

<p>APPROVAL</p> <p><i>slw</i> </p>	<p>REQUEST FOR COUNCIL ACTION</p>	<p>MEETING DATE</p> <p>11/19/2019</p>
<p>REPORTS & RECOMMENDATIONS</p>	<p>Pay Plan Structure for Police Department Supervisory Staff</p>	<p>ITEM NUMBER</p> <p>G.8.</p>

The 2020 budget includes appropriations to fund consideration of merit increases for non-represented employees in 2020. Relative to the Police Department supervisory personnel, the current non-represented pay plan includes the Sergeants, Captains, Assistant Chief, and Chief. The Police Chief has consistently advocated that a merit program is not appropriate within the para-military organization of the Police Department. The Director of Administration acknowledges that a Police Department is possibly the toughest unit of a municipal government to bring under a merit program, but that it is absolutely possible. The Chief advocates for a traditional step-and-grade pay scale for the non-represented employees of the Police Department below the rank of Chief, with consideration towards ensuring risk of future pay compression between Sergeants and union positions (Police Officers and Detectives) is eliminated. In order to provide a clear example of such a plan, the Director of Administration developed a plan that attempted to address the Police Chief's concerns, while at the same time remaining reasonable and appropriate relative to all of the remaining non-represented employees in the currently approved pay plan.

This plan was also developed to address the amendment to the Mayor's Recommended Budget proposed by Alderman Taylor and approved by the Committee of the Whole to add appropriations to the "Police Department Personnel costs to address wage compression and a restructuring of the command staff pay plan...". The current pay plan already had a "Market Rate Special Circumstances" exception that ensured that the minimum Sergeant salary was at least 7.5% above the top Police Officer salary (thereby eliminating compression), but it did not address equity concerns related to a Sergeant above the minimum potentially not receiving the same annual increases as an officer. The proposal addresses both the compression and pay equity issues. **The Personnel Committee unanimously approved the plan as presented with the exception that the Assistant Chief position be excluded from the step-and-grade plan and remain within the current hybrid merit plan, which exception was recommended by the Director of Administration.**

A spreadsheet that lays out the development and primary components of the plan is attached. The amended policy components are summarized as follows:

1. The Sergeants and Captains shall be removed from the existing hybrid-merit compensation plan and placed into a step-and-grade plan effective January 1, 2020.
2. The first step of a new Sergeant step-and-grade plan shall be the highest, rounded to the nearest dollar, of a) 7.5% above the hourly contractual rate for Patrol Officer annualized (rate x 1.075 x 2002 hours) or b) 2.0% above the hourly contractual rate for Detective annualized as if Patrol Officer (rate x 1.02 x 2002 hours).

3. The third (also known as the top or maximum) step of a new Sergeant step-and-grade plan shall be initially set at \$87,442, which is equal to the current actual base salary of the highest paid Sergeant increased by .95% (differential percentage increase between Police Officers and Sergeants when considering a .5% wage differential from 2018 and a .45% wage differential from 2019).
4. The second step of a new Sergeant step-and-grade plan shall be the mid-point between the first and third steps.
5. Each step of the step-and-grade plan for the Captains shall be 20 percent higher than the corresponding step of the step-and-grade plan for the Sergeants, rounded to the nearest dollar.
6. The first and third steps of the Sergeants' step-and-grade plan shall be adjusted equivalent to, on the same basis as (for example, percentage versus flat dollar), and at the same time as wage increases awarded in the WPPA union labor contract, unless otherwise directed by the Common Council in the event of special circumstances. The Captains' steps would, therefore, be simultaneously adjusted.
7. Each Sergeant and Captain shall be placed within the plan based upon their seniority in the rank. One year of satisfactory or better service in the rank is required between steps; as such, less than satisfactory service may delay a step increase as determined by the Police Chief. Actual wages of each Sergeant and Captain shall be adjusted concurrent with adjustments to the pay plan provided said employee has satisfactory performance, as determined by the Police Chief. [As such, the affected positions would receive a wage adjustment at the start of 2020 with their initial placement in the plan and approximately April 1, 2020 based upon the settled labor agreement.]

The projected 2020 cost of \$24,885 does not include a few extra months of wage increases for 2020 since these wages would change in April instead of June or July, but there are sufficient appropriations available within the budget. If there are questions regarding how this new step-and-grade plan compares to the existing compensation plan, the Director of Administration would be happy to address them.

COUNCIL ACTION REQUESTED

Motion to amend the existing non-represented classification and compensation plan and approve a new step-and-grade plan for Sergeants and Captains in the Police Department in accordance with the 7 principles set forth in the Council Action Sheet and to authorize the Director of Administration to modify the Employee Handbook in a manner and form as he determines is best appropriate to incorporate this new pay plan policy.

COMPRESSION, EQUITY, AND POSSIBLE PAY PLAN STRUCTURE ANALYSIS FOR POLICE COMMAND STAFF

DRAFT

Data and Analysis:

	2019 Salary Range Minimum	2019 Salary Range 65%	Maximum	12/31/19 Hourly Rate	12/31/19 Annual Base	% Rank in Range	95% total Equity	2020 Cost Per New Concept
Asst. Chief	89,227	109,527	120,458	52.6055	108,419	64.65%		956
Asst. Chief #1	83,002	101,886	112,053	49,1062	102,141	65.89%	1,975	
Captain #1		18.5%	26.4%	49,4975	102,955	68.89%	1,975	
Captain #2		Percent above Sgt Range		48,6417	101,175	62.56%	741	
Captain #3								
Sergeant	80,915	85,955	88,669	43,2664	86,619	73.58%	823	
Sergeant #1				43,0328	86,152	67.54%	818	
Sergeant #2				41,8313	83,746	36.51%	796	
Sergeant #3				43,2664	86,619	73.58%	823	
Sergeant #4				41,1302	82,343	18.42%	782	
Sergeant #5				43,2664	86,619	73.58%	823	
Sergeant #6				43,2664	86,619	73.58%	823	
Sergeant #7				43,2664	86,619	73.58%	823	
Sergeant #8				43,2664	86,619	73.58%	823	
Next years Roll up		102.25%	102.25%		6,511		18,437	
Benefits		1.32	1.32		6,957		18,652	
		8.787	8.787				24,885	

Current Adopted Compression Policy:

Market Rate Special Circumstances: Special consideration may be given by the Common Council as to the need to adjust the Market Rate and/or establish an effective salary minimum for a position based upon factors as the Common Council may determine are applicable, including but not limited to whether or not said position is part of a promotional path, is at risk of compression, or is a precedent to internal candidates seeking promotions without such special consideration. The following Market Rate Special Circumstances apply to the positions of Sergeant in Grade 9, the effective salary minimum upon implementation is \$73,776, which represents a 7.5% increase above the current top Patrol Officer annual wage, which results in a Market Rate for the position of \$79,587.

e. Compression: If the Director of Administration determines wage compression exists between the subordinate positions as a result of differences between the change over time in non-represented and represented (union) wage increase, the Director shall bring such issue to the Personnel Committee for review and consideration.

