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

**Revised G.10 & G.14**

CITY OF FRANKLIN  
COMMON COUNCIL MEETING  
FRANKLIN CITY HALL – COMMON COUNCIL CHAMBERS  
9229 WEST LOOMIS ROAD, FRANKLIN, WISCONSIN  
AGENDA\*  
TUESDAY AUGUST 6, 2024 AT 6:30 P.M.

- A. Call to Order, Roll Call and Pledge of Allegiance.
- B.
  - 1. Citizen Comment Period.
  - 2. A Proclamation in Recognition of Jack H. Takerian.
- C. Approval of Minutes: Regular Common Council Meeting of July 16, 2024.
- D. Hearings.
- E. Organizational: Mayoral Appointments:
  - 1. Joe Mercado, 10162 S. 34<sup>th</sup> St., Ald. Dist. 4-Civic Celebrations, 3 year unexpired term expiring 06/30/27.
  - 2. Mira Kresovic, 8810 S. 51st St., Ald. Dist. 4-Finance Committee, 1 year unexpired term expiring 04/30/25.
- F. Letters.
- G. Reports and Recommendations:
  - 1. Request Council approval for the Fire Department to participate in the Franklin High School Community Internship Agreement to host volunteer student Fire Cadets during the 2024-2025 school year.
  - 2. A Resolution to Vacate a Service Road from S. 60th Street to S. 58th Street Located on the South Side of W. Ryan Road Between S. 60th Street and S. 58th Street (Part of the NW ¼ of Section 26, Township 5, Range 21 East in the City of Franklin, Milwaukee County, Wisconsin).
  - 3. Authorize the Professional Services Agreement between the City of Franklin and Foresite Cybersecurity, Inc. to Provide External and Internal Penetration Testing and Reporting Services - Funded by Account Numbers 01-0144-5299 and 01-0144-5214.
  - 4. An Ordinance to amend the Unified Development Ordinance text in §15-9.0401 Administrative Fees, §15-9.0401A. Fee Schedule, to increase the zoning and land division application fees and to provide for requiring a developer’s deposit for new planned development district and preliminary plat applications. (City of Franklin, applicant).

5. Standards, Findings and Decision of the City of Franklin Common Council Upon the Application of John Spitz, Fox Glen Corporate Centre, LLC, Applicant, for a Special Exception to Certain Natural Resource Provisions of the City of Franklin Unified Development Ordinance.
6. A Resolution to Authorize WE Energies to Provide Electric Service for Lighting Cabinets on the S. Lovers Lane Project (W. Venture Drive and W. Cortez Circle).
7. An Ordinance to Amend §245-5 Parking, Stopping and Standing Regulated, of the Municipal Code, to Create an Additional Provision that Prohibits Parking which Obstructs, Blocks or Impedes Traffic.
8. A Resolution Authorizing the Installation of a Fence within the 20 foot Private Planting Screen Plat Restriction, Upon Lot 12 in Block 1 of Tuckaway Green Subdivision (7524 S. 77th Street) (Cindy Dawes, Applicant).
9. A Resolution to Authorize WE Energies to Provide Electric Service for Signal Cabinet on S. 51st Street and W. Preserve Way.
- \*10. *Polish Heritage Alliance, Inc. v. City of Franklin*, Milwaukee County Circuit Court Case No. 2023-CV-9073 settlement in process; water main easement for the Polish Heritage Alliance, Inc. property
11. Postpone Indefinitely Water Service to Hale Park Highlands Area.
12. An Ordinance to Amend §19-1e. Remote Meeting Attendance Permitted, of the Municipal Code, to Authorize the Remote Attendance of an Alderperson at Common Council Meetings Upon Temporary Health Circumstances Pertaining to the Alderperson Not Allowing for Physical Mobility to Attend the Meeting in Person.
13. An Ordinance to Create §10-26 Remote Meeting Attendance Permitted, of the Municipal Code, to Authorize the Remote Attendance of a Member at Board, Commission and/or Committee Meetings Upon Temporary Health Circumstances Pertaining to the Member Not Allowing for Physical Mobility to Attend the Meeting in Person.
- \*14. Confirmation of the Appointment of Mr. Regulo Martinez-Montilva as Planning Manager for the City of Franklin. The Common Council May Enter closed session under Wis. Stats. §19.85(1)(c) and (f) to consider employment, promotion, compensation, or performance evaluation data of a public employee over which the Common Council has jurisdiction or exercises responsibility and to consider financial, social, or personal histories of specific persons which, if discussed in public, would be likely to have a substantial adverse effect upon the reputation of any person referred to in such histories and may re-enter open session at the same place after that to act on such matters discussed therein as it deems appropriate.
15. Potential commercial/industrial/manufacturing/development(s) and proposal(s) and potential development(s) agreement(s) in relation thereto for, including, but not limited to propert(ies) at 3303 W. Oakwood Road. The Common Council may enter closed session pursuant to Wis. Stat. § 19.85(1)(e), for market competition and bargaining reasons, to deliberate and consider terms relating to potential commercial/industrial/manufacturing/development(s) and proposal(s) and the investing of public funds and governmental actions in relation thereto and to effect such development(s), including the terms and provisions of potential development

agreement(s) for, including, but not limited to the propert(ies) at 3303 W. Oakwood Road, and to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate

16. Potential commercial/industrial/manufacturing development(s) and proposal(s) and potential development(s) agreement(s) in relation thereto for, including, but not limited to the propert(ies) at the southwest corner of South Oakwood Park Drive and West Ryan Road. The Common Council may enter closed session pursuant to Wis. Stat. § 19.85(1)(e), for market competition and bargaining reasons, to deliberate and consider terms relating to potential commercial/industrial/manufacturing development(s) and proposal(s) and the investing of public funds and governmental actions in relation thereto and to affect such development(s), including the terms and provisions of potential development agreement(s) for, including, but not limited to the propert(ies) at the southeast corner of South Oakwood Park Drive and West Ryan Road, 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 August 6, 2024.

I. Bills.  
Request for Approval of Vouchers and Payroll.

J. Adjournment.

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

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

REMINDERS:

August 8	Plan Commission	6:00 p.m.
August 13	Fall Partisan Primary	7:00 a.m.-8:00 p.m.
August 20	Common Council	6:30 p.m.
August 22	Plan Commission	6:00 p.m.
September 2	City Hall Closed-Labor Day	
September 3	Common Council	6:30 p.m.

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# City of Franklin Proclamation

A PROCLAMATION IN RESPECT AND GRATITUDE TO JACK H. TAKERIAN FOR HIS YEARS OF PUBLIC SERVICE AS A MEMBER OF THE CITY OF FRANKLIN BOARD OF WATER COMMISSIONERS AND HIS SERVICE THROUGH THE DECADES TO PROTECT AND PROMOTE THE PUBLIC HEALTH, SAFETY AND WELFARE IN THE MILWAUKEE METROPOLITAN AREA

WHEREAS, Jack H. Takerian was appointed to serve as a member of the City of Franklin Board of Water Commissioners by the City of Franklin Common Council on December 1, 2015, and has substantially served all with his work efforts, research, knowledge, and experience; and


WHEREAS, due to scheduling conflicts with his current work duties, Jack recently had to tender his resignation as a member of the Board of Water Commissioners; and

WHEREAS, Jack has been a Franklin resident for almost three decades, and during such times, including some time prior thereto, his work history for the people includes working for Milwaukee County starting in 1981 as an Assistant Aquatic Director, and ultimately working as the Director of the Milwaukee County Department of Transportation and Public Works, and then in 2012, accepting employment with the YMCA of Metropolitan Milwaukee and becoming its Chief Executive Officer, and then in 2017 accepting employment with SBM of Wisconsin, LLC, which is engaged in obtaining, maintaining and leasing multi-tenant commercial real estate in Southeastern Wisconsin, to improve the economy and quality of life, and is now its Vice-President of Operations; and

WHEREAS, all of Jack's works efforts are by the People, for the People, and while Jack's work efforts are far from done, the time is now for us to express our gratitude for his years of and ongoing service to the People.

NOW, THEREFORE, BE IT PROCLAIMED, that I, John R. Nelson, Mayor of the City of Franklin, Wisconsin, on behalf of all of the Citizens of Franklin, hereby express our gratitude for the years of public service and benefits therefrom to our public health, safety and welfare received from and upon the work of Jack H. Takerian, and our wish to him to be proud of what he has accomplished and our hope and trust that he will continue so moving forward, which we know he will.

Presented to Jack H. Takerian this 6<sup>th</sup> day of August, 2024.

  
John R. Nelson, Mayor

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CITY OF FRANKLIN  
COMMON COUNCIL MEETING  
JULY 16, 2024  
MINUTES

ROLL CALL

A. The regular meeting of the Franklin Common Council was held on July 16, 2024, and was called to order at 6:30 p.m. by Mayor John R. Nelson in the Franklin City Hall Council Chambers, 9229 W. Loomis Road, Franklin, Wisconsin. On roll call, the following were present: Alderman Peccarelli, Alderwoman Eichmann, Alderman Hasan, Alderman Barber (attended remotely) and Alderman Craig. Alderwoman Day is excused. Also, in attendance were Director of Administration Kelly Hersh, City Engineer Glen Morrow, City Attorney Jesse A. Wesolowski and City Clerk Shirley Roberts.

JUDGE FRED  
KLIMETZ  
PROCLAMATION

B.2. Mayor Nelson presented a Proclamation in Recognition of the Service of Municipal Judge Frederick F. Klimetz.

RES. 2024-8182  
REMOTE  
ATTENDANCE  
TEMP. HEALTH  
CIRCUMSTANCES

G.1. Alderman Hasan moved to adopt Resolution No. 2024-8182, A RESOLUTION IN RATIFICATION OF A PROCLAMATION TO AUTHORIZE THE REMOTE ATTENDANCE OF AN ALDERPERSON AT COMMON COUNCIL MEETINGS UPON TEMPORARY HEALTH CIRCUMSTANCES PERTAINING TO THE ALDERPERSON NOT ALLOWING FOR PHYSICAL MOBILITY TO ATTEND THE MEETING IN PERSON AND THE AVAILABILITY OF A QUORUM FOR THE MEETING. Seconded by Alderman Craig. All voted Aye; motion carried.

CITIZEN COMMENT

B.1. Citizen comment period was opened at 6:39 p.m. and was closed at 6:39 p.m.

MINUTES  
JULY 2, 2024

C.1. Alderwoman Eichmann moved to approve the revised minutes of the Regular Common Council Meeting of July 2, 2024, as presented. Seconded by Alderman Hasan. All voted Aye; motion carried.

MINUTES  
JULY 9, 2024

C.2. Alderman Hasan moved to approve the revised minutes of the Special Common Council Meeting of July 9, 2024, as presented. Seconded by Alderman Craig. All voted Aye; motion carried.

MAYORAL  
ALDERMANIC  
APPOINTMENTS

E. Alderwoman Eichmann moved to confirm the following Mayoral Aldermanic appointments:

- (a) Alderman Jon Peccarelli-Finance Committee, 1-year unexpired term expiring 04/14/25.
- (b) Alderman Jon Peccarelli-Civic Celebration, 2-year unexpired term expiring 06/30/26.
- (c) Alderman Jon Peccarelli-Personnel Committee, 3-year unexpired term expiring 04/14/25.

MAYORAL  
BD./COMM.  
APPOINTMENTS

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

Alderwoman Eichmann moved to confirm the following Mayoral appointments:

- (a) Mira Kresovic, 8810 S. 51st St., Ald. Dist. 4-Community Development Authority, 4-year unexpired term expiring 08/30/24.
- (b) Mira Kresovic, 8810 S. 51st St., Ald. Dist. 4-Community Development Authority, 4-year term expiring 08/30/28.

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

RES. 2024-8183  
FENCE WITHIN  
DRAINAGE  
EASEMENT (4449  
CENTRAL AVE)

G.2. Alderman Hasan moved to adopt Resolution No. 2024-8183, A RESOLUTION AUTHORIZING THE INSTALLATION OF A FENCE WITHIN THE WEST 10-FOOT AND THE SOUTH 15-FOOT DRAINAGE EASEMENT UPON LOT 22 IN BLOCK 30 IN SOUTHWOOD EAST ADDITION NO. 8, BEING A SUBDIVISION OF PARTS OF THE SE 1/4 OF THE SE 1/4 OF SECTION 23, AND THE NW 1/4 OF THE SW 1/4 OF SECTION 24, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN (4449 W. CENTRAL AVENUE) (TKN 881-0074-000) (NIKOLAS & ANGELICA CATARAZOLI, APPLICANT) contingent upon receipt of an executed mortgage holder consent form. Seconded by Alderman Barber. All voted Aye; motion carried.

RES. 2024-8184  
FLEET RENTAL  
AGMT "ENTERPRISE  
ENTITIES"

G.3. Alderwoman Eichmann moved to adopt Resolution No. 2024-8184, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO EXECUTE A MASTER EQUITY LEASE AGREEMENT, A FULL MAINTENANCE AGREEMENT, A CONSIGNMENT AUCTION AGREEMENT, AN AGREEMENT TO SELL CUSTOMER VEHICLES, A GOVERNMENT CREDIT APPLICATION, AND A MAINTENANCE MANAGEMENT AND FLEET RENTAL AGREEMENT WITH "ENTERPRISE ENTITIES" (ENTERPRISE FM TRUST, ENTERPRISE FLEET MANAGEMENT, INC., ETC.) TO REDUCE THE COST OF ACQUIRING, OWNING AND MAINTAINING FLEET VEHICLES. Seconded by Alderman Barber. All voted Aye; motion carried.

HEALTH  
DEPARTMENT  
DONATIONS

G.4. Alderman Barber moved to approve the Franklin Health Department accept monetary donations in the amount of \$300. Seconded by Alderman Craig. All voted Aye; motion carried.



- RES. 2024-8185  
GENERAL  
OBLIGATION  
PROMISSORY NOTES,  
SERIES 2024A
- G.5. Alderman Barber moved to adopt Resolution No. 2024-8185, A RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF \$1,980,000 GENERAL OBLIGATION PROMISSORY NOTES, SERIES 2024A. Seconded by Alderman Craig. On roll call, all voted Aye. Motion carried.
- RES. 2024-8186  
PERFORMANCE  
CONTRACT JOHNSON  
CONTROLS, INC.
- G.6. Alderwoman Eichmann moved to adopt Resolution No. 2024-8186, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO EXECUTE A PERFORMANCE CONTRACT AND SCHEDULE 5 SUPPLEMENTAL TERMS & CONDITIONS AGREEMENTS WITH JOHNSON CONTROLS, INC. IN FURTHERANCE OF THE MASTER ENERGY SERVICES AGREEMENT PREVIOUSLY ENTERED INTO WITH JOHNSON CONTROLS, INC., TO IMPLEMENT ENERGY EFFICIENCY, SAFETY, SECURITY AND RENEWABLE ENERGY MEASURES AT VARIOUS CITY BUILDINGS AND INFRASTRUCTURE. Seconded by Alderman Hasan. On roll call, all voted Aye. Motion carried.
- FIRE DEPARTMENT  
DONATIONS
- G.7. Alderman Barber moved to approve the Franklin Fire Department accept a \$300 public donation from the Franklin Lioness Lions Club. Seconded by Alderman Craig. All voted Aye; motion carried.
- 2024 DIVISION OF  
PUBLIC HEALTH  
CONSOLIDATED  
CONTRACTS
- G.8. Alderman Barber moved to allow the Director of Health and Human Services to accept the 2024 Division of Public Health Consolidated Contracts to continue funding health department grants. Seconded by Alderman Hasan. All voted Aye; motion carried.
- ORD. 2024-2627  
AMEND BUDGET FOR  
CAPITAL OUTLAY  
AND CAPITAL  
IMPROVEMENT
- G.9. Alderman Craig moved to adopt Ordinance No. 2024-2627, AN ORDINANCE TO AMEND ORDINANCE 2023-2569, AN ORDINANCE ADOPTING THE 2024 ANNUAL BUDGETS FOR THE CAPITAL OUTLAY FUND AND CAPITAL IMPROVEMENT FUND TO TRANSFER AND REPURPOSE UNUSED APPROPRIATIONS FOR THE JOHNSON CONTROLS COMPREHENSIVE EFFICIENCY PROGRAM PROJECT. Seconded by Alderwoman Eichmann. On roll call, all voted Aye. Motion carried.
- RES. 2024-8187  
KAYLA'S  
PLAYGROUND  
SPONSORSHIP WITH  
SAPUTO CHEESE INC
- G.10. Alderman Barber moved to adopt Resolution No. 2024-8187, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO EXECUTE A SPONSORSHIP AGREEMENT WITH SAPUTO CHEESE USA INC. FOR THE FUNDING OF THE KAYLA'S PLAYGROUND FLOOR REPLACEMENT PROJECT. Seconded by Alderman Craig. All voted Aye; motion carried.
- NEW ALCOHOL  
BEVERAGE  
OPERATOR LICENSE
- G.11. Alderman Barber moved to deny the Operator License for Antoine L. Williams for the 2024-2025 license year for repeated failures to appear as requested in regards to the license application review with the City

and by non-appearance following June 24, 2024 notice from the City and failure to provide evidence of sufficient rehabilitation and fitness to perform licensed activity as set forth in notice. Seconded by Alderwoman Eichmann. All voted Aye; motion carried.

RES. 2024-8188  
UNDERGROUND  
DISTRIBUTION  
EASEMENT 8120 S  
LOVERS LAND RD

G.12. Alderwoman Eichmann moved to adopt Resolution No. 2024-8188, A RESOLUTION TO GRANT AN UNDERGROUND DISTRIBUTION EASEMENT TO WISCONSIN ELECTRIC POWER COMPANY AT 8120 S. LOVERS LANE ROAD (TKN 801-9986-000). Seconded by Alderman Hasan. On roll call, Alderman Craig, Alderman Barber, Alderman Hasan and Alderwoman Eichmann voted Aye; Alderman Peccarelli abstained. Motion carried. (4-0-1-1)

RES. 2024-8189  
GREG NISENBAUM  
ASSESSMENT CLAIM

G.13. Alderman Hasan moved to adopt Resolution No. 2024-8189, A RESOLUTION ALLOWING THE CLAIM OF GREG NISENBAUM RELATED TO THE ASSESSMENT ON TKN 747-9979-001. Seconded by Alderman Craig. All voted Aye; motion carried.

CLOSED SESSION  
POLISH HERITAGE  
ALLIANCE, INC. V.  
CITY OF FRANKLIN

G.14. Alderwoman Eichmann moved to enter closed session at 8:04 p.m. pursuant to Wis. Stat. § 19.85(1)(g), to confer with legal counsel for the Common Council who is rendering advice concerning strategy to be adopted by the body with respect to *Polish Heritage Alliance, Inc. v City of Franklin*, Milwaukee County Circuit Court Case No. 2023-CV-9073, a litigation matter which is in process and pending at this time, and to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate. Seconded by Alderman Craig. On roll call, all voted Aye. Motion carried.

Mayor Nelson called a recess at 8:05 p.m.

Mayor Nelson reconvened at 8:11 p.m.

Upon reentering open session at 8:18 p.m., Alderwoman Eichmann moved to proceed as discussed in closed session. Seconded by Alderman Craig. On roll call, all voted Aye. Motion carried.

LICENSES AND  
PERMITS

H. Alderman Craig moved to approve License Committee Meeting Minutes of July 16, 2024.

Grant 2024-25 New Operator License to: Josip Jaksic, Lynn Bagniewski, Danielle Biersack, Kimberly Burdick, Matthew Christman, Tadeusa Cieslak, Barbara Hughes, Mark Leto, Jennifer Martinez, Julia Martinez, Max McCoy, Alyssa Minturn, Mary Papageorge, Natalia Perez-Gardipee, Katherine Pollock, Beth Potrykus, Teegan Price, Arianna Singer, Alexis Steltz, Molly Tengal, & Taylor Wojcinski;

Grant 2024-25 Renewal Operator License to Jeffrey Terp;

Hold 2024-25 New Operator License to Dominique Tarpley for correction of application; and  
Grant Temporary Class "B" Beer License to Franklin Lions Club, St. Martin's Labor Day Fair, David Lindner, St Martins Rd, & Church St, 9/1-9/2/24.

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

VOUCHERS AND  
PAYROLL

- I. Alderman Craig moved to approve City vouchers with an ending date of July 11, 2024, in the amount of \$ 2,199,113.66 and payroll dated July 12, 2024 in the amount of \$ 472,457.87 and payments of the various payroll deductions in the amount of \$ 257,688.09, plus City matching payments and estimated payroll dated July 26, 2024 in the amount of \$ 483,000 and payments of the various payroll deductions in the amount of \$ 514,000, plus City matching payments. Seconded by Alderman Hasan. On roll call, all voted Aye. Motion carried.

ADJOURNMENT

- J. Alderman Craig moved to adjourn the meeting of the Common Council at 8:21 p.m. Seconded by Alderwoman Eichmann. All voted Aye; motion carried.

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<p style="text-align: center;"><b>APPROVAL</b></p>	<p style="text-align: center;"><b>REQUEST FOR COMMON COUNCIL ACTION</b></p>	<p style="text-align: center;"><b>MEETING DATE</b> 8-6-2024</p>
<p style="text-align: center;"><b>ORGANIZATIONAL BUSINESS</b></p>	<p style="text-align: center;"><b>Boards and Commission Appointments</b></p>	<p style="text-align: center;"><b>ITEM NUMBER</b> E.</p>

Mayoral Appointments:

- (1) Joe Mercado, 10162 S. 34th St., Ald. Dist. 4-Civic Celebrations, 3 year unexpired term expiring 06/30/27.
- (2) Mira Kresovic, 8810 S. 51st St., Ald. Dist. 4-Finance Committee, 1 year unexpired term expiring 04/30/25.

**COUNCIL ACTION**

Motion to confirm the following Mayoral Appointments:

Mayoral Appointments:

- (1) Joe Mercado, 10162 S. 34th St., Ald. Dist. 4-Civic Celebrations, 3 year unexpired term expiring 06/30/27.
- (2) Mira Kresovic, 8810 S. 51st St., Ald. Dist. 4-Finance Committee, 1 year unexpired term expiring 04/30/25.

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<b>APPROVAL</b>	<b>REQUEST FOR COUNCIL ACTION</b>	<b>MEETING DATE</b>  8/6/2024
<b>REPORTS AND RECOMMENDATIONS</b>	<b>Request Council approval for the Fire Department to participate in the Franklin High School Community Internship Agreement to host volunteer student Fire Cadets during the 2024-2025 school year.</b>	<b>ITEM NUMBER</b>  5.1.

**Introduction:**

The Franklin Fire Department has been actively seeking opportunities to increase its pool of potential applicants for future Firefighter / Paramedic positions, while also continuing to find ways to interact with the community and create valuable relationships. Demand for qualified firefighter recruits is currently very high and the pool of applicants is very small. Engaging high school age students is an area that is new to our department, but we believe has the potential to be extremely beneficial to the students, our department and the community.

**Background:**

Fire Department staff have been working with representatives from Franklin High School over the last four months to develop a new "Fire Cadet" program that would allow high school seniors enrolled in the Franklin High School Community Internship program to work alongside Franklin Firefighter / Paramedics. These students have shown interest in a career path in the fire service. This program is intended to provide a hands-on, real world experience to what a career in fire and emergency medical services would entail. The students will receive valuable experience in areas of teamwork, responsibility, communications, psychomotor skills and critical thinking. Whether or not they continue to pursue a career in emergency services, we believe that both the student and the community will benefit by their experiences gained by their participation in the program.

**Recommendation:**

The Fire Department is recommending council approval to serve as a host site and educational partner for the Franklin High School Community Internship program. The attached internship agreement has already been reviewed by legal counsel and in use with other City departments, most recently the Franklin Health Department.

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**COUNCIL ACTION REQUESTED**

Request Council approval for the Fire Department to participate in the Franklin High School Community Internship Agreement to host volunteer student Fire Cadets during the 2024-2025 school year.

Fire: JCM



## **Franklin High School Community Internship Agreement**

This agreement is between

\_\_\_\_\_ and \_\_\_\_\_  
(Student Employee) (Primary Employer)

The Student Employee agrees to:

- Maintain the academic requirements of the Community Internship program
- Maintain the attendance requirements of school and the employer
- Observe company rules and other requirements identified by the employer
- Maintain confidentiality of personally identifiable information in all client interactions including verbal conversation and written records directly or indirectly observed
- Continuously works towards successfully demonstrating of the required competencies of the Employability Skills Portfolio
- Participate in progress reviews scheduled with mentor and Community Experience Coordinator

The Student's Parent or Guardian agrees to

- Assist the student employee in meeting the academic and attendance requirements of the Community Internship program
- Ensure transportation to and from the work site is provided
- Participate in progress reviews scheduled with mentors, Community Experience Coordinator, and the student employee, when appropriate

The Employer agrees to:

- Provide a work based learning experience for the length of the agreement
- Instruct the student in the required competencies of the Employability Skills Portfolio
- Comply with all applicable state and federal child labor laws
- Ensure that any work performed in occupations declared hazardous shall be under the direct and close supervision of a qualified and experienced person
- Ensure that necessary safety instruction will be provided
- Authorize the mentor to participate in progress reviews scheduled with the student employee and the Community Experience Coordinator

The School District agrees to:

- Ensure the student employee will meet high school requirements and the student will have the opportunity to successfully complete all requirements of the Internship
- Assist in the documentation and submission of the required competencies of the Employability Skills Portfolio
- Participate in progress reviews scheduled with mentors, the student employee, and the student's parent or guardian
- Award credit toward graduation for both the related instruction and work-based component



The Internship will begin on \_\_\_\_\_ and be completed by \_\_\_\_\_  
(Month / Day / Year) (Month/Day /Year)

**Employer Representative:**

Printed Name	Signature	Date	
Employer Street Address	City	State	Zip Code
Email Address	Phone Number		

**Student Employee:**

Printed Name	Signature	Date
Email Address	Phone Number	Date of Birth

**Parent or Guardian:**

Printed Name	Signature	Date
Email Address	Phone Number	

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APPROVAL	REQUEST FOR COUNCIL ACTION	MTG. DATE 8-6-24
Reports & Recommendations	<p align="center"><b>A Resolution to Vacate a Service Road from S. 60<sup>th</sup> Street to S. 58<sup>th</sup> Street Located on the South Side of W. Ryan Road Between S. 60<sup>th</sup> Street and S. 58<sup>th</sup> Street</b></p> <p align="center"><b>(Part of the NW ¼ of Section 26, Township 5, Range 21 East in the City of Franklin, Milwaukee County, Wisconsin)</b></p>	<p align="center">ITEM NO. Ald. Dist. 4</p> <p align="center">M. 2.</p>

**BACKGROUND**

Dorsey Trailer Sales WI (Spellman Trailer) located at 5921 W. Ryan Road has requested that the City right-of-way on the north side of their parcels (between S. 60<sup>th</sup> Street and S. 58<sup>th</sup> Street along the south right-of-way of W. Ryan Road) be vacated and transferred to them. This right-of-way was created with Certified Survey Map (CSM) 1330 in 1970 as a “service road” in addition to the expanded right-of-way for W. Ryan Road (STH 100). As the City accepted and signed the CSM documents, the City is the owner of this right of way.

Resolution 86-2718 provided that the service road be closed but access to S. 60<sup>th</sup> Street from the service road be preserved. That resolution essentially provided a private drive/parking lot for Dorsey Trailer for their parcels.

The process of vacating a right-of-way is spelled out in Wisconsin Statue §66.1003 Discontinuance of a Public Way. The Wisconsin Department of Transportation (WisDOT) is also an adjacent landowner and could have reason to keep part of the right-of-way. Any public road within a ¼ mile of a State Highway is also reviewed by WisDOT (as an objecting authority). WisDOT has been notified and to date has not objected, in fact, they have commented in email that “*WisDOT does not have a need at this time for right of way to be retained for public purposes in conjunction with this proposed right of way discontinuance.*”

The right-of-way vacation process was commenced by the Common Council by the introduction of a Resolution on January 3, 2023. The Plan Commission considered this matter on March 23, 2023 and recommended that the Common Council approve the Street Vacation and to direct the City Engineer to prepare and deliver the Plan Commission a report. This Common Council action is that report.

**ANALYSIS**

Although it is apparent why the service road was provided in 1970, proximity of a public road intersection on S. 60<sup>th</sup> Street that close to W. Ryan Road is not appropriate and the 1986 resolution that essentially made this public road a private driveway was appropriate. Ideally, this access so close to a signalized intersection should be removed altogether, but it is there and not practical to require Spellman Trailers to reconfigure their building and vacate the driveway.

There are some industrial park sign issues that have been addressed in this process. There is a monument sign/wall at the southeast corner of the service drive and S. 60<sup>th</sup> Street that appears to have been placed on Spellman’s property without an easement. Furthermore, there is a monument sign for the industrial park located within the area that is requested to be vacated. The dedication of easements to the City of Franklin for these signs are elsewhere on this agenda.

Lot 2 (TKN 899-9991-003) would essentially be land locked if the City were to vacate the right-of-way since WisDOT would not allow a driveway connection to W. Ryan Road. Elsewhere on this agenda is a request for land combination of Lot 2 (TKN 899-9991-003) and Lot 4 (TKN 899-9991-005) of said Certified Survey Map No. 1330, and 899-9991-002.

The City Engineer affirms that this Street Vacation is reasonable and is being processed pursuant to law.

**OPTIONS**

Approve or Deny.

**FISCAL NOTE**

No impact to the City. As proposed, the City will not sell the right-of-way per previous discussion of the Common Council.

**RECOMMENDATION**

Motion to adopt Resolution 2024-\_\_\_\_\_ a resolution to vacate a service road from S. 60th Street to S. 58th Street located on the south side of W. Ryan Road between S. 60th Street and S. 58th Street (Part of the NW ¼ of Section 26, Township 5, Range 21 East in the City of Franklin, Milwaukee County, Wisconsin).

## RESOLUTION NO. 2024-\_\_\_\_\_

A RESOLUTION TO VACATE A TOTAL OF APPROXIMATELY 0.57 ACRES OF RIGHT-OF-WAY PREVIOUSLY USED FOR SERVICE ROAD PURPOSES WHICH ABUTS THE SOUTH SIDE OF WEST RYAN ROAD (STH 100) FROM SOUTH 60TH STREET TO SOUTH 58TH STREET AND WHICH IS ABUTTED ON ITS SOUTH BOUNDARY BY THE 5921 WEST RYAN ROAD (TAX KEY NO. 899-9991-002), 5921 WEST RYAN ROAD (TAX KEY NO. 899-9991-003) AND 5825 WEST RYAN ROAD (TAX KEY NO. 899-9991-004) PROPERTIES

---

WHEREAS, the Common Council of the City of Franklin finds that the public interest requires that approximately 0.57 acres of right-of-way previously used for service road purposes which abuts the south side of West Ryan Road (STH 100) from South 60th Street to South 58th Street and which is abutted on its south boundary by the 5921 West Ryan Road (Tax Key No. 899-9991-002), 5921 West Ryan Road (Tax Key No. 899-9991-003) and 5825 West Ryan Road (Tax Key No. 899-9991-004) properties, respectively, be discontinued, pursuant to Wis. Stat. § 66.1003(4); and

WHEREAS, such approximately 0.57 acres of right-of-way previously used for service road purposes which abuts the south side of West Ryan Road (STH 100) from South 60th Street to South 58th Street and which is abutted on its south boundary by the 5921 West Ryan Road (Tax Key No. 899-9991-002), 5921 West Ryan Road (Tax Key No. 899-9991-003) and 5825 West Ryan Road (Tax Key No. 899-9991-004) properties, respectively, is more particularly described upon Exhibit A annexed hereto and the map annexed hereto as Exhibit B; and

WHEREAS, notice of pendency of proceedings to vacate the subject property was submitted to the Office of the Register of Deeds for Milwaukee County on January 26, 2023, for recording pursuant to Wis. Stat. § 840.11; and

WHEREAS, this Resolution was first introduced before the Common Council of the City of Franklin at its regular meeting on January 3, 2023; and

WHEREAS, the Common Council scheduled a Public Hearing upon this Resolution pursuant to Wis. Stat. § 66.1003(4)(b) for March 7, 2023; with notice of such hearing being published as a Class III notice in the Official City Newspaper, with the first publication date being February 8, 2023; and

WHEREAS, a Public Hearing as so duly noticed having been held on March 7, 2023, before the Common Council of the City of Franklin, and a report having been received  
RIGHT-OF-WAY PREVIOUSLY USED FOR SERVICE ROAD PURPOSES VACATION

from the Plan Commission, upon all of the foregoing pursuant to law, the Common Council having been so informed and having made its determinations.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that pursuant to the authority vested in the Common Council by Wis. Stat. § 66.1003(4)(b), that the approximately 0.57 acres of right-of-way previously used for service road purposes which abuts the south side of West Ryan Road (STH 100) from South 60th Street to South 58th Street and which is abutted on its south boundary by the 5921 West Ryan Road (Tax Key No. 899-9991-002), 5921 West Ryan Road (Tax Key No. 899-9991-003) and 5825 West Ryan Road (Tax Key No. 899-9991-004) properties, respectively, as described upon Exhibit A and Exhibit B annexed hereto and incorporated herein, be and the same is hereby discontinued and vacated.

BE IT FURTHER RESOLVED, that the aforesaid Resolved to discontinue and vacate has been reached upon the receipt and acceptance and approval thereof by the Common Council concurrent with the adoption of this Resolution, of two easements from the adjoining property owners to the south of the right-of-way being vacated, to the City, to allow for City use upon the subject right-of-way property being vacated for access to and for each of the two existing Franklin Business park monument signs thereon, which signs the City will maintain.

BE IT FURTHER RESOLVED, that the aforesaid Resolved to discontinue and vacate has been reached upon the receipt and approval thereof by the Common Council concurrent with the adoption of this Resolution, of an application for a land combination permit for the no address (Tax Key No. 899-9991-005) and 5921 West Ryan Road (Tax Key No. 899-9991-003) properties so as to protect the 5921 West Ryan Road (Tax Key No. 899-9991-003) property from being landlocked by the right-of-way discontinuance and vacation.

BE IT FURTHER RESOLVED, that the aforesaid Resolved to discontinue and vacate has been reached upon receipt of communication from the Wisconsin Department of Transportation that it has no objection to the discontinuance and vacation of the subject right-of-way and that the subject right-of-way as such shall be subject to the full reversion to the owners of the lands adjoining to the south, with each such owner and property receiving a portion of the subject right-of-way within the east and west boundaries within the subject right-of-way property of the portion thereof adjoining the property to the south and with the east and west boundaries thereof continuing and proceeding north thereof to the north boundary of the subject right-of-way property.

BE IT FINALLY RESOLVED, that the City Clerk be and the same is hereby directed to record a copy of this Resolution with the Register of Deeds for Milwaukee County.

RIGHT-OF-WAY PREVIOUSLY USED FOR SERVICE ROAD PURPOSES VACATION

RESOLUTION NO. 2024-\_\_\_\_\_

Page 3

Introduced at a regular meeting of the Common Council of the City of Franklin this 3rd day of January, 2023.

APPROVED:

\_\_\_\_\_  
John R. Nelson, Mayor

ATTEST:

\_\_\_\_\_  
Shirley J. Roberts, City Clerk

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

APPROVED:

\_\_\_\_\_  
John R Nelson, Mayor

ATTEST:

\_\_\_\_\_  
Shirley J. Roberts, City Clerk

AYES \_\_\_\_\_ NOES \_\_\_\_\_ ABSENT \_\_\_\_\_

**EXHIBIT A**  
**Legal Description**

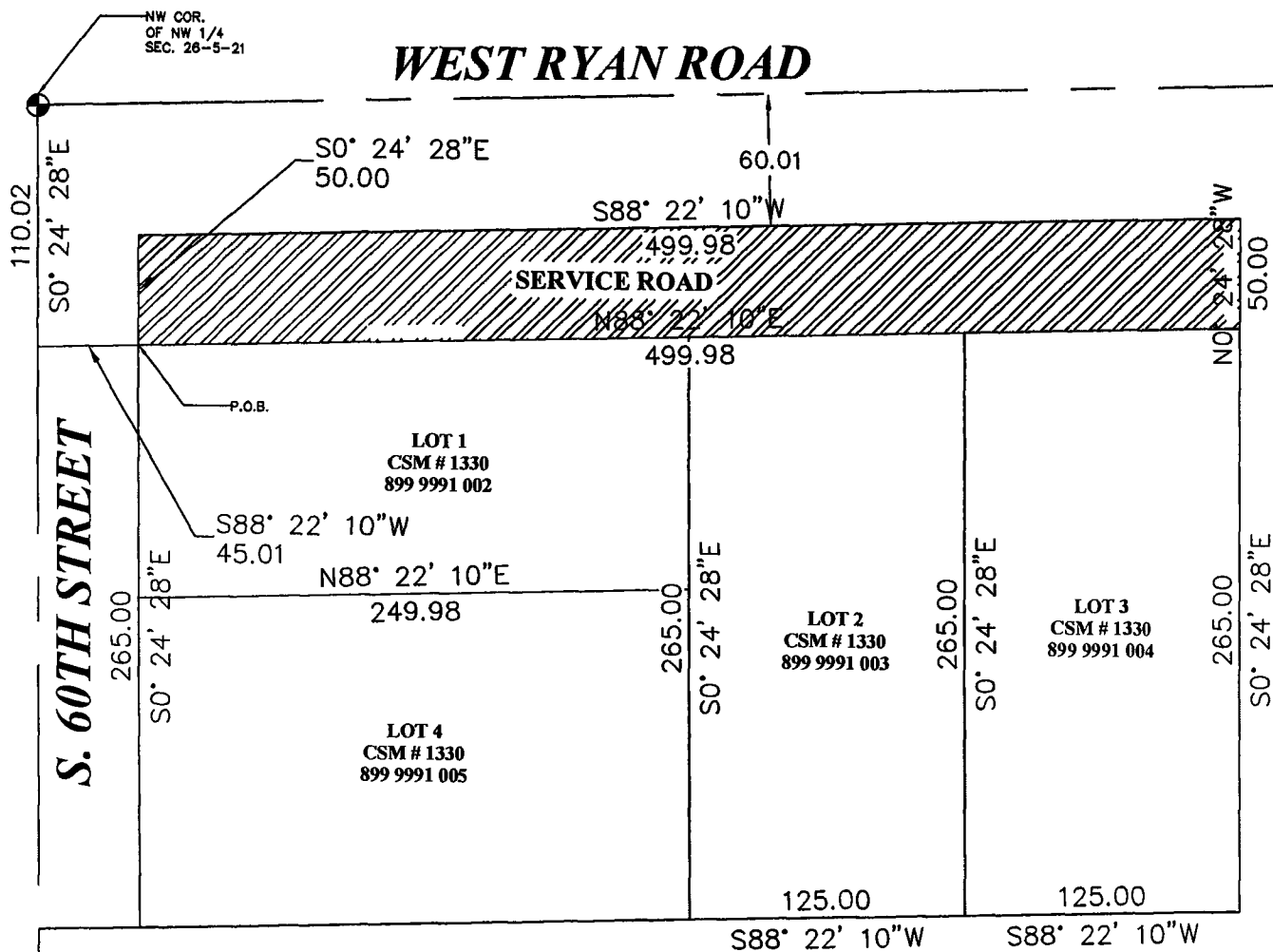
Being a part of the recorded Certified Survey map No. 1330, Document # 4538848, Reel # 542 Image # 304-305, Recorded on July 27, 1970 at Milwaukee County Register of Deeds, also being a part of the NW 1/4 of Section 26, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, bounded and described as follows:

Commencing at the Northwest corner of said NW 1/4 of Section 26; thence S0°24'28"E along the West line of said 1/4 of Section, 110.02 feet to a point; thence N88°22'10"E, 45.01 feet to a point of beginning of the land to be described; thence continuing N88°22'10"E, 499.98 feet to a point; thence N00°24'28"W, 50.01 feet to a point; thence S88°22'10"W, 499.98 feet to a point; thence S0°24'28"E, 50.01 feet to a place of beginning.

Said lands containing 25004.0 square feet or 0.57 acres.



