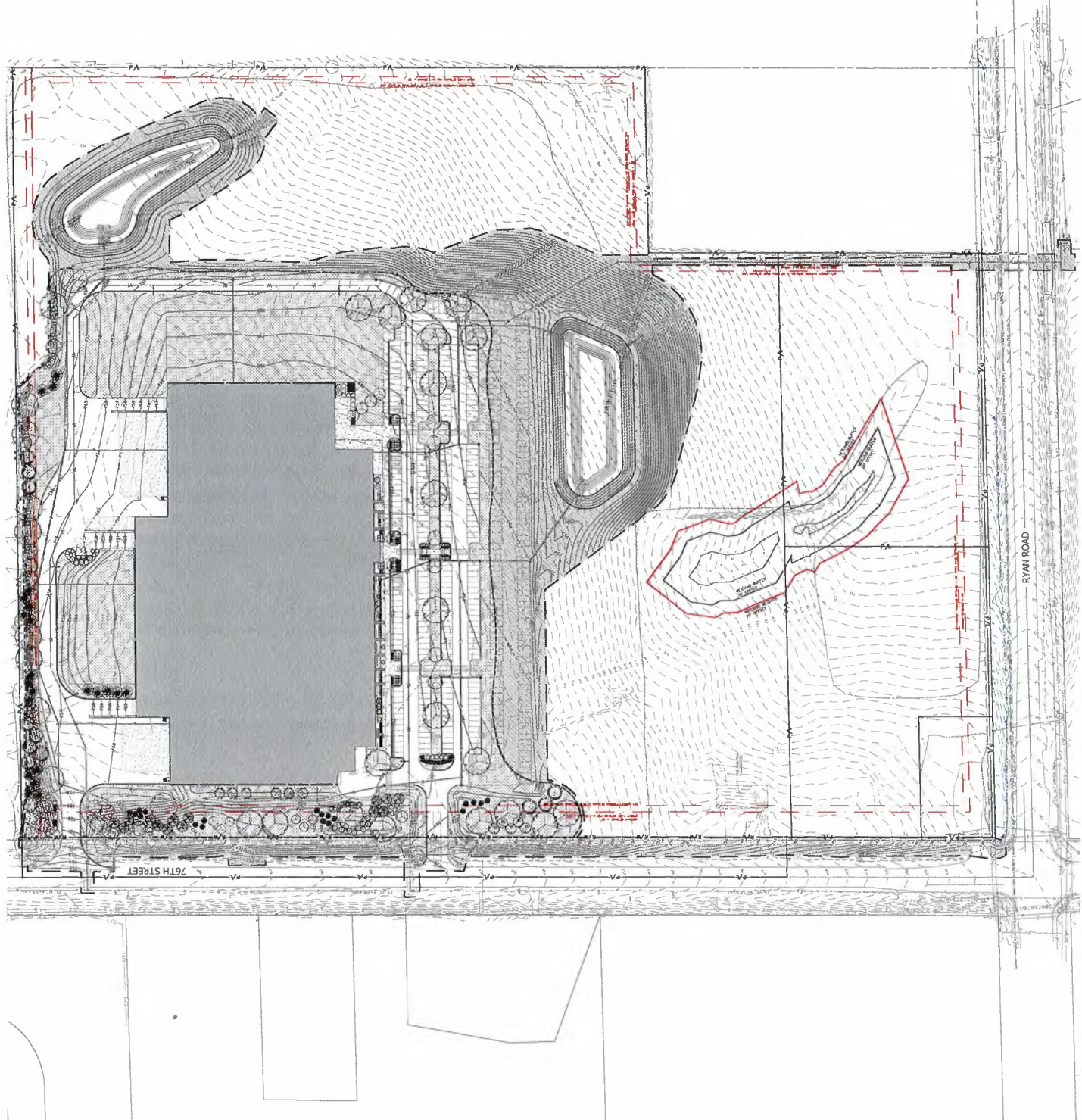
HATCH LEGEND

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INFORMATION

PROJECT NUMBER: 211201
ISSUED FOR: REVIEW SET
DATE: 10.09.2023
SHEET: OVERALL SITE LANDSCAPE PLAN

L101



LIGHTING DESIGNER:



Tyler Leach, LC
Michael Kelly, LC
Lighting elements design
lighting elements design

THIS DRAWING IS NOT TO BE REPRODUCED, CHANGED,
OR ALTERED WITHOUT THE WRITTEN PERMISSION OF
LIGHTING ELEMENTS, LLC.

CARMA LABORATORIES CORPORATE HQ
FRANKLIN WI

REVISIONS:

NOT FOR
CONSTRUCTION

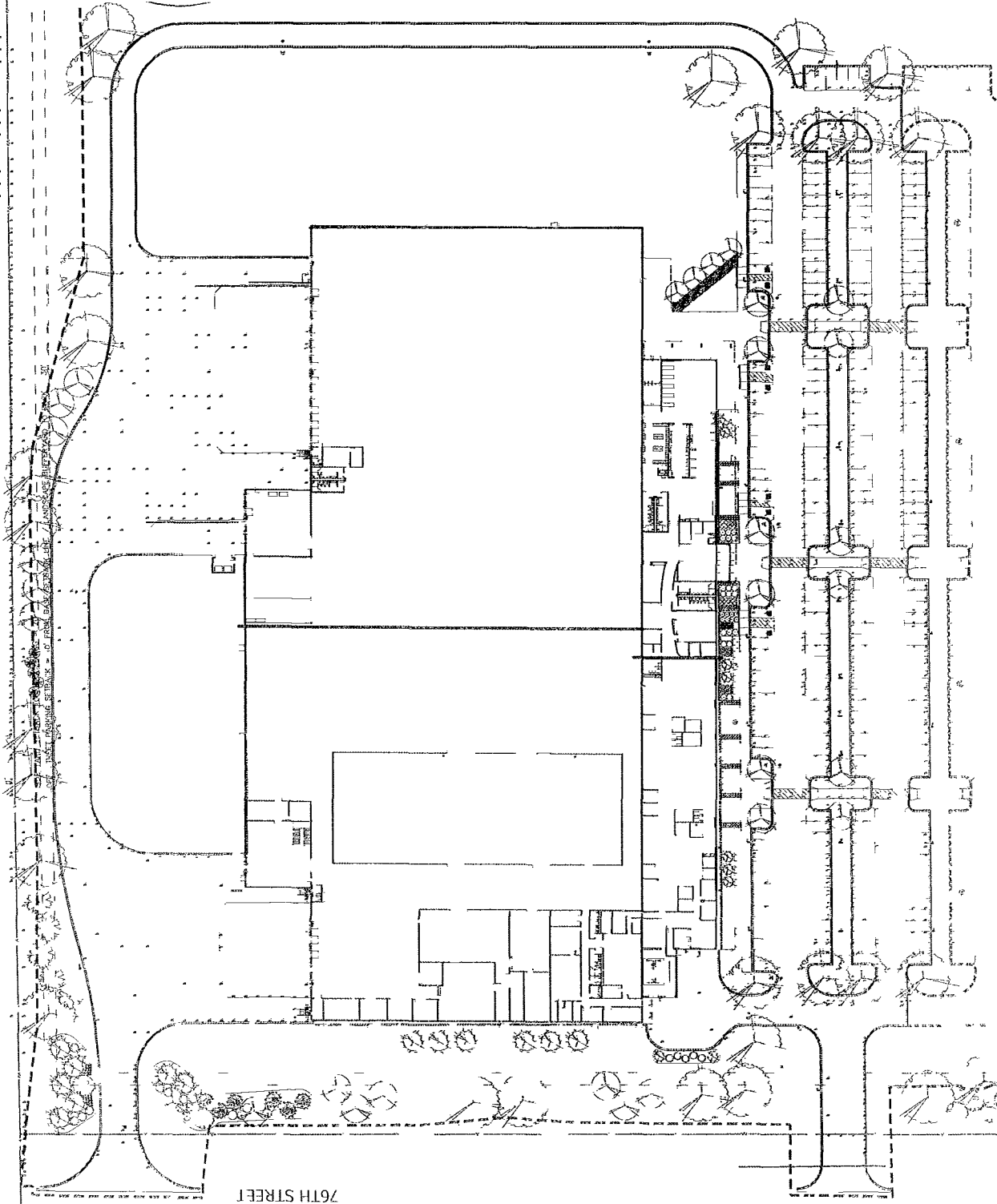
NO.	DATE	BY	DESCRIPTION
1	10/09/23	JMS	RE-CALCULATION REVISION
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PROJECT NUMBER:
221201

DATE:
10/09/2023
SHEET TITLE:

OVERALL SITE PLAN
LIGHTING CALCULATION

SHEET NUMBER:
LP100



DATE	BY	DESCRIPTION
10/09/23	JMS	RE-CALCULATION REVISION

DATE	BY	DESCRIPTION
10/09/23	JMS	RE-CALCULATION REVISION

OVERALL SITE PLAN - LIGHTING CALCULATION



7711 N. Port Washington Road
Milwaukee, WI 53217

T: 414.751.7200 • F: 414.354.4117

NATURAL RESOURCES PROTECTION PLAN CARMA LABORATORIES

Prepared For:

RYAN COMPANIES US, INC.

309 N. WATER STREET, SUITE 415

MILWAUKEE, WI 53202

Prepared By:

Kapur & Associates, Inc.

7711 North Port Washington Road

Milwaukee, WI 53217

October 2023



Carma Labs
Interpretation of City of Franklin Unified Development Ordinance (UDO)
Concerning Natural Resources Protection Standards

Natural Resource Protection Plan (NRPP)
October 9th, 2023

Executive Summary:

A Natural Resource Protection Plan is required for the Carma Labs proposed building and site developments located on the parcel located on the NE Corner of Ryan Road and South 76th Street Franklin, Wisconsin 53132. The site is in the West ½ of the Southwest ¼ of Section 22, Township 5 North, Range 21 East in the City of Franklin, Milwaukee County, Wisconsin. The existing site is 34.02 acres orientated North/South that has been used for agricultural farmland for at least 20 years. The site is bordered to the south by West Ryan Road and east by Milwaukee County Sherriff Department Training Academy, to the west by South 76th Street, and to the north by Croatian Park. The site is currently zoned M-1 (Limited Industrial District) and previously the site was used for agricultural purposes.

Satellite Image via Google Maps

↑ North, Not to Scale (**Approximate Subject Site Limits are Outlined in Red**)



The intent of this Natural Resource Protection Plan (hereto referred to as NRPP) is to help ensure that the City's natural resource protection standards are met and that all of the site's natural resources required to be protected under Part 4 of the Franklin Unified Development

Ordinance (UDO) remain undisturbed and intact, reflective of their current natural state, unless where mitigation is permitted by the city.

Background & Existing Site Conditions:

The existing site is open, grassy agricultural land. The western edge is lined with trees, shrubbery and tall grasses. There are also two gravel driveways along this edge used for agricultural purposes. The northern edge is mostly tall grass, but there are some mature trees towards the western end. The eastern edge of the property is lined with a fence and has mature trees, shrubbery and tall grasses along its entire length. There is a residential property that borders the site in the southeast corner. The southern border with the residential property features a grouping of mature trees and tall grasses. The eastern border shared with the residential property is lined with a narrow berm covered in tall grasses. The southern border of the property shared with W. Ryan Road is grassy and tree lined. The southwest corner of the property includes an asphalt turn around. There is also a large group of trees in the southwestern quadrant of the property.

The topography of the site consists of a high point located in the northwest portion with the slope decreasing radially outward to the site's boundaries. The lowest point on the site is in the southeast corner along W. Ryan Road. The existing site has over a 50-foot drop from the northwest portion to the southeast portion. The proposed building and parking areas will be situated on the highest area of the site in the northwest portion.

Presently, water features on the site include roadway ditches along the south and west edges of the property. There are also wetlands located throughout the property. There is a short unnamed stream located on the property directly east of the site. However, the unnamed stream does not flow onto the project site.

Considerations of Natural Resources for the Proposed Site Improvements:

The following city defined protected natural resources have been considered for this NRPP and are further described below as applicable:

- Wetlands and Shoreland Wetlands
- Wetland Buffers
- Steep Slopes
- Lakes and Ponds
- Streams
- Shore Buffers
- Floodplains/Floodways/Flood lands
- Mature and Young Woodland

Wetlands (Refer to Exhibit 1):

A wetland is an area where water is at, near, or above the land surface long enough to be capable of supporting aquatic or hydrophytic vegetation and which has soils indicative of wet conditions.

The wetland was field inspected by R.A. Smith in April 2020. The delineation indicated there were two wetlands on the site. The first small wetland was located near the west boundary of the site and the second wetland was located along the southern boundary of the site.

- 1) Wetland 1 located near the middle of the western boundary of the site. The wetland is 822 SF (0.019 acres), but it is an artificial wetland therefore it is exempt from being considered a resource feature on the site.
- 2) Wetland 2 is the southmost wetland on the site. Wetland 2 is 5,632 SF (0.129 acres) and 0 SF (0.00 acres) of it will be disturbed as part of the proposed project. Additionally, there will be no disturbance to the wetland buffer or wetland setback. Impacts to the wetland have been assessed and minimized to the maximum extent practicable by project stakeholders.

Shoreland Wetland:

A shoreland wetland is a specific type of wetland that is located within a shoreland area. For this site, a shoreland wetland is any wetland that is within 1,000 feet of a pond or within 300 feet from a stream or to the landward side of floodplain areas. None of the wetlands are considered shoreland wetlands.

Wetland Buffers (Refer to Exhibit 1):

The wetland buffer is the undisturbed land area within 30 feet landward of the delineated boundary of any wetland and parallel to that delineated wetland boundary. Impacts to wetland buffer will not occur on this site.

Steep Slopes (Refer to Exhibit 2):

There are three categories of steep slopes based on the relative degree of the steepness of the slope as follows: ten (10) to nineteen (19) percent, twenty (20) to thirty (30) percent and greater than thirty (30) percent. No land area shall be considered a steep slope unless the steep slope area has at least ten (10) foot vertical drop and has a minimum area of five thousand (5,000) square feet. Steep slopes exclude man-made steep slopes. Presence of steep slopes has been investigated utilizing a site topographic survey performed by Kapur and Associates:

- There are no slopes greater than 30% present on the site, therefore it is exempt from the steep slope (greater than 30%) protection.
- There are no slopes between 20% and 30% present on the site.
- There are 102,932 sf (2.363 acres) of slopes between 10% and 19% present on the site. 26,385 sf (0.606 acres) will be disturbed, which is approximately 26% of the total slopes on site. This is below the 40% maximum allowed per the UDO part 4 Natural Resources Protection.

Lakes:

A lake is defined as any body of water two acres or larger in size. There are no lakes located on the site.

Ponds:

A pond is described as all bodies of water less than two acres in area. There are no ponds on the site.

Streams:

A stream is defined as a course of running water, either perennial or intermittent, flowing in a channel. There are no streams on the site.

Shore Buffer:

The shore buffer is the undisturbed land area (including undisturbed natural vegetation) within 75 feet landward of the ordinary high-water mark of all navigable waters. There is no land disturbance taking place within the 75-foot shore buffer of any waterway on the site.

Floodplain Fringe:

The floodplain fringes are those flood lands outside of the floodway that are subject to inundation by the 100-year recurrence interval flood and includes the Floodplain Conservancy District and Floodplain Fringe Overlay District. There are no floodplain fringes on the site.

Floodway:

A floodway is a designated portion of the 100-year flood that will safely convey the regulatory flood discharge with small acceptable upstream and downstream stage increases. There are no floodways on the site.

Flood lands:

The flood lands are those lands, including channels, floodways and floodplain fringe of any given reach, which are subject to inundation by the flood with a given recurrence frequency. For this instance, the recurrence interval is the 100-year recurrence interval flood. There are no flood lands on the site.

Woodlands, Mature and Young (Refer to Exhibit 3):

A mature woodland is an area that covers an area of one acre and at least 50% of the trees have a diameter at breast height (DBH) of at least 10 inches. It can also be considered a grove consisting of eight or more trees having a DBH of at least 12 inches whose canopies combine to have at least 50% of the grove canopy covered.

A young woodland is an area that covers an area of 0.5 acres or more and at least 50% of the trees have a DBH of at least 3 inches.

The location of mature and young woodlands has been field surveyed by Kapur and Associate's Landscape Architect, with mapping and analysis provided in November 2020. The site consists of Oak, Maple, Buck Thorn, and Box Elder.

The total area of woodland on the site is 134,256 SF (3.082 acres). The woodland is a young woodland. There are no mature woodlands on the site. The area of disturbance in the young woodland area is 3,788 SF (0.087 acres) and has been coordinated to impact the least amount of the natural resource. Within the proposed project, 97% of the young woodlands are maintained on the site, greater than the minimum 50% required for young woodlands. It is anticipated that mitigation is not a requirement for the young woodlands on the site.

Attachment A: Site Intensity and Capacity Calculations

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.		34.02 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 "Site Intensity and Capacity Calculations " for a proposed residential use, subtract (-) the land proposed for nonresidential uses; or In the case of "Site Intensity and Capacity Calculations " for a proposed nonresidential use, subtract (-) the land proposed for residential uses.	-	0 acres
STEP 5:	Equals "Base Site Area"	=	34.02 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 2.363	= 0.945
20-30%	0.65	0.75	0.70	x 0	= 0
+30%	0.90	0.85	0.80	x 0	= 0
Woodlands & Forests					
Mature	0.70	0.70	0.70	x 0	= 0
Young	0.50	0.50	0.50	x 3.082	= 1.541
Lakes & Ponds	1	1	1	x 0	= 0
Streams	1	1	1	x 0	= 0
Shore Buffer	1	1	1	x 0	= 0
Floodplains	1	1	1	x 0	= 0
Wetland Buffers	1	1	1	x 1.042	= 1.042
Wetlands & Shoreland Wetlands	1	1	1	x 0.148	= 0.148
TOTAL RESOURCE PROTECTION LAND					
(Total Acres of land in Resource Feature to be Protected)					3.676

Zoned M-1 (Limited Industrial District): Assumed limited industrial Use Type with LSR = 0.4

Table 15-3.0505		
Worksheet for the Calculation of Site Intensity and Capacity for Nonresidential Development		
STEP 1:	<p>CALCULATE MINIMUM REQUIRED LANDSCAPE SURFACE: Take Base Site Area (from Step 5 in Table 15- 3.0502): 34.02 ac. Multiple by Minimum Landscape Surface Ratio (LSR) (see specific zoning district LSR standard): X 0.4 Equals MINIMUM REQUIRED ON-SITE LANDSCAPE SURFACE =</p>	13.61 acres
STEP 2:	<p>CALCULATE NET BUILDABLE SITE AREA: Take Base Site Area (from Step 5 in Table 15- 3.0502): 34.02 ac. Subtract Total Resource Protection Land from Table 15-3.0503) or Minimum Required Landscape Surface (from Step 1 above), whichever is greater: - 13.61 Equals NET BUILDABLE SITE AREA =</p>	20.41 acres
STEP 3:	<p>CALCULATE MAXIMUM NET FLOOR AREA YIELD OF SITE: Take Net Buildable Site Area (from Step 2 above): 20.41 ac. Multiple by Maximum Net Floor Area Ratio (NFAR) (see specific nonresidential zoning district NFAR standard): X 0.85 Equals MAXIMUM NET FLOOR AREA YIELD OF SITE =</p>	17.35 acres
STEP 4:	<p>CALCULATE MAXIMUM GROSS FLOOR AREA YIELD OF SITE: Take Base Site Area (from Step 5 of Table 15- 3 0502): 34.02 ac. Multiple by Maximum Gross Floor Area Ratio (GFAR) (see specific nonresidential zoning district GFAR standard): X 0.42 Equals MAXIMUM GROSS FLOOR AREA YIELD OF SITE =</p>	14.29 acres
STEP 5:	<p>DETERMINE MAXIMUM PERMITTED FLOOR AREA OF SITE: Take the lowest of Maximum Net Floor Area Yield of Site (from Step 3 above) or Maximum Gross Floor Area Yield of Site (from Step 4 above):</p> <p>(Multiple results by 43,560 for maximum floor area in square feet):</p>	14.29 acres 622,472 square feet

Exhibit 1: Wetland Exhibit Map

Exhibit 2: Steep Slope Exhibit Map



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 www.DiggersHotline.com

REVISIONS

NO.	DESCRIPTION	DATE

LEGEND

PROJECT LIMITS
 --- EXISTING 1" CONTOURS
 --- DISTURBED - 0.00 ACRES (0.00 SF)
 --- 10-19% SLOPES
 --- UNDISTURBED - 1.79 ACRES (76,547 SF)

NATURAL RESOURCE IMPACTS	
NATURAL RESOURCE FEATURE	TOTAL SITE AREA
WETLANDS & SWAMPY WETLANDS	3,402 ACRES (1,461,07 SF)
WETLAND BUFFERS	TOTAL AREA OF DISTURBANCE WITHIN NON-EXEMPTED AREAS
WOODLANDS & FORESTS	TOTAL EXEMPTED AREA
LAKES & PONDS	0.00 ACRES (0 SF)
SHRUBS	0.00 ACRES (0 SF)
WOODLANDS/FORESTS	0.00 ACRES (0 SF)
STEP SLOPES - 10-19%	0.00 ACRES (0 SF)
STEP SLOPES - 20-30%	0.00 ACRES (0 SF)
STEP SLOPES - 30%	0.00 ACRES (0 SF)

CONTACT INFORMATION

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CIVIL ENGINEER
 RYAN BIRSCHBACH P.E.
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 262-758-6035
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OWNER: MILWAUKEE COUNTY - SHERIFF'S DEPT
 ADDRESS: 7220 W RYAN RD
 TAX KEY: 8849994000

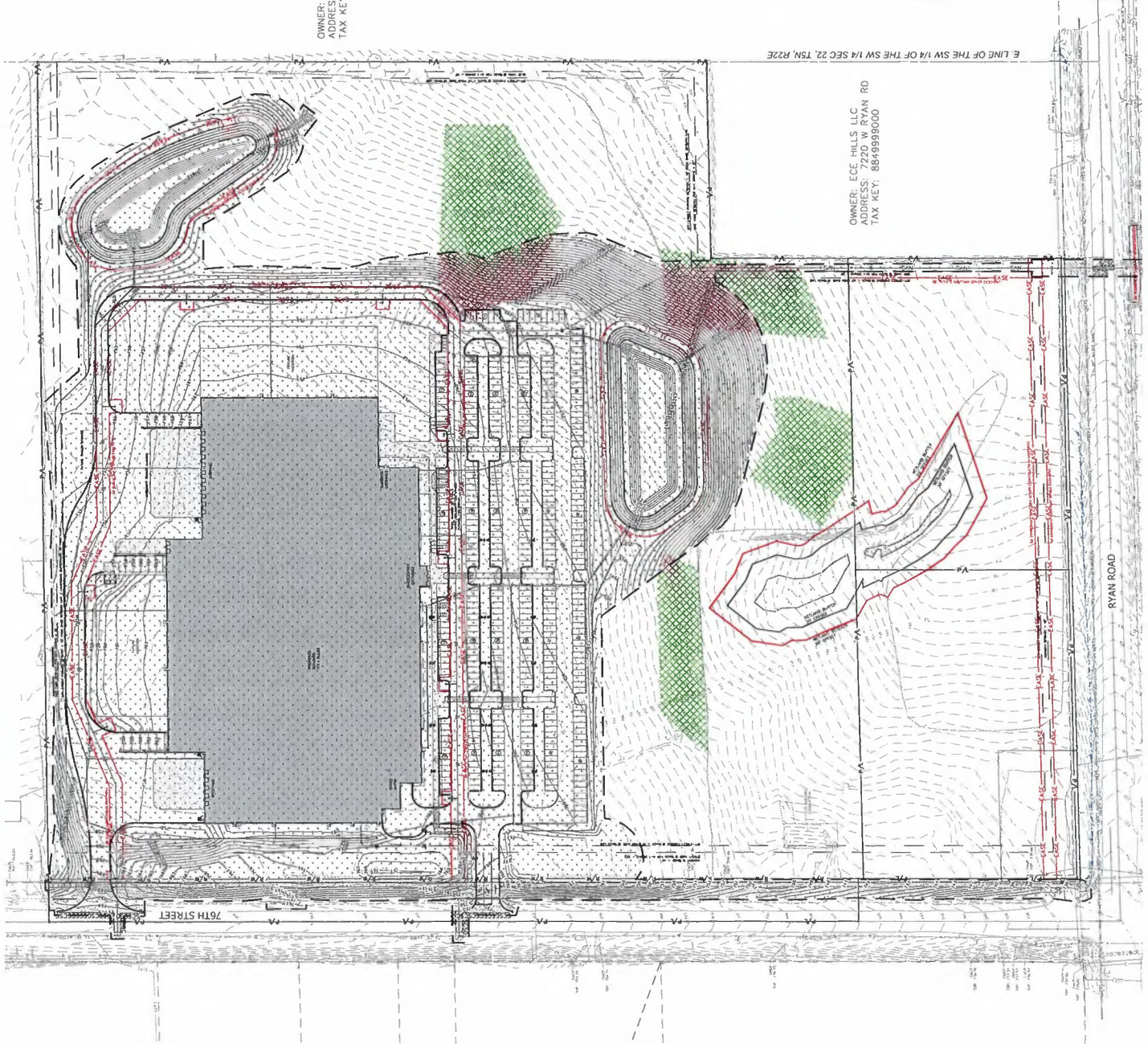


Exhibit 3: Woodlands Exhibit Map

PROJECT

CARMA LABORATORIES CORPORATE HQ
FRANKLIN, WISCONSIN

PROCESSES DOCUMENTS
BEST PRACTICES FOR
WETLANDS RESTORATION
AND CONSTRUCTION
IN THE STATE OF WISCONSIN
FOR THE DEPARTMENT OF
NATURAL RESOURCES

OWNER



REVISIONS

NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMITS	08/20/2024

INFORMATION

PROJECT NUMBER:	271201
ISSUED FOR:	REVIEW SET
DATE:	10/07/2023

SHEET

WOODLAND DRAINAGE

OWNER: MILWAUKEE COUNTY - SHERIFF'S DEPT
ADDRESS: 8849994000
TAX KEY: 8849994000



DIGGERS HOTLINE
Dial 811 or (800)742-8511
www.DiggersHotline.com

LEGEND

- - - PROJECT LIMITS
- - - EXISTING 1" CONTIGUOUS
- ▨ EXISTING WOODLAND AREAS TO REMAIN (3.26 ACRES (0.97) TOTAL)
- ▨ EXISTING WOODLAND AREA, YOUNG - DISTURBED (3.788 ACRES (0.97) TOTAL)
- ▨ DISTURBANCE LIMITS: 25'-FEET BEYOND GRADING
- ▨ THE LOCATION OF WOODLANDS HAS BEEN FIELD SURVEYED BY THE ENGINEER AND IS SHOWN IN PURSUANT TO 23 CSR 10.02(1)

