COUNTY OF MILWAUKEE

INTER-OFFICE COMMUNICATION

DATE:

September 11, 2017

TO:

Supervisor Theodore Lipscomb, Sr., Chairman, County Board of Supervisors

Supervisor Michael Mayo, Sr., Chairperson

Transportation, Public Works & Transit Committee

FROM:

Brian Dranzik, Director, Department of Transportation

SUBJECT:

Authorization for the Milwaukee County Department of Transportation (MCDOT) to

remove CTH MM (W. St. Martins Rd.) from the CTH system by amending Milwaukee

County Code of General Ordinances Chapters 68.01 and 71

POLICY

Per Section 83.025 of the Wisconsin Statues, Milwaukee County has authority to make changes to the County Trunk Highway (CTH) System.

BACKGROUND

On March 28, 2016, the City of Franklin approved a resolution to conditionally accept the Jurisdictional Transfer Agreement for Milwaukee County to transfer ownership and maintenance to the City of Franklin for CTH MM (W. St. Martins Rd.) from S. North Cape Rd. to S. Lovers Lane Rd. On May 2, 2017, the City of Franklin approved a resolution for final acceptance of the Jurisdictional Transfer Agreement that was fully executed on May 17, 2017, resulting in the City of Franklin being responsible for the ownership and maintenance. Hence, CTH MM (W. St. Martins Rd.) needs to be removed from the CTH system by amending the applicable Milwaukee County Code of General Ordinances, Chapter 68.01 and Chapter 71.

FISCAL EFFECT

No property tax levy impact results from this action.

RECOMMENDATION

The Director of the Milwaukee County Department of Transportation (MCDOT) recommends removal of CTH MM (W. St. Martins Rd.) from the CTH system as it no longer under the jurisdiction of Milwaukee County by amending Milwaukee County Code of General Ordinances Chapter 68.01 and Chapter 71.

Prepared by: Andrea Weddle-Henning, Transportation Engineering Manager, MCDOT

Approved by:

Brian Dranzik, Director

Department of Transportation

cc:

Chris Abele, County Executive

Raisa Koltun, Chief of Staff, Office of the County Executive Kelly Bablitch, Chief of Staff, County Board of Supervisors

Pamela Bryant, Capital Finance Manager, Office of the Comptroller

Justin Rodriguez, Budget Management Coordinator, Office of the Comptroller

Vince Masterson, Capital Projects Coordinator, DAS - PSB

Steve Cady, Research and Policy Director, Office of the Comptroller

) From the Director, Department of Transportation, requesting authorization 1 (ITEM to amend Chapters 68.01 and 71 of the Milwaukee County Code of General Ordinances 2 by removing County Trunk Highway (CTH) MM (W. St. Martins Rd.) from the CTH 3 system for the Department of Transportation, by recommending adoption of the 4 5 following: 6 A RESOLUTION/ORDINANCE 7 8 WHEREAS, the authority to make changes to the County Trunk Highway (CTH) 9 system is granted to Milwaukee County (the County) by Section 83.025, Wisconsin 10 State Statutes; and 11 12 WHEREAS, On March 28, 2016, the City of Franklin approved a resolution to 13 conditionally accept the Jurisdictional Transfer Agreement for Milwaukee County to 14 transfer ownership and maintenance to the City of Franklin for CTH MM (W. St. Martins 15 Rd.) from S. North Cape Rd. to S. Lovers Lane Rd. On May 2, 2017, the City of Franklin 16 approved a resolution for final acceptance of the Jurisdictional Transfer Agreement 17 which was fully executed on May 17, 2017, resulting in the City of Franklin being 18 responsible for the ownership and maintenance. Hence, CTH MM (W. St. Martins Rd.) 19 needs to be removed from the CTH system by amending the applicable Milwaukee 20 County Code of General Ordinances, Chapter 68.01 and Chapter 71; and 21 22 23 AN AMENDED ORDINANCE 24 25 The Board of Supervisors of the County of Milwaukee does ordain as follows: 26 27 Chapter 68.01 of the Milwaukee County Code of General Ordinances is amended 28 29 as follows: 30 St. Martins Road (C.T.H. 'MM') from the east line of South North Cape Road 31 (C.T.H. 'J') southeast to the west line of South Lovers Lane Road (U.S.H. 45 32 S.T.H. 100), except that portion of said highway within the limits of the intersection 33 thereof with: 34 (a) West Forest Home Avenue (C.T.H. 'OO'). 35 (43 12) North Sherman Boulevard-North 43rd Street (formerly known also as North 36 Hopkins Road) (C.T.H. 'G') from the north line of West Mill Road (C.T.H. 'S') north 37 to its junction with North Teutonia Avenue (C.T.H. 'D'), except that portion of said 38 highway within the limits of the intersection thereof with: 39 West Green Tree Road 40 (a) Pedestrian crossing at West Kiley Avenue extended 41 (b)

