

CITY OF FRANKLIN  
COMMON COUNCIL MEETING\*  
FRANKLIN CITY HALL COUNCIL CHAMBERS  
9229 W. LOOMIS ROAD, FRANKLIN, WISCONSIN  
AGENDA\*\*  
TUESDAY, OCTOBER 4, 2011, 6:30 P.M.

- A. Call to Order and Roll Call
- B.
  - 1. Citizen Comment Period
  - 2. Announcements from Mayor Taylor of upcoming community events & news items:
    - a. Letter from Fill-The-Boot for "Jerry's Kid's" to Franklin Fire Department for participation in MDA's fundraising efforts in the amount of \$11,051.
- C. Approval of Minutes
  - 1. Approval of regular meeting of September 20, 2011.
- D. Hearings
- E. Organizational Business
- F. Letters and Petitions
- G. Reports and Recommendations
  - 1. Consent Agenda
    - a. Donations to the Fair Commission:
      - 1) from St. Martins Inn LLC in the amount of \$100.
      - 2) from Food on the Move LLC in the amount of \$200.
      - 3) from Wesolowski, Reidenbach & Sajdak, S.C. in the amount of \$120 for the UW Marching Band.
      - 4) from Lloyd R. Dobrinska in the amount of \$120 for the UW Marching Band.
    - b. Donations to the Fire Department:
      - 1) from Donald R. Barrows in the amount of \$500.
      - 2) from Northwestern Mutual of gym equipment.
      - 3) from Robert & Stella Mann in the amount of \$50.
  - 2. Resolution conditionally approving a 2 lot Certified Survey Map, being a re-division of all of Lot 2 of Certified Survey Map No. 1598, and a part of the Northwest 1/4 and Northeast 1/4 of the Northeast 1/4 of Section 20, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin (David L. Sweeney and Marian R. Sweeney).
  - 3. Resolution authorizing certain officials to accept a Conservation Easement for and as part of the review and approval of a Certified Survey Map for David L. Sweeney and Marian R. Sweeney (9447 West St. Martin's Road).
  - 4. Resolution authorizing officials to request an exemption of a requirement found in Trans 75 of Wisconsin Administrative Code for pedestrian accommodations on the west side of S. 76th Street (W. Imperial Drive to W. Puetz Road) reconstruction project.
  - 5. Resolution to establish the rates of pay and wage schedule for Dispatchers.
  - 6. Changes to the Employee Handbook as recommended by the Personnel Committee.

7. Request by Department of Administration to provide additional funding toward the City representative's attendance at the 3rd Safe Routes to School National Conference.
8. Resolution to approve participation in and funding for a Shared Services Fact-Finding Project to be performed by the Public Policy Forum and focusing on Fire and EMS Services.
9. Ordinance to Amend the Municipal Code as it pertains to Common Council Member Attendance at Meetings (Ald. Olson).
10. Request to direct staff to review and recommend methodology for agenda setting (Mayor Taylor).
11. Approval and acceptance of a letter of understanding for the provision of legal services for the Ryan Creek Interceptor Sewer Project and authorization for the retainer of special environmental law counsel.
12. Acquisition of easement rights and interests in property for the location, extension, installation and maintenance of public sanitary sewer facilities to provide sanitary sewer service to the southwest area of the City of Franklin by way of the Ryan Creek Interceptor sewer installation upon property in the area from the intersection of South 60th Street and West Ryan Road generally following the Ryan Creek to the intersection of West Ryan Road and South 112th Street, thence westerly along West Ryan Road to the west City limits, upon the following 2 properties identified by Acquisition Map Parcel No., Tax Key Number and address, respectively, as follows: 1) 21, 894-9999-001 and 9733 W. Ryan Road; 2) 40, 894-9999-004 and 9733 W. Ryan Road. The Council may enter closed session pursuant to Wis. Stat. §19.85(1)(e), to consider the terms and negotiation of the public acquisition of easement(s) for public sanitary sewer service for the extension of the Ryan Creek Interceptor Sewer project, for competitive and bargaining reasons, 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

1. Miscellaneous Licenses.

I. Bills

1. Vouchers and Payroll approval.

J. Adjournment

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

\*\*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:

October 6	Plan Commission	7:00 p.m.
October 18	Common Council	6:30 p.m.
October 30	Trick-or-Treat Observance	4-7 p.m.

B.2.a.



September 19th, 2011

Franklin Fire Department  
8901 W. Drexel Ave  
Franklin, WI 32132

Dear Chief Martins, *Mayor Taylor*

On behalf of the Muscular Dystrophy Association and the clients we serve please accept our appreciation for your support in allowing Franklin Fire Fighters to host their fill-the-boot campaign. With your help the Franklin Fire Fighters raised \$11,051 for adults and children in your community living with a neuromuscular disease.

Being in the business of saving lives, the fire fighters 54 years ago expanded that commitment to include children and adults living with 43 different neuromuscular diseases. We at MDA are very grateful that you recognize the importance of that commitment by endorsing the Franklin Fire Fighters participation in MDA's fundraising efforts.

Thank you for your continued support. I look forward to working with your department next year, and for years to come. If you have any questions please feel free to contact me at 262-432-7992.

Sincerely,

Samantha Koch  
Fundraising Coordinator

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<b>APPROVAL</b> <i>Slw</i>	<b>REQUEST FOR COUNCIL ACTION</b>	<b>MEETING DATE</b> <b>10/04/11</b>
<b>Reports and Recommendations</b>	Donation from St. Martins Inn LLC in the amount of \$100; Food on the Move LLC in the amount of \$200; Wesolowski, Reidenbach & Sajdak, S.C. in the amount of \$120 and Lloyd R. Dobrinska in the amount of \$120 to the Fair Commission	<b>ITEM NUMBER</b> <i>G.I.a.</i>

The City of Franklin Fair Commission has received donations from the following to be used for the promotion of the St. Martins Fair:

- St. Martins Inn LLC in the amount of \$100.
- Food on the Move in the amount of \$200.
- Wesolowski, Reidenbach & Sajdak, S.C. in the amount of \$120.
- Lloyd R. Dobrinska in the amount of \$120.

**COUNCIL ACTION REQUESTED**

Motion to accept the donation of \$100 from St. Martins Inn LLC; \$200 from Food on the Move; \$120 from Wesolowski, Reidenbach & Sajdak, S.C. and \$120 from Lloyd R. Dobrinska to the Fair Commission to be used for the promotion of the St. Martin's Fair.

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<p><b>APPROVAL</b></p> <p><i>Slw</i></p>	<p><b>REQUEST FOR COUNCIL ACTION</b></p>	<p><b>MEETING DATE</b></p> <p>10/04/11</p>
<p>Reports and Recommendations</p>	<p>Donation from Donald R. Barrows in the amount of \$500; Northwestern Mutual of gym equipment and Robert &amp; Stella Mann in the amount of \$50 to the Fire Department</p>	<p>ITEM NUMBER</p> <p><i>G.I.B.</i></p>

The City of Franklin Fire Department has received donations from the following:

Donald R. Barrows in the amount of \$500.  
Northwestern Mutual of gym equipment.  
Robert & Stella Mann in the amount of \$50.

**COUNCIL ACTION REQUESTED**

Motion to accept the donation of \$500 from Donald R. Barrows; Gym equipment from Northwestern Mutual and \$50 from Robert & Stella Mann to the Fire Department.

10-15-73 11:00 AM

10-15-73 11:00 AM

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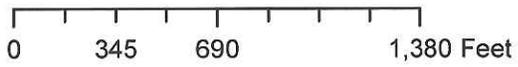
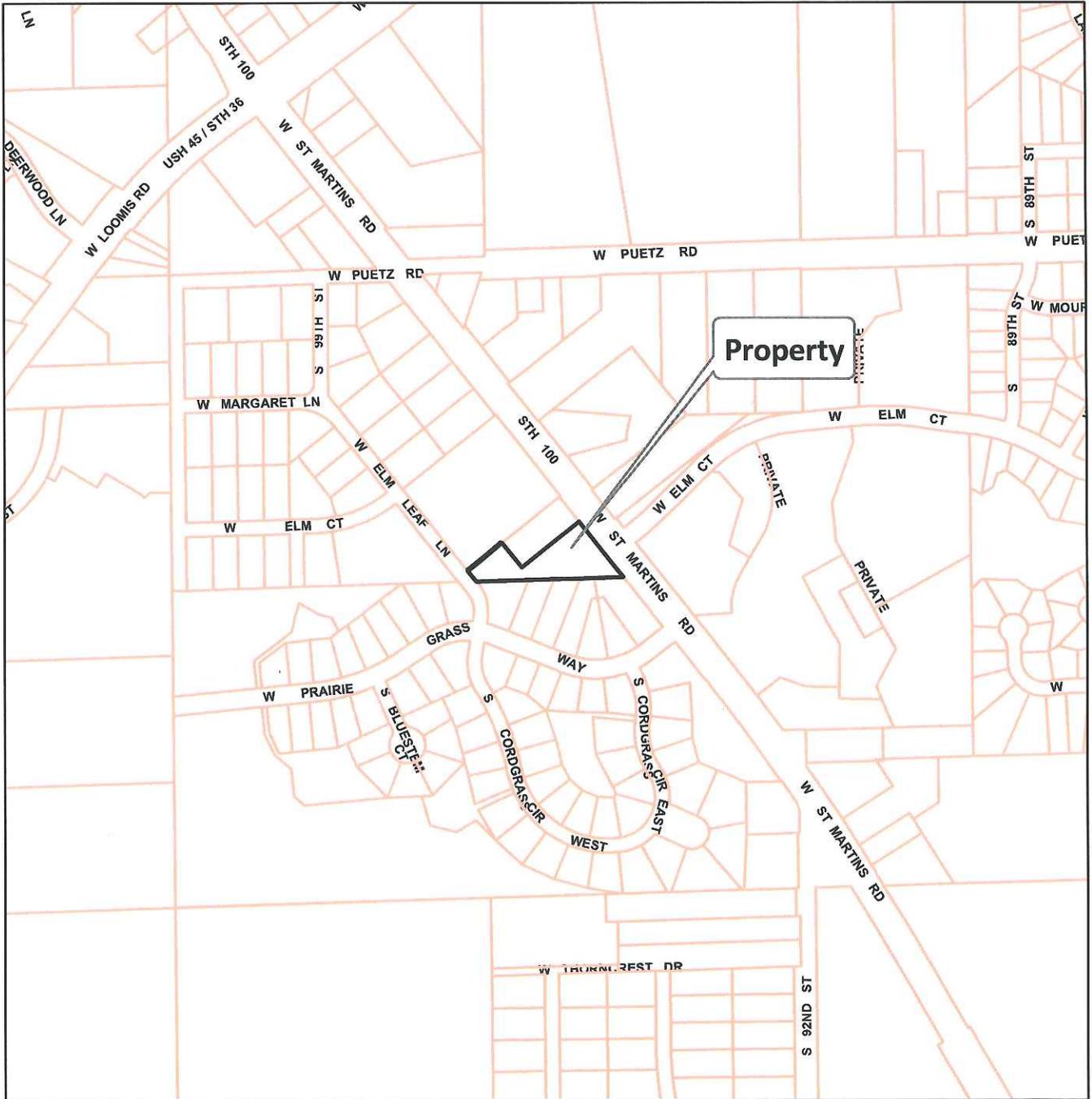
<p style="text-align: center;"><b>APPROVAL</b></p> <p style="text-align: center;"><i>Slw</i></p>	<p style="text-align: center;"><b>REQUEST FOR COUNCIL ACTION</b></p>	<p style="text-align: center;"><b>MEETING DATE</b></p> <p style="text-align: center;">10/4/11</p>
<p style="text-align: center;"><b>REPORTS &amp; RECOMMENDATIONS</b></p>	<p style="text-align: center;"><b>A RESOLUTION CONDITIONALLY APPROVING A 2 LOT CERTIFIED SURVEY MAP, BEING A REDIVISION OF ALL OF LOT 2 OF CERTIFIED SURVEY MAP NO. 1598, AND A PART OF THE NORTHWEST 1/4 AND NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 20, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN (DAVID L. SWEENEY AND MARIAN R. SWEENEY) (9447 WEST ST. MARTINS ROAD)</b></p>	<p style="text-align: center;"><b>ITEM NUMBER</b></p> <p style="text-align: center;"><i>G.2.</i></p>

At their meeting on September 22, 2011, the Plan Commission recommended approval of a resolution conditionally approving a 2 lot certified survey map, being a redivision of all of Lot 2 of Certified Survey Map No. 1598, and a part of the Northwest 1/4 and Northeast 1/4 of the Northeast 1/4 of Section 20, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin (David L. Sweeney and Marian R. Sweeney) (9447 West St. Martin's Road).

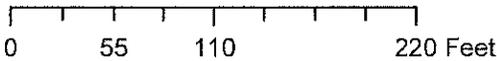
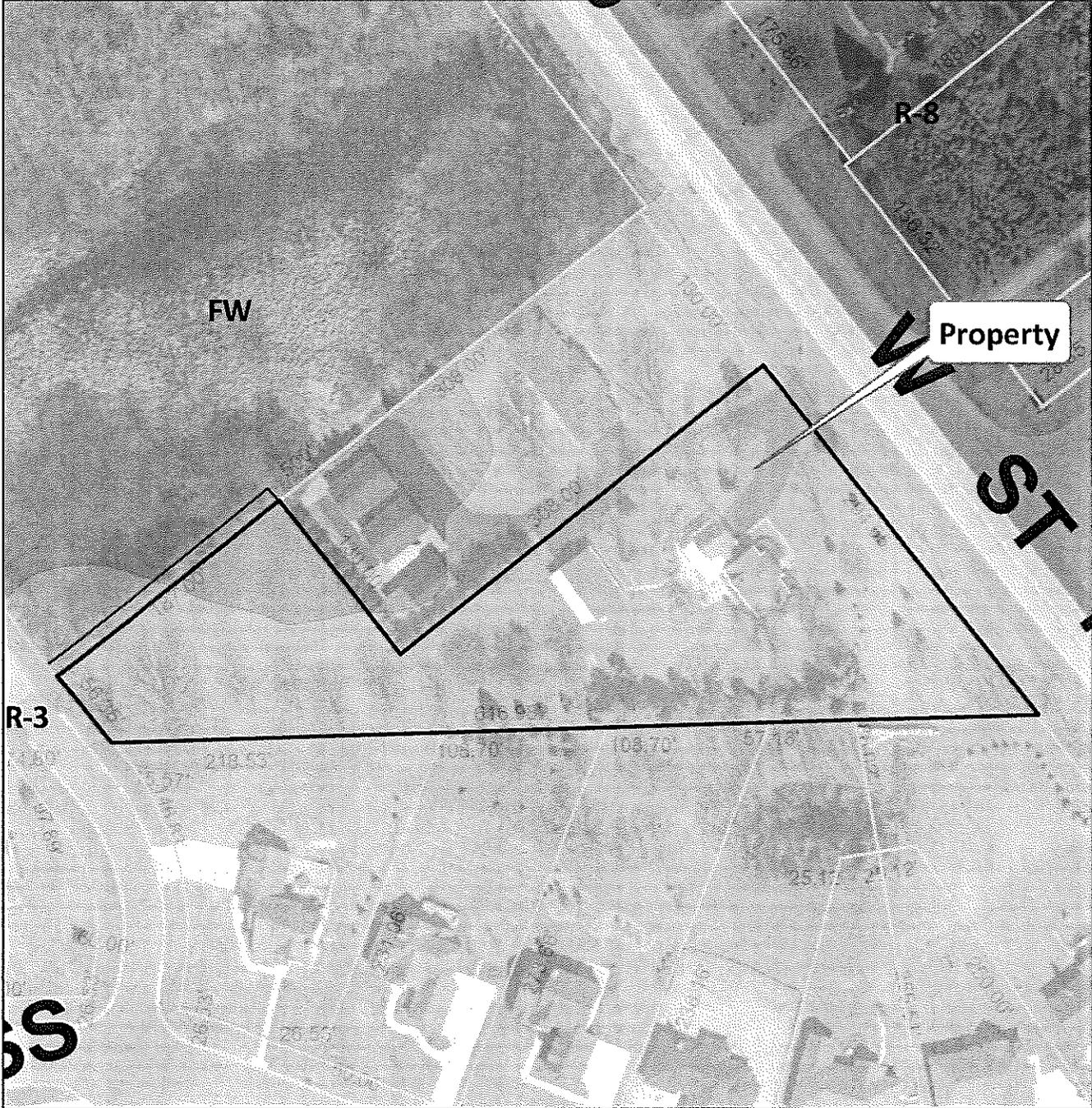
**COUNCIL ACTION REQUESTED**

A motion to adopt Resolution No. 2011-\_\_\_\_\_, a resolution conditionally approving a 2 lot certified survey map, being a redivision of all of Lot 2 of Certified Survey Map No. 1598, and a part of the Northwest 1/4 and Northeast 1/4 of the Northeast 1/4 of Section 20, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin (David L. Sweeney and Marian R. Sweeney) (9447 West St. Martin's Road).