CONTACT INFORMATION

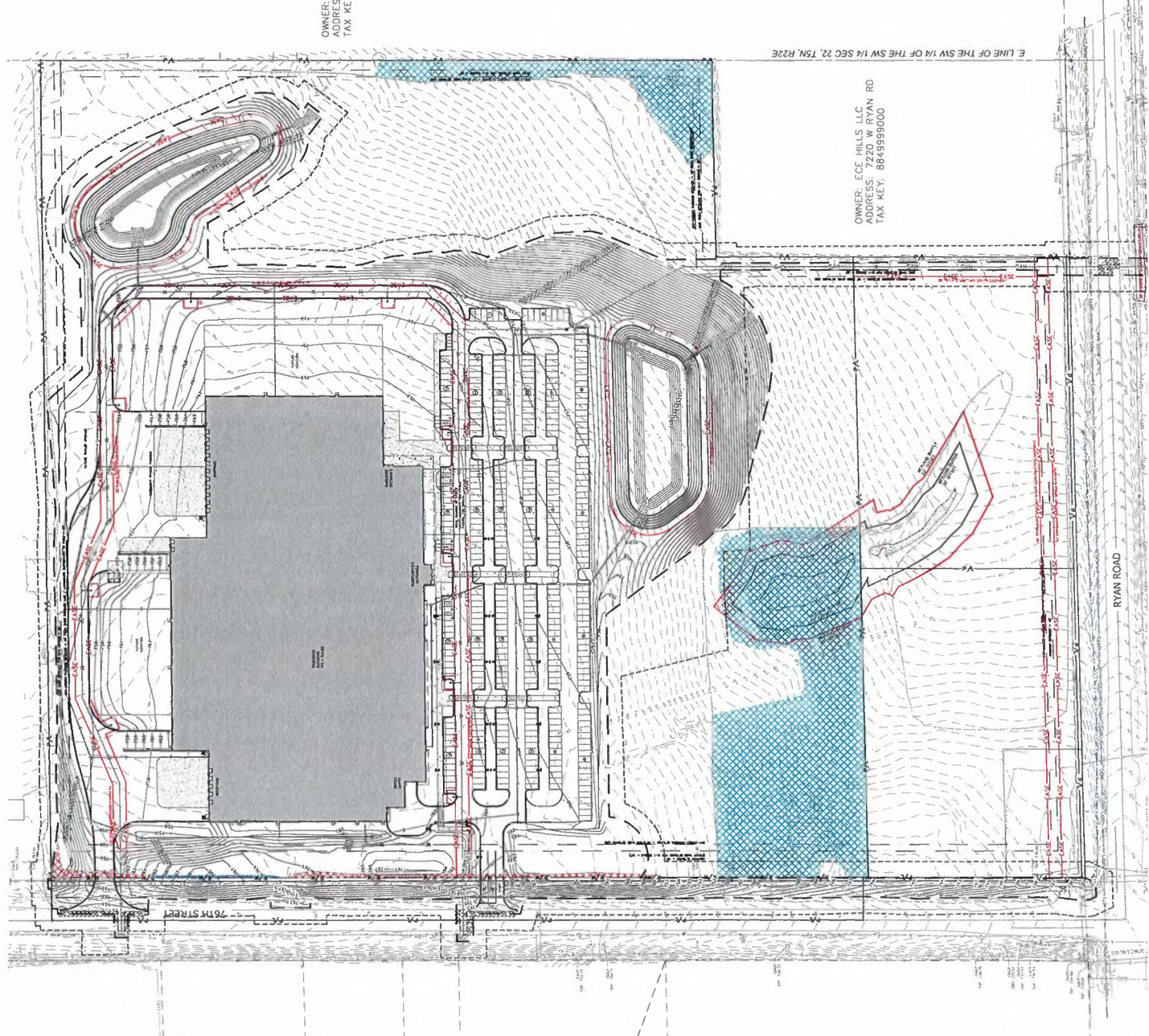
APPLICANT
MILWAUKEE COUNTY
RYAN COMPANIES US, INC.
300 N. WATER STREET, SUITE 415
MILWAUKEE, WI 53202
ryan.companies.us

PROPERTY OWNER
RYAN COMPANIES US, INC.
300 N. WATER STREET, SUITE 415
MILWAUKEE, WI 53202
ryan.companies.us

CODE ENGINEER
RYAN BROSCHUK, P.E.
RYAN BROSCHUK & ASSOCIATES, INC.
708 WEST WISCONSIN STREET, SUITE 800
MILWAUKEE, WI 53202
202-758-6035
ryanbroschuk@ryaninc.com

NATURAL RESOURCE IMPACTS

NATURAL RESOURCE FEATURE	TOTAL AREA (Includes exempted areas)	TOTAL EXEMPTED AREA	TOTAL AREA OF DISTURBANCE WITHIN NON-EXEMPTED AREAS
WETLANDS & SWAMPLANDS	0.148 ACRES (0.04 SF)	0.019 ACRES (0.52 SF)	0.000 ACRES (0 SF)
WETLAND BUFFERS	1.947 ACRES (52,415 SF)	0.374 ACRES (10,274 SF)	0.000 ACRES (0 SF)
WOODLANDS & FORESTS	3.093 ACRES (114,234 SF)	0.000 ACRES (0 SF)	0.000 ACRES (0 SF)
WOODLANDS & FORESTS - YOUNG	0.000 ACRES (0 SF)	0.000 ACRES (0 SF)	0.000 ACRES (0 SF)
LAKES & PONDS	0.000 ACRES (0 SF)	0.000 ACRES (0 SF)	0.000 ACRES (0 SF)
SHORE BUFFERS	0.000 ACRES (0 SF)	0.000 ACRES (0 SF)	0.000 ACRES (0 SF)
STREAMS	0.000 ACRES (0 SF)	0.000 ACRES (0 SF)	0.000 ACRES (0 SF)
FLOODWAYS/ROADWAYS	0.000 ACRES (0 SF)	0.000 ACRES (0 SF)	0.000 ACRES (0 SF)
STEP SLOPES - 10-15%	2.383 ACRES (102,332 SF)	0.000 ACRES (0 SF)	0.000 ACRES (0 SF)
STEP SLOPES - 15-30%	0.000 ACRES (0 SF)	0.000 ACRES (0 SF)	0.000 ACRES (0 SF)
STEP SLOPES - 30%	0.000 ACRES (0 SF)	0.000 ACRES (0 SF)	0.000 ACRES (0 SF)



OWNER: ECE HILLS LLC
ADDRESS: 7220 W RYAN RD
TAX KEY: 8849995000

E LINE OF THE SW 1/4 OF THE SW 1/4 SEC 22, T15N, R22E

RYAN ROAD

76TH STREET

Exhibit 4: Overall Natural Resource Exhibit Map

PROJECT

CARMA
 LABORATORIES
 CORPORATE HQ
 FRANKLIN, WISCONSIN

OWNER
 Carmex
CONTRACTOR
 RYAN

REVISIONS

NO.	DESCRIPTION	DATE

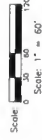
INFORMATION

PROJECT NUMBER: 271201
 ISSUED FOR: REVIEW SET
 DATE: 10.09.2023

SHEET

OVERALL NATURAL RESOURCES DATA
 444

OWNER: MILWAUKEE COUNTY - SHERIFF'S DEPT
 ADDRESS: 8849994000
 TAX KEY: 8849994000



DIGGERS HOTLINE
 Dial 811 or (800)242-8511
 www.DiggersHotline.com

LEGEND

- PROPOSED 1" CONTIGUES
- WETLAND BOUNDARY
- WETLAND BOUNDARY - EXCEPTED
- 50' WETLAND BUFFER - NO TOUCH
- 50' WETLAND SETBACK - NO BUILD
- 0.019 ACRES WETLAND (0.027 SF)
- 0.019 ACRES EXCEPTED WETLAND (0.07 SF)
- WETLAND IMPACTS: W-2, 0 ACRES (0 SF)
- WETLAND 50' BUFFER - W-2, 0 ACRES (0 SF)
- WETLAND 50' SETBACK - W-2, 0 ACRES (0 SF)
- WETLAND 50' SETBACK - W-2, 0 ACRES (0 SF)
- 10-15% STEEP SLOPES
- 15-20% STEEP SLOPES
- 20-25% STEEP SLOPES
- 25-30% STEEP SLOPES
- 30-35% STEEP SLOPES
- 35-40% STEEP SLOPES
- 40-45% STEEP SLOPES
- 45-50% STEEP SLOPES
- 50-55% STEEP SLOPES
- 55-60% STEEP SLOPES
- 60-65% STEEP SLOPES
- 65-70% STEEP SLOPES
- 70-75% STEEP SLOPES
- 75-80% STEEP SLOPES
- 80-85% STEEP SLOPES
- 85-90% STEEP SLOPES
- 90-95% STEEP SLOPES
- 95-100% STEEP SLOPES
- DISTURBANCE LIMITS: 25-FEET RETIRED CHAINING

CONTACT INFORMATION

APPLICANT:
 JOE HILBRAND
 ECE HILLS LLC
 309 N. WATER STREET, SUITE 415
 MILWAUKEE, WI 53202
 jhilbrand@ecehills.com

PROPERTY OWNER:
 JOE HILBRAND
 ECE HILLS LLC
 309 N. WATER STREET, SUITE 415
 MILWAUKEE, WI 53202
 jhilbrand@ecehills.com

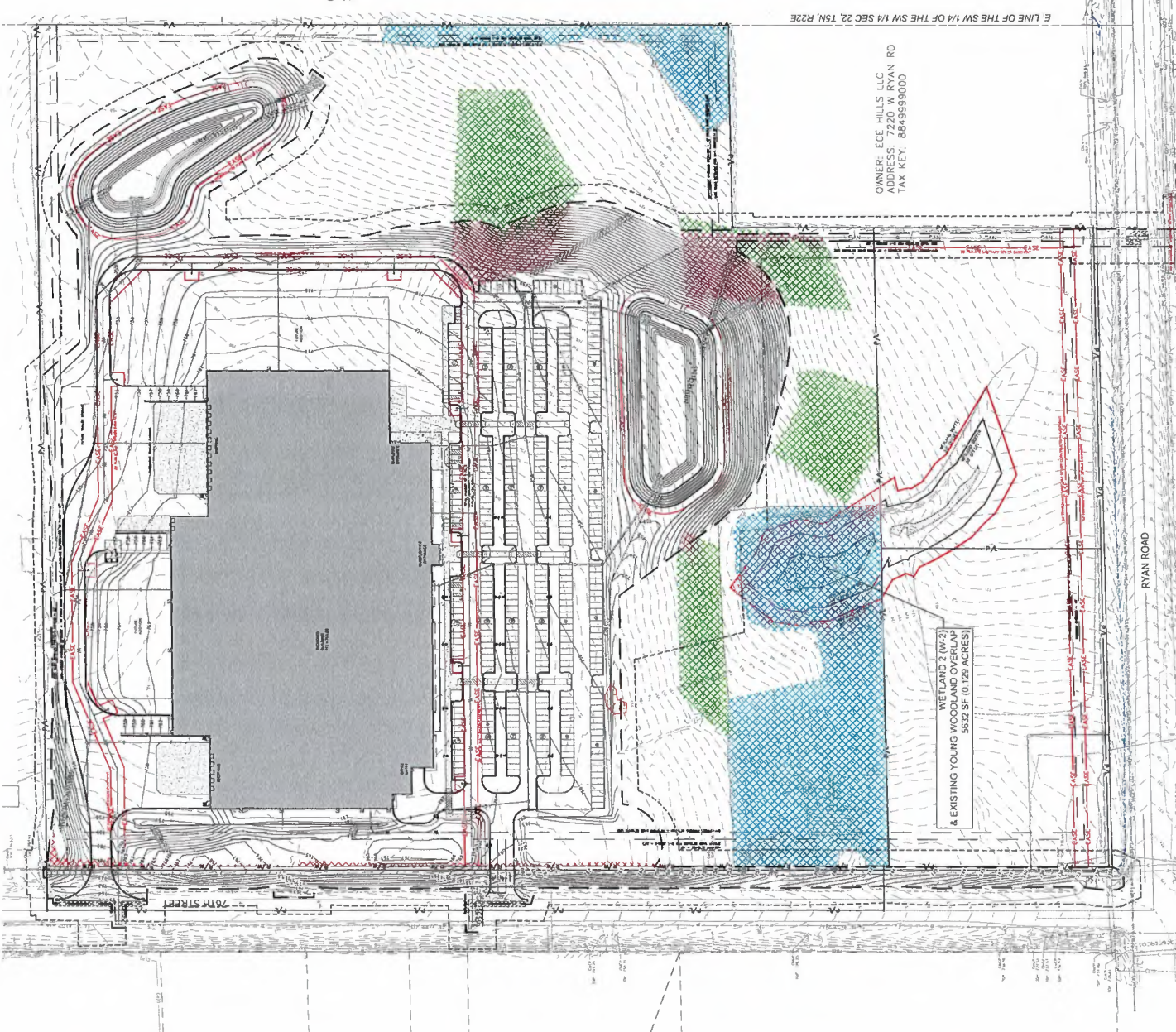
CIVIL ENGINEER:
 RYAN BIRSCHBACH, P.E.
 RYAN BIRSCHBACH & ASSOCIATES, INC.
 501 WEST AIRWAYS AVENUE
 FRANKLIN, WI 53122

CIVIL ENGINEER:
 RYAN BIRSCHBACH, P.E.
 RYAN BIRSCHBACH & ASSOCIATES, INC.
 501 WEST AIRWAYS AVENUE
 FRANKLIN, WI 53122

DATE: 10/09/2023

NATURAL RESOURCE IMPACTS

NATURAL RESOURCE FEATURE	TOTAL AREA (Includes existing/BBOS)	TOTAL ENCLYPTED AREA	TOTAL AREA OF DISTURBANCE WITHIN NON-ENCLYPTED AREAS
WETLANDS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100	0.148 ACRES (6,434 SF)	0.018 ACRES (837 SF)	0.000 ACRES (0 SF)
WETLAND BUFFERS	1,047 ACRES (45,410 SF)	0.018 ACRES (837 SF)	0.000 ACRES (0 SF)
WOODLANDS & FORESTS	3,087 ACRES (134,256 SF)	0.000 ACRES (0 SF)	0.000 ACRES (0 SF)
WOODLANDS & FORESTS - YOUNG	0.000 ACRES (0 SF)	0.000 ACRES (0 SF)	0.000 ACRES (0 SF)
LAKES & POND	0.000 ACRES (0 SF)	0.000 ACRES (0 SF)	0.000 ACRES (0 SF)
SHORE BUFFERS	0.000 ACRES (0 SF)	0.000 ACRES (0 SF)	0.000 ACRES (0 SF)
STREAMS	0.000 ACRES (0 SF)	0.000 ACRES (0 SF)	0.000 ACRES (0 SF)
FLOODPLAIN/TERRACES	0.000 ACRES (0 SF)	0.000 ACRES (0 SF)	0.000 ACRES (0 SF)
STEEP SLOPES 10-15%	2,383 ACRES (102,932 SF)	0.000 ACRES (0 SF)	0.000 ACRES (0 SF)
STEEP SLOPES 20-30%	0.000 ACRES (0 SF)	0.000 ACRES (0 SF)	0.000 ACRES (0 SF)
STEEP SLOPES 30%	0.000 ACRES (0 SF)	0.000 ACRES (0 SF)	0.000 ACRES (0 SF)
STEEP SLOPES 35%	0.000 ACRES (0 SF)	0.000 ACRES (0 SF)	0.000 ACRES (0 SF)
STEEP SLOPES 40%	0.000 ACRES (0 SF)	0.000 ACRES (0 SF)	0.000 ACRES (0 SF)
STEEP SLOPES 45%	0.000 ACRES (0 SF)	0.000 ACRES (0 SF)	0.000 ACRES (0 SF)
STEEP SLOPES 50%	0.000 ACRES (0 SF)	0.000 ACRES (0 SF)	0.000 ACRES (0 SF)
STEEP SLOPES 55%	0.000 ACRES (0 SF)	0.000 ACRES (0 SF)	0.000 ACRES (0 SF)
STEEP SLOPES 60%	0.000 ACRES (0 SF)	0.000 ACRES (0 SF)	0.000 ACRES (0 SF)
STEEP SLOPES 65%	0.000 ACRES (0 SF)	0.000 ACRES (0 SF)	0.000 ACRES (0 SF)
STEEP SLOPES 70%	0.000 ACRES (0 SF)	0.000 ACRES (0 SF)	0.000 ACRES (0 SF)
STEEP SLOPES 75%	0.000 ACRES (0 SF)	0.000 ACRES (0 SF)	0.000 ACRES (0 SF)
STEEP SLOPES 80%	0.000 ACRES (0 SF)	0.000 ACRES (0 SF)	0.000 ACRES (0 SF)
STEEP SLOPES 85%	0.000 ACRES (0 SF)	0.000 ACRES (0 SF)	0.000 ACRES (0 SF)
STEEP SLOPES 90%	0.000 ACRES (0 SF)	0.000 ACRES (0 SF)	0.000 ACRES (0 SF)
STEEP SLOPES 95%	0.000 ACRES (0 SF)	0.000 ACRES (0 SF)	0.000 ACRES (0 SF)
STEEP SLOPES 100%	0.000 ACRES (0 SF)	0.000 ACRES (0 SF)	0.000 ACRES (0 SF)




OWNER: ECE HILLS LLC
 ADDRESS: 7220 W RYAN RD
 TAX KEY: 8849995000

WETLAND 2 (W-2)
 AND EXISTING YOUNG WOODS (W-2)
 5652 SF (0.129 ACRES)

RYAN ROAD

70TH STREET

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<p style="text-align: center;">APPROVAL</p> 	<p style="text-align: center;">REQUEST FOR COUNCIL ACTION</p>	<p style="text-align: center;">MEETING DATE 11/07/23</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 LOT 1 OF CERTIFIED SURVEY MAP NO. ____ FROM R-8 MULTIPLE-FAMILY RESIDENCE DISTRICT AND B-3 COMMUNITY BUSINESS DISTRICT TO M-1 LIMITED INDUSTRIAL DISTRICT, AND LOTS 2 AND 3 OF CERTIFIED SURVEY MAP NO. ____ to B-3 COMMUNITY BUSINESS DISTRICT (PROPERTY LOCATED AT 9410 S 76TH STREET AND 7520 W RYAN RD) (BY ALEX SCHELER, CARMA LABORATORIES, INC, APPLICANT, CARMA LABORATORIES, INC, PROPERTY OWNER)</p>	<p style="text-align: center;">ITEM NUMBER</p> <p style="text-align: center;">G.5.</p> <p style="text-align: center;">Ald. Dist. 1</p>

Carmex Development Application Item 2 of 3

At its October 24, 2023 special meeting, following a duly noticed public hearing, the Plan Commission carried a motion to recommend approval of this rezoning request, the vote was 4-0-1: four ‘ayes’, no ‘nays’ and one absence.

Due to an error in the agenda of the regular meeting of the Plan Commission on October 19, 2023 this public hearing item had been carried over for discussion until a corrected agenda could be published.

During the public hearing, one resident commented on his excitement about growth of the business, but had concerns about a number of items including:

- Traffic management; noise and pedestrian safety
- S. 76th Street and W. Ryan Road intersection is unsafe and loud
- Requesting sidewalks
- Request truck approach from Hwy. 100, not S. 76th Street
- Landscape buffering for surrounding homes and business
- Natural Resources protection to preserve water quality and woods

The Plan Commission report for this item is included with the Council Action request to conditionally approve a three (3) Lot Certified Survey Map at this location. The draft resolution does not include a CSM number as this information will not be available until the CSM has been recorded.

COUNCIL ACTION REQUESTED

A motion to adopt Ordinance 2023-_____, to amend the Unified Development Ordinance (zoning map) to rezone Lot 1 of Certified Survey Map No. ____ from R-8 Multiple-Family Residence District and B-3 Community Business District to M-1 Limited Industrial District, and Lots 2 and 3 of Certified Survey Map No. ____ to B-3 Community Business District (Property located at 9410 S 76TH STREET and 7520 W RYAN RD) (BY Alex Scheler, Carma Laboratories, Inc, APPLICANT, Carma Laboratories, Inc, PROPERTY OWNER)

Department of City Development. MX

ORDINANCE NO. 2023-_____

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE (ZONING MAP) TO REZONE LOT 1 OF CERTIFIED SURVEY MAP NO. _____ FROM R-8 MULTIPLE-FAMILY RESIDENCE DISTRICT AND B-3 COMMUNITY BUSINESS DISTRICT TO M-1 LIMITED INDUSTRIAL DISTRICT, AND LOTS 2 AND 3 OF CERTIFIED SURVEY MAP NO. _____ to B-3 COMMUNITY BUSINESS DISTRICT (PROPERTY LOCATED AT 9410 S 76TH STREET AND 7520 W RYAN RD) (BY ALEX SCHELER, CARMA LABORATORIES, INC, APPLICANT, CARMA LABORATORIES, INC, PROPERTY OWNER)

WHEREAS, Alex Scheler, Carma Laboratories, Inc. having petitioned the City of Franklin for the rezoning of approximately 41.4 acres of land, from R-8 Multiple-Family Residence District and B-3 Community Business District to M-1 Limited Industrial District; and B-3 Community Business District such land located on a portion of the property located at 9410 S 76th Street and 7520 W Ryan Road; and

WHEREAS, a public hearing was held before the City of Franklin Plan Commission on the 19th day of October, 2023, 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 Lot 1 of Certified Survey Map No. _____, described below, be changed from R-8 Multiple-Family Residence District and B-3 Community Business District to M-1 Limited Industrial District, which is contingent upon the approval and recording of the related Certified Survey Map; and

§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 Lot 2 of Certified Survey Map No. _____, described below, be changed from R-8 Multiple-Family Residence District to B-3 Community Business District, which is contingent upon the approval and recording of the related Certified Survey Map; and

§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 Lot 3 of Certified Survey Map No. _____, described below, be changed from R-8 Multiple-Family Residence District and B-3 Community Business District to B-3 Community Business District, which is contingent upon the approval and recording of the related Certified Survey Map:

PARCEL A: The West 1/2 of the Southwest 1/4 of Section 22, in Township 5 North, Range 21 East in the City of Franklin, County of Milwaukee, State of Wisconsin. Excepting that part conveyed to Milwaukee County by deed recorded as Document No. 2328870 and bounded and described as follows: commencing at the Southwest corner of said 1/4 Section; Running thence North along the west line of said 1/4 Section, 400 feet to a point; thence East on a line to a point 60 feet east of (measured at right angles) the West line of said 1/4 Section; thence South on a line 60 feet east of and parallel with the West line of said 1/4 Section to a point 60 feet North of (measured at right angles) the South line of said 1/4 Section; thence East on a line 60 feet north of and parallel with the South line of said 1/4 Section to a point in the East line of said West 1/2 of the Southwest 1/4 of Section 22; thence South along the East line of said West 1/2 to a point in the South line of said 1/4 Section; thence West along said South line to the Place of Beginning. Also Excepting therefrom those lands conveyed by warranty deed recorded as Document No. 3533054, Warranty Deed recorded as Document No. 3861132, and Quit Claim Deed recorded as Document No. 4081857. Further Excepting therefrom, the following: The North 120 feet of the South 180 feet of the East 200 feet of the West 260 feet of the Southwest 1/4 of Section 22, in Township 5 North, Range 21 East, in the City of Franklin, County of Milwaukee, State of Wisconsin; and

PARCEL B: Also including the North 120 feet of the South 180 feet of the East 200 feet of the West 260 feet of the Southwest 1/4 of Section 22, in Township 5 North, Range 21 East, in the City of Franklin, County of Milwaukee, State of Wisconsin. More particularly described as follows: commencing at the Southwest corner of Section 22, Township 5 North, Range 21 East; thence North 88°35'30" East, along the south line of the SW 1/4, of said Section 22, 60.01 feet; thence North 00°26'01" West, parallel with the west line of said SW 1/4, 60.01 feet to the intersection of the north line of S.T.H.100 (Ryan Rd.) with the east line of S. 76 St. and the Point of Beginning; thence North 00°26'01" West, along said east line of S. 76th St. and parallel with said west line of the SW 1/4, 338.97 feet; thence South 88°33'59" West, at a right angle, 60.00 feet to said west line of the SW 1/4; thence North 00°26'01" West, along said west line, 1,238.81 feet; thence North 89°18'43" East, 1,311.68 feet to the east line of the West 1/2, of said SW 1/4; thence South 00°24'42" East, along said east line, 1,022.24 feet; thence South 88°35'30" West, parallel with said south line of the SW 1/4, 300.05 feet; thence South 00°24'42" East, parallel

with said east line of the West 1/2, of the SW 1/4, 540.08 feet to said south line of the SW 1/4; thence South 88°35'30" West, along said south line of the SW 1/4, 951.20 feet to the Point of Beginning, of property located at 9410 South 76th Street (Parcel A), and 7520 West Ryan Road (Parcel B), bearing Tax Key Number: 884-9997-000 (Parcel A) and 884-9998-000 (Parcel B) Alex Scheler, Carma Laboratories, Inc, applicant; said certified survey map having been reviewed by the City Plan Commission and the Plan Commission having recommended approval thereof pursuant to certain conditions; and

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 _____, 2023, by Alderman _____.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2023.

APPROVED:

John R. Nelson, Mayor

ATTEST:

Karen L. Kastenson, City Clerk

AYES _____ NOES _____ ABSENT _____

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<p style="text-align: center;">APPROVAL</p> <p style="text-align: center;"><i>X</i></p>	<p style="text-align: center;">REQUEST FOR COUNCIL ACTION</p>	<p style="text-align: center;">MEETING DATE</p> <p style="text-align: center;">11/07/2023</p>
<p style="text-align: center;">REPORTS & RECOMMENDATIONS</p>	<p style="text-align: center;">A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR OVERNIGHT PARKING FOR VEHICLES EXCEEDING 8,000 POUNDS MANUFACTURED GROSS VEHICLE WEIGHT AS PART OF THE DEVELOPMENT OF A SINGLE-STORY BUILDING HOUSING OFFICES AND MANUFACTURING FACILITIES (CARMA LABORATORIES), UPON PROPERTY LOCATED AT 9410 S 76TH STREET (BY ALEX SCHELER, CARMA LABORATORIES, INC, APPLICANT, CARMA LABORATORIES, INC, PROPERTY OWNER)</p>	<p style="text-align: center;">ITEM NUMBER</p> <p style="text-align: center;"><i>G.L.</i></p> <p style="text-align: center;">Ald. Dist.</p> <p style="text-align: center;">1</p>

Carmex Development Application Item 3 of 3

At the October 19, 2023 regular meeting, following a public hearing, the Plan Commission carried a motion to recommend approval of this application for a Special Use for overnight parking for vehicles exceeding 8,000 pound manufactured gross vehicle weight as part of the development of a single-story building housing offices and manufacturing facilities.

At that same meeting, the Plan Commission adopted a motion to approve a Site Plan for this development.

The Plan Commission report for this item is included with the Council Action request to conditionally approve a 3 Lot Certified Survey Map at this location.

During the Public Hearing, one resident shared concerns and requests:

- Would prefer an entrance to parking off of W. Ryan Road; not S. 76th Street.
- Requests that the approval for truck parking not allow for idling/engine running.