SERGEANTS: Developing a Step-Plan Alternative

Step 1 Set Range Parameters.
Proposed starting range remains 7.5% above Patrol Officer OR 2% above Detective HOURLY rate

2019 Patrol Officer	37,6000	75,275	hourly/annual (Effective 4/1/19 per new contract)
Plus 7.5%	40,4200	80,921	[Note: Every current Sergeant exceeds this so there is no compression]
2019 Detective	40,9800	85,238	
Plus 2%	41,7966	86,683	Annualized as if Patrol

Highest between options **83,683** and **80,921** is the Starting Step for Sergeants

Result: The new policy consideration has the result of increasing the starting Sergeant wage by 3.4% and raises the compression gap, in this instance to 11.2%

Step 2: Consider Equity Adjustment

Current Max Sergeant	86,619
Equity loss ratio argument	1,0095
NEW MAX SERGEANT	87,442

Step 3. Create a Range with 3 even steps

Max	87,442	minus	Min	83,683	= Range	devised by 2 =	Step Increase
					3,759	/ 2	1,860

NEW SERGEANT STEPS/RANGE 83,683 85,662 87,442

Step 4. Consider other Command Staff

Captain Range at 20% higher	100,419	102,675	104,930	\$ 1,875	Raise for top Captains
				75.48%	% through current Captain Range

Current lowest Captain is 15.7% above the new top Sergeant.

Gap between Sergeants and Captains was increased from compression level so that the full range could be expanded to 2 steps

Current Gap between Range 9 (Sergeants) and Range 12 (Captains) is 26% but pay practices restrain that

14.84% Raise from new Sergeant plan to above Captain plan will be more than sufficient to counter loss of OT

Would eliminate need for overtime adjustment confusion or discrepancies and standardize expectations

Assistant Chief is 7.5% higher 107,951 110,375 112,800

7.5% is gap per the current pay plan

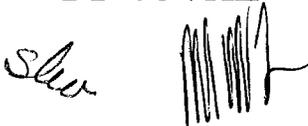
Director of Administration does not recommend including the Assistant Chief in a step-plan

as the merit plan would be more appropriate for such a senior level position

Miscellaneous Notes and Calculations

compared to other non reps	66,920	81,057	88,669	new sgt	87,442	84.17%
Detective				40,9800	85,238	1,016202
Patrol Officer				37,6000	75,275	1,132355
Captain	83,002	101,885	112,053	49,1062	102,141	65.88%
Captain #1					104,930	75.48%
Asst. Chief	89,227	109,527	120,458	52,6055	112,800	75.48%
Example						

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<p>APPROVAL</p> 	<p>REQUEST FOR COUNCIL ACTION</p>	<p>MEETING DATE</p> <p>11/19/2019</p>
<p>REPORTS & RECOMMENDATIONS</p>	<p>Fire Station Alerting System Update and Authorization to Contract with Starfire Systems for an Installation Specification and Design</p>	<p>ITEM NUMBER</p> <p>6.9.</p>

The Fire Department station alerting system project requires authorization to hire a firm to design and/or provide specifications for bidding out the installation of the U.S. Digital Designs' station alerting system components. This project stage was not anticipated by the Fire Department possibly because of the manufacturer's unfamiliarity with Wisconsin law. The intent of this Council Action Sheet is to explain the need for this step and give a summary of the project steps thereafter. A lot of effort was invested in trying to take the project straight to the contract stage, but that simply is not possible under Wisconsin law as determined by the City Attorney and the Director of Administration.

The complexity of the project stems, in part, from the Fire Department having determined that the station alerting system developed by U.S. Digital Designs provides the functionality that is in the best interest of the City of Franklin. Questions on that topic should be addressed to the Fire Chief. To achieve this result, the City can directly purchase the system components from U.S. Digital Designs. This saves the City sales tax and any markup that might be applied if they were purchased on our behalf by an installer. A project of this magnitude for the installation of building fixtures requires that the installation portion of the project be bid out. The manufacturer does not directly do this work itself and simply says that their equipment should be installed "according to local code". In short, the manufacturer provides a design of what devices need to be where, but does not dictate how they are to be put there.

Despite their cooperation and lots of effort, the manufacturer is unable to provide any examples where any of their 14 projects in the State of Wisconsin was performed via a sealed bid process that Franklin could use as a pattern. The vast majority were directly contracted with the manufacturer who then subcontracted the installation work and marked the price up. The City Attorney has confirmed that this would not be consistent with public bidding requirements as they have been interpreted by the State's Attorneys General and the League of Wisconsin Municipalities. It is worth noting that U.S. Digital Designs prefers not to be involved in the product installation in this manner, which is why they are in the process of dissuading communities from doing such by increasing their markup from 10% to 30%.

To be clear, a couple projects were bid out properly, but only in conjunction with construction of a new fire station that was also bid out. There were no retro-fit projects such as ours where the need to add electrical boxes, conduit, etc. to an existing station occurred. Therefore, there are no comparable examples in Wisconsin from which to steal installation bid specifications, and, again, the manufacturer doesn't provide them. It can also be noted that there are currently four certified installers in Wisconsin, and two were contacted, with both concurring that they have not seen specifications for a retro-fit installation. (A certified installer is required to maintain the product

warranties.) [Also, Glendale, for example, bid out a generic station alerting system to all vendors, and U.S. Digital Designs came in as part of the lowest bid proposal. That method, however, does not guarantee the Fire Department all of the service and functionality components that they want.]

