

<p><b>APPROVAL</b></p> <p><i>slw</i></p>	<p><b>REQUEST FOR COUNCIL ACTION</b></p>	<p><b>MEETING DATE</b></p> <p>July 21, 2020</p>
<p><b>REPORTS AND RECOMMENDATIONS</b></p>	<p>An Ordinance to Amend the Municipal Code to Provide for Common Council, Boards', Commissions' and Committees' Members, Applicants', and the Public Remote Government Meetings Attendance</p>	<p><b>ITEM NUMBER</b></p> <p><i>G.10,</i></p>

A copy of the above-entitled draft ordinance is annexed hereto. Also annexed hereto are Wisconsin Department of Justice Office of the Attorney General Office of Open Government Advisories issued on March 16, 2020 and March 20, 2020.

**COUNCIL ACTION REQUESTED**

A motion to adopt An Ordinance to Amend the Municipal Code to Provide for Common Council, Boards', Commissions' and Committees' Members, Applicants', and the Public Remote Government Meetings Attendance;

or

such other action as the Common Council may deem appropriate.



Josh Kaul  
Wisconsin Attorney General

P.O. Box 7857  
Madison, WI 53707-7857

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**FOR IMMEDIATE RELEASE**

March 16, 2020

**Office of Open Government Advisory:  
Coronavirus Disease 2019 (COVID-19) and Open Meetings**

MADISON, Wis. – The Wisconsin Department of Justice’s (DOJ) Office of Open Government (OOG) has prepared the following advisory in response to inquiries as to the applicability of the Wisconsin’s open meetings law, Wis. Stat. §§ 19.81 to 19.98, in light of current public health concerns regarding COVID-19. This advisory is provided pursuant to Wis. Stat. § 19.98.

As explained below, governmental bodies typically can meet their open meetings obligations, while practicing social distancing to help protect public health, by conducting meetings via telephone conference calls if the public is provided with an effective way to monitor such calls (such as public distribution, at least 24 hours in advance, of dial-in information for a conference call).

The open meetings law states: “[I]t is declared to be the policy of this state that the public is entitled to the fullest and most complete information regarding the affairs of government as is compatible with the conduct of governmental business.” Wis. Stat. § 19.81(1). To that end, the law requires that “all meetings of all state and local governmental bodies shall be publicly held in places reasonably accessible to members of the public and shall be open to all citizens at all times unless otherwise expressly provided by law.” Wis. Stat. § 19.81(2). A meeting must be preceded by notice providing the time, date, place, and subject matter of the meeting, generally, at least 24 hours before it begins. Wis. Stat. § 19.84.

The open meetings law “does not require that all meetings be held in publicly owned places but rather in places ‘reasonably accessible to members of the public.’” 69 Op. Att’y Gen. 143, 144 (1980) (quoting 47 Op. Att’y Gen. 126 (1978)). As such, DOJ’s longstanding advice is that a telephone conference call can be an acceptable method of convening a meeting of a governmental body. *Id.* at 146. More recently, DOJ guidance deemed video conference calls acceptable as well. Wis. Dep’t of Justice,

*Wisconsin Open Meetings Law Compliance Guide* 11 (May 2019), <https://www.doj.state.wi.us/sites/default/files/office-open-government/Resources/OML-GUIDE.pdf>.

When an open meeting is held by teleconference or video conference, the public must have a means of monitoring the meeting. DOJ concludes that, under the present circumstances, a governmental body will typically be able to meet this obligation by providing the public with information (in accordance with notice requirements) for joining the meeting remotely, even if there is no central location at which the public can convene for the meeting. A governmental body conducting a meeting remotely should be mindful of the possibility that it may be particularly burdensome or even infeasible for one or more individuals who would like to observe a meeting to do so remotely—for example, for people without telephone or internet access or who are deaf or hard of hearing—and appropriate accommodations should be made to facilitate reasonable access to the meeting for such individuals.

To be clear, providing only remote access to an open meeting is not always permissible, as past DOJ guidance shows. Where a complex plan, drawing, or chart is needed for display or the demeanor of a witness is significant, a meeting held by telephone conference likely would not be “reasonably accessible” to the public because important aspects of the discussion or deliberation would not be communicated to the public. See 69 Op. Att’y Gen. at 145. Further, the type of access that constitutes reasonable access in the present circumstances, in which health officials are encouraging social distancing (including avoiding large public gatherings) in order to mitigate the impact of COVID-19, may be different from the type of access required in other circumstances. Ultimately, whether a meeting is “reasonably accessible” is a factual question that must be determined on a case-by-case basis. *Id.*

If you have questions or concerns regarding the application of the open meetings law, please contact the Office of Open Government at (608) 267-2220.



**Josh Kaul**  
**Wisconsin Attorney General**

**P.O. Box 7857**  
**Madison, WI 53707-7857**

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## **NEWS FOR IMMEDIATE RELEASE**

March 20, 2020

### **Office of Open Government Advisory: Additional Information Regarding Coronavirus Disease 2019 (COVID-19) and Open Meetings**

MADISON, Wis. – The Wisconsin Department of Justice’s (DOJ) Office of Open Government (OOG) continues to prepare additional information in response to inquiries as to the applicability of the Wisconsin’s open meetings law, Wis. Stat. §§ 19.81 to 19.98, in light of current public health concerns regarding COVID-19. This advisory is provided pursuant to Wis. Stat. § 19.98.

Conducting open meetings remotely can pose a number of technological and practical issues that governmental bodies should consider in advance, including, among other things, the following:

- Governmental bodies must ensure that they follow the notice requirements of Wis. Stat. § 19.84 and such notice should inform the public that the meeting will be held remotely and provide all information necessary for the public to monitor the meeting.
- Notices should provide instructions for how the public may access the remote meeting, whether it is to be held via telephone conference call or video conference call. This includes providing the telephone number, video conference link, and any necessary passcodes or other login information.
- As DOJ’s Office of Open Government advised in its March 17, 2020 [advisory](#), a governmental body conducting a meeting remotely should be mindful of the possibility that it may be particularly burdensome or even infeasible for one or more individuals who would like to observe a meeting to do so remotely—for example, for people without telephone or internet access or who are deaf or

hard of hearing—and appropriate accommodations should be made to facilitate reasonable access to the meeting for such individuals.

- When conducting a videoconference or internet-based meeting, the governmental body should strongly consider providing the public with an alternative telephone dial-in option for observing such a meeting so that lack of internet access is not a barrier to observing the meeting.
- At the beginning of each meeting conducted remotely, the chair of the governmental body should encourage all body members to identify themselves before they begin speaking and not to speak over one another. This will help all those listening to the meeting better understand who is speaking.
- When possible, a governmental body may wish to consider recording the meeting and posting it on its website as soon as practicable after the meeting concludes.
- As a bottom line, governmental bodies meeting remotely can and should consider steps that ensure that their meetings remain open and accessible to the public.

If you have questions or concerns regarding the application of the open meetings law, please contact the Office of Open Government at (608) 267-2220.

See also:

March 17, 2020 – [Office of Open Government Advisory: Coronavirus Disease 2019 \(COVID-19\) and Open Meetings](#)

ORDINANCE NO. 2020-\_\_\_\_\_

AN ORDINANCE TO AMEND THE MUNICIPAL CODE TO PROVIDE FOR COMMON COUNCIL, BOARDS', COMMISSIONS' AND COMMITTEES' MEMBERS, APPLICANTS', AND THE PUBLIC REMOTE GOVERNMENT MEETINGS ATTENDANCE

WHEREAS, the Wisconsin Department of Justice Office of the Attorney General issued an Advisory by the Office of Open Government on March 16, 2020, providing in part: "DOJ's longstanding advice is that a telephone conference call can be an acceptable method of convening a meeting of a governmental body.... More recently, DOJ guidance deemed video conference calls acceptable as well. Wis. Dep't of Justice, *Wisconsin Open Meetings Law Compliance Guide* 11 (May 2019),..."; and

WHEREAS, the Wisconsin Department of Justice Office of the Attorney General issued an Advisory by the Office of Open Government on March 16, 2020, providing in part with regard to providing information necessary for the public to monitor the meeting: "Governmental bodies must ensure that they follow the notice requirements of Wis. Stat. § 19.84 and such notice should inform the public that the meeting will be held remotely and provide all information necessary for the public to monitor the meeting. Notices should provide instructions for how the public may access the remote meeting, whether it is to be held via telephone conference call or video conference call. This includes providing the telephone number, video conference link, and any necessary passcodes or other login information."; and

WHEREAS, the Common Council having considered remote participation in meetings by members of the Common Council and City Boards, Commissions and Committees, and the remote monitoring thereof by the Public, and having determined same to be reasonable and in furtherance of the health, safety and welfare of the Community.

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

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

§10-26. Boards', Commissions' and Committees' Members remote meeting attendance; Applicants' remote meeting attendance; remote meeting access by the Public. Members of all City Boards, Commissions and Committees may individually attend a meeting of the respective Board, Commission or Committee, by way of telephone and/or

electronic audio and/or video communication, provided that at a minimum, each member's meeting attendance includes audio communication ability by, to and from the member. Persons representing an applicant or a petitioner upon an application or petition or a requestor for an item before the respective Board, Commission or Committee, and members of the Common Council, may also attend and participate in the meeting remotely in the manner as available to the members thereof. The public may individually attend a meeting and meetings of all City Boards, Commissions and Committees by way of telephone and/or electronic audio and/or video communication, by way of such methods, devices and equipment available and determined to be reasonable for such purposes by the City Department of Information Services and the IT Director. Notice of the availability of such remote attendance by the public by way of telephone and/or electronic audio and/or video communication shall be stated on the agenda for the respective meeting. All comments by persons during a Citizen Comment Period and all comments by persons on public hearing items during a public hearing shall be made in person in attendance at the meeting location and not remotely.

SECTION 2: §19-1. Meeting time and date, of the Municipal Code of the City of Franklin, Wisconsin, the title thereof only, is hereby amended to read as follows: "Meeting time, date and place."

SECTION 3: §19-1.E. of the Municipal Code of the City of Franklin, Wisconsin, is hereby created to read as follows:

E. Common Council Members' remote meeting attendance; Applicants' remote meeting attendance; remote meeting access by the Public. Members of the Common Council may individually attend a meeting of the Common Council, by way of telephone and/or electronic audio and/or video communication, provided that at a minimum, each member's meeting attendance includes audio communication ability by, to and from the member. Persons representing an applicant or a petitioner upon an application or petition or a requestor for an item before the Common Council may also attend and participate in the meeting remotely in the manner as available to the members thereof. The public may individually attend a Common Council meeting by way of

telephone and/or electronic audio and/or video communication, by way of such methods, devices and equipment available and determined to be reasonable for such purposes by the City Department of Information Services and the IT Director. Notice of the availability of such remote attendance by the public by way of telephone and/or electronic audio and/or video communication shall be stated on the agenda for the respective meeting. All comments by persons during a Citizen Comment Period and all comments by persons on public hearing items during a public hearing shall be made in person in attendance at the meeting location and not remotely.

SECTION 4: 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 5: All ordinances and parts of ordinances in contravention to this ordinance are hereby repealed.