**EXHIBIT B**  
**Depiction of the Service Road**



**SCALE: 1" = 80'**

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APPROVAL	REQUEST FOR COUNCIL ACTION	MEETING DATE 08/06/2024
REPORTS & RECOMMENDATIONS	<p align="center"><b>Authorize the Professional Services Agreement Between the City of Franklin and Foresite Cybersecurity, Inc. to Provide External and Internal Penetration Testing and Reporting Services - Funded by Account Numbers 01-0144-5299 and 01-0144-5214</b></p>	ITEM NUMBER  <b>2.3.</b>

**Background:**

As outlined within the business case for the IT operational outlay budget for 2024, after firewalls and network routing has been implemented on the newly established fiber optic ring, it is considered best security practice to perform a full external penetration test by a third-party provider. The penetration test will simulate an aggressive attack on the outer perimeter defenses, and will confirm that the new firewall has been configured and hardened correctly to thwart the attack. It is recognized that manual conversion of firewall policy and configuration rules between the Palo Alto and Fortinet environments were performed. The benefit of a manual conversion is each firewall and NAT rule is closely examined and evaluated in granting least access as possible for the communication stream. Human error can occur; therefore, it is prudent to have a full penetration test performed post the implementation of the equipment to determine if any vulnerabilities or misconfigurations exist.

**Recommendation:**

The City of Franklin will again be using Foresite Cybersecurity, Inc., who performed the 2022 penetration test. This proposal addressed several key issues:

- External penetration testing will be performed for all externally assigned IP address and NAT resources. This is in alignment with the City of Franklin Strategic Technology Plan, where external penetration testing is to be performed on a bi-annual basis.
- The Foresite proposal will also perform a limited sampling internal penetration test as well. All servers will undergo a full penetration test, while randomly assigned workstations/laptops will be analyzed. The goal is to determine the possibility of both vertical and horizontal network access movement of a potentially compromised computer. Network routing has been significantly modified, so it is prudent to determine exactly how malware can spread on the network.
- All testing will be non-intrusive. Denial of Service attacks will be limited in order to prevent bringing down critical operational services during the testing.
- Penetration testing will utilize both automated and manual attack procedures.
- All reporting will follow the MITRE framework. Reports will indicate the probability that the vulnerability will be exposed/implemented, and the criticality of operations if the system were to be lost due to being compromised. Both factors will create a criticality score, which will be used to determine what vulnerabilities should be immediately addressed.
- Testing will be performed in two phases. The first phase will outline any critical or high priority vulnerabilities, and indicate IT corrective actions to eliminate the security issue. A second round of testing will be performed to ascertain if the remediations actually did eliminate the vulnerability.
- All outstanding vulnerabilities will be added to the IT Risk/Watch matrix and tracked by the Technology Commission until the issues are fully addressed.

**Fiscal Impact:**

The total project cost is \$25,328. The IT Sundry Contractors Account 01-0144-5299 has an allocation of \$19,500 assigned for external penetration testing. The remaining overage cost of \$5,828 can be accommodated in the IT Data Processing Services budget, Account 01-0144-5214.

**Total Project Budget: \$19,500**

<b>External Penetration Testing (20 hosts)</b>	<b>\$5,228</b>
<b>Internal Penetration Testing (500 hosts)</b>	<b><u>\$20,100</u></b>
<b>Total Services</b>	<b>\$25,328</b>

**COUNCIL ACTION REQUESTED**

Motion to authorize the Professional Services Agreement between the City of Franklin and Foresite Cybersecurity, Inc. for External and Internal Penetration Testing and Reporting Services, not to exceed the total project cost of \$25,328, funded by Account Numbers 01-0144-5299 (\$19,500) and 01-0144-5214 (\$5,828), with the City Attorney and Director of IT authorized to make minor technical modifications to the service agreement.

## **A G R E E M E N T**

This AGREEMENT is made and entered into this 29th day of July, between the City of Franklin, 9229 West Loomis Road, Franklin, Wisconsin 53132 (hereinafter "CLIENT") and Foresite Cybersecurity (hereinafter "CONTRACTOR"), whose principal place of business is 7311 W 132nd Street, Overland Park, KS 66213

### **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 Cybersecurity Testing;

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**

- A. CONTRACTOR shall provide services to CLIENT for Managed Autonomous Testing and annual manual external penetration test, as described in CONTRACTOR's proposal to CLIENT dated 8/31/2024, 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 the CONTRACTOR as an 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, [at our standard billing rates] [with a not-to-exceed budget of \$25,327.72, subject to the terms detailed below:

- A. CONTRACTOR may bill CLIENT and be paid monthly for all work satisfactorily completed hereunder. 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 \$25,327.72. For services rendered, monthly invoices will include a report stating the hours and type of work completed and the fee earned during the month being invoiced.
- C. Considering the faithful performance of this AGREEMENT, the CONTRACTOR will not exceed the fee for Basic Services and expenses without written authorization from the 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. The CONTRACTOR will remedy the deficiencies within thirty (30) days of receiving CLIENT's review. This subsection shall not limit 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 before the change order agreement under this AGREEMENT. Upon acceptance of the request for such changes, CONTRACTOR shall submit a "Change Order Request Form" to CLIENT for authorization and notice to proceed with 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. Foresite 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, Foresite's Project Manager and other key providers of the Basic Services. Substitution of other staff may occur only with the consent of the 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 the 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. If 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 will be delivered to the CLIENT in a completed form or process. CLIENT shall hold CONTRACTOR harmless for any incomplete work due to early termination.
- C. The rights and remedies of CLIENT and CONTRACTOR under this section are not exclusive. They 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	\$1,000,000 per occurrence for bodily injury, personal injury, and property damage \$2,000,000 per general aggregate,  <i>CITY shall be named as an additional insured on a primary, non-contributory basis</i>
B. Automobile Liability ( <i>Must include hired and non-owned coverage</i> )	\$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	\$5,000,000 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>The 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) <i>(If applicable)</i>	\$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 canceled 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. 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 solely 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. 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 liability limits for municipal claims established by Wisconsin Law.

**VIII. TIME FOR COMPLETION**

CONTRACTOR shall commence work immediately, having received a Notice to Proceed as of 8/31/2024.

**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 6 years following its completion. The CONTRACTOR shall make such records available to the CLIENT for inspection and copying upon request.



**XI. MISCELLANEOUS PROVISIONS**

- A. Professionalism. The same degree of care, skill, and diligence shall be exercised in performing the services as is possessed and exercised by a member of the same profession, currently practicing, under similar circumstances. All persons providing such services under this AGREEMENT shall have such active certifications, licenses, and permissions as 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 comply 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 its affiliates have any financial or other personal interest that would conflict with the performance of the services under this Agreement and that neither it nor its affiliates will acquire any such interest directly or indirectly. 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 CLIENT and CONTRACTOR.

**XII. CONTROLLING TERMS AND PROVISIONS**

The aforesaid terms and provisions shall control 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

Foresite Cybersecurity

BY. \_\_\_\_\_

BY Tracy Fox

PRINT NAME John R. Nelson

PRINT NAME. Tracy Fox

TITLE Mayor

TITLE SLED Channel Director - East

DATE \_\_\_\_\_

DATE. 7/29/2024

BY. \_\_\_\_\_

PRINT NAME Danielle L Brown

TITLE Director of Finance and Treasurer

DATE. \_\_\_\_\_

BY \_\_\_\_\_

PRINT NAME Shirley J Roberts

TITLE City Clerk

DATE \_\_\_\_\_

Approved as to form

\_\_\_\_\_  
Jesse A Wesolowski, City Attorney

DATE: \_\_\_\_\_



# ORDER FORM

Foresite Cybersecurity  
 7311 W 132nd St, STE 305  
 Overland Park, KS 66213  
 United States

**Order Form For:**  
**Quote #:**  
**Offer Valid Through:**  
**Proposed By:**

City of Franklin, WI  
 Q-05198-3  
 8/31/2024  
 Tracy Fox

## ADDRESS INFORMATION

**Bill To**  
 City of Franklin, WI  
 9229 W Loomis Rd  
 Franklin, WI 53132  
 US

**Ship To**  
 City of Franklin, WI  
 9229 W Loomis Rd  
 Franklin, WI 53132  
 US

Billing Contact:  
 Billing Email

Shipping Contact: James Matelski  
 Shipping Email [jmatelski@franklinwi.gov](mailto:jmatelski@franklinwi.gov)

## TERMS & CONDITIONS

Contract Start Date: 9/1/2024  
 Contract End Date: 8/31/2025

Payment Terms Net 30  
 Billing Frequency: Annual

## PROVISION CYBER-OPERATIONS & COMPLIANCE PLATFORM

Subscription							
PRODUCT	PRODUCT CODE	ORDER START DATE	ORDER END DATE	ORDER TERM (MONTHS)	ANNUAL UNIT PRICE	QTY	TOTAL CONTRACT VALUE
Managed Autonomous Testing with Attackers View (Tier 4: Up to 500 active IPs)	BAS004	9/1/2024	8/31/2025	12	USD 20,100 00	1 00	USD 20,100 00
Consultant-led oversight, leveraging AI-driven penetration tests, fortifies cyber defense awareness. This service provides our solution tenants are optimally configured, managed, and updated with signatures/checks to address evolving threats and maintain robust network security awareness.							
The service includes initial setup, along with quarterly reviews and reporting by the Foresite Assessment Team. Covering up to 500 IPs (any combination of internal and external).							
<b>Subscription TOTAL:</b>						USD 20,100 00	

## One-Time

PRODUCT	PRODUCT CODE	UNIT PRICE	QTY	TOTAL PRICE
External Vulnerability Assessment and Penetration Testing (5 Active IP Block)	PEN002	USD 1,306.93	4.00	USD 5,227.72
<b>One-Time TOTAL:</b>				USD 5,227.72

**TOTAL:** USD 25,327.72

## Additional Terms

1. The Annual/Unit Price shown above has been rounded to two decimal places for display purposes. As many as eight decimal places may be present in the actual price. The totals for this order were calculated using the actual price, rather than the Annual/Unit Price displayed above, and are the true and binding totals for this order.
2. Prices shown above do not include any taxes that may apply. Any such taxes are the responsibility of Customer. This is not an invoice. Any applicable taxes will be determined based on the laws and regulations of the taxing authority(ies) governing the "Ship To" location provided by Customer on this Order Form.
3. In addition to the Terms and Conditions (as defined below), the applicable Professional Services description(s) available in-app and at <https://foresite.com/docs/sd/> governs the Packaged Professional Services set forth above.

---

**Purchase Order Information**

Is a Purchase Order (PO) required for the purchase or payment of the products on this Order Form? (Customer to complete)

[        ] No

[        ] Yes – Please complete below

PO Number:

PO Amount:

**Terms of Use**

- 1 This Foresite Order form, together with the Foresite Software Master Agreement available at <https://foresite.com/docs/ma/> governs the access to and use of the Services set forth above
- 2 Customer will be invoiced on the date the Order Form is executed, and payment is due in full per the payment terms above after the date of Foresite’s invoice
- 3 If this Order Form is executed and/or returned to Foresite by Customer after the Order Start Date above, Foresite may adjust the Order Start Date and Order End Date, without increasing the Total Price, based on the date Foresite activates the products and provided that the total term length does not change (Not applicable for One-Time Products)
- 4 Certain products if described in the Product Descriptions above contain purchased Capacity or usage rights (the “Ingestion Cap”) The Ingestion Cap entitles Customer to ingest the specified quantity of Customer Data into the Products over the course of the subscription term. If Customer exceeds the Ingestion Cap at any point during the subscription term, Foresite reserves the right to bill Customer for the excess data at the rate described in the Product Description (the “Overage Fee”) Invoices for the excess Overage Fee will be issued monthly and are due within 30 days of the invoice date. While Foresite retains its aforementioned rights, we are committed to working with you to explore subscription adjustments to reduce usage so that it aligns with your needs in good faith
- 5 Subscription Services automatically renew for successive periods of twelve (12) months each, unless a party gives the other party written notice of non-renewal at least thirty (30) days prior to the expiration of the then-current term, or this Order Form is sooner terminated as provided in the Terms and Conditions. Foresite reserves the right to increase fees by up to five percent (5%) upon renewal (Not applicable for One-Time Products)
- 6 In the event of a conflict between the payment terms in this Order Form and the Terms and Conditions, this Order Form shall control  
The signatures below acknowledge the agreement of each party to be bound by this Order Form. The undersigned representative of Customer represents that he/she has read, understands, and accepts, on behalf of Customer, as a duly authorized representative of Customer, this Order Form (including the Terms and Conditions) in its entirety

---

Customer: \_\_\_\_\_

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
7/29/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must have **ADDITIONAL INSURED** provisions or be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> HUB International New England 96 Shaker Road East Longmeadow, MA 01028	<b>CONTACT NAME</b> PHONE (A/C, No Ext) <b>(833) 462-2554</b>		FAX (A/C, No) <b>(413) 731-9539</b>
	<b>E-MAIL ADDRESS</b>		
<b>INSURED</b> Foresite Cybersecurity, Inc Foresite MSP Limited 1 Hartfield Blvd, Suite 300 East Windsor, CT 06088		<b>INSURER(S) AFFORDING COVERAGE</b> <b>INSURER A Citizens Insurance Company of America</b>	<b>NAIC #</b> <b>31534</b>
		<b>INSURER B Lloyd's Syndicate 3623</b>	<b>22667</b>
		<b>INSURER C ACE American Insurance Company</b>	
		<b>INSURER D</b>	
		<b>INSURER E</b>	
		<b>INSURER F</b>	

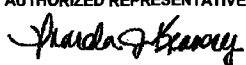
**COVERAGES**                      **CERTIFICATE NUMBER:**                      **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED NOTWITHSTANDING ANY REQUIREMENT TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS EXCLUSIONS AND CONDITIONS OF SUCH POLICIES LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	<input checked="" type="checkbox"/> <b>COMMERCIAL GENERAL LIABILITY</b> <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC <input type="checkbox"/> OTHER			OBNH305999	7/1/2024	7/1/2025	EACH OCCURRENCE	\$ 1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	\$
							MED EXP (Any one person)	\$ 10,000
							PERSONAL & ADV INJURY	\$ 1,000,000
							GENERAL AGGREGATE	\$ 2,000,000
							PRODUCTS COMP/OP AGG	\$ 2,000,000
								\$
A	<input type="checkbox"/> <b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY			OBNH305999	7/1/2024	7/1/2025	COMBINED SINGLE LIMIT (Ea accident)	\$ 1,000,000
							BODILY INJURY (Per person)	\$
							BODILY INJURY (Per accident)	\$
							PROPERTY DAMAGE (Per accident)	\$
								\$
A	<input checked="" type="checkbox"/> <b>UMBRELLA LIAB</b> <input checked="" type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE DED      RETENTION \$			OBNH305999	7/1/2024	7/1/2025	EACH OCCURRENCE	\$ 5,000,000
							AGGREGATE	\$ 5,000,000
								\$
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y/N If yes describe under DESCRIPTION OF OPERATIONS below		N/A				PER STATUTE	OTH ER
							E.L. EACH ACCIDENT	\$
							E.L. DISEASE EA EMPLOYEE	\$
							E.L. DISEASE POLICY LIMIT	\$
B	<b>Cyber/Privacy/Networ</b>			W1F00A240801	7/1/2024	7/1/2025	Retention \$25,000	2,000,000
C	<b>General Liability</b>			PHFD38105668 008	7/1/2024	7/1/2025	Occ 1,000,000 Agg	2,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule may be attached if more space is required)

Crime Coverage, Effective 7/1/24-25, Chubb Policy #8250-6715  
 Employee Theft Coverage- \$1,000,000 Limit \$10,000 Retention  
 Premises Coverage-\$1,000,000 Limit \$10,000 Retention  
 In Transit Coverage-\$1,000,000 Limit \$10,000 Retention  
 Forgery Coverage-\$1,000,000 Limit \$10,000 Retention  
 Computer Fraud Coverage-\$1,000,000 Limit \$10,000 Retention  
 Funds Transfer Fraud Coverage-\$1,000,000 Limit \$10,000 Retention  
 SEE ATTACHED ACORD 101

<b>CERTIFICATE HOLDER</b>  City of Franklin WI 9229 W Loomis Rd Franklin, WI 53132	<b>CANCELLATION</b>  SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS  AUTHORIZED REPRESENTATIVE 
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**ADDITIONAL REMARKS SCHEDULE**

AGENCY <b>HUB International New England</b>		NAMED INSURED <b>Foresite Cybersecurity, Inc                  Foresite MSP Limited                  1 Hartfield Blvd, Suite 300                  East Windsor, CT 06088</b>	
POLICY NUMBER <b>SEE PAGE 1</b>		EFFECTIVE DATE <b>SEE PAGE 1</b>	
CARRIER <b>SEE PAGE 1</b>	NAIC CODE <b>SEE P 1</b>		

**ADDITIONAL REMARKS**

THIS ADDITIONAL REMARKS FORM IS A SCHEDULE TO ACORD FORM,  
 FORM NUMBER: ACORD 25 FORM TITLE: Certificate of Liability Insurance

**Description of Operations/Locations/Vehicles:**  
 Money Orders & Counterfeit Currency Fraud Coverage-\$1,000,000 Limit    \$10,000 Retention  
 Credit Card Fraud Coverage-\$1,000,000 Limit    \$10,000 Retention  
 Client Coverage-\$1,000,000 Limit    \$10,000 Retention  
 Expense Coverage-\$100,000 Limit  
 Social Engineering Fraud Coverage Endorsement- \$50,000 Limit    \$10,000 Retention



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
07/29/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT.** If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> PAYCHEX INSURANCE AGENCY INC/PAC 76250881 225 KENNETH DR STE 110 ROCHESTER NY 14623	<b>CONTACT NAME</b>	
	<b>PHONE</b> (877) 266-6850	<b>FAX</b>
	(A/C, No, Ext)	(A/C, No)
	<b>E-MAIL ADDRESS</b>	
	<b>INSURER(S) AFFORDING COVERAGE</b>	
	<b>INSURER A</b> Hartford Fire and Its P&C Affiliates	<b>NAIC#</b> 00914
<b>INSURED</b> FORESITE CYBERSECURITY, INC 1 HARTFIELD BLVD STE 300E EAST WINDSOR CT 06088-9500	<b>INSURER B</b>	
	<b>INSURER C</b>	
	<b>INSURER D</b>	
	<b>INSURER E</b>	
	<b>INSURER F</b>	

**COVERAGES**                      **CERTIFICATE NUMBER:**                      **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED NOTWITHSTANDING ANY REQUIREMENT TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS EXCLUSIONS AND CONDITIONS OF SUCH POLICIES LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS

INSR LTR	TYPE OF INSURANCE	ADDL INSR	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYY)	LIMITS
	<input type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> OCCUR  <input type="checkbox"/> GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC <input type="checkbox"/> OTHER.						EACH OCCURRENCE DAMAGE TO RENTED PREMISES (Ea occurrence) MED EXP (Any one person) PERSONAL & ADV INJURY  GENERAL AGGREGATE PRODUCTS - COMP/OP AGG
	<b>AUTOMOBILE LIABILITY</b> <input type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS <input type="checkbox"/> NON-OWNED AUTOS						COMBINED SINGLE LIMIT (Ea accident) BODILY INJURY (Per person)  BODILY INJURY (Per accident) PROPERTY DAMAGE (Per accident)
	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$						EACH OCCURRENCE AGGREGATE
A	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes describe under DESCRIPTION OF OPERATIONS below	Y/N	N/A	76 WEG RT7127	06/26/2024	06/26/2025	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E L EACH ACCIDENT                      \$1 000 000 E.L. DISEASE -EA EMPLOYEE            \$1,000,000 E L. DISEASE - POLICY LIMIT            \$1,000,000

**DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)**  
Those usual to the Insured's Operations

<b>CERTIFICATE HOLDER</b> City of Franklin WI 9229 W LOOMIS RD FRANKLIN WI 53132	<b>CANCELLATION</b>
	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS
	AUTHORIZED REPRESENTATIVE  <i>Susan J Castaneda</i>



APPROVAL	REQUEST FOR COUNCIL ACTION	MEETING DATE 08/06/24
REPORTS & RECOMMENDATIONS	<p><b>Ordinance to amend the Unified Development Ordinance text in §15-9.0401 Administrative Fees, §15-9.0401A. Fee Schedule, to increase the zoning and land division application fees and to provide for requiring a developer's deposit for new planned development district and preliminary plat applications.</b></p> <p><b>(City of Franklin, applicant)</b></p>	ITEM NUMBER  2.4.

City Development staff is proposing the following updates and changes to the fee schedule for zoning and land division procedures:

1. **Adjusting for inflation.** For most applications as the fee schedule hasn't been updated in 20 years.
2. **Increasing filing fees over inflation rate.** For select legislative applications and natural resource related applications.
3. **Adding developer's deposit.** Only for Planned Development District PDD and Preliminary Plat applications.
4. **New filing fee for easements.**
5. **Adding two tiers for floodplain land use permits.**

Draft ordinance, staff report and appendices attached.

The Plan Commission held a public hearing on July 18 and recommended approval of this ordinance. The vote was 4-0-3, four affirmatives votes, no 'noes' and three absences.

**COUNCIL ACTION REQUESTED**

A motion to adopt Ordinance 2024-\_\_\_\_\_, to amend the Unified Development Ordinance text in §15-9.0401 Administrative Fees, §15-9.0401A. Fee Schedule, to increase the zoning and land division application fees and to provide for requiring a developer's deposit for new planned development district and preliminary plat applications. (City of Franklin, applicant)

ORDINANCE NO. 2024-\_\_\_\_

AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE TEXT IN §15-9.0401 ADMINISTRATIVE FEES, §15-9.0401A. FEE SCHEDULE, TO INCREASE THE ZONING AND LAND DIVISION APPLICATION FEES AND TO PROVIDE FOR REQUIRING A DEVELOPER’S DEPOSIT FOR NEW PLANNED DEVELOPMENT DISTRICT AND PRELIMINARY PLAT APPLICATIONS. (CITY OF FRANKLIN, APPLICANT)

WHEREAS, Section 15-9.0401 of the Unified Development Ordinance sets forth the Zoning and Land Division administrative fee schedule; and

WHEREAS, the City of Franklin having applied for text amendments to Section 15-9.0401 Administrative Fees A. Fee Schedule, to increase the application fees and to provide for requiring a developer’s deposit for certain applications to pay for consulting fees or staff time incurred by the city in the process of reviewing applications; and

WHEREAS, the Plan Commission having reviewed the proposed amendments to adjust the application fees, and having held a public hearing on the proposal on the 18th day of July, 2024 and thereafter having recommended approval of such amendments; and

WHEREAS, the Common Council having accepted the recommendation of the Plan Commission and having determined that the proposed amendments are consistent with the 2025 Comprehensive Master Plan of the City of Franklin, Wisconsin and will serve to further orderly growth and development and promote the health, safety and welfare of the Community.

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

SECTION 1: SECTION 15-9.0401 Administrative Fees A. Fee Schedule of the Unified Development Ordinance of the Municipal Code of the City of Franklin, Wisconsin, as amended hereunder, is as follows:

**Fee Schedule**

Zoning and Land Division Administrative Fee Schedule	2024
Rezoning	\$2,500
Rezoning (1 Parcel Res.)	\$600
Text Amendments	\$1,250
Site Plan Review (Tier 1)	\$3,400
Site Plan Review (Tier 2)	\$1,700

<b>Zoning and Land Division Administrative Fee Schedule</b>		<b>2024</b>
Site Plan Review (Tier 3)		\$850
Conceptual Review		\$420
Variance Requests/Appeals		\$420
Special Exception (Bulk and Area)		\$500
Special Exception (Natural Resource)		\$1,000
Special Use Permit		\$2,500
	Special Use Under 4,000 square feet	\$1,250
	Amendment to Special Use in Good Standing	\$n/a
	Amendment	\$1,700
	SU Renewal (Annual)	\$500
	Multi-year Renewal	\$1,700
PDD		\$6,000 plus developer's deposit*
	PDD Amendment (Major)	\$5,900
	PDD Amendment (Minor)	\$850
Certified Survey Map		\$2,500
Subdivision Preliminary Plat		\$5,000 plus developer's deposit*
Subdivision Final Plat		\$1,700
Plat Affidavit of Correction		\$210
Land Combination Permit		\$675
Building Move Request		\$350
Right-of-Way Vacation		\$500
Home Occupation		\$85
Zoning Compliance		\$170
Zoning letter		\$125
Miscellaneous		\$210
Easement		\$200
Comprehensive Master Plan amendment		\$1,250
Floodplain Land use permit		\$500
Floodplain Land use permit - 1 Parcel Residential		\$210
(*) Planned Development District (PDD) and Preliminary Plat applications: a \$3,000 developer's deposit is required in addition to filing fees at the time of submittal, it may require replenishment.		

SECTION 2: City Development staff shall annually adjust this Fee Schedule in accordance with the Consumer Price Index (CPI), and submit same to the Common Council for review and potential approval thereof.

SECTION 3: 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 4: All ordinances and parts of ordinances in contravention to this ordinance are hereby repealed.

SECTION 5: 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 \_\_\_\_\_, 2024, by Alderman \_\_\_\_\_.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

APPROVED:

\_\_\_\_\_  
John R. Nelson, Mayor

ATTEST:

\_\_\_\_\_  
Shirley J. Roberts, City Clerk

AYES \_\_\_\_\_ NOES \_\_\_\_\_ ABSENT \_\_\_\_\_



CITY OF FRANKLIN  
REPORT TO THE PLAN COMMISSION

Item C.1

Meeting of July 18, 2024

**Unified Development Ordinance (UDO) Text Amendment**

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**RECOMMENDATION:** City Development Staff recommends approval of the attached ordinance to amend Section 15-9.0401 of the Unified Development Ordinance (UDO) to update the fee schedule for zoning and land division procedures.

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<b>Project Name:</b>	<b>Update to the fee schedule for zoning and land division procedures, UDO Section 15-9.0401</b>
<b>Project Address:</b>	City-wide
<b>Prepared by:</b>	City Development staff
<b>Action Requested:</b>	Provide feedback and a motion to schedule a public hearing for recommendation

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City Development staff is proposing the following updates and changes to the fee schedule for zoning and land division procedures:

1. **Adjusting for inflation.** For most applications as the fee schedule hasn't been updated in 20 years.
2. **Increasing filing fees over inflation rate.** For select legislative applications and natural resource related applications.
3. **Adding developer's deposit.** Only for Planned Development District PDD and Preliminary Plat applications.
4. **New filing fee for easements.**
5. **Adding two tiers for floodplain land use permits.**

Below is a list of previous meetings for this text amendment, as well as anticipated meetings:

- On April 3, 2023, City Development staff presented an update to only adjust filing fees for inflation. The Common Council tabled this item and directed staff to compare the city's fee schedule with those of other communities. The Plan Commission also held a public hearing for this item on March 23, 2023.
- On March 21, 2024, City Development staff presented a previous version which stated that the applicant would be responsible for consulting fees or staff hours, so the city would bill applicants after the review is completed. The Engineering Department currently uses a similar process for stormwater management plans and other reviews. After a public hearing, the Plan Commission recommended a developer's deposit to be paid by the applicant upfront.
- On May 23, 2024, presentation before the Plan Commission for feedback.
- Tonight's meeting for recommendation and public hearing.
- Common Council meeting for decision.

City Development staff revised the report and ordinance based on comments from the previous Plan Commission meeting:

- Developer’s deposit rather billing applicants after the review is completed. The proposed fee schedule states that a \$3,000 developer’s deposit is required at the time of submittal, only for Planned Development Districts PDDs and preliminary plats.
- To clarify on a question from the commission, the developer’s deposit is for outside consulting fees or staff hours of the Department of City Development. This approach avoids the administrative burden of tracking time for all departments involved in the routing process (Engineering, Inspection Services, Fire, Police, City Attorney and Health).
- Current fees column (2004) deleted from the proposed ordinance.
- The comparison table now has a wider selection of application types.

Adjusting for inflation

This proposal is to adjust the application fees to current prices with the Consumer Price Index (CPI) of the U.S. Bureau of Labor Statistics. The last update to the fee schedule was in 2004, the average increase from January 2004 to March 2024 is approximately 1.7 times using the CPI Inflation Calculator available at the website of the U.S. Bureau of Labor Statistics, for example, a fee of \$100 in January 2004 is approximately \$170 in March 2024.

**Proposed Fee Schedule**

<b>Zoning and Land Division Administrative Fee Schedule</b>	<b>2004</b>	<b>2024</b>	<b>Proposed change</b>
Rezoning	\$1,250	\$2,500	Increasing filling fee
Rezoning (1 Parcel Res.)	\$350	\$600	Adjusting for inflation
Text Amendments	\$200	\$1,250	Increasing filling fee
Site Plan Review (Tier 1)	\$2,000	\$3,400	Adjusting for inflation
Site Plan Review (Tier 2)	\$1,000	\$1,700	"
Site Plan Review (Tier 3)	\$500	\$850	"
Conceptual Review	\$250	\$420	"
Variance Requests/Appeals	\$250	\$420	"
Special Exception (Bulk and Area)	\$300	\$500	"
Special Exception (Natural Resource)	\$500	\$1,000	Increasing filling fee
Special Use Permit	\$1,500	\$2,500	Adjusting for inflation
Special Use Under 4,000 square feet	\$750	\$1,250	"
Amendment to Special Use in Good Standing	\$n/a	\$n/a	none
Amendment	\$1,000	\$1,700	Adjusting for inflation
SU Renewal (Annual)	\$300	\$500	"
Multi-year Renewal	\$1,000	\$1,700	"
PDD	\$6,000	\$6,000 plus developer's deposit*	Adding developer's deposit
PDD Amendment (Major)	\$3,500	\$5,900	Adjusting for inflation
PDD Amendment (Minor)	\$500	\$850	"
Certified Survey Map	\$1,500	\$2,500	"

<b>Zoning and Land Division Administrative Fee Schedule</b>	<b>2004</b>	<b>2024</b>	<b>Proposed change</b>
Subdivision Preliminary Plat	\$5,000	\$5,000 plus developer's deposit*	Adding developer's deposit
Subdivision Final Plat	\$1,000	\$1,700	Adjusting for inflation
Plat Affidavit of Correction	\$125	\$210	"
Land Combination Permit	\$400	\$675	"
Building Move Request	\$200	\$350	"
Right-of-Way Vacation	\$300	\$500	"
Home Occupation	\$50	\$85	"
Zoning Compliance	\$100	\$170	"
Zoning letter	\$75	\$125	"
Miscellaneous	\$125	\$210	"

**NEW**

Easement	no fee	\$200	New fee
Comprehensive Master Plan amendment	\$125	\$1,250	Increasing filling fee
Floodplain Land use permit	\$125	\$500	New tier
Floodplain Land use permit - 1 Parcel Residential	\$125	\$210	Adjusting for inflation

(\*) Planned Development District (PDD) and Preliminary Plat applications: a \$3,000 developer's deposit is required in addition to filing fees at the time of submittal, it may require replenishment.

Increasing filing fees over inflation rate

Due to the relevance of the comprehensive plan and the zoning ordinance as city policies, staff is proposing an increase higher than inflation to comprehensive master plan amendments, rezonings and zoning ordinance text amendments. Note that the city's current fee for comprehensive master plan amendments is the lowest among selected communities (see comparison table).

It's worth noting that for applications with potential impacts to natural resources such as Natural Resource Special Exceptions NRSE and floodplain land use permits, staff is proposing an increase higher than the accumulated inflation. For example, NRSE applications are intensive in staff hours as these applications require at least three commission meetings: Environmental Commission, Plan Commission with public hearing and Common Council.

Developer's deposit

Based on feedback from the previous Plan Commission meeting, staff is proposing a developer's deposit with the following process:

- The applicant pays filing fee and developer's deposit at the time of submittal.
- City staff creates an escrow account for the developer's deposit.
- City Development staff tracks time for the following activities: preparation of review comments, staff report, drafting resolution and/or ordinance, correspondence with applicant, meetings with applicants as well as boards/commission meetings.

- City Developments staff stops tracking time when staff informs the applicant about the decision of the governing body on the subject application. The developer’s deposit cannot be used for post-approval follow-up on conditions of approval.
- City staff issues a refund of the deposit’s remaining balance.
- If the developer’s deposit is depleted before a decision is made, it requires replenishment in the amount establish by the ordinance (\$3,000).

Given the administrative burden of tracking deposits for the Department of City Development and Finance Department, staff is proposing the developer’s deposit only for applications that are typically associated with complex projects: Planned Developments Districts PDDs and Preliminary Plats. It would be inconvenient for staff to keep track of numerous deposits. For example, the Department of City Developments typically receives over 200 applications per year while PDDs and preliminary plat are normally less than 10.

City Development staff consulted fee schedules of five Wisconsin cities (Fitchburg, Kewaunee, Mequon, Muskego and Oak Creek). Staff noticed that all fee schedules (except Oak Creek) indicate that the applicant is responsible for separate consulting fees or city staff hours.

**Table for comparison of filing fees, select application types**

Prepared by City Development Staff based on fee schedules of selected cities

Application	Franklin 2024 (proposed)	Franklin 2004 (current)	Fitchburg	Kewaunee	Mequon	Muskego	Oak Creek
Final Plat	\$1,700	\$1,000	\$575 + \$165/parcel "Subdivider to pay all engineering, inspection, consulting & legal fees"	\$100/lot plus Review Escrow	\$757 "Staff Time Over 10 Hours on Any of the Above Will be Additionally Billed Hourly" "Additional Charges May Be Incurred for Subsequent Plan Review"	\$750 + \$11/parcel "Legal, Engineering and Administrative Fees incurred by the City, in the process of reviewing a proposal or application, but not included in this Fee Schedule, will be charged back to the Petitioner / Applicant / Owner / Developer for 100% recovery "	\$875
Special Use or Conditional Use	\$2,500	\$1,500	\$480	\$1,000 plus Review Escrow	\$717 see note above	\$600 plus \$500 Developer's Deposit see note above	\$1,250
Affidavit of Correction	\$210	\$125	n/a	\$500	n/a	n/a	\$275



Application	Franklin 2024 (proposed)	Franklin 2004 (current)	Fitchburg	Kewaunee	Mequon	Muskego	Oak Creek
Comp. Plan Amend. (Misc.)	\$1,250	\$125	n/a	\$200 plus Review Escrow	\$1,275 see note above	\$500 see note above	\$1,000
Rezoning	\$2,500	\$1,250	\$620	\$600 plus Review Escrow	\$1,275 see note above	\$1,200 see note above	\$775
Text Amendment	\$1,250	\$200	n/a	\$600 plus Review Escrow	\$1,275 see note above	n/a	\$1,000
Site Plan	\$3,400	\$2,000	n/a	\$1,000 plus Review Escrow (non-residential)	\$717 see note above	n/a	\$850*
Variance	\$420	\$250	\$585	\$1,000	n/a	n/a	n/a
PDD Planned Development District	\$6,000 plus developer's deposit	\$6,000	\$900	n/a	n/a	n/a	\$1,700 (PUD)
CSM Certified Survey Map	\$2,500	\$1,500	\$590 + \$160/parcel	\$100/lot plus Review Escrow	n/a	\$200 + \$11/lot see note above	\$525

(\*) Separate fees for landscape and lighting plans.

All fee schedules (except Oak Creek) indicate that the applicant is responsible for separate consulting fees or city staff hours. For example, “Subdivider to pay all consulting and legal fees incurred by the city” (City of Fitchburg, Planning & Development fee schedule), or “Staff time over 10 hours ... will be additionally billed hourly” (City of Mequon, Community Development – Planning fees). The City of Kewaunee requires a review escrow for subdivision and site plan applications.

The City of Franklin Department of City Development doesn’t charge applicants for separate consulting fees. For example, a consultant billed the city \$764.50 (5.5 hours) for review and comments of a Land Combination (\$400 filing fee) and a Minor Site Plan amendment application (\$75 filing fee), in this case the filing fees don’t cover the consulting fees, not to mention city staff hours devoted to coordinating consultant’s review, data entry, customer service, preparation of meeting packets and presentations as well as attending Plan Commission and Common Council meetings; and in some cases post approval follow-up (review of conservation easements and conditions of approval).

#### Adding a filing fee for easements

The City of Franklin Department of City Development doesn’t charge applicants for associated reviews as part of Plat or Site Plan applications, such as easements, landscape plans and lighting plans. For example, the City of Kewaunee has an easement review fee of \$300 and the City of Oak

Creek has a review fee of \$550 for landscape plans and lighting plans. It's worth noting that the City of Kewaunee also has a review escrow of \$500 for public hearings.

Therefore, City Development staff is proposing to add a filing fee of \$200 for easements, typically conservation easements and landscape bufferyard easements are required for certified survey maps, plats and site plans. It's noted that easements documents require review by City Development staff, Engineering staff and City Attorney, approval by the Common Council, and recording.

Adding two tiers for floodplain land use permits.

City Development staff adopted a new application form for floodplain land use permits. The current fee schedule doesn't have a specific fee for this type of permit, so the miscellaneous fee was being used. Staff is proposing to set a filing fee for floodplain land use permits, one tier for one-parcel residential permits and a higher filing fee plus consulting fees for other uses, similar to the fee structure for rezoning applications.

**Staff Recommendation:**

City Development Staff recommends approval of the attached ordinance to amend Section 15-9.0401 of the Unified Development Ordinance (UDO) to update the fee schedule for zoning and land division procedures.

**Appendices:**

1. City of Fitchburg, Planning & Development fees.
2. City of Kewaunee, Fee Schedule (pages 6-7).
3. City of Mequon, Fee Description.
4. City of Muskego, Community Development Department Fee Schedule.
5. City of Oak Creek, Plan Commission application.

