

CITY OF FRANKLIN  
COMMON COUNCIL MEETING\*  
FRANKLIN CITY HALL – COMMON COUNCIL CHAMBERS  
9229 WEST LOOMIS ROAD, FRANKLIN, WISCONSIN  
AGENDA\*\*  
TUESDAY APRIL 16, 2019 AT 6:30 P.M.

Oath of Office – Alderman Mark Dandrea.  
Oath of Office – Alderman Daniel M. Mayer.  
Oath of Office – Alderman Michael Barber.

- A. Call to Order and Roll Call.
- B. Citizen Comment Period.
- C. Approval of Minutes:  
Regular Common Council Meeting of April 1, 2019.
- D. Hearings.
- E. Organizational:
  - 1. Election of Common Council President

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

- 2. Gene Ninnemann as Weed Commissioner/Cutter with a weed cutting fee of \$90 per hour for the calendar year 2019.
- 3. Francesco Mineo, 8715 W. Meadow Ln., Ald. Dist. 2 – Fire and Police Commission (5 year term expiring 4/30/24).
- 4. Andrew Ruffing, 4728 West Sharon Lane, Ald. Dist. 5 – Quarry Monitoring Committee (3 year term expiring 5/31/22).

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

Finance Committee

- 5. Alderwoman Kristen Wilhelm, 1 year term expiring 4/21/20.
- 6. Alderman Mark Dandrea, 1 year term expiring 4/21/20.
- 7. Alderman John Nelson, 1 year term expiring 4/21/20.

Parks Commission

- 8. Alderman John Nelson, 1 year term expiring 4/21/20.

Plan Commission

- 9. Alderman Mark Dandrea, 1 year term expiring 4/21/20.

Environmental Commission

10. Alderman Daniel Mayer, 1 year term expiring 4/21/20.

License Committee

11. Alderwoman Kristen Wilhelm, 1 year term expiring 4/21/20.
12. Alderman Steve Taylor, 1 year term expiring 4/21/20.
13. Alderman John Nelson, 1 year term expiring 4/21/20.

Quarry Monitoring Committee

14. Alderwoman Kristen Wilhelm, 2 year term expiring 6/30/21.
15. Alderman Mike Barber, 2 year term expiring 6/30/21.

Fair Commission:

16. Alderman Daniel Mayer, 3 year term expiring 4/19/22.

Board of Health:

17. Alderman Mike Barber, 3 year term expiring 4/19/22.

Personnel Committee:

18. Alderman Mark Dandrea, 3 year term expiring 4/19/22.
19. Alderman Daniel Mayer, 3 year term expiring 4/19/22.
20. Alderman Mike Barber, 3 year term expiring 4/19/22.

Technology Committee:

21. Alderman Daniel Mayer, 3 year term expiring 4/19/22.

Community Development Authority:

22. Alderman Mark Dandrea, 3 year term expiring 4/19/22.

Economic Development Commission:

23. Alderman Mike Barber, 3 year term expiring 4/19/22.

- F. Letters and Petitions – Letter from Clint Weninger, P.G. Land Resources Manager, Payne & Dolan, Inc. Response to Neighbors' Concerns Regarding the Franklin Aggregates Quarry.
- G. Reports and Recommendations:
  1. Consent Agenda:
    - (a) Donation from Madeline Barefoot to the Franklin Fire Department in Memory of Donald Lee Norman in the Amount of \$50 to be Used for Fire and Safety Educational Programs in the Community.
    - (b) Donation from Ms. Lori Keck to the Franklin Fire Department in Memory of Donald Norman in the amount of \$50 to be Used to Help Fund Fire and Safety Educational Programs in the Community.

- (c) Donation from Summit Credit Union to the Franklin Police Department in the Amount of \$500 to be Used for Flashing Safety Lights to be Distributed at the 2019 Annual Bicycle Rodeo on June 8, 2019.
- (d) Request to Approve the City of Franklin's Participation in the State Contract to Purchase 1,500 Tons of Salt.
- (e) Temporary Street Closure for Franklin Bike Rodeo on June 8, 2019.
- 2. Project Updates for Ballpark Commons.
- 3. Presentation of the Feasibility Analyses for Tax Incremental District No. 5 Planned Development District No. 37 (The Rock Sports Complex/Ballpark Commons) for Amendment of Existing Tax Incremental District No. 5 and Creation of New Tax Incremental District Overlay within Tax Incremental District No. 5.
- 4. Select New City Logo From the Two Finalists Recommended Jointly by the Economic Development Commission and the Tourism Commission.
- 5. Implementation of the Kayla's Playground Ambassador Program by the Parks Commission and Confirmation of the Appointment of Michelle (Shelly) Runte as the Park Ambassador Program Coordinator.
- 6. An Ordinance to Amend Section 10-7 A., Parks Commission – Membership, of the Municipal Code by Adding the Park Ambassador Program Coordinator as an Ex-officio, Non-Voting Member of the Parks Commission.
- 7. Recommendation from the Quarry Monitoring Committee ("QMC") Pertaining to Membership and Survey Participation.
- 8. Memorandum of Understanding with the West Allis Health Department for the Special Supplemental Nutrition Program for Women, Infants and Children ("WIC").
- 9. An Ordinance to Amend the Unified Development Ordinance (Zoning Map) to Rezone Two Parcels of Land from R-6 Suburban Single-Family Residence District and C-1 Conservancy District to R-6 Suburban Single-Family Residence District for the Property Located at 8547 and 8567 South 76<sup>th</sup> Street (Approximately 0.48 Acres) (2 Mike's LLC, Applicant).
- 10. A Resolution Conditionally Approving a 3 Lot Certified Survey Map, Being a Part of the Southeast 1/4 of the Southeast 1/4 of Section 16, Township 5 North, Range 21 East, Located in the City of Franklin, Milwaukee County, Wisconsin (2 Mike's LLC, Applicant) (8547 and 8567 South 76<sup>th</sup> Street).
- 11. Standards, Findings and Decision of the City of Franklin Common Council Upon the Application of Fred Arbanella, Arbanella/Carmody Homes, Applicant, for a Special Exception to Certain Natural Resource Provisions of the City of Franklin Unified Development Ordinance (Proposed Oak Ridge of Franklin Subdivision Development; 7475 South 49<sup>th</sup> Street; Tax Key No. 759-9981-010).
- 12. A Resolution to Authorize the Construction of a Public Street and Sidewalk Upon Lands in Part Supporting Natural Resource Features Located at or About 7475 South 49<sup>th</sup> Street (Fred Arbanella, Arbanella/Carmody Homes, Applicant, Walter Hablewitz, Property Owner (Proposed Oak Ridge of Franklin Subdivision Development; 7475 South 49<sup>th</sup> Street; Tax Key No. 759-9981-010)).
- 13. A Resolution for the Declaration of Public Necessity and Relocation Order to Reconstruct W. Elm Road.

Common Council Meeting Agenda

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14. Request for Council Action to Survey Property Owners with Regard to the Extension of Public Water Supply Service Along South 50<sup>th</sup> Street.
15. A Resolution to Execute Temporary Limited Easements to Facilitate the Reconstruction of the Intersection of S. 51<sup>st</sup> Street and W. Drexel Avenue.
16. Authorization to WE Energies to Replace Lighting at the Intersection of S. 51<sup>st</sup> Street and W. Drexel Avenue.
17. A Resolution to Purchase a 2019 Ford Ranger XLT 4WD Super Cab 6' Box from Ewald Automotive Group, LLC for the Sewer and Water Utility Department in the amount of \$27,959 and Purchase the Accessories from Ultimate Truck and Accessories for \$3,500 and Lights from General Fire Equipment for \$2,264.
18. Authorization for the Director of Administration to Enter into a New 5-Year National Association of State Procurement Officers' ValuePoint Cooperative Purchasing Organization ("NASPO") Lease Agreement with James Imaging Systems for the City Hall's First Floor Main Copier.
19. Replacement of the Signature-Based Symantec Endpoint Protection with Bitdefender GravityZone Ultra as the Standardized Advanced Threat Management ("ATM") Client for Desktop, Laptop and Server Computing Environments.
20. Recommendation from the Committee of the Whole:
  - (a) THIEL Brand Design Presentation of Phase One and Phase Two of the Branding and Marketing Services Project, Including Discussion and Review of the Two Logos Selected Jointly by the Economic Development Commission and the Tourism Commission as Staff will be Requesting a Decision by the Common Council on Final Logo Choice at the Regularly Scheduled Common Council Meeting on Tuesday, April 16, 2019.
  - (b) Tax Incremental District No. 5 Planned Development District No. 37 (The Rock Sports Complex/Ballpark Commons) Ballpark Commons Sports Anchored Mixed-Use Development Project Development Status and Future Development in the District.
21. Menard, Inc. v. City of Franklin, Milwaukee County Circuit Court, Case No. 16-CV-8734 (Consolidated): Claims of Excessive Property Assessment for 2016, 2017, 2018 and 2019 Assessment may be Incorporated. The Common Council may enter Closed Session Pursuant to Wis. Stat. §19.85(1)(g), to Confer with Legal Counsel for the Common Council who is Rendering Advice Concerning Strategy to be Adopted by the Body with Respect to the Subject Litigations, and to reenter Open Session at the Same Place Thereafter to Act on Such Matters Discussed Therein as it Deems Appropriate.

H. Licenses and Permits.

Miscellaneous Licenses from License Committee Meeting of April 16, 2019.

I. Bills.

Request for Approval of Vouchers and Payroll.

J. Adjournment.

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\*Notice is given that a majority of the Economic Development Commission and Tourism Commission may attend this meeting to gather information about an agenda item over which the Economic Development Commission and Tourism Commission has decision-making responsibility. This may constitute a meeting of the Economic Development Commission and Tourism Commission, per State ex rel. Badke v. Greendale Village Board, even though the Economic Development Commission and Tourism Commission 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:

April 18	Plan Commission Meeting	7:00 p.m.
May 7	Common Council Meeting	6:30 p.m.
May 9	Plan Commission Meeting	7:00 p.m.
May 21	Common Council Meeting	6:30 p.m.
May 23	Plan Commission Meeting	7:00 p.m.
May 27	Memorial Day	City Hall Closed

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***CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN***

**C E R T I F I C A T I O N**

***This is to certify that on the second day of April, 2019***

***MARK DANDREA***

***was duly elected to the office of First District Alderman of the City of Franklin for a three-year term expiring on the 19th day of April, 2022, as appears from the official canvass on file in the Office of the City Clerk.***

***In testimony whereof, I have set my hand and affixed the Seal of the City of Franklin, Wisconsin, this 11th day of April, 2019.***



***Sandra L. Wesolowski  
Director of Clerk Services/City Clerk***



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*CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN*

*C E R T I F I C A T I O N*

*This is to certify that on the second day of April, 2019*

*DANIEL M. MAYER*

*was duly elected to the office of Second District Alderman of the  
City of Franklin for a three-year term expiring on the 19th day of  
April, 2022, as appears from the official canvass on file in the  
Office of the City Clerk.*

*In testimony whereof, I have set my hand and affixed the Seal of  
the City of Franklin, Wisconsin, this 11th day of April, 2019.*

*Sandra L. Wesolowski*

*Sandra L. Wesolowski  
Director of Clerk Services/City Clerk*



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***CITY OF FRANKLIN, MILWAUKEE COUNTY, WISCONSIN***

**C E R T I F I C A T I O N**

***This is to certify that on the second day of April, 2019***

***MICHAEL BARBER***

***was duly elected to the office of Fifth District Alderman of the City of Franklin for a three-year term expiring on the 19th day of April, 2022, as appears from the official canvass on file in the Office of the City Clerk.***

***In testimony whereof, I have set my hand and affixed the Seal of the City of Franklin, Wisconsin, this 11th day of April, 2019.***

***Sandra L. Wesolowski***

***Sandra L. Wesolowski  
Director of Clerk Services/City Clerk***



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C.

CITY OF FRANKLIN  
COMMON COUNCIL MEETING  
APRIL 1, 2019  
MINUTES

- |  |         |  |
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| ROLL CALL                                  | A.      | The regular meeting of the Common Council was held on April 1, 2019 and called to order at 6:30 p.m. by Mayor Steve Olson in the Franklin City Hall Council Chambers, 9229 W. Loomis Road, Franklin, Wisconsin. On roll call, the following were in attendance: Alderman Mark Dandrea, Alderman Dan Mayer, Alderwoman Kristen Wilhelm, Alderman Steve F. Taylor, Alderman Mike Barber and Alderman John R. Nelson. Also present were Dir. of Administration Mark Luberd, City Attorney Jesse A. Wesolowski and City Clerk Sandra Wesolowski. |
| CITIZEN COMMENT                            | B.1.    | Citizen comment period was opened at 6:31 p.m. and closed at 6:52 p.m.   |
| SEN. CRAIG<br>PROPOSED<br>LEGISLATION      | B.2.(a) | Mayor Olson noted a letter from State Senator David Craig regarding proposed legislation addressing violation of law relating to practice of message therapy.  |
| COMM. OF WHOLE<br>MEETING 4/15/2019        | B.2.(b) | Mayor Olson noted a Committee of the Whole meeting will be held at 6:00 p.m. on Monday, April 15, 2019.  |
| TEMP. REMOVAL OF<br>BDS./COMM.<br>STAFFING | B.2.(c) | Mayor Olson noted that due to staffing shortages in the Department of City Development, staff support is temporarily removed for non-statutory board and commissions until appropriate staffing is in place.   |
| BALLPARK<br>COMMONS UPDATES                | B.2.(d) | Mayor Olson announced that effective April 16, 2019 all regular Common Council Meeting Agendas will contain a Project Update for Ballpark Commons until further notice.  |
| APPROVAL OF<br>MINUTES                     | C.      | Alderman Taylor moved to approve the minutes of the regular Common Council Meeting of March 19, 2019 as amended and presented at this meeting. Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.  |
| MAYORAL<br>APPOINTMENTS                    | E.      | <p>Alderman Nelson moved to table to April 16, 2019, the Mayoral appointment of Andrew Ruffing, 4728 W. Sharon Lane, to the Quarry Monitoring Committee for a 3-year term expiring 4/31/22. Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.</p> <p>Alderman Nelson moved to deny the Mayoral appointment of Robert Montgomery, 8570 S. 116th Street, to the Board of Zoning and Building Appeals for a 3-year term expiring 4/30/22. Seconded by Alderman Mayer. On roll call, all voted Aye. Motion carried.</p>             |

Alderman Mayer moved to confirm the following Mayoral Appointments:

1. Kenneth Sweeney, 11221 W. St. Martins Rd., Fair Commission (3 year term expiring 4/30/22).
2. David Lindner, 4007 W. Acre Ave., Fair Commission (3 year term expiring 4/30/22).
3. John Trudeau, 11410 W. Mayers Dr., Fair Commission (3 year term expiring 4/30/22).
4. Dennis Ciche, 8128 S. 43rd St., Finance Commission (1 year term expiring 4/30/20).
5. Robert Campbell, Jr., 5416 W. Behrendt St., Finance Commission (1 year term expiring 4/30/20).
6. John Howard, 6658 W. Robinwood Ln., Finance Commission (1 year term expiring 4/30/20).
7. Madelyn Kempen, 7855 S. Scepter Dr., Apt 13, Library Board (3 year term expiring 6/30/22).
8. Terrence Berres, 8203 S. 58th St., Library Board (3 year term expiring 6/30/22).
9. Judith Williams-Killackey, 4901 W. Forest Hill Ave., Library Board (3 year term expiring 6/30/22).
10. Dr. Henry Wengelewski, 3643 W. Sharon Ln., Board of Health (2 year term expiring 4/30/21).
11. Jim Arneson, 5188 W. Harvard Dr., Architectural Review Board (3 year term expiring 4/30/22).
12. Mary Remington, 7600 S. Chapel Hill Dr., Parks Commission (3 year term expiring 4/30/22).
13. Gregory Strowig, 8128 S. 77th St., Technology Commission (3 year term expiring 4/30/22).
14. Dale Webler, 6846 W. Imperial Dr., Technology Commission (3 year term expiring 4/30/22).
15. Stephanie Flynn, 7473 Riverview Road, Environmental Commission (3 year term expiring 4/30/22).
16. Patricia Pomahac, 8111 S. Forest Hills Cir., Environmental Commission (3 year term expiring 4/30/22).
17. Robert Campbell, 5416 W. Behrendt St., Board of Zoning and Building Appeals (3 year term expiring 4/30/22).
18. Richard Budny, 9237 S. 48th St., Personnel Committee (3 year term expiring 4/30/22).
19. Frank Prusko, 8007 S. Steepleview, Personnel Committee (3 year term expiring 4/30/22).
20. Adam Burckhardt, 7541 S. 72nd St., Plan Commission (1 year term expiring 4/30/20).

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

Alderman Dandrea moved to appoint Linda Witkowski, 7935 S. 67th Street, to the Finance Commission for a 1-year term expiring 4/30/20. Seconded by Alderman Barber. On roll call, Alderman Dandrea, Alderman Mayer, Alderman Barber, and Alderman Nelson voted Aye; Alderwoman Wilhelm Abstained; and Alderman Taylor voted No. Motion carried.