# 9447 W. St. Martins Road



# 9447 W. St. Martins Road



City Development 2011  
(2010 Aerial Layer)



## RESOLUTION NO. 2011-\_\_\_\_\_

A RESOLUTION CONDITIONALLY APPROVING A 2 LOT CERTIFIED SURVEY MAP, BEING A REDIVISION OF ALL OF LOT 2 OF CERTIFIED SURVEY MAP NO. 1598, AND A PART OF THE NORTHWEST 1/4 AND NORTHEAST 1/4 OF THE NORTHEAST 1/4 OF SECTION 20, TOWNSHIP 5 NORTH, RANGE 21 EAST, IN THE CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN  
(DAVID L. SWEENEY AND MARIAN R. SWEENEY)  
(9447 WEST ST. MARTINS ROAD)

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WHEREAS, the City of Franklin, Wisconsin, having received an application for approval of a certified survey map, such map being a redivision of all of Lot 2 of Certified Survey Map No. 1598, and a part of the Northwest 1/4 and Northeast 1/4 of the Northeast 1/4 of Section 20, Township 5 North, Range 21 East, in the City of Franklin, Milwaukee County, Wisconsin, more specifically, of the property located at 9447 West St. Martins Road, bearing tax key no. 847-9988-001, David L. Sweeney and Marian R. Sweeney, applicants; said certified survey map having been reviewed by the City Plan Commission and the Plan Commission having recommended approval thereof pursuant to certain conditions; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the Certified Survey Map submitted by David L. Sweeney and Marian R. Sweeney, as described above, be and the same is hereby approved, subject to the following conditions:

1. That any and all objections made and corrections required by the City of Franklin, by Milwaukee County, and by any and all reviewing agencies, shall be satisfied and made by the applicant, prior to recording.
2. That all land development and building construction permitted or resulting under this Resolution shall be subject to impact fees imposed pursuant to §92-9. of the Municipal Code or development fees imposed pursuant to §15-5.0110 of the Unified Development Ordinance, both such provisions being applicable to the development and building permitted or resulting hereunder as it occurs from time to time, as such Code and Ordinance provisions may be amended from time to time.
3. Each and any easement shown on the Certified Survey Map shall be the subject of separate written grant of easement instrument, in such form as provided within the

DAVID L. SWEENEY AND MARIAN R. SWEENEY – CERTIFIED SURVEY MAP  
RESOLUTION NO. 2011-\_\_\_\_\_

Page 2

*City of Franklin Design Standards and Construction Specifications* and such form and content as may otherwise be reasonably required by the City Engineer or designee to further and secure the purpose of the easement, and all being subject to the approval of the Common Council, prior to the recording of the Certified Survey Map.

4. David L. Sweeney and Marian R. Sweeney, successors and assigns, shall pay to the City of Franklin the amount of all development compliance, inspection and review fees incurred by the City of Franklin, including fees of consults to the City of Franklin, within 30 days of invoice for same. Any violation of this provision shall be a violation of the Unified Development Ordinance, and subject to §15-9.0502 thereof and §1-19. of the Municipal Code, the general penalties and remedies provisions, as amended from time to time.
5. The approval granted hereunder is conditional upon David L. Sweeney and Marian R. Sweeney and the 2 lot certified survey map project for the property located at 9447 West St. Martins Road: (i) being in compliance with all applicable governmental laws, statutes, rules, codes, orders and ordinances; and (ii) obtaining all other governmental approvals, permits, licenses and the like, required for and applicable to the project to be developed and as presented for this approval.
6. The applicant shall identify the location of the recorded onsite conservation easement on Lot 2 through fencing or signage prior to a Certificate of Occupancy for the future residence.
7. The applicant shall identify the Southeastern Wisconsin Regional Planning Commission (SEWRPC) Secondary Environmental Corridor (SEC) on the Certified Survey Map.

BE IT FURTHER RESOLVED, that the Certified Survey Map, certified by owners, David L. Sweeney and Marian R. Sweeney, be and the same is hereby rejected without final approval and without any further action of the Common Council, if any one, or more than

DAVID L. SWEENEY AND MARIAN R. SWEENEY – CERTIFIED SURVEY MAP  
RESOLUTION NO. 2011-\_\_\_\_\_

Page 3

one of the above conditions is or are not met and satisfied within 180 days from the date of adoption of this Resolution.

BE IT FINALLY RESOLVED, that upon the satisfaction of the above conditions within 180 days of the date of adoption of this Resolution, same constituting final approval, and pursuant to all applicable statutes and ordinances and lawful requirements and procedures for the recording of a certified survey map, the City Clerk is hereby directed to obtain the recording of the Certified Survey Map, certified by owners, David L. Sweeney and Marian R. Sweeney, 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 \_\_\_\_\_, 2011.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

APPROVED:

\_\_\_\_\_  
Thomas M. Taylor, Mayor

ATTEST:

\_\_\_\_\_  
Sandra L. Wesolowski, City Clerk

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

# CERTIFIED SURVEY MAP NO. \_\_\_\_\_

BEING A REDIVISION OF ALL OF LOT 2 OF C.S.M. NO. 1598, AND A PART OF THE NW 1/4 AND NE 1/4 OF THE NE 1/4 OF SECTION 20, T.5N., R.21E., CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN

SURVEYOR

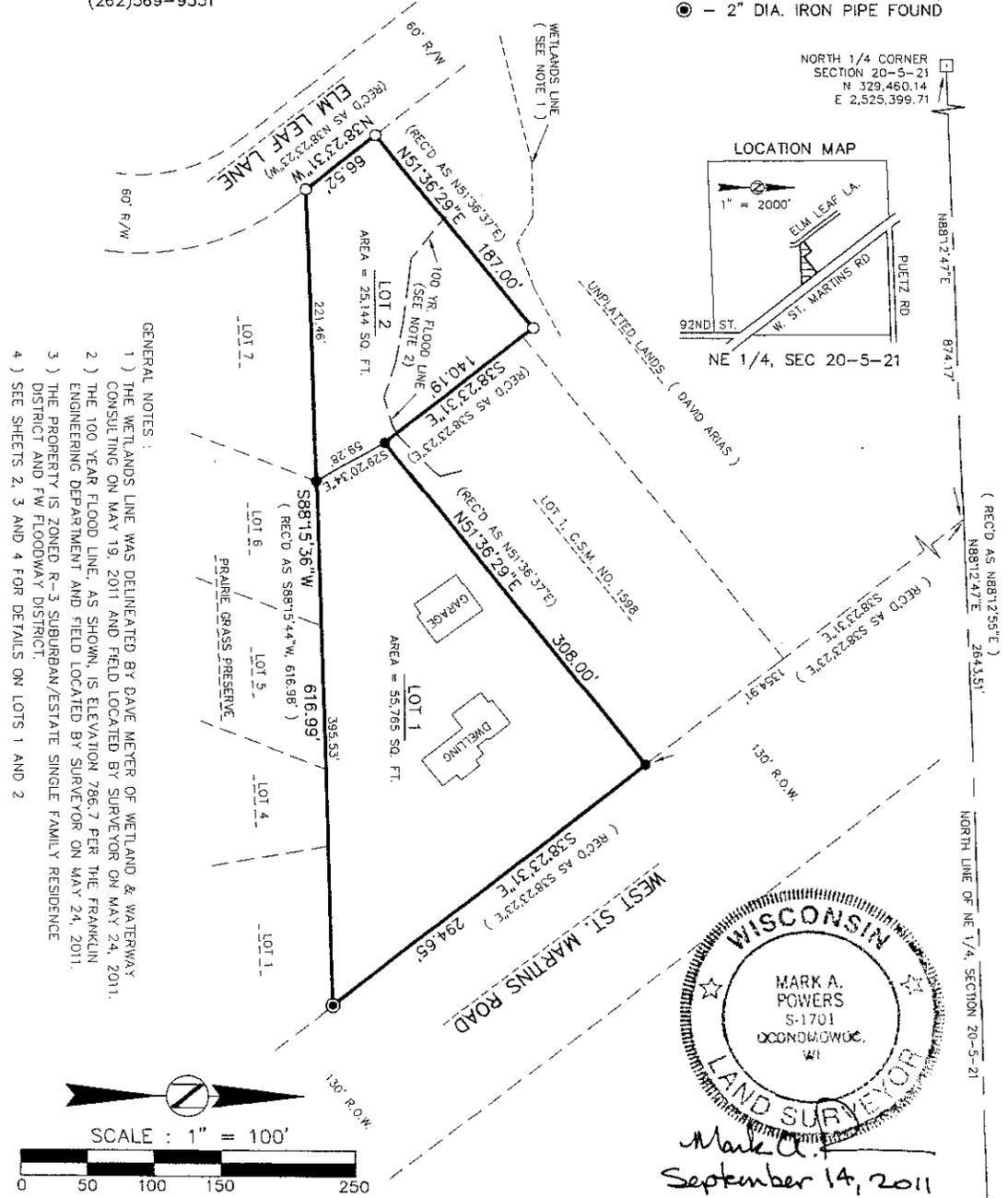
MARK A. POWERS, RLS 1701  
LAKE COUNTRY ENGINEERING, INC.  
W359 N5920 BROWN ST., SUITE 102  
OCONOMOWOC, WI. 53066  
(262)569-9331

SURVEY FOR

DAVID AND MARIAN SWEENEY  
9447 W. ST. MARTINS ROAD  
FRANKLIN, WI. 53132  
TAX KEY NO. 847-9998-001

LEGEND

- ☐ - CONC MON W/ BRASS CAP
- - 1.25" O.D. IRON PIPE SET, 18" LONG, WT. = 1.68 LBS/LIN. FT.
- - 1" DIA. IRON PIPE FOUND
- ⊙ - 2" DIA. IRON PIPE FOUND



- GENERAL NOTES:**
- 1 ) THE WETLANDS LINE WAS DELINEATED BY DAVE MEYER OF WETLAND & WATERWAY CONSULTING ON MAY 19, 2011 AND FIELD LOCATED BY SURVEYOR ON MAY 24, 2011.
  - 2 ) THE 100 YEAR FLOOD LINE, AS SHOWN, IS ELEVATION 786.7 PER THE FRANKLIN ENGINEERING DEPARTMENT AND FIELD LOCATED BY SURVEYOR ON MAY 24, 2011.
  - 3 ) THE PROPERTY IS ZONED R-3 SUBURBAN/ESTATE SINGLE FAMILY RESIDENCE DISTRICT AND FW FLOODWAY DISTRICT.
  - 4 ) SEE SHEETS 2, 3 AND 4 FOR DETAILS ON LOTS 1 AND 2

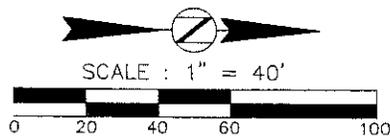
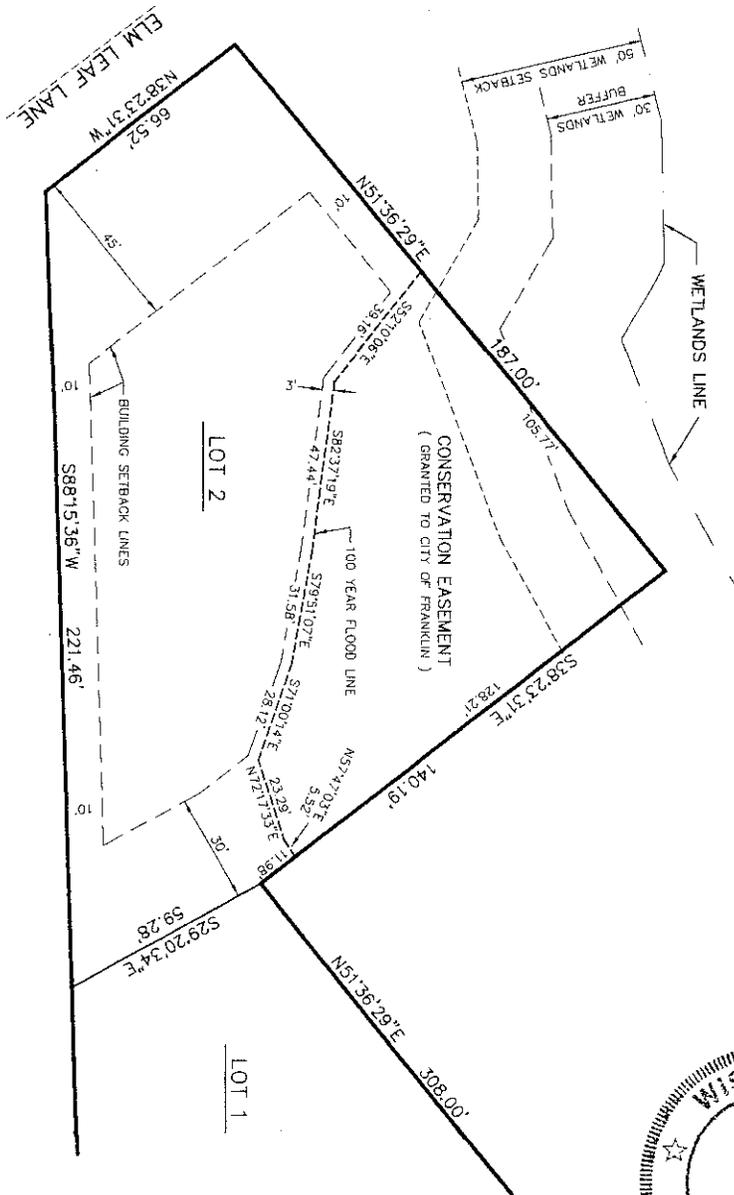
MARK A. POWERS  
 S-1701  
 OCONOMOWOC, WI  
 LAND SURVEYOR  
*Mark A. Powers*  
 September 14, 2011

BEARINGS REFERENCED TO STATE PLANE COORD, SOUTH ZONE (NAD 27) ON THE NORTH LINE OF THE NE 1/4 OF SEC. 20-5-21, AS BEARING N88°12'47"E

NORTHEAST CORNER  
SECTION 20-5-21  
N 329,542.56  
E 2,528,041.68

# CERTIFIED SURVEY MAP NO. \_\_\_\_\_

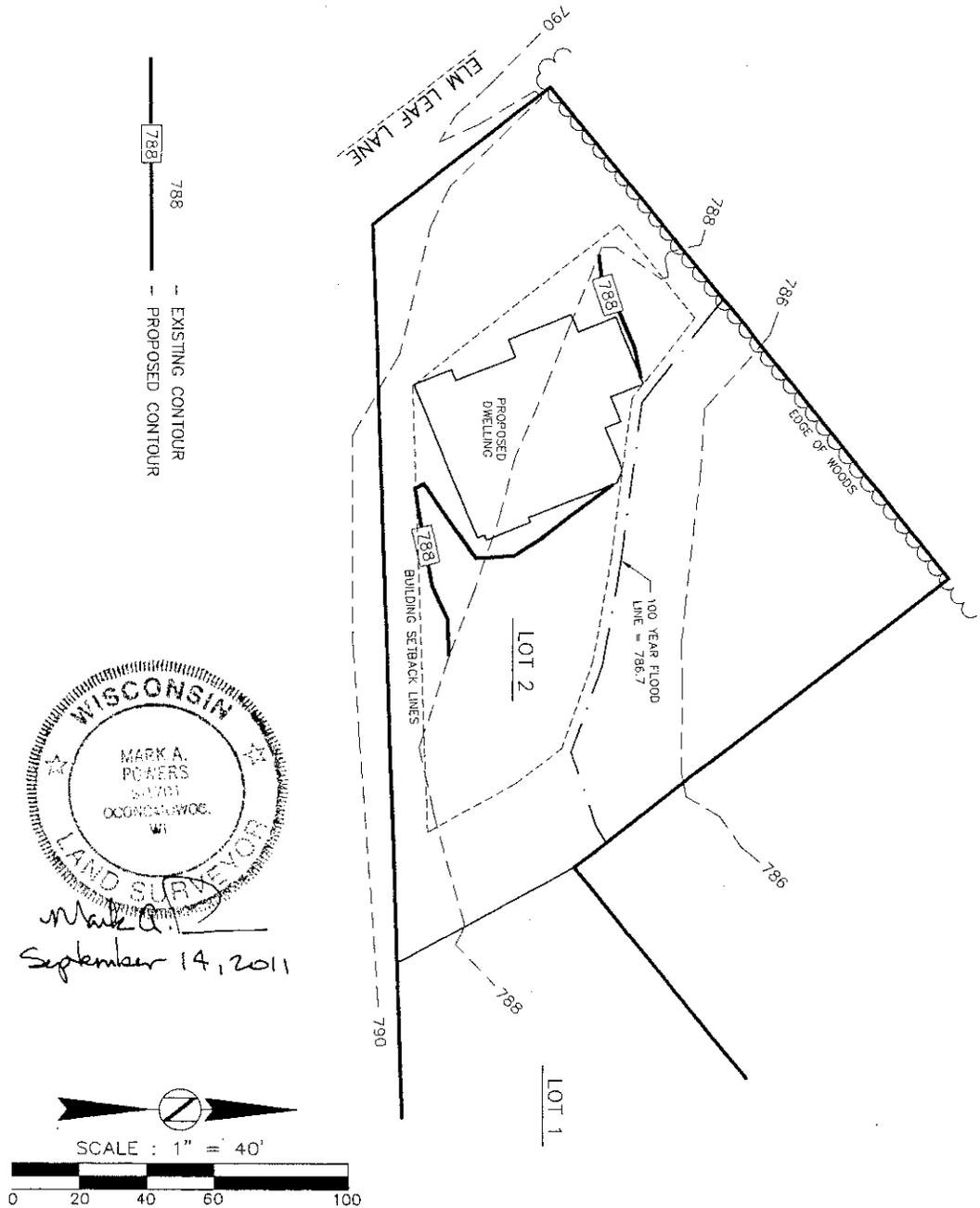
BEING A REDIVISION OF ALL OF LOT 2 OF C.S.M. NO. 1598, AND A PART OF THE NW 1/4 AND NE 1/4 OF THE NE 1/4 OF SECTION 20, T.5N., R.21E., CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN



WISCONSIN  
 MARK A. POWERS  
 S-1701  
 OCONOMOWOC, WI  
 LAND SURVEYOR  
 Mark A. Powers  
 September 14, 2011