Department and Item Description	Duration/Unit	2022 Approved	2023 Proposed	Ordinance Reference	Notes
<b>Planning &amp; Development</b>					
<b>Parkland Improvement Fees</b>					
Fee in lieu of Land Dedication (not including TND) Per Dwelling Unit		\$4 330 00		24-2(d)(2)(e)	
TND T2 and T3 Ordinance Fee in lieu of Land Dedication Per Dwelling Unit		\$4 330 00		24-2(d)(2)(e)	
TND T4 Ordinance Fee in lieu of land dedication Per Acre		\$65 000 00		24-2(d)(2)(e)	
TND T5 Ordinance Fee in lieu of land dedication Per Acre		\$65 000 00		24-15(d)(5) 22-647(2)	
Park Improvement Single Family Residential Per Dwelling Unit		\$670 00		24-15(d)(5) 22-647(2)	
Park Improvement Two-Family Residential Per Dwelling Unit		\$335 00		24-15(d)(5) 22-647(2)	
Park Improvement Multi-Family Residential Per Dwelling Unit		\$160 00		24-15(d)(5) 22-647(2)	
<b>Fee in lieu of Street Frontage for Parkland As Required</b>					
		\$-0- (eliminated)		24-15(e) 22-647(3)	removed via R-186-18
<b>Planning Commission</b>					
<b>Certified Survey Fees Upon Application</b>					
Comprehensive Development Plan Upon Application		\$590 + \$160/parcel		24-15(c)(1)	
Comprehensive Development Plan Amendment Upon Application		\$315 + \$95/parcel		24-15(b)	
Subdivider to pay all consulting and legal fees incurred by the City as stated in Ordinance 24-15(c)(2)		\$465			
<b>Preliminary Plat, and Contract Fee Upon Application</b>					
Final Plat Upon Application		\$575 + \$180/parcel		24-15(b)(1)	
Subdivider to pay all engineering inspection consulting & legal fees as stated in Ordinance 24-15(b)(2)		\$575 + \$120/parcel		24-15(b)(1)	
<b>Zoning Fees (Publication &amp;/or Public Hearing Costs) As Requested</b>					
Payment Guarantee of Fees Upon Application		\$545 + \$165/parcel		24-15(b)(3)	
Board of Appeals As Requested		\$585 00			
Conditional Use Permits As Requested		\$480 00			
PDD-GIP As Requested		\$900 00		22-640(b)(2)	
PDD-SIP As Requested		\$875 00			
Re-Zoning Request As Requested		\$620 00			
Re-Zoning/Conditional Use As Requested		\$770 00			
Telecommunications Facilities Permit As Required		\$465 00		64-48(d)	
<b>Sign Permit</b>					
Temporary As Required		\$41 00		26-34	
All signs except temporary and exempt signs As Required		\$1 95/sq ft or faction thereof with a minimum of \$82		26-34	
<b>Zoning Fee</b>					
See Building Inspection Schedule Per Request		\$35 00			
Zoning Verification Letters (New n 2014)					

Building (Roofing, Siding & windows others small repairs)		\$35	Appendix #2
Concrete Placement Permit		Replacement same foot print \$25 change/new design \$2% of cost \$60 min max \$600	
<i>Double fees are due if work is started before permit is issued</i>			
3. Extension to permit (permits are valid for 12 months)	Each	100% off original fee	
4. Razing permit ( resident include elec.,plbg. )	Each	\$200.00	
5. For all shed and garage demo with Electrical	Each	\$75.00	
6. Sign permit	Each	\$60.00	
7. Fences	Each	\$70.00	
8. Pools	Each	\$75.00 Min 4' deep X 12' above ground,	Larger and in-ground price per foot @\$1.00 and \$65.00 per inspection
9. Work in Right of Way permit	Each	\$75.00	\$ 75.00
<b>Zoning Fees</b>			

<b>Subdivision and Platting</b>			
Concept Plan		\$250.00	
Preliminary Plat		\$100/lot + Review Escrow	
Final Plat		\$100/lot + Review Escrow	
Condominium Plat		\$100/lot + Review Escrow	
Replat		\$300/lot + Review Escrow	
Certified Survey Map		\$100/lot + Review Escrow	
Easement Review		\$350.00	
Developer's Agreement		\$250 + Review Escrow	
<b>Review Escrows for Subdivisions/platting (Initial submission for review, requires replenishment)</b>			
1-4 lots without new public infrastructure		\$500.00	
1-4 lots with new public infrastructure		\$1,250.00	
5-10 llots		\$2,000.00	
More than 10 lots		\$3,000.00	
<b>Plan Commission Public Hearings</b>			
Comprehensive Plan Amendment		\$200 + Review Escrow	
Rezoning Application		\$600 + Review Escrow	
Zoning Text Amendment		\$600 + Review Escrow	
Conditional Use Permit		\$1,000 + Review Escrow	
Review Escrow for Public Hearings		\$500.00	
<b>Zoning Board of Appeals Public Hearing</b>			
Variance		\$1,000.00	
Appeal		\$1,000.00	
Temporary Use		\$500.00	
<b>Site Plan Applications</b>			
Residential		\$500 + Review Escrow	
Mixed Use		\$750 + Review Escrow	
Non-Residential		\$1,000 + Review Escrow	

Additions/Amendments to Prior Approvals		Half the above fee + Review Escrow	
<b>Review Escrows for Site Plan Applications (Initial submission for review, requires replenishment)</b>			
<b>Residential</b>			
Minor Plans (Additions/Amendments)		\$500.00	
1-4 units without new public infrastructure		\$500.00	
1-4 units with public infrastructure		\$1,250.00	
5-10 units		\$2,000.00	
More than 10 units		\$3,000.00	
<b>Non-Residential/Mixed Use</b>			
Minor Plans (Additions/Amendments)		\$500.00	
Project site less than 5 acres		\$1,250.00	
Project site 5-10 acres		\$2,000.00	
Project site more than 10 acres		\$3,000.00	
<b>Subdivision/Site Plan Inspection Deposit</b>			
For inspection and related professional administrative costs, materials, testing, maintenance, etc.		Lesser of \$20,000 or 6% of total costs of all improvements, as established and approved by the City Engineer for required financial security	
<b>Administrative Reviews/Permits</b>			
Zoning Verification letter		\$50 for Residential Properties \$100 for Non-Residential Properties	
Sign Permit		\$60.00	
Land Use Occupancy Permit - Multi Family		\$100/unit	
Land Use Occupancy Permit - Non Residential		\$200.00	
Home Occupation Permit		\$50.00	
Minor Plan Review /Miscellaneous Applications		\$100.00	
Accessory Structures Permit		\$50.00	
<b>Riverview Public Cemetery</b>			
<b>Item Description</b>		<b>Fees</b>	<b>Notes</b>
<b>Cemetery Lot</b>			
Resident		\$800.00	includes perpetual care
Non-Resident		\$1,100.00	includes perpetual care
<b>Burial Cost (Monday thru Saturday)</b>			
Grave Opening	each	\$750.00	
Cremation Burial	each	\$425.00	
<b>Burial Cost (Winter Fees)</b>			
Ground Thawing	each	\$325.00	
Snow Removal	each	Cost to \$275	
<b>Monument Setting</b>			
Foundations	per square inch	\$0.10	
Placement of Monument Permit Fee	each	\$50.00	

FEE DESCRIPTION	FEE AMOUNT
<b>COMMUNITY DEVELOPMENT – PLANNING</b>	
Zoning Code Text Amendment	\$1,275.00
Zoning Code Map Amendment*	\$1,275.00
Land Use Plan Map Amendment*	\$1,275.00
<i>*If doing a Zoning Code Map and Land Use Plan Amendment at the same time, only one fee applies</i>	
Conditional Use Petition	\$717.00
Building Site Plan Amendment or Approval	\$717.00
Consultation	\$398.00
Minor Request	\$199.00
Subdivision/Condo Concept	\$857.00
Subdivision/Condo Preliminary Plat	\$857.00
Subdivision/Condo Development Agreement	\$558.00
Subdivision/Condo Final Plat	\$757.00
Land Division	\$657.00
New Sign Design and Plan Approval	\$150.00
Special Event Banner Permit	\$25.00
On-Site Development Notice Sign Posting	\$5.00
Zoning Letter Request	\$60.00
Home Occupation Permit	\$60.00
Business Occupancy Permit	\$60.00
Annual Chicken Keeping Permit	\$20.00
Short Term Rental Permit	\$60.00
<i>Staff Time Over 10 Hours on Any of the Above Will be Additionally Billed Hourly.</i>	
<i>Additional Charges May Be Incurred for Subsequent Plan Review.</i>	

**COMMUNITY DEVELOPMENT DEPARTMENT – FEE SCHEDULE**

Appendix #4

DATE \_\_\_\_\_ PHONE \_\_\_\_\_ FAX # \_\_\_\_\_

APPLICANT \_\_\_\_\_

PROPERTY OWNER \_\_\_\_\_

PROPERTY ADDRESS \_\_\_\_\_

MAILING ADDRESS \_\_\_\_\_

RECEIPT NUMBER \_\_\_\_\_ BY \_\_\_\_\_

By signing below, I understand that any Legal, Engineering and Administrative Fees incurred by the City, in the process of reviewing a proposal or application, but not included in this Fee Schedule, will be charged back to the Petitioner / Applicant / Owner / Developer for 100% recovery (Ch 3 085/Ord #909) I understand that I may request refund of all leftover fees in my developer's deposit once all development related aspects of my project have been complete for at least 60 days. The disbursement of leftover developer's deposit monies shall be to the individual signing this fee sheet unless otherwise noted. I understand that action by the Plan Commission and Common Council is required for my submitted land division documents as prescribed by the Land Division Ord. If, for good cause, an extension of time is needed for action, I hereby agree to such extension.

SIGNATURE OF APPLICANT / AGENT \_\_\_\_\_ DATE \_\_\_\_\_

SIGNATURE OF OWNER (if different) \_\_\_\_\_ DATE \_\_\_\_\_

**ZONING / PLANNING FEES**

100 06 18 01 4330	3-306	CONDITIONAL USE (Plus \$500 Developer's Deposit)	\$600 00	\$ _____
		REZONING (NON PD or CPD)	\$500 00	\$ _____
		NEW PD or CPD (Plus \$500 Developer's Deposit)	\$1200 00	\$ _____
		PD or CPD AMENDMENTS (Plus \$500 Developer's Deposit)	\$600 00	\$ _____
		FLOOD PLAIN REZONING (Plus \$500 Developer's Deposit)	\$345 00	\$ _____
		COMPREHENSIVE PLAN AMENDMENT ONLY	\$500 00	\$ _____
		COMPREHENSIVE PLAN AMENDMENT WITH REZONING	\$750 00	\$ _____
		2 <sup>nd</sup> GARAGE STRUCTURE (PLAN COMMISSION REVIEW)	\$100 00	\$ _____
		SIGNS	\$60 00 / \$20 00	\$ _____
		BOARD OF APPEALS	\$200 00	\$ _____
		CONCEPTUAL CSM / PLAT / BSO REVIEW	\$100 00	\$ _____
		BSO – ORIGINAL / AMENDMENTS	\$300 00 / \$150 00	\$ _____
		SIGN – PLAN COMMISSION REVIEW	\$100 00	\$ _____
100 02 25 00 4250	3-350	FENCES, RETAINING WALLS, DRIVEWAYS, SIDEWALKS	\$20 00	\$ _____
		HOME OCCUPATION ZONING LETTER, RIGHT OF WAY		\$ _____
		<b><u>CSM FEES</u></b> Plus \$300 Developer's Deposit at this time (\$200 deposit for Extraterritorial CSMs).		
100 06 18 01 4330	3-306	CERTIFIED SURVEY MAP	\$200 00	\$ _____
		PLUS \$11 00 PER LOT & OUTLOT	\$11 00 x _____ Lots/Outlots	\$ _____
100 06 18 01 4346	3-348	GIS SERVICES – LAND RECORDS FEE (Land Division)	\$80 00 x _____ Lots/Outlots	\$ _____
100 06 18 01 4346	3-358	GIS LAND RECORD CAPITAL CHARGE	\$20 00 x _____ Lots/Outlots	\$ _____
		<b><u>PRELIMINARY PLAT FEES</u></b> Plus Developer's Deposit based on density of development (\$500 Extraterritorial Plats)		
100 06 18 01 4330	3-306	PRELIMINARY PLATS	\$750 00	\$ _____
		PLUS \$11 00 PER LOT & OUTLOT	\$11 00 x _____ Lots/Outlots	\$ _____
		<b><u>FINAL PLAT FEES</u></b>		
100 06 18 01 4330	3-306	FINAL PLAT	\$650 00	\$ _____
		PLUS \$11 00 PER LOT & OUTLOT	\$11 00 x _____ Lots/Outlots	\$ _____
		<b><u>OTHER PLAT FEES</u></b>		
100 06 18 01 4330		PUBLIC WORKS COMMITTEE ROUTING FEES	\$65 00	\$ _____
		DEVELOPER'S AGREEMENT PREP / REVIEW	\$600 00	\$ _____
		STORMWATER MANAGEMENT PLAN PREPARATION	\$150 00	\$ _____
		LETTER OF CREDIT ADMINISTRATIVE FEE	\$150 00	\$ _____
		PLAT REAPPLICATION NON-SUBSTANTIAL CHANGE	\$150 00	\$ _____
		AFFIDAVIT OF CORRECTION (\$100 Staff + \$150 Plan Commission)	\$250 00	\$ _____
		LAND COMBO PERMIT (\$100 Staff + \$150 Plan Commission)	\$250 00	\$ _____
100 06 18 01 4346	3-348	GIS SERVICES – LAND RECORDS FEE (Land Division)	\$80 00 x _____ Lots/Outlots	\$ _____
100 06 18 01 4346	3 358	GIS LAND RECORD CAPITAL CHARGE	\$20 00 x _____ Lots/Outlots	\$ _____
		<b><u>DEVELOPER'S DEPOSIT</u></b>		
507 00 00 00 _____	71	NEW / REPLENISH		\$ _____

\$10

<b>CONSERVATION FINAL PLAT FEES</b>			
100 06 18 01 4330	3-306	<b>CONSERVATION SUBDIVISION FEES</b>	
		CONSERVATION EASEMENT PREPARATION	\$50 00 \$ _____
		OPEN SPACE MANAGEMENT PLAN PREPARATION	
		BASE FEE	\$100 00 \$ _____
		+ \$25 FOR EACH LAND COVER TYPE PER AES	\$25 00 X _____ TYPES \$ _____
<b>DEDICATION FEES (For CSMs/Plats Submitted After May 21, 2008)</b>			
203 08 94 74 4427	4-475	<b>FEE IN LIEU OF PARK DEDICATION</b>	
		\$1,881 00 PER SINGLE_FAMILY BUILDABLE LOT OR UNIT	\$1,881 00 x _____ = \$ _____
		\$1,400 00 PER MULTI_FAMILY BUILDABLE LOT OR UNIT	\$1,400 00 x _____ = \$ _____
215 06 00 00 4430	4-477	<b>FEE IN LIEU OF CONSERVATION LAND DEDICATION</b>	
		\$580 00 PER DEVELOPED ACRE	\$580 00 x _____ = \$ _____
215 06 00 00 4431	4-478	<b>FEE IN LIEU OF CONSERVATION TRAIL DEDICATION</b>	
		\$60 00 PER SINGLE_FAMILY BUILDABLE LOT OR UNIT	\$60 00 x _____ = \$ _____
		\$45 00 PER MULTI_FAMILY BUILDABLE LOT OR UNIT	\$45 00 x _____ = \$ _____
<b>MISCELLANEOUS FEES</b>			
100 06 18 01 4330	3-306	<b>STANDARD MAPS</b>	
		18" - \$4 00 standard / \$8 00 glossy	\$ _____
		24" - \$6 00 standard / \$12 00 glossy	\$ _____
		36" - \$10 00 standard / \$20 00 glossy	\$ _____
		<b>CUSTOM MAPS</b>	
		Standard Paper / Glossy Paper \$2 00 sq ft / \$4 00 sq ft	\$ _____
		\$60 00/hr (15 min increments) \$60 00/hr	\$ _____
		CD / DVD (FTP / Email – Free) \$3 00 / \$5 00	\$ _____
		<b>SPECIAL REVIEW ADMINSTRATIVE FEE</b>	\$100 00 \$ _____
100 02 25 00 4250	3-350	<b>KIP COPIES</b>	
		Black/White \$1 00 sq ft / Color \$2 00 sq ft	\$ _____
		<b>COPIES</b> Black & White (\$0 25 per page) Color (\$0 50 per page) / Bid Books	\$ _____
		<b>SCANNING FEE</b>	\$10 00 \$ _____
		Other _____	\$ _____
<b>BUILDING/ENGINEERING FEES</b>			
100 02 25 00 4250	3-350	Permit Fees	\$ _____
<b>TOTAL FEES</b>			<b>\$ _____</b>

**Credit Card Payments Staff Notes**

- Multiple credit card purchases must be made if paying between two listed account numbers above
- Credit card payments made to the below referenced accounts will require a journal entry transfer of monies in the days following the purchase. A subsequent journal entry will have to be made by staff transferring any amounts paid to the following accounts from Account #100 06 18 01 4330 Give copy of fee sheet to Kellie if this occurs
  - Developer's Deposit
  - Dedication Fees including Park Dedication, Conservation Land & Trail Dedications
  - GIS Services-Land Records Fee
  - GIS Land Record Capital Charge





**PLAN COMMISSION APPLICATION**  
**DEADLINE FOR SUBMISSION:**  
**4 WEEKS PRIOR TO PLAN COMMISSION MEETING**

*It is the applicant's responsibility to contact the Community Development Department prior to any submittal. It is also suggested that the applicant contact the District Alderperson and Mayor to discuss the proposed development. Refer to the application submission requirements on the City website. Payment is due at the time of submission.*

**PLEASE TYPE OR PRINT. ILLEGIBLE OR INCOMPLETE APPLICATIONS WILL BE RETURNED.**

**APPLICANT INFORMATION**

Name	
Company	
Address	
City, State Zip	
Phone	
Email	
<b>Applicant Representative (if applicable)</b>	
Name	
Company	
Email/Phone	

**PROPERTY INFORMATION (List all in proposal)**

Address(es)	
Tax Key(s)	
Zoning District(s)	
Property Owner(s)	
Property Owner(s) Contact	

**APPLICATION TYPE (Select all that apply)**

- |  |   |
|--|---|
| <input type="checkbox"/> Site & Building Plan Review - \$850       | <input type="checkbox"/> Comprehensive Plan Amendment - \$1,000         |
| <input type="checkbox"/> Certified Survey Map - \$525              | <input type="checkbox"/> Zoning Text Amendment - \$1,000                |
| <input type="checkbox"/> Lot Line Adjustment (no new lots) - \$275 | <input type="checkbox"/> Official Map Amendment - \$1,000               |
| <input type="checkbox"/> Conditional Use Permit - \$1,250          | <input type="checkbox"/> Preliminary Subdivision Plat - \$750           |
| <input type="checkbox"/> Conditional Use Permit Amendment - \$950  | <input type="checkbox"/> Final Subdivision Plat - \$875                 |
| <input type="checkbox"/> Temporary Use / Use Approval - \$600      | <input type="checkbox"/> Condominium Plat - \$875                       |
| <input type="checkbox"/> Rezoning - \$775                          | <input type="checkbox"/> Landscaping Plan Review (if separate) - \$550  |
| <input type="checkbox"/> Sign Plan Review - \$550                  | <input type="checkbox"/> Lighting Plan Review (if separate) - \$550     |
| <input type="checkbox"/> Planned Unit Development (PUD) - \$1,700  | <input type="checkbox"/> Affidavit of Correction - \$275                |
| <input type="checkbox"/> Amendment to PUD - \$1,100                | <input type="checkbox"/> Right-of-Way Vacation - \$1,000                |
| <input type="checkbox"/> Plan Commission Consultation - \$400      | <input type="checkbox"/> Special PC Meeting - \$35/citizen member + app |

Expedited Review (select application type above) – Application fee + 50%  
*By checking this box and signing this application form, Applicant/Representative acknowledges and understands that expedited reviews are not guaranteed. Requests for expedited reviews will only be considered where permissible given available staff resources and public notice requirements.*

Signature \_\_\_\_\_ Date \_\_\_\_\_

Date Submitted _____	<b>FOR OFFICE USE ONLY</b>	Accepted by _____
Amount Paid _____		

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<b>APPROVAL</b>	<b>REQUEST FOR COUNCIL ACTION</b>	<b>MEETING DATE</b> 08/06/24
<b>REPORTS &amp; RECOMMENDATIONS</b>	<b>STANDARDS, FINDINGS AND DECISION OF THE CITY OF FRANKLIN COMMON COUNCIL UPON THE APPLICATION OF JOHN SPITZ, FOX GLEN CORPORATE CENTRE, LLC, APPLICANT, FOR A SPECIAL EXCEPTION TO CERTAIN NATURAL RESOURCE PROVISIONS OF THE CITY OF FRANKLIN UNIFIED DEVELOPMENT ORDINANCE</b>	<b>ITEM NUMBER</b>  M.5.  District 4

At their meeting on June 26, 2024, the Environmental Commission recommended approval of the Special Exception to natural resource provisions of the Unified Development Ordinance. The Commission’s Special Exception application review and recommendation is appended here.

The public hearing for this item was opened at the regular meeting of the Plan Commission on July 18, 2024. Following a properly noticed public hearing, the Commission recommended approval of the requested exception.

The Environmental and Plan Commission’s recommendation has been reflected in the Decision section of the attached draft Standards, Findings, and Decision document, attached here.

The NRSE request is to allow for impacts to wetland buffer, and wetland setback to allow for restoration of these features as part of the resolution of an enforcement case for unpermitted fill.

**COUNCIL ACTION REQUESTED**

Adopt the standards, findings and decision of the City of Franklin Common Council upon the application of John Spitz, Fox Glen Corporate Centre, LLC Applicant, for a special exception to certain natural resource provisions of the City of Franklin Unified Development Ordinance.



REPORT TO THE PLAN COMMISSION

Meeting of July 18, 2024
Natural Resource Special Exception

RECOMMENDATION: City Development staff recommends approval of the Natural Resource Special Exception request, subject to the conditions in the draft Environmental Commission recommendation.

Table with 2 columns: Label (Project Name, Property Owner, Applicant, etc.) and Value (Fox Glen NRSE, Jeff Knauf, etc.)

This property, once a farm field, is the former location of an indoor golf facility, and subsequently, a concrete batch plant to support redevelopment of the I-94 freeway. It has also been the subject of complaints related to placement of fill and dumping. In 2023, the Wisconsin Department of Natural Resources began enforcement for violations of wetland protection statutes and ordinances on the property. The applicant's request is to allow for impacts to wetland buffer and setback as a result of the stockpiling of soils and placement of fill.

The properties include wetland with buffer and setback, river shoreline, woodland, environmental corridor, and floodplain.

General Site History:

- Farmed
1999 - Stormwater Detention pond and Golf Facility constructed
Demolition in 2018 and 2019
Temporary Use for construction - 2017
Temporary Use for Concrete Batch Plant - 2018
Continued use of the site after expiration of Temporary Use approval
2021 Complaints to Engineering and Planning - still open / ongoing
2023 DNR began enforcement on wetland violations
Temporary Use for stay of enforcement of local natural resource protection ordinances

**PROJECT ANALYSIS:**

The application is requesting approval for grading in wetland buffer to remove fills, and to allow restoration of the buffer and setback.

1. Unified Development Ordinance Section(s) from which Special Exception is requested: *§15-4.0100 – for impacts to wetland buffer Steep slopes present onsite are not naturally occurring*
2. Nature of the Special Exception requested (description of resources, encroachment, distances and dimensions): *After-the-fact approval of impacts to wetland buffer*
  - a. *11027 S 27TH ST / 978 9998 000. 31,629 S F. (0.73 AC) and,*
  - b. *0 W South County Line Rd. / 978 9999 001. 19,784 S F. (0.45 AC) and;*

The applicant requested, and Plan Commission granted, approval of a Temporary Use in lieu of a stay of enforcement for these issues on May 9, 2024. The Temporary Use was to facilitate the sale of the property to future developers. A copy of the adopted resolution is provided.

**Additional Natural Resource Impacts**

The DNR determined that the former stormwater pond on the site is an exempt artificial wetland. It is therefore not regulated by local natural resource ordinances, and the pond has been filled.

During review of the Temporary Use request, staff noted changes to the topography of areas that are part of the federally regulated floodplain. The applicant states that this work was granted permits as part of the golf dome development in 1999. Under current regulations, such changes require an NRSE and Land Use Permit, and an amendment to the Federal Insurance Rate Maps (FIRMs) in the form of an approval for a Letter of Map Revision from the Federal Emergency Management Agency (FEMA). The property is also part of the FEMA Community Assistance Visit (CAV) compliance program; the City is developing a recommended action plan to resolve the CAV issues, which are related to gravel drives on the lot.

The Planning and Engineering departments are reviewing to determine the history of the permits issued to this site. If it is found that the applicant did their due diligence at the time of work with regards to floodplain alterations, Staff recommends that the current NRSE include a conditional approval to allow for the existing topography changes, provided that the applicant obtains the necessary related approvals from other agencies for the currently existing grade, and is not required by those approvals to mitigate the work or further alter the site.

If the outside approval process requires additional changes to or restoration of the grade, compensatory storage, or any other alteration of the site within the regulatory floodplain, then Staff

recommends, and the UDO will require, that the applicant must obtain necessary local permits and approvals under the current ordinance, in addition to permits from other jurisdictions.

### Proposed restoration

The applicant proposes restoration to impacted wetland buffer and setback using native prairie seed mixes. The applicant must include maintenance information/guarantees in proposed restoration plans; staff recommends that this maintenance be for not less than 3 years.

Once restoration is complete, protections during and after the completion of other grading work should be put in place. Staff recommended that the applicant install construction fencing to protect wetland, buffer and setback from further encroachments during fill removal work, and then place boulders, fencing, or other permanent boundary to protect the wetland buffer on site after completion of site remediation.

### ENVIRONMENTAL COMMISSION RECOMMENDATION

Also attached is a document titled, “City of Franklin Environmental Commission” that the Environmental Commission must complete and forward to the Common Council. The questions and statements on this document correspond with the Natural Resource Special Exception (NRSE) application questions and statements that the applicant has answered and addressed. Staff recommendations were incorporated into the draft Environmental Commission Special Exception Review and Recommendation as proposed conditions of approval. These recommendations are further contained in the decisions section of the attached draft Standards, Findings and Decision of the City of Franklin document.

The Environmental Commission reviewed this application at their June 26, 2024 meeting. They recommended that the proposed conditions include specific seed mixes more appropriate to wetland ecology, and an explicit requirement that temporary construction fencing protecting natural resources be removed after work is complete. Their recommended conditions of approval are reflected in the draft Standards, Findings and Decision of the City of Franklin Common Council.

### STAFF RECOMMENDATION

City Development Staff recommends approval of this request for an NRSE to allow for restoration of wetland buffer and setback impacts, and to floodplain, subject to the conditions in the draft recommendation.

Attachments:

- Draft Standards Findings and Decision of the City of Franklin Common Council
- Environmental Commission Recommendation Form
- PC RES2024-015 Temporary Use Fox Glen Corporate Centre, LLC 11027 S. 27th St
- Applicant packet

*Draft July 30, 2024*

Standards, Findings and Decision  
of the City of Franklin Common Council upon the Application of John Spitz, Fox  
Glen Corporate Centre, LLC, applicant, for a Special Exception  
to Certain Natural Resource Provisions of the City of Franklin  
Unified Development Ordinance

Whereas, John Spitz, Fox Glen Corporate Centre, LLC, applicant, having filed an application dated September 3, 2021, for a Special Exception pursuant to Section 15-9.0110 of the City of Franklin Unified Development Ordinance pertaining to the granting of Special Exceptions to Stream, Shore Buffer, Navigable Water-related, Wetland, Wetland Buffer and Wetland Setback Provisions, and Improvements or Enhancements to a Natural Resource Feature; a copy of said application being annexed hereto and incorporated herein as Exhibit A; and

Whereas, the application having been reviewed by the City of Franklin Environmental Commission and the Commission having made its recommendation upon the application, a copy of said recommendation dated June 26, 2024 being annexed hereto and incorporated herein as Exhibit B; and

Whereas, following a public hearing before the City of Franklin Plan Commission, the Plan Commission having reviewed the application and having made its recommendation thereon as set forth upon the report of the City of Franklin Planning Department, a copy of said report dated July 18, 2024 being annexed hereto and incorporated herein as Exhibit C; and

Whereas, the property which is the subject of the application for a Special Exception is located at 11027 S 27TH ST / 978 9998 000 and 0 W South County Line Rd. / 978 9999 001, zoned Planned Development District 39, and such property is more particularly described upon Exhibit D annexed hereto and incorporated herein; and

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

Now, Therefore, the Common Council makes the following findings pursuant to Section 15-10.0208B.2.a., b. and c. of the Unified Development Ordinance upon

the application for a Special Exception dated April 22, 2024, by John Spitz, Fox Glen Corporate Centre, LLC, applicant, pursuant to the City of Franklin Unified Development Ordinance, the proceedings heretofore had and the recitals and matters incorporated as set forth above, recognizing the applicant as having the burden of proof to present evidence sufficient to support the following findings and that such findings be made by not less than four members of the Common Council in order to grant such Special Exception.

1. That the condition(s) giving rise to the request for a Special Exception were not self-imposed by the applicant (this subsection a. does not apply to an application to improve or enhance a natural resource feature): *Not Applicable.*
2. That compliance with the stream, shore buffer, navigable water-related, wetland, wetland buffer, and wetland setback requirement will:
  - a. be unreasonably burdensome to the applicant and that there are no reasonable practicable alternatives; *or*
  - b. unreasonably and negatively impact upon the applicant's use of the property and that there are no reasonable practicable alternatives: *The applicant proposes to restore impacted resources as required by City of Franklin UDO Part 4.*
3. The Special Exception, including any conditions imposed under this Section will:
  - a. be consistent with the existing character of the neighborhood; *and*
  - b. not effectively undermine the ability to apply or enforce the requirement with respect to other properties; *and*
  - c. be in harmony with the general purpose and intent of the provisions of this Ordinance proscribing the requirement; *and*
  - d. preserve or enhance the functional values of the stream or other navigable water, shore buffer, wetland, wetland buffer, and/or wetland setback in co-existence with the development: *(this finding only applying to an application to improve or enhance a natural resource feature). The applicant proposes to restore impacted resources as required by City of Franklin UDO Part 4*

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

1. Characteristics of the real property, including, but not limited to, relative placement of improvements thereon with respect to property boundaries or otherwise applicable setbacks: *The property is currently vacant of structures*



2. Any exceptional, extraordinary, or unusual circumstances or conditions applying to the lot or parcel, structure, use, or intended use that do not apply generally to other properties or uses in the same district: *The applicant proposes to restore impacted resources as required by City of Franklin UDO Part 4.*
3. Existing and future uses of property; useful life of improvements at issue; disability of an occupant: *The property is currently vacant of structures. The site is zoned Planned Development District 39 which allows for light manufacture, office, and other business uses.*
4. Aesthetics: *The applicant proposes to restore impacted resources as required by City of Franklin UDO Part 4.*
5. Degree of noncompliance with the requirement allowed by the Special Exception: *None. The applicant proposes to restore impacted resources as required by City of Franklin UDO Part 4.*
6. Proximity to and character of surrounding property: *area of impact is in the middle of these lots which are currently vacant of structures.*
7. Zoning of the area in which property is located and neighboring area: *PDD 39 (north and west), Outside corporate boundary (south and east).*
8. Any negative affect upon adjoining property: *The applicant proposes to restore impacted resources as required by City of Franklin UDO Part 4.*
9. Natural features of the property: *Wetland with buffer and setback, river shoreline, woodland, environmental corridor, floodplain.*
10. Environmental impacts: *The applicant proposes to restore impacted resources as required by City of Franklin UDO Part 4.*
11. A recommendation from the Environmental Commission as well as a review and recommendation prepared by an Environmental Commission-selected person knowledgeable in natural systems: *The Environmental Commission recommendation and its reference to the report of June 26<sup>th</sup>, 2024 is incorporated herein*
12. The practicable alternatives analysis required by Section 15-9.0110C.4. of the Unified Development Ordinance and the overall impact of the entire proposed use or structure, performance standards and analysis with regard to the impacts of the proposal, proposed design solutions for any concerns under the Ordinance, executory actions which would maintain the general intent of the Ordinance in question, and other factors relating to the purpose and intent of the Ordinance section imposing the

requirement: *The Plan Commission recommendation and the Environmental Commission recommendation address these factors and are incorporated herein.*

### Decision

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

- 1. that the natural resource features and mitigation areas upon the properties to be developed be protected by a perpetual conservation easement to be approved by the Common Council prior to any development within the areas for which the Special Exception is granted prior to the issuance of any Occupancy Permits;*
- 2. that the applicant obtain all other necessary approval(s) from all other applicable governmental agencies prior to any development within the areas for which the Special Exception is granted;*
- 3. that all development within the areas for which the Special Exception is granted shall proceed pursuant to and be governed by the approved Natural Resource Protection Plan and all other applicable plans for John Spitz, Fox Glen Corporate Centre, LLC, applicant, and all other applicable provisions of the Unified Development Ordinance.*
- 4. If it is found that the applicant did their due diligence at the time of work with regards to floodplain alterations, then this approval also allows for the existing topography changes within the FEMA Federal Insurance Rate Map (FIRM) flood areas, provided that the applicant obtains the necessary related approvals from other agencies for the currently existing grade, and is not required by those approvals to mitigate the work or further alter the site.*
- 5. If the outside approval process requires additional changes to or restoration of the grade within the FEMA Federal Insurance Rate Map (FIRM) flood areas, compensatory storage, or any other alteration of the site within the regulatory floodplain, then the applicant must obtain necessary local permits and approvals under the current ordinance.*
- 6. The applicant must include maintenance information/guarantees in proposed restoration plans.*
- 7. The applicant shall provide for a diverse native seed mix, including short and long stem grasses and forbs, to be planted in restoration areas.*
- 8. Once restoration is complete, the applicant shall install construction fencing to protect wetland, buffer and setback from further encroachments during fill removal work, and remove the construction fencing when work is complete.*
- 9. The applicant shall place boulders, fencing, or other permanent boundary in such a way that the wetland buffer cannot be encroached upon or mowed after completion of restoration.*

*The duration of this grant of Special Exception is permanent.*

Introduced at a regular meeting of the Common Council of the City of Franklin this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

APPROVED:

\_\_\_\_\_  
John R. Nelson, Mayor

ATTEST:

\_\_\_\_\_  
Shirley J. Robinson, City Clerk

AYES \_\_\_\_\_ NOES \_\_\_\_\_ ABSENT \_\_\_\_\_

**City of Franklin Environmental Commission**

TO: Common Council  
DATE: June 26, 2024  
RE: Special Exception application review and recommendation  
APPLICATION: John Spitz, Fox Glen Corporate Centre, LLC, Applicant,  
11027 S 27TH ST / 978 9998 000 and  
0 W South County Line Rd. / 978 9999 001

**I. §15-9.0110 of the Unified Development Ordinance Special Exception to Natural Resource Feature Provisions Application information:**

1. Unified Development Ordinance Section(s) from which Special Exception is requested: *§15-4.0100 – for impacts to wetland buffer. Steep slopes present onsite are not naturally occurring.*
2. Nature of the Special Exception requested (description of resources, encroachment, distances and dimensions): *After-the-fact approval of impacts to wetland buffer.*
  - a. *11027 S 27TH ST / 978 9998 000. 31,629 S F. (0.73 AC) and,*
  - b. *0 W South County Line Rd. / 978 9999 001 19,784 S.F. (0 45 AC) and;*

*After-the-fact approval of impacts to floodplain*
3. Applicant's reason for request: *to restore impacts to wetland buffers and setbacks as a result of grading and fill*
4. Applicant's reason why request appropriate for Special Exception: *without approval, the impacted condition will persist.*

**II. Environmental Commission review of the §15-9.0110C.4.f. Natural Resource Feature impacts to functional values:**

1. Diversity of flora including State and/or Federal designated threatened and/or endangered species: *Applicable*
2. Storm and flood water storage: *Applicable*
3. Hydrologic functions: *Applicable*
4. Water quality protection including filtration and storage of sediments, nutrients or toxic substances: *Applicable*
5. Shoreline protection against erosion: *Applicable*



- b. not effectively undermine the ability to apply or enforce the requirement with respect to other properties: ; and
- c. be in harmony with the general purpose and intent of the provisions of this Ordinance proscribing the requirement: ; and
- d. preserve or enhance the functional values of the stream or other navigable water, shore buffer, wetland, wetland buffer, and/or wetland setback in co-existence with the development (*this finding only applying to an application to improve or enhance a natural resource feature*): *The applicant proposes to restore impacted resources as required by City of Franklin UDO Part 4.*

**IV. Environmental Commission review of the §15-10.0208B.2.a., b. and c. factors and recommendations as to findings thereon:**

1. Characteristics of the real property, including, but not limited to, relative placement of improvements thereon with respect to property boundaries or otherwise applicable setbacks: *The property is currently vacant of structures.*
2. Any exceptional, extraordinary, or unusual circumstances or conditions applying to the lot or parcel, structure, use, or intended use that do not apply generally to other properties or uses in the same district: *The applicant proposes to restore impacted resources as required by City of Franklin UDO Part 4.*
3. Existing and future uses of property; useful life of improvements at issue; disability of an occupant: *The property is currently vacant of structures The site is zoned Planned Development District 39 which allows for light manufacture, office, and other business uses.*
4. Aesthetics: *The applicant proposes to restore impacted resources as required by City of Franklin UDO Part 4.*
5. Degree of noncompliance with the requirement allowed by the Special Exception: *None. The applicant proposes to restore impacted resources as required by City of Franklin UDO Part 4.*
6. Proximity to and character of surrounding property: *area of impact is in the middle of these lots which are currently vacant of structures.*
7. Zoning of the area in which property is located and neighboring area: *PDD 39 (north and west), Outside corporate boundary (south and east)*
8. Any negative affect upon adjoining property: *The applicant proposes to restore impacted resources as required by City of Franklin UDO Part 4*

9. Natural features of the property: *Wetland with buffer and setback, river shoreline, woodland, environmental corridor, floodplain.*

10. Environmental impacts: *The applicant proposes to restore impacted resources as required by City of Franklin UDO Part 4.*

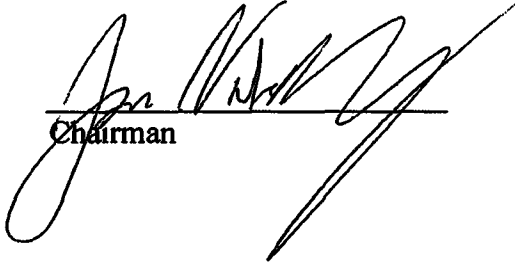
#### **V. Environmental Commission Recommendation:**

The Environmental Commission has reviewed the subject Application pursuant to §15-10.0208B. of the Unified Development Ordinance and makes the following recommendation:

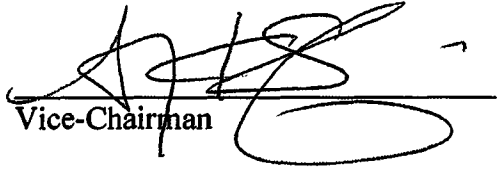
1. The recommendations set forth in Sections III. and IV. Above are incorporated herein.
2. The Environmental Commission recommends approval of the Application upon the aforesaid recommendations for the reasons set forth therein.
3. The Environmental Commission recommends that should the Common Council approve the Application, that such approval be subject to the following conditions:
  - a. If it is found that the applicant did their due diligence at the time of work with regards to floodplain alterations, then this approval also allows for the existing topography changes within the FEMA Federal Insurance Rate Map (FIRM) flood areas, provided that the applicant obtains the necessary related approvals from other agencies for the currently existing grade, and is not required by those approvals to mitigate the work or further alter the site.
  - b. If the outside approval process requires additional changes to or restoration of the grade within the FEMA Federal Insurance Rate Map (FIRM) flood areas, compensatory storage, or any other alteration of the site within the regulatory floodplain, then the applicant must obtain necessary local permits and approvals under the current ordinance.
  - c. The applicant must include maintenance information/guarantees in proposed restoration plans.
  - d. The applicant shall provide for a diverse native seed mix, including short and long stem grasses and forbs, to be planted in restoration areas.
  - e. Once restoration is complete, the applicant shall install construction fencing to protect wetland, buffer and setback from further encroachments during fill removal work, and remove the construction fencing when work is complete.
  - f. The applicant shall place boulders, fencing, or other permanent boundary in such a way that the wetland buffer cannot be encroached upon or mowed after completion of restoration.

The above review and recommendation was passed and adopted at a regular meeting of the Environmental Commission of the City of Franklin on the 26<sup>TH</sup> day of JUNE, 2024.

Dated this 15 day of July, 2024.

  
Chairman

Attest:

  
Vice-Chairman



STATE OF WISCONSIN

CITY OF FRANKLIN  
PLAN COMMISSION

MILWAUKEE COUNTY

RESOLUTION NO. 2024-015

A RESOLUTION IMPOSING CONDITIONS AND RESTRICTIONS FOR  
THE APPROVAL OF A TEMPORARY USE FOR THE STOCKPILING OF SOIL, UPON  
PROPERTY LOCATED AT 11027 SOUTH 27TH STREET (TAX KEY NO. 978-9998-  
000) AND 0 WEST SOUTH COUNTY LINE ROAD (TAX KEY NO. 978-9999-001)  
(JEFF KNAUF, FOX GLEN CORPORATE CENTRE, LLC APPLICANT)

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WHEREAS, Jeff Knauf, Fox Glen Corporate Centre, LLC having petitioned the City of Franklin for the approval of a Temporary Use to allow for the stockpiling of soil located at 11027 South 27th Street (Tax Key No. 978-9998-000) and 0 West South County Line Road (Tax Key No. 978-9999-001), initially for a five year time period, and then amended to a 180 day time period, with regard to the facts that the subject property is in the process of being sold to a developer for new development on the property purposes, and that the soil stockpile on the property is in contact with wetland on the property, for which a Natural Resources Special Exception permit application has been filed, but which process has just commenced and will not be completed for some time; and

WHEREAS, City Engineering Department staff has recommended a postponement of enforcement of existing non-compliance issues on the property with regard to the soil stockpile, until at least the property owner has obtained the approval of a Natural Resources Special Exception, so the soil stockpile may then be moved upon and/or from same, and as the potential new development will provide for the use or removal of the soil stockpile for or from the entirety of the new development property; and

WHEREAS, the Plan Commission having found that the proposed Temporary Use, subject to conditions, meets the standards set forth under §15-3.0804 of the Unified Development Ordinance.

NOW, THEREFORE, BE IT RESOLVED, by the Plan Commission of the City of Franklin, Wisconsin, that the petition of Jeff Knauf, Fox Glen Corporate Centre, LLC for the approval of a Temporary Use to allow for the stockpiling of soil, 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. The approval granted hereunder is to assist in the conveyance of the subject property for new development purposes within Tax Incremental District No. 8, and for the time period of 180 days, understanding that City staff will not undertake enforcement actions with regard to the soil stockpile on the property not being in compliance with Federal, State or City laws, as the current property owner has filed an application for a Natural Resources Special Exception, which is necessary in order to move the soil stockpile upon and away from its current location, and property owner representatives have stated that compliance efforts will occur in conjunction with the grant of a

FOX GLEN CORPORATE CENTRE – TEMPORARY USE  
RESOLUTION NO. 2024-015

Page 2

Natural Resources Special Exception and with regard to the sale of the subject property for the new development, and that it is the property owner's and the potential purchaser's understanding that compliance with Federal, State and City laws is required, and that no enforcement by City staff pending the Natural Resources Special Exception application process, does not remove the ultimate enforcement of all laws, Federal, State and Local, which have to be complied with on the property, commencing no later than 180 days from the date of adoption hereof, if no compliance has by then been achieved.