SECTION 6: This ordinance shall take effect and be in force from and after its passage and publication.

Introduced at a regular meeting of the Common Council of the City of Franklin this \_\_\_\_\_ day of \_\_\_\_\_, 2020, by Alderman \_\_\_\_\_.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

APPROVED:

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

ATTEST:

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

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

<b>APPROVAL</b> <i>slw</i>	<b>REQUEST FOR COUNCIL ACTION</b>	<b>MTG. DATE</b> July 21, 2020
<b>Reports &amp; Recommendations</b>	<b>NON-PARTICIPATING LETTER TO WISCONSIN DEPARTMENT OF TRANSPORTATION FOR INSTALLATION OF SIDEWALK ALONG W. LOOMIS ROAD FROM W. ST. MARTINS ROAD TO W. RAWSON AVENUE IN THE AMOUNT OF \$466,000</b>	<b>ITEM NO.</b> <i>G.11.</i>

**BACKGROUND**

Wisconsin Department of Transportation (WISDOT) is planning a significant overlay for W. Loomis Road (STH 36). Depending on funding issues, the project is expected to occur as early as 2024 and as late as 2027. This project was discussed at the April 6, 2020, Common Council meeting where staff was directed to *“direct Wisconsin Department of Transportation to prepare a State/Municipal Agreement and a Memorandum of Understanding for sidewalk considerations on the east side of West Loomis Road from West St Martins Road to West Rawson Avenue, City Limits (South 68th Street) ”*

**ANALYSIS**

In lieu of a Memorandum of Understanding, WISDOT is asking for a Non-participating letter. In addition, they are suggesting that the sidewalk is most appropriately stopped at W. Rawson Avenue instead of S. 68th Street.

The preliminary design that WISDOT has completed indicates that the 1.3-mile sidewalk section (excluding Brenwood Senior Apartments) would cost an estimated \$466,000. Note that this project includes a small retaining wall on the back side of Whispering Oaks Court properties (Station 92) to avoid land acquisition.

**OPTIONS**

- A. Send the enclosed letter asking WISDOT to include sidewalks in their letter. Or
- B. Direct Staff to send an alternate letter to WISDOT declining participating in their project.
- Or
- C. Provide further direction to Staff.

**FISCAL NOTE**

This item will be included in forecasting future spending of capital projects.

**RECOMMENDATION**

(Option A) Motion to authorize Staff to submit non-participating letter to Wisconsin Department of Transportation for installation of sidewalk along W. Loomis Road from W. St. Martins Road to W. Rawson Avenue in the amount of \$466,000.

Engineering Department: GEM

<del>APPROVAL</del>	<del>REQUEST FOR COUNCIL ACTION</del>	<del>MEETING DATE April 6, 2020</del>
<del>REPORTS &amp; RECOMMENDATIONS</del>	<del>SIDEWALK CONSIDERATIONS FOR W. LOOMIS ROAD FROM W. ST MARTINS ROAD TO CITY LIMITS (S. 68<sup>TH</sup> STREET)</del>	<del>ITEM NUMBER</del>

**BACKGROUND**

Wisconsin Department of Transportation (WisDOT) is scoping a project for W. Loomis Road (STH 36) from W. St Martins Road (STH 100) to S. 51<sup>st</sup> Street for the years 2024-2025. The project will involve: mill and overlay (three to four inches of new pavement); potential for new signals, new signing and pavement marking; and repairs to culverts. This is considered the highest resurfacing type project just short of pavement replacement and expansion considerations.

WisDOT has asked if Franklin wishes for the project to include sidewalks or other features. Such inclusion would require a State/Municipal Agreement (SMA) for a cost share of the construction of the sidewalk and a Memorandum of Understanding (MOU) for maintenance of the sidewalk that needs to be considered as soon as possible for inclusion in the design.

**ANALYSIS**

One will observe that the cross street of W. Drexel Avenue has a significant number of pedestrians using the sidewalk system and opportunities to continue the pedestrian access to W. Loomis locations would undoubtedly be well used. Pedestrian destinations along W Loomis Road would include, but not be limited to, the US Post Office, Police/Courtroom, City Hall, Library, Ballpark Commons, Milwaukee County trail system, and the numerous commercial businesses. Staff recommends that sidewalks be considered.

Given the vehicular traffic counts and the width of the road, Staff would suggest that sidewalks should be considered for both sides of W Loomis Road. However, there are significant wetlands and other environmental obstacles on the west side that would make the project unnecessarily expensive at this time so Staff is recommending that sidewalks only on the east side be proposed. Extending the sidewalks to the Milwaukee County trail system at S. 68<sup>th</sup> Street is desirable, however termination at W. Rawson Avenue would provide connection to the trail system within Ballpark Commons.

Staff has requested WisDOT provide budget estimates for sidewalks for one and both sides. This estimate is anticipated to be received in the near future and two versions of a SMA and an MOU can be provided for consideration. Having WisDOT construct sidewalks as part of their project is significantly easier than internally creating bid documents, obtaining permits, supervising the construction, etc.

WisDOT is starting the design of the project and sidewalks will have a significant impact on their design. Therefore, they need an answer soon.

**OPTIONS**

- A. Have Staff direct WisDOT to prepare a SMA and MOU for sidewalk considerations: or
- B. Have Staff direct WisDOT that the City does not wish to have sidewalks incorporated in the project; or
- C. Give further direction to Staff.

**FISCAL NOTE**

Any decision to have WisDOT incorporate sidewalks in their project would add to a 2024 or 2025 capital project list.

**COUNCIL ACTION REQUESTED**

(Option A) Have staff direct WisDOT to prepare a State/Municipal Agreement and a Memorandum of Understanding for sidewalk considerations on the [east / both] sides of W Loomis Road from W. St Martins Road to [W Rawson Avenue / City limits (S 68<sup>th</sup> Street)].

Engineering: GEM



City of Franklin  
Engineering Department

July 22, 2020

Ryan Bernard, P.E.  
WisDOT DTSD SE Region SPO  
Final Scoping Team – Project Manager  
WisDOT Southeast Region Office  
141 NW Barstow St  
Waukesha, WI 53188

Re: 2240-00-08/2240-00-78  
WIS 36 from WIS 100 to 51st Street

Mr. Bernard,

As directed by the Franklin Common Council on July 21, 2020, I would like to request that the Wisconsin Department of Transportation incorporate construction work on behalf of City of Franklin into the contract documents for the above noted construction project. Specifically, the work we would like to incorporate in the contract document is the installation of new sidewalk along the east side of WIS 36 from WIS 100 to Rawson Avenue (County BB) and the required grading to construct standard side slopes. The installation of this sidewalk precipitates the need for curb ramps and culvert pipes at multiple locations. There is one location adjacent to the sidewalk where a landscaping retaining wall will be constructed to avoid real estate acquisition. See the included exhibits for more details on this work.

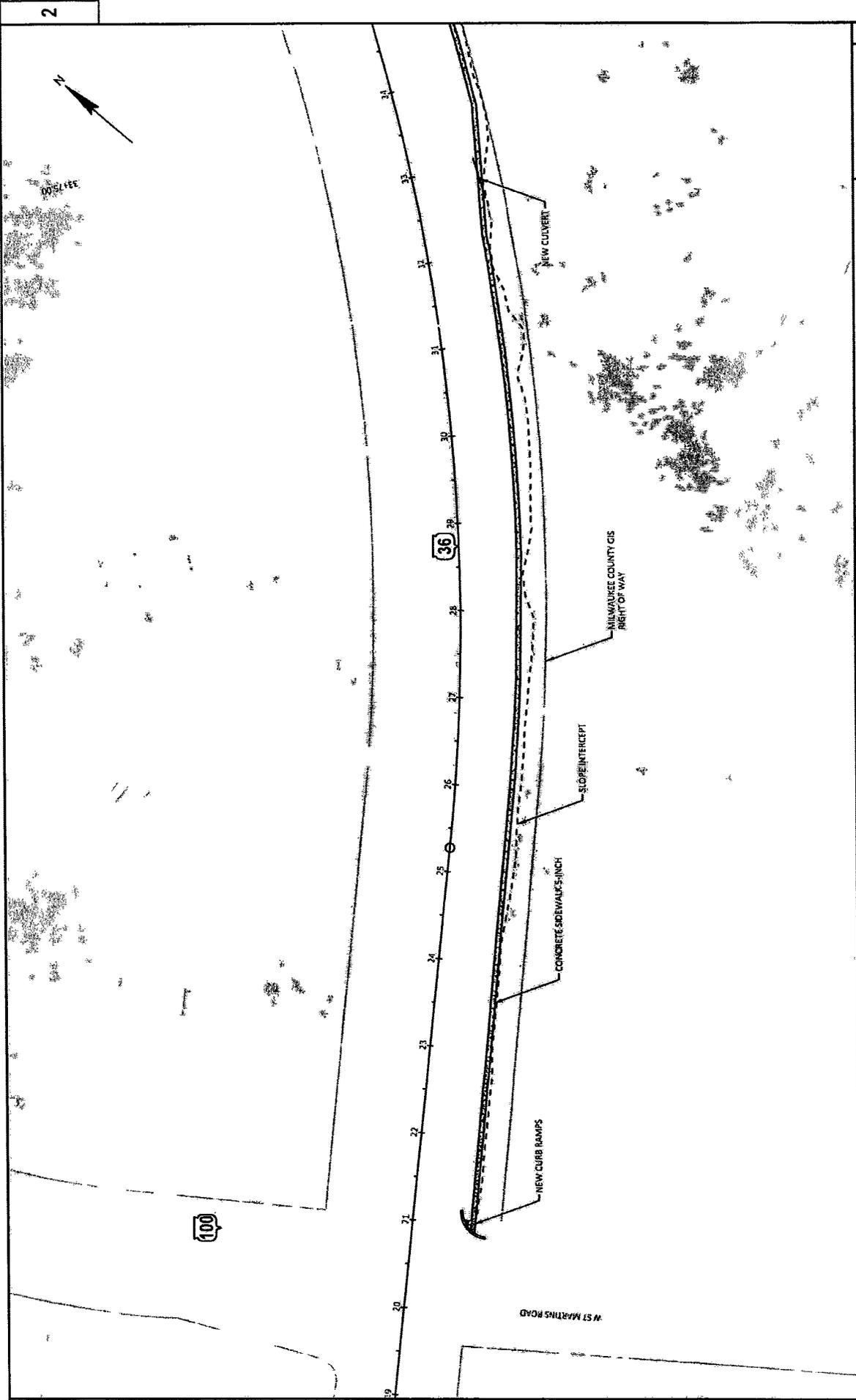
The estimated cost for this work is \$466,000. Please note that this cost includes the cost of construction delivery.

We understand that this work will be incorporated into the contract as a nonparticipating item and that the cost shall be the responsibility of City of Franklin. We further understand that we will be billed for all work associated with this item, including installation, labor, materials and DOT oversight performed on our behalf under the DOT construction contract once construction commences as costs are incurred, and agree to pay once invoices are received.