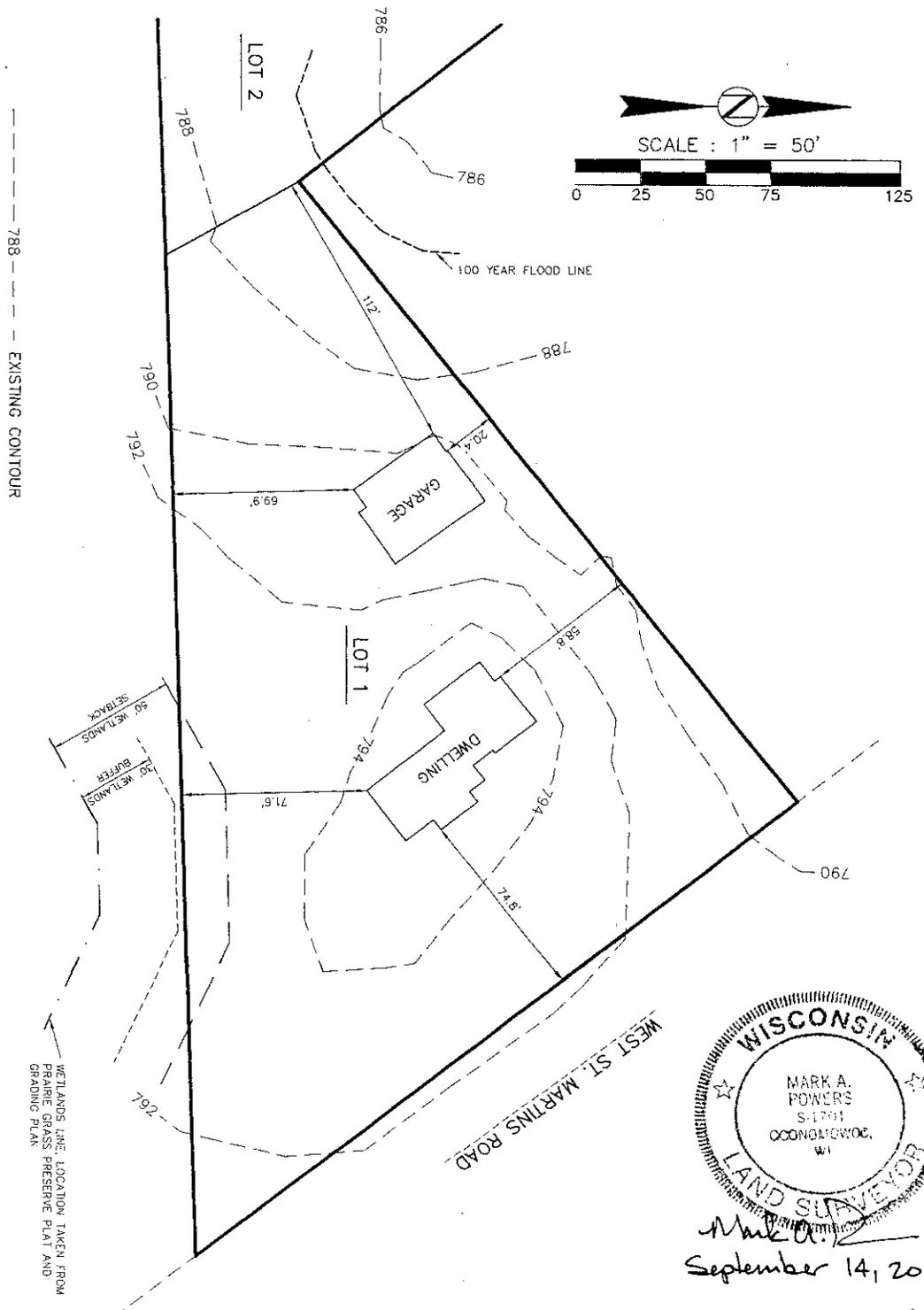
# CERTIFIED SURVEY MAP NO. \_\_\_\_\_

BEING A REDIVISION OF ALL OF LOT 2 OF C.S.M. NO. 1598, AND A PART OF THE NW 1/4 AND NE 1/4 OF THE NE 1/4 OF SECTION 20, T.5N., R.21E., CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN



# CERTIFIED SURVEY MAP NO. \_\_\_\_\_

BEING A REDIVISION OF ALL OF LOT 2 OF C.S.M. NO. 1598, AND A PART OF THE NW 1/4 AND NE 1/4 OF THE NE 1/4 OF SECTION 20, T.5N., R.21E., CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN





**CERTIFIED SURVEY MAP NO.** \_\_\_\_\_

BEING A REDIVISION OF ALL OF LOT 2 OF C.S.M. NO. 1598, AND A PART OF  
THE NW 1/4 AND NE 1/4 OF THE NE 1/4 OF SECTION 20, T.5N., R.21E.,  
CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN

OWNER'S CERTIFICATE

We, David L. Sweeney and Marian R. Sweeney, owners, hereby certify that we caused said lands to be surveyed, divided, mapped and dedicated, as shown on this map. We also certify that this map is required by the provisions of Chapter 236 of the Wisconsin Statutes and by the provisions of the City of Franklin's Unified Development Ordinance-Division 15, to be submitted to the following for approval or objection: The City of Franklin, Milwaukee County.

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
David L. Sweeney

\_\_\_\_\_  
Marian R. Sweeney

In witness whereof, David L. Sweeney and Marian R. Sweeney, owners, have caused these presents to be signed this \_\_\_\_\_ day \_\_\_\_\_, 2011.

STATE OF WISCONSIN}

:SS

MILWAUKEE COUNTY}

PERSONALLY came before me this \_\_\_\_\_ day \_\_\_\_\_, 2011, the above named David L. Sweeney and Marian R. Sweeney to me known to be the persons who executed the foregoing instrument and acknowledged the same.

(Seal)

\_\_\_\_\_  
Notary Public

\_\_\_\_\_  
County, Wisconsin

My commission expires \_\_\_\_\_

COMMON COUNCIL APPROVAL

Approved by the Common Council of the City of Franklin, Resolution No. \_\_\_\_\_, on this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

\_\_\_\_\_  
Thomas M. Taylor, Mayor

\_\_\_\_\_  
Sandra L. Wesolowski, Clerk



*Mark A. Powers*  
September 14, 2011

**CERTIFIED SURVEY MAP NO. \_\_\_\_\_**

BEING A REDIVISION OF ALL OF LOT 2 OF C.S.M. NO. 1598, AND A PART OF  
THE NW 1/4 AND NE 1/4 OF THE NE 1/4 OF SECTION 20, T.5N., R.21E.,  
CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN

CONSENT OF CORPORATE MORTGAGEE:

\_\_\_\_\_, a Corporation duly organized and existing under and  
by virtue of the laws of the State of Wisconsin, mortgagee of the above described land, hereby  
consents to the surveying, dividing, mapping, and dedication of the land described on this Certified  
Survey Map and does hereby consent to the above certificate of David L. Sweeney and Marian R.  
Sweeney, owners of said land.

IN WITNESS WHEREOF, said \_\_\_\_\_ has caused these  
presents to be signed by \_\_\_\_\_, it's President, and countersigned by  
\_\_\_\_\_, it's Secretary (cashier), at \_\_\_\_\_,  
Wisconsin, and it's corporate seal to be hereunto affixed this \_\_\_\_\_ day of \_\_\_\_\_,  
20\_\_\_\_\_.

In the presence of:

_____	_____ (Corporate Seal)
Corporate name	Countersigned
_____	_____
President	Secretary (cashier)

STATE OF WISCONSIN  
\_\_\_\_\_ COUNTY

PERSONALLY came before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_ the above named  
\_\_\_\_\_, President, and \_\_\_\_\_, Secretary  
(cashier) of the above named corporation, to me known to be the persons who executed the foregoing  
instrument, and to me known to be such President and Secretary (cashier) of said corporation, and  
acknowledged that they executed the foregoing instrument as such officers as the deed of said  
corporation, by its authority.

(Seal) \_\_\_\_\_  
Notary Public  
\_\_\_\_\_ County, Wisconsin  
My commission expires \_\_\_\_\_



*Mark A. Powers*  
September 14, 2011

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<p style="text-align: center;"><b>APPROVAL</b></p> <p style="text-align: center;"><i>Slw</i></p>	<p style="text-align: center;"><b>REQUEST FOR COUNCIL ACTION</b></p>	<p style="text-align: center;"><b>MEETING DATE</b></p> <p style="text-align: center;">10/4/11</p>
<p style="text-align: center;"><b>REPORTS &amp; RECOMMENDATIONS</b></p>	<p style="text-align: center;"><b>RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO ACCEPT A CONSERVATION EASEMENT FOR AND AS PART OF THE REVIEW AND APPROVAL OF A CERTIFIED SURVEY MAP FOR DAVID L. SWEENEY AND MARIAN R. SWEENEY (9447 WEST ST. MARTIN'S ROAD)</b></p>	<p style="text-align: center;"><b>ITEM NUMBER</b></p> <p style="text-align: center;"><i>G.3.</i></p>

City Development staff recommends approval of a resolution authorizing certain officials to accept a conservation easement for and as part of the review and approval of a certified survey map for David L. Sweeney and Marian R. Sweeney (9447 West St. Martin's Road), subject to technical corrections by the City Attorney.

The applicant is proposing to deviate from the language set forth in the City's conservation easement template. All proposed deviations are highlighted on the applicant's conservation easement document. A copy of the City's conservation easement template is attached for comparison purposes.

The following are examples of potential minor technical corrections that may be needed prior to recordation of the conservation easement document:

1. The conservation easement should clearly state that existing trees within the young woodland will be protected (a section of the template that addresses the protection of existing vegetation was removed).
2. The conservation easement should clearly state that the planting of nonnative plants will be prohibited within the existing woodland (a section of the template that prohibits nonnative plantings was removed).
3. A section that prohibits ATV's was removed. Does the applicant intend to ride ATVs within the easement? Section 245-13 of the municipal code regulates ATVs. The conservation easement document should clearly state what activities are planned within the conservation easement area.

**COUNCIL ACTION REQUESTED**

A motion to adopt Resolution No. 2011-\_\_\_\_\_, a resolution authorizing certain officials to accept a conservation easement for and as part of the review and approval of a certified survey map for David L. Sweeney and Marian R. Sweeney (9447 West St. Martin's Road), subject to technical corrections by the City Attorney.

STATE OF WISCONSIN

CITY OF FRANKLIN

MILWAUKEE COUNTY

RESOLUTION NO. 2011-\_\_\_\_\_

A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO  
ACCEPT A CONSERVATION EASEMENT FOR AND AS PART  
OF THE REVIEW AND APPROVAL OF A CERTIFIED SURVEY MAP FOR DAVID L.  
SWEENEY AND MARIAN R. SWEENEY (9447 WEST ST. MARTIN'S ROAD)

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WHEREAS, the Plan Commission having approved a Certified Survey Map upon the application of David L. Sweeney and Marian R. Sweeney on September 22, 2011, and the Plan Commission having conditioned approval thereof in part upon Common Council approval of a Conservation Easement to protect the 100-year floodplain, woodlands and wetland buffers on the site; and

WHEREAS, §15-7.0103Q. of the Unified Development Ordinance requires the submission of a Natural Resource Protection Plan in the Certified Survey Map review process and the Unified Development Ordinance requires conservation easements to be imposed for natural resource features identified within such Plan to protect such features, all as part of the approval process for a Certified Survey Map; and

WHEREAS, the City Engineering Department, Department of City Development and the Office of the City Attorney having reviewed the proposed Conservation Easement and having recommended approval thereof to the Common Council.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that the Conservation Easement submitted by David L. Sweeney and Marian L. Sweeney, in the form and content as annexed hereto, be and the same is hereby approved; and the Mayor and City Clerk are hereby authorized to execute such Easement as evidence of the consent to and acceptance of such easement by the City of Franklin.

BE IT FURTHER RESOLVED, that the City Clerk be and the same is hereby directed to obtain the recording of the Conservation Easement in the Office of the Register of Deeds for Milwaukee County, Wisconsin.

Introduced at a regular meeting of the Common Council of the City of Franklin this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

A RESOLUTION AUTHORIZING CERTAIN OFFICIALS  
TO ACCEPT A CONSERVATION EASEMENT  
DAVID L. SWEENEY AND MARIAN R. SWEENEY  
RESOLUTION NO. 2011-\_\_\_\_\_

Page 2

APPROVED:

\_\_\_\_\_  
Thomas M. Taylor, Mayor

ATTEST:

\_\_\_\_\_  
Sandra L. Wesolowski, City Clerk

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

**GRANT OF CONSERVATION EASEMENT**

This Grant of Conservation Easement is made by and between the CITY OF FRANKLIN, a municipal corporation of the State of Wisconsin, hereinafter referred to as "Grantee," and DAVID L. AND MARIAN R. SWEENEY, husband and wife, hereinafter referred to together as "Grantor," and shall become effective upon the recording of this Grant of Conservation Easement, together with the Acceptance following, with the Office of the Register of Deeds for Milwaukee County, pursuant to §700.40(2)(b) of the Wisconsin Statutes.

WITNESSETH

WHEREAS, Grantor is the owner in fee simple of certain real property located within the City of Franklin, Milwaukee County, Wisconsin, described in Exhibit A attached hereto and hereby made a part hereof (the "protected property"); and

WHEREAS, the Grantor desires and intends that the natural elements and the ecological and aesthetic values of the protected property, including without limitation young woodlands, floodplains and wetland buffers (the "Natural Elements"), as depicted in the Natural Resource Investigation by Cedarburg Science, LLC, dated September 2, 2011, which is located in the office of the Department of City Development, be preserved and maintained by the continued use of the protected property in a manner that is consistent with its use in recent history and that will not interfere with or substantially disrupt such Natural Elements; and

WHEREAS, Grantee is a "holder", as contemplated by §700.40(1)(b)1. of the Wisconsin Statutes, whose purposes include, while exercising regulatory authority granted to it, *inter alia*, under §62.23 and §236.45 of the Wisconsin Statutes, the conservation of land, natural areas, open space, and water areas; and

WHEREAS, the Grantor and Grantee, by the conveyance to the Grantee of the conservation easement on, over, and across the protected property, desire to conserve the natural values thereof and prevent the use or development of the protected property for any purpose or in any manner inconsistent with the terms of this grant of conservation easement;

WHEREAS, the Grantee is willing to accept this grant of conservation easement subject to the reservations and to the covenants, terms, conditions, and restrictions set out herein and imposed hereby; and

WHEREAS, Associated Bank, mortgagee of the Protected Property ("Mortgagee"), consents to the grant of this Easement by Grantor to Grantee and Mortgagee's consent is attached hereto and identified as "Mortgage Holder Consent".

NOW, THEREFORE, the Grantor, for and in consideration of the foregoing recitations and of the mutual covenants, terms, conditions, and restrictions set forth herein, and as an absolute and unconditional dedication, does hereby grant and convey unto the Grantee a conservation easement in perpetuity on, over, and across the protected property.

Grantee's rights hereunder shall consist solely of the following:

1. To view the protected property;
2. To enforce by proceeding at law or in equity the covenants set forth herein, including, and in addition to all other enforcement proceedings, proceedings to obtain all penalties and remedies set forth under Division 15-9.0500 of the Unified Development Ordinance of the City of Franklin, as amended from time to time, any violation of the covenants set forth herein being and constituting a violation of such Unified Development Ordinance, as amended from time to time, or such local applicable ordinance as may be later adopted or in effect to enforce such covenants or the purposes for which they are made, it being agreed that there shall be no waiver or forfeiture of the Grantee's right to insure compliance with the covenants and conditions of this grant solely by reason of any prior failure to act; and
3. To enter the protected property at all reasonable times for the purpose of inspecting the protected property to determine if the Grantor is complying with the covenants and conditions of this grant.

In furtherance of the foregoing affirmative rights of the Grantee, the Grantor makes the following covenants which shall run with and bind the protected property in perpetuity, namely that on, over, or across the protected property, the Grantor, without the prior consent of the Grantee, shall not:

1. Construct or place buildings or any structure on the protected property;
2. Construct or make any permanent improvements on the protected property, unless such permanent improvement is specifically and previously approved by the Common Council of the City of Franklin, upon the advice of such other

persons, entities, and agencies as it may elect; such improvements as may be so approved being intended to enhance the resource value of the protected property to the environment or the public and including, but not limited to permanent animal and bird feeding stations and permanent park benches and the like; provided, however, that Grantor shall be permitted to landscape the protected property by planting and maintaining such plants and using such landscaping materials as Grantor reasonably determines will not adversely affect the ecological and aesthetic values of the protected property;

- 3. Excavate, dredge, grade, mine, drill, or change the topography of the protected property in any manner; or
- 4. Conduct any filling, dumping, or depositing of any material whatsoever, including, but not limited to soil, yard waste, other waste, ashes, garbage, or debris.

To have and to hold this conservation easement unto the Grantee forever. Except as expressly limited herein, the Grantor reserves all rights as owner of the protected property, including, but not limited to, the right to use the protected property for all purposes not inconsistent with this grant. Grantor shall be responsible for the payment of all general property taxes levied, assessed, or accruing against the protected property pursuant to law.

The covenants, terms, conditions, and restrictions set forth in this grant shall be binding upon the Grantor and the Grantee and their respective agents, personal representatives, heirs, successors, and assigns, and shall constitute servitudes running with the protected property in perpetuity. This grant may not be amended, except by a writing executed by Grantor and Grantee or their respective personal representatives, heirs, successors, and assigns. Notices to the parties shall be personally delivered or mailed by U.S. Mail registered mail, return receipt requested, as follows:

To Grantor:  
David L. and Marian R. Sweeney  
9447 W. St. Martins Road  
Franklin, WI 53132

To Grantee:  
City of Franklin  
Office of the City Clerk  
9229 W. Loomis Road  
Franklin, Wisconsin 53132

In witness whereof, the grantor has set its hand and seals this on this date of \_\_\_\_\_, 2011.

\_\_\_\_\_  
David L. Sweeney

\_\_\_\_\_  
Marian R. Sweeney

STATE OF WISCONSIN        )  
  ) ss  
COUNTY OF MILWAUKEE    )

This instrument was acknowledged before me on the \_\_\_\_\_ day of \_\_\_\_\_, A.D. 20\_\_ by David L. Sweeney and Marian R. Sweeney, husband and wife, to me known to be the persons who executed the foregoing Grant of Conservation Easement and acknowledged the same as the voluntary act and deed of said persons.

\_\_\_\_\_  
Notary Public

My commission expires \_\_\_\_\_

**Acceptance**

The City of Franklin does hereby accept the Conservation Easement granted and conveyed to it under and pursuant to the foregoing Grant of Conservation Easement.

In witness whereof, the undersigned has executed and delivered this acceptance on the \_\_\_\_ day of \_\_\_\_\_, 2011.

CITY OF FRANKLIN

By: \_\_\_\_\_  
Thomas M. Taylor, Mayor

By: \_\_\_\_\_  
Sandra L. Wesolowski, City Clerk

STATE OF WISCONSIN        )  
  ) ss  
COUNTY OF MILWAUKEE    )

Personally came before me this \_\_\_\_\_ day of \_\_\_\_\_, A.D. 2011, the above named Thomas M. Taylor, Mayor and Sandra L. Wesolowski, City Clerk, of the above named municipal corporation, City of Franklin, to me known to be such Mayor and City Clerk of said municipal corporation, and acknowledged that they executed the foregoing instrument as such officers as the Deed of said municipal corporation by its authority and pursuant to Resolution No. \_\_\_\_\_, adopted by its Common Council on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Notary Public  
  
My commission expires \_\_\_\_\_

This instrument was drafted by the City of Franklin.