West Good Hope Road (C.T.H. 'PP')

West Bradley Road

42

43

(c) (d)

44	(e)	Southbound Teutonia Avenue (for northbound Sherman Boulevard only)
45 46 47	to th	st Silver Spring Drive (C.T.H. 'E') from the west line of North 68th Street west ne east line of North 124th Street, except that portion of said highway within limits of the intersection thereof with:
48	(a)	North 72nd Street
49	(b)	West Fond du Lac Avenue
50	(c)	North 91st Street
51	(d)	North 103rd Street
52	(e)	North Lovers Lane Road (S.T.H. 100)
53	(f)	Zoo freeway (U.S.H. 45 - S.T.H. 100)
54 55 56 57 58	forty- Road	Teutonia Avenue (C.T.H. 'D') from a point two hundred seventy-two and eight hundredths (272.48) feet north of the centerline of West Good Hope (C.T.H. 'PP') northerly to the southwest line of North Green Bay Road (S.T.H. except that portion of said highway within the limits of the intersection thereof
59	(a)	West Bradley Road
60 61	(b) only	Northbound North Sherman Boulevard (for southbound Teutonia Avenue)
62 63 64	'ZZ')	th 13th Street (C.T.H. 'V') from the south line of West College Avenue (C.T.H. south to the Milwaukee-Racine County line, except that portion of said way within the limits of the intersection thereof with:
65	(a)	West Rawson Avenue (C.T.H. 'BB')
66	(b)	West Drexel Avenue
67	(c)	West Puetz Road
68	(d)	West Ryan Road (S.T.H. 100)
69 70 71		
72	(a)	West Morgan Avenue
73	(b)	West Howard Avenue
74	(c)	West Cold Spring Road
75	(d)	Airport Freeway (I-894)
76	(e)	West Layton Avenue (C.T.H. 'Y')
77	(f)	West Edgerton Avenue
78	(g)	West Grange Avenue
79	(h)	West Rawson Avenue (C.T.H. 'BB')

80	(i)	West Ryan Road (S.T.H. 100)
81 82 83	(C.T.I	h 92nd Street (C.T.H. 'N') from the south line of West Oklahoma Avenue H. 'NN') south to the north line of West Forest Home Avenue (S.T.H. 24) t that portion of said highway within the limits of the intersection thereof with
84	(a)	West Beloit Road (C.T.H. 'T')
85	(b)	West Morgan Avenue
86	(c)	West Howard Avenue
87	(d)	West Cold Spring Road
88	(e)	West Layton Avenue (C.T.H. 'Y')
89 90 91	• —	107th Street (C.T.H. 'F') from the north line of West Brown Deer Road S.T.H. 100) north to the Milwaukee-Ozaukee County line.
92	Chapter 71	of the General Ordinances of Milwaukee County is amended as
93	follows:	
94	74.00 00 1	A code of D and A (OTELL BARAI)
95		Martins Road (CTH 'MM').
96		e east line of the old North Cape Road (CTH "J") to the west line of STH
97	100—US	SH 45 Maximum speed thirty (30) miles per hour:

MILWAUKEE COUNTY FISCAL NOTE FORM

DAT	ΓE: September 11, 2017	Origin	al Fiscal Note	\boxtimes	
		Subst	itute Fiscal Note		
SUBJECT: Authorization for MCDOT to remove CTH MM (W. St. Martins Rd.) from the CTH system by amending Milwaukee County Code of General Ordinances Chapters 68.01 and 71					
FISC	CAL EFFECT:				
	No Direct County Fiscal Impact		Increase Capital Exp	enditures	
	Existing Staff Time Required		Decrease Capital Ex	penditures	
	Increase Operating Expenditures (If checked, check one of two boxes below)		Increase Capital Rev	/enues	
	Absorbed Within Agency's Budget		Decrease Capital Re	evenues	
	Not Absorbed Within Agency's Budg	et			
	Decrease Operating Expenditures		Use of Contingent Fo	unds	
	Increase Operating Revenues				
☐ Decrease Operating Revenues					
Indicate below the dollar change from budget for any submission that is projected to result in increased/decreased expenditures or revenues in the current year.					

	Expenditure or Revenue Category	Current Year	Subsequent Year
Operating Budget	Expenditure	\$0	\$0
	Revenue	\$0	\$0
	Net Cost	\$0	\$0
Capital Improvement	Expenditure	\$0	\$0
Budget	Revenue	\$0	\$0
	Net Cost	\$0	\$0

DESCRIPTION OF FISCAL EFFECT

In the space below, you must provide the following information. Attach additional pages if necessary.

- A. Briefly describe the nature of the action that is being requested or proposed, and the new or changed conditions that would occur if the request or proposal were adopted.
- B. State the direct costs, savings or anticipated revenues associated with the requested or proposed action in the current budget year and how those were calculated. ¹ If annualized or subsequent year fiscal impacts are substantially different from current year impacts, then those shall be stated as well. In addition, cite any one-time costs associated with the action, the source of any new or additional revenues (e.g. State, Federal, user fee or private donation), the use of contingent funds, and/or the use of budgeted appropriations due to surpluses or change in purpose required to fund the requested action.
- C. Discuss the budgetary impacts associated with the proposed action in the current year. A statement that sufficient funds are budgeted should be justified with information regarding the amount of budgeted appropriations in the relevant account and whether that amount is sufficient to offset the cost of the requested action. If relevant, discussion of budgetary impacts in subsequent years also shall be discussed. Subsequent year fiscal impacts shall be noted for the entire period in which the requested or proposed action would be implemented when it is reasonable to do so (i.e. a five-year lease agreement shall specify the costs/savings for each of the five years in question). Otherwise, impacts associated with the existing and subsequent budget years should be cited.
- D. Describe any assumptions or interpretations that were utilized to provide the information on this form.
 - A. As part of the jurisdictional transfer, the resolution/ordinance will remove all references to CTH MM (W. St. Martin's Rd) as it is no longer a county owned roadway.
 - B. There is no cost associated with this action.
 - C. There is no budgetary impact associated with this action.
 - D. N/A

Department/Prepared by:	Andrea Wed	dle-Henning,	Γransportatio	on Engineering Manager
Authorized Signature	- This	MI		
Did DAS-Fiscal Staff Revie	w?	Yes	⊠ No	
Did CBDP Review? ²		☐ Yes	☐ No	Not Required

¹ If it is assumed that there is no fiscal impact associated with the requested action, then an explanatory statement that justifies that conclusion shall be provided. If precise impacts cannot be calculated, then an estimate or range should be provided.

² Community Business Development Partners' review is required on all professional service and public work construction contracts.