Sincerely,

Glen E. Morrow, P.E. (WI, IL, IN & MO)  
City Engineer / Director of Public Works / Utility Manager

cc Roslin Burns, WISDOT Planning Group  
Franklin Mayor, Clerk, and Finance Department's file



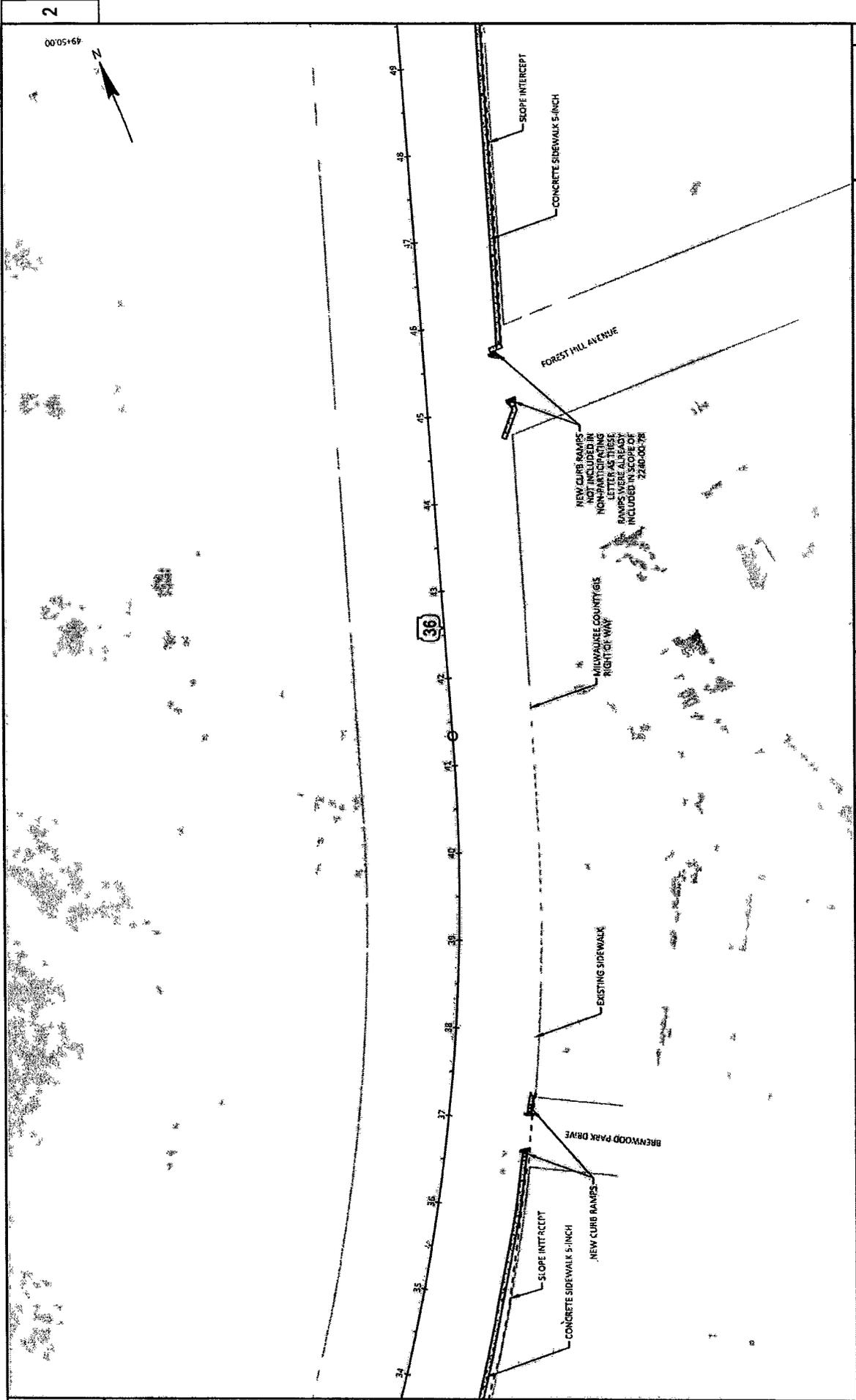
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PROJECT NO: 2240-00-78  
 COUNTY: MILWAUKEE  
 HWY: STH 36  
 SHEET: E

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 PLOT BY: WESLEY LOSHAK  
 PLOT NAME: LOOMIS ROAD SIDEWALK EXHIBIT  
 PLOT SCALE: 1 IN = 100 FT  
 SHEET: E

WSDOT/CADD/SHEET-A



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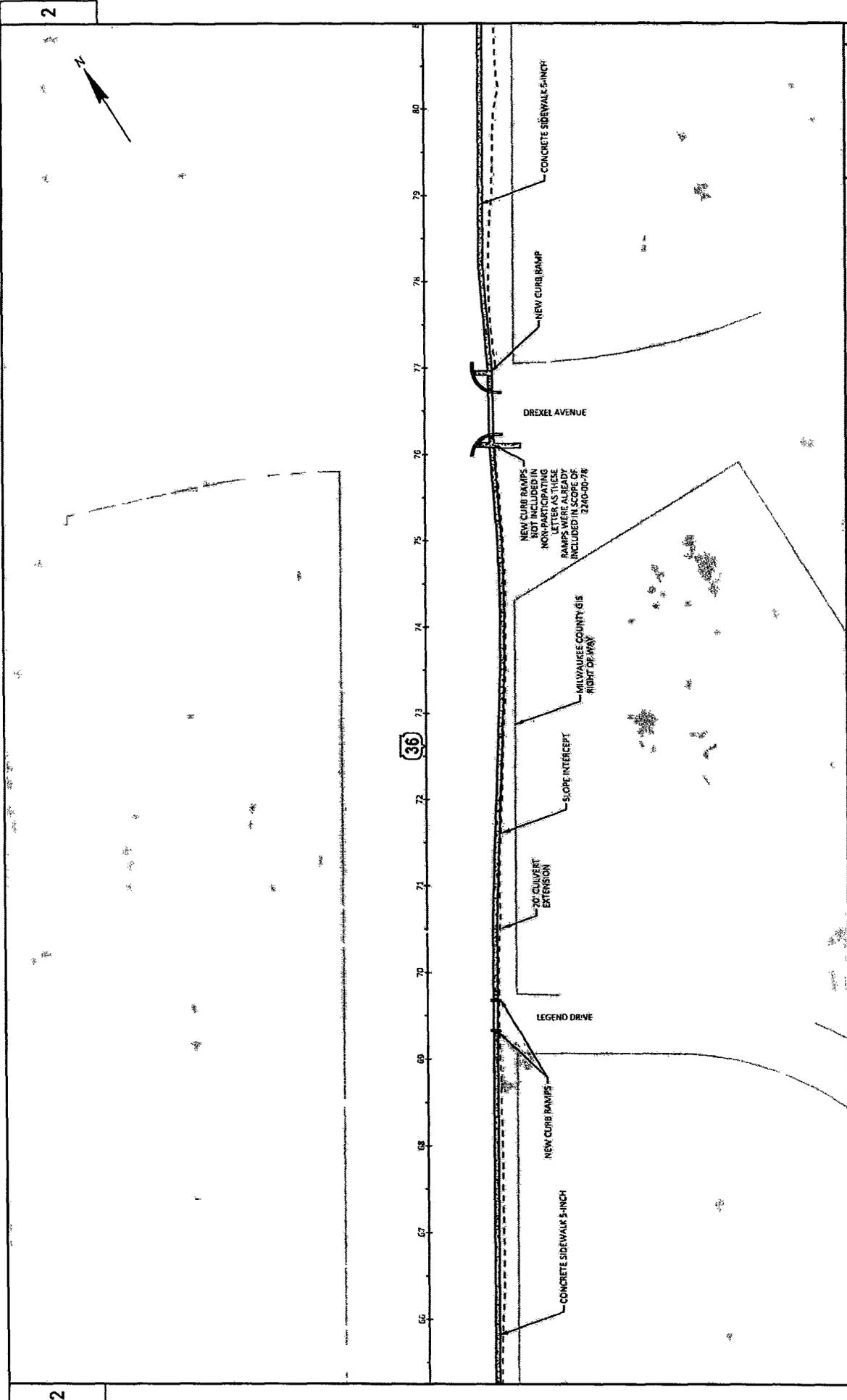
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PROJECT NO	2240-00-78	HWY- STH- 36	COUNTY	MILWAUKEE	LOOMIS ROAD SIDEWALK EXHIBIT	PLOT NAME	WIESEN, JOHNA	PLOT BY	WIESEN, JOHNA	PLOT DATE	7/13/2021 1:30 PM	SHEET	E
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LAYOUT NAME	Sheet 1/1												
PLAT SCALE	1" = 30.00'												
W65010005.SHEET 12													





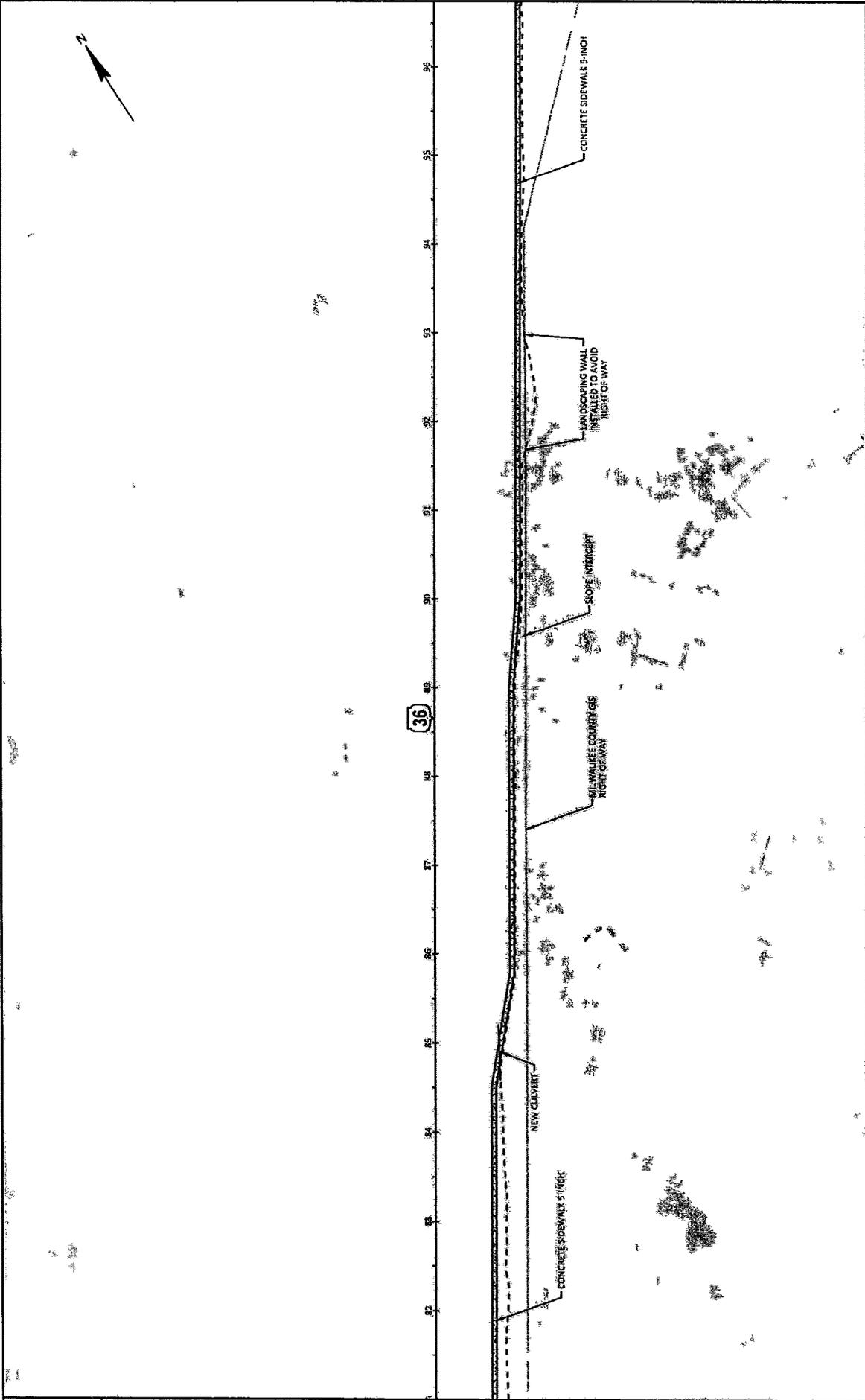
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PROJECT NO	2240-00-78	COUNTY	MILWAUKEE	LOT DATE	7/18/2011 10:00 AM	LOT BY	WIERN, JOSHUA	LOT NAME	LOOMIS ROAD SIDEWALK EXHIBIT	SCALE	1 IN = 100 FT	SHEET	E
FILE NAME	C:\WORK\2011\PROJECTS\2240-00-78\2240-00-78_S1H_36_SURFWALK_5TH_300_AWSDRAWING												
DATE	7/18/2011 10:00 AM												
BY	JW												
CHECKED BY	JW												
APPROVED BY	JW												
DATE	7/18/2011 10:00 AM												
PROJECT NAME	LOOMIS ROAD SIDEWALK EXHIBIT												