Approved as to contents:

\_\_\_\_\_  
Nicholas Fuchs, Senior Planner  
Department of City Development

\_\_\_\_\_  
Date Received and Reviewed

Approved as to form only:

\_\_\_\_\_  
Jesse A. Wesolowski  
City Attorney

\_\_\_\_\_  
Date Received and Reviewed



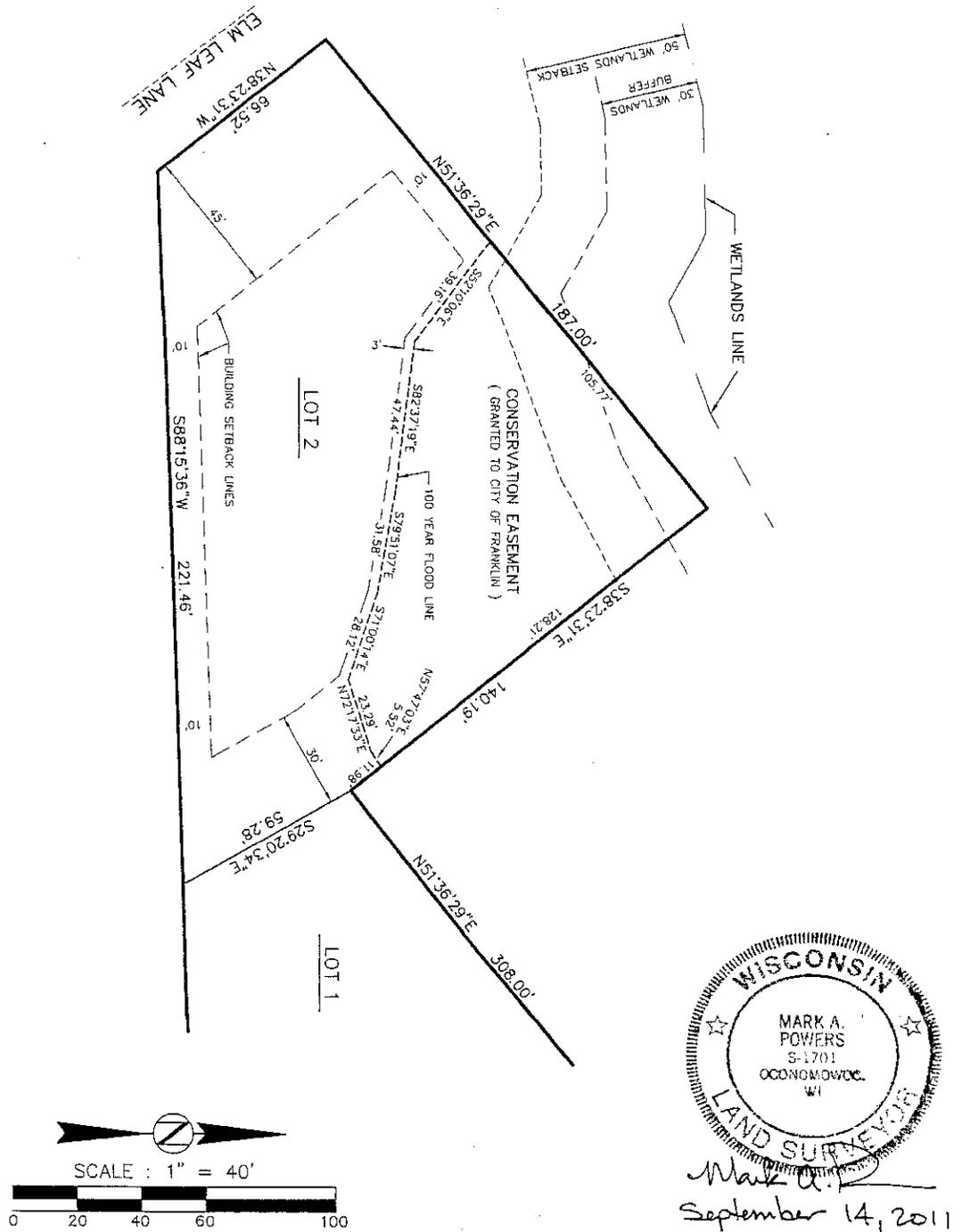
Exhibit A  
to  
Grant of Conservation Easement  
by and between  
City of Franklin as Grantee and David L. and Marian R. Sweeney as Grantor  
Description of "protected property"

The flood plain running through the Northeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of Section 20, Township 5 North, Range 21 East, as more particularly depicted as the "Conservation Easement" lying in the area north of the 100 Yr. Flood Line in that certain Certified Survey Map No. \_\_\_\_\_, dated \_\_\_\_\_, recorded on \_\_\_\_\_ in the real property records of the County of Milwaukee at Book \_\_\_\_\_, Page \_\_\_\_\_.

# Exhibit A

## CERTIFIED SURVEY MAP NO. \_\_\_\_\_

BEING A REDIVISION OF ALL OF LOT 2 OF C.S.M. NO. 1598, AND A PART OF THE NW 1/4 AND NE 1/4 OF THE NE 1/4 OF SECTION 20, T.5N., R.21E., CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN



**CONSERVATION EASEMENT**

**(DEVELOPMENT NAME)**

This Conservation easement is made by and between the CITY OF FRANKLIN, a municipal corporation of the State of Wisconsin, hereinafter referred to as "Grantee," and Owner/Developer Name, LLC, Inc., a e.g. Limited Liability Corporation, hereinafter referred to as "Grantor," and shall become effective upon the recording of this Grant of Conservation Easement, together with the Acceptance following, with the Office of the Register of Deeds for Milwaukee County, pursuant to §700.40(2)(b) of the Wisconsin Statutes.

WITNESSETH

WHEREAS, Grantor is the owner in fee simple of certain real property, located within the City of Franklin, Milwaukee County, Wisconsin, West ½ of the Northeast ¼ of Section 29, Township 5 North, Range 21 East, described in Exhibit A attached hereto and hereby made a part hereof (protected property); and

WHEREAS, the Grantor desires and intends that the natural elements and the ecological and aesthetic values of the protected property including, without limitation, steep slopes, mature woodlands, young woodlands, lakes, ponds, streams, floodplains, floodways, floodlands, shore buffers, wetland buffers, wetlands and shoreland wetlands, and refer to Natural Resource Investigation by NRPP Consultant Name, dated January 1, 2005, with all applicable revision dates (dated January 2, 2005), which is located in the office of the Department of City Development, be preserved and maintained by the continuation of land use that will not interfere with or substantially disrupt the natural elements or the workings of natural systems; and

WHEREAS, Grantee is a "holder", as contemplated by §700.41(1)(b)1. of the Wisconsin Statutes, whose purposes include, while exercising regulatory authority granted to it, *inter alia*, under §62.23 and §236.45 of the Wisconsin Statutes, the conservation of land, natural areas, open space, and water areas; and

WHEREAS, the Grantor and Grantee, by the conveyance to the Grantee of the conservation easement on, over, and across the protected property, desire to conserve the natural values thereof and prevent the use or development of the protected property for any purpose or in any manner inconsistent with the terms of this conservation easement;

WHEREAS, the Grantee is willing to accept this conservation easement subject to the reservations and to the covenants, terms, conditions, and restrictions set out herein and imposed hereby; and

WHEREAS, \_\_\_\_\_, mortgagee of the Protected Property ("Mortgagee"), consents to the grant of this Easement by Grantor to Grantee and Mortgagee's consent is attached hereto and identified as "Mortgage Holder Consent".

NOW, THEREFORE, the Grantor, for and in consideration of the foregoing recitations and of the mutual covenants, terms, conditions, and restrictions subsequently contained, and as an absolute and unconditional dedication, does hereby grant and convey unto the Grantee a conservation easement in perpetuity on, over, and across the protected property.

Grantee's rights hereunder shall consist solely of the following:

1. To view the protected property in its natural, scenic, and open condition;
2. To enforce by proceeding at law or in equity the covenants subsequently set forth, including, and in addition to all other enforcement proceedings, proceedings to obtain all penalties and remedies set forth under Division 15-9.0500 of the Unified Development Ordinance of the City of Franklin, as amended from time to time, any violation of the covenants subsequently set forth being and constituting a violation of such Unified Development Ordinance, as amended from time to time, or such local applicable ordinance as may be later adopted or in effect to enforce such covenants or the purposes for which they are made, it being agreed that there shall be no waiver or forfeiture of the Grantee's right to insure compliance with the covenants and conditions of this grant by reason of any prior failure to act; and
3. To enter the protected property at all reasonable times for the purpose of inspecting the protected property to determine if the Grantor is complying with the covenants and conditions of this grant.

And in furtherance of the foregoing affirmative rights of the Grantee, the Grantor makes the following covenants which shall run with and bind the protected property in perpetuity, namely, that, on, over, or across the protected property, the Grantor, without the prior consent of the Grantee, shall not:





**MORTGAGE HOLDER CONSENT**

The undersigned, (name of mortgagee), a Wisconsin banking corporation ("Mortgagee"), as Mortgagee under that certain Mortgage encumbering encumbering the Property and recorded in the Office of the Register of Deeds for Milwaukee County, Wisconsin, on \_\_\_\_\_, 20\_\_\_\_, as Document No. \_\_\_\_\_, hereby consents to the execution of the foregoing easement and its addition as an encumbrance title to the Property.

IN WITNESS WHEREOF, Mortgagee has caused these presents to be signed by its duly authorized officers, and its corporate seal to be hereunto affixed, as of the day and year first above written.

Name of Mortgagee  
a Wisconsin Banking Corporation

By: \_\_\_\_\_

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

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

STATE OF WISCONSIN        )  
  )ss  
COUNTY OF MILWAUKEE    )

On this, the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, before me, the undersigned, personally appeared name of officer of mortgagee, the (title of office, i.e.: VP) of (name of mortgagee), a Wisconsin banking corporation, and acknowledged that (s)he executed the foregoing instrument on behalf of said corporation, by its authority and for the purposes therein contained.

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

Notary Publi, State of Wisconsin

My commission expires \_\_\_\_\_

Exhibit A

APPROVAL	REQUEST FOR COUNCIL ACTION	MTG. DATE
<i>Slw</i>		10/6/2011
Reports & Recommendations	<b>Subject:</b> A resolution authorizing officials to request an exemption of a requirement found in Trans 75 of Wisconsin Administrative Code for pedestrian accommodations on the west side of S. 76 <sup>th</sup> Street (W. Imperial Drive to W. Puetz Road) reconstruction project	ITEM NO. <i>G. 4.</i>

**BACKGROUND**

Milwaukee County in its preparation and documentation of requirements for the proposed improvement to S. 76<sup>th</sup> Street (CTH U) from W. Imperial Drive to south of W. Puetz Road has found it necessary to have the City of Franklin adopt a resolution acknowledging proposed bicycle and pedestrian accommodations.

**ANALYSIS**

This resolution is required of the Wisconsin Department of Transportation as a part of the Wisconsin Administrative Code Chapter Trans 75 which considers proposed on-street bicycle accommodation and off-street, pedestrian ways as part of highway projects.

The resolution serves to request an exemption for the need of constructing pedestrian accommodations on the west side of S. 76<sup>th</sup> Street at the present time. For fiscal and practical purposes, it was agreed that sidewalk would best be placed on the east side of S. 76<sup>th</sup> Street for the present time.

Grading will be performed as part of this project to allow for sidewalk to be placed along the west side of S. 76<sup>th</sup> Street as needed in the future.

**OPTIONS**

- Adopt resolution
- or
- Request additional information

**FISCAL NOTE**

The proposed accommodation of bicycle lanes is included in the County plans and is funded by the County and its STP grant. The anticipated cost of \$838,000 for terraced sidewalk with portions of curb and gutter along the east side of S. 76<sup>th</sup> Street is grant eligible from the Surface Transportation Program (STP) grant. The City previously applied and has received a grant in the amount of 80% and, therefore; the City cost being 20% of the total being \$168,000.

**RECOMMENDATION**

A resolution authorizing officials to request an exemption of a requirement found in Trans 75 of Wisconsin Administrative Code for pedestrian accommodations on the west side of S. 76<sup>th</sup> Street (W. Imperial Drive to W. Puetz Road) reconstruction project.

RJR/db/sg

STATE OF WISCONSIN: CITY OF FRANKLIN: MILWAUKEE COUNTY

RESOLUTION NO. 2011 - \_\_\_\_\_

A RESOLUTION AUTHORIZING OFFICIALS TO REQUEST AN EXEMPTION OF A REQUIREMENT FOUND IN TRANS 75 OF WISCONSIN ADMINISTRATIVE CODE FOR PEDESTRIAN ACCOMMODATIONS ON THE WEST SIDE OF S. 76<sup>TH</sup> STREET (W. IMPERIAL DRIVE TO W. PUETZ ROAD) RECONSTRUCTION PROJECT

WHEREAS, the City of Franklin has been working in conjunction with Milwaukee County Department of Transportation and Public Works (DTPW), toward the reconstruction of S. 76<sup>th</sup> Street (CTH U), Project ID 2160-10-00; and

WHEREAS, the Wisconsin Department of Transportation (WISDOT) has enacted Trans 75, Bikeways and Sidewalks in Highway Projects, effective January 1, 2011, which would require pedestrian and bicycle accommodations on S. 76th Street (CTH U) from W. Puetz Road to W. Imperial Drive; and

WHEREAS, the S. 76th Street (CTH U) reconstruction project will provide on-street bicycle accommodations in both directions and an off-street pedestrian accommodation on the east side; and

WHEREAS, the City of Franklin concurs with WISDOT and Milwaukee County that the S. 76th Street (CTH U) reconstruction project include on-street bicycle accommodations in both directions along the entire length of the project, sidewalk and terrace along the entire east side of the project, and graded areas for future sidewalk on the west side of the project to the maximum extent possible.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the City of Franklin, that officials are authorized to request an exemption from Trans 75 requirements governing pedestrian accommodations on the west side of S. 76th Street from W. Puetz Road to W. Imperial Drive.

INTRODUCED at a regular meeting of the Common Council of the City of Franklin this \_\_\_\_\_ day of \_\_\_\_\_, 2011 by Alderman \_\_\_\_\_.

PASSED and approved by the Common Council of the City of Franklin this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

APPROVED:

\_\_\_\_\_  
Thomas M. Taylor, Mayor

ATTEST:

\_\_\_\_\_  
Sandra L. Wesolowski, City Clerk

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

RJR/db/sg

<b>APPROVAL</b> <i>Slw</i> 	<b>REQUEST FOR COUNCIL ACTION</b>	<b>MEETING DATE</b> <b>10/04/11</b>
<b>REPORTS &amp; RECOMMENDATIONS</b>	<b>Resolution to Establish the Rates of Pay and Wage Schedule for Dispatchers</b>	<b>ITEM NUMBER</b> <i>G.5.</i>

The attached memo explains the intent and need for adoption of the attached resolution. In short, the adoption of Act 10 coupled with the prior expiration of the Dispatcher's most recent contract requires that a wage schedule or structure be established as there is no current adopted basis for addressing step increases, vacancies, or our duty to bargain across-the-board increases. The schedule provided reflects the exact rates as previously accepted in the last labor agreement.

Please read the attached memo. The Personnel Committee recommends approval.

**COUNCIL ACTION REQUESTED**

Motion to approve Resolution No. 2011-\_\_\_\_, A Resolution to Establish the Rates of Pay and Wage Schedule for Dispatchers.

A STATE OF WISCONSIN: CITY OF FRANKLIN: MILWAUKEE COUNTY

RESOLUTION NO. 2011-\_\_\_\_\_

A RESOLUTION TO ESTABLISH THE RATES OF PAY AND WAGE SCHEDULE FOR DISPATCHERS

WHEREAS, the collective bargaining agreement with the Franklin Police and Fire Department Clerical Association, Wisconsin Professional Police Association (Dispatchers) is currently expired, and

WHEREAS, prudent personnel practices require that the basis of pay be established by resolution when not otherwise set by a labor agreement, and

WHEREAS, the City retains a duty to bargain with the above mentioned union relative to across-the-board wage increases, and

WHEREAS, it is important to adopt a salary structure so that current employees and any new employees that may be hired in the event of vacancy know their conditions of employment, and

WHEREAS, the wage schedule and practices stipulated herein are consistent with current practices and do not incorporate a wage increase at this time.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the City of Franklin that the rates of pay for the various classifications of dispatchers shall be as follows: (Wages are based on the hourly rate. The bi-weekly payroll is based on an average of 77 hours work per pay period.) A new employee will be hired at Step 1 and remain there during the introductory period. Upon completion of the introductory period, the employee will move to Step 2 and will then move to subsequent steps of the salary schedule each year on his/her anniversary date. The City reserves the right to hire a new employee at a rate higher than the start rate based on years of experience.

Effective 1-1-09	Step 1	Step 2	Step 3	Step 4
Dispatcher/Clerk	\$18.55	\$19.89	\$20.62	\$21.34

All resolutions and parts of resolutions in contravention to this resolution are hereby repealed.

Introduced at a regular meeting of the Common Council of the City of Franklin this 4th day of October, 2011 by Alderman \_\_\_\_\_.

Passed and adopted by the Common Council of the City of Franklin this 4th day of October, 2011.

APPROVED:

\_\_\_\_\_  
Thomas M. Taylor, Mayor

ATTEST:

\_\_\_\_\_  
Sandra L. Wesolowski, Director of Clerk Services

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



Date: September 16, 2011

To: Personnel Committee

From: Mark W. Luberdá  
Director of Administration

RE: Wage Schedule for Dispatch Positions

The collective bargaining agreement with the Franklin Police and Fire Department Clerical Association, Wisconsin Professional Police Association (Dispatchers) is currently expired. Changes to State statute caused by Acts 10 and 32 have caused most of the terms of the agreement to evaporate. The union, however, currently remains in place, and the City continues to have a duty to bargain with them relative to across-the-board wage increases (capped at CPI).