After consulting with Inspection Services, specifications are essential to ensuring a quality installation. It would be possible to internally develop installation specifications but it would be more time consuming and negatively impact productivity. The Director of Administration and Director of Inspection Services recommend that the City contract with an electrical system designer to develop and prepare bid specifications that can be attached to the boiler plate components used by the City. Starfire Systems, a Franklin business, was contacted because of the City's experience with their work in relation to our fire alarm systems, a similar-type system with both 120 volt and low voltage components. Starfire Systems is investigating the project, the product, and our fire station facilities. In order to keep the project moving, a proposal for design services will be made available at the meeting or sooner, if available. The full scope of the proposal will determine the cost, but a very preliminary estimate is in the \$3,000 to \$5,000 range.

Next Steps: While the specifications and bid documents are being prepared and published, a purchase order with the manufacturer will be finalized for Council approval. The purchase order will include purchase of the devices and the programming services to enable all of the project pieces to communicate with each other and with all of Franklin's dispatching systems and perform all the desired functions. Copies of the anticipated facility plans are attached. Questions regarding the number and distribution of audible and visual notification devices and message boards, etc., should be directed to the Fire Chief.

An additional contract will need to be approved with ProPhoenix, the CAD provider for the Police Department. ProPhoenix will have to perform programming and/or development to ensure proper communications between the two systems. It is already known that the U.S. Digital Designs' system can interface with ProPhoenix, but this occurs through customization.

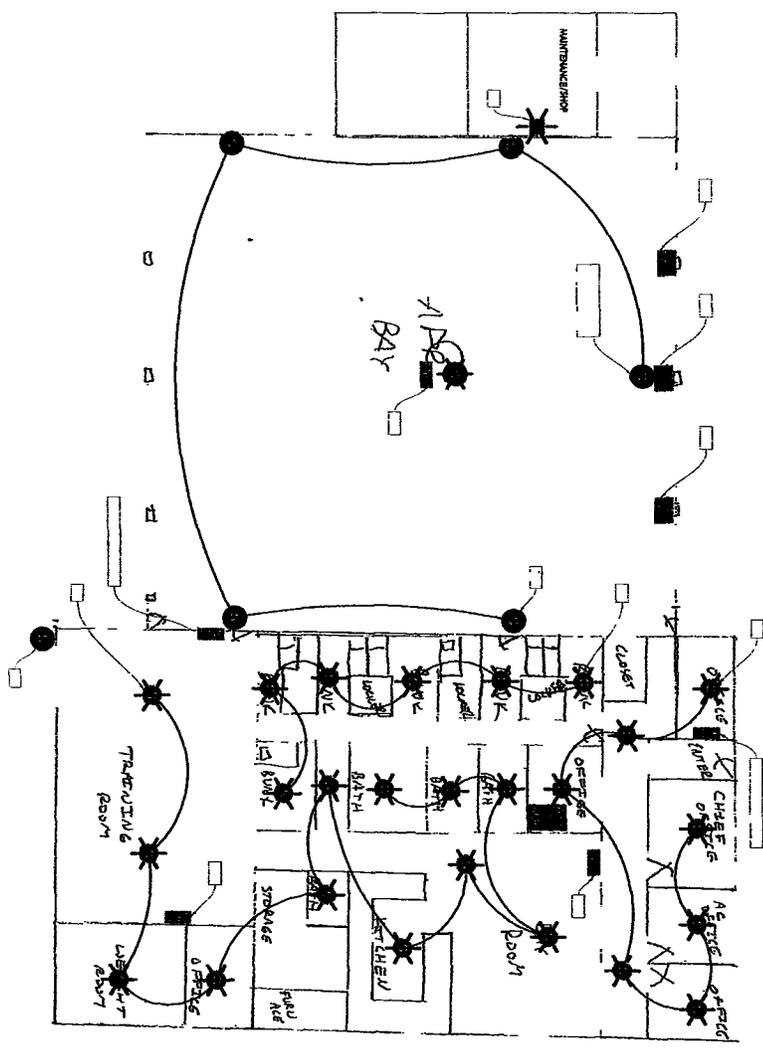
Finalization of each of the subsequent components will occur after the design installation specifications are completed. In that way, the development of the design specifications can be used as a double-check to ensure that all of the components are necessary and covered. A full project budget will also be presented since it appears that some of these project components may not have previously been fully anticipated in the Fire Department's initial design efforts and budget estimate.

COUNCIL ACTION REQUESTED

Motion to authorize the Director of Administration to approve a proposal from Starfire Systems for the development of electrical system installation specifications for a U.S. Digital Designs' station alerting system, subject to inclusion of insurance requirements.

- NOTES:
1. SEE ARCHITECTURAL SPECIFICATIONS FOR ALL ROUGH-IN AND INSTALLATION DETAILS.
 2. US DIGITAL DESIGNS DOES NOT SUPPLY BACK BOXES, CONDUITS, OR MOUNTING FASTENERS.
 3. US DIGITAL DESIGNS FIRE STATION ALERTING PLANS ARE QUOTING PURPOSES ONLY. DRAWING MAY NOT BE TO SCALE.
 4. PHOENIX G2 SYSTEM IS ABLE TO SIGNAL OWNER-FURNISHED SYSTEMS, (EXHAUST LIGHT GAS SHUT OFF ETC.) BUT USDD DOES NOT SUPPLY THESE SYSTEMS AND CANNOT WARRANT OR SUPPORT ANY OF THEIR PERFORMANCE BEYOND THE TRANSMISSION OF RELAY SIGNAL TO THEM.

- INSTALLER NOTES:
1. INSTALLER TO INCLUDE CONNECTION BETWEEN ATX STATION CONTROLLER'S LINE-LEVEL AUDIO OUTPUT AND (EXISTING) OWNER-FURNISHED HOUSE AUDIO SYSTEM (AMP), (IF APPLICABLE).
 2. INSTALLER TO PROVIDE 1 CAT5/6 CABLE FROM ATX CONTROLLER TO CUSTOMER EXISTING STATION RADIO AND NETWORK SYSTEM FOR BACKUP.
 3. INSTALLER TO PROVIDE CONNECTION BETWEEN (EXISTING) OWNER-FURNISHED STATION LIGHTING CONTROL SYSTEM AND RELAY OUTPUT FROM ATX STATION CONTROLLER OR NO REMOTE.