WADDICOURT SHEET 42

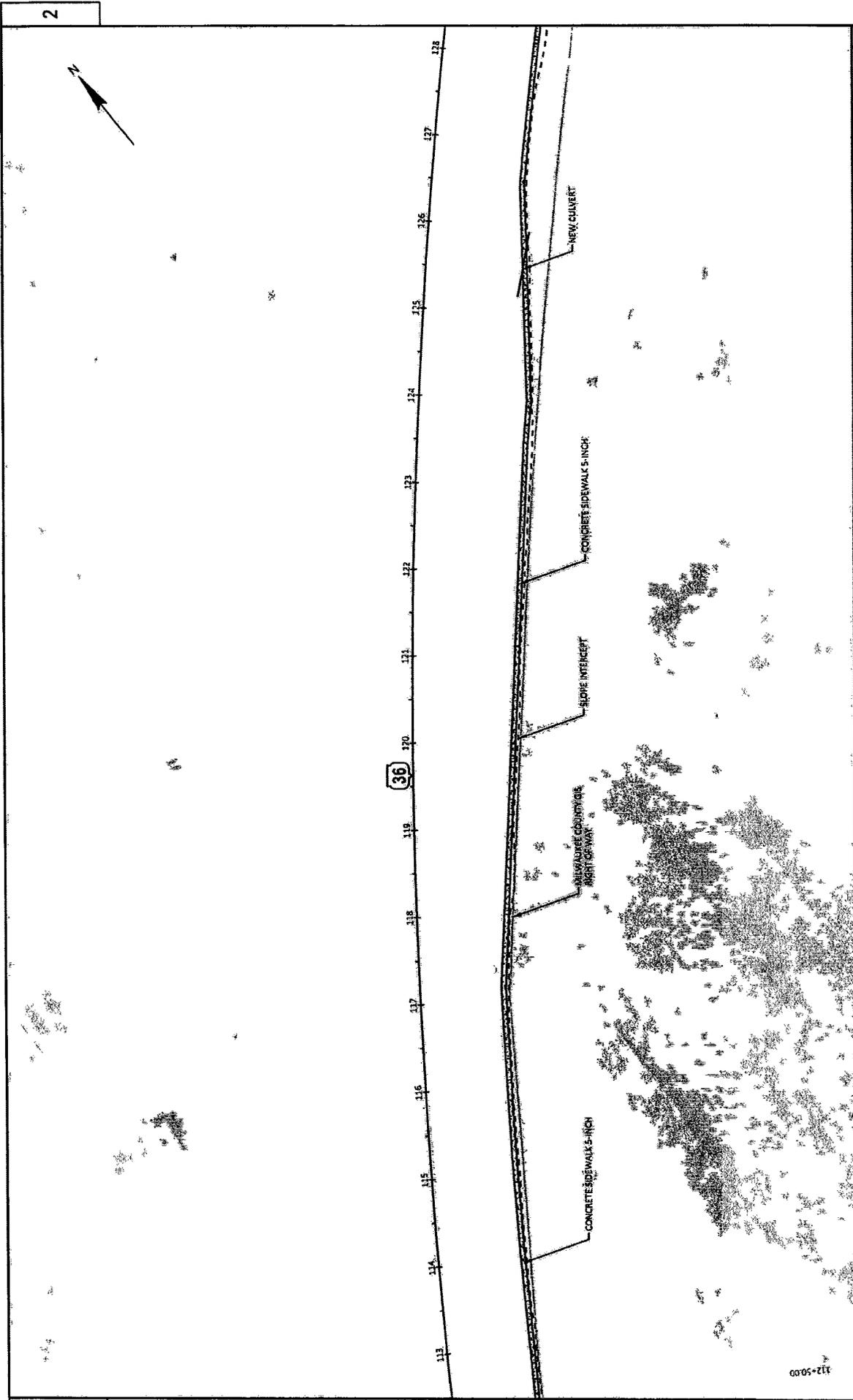
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PROJECT NO	2240-00-78	CITY	MILWAUKEE	COUNTY	MILWAUKEE	LOT NAME	LOOMIS ROAD SIDEWALK EXHIBIT	SHEET	E
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PROJECT NO	2240-00-78	C:\GIS\NOTICE\PROJECTS\2240-00-78\2240-00-78_3th_35-240-00-78_SIDEWALK_5'IN 11R MAJOR.DWG	FILE NAME
COUNTY	MILWAUKEE	12/20/11 11:21 AM	DATE
LOT NAME	LOOMIS ROAD SIDEWALK EXHIBIT	1/11/11	DATE
SCALE	1"=10'-0"	1/11/11	DATE
SHEET	E	1/11/11	DATE

112-50.00

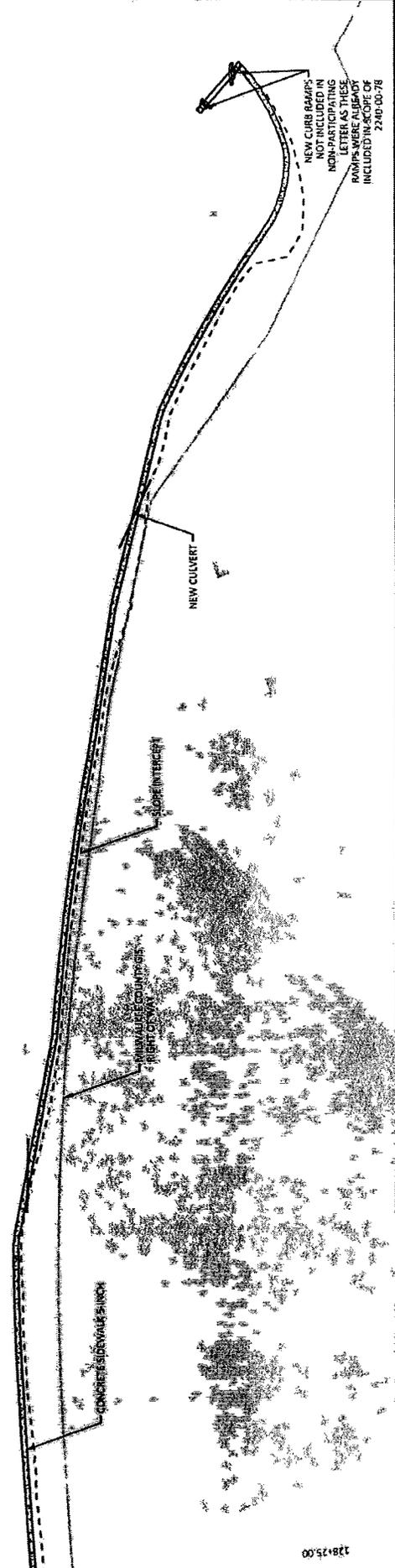
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BB RANSON AVENUE WEST BOUND  
BB RANSON AVENUE EAST BOUND

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PROJECT NO	2240-00-78	COUNTY	MILWAUKEE	LOT NAME	WISSEN, JOSHUA	PLAT SCALE	1" = 100 FT	SHEET	E
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DATE	12/28/25	PLANNED BY	7/12/2025 11:17 AM	PLANNED BY	WISSEN, JOSHUA	PLAT NAME	1" = 100 FT	SHEET	E
Loomis Road Sidewalk Exhibit									

WSDOT/CADD-SHEET 4

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APPROVAL	REQUEST FOR COUNCIL ACTION	MTG. DATE July 21, 2020
Reports & Recommendations	FRANKLIN PREFERENCES FOR WISCONSIN DEPARTMENT OF TRANSPORTATION DESIGN OF S. LOVERS LANE (U.S 45 / STH 100) FROM W. RAWSON AVENUE (CTH BB) TO W. COLLEGE AVENUE	ITEM NO. M. 12.

**BACKGROUND**

Wisconsin Department of Transportation (WISDOT) is planning a project on S. Lovers Lane (U.S 45 / STH 100) from W. Rawson Avenue (CTH BB) to W. College Avenue circa 2024 or 2025. This item was last discussed at the Common Council on March 3, 2020, where “No action was taken regarding the stock pile issue, context-sensitive solution elements [CSS], sidewalks, and crosswalks...”

WISDOT is also requesting a Franklin preference on the one-way or two-way street configuration for the east frontage road between W. Herda Place and S. Phyllis Lane.

**ANALYSIS**

There is a signed agreement from 2015 which covers the sidewalk/shared use path and approved CSS funds (attached). WISDOT has requested that this agreement be updated now based on the current design. Franklin needs to make some decisions so that the current design may be finalized.