One of the aspects of the collective bargaining agreement that expired was the wage structure or compensation schedule. The Dispatchers are covered by the Civil Service System Personnel Administration Program which indicates at Section 3.3.2 that compensation schedules are recommended by the Director of Administration and adopted by the Common Council by ordinance. The proposed rules allow it to be adopted by resolution. Labor attorneys are recommending that communities take such action by resolution. Since the current collective bargaining agreement expired it is important to adopt a salary structure so that current employees and any new employees that may be hired in the event of vacancy know their conditions of employment.

At this time, I do not propose any radical change to the wage schedule and recommend that the City incorporate the existing wage schedule from the expired agreement. This will then provide a context within which the City can address its obligations for bargaining a potential across-the-board modification to wages. At some point in the future the City may wish to reevaluate the entire wage structure, but I do not think the time is now, nor am I prepared to make any recommendations to that effect. Some stability at this time is not a bad thing, so adopting the most recent wage schedule is my recommendation.

Therefore, I recommend the Personnel Committee approve a motion directing that the following components be compiled into Resolution format and presented to the Common Council for its consideration. This language comes to a great extent from the expired labor agreement.

**Recommendation:** The rates of pay for the various classifications of dispatchers shall be as follows: (Wages are based on the hourly rate. The bi-weekly payroll is based on an average of 77 hours work per pay period.) A new employee will be hired at Step 1 and remains there during the introductory period. Upon completion of the introductory period, the employee will move to Step 2 and will then move to subsequent steps of the salary schedule each year on his/her anniversary date. The City reserves the right to hire a new employee at a rate higher than the start rate based on years of experience.

<u>EFFECTIVE 1-1-09</u>	<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>	<u>Step 4</u>
Dispatcher/Clerk	\$18.55	\$19.89	\$20.62	\$21.34

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<p style="text-align: center;"><b>APPROVAL</b></p> <p><i>Slw</i> </p>	<p style="text-align: center;"><b>REQUEST FOR COUNCIL ACTION</b></p>	<p style="text-align: center;"><b>MEETING DATE</b></p> <p style="text-align: center;"><b>10/04/11</b></p>
<p style="text-align: center;"><b>REPORTS &amp; RECOMMENDATIONS</b></p>	<p style="text-align: center;"><b>Changes to the Employee Handbook as Recommended by the Personnel Committee</b></p>	<p style="text-align: center;"><b>ITEM NUMBER</b></p> <p style="text-align: center;"><i>G.6.</i></p>

Following is a memo provided by the Director of Administration to the Personnel Committee that addressed the recommended changes to the Employee Handbook and explains the general reason for the changes. Following the memo are the individual policies that are recommended for modification. The Personnel Committee made two minor changes which have already been incorporated into the following pages. Some additional brief comments follow:

- 1) Grievance Policy: Primarily directs people to the Civil Service System program, but incorporates language for those few individuals not in Civil Service.
- 2) Complaint Policy: Details the process to review non-disciplinary complaints of employees. It is laid out in detailed form because the Civil Service System program identifies that the Complaint Policy will be set forth in the Employee Handbook. As the issues under consideration are predominately management in nature, the final step in the process would involve the Mayor if it gets that far. Naturally, the Common Council retains control of any decision that involves unbudgeted funds.
- 3) Citizen Complaint Policy: Modifies existing language by referencing our separate policy for complaints issued by citizens and stipulates that an employee can be the subject of a disciplinary action that stems from a citizen's complaint.
- 4) Job Posting: This section is necessary to establish a job posting requirement for those positions not in Civil Service. The process for such supervisory, non-department head positions will be directed by the Mayor as CEO, but will require an internal posting.
- 5) Transfers and Promotions: Addresses internal promotions to supervisory positions since those are not in the Civil Service System.
- 6) Employee Discipline: Points supervisory personnel to the same discipline process in the Civil Service System, except for Officers of the City which have a different statutory requirement.
- 7) Work Week and Hours of Work: Refers to the Civil Service System where appropriate, including for those non-FLSA-exempt employees not covered by the Civil Service System.
- 8) Overtime: Points to Civil Service System where appropriate, but also requires that any non-civil service overtime practices be approved by Common Council in the wage and benefit resolution.
- 9) Receipt for Employee Handbook: Incorporates more current best-practice language and addresses the "at will" issue, clarifying that in non-disciplinary matters the City remains an "at will" employer.
- 10) Introduction: Minor technical corrections.
- 11) Disclaimer: Clarifications to more closely match the receipt for the Employee Handbook.
- 12) City Departments and Supervisors: This provides a very substantive change by stipulating clearly that supervisors can do non-supervisory work. The old adage that something is "union work" will not apply in the post Act 10 environment.
- 13) Compliance with Policies, Rules, and Expectations of Conduct: This section didn't exist before. Although one would think it goes without saying, it is actually important and useful to stipulate these expectations.

For your convenience the current text has been provided following the proposal. The versions shown here in "red-line" will, of course, be incorporated in a clean format. The Personnel Committee and Director of Administration recommend approval.

**COUNCIL ACTION REQUESTED**

Motion to approve the changes to the Employee Handbook as presented.



Date: September 16, 2011  
 To: Personnel Committee Members  
 From: Mark W. Luberda  
 Director of Administration  
 RE: Employee Handbook Changes

The Director of Administration recommends the following changes to the Employee Handbook at this time. The primary purpose of these changes is to reconcile the Employee Handbook with the changes made to the Civil Service System Personnel Administration Program and with changes made to law based upon Acts 10 and 32. Although there are additional changes not specifically required by that legislative action.

Furthermore, additional changes will be forthcoming at future meetings. For example, the entire section "IV. Time Off" needs to be gone through carefully and reconciled with the Civil Service System document. This will be the next step. After that, further changes will be proposed in the future as the City re-evaluates and updates each policy in the handbook. For example, computer use policies and harassment policies, etc. simply need to be revisited and updated to reflect current best practices. This re-evaluation process will include some of the policies addressed herein as more time becomes available to continue to improve the document.

The following changes to the Employee Handbook are recommended at this time.

<u>Current Employee Handbook Section</u>	<u>Policy Recommended for Approval (Attached)</u>
Repeal "Grievance Policy" (p. 26)	Replace with "Grievance Policy"
Repeal "Complaint Policy" (p. 26)	Replace with "Complaint Policy"
	Add "Citizen Complaint Policy"
Repeal "Job Posting and Transfers" (p. 28-29)	Replace with "Job Posting"
Repeal "Promotions" (p. 29)	Replace with "Transfers and Promotions"
Repeal "Employee Discipline" (p. 31)	Replace with "Employee Discipline"
Repeal "Hours of Work" (p. 32)	Replace with "Work Week and Hours of Work"
Repeal "Overtime" (p. 32)	Replace with "Overtime"
Repeal "Receipt for Employee Handbook" (p.56)	Replace with "Receipt Employee Handbook and Employee Acknowledgement"
Repeal "Introduction" (p. 4)	Replace with "Introduction"
Repeal "Disclaimer" (p. 5)	Replace with "Disclaimer"
Repeal "About Your Job" (p. 6)	Replace with "About Your Job"
Repeal "City Departments" (p. 6)	Replace with "City Departments and Supervisors"
	Add to "Introduction" section after "Disclaimer", "Compliance with Policies, Rules, and Expectations of Conduct"

Amend Table of Contents as Required

Note: Each Committee member should already have a copy of the current Handbook to which to refer. Please note that page numbers referenced may be off. There is a potential that two versions of the Employee Handbook are printed with the only difference being the insertion of some page breaks which impacts pagination, but not content.

## ***Grievance Policy***

A grievance policy pertaining to disciplinary actions is available to all employees covered by the Civil Service System as set forth in Article 12 of the Personnel Administration Program.

Employees not covered by the Civil Service System may also resort to the grievance procedures prescribed in Article 12 of the Personnel Administration Program when they have a grievance pertaining to discipline or dismissal, except as otherwise noted below:

- a) such employees shall not use Step 1, as set forth in 12.3.1, and shall commence the process at Step 2, as set forth in 12.3.2., and
- b) Officers of the City, as prescribed by statute, shall not use the grievance process for matters related to termination, which matters shall be addressed in accordance with Wisconsin Statutes and Municipal Ordinances as appropriate.

No part of the above procedure shall be in conflict with or violate any City, State or Federal laws and regulations, or supersede any valid Collective Bargaining Agreement.

## ***Complaint Policy***

A complaint policy pertaining to non-disciplinary actions is available to all employees. A complaint, for the purpose of this policy, is a claim or dispute by an employee with respect to the interpretation, meaning, or application of the provisions of the City's policies and procedures, excluding those related to disciplinary actions.

The complaint policy and related procedure does not involve a "just cause" standard, does not require any level of due process, and does not involve a hearing before a court of law; thus, the rules of evidence need not be followed.

### STEPS OF THE COMPLAINT POLICY PROCESS:

Prior to initiating the steps of the complaint policy process, all employees are encouraged to discuss the matter with their immediate supervisor to attempt to resolve the matter cooperatively and informally, prior to initiating the formal steps outlined below.

**STEP 1 COMPLAINT REVIEW:** If an employee has a complaint, as defined above, the employee may submit their complaint in writing to their immediate supervisor on a form as prescribed by Human Resources. The immediate supervisor shall discuss the issue with the employee and shall investigate the matter and gather such other related information as he/she determines is appropriate and should make a reasonable effort to effect a timely, mutually satisfactory settlement. The immediate supervisor should provide a written response to the complainant within (5) business days, which time period may be extended at the sole discretion of the

supervisor. If the Department Head is the immediate supervisor, the employee may begin at Step 2.

**STEP 2 COMPLAINT REVIEW:** If the complaint has not been settled to the satisfaction of the employee at Step 1, the employee may execute the Step 2 Complaint Review request as set forth on the form prescribed for Step 1 and shall submit it to the Department Head. The Department Head or his/her designee shall discuss the issue with the employee, shall investigate the complaint and gather such other related information as he/she determines is appropriate, should make a reasonable effort to effect a timely, mutually satisfactory settlement, and shall inform the employee of his/her decision in writing.

**STEP 3 COMPLAINT REVIEW:** If the complaint has not been settled to the satisfaction of the employee at Step 2, the employee may request in writing to the Director of Administration to present the complaint to the Director of Administration. The Director of Administration shall discuss the issue with the employee and shall investigate the complaint and gather such other related information as he/she determines is appropriate. If the Director of Administration agrees with the Department Head, then the Director of Administration shall inform the employee of his/her decision in writing, which decision shall be final. If the Director of Administration does not agree with the Department Head relative to the appropriate disposition of the complaint, the Department Head and Director of Administration shall present the two perspectives on the matter to the Mayor, whose decision shall be final. The complainant shall be informed of the final decision in a manner as prescribed by the Mayor at the time of his review.

### ***Citizen Complaint Policy***

The Common Council has established a separate policy relative to the handling of complaints by private citizens. Where such complaints allege personal or professional misconduct by an employee or unreasonable job performance, the citizen complaint may be addressed by the immediate supervisor or Department Head as a potential disciplinary matter, which disciplinary matters are addressed in accordance with the appropriate disciplinary process as set forth within the applicable City policy depending upon the employee's Civil Service System status.

### **III. COMPENSATION AND PERFORMANCE**

#### ***Job Posting***

**Note: This policy applies to non-Civil Service positions. See the Civil Service System Personnel Administration Program for related policies for Civil Service positions.**

The City of Franklin believes in promoting employees from within and has established a job-posting program, and Civil Service System Personnel Administration Program Section 7.2, to give employees an opportunity to apply for positions for which they are interested and for which they are qualified. Vacancies are normally posted on designated bulletin boards at all City locations. Postings generally include the title, the salary range, the minimum hiring specifications, the essential functions of the job, and the closing date for filing applications. Postings are normally posted for a minimum of five workdays.

To be eligible to apply for a posted position, you must meet the minimum hiring specifications for the position, be capable of performing essential functions of the job, with or without a reasonable accommodation, and be an employee in good standing in terms of your overall work record.

***You are responsible for monitoring job vacancy notices and for completing and filing an application form with the Human Resource Department during the posting period for a specific opening.***

Non-Civil Service positions shall be filled in a manner prescribed by the Mayor for any position for which the Mayor serves as the Appointing Authority. The Mayor shall include an internal posting within the process and is encouraged to give due consideration to internal candidates, but the Mayor is not required to give preference to such internal candidates. Any current employee (regular part-time or full-time) interested in applying for and transferring to a new position must file a completed City application form with the Human Resource Department in accordance with instructions listed on the employment opportunities notice.

#### ***Transfers and Promotions***

**Note: This policy applies to Civil Service and non-Civil Service positions; however, where the policy below conflicts with the Personnel Administration Program, such Civil Service System components shall prevail for any Civil Service System employee.**

Transfers and internal promotions to non-Civil Service positions are made only when the City's service will benefit. Selection of an employee for a promotion (or lateral transfer) may be based on past work records including attendance, past performance including past disciplinary actions, education, knowledge of the job duties, time in service, and other such factors deemed appropriate but not including any factors discriminatory in nature. In cases where only one employee applies for a position and the person's abilities and qualifications are known to the hiring department, the formal selection process may be dispensed with upon the concurrence of the Mayor or his/her designee. Notwithstanding the remainder of this paragraph, non-Civil Service positions shall be filled in a manner prescribed by the Mayor for any position for which the Mayor serves as the Appointing Authority.

Employees are generally expected to serve in their current position for at least one year before being considered for promotions or transfers.

The personnel file of the transfer applicant will be made available to the Department Head responsible for filling the open position.

If the current employee is selected, his or her Department Head will be advised prior to any offer being made to the employee.

If the employee accepts the position, it shall be the responsibility of the two Department Heads, with input from the employee, to reach an agreement on a transfer date. In the event that a satisfactory agreement cannot be reached on this matter, it shall be forwarded to the Director of Administration for a decision. Every effort should be made to accomplish the transfer within two weeks of the offer's acceptance. The salary offered to an employee entering a non-Civil Service position must be consistent with the salary structure as adopted by the Common Council. In the event of a promotion, the rate of compensation shall be adjusted to be at the lowest rate in the higher schedule that will provide an increase of at least five percent over the rate received immediately prior to such promotion. When a regular employee is transferred from one position to another position having the same compensation schedule, the rate of compensation will remain unchanged. Employees who exceed the minimum requirements for the position may be offered a salary consistent with the employee's level of skills, experience, and knowledge.

Non-Civil Service, transfer employees will serve an introductory period in his/her new position. If the employee does not successfully complete the introductory period, the employee may be reinstated in their original position or one of the same classification, if it is in the best interest of the City as determined by the Mayor. If the position to which an employee transfers carries benefits different from those of the previous position, the benefits of the new position apply. Transfers do not change a person's date of hire, but will affect an anniversary date as may be used within a salary structure.

### ***Employee Discipline***

A "Discipline" policy pertaining to all employees covered by the Civil Service System is set forth in Article 9 of the Personnel Administration Program.

Employees not covered by the Civil Service System are also subject to the Discipline policy, procedures, and standards prescribed in Article 9 of the Personnel Administration Program, except as otherwise noted below:

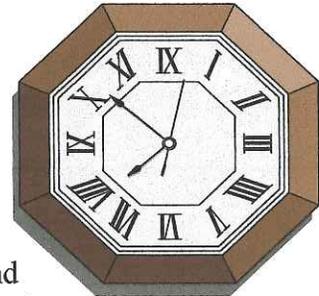
Officers of the City, as prescribed by statute, shall not use the grievance process for matters related to termination, which matters shall be addressed in accordance with Wisconsin Statutes and Municipal Ordinances as appropriate.

No part of the above procedure shall be in conflict with or violate any City, State or Federal laws and regulations, or supersede any valid Collective Bargaining Agreement.

Employees and the City are best served when discipline is administered to correct rather than punish. Accordingly, disciplinary action shall not be intended to be punitive. Rather, it shall be intended to maintain the efficiency and integrity of City service.

### ***Work Week and Hours of Work***

A “Work Week and Hours of Work” policy pertaining to all employees covered by the Civil Service System is set forth in Section 10.1 of the Personnel Administration Program.



Non-FLSA-exempt employees not covered by the Civil Service System are also subject to the Work Week and Hours of Work policy and procedures prescribed in Section 10.1 of the Personnel Administration Program.

FLSA-exempt, employees not covered by the Civil Service System are expected to put in the work and hours necessary to accomplish goals as provided and are subject to work week and hours of work as prescribed or required by FLSA, their Department Head, the Mayor, and any other written or contractual terms of their employment.

Notwithstanding the above, the work week and hours of work for non-Civil Service employees shall primarily be established by the Mayor, with consideration to the hours of operation as prescribed in Section 10.1 of the Personnel Administration Program. However, such administrative and supervisory staff is expected to work hours of employment beyond those of normal employees when necessary.

### ***Overtime***

All employees shall use time sheets so the total amount of time worked, including overtime, is clearly recorded.

The “Overtime” policies pertaining to all employees covered by the Civil Service System are set forth in Section 3.4 of the Personnel Administration Program.

Overtime authorization for non-Civil Service, FLSA-exempt employees shall be stipulated in the wage and benefit ordinance or resolution as approved by the Common Council for such positions. Overtime allowances or authority provided therein does not create a property right or property interest in such overtime availability or pay and such pay and continuation of such pay is completely discretionary by the City.

At the discretion of the Department Head overtime hours may be accumulated and used as compensatory time off or paid at the overtime rate.

**RECEIPT FOR EMPLOYEE HANDBOOK AND EMPLOYEE ACKNOWLEDGEMENT**

I acknowledge that I have received a copy of The City of Franklin’s Employee Handbook. I agree to read it thoroughly, including the statements in the foreword describing the purpose and effect of the Handbook. I agree that if there is any policy or provision in the Handbook that I do not understand, I will seek clarification from my supervisor, Department Head, or the Human Resources Department, and I acknowledge that I have a responsibility to ask questions about anything I do not understand,

I understand that the City of Franklin is an "at will" employer. I understand that employees of the City of Franklin do not have a property interest in their job or a property right to their job, except as expressly provided for by statute for the officers of the City, and, as such, employment with the City of Franklin is not guaranteed and is not for a fixed term or definite period. I further understand and acknowledge that employees may be terminated by the City at the sole determination of the City, with or without cause, and without prior notice. Although in the event of termination for disciplinary action, the City will apply a reasonable and appropriate, and not arbitrary and capricious, standard of review, which standard only anticipates the review elements identified and then only to the extent identified and does not provide the full scope of review, or associated property interest rights, as is associated with a "just cause" standard or due process hearing or review.