COUNCIL ACTION REQUESTED

A motion to adopt Resolution 2023-_____, imposing conditions and restrictions for the approval of a Special Use for overnight parking for vehicles exceeding 8,000 pounds manufactured gross vehicle weight as part of the development of a single-story

building housing office and manufacturing facilities (CARMA LABORATORIES),
UPON PROPERTY LOCATED AT 9410 S 76TH STREET (BY ALEX SCHELER,
CARMA LABORATORIES, INC, APPLICANT, CARMA LABORATORIES, INC,
PROPERTY OWNER)

Department of City Development MX

RESOLUTION NO. 2023-_____

A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR THE APPROVAL OF A SPECIAL USE FOR OVERNIGHT PARKING FOR VEHICLES EXCEEDING 8,000 POUNDS MANUFACTURED GROSS VEHICLE WEIGHT AS PART OF THE DEVELOPMENT OF A SINGLE-STORY BUILDING HOUSING OFFICES AND MANUFACTURING FACILITIES (CARMA LABORATORIES), UPON PROPERTY LOCATED AT 9410 S 76TH STREET (BY ALEX SCHELER, CARMA LABORATORIES, INC, APPLICANT, CARMA LABORATORIES, INC, PROPERTY OWNER)

WHEREAS, Alex Scheler, Carma Laboratories, Inc. having petitioned the City of Franklin for the approval of a Special Use (which is contingent upon approval of the concurrent 3 lot Certified Survey Map, and rezoning of the property) to allow for the development of a single-story building housing offices and manufacturing (Carma Laboratories) upon property located at 9410 S 76th Street, zoned M-1 Limited Industrial District. The property which is the subject of the application bears Tax Key No. 884 9997 000 and is more particularly described as follows:

Lot 1 (Carma Laboratories Building):

Being part of the West 1/2 of the SW 1/4 of Section 22, Township 05 North, Range 21 East, situated in the City of Franklin, Milwaukee County, Wisconsin, described as follows:

Commencing at the Southwest corner of said Section 22; thence North 88°35'30" East, along the south line of said SW 1/4, 60.01 feet; thence North 00°26'01" West, parallel with the west line of said SW 1/4, 60.01 feet to the intersection of the north line of S.T.H.100 (Ryan Rd.) with the east line of S. 76th St.; thence continuing North 00°26'01" West, along said east line of S. 76th St. and parallel with said west line of the SW 1/4, 330.66 feet to the southwest corner of Lot 1, and the Point of Beginning; thence continuing North 00°26'01" West, along said east line and along the west line of said Lot 1, 1,247.39 feet to the northwest corner of said Lot 1; thence North 89°18'43" East, along the north line of said Lot 1, 1,251.68 feet to the northeast corner of said Lot 1; thence South 00°24'42" East, along the east line of said Lot 1, and along the east line of said West 1/2, of the SW 1/4, 1,022.24 feet; thence South 88°35'30" West, parallel with said south line of the SW 1/4, 300.05 feet; thence South 00°24'42" East, parallel with said east line of the West 1/2, of the SW 1/4, 209.42 feet to the southeast corner of said Lot 1; thence South 88°35'30" West, along the south line of said Lot 1, and parallel with said south line of the SW 1/4, 951.32 feet to the Point of Beginning; and

ALEX SCHELER, CARMA LABORATORIES, INC – SPECIAL USE
RESOLUTION NO. 2023-_____

Page 2

WHEREAS, such petition having been duly referred to the Plan Commission of the City of Franklin for a public hearing, pursuant to the requirements of §15-9.0103D. of the Unified Development Ordinance, and a public hearing having been held before the Plan Commission on the 19th day of October, 2023, and the Plan Commission thereafter having determined to recommend that the proposed Special Use be approved, subject to certain conditions, and the Plan Commission further finding that the proposed Special Use upon such conditions, pursuant to §15-3.0701 of the Unified Development Ordinance, will be in harmony with the purposes of the Unified Development Ordinance and the Comprehensive Master Plan; that they will not have an undue adverse impact upon adjoining property; that they will not interfere with the development of neighboring property; that they will be served adequately by essential public facilities and services; that they will not cause undue traffic congestion; and that they will not result in damage to property of significant importance to nature, history or the like; and

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

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

1. That this Special Use is approved only for the use of the subject property by Alex Scheler, Carma Laboratories, Inc, successors and assigns, for a Jilly's Car Wash facility use, which shall be developed in substantial compliance with, and operated and maintained by Alex Scheler, Carma Laboratories, Inc, pursuant to those plans City file-stamped October 9, 2023 and annexed hereto and incorporated herein as Exhibit A.
2. Alex Scheler, Carma Laboratories, Inc, successors and assigns, shall pay to the City of Franklin the amount of all development compliance, inspection and review fees incurred by the City of Franklin, including fees of consults to the City of Franklin, for the Alex Scheler, Carma Laboratories, Inc, Carma Laboratories facility Special Use, within 30 days of invoice for same. Any violation of this provision shall be a violation of the Unified Development Ordinance, and subject to §15-9.0502 thereof and §1-19 of the Municipal Code, the general penalties and remedies provisions, as amended from time to time.
3. The approval granted hereunder is conditional upon the Alex Scheler, Carma Laboratories, Inc Carma Laboratories facility Special Use for the property located at 9410 S 76th Street: (i) being in compliance with all applicable governmental laws, statutes, rules, codes, orders and ordinances; and (ii) obtaining all other

governmental approvals, permits, licenses and the like, required for and applicable to the project to be developed and as presented for this approval.

4. No portion of the overnight parking areas of the site may be visible from a residential or park zoning district or public right of way, or located in a front or side yard.
5. The applicant shall provide significant screening of all truck parking areas; additional screening should be provided on the north property line.
6. No overnight parking shall be permitted outside in the office garage area located at the southwest corner of the building.
7. The office garage area located at the southwest corner of the building may only be used for parking and loading related to the office uses of the building.

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

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

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

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

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

ALEX SCHELER, CARMA LABORATORIES, INC – SPECIAL USE
RESOLUTION NO. 2023-_____

Page 4

Introduced at a regular meeting of the Common Council of the City of Franklin this
_____ day of _____, 2023.

Passed and adopted at a regular meeting of the Common Council of the City of
Franklin this _____ day of _____, 2023.

APPROVED:

John R. Nelson, Mayor

ATTEST:

Karen L. Kastenson, City Clerk

AYES _____ NOES _____ ABSENT _____

APPROVAL 	REQUEST FOR COUNCIL ACTION	MTG. DATE November 7, 2023
Reports & Recommendations	A Resolution for raSmith, Inc. to provide Traffic Signal and Roadway Design Improvement Services for a Traffic Signal at S. 51st Street and S. Preserve Way for \$43,500	ITEM NO. G.7.

BACKGROUND

There have historically been traffic concerns at S. 51st Street and S. Preserve Way before and after school at the Franklin High School (822 S. 51st Street). Recently, representatives of the City have met with the Franklin Public Schools representatives and drafted a memorandum of understanding (MOU) that includes the construction of a traffic signal for this intersection.

ANALYSIS

Staff has reviewed the draft memorandum of understanding and wishes for the entirety of the MOU to be discussed at the Board of Public Works (BOPW) as the BOPW has an extensive history concerning the safety and traffic issues for this section of S. 51st Street.

Regardless of the status of the MOU, a traffic signal is desired for this location. This would be the first and only traffic signal on a City of Franklin street. All of the rest of the traffic signals in the City of Franklin are State or County owned and maintained. Franklin DPW has no knowledge or experience in the design, construction, ownership, or maintenance of traffic signal equipment.

Staff consulted with two traffic engineering firms and learned that even a plain signal, as proposed here, should have a budget of \$250,000 to \$300,000. The draft MOU proposes that there would be a yet-determined cost share for funding the construction, and then the School District would be solely responsible for the ongoing maintenance.

raSmith is the traffic consultant who designed the roundabout at S. 51st Street and W. Drexel Avenue, so Staff chose raSmith to provide a scope and fee for this project since they are familiar with the Franklin High School traffic issues. Staff worked out a scope and reviewed the fee in accordance with a spreadsheet showing number of hours per task.

Staff plans to place the attached MOU on the November 14, 2023, BOPW agenda and will return to the Common Council with a recommended MOU for consideration and adoption. Note that other traffic and safety issues are included in this area.

OPTIONS

- A. Approve, Deny, Modify, or Table the raSmith contract.
- B. Direct Staff to take the draft MOU to the BOPW and return to Common Council with a recommended MOU.
- C. Other direction to Staff

FISCAL NOTE

There is a budget amendment elsewhere on this agenda to fund \$43,500 in the 2023 budget for this unplanned budget item.

RECOMMENDATION

(Option A: Approve and Option B) Authorize Resolution 2023-_____ a Resolution for raSmith, Inc. to provide Traffic Signal and Roadway Design Improvements Services for a Traffic Signal at S. 51st Street and S. Preserve Way for \$43,500; and

Direct Staff to discuss the draft memorandum of understanding at the Board of Public Works and return with a proposed draft version.

Engineering: GEM;

STATE OF WISCONSIN : CITY OF FRANKLIN : MILWAUKEE COUNTY

RESOLUTION NO. 2023 - _____

A RESOLUTION FOR RASMITH, INC. TO PROVIDE
TRAFFIC SIGNAL AND ROADWAY DESIGN IMPROVEMENTS SERVICES FOR A
TRAFFIC SIGNAL AT S. 51ST STREET AND S. PRESERVE WAY FOR \$43,500

WHEREAS, there have historically been traffic concerns at S. 51st Street and S. Preserve Way before and after school at the Franklin High School (822 S. 51st Street); and

WHEREAS, the City and the Franklin Public School District is negotiating a memorandum of understanding to construct a traffic signal at this intersection and provide other traffic and safety improvements along S. 51st Street; and

WHEREAS, raSmith, Inc. performed the design of the nearby roundabout at S. 51st Street and W. Drexel Avenue and is also a qualified traffic engineer in the design of traffic signals.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, to authorize a professional engineering services contract with raSmith, Inc. to design Traffic Signal and Roadway Design Improvements for a Traffic Signal at S. 51st Street and S. Preserve Way for \$43,500; and

BE IT FURTHER RESOLVED that the Mayor and City Clerk are authorized and directed to execute the professional services contract on behalf of the City.

Introduced at a regular meeting of the Common Council of the City of Franklin the _____ day of _____, 2023, by Alderman _____.

PASSED AND ADOPTED by the Common Council of the City of Franklin on the _____ day of _____, 2023.

APPROVED:

John R. Nelson, Mayor

ATTEST:

Karen L. Kastenson, City Clerk

AYES _____ NOES _____ ABSENT _____

A G R E E M E N T

This AGREEMENT, made and entered into this ___ day of _____, between the City of Franklin, 9229 West Loomis Road, Franklin, Wisconsin 53132 (hereinafter "CLIENT") and R.A. Smith, Inc. (hereinafter "CONTRACTOR"), whose principal place of business is 16745 W. Bluemound Road, Brookfield, WI 53005.

W I T N E S S E T H

WHEREAS, the CONTRACTOR is duly qualified and experienced as a municipal services contractor and has offered services for the purposes specified in this AGREEMENT; and

WHEREAS, in the judgment of CLIENT, it is necessary and advisable to obtain the services of the CONTRACTOR to provide Traffic Signal and Roadway Design Improvements along S. 51st Street;

NOW, THEREFORE, in consideration of these premises and the following mutual covenants, terms, and conditions, CLIENT and CONTRACTOR agree as follows:

I. BASIC SERVICES AND AGREEMENT ADMINISTRATION

CONTRACTOR shall provide services to CLIENT for design and bidding services, as described in CONTRACTOR's proposal to CLIENT dated October 31, 2023.

- A. annexed hereto and incorporated herein as Attachment A.
- B. CONTRACTOR shall serve as CLIENT's professional representative in matters to which this AGREEMENT applies. CONTRACTOR may employ the services of outside consultants and subcontractors when deemed necessary by CONTRACTOR to complete work under this AGREEMENT following approval by CLIENT.
- C. CONTRACTOR is an independent contractor and all persons furnishing services hereunder are employees of, or independent subcontractors to, CONTRACTOR and not of CLIENT. All obligations under the Federal Insurance Contribution Act (FICA), the Federal Unemployment Tax Act (FUTA), and income tax withholding are the responsibility of CONTRACTOR as employer. CLIENT understands that express AGREEMENTS may exist between CONTRACTOR and its employees regarding extra work, competition, and nondisclosure.
- D. During the term of this AGREEMENT and throughout the period of performance of any resultant AGREEMENT, including extensions, modifications, or additions thereto, and for a period of one (1) year from the conclusion of such activity, the parties hereto agree that neither shall solicit for employment any technical or professional employees of the other without the prior written approval of the other party.

II. FEES AND PAYMENTS

CLIENT agrees to pay CONTRACTOR, for and in consideration of the performance of Basic Services further described in Attachment A, for a lump sum fee of \$43,500.00, subject to the terms detailed below:

- A. CONTRACTOR may bill CLIENT and be paid for all work satisfactorily completed hereunder on a monthly basis. CLIENT agrees to pay CONTRACTOR's invoice within 30 days of invoice date for all approved work.
- B. Total price will not exceed budget of \$43,500.00. For services rendered, monthly invoices will include a report that clearly states the hours and type of work completed and the fee earned during the month being invoiced.
- C. In consideration of the faithful performance of this AGREEMENT, the CONTRACTOR will not exceed the fee for Basic Services and expenses without written authorization from CLIENT to perform work over and above that described in the original AGREEMENT.
- D. Should CLIENT find deficiencies in work performed or reported, it will notify CONTRACTOR in writing within thirty (30) days of receipt of invoice and related report and the CONTRACTOR will remedy the deficiencies within thirty (30) days of receiving CLIENT's review. This subsection shall not be construed to be a limitation of any rights or remedies otherwise available to CLIENT.

III. MODIFICATION AND ADDITIONAL SERVICES

- A. CLIENT may, in writing, request changes in the Basic Services required to be performed by CONTRACTOR and require a specification of incremental or decremental costs prior to change order agreement under this AGREEMENT. Upon acceptance of the request of such changes, CONTRACTOR shall submit a "Change Order Request Form" to CLIENT for authorization and notice to proceed signature and return to CONTRACTOR. Should any such actual changes be made, an equitable adjustment will be made to compensate CONTRACTOR or reduce the fixed price, for any incremental or decremental labor or direct costs, respectively. Any claim by CONTRACTOR for adjustments hereunder must be made to CLIENT in writing no later than forty-five (45) days after receipt by CONTRACTOR of notice of such changes from CLIENT.

IV. ASSISTANCE AND CONTROL

- A. Glen Morrow, City Engineer will coordinate the work of the CONTRACTOR, and be solely responsible for communication within the CLIENT's organization as related to all issues originating under this AGREEMENT.
- B. CLIENT will timely provide CONTRACTOR with all available information concerning PROJECT as deemed necessary by CONTRACTOR.

- C. CONTRACTOR will appoint, subject to the approval of CLIENT, John Bruggeman CONTRACTOR's Project Manager and other key providers of the Basic Services. Substitution of other staff may occur only with the consent of CLIENT.

V. TERMINATION

- A. This AGREEMENT may be terminated by CLIENT, for its convenience, for any or no reason, upon written notice to CONTRACTOR. This AGREEMENT may be terminated by CONTRACTOR upon thirty (30) days written notice. Upon such termination by CLIENT, CONTRACTOR shall be entitled to payment of such amount as shall fairly compensate CONTRACTOR for all work approved up to the date of termination, except that no amount shall be payable for any losses of revenue or profit from any source outside the scope of this AGREEMENT, including but not limited to, other actual or potential agreements for services with other parties.
- B. In the event that this AGREEMENT is terminated for any reason, CONTRACTOR shall deliver to CLIENT all data, reports, summaries, correspondence, and other written, printed, or tabulated material pertaining in any way to Basic Services that CONTRACTOR may have accumulated. Such material is to be delivered to CLIENT whether in completed form or in process. CLIENT shall hold CONTRACTOR harmless for any work that is incomplete due to early termination.
- C. The rights and remedies of CLIENT and CONTRACTOR under this section are not exclusive and are in addition to any other rights and remedies provided by law or appearing in any other article of this AGREEMENT.

VI. INSURANCE

The CONTRACTOR shall, during the life of the AGREEMENT, maintain insurance coverage with an authorized insurance carrier at least equal to the minimum limits set forth below:

A. General/Commercial Liability	\$2,000,000 per each occurrence for bodily injury, personal injury, and property damage \$4,000,000 per general aggregate, <i>CITY shall be named as an additional insured on a primary, non-contributory basis.</i>
B. Automobile Liability	\$1,000,000 combined single limit <i>CITY shall be named as an additional insured on a primary, non-contributory basis.</i>

C. Umbrella or Excess Liability Coverage for General/Commercial, Automobile Liability, and Contractor's Pollution Liability	\$10,000,000 per occurrence for bodily injury, personal injury, and property <i>CITY shall be named as an additional insured on a primary, non-contributory basis.</i>
D. Worker's Compensation and Employers' Liability	Statutory <i>Contractor will provide a waiver of subrogation and/or any rights of recovery allowed under any workers' compensation law</i>
E. Professional Liability (Errors & Omissions)	\$2,000,000 single limit

Upon the execution of this AGREEMENT, CONTRACTOR shall supply CLIENT with a suitable statement certifying said protection and defining the terms of the policy issued, which shall specify that such protection shall not be cancelled without thirty (30) calendar days prior notice to CLIENT, and naming CLIENT as an additional insured as required above.

VII. INDEMNIFICATION AND ALLOCATION OF RISK

- A. A. To the fullest extent permitted by law, CONTRACTOR shall indemnify and hold harmless CLIENT, CLIENT'S officers, directors, partners, and employees from and against costs, losses, and damages, including but not limited to reasonable fees and charges of engineers, architects, attorneys, and other professionals, and reasonable court or arbitration or other dispute resolution costs, caused by the negligent acts or omissions of CONTRACTOR or CONTRACTOR'S officers, directors, partners, employees, and consultants in the performance of CONTRACTOR'S services under this AGREEMENT.
- B. B. Nothing contained within this AGREEMENT is intended to be a waiver or estoppel of the contracting municipality CLIENT or its insurer to rely upon the limitations, defenses, and immunities contained within Wisconsin law, including those contained within Wisconsin Statutes §§ 893.80, 895.52, and 345.05. To the extent that indemnification is available and enforceable, the municipality CLIENT or its insurer shall not be liable in indemnity or contribution for an amount greater than the limits of liability for municipal claims established by Wisconsin Law.

VIII. TIME FOR COMPLETION

CONTRACTOR shall commence work immediately having received a Notice to Proceed as of November 8, 2023.

IX. DISPUTES

This AGREEMENT shall be construed under and governed by the laws of the State of Wisconsin. The venue for any actions arising under this AGREEMENT shall be the Circuit Court for Milwaukee County. The prevailing party shall be awarded its actual costs of any such litigation, including reasonable attorney fees.

X. RECORDS RETENTION

CONTRACTOR shall maintain all records pertaining to this AGREEMENT during the term of this AGREEMENT and for a period of 3 years following its completion. Such records shall be made available by the CONTRACTOR to CLIENT for inspection and copying upon request.

XI. MISCELLANEOUS PROVISIONS

- A. Professionalism. The same degree of care, skill and diligence shall be exercised in the performance of the services as is possessed and exercised by a member of the same profession, currently practicing, under similar circumstances, and all persons providing such services under this AGREEMENT shall have such active certifications, licenses and permissions as may be required by law.
- B. Pursuant to Law. Notwithstanding anything to the contrary anywhere else set forth within this AGREEMENT, all services and any and all materials and/or products provided by CONTRACTOR under this AGREEMENT shall be in compliance with all applicable governmental laws, statutes, decisions, codes, rules, orders, and ordinances, be they Federal, State, County or Local.
- C. Conflict of Interest. CONTRACTOR warrants that neither it nor any of its affiliates has any financial or other personal interest that would conflict in any manner with the performance of the services under this Agreement and that neither it nor any of its affiliates will acquire directly or indirectly any such interest. CONTRACTOR warrants that it will immediately notify the CLIENT if any actual or potential conflict of interest arises or becomes known to the CONTRACTOR. Upon receipt of such notification, a CLIENT review and written approval is required for the CLIENT to continue to perform work under this Agreement.
- D. This AGREEMENT may only be amended by written instrument signed by both CLIENT and CONTRACTOR.

XII. CONTROLLING TERMS AND PROVISIONS

The aforesaid terms and provisions shall control over any conflicting term or provision of any CONTRACTOR proposal, Attachment, Exhibit, and standard terms and provisions annexed hereto.

IN WITNESS WHEREOF, the parties have caused this AGREEMENT to be executed on the day and year first above written.

CITY OF FRANKLIN, WISCONSIN

R.A. SMITH, INC.

BY: _____

BY: _____

PRINT NAME: John R. Nelson

PRINT NAME: _____

TITLE: Mayor

TITLE: _____

DATE: _____

DATE: _____

BY: _____

PRINT NAME: Karen L. Kastenson

TITLE: City Clerk

DATE: _____

BY: _____

PRINT NAME: Danielle Brown

TITLE: Director of Finance and Treasurer

DATE: _____

Approved as to form:

Jesse A. Wesolowski, City Attorney

DATE: _____

ATTACHMENT A



CREATIVITY BEYOND ENGINEERING

R A Smith, Inc
16745 W Bluemound Road
Brookfield, WI 53005-5938
(262) 781-1000 | rasmith.com

October 31, 2023

Mr Glen Morrow, P E
City Engineer / Director of Public Works / Utility Manager
City of Franklin
9229 W Loomis Road
Franklin, WI 53132

RE Traffic Signal and Roadway Design Improvements
S 51st Street
Franklin, Wisconsin

Dear Glen

Thank you for this opportunity to provide a quotation for professional services. The contents of this letter contract spell out the Scope of Services, Client Responsibilities/Assumptions, Completion Schedule, and Professional Fees under which this proposal is being made.

Project Understanding

The City of Franklin has requested raSmith to provide engineering services for traffic signal design at the S 51st Street intersection with S Preserve Way. Additional design services include pavement marking and signing installation and modifications at various locations along S 51st Street in the vicinity of Franklin High School.

Scope of Services

The following scope of services was developed based on discussions with the City and our review of the draft Memorandum of Understanding (MOU) for the "Franklin High School Stop Light Project". raSmith will conduct the following tasks for the project:

DESIGN SERVICES

- 1) Develop draft and final roadway plans to be submitted to the City for approval, including the following plan sheets:
 - Title page
 - Project overview
 - General notes
 - Construction details
 - Miscellaneous quantities
 - Standard detail drawings
 - Permanent traffic signal and intersection lighting (if required)
 - Permanent traffic signal sequence of operations
 - Permanent traffic signal cable routing
 - Permanent signing and pavement marking removals
 - Permanent pavement marking
 - Permanent signing
- 2) Prepare project manual, including boilerplate City specifications and project special provisions
- 3) Develop construction cost estimate for use by the City



Mr Glen Morrow, P E
Page 2 / October 31, 2023

- 4) Collect weekday morning (6 00 AM-9 00 AM) and weekday evening (3 00 PM-6 00 PM) intersection turning movement count data at the S 51st Street intersection with S Preserve Way, while school is in session
- 5) Prepare permanent traffic signal timing plans to provide to contractor at the time of traffic signal turn-on. Based on discussions with the City, the traffic signal will be programmed to accommodate the school arrival and dismissal times during the school year, and operate on yellow-red flash at all other times.

All designs and deliverables will be completed in accordance with City of Franklin standards and MUTCD guidelines. In the absence of City design standards, WisDOT standards will be used.

UTILITY COORDINATION

- 1) Contact Digger's Hotline to obtain facility system maps and mark utilities in the field for purposes of comparing marked utilities to the proposed design and existing system maps. Utility markings will not be surveyed and utility locations will be estimated during design.
- 2) Identify potential utility conflicts based on utility system maps and field markings and modify the design accordingly.
- 3) Apply for new electrical service from We Energies at the S 51st Street intersection with S Preserve Way on behalf of the City. Coordinate the location of the new service with the proposed signal design and existing utilities. The proposed school zone sign assembly with flashing beacon is assumed to operate with solar power and will be designed as such. The existing Rapid Rectangular Flashing Beacon (RRFB) near the S 51st Street intersection with the Franklin High School north driveway will remain solar powered.

MEETINGS

- 1) Attend up to three (3) in-person meetings with City staff. Meetings shall include the following:
 - Project kickoff
 - Preliminary design review
 - Preconstruction meeting

POST-DESIGN SERVICES

raSmith will prepare the construction plans and specifications for contractor bidding through the City's project solicitation process. Specific tasks include:

- 1) Prepare construction bid documents in accordance with City standards
- 2) Post bid documents on QuestCDN
- 3) Respond to bidder questions
- 4) Prepare and post construction addenda
- 5) Hold the bid opening
- 6) Review submitted bids and prepare an award recommendation
- 7) Prepare materials, send participant invitations, and lead the pre-construction meeting



Mr Glen Morrow, P E
Page 3 / October 31, 2023

- 8) Provide responses to construction questions and engineering support related to the completed design plans during construction. This task does not include construction inspection or construction management services.

All services beyond the tasks included in this proposal will be completed on a time-and-materials basis as authorized. raSmith's 2023 Professional Fees Rate Schedule is included as an attachment to this proposal.

Client Responsibilities/Assumptions

Based on discussions with the City and our knowledge of the project, the following assumptions will apply. Any change to these assumptions may result in additional fees.

- Field survey data, including topography, utilities, and right of way, is not included in the project. Plans will be prepared using the most recently available orthophotos from Milwaukee County, City of Franklin, or other reputable source.
- Alignment stationing will be approximated using the existing S 51st Street roadway centerline and provided for the contractor's reference only.
- Utility locations will be estimated from Digger's Hotline facility maps and locate markings in the field.
- No curb ramp, sidewalk, pavement, or intersection geometry will be modified with the project. ADA compliance will not be verified as part of the project.
- Monotube signal poles and corresponding signal bases will not be used.
- Non-intrusive (video or radar) detection will be installed on all approaches.
- Any new intersection lighting provided at the S 51st Street intersection with S Preserve Way will include luminaires installed on the traffic signal poles and powered out of the traffic signal cabinet.
- Contractor to procure all materials and complete all installations, including all traffic signal equipment and electrical service meter breaker pedestal. Assistance with direct purchase of any City-procured traffic signal materials is considered extra services.
- Traffic control will utilize standard detail drawings. Detours will not be required.
- Soil borings are not required.
- Utility relocations are not required. Designer is not responsible for utility conflicts that arise during construction.
- Temporary traffic signals are not required.
- Public involvement activities or school meeting participation are not included in the scope of services.
- Construction management and inspection services are not included in this scope of services. If requested, construction services will be provided under a separate contract.



Mr Glen Morrow, P E
Page 4 / October 31, 2023

Completion Schedule

raSmith will submit the draft plans to the City within ten (10) weeks of receiving authorization to proceed. The final plans will be submitted to the City within two (2) weeks of receiving comments. raSmith is aware of the City's desire to complete construction as soon as possible and will make every effort to allow the project to start in Spring 2024. Please be aware that material lead times for certain types of traffic signal equipment (namely traffic signal cabinets, poles, and meter breaker pedestals) have exceeded six months in recent years.

Professional Fees

The lump sum fee for completing the above Scope of Services is \$43,500, including expenses.

If you would like to authorize raSmith to proceed with your project, please sign the attached Professional Services Agreement Between Client and Professional, and forward a signed copy of the entire Agreement to our office. Once received, we will execute and return a copy for your records. We look forward to working with you on this project.

Sincerely,
raSmith

John Bruggeman, P E , PTOE
Senior Traffic Project Manager

Attachments Professional Services Agreement (Contract)
2023 Professional Fees Rate Schedule

**MEMORANDUM OF UNDERSTANDING:
PARTNERSHIP ON LOCAL TRAFFIC CALMING AND
PEDESTRIAN SAFETY ENHANCEMENTS
(FRANKLIN HIGH SCHOOL STOP LIGHT PROJECT)**

This Memorandum of Understanding (“MOU”) between the City of Franklin (“City”) and Franklin Public Schools (“School District”) outlines an agreement to partner on certain traffic controls and signage features to improve pedestrian safety on S 51st Street, namely at the crossway of S Preserve Way (“Road Segment”).

WHEREAS, the City has exclusive jurisdiction over placing features within the rights-of-way of the Road Segment; and,

WHEREAS, the City utilizes generally accepted engineering best practices as relates to traffic attenuation and uses the Manual on Uniform Traffic Control Devices regarding specifications of regulatory signage; and,

WHEREAS, the Road Segment is a significantly traveled thoroughfare for students and other pedestrians traveling by foot as well as commuters traveling via automobile; and,

WHEREAS, the City and School District agree that pedestrian safety, particularly in and adjacent to community schools, is of the utmost importance; and,

WHEREAS, to augment existing safety features on the Road Segment, representatives from the City and School District have collaborated on certain public works improvements (the “Work”) and wish that said improvements be constructed as soon as is reasonably practical.