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| PLEASANT VIEW<br>ESTATES DEV.<br>OUTLOT  | F.   | Alderwoman Wilhelm moved to place on file a letter from Rick Przybyla, President of Creative Homes, Inc., regarding an outlot in the Pleasant View Estates Development. Seconded by Alderman Taylor. All voted Aye; motion carried.  |
| ORD. 2019-2364<br>AMEND UDO TO<br>REZONE LAND ON<br>W. FOREST HOME<br>AVE. (ENER-CON<br>COMPANIES, INC.)     | G.1. | Alderman Nelson moved to adopt Ordinance No. 2019-2364, AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE (ZONING MAP) TO REZONE A CERTAIN PARCEL OF LAND FROM R-3 SUBURBAN/ESTATE SINGLE-FAMILY RESIDENCE DISTRICT TO M-1 LIMITED INDUSTRIAL DISTRICT, SUCH LAND BEING LOCATED GENERALLY ON THE EAST SIDE OF WEST FOREST HOME AVENUE, APPROXIMATELY 1,200 FEET NORTH OF THE INTERSECTION OF WEST FOREST HOME AVENUE AND WEST RAWSON AVENUE (SOUTH OF THE EXISTING GENERAL WAREHOUSE BUILDING) (APPROXIMATELY 4.35 ACRES) (ENER-CON COMPANIES, INC. c/o FHCC, LLC, APPLICANT). Seconded by Alderman Taylor. All voted Aye; motion carried. |
| RES. 2019-7476<br>LAND<br>COMBINATION<br>11301-11311 W.<br>FOREST HOME AVE.<br>(ENER-CON<br>COMPANIES, INC.) | G.2. | Alderman Nelson moved to adopt Resolution No. 2019-7476, A RESOLUTION CONDITIONALLY APPROVING A LAND COMBINATION FOR TAX KEY NOS. 748-9994-003, 748-9997-008, AND 748-0067-000 (11301-11311 WEST FOREST HOME AVENUE, 6858 SOUTH 112TH STREET AND GENERALLY THE EAST SIDE OF WEST FOREST HOME AVENUE, APPROXIMATELY 1,200 FEET NORTH OF THE INTERSECTION OF WEST FOREST HOME AVENUE AND WEST RAWSON AVENUE) (ENER-CON COMPANIES, INC., c/o FHCC, LLC, APPLICANT). Seconded by Alderman Mayer. All voted Aye; motion carried.  |
| RES. 2019-7477<br>CONSERVATION<br>EASEMENT<br>(G. NISENBAUM)   | G.3. | Alderman Nelson moved to adopt Resolution No. 2019-7477, A RESOLUTION AUTHORIZING CERTAIN OFFICIALS TO ACCEPT A CONSERVATION EASEMENT FOR AND AS PART OF THE REVIEW AND APPROVAL OF A SPECIAL USE AND NATURAL RESOURCE PROTECTION PLAN FOR A TWO-FAMILY RESIDENTIAL SIDE BY SIDE RANCH TOWNHOME USE WITH 1,371 SQUARE FEET OF LIVING SPACE AND   |

BASEMENT IN EACH RANCH UNIT AND A PROPOSED SHARED DRIVEWAY ENTRANCE OFF OF WEST CORTEZ CIRCLE, UPON PROPERTY ZONED R-8 MULTIPLE-FAMILY RESIDENCE DISTRICT, LOCATED AT 10504 WEST CORTEZ CIRCLE (GREGORY D. NISENBAUM, PRESIDENT OF NISENBAUM HOMES & REALTY, INC., APPLICANT), subject to technical corrections by the City Attorney. Seconded by Alderman Taylor. All voted Aye; motion carried.

FINANCIAL REPORT FOR TID 4      G.4.      Alderman Taylor moved to receive and place on file the Financial Report on Tax Incremental District 4 for Calendar 2018. Seconded by Alderman Dandrea. All voted Aye; motion carried.

PLANNING STAFF REPORT INFORMATION      G.5.      Alderman Barber moved to authorize the Planning staff to reduce the amount of background and extra information contained in staff reports while maintaining the background and extra information in the project files. Seconded by Alderman Dandrea. All voted Aye; motion carried.

SUPPLEMENTAL SERVICES FOR PLANNING AND INSP. SERVICES DEPTS.      G.6.      Alderman Taylor moved to authorize a plan for supplemental services for the Planning and Inspection Services Departments, as set for the in the Council Action Sheet subject to and contingent upon separate adoption by the Common Council of an Ordinance modifying the 2019 budget to appropriate an amount equal to the Departments' 2018 revenues in excess of budgeted revenues. Seconded by Alderman Nelson.

Alderman Barber moved to call the question, seconded by Alderman Nelson. Upon voice vote, five Ayes; Alderwoman Wilhelm voted No. Motion carried.

On the main motion to authorize a plan as stated above, all voted Aye; motion carried.

Alderwoman Wilhelm motion to receive a report back on the employees hired through the process and the financial amount that is being dedicated. Seconded by Alderman Nelson. All voted Aye; motion carried.

ORD. 2019-2365 AMEND 2019 BUDGET FOR SUPPLEMENTAL SERVICES IN PLANNING AND INSP. SERVICES DEPTS.      G.7.      Alderman Taylor moved to adopt Ordinance No. 2019-2365, AN ORDINANCE AMENDING ORDINANCE NO. 2018-2345, AN ORDINANCE ADOPTING THE 2019 ANNUAL BUDGET FOR THE GENERAL FUND FOR THE CITY OF FRANKLIN TO APPROPRIATE \$48,464 WITHIN THE PLANNING DEPARTMENT AND \$78,362 WITHIN THE INSPECTION SERVICES DEPARTMENT, REFLECTING AMOUNTS EQUAL TO EACH DEPARTMENTS' 2018 REVENUES IN EXCESS OF BUDGETED

REVENUES, TO SUPPORT IMPLEMENTATION OF A PLAN FOR SUPPLEMENTAL SERVICES FOR THOSE DEPARTMENTS. Seconded by Alderman Barber. On roll call, all voted Aye. Motion carried.

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| RES. 2019-7478<br>SAMPLE SUBD. DEV.<br>AGREEMENT                | G.8.  | Alderman Taylor moved to adopt Resolution No. 2019-7478, A RESOLUTION AUTHORIZING APPROVAL OF THE REVISION TO APPENDIX F-SAMPLE SUBDIVISION DEVELOPMENT AGREEMENT TO THE CITY OF FRANKLIN DESIGN STANDARDS AND CONSTRUCTION SPECIFICATIONS 2017. Seconded by Alderman Barber. All voted Aye; motion carried.  |
| DENY REQUEST FOR<br>STOP SIGN                                   | G.9.  | Alderman Dandrea moved to deny the request to install stop sign(s) on S. Avian Way at W. Grey Hawk Court and W. Grey Hawk Lane, and instruct staff to send a letter to Avian at Tuckaway Condominiums stating that they may/may not be liable for the uncontrolled intersection on private roads. Seconded by Alderman Taylor. All voted Aye; motion carried. |
| RES. 2019-7479<br>STREET IMPR.<br>PROGRAM<br>CONTRACT           | G.10. | Alderman Taylor moved to adopt Resolution No. 2019-7479, A RESOLUTION AWARDING CONTRACT TO THE LOW BIDDER, STARK PAVEMENT CORPORATION, IN THE AMOUNT OF \$975,000 FOR THE 2019 LOCAL STREET IMPROVEMENT PROGRAM. Seconded by Alderwoman Wilhelm. All voted Aye; motion carried.   |
| S. LEGEND DR.<br>CLOSURE FOR<br>OUTDOOR MOVIE                   | G.11. | Alderman Mayer moved to approve the street closures on S. Legend Drive between Schlueter Parkway and the City Hall back parking lot on Friday, June 14, 2019, from 6:00 p.m. until 11:00 p.m. in conjunction with the City of Franklin sponsored Franklin Family Fun Flick Outdoor Movie. Seconded by Alderman Barber. All voted Aye; motion carried.         |
| RES. 2019-7480<br>AMENDING INV.<br>POLICY STATEMENT<br>FOR OPEB | G.12. | Alderman Taylor moved to adopt Resolution No. 2019-7480, A RESOLUTION AMENDING THE INVESTMENT POLICY STATEMENT FOR THE CITY OF FRANKLIN POST EMPLOYMENT BENEFITS TRUST. Seconded by Alderman Dandrea. All voted Aye; motion carried.  |
| FEB. FINANCIAL<br>REPORT  | G.13. | Alderman Taylor moved to receive and place on file the February 2019 Month Financial Report. Seconded by Alderman Barber. All voted Aye; motion carried.  |

WIRELESS  
MICROPHONE  
STRATEGY

- G.14. Alderman Barber moved to authorize the Director of Administration to proceed with obtaining pricing for a wireless microphone strategy for the replacement of the Common Council Chamber sound system. Seconded by Alderman Dandrea. All voted Aye; motion carried.

LICENSES AND  
PERMITS

- H.1. Alderwoman Wilhelm moved to approve the following:  
Grant Operator License to Danielle E. Zielinski, 9880 S. Glenmoor Ct., Oak Creek;  
Grant Operator Licenses to Pamela Brys, 1720 W. Meyer Ln. #6104, Oak Creek; Shane R. Jaskie, 7811 W. Winston Way, Franklin.  
Hold Operator license applications for appearance for Grace Ann L Cole, 10863 S. 60<sup>th</sup> St., Franklin.  
Deny Operator License application for Angelica M. Davis, 826 Blake Ave., South Milwaukee, based upon habitual criminality record substantially related to the license activity, contrary to Wis. Stat. §125.04.  
Grant 2019-20 Daycare licenses, subject to payment & compliance with City Ordinance and approval of inspections, to Academy of Preschool Learning, Inc., Manager Nadeen Balsis, 9501 W. Drexel Ave.; Mrs. Rikki's Structured Daycare, Manager, Rochelle S. Boyce, 11224 W. Forest Home Ave.  
Grant Mobile Home license to Badger MHP, LLC, Manager Jason Janda, 6405 S 27<sup>th</sup> St.; and hold Mobile Home license pending report on inspections for Franklin Mobile, LLC, Manager David Steinberger, 6361 S 27<sup>th</sup> St.  
Seconded by Alderman Nelson. All voted Aye; motion carried.

VOUCHERS AND  
PAYROLL

- I.1. Alderman Dandrea moved to approve the following: City vouchers with an ending date of April 1, 2019 in the amount of \$2,411,725.15; and payroll dated March 29, 2019 in the amount of \$403,214.66 and payments of the various payroll deductions in the amount of \$396,726.22 plus City matching payments; and estimated payroll dated April 12, 2019 in the amount of \$393,000.00 and payments of the various payroll deductions in the amount of \$222,000.00 plus City matching payments; and property tax refunds and investments with an ending date of March 28, 2019 in the amount of \$5,000,210.88. Seconded by Alderman Mayer. On roll call, all voted Aye. Motion carried.

ADJOURNMENT

- J. Alderman Taylor moved to adjourn the meeting at 8:20 p.m. Seconded by Alderman Nelson. All voted Aye; motion carried.

<b>APPROVAL</b>  <i>Slw</i>	<b>REQUEST FOR COUNCIL ACTION</b>	<b>MEETING DATE</b>  <b>04/16/19</b>
<b>ORGANIZATIONAL BUSINESS</b>	<b>Boards and Commissions Appointments</b>	<b>ITEM NUMBER</b>  <i>E.</i>
<p>1. Election of Council President.</p> <p>The Mayor has made the following appointments for Council confirmation:</p> <p>2. Gene Ninnemann as Weed Commissioner at a weed cutting fee of \$90 per hour for the calendar year 2019.</p> <p>3. Francesco Mineo, 8715 W. Meadow Ln., Ald. Dist. 2 – Fire and Police Commission (5 year term expiring 4/30/24).</p> <p>4. Andrew Ruffing, 4728 West Sharon Lane, Ald. Dist. 5 – Quarry Monitoring Committee (3 year term expiring 5/31/22).</p> <p>The Mayor has made the following aldermanic appointments for Council confirmation:</p> <p><u>Finance Committee</u></p> <p>5. Alderwoman Kristen Wilhelm, 1 year term expiring 4/21/20.</p> <p>6. Alderman Mark Dandrea, 1 year term expiring 4/21/20.</p> <p>7. Alderman John Nelson, 1 year term expiring 4/21/20.</p> <p><u>Parks Commission</u></p> <p>8. Alderman John Nelson, 1 year term expiring 4/21/20.</p> <p><u>Plan Commission</u></p> <p>9. Alderman Mark Dandrea, 1 year term expiring 4/21/20.</p> <p><u>Environmental Commission</u></p> <p>10. Alderman Daniel Mayer, 1 year term expiring 4/21/20.</p> <p><u>License Committee</u></p> <p>11. Alderwoman Kristen Wilhelm, 1 year term expiring 4/21/20.</p> <p>12. Alderman Steve Taylor, 1 year term expiring 4/21/20.</p> <p>13. Alderman John Nelson, 1 year term expiring 4/21/20.</p> <p><u>Quarry Monitoring Committee</u></p> <p>14. Alderwoman Kristen Wilhelm, 2 year term expiring 6/30/21.</p> <p>15. Alderman Mike Barber, 2 year term expiring 6/30/21.</p> <p><u>Fair Commission:</u></p> <p>16. Alderman Daniel Mayer, 3 year term expiring 4/19/22.</p> <p><u>Board of Health:</u></p> <p>17. Alderman Mike Barber, 3 year term expiring 4/19/22.</p>		

Personnel Committee:

18. Alderman Mark Dandrea, 3 year term expiring 4/19/22.
19. Alderman Daniel Mayer, 3 year term expiring 4/19/22.
20. Alderman Mike Barber, 3 year term expiring 4/19/22.

Technology Committee:

21. Alderman Daniel Mayer, 3 year term expiring 4/19/22.

Community Development Authority:

22. Alderman Mark Dandrea, 3 year term expiring 4/19/22.

Economic Development Commission:

23. Alderman Mike Barber, 3 year term expiring 4/19/22.

NOTE: Pursuant to the Franklin Municipal Code, aldermanic appointments to various boards and commissions require the aldermen to serve during their tenure in office. Therefore, the existing aldermanic appointments remain in effect and require no action at this time:

Library Board:

Alderwoman Kristen Wilhelm, 3 year term expiring 4/21/20.

Civic Celebrations Committee:

Alderman Steve Taylor, 2 year term expiring 4/21/20.

Fair Commission:

Alderman John Nelson, 3 year term expiring 4/21/20.

Board of Public Works:

Alderman Steve Taylor, 3 year term expiring 4/21/20.

## **COUNCIL ACTION REQUESTED**

Motion to confirm the following Mayoral appointments:

1. Election of Council President.

The Mayor has made the following appointments for Council confirmation:

2. Gene Ninnemann as Weed Commissioner at a weed cutting fee of \$90 per hour for the calendar year 2019.
3. Francesco Mineo, 8715 W. Meadow Ln., Ald. Dist. 2 – Fire and Police Commission (5 year term expiring 4/30/24).
4. Andrew Ruffing, 4728 West Sharon Lane, Ald. Dist. 5 – Quarry Monitoring Committee (3 year term expiring 5/31/22).

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

Finance Committee

5. Alderwoman Kristen Wilhelm, 1 year term expiring 4/21/20.
6. Alderman Mark Dandrea, 1 year term expiring 4/21/20.

7. Alderman John Nelson, 1 year term expiring 4/21/20.

Parks Commission

8. Alderman John Nelson, 1 year term expiring 4/21/20.

Plan Commission

9. Alderman Mark Dandrea, 1 year term expiring 4/21/20.

Environmental Commission

10. Alderman Daniel Mayer, 1 year term expiring 4/21/20.

License Committee

11. Alderwoman Kristen Wilhelm, 1 year term expiring 4/21/20.
12. Alderman Steve Taylor, 1 year term expiring 4/21/20.
13. Alderman John Nelson, 1 year term expiring 4/21/20.

Quarry Monitoring Committee

14. Alderwoman Kristen Wilhelm, 2 year term expiring 6/30/21.
15. Alderman Mike Barber, 2 year term expiring 6/30/21.

Fair Commission:

16. Alderman Daniel Mayer, 3 year term expiring 4/19/22.

Board of Health:

17. Alderman Mike Barber, 3 year term expiring 4/19/22.

Personnel Committee:

18. Alderman Mark Dandrea, 3 year term expiring 4/19/22.
19. Alderman Daniel Mayer, 3 year term expiring 4/19/22.
20. Alderman Mike Barber, 3 year term expiring 4/19/22.

Technology Committee:

21. Alderman Daniel Mayer, 3 year term expiring 4/19/22.

Community Development Authority:

22. Alderman Mark Dandrea, 3 year term expiring 4/19/22.

Economic Development Commission:

23. Alderman Mike Barber, 3 year term expiring 4/19/22.

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**PAYNE & DOLAN**  
INCORPORATED  
A WALBEC GROUP COMPANY

April 7, 2019

Mayor Steve Olson  
City of Franklin  
9229 W. Loomis Road  
Franklin, WI 53132

**Subject: Letter dated December 16, 2018**

Dear Mayor Olson:

Thank you for your letter of December 16, 2018 regarding neighbor's concerns about our Franklin Aggregates Quarry. We have had the opportunity to review and consider the items that were raised in your letter and would like to address them as follows.

Item #1 – We cannot commit to not blasting on overcast days. As part of our blasting program at the Franklin Aggregates site, we are constantly evaluating weather conditions and we try not to schedule blasts on days that have a heavy overcast with a very low ceiling, rain, or other severe weather conditions. There have been days that we have had a blast scheduled and canceled due to the aforementioned weather conditions.

Item #2 – It is difficult to provide a long term schedule for blasting. Our blasting schedule is very dynamic and changes on a weekly and often daily basis due to customer demands, production issues or weather. The notification process that has worked at other sites we operate is to provide a pre-blast notification to neighbors on the day of the blast. This process entails sending either a text or e-mail to interested neighbors the morning of the day of the blast informing them that there will be a blast that day.