- 1 **Does Franklin want crosswalks marked anywhere outside of the Speedway Signal? If so where?** Crosswalk markings across a STH not at signalized intersections (those are included in the initial cost part of the project) require maintenance agreements. Crosswalks across local sideroads (again, included in the initial cost part of the project) do not require an agreement with the local jurisdiction. *Staff recommends that no additional crosswalks are needed.*
- 2 **Does Franklin want ladder style crosswalks?** WISDOT will place standard 6” lines for the crosswalk at Speedway Drive (signal) but Franklin may upgrade to a ladder style marking. WISDOT will install it with the project but future maintenance is the local responsibility in a maintenance agreement. Franklin has this style at all current crosswalks in the City. Note that Hales Corners upgraded their crossings to the ladder style markings. *Staff recommends that upgrades to the crosswalk markings are needed.*
3. **Does Franklin want bicycle lanes marked?** Pavement marking lines are part of WisDOT responsibility as it really is just the shoulder marking. Bicycle lane markings (words and arrows only) would be included in the initial cost part of the project but would require a maintenance agreement for future maintenance. These markings are normally not marked unless part of a local bicycle plan. With the bicycle accommodations on the bridge over W. Rawson Avenue and connectivity to the Wheel and Sprocket store and bicycle themed Velo Village, bicycle accommodations are warranted here. WISDOT has provided plan sheets showing the proposed markings. *Staff recommends that upgrades to the bicycle markings are needed.*
- 4 **Does Franklin want street lighting in this area?** Street lighting (50/50 cost share for new system) requires permit/maintenance agreement. \$150,000 is rough estimate for a new lighting system from the Rawson NW ramp to College. (\$75,000 estimate for the local share). Upgrades to the lighting system may be paid for from the context-sensitive solution funds. *Staff recommends that street lighting should be included for the commercial areas*

*of the project, not the residential areas. If selected, Staff recommends that lighting be upgraded to match the improvements done in Hales Corners and that the upgrades be paid for from the CSS.*

- 5 **Sidewalk/shared use path.** There is no cost share for new construction but does require a maintenance agreement. Federal dollars can be impacted if pedestrian and bicycle accommodations are not constructed for this type of project. WisDOT proposes keeping ped and bike accommodations throughout the corridor to tie into the existing accommodations north and south of the project. *Staff recommends that sidewalk and shared use path be incorporated in this project.*
  
- 6 **Does Franklin want to use CSS funds?** There is an approved \$371,500 part of the current agreement. These funds are 100% state and can be used for local enhancements and require a maintenance agreement. Any cost overrun is 100% funded by the local. In addition to upgraded lighting fixtures, this fund may be used for: aesthetic railings; anti-graffiti coatings; bicycle/pedestrian accommodations; aesthetic and recreational features on bridges; decorative fencing; decorative landscaping; decorative treatments on concrete pavement, curb and gutter treatments, bump outs, crosswalk/terrace pavers, planters, benches, kiosks, native prairie seeding or native planting, noise barriers, aesthetic treatment & design on retaining walls, non-standard sidewalks, special signaling and signing, wildlife crossing, etc. *Staff recommends that CSS funds be used for upgraded lighting and [insert other items that Common Council desires for further investigation].*

Note that after the public information meeting held at the Franklin High School Library, there was a decision to conduct some traffic counts. The updated traffic count at Cortez, Whitnall and Speedway are to re-evaluate the need to restrict the left out at Cortez Road which is what was shown. The updated counts will determine if Cortez can operate safely with full access. Other road crossings along the corridor are pretty well set. Unfortunately, COVID19 has disrupted normal traffic patterns such that no traffic counts during this season may be used for forecasting. WISDOT is hoping to conduct these traffic counts this fall.

At the public information meeting, there was much discussion on the proposed street configuration for the east frontage road between W. Herda Place and S. Phyllis Lane. Staff has prepared a survey that may be sent out to assist the Common Council in recommending a preferred option. WisDOT has made some design modifications to narrow the 2-way option from a 22-foot wide section to a 16-wide section. A 16-wide section would eliminate any on-street parking. *Staff recommends that the attached survey be sent to affected property owners for input in a recommendation to WisDOT on a preferred option for the east frontage road between W. Herda Place and S. Phyllis Lane.*

As a reminder, the Common Council determined on March 3 2020, that WisDOT contractors may store materials anywhere along the project during construction.

Staff will return to Common Council when surveys are received with a new agreement with WisDOT regarding the selected CSS funds.

#### **OPTIONS**

- A. Motion to inform WisDOT of the recommendations outlined above. And
- B. Direct Staff to send out survey to affected property owners along the east frontage road. Or
- C. Provide further direction to Staff.

### **FISCAL NOTE**

This item will be included in forecasting future spending of capital projects.

### **RECOMMENDATION**

(Option A) Motion to direct Staff to inform WisDOT on preferences for design of S. Lovers Lane (U.S 45 / STH 100) from W. Rawson Avenue (CTH BB) to W. College Avenue:

- additional crosswalks are not included;
- upgrades to the crosswalk markings are included;
- upgrades to the bicycle markings are included;
- street lighting should be included for the commercial areas of the project, not the residential areas;
- street lighting is upgraded with CSS funds to decorative lighting to match lighting in the Hales Corners project recently completed;
- CSS funds are used to include \_\_\_\_\_; and
- sidewalk and shared use path are included.

Furthermore, direct Staff to survey affected property owners for input in a recommendation to WisDOT on a preferred option for the east frontage road between W. Herda Place and S. Phyllis Lane.

Engineering Department: GEM



**STATE/MUNICIPAL AGREEMENT  
FOR A STATE- LET HIGHWAY  
PROJECT**

Date April 7, 2015  
 I D . 2040-14-00/20/70  
 Road Name USH 45  
 Limits St Martin's Rd to College Ave  
 County. Milwaukee  
 Roadway Length 2.96 Miles

The signatory City of Franklin, hereinafter called the Municipality, through its undersigned duly authorized officers or officials, hereby requests the State of Wisconsin Department of Transportation, hereinafter called the State, to initiate and effect the highway or street improvement hereinafter described.

The authority for the Municipality to enter into this agreement with the State is provided by Section 86.25(1), (2), and (3) of the Statutes.

**NEEDS AND ESTIMATE SUMMARY:**

**Existing Facility - Describe and give reason for request:** Improvement

**Proposed Improvement - Nature of work:** As determined by project scoping.

**Describe non-participating work included in the project and other work necessary to finish the project completely which will be undertaken independently by the municipality:** A nominal amount is included to cover items in paragraph 4 (to be adjusted in the final plan).

**TABLE 1: SUMMARY OF COSTS**

Phase	Total Est. Cost	Federal/State Funds	%	Municipal Funds	%*
Preliminary Engineering Plan Development	\$ 1,000,000	\$ 1,000,000	100%	\$ -	0%
Real Estate Acquisition Acquisition	\$ 3,000,000	\$ 3,000,000	100%	\$ -	0%
Compensable Utilities	\$ -	\$ -	100%	\$ -	0%
Construction Participating	\$ 24,750,000	\$ 24,750,000	100%	\$ -	0%
CSS	\$ 371,500	\$ 371,500	MAX	\$ -	BAL
New Sidewalk	\$ 400,000	\$ 400,000	100%	\$ -	0%
Non-Participating	\$ -	\$ -	0%	\$ -	100%

**Total Cost Distribution** \$ 29,521,500 \$ 29,521,500 \$ -

\* See Item 9 Basis for local participation in Terms and Conditions

This request is subject to the terms and conditions that follow (pages 2 – 4) and is made by the undersigned under proper authority to make such request for the designated Municipality and upon signature by the State and delivery to the Municipality shall constitute agreement between the Municipality and the State. No term or provision of neither the State/Municipal Agreement nor any of its attachments may be changed, waived or terminated orally but only by an instrument in writing executed by both parties to the State/Municipal Agreement

Signed for and in behalf of the City of Franklin (please sign in blue ink)		
Name <i>Stephen Olson</i> Stephen Olson	Title Mayor	Date <i>5/21/15</i>
Name <i>Paul Rotzenberg</i> Paul Rotzenberg	Title Treasurer	Date <i>5/26/2015</i>
Name <i>Sandra Wesolowski</i> Sandra Wesolowski	Title Clerk	Date <i>5/21/2015</i>
Name: <i>Jesse A. Wesolowski</i> Jesse A. Wesolowski	Title City Attorney	Date <i>6/2/15</i>
Signed for and in behalf of the State (please sign in blue ink)		
Name <i>Tony Barth</i> Tony Barth	Title SE Region Planning Chief	Date <i>6/16/15</i>

**TERMS AND CONDITIONS:**

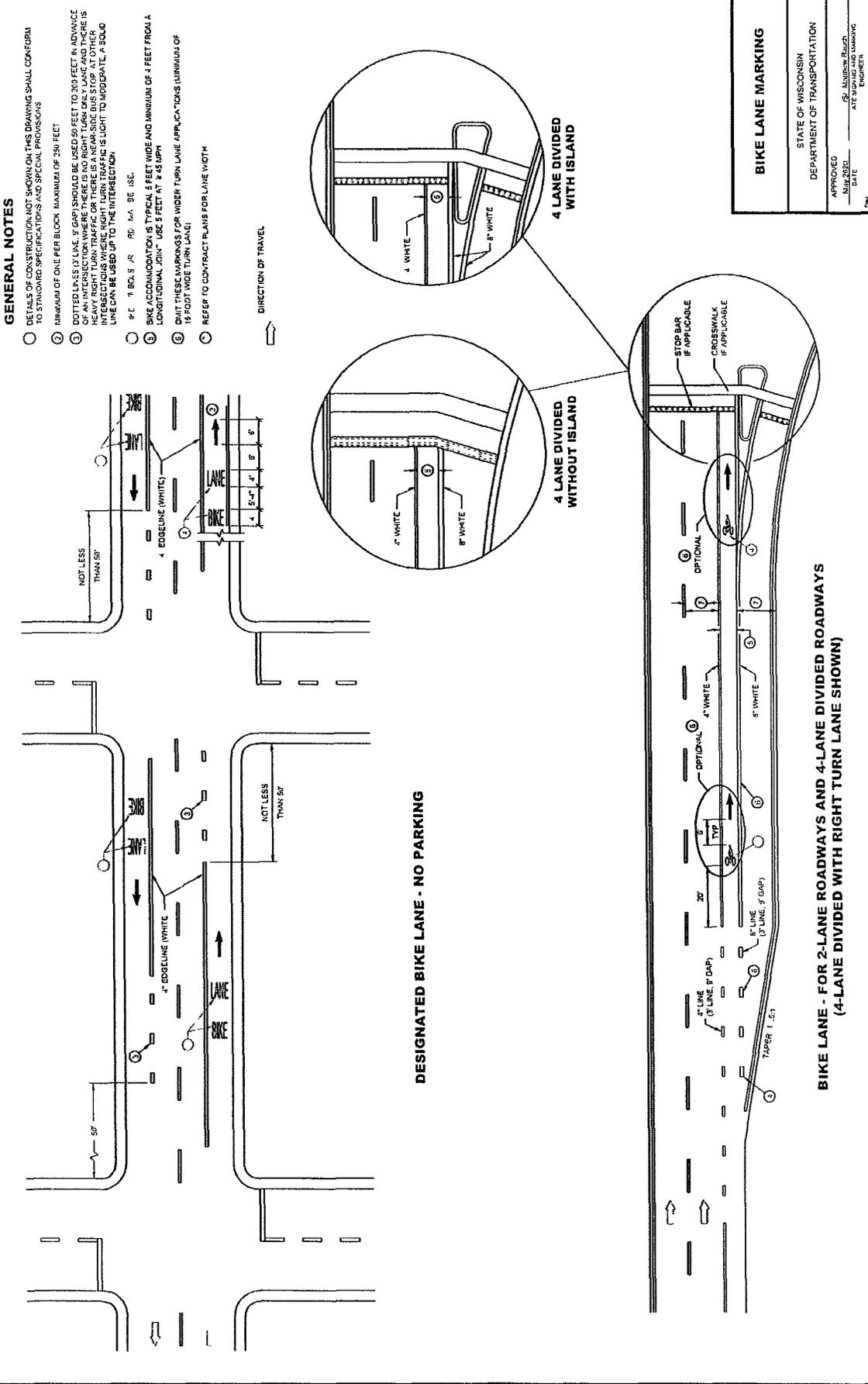
1. The initiation and accomplishment of the improvement will be subject to the applicable Federal and State regulations.
2. The Municipality shall pay to the State all costs incurred by the State in connection with the improvement which exceed Federal/State financing commitments or are ineligible for Federal/State financing. Local participation shall be limited to the items and percentages set forth in the Summary of Costs table that show Municipal funding participation. In order to guarantee the Municipality's foregoing agreements to pay the State, the Municipality, through its above duly authorized officers or officials, agrees and authorizes the State to set off and withhold the required reimbursement amount as determined by the State from any moneys otherwise due and payable by the State to the Municipality. The costs listed in Table 1: Summary of Costs are approximate costs unless otherwise noted. The Municipality will be responsible for actual costs incurred.
3. Funding of each project Phase is subject to inclusion in an approved program and per the State's Facility Development Manual (FDM) standards. Federal aid and/or State transportation fund financing will be limited to participation in the costs of the following items as specified in the Summary of Costs:
  - (a) Design engineering and state review services.
  - (b) Real Estate necessitated for the improvement.
  - (c) Compensable utility adjustment and railroad force work necessitated for the project.
  - (d) The grading, base, pavement, curb and gutter and bridge costs to State standards, excluding the cost of parking areas.
  - (e) Storm sewer mains, culverts, laterals, manholes, inlets, catch basins and connections for surface water drainage of the improvement, including replacement and/or adjustments of existing storm sewer manhole covers and inlet grates as needed.
  - (f) Construction engineering incidental to inspection and supervision of actual construction work, except for inspection, staking and testing of sanitary sewer and water main.
  - (g) Signing and pavement marking necessitated for the safe and efficient flow of traffic, including detour routes.
  - (h) Replacement of existing sidewalks necessitated by construction and construction of new sidewalk at the