NOW, THEREFORE, IT IS HEREBY AGREED:

1. The above recital is hereby incorporated and made a part of this MOU.
2. The City shall be responsible for the design, materials procurement, and construction management for the Work on the Road Segment, as is normal and customary for City roads and rights-of-way.
3. The scope of the Work is depicted graphically as Exhibit A, attached hereto, but is itemized more particularly as follows:
 - a. Addition of stop lights at the corner of S Preserve Way and S 51st Street;
 - a. **DESCRIPTION OF NECESSARY COMPONENTS OF STOP LIGHTS**
 - b. High visibility crosswalk pavement markings on crosswalks at 2 intersections:
 - a. S Preserve Way and S 51st Street
 - b. W Highlands Dr (Sidewalk Crossing to South) and S 51st Street
 - c. Addition/Modification School Zone Assembly (flashing lights) to now read “WHEN FLASHING” vs. “WHEN CHILDREN ARE PRESENT”;
 - d. “SCHOOL” pavement markings at 4 locations.

4. The City and School District agree to a Cost-Share Agreement for funding the costs of the Work. The School District shall reimburse the City \$XXX,XXX or XX% of the actual costs incurred by the City to complete the Work. Wherever possible, the City, at its discretion, will utilize the existing DPW crew to perform the Work. To satisfy the Cost-Share Agreement, the City will submit an invoice to the School District after completion of the Work, which the School District shall promptly pay.
5. Upon mutual agreement, City and School District administrative staff may add measures to the above scope of Work and reserve the right to implement additional measures without formal amendment to this MOU as long as the measures do not exceed the liability limitations outlined in the Cost-Share Agreement.
6. The School District is solely responsible for any necessary maintenance regarding the Work. The City shall have no responsibility outside of what is outlined in Article 2 unless agreed at a later date and added as an addendum to this MOU.
7. This MOU may be formally amended by mutual consent of the Common Council of the City of Franklin and the Board of Education of Franklin Public Schools. Any amendment to this MOU must be made in writing and signed by both parties.
8. In witness thereof, the Common Council of the City of Franklin and the Board of Education of Franklin Public Schools have authorized this MOU to be signed by their appropriate officers.

{SIGNATURE PAGE FOLLOWS}

Date: _____
City of Franklin

Date: _____
Franklin Public Schools

By: _____
John R. Nelson, Mayor

By: _____
Mike Spragg, School Board President

Attest: _____
Karen Kastenson, City Clerk

<p style="text-align: center;">APPROVAL</p> <p style="text-align: center;">JK</p>	<p style="text-align: center;">REQUEST FOR COUNCIL ACTION</p>	<p style="text-align: center;">MEETING DATE</p> <p style="text-align: center;">November 7, 2023</p>
<p style="text-align: center;">REPORTS & RECOMMENDATIONS</p>	<p style="text-align: center;">Annual Report of the City of Franklin's Tourism Commission Activity and 2024 Budget</p>	<p style="text-align: center;">ITEM NUMBER</p> <p style="text-align: center;">G.8.</p>

The Chair of the Tourism Commission, Lance Schafer, Director of Economic Development, John Regetz, and associates will report on the activities of the Tourism Commission for 2023 and submit its 2024 annual budget as stipulated in Franklin City Ordinance 2016-2244.

COUNCIL ACTION REQUESTED

No action requested. This presentation is for providing an annual report from the Tourism Commission.

Economic Development Department – jgr,

TOURISM COMMISSION
Fund 17

DEPARTMENT: Tourism Commission

PROGRAM MANAGER: Director of Economic Development / Tourism Commission

PROGRAM DESCRIPTION:

The Franklin Tourism Commission was created by ordinance on December 6, 2016, pursuant to Wis. Stat. § 66.0615. The Commission is responsible for coordinating tourism promotion and tourism development within the City and is made up of 5 members, including at least one representative of the Wisconsin hotel and motel industry. The Commission is staffed by the Director of Economic Development.

SERVICES:

- The Tourism Commission will use the room tax appropriated to the Commission for tourism promotion and tourism development in the City;
- The Tourism Commission will contract with Engage Franklin to promote the City and the Tourism businesses located in the City;
- Engage Franklin will conduct marketing projects, including advertising media buys, creation and distribution of printed or electronic promotional tourist materials, or efforts to recruit conventions, sporting events, or motor-coach groups;
- Engage Franklin will provide transient tourist informational services.
- The Tourism Commission will undertake tangible municipal development including, but not limited to, a convention center, research and specific promotions;
- The Tourism Commission will submit a report to the Common council on or before November 1 of each year itemizing its expenditures and proposing its budget for the following year.

STAFFING:

N/A							

ACTIVITY MEASURES:

Activity	2018	2019	2020	2021	2022	2023 *	2024 *
Room Taxes-All Funds	364,325	359,042	207,271	406,681	471,578	331,900	332,900

* Estimate

BUDGET SUMMARY:

1. 2018 was the first year of budget expenditures for the Commission with an outlay for tourism and city branding.
2. The 2024 budget was prepared by the Director of Economic Development with direction from the Tourism Commission.
3. Commission expenditures are regulated by Wis. Stats. § 66.0615 and must be used to pursue tourism development and tourism promotion activities.

City of Franklin, WI

Tourism Commission

TOURISM COMMISSION 2024 DRAFT BUDGET per 9/20/23 mtg

DESCRIPTION	2021 Actual Activity	2022 Actual Activity	2023 Projected# YE 2023	2024 DEPT REQUEST BUDGET
COMMISSION				
MOTEL ROOM TAX	191,247	319,684	331,900	332,900
INTEREST ON INVESTMENTS	642	2,903	11,000	17,000
MISCELLANEOUS INTEREST	29	4	0	0
DONATIONS-Cash	0	0	0	0
Total Resources	191,918	322,591	342,900	349,900
SALARIES-FT	0	0	0	0
LEGAL SERVICES	19,553	0	20,000	10,000
SUNDRY CONTRACTORS	300,375	150,000	150,000	249,000
POSTAGE	319	244	150	50
OFFICE SUPPLIES	77	0	0	50
OFFICIAL NOTICES/ADVERTISING	0	0	0	0
MEMBERSHIPS/DUES	1,000	1,250	1,250	1,000
TOURISM EVENTS	0	0	0	1,000
CONFERENCES & SCHOOLS	0	0	0	250
MILEAGE	0	0	0	0
MARKETING SERVICES	864	864	100,000	20,000
ADVERTISING	25,425	10,220	0	650
STREETSCAPE-SIGNAGE, BILLBOARDS ETC	0	0	15,000	50,000
Total Expenditures	346,749	162,578	286,400	332,000
Net Resources (Expenditures)	(154,831)	160,013	56,500	17,900
Beginning Fund Balance*	388,940	234,109	394,122	450,622
Ending Fund Balance*	234,109	394,122	450,622	468,522

Assumes full expenditure of budget
 * Requires confirmation from City of Franklin

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<p style="text-align: center;">APPROVAL</p> <p style="text-align: center;">X</p>	<p style="text-align: center;">REQUEST FOR COUNCIL ACTION</p>	<p style="text-align: center;">MEETING DATE</p> <p style="text-align: center;">11/7/23</p>
<p style="text-align: center;">REPORTS AND RECOMMENDATIONS</p>	<p style="text-align: center;">Request Common Council Approval for the Fire Department to enter a long-term preventive maintenance and service agreement for its four LUCAS mechanical CPR Compression Devices.</p>	<p style="text-align: center;">ITEM NUMBER</p> <p style="text-align: center;">G.9.</p>
<p>Background:</p> <p>The fire department has a LUCAS mechanical compression device on each of its three front-line paramedic ambulances, and a fourth on the Battalion Car, so there is always one available in the city, even if all three ambulances are committed on a prior call, or outside of the city transporting a patient. The LUCAS devices are mechanically and electronically complex, and require annual preventive maintenance and programming. Currently the department pays these costs annually for each device out of the existing operating budget (Line #01-0221-5242 <i>Equipment Maintenance</i>).</p> <p>Stryker, the manufacturer/distributor of the LUCAS is offering a four-year agreement, that collectively covers all parts, service, labor, and programming for all four devices for a term of 48 months at 15% discount. The agreement also provides replacement batteries for the term of the agreement (an expected expense of nearly \$8,000 over two years without the maintenance agreement).</p> <p>The agreement would fully cover the devices through 2027 at an annual cost of \$5,844.60.</p>		
<p style="text-align: center;">COUNCIL ACTION REQUESTED</p> <p style="text-align: center;">Motion to approve the fire department signing a four-year agreement with Stryker for preventive maintenance, service, and repair of its four LUCAS mechanical compression devices.</p>		



FRANKLIN FIRE DEPT LUCAS ProCare Quote

Quote Number 10778026

Version 1

Prepared For FRANKLIN FIRE DEPT
Attn

Rep Julie Schmitz
Email Julie.Schmitz@stryker.com
Phone Number

GPO Vizient

Service Rep Ian Cooke

Quote Date 11/02/2023

Email

Expiration Date 12/08/2023

Contract Start: 01/01/2024

Contract End: 12/31/2027

Delivery Address

Name FRANKLIN FIRE DEPT
Account # 20138844
Address 8901 W DREXEL AVE
FRANKLIN
Wisconsin 53132-9725

Bill To Account

Name FRANKLIN FIRE DEPT
Account # 20138844
Address 8901 W DREXEL AVE
FRANKLIN
Wisconsin 53132-9725

ProCare Products:

#	Product	Description	Months	Qty	List Price	Discount %	Total
1 0	LUCAS-FLD-PROCARE	PROCARE-SVC-LUCAS-FIELD-REPAIR	48	1	\$1,719 00	15 0%	\$5,844 60
2 0	LUCAS-FLD-PROCARE	PROCARE-SVC-LUCAS-FIELD-REPAIR	48	3	\$1,719 00	15 0%	\$17,533 80

ProCare Annual Payment: \$5,844 60

Price Totals:

Grand Total: \$23,378.40



FRANKLIN FIRE DEPT LUCAS ProCare Quote

Quote Number 10778026
Version 1
Prepared For FRANKLIN FIRE DEPT
Attn

Rep: Julie Schmitz
Email Julie.Schmitz@stryker.com
Phone Number

GPO Vizient

Service Rep Ian Cooke

Quote Date 11/02/2023
Expiration Date 12/08/2023
Contract Start 01/01/2024
Contract End 12/31/2027

Email

Authorized Customer Signer (Printed) Date

Stryker Authorized Signature (Printed) Date

Authorized Customer Signature Date

Stryker Authorized Signature Date

Purchase Order Number

Service Terms and Conditions:

The Terms and Conditions of this quote and any subsequent purchase order of the Customer are governed by the Terms and Conditions located at <https://techweb.stryker.com> The terms and conditions referenced in the immediately preceding sentence do not apply where Customer and Stryker are parties to a Master Service Agreement.

Starting Balance:

\$23,378.40

Date	Payment	Balance
01/01/2024	\$5,844.60	\$17,533.80
01/01/2025	\$5,844.60	\$11,689.20
01/01/2026	\$5,844.60	\$5,844.60
01/01/2027	\$5,844.60	\$ -

Equipment Service Plan

Line Item #	Model	Serial #
1.0	PROCARE-SVC-LUCAS-FIELD-REPAIR	35174284
2.0	PROCARE-SVC-LUCAS-FIELD-REPAIR	3521AF78
2.0	PROCARE-SVC-LUCAS-FIELD-REPAIR	3521AF83
2.0	PROCARE-SVC-LUCAS-FIELD-REPAIR	3521AK39

Purchase Order Form



Account Manager _____
Cell Phone _____

Purchase Order Date _____
Expected Delivery Date _____
Stryker Quote Number _____

Check box if Billing same as Shipping

BILL TO	CUSTOMER #
Billing Account Num	
Company Name	
Contact or Department	
Street Address	
Add'l Address Line	
City, ST ZIP	
Phone	

SHIP TO	CUSTOMER #
Shipping Account Num	
Company Name	
Contact or Department	
Street Address	
Add'l Address Line	
City, ST ZIP	
Phone	

Authorized Customer Initials _____

Authorized Customer Initials _____

DESCRIPTION	QTY	TOTAL
REFERENCE QUOTE <input type="text"/>	<input type="text"/>	<input type="text"/>

Accounts Payable Contact Information

Name _____
Email _____
Phone _____

Stryker Terms and Conditions
<https://techweb.stryker.com>

Authorized Customer Signature


Printed Name _____
Title _____
Signature _____
Date _____

Attachment **Stryker Quote Number**

*Sales or use taxes on domestic (USA) deliveries will be invoiced in addition to the price of the goods and services on the Stryker Quote

<p style="text-align: center;">APPROVAL</p> <p style="text-align: center;"><i>X</i></p>	<p style="text-align: center;">REQUEST FOR COUNCIL ACTION</p>	<p style="text-align: center;">MEETING DATE</p> <p style="text-align: center;"><i>11/7/23</i></p>
<p style="text-align: center;">REPORTS AND RECOMMENDATIONS</p>	<p style="text-align: center;">Request Council Approval to accept a \$2,500.00 Donation from Waldera's Towing, to be used toward purchase items and equipment supporting the Dive Team.</p>	<p style="text-align: center;">ITEM NUMBER</p> <p style="text-align: center;"><i>G.10.</i></p>
<p>Background:</p> <p>The Franklin Fire Department's Dive Team recently responded to a request for assistance from the Tess Corners Fire Department to assist in the recovery of a vehicle that rolled into a pond.</p> <p>FD Team members assisted in locating the vehicle and affixing the tow cables. The vehicle was in approximately 20 feet of water, and was 75 – 100 feet from shore, and the incident was an extremely valuable learning/training opportunity for all parties involved.</p> <p>The tow company, Waldera's Towing made the generous donation to FFD, with the request that it be used in support of Dive Team operations.</p> <p>The department has an extremely modest annual Special Teams operating budget, and the Dive Team has historically been funded to a large degree through donations and grants.</p>		
<p style="text-align: center;">COUNCIL ACTION REQUESTED</p> <p style="text-align: center;">Request Council Approval to accept a \$2,500.00 donation from Waldera's Towing, to be used towards the supporting FFD Dive Team training and operations (Fund #221-0000-4731, <i>Miscellaneous Fire Donations</i>).</p>		

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APPROVAL 	REQUEST FOR COMMON COUNCIL ACTION	MEETING DATE Nov. 7, 2023
REPORTS & RECOMMENDATIONS	Review of Pending Changes to Tax Payment Collection Options	ITEM NUMBER G.11.

Background

The City of Franklin bills Real Estate and Personal Property taxes annually. Five times per year, the City settles taxes collected with the other taxing authorities involving Franklin properties. The 2022 tax roll, most recent one, had a total of \$105.05 million billed. Milwaukee purchases all of the uncollected Real Estate (but not personal property) taxes in August, with the final settlement. The City then is responsible for uncollected Personal Property taxes. The uncollected personal property taxes are typically less than \$20,000 annually. However, Personal Property Tax has been repealed by the State of Wisconsin effective January 1, 2024. 2023 will be the final year that a personal property tax bill will be generated.

The City has used GCS as the program to bill and collect taxes. Milwaukee County has an intergovernmental agreement with all of the Milwaukee County municipalities (except the City of Milwaukee) that pays the annual software maintenance fees so long as ALL the municipalities use the GCS software. This facilitates the transfer of data from the municipalities to the County of the unpaid Real Estate taxes. GCS has now migrated to a cloud-based database called LandNav. This migration allows Milwaukee County to have full access to Franklin's tax roll from the moment it is finalized.

On July 18, 2017, Common Council motioned the Treasurer to add an on-line payment option to be added for tax payers. The City has used US Bank E-Pay for property tax payment collection on the website since 2017. The City is switching to VPS for future property tax payment collection beginning in 2023.

This Tax Payment Collection change was reviewed with the Finance Committee and they motioned to place on file.

Analysis

US Bank E-Pay has been an effective tool for residents to pay their property tax bills online for years. As technology becomes more prevalent, new online payment systems have been revealed. With the changes to the LandNav database, residents will no longer be able to use E-pay directly from the portal.

We were given 2 options:

1. Stay with US Bank E-pay- Our IT Department and Administration Office would have to change hyperlinks and wording on the website in order to make this option work. Residents would be directed to the US Bank E-Pay website to make their property tax payment. The downfall to this method is each resident must know their parcel/tax key number in order to make a property tax payment online. This information will not be on the same screen, so they will have to know this information beforehand. This option only allows for a resident to pay with ACH.

2. Converting to VPS – This option seems to be simpler for the residents. VPS is the option that is best suited with an interface for LandNav. This conversion only effects our property tax payments. There is no effect to our point and pay system at the Police Department or the City's ICloud credit card system for Water and Sewer payments. The Deputy Treasurer has contacted other municipalities that use VPS and they stated the transition and implementation was smooth. This option allows for a resident to pay with a credit card, debit card, or ACH payment.

Fiscal Impact

The conversion to VPS has no fiscal impact as there is no charge to the municipality. However, we are still fine tuning the charges to the residents. US Bank charged the City of Franklin \$100/month for the service with a \$.50 charge to the customer for ACH payment. We are still working with VPS to find out the charges for a credit/debit card and ACH option.

COMMON COUNCIL ACTION REQUESTED

Motion to receive and place on file.

Finance Dept - DB

APPROVAL ✕	REQUEST FOR COUNCIL ACTION	MTG. DATE November 7, 2023
Reports & Recommendations	A Resolution to Revise State/Municipal Financial Agreement for Improvements Related to a Wisconsin Department of Transportation Project on S. Lovers Lane (USH 45 / STH 100) from W. Rawson Avenue (CTH BB) to W. College Avenue in the New Amount of \$593,350	ITEM NO. Ald. Dist. 6 G.12

BACKGROUND

Wisconsin Department of Transportation (WisDOT) is constructing a project on S. Lovers Lane (USH 45 / STH 100) from W. Rawson Avenue (CTH BB) to W. College Avenue starting in 2024. A State/Municipal Financial Agreement and a State/Municipal Maintenance Agreement for improvements for the improvements was approved on October 5, 2021 and last modified on May 2, 2023 in the amount of \$483,756. The agreement states that the City is responsible for the actual amount, regardless of the estimated \$483,756.

ANALYSIS

WisDOT opened the bids and the actual total is \$632,800. Staff has had numerous conversations with WisDOT concerning this new number and why it differs so much from the \$483,756. The discrepancy is a result of the lighting costs.

Item	May 2023 Estimate	October 2023 Bid	Change
Lighting	\$221,756	\$392,800	+\$171,044
Utilities	\$262,000	\$240,000	-\$ 22,000
Net	\$483,756	\$632,800	\$149,044

As an Alternative, Staff asked WisDOT to consider the removal of the lighting system. Each intersection would still be lit, but because WisDOT would participate 50/50 for a non-“system”, Franklin would burden the total share of a smaller project. First, WisDOT found an error in their calculations that indicate the City would owe \$593,350 (not \$632,800) for the full lighting system. The cost to the City without the full lighting system would be \$600,500.

TABLE 1: SUMMARY OF COSTS

Phase	Total Est. Cost		Federal/State Funds	%	Municipal Funds	% *
Preliminary Engineering:						
Plan Development	\$ 2,200,000		\$ 2,200,000	100%	\$ -	0%
Real Estate Acquisition:						
Acquisition	\$ 3,900,000		\$ 3,900,000	100%	\$ -	0%
Compensable Utilities	\$ -		\$ -	0%	\$ -	100%
Construction:						
Participating	\$ 9,544,000		\$ 9,544,000	100%	\$ -	0%
New Sidewalk	\$ 400,000		\$ 400,000	100%	\$ -	0%
^{2,3} Colored/Stamped concrete	\$ 10,000		\$ 10,000	MAX	\$ -	BAL
^{2,3} New lighting with CSS	\$ 665,300	standard	\$ 332,650	50%/LS	\$ 332,650	50%/BAL
	\$ 382,200	decorative	\$ 361,500	MAX	\$ 20,700	BAL
Non-Participating	\$ 240,000		\$ -	0%	\$ 240,000	100%
Total Cost Distribution	\$ 17,341,500		\$ 16,748,150		\$ 593,350	

WisDOT Revised Summary of Costs for a Full Lighting System

TABLE 1: SUMMARY OF COSTS

Phase	Total Est. Cost		Federal/State Funds	%	Municipal Funds	%
Preliminary Engineering:						
Plan Development	\$ 2,200,000		\$ 2,200,000	100%	\$ -	0%
Real Estate Acquisition:						
Acquisition	\$ 3,900,000		\$ 3,900,000	100%	\$ -	0%
Compensable Utilities	\$ -		\$ -	0%	\$ -	100%
¹ Construction:						
Participating	\$ 9,544,000		\$ 9,544,000	100%	\$ -	0%
New Sidewalk	\$ 400,000		\$ 400,000	100%	\$ -	0%
^{2,3} Colored/Stamped concrete	\$ 10,000		\$ 10,000	MAX	\$ -	BAL
^{2,3} New lighting with CSS*	\$ 360,500	non-participating	\$ -	0%	\$ 360,500	100%
	\$ 145,800	decorative	\$ 361,500	MAX		BAL
Non-Participating	\$ 240,000		\$ -	0%	\$ 240,000	100%
Total Cost Distribution	\$ 16,800,300		\$ 16,415,500		\$ 600,500	

WisDOT Summary of Costs without a Full Lighting System

Note that a new State/Municipal Financial Agreement is needed to allow WisDOT to reallocate some of the context sensitive funding that actually reduces the City's portion. That is why a new agreement is needed to supersede the previous version.

OPTIONS

- A. Authorize the new agreement.
- B. Deny the new agreement (makes the previous version still valid and would cost more than Option A)
- C. Ask WisDOT to rewrite the agreement to remove the full lighting system and only light intersections (would cost more than constructing the full lighting system)

FISCAL NOTE


There is another item on the agenda to authorize a budget amendment for this issue.

RECOMMENDATION

(Option A) Motion to adopt Resolution 2023-_____ a resolution to revise State/Municipal Financial Agreement for improvements related to a Wisconsin Department of Transportation project on S. Lovers Lane (USH 45 / STH 100) from W. Rawson Avenue (CTH BB) to W. College Avenue in the new amount of \$593,350.

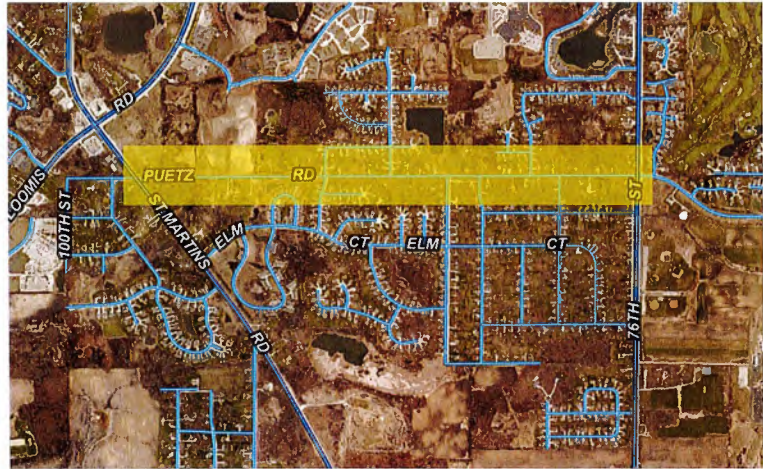
Engineering Department: GEM

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APPROVAL 	REQUEST FOR COUNCIL ACTION	MTG. DATE November 7, 2023
Reports & Recommendations	A Resolution Supporting Wisconsin Department of Transportation - Transportation Alternatives Program (TAP) 2024-2028 Award Cycle for the W. Puetz Road Pathway From S. 76th Street to W. St. Martins Road	ITEM NO. Ald. Dist. 1 & 2 <i>G.13.</i>

BACKGROUND

On September 5, 2023, Common Council directed Staff to start with project development for Grant applications in the Transportation Alternative Program (TAP) for the Puetz Road Pathway from S. 76th Street to W. St. Martins. Staff submitted the enclosed TAP grant application on October 27, 2023.



ANALYSIS

The TAP application requires a “Local Resolution of Support”. *There must be a local resolution of support for the proposed project, executed by a governing body that has the authority to make financial commitment on behalf of the project sponsor (i.e., County Board, City Council, or Regional Planning Commission Policy Board). This resolution must be submitted prior to award... A copy of the resolution is due to the region no later than December 29, 2023.*

Note that the TAP application does NOT designate a side of the road to place the pathway. It is envisioned that unlike the S. 116th Street Trail, this Puetz Road project would obtain grant dollars to pay for the design at which time the decision would be made on north or south side of the road.

The attached resolution uses language from the WisDOT sample resolution and states that if awarded, the City would accept the grant.

OPTIONS

- A. Authorize Resolution to support the Puetz Pathway project.
- B. No Action. Place on file. This option will nullify the grant application
- C. Table to another meeting prior to December 29, 2023. This option will allow continued discussion prior to the deadline.
- D. Other direction to Staff.

FISCAL NOTE

This Puetz Pathway trail project, now has a design and construction budget of \$2,070,000 with \$1,656,000 grant (80%) and \$414,000 (20%) local funding. This project would be eligible for 62% park impact fees (\$256,680) leaving \$157,320 impact to the City’s budget in 2024, 2025, and 2026. If awarded the grant, a budget amendment for the 2024 budget would need to be made.

RECOMMENDATION

Option A. Authorize Resolution 2023-_____ a resolution supporting Wisconsin Department of Transportation - Transportation Alternatives Program (TAP) 2024-2028 award cycle for the W. Puetz Road Pathway.

Engineering: GEM

STATE OF WISCONSIN :: CITY OF FRANKLIN :: MILWAUKEE COUNTY

RESOLUTION NO. 2023-_____

RESOLUTION SUPPORTING WISCONSIN DEPARTMENT OF TRANSPORTATION -
TRANSPORTATION ALTERNATIVES PROGRAM (TAP)
2024-2028 AWARD CYCLE FOR THE W. PUETZ ROAD PATHWAY

WHEREAS, the City of Franklin is committed to providing safe and accessible transportation options for its residents, including pedestrian and bicycle accommodations; and

WHEREAS, the City of Franklin recognizes the importance of active transportation infrastructure to enhance the quality of life and promote sustainable development within the community; and

WHEREAS, a section of W. Puetz Road, stretching from S. 76th Street to W. St. Martins Road, covering a distance of 1.3 miles, is a crucial arterial road connecting various neighborhoods and accommodating approximately 750 residential homes, condominiums, and apartment units; and

WHEREAS, the overwhelming public support for improved pedestrian and bicycle accommodations on W. Puetz Road has been demonstrated through public feedback, community engagement, and surveys; and

WHEREAS, the City of Franklin acknowledges the need to promote active transportation, reduce traffic congestion, and enhance safety for all road users; and

WHEREAS, the Transportation Alternative Program (TAP) through the Wisconsin Department of Transportation (WisDOT) provides an opportunity to secure an 80% grant to fund the development of a pathway on W. Puetz Road, making it safer and more accessible for pedestrians and cyclists; and

WHEREAS, the City of Franklin, Milwaukee County, Wisconsin, supports the TAP applications submitted to WisDOT for the 2024-2028 award cycle for the application of the W. Puetz Road Pathway.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Franklin, Wisconsin to commit to securing 20% matching funds if the grant funding is accepted and commits to securing funds for the design and WisDOT design review for the project; and

BE IT FURTHER RESOLVED by the by the Mayor and Common Council of the City of Franklin if the City is awarded funding by WisDOT for the 2024- 2028 TAP award cycle the Mayor of the City of Franklin is authorized and agrees to accept the award and hereby authorizes and empowers the Common Council to act on its behalf to enter into all necessary agreements with WisDOT for the above-referenced project, and agrees to comply with all applicable laws, requirements, and regulations as outlined in the WisDOT 2024-2028 TAP application materials, the state-municipal agreement between WisDOT and the City of Franklin, and any other program and/or project documentation.

INTRODUCED at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2023.

PASSED AND ADOPTED by the Common Council of the City of Franklin on the _____ day of _____, 2023.