We plan on starting such a pre-blast notification for the Franklin Aggregates site. To start the process, letters will be sent to neighbors within 1,000 feet of the PDD boundaries outlining the pre-blast notification process, asking if they would like to be on the pre-blast notification list, and requesting their contact information. We will begin the pre-blast notifications once we have received neighbors contact information. Other neighbors who are not in the letter area will be added to the pre-blast notification list upon request.

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*An Equal Opportunity Employer • [www.payneanddolan.com](http://www.payneanddolan.com)*

PO Box 781 • N3W23650 Badinger Rd • Waukesha, WI 53187-0781 • 262.524.1700



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**PAYNE & DOLAN**  
INCORPORATED  
A WALBEC GROUP COMPANY

Item #3 – We will continue to review complaints received by the City and follow through with neighbors accordingly. At our request, the City has changed the process by which the complaints received by the City are forwarded to us. In the past, complaints received by the City were faxed to the scale office at the Franklin Aggregates site. The scale person then had to forward the complaint internally to the quarry manager and blasting manager and depending on the activity at the quarry that day, there could be a delay in forwarding this information resulting in a delayed response to the complaint. These complaints are now e-mailed directly to Dave Klein (quarry manager), Derek Novotny (blasting manager) and me. This change in process should facilitate a quicker response from us to neighbors when there is a complaint.

Item #4 & #5 – The drilling and blasting program is continuously customized and specifically designed for the Franklin Aggregates site utilizing modern and state of the art techniques and products. Each blast is designed for then current site conditions and takes into account such things as the geology of the rock, location of the blast, height of the bench and weather conditions. We also use electronic detonation systems, which allow for more precise timing of each hole within the blast.

Item #6 – The map of the Franklin Aggregates site has been completed and delivered to the city staff. The map contains the most recent aerial orthophotograph overlain with our property boundaries, the PDDs #23 and #24 and the extraction setbacks as requested. A copy is enclosed.

Item #7 & #8 – We worked with the QMC to help locate the permanent seismographs the quarry monitoring consultant is installing for this years blast monitoring. The purpose of these seismographs is to verify our blast results as monitored by Vibratex. Vibratex is an independent third party vendor that specializes in blasting and vibration monitoring.

In addition, we will continue to work with the Quarry Monitoring Committee to address the concerns that neighbors or the City may have. As an example, at the February QMC meeting, we had the opportunity to have a representative from Vibratex make a presentation to the QMC and neighbors on blasting, vibrations and the effects of blasting on buildings. Vibratex provided valuable information in understanding blasting and answered questions from the QMC and neighbors who were in attendance at the meeting.



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**PAYNE & DOLAN**  
INCORPORATED  
A WALBEC GROUP COMPANY

We appreciate the opportunity to work in the City of Franklin. If you have any questions and/or need additional information, please do not hesitate to contact me at the office (262) 524-1258.

Sincerely,

**Payne & Dolan, Inc.**

Clint Weninger, P.G.  
Land Resources Manager

Enclosure



December 16, 2018

Mr. Clint Weninger  
Payne and Dolan  
N3W23650 Badinger Rd,  
Waukesha, WI 53188

Re: Quarry Neighbor Complaints

Dear Mr. Weninger:

I know that you're well aware of the concerns raised by some of your neighbors after the October 1 blast (attached). Considering the list, it's apparent to me that many of their concerns may be alleviated by working together on additional communications with the surrounding areas and some changes in operations.

I understand that the science of geology and mining operations are complex. None of us will ever get to the level of understanding that you and your staff possess but additional information for the neighbors and some modification of your procedures may help reduce impacts on the neighbors.

I propose the following as a beginning solution to some of the issues raised:

1. P&D commit to not blasting on overcast days or other weather conditions where the air blast would not be dissipated into the atmosphere. We'll need a measurable standard.
2. P&D publish an anticipated blast schedule with day, time, depth and general location on P&D's website and provide the information for the city to publish on its' website. We'll need to work out the timing and frequency of these notifications.
3. The city through its' contracted monitoring agency and/or city staff will track any complaints against this schedule and provide the data to P&D for evaluation of the method of blasts. Prior to implementation, the city shall establish an average baseline of number of complaints received prior to 11/1/18 for the last two years as a benchmark of performance. This information will also be a part of the City's Quarry Monitoring Committee (QMC) packet of information for their regular meetings.
4. The QMC will review with P&D's representatives the monitoring and blast data and discuss possible changes to operations/schedules. Review will be done in good faith by both parties.
5. P&D will review its' own procedures and technology for executing blasts and adjust as feasible to minimize neighbor impact based on depth, weather conditions and proximity to residences. Any changes will be presented to the QMC and city staff for their information.
6. P&D will provide city staff and the QMC a current site map indicating the PDD extraction limits and current extraction positions with measurements.
7. The City will have its seismograph repaired and calibrated by its independent consultant
8. The City will investigate data storage capabilities of the current seismograph to permit extended continual monitoring. The City will take advantage of any additional capability and recover the recorded data.

As you may know, a group of neighbors has asked the city a number of questions and city staff is preparing the answers to these questions. Some deal directly with P&D's operations and planning. I'm attaching the questions to this letter. Please review and add your responses to these questions.

Some or all of any agreement that we come up with may be subject to approval by the Common Council.

P&D has had a good working relationship with the City for decades. I look forward for that working relationship to continue. Working together I believe that we can answer the residents' concerns and balance their needs and the operations of the quarry.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Olson", written in a cursive style.

Steve Olson  
Mayor

Encl.: Citizen letter of 11/29/18

Cc: Ald. Barber  
Ald. Wilhelm  
Common Council  
Jesse Wesolowski  
Joel Dietl

**Franklin Quarry Monitoring Committee Meeting  
November 29, 2018**

**Questions and Comments from Root River Heights Residents**  
Submitted for the record

Shaken (literally) by a particularly strong Payne & Dolan quarry blast that occurred at about 3:30pm October 1, 2018, we, the residents of Root River Heights, District 5 have compiled questions and comments for the City of Franklin Quarry Monitoring Committee (QMC) regarding its oversight of PDDs 23 and 24, the City's contract with Stantec, and a request for information about Payne & Dolan's operations.

We ask that our questions be answered in writing by February 1, 2019, before the next blast season commences.

Michael Wegerbauer  
8108 S. 58th St.  
[mswegerbauer@gmail.com](mailto:mswegerbauer@gmail.com)

Bruce Demitros  
6024 W. Alwood Drive  
[bdemitros@aol.com](mailto:bdemitros@aol.com)

Brian Wettläufer  
7955 S. 55th St.  
[bwettlauffer@wi.rr.com](mailto:bwettlauffer@wi.rr.com)

Jill Erickson & Jerry Fredrickson  
8016 S. 60th St.  
[jill@jlerickson.com](mailto:jill@jlerickson.com)      [bikehead5@yahoo.com](mailto:bikehead5@yahoo.com)

**General Questions**

Are there any other functioning stone quarries in the state of Wisconsin that are located as close to residential areas as the Franklin quarry is to Districts 3 and 5? If so, where are they? How big are they?

How did the City of Franklin arrive at the quarry's blasting/decibel/air quality/water quality limits as set forth in PDDs 23 and 24, given that the quarry abuts residential subdivisions?

How much tax revenue does the Quarry provide the City annually? How much does the City receive from the Quarry in Licensing fees?

### **Quarry Monitoring Committee**

How do the Mayor and Alderpersons appoint QMC members?

Does anyone serving on the QMC work for the Quarry, its parent company, subsidiaries or contractors?

Have any elected City of Franklin officials received campaign contributions from:

Payne & Dolan?

P&D's parent company?

Companies or individuals doing business with P&D, its parent company or subsidiaries?

It is difficult to access information about the quarry on the City's website — PDDs 23 and 24 are password protected, and there is no specific information about the contract with Stantec.

An informational brochure about the Quarry's operations and monitoring is essential for residents in Districts 3 and 5. An annual insert in the City of Franklin Newsletter would inform new home owners in these subdivisions adjacent to the Quarry. According to QMC Meeting Minutes dating back to January, 2018, an informational pamphlet has been discussed.

When can we expect this informational pamphlet to be published?

Will the pamphlet be posted on the City's website?

Holding QMC meetings in the evening makes it easier for residents to attend and make comments/ask questions.

What financial contributions have Payne & Dolan made to the City of Franklin in the past 10 years?

### **Stantec Contract with City for Quarry Monitoring**

What was the date of the Notice to Proceed for the 2018 Stantec Contract?

What is the total cost for Stantec's monitoring services annually?

Does Payne & Dolan reimburse the City for the full fee that the City pays to Stantec for annual monitoring?

### **Scope of Services: Stantec 2018**

Does Stantec receive a blasting schedule from Payne & Dolan?

Does Payne & Dolan receive a schedule of when Stantec is monitoring the quarry? If so, who contacts Payne & Dolan with that information? Is that a conflict of interest issue?

Please specify the scope of services in the Stantec contract:

- What seismograph equipment is used to monitor blast vibration?
- How often is the equipment calibrated?
- Where is/are the seismograph(s) located?

Is the location of the Stantec seismograph based on the provision in PDD 23 (Page 27):

#### **" T. Limits on Blasting**

1.

Ground vibration resulting from Operator's blasting shall not exceed 0.30 inches per second on at least 85% of its blasts within any single calendar year, measured at the residence or inhabited structure closest to the site of the blast which is not owned or controlled by the

Operator. Notwithstanding any other provision in this subsection, the Operator shall not exceed the ground vibration limitation imposed by the Wisconsin Department of Industry, Labor and Human Relations in Figure 7.64 of ch. ILHR 7, Wis. Adm. Code, or 0.65 inches per second, whichever is more restrictive, on any blast."

Where is the Stantec seismograph located in relation to the Payne & Dolan seismograph(s)?

Does the Stantec equipment register data during the entire span of time that blasting occurs in a calendar year?

How often is data gathered and submitted to the City?

Please outline the blast complaint evaluation process:

- Why does it cost \$225 to evaluate each complaint?
- What is the protocol if a blast complaint event occurs when Stantec is not monitoring?
- Why are blast complaint evaluation summaries provided to the City only with the Year-End report?

#### **October 1, 2018 3:30 pm Blast Event**

How do we know that the Stantec reading of this blast event is accurate?

The QMC Meeting Minutes from January, 2018 include discussion on whether to relocate the City's seismic monitor away from the City's pump station on 51st Street because it appeared to be registering false readings when the pump turned on. The relocation was again discussed at the March 2018 QMC meeting.

Has this seismograph placed near the pump station been relocated? If not, why not?

The City of Franklin website states that the Oct. 1, 2018 blast was only 17% of the permitted blasting limit. Those of us who experienced this "quake" find it deeply concerning that the event could have been nearly six times stronger and still been within the permitted limit!

Residents registered complaints with the City about the Oct. 1 blast. Were all citizens who requested a follow up conversation about the event contacted by the City Planning Manager?

What is the protocol on returning residents' calls?

#### **PDDs 23 and 24**

Does the following excerpt mean that the Operator may exceed blasting/air quality/decibel limits up to 5 times a calendar year?

##### **PDD 23 (Pages 16-17)**

Excerpt:

"Failure to comply with the provisions of this Ordinance shall subject the Operator to the penalty provisions of Section 18 of the City Zoning Ordinance. In addition, in the event the Operator: (a) repeatedly and flagrantly fails to comply with any provision of this Ordinance, (b) repeatedly fails to comply

with any material provision of this Ordinance, or (c) fails to comply with any provision of this Ordinance in a manner which materially and adversely affects the public health or safety, the City may serve written notice upon the Operator describing such violation or pattern of violations in detail and requiring that such violation(s) be abated and compliance be had within 30 days from the date of such notice, or within such longer period of time as may be reasonably required under the circumstances to correct such violation(s), provided that the Operator shall have promptly taken such steps as are reasonably possible to remedy such violation upon receipt of written notice. **As used herein, "repeatedly" shall mean five (5) violations of any specific provision of this Ordinance within any calendar year."**

How are "repeated" violations considered in the context of the Operator being permitted to exceed blast limits 15% of the time (vibration upper limit of 0.65 per second), and exceed decibel limits 15% of the time (upper limit of 133 decibels)? **PDD 23 (Page 27)**

Has Payne & Dolan or any other Operator of the Franklin quarry exceeded blasting, air quality, water quality, or decibel limits? If yes, please provide details of the event(s). If yes, was the Operator fined?

How is water quality measured and monitored?

How is air quality measured and monitored?

How are decibel data measured and monitored?

Where does the Operator locate seismographs to measure blast vibration?

How does wind and weather affect blasting events?

How often is seismic data recorded by the Operator?

How often does the Operator provide its monitoring data to the Franklin Fire Department and the City of Franklin?

Does the public have access to quarry monitoring data? If yes, where? Could this be posted on the City website?

How is the City's infrastructure — roads, utilities affected by the Quarry operations?

Does the Quarry plan to increase asphalt production in the future?

Are there other operations the Quarry is looking to add or expand in the future?

**PDD 23 (Exhibits 10 and 11)**

How does the Property Value Guarantee Agreement affect current home owners in Districts 3 and 5?

Does the Agreement protect home owners if their houses incur foundation damage due to seismic vibration?

**When the Quarry is Mined Out**

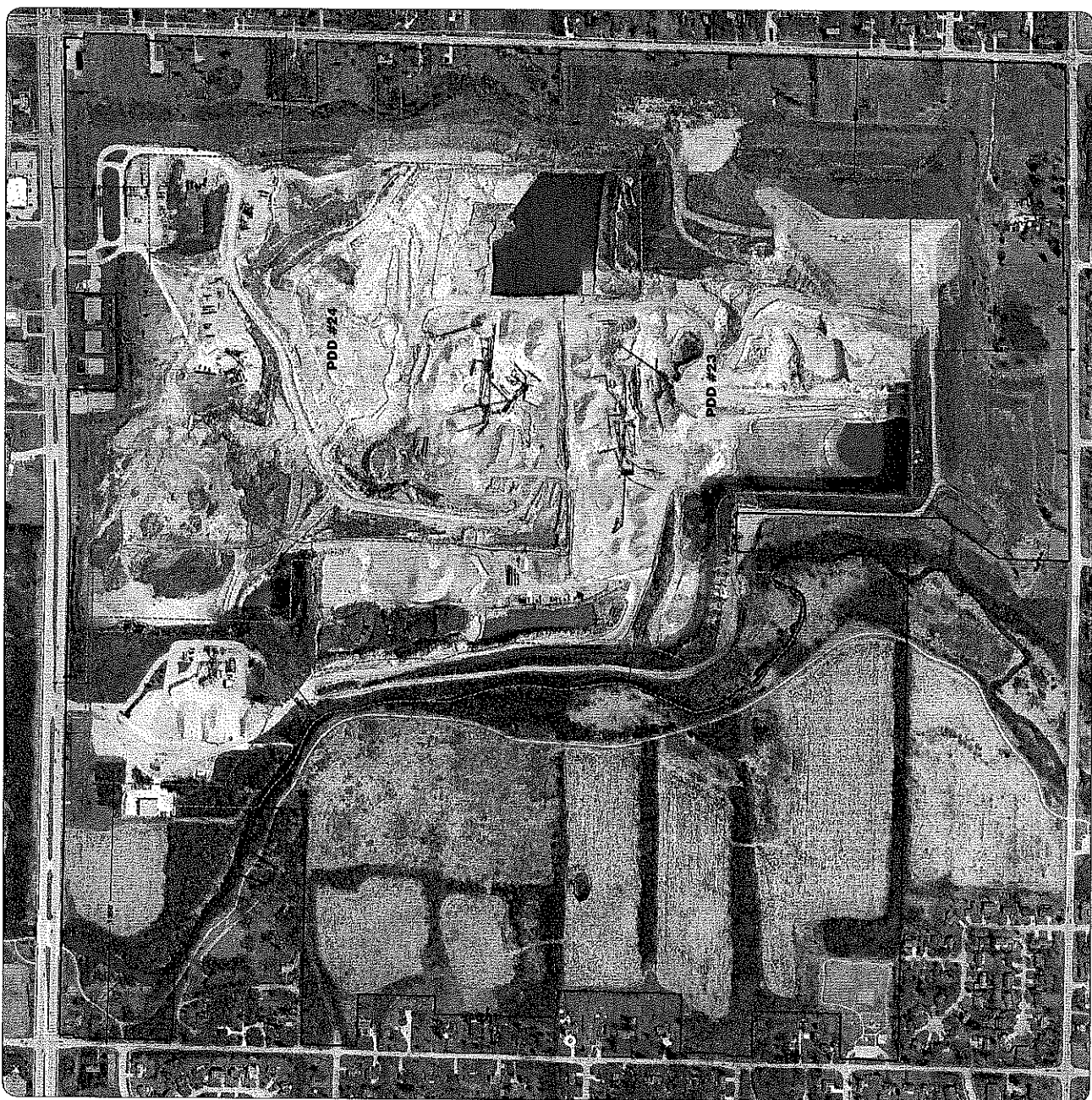
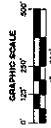
What is the projected life of the Quarry?

Will the public be provided with a draft of a reclamation plan before it is finalized?

How will the public be notified of a Public Hearing to present the draft of the reclamation plan before it is finalized?

(PDD 23 page 23)

“5. Upon approval by the Common Council, following public hearing and recommendation by the Plan Commission, the detailed reclamation plan shall become part of this Ordinance by reference.”



