

CITY OF FRANKLIN
SPECIAL COMMON COUNCIL MEETING*
FRANKLIN CITY HALL – COMMON COUNCIL CHAMBERS
9229 WEST LOOMIS ROAD, FRANKLIN, WISCONSIN
AGENDA**
TUESDAY, MARCH 24, 2020 AT 5:00 P.M.

- A. Call to Order and Roll Call.
- B. Citizen Comment Period.
- C. Reports and Recommendations:
 - 1. Coronavirus (COVID-19) Updates.
 - 2. Authorization to Exclude Emergency Responders From the Families First Coronavirus Act and Inclusion of the Act in the Employee Handbook.
 - 3. A Resolution to Amend a Resolution in Ratification of a Proclamation Declaring a Public Health Emergency in Response to the Coronavirus Disease 2019 (COVID-19), to Provide for City Boards, Commissions and Committees Members Meetings Attendance by Way of Telephone and/or Electronic Audio and/or Video Communication.
 - 4. Tax Incremental District No. 4 Franklin Corporate Park Development Public Improvements Projects Development, Including, But Not Limited to Potential Agreements for a Wastewater Pumping Station Improvement with Staab Construction Corp. in the Amount of \$867,000; S. Hickory Street Corridor Utility Improvements With Super Excavators, Inc. in the Amount of \$4,058,768; Construction Services With Regard to Such Projects With Ruckert & Mielke, Inc. in the Amount of \$413,750; Construction Observation and Testing Services with Regard to Such Projects with Terracon Consultants, Inc. in the Amount of \$40,000.00; and for West Elm Road Development and Public Improvement Projects. The Common Council May Enter Closed Session Pursuant to Wis. Stat. § 19.85(1)(e), for Market Competition and Bargaining Reasons, to Deliberate and Consider Terms Relating to Public Improvements Projects Development Within Tax Incremental District No. 4 Franklin Corporate Park, Including, But Not Limited to Potential Agreements for a Wastewater Pumping Station Improvement; S. Hickory Street Corridor Utility Improvements; Construction Services With Regard to Such Projects; Construction Observation and Testing Services with Regard to Such Projects; and for West Elm Road Development and Public Improvement Projects; and the Acquisitions of Property and Property Rights Necessary for the Public Improvements Projects, and the Investing of Public Funds and Governmental Actions in Relation Thereto and to Effect Such Development, and to Reenter Open Session at the Same Place Thereafter to Act on Such Matters Discussed Therein as it Deems Appropriate.
- D. Adjournment.

APPROVAL <i>slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 3/24/2020
Reports and Recommendations	Coronavirus (COVID-19) Updates	ITEM NUMBER <i>C.1.</i>

COUNCIL ACTION REQUESTED

No action requested. This presentation is only for providing updates on the Coronavirus (COVID-19) outbreak in the City and State.

<p>APPROVAL</p> <p><i>slw</i></p>	<p>REQUEST FOR COUNCIL ACTION</p>	<p>MEETING DATE</p> <p>3/24/2020</p>
<p>REPORTS AND RECOMMENDATIONS</p>	<p>Authorization to Exclude Emergency Responders from the Families First Coronavirus Act and Inclusion of the Act in the Employee Handbook</p>	<p>ITEM NUMBER</p> <p><i>C.2.</i></p>

The Federal Government has recently signed into law the HR6201 Families First Coronavirus Response Act, which will go into effect on April 2, 2020 and will expire on December 31, 2020. In summary, this Act will provide additional sick benefits and FMLA coverage for employees.

Emergency Paid Sick Leave Act:

1. The law requires additional paid sick leave for employees.
2. Full-time employees would receive 80 hours. Part-time employees would receive the number of hours they typically work on average during a 2-week period.
3. Sick leave is given to ALL employees, not just benefited employees. The City does have the option of excluding our emergency responders.
4. The sick leave can be used for an employee who cannot work (or telework) due to a COVID-19 related reason including an isolation order, experiencing symptoms of COVID-19 and seeking a medical diagnosis, caring for an individual who is subject to an isolation order, or caring for a child whose school or place of care has been closed due to COVID-19 precautions.
5. Sick leave is paid at the normal hourly rate if an employee is off for their own isolation or symptoms of COVID-19.
6. If an employee is off work to care for a family member due to isolation or symptoms of COVID-19, or for child care, they would be entitled to 2/3 of their normal hourly pay rate.

Emergency Family and Medical Leave Expansion Act:

1. Covers all employees that have been employed at least 30 days. The City does have the option of excluding our emergency responders.
2. Employees are allowed to take FMLA leave due to a public health emergency if they are unable to work (or telework) due to a need to care for a child under 18 years of age if the school or place of care has been closed, or if the child care provider is unavailable due to a public health emergency.
3. The 1st 10 days of leave can be unpaid leave but the employee may elect to substitute any accrued vacation leave, personal leave, or sick leave for those 10 days.
4. The City would provide paid leave for each day of leave after the 1st 10 days. Pay would be provided at 2/3 the normal hourly rate.
5. FMLA leave would end 12 weeks after the employee's leave commenced, or when the need no longer exists due to the end of the public health emergency.

We currently have 180 children under the age of 18 on our insurance plan. We also have employees not on our insurance that will have children under age 18. It appears that more than 60 protected service employees would qualify for 12 weeks off work. It is staff's opinion

that we cannot afford to have 60 essential employees off work at this time, and thus staff recommends excluding coverage for these employees.