2. Existing natural resources located on the property shall be kept undisturbed during the duration of this Temporary Use, except as may otherwise be provided under the issuance by the City of a Natural Resources Special Exception, an application for which has been filed by the property owner and is currently in process.
3. Materials and equipment shall not be stored on site.
4. The applicant shall provide revised materials depicting the location of FEMA Federal Insurance Rate Map (FIRM) flood areas.
5. Any temporary signage associated with this temporary use shall be approved by the Department of City Development.
6. This Temporary Use approval is contingent on the applicant receiving all applicable licenses/permits through the City of Franklin. This includes, but is not limited to, all necessary licenses/permits which are required through the Building Inspection Department, Clerks Office and Health Department, and any permitting from WI DNR or other regulatory bodies.

Introduced at a regular meeting of the Plan Commission of the City of Franklin this 9th day of May, 2024.

Passed and adopted at a regular meeting of the Plan Commission of the City of Franklin this 9th day of May, 2024.

APPROVED:



John R. Nelson, Mayor

ATTEST:



Shirley J. Roberts, City Clerk

AYES 5 NOES 0 ABSENT 1 (Commissioner Patrick Leon)

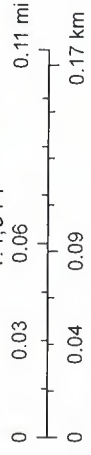
# City of Franklin Property Viewer



5/7/2024, 1:26:22 PM

 Parcel

1:4,514



SEWRPC, Maxar, City of Franklin, WI

07/08/2024

Attention:  
Marion Ecks  
Principal Planner  
City of Franklin, Department of Community Development  
9229 West Loomis Road  
Franklin, WI 53132

RE: NRSE Narrative- Fox Glen

This narrative is for an NRSE request for two existing lots located at the northwest corner of 27th Street and Countyline Road within the City of Franklin. This site was previously a driving range facility that included an enclosed structure, parking lot on the east side, and a detention/irrigation pond on the west side. Demolition work was completed in 2018 and 2019 onsite that included removing the main structure, removing the parking lot pavement, and filling the majority of the pond. Around this same time, the City of Franklin also needed to install a lift station, public sanitary and force mains, and a public watermain off County Line Road to the northwest. In connection with this project, the City needed a place to go with the excess material from digging the trenches. Fox Glen (John Spitz) and the City agreed to stockpile the dirt/material onsite citing its probable need for future grading requirements in connection with the overall future business park development potential of the site. Fox Glen obtained an NOI permit from the WI DNR that allowed the majority of the previously constructed pond to be filled in with the stockpiled dirt/materials and then graded.

Once the work was completed, the City reviewed the work and determined that some additional measures must be taken to bring the site back into compliance for both stormwater management and erosion control. This included revising the fill pile that was placed in the footprint of the former pond and removing and stabilizing the remaining gravel area of the former structure and parking lot. This was required as the impervious surface remained on the site from the former golf site that was not removed prior to the pond being filled in.

In addition to this, a new wetland delineation was completed in October of 2023 and a subsequent WDNR Artificial Determination and USACE Jurisdictional Determination were completed in November and December of 2023. This revealed that some of the fill pile was placed within the 30' wide City enforced wetland buffer areas. It was determined that no fill was placed in the actual wetlands, however. Per discussions with the City of Frankling Engineering and Planning Staff, this material must be removed from the wetland buffer area and restored accordingly with proper seeding. This is to bring the site back into compliance for erosion control and for stormwater management. Therefore, grading must be done within this area and is the reason for this NRSE request. Specifically, an exception for Section 15-4.0100 of the UDO is being requested. Steep slope areas will also be impacted as part of this, however, these areas are all a result of recently placed "manmade" fill or stockpiles onsite. The impacts are also not permitted per UDO Table 15-4.0100.

In addition to this NRSE request, a Temporary Use Permit has been granted for the site from the City in May of 2024. A Grading and Erosion Control Permit will also be applied for at the City as part of this. As the impacts will be over 1 AC in size to the site, an NOI with the WDNR will also need to be applied for prior to work starting.

Recently, it was also discovered that a portion of the existing floodplain boundary onsite (specifically the southeast corner of the property) does not match that of the online FEMA FIRM map database. In reviewing previous plans for the Golf Dome facility from the late 1990s, the grading plan showed this area being filled for the construction of the parking lot. This work, and any necessary approvals, occurred before Fox Glen took ownership of the site in 2004. Both the City and current Owner are looking to see if any approvals of this grading work are on file. Coordination regarding this remains ongoing for any potential needs for FEMA involvement or approvals.

Finally, a meeting on this site occurred with the City Environmental Commission on 6/26/24. A draft of the conditional approval items was provided to the Applicant and team on 7/2/24. Some of these items were discussed and acknowledged during the 6/26 meeting. However, a few of the items, in particular, Conditions 3c and 3f, were not fully discussed and understood at this meeting. Given this, the Owner/Applicant would appreciate the opportunity to discuss these in greater detail with City Staff and come up with feasible and economical ways to address these items.

Please let me know if you have any questions or comments during your review. We appreciate your understanding of this request.

Sincerely,

PINNACLE ENGINEERING GROUP



Matt Carey, P.E.

Project Manager Associate

## Natural Resource Special Exception Question and Answer Form.

### Questions to be answered by the Applicant

Items on this application to be provided in writing by the Applicant shall include the following, as set forth by Section 15-9.0110C. of the UDO.

- A. Indication of the section(s) of the UDO for which a Special Exception is requested

*Grading is necessary within the 30' wetland buffer to remove previously placed fill and gravel material. Specifically, an exception for Section 15-4 0100 of the UDO is being requested. Steep slope areas will also be impacted as part of this, however, these areas are all a result of recently placed "manmade" fill or stockpiles onsite. The impacts are not also permitted per UDO Table 15-4 0100.*

- B. Statement regarding the Special Exception requested, giving distances and dimensions where appropriate.

*Sheets C-2 thru C-5 of the attached grading plans show the areas within the wetland buffer that this is being requested for.*

- C. Statement of the reason(s) for the request

*This statement is for an NRSE request for two existing lots located at the northwest corner of 27th Street and Countyline Road. This site was previously a driving range facility that included an enclosed structure, parking lot on the east side, and a detention/irrigation pond on the west side. Demolition work was completed in 2018 and 2019 onsite that included removing the main structure, removing the parking lot pavement, and filling the majority of the pond. Once the work was completed, the City reviewed the work and determined that some additional measures must be taken to bring the site back into compliance for both stormwater management and erosion control. This included removing the fill pile that was placed in the footprint of the former pond and removing and stabilizing the remaining gravel area in the footprint of the former structure and parking lot area.*

*In addition to that, a new wetland delineation was completed in October of 2023 and a subsequent WDNR Artificial Determination and USACE Jurisdictional Determination were completed in November and December of 2023. What this revealed was that some of the fill pile was placed within the 30' wetland buffer areas. Per discussions with the City of Franklin Engineering and Planning Staff, this material must be removed from the buffer area. Therefore, grading must be done within this area and is the reason for this NRSE request.*

*In addition to this NRSE request, a Temporary Use Permit and Grading and Erosion Control Permit will be applied for at the City. As the impacts will be over 1 AC in size to the site, an NOI with the WDNR will also be applied for.*

- D. Statement of the reasons why the particular request is an appropriate case for a Special Exception, together with any proposed conditions or safeguards, and the reasons why the proposed Special Exception is in harmony with the general purpose and intent of the Ordinance. In addition, the statement shall address any exceptional, extraordinary, or unusual circumstances or conditions applying to the lot or parcel, structure, use, or intended use that do not apply generally to other properties or uses in the same district, including a practicable alternative analysis as follows:

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

- (a) Describe the project and its purpose in detail. Include any pertinent construction plans.

*Project is for proper removal of a previous existing golf driving range facility and stormwater detention/irrigation pond. The former site included an enclosed driving range structure, driving range itself, and parking lot area. Demolition did previously occur at this site, however, additional work is necessary to bring it into compliance, mainly for stormwater management and erosion control. Please refer to the attached grading and erosion control plans for additional information.*

- (b) State whether the project is an expansion of an existing work or new construction.

*Project is for additional grading and cleanup associated with previous demolition work.*

- (c) State why the project must be located in or adjacent to the stream or other navigable water, shore buffer, wetland, wetland buffer, and/or wetland setback to achieve its purpose.

*Per direction provided by the City of Franklin Engineering Staff, the previous fill material that was placed within the wetland buffer areas must be removed. This is to bring the site back into compliance for erosion control and for stormwater management as the former detention pond was filled.*

**2) Possible Alternatives.**

- (a) State all of the possible ways the project may proceed without affecting the stream or other navigable water, shore buffer, wetland, wetland buffer, and/or wetland setback as proposed.

*Not Applicable- Project can only proceed by removing fill material within the wetland buffer.*

- (b) State how the project may be redesigned for the site without affecting the stream or other navigable water, shore buffer, wetland, wetland buffer, and/or wetland setback.

*Not Applicable- Project can only proceed by removing fill material within the wetland buffer.*

- (c) State how the project may be made smaller while still meeting the project's needs.

*Not Applicable- Project can only proceed by removing fill material within the wetland buffer.*

- (d) State what geographic areas were searched for alternative sites.

*No other locations were considered as alternative sites for this as it applies to previous work that was completed onsite.*

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

*No other locations were considered as alternative sites for this as it applies to previous work that was completed State what will occur if the project does not proceed.*

*If this project does not proceed, the site will not be put back into compliance for the necessary stormwater and erosion control standards It will continue to negatively impact the adjacent wetlands and property owners from a drainage and water quality perspective*

**3) Comparison of Alternatives.**

- (a) State the specific costs of each of the possible alternatives set forth under sub 2., above as compared to the original proposal and consider and document the cost of the resource loss to the community

*Not Applicable- Project can only proceed by removing fill material within the wetland buffer and no other alternatives exist*

- (b) State any logistical reasons limiting any of the possible alternatives set forth under sub. 2., above

*Not Applicable- Project can only proceed by removing fill material within the wetland buffer and no other alternatives exist*

- (c) State any technological reasons limiting any of the possible alternatives set forth under sub 2., above

*Not Applicable- Project can only proceed by removing fill material within the wetland buffer and no other alternatives exist*

- (d) State any other reasons limiting any of the possible alternatives set forth under sub. 2., above

*Not Applicable- Project can only proceed by removing fill material within the wetland buffer and no other alternatives exist*

**4) Choice of Project Plan.**

State why the project should proceed instead of any of the possible alternatives listed under sub.2 , above, which would avoid stream or other navigable water, shore buffer, wetland, wetland buffer, and/or wetland setback impacts.

*Not Applicable- Project can only proceed by removing fill material within the wetland buffer and no other alternatives exist*



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

Describe in detail the stream or other navigable water shore buffer, wetland, wetland buffer, and/or wetland setback at the site which will be affected, including the topography, plants, wildlife, hydrology, soils and any other salient information pertaining to the stream or other navigable water, shore buffer, wetland, wetland buffer, and/or wetland setback

*The current proposed exception areas are to remove previously placed "man-made" fill and gravel within the 30' wetland buffer areas on the site. By doing this, it should actually improve and/or enhance the quality of the adjacent wetland areas and restore them to their previous state and function prior to the fill being placed there*

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

- a) Diversity of flora including State and/or Federal designated threatened and/or endangered species  Not Applicable  **Applicable**
- b) Storm and flood water storage.  Not Applicable  **Applicable**
- c) Hydrologic functions.  Not Applicable  **Applicable**
- d) Water quality protection including filtration and storage of sediments, nutrients or toxic substances.  Not Applicable  **Applicable**
- e) Shoreline protection against erosion  Not Applicable  **Applicable**
- f) Habitat for aquatic organisms.  Not Applicable  **Applicable**
- g) Habitat for wildlife.  Not Applicable  **Applicable**
- h) Human use functional value  Not Applicable  **Applicable**
- i) Groundwater recharge/discharge protection  **Not Applicable**  Applicable
- j) Aesthetic appeal, recreation, education, and science value.  Not Applicable  **Applicable**
- k) Specify any State or Federal designated threatened or endangered species or species of special concern  **Not Applicable**  Applicable
- l) Existence within a Shoreland  **Not Applicable**  Applicable
- m) Existence within a Primary or Secondary Environmental Corridor or within an Isolated Natural Area, as those areas are defined and currently mapped by the Southeastern Wisconsin Regional Planning Commission from time to time  **Not Applicable**  Applicable

Describe in detail any impacts to the above functional values of the stream or other navigable water, shore buffer, wetland, wetland buffer, and/or wetland setback:

*Removing the previously placed fill within the wetland buffer will benefit and enhance the items noted above as "applicable"*

7) **Water Quality Protection.**

Describe how the project protects the public interest in the waters of the State of Wisconsin.

*Wisconsin Storm Water Management Technical Standards will be implemented during construction to provide the necessary protection to the remaining unaffected wetlands located on the site*

*Specifically, the limits of wetland impact along the wetlands to remain will be defined through the installation of a double row of silt fence along with an orange construction fence line to provide a visual and structural barrier in an effort to prevent construction sediment from discharging into the wetland and also to delineate the limits of construction*

*A storm water pollution prevention plan ("SWPPP") and preconstruction meeting will be implemented to educate the contractors participating in the project and routine field inspections will occur to meet National Pollutant Discharge Elimination System requirements*



ONSITE CIVIL ENGINEERING INFRASTRUCTURE PLANS

FOR

# FOX GLEN PROPERTY GRADING

FRANKLIN, WI

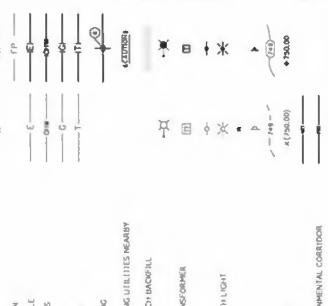
PLANS PREPARED FOR

## FOX GLEN CORPORATE CENTRE, LLC

ABBREVIATIONS	
1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20.	1. SANITARY SEWER MAIN 2. SANITARY SEWER MANHOLE 3. STORM SEWER MANHOLE 4. STORM SEWER CATCH BASIN (RECTANGULAR CASTING) 5. STORM SEWER CATCH BASIN (TRIANGULAR CASTING) 6. PRECAST FLARED END SECTION 7. CONCRETE HEADWALL 8. VALVE BOX 9. FIRE HYDRANT 10. CLEANOUT 11. SANITARY SEWER 12. FORCE MAIN 13. STORM SEWER 14. DRAIN TILE 15. WATER MAIN 16. FIRE PROTECTION 17. ELECTRICAL CABLE 18. OVERHEAD WIRES 19. GAS MAIN 20. TELEPHONE LINE

### LEGEND

EXISTING	PROPOSED
1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 15. 16. 17. 18. 19. 20.	1. SANITARY SEWER MAIN 2. SANITARY SEWER MANHOLE 3. STORM SEWER MANHOLE 4. STORM SEWER CATCH BASIN (RECTANGULAR CASTING) 5. STORM SEWER CATCH BASIN (TRIANGULAR CASTING) 6. PRECAST FLARED END SECTION 7. CONCRETE HEADWALL 8. VALVE BOX 9. FIRE HYDRANT 10. CLEANOUT 11. SANITARY SEWER 12. FORCE MAIN 13. STORM SEWER 14. DRAIN TILE 15. WATER MAIN 16. FIRE PROTECTION 17. ELECTRICAL CABLE 18. OVERHEAD WIRES 19. GAS MAIN 20. TELEPHONE LINE



LOCATION MAP  
SCALE: NTS

### BENCHMARKS

REFERENCE BENCHMARKS:  
 SE CORNER, SE 1/4 SEC. 36, T5N, R21E  
 N 30 W CORNER, WY BRASS CAP  
 N 30 W CORNER, WY BRASS CAP  
 (WISCONSIN STATE PLAN COORDINATE SYSTEM, SOUTH ZONE)  
 EL. = 677.33

### CONTACTS:

CIVIL ENGINEER  
 PINNACLE ENGINEERING GROUP  
 1000 W. WISCONSIN AVENUE, SUITE 100  
 FRANKLIN, WI 53120  
 (920) 775-9888

DESIGNER  
 PINNACLE ENGINEERING GROUP, LLC  
 1000 W. WISCONSIN AVENUE, SUITE 100  
 FRANKLIN, WI 53120  
 (920) 775-9888

CLIENT  
 FOX GLEN CORPORATE CENTRE, LLC  
 1000 W. WISCONSIN AVENUE, SUITE 100  
 FRANKLIN, WI 53120  
 (920) 775-9888

### PLAN DESIGN DELIVER

DATE: 11/11/2024

PROJECT: FOX GLEN CORPORATE CENTRE, LLC  
 1000 W. WISCONSIN AVENUE, SUITE 100  
 FRANKLIN, WI 53120  
 (920) 775-9888

DESIGNER: PINNACLE ENGINEERING GROUP, LLC  
 1000 W. WISCONSIN AVENUE, SUITE 100  
 FRANKLIN, WI 53120  
 (920) 775-9888

CLIENT: FOX GLEN CORPORATE CENTRE, LLC  
 1000 W. WISCONSIN AVENUE, SUITE 100  
 FRANKLIN, WI 53120  
 (920) 775-9888

### FOX GLEN PROPERTY GRADING

FRANKLIN, WI

### COVER SHEET

REVISIONS	DATE	BY	DESCRIPTION
1.			ADDED COMMENTS
2.			ADMINISTRATIVE

### INDEX OF SHEETS

NO.	TITLE
C-1	COVER SHEET
C-2	EXISTING CONDITIONS & DEMOLITION PLAN
C-3	GRADING PLAN
C-4 - C-5	EROSION CONTROL PLAN
C-6	CONSTRUCTION DETAILS

### GENERAL NOTES

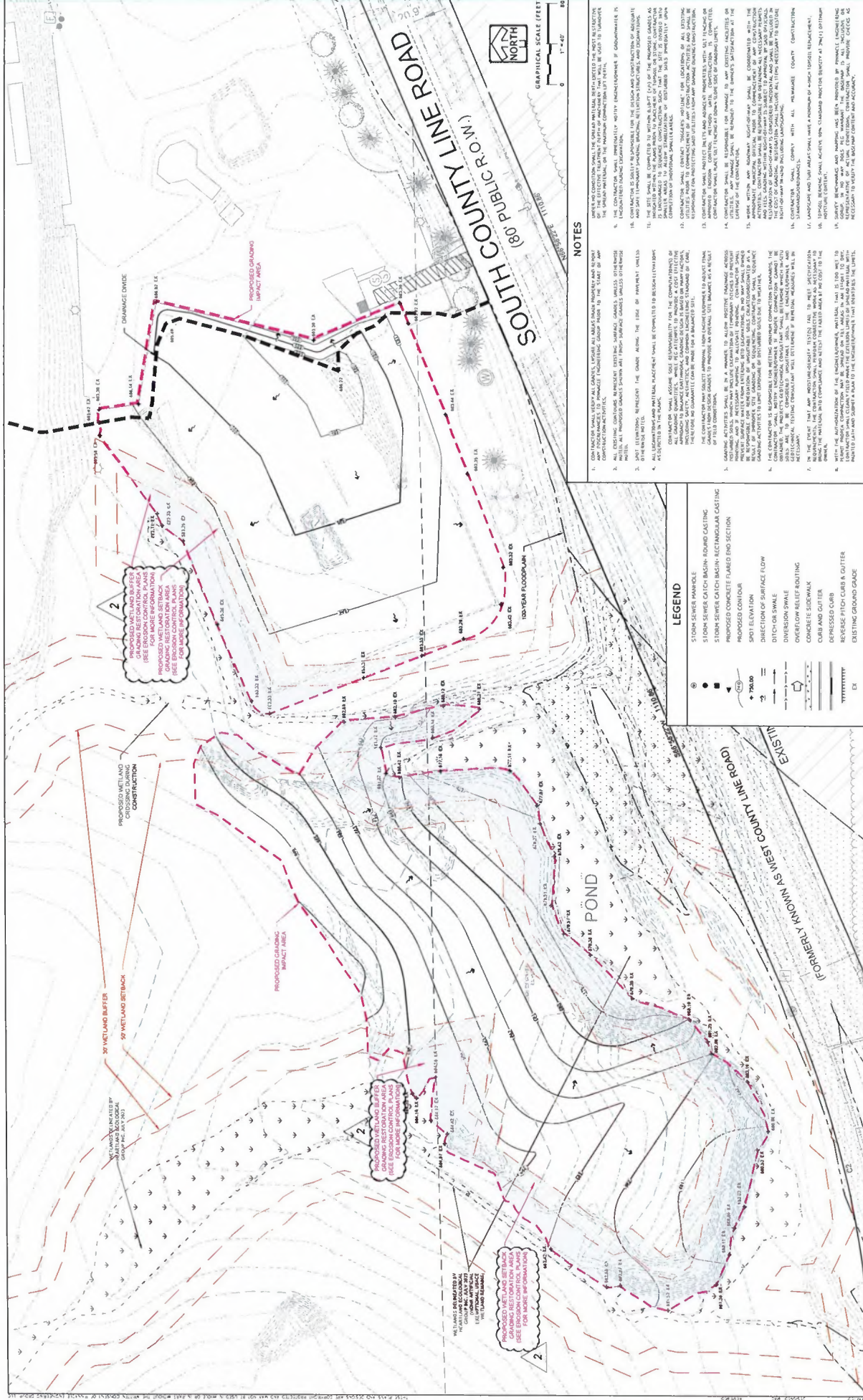
- THE INTENTION OF THE PLANS AND SPECIFICATIONS IS TO SET FORTH PERFORMANCE AND QUALITY STANDARDS FOR THE PROJECT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE, AND FEDERAL AGENCIES.
- ALL DIMENSIONS ARE UNLESS OTHERWISE SPECIFIED.
- ALL MATERIALS AND METHODS SHALL BE APPROVED BY THE ENGINEER BEFORE CONSTRUCTION.
- THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AND UTILITIES AT ALL TIMES.
- ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE, AND FEDERAL AGENCIES.
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- THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AND UTILITIES AT ALL TIMES.
- ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.

FOR REVIEW ONLY

**DIGGER HOTLINE**  
 Toll Free (800) 242-4851  
 1000 W. WISCONSIN AVENUE, SUITE 100  
 FRANKLIN, WI 53120  
 (920) 775-9888  
 www.DiggerHotline.com

NO.	DATE	BY	DESCRIPTION
1.			ADDED COMMENTS
2.			ADMINISTRATIVE





- NOTES**
1. CONTRACTOR SHALL VERIFY ALL GRADES UPON ALL ADJACENT PROPERTIES AND ADJUST GRADING AS NECESSARY TO MAINTAIN PROPER DRAINAGE PATTERNS.
  2. ALL EXISTING CONTOURS, NEAREST EXISTING SHARED GRADING, UNLESS OTHERWISE NOTED, SHALL BE USED TO DETERMINE PROPOSED GRADING.
  3. SPOT ELEVATIONS REPRESENT THE GRADE AT THE TIME OF PREPARATION UNLESS OTHERWISE NOTED.
  4. ALL GRADING SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME.
  5. CONTRACTOR SHALL MAINTAIN ALL EXISTING UTILITIES AND STRUCTURES UNLESS OTHERWISE NOTED.
  6. CONTRACTOR SHALL MAINTAIN ALL EXISTING UTILITIES AND STRUCTURES UNLESS OTHERWISE NOTED.
  7. CONTRACTOR SHALL MAINTAIN ALL EXISTING UTILITIES AND STRUCTURES UNLESS OTHERWISE NOTED.
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  19. CONTRACTOR SHALL MAINTAIN ALL EXISTING UTILITIES AND STRUCTURES UNLESS OTHERWISE NOTED.
  20. CONTRACTOR SHALL MAINTAIN ALL EXISTING UTILITIES AND STRUCTURES UNLESS OTHERWISE NOTED.

**LEGEND**

- STORM SEWER MANHOLE
- STORM SEWER CATCH BASIN- RECTANGULAR CASTING
- ▭ PROPOSED CONCRETE FLARED END SECTION
- PROPOSED CONTOUR
- SPOT ELEVATION
- DIRECTION OF SURFACE FLOW
- DITCH OR SWALE
- DIVERSION SWALE
- OVERFLOW RELIEF FOOTING
- CONCRETE SIDEWALK
- CURB AND GUTTER
- DEPRESSED CURB
- REVERSE PITCH CURB & GUTTER
- EXISTING GROUND GRADE

**REVISIONS**

NO.	DATE	DESCRIPTION

**GRADING PLAN**

**FOX GLEN PROPERTY GRADING**

FRANKLIN, WI

**PINNACLE ENGINEERING GROUP**  
 ENGINEERING NATIONAL RESOURCES SURVIVING

PROJECT: 20200747 FOX GLEN PROPERTY GRADING PLAN DWG

PLAN / DESIGN / DELIVER

DATE: 08/14/2020

BY: [Signature]

CHECKED BY: [Signature]

APPROVED BY: [Signature]

**SHEET**

C-3  
 of  
 C-6

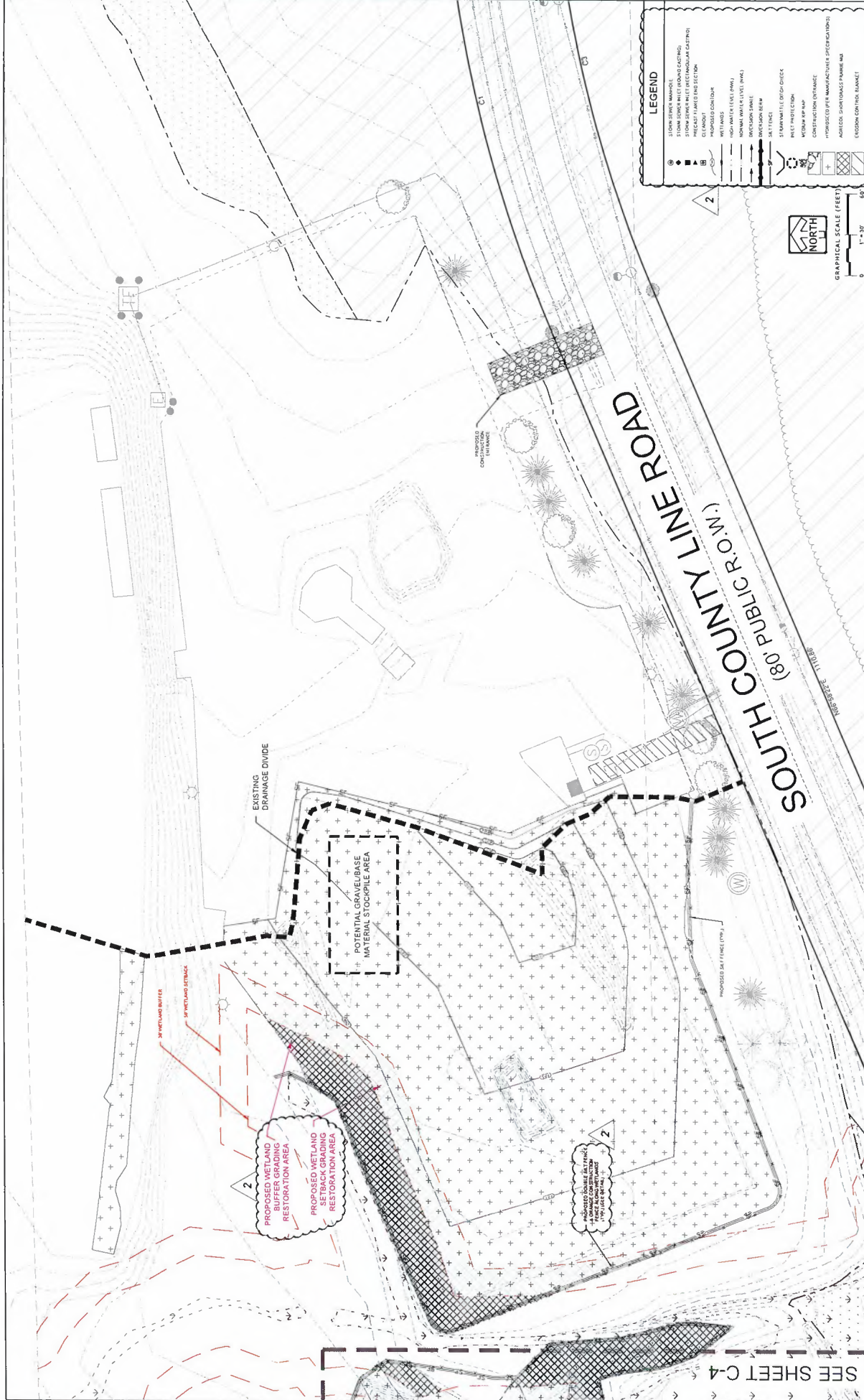
DATE: 08/14/2020

BY: [Signature]

CHECKED BY: [Signature]

APPROVED BY: [Signature]





**SEE SHEET C-4**

**PLANT DESIGN / DELIVER**

**PINNACLE ENGINEERING GROUP**  
 ENGINEERING / SURVEYING / LAND ACQUISITION / SUBMITTING

**FOX GLEN PROPERTY GRADING**

**EROSION CONTROL PLAN**

**FRANKLIN, WI**

**REVISIONS**

NO.	DATE	DESCRIPTION
1	05/04/21	ADDRESSED COMMENTS
2	06/04/21	ADDRESSED COMMENTS

**LEGEND**

- EXISTING STAKE MARKERS
- EXISTING DRAINAGE DIVIDE
- PROPOSED DRAINAGE DIVIDE
- PROPOSED 18" DIAMETER PIPE
- PROPOSED 24" DIAMETER PIPE
- PROPOSED 30" DIAMETER PIPE
- PROPOSED 36" DIAMETER PIPE
- PROPOSED 42" DIAMETER PIPE
- PROPOSED 48" DIAMETER PIPE
- PROPOSED 54" DIAMETER PIPE
- PROPOSED 60" DIAMETER PIPE
- PROPOSED 66" DIAMETER PIPE
- PROPOSED 72" DIAMETER PIPE
- PROPOSED 78" DIAMETER PIPE
- PROPOSED 84" DIAMETER PIPE
- PROPOSED 90" DIAMETER PIPE
- PROPOSED 96" DIAMETER PIPE
- PROPOSED 102" DIAMETER PIPE
- PROPOSED 108" DIAMETER PIPE
- PROPOSED 114" DIAMETER PIPE
- PROPOSED 120" DIAMETER PIPE
- PROPOSED 126" DIAMETER PIPE
- PROPOSED 132" DIAMETER PIPE
- PROPOSED 138" DIAMETER PIPE
- PROPOSED 144" DIAMETER PIPE
- PROPOSED 150" DIAMETER PIPE
- PROPOSED 156" DIAMETER PIPE
- PROPOSED 162" DIAMETER PIPE
- PROPOSED 168" DIAMETER PIPE
- PROPOSED 174" DIAMETER PIPE
- PROPOSED 180" DIAMETER PIPE
- PROPOSED 186" DIAMETER PIPE
- PROPOSED 192" DIAMETER PIPE
- PROPOSED 198" DIAMETER PIPE
- PROPOSED 204" DIAMETER PIPE
- PROPOSED 210" DIAMETER PIPE
- PROPOSED 216" DIAMETER PIPE
- PROPOSED 222" DIAMETER PIPE
- PROPOSED 228" DIAMETER PIPE
- PROPOSED 234" DIAMETER PIPE
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- PROPOSED 384" DIAMETER PIPE
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- PROPOSED 402" DIAMETER PIPE
- PROPOSED 408" DIAMETER PIPE
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- PROPOSED 420" DIAMETER PIPE
- PROPOSED 426" DIAMETER PIPE
- PROPOSED 432" DIAMETER PIPE
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- PROPOSED 510" DIAMETER PIPE
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- PROPOSED 528" DIAMETER PIPE
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- PROPOSED 546" DIAMETER PIPE
- PROPOSED 552" DIAMETER PIPE
- PROPOSED 558" DIAMETER PIPE
- PROPOSED 564" DIAMETER PIPE
- PROPOSED 570" DIAMETER PIPE
- PROPOSED 576" DIAMETER PIPE
- PROPOSED 582" DIAMETER PIPE
- PROPOSED 588" DIAMETER PIPE
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- PROPOSED 636" DIAMETER PIPE
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- PROPOSED 1074" DIAMETER PIPE
- PROPOSED 1080" DIAMETER PIPE
- PROPOSED 1086" DIAMETER PIPE
- PROPOSED 1092" DIAMETER PIPE
- PROPOSED 1098" DIAMETER PIPE
- PROPOSED 1104" DIAMETER PIPE
- PROPOSED 1110" DIAMETER PIPE
- PROPOSED 1116" DIAMETER PIPE
- PROPOSED 1122" DIAMETER PIPE
- PROPOSED 1128" DIAMETER PIPE
- PROPOSED 1134" DIAMETER PIPE
- PROPOSED 1140" DIAMETER PIPE
- PROPOSED 1146" DIAMETER PIPE
- PROPOSED 1152" DIAMETER PIPE
- PROPOSED 1158" DIAMETER PIPE
- PROPOSED 1164" DIAMETER PIPE
- PROPOSED 1170" DIAMETER PIPE
- PROPOSED 1176" DIAMETER PIPE
- PROPOSED 1182" DIAMETER PIPE
- PROPOSED 1188" DIAMETER PIPE
- PROPOSED 1194" DIAMETER PIPE
- PROPOSED 1200" DIAMETER PIPE

**GRAPHICAL SCALE (FEET)**  
 0 15 30 45 60

**SCALE**  
 1" = 30'

**SHEET**  
 C-5  
 OF  
 C-6

**PROJECT:** FOX GLEN PROPERTY GRADING

**DATE:** 05/04/21

**DRAWN BY:** [Name]

**CHECKED BY:** [Name]

**APPROVED BY:** [Name]

**PROJECT LOCATION:** FOX GLEN PROPERTY GRADING, FRANKLIN, WI

**PROJECT NUMBER:** [Number]

**DATE OF ISSUE:** 05/04/21

**DATE OF REVISION:** 06/04/21

**DATE OF NEXT REVISION:** [Date]

**DATE OF FINAL REVISION:** [Date]

**DATE OF AS-BUILT:** [Date]

**DATE OF CLOSEOUT:** [Date]

**DATE OF COMPLETION:** [Date]

**DATE OF FINAL AS-BUILT:** [Date]

**DATE OF FINAL CLOSEOUT:** [Date]

**DATE OF FINAL COMPLETION:** [Date]

**DATE OF FINAL AS-BUILT:** [Date]

**DATE OF FINAL CLOSEOUT:** [Date]

**DATE OF FINAL COMPLETION:** [Date]

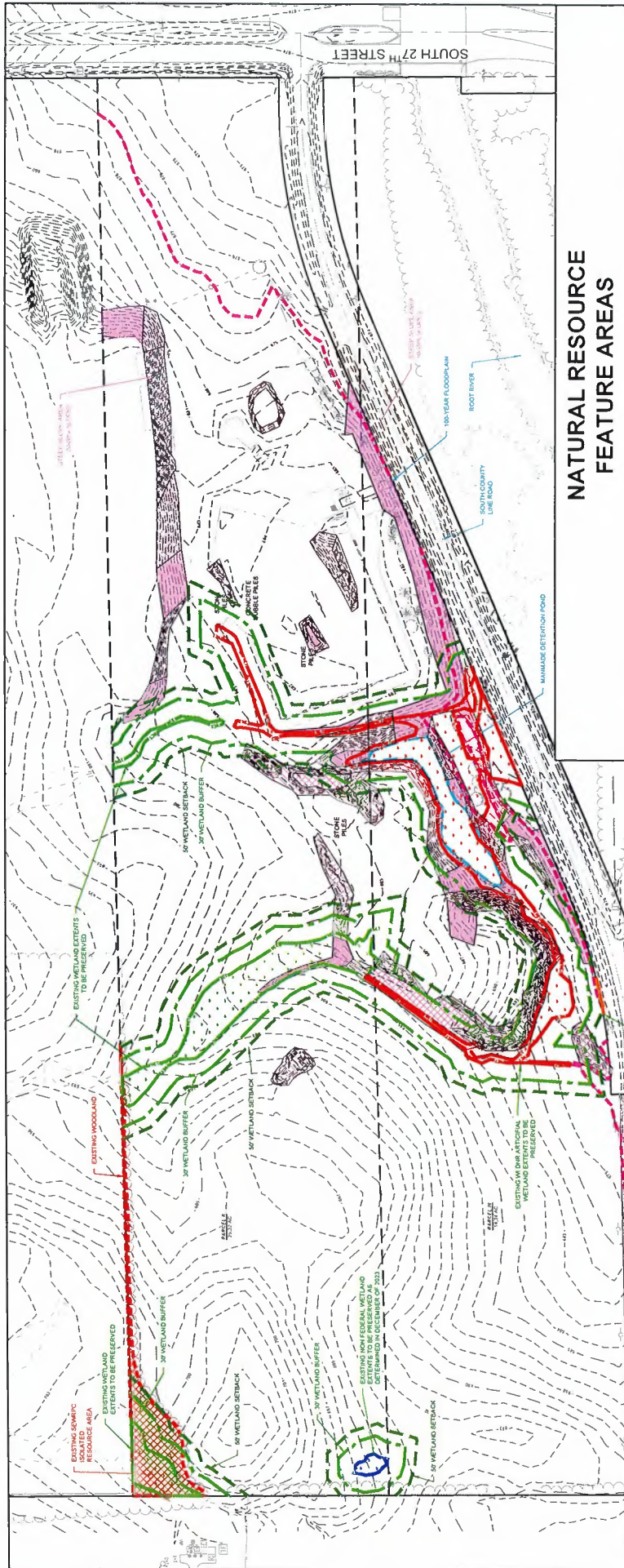
**DATE OF FINAL AS-BUILT:** [Date]

**DATE OF FINAL CLOSEOUT:** [Date]

**DATE OF FINAL COMPLETION:** [Date]







## NATURAL RESOURCE FEATURE AREAS

RESOURCE TYPE	PARCEL II (25.32 AC)			PARCEL III (14.24 AC)		
	AREAS OF RESOURCE	PROPOSED IMPACT AREA	REQUIRED*** MITIGATION AREA	AREAS OF RESOURCE	PROPOSED IMPACT AREA	REQUIRED*** MITIGATION AREA
<b>STEEP SLOPES AREA</b> - PER PEG SURVEYED CONTOURS - PER PEG SURVEYED CONTOURS	19,331 S.F. (0.44 AC)	1,550 S.F. (0.04 AC)	N/A - MANMADE STOCKPILES	39,845 S.F. (0.91 AC)	5,378 S.F. (0.12 AC)	N/A - MANMADE STOCKPILES
<b>STEEP SLOPES AREA</b> - PER PEG SURVEYED CONTOURS - PER PEG SURVEYED CONTOURS	23,896 S.F. (0.55 AC)	13,014 S.F. (0.30 AC)	N/A - MANMADE STOCKPILES	35,939 S.F. (0.83 AC)	9,036 S.F. (0.21 AC)	N/A - MANMADE STOCKPILES
<b>STEEP SLOPES AREA</b> - PER PEG SURVEYED CONTOURS - PER PEG SURVEYED CONTOURS	28,902 S.F. (0.66 AC)	12,653 S.F. (0.29 AC)	N/A - MANMADE STOCKPILES	29,128 S.F. (0.67 AC)	22,517 S.F. (0.52 AC)	N/A - MANMADE STOCKPILES
<b>WETLANDS</b> - PER PEG SURVEYED CONTOURS - PER PEG SURVEYED CONTOURS	42,034 S.F. (0.96 AC)	N/A	N/A	46,290 S.F. (1.06 AC)	N/A	N/A
<b>WETLAND BUFFER</b> - PER PEG SURVEYED CONTOURS - PER PEG SURVEYED CONTOURS	135,586 S.F. (3.11 AC)	19,784 S.F. (0.45 AC)	29,676 S.F. (0.68 AC)	131,355 S.F. (3.02 AC)	31,629 S.F. (0.73 AC)	47,444 S.F. (1.09 AC)
<b>WETLAND SETBACK</b> - PER PEG SURVEYED CONTOURS - PER PEG SURVEYED CONTOURS	197,573 S.F. (4.54 AC)	N/A	N/A	181,767 S.F. (4.17 AC)	N/A	N/A
<b>LAKES &amp; PONDS</b> - FIELD DELINEATED BY PEG SURVEY IN FEBRUARY OF 2023 - FIELD DELINEATED BY PEG SURVEY IN FEBRUARY OF 2023	57 S.F. (0.001 AC)	N/A	N/A	13,783 S.F. (0.32 AC)	N/A	N/A
<b>SHORE BUFFER</b> - PER PEG SURVEYED CONTOURS - PER PEG SURVEYED CONTOURS	N/A	N/A	N/A	N/A	N/A	N/A
<b>NATURE WOODLANDS &amp; FORESTS</b> - BASED OFF PEG SURVEY - BASED OFF PEG SURVEY	17,929 S.F. (0.41 AC)	N/A	N/A	N/A	N/A	N/A
<b>FLOODPLAINS</b> - PER PEG SURVEYED CONTOURS - PER PEG SURVEYED CONTOURS	109,487 S.F. (2.51 AC)	N/A	N/A	32,968 S.F. (0.76 AC)	N/A	N/A

**LEGEND**

AS SET FORTH IN DECEMBER 2023

- EXISTING WETLAND
- EXISTING WOODLAND
- EXISTING WOODLAND
- EXISTING WOODLAND
- EXISTING WOODLAND

**SITE DATA**

PROJECT NAME: 11027 SOUTH 27TH STREET

LOCATION/ADDRESS: FRANKLIN, WI 53132

OWNER CONTACT INFORMATION: JOHN SPITZ, 3167 LITTLEFIELD CT, JOHN.SPITZ34@YAHOO.COM

**LEGEND**

EXISTING WETLAND (STILL UNDER JURISDICTIONAL WETLAND)

EXISTING WOODLAND (SPACIAL WETLAND\*)

EXISTING NON-JURISDICTIONAL FEDERAL WETLAND EXEMPTION AREA\*\*

EXISTING WOODLAND (SPACIAL & NON-JURISDICTIONAL FEDERAL WETLAND EXEMPTION AREA\*\*)

**SITE DATA**

PROJECT NAME: 11027 SOUTH 27TH STREET

LOCATION/ADDRESS: FRANKLIN, WI 53132

OWNER CONTACT INFORMATION: JOHN SPITZ, 3167 LITTLEFIELD CT, JOHN.SPITZ34@YAHOO.COM

**LEGEND**

EXISTING WETLAND (STILL UNDER JURISDICTIONAL WETLAND)

EXISTING WOODLAND (SPACIAL WETLAND\*)

EXISTING NON-JURISDICTIONAL FEDERAL WETLAND EXEMPTION AREA\*\*

EXISTING WOODLAND (SPACIAL & NON-JURISDICTIONAL FEDERAL WETLAND EXEMPTION AREA\*\*)

\*ADDITIONAL INFORMATION IS INCLUDED IN THE ATTACHED SITE INTENSITY CALCULATIONS.  
 \*\*WETLANDS DELINEATED BY HEARTLAND ECOLOGICAL GROUP, INC. ON 10-6-2023 AND 10-20-2023.  
 \*\*\*SEE SEPARATE WETLAND BUFFER SETBACK MITIGATION EXHIBIT FOR PROPOSED MITIGATION AREAS.