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<b>APPROVAL</b> <i>Slw</i>	<b>REQUEST FOR COUNCIL ACTION</b>	<b>MEETING DATE</b> <i>4/16/2019</i>
<b>REPORTS AND RECOMMENDATIONS</b>	<b>Donation from Ms. Madeline Barefoot to the Franklin Fire Department in Memory of Franklin Resident Donald Lee Norman in the Amount of \$50.00</b>	<b>ITEM NUMBER</b> <i>G. 1. (a)</i>

The Franklin Fire Department has received a donation of \$50 from Ms. Madeline Barefoot of Whitter, California in memory of Franklin resident Donald Lee Norman. .

The Fire Department relies on donations to help fund fire and safety educational programs in the community.

### **COUNCIL ACTION REQUESTED**

Request approval to accept \$50.00 donation from Ms. Madeline Barefoot in memory of Mr. Donald Lee Norman..

<b>APPROVAL</b> <i>Slw</i>	<b>REQUEST FOR COUNCIL ACTION</b>	<b>MEETING DATE</b> <i>4/16/2019</i>
<b>REPORTS AND RECOMMENDATIONS</b>	<b>Donation from Ms. Lori Keck to the Franklin Fire Department in Memory of Franklin Resident Donald Norman in the amount of \$50.00</b>	<b>ITEM NUMBER</b> <i>G.I. (b)</i>

The Franklin Fire Department has received a donation of \$50 from Ms. Lori Keck of Pewaukee in memory of Franklin resident Donald Lee Norman. .

The Fire Department relies on donations to help fund fire and safety educational programs in the community.

### COUNCIL ACTION REQUESTED

Request approval to accept \$50.00 donation from Ms. Lori Keck in memory of Franklin resident Donald Norman.

Fire/AJR

APPROVAL	REQUEST FOR COUNCIL ACTION	MEETING DATE 4/16/2019
REPORTS & RECOMMENDATIONS	FRANKLIN POLICE DEPARTMENT DONATIONS	ITEM NUMBER G.I.(C)
<p>The Franklin Police Department received the following donation to be earmarked for the purchase of Flashing Safety Lights that will be distributed at the 2019 Annual Bicycle Rodeo being held on June 8<sup>th</sup>.</p> <p><u>General Police Donation</u> Summit Credit Union - \$500.00</p> <p><b>COUNCIL ACTION REQUESTED</b></p> <p>Respectfully request that the above donation be approved for deposit into the Police Donation account.</p>		

APPROVAL <i>Slw</i>	REQUEST FOR COUNCIL ACTION	MTG. DATE April 16, 2019
Reports & Recommendations	REQUEST TO AFFIRM FRANKLIN'S PARTICIPATION IN STATE CONTRACT FOR PURCHASE OF 1,500 TONS OF SALT	ITEM NO. <i>G. I. (d)</i>

### **BACKGROUND**

Each year the State of Wisconsin reports the tonnage of salt that each community wants to have included in the State contract. In addition to the State contract amount, an additional 20 percent can be placed in reserve, which is optional for the City to purchase. In addition, Franklin estimates salt usage and budgets the purchase in annual budgets.

### **ANALYSIS**

Staff received a notice to submit amount of salt purchase on Friday April 5, 2019, and the form was due on Friday, April 12, 2019. This time frame did not allow Staff to advise the Common Council on the purchase and Staff submitted the form in harmony with Franklin's past strategy for ordering salt.

Last year contacts at the DOT and sales representative from the supplier provided Staff with the anticipation that last year's bid price (\$68.48) would be higher than the previous year (\$58.59). This next year, we anticipate that the prices will be even higher as one primary salt mine is flooded, and another primary salt mine has a labor strike.

In the past, the City has seen benefits of planning to have available twice the forecasted amount of salt for each season. For severe winters- like 2014, many communities could not obtain salt or had to pay excessive prices to get salt. Franklin had an adequate supply of salt on hand, used "normal price salt", and saved a significant amount. History indicates that DPW has needed an average of 1,700 to 2,000 tons for a "normal season". Considering the amount and type of streets being added to the system with the increased use of brine solution, Staff is increasing the average need to 2,100 tons. Two times a normal season is approximately 4,200 tons.

It appears that Franklin will finish this season with 2,500 tons. Anticipating a major increase in cost for this next year, Staff has ordered the full allotment of our requested reserve from last year of 200 tons ( $200 \times \$68.48 = \$13,696$ ). Staff placed an order for 1,500 tons for the 2019-2020 season as calculated:

4,200 tons needed  
 (2,500) tons on hand at the end of this season  
 ( 200) tons to add through last year's reserve request  
 1,500 tons to order for next season

In case it is needed, Staff reserved the full 20% reserve of 300 tons. Note that we do not have to purchase this reserve amount but it is available for the bid amount if needed.

DPW has now placed into service the new salt storage dome and with the older salt barn, has a total capacity of 7,300 tons. DPW no longer needs to store salt outside covered with tarps and will soon modify the old salt barn to accommodate the brine making equipment and store modified salt- thus freeing up space inside the DPW maintenance facility.

### **OPTIONS**

As past practice, it is important to order the salt with the State contract as our best prices are with the State contract.

**FISCAL NOTES**

The 2019 budget includes a salt de-icing fund of \$151,000. \$13,000 was used to purchase 200 tons from last year's reserve bid. This leaves a balance of \$138,000.

It is anticipated that the state bid cost will be approximately \$75/ton. At 1,500 tons, the cost for the base bid would be \$112,500. This leaves a balance of 25,500 for geo-melt product and other deicing products/equipment.

**RECOMMENDATION**

Motion to affirm Franklin's participation in State contract for purchase of 1,500 tons of salt.

Engineering Department: GEM

<b>APPROVAL</b> <i>Slw</i>	<b>REQUEST FOR COUNCIL ACTION</b>	<b>MEETING DATE</b> <b>04-16-2019</b>
<b>Reports and Recommendations</b>	<b>Temporary Street Closure Request in conjunction with the June 8, 2019 Franklin Bike Rodeo</b>	<b>ITEM NUMBER</b> <i>G.1.(e)</i>

The City of Franklin Health Department with community partners is hosting the 11<sup>th</sup> annual Franklin Bike Rodeo at city hall on Saturday, June 8, 2019. On average 140 children and their parents attend the event. The Bike Rodeo will be staged from the lower level of city hall and the actual bike safety course will extend onto S. Legend Drive and Schlueter Parkway. For safety purposes, the Franklin Police Department and Department of Public Works have recommended street closures of both streets during the event from 6:00 am to 3:00 pm. The Franklin Fire Department concurs with this recommendation. The condominium complex behind city hall has been notified about the street closure request and continues to be supportive of this community event. The street closure application has been submitted to the city clerk.

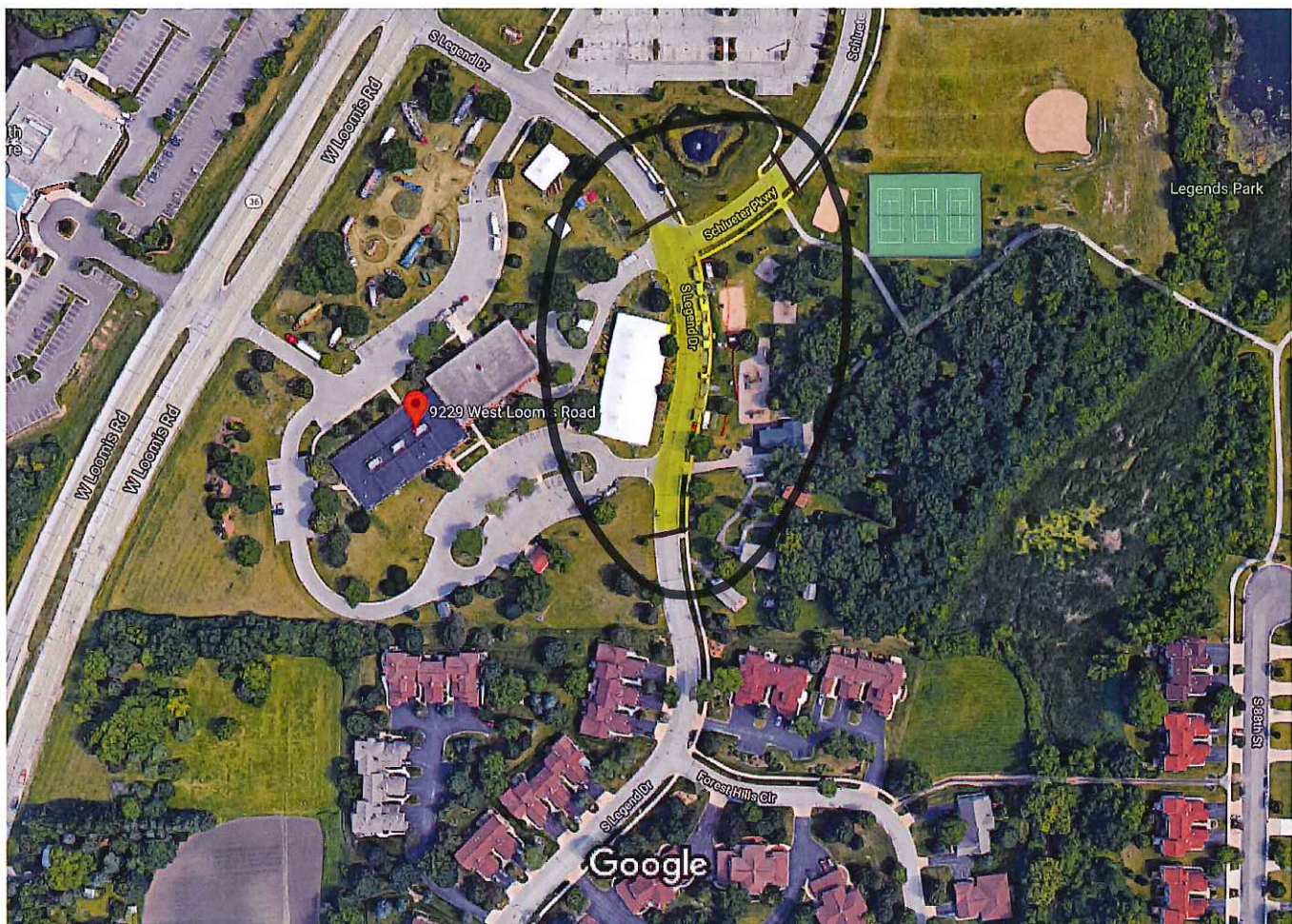
**COUNCIL ACTION REQUESTED**

The Director of Health and Human Services requests a motion to approve the street closures on S. Legend Dr. and Schlueter Pkwy on Saturday, June 8, 2019 from 6:00 am to 3:00 pm in conjunction with the City of Franklin Health Department sponsored Bike Rodeo.



9229 W Loomis Rd

Bike Rodeo Map



Imagery ©2019 Google, Map data ©2019 Google 100 ft



**City of Franklin**

OFFICE OF THE CITY CLERK

Health Department

OFFICE OF THE CITY CLERK

[clerksdept@franklinwi.gov](mailto:clerksdept@franklinwi.gov)

9229 W. LOOMIS RD.

FRANKLIN WI 53132

414-425-7500

**Name:** Courtney Day, Director of Health & Human Services

**Address:** 9229 W. Loomis Road

Franklin, WI 53132

**Phone:** 414-427-7530 (Direct)

**Name of person or association applicant represents:**

City of Franklin Health Department

**Address:** 9229 W. Loomis Road

Franklin, WI 53132

**Phone:** 414-425-9101

**Nature and purpose of the obstruction or street closing:** On Saturday, June 8, 2019 the Franklin Health Department will host our annual Bike Rodeo for local children ages 6-11 behind City Hall. The bicycle safety course will be designed on Legend Drive. Street closures are essential for participant safety.

**Description of all parts of the road, street or highway is proposed to be obstructed or closed:**

Portions of S. Legend Drive and Schlueter Parkway will be closed during the event. Barricade locations are proposed: at or near 8501 Legend Drive by the Forest Hill Condominium, at the library entrance on Legend Drive, and at the library entrance on Schlueter Parkway. Access to the public library and city hall from Legend Drive and Loomis Road will not be impeded.

**Date and time of obstruction or closing:** Road closure is recommended from 6:00 am to 3:00 pm on Saturday, June 8, 2019.

**Estimated number of people proposed to attend:** Approximately 150 children accompanied by at least one parent.

**Cleanup plan:** Clean-up will be done immediately after the event is concluded. Little waste or refuse will likely occur.

**Provisions to allow ingress and egress of people or businesses denied access during the event:**

Residents and participants will have full access to city hall and the public library parking lots. The fire department is aware of this event and can accommodate requests for service.

**Permission received from additional jurisdiction:** The Franklin Police and Fire Departments have reviewed the plans for the event and have no objections. The Department of Public Works has been notified and will provide all necessary barricades for the event.

**Date:** March 29, 2019

Subscribed and sworn to before me  
this \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_  
Courtney Day  
**Applicant**

\_\_\_\_\_  
Notary public, \_\_\_\_\_ Co., Wisconsin  
My Commission \_\_\_\_\_

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APPROVAL <i>Slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE April 16, 2019
REPORTS & RECOMMENDATIONS	Project Updates for Ballpark Commons	ITEM NUMBER <i>6.2.</i>

Representatives from Ballpark Commons will present an update on the development.

**COUNCIL ACTION REQUESTED**

No action requested. This presentation is only for providing updates on the Ballpark Commons project.

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APPROVAL <i>Slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 04/16/2019
REPORTS & RECOMMENDATIONS	Presentation of the feasibility analyses for Tax Incremental District No. 5 Planned Development District No. 37 (The Rock Sports Complex/Ballpark Commons) for Amendment of Existing Tax Incremental District No. 5 and Creation of new Tax Incremental District Overlay within Tax Incremental District No. 5	ITEM NUMBER <i>G. 3.</i>

On December 4, 2018, Council approved a contract with Ehlers, Inc. to conduct additional pro forma review and financial analysis of potential changes to Tax Increment District No. 5 a district associated with the Ballpark Commons development based on two requests from the developer:

- Amend boundary to incorporate newly purchased property located on the SE corner of Rawson and Loomis into Tax Increment District No. 5, and
- Increase tax increment funding by \$5.2M to cover public infrastructure cost overruns.

On February 5, 2019, Council approved an additional contract with Ehlers, Inc. to conduct additional pro forma review and financial analysis of a potential request for tax increment financing assistance from Mandel Group for a proposed apartment project within the boundary of Tax Increment District No. 5.

Phase One of both contracts is completed and Ehlers will present the financial analyses and answer questions from the Common Council.

Should Council elect to approve either or both contracts for Phase Two, which is Project Plan Development and Approval, then the next Council action will be to consider resolution(s) amending Tax Increment District No. 5 and creating a new Tax Increment Overlay no sooner than May 23<sup>rd</sup>, 2019.


#### COUNCIL ACTION REQUESTED

Approve both contracts for Phase Two, Project Plan Development and Approval.

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Approval <i>Slw</i>	Council Action Sheet	MEETING DATE 04/16/2019
REPORTS & RECOMMENDATIONS	Select new City Logo from the Two Finalists Recommended Jointly by the Economic Development Commission and the Tourism Commission.	ITEM NUMBER <i>G.4.</i>
<p>At the November 5, 2018, Common Council approved the contract with THIEL Brand Design to provide branding and marketing services to the City of Franklin with an objective of creating a brand identity and marketing strategy that builds on the community's unique assets and effectively communicates a message that resonates with existing residents and businesses and portrays Franklin as a desirable place to live, work, development, grow a business, and visit. The Economic Development Commission and the Tourism Commission narrowed the logo choices down to two for final selection as requested by Council.</p> <p>At the Special Common Council meeting on April 15<sup>th</sup>, 2019, THIEL Brand Design presented the results of Phase One (Research) and Phase Two (Brand Profile Development) of the project, which included discussion on the two logos presented to Council on February 4, 2019.</p> <p>Council is asked to review the two recommended logos and make their selection. Once a logo has been selected, THIEL Brand Design will be able to complete the Phase 3 Marketing Plan, which will help the City roll out and implement the new brand.</p> <p style="text-align: center;"><b>Council Action Request</b></p> <p>Review the two logos as recommended by the Tourism Commission and the Economic Development Commission and make a motion to approve a logo.</p> <p>Or</p> <p>As directed</p>		

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<b>APPROVAL</b> 	<b>REQUEST FOR COUNCIL ACTION</b>	<b>MEETING DATE</b>  <b>4/16/2019</b>
<b>REPORTS &amp; RECOMMENDATIONS</b>	<b>Implementation of the Kayla's Playground Ambassador Program by the Parks Commission and Confirmation of the Appointment of Michelle (Shelly) Runte as the Park Ambassador Program Coordinator</b>	<b>ITEM NUMBER</b>  <i>G.5.</i>

At their meeting of April 8th, the Parks Commission considered the attached packet of information relative to the Kayla's Playground Ambassador Program and unanimously approved a motion to recommend that the Common Council approve the following:

- implementation of the Kayla's Playground Ambassador Program by the Parks Commission,
- directing staff to complete the necessary steps for implementation (complete waiver form, etc.),
- an Ordinance amending the Park Commission structure to add the ex-officio position, and
- appointment of Shelly Runte as Program Coordinator effective upon the effective date of the ordinance.

The attached memo to the Parks Commission, along with attachments, addresses the issues and strategy in detail, including all of the items previously referred to staff by the Common Council. As such, this Council Action Sheet will only provide a very high-level summary.

**Executive Summary:**

**Liability** – There are no extraordinary liability issues associated with this program. Recommendations of the City's insurer will be incorporated into program documents, and the Director of Administration and City Attorney will ensure liability notices and waivers are adequately drafted.