I understand that nothing contained in the Handbook may be construed as creating a promise of future benefits or a binding contract with The City of Franklin for benefits or for any other purpose. I acknowledge that I have not entered into any such individual agreement or contract by acknowledging receipt of this Manual or by following any of the provisions of this Manual.

No supervisor or other representative of the City (except the Mayor in the case of an Emergency Appointment per the Civil Service System) has the authority to enter into any agreement for employment for any specified period of time, or to make any agreement contrary to the above.

In addition, I understand that this Handbook states or references the location of the City of Franklin's policies and practices in effect on the date of publication. For example, I understand that the Civil Service System Personnel Administration Program also incorporates policies and practices of the City of Franklin.

I also understand that these policies and procedures are evaluated from time to time at the discretion of the City and may be amended, modified or terminated at any time at the sole discretion of the City.

I understand that it is my responsibility to comply with all Employer policies, rules, and expectations as set forth in the Manual, as well as policies, rules, and expectations that the Employer may otherwise establish or change from time to time.

Please sign and date this receipt and return it to the Human Resources Department,

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

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# I. INTRODUCTION

**Dear City Employee:**

Whether you read this handbook as a new employee or as someone who has been with **the City**, for some time, we want you to know that we are happy to have you with us. Your talents and skills are important to the City, for you play an essential part in making Franklin a better place in which to live.

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In this handbook **and in the Civil Service Personnel Administration Program**, you will find a basic summary and description of the City's current policies. It contains carefully thought out policies designed to provide fair and equitable treatment for every employee and for orderly business practices. After you have read this handbook, **you are required and expected to** discuss any questions you may have with your supervisor, **Department Head, or the Human Resources Department.**

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With your cooperation, we can continue to grow and prosper together. We trust that our endeavors and accomplishments will always be mutually rewarding and satisfying.

**Thomas M. Taylor**  
**Mayor**

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**Mark W. Luberda**  
**Director of Administration**

**Dana Zahn**  
**Human Resources Coordinator**

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**Disclaimer**

This Employee Handbook has been prepared for informational purposes only. None of the statements, policies, procedures, rules, or regulations contained herein constitutes a guarantee of employment, guarantee of any other right or benefit, or a contract of employment, express or implied. All of the City’s employees are employed “at-will” unless covered by a labor agreement providing another standard or unless covered by another applicable and contrary State of Wisconsin statute or City of Franklin ordinance, or policy, and then only to the extent provided for in that statute, ordinance, or policy. Employment is not for any definite period. Termination of employment may occur at any time, with or without notice, and with or without cause, at the option of the City or the employee, although termination for disciplinary reasons will be accompanied with a review to the extent only as identified in City policies.

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The policies stated in this handbook are subject to change at the sole discretion of the City. From time to time, you may receive updated information concerning changes in policy. If you have any questions regarding any policies, please ask your supervisor, Department Head, or Human Resources.

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The policies contained in this handbook may cover subjects addressed in other sources, such as a collective bargaining agreement, state or federal law, the Civil Service Personnel Administration Manual, other City Ordinances or Resolutions, or Fire and Police Commission rules. **When the same subject matter is addressed in both these policies and in a collective bargaining agreement or state or federal law which may apply to you, the collective bargaining agreement or state or federal law will take precedence, but only to the extent necessary to eliminate the conflict, as determined solely by the City.**

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Therefore, to the extent this Manual conflicts with specific language in applicable collective bargaining agreements covering certain personnel, the specific language of the collective bargaining agreement shall control over the language of this Manual when required. Additionally, any wages, hours, and working conditions referenced in this manual that are subject to the mandatory duty to bargain are not binding on those parties unless permitted by the collective bargaining agreement or upon fulfillment of the duty to bargain between the Union and Employer or upon waiver.

The contents of this handbook shall not be used as a substitute for any City ordinance, resolution, regulation, Wisconsin State Statute, or Wisconsin Administrative Code, which may be updated at any time and are controlling and specific in meaning. While the City wholeheartedly believes in the plans, policies, and procedures described here, they are not conditions of employment, and are subject to unilateral change by the City. It is the City’s intention to periodically amend, change, delete, and/or add to this manual as new situations are encountered or anticipated or as a need for change becomes apparent. In this regard, employees’ suggestions, ideas, and thoughts are most helpful in maintaining a pleasant and productive atmosphere. This handbook shall supersede any oral statements made by any City officials.

**About Your Job**

Municipal personnel administration in the City of Franklin is conducted in cooperation with the Franklin Civil Service Sub-Committee, the Franklin Personnel Committee, the Franklin Common Council, the Franklin Fire and Police Commission, and the Library Board. All employees fall under the jurisdiction of one of these groups.

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- Deleted:** They consist of regulations providing for the appointment, advancement, or retention of employees based on merit and fitness for the position. Upon hire you will be informed if your position is subject to a merit system.

The Civil Service Sub-Committee and Personnel Committee of the City of Franklin have jurisdiction over general City personnel matters, while the police and fire departments are subject to Fire/Police Commission review for hiring, promotion or disciplinary matters. The existing policies and regulations adopted by the two merit systems may include the classification of positions, minimum qualifications and methods of selection for any such positions, promotions, transfers, causes and methods of removal from such positions, resignations, disciplinary actions, or procedures for resolving major complaints and grievances.

In addition, the City negotiates with certified collective bargaining units on matters of wages, hours, and working conditions to the extent as prescribed by law (Wisconsin Employment Relations Commission).

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### City Departments and Supervisors

There are numerous departments and divisions within the City of Franklin. They include the departments of Administration, City Assessor, City Clerk, City Planning and Zoning, Engineering, Finance and Treasurer, Fire, Health, Human Resources, Inspection, Police, Public Library, Public Works, and Sewer and Water.

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#### Director of Administration

The Director of Administration serves as the Human Resources Director and as Plan Administrator for the employee health plans. Except as otherwise specified herein, final interpretation and implementation of any of the policies or rules in this Manual are vested solely with the City of Franklin through the Director of Administration.

- Deleted:** is responsible for: (1) coordinating all City offices and departments, except for the Mayor, Aldermen, Municipal Judge, City Clerk, Fire, Police, Library, and City Attorney; (2) appointing and supervising Department Heads as assigned, (3) participating in the recruitment of new employees as necessary; (4) staying informed of all legislative changes; (5) carrying out the orders of the City Council; (6) ensuring that all City ordinances and resolutions are efficiently and equally administered; and (7) delegating these duties when possible
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#### Department Heads

The head of each City department shall act as the authority within their department, under the direction and oversight of the Mayor. They shall, (1) enforce all City-wide personnel policies and respective departmental rules in a consistent and impartial manner; (2) keep employees informed of current personnel policies and future revisions; (3) notify the Director of Administration of any proposed changes in the department's staff; (4) discipline and delegate authority to supervisory staff as necessary; (5) oversee the enforcement of all labor agreements; (6) have the authority to discipline and/or discharge employees in assigned positions in accordance with applicable state statutes and local ordinances; (7) develop and maintain positions within their department; and (8) annually evaluate and submit written performance evaluations of the staff within their department.

#### Supervisory Personnel

To the extent that their Department Head delegates authority to them, supervisory personnel may carry out and enforce the City personnel policies, rules, and regulations of their department. They may direct and evaluate the performance of subordinate employees, participate in the selection of new employees, develop position descriptions for subordinate employees, and administer discipline.

Supervisory personnel may engage in, carry out, or otherwise perform the work of any employee under their scope of authority, or outside of their scope of authority if duly authorized by the relevant supervisor, department head, or the Mayor. A primary responsibility of the City, and hence of its departments, is service delivery; however, economics, economies of scale, fluctuations in service demand, and other factors may restrict the number of or availability of non-supervisory personnel. As such, it is fully expected and allowable for supervisors to periodically, regularly, or routinely perform work normally and regularly assigned to non-supervisory personnel, except where restricted or prohibited by a collective bargaining agreement.

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## **COMPLIANCE WITH POLICIES, RULES, AND EXPECTATIONS OF CONDUCT**

The City of Franklin has established these policies and its rules of conduct in furtherance of the effective operation of the City and to provide high quality services to all Franklin citizens, those persons interacting with the City of Franklin, and visitors. The City expects all employees to demonstrate professional, competent, and reasonable behavior, and to continually serve, both on-duty and off-duty, as positive examples of the high-quality personnel affiliated with this organization and consistent with the high expectations of the public.

Compliance with the policies, rules, and general expectations of conduct is of paramount importance in order to fulfill these objectives and for the employee to have a successful career in the City of Franklin. Failure to comply with these policies, rules, and general expectations of conduct can undermine these objectives, and the trust and confidence that the public, businesses, employees, and officers of the City must have in that employee.

The City of Franklin treats all violations of policy, the rules, and general expectations of conduct very seriously. **Violations of these policies, the rules, and general expectations of conduct can subject an employee to discipline, up to and including discharge.**

# CURRENT POLICY

## I. INTRODUCTION

### ***Dear City Employee:***

Whether you read this handbook as a new employee or as someone who has been with us for some time, we want you to know that we are happy to have you with us. Your talents and skills are important to the City, for you play an essential part in making Franklin a better place in which to live.

In this handbook, you will find a basic summary and description of the City's current policies. It contains carefully thought out policies designed to provide fair and equitable treatment for every employee and for orderly business practices. After you have read this handbook, please discuss any questions you may have with your supervisor or Department Head.

With your cooperation, we can continue to grow and prosper together. We trust that our endeavors and accomplishments will always be mutually rewarding and satisfying.

Becky L. Dudek  
Human Resources Manager

Gary R. Petre  
Director of Administration

Frederick F. Klimetz  
Mayor

## CURRENT POLICY

### ***Disclaimer***

This Employee Handbook has been prepared for informational purposes only. None of the statements, policies, procedures, rules, or regulations contained herein constitutes a guarantee of employment, guarantee of any other right or benefit, or a contract of employment, express or implied. All of the City's non-represented employees are employed "at-will" unless covered by Civil Service provisions or other applicable State of Wisconsin statutes or City of Franklin ordinances or policies, and employment is not for any definite period. Termination of employment may occur at any time, with or without notice, and with or without cause, at the option of the City or the employee.

The policies stated in this handbook are subject to change at the sole discretion of the City. From time to time, you may receive updated information concerning changes in policy. If you have any questions regarding any policies, please ask your supervisor or the Human Resources Manager.

The policies contained in this handbook may cover subjects addressed in other sources, such as collective bargaining agreement, state or federal law, civil service or other City Ordinances, or Fire and Police Commission rules. **When the same subject matter is addressed in both these policies and a collective bargaining agreement or state or federal law which may apply to you, only the collective bargaining agreement or state or federal law will apply.**

The contents of this handbook shall not be used as a substitute for any City ordinance, resolution, regulation, Wisconsin State Statute, or Wisconsin Administrative Code, which may be updated at any time and are controlling and specific in meaning. While the City wholeheartedly believes in the plans, policies, and procedures described here, they are not conditions of employment, and are subject to unilateral change by the City. It is the City's intention to periodically amend, change, delete, and/or add to this manual as new situations are encountered or a need for change becomes apparent. In this regard, employees' suggestions, ideas, and thoughts are most helpful in maintaining a pleasant and productive atmosphere. This handbook shall supersede any oral statements made by any City officials.

# CURRENT POLICY

## ***About Your Job***

Municipal personnel administration in the City of Franklin is conducted in cooperation with the Franklin Civil Service Sub-Committee, the Franklin Personnel Committee, the Franklin City Council, the Franklin Fire and Police Commission, and in some cases the Library Board. Most employees fall under the jurisdiction of one of these committees. They consist of regulations providing for the appointment, advancement, or retention of employees based on merit and fitness for the position. Upon hire you will be informed if your position is subject to a merit system.

The Civil Service Sub-Committee and Personnel Committee of the City of Franklin have jurisdiction over general City personnel matters, while the police and fire departments are subject to Fire/Police Commission review for hiring, promotion or disciplinary matters. The existing policies and regulations adopted by the two merit systems may include the classification of positions, minimum qualifications and methods of selection for any such positions, promotions, transfers, causes and methods of removal from such positions, resignations, disciplinary actions, or procedures for resolving major complaints and grievances.

In addition, the City negotiates with six certified collective bargaining units on matters of wages, hours, and working conditions, as prescribed by law (Wisconsin Employment Relations Commission).

## ***City Departments***

There are sixteen departments within the City of Franklin. They include the departments of Administration, City Assessor, City Clerk, City Planning and Zoning, Economic Development, Engineering, Finance, Fire, Health, Human Resources, Inspection, Police, Public Library, Public Works, Sewer and Water, and the Treasurer.

## **Director of Administration**

The Director of Administration is responsible for: (1) coordinating all City offices and departments, except for the Mayor, Aldermen, Municipal Judge, City Clerk, Fire, Police, Library, and City Attorney; (2) appointing and supervising Department Heads as assigned, (3) participating in the recruitment of new employees as necessary; (4) staying informed of all legislative changes; (5) carrying out the orders of the City Council; (6) ensuring that all City ordinances and resolutions are efficiently and equally administered; and (7) delegating these duties when possible.

## **Department Heads**

## CURRENT POLICY

The head of each City department shall act as the authority within their department. They shall, (1) enforce all City-wide personnel policies and respective departmental rules in a consistent and impartial manner; (2) keep employees informed of current personnel policies and future revisions; (3) notify the Director of Administration of any proposed changes in the department's staff; (4) discipline and delegate authority to supervisory staff as necessary; (5) oversee the enforcement of all labor agreements; (6) have the authority to discipline and/or discharge employees in assigned positions in accordance with applicable state statutes and local ordinances; (7) develop and maintain positions within their department; and (8) annually evaluate and submit written performance evaluations of the staff within their department.

### Supervisory Personnel

To the extent that their Department Head delegates authority to them, supervisory personnel may carry out and enforce the City personnel policies, rules, and regulations of their department. They may direct and evaluate the performance of subordinate employees, participate in the selection of new employees, develop position descriptions for subordinate employees, and administer discipline.

## CURRENT POLICY

- ◆ Employees must refrain from installing any software; to include Internet downloads, without permission of the City. Software of a personal nature should not be installed on City computers. Files from the Internet must be scanned with virus detection software before installation or execution. This can be done by using the virus detection software on your computer.
- ◆ Unless specifically noted therein, all software on the Internet should be considered copyrighted work. Therefore, employees are prohibited from downloading software and/or modifying any such files without permission from the copyright holder.
- ◆ Employees should use extreme caution when transferring data from or connecting to outside systems, including downloads from the Internet, to prevent infection by computer viruses. Any suspicion of computer virus infection should be reported immediately.

### User Ids and Passwords

Every user will be assigned a User ID and Password that functions as his/her method of access to the City's computing facilities. Employees should guard this information just as they would guard any other identifying material like a home phone number, address, or bank account number. Users will be held accountable for activity that occurs on any City computing facility under their User ID and Password, regardless of whether the person assigned to the User ID and Password is the actual user. Therefore, great care should be taken not to share or otherwise disclose this information to another person. No employee may use a password or security code that has not been issued to that employee by the City of Franklin or that is not known to the City of Franklin. For reasons of privacy, employees should not attempt to use a security code, access a file, or retrieve any stored communication or information.

### ***Grievance Policy***

A grievance is a claim or dispute by an employee with respect to the interpretation, meaning, or application of the provisions of the City's policies and procedures.

Each employee shall be provided ample opportunity to understand and resolve all matters affecting their employment. Only those employees who have successfully completed their six (6) month probation period may file official grievances.

Every attempt shall be made to resolve all grievances to the mutual satisfaction of the employee and the City. No punitive action shall be carried out against any employee who files a grievance.

# CURRENT POLICY

## Procedure

- Step 1. Employees must first present a grievance within ten (10) working days of the alleged incident's occurrence to the employee's immediate supervisor, who shall attempt to resolve it within five (5) working days once it is presented to them. If the grievance involves the immediate supervisor or if the employee's immediate supervisor is the Department Head, the employee may immediately proceed to Step 3.
- Step 2. If the employee is not satisfied with the immediate supervisor's solution, the employee may submit the grievance, in writing, to the Department Head within five (5) working days of the immediate supervisor's decision. This written notice shall include a statement of the grievance and relevant facts, the remedy sought, and the reason(s) the employee is dissatisfied with the immediate supervisor's solution.
- Step 3. If the employee is not satisfied with the Department Head's solution, the employee may submit the grievance, in writing, to the Director of Administration's office within five (5) working days of the Department Head's decision. This written notice shall include a statement of the grievance and relevant facts, the remedy sought, and the reason(s) the employee is dissatisfied with the Department Head's solution. The Director of Administration shall attempt to resolve the grievance within five (5) working days upon receiving it. The Director of Administration is the final authority within the City for grievances presented by non-represented employees.

No part of the above procedure shall be in conflict with or violate any City, State or Federal laws and regulations, or supersede any valid Collective Bargaining Agreement.

## ***Complaint Policy***

Complaints by employees and/or private citizens regarding actions of City employees shall be directed to either the Department Head for the affected employee, Director of Administration, or the Human Resources Manager. If the complaint is made to the Department Head, the Department Head shall notify the Director of Administration or the Human Resources Manager and seek assistance when necessary. If the complaint is made to the Director of Administration, the Director of Administration shall notify the affected employee's Department Head and provide assistance where required.

In either case, the affected Department Head shall be allowed ample time and opportunity to resolve the matter within the department. If the complainant is not satisfied with the outcome of that effort, they may make an appeal to the Director of Administration for further investigation and resolution.

## CURRENT POLICY

If the complainant is not satisfied with the Director of Administration's efforts or decisions, the appropriate State authority may be contacted.

### ***Whistleblower Policy***

When the complainant is a City employee, the City shall provide the employee protection from retaliation from all those affected by the complaint. Specifically, the complainant may not be disciplined, harassed, ostracized, or negatively reassigned for making the complaint. Employees found to have retaliated against a complainant shall be subject to discipline separate from, and potentially in addition to, any discipline resulting from the initial complaint.

Employees shall not be protected from discipline for filing frivolous or fraudulent complaints, nor shall they be protected from sanctions stemming from defamation suits.