Date: May 23, 2024  
To: City of Franklin Plan Commission  
From: Department of City Development. Marion Ecks, AICP, Senior Planner.  
RE: Staff Comments - Fox Glen Natural Resource Special Exception (NRSE)

---

City staff has reviewed the above application received on April 17, 2024, for a proposed Natural Resource Special Exception on the lots located at 11027 S 27TH ST / 978 9998 000 and 0 W South County Line Rd. / 978 9999 001.

### **Department of City Development Comments**

This property is zoned Planned Development District 39, FC Floodplain Conservancy, and FW Floodway. The area of work is in the Gateway Area of the PDD, and FC zoning.

Please provide the following required information and respond to any questions:

1. Please provide a project narrative. File labeled as “NRSE Fox Glen Narrative” is legal descriptions; a narrative was not provided.  
**PEG- See attached project narrative.**
2. The plans provided details proposed future grading. Are there any existing unpermitted impacts to natural resources on site? Please provide information on all areas of existing disturbance including wetland impacts.  
**PEG- There are no unpermitted impacts to existing wetland onsite per recent coordination with the WDNR (Artificial Determination) and the USACE (Jurisdictional Determination). Please see separate response to comment #6 regarding the floodplain**
3. What is the status of DNR enforcement of wetland impacts on the site? Will the DNR require wetland mitigation?  
**PEG- There are no proposed wetland impacts on the site and no necessary mitigation needs.**
4. Please clearly indicate location of stockpile(s) as distinct from overall grade on plans.  
**PEG- The location of the proposed stockpiles have been shown and are called out on sheet C-4 and C-5.**
5. Is vegetative cover proposed for the stockpiles?  
**PEG- Hydroseed is proposed to be planned over the west stockpile, see sheet C-4. The other east stockpile (on C-5) is intended to be for recycling gravel and other concrete for possible future development, base material needs.**
6. Please provide revised materials depicting the location of FEMA Federal Insurance Rate Map (FIRM) flood areas. If grade differs from the FIRM, please provide the Letter of Map Change or other authorization from FEMA.  
**PEG- Please see the attached exhibit that shows the previously approved 1999 grading for the former golf facility, current topographic survey, and the current FEMA FIRM map. By reviewing these items, it appears that the approved 1999 grading that was completed (mainly for the southeastern corner of the parking lot) altered the floodplain boundary onsite. It does**

not appear that FEMA has updated their maps to reflect this grading change as it appears to still reflect the existing contours prior to 1999.

Given that this grading was approved by the City and State for this work (around 1998), does the City have previous coordination in the archives for this site regarding the floodplain from 1997-1999? Typically, the City will determine if any impacts to the floodplain need to be reviewed and approved by FEMA prior to allowing grading to commence.

Efforts to get this reviewed and approved by FEMA can take more than 6 months to complete if determined to be necessary. Given this, can this be viewed as a separate coordination item from the current pending NRSE application?

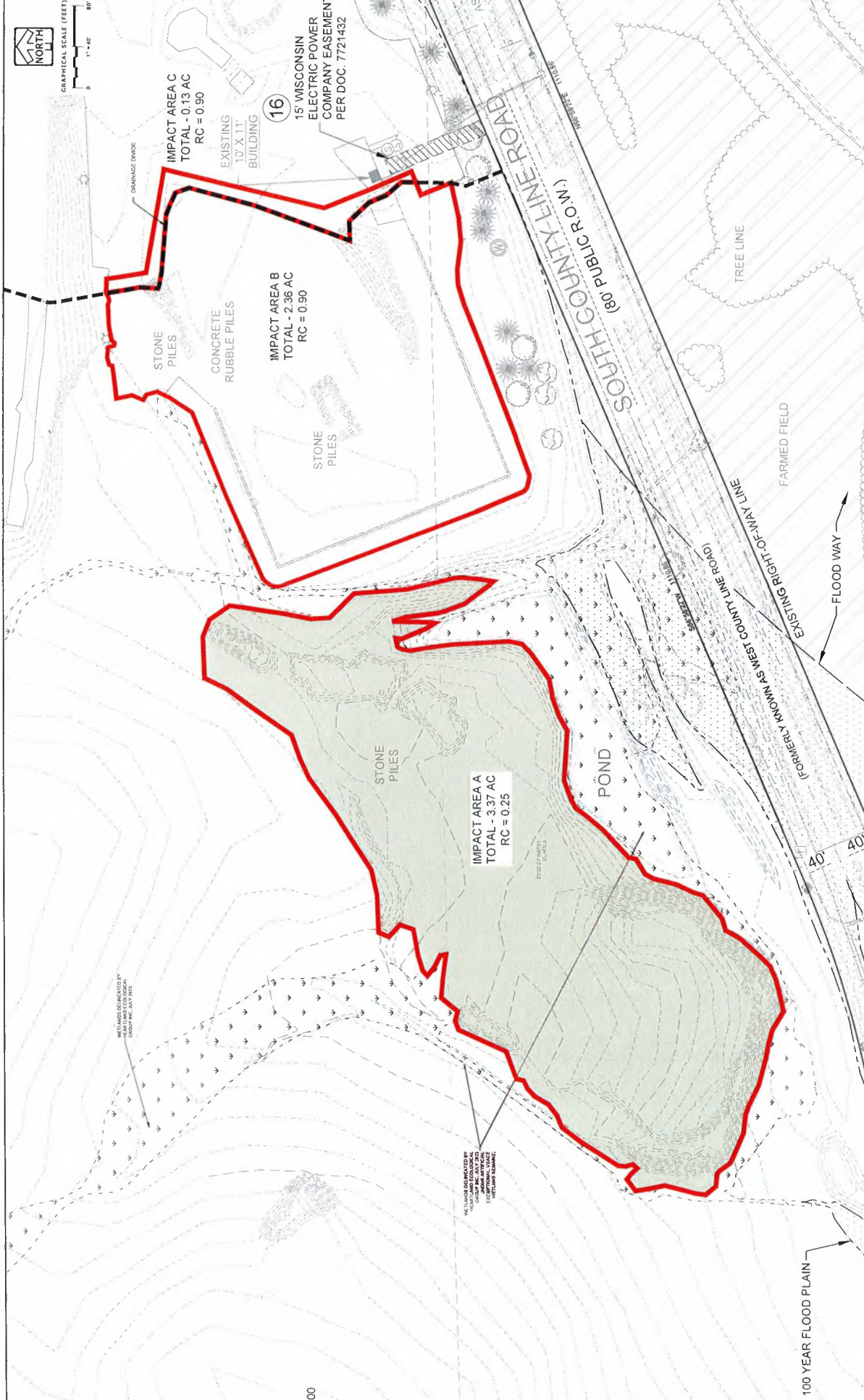
7. Please depict all natural resources on the NRPP including any areas of natural resources that are exempted by WI DNR. Exempt wetlands do not need to have setback and buffer depicted.  
PEG- All natural resources are shown on the NRPP. Wetlands which have been both deemed artificial by the WI DNR and Non-Jurisdictional by the USACE do not have wetland setback and buffers depicted on the NRPP or the plans.
8. Please provide a restoration and mitigation plan for existing and proposed natural resource impacts. Mitigation of artificial steep slopes is not required.  
PEG- As mentioned previously, all areas with the proposed wetland buffer area that are to be impacted are from man-made, steep slopes from previous fill grading operations. Given this, no mitigation is required. Restoration/seeding for the wetland buffer area are indicated and is highlighted on sheets C-4 and C-5 (see hatching and the legend).
9. Please update materials to indicate zoning boundaries on the site.  
PEG- The proposed plans have been updated to show the boundaries of the Floodplain Conservancy District.
10. Development within the FC district must conform to the standards of the zoning. Dumping or fill is not permitted in FC zoning.  
PEG- No dumping or fill is proposed within the FC zoning district.
11. Impacts to natural resources for future development will require a new NRSE.  
PEG- Understood.

#### **Engineering Department Comments**

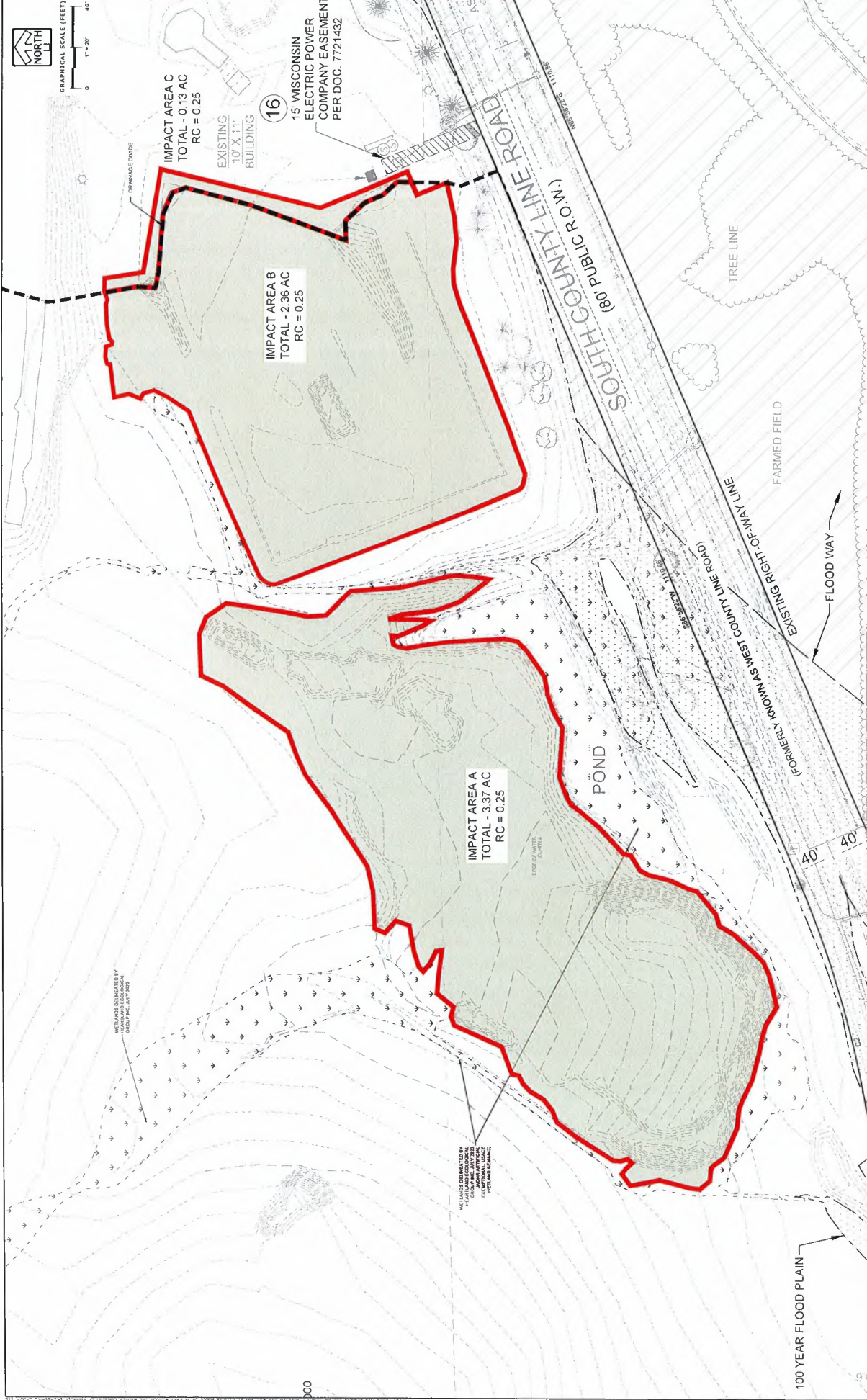
- Engineering review comments for the Temporary Use and NRSE Applications provided to the applicant on 5/6/2024.  
PEG- Understood. These comments have been addressed also with this resubmittal.

**Fire Department Comments**

- Given existing Fire/EMS station locations and current fire department staffing levels, the cumulative effect of this and several other developments will pose a challenge to maintaining industry standard emergency response times to fire and medical emergencies.  
**PEG- Understood.**



<b>PINNACLE ENGINEERING GROUP</b> ENGINEERING & LANDSCAPE ARCHITECTURE 100 SOUTH MAIN STREET, SUITE 200 FRANKLIN, WI 53128 (608) 785-1234 WWW.PINNACLE-ENG.COM	<b>FOX GLEN PROPERTY GRADING</b> FRANKLIN, WI	<b>EXISTING DRAINAGE EXHIBIT</b>	REVISIONS 1. ADDRESS COMMENTS: 6/6/2024	SHEET EX-1 EX-2
			PLANT DESIGN   DELIVER 100 SOUTH MAIN STREET, SUITE 200 FRANKLIN, WI 53128 (608) 785-1234 WWW.PINNACLE-ENG.COM	



NO.	DATE	BY	REVISIONS
1	03/06/24		ADDRESS COMMENTS

**PROPOSED DRAINAGE EXHIBIT**

**FOX GLEN PROPERTY GRADING**

FRANKLIN, WI

PLANNING DESIGN DELIVER

**PINNACLE ENGINEERING GROUP**

1000 W. COUNTY ROAD  
FRANKLIN, WI 53120  
TEL: 262.433.1100  
WWW.PINNACLE-ENG.COM



**PINNACLE ENGINEERING GROUP**  
**Plan | Design | Deliver**  
 www.pinnacle-engr.com

**DRAINAGE CALCULATIONS**  
**FOR**  
**FOX GLEN PROPERTY GRADING**

FRANKLIN, WI

SHEET 1 OF 1  
 DESIGN BY: PEM  
 PROJECT NUMBER: 2874-20-WI  
 DATE: 5/28/2024

**DESIGN DATA**

County: <b>Milwaukee</b>	Design Storm: <b>10</b> yr	DESIGN INTENSITY (I): <b>6.95</b> in/hr
CATCHMENT AREA		DRAINAGE AREA AND FLOW DATA

Flow is determined by Rational Method  
 $Q = CIA$

Notes	Catchment	Flow		
		Acres	Coefficient	Q (cfs)
Existing	A	3.37	0.25	5.85
	B	2.36	0.90	14.76
	C	0.13	0.90	0.82
Proposed	A	3.37	0.25	5.85
	B	2.36	0.25	4.10
	C	0.13	0.25	0.23



APPROVAL	REQUEST FOR COUNCIL ACTION	MTG. DATE August 6, 2024
Reports & Recommendations	A Resolution to Authorize WE Energies to Provide Electric Service for Lighting Cabinets on the S. Lovers Lane Project (W. Venture Drive and W. Cortez Circle)	ITEM NO. P.6. Aid. Dist 6

**BACKGROUND**

Wisconsin Department of Transportation (WisDOT) is constructing roadway improvements on S. Lovers Lane from W. College Avenue to W. Rawson Avenue. This project includes new street lighting for the City of Franklin and the lights will be fed from two new electrical services.

**ANALYSIS**

The City of Franklin will pay monthly rental fees for these services. Two attached authorization letters are needed to provide the installation of these services.

**OPTIONS**

This is needed per State Municipal Agreements with WisDOT for the construction of the project.

**FISCAL NOTE**

Ongoing rental of the lights will be adjusted in the Streetlighting Fund. The installation fees are covered in the WisDOT contract.

**RECOMMENDATION**

Authorize Resolution 2024-\_\_\_\_\_ a resolution to authorize WE Energies to provide electric service for lighting cabinets on the S. Lovers Lane Project (W. Venture Drive and W. Cortez Circle).

Engineering Department: GEM

STATE OF WISCONSIN : CITY OF FRANKLIN : MILWAUKEE COUNTY

RESOLUTION NO. 2024 -

A RESOLUTION TO AUTHORIZE WE ENERGIES TO PROVIDE ELECTRIC SERVICE  
FOR LIGHTING CABINETS ON THE S. LOVERS LANE PROJECT  
(W. VENTURE DRIVE AND W. CORTEZ CIRCLE)

---

WHEREAS, Wisconsin Department of Transportation (WisDOT) is constructing roadway improvements on S. Lovers Lane from W. College Avenue to W. Rawson Avenue; and

WHEREAS, this project includes new street lighting for the City of Franklin and the lights will be fed from two new electrical services; and

WHEREAS, WE Energies needs City authorization to install electrical services for the operation of the new lighting system.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Common Council of the City of Franklin that it would be in the best interest of the City to authorize the said project.

BE IT FURTHER RESOLVED, that the City Engineer is authorized to make the necessary direction to WE Energies to perform these types of work,

Introduced at a regular meeting of the Common Council of the City of Franklin the \_\_\_\_\_ day of \_\_\_\_\_, 2024, by Alderman \_\_\_\_\_.

PASSED AND ADOPTED by the Common Council of the City of Franklin on the \_\_\_\_\_ day of \_\_\_\_\_, 2024.

APPROVED:

\_\_\_\_\_  
John R. Nelson, Mayor

ATTEST:

\_\_\_\_\_  
Shirley J. Roberts, City Clerk

AYES \_\_\_\_\_ NOES \_\_\_\_\_ ABSENT \_\_\_\_\_



**We Energies**  
4800 W. Rawson Ave.  
Franklin, WI 53132

[www.we-energies.com](http://www.we-energies.com)

January 15, 2024

GLEN MORROW  
9229 W Loomis Rd  
Franklin, WI 53132

**THIS LETTER IS YOUR INVOICE FOR ELECTRIC SERVICE**

W Venture Dr & S Lovers Lane Rd , Franklin, WI 53132

Dear GLEN MORROW,

With your returned service application, you are on your way to having electric service installed at your location.

Please confirm that the following electric service details are correct. If not, please call me right away.

Type:	New Service	Subdivision:	n/a
Class:	Underground	Lot #:	0
Size:	100 amps	Work Request #:	4945801 (for internal use only)
Voltage:	240Y/480V - 3 Wire		

**Your next steps are to:**

- 1. Send in payment for electric service installation.*
  - **The cost for electric service installation is: \$2,502.76**
  - This includes \$165.00 for installation from December 1 through March 31.
  - We must receive your payment and electrical inspection before we can schedule your installation. Please include the service address with your payment, and send it to us in the enclosed envelope.
  - In the event we encounter unusual conditions during the installation of your service, there may be additional charges.
  - This amount is valid for 90 days from the date of this letter.
  - If an additional cost estimate is needed within 12 months, there will be a charge for preparing the new estimate.
- 2 Sign and return one of the enclosed sketches.*
  - Review, sign and return an enclosed sketch in the envelope provided.
  - Draw and label any private underground facilities on the sketch.
  - We must receive your approved and signed sketch before step #3 below.
- 3 Send or fax the Ready for Service card when the site is ready for electric service installation:*
  - Your construction site is ready for service when requirements 1-4 on the *Ready for Service* card are met.
  - When we receive your card, we will call you to discuss the installation.

4. Mark private underground facilities.

- Locate and mark (with stakes, spray paint or flags) or expose any customer-owned underground obstructions or facilities.
- If you are not sure what this includes, please call for more information.
- We Energies and/or its agents will not be held responsible for damage to unmarked, private facilities.

**Contact me for all of your electric installation needs.**

I'm here to make sure your questions are answered and any concerns you have are addressed. On behalf of We Energies, I appreciate the opportunity to serve you and look forward to providing you with safe, reliable and reasonably-priced electricity.

Sincerely,

*Brian Mammel*

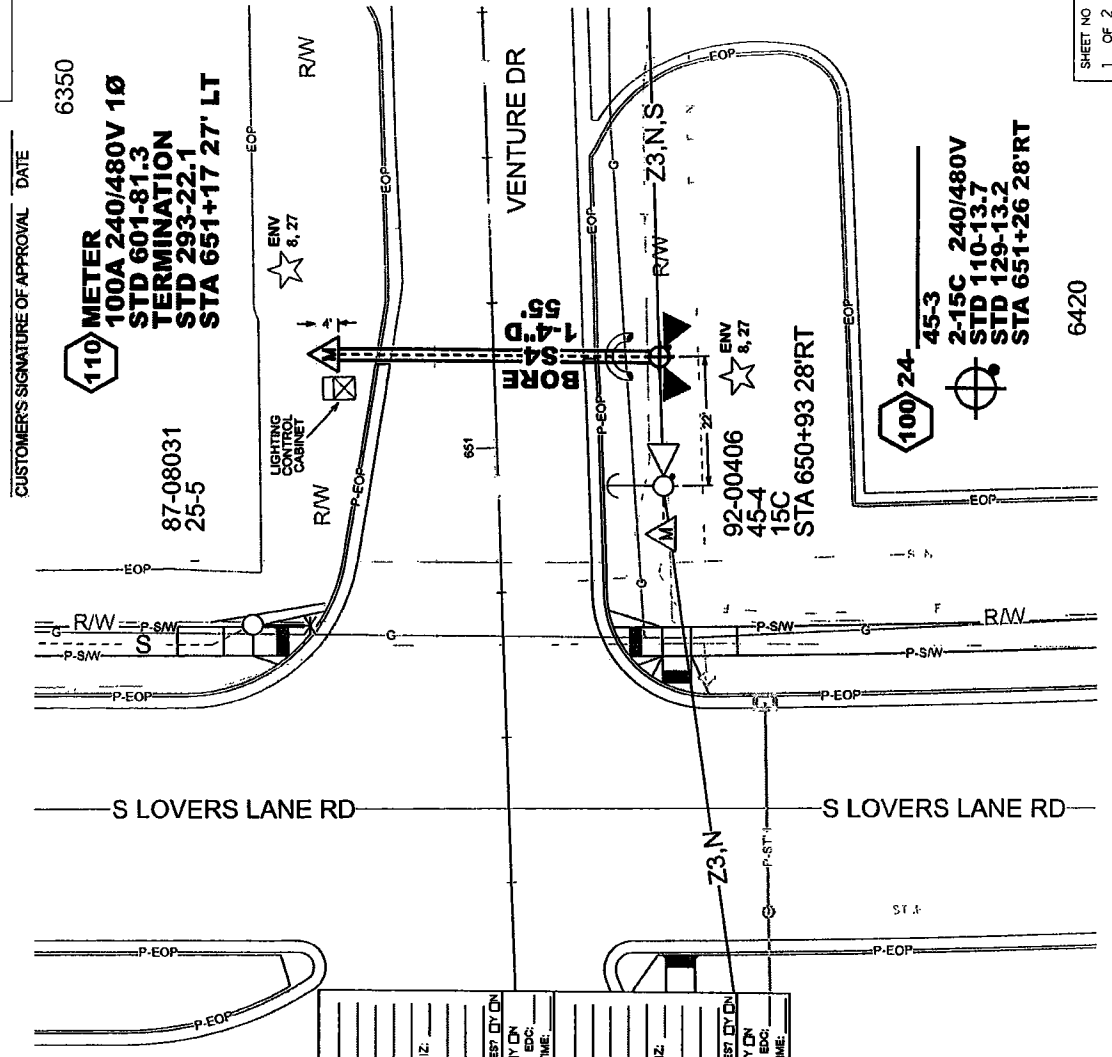
Brian Mammel

Energy Services Representative

Phone 262-364-9014



BORE ALL CABLE UNLESS OTHERWISE NOTED  
FINAL STABILIZATION SHALL BE COMPLETED AND PROPERLY ANCHORED MULCH SEE PAGE 2 FOR XAMFR SCHEMATIC DIAGRAM



SHEET NO  
1 OF 2

**COMMON INFORMATION**

STAKING REQUIREMENTS:  
 SURVEYOR STAKED  
 DESIGNER NOT NEEDED  
 WE ENERGIES  
 CUSTOMER

RESTORE PRIVATE PROPERTY:  WE ENERGIES  CUSTOMER

WORK IS APPROX. 80 FT DIRECTION EAST OF CL OF S LOVERS LANE NEAREST CROSS STREET (SEE PERMIT FOR DETAILS)

ELECTRIC INFORMATION  
 OPER MAP # 1140-1590-02 FEEDERLINE # Z3044  
 CATV JOINT USE # TEL JOINT USE #

PROPOSED GAS SERVICE INFORMATION  
 MTR SIZE: \_\_\_\_\_ MTR TYPE: \_\_\_\_\_ PRES.  EFV  
 SERV PIPE SIZE \_\_\_\_\_ MATERIAL \_\_\_\_\_ RELIGHT   
 MTR LOC: \_\_\_\_\_ FT \_\_\_\_\_ OF \_\_\_\_\_ CORNER  CURB V/V  TIE IN PIPING  
 CONSTRUCTION TYPE \_\_\_\_\_

PHONE # \_\_\_\_\_

**ME** ELEC W# 084945801 GAS W# \_\_\_\_\_

CITY/TOWN/VILLAGE: FRANKLIN  
 CUST PROJ NAME: CITY OF FRANKLIN  
 PROJECT LOCATION: W VENTURE DR & S LOVERS LANE

WORK DESCRIPTION: 100A 240/480V STREET LIGHT UGRD METER

PREPARED BY: LUCAS WANDALL  
 E-MAIL: LUCAS.WANDALL@WE-ENERGIES.COM  
 OFFICE #: 262-385-6420 CELL #: 414-627-3120  
 PAGER #: \_\_\_\_\_ IO #: 5451  
 PROJECT ID: 084945801 CGS #: \_\_\_\_\_  
 DATE PREPARED: 12/18/23

RAILROAD PERMITTING/FLAGGING REQUIRED  YES  NO RR NAME \_\_\_\_\_ PHONE # \_\_\_\_\_  
 CORROSION CONTACT \_\_\_\_\_

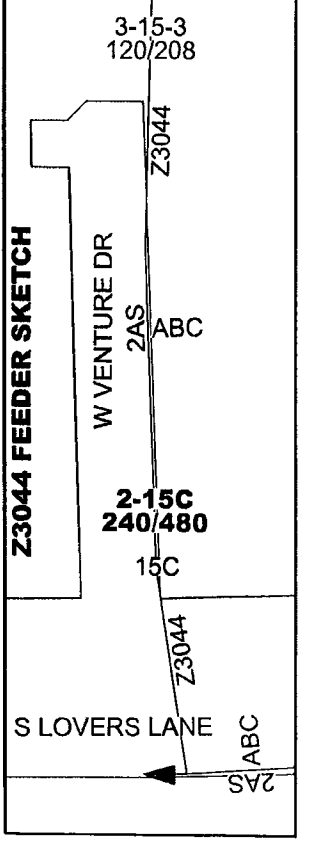
MANUFACTURER: \_\_\_\_\_  
 KVA: 15  
 VOLTAGE: 240-480  
 LOCATION ID: 24-  
 PHASE: C DESIGN IZ: \_\_\_\_\_  
 SERIAL: \_\_\_\_\_  
 MATERIAL #: 205-7001  
 ASSET ID # \_\_\_\_\_  
 1 WE ENERGIES EQUIPMENT ENERGIZED BY CN  
 2 WE ENERGIES EQUIPMENT ENERGIZED BY CN EDC: \_\_\_\_\_ DATE/TIME: \_\_\_\_\_  
 3 Customer EQUIPMENT ENERGIZED BY CN EDC: \_\_\_\_\_ DATE/TIME: \_\_\_\_\_  
 4 PHASE TRANSFORMER LOAD BREAK SWITCHES BY CN  
 5 WE ENERGIES EQUIPMENT ENERGIZED BY CN EDC: \_\_\_\_\_ DATE/TIME: \_\_\_\_\_  
 6 Customer EQUIPMENT ENERGIZED BY CN EDC: \_\_\_\_\_ DATE/TIME: \_\_\_\_\_  
 7 SWITCHED BY: \_\_\_\_\_ DATE/TIME: \_\_\_\_\_

**JOBSITE INFO:**  
 SECTION / TOWN / RANGE NW1/4 SEC 5, T5N R21E  
 SITE VISIT COMPLETED BY LUCAS WANDALL  
 JOB OWNER: BRIAN MEMMEL (262-364-9014)

**MAIN CONTACTS**  
 CONTRACTOR/BUILDER  
 ENGINEERING FIRM: BLOOM COMPANIES LLC, JACOB BONDHUS (773-520-2078)  
 ELECTRICIAN PRO ELECTRIC INC ALAN HORVAT (262-321-4338)  
 CUSTOMER: CITY OF FRANKLIN GLEN MORROW (414-425-7510)

**CONTINGENCIES & COMMENTS:**  
 DIGGERS HOTLINE REQUIRED  
 WE ENERGIES WILL COMPLETE LAWN / PAVEMENT REPAIR ON \_\_\_\_\_  
 ROAD ROW  NEIGHBORING PROPERTY  
 NONE  CUSTOMER PROPERTY  
 WE ENERGIES WILL HAUL SPOIL FROM \_\_\_\_\_  
 ROAD ROW  NEIGHBORING PROPERTY  
 NONE  CUSTOMER PROPERTY  
 CUSTOMER IS REQUIRED TO LOCATE ALL PRIVATE UNDERGROUND FACILITIES PRIOR TO INSTALLATION  
 WE ENERGIES IS NOT RESPONSIBLE FOR ROOT DAMAGE

**CONSTRUCTION REMARKS**

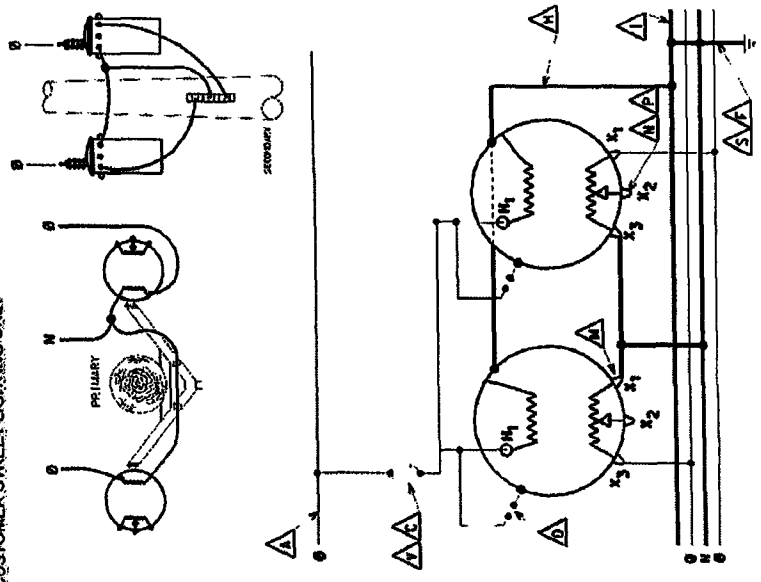




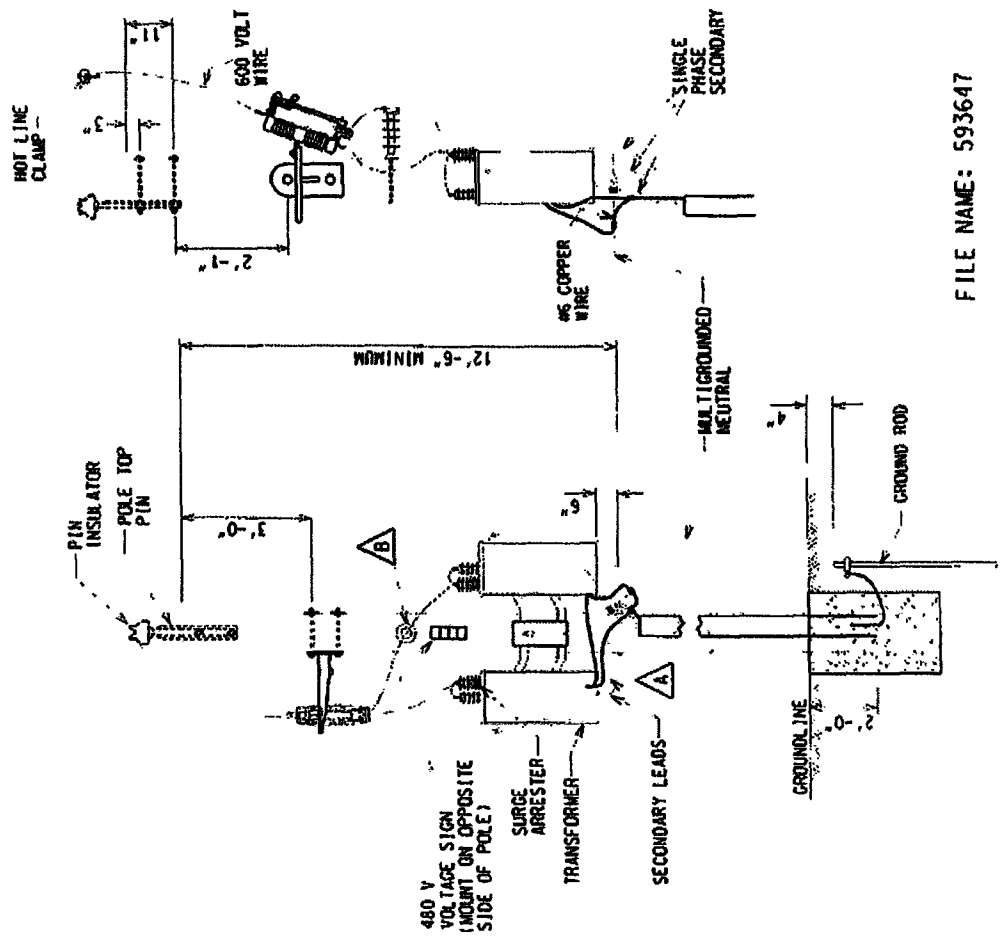
NONE  
Page 1 of 4

TRANSFORMER INFORMATION  
TRANSFORMER CONNECTIONS

**SCHEMATIC DIAGRAMS**  
SERVICES FROM MULTIGROUNDED PRIMARY SYSTEM  
2-120/240 VOLT 3-WIRE SERVICED FOR 480 VOLT 3-WIRE SERVICE FOR  
CUSTOMER STREET LIGHTING ONLY



FILE NAME: 593646



FILE NAME: 593647

WE ENERGIES - ELECTRIC OPERATIONS		STANDARD WIRE KEY		NEUTRAL		SECONDARY - 1PHASE		SECONDARY - 3PHASE			
<b>CLEARANCE NOTES:</b> -LOCATION OF OBSTRUCTIONS ARE FROM RECORDS AND MUST BE VERIFIED IN THE FIELD. -MAINTAIN 2' MIN. CLEARANCE BETWEEN OUTSIDE FACE OF MANHOLE & BELL OF PIPE. -THIS APPLIES TO GAS AND WATER MAINS. -MAINTAIN 2' MIN. VERTICAL CLEARANCE AT CROSSINGS OF SEWER OR WATER MAINS. -MAINTAIN 5' MIN. HORIZONTAL DIST. BETWEEN CONDUIT AND SEWER. -MAINTAIN 3' MIN. HORIZONTAL DIST. BETWEEN CONDUIT AND WATER MAINS. <b>NOTE - CLEARANCES SHOWN ARE MINIMUM DISTANCES - REFERENCE PERMITS FOR SPECIFIC CLEARANCE REQUIREMENTS. ADDITIONAL UNDERGROUND INFORMATION ON EXCAVATION, BACKFILLING AND CLEARANCES CAN BE FOUND IN STD. 281-02.</b>		<b>OVERHEAD PRIMARY</b> E, F, H, O, R, W, X or Z Z 1 #2 ACSR Z1 1 #10 ACSR Z2 1 #30 ACSR Z3 3 #2 ACSR Z4 3 #10 ACSR Z5 3 #30 ACSR Z7 3 #336 ACSR Z9 SPECIAL LIST ON SKETCH Z10 1 WIRE REMOVAL Z11 2 WIRE REMOVAL Z12 3WIRE REMOVAL		<b>DIRECT BURY PRIMARY - E, F, H, O, R, W, X or Z</b> X22 1 #2 Cu 15KV X23 3 #2 Cu 15KV Z14 3 #1 AL 25KV Z15 3 #500 AL 28KV Z16 1 #2 AL 15KV Z17 3 #2 AL 15KV Z18 3 #500 AL 15KV Z19 3 #10 AL 35KV R20 1 WIRE REMOVAL R21 2 WIRE REMOVAL Z21 3 #750 AL 28KV		<b>N</b> 1-#2 ACSR <b>N1</b> 1-#4 TX <b>N2</b> 1-#3/0 ACSR <b>N3</b> 1-#4/0 AL <b>N4</b> 1-#336 ACSR <b>N5</b> REMOVAL <b>GLYING</b> <b>G</b> 1/4" ARM GUY <b>G1</b> 5/16" ARM GUY <b>G2</b> 3/8" ARM GUY <b>G3</b> 5/16" POLE GUY <b>G4</b> 3/8" POLE GUY <b>G5</b> 7/16" POLE GUY <b>S15</b> 10TX C/C		<b>S</b> 6DX <b>S1</b> 4 TX <b>S2</b> 2 TX <b>S3</b> 1 #3/0 TX <b>S4</b> 350 TX <b>S5</b> 750 TX <b>S6</b> 10 QXF <b>S7</b> 30 QXF <b>S8</b> 350 QXR <b>S9</b> 750 QXR <b>S10</b> 3 WIRE REMOVAL <b>S11</b> 30 QXR <b>S12</b> 3 WIRE MAIN <b>S14</b> 6DX C/C <b>S15</b> 10TX C/C		<b>13.</b> All excess spoils shall be removed from wetlands and placed in a suitable upland location. <b>14.</b> Trenching and pit excavations within wetlands shall include soil segregation to facilitate restoration of pre-construction soil stratification, and restoration to pre-construction elevations. <b>15.</b> Poles scheduled to be removed, and that occur within wetland, shall be cut at the ground surface	

WE ENERGIES WORK REQUEST ENVIRONMENTAL NOTES (Notes 1 through 7 apply to ALL work requests)	
<b>General</b> 1. If WDNR and/or USACE permits were obtained for the project, all permit conditions shall be met during construction of the project. <b>Erosion Control</b> 2. If soil disturbance occurs on slopes or channels/ditches leading to wetlands or waterways, or within wetlands, the disturbed areas shall be stabilized and appropriate erosion control Best Management Practices (BMP's) shall be implemented 3. Erosion Control BMP's shall meet or exceed the approved WDNR Storm Water Management Technical Standards ( <a href="http://dnr.wi.gov/topic/stormwater/standards/control_standards.htm">http://dnr.wi.gov/topic/stormwater/standards/control_standards.htm</a> ). Refer to We Energies Construction Site Sediment and Erosion Control Standards. 4. Inspect installed erosion control BMP's at least one time per week and after 1/2" rain events repair as necessary 5. When temporary stabilization is required (e.g. for winter or short-term construction) prior to final restoration, soil stabilizer shall be installed wherever possible. Erosion mat shall be used temporarily only where appropriate in accordance with state standards, and when approved by the Operations Supervisor <b>Contaminated Soils</b> 6. Whenever soil exhibiting obvious signs of contamination (e.g. discoloration, petroleum or solvent odor, free liquids other than water, buried containers or tanks, or other obvious signs of environmental impacts) is encountered during excavation, or installation, cease work immediately, take appropriate immediate precautions to ensure worker health and safety and contact the Operations Supervisor or Inspector <b>Spills</b> 7. If an oil spill occurs during construction call the Environmental Incident Response Team (EIRT) at 414-430-3478. a. Any quantity of oil is spilled into surface water; b. Any oil spill greater than 50 ppm PCB into a sewer, vegetable garden, or grazing land; c. Any oil spill containing greater than 500 ppm PCB d. Five gallons or more of oil spilled to the ground e. Any oil spill involving a police department, the department, DNR, or concerned property owner	<b>Waterways</b> 16. No work can be performed within the banks or below the ordinary high watermark of any navigable waterways/streams. 17. No crossing of navigable waterways with equipment can occur. Foot traffic is allowed 18. Any disturbed soil within 75-feet of the ordinary high water mark of any navigable waterways/streams shall be stabilized within 24 hours of construction completion <b>Threatened and Endangered Species</b> 19. Threatened or endangered species are known to occur in the work area. It is illegal to harass, harm, or kill a protected species under state and federal regulations. Proper precautions shall be taken to ensure harm to individuals is avoided. 20. In order to protect the threatened or endangered species, work must be conducted between November 5 and March 15. 21. Exclusion fencing must be installed at the work area prior to March 15. 22. A qualified biologist must be present when conducting work at this location. <b>Invasive Species</b> 23. State regulated invasive species are known to occur in the work area. Reasonable precautions are legally required to prevent the spread of these species. The Wisconsin Council on Forestry Transportation and Utility Rights-of-Way Best Management Practices should be followed: ( <a href="http://council.wisconsinforestry.org/investives/transportation/">http://council.wisconsinforestry.org/investives/transportation/</a> ). <b>Cultural and Historical Resources, cont.</b> 24. The project is within or adjacent to an area that is identified by the State of Wisconsin as potentially having Native American artifacts, burial mounds or burial sites, which could be encountered during construction 25. If human bones or any artifacts are discovered during construction, work must cease immediately. Contact the Environmental Department who will contact the State Burial Sites Preservation Office and determine the next steps that must be taken in order to comply with state law. Work at that site MAY NOT PROCEED until the Environmental Department authorizes it. 26. A "qualified archaeologist", as specified under Wis. Stats 157.70 (1) (f) and Wis Admin. Code HS 2.04 (6), must be present to monitor all ground disturbing activities.
<b>Notes 8 through 27 apply as noted at specific points within each work request:</b> <b>Dewatering</b> 8. Dewatering of pits or trenches shall be done in accordance with state standards. Use an approved sediment bag, a straw bale dewatering basin, a combination of both, or equivalent. <b>Wetlands</b> 9. As much as practicable, the majority of the work shall be staged from the public roadways and road shoulders; keeping equipment out of adjacent wetlands. 10. All work shall be conducted to minimize soil disturbance. No rutting will be allowed within the wetlands. 11. If soils are not frozen or stable to a point that avoids rutting, timber mats, mud tracks, or equivalent shall be utilized to access pole locations. 12. Excavated soils cannot be stockpiled in wetlands.	<b>Fracture Contingency Plan</b> 27. A fracture contingency plan shall be on-site and implemented accordingly. The contingency plan shall incorporate the following components: a. Continuously inspect the bore paths for fractures in order to respond quickly and appropriately b. Containment materials (e.g. silt fence, straw bales, sand bags, etc.) shall be on site and available should a fracture occur c. A vac truck shall be accessible on short notice in order to respond quickly to a fracture-out.