**Supervision or Oversight of Volunteers** – Volunteers will be trained, overseen, and organized by a Park Ambassador Program Coordinator, which unpaid, volunteer position will become an ex-officio (non-voting) member of the Parks Commission. This will allow the Parks Commission to maintain close contact with the program and to maintain a Program Manual (under Parks Commission authority) that will be used as information and for volunteer training. The final version for initial implementation, which will incorporate recommendations of the Police Department, would be approved at the next Parks Commission meeting.

**Costs** – Volunteer T-shirts will be funded through the Volunteer Recognition portion of the Mayor's Budget, and volunteer background checks (\$7 each) will be charged to existing appropriations for background checks in the City Clerk's budget.

**Ordinance** – A separate ordinance on this agenda would adopt the creation of an ex-officio position for the Park Ambassador Program Coordinator on the Parks Commission, so the status relates to the title, not the individual person (just like the Sanitarian on the Fair Commission). Confirmation of the appointment of Michelle (Shelly) Runte as the Park Ambassador Program Coordinator as part of this item is then conditioned upon approval and publication of the ordinance.

## COUNCIL ACTION REQUESTED

Motion to approve implementation of the Kayla's Playground Ambassador Program by the Parks Commission, directing staff to complete the necessary steps for implementation (complete waiver form, etc.) of the Program, and confirmation of the appointment of Michelle (Shelly) Runte as the unpaid, volunteer Park Ambassador Program Coordinator effective upon the effective date of the ordinance.



## MEMORANDUM

Date: April 5, 2019  
To: Parks Commission  
From: Mark W. Luberda  
Director of Administration  
RE: Kayla's Playground Ambassador Program

On 2/4/19 the Common Council referred to staff the issue of the Kayla's Playground Ambassador Program Concept: A Volunteer Program approved by the Parks Commission. The intent was to have staff and the Parks Commission vet program details relating to Liability waiver forms; T-shirt control; relationship, if any, to other programs being considered by the Library Board within the parks; supervision or oversight of the volunteers; program liability; clarification of program components and details; and collection of park-use statistics by the volunteers. The following discussion, with related attachments, addresses those issues.

1. Liability waiver forms: Each volunteer would sign a liability waiver form ensuring that they understand and acknowledge that neither the City nor the City's insurer (League of Wisconsin Municipalities Mutual Insurance or LWMMI) provides primary coverage for volunteers. The form will be drafted by the Director of Administration based upon guidance from the LWMMI, a copy of which is attached for your convenience. The final form would then be approved by the City Attorney and may change from time to time as approved by the City Attorney.

Volunteers will also be encouraged to check their homeowners or umbrella policy to determine what personal primary liability coverage they hold. Ultimately, if the homeowner's or renter's coverage limits are inadequate, the volunteer would have coverage under the municipality's LWMMI policy to the extent provided for in the policy. Importantly, the Federal Volunteer Protection Act provides immunity to volunteers of governmental agencies provided certain conditions are met. The conditions are summarized well at the bottom of LWMMI's "Volunteer Immunity Checklist," a copy of which is also attached. The most important condition is that the volunteer only act within the scope of the volunteer's responsibilities.

The bottom line is that the nature of this program does not require anything special of the City in relation to its use of volunteers. State and Federal statutes and the LWMMI policy provide the necessary structure and guidance for how a volunteer's liability is addressed. The format of the liability waiver itself will be an administrative process involving the Director of Administration, with final approval by the City Attorney, and incorporation into the program manual (discussed below).

2. T-shirt control: Staff contemplates that T-shirt control will be a very minor issue. The T-shirt design will be controlled and approved by the Parks Commission and altered at their determination. The Program Coordinator will distribute T-shirts and maintain a log of who has them. Volunteers who discontinue participation will be required to return their program T-shirt(s) to the Program Coordinator. This level of control is more than sufficient from a liability standpoint. Given the nature and timing of activities and liability coverages, staff does not have a concern with the likelihood of imposter T-shirts. T-shirts will be funded through the Volunteer Recognition line item in the Mayor's budget.

3. Relationship, if any, to other programs being considered by the Library Board within the parks: It is not expected that this program would have any direct relationship to other programs being considered by the Library Board within the parks. If the Library Board would want to consider some coordinated role with a specific program of theirs, it is presumed the Library Staff will bring this to the attention of the Parks Commission when they bring forward their request for that specific Library programming in the park.
4. Supervision or oversight of the volunteers: Staff recommends that the program be run by a Park Ambassador Program Coordinator, appointed by the Parks Commission and confirmed by the Common Council, which position shall be a non-voting, ex-officio member of the Parks Commission. If the individual is otherwise also appointed and confirmed as a regular member of the Parks Commission, per existing ordinance, they shall remain a voting member. This ex-officio member shall not be counted toward the quorum of the Commission.

Structured in this way it would ensure that the Park Commission would remain regularly informed as to the operations of the Ambassador Program and would establish the regular opportunity to provide guidance and instruction to the Park Ambassador Program Coordinator. Additionally, it would establish an organizational structure that provides the Park Ambassador Program Coordinator with the same status as other board and commission members as an officer of the City, which generally provides liability protections when any commissioner or board member is acting within their authority or within the scope of their duties.

Such an "ex-officio" status would be similar as to how the Sanitarian is currently an ex-officio member of the Fair Commission. State statute, Wis. Stats. Section 27.08(1), provides that "Such board [Parks Commission] shall be organized as the common council shall provide," and Roberts Rules of Order allows for ex-officio members. As such, an ordinance modification amending Section 10-7 of the municipal ordinances is all that would be necessary. If the concept plan is approved, the necessary ordinance modification would be prepared and brought forward.

The Program Coordinator will have a City email account (accessible through a web portal) for all communication with the volunteer ambassadors and for ambassadors' reporting responsibilities. This will help ensure ease of communications, prompt response to special circumstances or park conditions (etc.), and maintenance of the necessary public records.

5. Program liability: The City has the authority to establish such a program in its park(s). This is a very reasonable municipal action. The City's liability insurance would generally cover any law suits against the City that might arise from the program, subject to the policy limitations. There is such a wide array of what can happen and anybody can sue anybody for anything, but the bottom line is that this kind of activity has no greater inherent risk than Health Department programming (ex. Bike rodeo), Library programming, the Police Academy, the Civic Celebrations event, St. Martin's Fair, or many other of our activities. The key is to continue to ensure the Program Coordinator and volunteers are trained and act within the scope of the defined program. Following the guidelines of the LWMMI (discussed above), establishing the ex-officio membership, and good program components with volunteer training (discussed below) should allow this program to be considered primarily on its merits as to what it brings to the park, with program liability concerns being secondary concerns at best.
6. Clarification of program components and details: Shelly Runte, with input from the Director of Administration, has prepared a draft of a document currently titled, "Kayla's Playground Ambassador Program." The document does an excellent job of establishing the parameters of the program and its intent. For flexibility and for use as part of their oversight role, it is recommended that the document be an administrative document approved and adopted by the Parks Commission from time to time as they determine is appropriate.

The document clearly addresses the expectations and duties of the volunteer Ambassadors and will be used as a guidebook for the training protocol for the Program Coordinator to implement. Each ambassador will receive the final document and undergo training before serving in the role. After completing the training, if they are still interested, a background check through the Wisconsin Online Record Check System will be performed by staff. This background check level was recommended by the Chief of Police as the appropriate step, and it provides for easy administration within City Hall. The \$7 cost for each will be charged to existing appropriations for background checks in the City Clerk's budget. Importantly, please note that the draft provided is being reviewed by the Police Department beginning the week of April 8<sup>th</sup> and will be updated for the security and emergency concerns that they determine are appropriate.

In summary, staff believes this should be a fluid document that gives the Park Commission the flexibility to adjust program implementation and training as experience is gained through the program. Staff believes the draft document is sufficient for approval to implement the program, but the Police Department changes will be incorporated. Similarly, the section entitled "Park Ambassadors Safety and Responsibility Agreement" will be expanded to incorporate the liability waiver and any other risk management language or notifications deemed appropriate by the Director of Administration.

7. Collection of park-use statistics by the volunteers: A suggestion for data collection was made at a prior Common Council meeting. The initial thought is to have each shift do a quick count of guests at the park and cars in the parking lot once per shift. That information will then be reported by Ambassadors to the Program Coordinator. Additional data points could be collected periodically or regularly as determined by the Park Commission from time to time. For example, periodically the Commission may want data on the total number of visitors to the park during a shift or day.

Going Forward - Path to Implementation: There is a timeliness consideration given the approach of the good weather. As such, the goal of the schedule below is to use conditional approvals and coordinate the reviews and approvals so as to not drag out implementation given the constraints of regular meeting dates. This goal is aided by the delegation to the Parks Commission for approval of the detailed operating guidelines for the program and to the Director of Administration and City Attorney for risk management and liability technical details. The following time line is, therefore, contemplated.

April 8<sup>th</sup> – Park Commission reviews this memo and attachments as a detailed concept plan for a Kayla's Playground Ambassador Program serving the open area of Franklin Woods Nature Center, including Kayla's Playground, including a conditional recommendation of Shelly Runte as Program Coordinator subject to modification of the ordinance.

April 16<sup>th</sup> – Common Council, upon consideration of recommendations from the Parks Commission, considers and approves the following:

- implementation of the Kayla's Playground Ambassador Program by the Parks Commission,
- directs staff to complete the necessary steps for implementation (complete waiver form, etc.),
- an Ordinance amending the Park Commission structure to add the ex-officio position, and
- appointment of Shelly Runte as Program Coordinator effective upon the effective date of the ordinance.

May 13<sup>th</sup> – Parks Commission adopts final Kayla's Playground Ambassador Program manual and instructs the program implementation commence.

The Director of Administration will be in attendance to answer any questions.

#### Directors

David Benforado  
Village Trustee  
Village of Stonewood Hills

David De Angelis  
Village Manager  
Village of Elm Grove

Ronald Hayward  
Village President  
Village of West Milwaukee

Leonard Madsen  
Village President  
Village of Fall Creek

Kathleen Morse  
Chief/Treasurer  
City of Rice Lake

Mark Rehtoff  
City Manager  
City of Oshkosh

Dan Thompson  
Executive Director  
League of Wisconsin  
Municipalities

#### Officer

Dennis Tweedale  
Chief Executive Officer  
League of Wisconsin  
Municipalities  
Mutual Insurance

402 Gammon Place  
Suite 225  
Madison, WI 53719

608-833-9595  
608-833-9595  
dennis@lwmmi.org  
www.lwmmi.org



# LWMMI

## League of Wisconsin Municipalities Mutual Insurance

### COVERAGE FOR VOLUNTEERS

#### A. Injury to the Authorized\* Volunteer

1. Municipal Workers Compensation coverage does not apply to volunteers with the exception of auxiliary police, volunteer fire fighters and volunteer rescue operations such as dive teams, EMS, Paramedics and first responders.
2. The LWMMI Policy has \$10,000 of premise / operations medical payments for accidental injury. This coverage is excess of the volunteer's private, group or government health program.

#### B. Injury to Others Caused by the Authorized\* Volunteer

1. The volunteer's homeowner's or renter's "liability insurance" coverage is primary.
2. If the homeowner's / renter's coverage limits are inadequate, the volunteer has coverage under the Municipalities LWMMI Policy.

#### C. Auto Accidents – Authorized\* Volunteer's Vehicle

1. Damage to the volunteer's vehicle is not covered by LWMMI's Policy
2. Injury caused to others is covered first by the volunteer's Auto Policy. If limits are inadequate, the Municipalities LWMMI Policy will provide excess coverage according to the terms of the Policy.

### SUGGESTIONS FOR USE OF VOLUNTEERS:

1. Consider a form similar to the attached to help establish an "Authorized" status.
2. Work / Activity should be supervised by a Municipal employee.
3. Use of power tools should be discouraged. If used, a Municipality employee should determine competency.
4. Work on roofs or heights above 6 feet should be discouraged due to hazards of a fall.
5. Use of mowers or other Municipal power equipment should only be allowed after formal training by Municipal employees.
6. Use of volunteers to drive Municipal vehicles is not recommended.
7. These same suggestions apply to outside organizations or other governmental entities – such as a school district using volunteers on Municipal property. **Volunteers in such cases are not "Authorized Volunteers" to the Municipality.**
8. Finally, a T-Shirt or free meal will not be considered as compensation. Beyond that a "grey" area may result.

\*Authorized means the Municipality agrees to and directs the activity of the volunteers.

Questions Contact: Dennis Tweedale, CEO  
402 Gammon Place, Suite 225  
Madison, WI 53719  
Phone: 608-833-9595  
E-Mail: dennis@lwmmi.org

1/23/2014

## **VOLUNTEER IMMUNITY CHECKLIST**

**To help protect your government entity from legal claims and ensure its volunteers meet immunity requirements:**

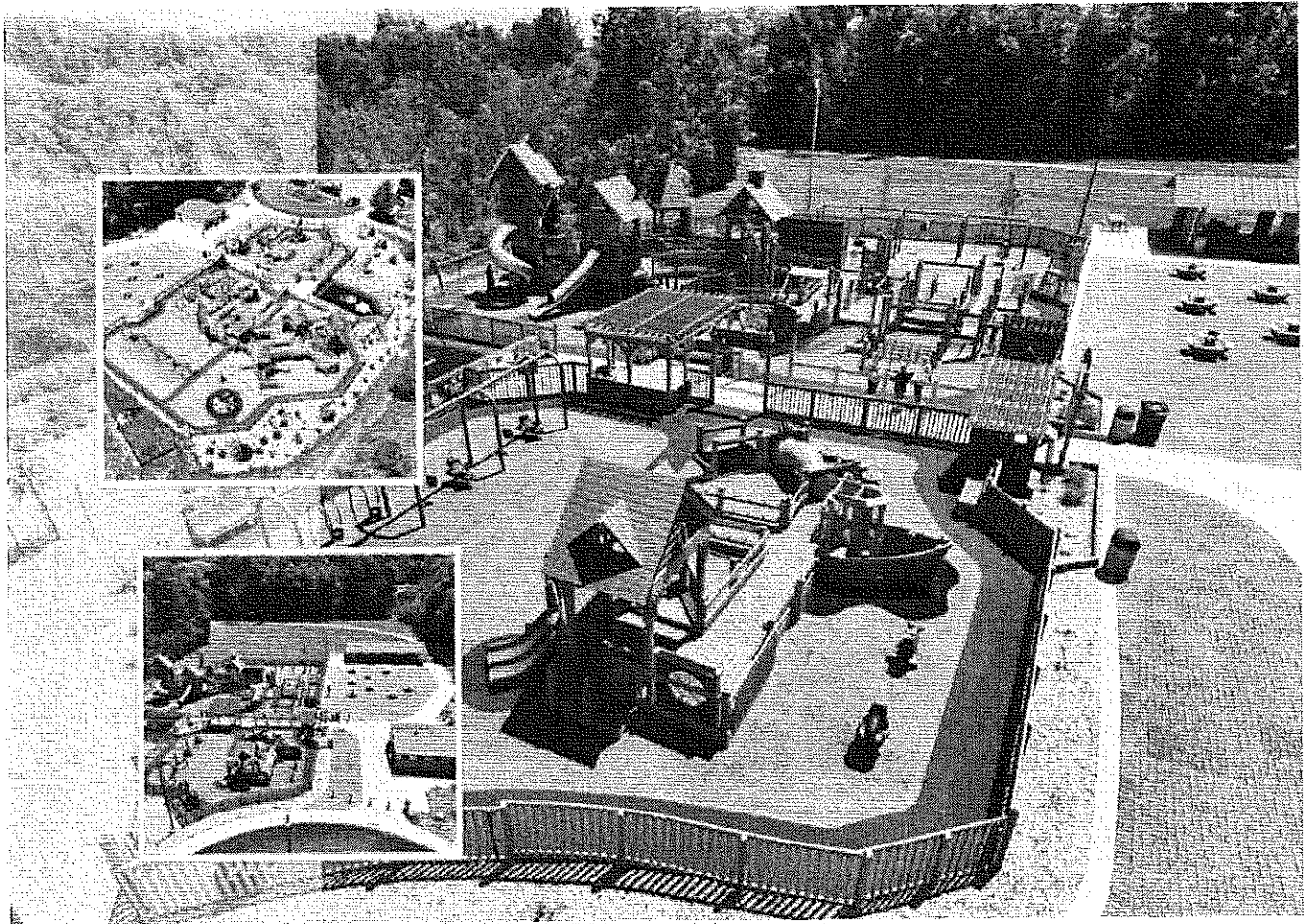
- ☐ Identify volunteer positions including a description of their duties.
- ☐ Require volunteers to attend an orientation session where you provide information on federal and state immunity from liability regulations.
- ☐ Maintain files for volunteers. Include copies of applicable licenses, certificates or insurance.
- ☐ If the volunteer is working with children or young adults the police should do a background check.
- ☐ Provide regular risk-management training.
- ☐ Don't pay volunteers.
- ☐ Don't let volunteers drive municipal vehicles unless absolutely necessary.
- ☐ Encourage volunteers who participate in transportation programs to maintain sufficient automobile liability insurance.
- ☐ Avoid volunteer use of power tools.
- ☐ Encourage volunteers to consider umbrella insurance coverage.

### **Guidelines for volunteer immunity:**

A volunteer is defined as an individual performing services for a nonprofit organization or governmental entity who does not receive compensation or anything of value in excess of \$500 per year. To be immune from liability to a third party, a volunteer must satisfy these requirements:

1. The volunteer must act within the scope of his or her responsibilities as a volunteer on behalf of the organization.
2. The volunteer must be properly licensed, certified or authorized if necessary.
3. The harm that was caused was not a result of willful, criminal or reckless misconduct, gross negligence or conscious indifference to the rights of the individual harmed.
4. The harm was not caused by the volunteer while operating a vehicle for which the state requires a license or insurance.