Milwaukee County

Brian Dranzik

- Director
- Highway Commissioner

May 31, 2017

Glen Morrow, P.E.
City Engineer/Director of Public Works
City of Franklin
9229 W. Loomis Rd.
Franklin, WI 53132

Subject:

Jurisdictional Transfer Complete Effective May 17, 2017

Milwaukee County Project No. WH010212

St. Martins Rd. (CTH MM)

S. North Cape Rd. to S. Lovers Lane Rd. (STH 100)

City of Franklin Milwaukee County

Milwaukee County Department of Transportation (MCDOT) thanks the City of Franklin for the mutual cooperation in the completion of the jurisdictional transfer of St. Martins Rd. in its entirety. The City of Franklin Common Council approved the St. Martins Rd. jurisdictional transfer agreement on May 2, 2017. The jurisdictional transfer agreement was fully executed by the City of Franklin and MCDOT on May 17, 2017 which is the effective date of the completion and transfer of ownership and maintenance to the City of Franklin (see attached).

In accordance to the jurisdictional transfer agreement, a reminder to notify the Southeastern Regional Planning Commission (SEWRPC) and the property owners along St. Martins Rd. that a transfer has occurred and inform them of the proper City of Franklin officials and/or departments to contact for roadway maintenance and other inquires. Please provide confirmation that these notifications have been completed.

Sincerely

Brian Dranzik,
MCDOT Director

cc:

James Martin, Milwaukee County

Andrea Weddle-Henning, Milwaukee County

Aziz Aleiow, Milwaukee County Paul Kuglitsch, Milwaukee County Greg Heisel, Milwaukee County Kevin Kent, Milwaukee County

MILWAUKEE COUNTY – 10320 W. Watertown Plank Rd., 2nd Floor, Wauwatosa, WI 53226
PHONE NUMBERS: Administration 414 -257-5929 Transportation Services 414-257-5900
FAX NUMBER: Transportation Services 414-257-5950

JURISDICTIONAL TRANSFER AGREEMENT BETWEEN MILWAUKEE COUNTY AND CITY OF FRANKLIN

This JURISDICTIONAL TRANSFER AGREEMENT (the "Agreement"), is made and entered into effective this 2nd day of May, 2017, by and between MILWAUKEE COUNTY (the "County") and the CITY OF FRANKLIN (the "City").

WITNESSETH:

WHEREAS, the authority to make changes to the County Trunk Highway System is granted to the County by Section 83.025 Wis. Stats.; and

WHEREAS, the County has jurisdiction over County Trunk Highway CTH MM, W. St. Martins Rd. from S. North Cape Rd. to State Trunk Highway 100; and

WHEREAS, the County has requested of the City a jurisdictional transfer of the County Trunk Highway above-referenced and the County agrees that such transfer would be of benefit to the public; and

WHEREAS, the jurisdictional transfer conforms to, is consistent with and serves to implement the recommendations contained within the Southeast Regional Transportation System Plan under the County Jurisdictional Highway System Plan; and

WHEREAS, the State Department of Transportation has reviewed the jurisdictional transfer and has approved it by letter attached.

NOW, THEREFORE, in consideration of the foregoing recitals, the mutual covenants contained here, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by the parties hereto, it is agreed as follows:

PROVISIONS:

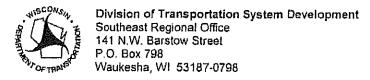
- 1. The County agrees, upon approval of this Agreement, and approval by the Milwaukee County Board of Supervisors of an appropriate resolution, to transfer jurisdiction of CTH MM, W. St. Martins Rd. from S. North Cape Rd. to State Trunk Highway 100.
- 2. The City agrees, upon approval of this Agreement, and approval by the City Common Council of an appropriate resolution, to accept transfer of jurisdiction of the County Trunk Highway above-referenced.
- 3. The City agrees that upon acceptance it will assume all costs related to the maintenance of

said roadway including, but not limited to, driving surface, shoulders, stormwater, snow and ice control, traffic engineering (signs, signals, pavement markings) and structures (bridges and culvers), if any.

- 4. The City agrees that upon acceptance it will assume responsibility for all permits for work within the roadway right-of-way including driveway and utilities.
- 5. The County agrees to indemnify and hold the City harmless from any and all claims that may arise out of the County's ownership, operation and maintenance of those portions of CTH MM above-referenced for the period of time prior to the transfer.
- The County and the City understand, acknowledge and agree that as a condition of this
 Agreement the County will fund a project to improve CTH MM above-referenced as
 mutually agreed on by both the County and the City.
- 7. The City agrees that upon completion of the improvements contemplated above, the City shall accept transfer of jurisdiction by resolution of its governing body.
- 8. The City agrees that as the recipient agency, it will notify the Southeastern Regional Planning Commission, the State Department of Transportation and the property owners along the roadway that a transfer of jurisdiction has occurred and informing the property owners which City officials or departments to contact for issues related to roadway maintenance.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day, month and year first above written.