EROSION CONTROL LEGEND	
	APPROXIMATE LOCATION FOR UNDERGROUND FACILITY EXCAVATION
	INLET PROTECTION, TYPE
	12" WATTLE or 12"/20" SEDIMENT LOG or 5.5"/20" EROSION EEL
	STONE DITCH CHECK
	ROCK BAG
	MULCH
	SOIL STABILIZER, TYPE B
	EROSION MAT CLASS I, TYPE A
	EROSION MAT CLASS I, TYPE B
	EROSION MAT CLASS I, TYPE A URBAN
	EROSION MAT CLASS I, TYPE B URBAN
	EROSION MAT CLASS II
	EROSION MAT CLASS III
	VEGETATIVE BUFFER
	TRACKING PAD
	TIMBER MAT
	SILT FENCE
	APPROXIMATE DEWATERING BASIN LOCATION
	SURFACE WATER FLOW





**We Energies**  
4800 W. Rawson Ave.  
Franklin, WI 53132

www.we-energies.com

April 10, 2024

GLEN MORROW  
9229 W Loomis Rd  
Franklin, WI 53132

**THIS LETTER IS YOUR INVOICE FOR ELECTRIC SERVICE**

W Cortez Road & S Lovers Lane Rd , Franklin, WI 53132

Dear GLEN MORROW,

With your returned service application, you are on your way to having electric service installed at your location.

Please confirm that the following electric service details are correct. If not, please call me right away.

Type:	New Service	Subdivision:	n/a
Class:	Underground	Lot #:	0
Size:	100 amps	Work Request #:	4945643 (for internal use only)
Voltage:	240Y/480V - 3 Wire		

**Your next steps are to:**

- Send in payment for electric service installation.*
  - **The cost for electric service installation is: \$2,086.55**
  - Additional charges will apply if installation is needed from December 1 through March 31.
  - We must receive your payment and electrical inspection before we can schedule your installation. Please include the service address with your payment, and send it to us in the enclosed envelope.
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  - If an additional cost estimate is needed within 12 months, there will be a charge for preparing the new estimate.
- Sign and return one of the enclosed sketches:*
  - Review, sign and return an enclosed sketch in the envelope provided.
  - Draw and label any private underground facilities on the sketch.
  - We must receive your approved and signed sketch before step #3 below.
- Send or fax the Ready for Service card when the site is ready for electric service installation:*
  - Your construction site is ready for service when requirements 1-4 on the *Ready for Service* card are met.
  - When we receive your card, we will call you to discuss the installation.



4 Mark private underground facilities.

- Locate and mark (with stakes, spray paint or flags) or expose any customer-owned underground obstructions or facilities.
- If you are not sure what this includes, please call for more information.
- We Energies and/or its agents will not be held responsible for damage to unmarked, private facilities.

**Contact me for all of your electric installation needs.**

I'm here to make sure your questions are answered and any concerns you have are addressed. On behalf of We Energies, I appreciate the opportunity to serve you and look forward to providing you with safe, reliable and reasonably-priced electricity.

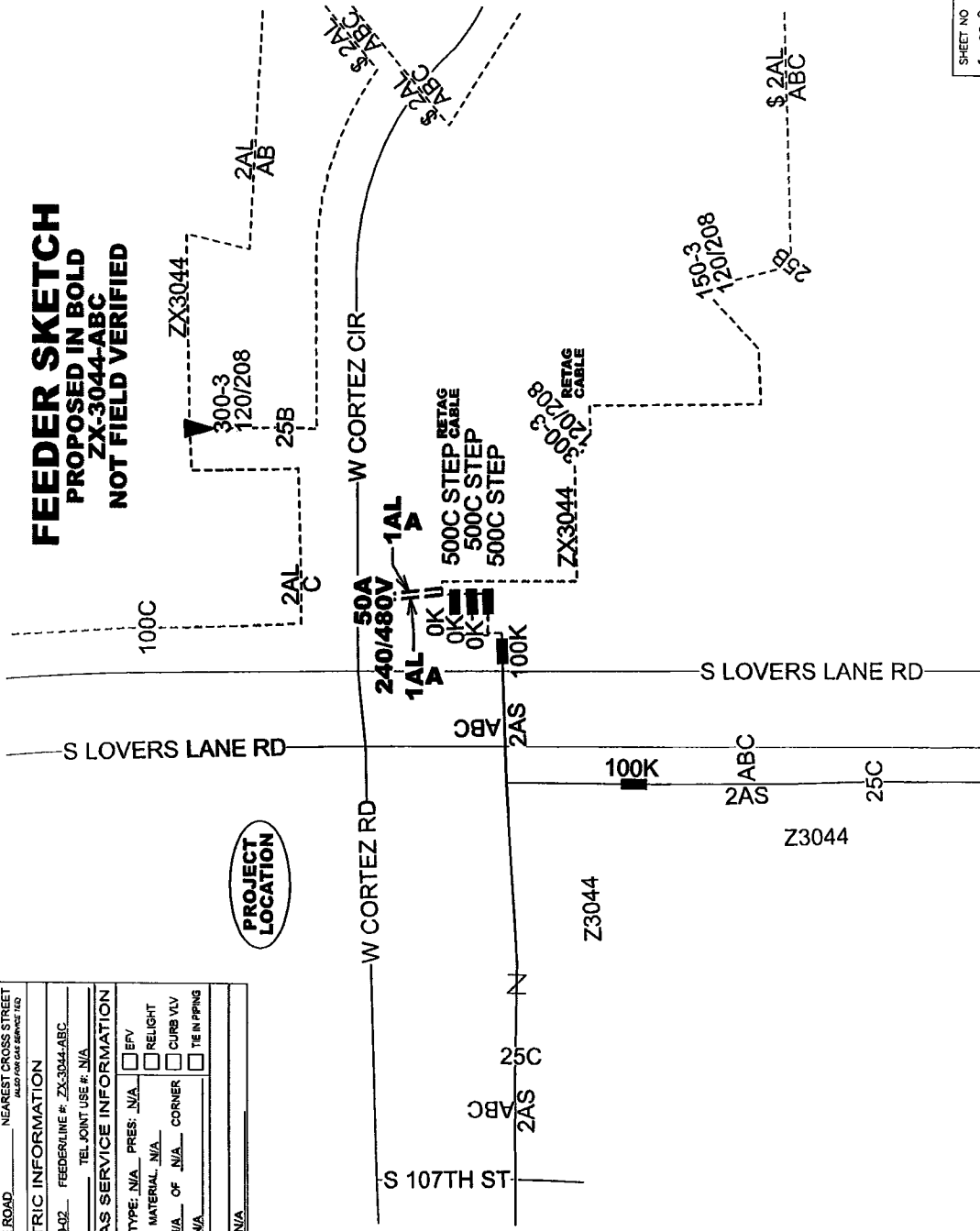
Sincerely,

*Brian Memmel*

Brian Memmel  
Energy Services Representative  
Phone 262-364-9014



# FEEDER SKETCH PROPOSED IN BOLD ZX-3044-ABC NOT FIELD VERIFIED



- CRITICAL SAFETY RULES - EO**
- 1 Enclosed space procedures
  - 2 Excavation and shoring
  - 3 Rubber gloves and sleeves
  - 4 Fall protection
  - 5 Lock out - Tag out
  - 6 Seat belts
  - 7 Securing parked vehicles

**COMMON INFORMATION**

STAGING REQUIREMENTS:  
 SURVEYOR  STAKED  MAIN / SERVICE IN EASEMENT  
 DESIGNER  NOT NEEDED  YES  NO

RESTORE PRIVATE PROPERTY:  WE ENERGIES  CUSTOMER

WORK IS APPROX. 25 FT DIRECTION EAST OF CL OF S. LOVERS LANE RD NEAREST CROSS STREET SOUTH LOVERS LANE ROAD (ALSO FOR GAS SERVICE TAG)

**ELECTRIC INFORMATION**  
 OPER MAP #: 4140-7520-02 FEDERLINE #: ZX-3044-ABC  
 CITY JOINT USE #: N/A TEL JOINT USE #: N/A

**PROPOSED GAS SERVICE INFORMATION**  
 MTR SIZE: N/A MTR TYPE: N/A PRES: N/A  EPV  RELIGHT  
 SERV PIPE SIZE: N/A MATERIAL: N/A  CU/RB VLV  TIE IN PIPING  
 MTR LOC: N/A FT N/A OF N/A CORNER  TIE IN PIPING  
 CONSTRUCTION TYPE: N/A

PHONE #: N/A

**JOB INFO**

SECTION / TOWN / RANGE: SW1/4 SEC 5 T5N R21E  
 SITE VISIT COMPLETED BY: LUCAS SCHAFFRICK  
 JOB OWNER: BRIAN HEIMMEL - 262-364-9014

**MAIN CONTACTS**

CONTRACTOR/BUILDER: PRO ELECTRIC, INC (ALAN) - 262-321-4338  
 PLUMBER/HVAC  
 ELECTRICIAN: SAME AS BUILDER  
 CUSTOMER: CITY OF FRANKLIN (GLEN) - 414-425-7510

**CONTINGENCIES & COMMENTS:**

DIGGERS HOTLINE / MISS DIG REQUIRED  
 WE ENERGIES WILL COMPLETE LAWN / PAVEMENT REPAIR ON:  
 ROAD ROW  NEIGHBORING PROPERTY  
 NONE  CUSTOMER PROPERTY  
 WE ENERGIES WILL HAUL SPOIL FROM:  
 ROAD ROW  NEIGHBORING PROPERTY  
 NONE  CUSTOMER PROPERTY

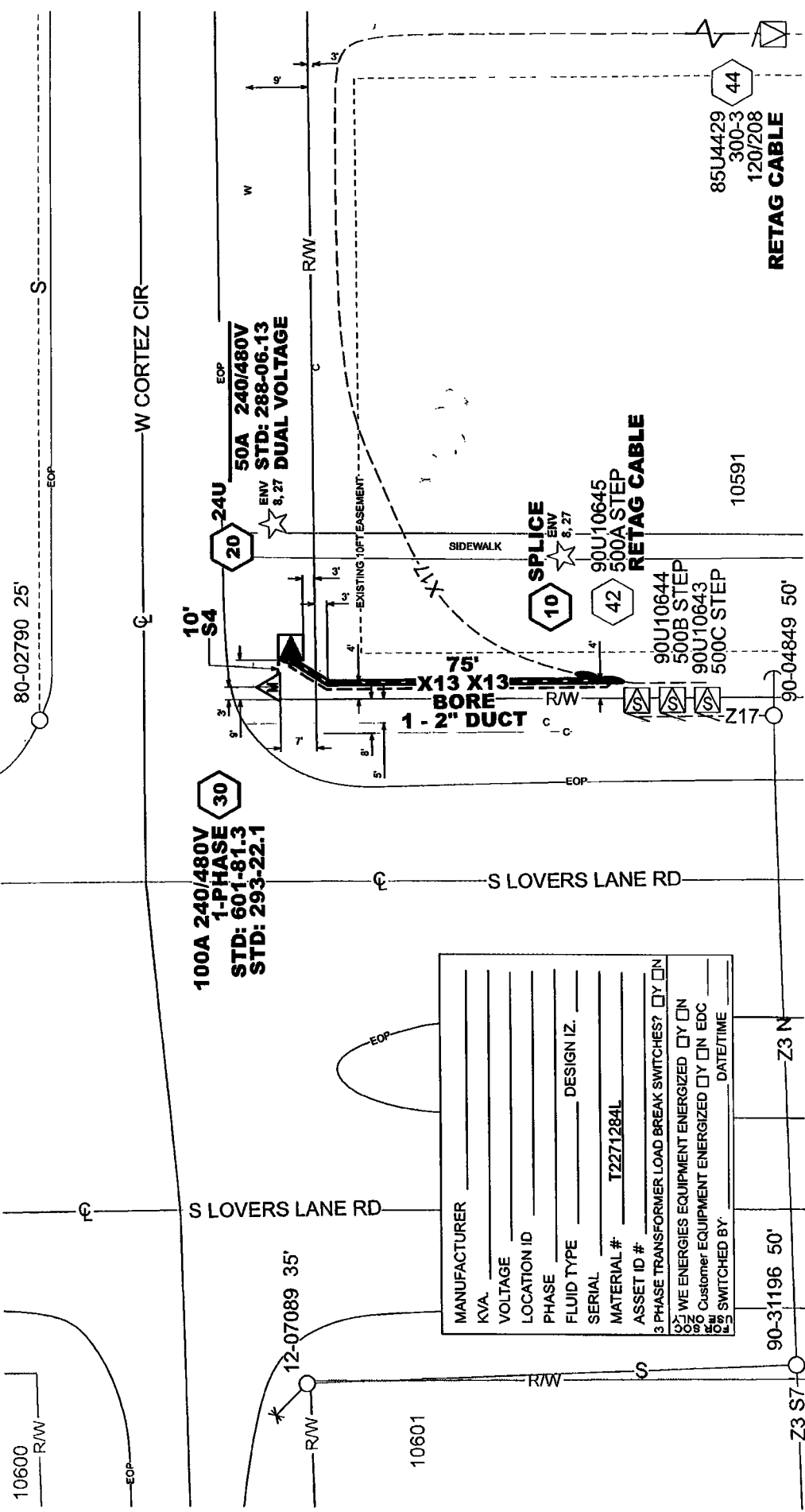
CUSTOMER IS REQUIRED TO LOCATE ALL PRIVATE UNDERGROUND FACILITIES PRIOR TO INSTALLATION  
 WE ENERGIES IS NOT RESPONSIBLE FOR ROOT DAMAGE

**CONSTRUCTION REMARKS**  
 \* RESTORATION IN ROAD ROW SHALL BE PERMANENT SEED AND PROPERLY ANCHORED MULCH

CUSTOMER'S SIGNATURE OF APPROVAL \_\_\_\_\_ DATE \_\_\_\_\_



- CRITICAL SAFETY RULES - EO:**
- 1 Enclosed space procedures
  - 2 Excavation and shoring
  - 3 Rubber gloves and sleeves
  - 4 Fall protection
  - 5 Lock out - Tag out
  - 6 Seat belts
  - 7 Securing parked vehicles



MANUFACTURER	_____
KVA	_____
VOLTAGE	_____
LOCATION ID	_____
PHASE	_____
FLUID TYPE	DESIGN IZ. _____
SERIAL	_____
MATERIAL #	T2271284L
ASSET ID #	_____
3 PHASE TRANSFORMER LOAD BREAK SWITCHES? <input type="checkbox"/> Y <input type="checkbox"/> N	
WE ENERGIES EQUIPMENT ENERGIZED <input type="checkbox"/> Y <input type="checkbox"/> N	
Customer EQUIPMENT ENERGIZED <input type="checkbox"/> Y <input type="checkbox"/> N EDC	
SWITCHED BY:	DATE/TIME _____

**WE ENERGIES - ELECTRIC OPERATIONS**

**CLEARANCE NOTES.**  
 -LOCATION OF OBSTRUCTIONS ARE FROM RECORDS AND MUST BE VERIFIED IN THE FIELD.  
 -MAINTAIN 2' MIN. CLEARANCE BETWEEN OUTSIDE FACE OF MANHOLE & BELL OF PIPE.  
 -THIS APPLIES TO GAS AND WATER MAINS.  
 -MAINTAIN 2' MIN. VERTICAL CLEARANCE AT CROSSINGS OF SEWER OR WATER MAINS.  
 -MAINTAIN 5' MIN. HORIZONTAL DIST. BETWEEN CONDUIT AND SEWER.  
 -MAINTAIN 3' MIN. HORIZONTAL DIST. BETWEEN CONDUIT AND WATER MAINS.  
 NOTE - CLEARANCES SHOWN ARE MINIMUM DISTANCES - REFERENCE PERMITS FOR SPECIFIC CLEARANCE REQUIREMENTS. ADDITIONAL UNDERGROUND INFORMATION ON EXCAVATION, BACKFILLING AND CLEARANCES CAN BE FOUND IN STD. 281-02

**OVERHEAD PRIMARY**

E, F, H, O, R, W, X or Z  
 Z 1 #2 ACSR  
 Z1 1 #1/0 ACSR  
 Z2 1 #3/0 ACSR  
 Z3 3 #2 ACSR  
 Z4 3 #1/0 ACSR  
 Z5 3 #3/0 ACSR  
 Z7 3 #336 ACSR  
 Z9 SPECIAL LIST ON SKETCH  
 Z10 1 WIRE REMOVAL  
 Z11 2 WIRE REMOVAL  
 Z12 3 WIRE REMOVAL

**STANDARD WIRE KEY**

DIRECT BURY PRIMARY - E, F, H, O, R, W, X or Z  
 Z13 1 #1 AL 25KV X22 1 #2 Cu 15KV  
 Z14 3 #1 AL 25KV X23 3 #2 Cu 15KV  
 Z15 3 #500 AL 28KV Z24 1 #2 Cu 25KV  
 Z16 1 #2 AL 15KV X25 3 #2 Cu 25KV  
 X17 3 #2 AL 15KV X26 3 #500 Cu 15KV  
 X18 3 #500 AL 15KV Z27 3 #500 Cu 28KV  
 R19 3 #1/0 AL 35KV Z28 3 #150 Cu 28KV  
 R20 3 #750 AL 35KV Z29 SPECIAL - LIST  
 Z21 3 #750 AL 28KV ON SKETCH

**NEUTRAL**

N 1-#2 ACSR  
 N1 1-#1/0 ACSR  
 N2 1-#3/0 ACSR  
 N3 1-#4/0 AL  
 N4 1-#336 ACSR  
 N5 REMOVAL  
 GUYING  
 G 1/4" ARM GUY  
 G1 5/16" ARM GUY  
 G2 3/8" ARM GUY  
 G3 5/16" POLE GUY  
 G4 3/8" POLE GUY  
 G5 7/16" POLE GUY  
 S11 3 WIRE REMOVAL  
 S12 3 WIRE MAIN  
 S14 6DX CIC  
 S15 1/0TX CIC

**SECONDARY - 1PHASE**

S BDX  
 S1 4 TX  
 S2 2 TX  
 S3 1/0 TXR  
 S4 3/0 TX  
 S4 350 TX  
 S5 750 TX  
 S6 1/0 CFX  
 S7 3/0 CFX  
 S8 350 CFX  
 S9 750 CFX  
 S10 3 WIRE REMOVAL  
 S11 3/0 CFX  
 S12 4 WIRE REMOVAL

**SECONDARY - 3PHASE**

\$ 1/0 TFX  
 \$1 4/0 TFX  
 \$2 336 TFX  
 \$3 3/0 TX  
 \$4 350 TX  
 \$5 750 TX  
 \$6 1/0 CFX  
 \$7 3/0 CFX  
 \$8 350 CFX  
 \$9 750 CFX  
 \$10 3 WIRE REMOVAL  
 \$11 3/0 CFX  
 \$12 4 WIRE REMOVAL

**EROSION CONTROL LEGEND**

	APPROXIMATE LOCATION FOR UNDERGROUND FACILITY EXCAVATION
	INLET PROTECTION, TYPE
	12" WATTLE or 12"/20" SEDIMENT LOG or 9.5"/20" EROSION BEL
	STONE DITCH CHECK
	ROCK BAG
	MULCH
	SOIL STABILIZER, TYPE B
	EROSION MAT CLASS I, TYPE A
	EROSION MAT CLASS I, TYPE B
	EROSION MAT CLASS I, TYPE A URBAN
	EROSION MAT CLASS I, TYPE B URBAN
	EROSION MAT CLASS II
	EROSION MAT CLASS III
	VEGETATIVE BUFFER
	TRACKING PAD
	TIMBER MAT
	SILT FENCE
	APPROXIMATE DEWATERING BASIN LOCATION
	SURFACE WATER FLOW

**WE ENERGIES WORK REQUEST ENVIRONMENTAL NOTES (Notes 1 through 7 apply to ALL work requests)**

- General**
- If WDNR and/or USACE permits were obtained for the project, all permit conditions shall be met during construction of the project.
- Erosion Control**
- If soil disturbance occurs on slopes or channels/ditches leading to wetlands or waterways, or within wetlands, the disturbed areas shall be stabilized and appropriate erosion control Best Management Practices (BMP's) shall be implemented.
  - Erosion Control BMP's shall meet or exceed the approved WDNR Storm Water Management Technical Standards ([http://air.wisconsin.gov/air/programs/water/standards/const\\_standards.html](http://air.wisconsin.gov/air/programs/water/standards/const_standards.html)).
  - Refer to the Energies Construction Site Sediment and Erosion Control Standards.
  - Inspect installed erosion control BMP's at least one time per week and after 1/2" rain events, repair as necessary.
  - When temporary stabilization is required (e.g. for winter or short-term construction) prior to final restoration, soil stabilizer shall be installed wherever possible. Erosion mat shall be used temporarily only where appropriate in accordance with state standards, and when approved by the Operations Supervisor.
- Contaminated Soils**
- Whenever soil exhibiting obvious signs of contamination (e.g., discoloration, petroleum or solvent odor, free liquids other than water, buried containers or tanks, or other obvious signs of environmental impacts) is encountered during excavation or installation, cease work immediately, take appropriate immediate precautions to ensure worker health and safety, and contact the Operations Supervisor or Inspector.
- Spills**
- If an oil spill occurs during construction call the Environmental Incident Response Team (EIRT) at 414-430-3478.
    - Any quantity of oil is spilled into surface water
    - Any oil spill greater than 50 ppm PCB into a sewer, vegetable garden or grazing land
    - Any oil spill containing greater than 500 ppm PCB
    - Five gallons or more of oil spilled to the ground;
    - Any oil spill involving a police department, fire department, DNR, or concerned property owner

- All excess spoils shall be removed from wetlands and placed in a suitable upland location
  - Trenching and pit excavations within wetlands shall include soil segregation to facilitate restoration of pre-construction soil stratification, and restoration to pre-construction elevations.
  - Poles scheduled to be removed, and that occur within wetland shall be cut at the ground surface.
- Waterways**
- No work can be performed within the banks or below the ordinary high watermark of any navigable waterways/streams.
  - No crossing of navigable waterways with equipment can occur. Foot traffic is allowed
  - Any disturbed soil within 75-feet of the ordinary high water mark of any navigable waterways/streams shall be stabilized within 24 hours of construction completion
- Threatened and Endangered Species**
- Threatened and endangered species are known to occur in the work area. It is illegal to harass, harm, or kill a protected species under state and federal regulations. Proper precautions shall be taken to ensure harm to individuals is avoided.
  - In order to protect the threatened or endangered species, work must be conducted between November 5 and March 15.
  - Exclusion fencing must be installed at the work area prior to March 15.
  - A qualified biologist must be present when conducting work at this location.
- Invasive Species**
- State regulated invasive species are known to occur in the work area. Reasonable precautions are legally required to prevent the spread of these species. The Wisconsin Council on Forestry Transportation and Utility Rights-of-Way Best Management Practices should be followed (<http://council.wisconsinforestry.org/invasives/transportation/>).
- Cultural and Historical Resources, cont.**
- The project is within or adjacent to an area that is identified by the State of Wisconsin as potentially having Native American artifacts, burial mounds or burial sites, which could be encountered during construction
  - If human bone or any artifacts are discovered during construction, work must cease immediately. Contact the Environmental Department who will contact the State Burial Sites Preservation Office and determine the next steps that must be taken in order to comply with state law. Work at that site MAY NOT PROCEED until the Environmental Department authorizes it.
  - A "qualified archaeologist," as specified under Wis. Stats 157.70 (1) (f) and Wis. Admin. Code HS 2.04 (6), must be present to monitor all ground disturbing activities.
- Fract-out Contingency Plan**
- A fract-out contingency plan shall be on-site and implemented accordingly. The contingency plan shall incorporate the following components:
    - Continuously inspect the bore paths for fract-outs in order to respond quickly and appropriately
    - Containment materials (e.g. silt fence, straw bales, sand bags, etc.) shall be on site and available should a fract-out occur
    - A vac truck shall be accessible on short notice in order to respond quickly to a fract-out.



<p align="center"><b>APPROVAL</b></p>	<p align="center"><b>REQUEST FOR COUNCIL ACTION</b></p>	<p align="center"><b>MEETING DATE</b> August 6, 2024</p>
<p align="center"><b>REPORTS AND RECOMMENDATIONS</b></p>	<p align="center">An Ordinance to Amend §245-5 Parking, Stopping and Standing Regulated, of the Municipal Code, to Create an Additional Provision that Prohibits Parking Which Obstructs, Blocks or Impedes Traffic</p>	<p align="center"><b>ITEM NUMBER</b> M.7.</p>

Attached is a copy of the above-entitled Ordinance.

**COUNCIL ACTION REQUESTED**

A motion to adopt An Ordinance to Amend §245-5 Parking, Stopping and Standing Regulated, of the Municipal Code, to Create an Additional Provision that Prohibits Parking Which Obstructs, Blocks or Impedes Traffic.

ORDINANCE NO. 2024-\_\_\_\_\_

AN ORDINANCE TO AMEND §245-5 PARKING, STOPPING AND  
STANDING REGULATED, OF THE MUNICIPAL CODE, TO CREATE  
AN ADDITIONAL PROVISION THAT PROHIBITS PARKING  
WHICH OBSTRUCTS, BLOCKS OR IMPEDES TRAFFIC

---

WHEREAS, §245-5 Parking, Stopping and Standing Regulated, of the Municipal Code, regulates the use of motor vehicles and provides for the efficiency of public safety protections and the efficiency of public and private services traffic travel and the use of commercial and residential dwellings properties safe and convenient traffic travel maintenance and experience; and

WHEREAS, there have been occurrences, operations and practices in the City from time to time wherefrom there has been an impediment to traffic efficiency and convenience decline, and the facts thereof having been reviewed by the Franklin Police Department and recommendation therefrom being to prohibit such occurrences in the interest of the public health, safety and welfare; and

WHEREAS, the Common Council having reviewed a proposed amendment to the Municipal Code to prohibit parking which obstructs, blocks or impedes traffic, and the Common Council having determined that such amendment will serve the public health, safety and welfare.

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

SECTION 1: §245-5 Parking, Stopping and Standing Regulated, of the Municipal Code of the City of Franklin, Wisconsin, is hereby amended to create the following provision:

M. Parking which obstructs, blocks or impedes traffic prohibited. No person shall park a vehicle in any place or manner so as to obstruct, block or impede traffic.

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.

ORDINANCE NO. 2024-\_\_\_\_\_

Page 2

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 \_\_\_\_\_, 2024, by Alderman \_\_\_\_\_.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

APPROVED:

\_\_\_\_\_  
John R. Nelson, Mayor

ATTEST:

\_\_\_\_\_  
Shirley J. Roberts, City Clerk

AYES \_\_\_\_\_ NOES \_\_\_\_\_ ABSENT \_\_\_\_\_

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APPROVAL	REQUEST FOR COUNCIL ACTION	MEETING DATE  08/06/24
REPORTS & RECOMMENDATIONS	RESOLUTION AUTHORIZING THE INSTALLATION OF A FENCE WITHIN THE 20 FOOT PRIVATE PLANTING SCREEN PLAT RESTRICTION, UPON LOT 12 IN BLOCK 1 OF TUCKAWAY GREEN SUBDIVISION (7524 S 77TH STREET) (CINDY DAWES, APPLICANT)	ITEM NUMBER  H. 8.

At its July 18, 2024 meeting the Plan Commission recommended approval of a resolution authorizing the installation of a fence within the 20 foot Private Planting Screen plat restriction, upon Lot 12 in Block 1 of Tuckaway Green Subdivision (7524 S 77th Street) (Cindy Dawes, Applicant).

The vote was 4-0-3, four “ayes”, no “noes” and three absents.

**COUNCIL ACTION REQUESTED**

A motion to approve Resolution No. 2024-\_\_\_\_\_, a resolution authorizing the installation of a fence within the 20 foot Private Planting Screen plat restriction, upon Lot 12 in Block 1 of Tuckaway Green Subdivision (7524 S 77th Street) (Cindy Dawes, Applicant).



CITY OF FRANKLIN  
REPORT TO THE PLAN COMMISSION

Item E.2.

Meeting of July 18, 2024

Fence Installation within Private Planting Screen

**RECOMMENDATION:** City Development staff recommends approval of this request to allow for the installation of a fence within the 20-foot Private Planting Screen upon Lot 12 in Block 1 of the Tuckaway Green Subdivision.

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<b>Project name:</b>	<b>Dawes – Fence Installation within Private Planting Screen</b>
<b>Property Owner:</b>	Dawes, Cindy
<b>Applicant:</b>	Dawes, Cindy
<b>Property Address/TKN:</b>	7524 S 77 <sup>th</sup> Street / 792 0012 000
<b>Aldermanic District:</b>	District 2
<b>Zoning District:</b>	R-6 Suburban Single-Family Residence District
<b>Staff Planner:</b>	Luke Hamill, Associate Planner

---

**Project Description/Analysis**

This request is to allow for a fence 20 foot “Private Planting Screen” upon Lot 12 in Block 1 in the Tuckaway Green Subdivision. The Tuckaway Green Subdivision Final Plat was approved by the Common Council on December 20, 1977 by Resolution No. 77-1320 and contains a 20 foot “Private Planting Screen” for all lots abutting South 76<sup>th</sup> Street. The property owner is proposing to install a fence and within this area and would like release of the plat restriction.

The applicant is proposing a 6-foot high vinyl fence on the rear and side lot lines. This structure would encroach into the planting strip indicated on the plat.

The subject property has a current fence that encroaches into the Private Planting Screen along the side and rear lot lines of the property. This fence was not permitted by the City of Franklin and was installed prior to the current Property Owner. The property owner also currently has an inground pool, which the Uniform Building Code requires fencing of at least 42 inches in height surrounding the pool and at least 4 feet away from the pool boundary. The proposed fence would comply with the Uniform Building Code Standards.

Note that the planting strip is located on platted lots 10 through 20 while the berm is located on the 76<sup>th</sup> Street Right-of-way. The wood fence in the picture below is located near the right-of-way line. Staff acknowledges that the proposed fence would be slightly visible from Ryan Road.



View of the berm on the west side of 76<sup>th</sup> Street, from roadside looking west.

Photograph by City Development staff.

**Site compliance**

City Development staff visited the site on July 10<sup>th</sup> and didn't notice any site compliance issues with the subject lot.

**Staff Recommendation:**

City Development staff recommends approval of this request to allow for the installation of a fence and a shed within the 20-foot Private Planting Screen upon Lot 12 in Block 1 of the Tuckaway Green Subdivision.

RESOLUTION NO. 2024-\_\_\_\_\_

A RESOLUTION AUTHORIZING THE INSTALLATION OF A FENCE  
WITHIN THE 20 FOOT PRIVATE PLANTING SCREEN PLAT RESTRICTION, UPON  
LOT 12 IN BLOCK 1 OF THE TUCKAWAY GREEN SUBDIVISION  
(7524 SOUTH 77TH STREET)  
(CINDY DAWES, APPLICANT)

---

WHEREAS, the Tuckaway Green Subdivision Plat prohibits the building of structures within the 20 foot “Private Planting Screen” described thereon; and

WHEREAS, Cindy Dawes having applied for a release of the 20 foot “Private Planting Screen” easement restriction upon their property to the extent necessary to install a fence along the east line of the property which abuts South 77th Street and within the restricted area upon the property located at 7524 South 77th Street, such property being zoned R-6 Suburban Single-Family Residence District, bearing Tax Key No. 792-0012-000, is more particularly described as follows:

Lot 12, in Block 1, in TUCKAWAY GREEN, being a subdivision of a part of the Southwest 1/4 and the Southeast 1/4 of the Southeast 1/4 of Section 9, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin; and

WHEREAS, the 20 foot “Private Planting Screen” easement restriction upon the Final Plat for Tuckaway Green Subdivision and its accompanying restriction of the building of structures is a restriction which was imposed by the Franklin Common Council in its approval of the Final Plat; and

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

WHEREAS, the Common Council having considered the request for the release of the 20 foot “Private Planting Screen” easement restriction only so as to allow for the subject fence installation, and having considered the proposed location of and type of fence to be installed upon the subject property in conjunction with existing and required landscaping on the property, and that the proposed fence will not be readily visible from the adjoining highway or create any adverse impact upon the aesthetic or buffering purposes of the landscape bufferyard.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the installation of proposed fence of the type and specifications as described and only upon the location as set forth within the plans accompanying the application of Cindy Dawes filed on June 26, 2024 be and the same is hereby authorized and approved and that the "Private Planting Screen" easement restriction as it would otherwise apply to such installation upon the subject property only, is hereby waived and released.

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

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

Introduced at a regular meeting of the Common Council of the City of Franklin this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

APPROVED:

\_\_\_\_\_  
John R. Nelson, Mayor

ATTEST:

\_\_\_\_\_  
Shirley J. Roberts, City Clerk

AYES \_\_\_\_\_ NOES \_\_\_\_\_ ABSENT \_\_\_\_\_

**Legal Description**

**Lot 12 in Block 1 in Tuckaway Green**

City of Franklin,

6/26/24

I am requesting that the City of Franklin approve my request for a fence replacement in the existing fence current location which is located within the private planting screen. This request is being made due to the current fence being on the verge of falling over. I cannot move the fence 20' into my yard to avoid the planting screen due to having a permanent shed located directly in front of the fence which houses my pool pipes, pump, filter, etc. I have a 10' deep inground pool in my yard which without a fence poses a danger to small children in the neighborhood.

Thank you,

A handwritten signature in black ink that reads "C. Dawes". The signature is written in a cursive style with a large initial "C" and a long, sweeping underline.

Cindy Dawes

7524 S. 77<sup>th</sup> St.

Franklin, WI 53132

414-573-7188

<b>CITY OF FRANKLIN</b> <b>BUILDING PERMIT APPLICATION</b> 9229 W. LOOMIS ROAD, FRANKLIN, WI 53132 Phone (414) 425-0084 Fax (414) 425-7513 Application Forms and Handouts can be found at <a href="http://www.franklinwi.gov">www.franklinwi.gov</a>	CITY OF FRANKLIN MAY 21 2024 INSPECTION DEPT	Application No.  Permit No.
--	--	-----------------------------------

Project Address <u>7524 S. 77th St.</u>	Unit or Suite #	Project/Business Name (if applicable) <u>Yutka Fence</u>
Property Owner's Name <u>Cindy Dawes</u> <input checked="" type="checkbox"/> Owner resides or will reside at job address		Email Address <u>DawesCindy@yahoo.com</u>
Mailing Address <u>7524 S. 77th St.</u>	City <u>Franklin</u>	Zip <u>53132</u>
Contractor Name <u>Yutka Fence</u>		WI DC# / Exp. Date:
Dwelling Contractor Qualifier Name ( 1 or 2 family dwellings)		WI DCQ# / Exp. Date:
Mailing Address	City	Zip
Applicant (if other than owner or contractor)		Email Address
Mailing Address	City	Zip

Project Type:  1 & 2 Family     Commercial     Industrial     Institutional     Multi Family - # of Units \_\_\_\_\_

**PERMIT TYPE: \*THESE ITEMS HAVE PLAN REVIEW FEES DUE WITH APPLICATION - PLEASE SEE RESPECTIVE HANDOUTS.**

<input type="checkbox"/> New (other than 1 & 2 family) <input type="checkbox"/> Addition <input type="checkbox"/> Alteration - WORK AREA _____ sq. ft. <input type="checkbox"/> Demolition <input type="checkbox"/> Building Damage Repair <input type="checkbox"/> Building Move <input type="checkbox"/> Foundation Repair <input type="checkbox"/> Fireplace <input type="checkbox"/> Other _____ <input type="checkbox"/> Accessory Building (wood) OR <input type="checkbox"/> Prefab. Storage Encl. (metal, vinyl, resin) (120 sq. ft. or <) Size _____ <input type="checkbox"/> Reroofing <input type="checkbox"/> Complete Tear Off <input type="checkbox"/> Over One Layer - Type of Material _____ <input type="checkbox"/> Residing - Existing Material _____ Replacement Material _____ Additional Project Description: _____	<input checked="" type="checkbox"/> Fence - Type and Height <u>Vinyl - 6'</u> <input type="checkbox"/> Spa/Hot Tub <input type="checkbox"/> On Slab <input type="checkbox"/> On Deck <input type="checkbox"/> Pool <input type="checkbox"/> In Ground <input type="checkbox"/> Above Ground (Ht. above ground) _____ <input type="checkbox"/> Deck <input type="checkbox"/> Attached <input type="checkbox"/> Detached <input type="checkbox"/> Pool <input type="checkbox"/> Occupancy - \$225 plus \$7 Technology Fee (Commercial, Industrial, Institutional only). <input type="checkbox"/> Accessory Bldg./Garage (> 120 sq. ft.) Size _____ on slab *(plan review fee required for > 150 sq. ft.)
---	--

Estimate "Net" Total Project Cost: \$ \_\_\_\_\_ Estimate Total Project Cost: \$ 13098.44  
 ("Net" excludes cost for Plumbing/Electrical/HVAC work)

**Cautionary Statement To Owners Obtaining Building Permits**

101.65(lr) of the Wisconsin Statutes requires municipalities that enforce the Uniform Dwelling Code to provide an owner who applies for a building permit with a statement advising the owner that: If the owner hires a contractor to perform work under the building permit and the contractor is not bonded or insured as required under s. 101.654 (2) (a), the following consequences might occur: (a) The owner may be held liable for any bodily injury to or death of others or for any damage to the property of others that arises out of the work performed under the building permit or that is caused by any negligence by the contractor that occurs in connection with the work performed under the building permit. (b) The owner may not be able to collect from the contractor damages for any loss sustained by the owner because of a violation by the contractor of the one- and two- family dwelling code or an ordinance enacted under sub. (1) (a), because of any bodily injury to or death of others or damage to the property of others that arises out of the work performed under the building permit or because of any bodily injury to or death of others or damage to the property of others that is caused by any negligence by the contractor that occurs in connection with the work performed under the building permit.