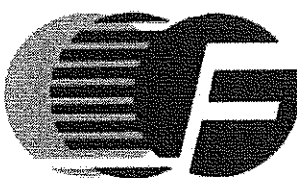
# Kayla's Playground Ambassador Program



*Nestled within a beautiful setting of 38 acres at Franklin Woods Nature Center, Kayla's Playground offers a playful and relaxing atmosphere for people of ALL abilities. The playground was inspired by Kayla Runte and her friends. Kayla never walked or spoke a word, but she had friends who encouraged her and in return taught valuable life lessons of compassion, patience and acceptance. After Kayla's passing in August of 2012, Kayla's Krew was formed and began fundraising to fulfill their mission to build an all-inclusive and all-accessible playground as a foundation to teach life lessons naturally through play. With the support of the City of Franklin and the community, the 12,000 square foot playground was built by an enormous effort of 1500 volunteers over the course of 9 days. The grand opening for the playground was October 9, 2015.*

*Experience the wonder and beauty of Kayla's Playground!*

*Franklin Woods Nature Center, 3723 W. Puetz Road, Franklin, WI*



## City of Franklin

Version: 3/29/19

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## Introduction and Welcome

This reference manual is provided as a training guide and ongoing resource for Kayla's Playground Ambassadors. The Ambassador Program Volunteer Coordinator may provide additional training information and materials specific to Kayla's Playground as needed. Ambassadors will receive training necessary to safely perform the duties and tasks outlined in the Ambassador Job Description.

*Dear Friend:*

*If you're reading this manual you are considering donating your valuable time and energy to help the Franklin community provide a welcoming, safe, inclusive and accessible place for children of all ages to play and learn. It's only through people like you, those willing to step up, that this wonderful park and playground exists.*

*Perhaps you helped with the creation of this wonderful award winning playground. If so, welcome back. If you're new to the park and playground, welcome. I'm certain that you'll be enriched by the experience that you're about to have. I hope that you'll be able to feel the wonder and joy of a child (or adult) with physical challenges get their first experience of swinging on a swing, or a parent swinging with their child, looking at the joy on their faces as their tummy's get tickled.*

*Your participation will be a big part of providing a safe and wondrous experience for our best asset, our children.*

*The Franklin community will be a better place for your service.*

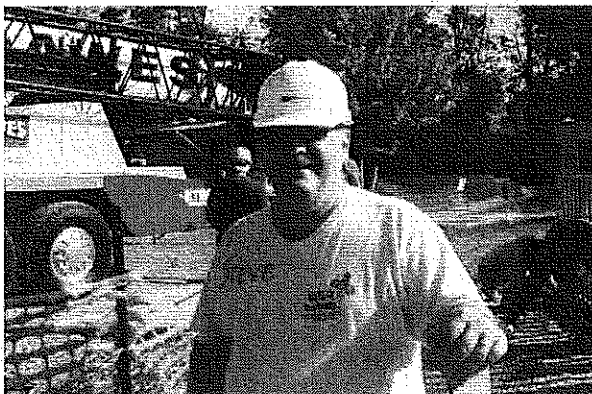
*On behalf of the citizens of the city, the city staff and the Franklin Common Council, thank you for your time and effort volunteering for this wonderful program at this wonderful place.*

*With gratitude,*



*Mayor Steve Olson*

*Spring, 2019*



# City of Franklin

## **Vision Statement**

The City of Franklin's vision is to enhance the quality of life for present and future generations by providing economic growth through the highest quality of residential, recreational, and business development in Southeastern Wisconsin.

## **Mission Statement**

The City of Franklin's mission is to be a well-planned model community providing for a high quality of life for residents of all ages. The future of Franklin is founded on quality development that includes smaller and mixed-use commercial centers and corridors, that provides for new office parks that attract knowledge-workers and information industries to the community, while continuing to develop and maintain quality residential areas that provide a wide range of housing opportunities to support the needs of working professionals, seniors, and families. The residents of Franklin will have access to parks, open space, and a wide range of recreational programs and facilities that help to promote an active and healthy lifestyle. Franklin will be a community where modern conveniences, friendly people, and a small town atmosphere combine with low crime, a clean environment, and quality educational opportunities to make Franklin the primary destination to live and learn, work and play, and to do business.

## Kayla's Playground

### **Mission Statement**

To provide a playground which is inspiring and truly all-accessible and all-inclusive for all children and families of any age and ability. Our goal is to provide a common ground to enrich social skills through play, create friendships for a lifetime and promote peer advocacy programs through collaboration with community partners.

### **Vision Statement**

To enable all who have special needs to forget about the challenges they are presented with daily while teaching others the value of friendship and compassion. The vision is to offer the playground as a foundation for the community to embrace all abilities. The hope is to foster life lessons that cannot be taught from a textbook, but rather experienced firsthand with the heart.

### **Award Recognition**

Since Kayla's Playground opened in October of 2015 it has received the following awards, recognitions and ratings:

- 2016 Public Policy Award Winner
- 2016 Franklin Public School District Award Recognition
- 2016 Milwaukee A-list for Best Playground
- 2017 Milwaukee Magazine for Best Playground
- 2017 Milwaukee A-list for Best Playground
- 2019 Our Favorite Milwaukee Area Parks to Enjoy with Kids

Current Google Rating of 4.9/5.0 from 216 Google Reviews

As of 4/4/19, Kayla's Playground has 2,887 Followers on Facebook

**Ambassadors will be key in helping to preserve this wonderful community offering within the City of Franklin.**

## **Executive Summary**

### **Kayla's Playground Ambassador Program**

**City of Franklin, WI**

**Days:** Thursday-Sunday

**Hours:** 12:00-8:00 pm (Four 2-hour shifts offered each day)

**Season:** June 1, 2019 through Labor Day

**Location:** Kayla's Playground at Franklin Woods Nature Center

**Length of commitment:** Volunteers participate in a brief training/overview session and if identified as an ambassador, sign up for a minimum of one two-hour session per week with an overall commitment of a minimum of 10 hours

**Age:** Minimum of 16 years and older with a valid driver's license

**Reports primarily to:** Ambassador Program Coordinator

**May report to:** Franklin Police Department and/or Department of Public Works

**Work environment:** Outdoors

**Background check required:** Yes

#### **Primary Responsibilities:**

Kayla's Playground Ambassadors are responsible for our visitor's first impression and experience at Kayla's Playground. Each ambassador must be able to display outstanding visitor hospitality while encouraging playground safety guidelines and rules. Ambassadors are out-going, personable and dedicated volunteers demonstrating the highest level of professionalism in their public engagement and while working with children and adults of all abilities. They are committed to promoting an enjoyable recreational experience to park patrons by demonstrating the mission and vision of Kayla's Playground.

#### **Mission**

To provide a playground which is inspiring and truly all-accessible and all-inclusive for all children and families of any age and ability. Our goal is to provide a common ground to enrich social skills through play, create friendships for a lifetime and promote peer advocacy programs through collaboration with community partners.

#### **Vision**

To enable all who have special needs to forget about the challenges they are presented with daily while teaching others the value of friendship and compassion. The vision is to offer the playground as a foundation for the community to embrace all abilities. The hope is to foster life lessons that cannot be taught from a textbook, but rather experienced firsthand with the heart.

Kayla's Playground was built to be an inclusive play space for people with and without disabilities. Ambassadors will represent the playground's mission and engage our community in the vision of the playground. Ambassadors will be at the playground to:

- Engage in conversation with playground visitors
- Encourage safe and inclusive play
- Make the playground welcoming
- Answer questions from children and adults
- Advocate for people with disabilities and special needs
- Educate patrons about equipment features
- Help build a positive community
- Collect and report important usage data by counting the number of visitors and cars located at the playground midway through shift
- Report any damaged equipment or flooring or other potential hazards which could prohibit a safe play environment
- Bring awareness to programs offered (reading program, senior/youth programs, personalized picket program)
- Offer information to visitors to operate Liberty Swing and Ability Whirl safely and properly

The ambassador shall demonstrate a subject-matter expertise in the history and features of Kayla's playground at Franklin Woods Nature Center. This opportunity as ambassador will focus on care for the playground guests with the goal of safety and a positive visitor experience. The ambassador should report any potential repairs or maintenance concerns to the Ambassador Program Coordinator who will report to the Department of Public Works as needed to assure Kayla's Playground and the facilities are clean, safe and inviting. When needed, the ambassador will work and communicate with the Franklin Police Department for law enforcement and when needing emergency first responders when life safety, criminal, or search/rescue conditions exist within the playground. If program establishment occurs, the ambassador will work with community partners such as the Franklin Public Library and the Franklin Health Department for education opportunities offered at the playground.

Ambassadors should select their shifts using the on-line Signup Genius link which will be provided to those persons who are identified as ambassadors. Ambassadors who are not the first shift of the day are expected to arrive 10 minutes prior to their shift to allow any communication to occur between ambassadors. All ambassadors will wear their program provided t-shirt and be ready to serve as positive role models to represent the mission and vision of Kayla's Playground. Ambassadors will be on the playground and will access the space alongside children and families. Successful ambassadors will be energetic and enthusiastic, easy to talk to, accessible for children and adults who may have questions and be comfortable in providing support without being an authority figure.

If Ambassadors are found not adhering to these guidelines outlined above and within this manual, termination may occur. Upon termination, ambassadors will be asked to turn in their t-shirt provided by the City of Franklin and to fill out the Kayla's Playground Ambassador Performance Evaluation/Exit Interview (included in this manual).

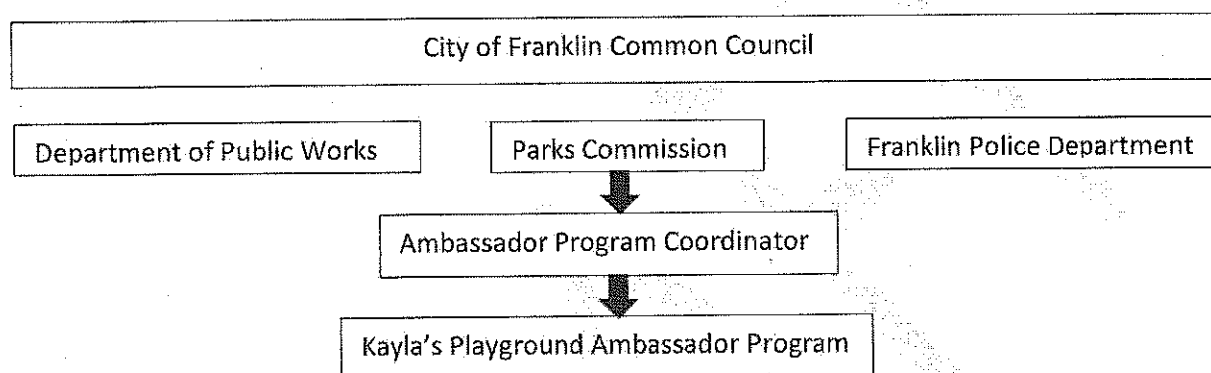
AMBASSADORS ARE VOLUNTEERS TO THE CITY OF FRANKLIN. AS VOLUNTEERS, THEY ARE NOT PROVIDED PAY, HEALTH OR MEDICAL INSURANCE OR COVERAGE, OR WORKERS COMPENSATION INSURANCE OR COVERAGE.

**A note to students who need community service:** Are you in need of volunteer hours for graduation, confirmation, NHS or any other group? Learn how to coordinate community services by being an ambassador at multiple sessions throughout the summer. Also, learn about and assist with volunteer training, volunteer recruitment, organizing events and providing community resources and education.

## City of Franklin Parks Commission Organization

The City of Franklin Parks Commission will oversee Kayla's Playground Ambassador Program. The Program Coordinator will be part of the Parks Commission and function as a non-voting member. The Ambassador supports a growing number of citizens who dedicate their time to support and assist City of Franklin staff in all aspects of playground and Franklin Woods Nature Center operations. This volunteer program provides the training and opportunity for community members to become involved in the care of Kayla's Playground located at Franklin Woods Nature Center. Not only will the Ambassador Program give participants a chance to assist the City of Franklin departments overseeing the operations of Kayla's Playground, but it also offers a chance to interact with staff to develop a sense of ownership and community of Kayla's Playground.

The Kayla's Playground Ambassador Program is governed by the City of Franklin Parks Commission. The Parks organizational tier is as follows:



## Becoming a Playground Ambassador

Volunteers interested in becoming a Playground Ambassador are required to attend a training program. After the training program is completed, attendees will be asked to complete and sign the Kayla's Playground Ambassador Program Application (see attached). Background checks and references will be processed through the City of Franklin/Ambassador Program Coordinator and applicants will be contacted as appointments are made.

Playground Ambassadors will be trained in the use of Signup Genius and receive a link to select their shifts. Signup Genius will also be a way to track volunteer hours and shifts. If ambassadors are unable to fulfill a shift, the Program Coordinator must be contacted and made aware 24-hour in advance so another ambassador may be identified to fill the vacant shift. Communication between Program Coordinator and Playground Ambassadors will be primarily via email and face to face interaction.

## Background Checks

Ambassadors you will be acting as a volunteer through the City of Franklin. Ambassadors will have unsupervised access to children under sixteen years of age, interaction with developmentally disabled persons or vulnerable adults. Due to the nature of this role, all applicants will be required to undergo a conviction or criminal background record check. Since there are costs incurred by the city for this service, training is offered **before** applications are submitted to ensure that applicants are serious in their interest in becoming ambassadors and are completely comfortable with the role of ambassador before applying.

## Appearance/Identification

All Playground Ambassadors will be required to wear a Kayla's Playground Ambassador shirt provided by the City of Franklin. This will assist playground visitors in identifying Playground Ambassadors. Ambassadors should only wear the t-shirt when they are representing their role as Ambassador and fulfilling their shift. Ambassadors who sign-up for 3 or more shifts in a week will receive an additional t-shirt. If a t-shirt is soiled beyond laundering or damaged, please notify the Program Coordinator for a replacement.

## Insurance Coverage

### **Personal Property:**

The City of Franklin is not responsible for a volunteer's personal belongings/property. It is recommended that all Ambassadors carry insurance to cover damage to personal belongings or property. Personal tools and equipment should not be used to perform volunteer duties. In addition, items provided in the first aid kit are not intended for personal use outside of an ambassador's shift.

### **Personal Liability and Accident Insurance:**

Please check with your personal insurance agent about liability coverage or health coverage. Also, please carefully read the "Park Ambassador Safety and Responsibility Agreement" located later in this document.

## Ambassador Expectations and Duties

As representatives of the City of Franklin Parks Commission, Playground Ambassadors must exemplify the playground rules and regulations. Ambassadors are expected to "set an example" for park visitors and guests. An ambassador is a diplomatic representative of the Parks Commission who promotes and ensures a positive relationship between the City of Franklin and playground users. Some of the expectations of ambassadors include but are not limited to:

### I. Basic Do's and Don'ts

#### **Do**

Be polite and friendly, with a desire to be helpful

Speak positively about the playground, nature center and the rules

Be a good neighbor. Set a good example by obeying the playground and park rules yourself.

Be familiar with playground rules and regulations so that you can explain when asked or when you see a violation. Hand out appropriate brochures when available.

Give out accurate information. If ambassadors cannot answer a question, contact the Program Coordinator

Make eye contact with playground visitors and smile as a warm welcome.

#### **Don't**

Enforce the rules - educate instead.

Argue with or scold a visitor. Remain calm and, if needed, refer the visitor to the posted playground and park signs. Take notes on the event and report to Program Coordinator for action steps.

Be impatient, harsh, sharp, or rude to the visitors. As a representative of the City of Franklin Parks Commission, professionalism is the key to a successful playground experience.

## II. General Duties

As a Playground Ambassador certain duties/tasks are expected. These may include but are not limited to the following.

Signup for shifts via Signup Genius and fulfilling at least one 2-hour shift per week.

Report, via email to Program Coordinator, following each shift:

Summary of events or activities that occurred during the shift,

Unusual or suspicious activity taking place in the park;

Broken or damaged equipment or flooring problems; and

Results of any data collected during shift (discussed further below).

Greeting and assisting visitors, informing them of parks rules and regulations (see park rules section), answering questions about the park and surrounding area, hand out informational brochures.

Please dress appropriately.

Avoid offensive language or conduct.

Collect usage data as determined by the Parks Commission, such as counting the number of visitors and cars located at the playground midway through shift.

Educate visitors of the history of Kayla's Playground and Park Rules and Regulations posted at Franklin Woods Nature Center.

Complete a more detailed incident report if requested and if such form is adopted for use.

## III. Providing information

The more ambassadors know, the more confident and helpful they are to visitors. However, ambassadors are not expected to know the answer to every question, but are encouraged to tell the visitor they will utilize their resources to best answer and questions.

If visitors would like additional information beyond what ambassadors can provide, information and contact for Program Coordinator can be shared with visitors:

Coordinator: \_\_\_\_\_ contact: \_\_\_\_\_.

Furthermore, the City of Franklin Clerk's Office can provide current information about pavilion availability, rental rates and reservation application (attached).

## IV. Using Safety Measures

Ambassador safety is important to the overall success of the program; therefore, ambassadors should:

Discuss any physical limitations which may inhibit fulfillment of a 2-hour shift prior to starting role as an ambassador.

Use proper lifting techniques (using legs and back) when lifting objects such as the ramp to engage the Liberty Swing.

Discuss any health conditions with Program Coordinator in case of an emergency, i.e., medications, allergies, existing medical conditions.