APPROVED:

John R. Nelson, Mayor

ATTEST:

Karen L. Kastenson, City Clerk

AYES _____ NOES _____ ABSENT _____

SAMPLE WisDOT RESOLUTION

Municipality

RESOLUTION NO. *xx-xx*

A RESOLUTION OF THE *Municipality, Municipality's COUNTY*, WISCONSIN, SUPPORTING WISCONSIN DEPARTMENT OF TRANSPORTATION (WISDOT) TRANSPORTATION ALTERNATIVES PROGRAM (TAP) AWARD CYCLE.

WHEREAS, the *Municipality, Municipality's COUNTY*, Wisconsin, supports the TAP applications submitted to WisDOT for the 2024-2028 award cycle, said application for *describe project* and,

WHEREAS, the *Municipality's Board* members voted unanimously in support of the project at its meeting on *date*; and,

WHEREAS, the *Municipality* recognizes the WisDOT reimburse project sponsors for the federal share of eighty percent (80%) of the approved TAP project costs, up to the limit of the federal award amount; and,

WHEREAS, in light of the minimum twenty (20%) match requirement, the *Municipality's* commits to securing the matching funds if it accepts the grant funding and commits to securing funds for the design and WisDOT design review for the project.

NOW, THEREFORE, BE IT RESOLVED by the *Municipality's Board* for the *Municipality, Municipality's COUNTY*, Wisconsin, if the *Municipality* is awarded funding by WisDOT for the 2024- 2028 TAP award cycle the *Municipality* is authorized and agrees to accept the award and hereby authorizes and empowers the *Municipality Board* to act on its behalf to enter into all necessary agreements with WisDOT for the above-referenced project, and agrees to comply with all applicable laws, requirements, and regulations as outlined in the WisDOT 2024-2028 TAP application materials, the state-municipal agreement between WisDOT and the Municipality, and any other program and/or project documentation.

Adopted this date.

— —



WisDOT 2024-2028

Transportation Alternatives Program (TAP) Application

<http://wisconsindot.gov/Pages/doing-bus/local-gov/astnce-pgms/aid/tap.aspx>

Review and utilize TAP guidelines and application instructions when completing this document. Visit the WisDOT TAP webpage (see link above) for more information and program resources. **Applicants will be notified if their application is found ineligible.**

Application Type

Respond to the following questions to identify your application type:

Check the primary location of your project below (Select **only one** option below)

- Rural (Population less than 5,000)
- Urban (Population 5,000 – 50,000)
- Urban Metropolitan Planning Organization (MPO) (Population 50,000 – 200,000)
Enter MPO Name Here MPO Priority (Due prior to Application Deadline): Priority Rank
- Urban Transportation Management Area [TMA] (Population greater than 200,000)

NOTE: If located primarily within a TMA area, select the appropriate TMA from the list below:

- Appleton
- Green Bay
- Madison
- Milwaukee
- Round Lake Beach

Project Applicant Information

Name, Location of Public Sponsor and Sponsor Type:

Applicant Agency Name: **City of Franklin**

Application Type (Check appropriate box):

- Local government (check one): County City Village Town
- Regional transportation authority
 - Transit agency
 - State or federal natural resource/public land agency
 - School district or school(s)
 - Tribal Nation
 - Non-Profit Organization

Project Title: **Puetz Road Pathway**

Describe location, boundaries and length of the project: **W. Puetz Road from S. 76th Street to W. St Martins Rd**

County: **Milwaukee**

Street Address of Project (if located on a highway or road): **8865 S. 76th St to 9710 W. St. Martins Road**

Project Contact Information

Primary Applicant Agency Contact Information:

IMPORTANT: Contact listed here must represent the agency who is beholden to the federal grant.

Name: **Glen Morrow** Title: **City Engineer** Street Address: **9229 W Loomis Road** Phone: **(414)425-7510**

Municipality: **Franklin** State: **WI** Zip: **53132**

E-mail: **gmorrow@franklinwi.gov**

Secondary Applicant Agency or Private Organization Contact Information (if applicable):

NOTE: Contact WisDOT if your proposal includes ineligible entities or public-private partnerships

Organization / Agency Name: **N/A**

Name: Title. Street Address. Phone () -
Municipality: State **WI** Zip:
E-mail

Head of Agency/Signatory Contact Information:

Organization / Agency Name **City of Franklin**

Name. **John Nelson** Title **Mayor** Street Address **9229 W Loomis Road** Phone. **(414) 425-7500**
Municipality **Franklin** State: **WI** Zip: **53132**
E-mail: **jnelson@franklinwi.gov**

Proposed Activity

Activity Questionnaire:

Using the checkboxes below, Identify your project type:

- Bicycle-Pedestrian (BP)
 - Planning Study Infrastructure
- Construction of Turnouts, Overlooks, and Viewing areas (TOV)
- Historic Preservation and rehabilitation of historic transportation facilities (HP)
- Safe Routes to School (SRTS)
 - Planning Study In-School Programing Infrastructure TAP STARS (See Page A – 9)

Please Note. Applicants proposing a project within the SRTS eligibility category MUST complete the 'School Demographics' and 'Safe Routes to School Plan' sections on page A-6 below.

Brief Project Summary (100 words or less) Provide a brief project summary in the field below. This information should adequately describe the scope of your project but should not be as detailed as narrative question #1

This separated pathway project will accommodate bicycle and pedestrians for a busy arterial road with no shoulders and ditches with nearby wetlands. A public meeting was held and well attended by the adjacent property owners. Most agree that the segment of road is unsafe and a pathway is needed, however the side of the road (location) needs to be studied. This pathway will connect many residential neighborhoods (approximately 750 homes/condos/apartments) to a 10-foot pathway on STH 100 under development by WISDOT.

Project Benefit

Check all applicable project benefits, then describe in application narrative

- ENVIRONMENTAL**
 - Increases likelihood of modal shift to biking, walking or transit from utilitarian car travel
 - Increases access and connection to the natural environment
- PUBLIC HEALTH** - Project would have a demonstrable impact upon public health of applicant community
- ECONOMIC JUSTICE** - Project would go beyond community enhancement to address a specific "communities of concern," including elderly, disabled, minority, and low-income population? The project within ½ mile of affordable housing complex(s) The project improves low-income access to transit, jobs, education, and essential services.
- SAFETY** - Project addresses a specific safety concern. The project contains or addresses:
 - Collision data
 - Lack of adequate safe crossing or access
 - Lack of separated facility
 - High speed/volume
 - Provides sidewalk or pathway, with curb-cuts
 - Provides bike lanes, markings, and signage
 - Implements traffic calming measures
 - Signage, warning light devices, and/or markings directed to safety concern
 - Provides crosswalk enhancement (striping, refuge island, RRFB signal, etc.)

For SRTS Projects there is:

 - Documented bike/pedestrian crash involving school age children or crossing guard at arrival/dismissal times near the school
 - Crossings of state highways, main arterial roads or other high speed or high traffic volume roads
 - Lack of bicycle and pedestrian facilities or lack of connectivity of facilities that do exist
 - High level of parental concern documented in survey data
 - Few or no children who live within 1 mile walk or bike. Busing may be offered to everyone because of documented hazards.
 - Children are walking but application shows that unsafe conditions exist.
- HISTORICAL AND/OR PRESERVATION SIGNIFICANCE** – Project would have strong historical or preservation benefit
- ECONOMIC DEVELOPMENT** – Project facilitates economic development by increasing bicycle/pedestrian traffic in commercial corridors or by creating a destination that will help retail

Local Resolution of Support

There is or there will be a local resolution of support for the proposed project, executed by a governing body that has the authority to make financial commitment on behalf of the project sponsor (i.e., County Board, City Council, Village/Town Board, or Regional Planning Commission Policy Board).

Yes No

Please note that a resolution is **required** for an application to be eligible, which means a **copy of the resolution** should be submitted to the **Region Local Program Manager** no later than **5:00 PM December 29, 2023**.

WisDOT History of the Project Area

Is the proposed project on a State Highway? Yes No

Name of State Highway:

Does the proposed project intersect a State Highway? Yes No

Name of State Highway: STH 100

Has there been, or will there be a road improvement project in this project area? Yes No

If yes, year: 2024

If yes, Check All:

State Highway Project STP Local Bridge LRIP
 Pavement Replacement Reconstruction New Construction

Describe:

Existing Facilities & Projects that Impact the Proposed Project

Rail Facilities:

Does a railroad facility exist within 1,000 feet of the project limits? Yes No

If yes, specify: *Choose an item.*

If yes, does the project physically cross a rail facility? Yes No

Will an easement from OCR be required? Yes No

Is the proposed project location in an area with known safety issues? Yes No

If yes, specify: (consider applying for Highway Safety Improvement Program (HSIP) funds if applicable)

Is this project on or parallel to a local road or street? Yes No

If yes, provide the name of the road or street: **W. Puetz Road**

Does this project cross a state highway? Yes No

Does this project run parallel to a state highway? Yes No

If yes to any of these questions attach an existing typical cross-section of the roadway, showing right of way, travel lanes, shoulder and sidewalk (if applicable). Examples are available in [FDM15-1-5 attachment 5.3](#) of the WisDOT facilities Development Manual.

Will this project be constructed as part of another planned road project? Yes No

If yes, specify who is responsible for the project (state, county, or local) and when the road project is scheduled for construction: Enter Project Owner and Construction Schedule Here.

If yes, specify the source (federal, state, local, or other) and provide additional details such as state/federal project IDs. Provide Additional Detail Here

Will any exceptions to standards be requested? Yes No

If yes, provide a brief description of the exceptions that may be requested:

Real Estate (RE) /Right of Way (ROW)

PLEASE NOTE: It is recommended that local funds be used to acquire right of way WisDOT recommends applicants review of the real estate webpage at:

<https://wisconsindot.gov/Pages/doing-bus/local-gov/astnce-pgms/aid/lpa-re-info.aspx>.

Was any real estate acquired or transferred in anticipation of this project? Yes No
If yes, please explain.

List any other funding (past or present) used within the proposed project limits (i.e., DNR Stewardship)

Is ROW acquisition anticipated for this project? Yes No
If yes, provide a brief description of the property anticipated for acquisition and check all boxes that apply to ROW acquisition for this project:

Unknown if pathway would hug the roadway or additional ROW be purchased for a few properties

Less than ½ acre **More than ½ acre**
 Parklands **Large parcels** **Temporary interests**

Is the project on existing state-owned highway right of way (ROW)? Yes No

If yes, have you contacted the WisDOT Regional Access Section to inform them of proposed facility within state right of way? Yes No

If yes, please explain what has been done to date. **this will connect to a pathway under design by WisDOT for STH 100.**

If right of way was acquired in anticipation of this project, attach a detailed list of available, completed project and parcel acquisition documentation. Refer to Section 11.2, Records Management, found in the *Local Program Real Estate Manual (LP RE Manual)*:

<https://wisconsindot.gov/dtsdManuals/re/lpa-manual/lpa-manual-2022-Final.pdf>

If right of way was acquired in anticipation of this project, did the acquisition contain any buildings or relocation? Yes No

If right of way is required, will acquisition occur through a transfer of an adequate interest in real property? Yes No

For real estate questions, please contact Abby Ringel, WisDOT Local Public Agency Real Estate Statewide Facilitator, at (920) 492-7708 or abigail.ringel@dot.wi.gov.

Environmental/Cultural Issues

Agriculture	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Not Investigated
Comments:			
Archaeological sites	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Not Investigated
Comments:			
Historical sites	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Not Investigated
Comments:			
Designated Main Street area	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Not Investigated
Comments:			
Lakes, waterways, floodplains	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> Not Investigated
Comments:			
Wetland	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> Not Investigated
Comments:			

Storm water management Comments:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Not Investigated
Hazardous materials sites Comments:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Not Investigated
Hazardous materials on existing structure Comments:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Not Investigated
Upland habitat Comments:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Not Investigated
Endangered/threatened/migratory species Comments:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Not Investigated
Section 4(f) Comments:	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> Not Investigated
Section 6(f) Comments:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Not Investigated
Through/adjacent to tribal land Comments:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input checked="" type="checkbox"/> Not Investigated

Miscellaneous Issues

Construction Schedule Restrictions (trout, migratory bird, local events)

Local Force Account (LFA): Will the proposed project utilize municipal employees to complete any portion of the construction activities? Yes No
 If yes, explain the desired LFA portion of the project. **tree clearing and grubbing**

NOTE: LFA work must include labor, equipment and materials. The purchase of materials only is not considered to be a legitimate project.
 NOTE: Please review WisDOT TAP Guidelines for restrictions on certain LFA work as of July 1, 2015.

Maintenance (only complete this section if project involves infrastructure improvement):
 Will the facility be maintained for year-round bicycle-pedestrian access? Yes No
 If no to the above question & a trail, will snowmobile use be permitted in winter? Yes No
 If yes to the previous question, provide comment:
 Anticipated fee for trail use: Yes No
 If yes to the previous question, provide comment:
 Anticipated equestrian use on trail Yes No
 If yes to the previous question, provide comment

Other Funding Sources: Has the municipality anticipated, requested or previously received other federal or state funding from WisDOT for the improvement? Yes No

If yes, please indicate all the other funding sources that are anticipated, have been requested or previously received with the associated project ID(s):

Highway Safety Improvement Program (HSIP)	<input type="checkbox"/> Anticipated	<input type="checkbox"/> Requested	Approved ID.
Local Roads Improvement Program (LRIP)	<input type="checkbox"/> Anticipated	<input type="checkbox"/> Requested	Approved ID.
Railroad Programs	<input type="checkbox"/> Anticipated	<input type="checkbox"/> Requested	Approved ID
Surface Transportation Program – Rural	<input type="checkbox"/> Anticipated	<input type="checkbox"/> Requested	Approved ID:
Surface Transportation Program - Urban	<input type="checkbox"/> Anticipated	<input type="checkbox"/> Requested	Approved ID
CMAQ	<input type="checkbox"/> Anticipated	<input type="checkbox"/> Requested	Approved ID
Carbon Reduction Program (CRP)	<input type="checkbox"/> Anticipated	<input type="checkbox"/> Requested	Approved ID.

Transportation Enhancements Program			Approved ID
Bicycle & Pedestrian Facilities Program			Approved ID.
Safe Routes to School			Approved ID
Transportation Economic Assistance Program	<input type="checkbox"/> Anticipated	<input type="checkbox"/> Requested	Approved ID
Flood Damage Aids	<input type="checkbox"/> Anticipated	<input type="checkbox"/> Requested	Approved ID.
State Funding (Describe)	<input type="checkbox"/> Anticipated	<input type="checkbox"/> Requested	Approved ID.
Other:	<input type="checkbox"/> Anticipated	<input type="checkbox"/> Requested	Approved ID
Is project identified in a long-range transportation plan.	<input type="checkbox"/> Yes	<input type="checkbox"/> No	If Y, link to plan _____
Is project identified in a bicycle-pedestrian plan?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	If Y, link to plan _____
Is project identified in an outdoor recreation plan	<input type="checkbox"/> Yes	<input type="checkbox"/> No	If Y, link to plan _____
Is project identified in a comprehensive plan	<input type="checkbox"/> Yes	<input type="checkbox"/> No	If Y, link to plan _____
Is project identified in any other planning document	<input type="checkbox"/> Yes	<input type="checkbox"/> No	If Y, link to plan _____

Other Concept Notes: Provide any additional relevant project information that has not been covered in another section of the application.

School Demographics (Complete ONLY if submitting a project within the SRTS eligibility category)

What is the name(s) and demographics for each school affected by the proposed program or project?

Optional: Alternatively, SRTS project applicants may submit a narrative response/attachment 1 detailing school demographics provided that all fields below are answered in such attachment.

School name School population: Grades of students at school:
 Estimated number of students currently walking to school (if known)
 Estimated number of students currently biking to school (if known):
 Does the school have any policies related to walking or biking?
 Distance eligibility for riding a bus Number of children not eligible for busing:
 Number of students eligible for busing because of a hazard situation:
 Percentage of students living within one mile of the school
 Percentage of students living within two miles of the school
 Percentage of students eligible for free or reduced-cost school meals
 Community(s) served by school. Community(s) population:

Safe Routes to School Existing Planning Efforts (Complete if submitting an SRTS project)

Does your school or community have a Safe Routes to School plan? Yes No

If yes, can it be viewed online? Yes, the website address is No, it is attached with the application

If no, please describe, **in no more than 400 words**, any SRTS-related planning efforts undertaken by the school or community.

CONFIDENTIAL INFORMATION

Project Costs, Priorities, and State Fiscal Years:

Complete the table below for the appropriate fiscal years of the application/project cycle (2024-2028) If a sponsor proposes to construct a project in phases throughout multiple years, schedule the project costs as appropriate and provide further details in the project description. In addition to the table below, **attach a detailed breakdown of project costs in Microsoft Excel**. This detailed breakdown must clarify assumptions made in creating the budget such that a third-party reviewer would be able to substantiate the assumptions

Submit a separate application and budget for each project or stand-alone project segment for which you are willing to accept funding, or for a bike/pedestrian trail section that could function as a separate facility Project requests are not considered for partial funding.

Project Cost Guidelines:

WisDOT suggests the following cost minimums all proposed TAP projects.

Infrastructure projects	Minimum project cost of \$300,000, including any design work. \$100,000 minimum for federally funded real estate
Non-Infrastructure projects	Minimum project cost of \$50,000
STARS-Eligible Non-infrastructure	Minimum project cost of \$20,000 <i>See Program Guidance materials for additional information</i>

Applicants may work with the Local Program Manager within their region for assistance to estimate costs more accurately. All estimates will be reviewed by WisDOT Region staff for consistency with current practices and approaches Also, WisDOT Region staff may revise estimates in these categories due to the complexity of the project or other factors. WisDOT will notify the sponsor of any changes to estimates within the application and determine whether the sponsor wishes to continue with the application with the revised estimate

NOTE: Requesting design and construction projects in the same fiscal year is not allowed.

Project Prioritization:

TAP Applicants are advised that submitting multiple applications is welcome However, WisDOT is limited in its ability to award projects based on, funding availability, existing schedules, and selection committee discretion If a sponsor is submitting more than one project the sponsor must rank each project in priority order, e.g., 1 (highest priority) to 5 (lowest), for the local priority among five projects Local ranking will be used as a guide in project selection. **Project Priority: 1**

Project Delivery Method:

Briefly describe the preferred method of project delivery (i.e., consultant contract, local delivery, etc.)

Delivery Method:

Construction:

Basis for Construction Estimate: Itemized Per Square Foot Past Projects
 Other, please specify

Schedule Preference: FY 2025 FY 2026 FY 2027 FY 2028

Construction (minimum \$300,000):

Federal Share of the Participating Construction Cost (80%)	\$1,280,000
Local Share of the Participating Construction Cost (20%)	\$320,000

Non-Participating Construction Cost (100% Local) \$
A. Subtotal Construction Costs: \$1,600,000

B. State Review for Construction: (Contact WisDOT Region) Percentage: % \$
C. Construction Engineering Costs: \$115,000

Construction with State Review Cost Estimate (sum lines A, B, & C) \$1,715,000

Design:
 100% Locally Funded (state review is required to be included as 100% locally funded) **OR**
 80% Federally Funded ("state review only" projects are not allowed)
 FY 2024 FY 2025 FY 2026 FY 2027

A. Plan Development (Contact WisDOT Region) Percentage: % \$320,000
B. State Review for Design (Contact WisDOT Region) Percentage: % \$15,000
Design with State Review Cost Estimate (sum lines A and B) \$20,000

Real Estate: (Recommend funding with local funds.)
 FY 2024 FY 2025 FY 2026 FY 2027
Total Real Estate Cost (round to next \$1,000) \$

Utility: (Compensable utility costs must be \$50,000 minimum per utility.)
 Recommend funding with local funds.
 FY 2024 FY 2025 FY 2026 FY 2027
Total Utility Cost (round to next \$1,000) \$

Other: (Planning Studies, SRTS Programing, etc.)
 FY 2024 FY 2025 FY 2026 FY 2027 FY 2028
Total Other Cost (round to next \$1,000) \$

TAP STARS APPLICATION (SRTS Activities-Only)

WisDOT encourages rural (< 5,000 in population, outside of MPO borders) school districts and other eligible entities to consider applying for a TAP STARS project. While all activities are consistent with a traditional TAP project, TAP STARS allows new program participants to select from a list of pre-assembled TAP SRTS project templates.

To **confirm TAP STARS eligibility**, find your community on the TAP STARS GIS map linked below:
<https://wisdot.maps.arcgis.com/apps/webappviewer/index.html?id=381e0ea4576f48c3bd302e60cf291384>

See the TAP STARS Proposal Addendum for SRTS project templates: <https://wisconsin.gov/Pages/doing-bus/local-gov/astnce-pgms/aid/tap.aspx>

FY 2024 FY 2025 FY 2026 FY 2027 FY 2028

TAP STARS TEMPLATE: ENTER OPTION #

Total TAP STARS Cost (round to next \$1,000) \$

NOTE: WisDOT Policy link: <http://wisconsin.gov/Pages/doing-bus/eng-consultants/cnslt-rsrcs/rdwy/default.aspx>.

NOTE: WisDOT Region staff may revise estimates in the Plan Development, State Review for Design, and State Review for Construction categories based on the complexity of the project or other factors

Narrative Response

Provide a narrative response attachment answering questions 1 through 5, making sure to provide information in response to each sub-question. Please limit the response to three (3) double-spaced pages, using a **minimum 11-point font size**.

1. PROJECT DESCRIPTION AND OVERVIEW.

This is an expanded summary based on page A-2 of the application. It is a general overview of the project, including type of facility or project, location (please attach a location map or maps) and any other information about the project. It is brief

2. PROJECT PLANNING & PREPARATION & LOCAL SUPPORT

Describe the degree to which this project was planned for and the local support and commitment for the project. If this project is part of a plan (bike-pedestrian plan, safe routes to school plan, transportation plan, comprehensive plan, etc.), describe that plan and the project's priority in that plan. If this is a planning project describe how this project will be integrated into other efforts. For SRTS projects, describe walk/ bike audits, parent surveys and data on crashes that support the selection of this project

3. HISTORY OF SPONSOR SUCCESS, DELIVERABILITY AND COMMITMENT TO MULTIMODAL

How will the project be implemented on time? What obstacles or problems must be overcome to implement this project, and considering project obstacles, describe how the project sponsor will comply with state law and policy requiring project commencement within four years of the award date, and project completion within approximately six years? Please describe prior experience with other multimodal projects and success in delivering those projects in the year in which they were scheduled. For example, were you able to deliver the project in the year it was programmed? Have you ever had to turn back awarded federal funds? Please explain. If problems were experienced in the past, what will be done on this project to ensure successful completion? Describe the project sponsor's commitment to multimodal programs and facilities generally like a complete street ordinance, advisory committees, or inclusion of multimodal accommodations in any other local program projects

4. PROJECT UTILITY & CONNECTIVITY

For Infrastructure Projects

Describe the degree to which this project serves utilitarian rather than recreational purposes and how, if at all, the project adds connectivity to the state's multi-modal transportation network, including bicycle, pedestrian, and transit facilities. Describe how, if at all, the proposed project would connect to these existing land uses: park, school, library, public transit, employment and/or retail centers, residential areas, others. Describe how this project fills a multimodal gap or serves as a backbone to a local multimodal network

For Planning Projects

Implementation of plan would serve a broad geographic area and adds connectivity to the state's multimodal transportation network. Describe how this project fills a multimodal gap or serves as a backbone to a local multimodal network

For Safe Routes to School Programming Projects

Will the project get a higher percentage of children walking and biking to school - addresses clear safety problems for children already walking/biking. Address the following desired outcomes reduction in parent concerns that keep them from allowing children to walk/bike, potential for changes in hazard busing; change in policy limiting walking/biking to school; increased school commitment to promoting walking/biking; improved driver behaviors in the school zone, making it more appealing for children to walk/bike, more law enforcement participation in walking/biking issues

5. PROJECT BENEFIT– ENVIRONMENTAL, LIVABILITY, ECONOMIC JUSTICE, PUBLIC HEALTH, HISTORICAL PRESERVATION, ECONOMIC DEVELOPMENT, AND SAFETY

NOTE: A TAP project should contribute to a community benefit. No applicant's project is expected to contribute to all the benefits listed on A-3 of the application, but a project that contributes to more than one benefit or has significant impact on a particular benefit will receive more points

Describe the benefits likely derived from the proposed project, this description should correspond to the project benefit section on page A-3.

Key Program Requirements Confirmation

Please confirm your understanding of the following project condition by **typing your name, title and initials** at the bottom of this section. **A Head of Government/Designee with fiscal authority for the project sponsor must initial this section and sign this application. Sponsor consultant(s) should not initial or sign project applications.**

WisDOT will deem ineligible any application that does not provide confirmation to this section.

- a. Private organizations proposing projects must have a public project sponsor such as a local government unit
- b. The project sponsor or private partner must provide matching dollar funding of at least 20% of project costs
- c. This is a reimbursement program. The project sponsor must finance the project until federal reimbursement funds are available.
- d. The project sponsor will pay to the state all costs incurred by the state in connection with the improvement that exceed federal financing commitments or other costs that are ineligible for federal reimbursement. In order to guarantee the project sponsor's foregoing agreements to pay the state, the project sponsor, through its duly executed officers or officials, agrees and authorizes the state to set off and withhold the required reimbursement amount as determined by the state from any monies otherwise due and payable by the state to the municipality
- e. The project sponsor must not incur costs for any phase of the project until that phase has been authorized for federal charges and the WisDOT Region has notified the sponsor that it can begin incurring costs. Otherwise, the sponsor risks incurring costs that will not be eligible for federal funding
- f. The project sponsor will follow the applicable federal and state regulations required for each phase of the project. Some of these are described in the Guidelines. The requirements include, but are not limited to, the following: a Qualifications Based Selection (QBS) process for design and engineering services (Brooks Act), real estate acquisition requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 and amendments, competitive procurement of construction services; Davis Bacon wage rates on federal highway right-of-way projects, WisDOT FDM & Bicycle Facilities Handbook, ADA regarding accessibility for the disabled, MUTCD regarding signage, U.S. Department of the Interior standards for historic buildings. Each WisDOT Region can provide copies of the current *Sponsor's Guide to Non-Traditional Transportation Project Implementation*, and references for sections of the Facilities Development Manual (FDM) and other documents necessary to comply with federal and state regulations. **Applicants who plan to implement their projects as Local Let Contracts using the Sponsor's Guide must become certified that they are capable of undertaking these projects.**

- g. Snowmobile use is only allowable by local ordinance. Trail fees may only be charged on a facility if the fees are used solely to maintain the trail. WisDOT reserves the right to require that facilities be snowplowed as part of a maintenance agreement where year-round use by bicyclists and pedestrians is expected
- h. For infrastructure projects, the project sponsor agrees to maintain the project facility. Failure to maintain the facility, or sale of the assets improved with FHWA funds prior to the end of its useful life, will subject the sponsor to partial repayment of federal funds or additional stipulations protecting the public interest in the project for its useful life
- i. If the project sponsor should withdraw the project, it will reimburse the state for any costs incurred by the state on behalf of the project.
- j. The project sponsor agrees to state delivery and oversight costs by WisDOT staff and their agents. These costs include review of Design and Construction documents for compliance with federal and state requirements, appropriate design standards, and other related review. These costs will vary with the size and complexity of the project. The sponsor agrees to add these costs to the project under the same match requirements 80% / 20% match requirements
- k. Projects that are fully or partially federally funded must be designed in accordance with all applicable federal design standards, even if design of the project was 100% locally funded.
- l. As the project progresses, the state will bill the project sponsor for work completed that is ineligible for federal reimbursement. Upon project completion, a final audit will determine the final division of costs as between the state and the project sponsor. If reviews or audits reveal any project costs that are ineligible for federal funding, the project sponsor will be responsible for any withdrawn costs associated with the ineligible work.
- m. ***For 100% locally funded design projects, costs for design plan development and state review for design are 100% the responsibility of the local project sponsor. Project sponsors may not seek federal funding only for state review of design projects.
- n. The project sponsor acknowledges that the requisite project commencement requirement and that failure to comply with the applicable commencement deadline will jeopardize federal funding. Commencement is within four years of the date of the project award. The project must be commenced within four (4) years of the project award date according to Sec. 85.021, Wis. Stats. For construction projects, a project is commenced when construction is begun. For planning projects, a planning project is commenced when the planning study is begun. For non-infrastructure projects that do not fall within any of the above categories, a project is considered commenced on the date that WisDOT receives the first reimbursement request from the project sponsor, as noted on form DT1713 in the 'Date Received' field
- o. The project sponsor acknowledges that the requisite project completion timeline for approved TAP projects will be memorialized in a state-municipal agreement, and failure to comply with the applicable project timeline will jeopardize federal funding
- p. Federally funded transportation construction projects, with the exception of sidewalks, are likely improvements that benefit the public at large. Improvements of this type cannot generally be the basis of levying a special assessment pursuant to Wis. Stat. § 66.0703. Municipalities who wish to obtain project funding via special assessment levied against particular parcels should seek advice of legal counsel. See *Hildebrand v. Menasha*, 2011 WI App. 83

Please confirm your understanding of the following project condition by typing your name, title and initials at the bottom of this section. A Head of Government/Designee with fiscal authority for the project sponsor must initial this section and sign this application. Sponsor consultant(s) should not initial or sign project applications

I confirm that I have read and understand project conditions (a) through (o) above

Name Glen E. Morrow

Title City Engineer

Accepted (please initial here): GEM

Fiscal Authorization and Signature

Application prepared by a consultant Yes No

If yes, consultant information and signature required below

Consultant Company Name: _____ Company Location (City, State): _____

Consultant Signature (electronic only): _____

Date: _____

NOTE: On Local Program projects, it is not permissible for a consultant to fill out applications gratis (or for a small fee) for a municipality and then be selected to do the design work on a project. A municipality could start their consultant selection process early enough and make the application part of the scope of services with the understanding that all costs incurred prior to authorization will be the responsibility of the local municipality. See FDM 8-5 for additional information.