CONTACT PERSON (print) Cindy Dawes PHONE 414-573 7188  
 APPLICANT'S SIGNATURE C. Dawes DATE 3-17-24

**FAILURE TO OBTAIN PERMIT PRIOR TO STARTING WORK  
 FIRST OFFENSE TRIPLE FEES, SUBSEQUENT OFFENSES QUADRUPLE FEES  
 SEPARATE PERMITS REQUIRED FOR PLUMBING, ELECTRICAL AND HVAC**




**OWNER'S ACKNOWLEDGEMENT OF CONDITIONS FOR FENCES LOCATED IN  
WE ENERGIES UTILITY EASEMENTS**

Fences may be permitted in We Energies utility easements only subject to the following:

1. The fence shall not be positioned nearer than 3' to any side of a transformer if present.
2. The fence shall not be positioned nearer than 10' to the door of any transformer if present.  
*EXCEPTION: If a gate or easily removable section of fence is positioned directly in front of the door and measures at least as wide as the door to the transformer, the distance may be reduced to 3'.*
3. We Energies will not repair or replace any portion of the fence in the utility easement if the fence needs to be removed for any utility work including clearing obstructions in the easement area.
4. The fence shall not be attached to any utility equipment.
5. "Digger's Hotline" shall be contacted prior to any excavation work.
6. This authorization only applies to We Energies utility easements.

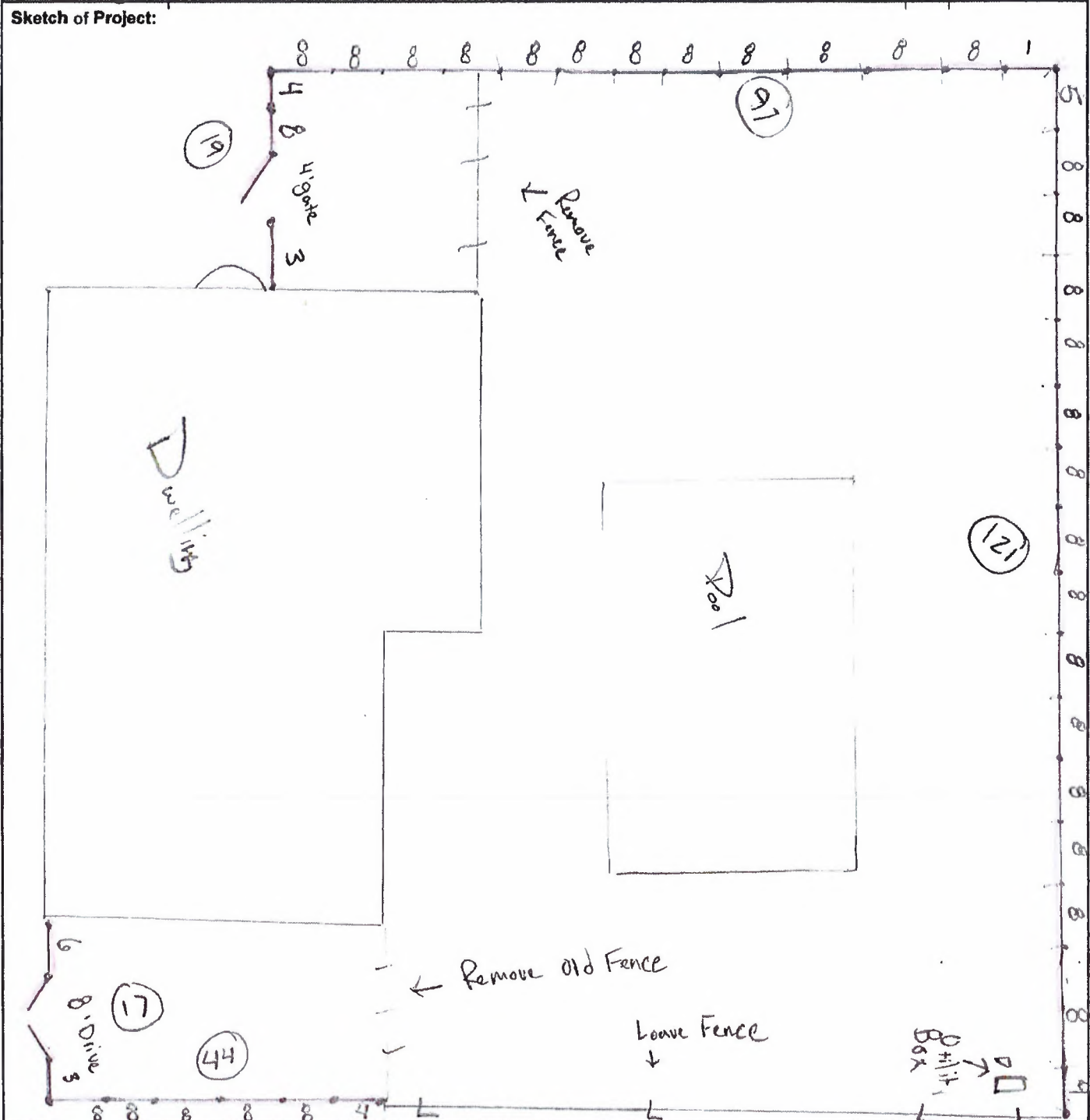
Property Owner(s) hereby acknowledges that he/she has read and understands the above conditions:

Sign  Print Cindy Dawes  
Sign \_\_\_\_\_ Print \_\_\_\_\_

**NOTE: The owner must sign this acknowledgement and include it with their fence permit submittal.**

JOB ID: 22362    TYPE:  ESTIMATE  LAYOUT    INSTALL DATE:    FOREMAN:

CUSTOMER: Cindy + Chris Daves    SALES PERSON: David    DATE: 4/26/24



Style: <u>Wht Vinyl Tri-Mat II</u>	Style: _____	Drills	Customer's Initials
Feet: <u>298'</u> Height: <u>6'</u>	Feet: _____    Height: _____	Digs	
Gates: <u>(1) 8' wide Drive (1) 4' Walk</u>	Gates: <u>All w/ Pool Hardware</u>	Breaks <u>2</u>	
		Pulls <u>12</u>	

New Fence	Stick Build	Property Pins	•••
Leave Fence	Measurement	Core Drills	*
Remove Fence	Utilities	Digs	⊙

N  
W + E  
S

<b>SPEC SHEET</b>		LAYOUT TECH: <u>David</u>	CUSTOMER: <u>Cindy Daves</u>	DATE: <u>4/26/24</u>
<b>PROPERTY LINES:</b> HOW WERE PROPERTY LINES DETERMINED: <input checked="" type="checkbox"/> Some stakes found (customer determined other fence locations) How Many Found? <u>2</u> <input type="checkbox"/> All stakes found (customer verified) <input type="checkbox"/> No stakes found (customer determined fence location)			DOES THIS FENCE NEED TO MEET POOL CODE? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
SPOILS: <input checked="" type="checkbox"/> Haul offsite <input type="checkbox"/> Move to onsite location (not recommended) <input checked="" type="checkbox"/> No going in removal holes <input type="checkbox"/> N/A Driven				
IF SPOILS ARE TO REMAIN ONSITE, EXPLAIN LOCATION BELOW: (not recommended)			LAYOUT TECH EXPLAINED GATE LATCHES: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A LATCH OPERATION, LOCKING OPTIONS, LATCH UPGRADES INITIALS: <u>CD</u>	
EXPLAIN BUSH/TREE TRIMMING REQUIREMENTS OR YARD ITEMS TO BE MOVED BY: <input checked="" type="checkbox"/> Homeowner - Prior to Install <input type="checkbox"/> Yutka Fence- During Install				
SALESPERSON VERIFIED GATE SWINGS WILL WORK BASED ON GRADING: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A			GATE(S) NEED TO BE RACKED? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A	
GRADE CHANGE CONSIDERATIONS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If Yes, explain:				
CORE DRILLS QTY: #1 _____ #2 _____ #3 _____ #4 _____ #5 _____		#CONCRETE CUTS _____ #ASPHALT CUTS _____ #BAGS OF ASPHALT PATCH _____		
MATERIAL BEING REMOVED: <input checked="" type="checkbox"/> Wood <input type="checkbox"/> Vinyl <input type="checkbox"/> Aluminum <input type="checkbox"/> Chain Link		REMOVAL TYPE: <input checked="" type="checkbox"/> Take down/haul away <input type="checkbox"/> Take down only		REMOVE/PULL POST BASE <u>12</u> LEAVE/CUT POST BASE <u>21</u>
TAKE DOWN ONLY: Instructions for where to pile materials: (Mark on-site with stake)				
GOOD SIDE FACES: <input checked="" type="checkbox"/> Out (Normal) <input type="checkbox"/> In If IN, was special permission received in writing from Town/City/Neighbor if needed? <input type="checkbox"/> Yes <input type="checkbox"/> No				
AVERAGE SPACE BETWEEN FENCE AND GROUND: <input checked="" type="checkbox"/> Standard- Avg 1"-3" <input type="checkbox"/> Other - Explain:				
<b>FENCE SPECIFICATIONS</b>		<b>STYLE 1 FOOTAGE</b> <u>298'</u>		<b>STYLE 2 FOOTAGE</b>
STYLE:		HEIGHT:		HEIGHT:
<u>Tri-Mat II</u>		<u>6'</u>		
COLOR:		COLOR:		
WOOD <input type="checkbox"/> Natural - White Cedar		WOOD <input type="checkbox"/> Natural - White Cedar		
VINYL: <input checked="" type="checkbox"/> White <input type="checkbox"/> Tan <input type="checkbox"/> Mocha <input type="checkbox"/> Other:		VINYL: <input type="checkbox"/> White <input type="checkbox"/> Tan <input type="checkbox"/> Mocha <input type="checkbox"/> Other:		
ALUMINUM: <input type="checkbox"/> YUTKA <input type="checkbox"/> ULTRA <input type="checkbox"/> DSI		ALUMINUM: <input type="checkbox"/> YUTKA <input type="checkbox"/> ULTRA <input type="checkbox"/> DSI		
<input type="checkbox"/> SMOOTH <input type="checkbox"/> Black <input type="checkbox"/> Bronze <input type="checkbox"/> Beige <input type="checkbox"/> Walnut		<input type="checkbox"/> SMOOTH <input type="checkbox"/> Black <input type="checkbox"/> Bronze <input type="checkbox"/> Beige <input type="checkbox"/> Walnut		
<input type="checkbox"/> TEXTURED <input type="checkbox"/> White <input type="checkbox"/> Grey <input type="checkbox"/> Khaki <input type="checkbox"/> Sandy Shore		<input type="checkbox"/> TEXTURED <input type="checkbox"/> White <input type="checkbox"/> Grey <input type="checkbox"/> Khaki <input type="checkbox"/> Sandy Shore		
CHAIN LINK: <input type="checkbox"/> Galvanized <input type="checkbox"/> Black <input type="checkbox"/> Bronze <input type="checkbox"/> Green		CHAIN LINK: <input type="checkbox"/> Galvanized <input type="checkbox"/> Black <input type="checkbox"/> Bronze <input type="checkbox"/> Green		
BOARD WIDTH	GATE QTY	GATE QTY	GATE QTY	BOARD WIDTH
	<u>1</u>	<u>1</u>		
OVERLAP/PICKET GAP	WIDTH FT	WIDTH FT	WIDTH FT	OVERLAP/PICKET GAP
	<u>8</u>	<u>4</u>		
POST SIZE	RACK IN	RACK IN	RACK IN	POST SIZE
<u>5x5</u>				
POST CAPS <input type="checkbox"/> Dog Ear <input type="checkbox"/> Gothic <input type="checkbox"/> Trim	<input type="checkbox"/> S/C Hinge	<input type="checkbox"/> S/C Hinge	<input type="checkbox"/> S/C Hinge	POST CAPS <input type="checkbox"/> Dog Ear <input type="checkbox"/> Gothic <input type="checkbox"/> Trim
<input type="checkbox"/> Classic 4x4 <input type="checkbox"/> Solar <input type="checkbox"/> Ball	<input type="checkbox"/> Arch	<input type="checkbox"/> Arch	<input type="checkbox"/> Arch	<input type="checkbox"/> Classic 4x4 <input type="checkbox"/> Solar <input type="checkbox"/> Ball
<input type="checkbox"/> Classic 4x6 <input type="checkbox"/> Standard				<input type="checkbox"/> Classic 4x6 <input type="checkbox"/> Standard
POST INSTALL METHOD <input type="checkbox"/> Driven <input checked="" type="checkbox"/> Concreted <input type="checkbox"/> Plated	TOP RAIL <input type="checkbox"/> 1- 5/8" <input type="checkbox"/> SS20	TOP RAIL <input type="checkbox"/> 1- 5/8" <input type="checkbox"/> SS20	TOP RAIL <input type="checkbox"/> 1- 5/8" <input type="checkbox"/> SS20	POST INSTALL METHOD <input type="checkbox"/> Driven <input type="checkbox"/> Concreted <input type="checkbox"/> Plated
	<input type="checkbox"/> 16ga			
ATTACHED TO POST <input type="checkbox"/> Face Nailed <input checked="" type="checkbox"/> N/A <input type="checkbox"/> Reverse Face Nailed	LINE POST <input type="checkbox"/> 1- 5/8" <input type="checkbox"/> 16ga	LINE POST <input type="checkbox"/> 1- 5/8" <input type="checkbox"/> 16ga	LINE POST <input type="checkbox"/> 1- 5/8" <input type="checkbox"/> 16ga	ATTACHED TO POST <input type="checkbox"/> Face Nailed <input type="checkbox"/> N/A <input type="checkbox"/> Reverse Face Nailed
	<input type="checkbox"/> 1- 7/8" <input type="checkbox"/> SS20	<input type="checkbox"/> 1- 7/8" <input type="checkbox"/> SS20	<input type="checkbox"/> 1- 7/8" <input type="checkbox"/> SS20	
L/E/C POST HOLE DEPTH <input checked="" type="checkbox"/> 36" <input type="checkbox"/> 42" <input type="checkbox"/> 48"	TERMINAL POST <input type="checkbox"/> 2- 3/8" <input type="checkbox"/> SS20 <input type="checkbox"/> 4	TERMINAL POST <input type="checkbox"/> 2- 3/8" <input type="checkbox"/> SS20 <input type="checkbox"/> 4	TERMINAL POST <input type="checkbox"/> 2- 3/8" <input type="checkbox"/> SS20 <input type="checkbox"/> 4	L/E/C POST HOLE DEPTH <input type="checkbox"/> 36" <input type="checkbox"/> 42" <input type="checkbox"/> 48"
	<input type="checkbox"/> 60" <input type="checkbox"/> 72"	<input type="checkbox"/> 60" <input type="checkbox"/> 72"	<input type="checkbox"/> 60" <input type="checkbox"/> 72"	
FLUSH BOTTOM RAIL <input type="checkbox"/> Yes <input type="checkbox"/> No	EXTRAS <input type="checkbox"/> Circles <input type="checkbox"/> Tri-Finial <input type="checkbox"/> Quad-Finial	EXTRAS <input type="checkbox"/> Circles <input type="checkbox"/> Tri-Finial <input type="checkbox"/> Quad-Finial	EXTRAS <input type="checkbox"/> Circles <input type="checkbox"/> Tri-Finial <input type="checkbox"/> Quad-Finial	FLUSH BOTTOM RAIL <input type="checkbox"/> Yes <input type="checkbox"/> No
NOTES	MISC.	NOTES	MISC.	MISC.
CHANGE: (+38') 6'ht Vinyl TriMat II COST: +2,121.92	CHANGE: (+1) Pool Hardware Walk Gate COST: +45.24	CHANGE: (+1) 8' Wide, 6'ht Drive Gate COST: +2,092.15	CHANGE: (+2) Runs COST: +362.30	CHANGE: (-1) 10' wide, 6'ht Drive Gate COST: -2,305.56
CHANGE: (+1) 4' wide, 6'ht Gate COST: +1,026.66	CHANGE: DISCOUNT / ADJUSTMENT COST: (-344.28)	TOTAL COST OF CHANGES: <input checked="" type="checkbox"/> Add/Debit <input type="checkbox"/> Subtract/Credit \$ <u>3098.44</u>		
CUSTOMER APPROVAL SIGNATURE: <u>C. Daves</u>			DATE: <u>4-26-24</u>	



11880 12TH STREET  
KENOSHA, WI 53144

Customer Name: Cindy Dawes

1. Any special considerations we should be aware of? (dogs, pools, landscaping):

Dogs + Pool

2. Neighbors: Customer obtained written permission from neighbor for special circumstances (access to yard, connecting to fence)  Yes  No  N/A

3. Do you have an HOA (Homeowner's Association):  Yes  No

a. If YES, was the project approved?  Yes  No  Not Yet  N/A

4. Plat of Survey: Customer gave a copy of plat of survey to Yutka for reference:  Yes  No

5. Fence Location: I, Cindy + Cindy Dawes am responsible for ensuring the fence is installed on my property and take all responsibility for problems related to property lines after the fence's installation. While Yutka Fence can assist in identifying property pin locations using the information I provide or publicly accessible data, I acknowledge that they are not professional surveyors and bear no responsibility for the ultimate placement of the fence. I am aware that I have the option to employ a surveyor should I have any doubts regarding the exact boundaries of my property. Initial Here: CD

6. Fence Permit: Is Yutka Fence acquiring the permit for you?  Yes  No

• If No: Has your permit been applied for?  Yes  No  N/A

7. Public Utility Lines: Diggers Hotline will be called by Yutka. Please be advised they will mark two times. Once before the layout can be completed and once before installation. If Yutka Fence must dig within 18" of public utility lines, there will be a charge of \$120 per hole. Customer may choose to move the fence line to avoid charges, which may adjust the fence price. Were utility marks visible at layout?  Yes  No

• Customer is aware there may be changes in utility marks if relocation is required, potentially causing additional Utility Dig charges of \$120/hole unless fence location is moved. Initial Here: \_\_\_\_\_

8. Private Utility Lines: Customer is responsible for identifying the exact location of ALL PRIVATE UTILITIES. If Yutka is instructed to dig near those utilities it is the customer's responsibility to repair any damage. Examples of private utilities: Underground down spouts, sprinkler systems, private electric lines from house to garage, gas lines for pools, or grill, electric pool or electric lights. Are there any private utilities on your property?  Yes  No. *Not interfering*

• If YES, Customer is to mark with spray paint where these are on the property before installation.

9. On day of install, will our crew have access to outdoor: Water:  Yes  No Electricity:  Yes  No

10. Scheduling: We give an estimated installation window via email. This is subject to change and is weather and project contingent. Yutka will contact you if this date changes for any reason. Can we install your fence if we have not heard back from you before the planned installation?  Yes  No

11. Payments: Final payment is due upon substantial completion of the project. Minor rework will be done in a timely manner and will not hold up final payment.

Method of final payment:  ACH/Check by Phone  Financing  Credit Card (will not receive 5% discount)

12. Changes: IF CHANGES ARE MADE TO YOUR PROJECT AFTER YOUR MATERIALS HAVE BEEN BUILT/ORDERED, YOU ARE RESPONSIBLE FOR THE ADDED CHARGES AND AN ADMINISTRATION FEE WILL APPLY.

By signing below you are stating that you approve the project layout/drawings provided and all of the above information.

Signature: C. Dawes

Date: 4-26-24

Fence Installation Method: Tech. \_\_\_\_\_ Customer: \_\_\_\_\_

The following drawing and explanation shows the only installation method that Yutka Fence offers.

Please **initial** next to the drawing below to confirm you understand the method we are going to use to install your fence. When the fence can be level on top, we will install it that way. All yards require grades for proper drainage, so following the flow of these grades is necessary for the proper installation of your fence. We do not dig out the ground or leave the fence up high in order to keep the fence level. Any grade work should be done prior to the fence installation.



**FOLLOWING THE FLOW (RECOMMENDED):**

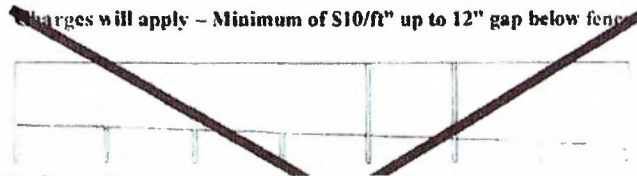


The fence will follow the grade changes of your land with the goal of minimizing the gap between the bottom of the fence and the ground, while transitioning from one grade level to another in a way that makes it as pleasing to the eye as possible, which may still mean the fence will be a little higher off the ground in some areas versus others. Along one run of fence, the sections may slope down as the ground slopes down and then the sections may transition back to a rising slope along the same run of fence if the ground begins to slope up. The fence may touch the ground in a few areas, but will be off the ground for the majority of the fence.



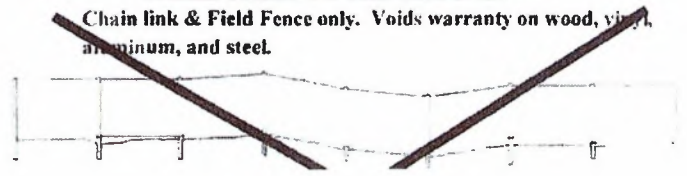
We will transition from one grade level to another in your yard by stepping the fence panels just like stairs. With this type of installation there will be large gaps underneath the fence in certain areas that can either be left open or you can choose to fill them in with dirt.

~~LEVEL ON TOP~~



Charges will apply - Minimum of \$10/ft up to 12" gap below fence

~~ADJUST TO FIBER OR STAIN~~



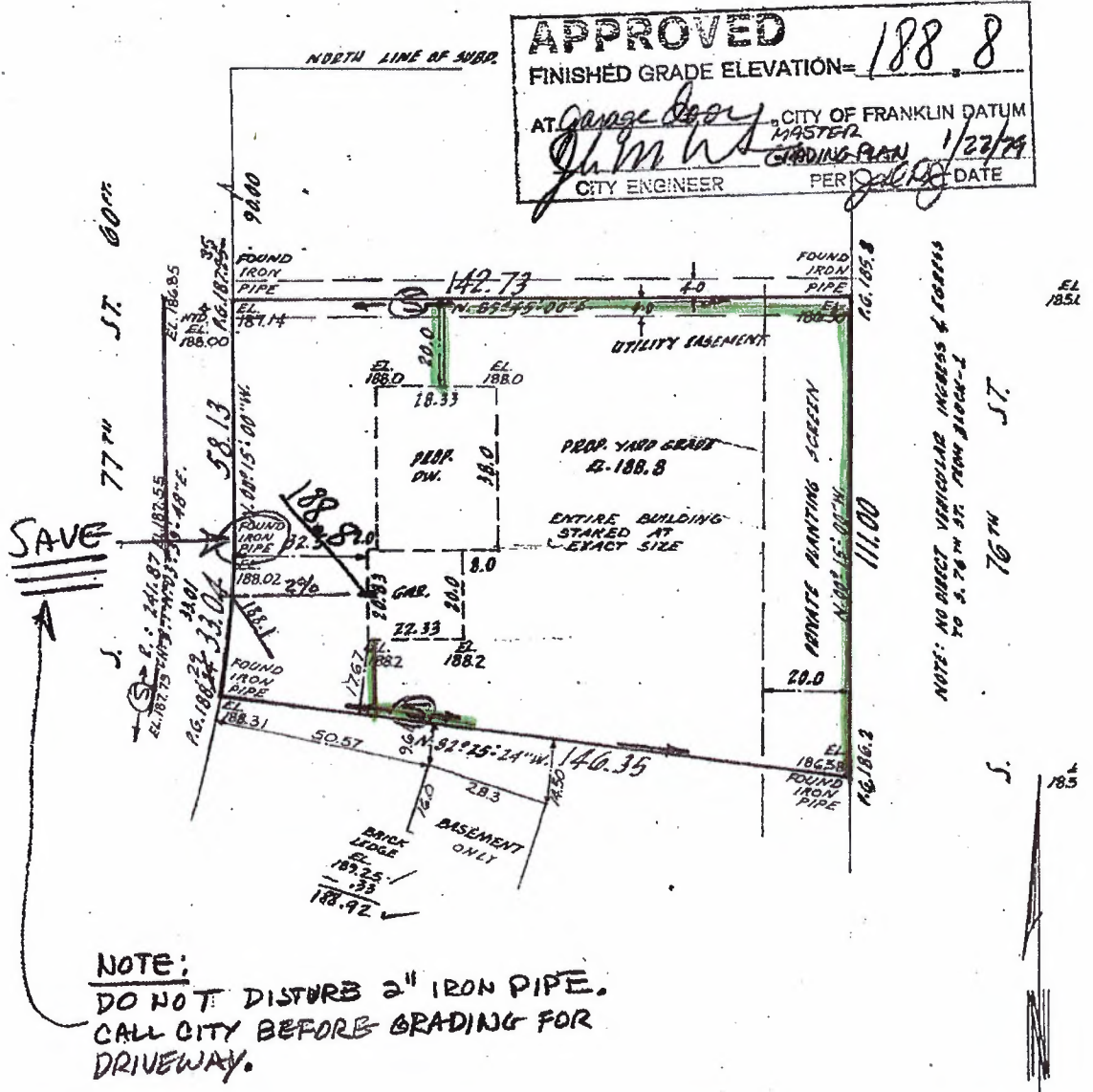
Chain link & Field Fence only. Voids warranty on wood, vinyl, aluminum, and steel.

*file copy*  
**Plat of Survey**

Known as **7524** South 77th Street, in the City of Franklin, Wisconsin  
 Lot 12 in Block 1 in TUCKAWAY GREEN, being a Subdivision of a part of the S E 1/4 of  
 Section 9, T 5 N, R 21 E, in the City of Franklin, Milwaukee County, Wisconsin

DECEMBER 29, 1978

SURVEY NO. 144056-S



**NOTE:**  
 DO NOT DISTURB 2" IRON PIPE.  
 CALL CITY BEFORE GRADING FOR  
 DRIVEWAY.

I Certify that I have surveyed the above described property (Property), and the above map is a true representation thereof and shows the size and location of the Property, its exterior boundaries, the location and dimensions of all visible structures thereon, boundary fences, apparent easements and roadways and visible encroachments, 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 date hereof.

*Kenneth E. Berke*  
 SURVEYOR





YUTKA

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<b>APPROVAL</b>	<b>REQUEST FOR COUNCIL ACTION</b>	<b>MTG. DATE</b> August 6, 2024
Reports & Recommendations	<b>A Resolution to Authorize WE Energies to Provide Electric Service for Signal Cabinet on S. 51<sup>st</sup> Street and W. Preserve Way</b>	<b>ITEM NO.</b> 15.9. Ald. 15.575

**BACKGROUND**

The City is constructing traffic signals on S. 51<sup>st</sup> Street and W. Preserve Way (entrance to Franklin High School). This project will need an electrical service for the operation of the signals.

**ANALYSIS**

Two attached authorization letter to WE Energies is needed to provide the installation of this service.

**OPTIONS**

This is needed for the operation of the signals.

**FISCAL NOTE**

The City of Franklin will pay monthly rental fees for these services and there is an agreement with Franklin Schools to reimburse. The installation fee is covered in the construction contract.

**RECOMMENDATION**

Authorize Resolution 2024-\_\_\_\_\_ a resolution to authorize WE Energies to provide electric service for signal cabinet on S. 51<sup>st</sup> Street and W. Preserve Way.

Engineering Department: GEM

RESOLUTION NO. 2024 -

A RESOLUTION TO AUTHORIZE WE ENERGIES TO PROVIDE ELECTRIC SERVICE  
FOR SIGNAL CABINET ON S. 51<sup>ST</sup> STREET AND W. PRESERVE WAY

---

WHEREAS, The City of Franklin is constructing traffic signals on S. 51<sup>st</sup> Street and W. Preserve Way (entrance to Franklin High School); and

WHEREAS, this project will be fed from a new electrical service; and

WHEREAS, WE Energies needs City authorization to install an electrical service for the operation of the new signal system.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Common Council of the City of Franklin that it would be in the best interest of the City to authorize the said project.

BE IT FURTHER RESOLVED, that the City Engineer is authorized to make the necessary direction to WE Energies to perform these types of work,

Introduced at a regular meeting of the Common Council of the City of Franklin the \_\_\_\_\_ day of \_\_\_\_\_, 2024, by Alderman \_\_\_\_\_.

PASSED AND ADOPTED by the Common Council of the City of Franklin on the \_\_\_\_\_ day of \_\_\_\_\_, 2024.

APPROVED:

\_\_\_\_\_  
John R. Nelson, Mayor

ATTEST:

\_\_\_\_\_  
Shirley J. Roberts, City Clerk

AYES \_\_\_\_ NOES \_\_\_\_ ABSENT \_\_\_\_



**We Energies**  
4800 W. Rawson Ave.  
Franklin, WI 53132

www.we-energies.com

June 28, 2024

CITY OF FRANKLIN WATER UTILITY  
9229 W Loomis Rd  
Franklin, WI 53132

**THIS LETTER IS YOUR INVOICE FOR ELECTRIC SERVICE**

S 51st St & S Preserve Way Ne Corner , Franklin, WI 53132

Dear CITY OF FRANKLIN WATER UTILITY,

With your returned service application, you are on your way to having electric service installed at your location.

Please confirm that the following electric service details are correct. If not, please call me right away.

Type:	New Service	Subdivision:	n/a
Class:	Underground	Lot #:	0
Size:	100 amps	Work Request #:	5002340 (for internal use only)
Voltage:	120/240V-3W		

**Your next steps are to:**

- Send in payment for electric service installation.*
  - The cost for electric service installation is: \$1,074.50**
  - Additional charges will apply if installation is needed from December 1 through March 31.
  - We must receive your payment and electrical inspection before we can schedule your installation. Please include the service address with your payment, and send it to us in the enclosed envelope.
  - In the event we encounter unusual conditions during the installation of your service, there may be additional charges.
  - This amount is valid for 90 days from the date of this letter.
  - If an additional cost estimate is needed within 12 months, there will be a charge for preparing the new estimate.
- Sign and return one of the enclosed sketches.*
  - Review, sign and return an enclosed sketch in the envelope provided.
  - Draw and label any private underground facilities on the sketch.
  - We must receive your approved and signed sketch before step #3 below.
- Send or fax the Ready for Service card when the site is ready for electric service installation.*
  - Your construction site is ready for service when requirements 1-4 on the *Ready for Service* card are met.
  - When we receive your card, we will call you to discuss the installation.

4 Mark private underground facilities.

- Locate and mark (with stakes, spray paint or flags) or expose any customer-owned underground obstructions or facilities.
- If you are not sure what this includes, please call for more information.
- We Energies and/or its agents will not be held responsible for damage to unmarked, private facilities

**Contact me for all of your electric installation needs.**

I'm here to make sure your questions are answered and any concerns you have are addressed. On behalf of We Energies, I appreciate the opportunity to serve you and look forward to providing you with safe, reliable and reasonably-priced electricity.

Sincerely,



Gerri Gaglione

Energy Services Consultant

Phone 414-423-5008; Fax 414-423-5061



62-3314  
100 40-5  
15A  
STD 129-13.1  
REMOVE ABANDONED RISER

FINAL STABILIZATION SHALL BE PERMANENT SEED & CLASS 1 TYPE B URBAN EROSION MAT WITHIN THE ROW  
STOCKPILE MATERIALS SHALL BE PLACED UPSLOPE FROM EXCAVATION  
IF STOCKPILE MATERIALS MUST BE PLACED DOWNSLOPE OF EXCAVATION,  
PROTECT STOCKPILES WITH 12" WATTLES

<b>COMMON INFORMATION</b> STAKING REQUIREMENTS: <input type="checkbox"/> SURVEYOR <input type="checkbox"/> STAKED <input type="checkbox"/> NOT NEEDED <input checked="" type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> DESIGNER <input checked="" type="checkbox"/> NOT NEEDED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO RESTORE PRIVATE PROPERTY: <input type="checkbox"/> WE ENERGIES <input checked="" type="checkbox"/> CUSTOMER	
WORK IS APPROX. 115 FT DIRECTION NORTH OF CL OF S.PRESERVE WAY. NEAREST CROSS STREET: S.PRESERVE WAY (RUBEN LUCAS JONES TRL)	
<b>ELECTRIC INFORMATION</b> OPER MAP # : 4194-7484-02 FEDERAL LINE # : Z77872 CATY JOINT USE # : TEL JOINT USE # :	
<b>PROPOSED GAS SERVICE INFORMATION</b> MTR SIZE: _____ MTR TYPE: _____ PRES. <input type="checkbox"/> EFV SERV PIPE SIZE: _____ MATERIAL: _____ RELIGHT <input type="checkbox"/> MTR LOC: _____ FT OF _____ CORNER <input type="checkbox"/> CURB VLV <input type="checkbox"/> CONSTRUCTION TYPE: _____ TIE IN PIPING <input type="checkbox"/>	
RAILROAD PERMITTING/FLAGGING REQUIRED <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO RR NAME: _____ PHONE #: _____ CORROSION CONTACT: _____	

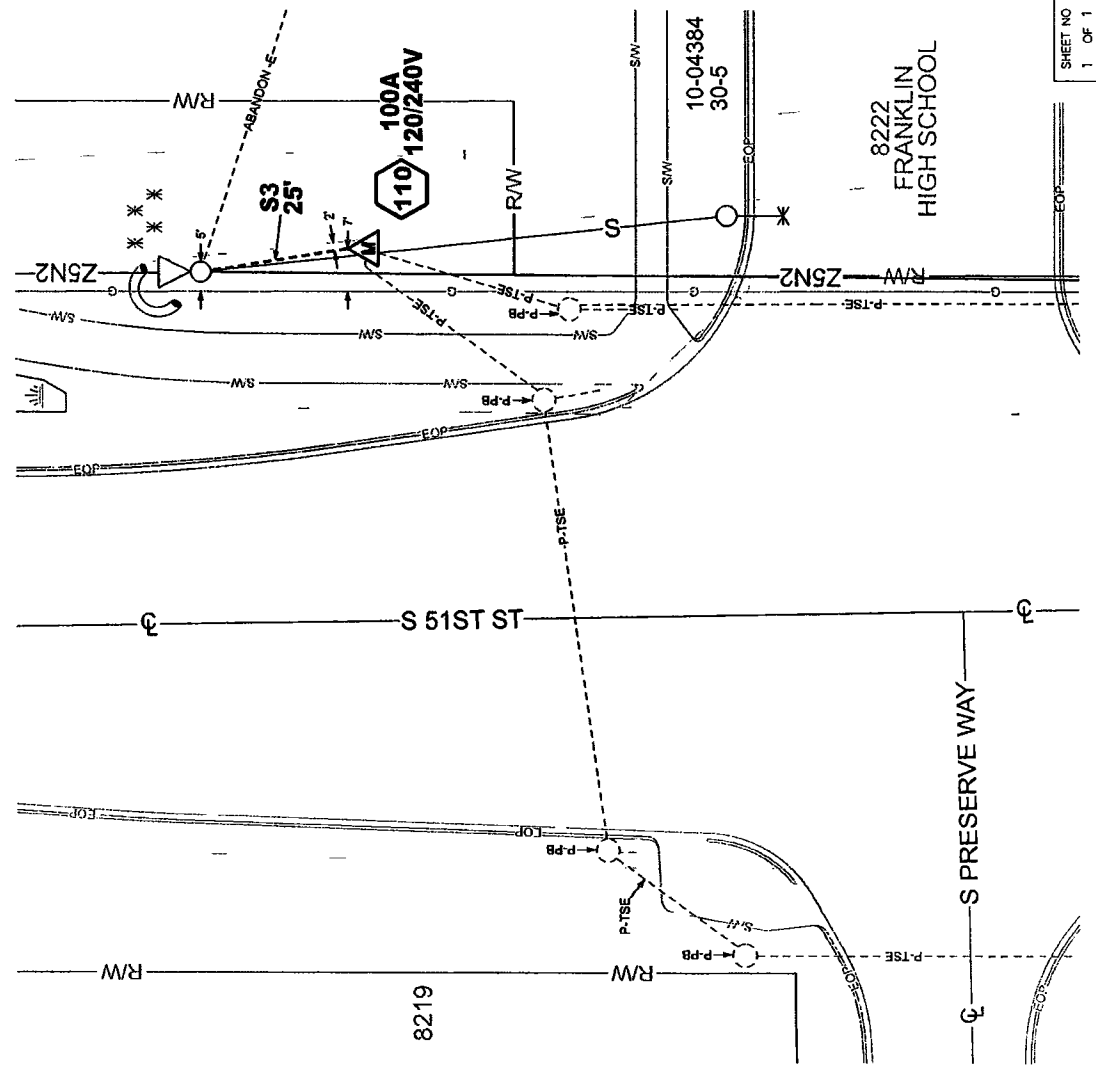
ELEC WR: <b>085002340</b> GAS WR: _____
CITY/TOWN/VILLAGE: FRANKLIN CUST PROJ NAME: CITY OF FRANKLIN PROJECT LOCATION: 8222 S. 51ST ST
WORK DESCRIPTION: NEW TRAFFIC SIGNAL CABINET 100A 120/240V URD SERVICE
PREPARED BY: LUCAS WANDALL E-MAIL: LUCAS.WANDALL@WE-ENERGIES.COM OFFICE #: 282-385-8420 CELL #: 414-627-3170 PAGER #: _____ IO #: 5451 PROJECT ID: _____ COS #: _____ DATE PREPARED: 06/19/24 DATE REVISED: _____

JOB INFO:  
 SECTION / TOWN / RANGE: NE1/4 SEC 14, T5N R21E  
 SITE VISIT COMPLETED BY: LUCAS WANDALL  
 JOB OWNER: GRI GAGLIONE 414-423-5008

MAIN CONTACTS:  
 ENGINEERING FIRM RA SMITH JOHN BRUGGEMAN 262-317-3353  
 PLUMBER/VAC:  
 ELECTRICIAN:  
 CUSTOMER, CITY OF FRANKLIN GLEN MORROW 414-425-7500

CONTINGENCIES & COMMENTS:  
 WE ENERGIES WILL COMPLETE LAWN / PAVEMENT REPAIR ON DIGGERS HOTLINE REQUIRED  
 ROAD ROW  NEIGHBORING PROPERTY  
 NONE  CUSTOMER PROPERTY  
 WE ENERGIES WILL HAUL SPOIL FROM  
 ROAD ROW  NEIGHBORING PROPERTY  
 NONE  CUSTOMER PROPERTY  
 CUSTOMER IS REQUIRED TO LOCATE ALL PRIVATE UNDERGROUND FACILITIES PRIOR TO INSTALLATION  
 WE ENERGIES IS NOT RESPONSIBLE FOR ROOT DAMAGE  
 CONSTRUCTION REMARKS