By: Arghellar Date: 5/4/17 Name: Stapher R. Clson Title: Mayer	MILWAUKEE COUNTY By: Date: 5/17/7 Name: BRIGH DISSIPATION Title: DIR. 87 AMS PET ATTOM
By: Sandra Stresolows Pate: 5/5/2017 Name: SANDRA L. WESOLOWSKI Title: CITY CLERK	By: Date: Name: Title:
By: Pal Rotters Date: SIST 2017 Name: Pau Rotters Pal Tarmune, Approved as to form and independent status	By: Date: Name: Title:
By: City Engineer Date: 55-707	By: Palk Who Date: 5 17 17 Corporation Quinsel
By: Date: 5/9/17	



Scott Walker, Governor Mark Gottlieb, P.E., Secretary Internet: www.dot.wisconsin.gov

Telephone (262) 548-5903 Facsimile (FAX): (262) 548-5662

E-Mail: waukesha.dtd@dot.wi.gov

May 8, 2017

George L. Christenson
Milwaukee County Clerk
Milwaukee County Courthouse, Room 105
901 North Ninth Street
Milwaukee, WI 53233

Re: County Trunk Highway System Change Former CTH MM St. Martins Road Milwaukee County

Dear Mr. Czarnezki:

This is to inform you that the Wisconsin Department of Transportation has approved the jurisdictional transfer of St. Martins Road from S. North Cape Road to STH 100 (S. Lovers Lane Road).

These changes are effective immediately. Please revise your records and notify all interested parties.

Sincerely,

Frank Furdek

Transportation Planner

cc: Milwaukee County Highway Commissioner City of Franklin DPW Director Clerk, City of Franklin

RESOLUTION NO. 2017-7267

A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO EXECUTE A JURISDICTIONAL TRANSFER AGREEMENT BETWEEN MILWAUKEE COUNTY AND CITY OF FRANKLIN, FOR THE JURISDICTIONAL TRANSFER TO THE CITY OF COUNTY TRUNK HIGHWAY CTH MM, W. ST. MARTINS RD. FROM S. NORTH CAPE RD. TO STATE TRUNK HIGHWAY 100

WHEREAS, the Common Council adopted Resolution No. 2016-7186, A Resolution to Sign "Local / County Agreement for a Highway Improvement" with Milwaukee County for W. St. Martins Rd. (CTH MM) from S. North Cape Rd. to S. Lovers Lane Rd., on April 4, 2016; and

WHEREAS, such highway improvement project has been completed by Milwaukee County, though there are certain project scope relatively very minor items remaining for completion/restoration by Milwaukee County, to which Milwaukee County has committed to providing the completion/restoration thereof within this month; and

WHEREAS, the standard form jurisdictional transfer agreement from Milwaukee County refers to a cooperative road improvement project to be completed as part of the jurisdictional transfer process, which agreement was not approved by the City prior to the commencement of the aforesaid West St. Martins Road highway improvement project; and

WHEREAS, Milwaukee County has informed the City of its need for the approval of the agreement and the adoption of a final unconditional resolution by the City for the ultimate conclusion of the jurisdictional transfer process prior to June 1, 2017, in order for Milwaukee County to meet its financing requirements for the project; and

WHEREAS, the Common Council having recognized the completion of the project and its prior action to adopt Resolution No. 2017-7258, A Resolution to Accept Jurisdictional Transfer of W. St. Martins Road (CTH MM) from S. North Cape Road to S. Lovers Lane Road, subject to changes as approved by the City Engineer, on April 3, 2017, and having determined that the approval of the jurisdictional transfer agreement with Milwaukee County is reasonable and necessary and in the public interest.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the Jurisdictional Transfer Agreement Between Milwaukee County and City of Franklin, in such form and content as annexed hereto, be and the same is hereby approved.