Inform Program Coordinator of any items which need to be replenished in the Ambassador backpack (see attached listing of products provided).

Dress properly for weather.

Wear sturdy, comfortable shoes for standing and walking around the playground for assigned shift.

## V. Reporting Safety hazards

Playground Ambassadors are required to report any safety hazards to the Program Coordinator. These hazards can range from work related safety hazards to natural safety hazards. Some potential safety hazards are, but not limited to:

Hanging limbs in trees.

Damaged picnic tables or playground equipment with exposed sharp edges, nails, etc.

Expired lights in restrooms.

Tripping hazards.

Bee, wasp or bird nests identified on the playground.

## VI. Handling Difficult Situations and Emergencies (working with Police Department)

Playground Ambassadors may encounter a difficult situation or an emergency. An emergency may include but is not limited to the following: fire, a vehicular accident, a medical emergency or a lost child. In any of these cases it is critical that certain guidelines are followed.

- Calling 911 for police, fire or medical assistance emergency police matters.
- Calling Police Dispatch at 425-2522 for non-emergency.
- Contacting the Program Coordinator immediately after contacting police.
- Use good judgment. Do not put yourself at risk.
- Not attempting to enforce the Park rules, educate instead. Take note of infractions/rules which are not followed and report to Program Coordinator. If a visitor is having a domestic dispute, such as fighting, contact the Police Department immediately. Contact the Program Coordinator immediately after contacting police.
- If possible, stop additional cars from entering parking lot.
- If it is a medical emergency send a bystander to call for help and stay with the visitor.
  - DO NOT perform CPR** unless you have had CPR training and your CPR card is current.
  - Never administer medication** to a visitor or guest.
- In the event of a vehicular accident without a need for medical assistance, report to Program Coordinator when he/she becomes available.

## VII. Handling Lost and Found Items (where are they currently held?)

Playground Ambassadors may be the first contact in lost and found situations. The ambassador's first response is to assess the situation and identify if the lost/found item involves a potential crime. If the ambassador feels that there may be a chance of a potential of crime involved around the lost or found item, then police should be called. All other non-crime lost and found items should be directed to the Program Coordinator. If the Program Coordinator is unavailable it is important to take down pertinent information and report to Program Coordinator via email. Ambassadors should take down the following information:

### Lost

1. Who is reporting the lost item?  
*Get name, address, and telephone number*  
*Date-Time-Lost*
2. What is missing?  
*Note color, size, make, design, unique features, value, etc.*
3. How did it turn up missing?  
*Was it left behind, stolen, loaned to another person*
4. When was it last used or seen?  
*In a restroom, playground, vehicle, woods, etc.*

### Found

1. Who is reporting an item found?  
*Obtain name, address, and telephone number*
2. Where was item found?  
*Note the exact location.*
3. What time was item found?
4. What type of item was found?  
*Record as much information and description as possible.*
5. Does finder want to claim item later?  
*Put a temporary tag with this information on the found item. Notify Program Coordinator to coordinate delivery to Department of Public Works during regular business hours for the owner to claim.*

## VIII. Attending meetings

Playground Ambassadors are expected to attend bi-annual meetings to establish clear communication with Program Coordinator and to provide an opportunity for the City of Franklin to recognize the efforts of the ambassadors. These meetings will be a good time to address questions or concerns of all the Playground Ambassadors and to identify any potential areas of program improvement.

## IX. Evaluating Park Ambassador Experience

Playground Ambassadors will be asked to evaluate their volunteer experience and Program Coordinator as well as asked to comment on additional training or information needed to assist in performance of duties. Honest assessment of the ambassador experiences is appreciated and will help identify needed improvements such as providing additional information or training. The Program Coordinator will complete the bottom section of the evaluation form.

If at any time there is a concern regarding the performance of the Program coordinator, ambassadors are instructed to contact the Director of Administration for the City of Franklin (858-1100) to express concerns.

## City of Franklin Duties

### Purpose

In exchange for volunteer service, the City of Franklin will provide the Park Ambassador with an opportunity to provide an important and meaningful public service by protecting and enhancing Kayla's Playground at Franklin Woods Nature Center. The City will provide training for each Park Ambassador as an opportunity to learn about, and enjoy, the beautiful playground and nature space offered by Franklin Woods Nature Center.

The City's duties under this Agreement are to:

Provide written information regarding specific duties, safety requirements, playground rules and laws related to recreational use, emergency contact lists and reporting procedures.

Orient and train Playground Ambassadors to the expected responsibilities as described previously.

Provide updated emergency contact phone list.

Upon request, the Program Coordinator may provide a letter of reference for Playground Ambassador.

Provide uniform (t-shirt) to be worn during 2-hour shift as Playground Ambassador.

### Emergency Contact Information

Name

Phone Number

Program Coordinator \_\_\_\_\_

Franklin Police Non-Emergency \_\_\_\_\_

Franklin Police, Fire and EMS EMERGENCY \_\_\_\_\_

DPW \_\_\_\_\_

## Park Ambassadors Safety and Responsibility Agreement

[NOTE: THIS SECTION WILL BE REVISED BY THE DIRECTOR OF ADMINISTRATION AND CITY ATTORNEY TO CLEARLY ADDRESS PROPER LIABILITY NOTICES AND VOLUNTEER WAIVERS]

### Background Investigation

I understand that as a Volunteer Playground Ambassador, I may have contact with children less than sixteen (16) years of age, developmentally disabled persons, or other vulnerable persons. I understand that the City of Franklin will process a background investigation. I understand the City of Franklin may use the results from this investigation to determine my eligibility to serve as a Playground ambassador. I agree to completely fill out the Kayla's Playground Ambassador Program Application which gives permission to the City of Franklin to determine my eligibility to serve as a Playground Ambassador.

I agree to release the City of Franklin and other persons concerned from any liability that may arise from information revealed by the background investigation.

### Accident Reporting

Depending on the severity of the accident, I agree to inform the Program Coordinator or Franklin Police Department immediately if I am involved in an accident or witness an accident while performing assigned duties.

### Physical Conditions

I agree to perform only those tasks that are within my knowledge, ability, and physical capability. I will inform and communicate to the Program Coordinator any health condition(s) which may limit my ability to perform my ambassador role. I also agree to communicate details of medications, allergies or existing medical conditions which may be important to know in the case of an emergency.

### Equipment

I agree to report any damaged equipment or damaged flooring to the Program Coordinator as soon as possible to expedite repairs by the Department of Public Works.

### Not an Employee

I understand and acknowledge that I am a volunteer and not an employee of the City of Franklin.

### Hazards and Risks

I understand and acknowledge that volunteering as a Playground Ambassador may expose me and my property to certain unavoidable hazards or risks, including but not limited to the following:

Potential for confrontational situations  
Heat exposure

### Emergencies

I understand that I should call 911 for police, fire or medical assistance when required.

I understand that the supplies in the First Aid Kit provided in the Ambassador Backpack can be offered to visitors as a supply only. Ambassadors are not allowed to treat any injuries of patrons.

I understand that I should call the Program Coordinator or other designee as soon as reasonably possible to report any emergency situation. I understand and agree that I should use good judgment. I understand that I should not put myself or others in danger. I understand and agree that I am not responsible to enforce park rules or other laws or regulations, and this agreement does not authorize me to do so. My approach should be one of educating the public, not enforcing laws.

### **Behavior**

I understand that I should arrive 10 minutes prior to my 2-hour shift wearing my program provided t-shirt and be ready to serve as a positive role model to represent the mission and vision of both the City of Franklin and Kayla's Playground. I will be energetic and enthusiastic, easy to talk to, accessible for children and adults who may have questions and be comfortable in providing support without being an authority figure.

### **Transportation**

I understand that as a Playground Ambassador, I will provide my own personal transportation vehicle along with required Wisconsin state minimum automobile liability insurance and valid driver's license.

\_\_\_\_\_  
Signature

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

\_\_\_\_\_  
Date

## Park Rules and Regulations (seeking further input from Park Commission)

The purpose of rules is to protect our playground resources and visitors. Ambassadors will be sharing information about rules with the public. It is important that as a representative of the City of Franklin ambassadors are expected to provide a good example by following all the park rules.

Generally, people want to know what the rules are and what behavior is acceptable, but they don't always understand why a rule is required or why compliance is important. Listed below are several rules which park visitors sometimes overlook. Following each rule is a brief explanation of why the rule is necessary, and what you as a Playground Ambassador can do to help inform visitors of the rules.

***REMINDER: ALWAYS make sure the verbal and written information you give visitors is up-to-date and accurate. This may prevent any misunderstandings if a situation or violation should occur. Don't ever hesitate to let visitors know if unsure of a rule and follow-up with Program Coordinator or other designee to answer.***

### Pets

In the City of Franklin, pets are required to be on a leash. Owners are responsible for cleaning up after their pets. Animal waste is to be placed in a plastic or paper bag and deposited in identified garbage cans. Pets are not allowed on Kayla's Playground, but are welcome in all other areas of Franklin Woods Nature Center.

Why the rule? Allowing pets on playground increase the potential for animal waste posing a health hazard especially in the 2-5 year old area where there may be younger children crawling on the flooring. In addition, we must protect people from being unexpectedly startled, attacked or bitten as they walk in the playground area; many people are afraid of dogs. Visitors also need to be protected as some children and adults are allergic to dogs. Leashing also keeps animals from getting lost or injured.

What can you do? Set a good example. Explain the rules using the rules posted at the playground as a resource.

### Alcohol

Alcohol is strictly prohibited.

Why the rule? To prevent alcohol consumption that may result in dangerous situations and disruptive behavior associated with its abuse.

What can you do? Do not attempt to enforce the rules, notify the Program Coordinator or other designee of any infractions.

### Smoking is prohibited per City of Franklin Ordinance

In 2018, the City of Franklin amended an ordinance which defines "smoking" as inhaling or exhaling a lightened or heated tobacco product or smoking device that creates aerosol or vapor. This includes the following products:

- Cigars
- Cigarettes
- Pipes
- Hookahs
- Marijuana

Electronic cigarettes  
Vape pens.

Smoking and use of electronic cigarettes is prohibited in any public space.

### **Motorized Vehicles**

All motorized vehicles are prohibited in Franklin Woods Nature Center.

### **No Golfing**

Golfing is not permitted per City of Franklin ordinance.



Image of Parks Department sign currently posted at Franklin Woods Nature Center.

# Kayla's Playground Ambassador Program Application

Consent for criminal background check authorization

Print Full Legal Name

Address

Email address

Phone number

Date of Birth

List any past volunteer experience and year(s) of service

Are you applying to fulfill any required volunteer service hours? ☐ yes ☐ no  
(ex: NHS, Boy/Girl Scouts, College Applications, Confirmation)

If yes, please provide the following

Program or Organization

Contact Person and phone number

Please circle t-Shirt size: Small Medium Large XL 2XL 3XL 4XL

I hereby authorize the representatives from the City of Franklin to request and receive any and all background information about or concerning me, including, but not limited to, my Criminal History. I also authorize the city to make reference checks relating to my volunteer service. I understand that this information will be used to determine my eligibility as a volunteer with the Kayla's Playground Ambassador Program. The criminal history, as received from the reporting agencies, may include arrest and conviction data, as well as plea bargains and deferred adjudications. I understand that this information will be used, in part, to determine my eligibility for a volunteer position with this organization. I also understand that as long as I remain a volunteer here, the criminal history check may be repeated at any time. I understand that I will have an opportunity to review the criminal history as received by State of Wisconsin CCAP and a procedure is available for clarification, if I dispute the record as received. I understand that it may contain information about my character and general reputation. I understand that I may be asked to relinquish my volunteer position at any time if any of my actions are deemed inappropriate while volunteering as an ambassador. I also consent to my photo being taken to be part of the ambassador database. I further understand and acknowledged that I have honestly and voluntarily provided the above information for volunteer purposes, and I have carefully read and understand this authorization.

Signature

Date

## Items in Ambassador Backpacks

**Resource Information-laminated for reference (as provided in this manual on the pages listed below)**

Executive Summary of Kayla's Playground Ambassador Program.....	15
Items for Ambassador Backpack/First Aid Kit.....	18
Kayla's Playground Scheduled Visit Form.....	21
Franklin Woods Pavilion Permit Form.....	23
Kayla's Playground Donation Picket Order Form.....	25

**Paper towels**

**Small Packages of baby/handy wipes**

**Disinfectant wipes**

**Hand Sanitizer**

**Non-latex gloves**

**First Aid Kit (Should not be used to treat, only used for providing supplies to visitors)**

DRAFT

## Kayla's Playground Ambassador Performance Evaluation/Exit Interview

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

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

### **Rating Scale**

3 Always or High

2 Average

1 Seldom or Low

0 Never

**Teamwork** Was the Park Ambassador team oriented? \_\_\_\_\_

### **Personal Appearance**

Does the Park Ambassador wear the appropriate uniform in a neat and professional manner? \_\_\_\_\_

### **Customer Service**

Does the Park Ambassador provide customer service that is consistent with the goals of the City of Franklin and Kayla's Playground? \_\_\_\_\_

### **Following Instructions/Assignments**

Does the Park Ambassador follow instructions and job assignments given by supervising staff? \_\_\_\_\_

Does the Ambassador complete an assignment / task in a timely manner? \_\_\_\_\_

Does Ambassador complete the assigned tasks and meet the standards of the park and the supervisor? \_\_\_\_\_

### **Park Ambassador to complete**

Overall, did you have a good experience volunteering?

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What did you like most about your role?

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What did you dislike about your role? What would you change about your role?

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Do you feel you had the resources and support necessary to accomplish your role? If not, what was missing?

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Would you like to pursue a career or job shadow with the City of Franklin? Yes No

Which position? \_\_\_\_\_

Playground Ambassador signature: \_\_\_\_\_ Date: \_\_\_\_\_

Program Coordinator signature: \_\_\_\_\_ Date: \_\_\_\_\_



# Kayla's Playground

## Scheduled Visit

Franklin Woods Nature Center  
3723 W. Puetz Road, Franklin, WI 53132

Kayla's Playground is open to all visitors and is not reservable. Therefore no permit is required for a group to visit the playground. In an effort not to overcrowd the playground or parking area any given day, groups wishing to use the playground are requested to schedule a date at the City of Franklin Clerks office. There will be no fee for a scheduled visit, but the playground, patio area and pavilion must be shared with other park visitors. **Charcoal grills and ground fires are not allowed at anytime at Franklin Woods.**

Please Note: You may request a Pavilion Permit at the City Clerks office. The Pavilion Permit would reserve the pavilion only for your group. The playground and patio area would still be shared with all park visitors.

### PLEASE PRINT

Name of Group: \_\_\_\_\_

Person in Charge: \_\_\_\_\_ Title: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_ Zip: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ Business Phone: \_\_\_\_\_

Number in Group: \_\_\_\_\_

Means of transport: (Bus or Car) \_\_\_\_\_

Visit Date: \_\_\_\_\_ Time: \_\_\_\_\_ am to \_\_\_\_\_ pm

I have read, understand and agree that the area and facilities will be used in accordance with the ordinances, rules and regulations of the City of Franklin Common Council and the Park Commission. Please read rules and regulations on the reverse side before signing.

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

In case of emergency, or to report any problems on the day of your reservation, please call  
**City of Franklin Police Department (414-425-2522)**  
and/or Monday thru Friday from 7:00a.m. – 3:30p.m., City of Franklin Park Staff (414-425-2592)

\*\*\*\*\*  
☐ APPROVED      ☐ REJECTED      For Office Use Only  
DATE: \_\_\_\_\_

Approved by: \_\_\_\_\_  
OFFICE OF THE CITY CLERK, phone 414-425-7500

## ADD FRANKLIN WOODS PAVILION FORM

### PERMIT RULES AND REGULATIONS FOR USE OF FRANKLIN PARKS

As residents, we share and enjoy over 150 acres of parks. We also share in a major responsibility to preserve and properly use our public facilities. Knowledge of, and adherence to, park rules and regulations will help create an awareness and appreciation of our valuable park and recreation investment.

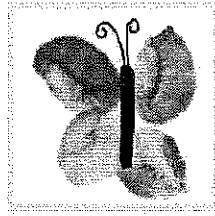
1. Pavilion rental is available from 9:00 am to 9:00 pm. All decorating, set up and clean up must be done within your rental time.
2. No commercial sales, for profit, of any kind are allowed on park property. Solicitations, donations or contributions are not permitted, except where authorized by permit.
3. Live music is prohibited unless indicated on pavilion permit. Both canned and live music cannot exceed 55 decibels from point no greater than 150' from point of sound origin, including use of radios, stereos, karaoke and other audio devices per City Ordinance.
4. No telephone reservations are accepted.
5. A picnic permit is required to reserve picnic areas. Rides, games, tents and other equipment are not permitted on park property, unless indicated on pavilion permits. Mechanical rides, dunk tanks, inflatable's, etc. must obtain a separate entertainment and amusement license, which must be approved by the Common Council. Inspections will be made prior to event by the electrical, building and fire departments. Tents cannot be erected prior to contacting the City and shall be subject to inspection.
6. Fires may only be started in gas grills to be used for food preparation. Charcoal fires and ground fires are not allowed at anytime at Franklin Woods.
7. Limited parking is permitted in designated parking lot only. Cars and other vehicles are not permitted in park areas.
8. Litter and other waste must be deposited in proper City garbage receptacles. Failure to comply will result in future denial of pavilion permit requests and could result in a fine. Dumping of any waste matter, of any kind, is prohibited in any City Park or public property.
9. No refunds are granted unless requested in writing at least thirty (30) days prior to pavilion permit date.
10. Overnight camping is prohibited.
11. Motorized vehicles, including off-street and/or recreational vehicles, are not permitted, unless otherwise posted.
12. Animals in park areas must be leashed at all times, per City Code. Any animal waste must be removed or deposited in a proper receptacle.
13. Destruction, injury, defacement or removal of city property is prohibited per City Code.
14. Firing or discharge of any projectile in a park is prohibited, per City Code.
15. Games and/or amusements are to be conducted only in the designated area approved by the Park Commission and the Common Council.
16. In case of snow or icy conditions, the City parks trails will not be maintained. The City is not liable if injury occurs.
17. Any form of golf is not permitted in any City Park.