CUSTOMER'S SIGNATURE OF APPROVAL \_\_\_\_\_ DATE \_\_\_\_\_



WE ENERGIES - ELECTRIC OPERATIONS		STANDARD WIRE KEY		SECONDARY - 1PHASE		SECONDARY - 3PHASE			
<b>CLEARANCE NOTES:</b> -LOCATION OF OBSTRUCTIONS ARE FROM RECORDS AND MUST BE VERIFIED IN THE FIELD -MAINTAIN 2' MIN CLEARANCE BETWEEN OUTSIDE FACE OF MANHOLE & BELL OF PIPE. -THIS APPLIES TO GAS AND WATER MAINS. -MAINTAIN 2' MIN VERTICAL CLEARANCE AT CROSSINGS OF SEWER OR WATER MAINS. -MAINTAIN 5' MIN. HORIZONTAL DIST. BETWEEN CONDUIT AND SEWER. -MAINTAIN 3' MIN. HORIZONTAL DIST. BETWEEN CONDUIT AND WATER MAINS. <b>NOTE - CLEARANCES SHOWN ARE MINIMUM DISTANCES - REFERENCE PERMITS FOR SPECIFIC CLEARANCE REQUIREMENTS. ADDITIONAL UNDERGROUND INFORMATION ON EXCAVATION, BACKFILLING AND CLEARANCES CAN BE FOUND IN STD. 281-42.</b>		<b>OVERHEAD PRIMARY</b> E, F, H, Q, R, W, X or Z Z 1 #2 ACSR Z1 1 #10 ACSR Z2 1 #30 ACSR Z3 3 #2 ACSR Z4 3 #10 ACSR Z5 3 #30 ACSR Z6 3 #36 ACSR Z7 3 #42 ACSR Z8 3 #50 AL 15KV Z9 SPECIAL LIST ON SKETCH Z10 1 WIRE REMOVAL Z11 2 WIRE REMOVAL Z12 3 WIRE REMOVAL		<b>NEUTRAL</b> N 1 #2 ACSR N1 1 #10 ACSR N2 1 #30 ACSR N3 1 #40 AL N4 1 #36 ACSR N5 REMOVAL <b>GUYING</b> G 1/4" ARM GUY G1 5/16" ARM GUY G2 3/8" ARM GUY G3 5/16" POLE GUY G4 3/8" POLE GUY G5 7/16" POLE GUY		<b>DIRECT BURY PRIMARY - E, F, H, Q, R, W, X or Z</b> X22 1 #2 Cu 15KV X23 3 #2 Cu 15KV X24 1 #2 Cu 25KV X25 3 #2 Cu 25KV X26 3 #500 AL 28KV X27 3 #2 AL 15KV X28 3 #500 Cu 15KV X29 3 #500 Cu 28KV X30 3 #750 Cu 28KV X31 3 #750 AL 35KV X32 3 #750 AL 28KV		<b>NEUTRAL</b> S GDx S1 4 TX S2 2 TX S3 1/0 TXR S4 3/0 TXR S5 350 TXR S6 750 TXR S7 1/0 TFX S8 4/0 TFX S9 336 TXR S10 750 TFX S11 3 WIRE REMOVAL S12 3 WIRE MAIN S13 6DX CIC S15 1/0TX CIC	

**WE ENERGIES WORK REQUEST ENVIRONMENTAL NOTES (Notes 1 through 7 apply to ALL work requests)**

EROSION CONTROL LEGEND		WE ENERGIES WORK REQUEST ENVIRONMENTAL NOTES (Notes 1 through 7 apply to ALL work requests)	
	APPROXIMATE LOCATION FOR UNDERGROUND FACILITY EXCAVATION	<b>General</b>	1. If WDNR and/or USACE permits were obtained for the project, all permit conditions shall be met during construction of the project.
	INLET PROTECTION, TYPE	<b>Erosion Control</b>	2. If soil disturbance occurs on slopes or channels/ditches leading to wetlands or waterways, or within wetlands, the disturbed areas shall be stabilized and appropriate erosion control Best Management Practices (BMPs) shall be implemented
	12 WATTLE or 12" 72# SEDIMENT LOG or 9.5" 72# EROSION EEL		3. Erosion Control BMPs shall meet or exceed the approved WDNR Storm Water Management Technical Standards ( <a href="http://dnr.wi.gov/topic/stormwater/standards/const_standards.html">http://dnr.wi.gov/topic/stormwater/standards/const_standards.html</a> ). Refer to We Energies Construction Site Sediment and Erosion Control Standards.
	STONE DITCH CHECK		4. Inspect installed erosion control BMPs at least one time per week and after 1/2" rain events, repair as necessary
	ROCK BAG		5. When temporary stabilization is required (e.g. for winter or short-term construction) prior to final restoration, soil stabilizer shall be installed wherever possible. Erosion mat shall be used temporarily only where appropriate in accordance with state standards, and when approved by the Operations Supervisor
	MULCH	<b>Contaminated Soils</b>	6. Whenever soil exhibiting obvious signs of contamination (e.g., discoloration, petroleum or solvent odor, free liquids other than water, buried containers or tanks, or other obvious signs of environmental impacts) is encountered during excavation or installation, cease work immediately take appropriate immediate precautions to ensure worker health and safety, and contact the Operations Supervisor or inspector
	SOIL STABILIZER, TYPE B	<b>Spills</b>	7. If an oil spill occurs during construction call the Environmental Incident Response Team (EIRT) at 414-430-3478: a. Any quantity of oil is spilled into surface water b. Any oil spill greater than 50 ppm PCB into a sewer, vegetable garden, or grazing land c. Any oil spill containing greater than 500 ppm PCB d. Five gallons or more of oil spilled to the ground e. Any oil spill involving a police department, fire department, DNR, or concerned property owner
	EROSION MAT CLASS I, TYPE A	<b>Notes 8 through 27 apply as noted at specific points within each work request:</b>	
	EROSION MAT CLASS I, TYPE B	<b>Dewatering</b>	8. Dewatering of pits or trenches shall be done in accordance with state standards. Use an approved sediment bag a straw bale dewatering basin, a combination of both, or equivalent.
	EROSION MAT CLASS I, TYPE A URBAN	<b>Wetlands</b>	9. As much as practicable, the majority of the work shall be staged from the public roadways and road shoulders, keeping equipment out of adjacent wetlands. 10. All work shall be conducted to minimize soil disturbance. No rutting will be allowed within the wetlands. 11. If soils are not frozen or stable to a point that avoids rutting, timber mats, mud tracks or equivalent shall be utilized to access pole locations 12. Excavated soils cannot be stockpiled in wetlands.
	EROSION MAT CLASS I, TYPE B URBAN		
	EROSION MAT CLASS II		
	EROSION MAT CLASS III		
	VEGETATIVE BUFFER		
	TRACKING PAD		
	TIMBER MAT		
	SILT FENCE		
	APPROXIMATE DEWATERING BASIN LOCATION		
	SURFACE WATER FLOW		



<b>APPROVAL</b>	<b>REQUEST FOR COUNCIL ACTION</b>	<b>MEETING DATE</b> August 6, 2024
<b>REPORTS AND RECOMMENDATIONS</b>	<i>Polish Heritage Alliance, Inc. v. City of Franklin,</i> Milwaukee County Circuit Court Case No. 2023-CV- 9073 settlement in process; water main easement for the Polish Heritage Alliance, Inc. property	Ald. District 2 <b>ITEM NUMBER</b> M.10.

The Polish Heritage Alliance, Inc. v. City of Franklin, Milwaukee County Circuit Court Case No. 2023-CV-9073 was before the Common Council at its meeting on July 16, 2024, and the Common Council directed that the matter proceed as discussed at that meeting. The proposed easement agreement is part of a proposed settlement that was reached at mediation in June. The Common Council has already authorized the financial component of the settlement. Approval of a water main easement is what remains. The easement is similar to the document that the parties intended to execute and record in 1999, and essentially provides for the City to maintain the water main. Annexed hereto is a draft of the water main easement which was received by the City from Polish Heritage Alliance, Inc. after its review of the City current standard form and to which it made changes, were reviewed by and now which includes changes highlighted as made by the City Engineer, which is pending the review by Polish Heritage Alliance, Inc. The language of the draft annexed hereto is acceptable to City engineering staff, the City Attorney, and outside counsel.

**COUNCIL ACTION REQUESTED**

A motion to authorize the execution by the Mayor and City Clerk of a water main easement for the Polish Heritage Alliance, Inc. development property in the general form and content as presented at this meeting, with such additions and changes as approved by the City Engineer and the City Attorney.

**WATER MAIN EASEMENT**

(Development Name)

Address

Tax Key Number

THIS INDENTURE, made by and between the CITY OF FRANKLIN, a municipal corporation of the State of Wisconsin, hereinafter referred to as "City," and \_\_\_\_\_, a \_\_\_\_\_ Corporation, owner, (including heirs, executors, administrators, successors and assigns of above owner(s) as may be or may become applicable), hereinafter called "Grantor," (If more than one grantor is listed above, said language herein referring thereto shall be interpreted in the plural and refer jointly and severally to such grantors).

**WITNESSETH**

WHEREAS, Grantor is the owner and holder of record Title to certain real property described on Exhibit "A" which is attached hereto and incorporated herein (the Property); and

WHEREAS, the City desires to acquire a permanent easement with the right of entry in and across the property hereinafter described with the right to build and construct and/or operate, maintain, repair, enlarge, reconstruct, relocate and inspect as may be or may become applicable the following facilities and appurtenances thereto, hereinafter called "Facilities," in, upon and across said portion of the property; a water main, including pipe, fittings, valves, hydrants and other water appurtenances, all as shown on the plan attached hereto as Exhibit "B"; and

WHEREAS, the Facilities have been constructed and exist on the Property.

WHEREAS, the Facilities shall be the property of the City and be deemed dedicated to the City ~~upon the City's inspection and approval of the Facilities as installed~~, subject to the terms and conditions set forth below:

NOW, THEREFORE, in consideration of the grant of the easement hereinafter described and the payment of One Dollar (\$1.00) and other valuable considerations to the Grantor, receipt whereof is hereby acknowledged, said Grantor, being the owner and person interested in the land hereinafter described does hereby grant unto the City a permanent easement in that part of the \_\_\_\_\_ of Section \_\_\_\_\_ ( ), Township Five (5) North, Range Twenty-one (21) East, in the City of Franklin, Milwaukee County, Wisconsin, more particularly described on Exhibit C attached hereto (the "Easement Area").



## UPON CONDITION

1. That said Facilities shall be maintained and kept in good order and condition by the City, and/or its contractors. Responsibility for maintaining the ground cover and landscaping within the Easement Area shall be that of the Grantor (including heirs, executors, administrators, successors and assigns).
2. That in and during whatever construction, reconstruction, enlargement or repair work is or becomes necessary in constructing and/or maintaining of said Facilities, so much of the surface or subsurface of the Easement Area on the Property as may be disturbed will, at the expense of the City, be replaced in substantially the same condition as it was prior to such disturbance; except that the City will in no case be responsible for replacing or paying for replacing any aesthetic plantings, fences, or improvements other than ordinary lawns or standard walks, roadways, driveways and parking lot surfacing which were required to be removed or were otherwise damaged in the course of doing the above work. However, the City shall indemnify and save harmless the Grantor from and against any loss, claim, cost, damage, injury, or liability resulting from negligence or willful acts or omissions on the part of the City, its agents or employees in connection with said work involved in construction and/or maintaining of said Facilities; provided that if the above loss, claim, cost, damage, injury or liability results from the joint negligence of the parties hereto, then the liability therefore shall be borne by them in proportion to their respective degree of negligence; provided further, however, that these provisions are subject to the legal defenses available under law which the City or Grantor are entitled to raise, excepting the defense of so-called "sovereign immunity."
3. That no structure may be placed within the limits of the easement by the Grantor except that improvements such as walks, pavements for driveways and parking lot surfacing may be constructed or placed within the Easement Area.
4. That, in connection with the construction by the grantor of any structure or building abutting said easement defined limits, the Grantor will assume all liability for any damage to the Facilities in the above described property. The Grantor will also save and keep the City clear and harmless from any claims for personal injuries or property damage caused by any negligence of the Grantor or person other than the Grantor, arising out of the construction by the Grantor of any structure or building abutting the said easement defined limits, and shall reimburse the City for the full amount of such loss or damage.
5. No charges will be made against the Property for the cost of maintenance or operation of said Facilities in the Property, including any City-required inspections of existing Facilities required by the City to execute this Easement.
6. ~~Whenever the Grantor makes application for a service connection, the regular and customary service connection charge in effect at the time of the application shall be~~

~~charged and paid.~~—The Grantor shall be responsible for the routine maintenance of land on which the easement is located.

7. All conditions pertaining to the “Maintenance of Water Service Piping” as set forth in Chapter 5.12 of the “Rules and Regulations Governing Water Service” and subsequent amendments thereto shall apply to all water services which are within the easement defined limits and also within the limits of any adjoining easements; except that the City of Franklin Water Utility, a utility owned by the City of Franklin shall in no case be responsible for maintaining at its expense any portion of said water services outside of the easement defined limits and outside the limits of any adjoining easements regardless of any statement to the contrary in said “Rules and Regulations Governing Water Service.”
8. The Facilities shall be accessible for maintenance by the City at all times. The Grantor shall submit plans for approval to the City Engineer for any underground installation within the Easement Area, which approval shall not be unreasonably withheld, conditioned or delayed.
9. That the Grantor shall submit plans for all surface alterations of plus or minus 1 foot or greater within the limits of said easement. Said alterations shall be made only with the approval of the City Engineer of the City of Franklin, which approval shall not be unreasonably withheld, conditioned or delayed.
10. The City and Grantor shall each use, and take reasonable measures to cause their employees, officers, customers, agents, contractors and assigns to use, the Easement Area in a reasonable manner and so as not to obstruct or otherwise use the Easement Area in a manner that would unreasonably interfere with the use thereof by the other party hereto or its employees, officers, customers, agents, contractors and assigns.
11. The City and Grantor each hereby waives all rights of subrogation that either has or may hereafter have against the other for any damage to the Easement Area or any other real or personal property or to persons covered by such party’s insurance, but only to the extent of the waiving party’s insurance coverage; provided, however, that the foregoing waivers shall not invalidate any policy of insurance now or hereafter issued, it being hereby agreed that such a waiver shall not apply in any case which would result in the invalidation of any such policy of insurance and that each party shall notify the other if such party’s insurance would be so invalidated.
12. Either party hereto may enforce this easement by appropriate action, and should it prevail in such litigation, that party shall be entitled to recover, as part of its costs, reasonable attorneys’ fees.
13. This easement may not be modified or amended, except by a writing executed and delivered by the City and Grantor or their respective successors and assigns.

14. No waiver of, acquiescence in, or consent to any breach of any term, covenant, or condition hereof shall be construed as, or constitute, a waiver of, acquiescence in, or consent to any other, further, or succeeding breach of the same or any other term, covenant, or condition.
15. If any term or provision of this easement shall, to any extent, be invalid or unenforceable under applicable law, then the remaining terms and provisions of this easement shall not be affected thereby, and each such remaining term and provision shall be valid and enforceable to the fullest extent permitted by applicable law.
16. This easement shall be construed and enforced in accordance with the internal laws of the State of Wisconsin.
17. It is understood that in the event the Property may become portions of public streets; in which event, in the proceedings for the acquisition of the property needed for such streets by purchase, dedication or by condemnation, said lands shall be considered the same as though this easement had not been executed or any rights granted thereby exercised.
18. ~~That the Grantor shall submit as built drawings of the installed facilities for approval to the City Engineer, which approval shall not be unreasonably withheld, conditioned, or delayed.~~

IN WITNESS WHEREOF, the Grantor has hereunto set its hands and seals

ON THIS DATE OF: \_\_\_\_\_.

\_\_\_\_\_  
Company Name

\_\_\_\_\_  
Company Name Printed

By: \_\_\_\_\_  
Name and Title

\_\_\_\_\_  
Name & Title Printed

STATE OF \_\_\_\_\_

ss

COUNTY OF \_\_\_\_\_

Before me personally appeared on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, the above named \_\_\_\_\_, \_\_\_\_\_ to me known to be the person(s) who executed the foregoing EASEMENT and acknowledged the same as the voluntary act and deed of said corporation.

\_\_\_\_\_  
Notary Public  
( \_\_\_\_\_ )  
My Commission expires \_\_\_\_\_

CITY OF FRANKLIN

By: \_\_\_\_\_  
John R. Nelson, Mayor

By: \_\_\_\_\_  
Shirley J. Roberts, City Clerk

STATE OF WISCONSIN

SS

CITY OF MILWAUKEE

On this day of , 20 before me personally appeared John R. Nelson and Shirley J. Roberts who being by me duly sworn, did say that they are respectively the Mayor and City Clerk of Franklin, and that the seal affixed to said instrument is the corporate seal of said municipal corporation, and acknowledged that they executed the foregoing assignment as such officers as the deed of said municipal corporation by its authority, and pursuant to Resolution File No. adopted by its Common Council on \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public  
( )  
My Commission expires \_\_\_\_\_



Approved as to contents

Date: \_\_\_\_\_

\_\_\_\_\_  
Glen Morrow, Manager of Franklin Municipal Water Utility

Approved as to form only

Date: \_\_\_\_\_

\_\_\_\_\_  
Jesse Wesolowski, City Attorney

Exhibit A  
(Description of the Property)



Exhibit B  
(Depiction of the Facilities)

Exhibit C  
(Description of Easement Area)

APPROVAL	REQUEST FOR COUNCIL ACTION	MTG. DATE August 6, 2024
Reports & Recommendations	Postpone Indefinitely Water Service to Hale Park Highlands Area	ITEM NO. Ald. Dist. 6. 5.11.

**BACKGROUND**

On October 3, 2023, Common Council directed “Staff to survey the un-served properties for the desire of water service from W. Woods Road to the North and return to Common Council when surveys are tabulated and analyzed for a recommendation.”

280 Surveys were distributed, and 198 (71%) were received. Given the amount of interest this survey created, Staff was further directed to delay a return to Common Council until a neighborhood meeting could be held. The meeting was held on November 30, 2023, at the Franklin Public Library, and 114 persons signed the attendance; however, several did not sign in. After this meeting, the presentation was slightly modified and posted to the City website.

In raw numbers, the results of the survey were as follows

280 Surveys Distributed:

- 50 (18%) would like the City to install a water main adjacent to their property.
- 132 (47%) would not like the City to install a water main adjacent to their property.
- 16 (6%) have no preference / unsure if there is a water main adjacent to my property.
- 82 (29%) did not return a survey

It was stressed that a survey is NOT a vote. The goal was to find pockets of parcels that want water while largely avoiding parcels that do not. A route was shown as a possible project that could largely serve the properties that desired water and avoid those that did not. It was stated that these 113 properties would be resurveyed.

Due to an overwhelming response against the project, before the presentation was posted on the City website, staff was directed not to resurvey this route, and a note was added to all slides that discussed the resurvey and any slides that discussed costs.

Since the modified presentation was posted to the City website, staff have received requests for a definitive answer regarding the City Council’s final direction on this issue. The District Alderman and Mayor have requested this item be returned to the council to postpone indefinitely.

**RECOMMENDATION**

A motion to postpone indefinitely based on the community survey results and resident feedback indicates the residents believe it is not the best use of the City’s resources.

Engineering Department: GEM

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<b>APPROVAL</b>	<b>REQUEST FOR COUNCIL ACTION</b>	<b>MEETING DATE</b> August 6, 2024
<b>REPORTS AND RECOMMENDATIONS</b>	An Ordinance to Amend §19-1e. Remote Meeting Attendance Permitted, of the Municipal Code, to Authorize the Remote Attendance of an Alderperson at Common Council Meetings Upon Temporary Health Circumstances Pertaining to the Alderperson Not Allowing for Physical Mobility to Attend the Meeting In Person	<b>ITEM NUMBER</b>  M. 12.

Attached is a copy of the above-entitled Ordinance.

**COUNCIL ACTION REQUESTED**

A motion to adopt An Ordinance to Amend §19-1e. Remote Meeting Attendance Permitted, of the Municipal Code, to Authorize the Remote Attendance of an Alderperson at Common Council Meetings Upon Temporary Health Circumstances Pertaining to the Alderperson Not Allowing for Physical Mobility to Attend the Meeting In Person.

ORDINANCE NO. 2024-\_\_\_\_\_

AN ORDINANCE TO  
AMEND §19-1E. REMOTE MEETING ATTENDANCE PERMITTED, OF THE  
MUNICIPAL CODE, TO AUTHORIZE THE REMOTE ATTENDANCE OF AN  
ALDERPERSON AT COMMON COUNCIL MEETINGS UPON TEMPORARY HEALTH  
CIRCUMSTANCES PERTAINING TO THE ALDERPERSON NOT ALLOWING FOR  
PHYSICAL MOBILITY TO ATTEND THE MEETING IN PERSON

WHEREAS, §19-1E. Remote Meeting Attendance Permitted, of the Municipal Code, currently provides authorization for the remote meeting attendance by applicant representative(s) with regard to application items upon a meeting agenda, and also for City-retained consultants with regard to subject matter item(s) upon a meeting agenda, under circumstances for which such remote attendance reasonably should be authorized; and

WHEREAS, the Common Council having considered circumstances under which an Alderperson may not be able to attend a Common Council meeting due to a current at the time health related physician directed temporary inability to physically attend a meeting condition, the public interest in Alderpersons attending a meeting, and having determined that §19-1E. of the Municipal Code should be amended to incorporate same accordingly.

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

SECTION 1: §19-1E. Remote Meeting Attendance Permitted, of the Municipal Code of the City of Franklin, Wisconsin, is hereby amended to read as follows: *[note: additions appear in double-underlined text; unchanged text is not highlighted]*:

E. Remote meeting attendance permitted. Common Council meetings attendance by way of telephone and/or electronic audio and/or video communication is permitted for attendance by an Alderperson due to a current at the time health related physician directed temporary physical mobility inability to physically attend a meeting condition, applicant representative(s) with regard to application items upon a meeting agenda, and also for City-retained consultants with regard to subject matter item(s) upon a meeting agenda, provided that live streaming for those meetings is enabled so the public would be able to watch and listen, and provided that the Chairperson for the subject meeting was informed of the remote attendance request at least 48 hours in advance of the start of the meeting, and determined that under the circumstances presented, i.e., health related physical inability to attend by an

Aldersperson as aforesaid, travel distance, other scheduled work requirement, or the like, permission for remote attendance is appropriate, at least 24 hours in advance of the start of the meeting.

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 \_\_\_\_\_, 2024, by Alderman \_\_\_\_\_.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

APPROVED:

\_\_\_\_\_  
John R. Nelson, Mayor

ATTEST:

\_\_\_\_\_  
Shirley J. Roberts, City Clerk

AYES \_\_\_\_\_ NOES \_\_\_\_\_ ABSENT \_\_\_\_\_

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<b>APPROVAL</b>	<b>REQUEST FOR COUNCIL ACTION</b>	<b>MEETING DATE</b> August 6, 2024
<b>REPORTS AND RECOMMENDATIONS</b>	An Ordinance to Create §10-26 Remote Meeting Attendance Permitted, of the Municipal Code, to Authorize the Remote Attendance of a Member at Board, Commission and/or Committee Meetings Upon Temporary Health Circumstances Pertaining to the Member Not Allowing for Physical Mobility to Attend the Meeting In Person	<b>ITEM NUMBER</b>  H.13,

Attached is a copy of the above-entitled Ordinance.

**COUNCIL ACTION REQUESTED**

A motion to adopt An Ordinance to Create §10-26 Remote Meeting Attendance Permitted, of the Municipal Code, to Authorize the Remote Attendance of a Member at Board, Commission and/or Committee Meetings Upon Temporary Health Circumstances Pertaining to the Member Not Allowing for Physical Mobility to Attend the Meeting In Person.

ORDINANCE NO. 2024-\_\_\_\_

**AN ORDINANCE TO CREATE §10-26 REMOTE MEETING ATTENDANCE PERMITTED, OF THE MUNICIPAL CODE, TO AUTHORIZE THE REMOTE ATTENDANCE OF A MEMBER AT BOARD, COMMISSION AND/OR COMMITTEE MEETINGS UPON TEMPORARY HEALTH CIRCUMSTANCES PERTAINING TO THE MEMBER NOT ALLOWING FOR PHYSICAL MOBILITY TO ATTEND THE MEETING IN PERSON**

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WHEREAS, §19-1E. Remote Meeting Attendance Permitted, of the Municipal Code, currently provides authorization for the remote meeting attendance by applicant representative(s) with regard to application items upon a meeting agenda, and also for City-retained consultants with regard to subject matter item(s) upon a meeting agenda, under circumstances for which such remote attendance reasonably should be authorized; and

WHEREAS, the Common Council having considered circumstances under which a City Board, Commission and/or Committee member may not be able to attend a City Board, Commission and/or Committee meeting due to a current at the time health related physician directed temporary inability to physically attend a meeting condition, the public interest in a City Board, Commission and/or Committee member attending a meeting, and having determined that §10-26 of the Municipal Code should be created to authorize remote attendance accordingly.

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

SECTION 1: §10-26 Remote Meeting Attendance Permitted, of the Municipal Code of the City of Franklin, Wisconsin, is hereby created to read as follows:

§10-26 Remote meeting attendance permitted. City Board, Commission and/or Committee meetings attendance by way of telephone and/or electronic audio and/or video communication is permitted for attendance by a City Board, Commission and/or Committee member due to a current at the time health related physician directed temporary physical mobility inability to physically attend a meeting condition, provided that live streaming for those meetings is enabled so the public would be able to watch and listen, and provided that the Mayor, or the Common Council President if the Mayor is not available, was informed of the remote attendance request at least 48 hours in advance of the start of the meeting, and determined that under the circumstances presented, i.e., health related physical inability to attend by a City Board, Commission and/or Committee member as aforesaid,

permission for remote attendance is appropriate, at least 24 hours in advance of the start of the meeting.

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 \_\_\_\_\_, 2024, by Alderman \_\_\_\_\_.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

APPROVED:

\_\_\_\_\_  
John R. Nelson, Mayor

ATTEST:

\_\_\_\_\_  
Shirley J. Roberts, City Clerk

AYES \_\_\_\_\_ NOES \_\_\_\_\_ ABSENT \_\_\_\_\_

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APPROVAL	REQUEST FOR COUNCIL ACTION	MEETING DATE 8/6/2024
<b>REPORTS &amp; RECOMMENDATIONS</b>	<p><b>Confirmation of the Appointment of Mr. Regulo Martinez-Montilva as Planning Manager for the City of Franklin.</b></p> <p><b>The Common Council May Enter closed session under Wis. Stats. §19.85(1)(c) and (f) to consider employment, promotion, compensation, or performance evaluation data of a public employee over which the Common Council has jurisdiction or exercises responsibility and to consider financial, social, or personal histories of specific persons Which, if discussed in public, would be likely to Have a substantial adverse effect upon the reputation of any person referred to in such histories and may re-enter open session at the same place after that to act on such matters discussed therein as it deems appropriate.</b></p>	<b>ITEM NUMBER</b>  95.14.

**Background:**

Mr. Regulo Martinez-Montilva has been a Principal Planner with the City since August 5, 2019. He has demonstrated a commendable work ethic, professionalism, and dedication to the City of Franklin throughout his tenure. In his current role, he provides staff support to the Plan Commission, Board of Zoning and Building Appeals, Quarry Monitoring Committee, and Common Council on planning-related items. He served as the interim Zoning Administrator from August 2022 to May 2023 and has been in this role again since November 2023.

In his capacity as Principal Planner, Mr. Martinez-Montilva interprets and enforces the Unified Development Ordinance (UDO) and floodplain management ordinance. He collaborates with property owners to correct violations, conducts inspections, issues notices of violations and citations, and attends Municipal Court proceedings for pre-trial conferences. Additionally, he coordinates with consultants on current planning services and quarry monitoring. He assists applicants in the development review and approval process, from pre-application meetings to conditions of approval.

**Accomplishments:**

As the City’s Principal Planner, Mr. Martinez-Montilva has achieved numerous accomplishments, including:

- Leading the preparation and presentation of the department’s 2023 annual report.
- Provide metrics of department activities, such as the number of applications and zoning complaints, to assist in preparing the department's 2023 and 2024 budgets.
- Preparing an ordinance to streamline the review process for signs in two industrial Planned Development Districts (#7 and #18).
- Preparing the City’s Housing Affordability Report for 2021-2023.
- Preparing the report and ordinance for updating the zoning and land division fee schedule (currently in process for approval).

- Coordinating with the consultant, Houseal Lavigne, on the current rewrite of the UDO, including the zoning map and sign regulations.
- Preparing conceptual site plans and street cross-sections to test proposed zoning.
- Advising the Associate Planner on an amendment to the UDO to comply with the Religious Land Use and Institutionalized Persons Act (RLUIPA).

#### **Workload Metrics:**

Our records provide the following metrics regarding Mr. Martinez-Montilva's workload:

- Reviewed 164 development applications (site plans, special uses, land divisions, rezoning, etc.): 155 applications have been completed, and nine are currently under review.
- Reviewed and completed 49 zoning compliance permits and 47 sign permits.
- Reviewed 345 zoning complaints: 335 have been closed, with ten open as of today.

#### **Goals for 2024:**

Mr. Martinez-Montilva has set the following goals for the department and himself for this year:

- Present a midyear update to the Plan Commission about development review, zoning enforcement, and the department's goals (the report is complete).
- Present options to update the City's comprehensive plan.
- Provide an introductory presentation about Traditional Neighborhood Development for policy direction.

#### **Compensation:**

As the Planning Manager, Mr. Martinez-Montilva has been offered a starting salary that is within our policy guidelines of a 5-7.5% increase. In addition to the standard benefits granted to City employees, a fourth week of vacation has been included with this promotion.

### **COUNCIL ACTION REQUESTED**

The Common Council may enter closed session pursuant to Wis. Stats. §19.85(1)(c) and (f) to consider employment, promotion, compensation, or performance evaluation data of a public employee over which the Common Council has jurisdiction or exercises responsibility and to consider financial, social, or personal histories of specific persons which, if discussed in public, would likely have a substantial adverse effect upon the reputation of any person referred to in such histories. The Council may re-enter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate.

**Motion:** Confirm Mr. Regulo Martinez-Montilva's appointment as the City of Franklin's Planning Manager.

Mayor – JRN; DOA – KH

Approval	REQUEST FOR COUNCIL ACTION	MEETING DATE 8/6/24
<b>REPORTS &amp; RECOMMENDATIONS</b>	<p>Potential commercial/industrial/manufacturing/development(s) and proposal(s) and potential development(s) agreement(s) in relation thereto for, including, but not limited to propert(ies) at 3303 West Oakwood Road. The Common Council may enter closed session pursuant to Wis. Stat. § 19.85(1)(e), for market competition and bargaining reasons, to deliberate and consider terms relating to potential commercial/industrial/ manufacturing/development(s) and proposal(s) and the investing of public funds and governmental actions in relation thereto and to effect such development(s), including the terms and provisions of potential development agreement(s) for, including, but not limited to the propert(ies) at 3303 West Oakwood Road, and to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate.</p>	<p>Ald. District 4 ITEM NUMBER  H. 15.</p>

Department of City Development, Administration, Finance and Legal Services departments staff will be present at the meeting.

**COUNCIL ACTION REQUESTED**

A motion to enter closed session pursuant to Wis. Stat. § 19.85(1)(e), for market competition and bargaining reasons, to deliberate and consider terms relating to potential commercial/industrial/manufacturing/ development(s) and proposal(s) and the investing of public funds and governmental actions in relation thereto and to effect such development(s), including the terms and provisions of potential development agreement(s) for, including, but not limited to the propert(ies) at 3303 West Oakwood Road, 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 8/6/24
<p align="center"><b>REPORTS &amp; RECOMMENDATIONS</b></p>	<p>Potential commercial/industrial/manufacturing development(s) and proposal(s) and potential development(s) agreement(s) in relation thereto for, including, but not limited to the propert(ies) at the southwest corner of South Oakwood Park Drive and West Ryan Road. The Common Council may enter closed session pursuant to Wis. Stat. § 19.85(1)(e), for market competition and bargaining reasons, to deliberate and consider terms relating to potential commercial/industrial/manufacturing development(s) and proposal(s) and the investing of public funds and governmental actions in relation thereto and to affect such development(s), including the terms and provisions of potential development agreement(s) for, including, but not limited to the propert(ies) at the southeast corner of South Oakwood Park Drive and West Ryan Road, and to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate</p>	<p align="center">Ald. District 4 ITEM NUMBER</p> <p align="center">2.16.</p>
<p>Department of City Development and Engineering, Administration and Legal Services departments staff will be present at the meeting.</p>		
<p align="center"><b>COUNCIL ACTION REQUESTED</b></p>		
<p>A motion to enter closed session pursuant to Wis. Stat. § 19.85(1)(e), for market competition and bargaining reasons, to deliberate and consider terms relating to potential commercial/industrial/manufacturing development(s) and proposal(s) and the investing of public funds and governmental actions in relation thereto and to effect such development(s), including the terms and provisions of potential development agreement(s) for, including, but not limited to the propert(ies) at the southeast corner of South Oakwood Park Drive and West Ryan Road, and to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate.</p>		

Economic Development. JR; Legal Services Dept jw

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<b>APPROVAL</b>	<b>REQUEST FOR COUNCIL ACTION</b>	<b>MEETING DATE 08/06/2024</b>
<b>LICENSES AND PERMITS</b>	<b>MISCELLANEOUS LICENSES</b>	<b>ITEM 02/NUMBER H.</b>

See attached License Committee Meeting Minutes from the License Committee Meeting of August 6, 2024.

**COUNCIL ACTION REQUESTED**

Approval of the Minutes of the License Committee Meeting of August 6, 2024.



**License Committee Agenda\***  
**Franklin City Hall Aldermen Room**  
**9229 West Loomis Road, Franklin, WI**  
**August 6, 2024 – 5:00 p.m.**

1.	<b>Call to Order &amp; Roll Call</b>	<b>Time:</b>		
2.	<b>Applicant Interviews &amp; Decisions</b>			
		<b>Recommendations</b>		
<b>Type/ Time</b>	<b>Applicant Information</b>	<b>Approve</b>	<b>Hold</b>	<b>Deny</b>
<b>Extraordinary Entertainment &amp; Special Event 5:00 p.m.</b>	<b>Mulligan’s Irish Pub &amp; Grill Half Way to St Patricks Day Party</b> Person in Charge: Brian Francis Location: 8933 S 27 <sup>th</sup> St Date of Event: Saturday, August 24, 2024			
<b>Extraordinary Entertainment &amp; Special Event 5:10 p.m.</b>	<b>Elf Run 2024</b> Person in Charge: Ryan Griessmeyer Location: Boerner Botanical Gardens Date of Event: Saturday, November 24, 2024			
<b>Operator 2024-2025 New</b>	<b>Bria Altamore</b> Mulligan’s Irish Pub & Grill			
<b>Operator 2024-2025 New</b>	<b>Jose Ambriz</b> Little Cancun Restaurant			
<b>Operator 2024-2025 New</b>	<b>Mikayla Baird</b> Rawson Pub			
<b>Operator 2024-2025 New</b>	<b>Megan Bock</b> Mulligan’s Irish Pub & Grill			
<b>Operator 2024-2025 New</b>	<b>Lindsay Brieske</b> Chili’s Grill & Bar			
<b>Operator 2024-2025 New</b>	<b>Attilio Cavaiani</b> Crossroads II Pizza & Subs			

<b>Operator 2024-2025 New</b>	<b>Antonio Chapa</b> Pick'n Save #6360			
<b>Operator 2024-2025 New</b>	<b>Rebecca Deall</b> Pick'n Save #6360			
<b>Operator 2024-2025 New</b>	<b>Janel Deprey</b> Ricky's Double Barrel Inn			
<b>Operator 2024-2025 New</b>	<b>Amanda Fecteau</b> Mimosa			
<b>Operator 2024-2025 New</b>	<b>John Fenelon</b> Kwik Trip #287			
<b>Operator 2024-2025 New</b>	<b>Cristina Ivaschin</b> Mulligan's Irish Pub & Grill			
<b>Operator 2024-2025 New</b>	<b>Joseph Johnson</b> 7-Eleven			
<b>Operator 2024-2025 New</b>	<b>Brandon Kitchner</b> Kwik Trip #287			
<b>Operator 2024-2025 New</b>	<b>Eric Kneir</b> Chili's Grill & Bar			
<b>Operator 2024-2025 New</b>	<b>Kim Kuklinski</b> Kwik Trip #287			
<b>Operator 2024-2025 New</b>	<b>Chad Lehrke</b> Pick'n Save #6360			
<b>Operator 2024-2025 New</b>	<b>Isabelle Luther</b> Kwik Trip #287			

<b>Operator 2024-2025 New</b>	<b>Daniel Mackie</b> Mulligan's Irish Pub & Grill			
<b>Operator 2024-2025 New</b>	<b>Harvinder Makkar</b> Andy's on Ryan Rd			
<b>Operator 2024-2025 New</b>	<b>Mandy Mayrand</b> Swiss Street Pub & Grille			
<b>Operator 2024-2025 New</b>	<b>Kerri McCracken</b> Mulligan's Irish Pub & Grill			
<b>Operator 2024-2025 New</b>	<b>Janet Miller</b> Pick'n Save #6360			
<b>Operator 2024-2025 New</b>	<b>Micah Modic</b> Pick'n Save #6360			
<b>Operator 2024-2025 New</b>	<b>Meghan Pavlic</b> Pick'n Save #6360			
<b>Operator 2024-2025 New</b>	<b>Samantha Piszczek</b> Mulligan's Irish Pub & Grill			
<b>Operator 2024-2025 New</b>	<b>Jazmine Richter</b> Chili's Grill & Bar			
<b>Operator 2024-2025 New</b>	<b>Julie Sobanski</b> Pick'n Save #6360			
<b>Operator 2024-2025 New</b>	<b>Sean Sonnen</b> Kwik Trip #287			
<b>Operator 2024-2025 New</b>	<b>Brenda Stroud</b> On Cloud Wine			

<b>Operator 2024-2025 New</b>	<b>Amir Trammell</b> 7-Eleven			
<b>Operator 2024-2025 New</b>	<b>Denise Widenski</b> Kwik Trip #287			
<b>Operator 2024-2025 Renewal</b>	<b>David Lindner</b> St Martin's Fair – Franklin Lions Club			
<b>Operator 2024-2025 Renewal</b>	<b>Rajendra Patel</b> Andy's On Ryan Rd			
<b>Class B Combination, Entertainment &amp; Amusement 2024-2025</b>	<b>Ricky's Harrisburg Inn LLC</b> DBA Ricky's Double Barrel Inn Nathan Fabry, Agent 11318 W St Martins Rd			
<b>Temporary Class "B" Beer And Temporary Entertainment &amp; Amusement</b>	<b>VFW Post 10394:</b> <b>St. Martin's Labor Day Fair</b> Person in Charge: Andrew Hushek Location: St. Martins Rd. & Church St. Dates of Event: 9/1/24 through 9/2/24			
<b>Temporary Class B Beer</b>	<b>Knights of Columbus Trinity Council:</b> <b>St. Martin's Labor Day Fair</b> Person in Charge: Kenneth Keefer Dates of Event: 9/1/2024 through 9/2/2024 Location: St. Martin of Tours Church Lot – 7963 S 116 <sup>th</sup> St			
<b>People Uniting for the Betterment of Life and Investment in the Community (PUBLIC) Grant</b>	<b>Franklin Public Library Foundation</b> Fee Waiver: Temporary Class B License Date of the Event(s): October 3, 2024 (Fall Literary Fundraiser) Location: Franklin Public Library-Fadrow Mtg Room			
<b>3.</b>	<b>Adjournment</b>	<b>Time:</b>		

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

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<b>APPROVAL</b>	<b>REQUEST FOR COUNCIL ACTION</b>	<b>MEETING DATE 8/6/2024</b>
<b>Bills</b>	<b>Vouchers and Payroll Approval</b>	<b>ITEM NUMBER I</b>

Attached are vouchers dated July 12, 2024 through August 1, 2024, Nos. 198686 through Nos. 198933 in the amount of \$ 3,055,202.18. Also included in this listing are EFT Nos. 5756 through EFT Nos. 5782, Library vouchers totaling \$ 49,405.35, Tourism vouchers totaling \$ 2,500.00, Water Utility vouchers totaling \$ 932,146.57 and Property Tax Refunds in the amount of \$ 1,544.74. Voided checks in the amount of \$ (1,948.46) are separately listed.

Early release disbursements dated July 12, 2024 through July 31, 2024 in the amount of \$ 1,109,041.44 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.

Attached is a list of property tax disbursements, EFT No. 521 dated July 29, 2024, in the amount of \$ 91.28. This payment has been released as authorized under Resolutions 2013-6920, 2015-7062 and 2022-7834.

The net payroll dated July 26, 2024 is \$ 496,117.59, previously estimated at \$ 483,000. Payroll deductions dated July 26, 2024 are \$ 517,081.03, previously estimated at \$ 514,000.

The estimated payroll for August 9, 2024 is \$ 466,000 with estimated deductions and matching payments of \$ 265,000.

### **COUNCIL ACTION REQUESTED**

Motion approving the following

- City vouchers with an ending date of August 1, 2024 in the amount of \$ 3,055,202.18
- Payroll dated July 26, 2024 in the amount of \$ 496,117.59 and payments of the various payroll deductions in the amount of \$ 517,081.03 plus City matching payments and
- Estimated payroll dated August 9, 2024 in the amount of \$ 466,000 and payments of the various payroll deductions in the amount of \$ 265,000, plus City matching payments.

**ROLL CALL VOTE NEEDED**