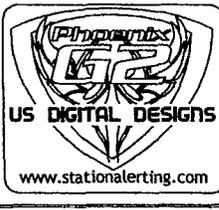
COUNT	US DIGITAL DESIGNS Name
1	EXTERNAL ALERT TOWER (60-120W)
1	G2 ATX STATION CONTROLLER
25	G2 LED SPEAKER (G2-11R-C70)
1	G2 LED SPEAKER-BOX
1	G2 MESSAGE REMOTE #1
5	G2 MESSAGE SIGN STANDARD (MS-G2-S)
3	G2 MESSAGE SIGN STANDARD (MS-G2-S)
1	G2 OMNISTROKE SPEAKER
1	G2 UVS (G2-UVS)
2	WARRANTY KIT-1
3	WARRANTY KIT-2
2	SPEAKER WEATHER PROOF

SYMBOL	DESCRIPTION
ATX	G2 ATX STATION CONTROLLER
EX1	EXTERNAL ALERT TOWER
EX2	EXTERNAL ALERT TOWER
EX3	EXTERNAL ALERT TOWER
EX4	EXTERNAL ALERT TOWER
EX5	EXTERNAL ALERT TOWER
EX6	EXTERNAL ALERT TOWER
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EX97	EXTERNAL ALERT TOWER
EX98	EXTERNAL ALERT TOWER
EX99	EXTERNAL ALERT TOWER
EX100	EXTERNAL ALERT TOWER

POE - USDD device connects to G2 ATX Power-Over-Ethernet (POE) port 1 thru 8 or G2 Expansion Module(s) ports 1 thru 12
 A n - G2 ATX Amplifier
 E n - G2 External Amplifier 1 n

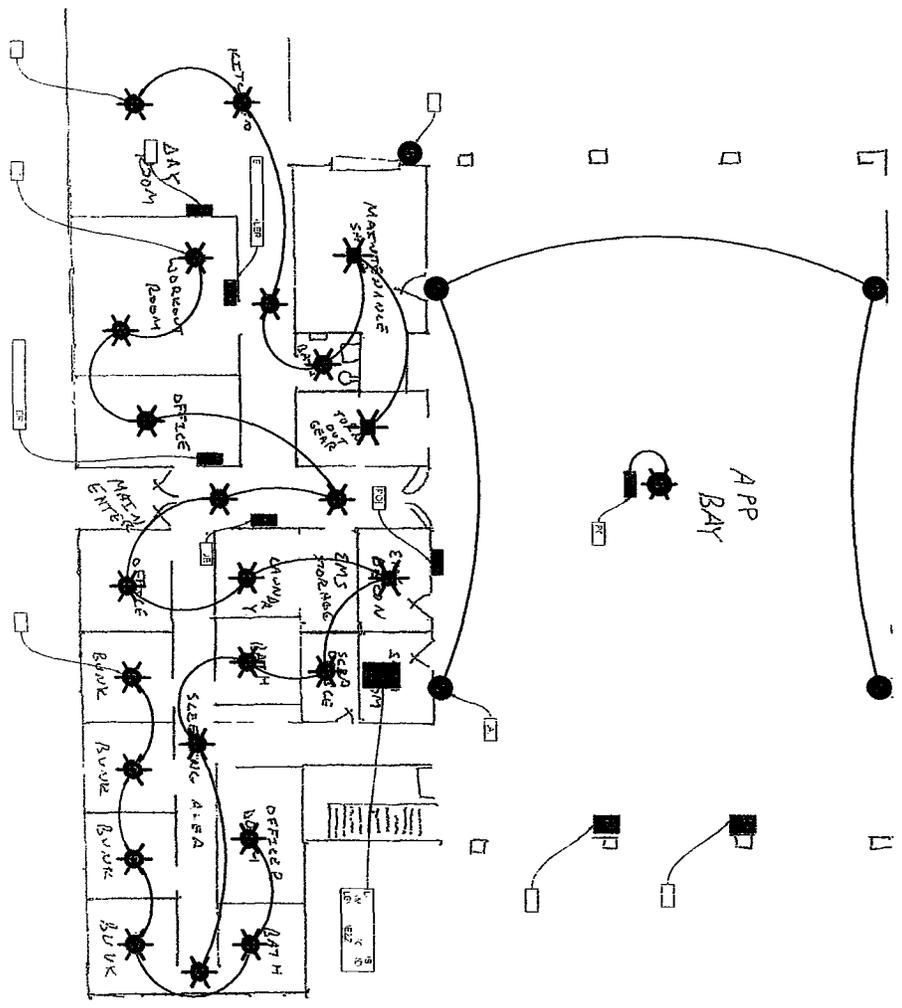
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project	CITY OF FRANKLIN, WI
building	FIRE STATION 1
filename	USDD.WI_FRNK.F501.FSA.DWG
date	21-May-2019
design by	JA



- NOTES:
1. SEE ARCHITECTURAL SPECIFICATIONS FOR ALL ROUGH-IN AND INSTALLATION DETAILS.
 2. US DIGITAL DESIGNS DOES NOT SUPPLY BACK BOXES, CONDUITS, OR MOUNTING FASTENERS.
 3. US DIGITAL DESIGNS FIRE STATION ALERTING PLANS ARE DIAGRAMMATIC AND FOR QUOTING PURPOSES ONLY. DRAWING MAY NOT BE TO SCALE.
 4. PHOENIX G2 SYSTEM IS ABLE TO SIGNAL OWNER-FURNISHED SYSTEMS, (EXHAUST LIGHT GAS SHUT OFF ETC.) BUT USDD DOES NOT SUPPLY THESE SYSTEMS AND CANNOT WARRANT OR SUPPORT ANY OF THEIR PERFORMANCE BEYOND THE TRANSMISSION OF RELAY SIGNAL TO THEM.