COUNCIL ACTION REQUESTED

Motion to exclude coverage for emergency responders under the Families First Coronavirus Response Act and to authorize the Human Resources Coordinator to include the required amendment to the FMLA/Sick leave policies in the Employee Handbook.

HR-DZ

<p style="text-align: center;">APPROVAL</p> <p style="text-align: center;"><i>slw</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;">March 24, 2020</p>
<p style="text-align: center;">REPORTS AND RECOMMENDATIONS</p>	<p style="text-align: center;">A Resolution to Amend A Resolution in Ratification of A Proclamation Declaring A Public Health Emergency In Response To The Coronavirus Disease 2019 (COVID-19), to Provide for City Boards, Commissions and Committees Members Meetings Attendance by Way of Telephone and/or Electronic Audio and/or Video Communication</p>	<p style="text-align: center;">ITEM NUMBER</p> <p style="text-align: center;"><i>0.3</i></p>

A copy of the above-entitled Resolution is annexed hereto.

COUNCIL ACTION REQUESTED

A motion to adopt A Resolution to Amend A Resolution in Ratification of A Proclamation Declaring A Public Health Emergency In Response To The Coronavirus Disease 2019 (COVID-19), to Provide for City Boards, Commissions and Committees Members Meetings Attendance by Way of Telephone and/or Electronic Audio and/or Video Communication.

RESOLUTION NO. 2020-_____

A RESOLUTION TO AMEND A RESOLUTION IN RATIFICATION OF A
PROCLAMATION DECLARING A PUBLIC HEALTH EMERGENCY
IN RESPONSE TO THE CORONAVIRUS DISEASE 2019 (COVID-19), TO PROVIDE FOR
CITY BOARDS, COMMISSIONS AND COMMITTEES MEMBERS MEETINGS
ATTENDANCE BY WAY OF TELEPHONE AND/OR
ELECTRONIC AUDIO AND/OR VIDEO COMMUNICATION

WHEREAS, the Mayor issued a Proclamation Declaring a Public Health Emergency on March 16, 2020, which was ratified and confirmed by the Common Council by Resolution No. 20-____ on March 17, 2020; and

WHEREAS, provision 6. of the Proclamation incorporated into Resolution No. 20-_____ provides in part: “that during the period of Public Health Emergency proclaimed hereunder, Common Council members may individually attend a meeting of the Common Council by way of telephone communication, and such telephone attendance is hereby authorized”; and

WHEREAS, under current ongoing circumstances, it is necessary to additionally include and authorize City Boards, Commissions and Committees meetings attendance by members by way of telephone communication, and also to authorize meetings attendance in addition thereto by way of electronic audio and/or video communication.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the City of Franklin, Wisconsin, that in addition to provision 6. of the March 16, 2020 Proclamation Declaring a Public Health Emergency, and Resolution No. 20-____ adopted by the Common Council on March 17, 2020 incorporating same, Resolution No. 20-____ be and the same is hereby amended to additionally provide

that during the period of Public Health Emergency, Common Council members may individually attend a meeting of the Common Council, and 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.

Introduced at a regular meeting of the Common Council of the City of Franklin this _____ day of _____, 2020.

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

RESOLUTION NO. 20-____
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APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

A YES _____ NOES _____ ABSENT _____

APPROVAL <i>slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE March 24, 2020
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REPORTS AND RECOMMENDATIONS	<p>Tax Incremental District No. 4 Franklin Corporate Park development public improvements projects development, including, but not limited to potential agreements for a wastewater pumping station improvement with Staab Construction Corp. in the amount of \$867,000; S. Hickory Street corridor utility improvements with Super Excavators, Inc. in the amount of \$4,058,768; construction services with regard to such projects with Ruekert & Mielke, Inc. in the amount of \$413,750; construction observation and testing services with regard to such projects with Terracon Consultants, Inc. in the amount of \$40,000.00; and for West Elm Road development and public improvement projects.</p> <p>The Common Council may enter closed session pursuant to Wis. Stat. § 19.85(1)(e), for market competition and bargaining reasons, to deliberate and consider terms relating to public improvements projects development within Tax Incremental District No. 4 Franklin Corporate Park, including, but not limited to potential agreements for a wastewater pumping station improvement; S. Hickory Street corridor utility improvements; construction services with regard to such projects; construction observation and testing services with regard to such projects; and for West Elm Road development and public improvement projects; and the acquisitions of property and property rights necessary for the public improvements projects, and the investing of public funds and governmental actions in relation thereto and to effect such development, and to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate</p>	ITEM NUMBER <i>C, H.</i>
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Department of City Development and Engineering, Finance and Legal Services departments staff will be present at the meeting.

COUNCIL ACTION REQUESTED

A motion to enter closed session pursuant to Wis. Stat. § 19.85(1)(e), for market competition and bargaining reasons, to deliberate and consider terms relating to public improvements projects development within Tax Incremental District No. 4 Franklin Corporate Park, including, but not limited to potential agreements for a wastewater pumping station improvement; S. Hickory Street corridor utility improvements; construction services with regard to such projects; construction observation and testing services with regard to such projects; and for West Elm Road development and public improvement projects; and the acquisitions of property and property rights necessary for the public improvements projects, and the investing of public funds and governmental actions in relation thereto and to effect such development, and to reenter open session at the same place thereafter to act on such matters discussed therein as it deems appropriate.

Engineering Dept.: GEM; Economic Development Dept.: CB; Finance Dept.: Paul; Legal Services Dept.: jw