Violation of park/pavilion rules and a violation of local and/or state laws can result in a fine, imprisonment or both. City of Franklin Park Staff (414-425-2592) and/or City of Franklin Police Department (414-425-2522) will implement enforcement of park rules and regulations.

***Promote Parks Positively!***

**Thank You for Your Participation and Cooperation**

ADD: Kayla's Playground Picket Order Form




## Kayla's Playground at Franklin Woods Nature Center Playground Features

- Cushioned play surface increases protection from falls. Cushion calibrated to possible fall heights
- Pervious play surface provides dry, environmentally friendly drainage. Prevents insects.
- Fully accessible merry-go-round for two children in wheelchairs to enjoy along with other children, two seats for children with balance issues.
- Two "expression swings" for parent/child interaction while swinging together
- Two different stainless steel slides made in Germany. No electrical interference for those with cochlear implants.
- Slides are oriented north to keep them cool. Structures designed to provide additional shade
- Registered "Little Free Library" stocked with books for children. Take one, leave one.
- Covered seating area for rest, relaxation, reading and socializing while watching the children play
- One way in, one way out to provide safety and security for the children
- Fully accessible "Liberty Swing" for children in wheelchairs imported from Australia
- Interactive toys in the 2-5 area
- Bucket swings in both areas to accommodate larger children needing seated security
- Climbing wall in 5-12 area and a small climbing wall in the 2-5 area with appropriate cushioned play surface
- Climbing trees in the 5-12 area with appropriate cushioned play surface
- Rope climb in the 5-12 area with appropriate cushioned play surface
- Fully accessible ramping to activities with high and low grippable railings
- Wetland over-look (fully accessible) in the 5-12 area.
- Rocking boat deck (accessible) in the 5-12 area
- Kid's city hall, library, Police Station and fire house in 2-5 area
- Short dual slide in 2-5 area (fiberglass)
- Short slide in 5-12 area (fiberglass)
- Tire Swing in 5-12 area
- Rope climb and rope bridge with appropriate cushioned play surface in 5-12 area
- Wiggly balance beam in 5-12 area
- Two height monkey bars, rings and twist rings in 5-12 area with appropriate cushioned play surface
- Designed "hide and seek" area under the slides in the 5-12 area. No pinch or choke points.
- Paver patio for picnics and relaxation that's pervious surface to filter run-off to the wetlands
- Pavilion with area for gas grill cooking
- Fully accessible restrooms for males, females and families with water fountain and adult changing tables

- Pet water fountain
- Circle drive to facilitate bus drop-off and pick-up
- Large grass area for lawn games
- Monitored security cameras
- All plastic engineered components for no splinters
- Light colored surface for a cool playground during hot summer months
- Seating located throughout for parents and care-givers
- Landscaping designed for low maintenance, environmental enhancement and to attract butterflies
- Playground designed for future enhancement



<b>APPROVAL</b> 	<b>REQUEST FOR COUNCIL ACTION</b>	<b>MEETING DATE</b> <b>4/16/2019</b>
<b>REPORTS &amp; RECOMMENDATIONS</b>	<b>An Ordinance to Amend Section 10-7 A, Parks Commission – Membership, of the Municipal Code by Adding the Park Ambassador Program Coordinator as an Ex-officio, Non-voting Member of the Parks Commission</b>	<b>ITEM NUMBER</b> <b>G. 6.</b>

At their meeting of April 8th, the Parks Commission considered information relative to the Kayla's Playground Ambassador Program and unanimously approved a motion to recommend that the Common Council approve the following:

- implementation of the Kayla's Playground Ambassador Program by the Parks Commission,
- directing staff to complete the necessary steps for implementation (complete waiver form, etc.),
- an Ordinance amending the Park Commission structure to add the ex-officio position, and
- appointment of Shelly Runte as Program Coordinator effective upon the effective date of the ordinance.

The recommendation of the Parks Commission and the Director of the Administration is to modify the Parks Commission structure adding an ex-officio member that would be assigned to the Park Ambassador Program Coordinator. The "Kayla's Playground Ambassador Program" item on the agenda provides additional detail on the item, including the following:

"Staff recommends that the program be run by a Park Ambassador Program Coordinator, appointed by the Parks Commission and confirmed by the Common Council, which position shall be a non-voting, ex-officio member of the Parks Commission. If the individual is otherwise also appointed and confirmed as a regular member of the Parks Commission, per existing ordinance, they shall remain a voting member. This ex-officio member shall not be counted toward the quorum of the Commission....

Such an "ex-officio" status would be similar as to how the Sanitarian is currently an ex-officio member of the Fair Commission. State Statute, Wis. Stats. Section 27.08(1), provides that "Such board [Parks Commission] shall be organized as the common council shall provide," and Roberts Rules of Order allows for ex-officio members. As such, an ordinance modification amending Section 10-7 of the municipal ordinances is all that would be necessary. If the concept plan is approved, the necessary ordinance modification would be prepared and brought forward."

The attached ordinance achieves that purpose using the same structural format as used for the appointment of the Sanitarian as an ex-officio member of the Fair Commission. The existing "Membership" portion of the code, therefore, is simply recreated as (1) and the new portion related to the Program Coordinator is set forth as (2). All of the conditions of the appointment are built into subsection (2) thereby taking advantage of the statutory authority of the Common Council to structure the Commission as it shall so determine.

It is only necessary to address the membership component of the Park Ambassador Program into the ordinance because all other aspects of the program are already addressed for ordinance purposes by the Parks Commission's current powers and duties that state they "have charge and supervision of all City parks and recreation programs, subject to Mayor and Council supervision."

### COUNCIL ACTION REQUESTED

Motion to adopt Ordinance No. 2019-\_\_\_\_ "An Ordinance to Amend Section 10-7 A, Parks Commission – Membership, of the Municipal Code by Adding the Park Ambassador Program Coordinator as an Ex-officio, Non-voting Member of the Parks Commission."

## ORDINANCE NO. 2019-\_\_\_\_\_

AN ORDINANCE TO AMEND SECTION 10-7A, PARKS COMMISSION – MEMBERSHIP, OF THE MUNICIPAL CODE BY ADDING THE PARK AMBASSADOR PROGRAM COORDINATOR AS AN EX-OFFICIO, NON-VOTING MEMBER OF THE PARKS COMMISSION

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WHEREAS, the Parks Commission has reviewed the circumstances and opportunities relative to the creation of Kayla's Playground Ambassador Program and recommends establishing such a program, and

WHEREAS, the Parks Commission recommends that the best manner for the Commission to oversee, monitor, and administer the program is to establish the Park Ambassador Program Coordinator of the City as an ex-officio, non-voting member of the Parks Commission, and

WHEREAS, State Statute, Wis. Stats. Section 27.08(1), provides that "Such board [Parks Commission] shall be organized as the common council shall provide," and

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

SECTION 1:           §10-7 [Parks Commission] A., "Membership", of the Municipal Code of Franklin, Wisconsin, is hereby deleted in its entirety and recreated as follows:

§10-7 A. Membership

- (1) The Parks Commission shall consist of seven members, including one alderman and six citizens, all appointed by the Mayor and subject to confirmation by the Common Council. The term of the Alderman member shall be one year, only while in the office of Alderman, and expiring upon the April 30 following the appointment. The citizen members shall be appointed for three-year terms, expiring upon the April 30 of the third year following the appointment; excepting that the initial appointments shall provide for two members to serve a one-year term and two members to serve a two-year term, expiring upon the April 30 of the first year and second year following such appointments, respectively. The Parks Director shall provide technical and staff assistance to the Commission.
- (2) In addition to the above-named members of the Commission, the Park Ambassador Program Coordinator of the City shall be an ex-officio, non-voting member of the Parks Commission, which position shall not affect quorum determinations. If the individual appointed as the Park Ambassador Program Coordinator is otherwise also appointed and confirmed as a member of the Parks Commission per item (1) above, the individual shall remain a voting member as conferred by that appointment. The Parks Commission shall appoint the Park Ambassador Program Coordinator subject to confirmation by the Common Council. The Park Ambassador Program Coordinator shall serve the Commission by reason of their respective office. Either the Parks Commission or the Common Council may rescind the appointment of the Park Ambassador Program Coordinator, with or without cause, subject to a three-quarters vote of the respective membership."

**ORDINANCE NO. 2019-\_\_\_\_\_**  
**PAGE 2**

SECTION 2:           The terms and provisions of this ordinance are severable. Should any term or provision of this ordinance be found to be invalid by a court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

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

SECTION 4:           This ordinance shall take effect and be in force from and after its passage and publication.

Introduced at a regular meeting of the Common Council of the City of Franklin this 16th day of April, 2019, by Alderman \_\_\_\_\_.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this 16th day of April, 2019.

APPROVED:

\_\_\_\_\_  
Stephen R. Olson, Mayor

ATTEST:

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

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

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Approval <i>Slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 04/16/19
REPORTS & RECOMMENDATIONS	RECOMMENDATION FROM THE QUARRY MONITORING COMMITTEE (QMC) PERTAINING TO MEMBERSHIP AND SURVEY PARTICIPATION	ITEM NUMBER <i>G.7.</i>

At the March 28<sup>th</sup> meeting of the Quarry Monitoring Committee (QMC) the members desired and residents concurred that a member of the QMC should be present during the surveying to view and better understand the survey process. While the QMC minutes are not yet approved, it is noted that a motion was made *to direct one Committee member and 1 neighbor to be present during the survey work.* Aldw. Wilhelm and Ald. Barber both expressed an interest in attending. However, due to possible quorum matters and dependent on membership appointments, the committee elected Ald. Barber and one citizen, Jill Erickson to attend. Aldw. Wilhelm would then serve as an alternate or possibly also attend provided no open meetings law or quorum issues would result from joining the other members on the date the fieldwork is performed.

At that same meeting, the Committee expressed appreciation for the assistance and knowledge resident Jill Erickson has been providing the QMC. Therefore, the QMC motioned *to recommend that Mayor Olson give consideration to adding Jill Erickson into the open mayoral appointment,* which seat/current term ends in May 2019. Under ordinance, the above-mentioned seat is currently the only term that could be filled by a resident member. Due to the recent staff removal from the QMC and the need to work closely with concerned citizens on quarry matters, this item becomes a very timely request.

Per Ordinance that set up the QMC, there are two Aldermanic seats for the districts adjacent the Quarry. These appointments are on the Council agenda this evening because Ald. Barber is starting a new term and Aldw. Wilhelm's term is expiring. The code is for a 2-year term concurrent with the tenure in office and should be amended to reflect the 3-year terms. This item is a policy of the Common Council.

#### COUNCIL ACTION FOR CONSIDERATION

1. Update on the field survey attendance and the need to have full committee appointments to determine who may be allowed to attend.
2. Consider support of competent and interested individuals for the open committee seat.
3. Consider needed changes for the QMC Ordinance so that it coincides with the Aldermanic term lengths.

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APPROVAL <i>Slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE April 16, 2019
Reports and Recommendations	Motion to allow the Director of Health and Human Services to continue the Memorandum of Understanding (MOU) with the West Allis Health Department for the Women, Infants and Children Program.	ITEM NUMBER <i>6.8.</i>

**Background:** Since 2007, the Franklin and West Allis Health Departments have partnered to bring the services of the Women, Infants, and Children (WIC) Program to eligible Franklin residents. WIC is a program that provides nutrition education and breastfeeding support to at-risk pregnant, breastfeeding and postpartum women, infants and children. Eligible residents are able to make appointments through the West Allis Health Department and attend a clinic date and time around the community that meets their schedule and needs.

**Analysis:** The MOU allows residents the ability to enroll in a program with clinic sites near Franklin. The West Allis Health Department WIC staff maintain direct connections to the Franklin Health Department nurses for any further health concerns, questions, and follow-up these clients may need at a local level. There are no changes to the MOU for 2019.

**Options:** 1. Authorize the Director of Health & Human Services to sign the West Allis MOU.  
2. Decline the West Allis MOU.  
3. Table or postpone extension of the MOU pending review by the city attorney.

**Recommendation:** The Director of Health and Human Services recommends maintaining the MOU with West Allis Health Department to provide WIC services to eligible Franklin residents.

**Fiscal Note:** There is no additional fiscal responsibility for the Health Department with this MOU.

#### COUNCIL ACTION REQUESTED

The Director of Health and Human Services requests a motion to continue the Memorandum of Understanding with the West Allis Health Department to provide screening and consultation services for Franklin residents enrolled in the Women, Infants, and Children (WIC) program.



Health Department  
health@westalliswi.gov  
414.302.8600

## MEMORANDUM

**TO:** Courtney Day  
**FROM:** Jennifer Vaclav WIC Project Director *JMV*  
**DATE:** 3/20/2019  
**SUBJECT:** Update MOU

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Greetings Public Health Partner:

I write today to request a review and signature of our Memorandum of Understanding. The West Allis Health Department WIC program greatly appreciates your continued support and willingness to accept referrals from our program.

If our agreement continues to meet your needs please sign and return one copy of the MOU agreement.

If you have any questions concerning our MOU or other aspects of the WIC program please do not hesitate to contact me.



**WEST ALLIS HEALTH  
DEPARTMENT  
CUDAHY-GREENFIELD**

**Memorandum of Understanding  
Between  
West Allis Health Department WIC Program  
And  
Franklin Health Department Programs**

**Title: Information Sharing between the Special Supplemental Nutrition Program for Women, Infants and Children (WIC) and the Franklin Generalized Public Health Nursing Programs and Prenatal Care Coordination.**

**I. Purpose**

This document represents an intra-agency agreement between the West Allis Health Department WIC Project, representing the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) Program and the Franklin Health Department Generalized Public Health Nursing and Prenatal Care Coordination (PNCC), all operating within the City of Franklin for the purpose of sharing WIC applicant and participant information.

**II. Definitions**

“Confidential Information” means any information about a WIC applicant or participant, whether it is obtained from the applicant or participant, another source, or generated as a result of WIC application, certification, or participation, that individually identifies an applicant or participant and/or family member(s). Confidential Information does not include treatment for mental illness, developmental disabilities, alcoholism or drug abuse, or HIV infection test results or HIV status.

“Programs” means the home or clinic visiting programs to provide or arrange for the availability of services and actions to promote, maintain or restore health and prevent disease and injury that are directed at current and emerging needs of the community, vulnerable population groups and families and individuals referred by physicians and other health care providers, health maintenance organizations and other sources for health education or follow-up care

“Prenatal Care Coordination (PNCC)” means services to help a recipient gain access to medical, social, educational, and other services related to the recipient’s pregnancy. Wisconsin Medicaid PNCC services are available to Medicaid eligible pregnant women with a high risk for adverse pregnancy outcomes during pregnancy through the first 60 days following delivery.

“ROSIE” means the Real-Time Online Statewide Information Environment, the Wisconsin, WIC Program data system that maintains WIC clinic data on a central database.

### **III. Access to Confidential Information**

- A. WIC Program staff may share Confidential Information with the Programs for any of the following purposes.
- To establish the eligibility of WIC applicants or participants for the Programs;
  - To conduct outreach to WIC applicants and participants for the Programs' To enhance the health education, or well-being of WIC applicants or participants who are currently enrolled in the Programs;
  - To streamline administrative procedures in order to minimize burdens on staff, applicants, or participants in either the Programs or the WIC Program.
- B. The Programs may use the Confidential Information only for the purpose(s) for which the WIC program shared the Confidential Information and for no other purpose. The Programs may not disclose the Confidential Information to a third party without the prior written consent of the WIC participant.
- C. The data elements of the Confidential Information that may be shared are:
- 1.) Name, address, telephone numbers, number in the household members, age, gender, date of birth
  - 2.) Weight, height, hemoglobin, test results and date they were completed
  - 3.) Appointment date, time, guardian's name, and benefit issuance day
  - 4.) Responses to pregnancy screening questions
- D. The Programs will take all reasonable security measures to prevent any unauthorized disclosure of the Confidential Information.
- E. WIC applicant and participants will be informed prior to disclosure.
- F. Restriction on the use of disclosure of Confidential Information shall survive the termination or expiration of this agreement.

### **IV. Term**

- A. This agreement shall become effective upon the latest date of signing.
- B. This agreement may be amended in writing at any time by mutual consent of the parties. Amendments will be written and signed by the proper representatives of each party and shall identify the exact nature of the amendment(s). Any amendments will be attached as amendments or as clarifications to the agreement.
- C. This agreement shall continue in effect until either party terminates this agreement by providing a thirty-day advance written notice of the other party or until such time as state or federal law changes to invalidate the agreement. The agreement shall be annually reviewed by the WIC Director and a representative(s) of the Program(s) and revised upon the mutual concurrence of the parties.

**Memorandum of Understanding  
Between  
Franklin Health Department  
And  
West Allis Health Department WIC Program**

**Signature Page**

**Signatures:**

\_\_\_\_\_  
**Health Officer  
Franklin Health Department**

*Gennifer Vaclav RDN*  
**WIC Project Director**

\_\_\_\_\_  
**Date**

*3.20.17*  
**Date**

**Revised 3/19**

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