- INSTALLER NOTES:
1. INSTALLER TO INCLUDE CONNECTION BETWEEN ATX STATION CONTROLLER'S LINE-LEVEL AUDIO OUTPUT AND (EXISTING) OWNER-FURNISHED HOUSE AUDIO SYSTEM (AMP/IF APPLICABLE)
 2. INSTALLER TO PROVIDE 1 CAT5/6 CABLE FROM ATX CONTROLLER TO CUSTOMER EXISTING STATION RADIO SYSTEM FOR BACKUP
 3. INSTALLER TO PROVIDE CONNECTION BETWEEN (EXISTING) OWNER-FURNISHED STATION LIGHTING CONTROL SYSTEM AND RELAY OUTPUT FROM ATX STATION CONTROLLER OR I/O REMOTE.



Count	Name	US DIGITAL DESIGNS
1	EXTERNAL AMPLIFIER 160-100W	ATX1
1	G2 ATX STATION CONTROLLER	ATX2
21	G2 LED SPEAKER (G2-LV-HC-70)	G21
1	G2 LED SPEAKER-BOX	G22
1	G2 MESSAGE REMOTE 2	G23
5	G2 MESSAGE SIGN STANDARD (MS-G2-S)	G24
2	G2 MS ADAPTOR PLATE SINGLE (AP-S)	G25
1	G2 COMMSTROBE SPEAKER	G26
1	G2 UPS (G2-UPS)	G27
1	ASCANT-ASFL	G28
2	FLASH BUTTON (RED)	G29
5	SPEAKER WEATHER-PROOF	G30

SYMBOL	DESCRIPTION
ATX1	G2 ATX STATION CONTROLLER
ATX2	PHOENIX G2 STATION CONTROLLER
G21	G2 LED SPEAKER
G22	G2 LED SPEAKER BOX
G23	G2 MESSAGE REMOTE
G24	G2 MESSAGE SIGN STANDARD
G25	G2 MS ADAPTOR PLATE SINGLE
G26	G2 COMMSTROBE SPEAKER
G27	G2 UPS
G28	ASCANT-ASFL
G29	FLASH BUTTON (RED)
G30	SPEAKER WEATHER-PROOF

POE = USDD device connects to G2 ATX Power-over-Ethernet (POE) port 1 thru 8 or G2 Expansion Module(s) ports 1 thru 12
 AN = G2 ATX Amplifier 1, 4
 EA = G2 External Amplifier 1 n

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project	CITY OF FRANKLIN, WI
building	FIRE STATION 2 & 3
filename	USDD.WI_FRNK_FS02_3.FSA.DWG
date	21-May-2019

JA design by



<p style="text-align: center;">APPROVAL</p> <p style="text-align: center;"><i>Stu</i></p>	<p style="text-align: center;">REQUEST FOR COUNCIL ACTION</p>	<p style="text-align: center;">MEETING DATE</p> <p style="text-align: center;"><i>11/19/2019</i></p>
<p style="text-align: center;">REPORTS AND RECOMMENDATIONS</p>	<p style="text-align: center;">Request Common Council Approval to Purchase Motorola APX 8500 Mobile Dual-band Radio and Assorted Equipment Mounts and Brackets for the Recently Purchased Engine 111 Replacement, in the amount of \$7,793.00.</p>	<p style="text-align: center;">ITEM NUMBER</p> <p style="text-align: center;"><i>G, 10,</i></p>

The Fire Department is seeking council approval to purchase a Motorola APX 8500 Mobile Dual-Band (VHF/800 MHz) radio in the amount of \$5,819.02 and various tool mounts and brackets that will be directly and permanently bolted into the recently purchased fire engine, but were not supplied by the manufacturer.

The total purchase cost for the radio and brackets will not exceed \$7,793.00 and would be charged to the balance remaining in the Equipment Replacement Fund (the approved 2019 Auto Equipment replacement request was for \$675,000.00 and the actual purchase price negotiated between the City and Seagrave Manufacturing was \$633,196.00, leaving a fund balance of \$41,804).

When possible, the Fire Department repurposes such equipment from one vehicle to another; however, the tool mounts from the vehicle to be replaced are largely from the engine before it (dating to the 1980's) and are no longer appropriate for newer tools and equipment, nor do they meet crash impact standards. The radio from the apparatus to be replaced dates from the original transition to the 800 MHz platform in the mid-1990s, and parts and repairs are no longer supported by the manufacturer.

COUNCIL ACTION REQUESTED

Motion to approve Fire Department purchase of Motorola APX 8000 Mobile radio and tool mounts and brackets, for a total cost of not more than \$7,793.47 to be charged to the balance of the approved 2019 Equipment Replacement Fund request.

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<p>APPROVAL</p> <p><i>slu mwj LH</i></p>	<p>REQUEST FOR COUNCIL ACTION</p>	<p>MEETING DATE</p> <p>11/19/2019</p>
<p>REPORTS & RECOMMENDATIONS</p>	<p>Authorization to Opt Out of a Class Action Settlement Regarding Loestrin and Minastrin Drug Costs to the Self-Insurance Fund</p>	<p>ITEM NUMBER</p> <p><i>G. 11.</i></p>

Attached is an email notification from United Health Care regarding a class action litigation for allegations that Lupin, Warner Chilcott and Watson delayed the entry of the generic versions of Loestrin 24 Fe and Minastrin 24 Fe to the market causing third-party payors to pay more than they should have for these drugs.

Pharmacy data shows that the City of Franklin's self-funded plan paid for Loestrin and/or Minastrin that makes the City eligible as a class member in this litigation. It also shows that the City paid \$10,028 for Loestrin 24 Fe, Minastrin 24 Fe, or generic equivalents during the period of 9/1/2009 through 9/17/2019.

December 2, 2019 has been set as the deadline date to be excluded from the class and retain any rights to sue Lupin, Warner Chilcott and Watson about the claims in this case. If the City does nothing, we retain the right to participate in any future settlements related to this litigation. Also included in the notice was the announcement of a settlement with one of the defendants that this settlement does not provide any funds to third-party payors at this time and there is no claim due or action to take for that settlement unless we decide to opt-out of the class.

It is recommended to opt-out of the class action.

COUNCIL ACTION REQUESTED

Motion to authorize the Director of Administration to opt-out of the class action settlement regarding the Loestrin and Minastrin drug costs to the Self-Insurance Fund by the December 2, 2019 deadline date.