Sponsor Agency: **City of Franklin**

Contact Person: **Glen Morrow**

(Note: must be Head of Government or Designee)

Title: **City Engineer**

Address: **9229 W. Loomis Road**

Telephone: **414-425-7510**

Email: **gmorrow@franklinwi.gov**

Only one project sponsor is allowed per project. As a representative of the project sponsor, the individual that signs below are confirming that the information in this project application is accurate. A local official, not a consultant, must sign the application. I understand that completion of this application does not guarantee project approval for federal funding.

Head of Government/Designee Signature (electronic only): **Glen E. Morrow**

Date: **10/27/2023**

See Final Page for Application and Attachments Checklist

Application and Attachments

Submit applications and attachments utilizing the contact information contained in the corresponding TAP Pre-Scoping Application Instructions. Applicants must **submit eligible applications on or before 5PM on October 27, 2023**, and must include the following documents:

- A completed application **in Microsoft Word format**
- Narrative Response: maximum of **three double-spaced pages, 11-point font size with 1-inch margins**
- Cost Estimate Detail as required in the 'Project Costs and Dates' section of this application
- For infrastructure projects, a project map (Size 8½ by 11, standard letter)
- A local **resolution of support** for the proposed project (Due by December 29, 2023)
- If right of way was acquired in anticipation of this project**, attach a detailed list of available, completed project and parcel acquisition documentation (**see page A-4**)

OPTIONAL Attachment

- If proposed project crosses or runs parallel to a local road, street, or state highway**, attach a typical cross-section of the existing roadway with right of way, travel lanes, shoulder, and sidewalk (if applicable)

SRTS School Demographics Information

WisDOT Information – Shaded area to be completed by WisDOT staff only.

FOR WISDOT USE ONLY – This information must be entered on the spreadsheet and on the application.

WisDOT Region comments on application, including eligibility concerns:

Region Reviewer's Name:

Reviewer's Title:

Date Received.

City of Franklin – W. Puetz Road Pathway (S. 76TH Street to W. St Martins Road)
WisDOT 2024-2028 Transportation Alternatives Program (TAP) Application - Narrative

W Puetz Road from S. 76th Street (Milwaukee CTH U) to W St Martins Road (STH 100) is a 1.3-mile arterial road serving approximately 750 residential homes/condos/apartment units. Not only is the pavement in poor condition, but the shoulders are primarily nonexistent, there are vertical curve vision restrictions, there are wetland features in roadside ditches, and many utilities are crowding the edge of the road.

This section of road has been submitted multiple times for the transportation improvement program to widen, improve visibility, and accommodate bicycles and pedestrians, but this segment of road does not compete well with the other road projects within the Milwaukee urbanized area. The City decided that the pavement condition can no longer wait and must be addressed. This segment was included in the 2024 budget to be repaved with local budget and without expansion or improving vertical sight distances. To provide accommodations for pedestrian and bicycles, the public was invited to provide comments on a potential separated pathway along this segment. There was an overwhelming response to a request for comments and most of the respondents are in favor of a pathway. Of the 43 responses, 28 (65%) believe that a pathway along this corridor is a good idea, 12 (28%) believed it is a bad idea and 3 (7%) had no opinion. 16 responses said that they would use this for bicycling, 24 said that they would use it for walking, and 10 would not use it.

However, there is not a clear-cut preference on the side to place the pathway. Both sides have complex design issues to consider in determining the easiest path for construction. There are 42 parcels along the south side of this road segment and at a glance, there appear to be 11 parcels that might need to sell additional right-of-way if the pathway were to be located on the south side. Similar for the north side, there are 43 parcels with 13 parcels that might need to sell additional right-of-way if the pathway were located on the north side. If there are unwilling sellers, the City would pull the pathway closer to the roadway and stay within the existing right-of-way.

City of Franklin – W. Puetz Road Pathway (S. 76th Street to W. St Martins Road)
WisDOT 2024-2028 Transportation Alternatives Program (TAP) Application - Narrative

Many of the responses discussed how unsafe this section of roadway is and it is unfortunate that automobiles must be used to travel instead of walking or the use of their bicycles. This project will provide connectivity for the approximate 750 homes/condominiums/ apartments to the rest of the City. Under development is a 10-foot separated pathway for STH 100 (from S 60th Street to W St Martins Road (WisDOT project ID 20401573) that WisDOT is constructing for the City. WisDOT is also providing other pathways around Franklin at cost to the City, including STH 36 (ID 22400078), USH 241 (ID 22650971), and USH 45 (#20402170). Franklin is presently completing the 116th Street Pathway project (ID 9760072) using CMAQ funding for construction only. Providing funds for these other pathways necessitates Franklin's need for TAP funding for this W Puetz Pathway project. With the construction of this proposed pathway along W Puetz Road in conjunction with the aforementioned WisDOT projects, residents both living off W Puetz Road or commuting through via W Puetz Road will be able to commute by bicycle or by walking. These pathways will provide connectivity to and from Greendale, Hales Corners, Muskego, and the Milwaukee County Oak Leaf Trail system. This specific pathway in unison with the overall connectivity will increase the likelihood of residents adjacent to and nearby W Puetz Road electing alternative modes of transportation (bike, walking, etc). Additionally the improved connectivity throughout the City with this project and the related WisDOT projects have the potential to provide a demonstrably positive impact to the public health of the Franklin community.

Because of the various complexities to this project, a consultant has provided an independent construction cost estimate of the pathway for approximately \$1.6 million. It is anticipated that the design will be 20% (\$320,000) and the construction administration would be at least 7% (\$115,000). The project costs would total \$2,035,000.



55 East Monroe Street
Suite 2850
Chicago, IL 60603
312.424.0250 T
www.concord-cc.com

City of Franklin

Franklin Puetz Rd Bike Path 76th St-St. Martins Rd

Franklin, WI

Conceptual Estimate

September 29, 2023

Project: 2023A166

Prepared For:

City of Franklin
9229 W. Loomis Rd.
Franklin, WI 53132

NOTES REGARDING PREPARATION OF ESTIMATE

This estimate was prepared based on the following documents provided by the City of Franklin:

1. Puetz Road Reconstruction Drawings provided by City of Franklin dated August 18, 1997.
2. Puetz Road Reconstruction Project Manual provided by City of Franklin dated October 10, 1997.
3. Information regarding the project was also obtained via meetings, phone conversations, and email messages that clarified the project scope.

BIDDING PROCESS - MARKET CONDITIONS

This document is based on the measurement and pricing of quantities wherever information is provided and/or reasonable assumptions for other work not covered in the drawings or specifications, as stated within this document. Unit rates have been generated from current material/labor rates, historical production data, and discussions with relevant subcontractors and material suppliers. The unit rates reflect current bid costs in the area. All unit rates relevant to subcontractor work include the subcontractors overhead and profit unless otherwise stated.

Pricing reflects probable construction costs obtainable in the Franklin, Wisconsin area on the bid date. This estimate is a determination of fair market value for the construction of this project. It is not a prediction of low bid. Pricing assumes competitive bidding for every portion of the construction work for all subcontractors with a minimum of 3 bidders for all items of subcontracted work and a with a minimum of 3 bidders for a general contractor. Experience indicates that a fewer number of bidders may result in higher bids, conversely an increased number of bidders may result in more competitive bids.

Since The Concord Group has no control over the cost of labor, material, equipment, or over the contractor's method of determining prices, or over the competitive bidding or market conditions at the time of bid, this statement of probable construction cost is based on industry practice, professional experience and qualifications, and represents The Concord Group's best judgment as professional construction cost consultants familiar with the construction industry. However, The Concord Group cannot and does not guarantee that the proposals, bids, or the construction cost will not vary from opinions of probable cost prepared by them.

CURRENT MARKET CONDITIONS

It should be noted that there is ongoing volatility in the construction materials market due to the effects of the pandemic on both the production and supply of materials. Due to the lack of in stock materials suppliers are struggling to fulfill orders in a timely manner, which in turn leads to much longer than normal lead times. The impact of ongoing global raw material shortages and fuel price increases adds to the overall spike in material pricing coupled with the increased demand for construction that the construction industry is now seeing. These factors should be considered when determining the bidding strategy and schedule for projects.

ASSUMED CONSTRUCTION PARAMETERS

The pricing is based on the following project parameters:

1. A construction notice to proceed date of Q2, 2025.
2. A substantial completion date of Q4, 2025.
3. The contract will be competitively bid to multiple contractors.
4. All contractors will be required to pay prevailing wages.
5. There are no phasing requirements.
6. The contractors will have full access to the site during normal working hours
7. Estimate detail includes pricing as of September 2023.

EXCLUSIONS

The following are excluded from the cost of this estimate:

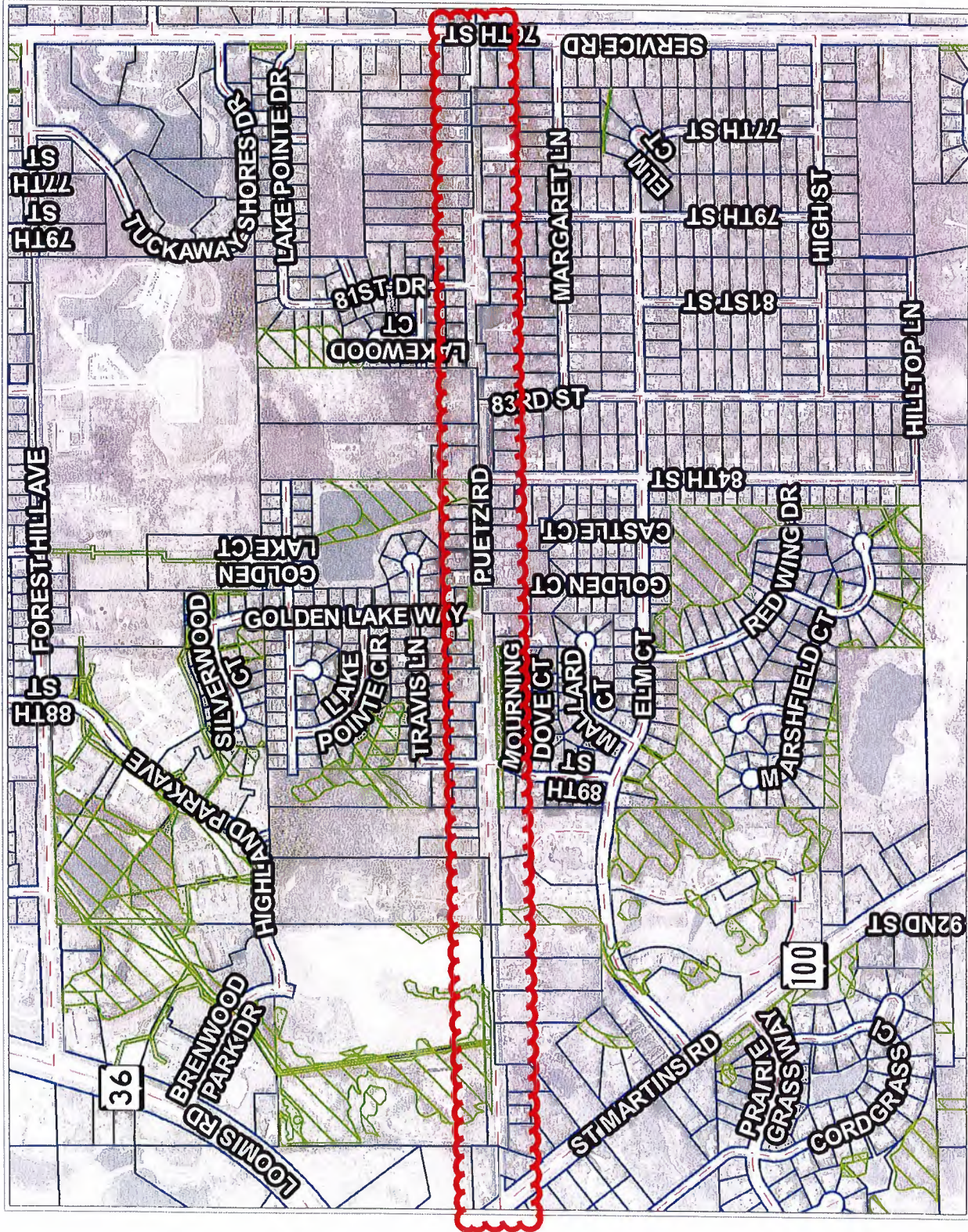
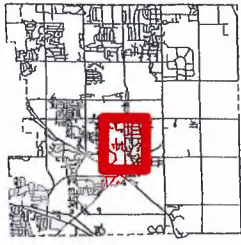
1. Professional Design Fees
2. Testing Fees
3. Owner Contingencies/Scope Changes
4. Premium Time / Restrictions on Contractor Working Hours
5. Cost Escalation Beyond a Construction Mid-Point Date of Q3 2025
6. Finance and Legal Charges
7. Environmental Abatement Costs
8. Temporary Owner Facilities
9. Relocating Electrical Power Poles
10. Ditch/Berm Construction
11. Contaminated Soil Removal
12. Structurally Unsuitable Soil Removal
13. Tree Replacement
14. Road Reconstruction
15. Traffic Signal Modifications
16. Unforeseen Future Cost Impacts Based on Supply Chain Impacts



COST SUMMARY		BUILDING TOTAL
01000	GENERAL REQUIREMENTS	\$0
02000	EXISTING CONDITIONS	\$0
03000	CONCRETE	\$0
04000	MASONRY	\$0
05000	METALS	\$0
06000	WOODS, PLASTICS & COMPOSITES	\$0
07000	THERMAL & MOISTURE PROTECTION SYSTEM	\$0
08000	OPENINGS	\$0
09000	FINISHES	\$0
10000	SPECIALTIES	\$0
11000	EQUIPMENT	\$0
12000	FURNISHINGS	\$0
13000	SPECIAL CONSTRUCTION	\$0
14000	CONVEYING EQUIPMENT	\$0
21000	FIRE SUPPRESSION	\$0
22000	PLUMBING	\$0
23000	HEATING, VENTILATING & AIR CONDITIONING	\$0
26000	ELECTRICAL	\$0
27000	COMMUNICATIONS	\$0
28000	ELECTRONIC SAFETY AND SECURITY	\$0
31000	EARTHWORK	\$165,089
32000	EXTERIOR IMPROVEMENTS	\$629,777
33000	UTILITIES	\$103,547
SUBTOTAL		\$898,413
	UNIDENTIFIED SCOPE ITEMS	20.0% \$179,683
	GENERAL CONDITIONS/BOND/INSURANCE	15.0% \$161,714
	CONTRACTOR'S FEES	5.0% \$61,990
	ESCALATION TO MID-POINT OF CONSTRUCTION	9.35% \$121,718
TOTAL ESTIMATED BID		\$1,423,518
	CONSTRUCTION CONTINGENCY	10.0% \$142,352
TOTAL ESTIMATED CONSTRUCTION COSTS		\$1,565,870



DESCRIPTION	QTY	UM	UNIT COST	TOTAL COST
31000 EARTHWORK				
31100 Site Preparation & Excavation				
Clearing for Bike Path	3	ACRE	7,555.35	21,684
Grubbing for Bike Path	3	ACRE	1,511.07	4,337
Excavate for Bike Path	1,932	CUYD	20.89	40,354
Haul off excavated material	1,932	CUYD	35.47	68,526
			SUBTOTAL: Site Preparation & Excavation	\$134,900
31600 Erosion & Sedimentation Control				
Erosion control	6,955	LNFT	4.34	30,189
			SUBTOTAL: Erosion & Sedimentation Control	\$30,189
TOTAL: EARTHWORK				\$165,089
32000 EXTERIOR IMPROVEMENTS				
32100 Pavement				
Crushed aggregate base course at Bike Path	1,503	CUYD	46.13	69,328
Asphalt pavement, type LV, 3" thk at Bike Path	1,304	TON	123.03	160,435
Bike Path striping	6,955	LNFT	3.07	21,349
Concrete curb & gutter	6,955	LNFT	40.50	281,643
			SUBTOTAL: Pavement	\$532,756
32600 Landscaping				
Topsoil	601	CUYD	56.50	33,955
Seeding, fertilizer and fine grading, machine,	48,685	SQFT	1.19	57,750
			SUBTOTAL: Landscaping	\$91,706
32700 Site Furnishings				
Pole mounted signage - Allowance	5	EACH	1,063.06	5,315
			SUBTOTAL: Site Furnishings	\$5,315
TOTAL: EXTERIOR IMPROVEMENTS				\$629,777
33000 UTILITIES				
33300 Site Sanitary & Storm Sewer				
Storm culverts - quantity allowance	10	EACH	10,354.72	103,547
			SUBTOTAL: Site Sanitary & Storm Sewer	\$103,547
TOTAL: UTILITIES				\$103,547



Legend

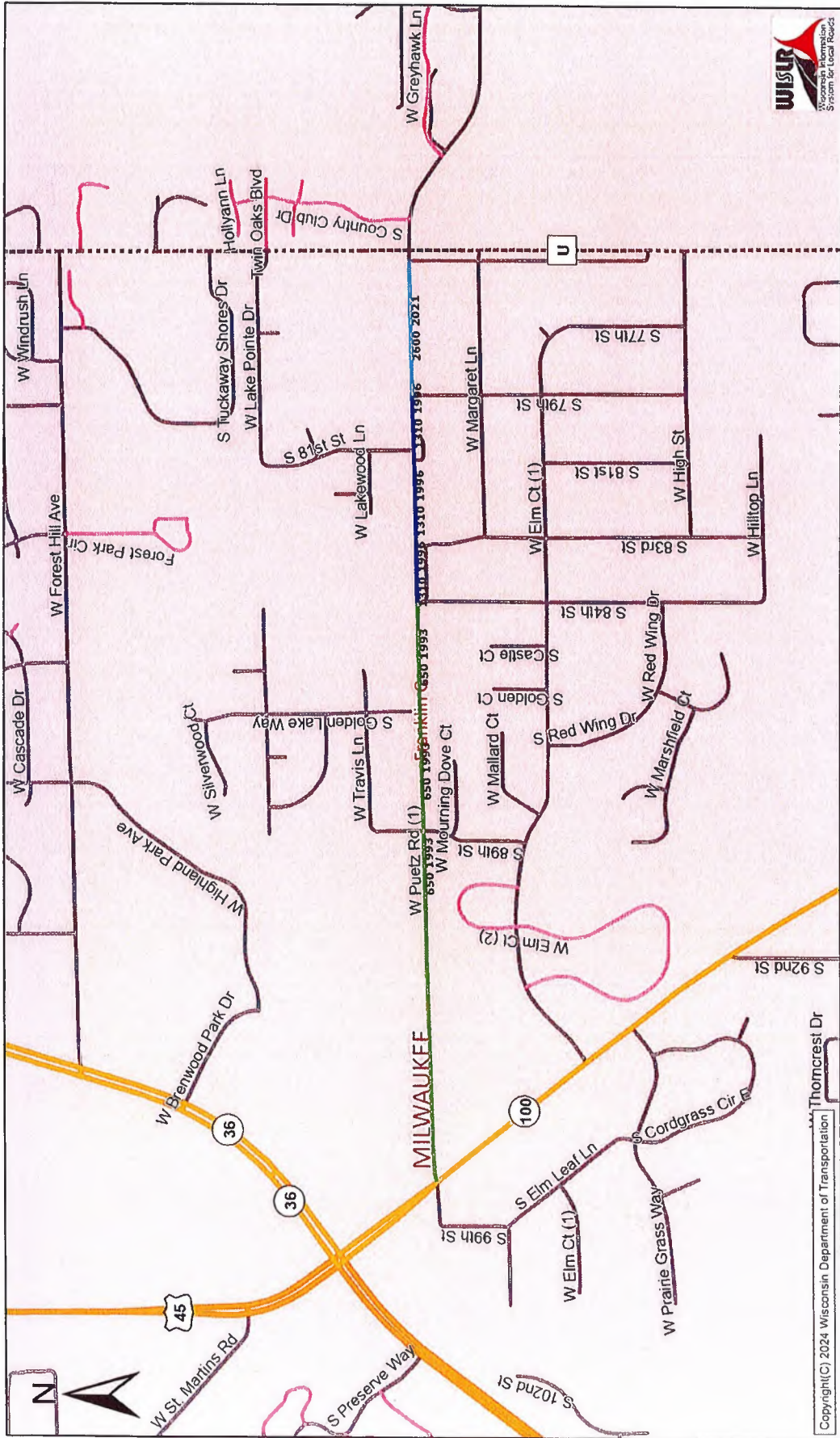
- Parcel with Address Owner
- Street Centerline
- Road ROW
- Easement



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

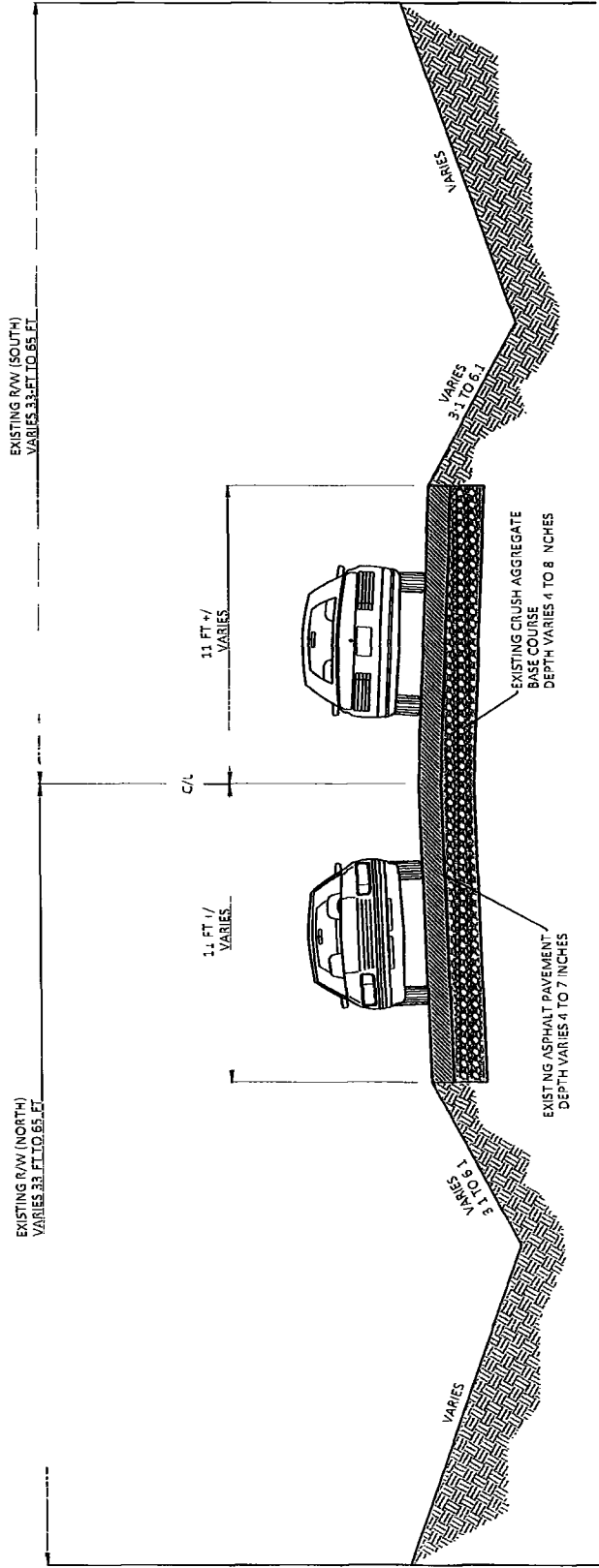
This map shows the approximate relative location of property boundaries but was not prepared by a professional land surveyor. This map is provided for informational purposes only and not as a substitute for legally recorded maps, surveys, or other documents.

WISLR Map



Copyright(C) 2024 Wisconsin Department of Transportation
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- wislr-flt**
- A - Actual
 - E - Estimated
 - T - TRADAS
 - Railroads
 - On-Off Ramp
 - Connector
 - Frontage Road
 - Wayside
 - Rest Area
 - STH Connecting Highways
 - Interstate Highway
 - USH Highway
 - USH Connecting Highway
 - State Trunk Highways
 - STH Connecting Highways
 - County Roads
 - County Trunk Hwy
 - County Forest Roads
 - Other County Roads
 - Local Roads
 - Municipal/Local Roads
 - Ineligible Roads
 - Rivers
 - Lakes
 - City
 - Village
 - Town
 - Counties



EXISTING TYPICAL SECTION (NTS)
W. PUETZ ROAD
(S. 76TH STREET TO W. ST MARTINS ROAD)

<p>APPROVAL</p> <p><i>K</i></p>	<p>REQUEST FOR COMMON COUNCIL ACTION</p>	<p>MEETING DATE</p> <p>November 7, 2023</p>
<p>BUSINESS</p>	<p>A RESOLUTION REQUESTING AN AREA WITHIN THE CITY OF FRANKLIN RECEIVE A FRANKLIN POSTAL ADDRESS DESIGNATION</p>	<p>ITEM NUMBER</p> <p>6.14</p>

BACKGROUND

Prior to construction of the Franklin Post Office, Franklin residents were serviced by nearby postal offices. With the completion of the Franklin Post Office, nearly all residences were placed in the 53132-zip code. However, an area of Franklin was not included and is still being serviced by the office at Edgerton and 27th Street, which results in having a Milwaukee address under the zip code of 53221.

With the construction of the new Franklin Post Office, in 1998 the Common Council adopted Resolution 98-4662 requesting all Franklin areas be included in the 53221-zip code, but no action was taken by the Federal Government.