## CURRENT POLICY

### **III. COMPENSATION AND PERFORMANCE**

#### ***Performance Appraisals***

To ensure that you perform your job to the best of your abilities, it is important that you be recognized for good performance and that you receive appropriate suggestions for improvement when necessary. Consistent with this goal, your performance will be evaluated by your supervisor on an ongoing basis. You will also receive periodic written evaluations of your performance. Such evaluations will normally occur after you have been employed for six months, on your first anniversary date, and annually thereafter. In addition, if you are promoted or transferred to a new position, your performance will normally be evaluated in writing after you have been in your new job for six months.

All written performance reviews will be based on your overall performance in relation to your job responsibilities and will also take into account your conduct, demeanor, and record of attendance and tardiness.

In addition to the regular performance evaluations described above, special written performance evaluations may be conducted by your supervisor at any time to advise you of the existence of performance or disciplinary problems.

#### ***Job Posting and Transfers***

The City of Franklin believes in promoting employees from within and has established a job-posting program to give all employees an opportunity to apply for positions that they are interested in and qualified for. Vacancies are normally posted on designated bulletin boards at all City locations. Postings generally include the title, the salary range, the minimum hiring specifications, the essential functions of the job, and the closing date for filing applications. Postings are normally posted for a minimum of five workdays.

To be eligible to apply for a posted position, you must meet the minimum hiring specifications for the position, be capable of performing essential functions of the job, with or without a reasonable accommodation, and be an employee in good standing in terms of your overall work record.

***You are responsible for monitoring job vacancy notices and for completing and filing an application form with the Human Resource Department during the posting period for a specific opening.***

Any current employee (regular part-time or full-time) interested in applying for and transferring to a new position must file a completed City application form with the Human Resource Department in accordance with instructions listed on the employment opportunities notice. If the employee meets the stated requirements for the position, they shall proceed through the regular

## CURRENT POLICY

hiring procedures with all other internal applicants as described in the Policy on Hiring. Transfers are made only when the City's service will benefit. Employees are generally expected to serve in their current position for at least one year before being considered for promotions or transfers.

The personnel file of the transfer applicant will be made available to the Department Head responsible for filling the open position.

If the current employee is selected, his or her Department Head will be advised prior to any offer being made to the employee.

If the employee accepts the position, it shall be the responsibility of the two Department Heads, along with the employee, to reach an agreement on a transfer date. In the event that a satisfactory agreement cannot be reached on this matter, it shall be forwarded to the Director of Administration for a decision. Every effort should be made to accomplish the transfer within two weeks of the offer's acceptance. The salary offered to the employee must be consistent with the salary and requirements of the new position. The rate of compensation shall be adjusted to be at the lowest rate in the higher schedule that will provide an increase over the rate received immediately prior to such promotion. When a regular employee is transferred from one position to another position having the same compensation schedule, the rate of compensation will remain unchanged. Employees who exceed the minimum requirements for the position may be offered a salary consistent with the employee's level of skills, experience, and knowledge.

Transfer employees will serve a probationary period in his/her new position. If the employee does not successfully complete the probationary period, the employee may be reinstated in their original position or one of the same classification. Transfer employees remain eligible for all fringe benefits included with the previous position. If the position to which an employee transfers carries benefits different from those of the previous position, the benefits of the new position apply. Transfers do not change a person's date of hire. However, the anniversary date for future step increases will be revised to coincide with the transfer date.

### ***Promotions***

The City may attempt to fill vacant positions with qualified City employees before advertising to the public, following a policy of upward mobility whenever possible. Employees are encouraged to apply for any vacancy for which they may qualify. Employees are generally expected to serve in their current position for at least one year before being considered for a promotion or transfer.

Selection of an employee for a promotion (or lateral transfer) is based on past work records, past performance to include past disciplinary actions, education, knowledge of the job duties, and time in service. In cases where only one employee applies for a position and the person's abilities and qualifications are known to the hiring department, the formal selection process may be dispensed with upon the concurrence of the Director of Administration.

## CURRENT POLICY

Whenever an employee is promoted to a higher position, or whenever an employee's position is upgraded, the employee shall enter the new grade or position at the entry level of that new position. In the event the entry level step of the new or upgraded position does not provide a salary increase of at least 5%, the employee shall enter at the next closest step that does provide a salary increase of at least 5%. The new pay rate, upon promotion, shall not exceed the maximum of the new pay range.

Promoted employees shall be subject to the standard probationary period of the new position unless specifically waived by the Director of Administration. If the employee does not fulfill all requirements during the probationary period, the employee may be re-assigned to any position held prior to the promotion, unless that position has been filled.

Promotions do not change the employee's date of hire. However, the anniversary date for future pay increases shall be revised to coincide with the promotion date.

### **Demotions**

An employee reassigned to a position in a lower classification, regardless of the reason, shall receive a salary reduction commensurate with the nature of the demotion in accordance with applicable State statutes and local ordinances. An employee being demoted shall be notified two weeks prior to demotion except in emergency situations.

No employee shall be demoted to a position for which he or she does not possess the minimum qualifications.

Any demotion to prevent layoffs may be reviewed when the employee's previous position is reopened.

*Persons demoted to new positions will be subject to the standard probationary period for the new position, unless specifically waived by the Director of Administration. Demotions do not change the person's date of hire. However, the anniversary date for future salary increases changes. Employees in position classifications which are downgraded (or upgraded) in salary to reflect changes in market conditions will retain their existing anniversary date for future step increases.*

### **Employee Discipline**

Employees and the City are best served when discipline is administered to correct rather than punish. Accordingly, disciplinary action shall not be intended to be punitive. Rather, it shall be intended to maintain the efficiency and integrity of City service.

The tenure of all City employees shall be based on reasonable standards of job performance and personal and professional conduct. Failure or refusal to meet these standards shall constitute just cause for disciplinary action. Occasionally, it becomes necessary for the City to discipline an

## CURRENT POLICY

employee. Discipline can result when an employee's actions do not conform with generally accepted standards of good behavior, when an employee violates work rules, or when an employee's work performance is not acceptable.

In any major disciplinary action, the Director of Administration (or the Fire and Police Commission or Library Board when required by law) shall review all pertinent information specifying the cause for discipline, the specific reasons supporting the cause, the discipline to be imposed, the effective date, and the right of the employee to be heard.

The nature and severity of the offense and the employee's prior record shall be considered in administering all disciplinary measures. The degree of discipline administered shall remain in accordance with all applicable contracts, regulations, and procedures.

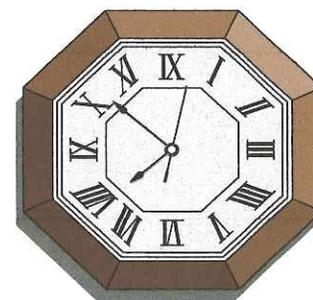
It is the responsibility of each supervisor and Department Head to thoroughly evaluate the circumstances and facts of employee actions as objectively as possible and apply the most suitable form of discipline.

Disciplinary action will be progressive when appropriate and may include, but is not limited to, oral warnings, written warnings, suspensions with or without pay, demotion, and termination. Original copies of disciplinary actions are to be signed by the employee, and placed in the employee's personnel file. A copy of all disciplinary actions shall be given to the affected employee. All disciplinary actions involving suspensions without pay or termination require the prior concurrence of the Director of Administration.

The City may discipline employees for behavior detailed on Page 55 under misconduct, or for any behavior it considers detrimental to the interest of the City and may terminate the employee immediately.

### ***Hours of Work***

All full time employees shall work at least 37.5 hours per week. All part time employees shall work between twenty (20) and forty (40) hours per week. However, administrative staff is expected to work hours of employment beyond those of normal employees when necessary.



Most employees shall receive a one (1) hour lunch. Half of your lunch is paid by the City, the other half is unpaid. You must work the entire day to receive your half hour paid by the City. All employees who work during the normal operating hours of their department will be credited with eight (8) hours per work day.

The Police and Fire Department's hours of operation as well as shift length vary from shift-to-shift. Please consult these departments for additional information if necessary.

# CURRENT POLICY

## **Overtime**

All employees shall use time sheets so the total amount of time worked, including overtime, is clearly recorded.

A Department Head may authorize short periods of overtime work in emergencies or to meet irregular day-to-day operational needs. Such overtime must be reported and justified.

Employees shall be paid at the rate of one-and-one-half (1½) times the base rate for all hours worked above the normal work day or normal work week. All overtime work performed on Sundays and holidays shall be paid at the rate of double time. Employees called in on emergency duties (hours other than regularly scheduled hours) shall be guaranteed two (2) hours pay at the appropriate overtime rate. This two-hour guarantee shall not apply to call-ins which are consecutively prior to or subsequent to the employee's regular schedule.

At the discretion of the Department Head overtime hours may be accumulated and used as compensatory time off or paid at the overtime rate.

## **Payroll Deductions**

Deductions from each employee paycheck required by law include:

1. Federal Income Tax withholding.
2. Social Security.
3. Retirement contributions (applicable employees only).
4. State Income Tax withholding
5. Deductions authorized by law, such as garnishments.
6. Medicare



Additional deductions that are optional and may be requested by the employee include:

1. United Way contributions.
2. Payment to a City-approved credit union.
3. Deferred compensation.
4. Union dues and initiation fees (if provided in labor agreement)
5. Payment of health insurance premiums (if applicable).
6. Payment of dental insurance premiums (if applicable).
7. Long term disability insurance premiums (if applicable).
8. Section 125/flexible spending deductions.

City employees shall receive a statement of deductions and earnings with each paycheck that itemizes the various deductions made, and appropriate cumulative totals. A record of sick leave

# CURRENT POLICY

## **RECEIPT FOR EMPLOYEE HANDBOOK**

I acknowledge that I have received a copy of The City of Franklin's Employee Handbook. I agree to read it thoroughly, including the statements in the foreword describing the purpose and effect of the Handbook. I agree that if there is any policy or provision in the Handbook that I do not understand, I will seek clarification from the Human Resources Department.

I understand that The City of Franklin is an "at will" employer and as such employment with The City of Franklin is not for a fixed term or definite period and may be terminated at the will of either party, with or without cause, and without prior notice. No supervisor or other representative of the City (except the Mayor) has the authority to enter into any agreement for employment for any specified period of time, or to make any agreement contrary to the above.

In addition, I understand that this Handbook states the City of Franklin's policies and practices in effect on the date of publication. I understand that nothing contained in the Handbook may be construed as creating a promise of future benefits or a binding contract with The City of Franklin for benefits or for any other purpose.

I also understand that these policies and procedures are continually evaluated and may be amended, modified or terminated at any time.

Please sign and date this receipt and return it to the Human Resources Department.

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

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

<p style="text-align: center;"><b>APPROVAL</b></p> <p><i>Slw</i> </p>	<p style="text-align: center;"><b>REQUEST FOR COUNCIL ACTION</b></p>	<p style="text-align: center;"><b>MEETING DATE</b></p> <p style="text-align: center;"><b>10/04/11</b></p>
<p style="text-align: center;"><b>REPORTS &amp; RECOMMENDATIONS</b></p>	<p style="text-align: center;"><b>Request by Department of Administration to Provide Additional Funding Toward the City Representative's Attendance at the Third Safe Routes to School National Conference</b></p>	<p style="text-align: center;"><b>ITEM NUMBER</b></p> <p style="text-align: center;"><i>G.7.</i></p>

At their meeting of April 19, 2011, the Common Council approved a motion "to approve funding not to exceed \$450 to send a member of the Franklin Trails Committee to the 3rd Safe Routes to School National Conference, with funding from the Planning Department budget." The Request for Council Action indicated that "Early bird registration is \$300 and the Trails Committee discussed allotting \$150 for travel expenses, for a total of \$450." Registration was \$300 as anticipated, and John Michlig did attend the conference.

Mr. Michlig submitted a reimbursement request for \$275.19 as he was not aware of the \$150 travel expense allotment. Just recently he went back and found an email from the Planning Department that did in fact inform him that he would not be reimbursed for expenses exceeding \$150, so it was just a misunderstanding on his part. I have reviewed the detailed report and the copies of receipts provided and find them to be very reasonable and appropriate. In fact, it is evident that Mr. Michlig is still absorbing costs out of his own pocket since the conference was three days (plus one travel day, I believe) and he only submitted reimbursement requests for two meals in total. The approved funding source, the Planning Department budget, has travel and training appropriations to cover the additional \$125.19. The City's total cost toward the conference would then be just \$575.19.

Please note that when Mr. Michlig was recently reminded of the limit, he did not request or require that the added amount be reimbursed. Nonetheless, as noted above, the amount requested was very reasonable, and I recommend authorizing payment of the full reimbursement amount as submitted.

### **COUNCIL ACTION REQUESTED**

Motion to approve an additional \$125.19 from the Planning Department budget to fund the submitted expense reimbursement related to the Safe Routes to School National Conference.

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<p><b>APPROVAL</b></p> <p><i>Slw</i> </p>	<p><b>REQUEST FOR COUNCIL ACTION</b></p>	<p><b>MEETING DATE</b></p> <p><b>10/04/11</b></p>
<p><b>REPORTS &amp; RECOMMENDATIONS</b></p>	<p><b>A Resolution to Approve Participation in and Funding for a Shared Services Fact-Finding Project to be Performed by the Public Policy Forum and Focusing on Fire and EMS Services</b></p>	<p><b>ITEM NUMBER</b></p> <p><i>G. 8.</i></p>

The attached resolution and proposal outlines an opportunity to have a thorough evaluation of local Fire and EMS services and the potential for coordination/consolidation/shared services options. This review opportunity is an outcome of shared services discussions that have occurred with the support of the ICC and is consistent with past comments on a willingness to consider consolidation or shared services where appropriate and in the best interest of the City. The bulk of the cost is actually provided by the Public Policy Forum, from a grant, and by the Greater Milwaukee Committee. The remaining \$7,500 cost of the study would be shared by the five municipalities involved. The details are explained in the attached resolution and documents. The \$1,500 is available in contingency appropriations.

**COUNCIL ACTION REQUESTED**

Motion to approve Resolution No. 2011-\_\_\_\_, A Resolution to Approve Participation in and Funding for a Shared Services Fact-Finding Project to be Performed by the Public Policy Forum and Focusing on Fire and EMS Services.

A STATE OF WISCONSIN: CITY OF FRANKLIN: MILWAUKEE COUNTY

RESOLUTION NO. 2011-\_\_\_\_\_

A RESOLUTION TO APPROVE PARTICIPATION IN AND FUNDING FOR A SHARED SERVICES  
FACT-FINDING PROJECT TO BE PERFORMED BY THE PUBLIC POLICY FORUM AND  
FOCUSING ON FIRE AND EMS SERVICES

-----  
WHEREAS, actions taken by the State of Wisconsin have impacted and are expected to continue to impact municipal budgets; and

WHEREAS, Milwaukee County budget discussions have in the past and continue to have the potential to impact local budgets, specifically the potential elimination or reduction of EMS funding; and

WHEREAS, businesses, residents, and elected officials have expressed interest in the exploration of options for communities to work together seeking efficiencies in operations along with maintenance or improvements in service levels; and

WHEREAS, the Intergovernmental Cooperation Council has supported and endorsed local efforts to explore opportunities for cooperation to the benefit of taxpayers, including creation of a Shared Services and Cooperation Work Group in April 2011; and

WHEREAS, based on discussions at the Shared Services and Cooperation Work Group, the Public Policy Forum prepared a proposal (attached), entitled "Exploring Consolidated Fire Services in Southern Milwaukee County, September 29, 2011," which addresses a strategy and project budget for a comprehensive analysis of fire and EMS services in Franklin, Greenfield, Oak Creek, Hales Corners, and Greendale, including "developing possible coordination/consolidation/shared services options."

NOW, THEREFORE, BE IT RESOLVED that the City of Franklin hereby pledges its support and authorizes \$1,500 financial assistance to participate in the Public Policy Forum's fact-based effort to review the potential for coordinating, sharing, or consolidating fire services, EMS services, police dispatch services, and/or fire dispatch services as a means of improving the cost-effectiveness and maintaining or enhancing the quality of such services.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Common Council of the City of Franklin supports the leadership of the Public Policy Forum and the Greater Milwaukee Committee in conducting this review and encourages broad participation in the review by affected parties and directs municipal staff to cooperate in the effort as required.

All resolutions and parts of resolutions in contravention to this resolution are hereby repealed.

Introduced at a regular meeting of the Common Council of the City of Franklin this 4th day of October, 2011 by Alderman \_\_\_\_\_.

Passed and adopted by the Common Council of the City of Franklin this 4th day of October, 2011.

APPROVED:

\_\_\_\_\_  
Thomas M. Taylor, Mayor

ATTEST:

\_\_\_\_\_  
Sandra L. Wesolowski, Director of Clerk Services

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

## **Exploring Consolidated Fire Services in Southern Milwaukee County**

A Proposal Submitted by the Public Policy Forum

September 29, 2011

### **Background**

At its meeting on June 8, 2011, the ICC Shared Services and Cooperation Work Group discussed the potential for coordinating, consolidating or sharing fire services in southern Milwaukee County. Work group members cited the benefits experienced by the North Shore Fire Department – which has seen improved response times and reduced administrative overhead since its creation in 1995 – and the recent retirement of several fire chiefs in the southern part of the county as rationales for exploring shared services or consolidation. They also noted that municipal fire departments in the southern part of the county already cooperate in terms of mutual response agreements and other activities.

The Work Group discussed several different geographic approaches for considering the coordination/sharing/consolidation question. Discussion also took place regarding Emergency Medical Services (EMS), and how Milwaukee County budget decisions and upcoming negotiations over a new EMS contract might impact consideration of fire department service sharing or consolidation.

The Public Policy Forum and Greater Milwaukee Committee called a meeting with representatives from the eight southern Milwaukee County communities to further pursue this idea on August 9, 2011. At that meeting, it was decided that fire service consolidation/sharing discussions among Cudahy, St. Francis and South Milwaukee already had progressed to the point that those discussions should continue on a separate and largely independent track. It also was decided that there would be merit in having the Public Policy Forum launch an analysis of possibilities for coordinating, sharing or consolidating fire and EMS services among the remaining five municipalities: Greenfield, Franklin, Oak Creek, Greendale and Hales Corners.