Lisa Huening

From: Mark Luberda
Sent: Thursday, November 7, 2019 9:35 AM
To: Lisa Huening
Subject: FW: Class Action Settlement Information - Loestrin and Minastrin

From: Dohl, Lynne R <lynne_r_dohl@uhc.com>
Sent: Wednesday, November 6, 2019 12:28 PM
To: Mark Luberda <MLuberda@franklinwi.gov>; Dana Zahn <DZahn@franklinwi.gov>
Cc: Tom Jocz (Thomas.Jocz@associatedbrc.com) <Thomas.Jocz@associatedbrc.com>; Roger Green (Roger.Green@associatedbrc.com) <Roger.Green@associatedbrc.com>
Subject: Class Action Settlement Information - Loestrin and Minastrin

Mark & Dana,

The purpose of this email is to provide you with information regarding the recent notice involving litigation arising from allegations that Lupin, Warner Chilcott and Watson delayed the entry of generic versions of Loestrin 24 Fe and Minastrin 24 Fe to the market causing third-party payors to pay more than they should have for these drugs.

On September 17, 2019, the court determined that this litigation can proceed as a class action. Class members are defined as third-party payors who paid or reimbursed all or part of the cost of Loestrin 24 Fe, Minastrin 24 Fe, or their generic equivalents from September 1, 2009 through September 17, 2019.

Our pharmacy data shows that your self-funded plan paid for Loestrin and/or Minastrin under circumstances that make you eligible as a class member in this litigation. **Our data shows that the City of Franklin paid \$10,028.36 for Loestrin 24 Fe, Minastrin 24 Fe or generic equivalents during the period 9/1/2009 – 9/17/2019.**

The following deadline has been set to opt out of this class:

- **December 2, 2019:** The deadline to exclude yourself from the class and retain any right to sue Lupin, Warner Chilcott and Watson about the claims in this case.

If you do nothing, you retain your right to participate in any future settlements related to this litigation.

Also included in the notice was the announcement of a settlement with one of the defendants Lupin, This settlement does not provide any funds to third-party payors at this time and there is no claim due or action to take for that settlement unless you decide to opt-out of the class.

More detailed information is available at www.inreloestrin24feantitrustlitigation.com.

If you have any questions about the information in this email, please contact me.

Best Regards,

Lynne R. Dohl

Lynne R. Dohl, Strategic Account Executive
UnitedHealth Group | Employer & Individual

<p style="text-align: center;">APPROVAL</p> <p><i>Slw mwd AH</i></p>	<p style="text-align: center;">REQUEST FOR COUNCIL ACTION</p>	<p style="text-align: center;">MEETING DATE</p> <p style="text-align: center;">11/19/2019</p>
<p style="text-align: center;">REPORTS & RECOMMENDATIONS</p>	<p style="text-align: center;">Set a Public Hearing regarding proposed amendments to 92-9 of the Municipal Code pertaining to impact fees for the purpose of exempting public schools from application of each of the various impact fees, suspending automatic annual rate increases for each of the various impact fee rates pending completion by the consultant of a broader Public Facilities Needs Assessment, and incorporating necessary changes to the Wisconsin Statutes 66.0617 pertaining to impact fee collections into the Municipal Code</p>	<p style="text-align: center;">ITEM NUMBER</p> <p style="text-align: center;"><i>G.12</i></p>

The Common Council has authorized consideration of the request from the Franklin Public School District to consider amending the municipal code to exempt from application of each of the various impact fees. The Common Council has also contracted with Ruekert Mielke for completion of a broader review of all impact fees and an update to the Public Facilities Needs Assessment report required prior to modification of the ordinance. Note also that the existing ordinance provides for an automatic 5 percent impact fee increase effective the first of each year.

The Director of Administration recommends discontinuing increases in the rates until the full impact of their current level and future recommended levels is provided through the study that is underway. However, any adjustment to that ordinance requires that the City complete an update to the Public Facilities Needs Assessment. Statutes requires that such report be available for public inspection for 20 days prior to a public hearing on the matter. Given publication time requirements, the earliest a public hearing could be held is January 7, 2020, unless the Common Council were to hold a special meeting.

Given that the report on the school district will likely pattern closely with the 2013 report on the same issue, the Director of Administration believes both issues can be completed at the same time. The ordinance would include language making it retroactive to January 1, 2020 and authorize any necessary reimbursements. The same approach was considered in 2013.

As to the broader study underway, there is not a final date as to when the full study will be completed. Nearly 100 pages of documentation was provided to Ruekert Mielke two weeks ago, and that information is currently being worked on. Given that the labor contracts, 2020 budget, health insurance plan, and insurance renewals are largely completed and that the City Hall construction project is winding down, significantly more time will be available to be dedicated to this priority (along with station alerting system).

In addition to the above items, Wisconsin Statutes 66.0617 was amended to include certain changes related to fee collection that are not provided for within Franklin's current municipal code. For example, the following is a new requirement of 66.0617 (6):

“(g) Except as provided under this paragraph, shall be payable by the developer or the property owner to the municipality in full upon the issuance of a building permit by the municipality. Except as provided in this paragraph, if the total amount of impact fees due for a development will be more than \$75,000, a developer may defer payment of the impact fees for a period of 4 years from the date of the issuance of the building permit or until 6 months before the municipality incurs the costs to construct, expand, or improve the public facilities related to the development for which the fee was imposed, whichever is earlier. If the developer elects to defer payment under this paragraph, the developer shall maintain in force a bond or irrevocable letter of credit in the amount of the unpaid fees executed in the name of the municipality. A developer may not defer payment of impact fees for projects that have been previously approved.”

The full scope of statutory changes will be reviewed, and the necessary changes will be incorporated into the ordinance being developed. If the motion is approved, the Director of Administration, in consultation with the City Attorney, will complete the necessary Public Facilities Needs Assessment and Public Hearing Notice and prepare the Ordinance for consideration at the January 7, 2020 meeting.

COUNCIL ACTION REQUESTED

Motion to set a Public Hearing for January 7, 2020 regarding proposed amendments to 92-9 of the Municipal Code pertaining to impact fees for the purpose of exempting public schools from application of each of the various impact fees, suspending automatic annual rate increases for each of the various impact fee rates pending completion by the consultant of a broader Public Facilities Needs Assessment, and incorporating necessary changes to the Wisconsin Statutes 66.0617 pertaining to impact fee collections into the Municipal Code.