Mail and driver's license for some Franklin residents depict a Milwaukee address. Over the years, those residents in the 53221 have struggled with charges applicable to the City Milwaukee that those in the Franklin zip code have not been subject to Newsletters, School District recreation guides and other materials have needed separate mailing lists.

Since the adoption of the new City of Milwaukee sales tax, Alderman Hasan has received correspondence between Franklin resident Mr Mark Mundle and State Representatives regarding this matter. It was suggested, should local Franklin officials desire upper-level elected official assistance and support, that Council action indicating this request be provided. It is anticipated, that given the multiple changes in upper-level government since the previous Council request, a renewed request may move this forward. Therefore, a resolution requesting and in support of *Franklin residents falling under a Milwaukee mailing address be given a Franklin address* is before the Council for your consideration.

ANALYSIS

The previous request was for residents to have the same zip code. This request differs in being open to options such as.

- Retaining the use of the Edgerton post office but designating a Franklin address by providing a new zip code specific for that area and/or retaining the Edgerton post office and changing the zip code to 53132. This option is advantageous for resident proximity when needing to pick up a missed package, etc

or

- Changing the delivery/service office and applying 53132 to all Franklin residences.

FISCAL IMPACT

Postal fees to mail resolution to pertaining parties with email as the no additional fee alternative

COUNCIL ACTION REQUESTED

Motion to adopt A RESOLUTION REQUESTING AN AREA WITHIN THE CITY OF FRANKLIN RECEIVE A FRANKLIN POSTAL ADDRESS DESIGNATION and direct staff to deliver the resolution to applicable officials as appropriate.

STATE OF WISCONSIN

CITY OF FRANKLIN

MILWAUKEE COUNTY

RESOLUTION NO. 2023-_____

A RESOLUTION REQUESTING AN AREA WITHIN THE CITY OF FRANKLIN
RECEIVE A FRANKLIN POSTAL ADDRESS DESIGNATION

WHEREAS, the United States Postal Service has designated a portion of the City of Franklin be in a Milwaukee Zip Code area; and

WHEREAS, the vast majority of Franklin residents have a 53132 Zip Code; and

WHEREAS, Franklin residents within the Milwaukee Zip area are issued driver's license and mail depicting Milwaukee as their address, which provides challenges in avoiding costs and fees not otherwise required; and

WHEREAS, bulk mailings require special attention resulting in higher costs, confusion and mail delays; and

WHEREAS, the City of Milwaukee's recent sales tax could inadvertently be incorrectly applied to Franklin residents based on being listed with a City of Milwaukee address; and

WHEREAS, the Common Council of the City of Franklin has previously requested all Franklin residents be allowed to be included within the Franklin Zip Code; and

WHEREAS, the Common Council has considered the request to list residents within the City they reside and has determined it to be in the best interest of the public and the City.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that State and Federal assistance is being requested to urge the U.S. Postal Service to either include all Franklin residents within the 53132- Zip Code or create an alternate Zip Code rendering Franklin as the City of residency.

BE IT FURTHER RESOLVED, that the Office of the City Clerk is hereby directed to forward this resolution to the appropriate Public Officials giving notice that the City of Franklin supports all Franklin residents having a Franklin Postal address designation and requests assistance to make the changes needed by the U.S. Postal Service.

Introduced by Mayor John Nelson and Alderman Hasan at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2023.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2023.


APPROVED:

John R. Nelson, Mayor

ATTEST:

Karen Kastenson, City Clerk

AYES _____ NOES _____ ABSENT _____

APPROVAL 	REQUEST FOR COUNCIL ACTION	MTG. DATE November 7, 2023
Reports & Recommendations	Assessment for Loomis Pathway along East/South Side of W. Loomis Road from W. St. Martins Road to W. Rawson Avenue	ITEM NO. Ald. Dist. 2 G.15.

BACKGROUND

The Wisconsin Department of Transportation (WisDOT) plans a significant overlay for W. Loomis Road (STH 36). This project was discussed at the April 6, July 21, and October 6, 2020 Common Council meetings. A Memorandum of Understanding and a State Municipal Maintenance Agreement were executed with the expectation that the City's portion of expenses for a 5-foot sidewalk would be approximately \$466,000. A July 27, 2020, non-participating letter was sent to WisDOT asking that a 6-foot wide concrete path be installed for a delivered cost of approximately \$500,000.

This project, WisDOT identification 2240-00-08/2240-00-78 of WIS 36 from WIS 100 to S. 51st Street, is now set to receive bids on March 12, 2024. Staff was recently advised that the City portion is now estimated to be \$1,067,000.



ANALYSIS

This pathway along the east/south side of W. Loomis Road is a necessary section of the City to get pedestrians from the planned St. Martins pathway to the Ball Park Commons area on W. Rawson Avenue. This path would serve pedestrian traffic to the Post Office, Police Department / Municipal Court, City Hall, Library, retirement communities, and other proposed commercial developments.

However, \$1,067,000 is more than double the previous estimated costs. Asking WisDOT for the project to be redesigned this late in the process would require reimbursement from the City. With the other commitments for park impact fees and overall City budgets, Staff proposes a way to fund this needed pathway.

Similar to a recent decision to assess a pathway along S. 27th Street, properties along W. Loomis Road could also be assessed. Municipal Code §207-15 discusses Special Assessments and *“the cost of installing or constructing any public work or improvement by the City may be charged under this section **in whole or in part** to the property benefited by such work or improvement, and the City Council may make an assessment against such benefited property in the manner provided herein.”* Additionally, Subsection K.(2)(e) discusses deferments for sidewalks in that *“a deferment of the principal and interest of a special assessment for the installation of sidewalks is hereby authorized only as to lands abutting such improvements which at the time of the levy of such special assessment are zoned single-family or two-family residential under Zoning Ordinance No. 221 of Franklin, Wisconsin, as amended from time to time, and such deferred assessment shall remain deferred until any date upon which the property is rezoned so as to allow for a multifamily residential, business, institutional or industrial use.”*

The staff has created a cursory inventory of the parcels along the east/south side of W. Loomis Road and identified 30 parcels owned by 23 owners (see table below). The total assessable frontage appears to be 11,844.63 feet, resulting in an assessment of \$90.08 per linear foot. Assuming park impact fees will not be included, the assessments would total the project cost of \$1,067,000.

Owner	Distance	Assessment	Zoning	Owner Totals	Deferment
ANDRESEN, RANDY J & ANDRESEN, LISA M	88.46	\$ 7,968.74	R6	\$ 7,968.74	\$ 7,968.74
BRENWOOD PARK HEALTH HOLDINGS LLC	306.08	\$ 27,572.61	PDD21	\$ 27,572.61	
CRESSWELL MARILYN R FAMILY TRUST (THE)	98.89	\$ 8,908.31	R6	\$ 8,908.31	\$ 8,908.31
CROSSROADS AT FRANKLIN LLC	120.01	\$ 10,810.86	PDD36	\$ 86,498.61	
DONOHOO, ROBERT D & DONOHOO, DIANE M	90	\$ 8,107.47	R6	\$ 8,107.47	\$ 8,107.47
FRANKLIN CITY OF	574.9	\$ 51,788.73	I1	\$ 202,473.29	
FRANKLIN STATION LLC (A DE LLC)	85.57	\$ 7,708.40	PDD 16	\$ 7,708.40	
LANDMARK CREDIT UNION	336.79	\$ 30,339.06	PDD 16	\$ 30,339.06	
MITCHELL SAVINGS BANK SA	244.46	\$ 22,021.69	B6	\$ 22,021.69	
NICOLE DEL CARPIO PROPERTIES, LLC	491.37	\$ 44,264.09	PDD 16	\$ 44,264.09	
NITZ, DELORES-REVOCABLE TRUST	330.6	\$ 29,781.45	B6	\$ 44,699.19	
RAWSON-LOOMIS LLC	1872.1	\$ 168,644.42	R6	\$ 168,644.42	\$ 168,644.42
SASS REALTY A WI PRTRNSHP	646.38	\$ 58,227.86	B6	\$ 58,227.86	
SHERER, SCOTT & SHERER, CARON	184.85	\$ 16,651.85	R6	\$ 16,651.85	\$ 16,651.85
TILLMAN, SUE A - LIVING TRUST	35.44	\$ 3,192.54	R6	\$ 3,192.54	\$ 3,192.54
UNITED STATES POSTAL SERVICE	408.82	\$ 36,827.74	PDD21	\$ 36,827.74	
VASQUEZ, IGNACIO	1187.7	\$ 106,991.60	R6	\$ 106,991.60	\$ 106,991.60
WERRA, BONNIE BEE	215.8	\$ 19,439.91	R6	\$ 19,439.91	\$ 19,439.91
WHPC-BRENWOOD PARK-FRANKLIN, LLC	161.39	\$ 14,538.50	PDD21	\$ 37,210.59	
WOLDANSKI, JOSEPH T & ANN T - REV TRUST/WOLDANSKI, SUSAN-E	875.92	\$ 78,905.52	R6	\$ 78,905.52	\$ 78,905.52
WOLDANSKI, SUSAN L	300	\$ 27,024.90	R6	\$ 27,024.90	\$ 27,024.90
YEKO, PETER R & STENICKA, JENNIFER A	150	\$ 13,512.45	R6	\$ 13,512.45	\$ 13,512.45
ZIDAR, TONY L JR - REV LIV TRUST 2019	108.89	\$ 9,809.14	B4	\$ 9,809.14	
Totals	11,844.63	\$1,067,000.00		\$ 1,067,000.00	\$ 459,347.71
Assessment Rate		\$ 90.08 /LF			

Likely Conversion of Residential to Non-Residential	\$ 401,006.35
Net-cost to City after likely Conversion	\$ 58,341.36

Eleven property owners own zoned R6 (residential) properties, and their deferment would total \$459,347.71; however, the five highlighted property owners own land envisioned to be rezoned to something else, and if so, that would leave a total of \$58,341.36 of assessments that would be deferred forever. Unfortunately, the code does not allow assessment for those properties that are likely to be zoned commercial in the future.

The City of Franklin's assessments would total \$202,473.29 for City property, including the Police Department, City Hall, and Library. The initial cost to the City would be \$459,347.71 + \$202,473.29 = \$661,821.00.

In 2020, it was envisioned that park impact fees would pay 62% of the cost (\$310,000). Since other park impact fee-eligible projects have needed increased funding, Staff recommends that the participation of park impact fees, if any, be decided later when the projection of park impact fees is completed.

Note that the properties considered for special assessment are not contemplated for any other special assessment projects that have been discussed recently.

OPTIONS

- A. Staff will schedule a neighborhood meeting for property owners along the route and/or
- B. Staff will prepare a future council action and a public hearing for assessment of the pathway
or
- C. Direct Staff to notify WISDOT to modify the project to bring the total participation within
budget or
- D. Provide further direction to Staff.

FISCAL NOTE

This item will be included in forecasting future spending on capital projects. Removal of all or part of the project will result in unknown additional fees for the redesign efforts.


ANY future borrowing will have a negative impact on the residents as the two borrowings in 2023 will impact tax rates in 2024 forward. General Fund reserves are an option.

RECOMMENDATION

(Options A and B) Direct Staff to conduct a neighborhood meeting and prepare a public hearing for assessment of the pathway

Engineering Department: GEM

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APPROVAL 	REQUEST FOR COUNCIL ACTION	MEETING DATE Nov. 7, 2023
REPORTS & RECOMMENDATIONS	Finance Committee Recommended Changes to the 2024 Mayor's Recommended Budget	ITEM NUMBER Gr. 16.

Background

Upon introduction of the Mayor's Recommended 2024 Budget on September 19, 2023, the Finance Committee reviewed the Recommended Budget. The Finance Committee met four times. Department Heads made themselves available to provide details on their requests and respond to inquiries regarding operating and capital items.

Subsequent to the meeting, additional information became available. Requested changes to the Mayor's Recommended budget include:

General Fund

- Increase to Fire Dept. Wages/Benefits (Specific Accounts) \$3,800
- Decrease to Fire Dept. Vehicle Support \$3,800

Capital Improvement Fund

- Increase Expenditures - School Traffic Light Project \$250,000

TID 7 – Debt Service Fund 35

- Increase Revenue – Transfers from Other Funds \$29,251
- Increase Expenditures – Interest on 2019 Mortgage Debt Issue \$72,233

TID 7 – Capital Projects Fund 45

- Increase Expenditures – Transfers to Other Funds \$29,251

Street Improvement Fund

- Increase Expenditures – WisDOT Lovers Lane from Rawson to College \$147,800 (with a pending fund split between utilities once project review is complete)

Recommendation

After hearing from the Department Heads related to 2024 operating and capital budgets, reviewing each of the operating department, Debt Service, Tax Incremental Financing District, Capital, Special Revenue, Sanitary Sewer and Internal Service Fund Budgets, the Finance Committee then considered the recommended tax levy, tax rates, Debt Service and Internal Service Fund budgets.

The Finance Committee recommends changes to the 2024 Budget, summarized by Fund and Budget Appropriation Unit as attached.

COUNCIL ACTION REQUESTED

Motion to amend the 2024 Mayor's Recommended Budget to increase Fire Dept. Wages/Benefits expenditures by \$3,800 and decrease Fire Dept. Vehicle Support by \$3,800

Motion to amend the 2024 Mayor's Recommended Budget to increase Capital Improvement Fund expenditures by \$250,000

Motion to amend the 2024 Mayor's Recommended Budget to increase TID 7 – Debt Service revenue by \$29,251 and increase TID 7 – Debt Service expenditures by \$72,233

Motion to amend the 2024 Mayor's Recommended Budget to increase TID 7 – Capital Project expenditures by \$29,251

Motion to amend the 2024 Mayor's Recommended Budget to increase Street Improvement expenditures by \$147,800

and

Motion to amend the 2024 Mayor's Recommended Budget for resources and expenditures by Fund and appropriation unit as detailed on the attached schedule be included in the Proposed 2024 City of Franklin, WI Budget for the Public Hearing scheduled for November 28, 2023.

Finance Dept. - DB

City of Franklin
Finance Committee Changes to Recommended Budget

Fund - Dept Acct	Revenues	Expenditures	Net	Who
General Fund	30 750 080	33,250 080	-2 500 000	
SW Park Municipal Rental	6,520		6 520	
01-0000-4201 Beer & Alcohol	10 000		10 000	
01-0000-4242 Technology Fee	10 000		10 000	
01-0000-4262 Retail Food Establishment License	2,500		2 500	
01-0000-4271 Building Permits	50 000		50,000	
01-0000-4275 Plumbing Permits	30 000		30 000	
01-0000-4287 Park & Field Reservation	5,000		5 000	
01-0000-4402 Land Combination Filling	10 000		10 000	
01-0000-4711 Interest on Investments	31 360		31 360	
Special Legal Services		-160 000	160 000	
Inspection 01-0231-5424 Membership/Dues		200	-200	
Inspection 01-0231-5425 Conferences & Schools		2 000	-2 000	
Fire 01-0221-5322 Medical Supplies		5,000	-5 000	
Police 01-0211-5241 Auto Maintenance		10 000	10 000	
Police 01-0211-5242 Equipment Maintenance		9 770	-9 770	
Police 01-0211-5312 Office Supplies		11,600	11 600	
Police 01-0211-5329 Operating Supplies		42 600	-42 600	
Sewer 61-0731-5287 Other Costs Hazardous Waste		35,000	-35,000	
Engineering 01-0321-5257 Software Maintenance		2 150	-2 150	
Engineering 01-0321-5424 Memberships/Dues		350	-350	
Engineering 01-0321-5425 Conferences/Schools		1,650	-1 650	
Highway 01-0331-5236 Pavement Marking		10 000	-10 000	
Highway 01-0331-5299 Sundry Contractors		13,700	-13,700	
Highway 01-0331-5331 Fuel/Lubricants		25,150	-25,150	
Highway 01-0331-5332 Vehicle Support		60,000	-60 000	
Highway 01-0331-5364 Salt De-icer		42,610	-42,610	
Highway 01-0331-5381 Street Maintenance Materials		20 000	-20 000	
Highway 01-0331-5382 Equipment Attachment Replacements		15 000	15 000	
Highway 01-0331-5424 Memberships/Dues		200	-200	
Highway 01-0331-5425 Conferences/Schools		1 400	1 400	
Recreation 01-0521-5723 Senior Citizen Activities		2,000	-2 000	
Parks 01-0551-5247 Parks Maintenance		5,000	-5,000	
Revised Total	30,905,460	33,406,460	-2,500,000	
Debt Service	1 134,300	1 045,863	88,437	
2023A Principal		130,000	-130,000	
2023A Interest		89 105	-89,105	
2023A Bank Fee		400	-400	
2023B Principal		220 000	-220 000	
2023B Interest		62 674	-62 674	
2023B Bank Fee		400	-400	
Transfer from Impact Fees (Transportation, Fire, Police)	234,308		234,308	
Revised Total	1,368,608	1,648,442	-179,834	
Capital Improvement	3,537 245	2 957,500	579 745	
S 116th Street Trail		75,434	75,434	
Park Impact Fees (S 116th Street Trail)	46 769		46 769	
Park Impact Fees (STH 100 LL, 60th St to St Martins Land Purchase)	62 930		62 930	
			0	
			0	
			0	
Revised Total	3,646,944	3,032,934	614,010	
Impact Fee Development Fund	1,651,250	4,714,650	-3,063,300	
Transfer Impact Fees to Debt Service (Transportation Police Fire)		234,308	-234,308	
Transfer Impact Fees to Capital Improvement Fund (S 116th St. Trail)		46 769	-46 769	
Transfer Impact Fees to Capital Improvement Fund (STH 100 LL, 60th St to St Martins - Land Purchase)		62 930	-62 930	
			0	
			0	
Revised Total	1,651,250	6,068,657	-3,407,307	
Tourism Commission	341 800	329,675	12 125	
17-0000-4711 Interest on Investments	8 100		8,100	
17-0621-5425 Tourism Events		1 000	1 000	
17-0651-5426 Conferences & Schools		1 000	1 000	
17-0651-5432 Mileage		250	250	
17-0651-5441 Advertising		650	-650	
			0	
Revised Total	349,900	332,575	17,325	
Sewer Fund - Fund 61	6 179 157	6,720 097	-540 940	
61-0000-4461 Metered Sales Residential	305 000		305 000	
61-0000-4462 Metered Sales Commercial	100 000		100 000	
61-0000-4463 Metered Sales Industrial	5,000		5,000	
61-0000-4465 Metered Sales Pub Authority	50 000		50 000	
61-0000-4468 Metered Sales Multifamily	80 000		80 000	
61-0731-5413 MMSD Increase Expenditure (8% Increase in MMSD Fee)		500 000	-500 000	
61-0731-5541 Depreciation		-110,000	110,000	
Revised Total	6,719,157	7,110,097	-390,940	

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APPROVAL X	REQUEST FOR COUNCIL ACTION	MTG. DATE November 7, 2023
Reports & Recommendations	<p align="center">A Resolution Authorizing the Installation of a Deck Within the 44-Foot Public Utility Easement Upon Parcel 2 of the CSM No. 6424 Part of the Twin Oaks of Tuckaway, Expansion Land Being a Part of the Northwest 1/4 and the Southwest 1/4 of the Southwest 1/4 of Section 15, Township 5 North, Range 21 East in the City of Franklin, Milwaukee County, Wisconsin. (8482 South 76th Street) (Tax Key No. 837-9998-014) (Quail Haven LLC, Applicant)</p>	<p align="center">ITEM NO. Ald. Dist. 1</p> <p align="center">G.17.</p>

BACKGROUND

Staff received a request to install a deck within a 44-foot public utility easement, on the Northwest part of the existing building of 8482 South 76th Street. The said deck will be encroaching 10.4 feet, plus or minus north from the south line of the said public utility easement.

See Exhibit C.

ANALYSIS

Staff is agreeable to allow the deck to be installed within the public utility easement if the property owner is fully responsible for repair and/or replacement if the said utility easement should need to be accessed for improvement or maintenance purposes.

The resolution provides that:

1. The subject deck shall not impede the stormwater drainage way.
2. The property owners, and their successors and assigns, shall keep the deck in good repair.
3. The property owners, and their successors and assigns, shall be responsible for the replacement and/or repair of the deck, should the deck be damaged due to access for improvement or maintenance to the said public utility easement.
4. The City is not responsible for any damage that may occur during or as a result of maintenance purpose needs and/or activities.
5. The property owner(s) and any mortgage with an interest in the property shall agree to and execute the Acceptance set forth on Exhibit A annexed hereto, and the Mortgage Holder Consent set forth on Exhibit B annexed hereto, respectively.

OPTIONS

Approve or Deny

FISCAL NOTE

None

RECOMMENDATION

Resolution 2023-_____ A Resolution authorizing the installation of a deck within the 44-foot Public Utility Easement upon Parcel 2 of the CSM No. 6424, Part of the Twin Oaks of Tuckaway, Expansion Land, being a part of the Northwest 1/4 and the Southwest 1/4 of the Southwest 1/4 of Section 15, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin. (8482 South 76th Street) (Tax Key No. 837-9998-014) (Quail Haven LLC, Applicant)

Engineering: GEM

STATE OF WISCONSIN : CITY OF FRANKLIN : MILWAUKEE COUNTY

RESOLUTION NO. 2023 - _____

A RESOLUTION AUTHORIZING THE INSTALLATION OF A DECK
WITHIN THE 44-FOOT PUBLIC UTILITY EASEMENT
UPON PARCEL 2 OF THE CSM NO. 6424
PART OF THE TWIN OAKS OF TUCKAWAY, EXPANSION LAND
BEING A PART OF THE NORTHWEST 1/4 AND THE SOUTHWEST 1/4 OF THE
SOUTHWEST 1/4 OF SECTION 15, TOWNSHIP 5 NORTH, RANGE 21 EAST
IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN.
(8482 SOUTH 76TH STREET) (TAX KEY NO. 837-9998-014)
(QUAIL HAVEN LLC, APPLICANT)

WHEREAS, the Twin Oaks of Tuckaway Condominium Plat prohibits the building of structures within the 44-foot "public utility easement," described thereon; and

WHEREAS, Quail Haven LLC, property owner, having applied for an installation of a deck, located at 8482 South 76th Street, zoned PDD No. 8, bearing Tax Key No. 837-9998-014, more particularly described as follows:

PARCEL 2 OF THE CSM NO. 6424, PART OF THE TWIN OAKS OF TUCKAWAY, EXPANSION LAND, BEING A PART OF THE NORTHWEST 1/4 AND THE SOUTHWEST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 15, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN; and

WHEREAS, the deck would encroach on the 44-foot "Public Utility Easement" (Exhibit C) located on the northwest corner of the existing building; and

WHEREAS, the 44-foot "Public Utility Easement" restrictions upon the Condominium Plat of Twin Oaks of Tuckaway and its accompanying restriction of the building of structures is a restriction which was imposed by the Franklin Common Council in its approval of the Plat; and

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

WHEREAS, the Common Council having considered the owner's request (Exhibit D), for the encroachment at the 44-foot public utility easement restriction only so as to allow for the subject deck installation; and

WHEREAS, the Common Council having considered the proposed location of a deck to be installed upon the subject property and potential interference with the maintenance of the said easement.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the installation of the proposed deck of the type and specifications as described and only upon the location as set forth within the plans accompanying the application of Quail Haven LLC on October 19, 2023, be and the same is hereby authorized and approved and that the "Public Utility Easement" restrictions as they would apply to such installation upon the subject property only, are hereby waived and released, subject to the following conditions:

1. The subject fence shall not impede the stormwater drainage way.
2. The property owners, and their successors and assigns, shall keep the deck in good repair.
3. The property owners, and their successors and assigns, shall be responsible for the replacement and/or repair of the deck should the deck is damage due to access for improvement or maintenance to the said sanitary easement.
4. The City is not responsible for any damage that may occur during or as a result of maintenance purposes needs and/or activities.
5. The property owner(s) and any mortgage with an interest in the property shall agree to and execute the Acceptance set forth on Exhibit A annexed hereto, and the Mortgage Holder Consent set forth on Exhibit B annexed hereto, respectively.

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

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

Introduced at a regular meeting of the Common Council of the City of Franklin the _____ day of _____, 2023, by Alderman _____.

PASSED AND ADOPTED by the Common Council of the City of Franklin on the _____ day of _____, 2023.

APPROVED:

John R. Nelson, Mayor

ATTEST:

Karen L. Kastenson, City Clerk

AYES _____ NOES _____ ABSENT _____

Exhibit A
Acceptance

The undersigned, _____, applicants of the property located at _____, Franklin, Wisconsin 53132, Tax Key No. _____, does hereby agree to, consent to and accepts the terms and provisions of the City of Franklin Resolution No. 2023-____, and that in consideration of the making of such grant to allow the installation of _____ within the utility easement by the City of Franklin, the undersigned agrees that this acceptance shall be binding upon the undersigned and the undersigned's successors and assigns and that the terms and provisions of the City of Franklin Resolution No. 2023-____, shall run with the land, subject to any amendments thereto and/or any other actions thereto approved by the Common Council of the City of Franklin in the future.

In witness whereof, the undersigned has executed and delivered this acceptance on the ____ day of _____, 2023.

Property owner

By: _____

By: _____

EXHIBIT C

QUAIL HAVEN LLC

Survey No. 102904



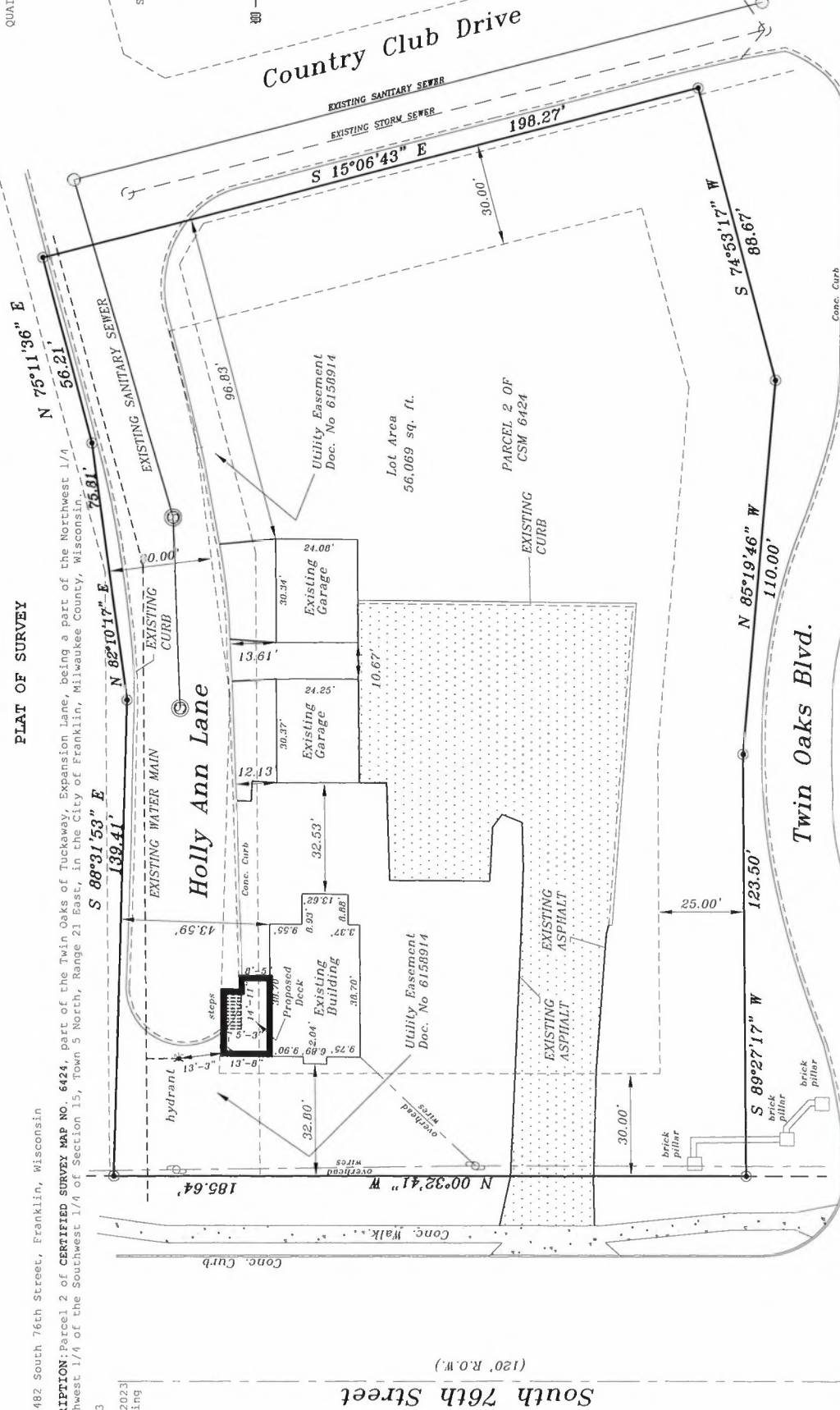
PLAT OF SURVEY

LOCATION: 8482 South 76th Street, Franklin, Wisconsin

LEGAL DESCRIPTION: Parcel 2 of CERTIFIED SURVEY MAP NO. 6424, part of the Twin Oaks of Tuckaway, Expansion Lane, being a part of the Northwest 1/4 and the Southwest 1/4 of the Southwest 1/4 of Section 15, Town 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin.