time of construction. Sidewalk is considered to be new if it's constructed in a location where it has not existed before.

- (i) Replacement of existing driveways, in kind, necessitated by the project.
  - (j) New installations or alteration resulting from roadway construction of standard State street lighting and traffic signals or devices. Alteration may include salvaging and replacement of existing components.
4. Work necessary to complete the improvement to be financed entirely by the Municipality or other Utility or Facility Owner includes the following items:
- (a) New installations of or alteration of sanitary sewers and connections, water, gas, electric, telephone, telegraph, fire or police alarm facilities, parking meters, and similar utilities.
  - (b) New installation or alteration of signs not necessary for the safe and efficient flow of traffic
  - (c) Roadway and Bridge width in excess of standards.
  - (d) Construction inspection, staking and material testing and acceptance for construction of sanitary sewer and water main.
  - (e) Parking lane costs.
  - (f) Coordinate, clean up, and fund any hazardous materials encountered for city utility construction. All hazardous material cleanup work shall be performed in accordance to state and federal regulations.
5. As the work progresses, the Municipality will be billed for work completed which is not chargeable to Federal/State funds. Upon completion of the project, a final audit will be made to determine the final division of costs.
6. If the Municipality should withdraw the project, it shall reimburse the State for any costs incurred by the State in behalf of the project.
7. The work will be administered by the State and may include items not eligible for Federal/State participation.
8. The Municipality shall at its own cost and expense.
- (a) Maintain all portions of the project that lie within its jurisdiction for such maintenance through statutory requirements, in a manner satisfactory to the State and shall make ample provision for such maintenance each year. This agreement does not remove the current municipal maintenance responsibility.
  - (b) Maintain all items outside the travel lane along the project, to include but not limited to parking lanes, curb and gutter, drainage facilities, sidewalks, multi-use paths, retaining walls, pedestrian refuge islands, landscaping features and amenities funded by community sensitive solutions.
  - (c) Maintain and accept responsibility for the energy, operation, maintenance, repair and replacement of the lighting system.
  - (d) Prohibit angle parking.
  - (e) Regulate parking along the highway. The municipality will file a parking declaration with the state.
  - (f) Use the WisDOT Utility Accommodation Policy unless the Municipality adopts a policy which has equal or more restrictive controls.
  - (g) Provide complete plans, specifications and estimates for sanitary sewer and water main work. The Municipality assumes full responsibility for the design, installation, inspection, testing and operation of the sanitary sewer and water system. This relieves the State and all of its employees from the liability for all suits, actions or claims resulting from the sanitary sewer and water system construction.
  - (h) Maintain all community sensitive solutions and/or enhancement funded items.

- (i) Coordinate with the state on changes to highway access within the project limits
  - (j) In cooperation with the state, assist with public relations for the project and announcements to the press and such outlets as would generally alert the affected property owners and the community of the nature, extent, and timing of the project and arrangements for handling traffic within and around the project
  - (k) Maintain signs and pavement markings not necessary for the safe and efficient movement of traffic (no parking signs, crosswalk pavement markings not at signalized intersections, etc).
- 9 Basis for local participation. Participation is based on actual costs incurred, all costs listed in Table 1: Summary of Costs are approximate costs unless otherwise noted.
- (a) Funding for preliminary engineering 100% State
  - (b) Funding for real estate required for standard roadway construction, 100% State
  - (c) Funding for compensable utilities required for standard roadway construction, 100% State.
  - (d) Funding for construction of standard roadway items – 100% State
  - (e) Funding for sidewalks/multi-use path on NHS route, where no Trans 75 exceptions apply is funded 100% State. The Municipality agrees to maintain the sidewalk/multi-use path including the sidewalk/multi-use path installed as part of the Lovers Lane Road (USH 45) bridge replacement project over Rawson Ave, Project ID 2040-12-70
  - (f) Funding for Community Sensitive Solutions (CSS) – 100% State, maximum amount \$371,500. Costs above this maximum are 100% Municipal. The funding is to be used for enhancement features along the project limits.

[END]



**GENERAL NOTES**

- DETAILS OF CONSTRUCTION NOT SHOWN ON THIS DRAWING SHALL CONFORM TO STANDARD SPECIFICATIONS AND SPECIAL PROVISIONS
- ② MINIMUM OF ONE PER BLOCK. MAXIMUM OF 250 FEET
- ③ DOTTED LINES (3" LINE, 3" GAP) SHOULD BE USED 50 FEET TO 200 FEET IN ADVANCE OF AN INTERSECTION WHERE THERE IS NO RIGHT TURN ONLY LANE AND THERE IS HEAVY RIGHT TURN TRAFFIC OR THERE IS A NEAR-SIDE BUS STOP. AT OTHER INTERSECTIONS WHERE RIGHT TURN TRAFFIC IS LIGHT TO MODERATE, A SOLID LINE CAN BE USED UP TO THE INTERSECTION.
- P.E. T. B. A. JR. P.E. M.A. BE. ISE.
- ④ BIKE ACCOMMODATION IS TYPICAL 6 FEET WIDE AND MINIMUM OF 4 FEET FROM A LONGITUDINAL JOIN. USE 5 FEET AT 45 MPH.
- ⑤ OMIT THESE MARKINGS FOR WIDER TURN LANE APPLICATIONS (MINIMUM OF 18 FOOT WIDE TURN LANE)
- REFER TO CONTRACT PLANS FOR LANE WIDTH

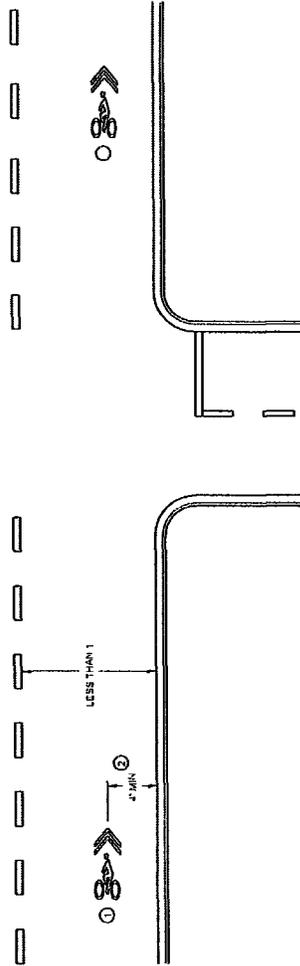
DIRECTION OF TRAVEL

<b>BIKE LANE MARKING</b>	
STATE OF WISCONSIN	
DEPARTMENT OF TRANSPORTATION	
APPROVED	DATE
J.S. MILLER, P.E.	MAR 2021
A.T. GARDNER, P.E.	DATE
	ENGINEER

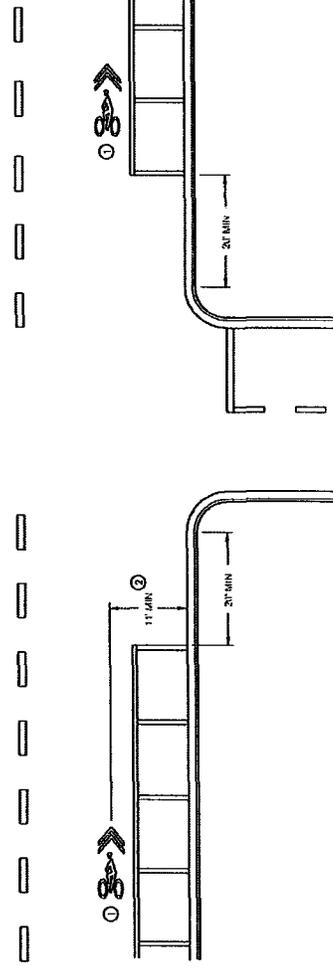
SDD 15C29-b Pavement Marking for Shared Lane, 35 MPH or Less

**GENERAL NOTES**

- ① MINIMUM OF ONE PER BLOCK. MAXIMUM OF 250 FEET
- ② OR TO EDGE OF PAVEMENT WITHOUT CURB



WITHOUT PARKING



WITH PARKING

**PAVEMENT MARKING  
FOR SHARED LANE  
35 MPH OR LESS**

STATE OF WISCONSIN  
DEPARTMENT OF TRANSPORTATION

APPROVED  
DATE \_\_\_\_\_  
BY \_\_\_\_\_  
STATE PUBLIC WORKS ENGINEER

DATE: July 22, 2020 DRAFT

TO: Property Owners of 6910-7042 S. Lovers Lane Road (East Side Only)

COPY: John Nelson, Alderman District 6

FROM: Glen E. Morrow, PE- City Engineer, Director of Public Works, & Utility Manager

SUBJECT: WisDOT project preference for east frontage road between W. Herda Place and S. Phyllis Lane

You may recall the Wisconsin Department of Transportation (WISDOT) open house last fall where they explained that they are working on a design to improve S. Lovers Lane from W. College Avenue to W. Rawson Avenue. Construction is expected to occur in 2025, or 2024 if funding is available.