APPROVAL <i>slaw</i> <i>PA</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE Nov 19, 2019
REPORTS & RECOMMENDATIONS	AN ORDINANCE TO AMEND ORDINANCE 2018-2345, AN ORDINANCE ADOPTING THE 2019 ANNUAL BUDGETS FOR TID5 TO PROVIDE \$3,200,000 OF ADDITIONAL APPROPRIATIONS FOR INFRASTRUCTURE ASSISTANCE AND A \$4,000,000 REFUNDING OF THE 2018A NOTE ANTICIPATION NOTE	ITEM NUMBER <i>G.13.</i>

Background

The City completed an amendment to the 2018 Ballpark Commons Developer's Agreement in Oct 2019. That agreement included \$3.2 million of additional City site preparation and infrastructure assistance. The City received developer commitments for additional development.

The Director of Finance & Treasurer has determined that enough development has commenced or is imminent to support additional portions of the original infrastructure assistance to refund \$4,000,000 of the 2018 \$23,480,000 Note Anticipation Note used to initially fund the development.

The City is selling additional debt to finance the added site preparation and infrastructure assistance and the refunding.

Analysis

The attached budget amendment will provide appropriations for the added city site preparation and infrastructure commitments and the refunding.

Recommendation

The Director of Finance & Treasurer recommends adoption of the attached 2019 budget amendment to provide resources and appropriations for the added infrastructure and the refunding.

COUNCIL ACTION REQUESTED

Motion adopting an ordinance to amend Ordinance 2018-2345, an Ordinance adopting the 2019 annual budgets for TID5 to provide \$3,200,000 of additional appropriations for infrastructure assistance

Roll Call Vote Required

STATE OF WISCONSIN : CITY OF FRANKLIN : MILWAUKEE COUNTY

ORDINANCE NO. 2019 _____

AN ORDINANCE TO AMEND ORDINANCE 2018-2345, AN ORDINANCE ADOPTING THE 2019 ANNUAL BUDGETS FOR TID 5 TO PROVIDE \$3,200,000 OF ADDITIONAL APPROPRIATIONS FOR INFRASTRUCTURE ASSISTANCE AND A \$4,000,000 REFUNDING OF THE 2018A NOTE ANTICIPATION NOTE

WHEREAS, the Common Council of the City of Franklin adopted the 2019 Annual Budgets for TID5 on November 13, 2018; and

WHEREAS, the Ballpark Commons development has expanded beyond the contemplated size when the February 2018 Developer's Agreement was completed; and

WHEREAS, the added development has created the potential of added increment to support \$4,000,000 of additional long term debt such that a refunding opportunity has been created; and

WHEREAS, the Developer has requested additional assistance with site preparation and infrastructure costs within the project; and

WHEREAS, the City negotiated an amendment to the 2018 Developer's Agreement for TID5 in October 2019 that provided \$3,200,000 of additional site preparation and infrastructure assistance; and

WHEREAS, the City is selling new debt in November, 2019 to provide resources for the infrastructure assistance.

NOW, THEREFORE, the Common Council of the City of Franklin does hereby ordain as follows:

Section 1 That the 2019 Budget for TID5 be adjusted as follows:

Bond Proceeds	Increase	\$7,350,000
Bond Issuance Costs	Increase	150,000
Principal Payments	Increase	4,000,000
Streets	Increase	\$3,200,000

Section 2 Pursuant to §65.90(5)(a), Wis. Stats., the City Clerk is directed to publish a Class 1 notice of this budget amendment within ten days of adoption of this ordinance.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this ____ day of _____, 2019.

APPROVED:

Stephen R Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES ___ NOES ___ ABSENT ___

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APPROVAL 	REQUEST FOR COUNCIL ACTION	MEETING DATE Nov 19, 2019
REPORTS & RECOMMENDATIONS	AN ORDINANCE TO AMEND ORDINANCE 2018-2345, AN ORDINANCE ADOPTING THE 2019 ANNUAL BUDGETS FOR THE SANITARY SEWER FUND TO PROVIDE ADDITIONAL \$15,000 OF APPROPRIATIONS FOR SOFTWARE ACQUISITION	ITEM NUMBER G.14.

Background

The 2019 Sanitary Sewer Fund budgeted \$40,500 for half the cost of converting Utility billing software from Govern (implemented prior to 2005) to BS&A software. The Water Utility budgeted a similar amount for 2019. The 2019 appropriation resulted from a Feb 2018 quote from the Vendor. The vendor also provides the City's financial records, accounts payable system, cash collection system, special assessment billing software among others.

At the Oct 15, 2019 the Common Council authorized the purchase of the Software. The Board of Water Commissioners authorized the purchase at its Sept 17, 2019 meeting.

The Information Technologies Director secured an updated quote including conversion of Govern data and requested additional contingency appropriations for the project.

Analysis

The Board of Water Commissions approved a \$15,000 additional appropriation at its Sept 17, 2019 meeting.

The Sanitary Sewer Fund has sufficient resources on hand to fund the additional appropriation.

Recommendation

Staff recommends approving the additional \$15,000 of appropriations for the billing software acquisition project.

COUNCIL ACTION REQUESTED

Motion adopting an ordinance to amend Ordinance 2018-2345, an ordinance adopting the 2019 annual budgets for the Sanitary Sewer Fund to provide additional \$15,000 of appropriations for software acquisition

Roll Call Vote Required

STATE OF WISCONSIN : CITY OF FRANKLIN : MILWAUKEE COUNTY

ORDINANCE NO. 2019_____

AN ORDINANCE TO AMEND ORDINANCE 2018-2345, AN ORDINANCE ADOPTING THE 2019 ANNUAL BUDGETS FOR THE SANITARY SEWER FUND TO PROVIDE ADDITIONAL \$15,000 OF APPROPRIATIONS FOR SOFTWARE ACQUISITION

WHEREAS, the Common Council of the City of Franklin adopted the 2019 Annual Budgets for the Sanitary Sewer Fund on November 13, 2018; and

WHEREAS, the Sanitary Sewer Fund provided \$40,500 of appropriation for replacement billing software that is shared with the Water Utility whose budget contained a similar appropriation; and

WHEREAS, the Common Council authorized the purchase of replacement Utility billing software on September 17, 2019; and

WHEREAS, the Information Technologies Director recommends the inclusion of contingency appropriations for the project.