July 10, 2023

October 16, 2023
Updated Drawing



I HEREBY CERTIFY THAT I HAVE SURVEYED THE ABOVE DESCRIBED PROPERTY AND THAT THE ABOVE MAP IS A TRUE REPRESENTATION THEREOF AND SHOWS THE SIZE AND LOCATION OF THE PROPERTY, ITS EXTERIOR BOUNDARIES, THE LOCATION OF ALL VISIBLE STRUCTURES AND DIMENSIONS OF ALL PRINCIPAL BUILDINGS THEREON, BOUNDARY FENCES, APPARENT EASEMENTS AND ROADWAYS AND VISIBLE ENCROACHMENT, IF ANY.

THIS SURVEY IS MADE FOR THE EXCLUSIVE USE OF THE PRESENT OWNERS OF THE PROPERTY, AND ALSO THOSE WHO PURCHASE, MORTGAGE, OR GUARANTEE THE TITLE THERETO WITHIN ONE (1) YEAR FROM THE DATE HEREOF.

SIGNED

Dennis C. Sauer
Dennis C. Sauer
Professional Land Surveyor S-2421



GRAPHIC SCALE



(IN FEET)
1 inch = 30 ft.

METROPOLITAN SURVEY SERVICE, INC.

PROFESSIONAL LAND SURVEYORS

8482 South 76th Street
Franklin, Wisconsin 53132
PH. (414) 529-5380
survey@metropolitansurvey.com
www.metropolitansurvey.com



Denotes Iron Pipe Found

Exhibit D
Per owner's request.



Department of City Development
9229 West Loomis Road, Franklin, Wisconsin 53132
(414) 425-4024

November 1, 2023

Darrel R. Malek
Starfire Electric, LLC
5445 W. Airways Avenue
Franklin, WI 53132

**Re: Minor Site Plan Amendment Conditional Approval – Metropolitan Survey Services
8482 S. 76th Street**

Dear Darrel

This letter serves to inform you that your Minor Site Plan Amendment application to allow for a new deck has been approved with the following conditions:

1. The modifications must be in substantial conformance with the attached application materials, received by the Department of City Development on August 3, 2023, application PPZ23-0092.
2. The applicant must obtain a building permit from the Inspection Services Department before construction.

You can contact the Department of City Development at 414-425-4024 if you have questions about this approval

Sincerely,

A handwritten signature in black ink that reads "Anna Kissel".

Anna Kissel
Planning Intern
(414) 427-7662
AKissel@franklinwi.gov

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<p style="text-align: center;">APPROVAL</p> <p style="text-align: center;"><i>K</i></p>	<p style="text-align: center;">REQUEST FOR COUNCIL ACTION</p>	<p style="text-align: center;">MEETING DATE</p> <p style="text-align: center;">11/7/2023</p>
<p style="text-align: center;">REPORTS & RECOMMENDATIONS</p>	<p style="text-align: center;">Status Update on the Unified Development Ordinance (UDO) Rewrite</p>	<p style="text-align: center;">ITEM NUMBER</p> <p style="text-align: center;">G.18.</p>
<p style="text-align: center;">COUNCIL ACTION REQUESTED</p> <p>This item is a status update on this project; no action is required now.</p>		

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<p style="text-align: center;">APPROVAL</p> <p style="text-align: center;">✕</p>	<p style="text-align: center;">REQUEST FOR COUNCIL ACTION</p>	<p style="text-align: center;">MEETING DATE November 7, 2023</p>
<p style="text-align: center;">REPORTS & RECOMMENDATIONS</p>	<p style="text-align: center;">2024 Proposed Budget</p>	<p style="text-align: center;">ITEM NUMBER G 19.</p>

Background

Per the budget process timeline and next steps, October 11th – November 11th was set aside for continued deliberation of the 2024 Proposed Budget. In conjunction with that, staff is including this item on the agenda for any further discussion that may need to be had prior to budget adoption. This will also be on the November 21st, 2023 Common Council Meeting agenda for final discussion.

The 2024 Mayor's Recommended Budget Public Hearing notice will be published in the paper on November 8th, 2023. The public hearing and Common Council's final consideration of the 2024 Proposed Budget will take place at the November 28th, 2023 Common Council Meeting.

Please contact staff with any questions, concerns, or additional information that is needed regarding the Proposed 2024 Budget.

COUNCIL ACTION REQUESTED

Per Common Council direction.

Finance Dept. - DB

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<p style="text-align: center;">APPROVAL</p> <p style="text-align: center;">✱</p>	<p style="text-align: center;">REQUEST FOR COUNCIL ACTION</p>	<p style="text-align: center;">MEETING DATE</p> <p style="text-align: center;">11/07/2023</p>
<p style="text-align: center;">REPORTS & RECOMMENDATIONS</p>	<p style="text-align: center;">Authorize a Budget Amendment Request for Maintenance Staffing Needs</p>	<p style="text-align: center;">ITEM NUMBER</p> <p style="text-align: center;">G.20.</p>

BACKGROUND

Our Lead Maintenance Custodian is retiring; his last day is 12/8/2023. His successor, who will come from the Police Department to City Hall, will need time with the new custodian to train him to take over the maintenance of our Police Department. To provide a smooth transition, we request approval to start the new hire on 11/20/2023.

RECOMMENDATION


There are two options for funding the maintenance personnel deficit brought on by the retirement and severance pay of our lead custodian and additional time for training the new hire.

1. Increase the Maintenance expenditure budget to cover the extra costs without taking the money from any other account or increasing a revenue account. Essentially, this results in taking the increase out of the fund balance.
2. Reduce the budget in account 01-0199-5114 SEVERANCE PAYMENTS and add it to the Maintenance budget to cover the deficit. This account was budgeted for retirements requiring severance payments during the year. Logically, we would fund the Maintenance Personnel account 01-0181-5111 with the necessary expenditure required from the Severance Payments account.

Staff recommends option 2.

COUNCIL ACTION REQUESTED

Motion to authorize staff to transfer the necessary expenses to cover our lead custodian's retirement from the Severance Payments fund account 01-0199-514 to the Maintenance Personnel account 01-0181-5111 and to start the new hire on November 20, 2023, allowing time for a training period before our new lead custodian takes over at City Hall and our new hire is at the Police Department alone.

APPROVAL 	REQUEST FOR COUNCIL ACTION	MTG. DATE November 7, 2023
Reports & Recommendations	Update on Private Property Infiltration and Inflow Projects in the Willow Pointe Estates, Root River Heights and Lake Pointe Estates Neighborhoods	ITEM NO. Ald. Dists. 2 & 5 <i>G. 21.</i>

BACKGROUND

On December 20, 2022, the Common Council authorized a \$972,690 Private Property Infiltration and Inflow (PPII) funding agreement with Milwaukee Metropolitan Sewer District (MMSD) to develop sump pump discharge lines for three neighborhoods:

- FR2005- neighborhood northeast corner of W. Loomis Road and W. Drexel Avenue (Willow Pointe Estates)
- FR2006- neighborhood south of W. Drexel Avenue including S. 56th Street and S. 60th Street (Root River Heights)
- FR2012- neighborhood north of W. Puetz Road including S. Golden Lake Way (Lake Pointe Estates)

On February 7, 2023, Clark Dietz, Inc. was authorized to work on the design of these projects and neighborhood information meetings were conducted June 7 & 8, 2023.

ANALYSIS

Property Owners were asked to agree to participate in a project that would provide sump pump lines for their homes. In total, Root River Heights had 114 property owners that signed agreements, Lake Pointe had 66 to sign agreements, and Willow Pointe Estates had 59 to sign agreements. Staff, MMSD, and Clark Dietz evaluated all of the properties that wanted to participate and selected potential projects to accommodate locations that would qualify for 100% reimbursement in the PPII funding along with other constructability and budget concerns.

As such, the recommended 2024 construction projects will be only in the Willow Pointe Estates and the Lake Pointe Estates subdivisions. Depending on the bid prices, the list might need to be further culled. Any culled projects may be added to future projects in Root River Heights.

Pending Common Council authorization, the PPII projects in the Willow Pointe Estates and Lake Pointe Estates will be bid and received on November 30, 2023. It is anticipated that the bids would be awarded on December 5, 2023 as the project is in the 2023 budget.

OPTIONS

Direct Staff to bid out PPII projects in Willow Pointe Estates and Lake Pointe Estates neighborhoods or other direction to Staff.

FISCAL NOTE

Using the MMSD PPII funding, there is no net impact to City budgets. This grant will be reimbursed to the City. There is a budget amendment proposed adding Sewer funds to 61-0000-4150- Other Grants. This project is in the 61-0731-5829 Sanitary Sewer Rehab.

RECOMMENDATION

Direct Staff to bid out PPII projects for Willow Pointe Estates and the Lake Pointe Estates.

Engineering Department: GEM


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**OVERVIEW OF PROPOSED STORM SEWER
EXTENSION & PRIVATE PROPERTY
LATERAL PROJECT (PPII)**



WILLOW POINTE ESTATES

NOTE: DIMENSIONAL DATA IS NOT TO BE CONTROLLED BY SCALING OR PRINTING OF THIS DRAWING.


PROJECT NO. F0520040 DRAWING NO. 7	DRAWING TITLE STORM SEWER EXTENSION & PRIVATE PROPERTY LATERAL OVERVIEW AREA	PROJECT TITLE CITY OF FRANKLIN - 2023 PPII SUMP DRAIN COLLECT	 8818 650 N. WASHINGTON STREET SUITE 404 MILWAUKEE, WI 53202 PHONE : www.clarkdietz.com
DATE REVISIONS	DRAWING BY: CHECKED BY: DATE CANCELED:		




**OVERVIEW OF PROPOSED STORM SEWER
EXTENSION & PRIVATE PROPERTY
LATERAL PROJECT (PPII)**

LAKE POINTE ESTATES

NOTE: DIMENSIONS, DATA TO BE OBTAINED BY SURVEY AND PARTIAL OF THIS DRAWING.

DRAWING NO. 20	DRAWING TITLE STORM SEWER EXTENSION & PRIVATE PROPERTY LATERAL OVERVIEW AREA	PROJECT TITLE CITY OF FRANKLIN - 2023 PPII SUMP DRAIN COLLECT	 <p>400P 250 N. MILWAUKEE STREET SUITE 414 MILWAUKEE, WI 53202 PHONE: www.clarkdietz.com</p>
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APPROVAL 	REQUEST FOR COUNCIL ACTION	MEETING DATE Nov. 7, 2023
REPORTS & RECOMMENDATIONS	List of Donations for July - September, 2023	ITEM NUMBER G.22.

Background

Various residents and businesses contribute to City. Donations were designated for several purposes, Fire/EMS, Police/Crime Prevention, the Police Department, Police K-9 Unit, the Health Department, the Civic Celebration and Kayla's Playground. A list of the donors and amounts follows:

Date	Description	CREDIT
7/10/2023	MAX A SASS & SONS FUNERAL HOME	500.00
7/18/2023	WAUKESHA COUNTY COMMUNITY FOUNDATION	2,000.00
7/24/2023	NORTHSHORE BANK	500.00
8/14/2023	NORTHWESTERN MUTUAL	2,000.00
8/18/2023	LANDMARK CREDIT UNION	100.00
	Journal Totals - Police/Crime Prevention	5,100.00
8/14/2023	PUPPY WORLD	2,100.00
	Journal Totals - Police K-9 Unit	2,100.00
7/10/2023	MILLER, JEDD	10.00
7/18/2023	FRANKLIN LIONESSE LIONS CLUB	300.00
	Journal Totals - Other Police	310.00
8/22/2023	FRANKLIN LIONESSE LIONS CLUB	300.00
8/22/2023	SOTHWEST MILWAUKEE OPTIMIST CLUB	100.00
8/22/2023	MAX A SASS & SONS FUNERAL HOME	250.00
8/22/2023	ASCENSION	500.00
8/22/2023	CHILDREN'S HOSPITAL	500.00
8/22/2023	ASCENSION	750.00
	Journal Totals - Health Department	2,400.00
7/18/23	FRANKLIN LIONESSE LIONS CLUB	100.00
8/11/23	KURTH, CHRISTOPHER	80.00
9/7/23	PARSLEY, JAMIE	5.00
9/29/23	GASHI, MAJINDA	40.00
	Journal Totals - Kayla's Playground	225.00
7/12/2023	JAX	175.00
7/12/2023	BTL PALLET CORPORATION	200.00
7/12/2023	KENDOR	175.00
7/12/2023	DATA FINANCIAL	225.00

7/12/2023	FRANKLIN SELF STORAGE	100.00
7/12/2023	SPELLMAN	175.00
7/31/2023	FRANKLIN LIONESS LIONS CLUB	300.00
7/31/2023	BAKER POOL	350.00
7/31/2023	FISCO AUTO BODY	175.00
7/31/2023	BILD, JAMES TIMOTHY	175.00
8/7/2023	URBAN HEATING & COOLING, KRONES INC	225.00
8/7/2023	URBAN HEATING & COOLING, KRONES INC	225.00
8/9/2023	VICKI STRAM KIPFUELLER/STATE FARM	350.00
8/9/2023	MAX A SASS & SONS FUNERAL HOMES	175.00
8/15/2023	ST MARTINS INN LLC	100.00
	Journal Totals - Fire Safety - Schools	3125.00
9/25/2023	JOHNS DISPOSAL SERVICE	250.00
	Journal Totals - Civic Celebrations	250.00

COUNCIL ACTION REQUESTED

Motion to acknowledge and accept donations received for July - September, 2023 from various Franklin residents and businesses.

Finance Dept. - DB

<p style="text-align: center;">APPROVAL</p> <p style="text-align: center;">✍</p>	<p style="text-align: center;">REQUEST FOR COUNCIL ACTION</p>	<p style="text-align: center;">MEETING DATE</p> <p style="text-align: center;">11/7/2023</p>
<p style="text-align: center;">REPORTS & RECOMMENDATIONS</p>	<p style="text-align: center;">Approval to Include the Police Chief as an Eligible Position to Qualify for Retiree Health Insurance</p>	<p style="text-align: center;">ITEM NUMBER</p> <p style="text-align: center;">G.23.</p>
<p>Full-time benefited employees are eligible for retiree health insurance coverage at retirement, provided they meet the age and service requirements based on their position. The current Police Chief's predecessor had qualified for retiree health insurance, but, at that time, benefits were governed by Benefit Ordinances.</p> <p>Approximately 10-15 years ago, these Benefit Ordinances were repealed, and benefits were incorporated into the Employee Handbook. When that happened, the Police Chief was not included in the language as the current Chief would never qualify for coverage based on his age and years of service.</p> <p>The current Police Chief is retiring in January 2024. His successor should be afforded the benefit, provided he meets the requirement upon his retirement. The Police & Fire Commission will likely interview internal candidates for promotion to Police Chief. Likely, these internal candidates would not accept the promotion if they were required to forego their retiree health insurance benefit.</p> <p>Staff recommends adding the position of Police Chief into the same paragraph as the Assistant Police Chief and the Police Captains. The benefit would remain the same for the likely person being promoted. (See attached revision.)</p> <p style="text-align: center;">COUNCIL ACTION REQUESTED</p> <p>Recommended Motion: Motion to include the Police Chief as an eligible position to qualify for retiree health insurance and to authorize Human Resources to incorporate the change into the Employee Handbook as described above.</p>		

figure may be, and will continue to pay that amount toward the employee's health insurance coverage until such employee reaches age 65, or the retired employee qualifies for Medicare, whichever occurs earlier. Participation in the City's health plan ceases at the earliest of the following: 1) The retiree's attains the age sixty-five (65), or 2) The retiree is eligible for Medicare, or 3) The retiree dies. Coverage shall not be extended to the retiree while he or she is eligible for coverage under another health plan.

The Police Chief, Assistant Police Chief, and Police Captains hired or promoted after December 2009: For the Police Chief, Assistant Police Chief or Police Captains who retire on a regular pension (disability pensions, excluded) on or after January 1, 2010, the City shall pay seventy-five (75%) of the cost towards the single plan premium or the family plan premium of the health plan the employee was in prior to retirement, and such payment shall remain frozen at that level throughout the period of such payment. The employee/retiree must pay their portion of the monthly premium to the City Treasurer by the 15th of the month prior to the month the premium is due, or the employee/retiree may be dropped from the City's insurance program. The employee/retiree must be at least 53 years of age and have at least fifteen (15) years of service with the City of Franklin to qualify for the Retiree Health Plan benefits of this section. Said employees will continue to be covered by hospital and surgical insurance benefits until such employee reaches the age of sixty-five (65) or is eligible for Medicare, whichever occurs earlier, unless said employee voluntarily drops coverage or is dropped from the plan in accordance with the plan document or the allowance provided for herein. In the event the employee/retiree's spouse is not eligible for Medicare when the employee/retiree's participation in the insurance program ceases, the spouse may remain in the same City group health plan until eligible for Medicare solely at the expense of the spouse, provided that the spouse pays the full monthly premium therefore to the City Treasurer by the 15th of the month prior to the month the premium is due, or the spouse may be dropped from the City's insurance program.

Public Works and Sewer & Water Employees With Benefits: Any employee who has reached a minimum age of 60 years of age, and has 20 years of credited service with the City shall be eligible to obtain payment of 75% of their retiree health insurance premium upon retirement from City service. (Those employees hired by the City prior to 1/1/2023 may retire with this same benefit at age 60 with only 15 years of service.) The amount paid by the City shall be three-fourths of the premium amount paid at the time of retirement of the employee. The premium subsidy paid by the City shall cease at the earliest of the following, after which time he or she shall receive no payment or co-payment of any health insurance or other premium or payment by the City: (1) The employee/retiree is eligible for Medicare or (2) The employee/retiree's death.

Part-Time Employees: Part-Time employees do not qualify for retiree health insurance.

For retirements occurring after 12/4/2018, the following parameter or clarification applies to each of the above paragraphs outlining the retiree health insurance for the identified specific employee group. This parameter shall prevail in the event of a conflict in the wording with the above paragraphs. Where it is referenced above that the City shall pay seventy-five percent (75%) of the retiree health insurance premium upon retirement from the City service, that amount may vary, as described further below, in the event the employee changes between plan types, including but not limited to single, family, high-deductible, or PPO plan types.

APPROVAL ✕	REQUEST FOR COUNCIL ACTION	MEETING DATE November 7, 2023
REPORTS AND RECOMMENDATIONS	City personnel performance evaluation. The Common Council may enter closed session pursuant to Wis. Stat. § 19.85(1)(c), considering employment, promotion, compensation or performance evaluation data of any public employee over which the governing body has jurisdiction or exercises responsibility, Wis. Stat. § 19.85(1)(f), considering financial, medical, social, or personal histories or disciplinary data of specific persons, preliminary consideration of specific personnel problems, or the investigation of charges against specific persons except where par. (b) applies which, if discussed in public, would be likely to have a substantial adverse effect upon the reputation of any person referred to in such histories or data, or involved in such problems or investigations, and Wis. Stat. § 19.85(1)(g), conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is likely to become involved, and to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate	ITEM NUMBER G 24.

COUNCIL ACTION REQUESTED

A motion to enter closed session pursuant to Wis. Stat. § 19.85(1)(c), considering employment, promotion, compensation or performance evaluation data of any public employee over which the governing body has jurisdiction or exercises responsibility, Wis. Stat. § 19.85(1)(f), considering financial, medical, social, or personal histories or disciplinary data of specific persons, preliminary consideration of specific personnel problems, or the investigation of charges against specific persons except where par. (b) applies which, if discussed in public, would be likely to have a substantial adverse effect upon the reputation of any person referred to in such histories or data, or involved in such problems or investigations, and Wis. Stat. § 19.85(1)(g), conferring with legal counsel for the governmental body who is rendering oral or written advice concerning strategy to be adopted by the body with respect to litigation in which it is likely to become involved, and to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate.

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<p style="text-align: center;">APPROVAL</p> <p style="text-align: center;">H</p>	<p style="text-align: center;">REQUEST FOR COUNCIL ACTION</p>	<p style="text-align: center;">MEETING DATE</p> <p style="text-align: center;">November 7, 2023</p>
<p style="text-align: center;">REPORTS AND RECOMMENDATIONS</p>	<p style="text-align: center;">City personnel performance evaluation of Director of Administration. The Common Council may enter closed session pursuant to Wis. Stat. § 19.85(1)(c), considering employment, promotion, compensation or performance evaluation data of any public employee over which the governing body has jurisdiction or exercises responsibility, and to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate</p>	<p style="text-align: center;">ITEM NUMBER</p> <p style="text-align: center;">G 25</p>

COUNCIL ACTION REQUESTED

A motion, with regard to City personnel performance evaluation of Director of Administration, to enter closed session pursuant to Wis. Stat. § 19.85(1)(c), considering employment, promotion, compensation or performance evaluation data of any public employee over which the governing body has jurisdiction or exercises responsibility, and to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate.

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APPROVAL	REQUEST FOR COUNCIL ACTION	MEETING DATE 11/07/23
LICENSES AND PERMITS	MISCELLANEOUS LICENSES	ITEM NUMBER H.

See attached License Committee Meeting Minutes from the Special License Committee Meeting of October 19 & License Committee Meeting of November 7, 2023.

COUNCIL ACTION REQUESTED

Approval of the minutes of the Special License Committee Meeting of October 19 & License Committee Meeting of November 7, 2023.

CITY CLERK'S OFFICE



414-425-7500

**Special License Committee
Agenda***

**Franklin City Hall Aldermen's Room
9229 W. Loomis Rd
Franklin, WI
October 19, 2023 – 5:00 p.m.**

*Present: Craig
Eichmann
Day*

1.	Call to Order & Roll Call	Time: 5:04		
2.	License Applications Reviewed	Recommendations		
Type/ Time	Applicant Information	Approve	Hold	Deny
Temporary Entertainment & Amusement	Franklin Health Department – Trunk or Treat Person in Charge: Megan Conway – Franklin Health Department Location: Franklin Public Library Parking Lot – 9151 W Loomis Rd Date: Thursday, 10/26/2023 <i>Motion 3-0 1st-Eichmann; 2nd-Craig</i>			
3.	Adjournment <i>1st-Craig; 2nd-Eichmann 3-0</i>	Time: 5:09		

*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.



414-425-7500

License Committee Agenda*
Franklin City Hall Hearing Room
9229 W. Loomis Rd
Franklin, WI
November 7, 2023 – 5:30 p.m.

1.	Call to Order & Roll Call	Time:
2.	License Applications Reviewed	Recommendations

Type/ Time	Applicant Information	Approve	Hold	Deny
Operator 2023-2024 New	Lynn Bagniewski Root River Center			
Operator 2023-2024 New	Jennifer Drzewiecki St Martin of Tours			
Operator 2023-2024 New	John F Hushek Polish Center of Wisconsin			
Operator 2023-2024 New	Alyssa Minturn Iron Mike's			
Operator 2023-2024 New	Ashton Morris Walgreens #05459			
Operator 2023-2024 New	Holly Pesch The Rock Sports Complex			
Operator 2023-2024 New	Anja Ubiparipovic Walgreens #15020			
People Uniting for the Betterment of Life and Investment in the Community (PUBLIC) Grant	Fleet Reserve Association Branch 14 – St Martin's Fair Fee Waivers: License Fees – St. Martin's Fair Location: St. Martin's Labor Day Fair Dates of the Event: 9/1 – 9/2/24			
People Uniting for the Betterment of Life and Investment in the Community (PUBLIC) Grant	Franklin Civic Celebration Committee for Independence Celebration Fee Waivers: License Fees - Temporary Entertainment & Amusement, Temporary Class B Beer & Wine, Operator's; Park Permits Location: Franklin City Hall, Lions Legend Park I & II Dates of Event: 7/3 – 7/7/24			

Type/ Time	Applicant Information	Appro ve	Hold	Deny
People Uniting for the Betterment of Life and Investment in the Community (PUBLIC) Grant	Franklin Noon Lions Club – Civic Celebration & St. Martin’s Fair Fee Waivers: License Fees – Temporary Class B Beer, Peddler’s, Operators, Food Locations: Civic Celebration; St. Martin’s Labor Day Fair Dates of Events: 7/3 – 7/7/24; 9/1 – 9/2/24			
Temporary Class B Beer & Wine	St. Martin of Tours Church – Fall Harvest Fest Person in Charge: Jennifer Drzewiecki Location: 7963 S 116 th St Date of Event: 11/11/23			
Temporary Entertainment & Amusement	Civic Celebration Committee – Home for the Holidays Event Person in Charge: Mira Kresovic Location: Franklin City Hall, Lions Legend Park I Date of Event: 11/25/23			
3.	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.

APPROVAL	REQUEST FOR COUNCIL ACTION	MEETING DATE 11/7/2023
Bills	Vouchers and Payroll Approval	ITEM NUMBER I

Attached are vouchers dated October 13, 2023 through November 2, 2023, Nos 194682 through Nos 194928 in the amount of \$ 2,804,161 74 Also included in this listing are EFT's Nos 5483 through EFT Nos 5500, Library vouchers totaling \$ 29,814 15, Tourism vouchers totaling \$ 31,155 00 and Water Utility vouchers totaling \$ 1,052,834 74 Voided checks in the amount of \$ (837 32) are separately listed

Early release disbursements dated October 13, 2023 through November 1, 2023 in the amount of \$ 986,935 62 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 October 20, 2023 is \$ 488,346 36, previously estimated at \$ 495,000 Payroll deductions dated October 20, 2023 are \$ 516,193 59, previously estimated at \$ 535,000

The net payroll dated November 3, 2023 is \$ 476,668 48, previously estimated at \$ 455,000 Payroll deductions dated November 3, 2023 are \$ 263,818 69, previously estimated at \$ 250,000

The estimated payroll for November 17, 2023 is \$ 464,000 with estimated deductions and matching payments of \$ 495,000

COUNCIL ACTION REQUESTED

Motion approving the following

- City vouchers with an ending date of November 2, 2023 in the amount of \$ 2,804,161 74
- Payroll dated October 20, 2023 in the amount of \$ 488,346 36 and payments of the various payroll deductions in the amount of \$ 516,193 59, plus City matching payments and
- Payroll dated November 3, 2023 in the amount of \$ 476,668 48 and payments of the various payroll deductions in the amount of \$ 263,818 69, plus City matching payments and
- Estimated payroll dated November 17, 2023 in the amount of \$ 464,000 and payments of the various payroll deductions in the amount of \$ 495,000, plus City matching payments

ROLL CALL VOTE NEEDED