BE IT FURTHER RESOLVED, that the Mayor and City Clerk be and the same are hereby authorized to execute and deliver such agreement.

RES 2017-7267 (JURISDICTIONAL TRANSFER BETWEEN MILWAUKEE COUNTY AND FRANKLIN Page 2

Introduced at a regular meeting of the Common Council of the City of Franklin this 2nd day of May, 2017.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this 2nd day of May, 2017.

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES 6

NOES 0

ABSENT 0

RESOLUTION NO. 2017-7268

A RESOLUTION ACCEPTING THE JURISDICTIONAL TRANSFER FROM MILWAUKEE COUNTY TO THE CITY OF FRANKLIN OF COUNTY TRUNK HIGHWAY CTH MM, WEST ST. MARTINS ROAD FROM SOUTH NORTH CAPE ROAD TO STATE TRUNK HIGHWAY 100

WHEREAS, the Common Council adopted Resolution No. 2016-7186, A Resolution to Sign "Local / County Agreement for a Highway Improvement" with Milwaukee County for W. St. Martins Rd. (CTH MM) from S. North Cape Rd. to S. Lovers Lane Rd., on April 4, 2016; and

WHEREAS, such highway improvement project has been completed by Milwaukee County, though there are certain project scope relatively very minor items remaining for completion/restoration by Milwaukee County, to which Milwaukee County has committed to providing the completion/restoration thereof within this month; and

WHEREAS, Milwaukee County has informed the City of its need for the approval of the agreement and the adoption of a final unconditional resolution by the City for the ultimate conclusion of the jurisdictional transfer process prior to June 1, 2017, in order for Milwaukee County to meet its financing requirements for the project; and

WHEREAS, the Common Council having recognized the completion of the project and its prior action to adopt Resolution No. 2017-7258, A Resolution to Accept Jurisdictional Transfer of W. St. Martins Road (CTH MM) from S. North Cape Road to S. Lovers Lane Road, subject to changes as approved by the City Engineer, on April 3, 2017, and having determined that the unconditional acceptance of the jurisdictional transfer of West St. Martins Road from Milwaukee County is reasonable and necessary and in the public interest.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the Jurisdictional Transfer from Milwaukee County of County Trunk Highway CTH MM, West St. Martins Road From South North Cape Road to State Trunk Highway 100, be and the same is hereby accepted by the City of Franklin.

Introduced at a regular meeting of the Common Council of the City of Franklin this 2nd day of May, 2017.

2017-7268 RES (JURISDICTIONAL TRANSFER FROM MILWAUKEE COUNTY TO FRANKLIN Page 2

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this 2nd day of May, 2017.

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES 6

NOES 0

ABSENT 0

RESOLUTION NO. 2017-7258

A RESOLUTION TO ACCEPT JURISDICTIONAL TRANSFER OF W. ST. MARTINS ROAD (CTH MM) FROM S. NORTH CAPE ROAD TO S. LOVERS LANE ROAD

WHEREAS, the City of Franklin and Milwaukee County have discussed the merit of transferring several roadways; and

WHEREAS, on March 28, 2016, the City of Franklin and Milwaukee County entered into a Local/County Agreement for W. St. Martins Road (CTH MM) from S. North Cape Road to S. Lovers Lane Road; and

WHEREAS, Milwaukee County has satisfactorily fulfilled the terms of the 2016 agreement.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the City of Franklin that the Common Council conditionally (subject to the approval of a jurisdictional transfer agreement) accepts the jurisdictional transfer from Milwaukee County of W. St. Martins Road (CTH MM) from S. North Cape Road to S. Lovers Lane Road.

Introduced at a regular meeting of the Common Council of the City of Franklin this 3rd day of April, 2017 by Alderman Taylor.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this 3rd day of April, 2017.

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES 6 NOES 0 ABSENT 0