NOW, THEREFORE, the Common Council of the City of Franklin does hereby ordain as follows:

Section 1 That the 2019 Budget for Sanitary Sewer Fund be amended as follows:

Capital Asset Purchases		
Software	Increase	\$15,000
Capitalized Assets	Decrease	\$15,000

Section 2 Pursuant to §65.90(5)(a), Wis. Stats., the City Clerk is directed to publish a Class 1 notice of this budget amendment within ten days of adoption of this ordinance.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this ____ day of _____, 2019.

APPROVED:

Stephen R Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES ___ NOES ___ ABSENT ___

APPROVAL <i>slw PR</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 11/19/19
Bills	Vouchers and Payroll Approval	ITEM NUMBER <i>H.1.</i>

Attached are vouchers dated November 2, 2019 through November 14, 2019 Nos. 175971 through Nos. 176154 in the amount of \$ 4,356,388 97. Included in this listing are EFT's Nos. 4148 through Nos. 4157 Library vouchers totaling \$ 7,781.46 and Water Utility vouchers totaling \$ 915,028.19.

Vouchers approved at the Council meeting dated November 5, 2019 that are included in this distribution

American Deposit Management	\$ 1,700,000.00
Knight Barry	<u>\$ 24,904 53</u>
Total Distributions	\$1,724,904.53

Early release disbursements dated November 2, 2019 through November 13, 2019 in the amount of \$ 2,154,831.96 are provided on a separate listing and are also included in the complete disbursement listing. These payments have been released as authorized under Resolution 2013-6920.

The net payroll dated November 8, 2019 is \$ 390,161.88 previously estimated at \$ 399,000.00. Payroll deductions dated November 8, 2019 are \$ 210,479 39 previously estimated at \$ 211,000.00.

The estimated payroll for November 22, 2019 is \$ 429,000.00 with estimated deductions and matching payments of \$ 421,000.00.

Attached is a list of property tax payments Check Nos. 17908 dated November 2, 2019 through November 14, 2019 in the amount of \$ 7,640.39 These payments have been released as authorized under Resolution 2013-6920.

COUNCIL ACTION REQUESTED

Motion approving the following:

- City vouchers with an ending date of November 14, 2019 in the amount of 4,356,388.97 and
- Payroll dated November 8, 2019 in the amount of \$ 390,161 88 and payments of the various payroll deductions in the amount of \$ 210,479.39 plus City matching payments and
- Estimated payroll dated November 22, 2019 in the amount of \$ 429,000 00 and payments of the various payroll deductions in the amount of \$ 421,000 00, plus City matching payments and
- Property Tax payments with an ending date of November 14, 2019 in the amount of \$ 7,640.39.

ROLL CALL VOTE NEEDED

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APPROVAL <i>Slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 11/19/19
LICENSES AND PERMITS	MISCELLANEOUS LICENSES	ITEM NUMBER I.1.

See attached listing from meeting of November 19, 2019.

COUNCIL ACTION REQUESTED



414-425-7500

License Committee

Agenda*

Aldermen's Room

November 19, 2019 – 5:55 p.m.

1.	Call to Order & Roll Call	Time:
2.	Applicant Interviews & Decisions	
License Applications Reviewed		Recommendations

Type/ Time	Applicant Information	Approve	Hold	Deny
Operator 2019-2020 New 6:00 p.m.	Otto, Lori A 5967 Oriole Lane Greendale, WI 53129 Rawson Pub			
Operator 2019-2020 New	Albert, Sandra A 10520 S 112th Franklin, WI 53132 Hideaway Pub & Eatery			
Operator 2019-2020 New	Kaur, Harpreet 6590 S Carroll Circle Franklin, WI 53132 Pick 'n Save #6431			
Operator 2019-2020 New	Marinez, Rachel M 2561 S 13 th St Milwaukee, WI 53215 Hideaway Pub & Eatery			
Operator 2019-2020 New	Ponga, Ashleigh 6062 S 36 th St Greenfield, WI 53221 Milwaukee Burger Company			
Operator 2019-2020 New	Rangel, Owen P 8024 S Chapel Hill Drive Franklin, WI 53132 Pick 'n Save #6431			
Change of Agent 2019-2020	Walgreens # 05459 Danielle H Peters 2076 Townline Rd #B6 East Troy, WI 53120			
People Uniting for the Betterment of Life and Investment in the Community (PUBLIC) Grant	Franklin Lioness Club – St Martins Fair Fee Waivers: St Martins Fair Permit, Temporary Class B Beer and Wine Licenses, and Operator's Permit Date of Events: 9/6/20-9/7/20 Location: St. Martins Labor Day Fair			
People Uniting for the Betterment of Life and Investment in the Community (PUBLIC) Grant	Franklin Police Department – National Night Out Fee Waivers: Temporary Entertainment & Amusement, Food License Date of Event: 8/3/20 Location: Franklin Public Library, 9151 W Loomis Rd			

Type/ Time	Applicant Information	Approve	Hold	Deny
People Uniting for the Betterment of Life and Investment in the Community (PUBLIC) Grant	St Martin Of Tours Church – Fundraisers & Fair Fee Waivers: Labor Day Fair Permit, Temporary Class B Beer & Wine, Temporary Entertainment & Amusement, and Operator's Licenses Date of Event(s): Spring, 2020; 09/06 – 09/07/20 Location: St Martins Fair and St Martin of Tours Church or School, 7963 S 116 th St			
People Uniting for the Betterment of Life and Investment in the Community (PUBLIC) Grant	St Paul's Lutheran School – Gala/Silent Auction & School Picnic Fee Waiver: Temporary Entertainment & Amusement, Temporary Class B Beer; Park Permit Date of Events: 03/28/20 5pm-10pm; 06/04/20 noon-4pm Location: St Paul's Church/School; Vernon Barg Pavilion – Lions Legend II			
3.	Adjournment			
		Time		

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

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