WISDOT has asked the City to comment on a preferred design for S. Lovers Lane. Specifically, the access road that serves your property between W. Herda Place and S Phyllis Drive. Before we discuss again at a Common Council meeting, I would like to solicit your input. Please complete the questionnaire below and return to me at the City Engineering Department- City Hall in person or in the enclosed self-addressed-stamped-envelope by **August 7, 2020**.

This is only input for WISDOT to consider and will not be a final design decision. There are many considerations that WISDOT will use to make the best decision and although City preference is important, it is not the only consideration. You may schedule an appointment at my office to discuss this issue if you have questions.

Upon receipt of your responses, this matter will appear before the Common Council on or after August 18, 2020.

Survey for Property Owners of 6910-7042 S. Lovers Lane Road (East Side Only)

My name is: \_\_\_\_\_

My address is: \_\_\_\_\_

I would prefer a WISDOT design of the access road that: (check your preferred responses)

- Keeps two-way directional traffic, and I understand that it will have greater impact (unknown distance) to land acquisition for my property.
- Changes the traffic to one-way that would lessen the impact to land acquisition for my property.

If traffic is changed to one-way, I would prefer the following direction: (check your preferred direction)

- One-way south (enter from Herda and exit to Phyllis)
- One-way north (enter from Phyllis and exit to Herda)

Please return this survey to the **Engineering Department** in the self-addressed-stamped-envelope or in person at City Hall no later than **Friday August 7** It is anticipated that this will appear on the Common Council agenda for Tuesday, August 18.

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<b>APPROVAL</b>	<b>REQUEST FOR COUNCIL ACTION</b>	<b>MEETING DATE</b> July 21, 2020
<b>REPORTS &amp; RECOMMENDATIONS</b>	<b>Report on Expenditures related to the COVID-19 Public Health Emergency thru July 16, 2020</b>	<b>ITEM NUMBER</b> D.13.

**Background**

On March 17, 2020 the Common Council authorized spending up to \$250,000 in response to the COVID-19 Public Health Emergency.

Thru July 16, 2020, the City has spent \$134,800 (up from \$132,369 two weeks earlier) of Labor funds, \$54,822 (up from \$49,889 two weeks earlier) in operating costs (principally \$20,000 in extra postage for elections and other mailings), and \$17,183 on equipment. Details of the expenditures are:

	July 1	July 16
Elections	13,878	13,878
Info Systems	3,901	3,905
Admin – postage	10,000	10,000
Finance	128	128
Muni Buildings	2,270	7,198
Police	4,904	4,904
Fire	6,532	6,532
Highway	6,026	6,026
Parks	2,251	2,251
Total	49,889	54,822

Total expenditures and encumbrances are \$206,805 (up from \$199,441 on July 1).

The 'Road to Recovery' claim (WI's administration of the Federal Public Health Emergency relief funding) for qualifying expenditures thru June 30 totaled \$133,879 including overtime, purchase of personal protection equipment & supplies, and equipment to address the pandemic. These claimed costs will be removed from General Fund, reducing usage of the original appropriation to \$ 72,926

The State has notified the Health Department of an additional \$300,000 Grant for health related expenditures.

The City recently accepted a \$24,400 grant from the Wisconsin Elections Commission related to increased costs stemming from the crisis.

In addition, it appears that certain city resources are going to be negatively impacted, specifically, ambulance revenues are down \$128,000 from a year ago at the end of May, hotel tax receipts were 30% (\$21,500) below Q1 2019 for Q1 2020, as the major hotels have been effectively shut down, investment income on reduced interest rates (estimated to reduce annual revenues by \$80,000), the school liaison officer – approximately \$22,000 (with the school closed – the officer was not needed), and landfill siting revenues. These amounts total \$251,000 so far. It is too early to understand the total revenue shortfalls, but clearly there will be some sizable amounts.

**COUNCIL ACTION REQUESTED**

Information Only – no action requested.

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<b>APPROVAL</b>	<b>REQUEST FOR COUNCIL ACTION</b>	<b>MEETING DATE</b> July 21, 2020
<b>REPORTS &amp; RECOMMENDATIONS</b>	<b>Authorize Temporary Help in Finance Department</b>	<b>ITEM NUMBER</b> M. 14.

**Background**

The Finance Department consists of the Director of Finance, an Accounting Supervisor, an Accountant, an Accounts Payable Clerk ( 48 Full time equivalent), and a Payroll Clerk ( 75 FTE)

The Accountant has submitted his retirement notice effective August 3, 2020

At the same time the Accounting Supervisor has indicated a 6 to 8-week medical leave notice effective August 10th.

**Analysis**

With the absence of those two full-time positions, the Finance Department will not have sufficient resources to keep timely financial records

The Director of Finance & Treasurer has been developing a plan to shift responsibilities around between the Accounting Supervisor and the remaining clerks to address temporary workflow needs due to the retirement. However, with the near term absence of the Accounting Supervisor that plan falls apart

With development of the 2021 Annual Budget process launching at this time, it is critical that adequate competent staffing be available to meet the City's needs

The retirement will result in approximately \$23,400 of unused Personnel Services appropriations. The Temporary Accounting Manager position will cost approximately \$24,000 However, the temporary position will use contract services – a Non-Personnel appropriation, while the vacant accounting position uses Personnel Services appropriations. A budget amendment will be needed to reclassify the \$23,400 of Personnel Services to Non-Personnel Services. Other un-used Non-Personnel appropriations will provide the remaining appropriations needed for the Temporary Accounting Supervisor There will be no need to use any other 2020 appropriations for this staffing need

Longer term, a transition plan for the eventual retirement of the Director of Finance is likely to be included in the 2021 budget.

**Recommendation**

The Director of Finance and Treasurer is recommending that a temporary Accounting Supervisor be engaged during the term of the Accounting Supervisor's medical leave and for a two-week period prior to departure to provide some continuity to staffing and familiarize a temporary with the City's financial systems, processes and file locations

**COUNCIL ACTION REQUESTED**

Motion authorizing the engagement of a temporary contract service to fill the Accounting Supervisor position while the current Accounting Supervisor is on an 8-week medical leave

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<p style="text-align: center;"><b>APPROVAL</b></p>	<p style="text-align: center;"><b>REQUEST FOR COUNCIL ACTION</b></p>	<p style="text-align: center;"><b>MEETING DATE</b>  7/21/2020</p>
<p style="text-align: center;"><b>REPORTS &amp; RECOMMENDATIONS</b></p>	<p style="text-align: center;"><b>Annual Market Adjustment, Market Adjustment to Wage &amp; Salary Rates, and Progress to Market Wage Adjustment for Non-Represented Employees</b></p>	<p style="text-align: center;"><b>ITEM NUMBER</b>  M. 15.</p>

Below is information relative to and a recommendation related to a proposed Annual Market Adjustment and Market Adjustment to Wage and Salary Rates, as well as a Progress to Market Wage Adjustment, for non-represented employees, as was budgeted and is reviewed each year at this time.

This item was considered by the Personnel Committee at their May 18, 2020 Meeting, where the result was a 6-2 vote in favor of the recommended increase.

**BACKGROUND**

As you likely know, Franklin's Classification and Compensation Plan, implemented at the end of 2015, identified the following three potential annual adjustments to employee wage rates:

1. Market Adjustment to Wage and Salary Rates: The Annual Market Adjustment creates a change to the overall pay plan structure. Individual wage rates then need to be adjusted at a rate equal to the Annual Market Adjustment in order to allow each employee to maintain their position in the market. This action does not advance employees within their range, but attempts to keep employees at an equitable wage with respect to the cost of living and with our comparable cities.
2. Progress-to-Market-Rate Adjustments: Identifies the portion of a merit increase that an employee is eligible for annually, unless otherwise directed by the Common Council, based upon where the employees are within their applicable Salary Range.  
 [Note: This is conceptually similar to a step increase in some plans. Franklin's are graduated, as follows, depending upon where you are in the range:
  - 30% or lower in the applicable salary range = 2.25% adjustment,
  - Below the Midpoint, but greater than 30% in the range = 1.5% adjustment, and
  - Greater than Midpoint, but less than Market Rate (65% through the range) = .75%]
3. Merit Performance Increases: Prior to implementation of an improved performance evaluation system, the remaining pool of funding for wage adjustments would be allocated on an across-the-board basis to all employees who receive at least a "Satisfactory" in the current system. After implementation of an improved performance evaluation system, the remaining pool of funding would be allocated based upon the performance evaluation results, with those individuals performing better receiving larger increases.

Funding included in the 2020 Budget for the above noted pay adjustments is approximately \$177,000. The planned breakdown is: (1) Approximately \$88,500 for the 2% market adjustment for non-represented employees, (2) approximately \$18,000 for the progress to market rate adjustment, (3) approximately \$36,600 for the merit performance increases, and (4) approximately \$33,900 for the Police Compression Adjustment which was awarded in April of 2020.

## ANALYSIS

### Comparable City Wage Increases

A five-year review of our comparable communities, as determined in our Classification & Compensation Study, was completed, with the following results:

<i>Comparable Community</i>	<i>2016 % lift</i>	<i>2017 % lift</i>	<i>2018 % lift</i>	<i>2019 %lift</i>	<i>2020 % lift</i>	<i>5-year combined pay increase percentage</i>
Mt. Pleasant	2	2	3.02	3.02	2.25	12.903
Fond du Lac	3	2	2	2	2.25	11.764
North Shore Fire	2.25	2.01	2.01	2.65	2.25	11.679
Caledonia	2	2	2	2.25	2.07	10.755
Menomonee Falls	2	2	2	2	2	10.408
Fitchburg	2	2	2	2	2	10.408
Greenfield	2	2	2	2	2	10.408
New Berlin	1	1.5	2.3	3	2	10.179
Mequon	1.75	1.5	1.75	2	2	9.329
West Bend	1	2	2	2	2.5	9.862
Brookfield	1.25	1.25	2	2.5	2	9.324
Sun Prairie	1.5	1.5	1.5	1.5	1.5	7.728
Muskego	0	1	2.5	2.5	2*	8.235
Oak Creek	1.25	0.7	1.5	2.25	2.25	8.197
Wauwatosa	1	1	1.4	2	2.5	8.145
Mean Average	1.6	1.631	1.999	2.245	2.105	9.955
Median Average	1.75	2	2	2	2	10.179
Franklin	2	1.5	2	1.55	2	9.382

\*A 2% estimate was used for Muskego, as no response has been received at this time.

An important note regarding the above information is that the Franklin's increases, for the duration of this time span, have been implemented on or about July 1st of each year, with the exception of 2019 for those employees switching to the Wisconsin Retirement System (WRS), while the increases for the majority of the other communities were implemented earlier in the year, annually.