### **Proposal**

The Public Policy Forum and Greater Milwaukee Committee propose a comprehensive analysis of fire and EMS services in the five southern Milwaukee County municipalities cited above. The analysis would be conducted with the participation and oversight of a work group consisting of administrative and fire department representatives appointed by the mayor or village president of each of the five municipalities (one or two representatives from the North Shore also could be included to provide insight into the creation of the North Shore Fire Department). It would take approximately four to six months to complete.

The analysis would consist of the following:

1. Data Collection – PPF would collect and synthesize fire and EMS fiscal and service data from each of the five municipalities. Data collected would include the following:
  - Operating budget data from each fire department, including wage, benefit and legacy cost trends and projections; EMS revenue trends and projections; expenditures on indirect employee expenses (e.g. uniforms and training); and expenditures on related services, such as dispatch and administration.

- Capital budget data, including expenditure trends, projected capital needs and an inventory of capital assets.
- Service-related data including fire department calls for service and service activity (broken down by fire and EMS), response times and dispatch activity.
- Personnel-related data, including numbers and types of employees and a breakdown and comparison of current union contracts and personnel procedures.

All data collected for the project would be synthesized and rolled up into a written document that would be shared with the municipalities.

2. Data analysis/development of options – PPF would analyze this data and use it as the basis for developing possible coordination/consolidation/shared services options. Options would be developed with the guidance, advice and consent of the municipal work group and possible technical subcommittees formed by the work group. Those options ultimately fleshed out would be accompanied by a technical analysis describing potential fiscal and operational impacts and logistics, as well as possibilities for governance and cost sharing. The issue of joint dispatch for police and fire also could be explored at the request of the municipal work group, though additional time and/or resources may be required.
3. Final report – PPF would prepare a final report summarizing the collected data, laying out potential coordination/sharing/consolidation options, and suggesting possible paths toward implementation. This final report would be provided to each of the affected municipalities, and would be released to the public and disseminated with their advice and consent.

### **Our Credentials**

The Forum Board of Trustees has committed the organization to playing a key supportive role in monitoring and strengthening local government performance. For the past 98 years, we have served as a citizen's watchdog organization for the city and county of Milwaukee, ensuring our local governments are committed to providing taxpayers with good value. Over the past decade, our mission has expanded to include policy analysis of issues important to all of southeastern Wisconsin.

Recently, the Forum's role in researching local government finance issues has been greatly enhanced, and its work has received widespread media coverage and attention by policymakers. This is testimony to the talent and experience of the Forum's staff resources, which will be deployed to this new research effort as follows:

- Forum President Rob Henken will provide overall project direction, writing and analysis. Mr. Henken has held several senior fiscal positions in government, including staff director for a House of Representatives Subcommittee, associate staff for the House Appropriations Committee, and Director of County Board Research, Health and Human Services and Administrative Services for Milwaukee County.
- Researcher Vanessa Allen will serve as the principal researcher and fiscal analyst. Ms. Allen has worked as a fiscal and management analyst for the Milwaukee County Department of Administrative Services and a fiscal analyst for the Wisconsin Department of Administration.

- Researcher Joe Peterangelo will serve as co-researcher and fiscal analyst. Mr. Peterangelo was hired by the Forum in July 2011 after completing his Master's degree in Urban Planning at UWM. His previous experience includes policy research for the Metro Chicago Information Center and Milwaukee Department of City Development.
- Research Director Anneliese Dickman will coordinate research activities. During her 11 years with the Forum, Ms. Dickman has built a reputation as one of the region's foremost experts on the fiscal and programmatic issues facing Milwaukee Public Schools and other regional school districts. She also has worked as a policy analyst with the National Conference of State Legislatures and as a program evaluator for the Milwaukee County Audit Department.

### Project Budget

The following is a proposed project budget. Because of PPF and GMC cost sharing, the total amount requested from the southern Milwaukee County municipalities is \$7,500. We would suggest that this amount be covered equally by the five municipalities with contributions of \$1,500 apiece.

<b>Project component</b>	<b>Cost</b>
<i>Personnel</i>	
Rob Henken, President (120 hours @\$90/hr.)	\$ 10,800
Anneliese Dickman, Research Director (16 hours \$90/hr.)	\$ 1,440
Vanessa Allen, Researcher (180 hours @\$60/hr.)	\$ 10,800
Joe Peterangelo, Researcher (150 hours @\$60/hr.)	\$ 9,000
<i>Personnel subtotal</i>	\$ 32,040
<i>Non-personnel</i>	
Travel, printing, meetings, etc.	\$ 1,000
<i>Non-personnel subtotal</i>	\$ 1,000
<i>Total direct costs</i>	\$ 33,040
Indirect costs (7.5%)	\$ 2,480
<b>Total project cost</b>	<b>\$ 35,520</b>
GMC Cost Share	(\$7,500)
PPF Cost Share (via Bader Foundation grant funds)	(\$20,520)
<b>Total cost for municipalities</b>	<b>\$ 7,500</b>

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<p align="center"><b>APPROVAL</b></p> <p align="center"><i>Slw</i></p>	<p align="center"><b>REQUEST FOR COUNCIL ACTION</b></p>	<p align="center"><b>MEETING DATE</b></p> <p align="center">October 4, 2011</p>
<p align="center"><b>REPORTS AND RECOMMENDATIONS</b></p>	<p align="center">An Ordinance to Amend the Municipal Code as it pertains to Common Council Member Attendance at Meetings (Ald. Olson)</p>	<p align="center"><b>ITEM NUMBER</b></p> <p align="center"><i>G.9.</i></p>

Pursuant to the discussion at the July 19, 2011 Common Council meeting discussion on item G.1., attached is a draft ordinance to clarify that when a Council member is not present at a meeting, the member is "absent", and that the term "excused" is only to be considered or used upon circumstances following a "call of the house" to compel attendance of members in the absence of a quorum, under Robert's Rules of Order. The draft ordinance also provides that City board, commission and committee minutes are to set forth the attendance of a Council member at such meeting. Should the Council determine that it is appropriate to provide that a Council member may be "excused" as opposed to being stated as "absent", an alternate additional section may be added to the draft ordinance to provide as follows (or as the Council may otherwise determine appropriate):

§19-1.D. of the Municipal Code of the City of Franklin, Wisconsin, is hereby amended to add the following to and at the end of the existing text: "The meeting minutes shall reflect the event of a member being "absent", unless the absent member has requested to be "excused", in which event the minutes shall so reflect that status, unless determined otherwise by the Common Council."

**COUNCIL ACTION REQUESTED**

A motion to adopt An Ordinance to Amend the Municipal Code as it pertains to Common Council Member Attendance at Meetings.

## ORDINANCE NO. 2011-\_\_\_\_\_

AN ORDINANCE TO AMEND THE MUNICIPAL CODE AS IT PERTAINS TO  
COMMON COUNCIL MEMBER ATTENDANCE AT MEETINGS

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WHEREAS, the Common Council having considered the practice of the notation within meeting minutes as to whether a Council member is present or absent from such meeting, including whether an absent member is to be excused; and

WHEREAS, the Common Council having determined that the application of Robert's Rules of Order providing that a member is either present or absent, excepting where a member may be excused after a call of the house is appropriate; and

WHEREAS, §19-6. of the Municipal Code currently provides for the application of Robert's Rules of Order to the Common Council proceedings, and as such, the minutes of Council meetings shall only provide for whether a member is present or "absent", with the term "excused" to only be used when referring to such a determination after a call of the house; and

WHEREAS, the Common Council having also determined that it is appropriate to set forth the attendance of Council members at City board, commission and committee meetings in the minutes of such meetings.

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

SECTION 1:           §10-26. of the Municipal Code of the City of Franklin, Wisconsin, is hereby created to read as follows: "Attendance of Common Council Members. The attendance of any Common Council member at any City board, commission or committee meeting shall be stated and identified within the minutes of such 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.

ORDINANCE NO. 2011-\_\_\_\_\_

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 \_\_\_\_\_, 2011, by Alderman \_\_\_\_\_.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

APPROVED:

\_\_\_\_\_  
Thomas M. Taylor, Mayor

ATTEST:

\_\_\_\_\_  
Sandra L. Wesolowski, City Clerk

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

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<p><b>APPROVAL</b></p> <p><i>Slw</i></p>	<p><b>REQUEST FOR COUNCIL ACTION</b></p>	<p><b>MEETING DATE</b></p> <p>10/04/2011</p>
<p><b>REPORTS AND RECOMMENDATIONS</b></p>	<p>Request to direct staff to review and recommend methodology for agenda setting (Mayor Taylor)</p>	<p><b>ITEM NUMBER</b></p> <p><i>G.10.</i></p>

Mayor Taylor is requesting that the Common Council direct staff to review and research the methodology for agenda setting and provide a recommendation back to the Common Council.

**COUNCIL ACTION REQUESTED**

Motion to direct staff to review and research the methodology for agenda setting and provide a recommendation back to the Common Council no later than \_\_\_\_\_.

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<p><b>APPROVAL</b></p> <p><i>Slw</i></p>	<p><b>REQUEST FOR COUNCIL ACTION</b></p>	<p><b>MEETING DATE</b></p> <p>October 4, 2011</p>
<p><b>REPORTS AND RECOMMENDATIONS</b></p>	<p>Approval and acceptance of a letter of understanding for the provision of legal services for the Ryan Creek Interceptor Sewer Project and authorization for the retainer of special environmental law counsel</p>	<p><b>ITEM NUMBER</b></p> <p><i>G.11.</i></p>

Attached is a letter of understanding for the provision of legal services for the Ryan Creek Interceptor Sewer Project, which is a document provided pursuant to the direction of the Wisconsin Department of Administration and the Wisconsin Department of Natural Resources in the ongoing administration of the Clean Water Act Fund loan application by the City for the Ryan Creek Interceptor Sewer Project. Authorization is also provided in the letter for the retainer of special environmental law counsel by the Legal Services Department, as set forth therein. Staff and the Senior Project Manager submit that the special counsel costs, if required, are necessary project costs, though it is noted that preliminary discussions with the WIDNR have indicated that the Department may have some questions in regard to the eligibility of such costs for Clean Water Act Fund loan payment.

**COUNCIL ACTION REQUESTED**

A motion to approve and accept a letter of understanding for the provision of legal services for the Ryan Creek Interceptor Sewer Project and authorization for the retainer of special environmental law counsel.

WESOLOWSKI, REIDENBACH & SAJDAK, S.C.  
ATTORNEYS AT LAW  
11402 WEST CHURCH STREET  
FRANKLIN, WISCONSIN 53132

JESSE A. WESOLOWSKI  
FREDERICK E. REIDENBACH 1919-2002  
BRIAN C. SAJDAK

TELEPHONE (414) 529-8900  
FACSIMILE (414) 529-2121

JANE C. KASSIS,  
LEGAL SECRETARY

October 4, 2011

Pursuant to the agreement to provide legal services between the City of Franklin and Wesolowski, Reidenbach & Sajdak, S.C., we agreed to provide all legal services necessary for the Ryan Creek Interceptor Sewer Project to the City of Franklin at our normal general legal services over 50 hours per month and litigation services rate of \$90.00 per hour. This rate shall apply to all services provided from May 24, 2010 through September, 2013. We estimate that the total charges for services for this approaching some 40 month period shall be \$45,000.00. We also note that as to the estimate, there may be litigation involved, and have estimated that any single litigation matter required services time could range from 10 to 80 hours, notwithstanding any appellate court services. Within the estimate there is included approximately 153 hours or 30% for litigation services, which may be fully unnecessary or insufficient. With regard to potential litigation, approval of this letter of understanding shall additionally authorize the Legal Services Department to retain special environmental law counsel, to provide hourly services as may be necessary in an amount not to exceed \$25,000.00.

Wesolowski, Reidenbach & Sajdak, S.C.

By: \_\_\_\_\_  
Jesse A. Wesolowski, President

Approved and accepted pursuant to Resolution No. 2011-\_\_\_\_\_, adopted on October 4, 2011.

\_\_\_\_\_  
Thomas M. Taylor, Mayor

\_\_\_\_\_  
Sandra L. Wesolowski, City Clerk

\_\_\_\_\_  
Calvin A. Patterson, Director of  
Finance and Treasurer

<b>APPROVAL</b>  <i>slw</i>	<b>REQUEST FOR COUNCIL ACTION</b>	<b>MEETING DATE</b>  <b>October 4, 2011</b>
<b>REPORTS AND RECOMMENDATIONS</b>	Acquisition of easement rights and interests in property for the location, extension, installation and maintenance of public sanitary sewer facilities to provide sanitary sewer service to the southwest area of the City of Franklin by way of the Ryan Creek Interceptor sewer installation upon property in the area from the intersection of South 60th Street and West Ryan Road generally following the Ryan Creek to the intersection of West Ryan Road and South 112th Street, thence westerly along West Ryan Road to the west City limits, upon the following 2 properties identified by Acquisition Map Parcel No., Tax Key Number and address, respectively, as follows: 1) 21, 894-9999-001 and 9733 W. Ryan Road; 2) 40, 894-9999-004 and 9733 W. Ryan Road.	<b>ITEM NUMBER</b>  <i>G.12.</i>

The Council may enter closed session pursuant to §19.85(1)(e), Stats. to discuss the acquisition of easement rights for the subject extension of the Ryan Creek Interceptor Sewer for the above mentioned properties; and to re-enter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate

**COUNCIL ACTION REQUESTED**

Motion to enter closed session pursuant to Wis. Stat. §19.85 (1) (e), to consider the terms and negotiation of the public acquisition of easement(s) for public sanitary sewer service for the extension of the Ryan Creek Interceptor Sewer project, for competitive and bargaining reasons, and to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate.

or

A motion to authorize the purchase of the subject easement rights subject to the terms negotiated between City representatives and counsel for the owner in the form and content as presented to the Common Council presented at this meeting.

or

A motion to reject the terms presented and to authorize acquisition pursuant to Common Council action on September 20, 2011.

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APPROVAL	REQUEST FOR COUNCIL ACTION	MEETING DATE
Stw	<b>Miscellaneous Permits</b>	<b>10/4/2011</b>  ITEM NUMBER H, 1.

See attached list from meeting of October 4, 2011

**COUNCIL ACTION REQUESTED**



**City of Franklin**

9229 W. Loomis Road  
Franklin, WI 53132-9728

414-425-7500

**License Committee**

**Agenda\***

**Alderman's Room**

**October 4, 2011 – 5:45 p.m.**

<b>1.</b>	<b>Call to Order &amp; Roll Call</b>	<b>Time</b>		
<b>2.</b>	<b>Applicant Interviews &amp; Decisions</b>			
<b>License Applications Reviewed</b>		<b>Recommendations</b>		
<b>Type/ Time</b>	<b>Applicant Information</b>	<b>Approve</b>	<b>Hold</b>	<b>Deny</b>
<b>Operator</b> 5:55 p.m.	<b>Helm, Amber E</b> 11401 Parkview Ln Hales Corners, WI 53130 The Landmark			
<b>Operator</b> 6:00 p.m.	<b>Jacques, Amber N</b> 6500 S Loomis Rd Windlake, WI 53185 Irish Cottage			
<b>Operator</b>	<b>Ambriz, Jose E</b> 2232 S 16 <sup>th</sup> St Milwaukee, WI 53215 Little Cancun			
<b>Operator</b>	<b>Clazmer, Matthew B</b> 4811 N Anita Ave Whitefish Bay, WI 53217 Walgreens – 27 <sup>th</sup> St			
<b>Operator</b>	<b>Gill, Parminder Singh</b> 5880 S Madeline Ave #4 Milwaukee, WI 53122 Franklin Mobil Mart			
<b>Operator</b>	<b>Gutierrez, Miguel A</b> 1029 S 10 <sup>th</sup> St Milwaukee, WI 53204 Little Cancun			
<b>Operator</b>	<b>Hosseini, Shane Z</b> 1158 N 50 <sup>th</sup> St Milwaukee, WI 53208 Gus' Mexican Cantina			
<b>Operator</b>	<b>Hosseini, Shaun A</b> 1158 N 50 <sup>th</sup> St Milwaukee, WI 53208 Gus' Mexican Cantina			
<b>Operator</b>	<b>Johnson, Jeanne Z</b> 7703 W Margaret Ln Franklin, WI 53132 St Martin of Tours			
<b>Operator</b>	<b>Klopp, Heath A</b> 245 Southtowne Dr #E101 South Milwaukee, WI 53172 Root River Center			
<b>Operator</b>	<b>Lorenz, Joshua J</b> 1501 S Bird Song Dr #015 Oak Creek, WI 53154 Target			

<b>Operator</b>	<b>McGlennen, Thomas M</b> 1805 E Park Place Milwaukee, WI 53211 Target			
<b>Operator</b>	<b>Moore, Michelle M</b> 11751 W Birchwood Ln Franklin, WI 53132 The Landmark			
<b>Operator</b>	<b>Nowak, Amy S</b> 11200 W Cleveland Ave #H27 West Allis, WI 53227 Walgreens – Loomis Rd			
<b>Operator</b>	<b>Paulsen, Carlee O</b> 10970 W Forest Home Ave Hales Corners, WI 53130 Target			
<b>Operator</b>	<b>Smith, Thomas J</b> 11170 W Meinecke Ave Wauwatosa, WI 53226 Gas Station on Forest Home			
<b>Operator</b>	<b>Sowmyanarayanan, Ranganathan</b> 826 N 14 <sup>th</sup> St Milwaukee, WI 53233 Gas Station on Forest Home			
<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> <i>Slw</i> <i>QAD</i>	<b>REQUEST FOR COUNCIL ACTION</b>	<b>MEETING DATE</b> <b>10/4/2011</b>
<b>Bills</b>	<b>Vouchers and Payroll Approval</b>	<b>ITEM NUMBER</b> <i>I.1.</i>

Provided separately for Council approval is a list of vouchers Nos. 140104 through 140266 in the amount of \$1,041,013.00. Included in this listing is \$15,425.50 in Library vouchers. Also included in this listing is \$168.00 in Fund 45 vouchers. The net City vouchers are \$1,025,419.50.

Approval is requested for the net payroll of September 23, 2011 in the amount of \$353,183.52.

### COUNCIL ACTION REQUESTED

Motion approving net City vouchers in the range of Nos. 140104 through 140266 in the amount of \$1,025,419.50.

Approval is requested for the net payroll of September 23, 2011 in the amount of \$353,183.52.