As noted above, the 2020 budget anticipated a 2% wage increase for non-represented employees. As you can see above, this is just slightly lower than the average increase of 2.1%. Franklin's 5-year increases, however, are approximately 0.6% below the average, and 0.8% below the median increase. It is important for Franklin to consider the pay of comparable cities, as the pool of employees drawn upon by the majority of these cities are the same as those Franklin works to attract for vacancies, and, with the workforce becoming more mobile, competition for staff is more competitive than ever.

### Classification and Compensation Plan-Continued Implementation

It is also important to note that, in regard to the Classification and Compensation Plan which was implemented in late 2015, the execution of the plan did not immediately place employees at their designated market rate if they were below it, even if they were a productive, longstanding employee, while allowing those over their market rate to retain their current level of pay. Instead, it laid out a plan for those employees to progress slowly to their market rate, based on the details in the second item in the Background section above, which makes this piece of the increase critical to continue moving those employees toward their established market rate.

### COVID-19 Pandemic and Budget Ramifications

While there is a very unique challenge occurring in 2020, namely COVID-19, to which there may be a natural inclination to cut budgets, paralleling the private sector, due to revenue reductions and additional expenditures, thereby withholding these planned and budgeted increases, we need to remain mindful that our staff is our largest asset, which we count on, now more than ever, to serve the citizens of Franklin. Working for a City during a pandemic, being deemed essential, and providing critical services is a tall order, and our employees continue to carry out all of the City's critical duties on a daily basis. Our services did not slow down during this time, rather, in many cases, were increased, which caused most of our staff to potentially be exposed while continuing their duties.

Staff continues to analyze the 2020 Budget to actual numbers on an ongoing basis, and while we expect this year's budget to remain tight due to the COVID-19 pandemic, and likely require some contingency to be used, we believe that the increase can be implemented while maintaining a responsible and prudent 2020 funding plan. Staff continues to research options to ensure that the City's fiscal year ends on a positive financial note. One option that is currently being reviewed is the possibility of a short-term premium holiday for health insurance. This option alone would benefit the City's General Fund substantially. Please stay tuned on this, and we will bring back additional information and any recommended changes in the near future.

### Merit Increases

As noted above, merit increases are part of the planned wage increase mix for 2020, however staff is still working on an equitable merit-based plan, so these budgeted funds are not being requested to be used at this time. Staff will bring a draft plan forth, when it is ready, for Council consideration. But, please note that there is flexibility with this item, and it can be structured to work within the confines of the 2020 and 2021 Budget Plans.

Finally, as set forth within the adopted policy for the pay plan, all wage increases are subject to each employee receiving a performance review grade of at least "Standard" or better, which this year will need to be confirmed and documented by the department heads since there is not a formal appraisal process in place. As required by the plan, only employees who are successfully completing their job duties are considered for any of the above noted increases. And, a formal appraisal process will be implemented in 2021.

### **RECOMMENDATION**

Staff recommends that the Council authorize the 2% market adjustment to both the salary schedule and wages, as well as the progress to market adjustment, as outlined above.

## **COUNCIL ACTION REQUESTED**

Motion to approve a 2020 Annual Market Adjustment to the Pay Ranges of the Compensation Plan and a Market Adjustment to Wage and Salary Rates, both by 2%, along with a Progress to Market Wage Adjustment, for non-represented employees effective with the start of the pay period with a pay date of July 17, 2020, and authorize Human Resources to incorporate the new Salary Ranges into the Employee Handbook.

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<b>APPROVAL</b>	<b>REQUEST FOR COUNCIL ACTION</b>	<b>MEETING DATE 7/21/20</b>
<b>LICENSES AND PERMITS</b>	<b>MISCELLANEOUS LICENSES</b>	<b>ITEM NUMBER H.</b>

See attached listing from meeting of July 21, 2020.

**COUNCIL ACTION REQUESTED**



414-425-7500

**License Committee  
Agenda\*  
Aldermen's Room  
July 21, 2020 – 5:20 p.m.**

<b>1.</b>	<b>Call to Order &amp; Roll Call</b>	<b>Time:</b>
<b>2.</b>	<b>Applicant Interviews &amp; Decisions</b>	
<b>License Applications Reviewed</b>		<b>Recommendations</b>

<b>Type/ Time</b>	<b>Applicant Information</b>	<b>Approve</b>	<b>Hold</b>	<b>Deny</b>
<b>Operator 2020-2021 New 5:25 p.m.</b>	<b>Borger, Heather M</b> 511 Montana Ave South Milwaukee, WI 53172 Hideaway Pub & Eatery			
<b>Operator 2020-2021 New 5:30 p.m.</b>	<b>Raine, Charles H</b> 6435 Lyra Ln Racine, WI 53406 Hideaway Pub & Eatery			
<b>Operator 2020-2021 New 5:35 p.m.</b>	<b>Savarino, Nicholas B</b> S69W15031 Cornell Circle Muskego, WI 53150 Milwaukee Burger Company			
<b>Extraordinary Entertainment &amp; Special Event 5:40 p.m.</b>	<b>Federation of Croatian Societies-Croatian Park Croatian Festival</b> Person in Charge: Thomas Krenz Location: Croatian Park, 9100 S. 76 <sup>th</sup> St Date/Time of Event: Saturday 7/18 - 10 am to 11 pm			
<b>Temporary Entertainment &amp; Amusement 5:45 p.m.</b>	<b>Romey's Place</b> Person in Charge: Nathan J Fabry Location: Romey's Place, 7508 S. North Cape Rd. Date/Time of Event: Saturday September 5 <sup>th</sup> , 2020 12:00p.m.-10:00p.m.			
<b>Temporary Entertainment &amp; Amusement 5:50 p.m.</b>	<b>Root River Center – Volleyball Tournament and Band</b> Person in Charge: David Church Location: Root River Center, 7220 W Rawson Ave. Date/Time of Event: Saturday August 1st, 2020 8:00 a.m.- 11:00 p.m., Event 11:00 a.m. – 10:00 p.m.			
<b>Temporary Entertainment &amp; Amusement 5:55 p.m.</b>	<b>Root River Center – Band for Fundraiser</b> Person in Charge: David Church Location: Root River Center, 7220 W Rawson Ave. Date of Event: Sunday August 16th, 2020			
<b>Operator 2020-2021 New</b>	<b>Damask, Angela M</b> 964 S 57 <sup>th</sup> St West Allis, WI 53214 Mulligan's Irish Pub & Grill			
<b>Operator 2020-2021 New</b>	<b>Dauenhauer, Megan E</b> 411 W Swan Cerde #2914 Oak Creek, WI 53154 Bowery Bar & Grill			

Type/ Time	Applicant Information	Approve	Hold	Deny
Operator 2020-2021 New	<b>Goehring, David F</b> 8017 S 57 <sup>th</sup> St Franklin, WI 53132 St. Martin of Tours Parish			
Operator 2020-2021 New	<b>Kosidowski, Colin P</b> 14670 W Meadowshire Dr New Berlin, WI 53151 The Rock Sports Complex			
Operator 2020-2021 New	<b>Lacina, Megan E</b> 8067 S 43 <sup>rd</sup> St Franklin, WI 53132 The Rock Sports Complex			
Operator 2020-2021 New	<b>Meier, Lee Ann</b> 7499 S North Cape Rd Franklin, WI 53132 Country Lanes			
Operator 2020-2021 New	<b>Miller, Shannon P</b> W124S8236 North Cape Rd Muskego, WI 53150 Swiss Street Pub & Grill			
Operator 2020-2021 New	<b>Moran, Sean P</b> 2550 S Brookland Rd New Berlin, WI 53151 The Rock Sports Complex			
Operator 2020-2021 New	<b>Pescheck, Craig A</b> 7155 S 49th Franklin, WI 53132 The Rock Sports Complex			
Operator 2020-2021 New	<b>Planton, Allison M</b> 14900 W Wilbur Dr., Unit 1204 New Berlin, WI 53151 The Rock Sports Complex			
Operator 2020-2021 New	<b>Rodriquez, Daniel T</b> 8014 W Hilltop Ln Franklin, WI 53132 Country Lanes			
Operator 2020-2021 New	<b>Sancinati, Danielle M</b> 4738 S 112 <sup>th</sup> St Greenfield, WI 53228 7-Eleven			
Operator 2020-2021 New	<b>Singh, Mahakpreet</b> 7325 S 38 <sup>th</sup> St Franklin, WI 53132 Walgreens # 05884			
Operator 2020-2021 New	<b>Soltis, Joseph A</b> 4155 S Lake Dr #22 St. Francis, WI 53235 Hideaway Pub & Eatery			
Operator 2020-2021 New	<b>Weber, Austin J</b> 3276 N Shepard Ave Milwaukee, WI 53211 The Rock Sports Complex			

Type/ Time	Applicant Information	Approve	Hold	Deny
<b>Temporary Entertainment &amp; Amusement Change of Date</b>	<b>St. Paul's Evangelical Lutheran Church</b> Person in Charge: Jaime Petricek Event: 2020 Fundraiser: Silent/Live Auction Location: 6881 S. 51 <sup>st</sup> St Event Date: Saturday, September 26, 2020			
<b>Temporary Class B Beer and Wine Change of Date</b>	<b>St. Paul's Evangelical Lutheran Church</b> Person in Charge: Jaime Petricek Event: 2020 Fundraiser: Silent/Live Auction Location: 6881 S. 51 <sup>st</sup> St Event Date: Saturday, September 26, 2020			
<b>3.</b>	<b>Adjournment</b>			
		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.

<b>APPROVAL</b> 	<b>REQUEST FOR COUNCIL ACTION</b>	<b>MEETING DATE</b> <b>7/21/2020</b>
<b>Bills</b>	<b>Vouchers and Payroll Approval</b>	<b>ITEM NUMBER</b> <b>I.</b>

Attached are vouchers dated July 3, 2020 through July 16, 2020 Nos. 179015 through Nos. 179162 in the amount of \$ 1,060,087.41. Also included in this listing are EFT's Nos. 4341 through Nos. 4354, Library vouchers totaling \$ 6,141.23, Tourism vouchers totaling \$ 468.86, Water Utility vouchers totaling \$ 9,357.65 and Property tax refunds totaling \$ 6,026.06 and. Voided checks in the amount of \$ (4,618.99) are separately listed.

Early release disbursements dated July 3, 2020 through July 15, 2020 in the amount of \$ 450,760.98 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 July 17, 2020 is \$ 417,636.10 previously estimated at \$ 390,000.00. Payroll deductions dated July 17, 2020 are \$ 238,688.36 previously estimated at \$ 230,000.00.

The estimated payroll for July 31, 2020 is \$ 416,000.00 with estimated deductions and matching payments of \$ 445,000.00.

There were no property tax distributions.

**COUNCIL ACTION REQUESTED**

Motion approving the following:

- City vouchers with an ending date of July 16, 2020 in the amount of \$ 1,060,087.41 and
- Payroll dated July 17, 2020 in the amount of \$ 417,636.10 and payments of the various payroll deductions in the amount of \$ 238,688.36 plus City matching payments and
- Estimated payroll dated July 31, 2020 in the amount of \$ 416,000.00 and payments of the various payroll deductions in the amount of \$ 445,000.00, plus City matching payments.

**ROLL CALL VOTE NEEDED**