

<p>APPROVAL</p> <p><i>slw</i></p>	<p>REQUEST FOR COUNCIL ACTION</p>	<p>MEETING DATE</p> <p>January 5, 2016</p>
<p>REPORTS AND RECOMMENDATIONS</p>	<p>West College Avenue Path (South 27th Street to South 35th Street)</p>	<p>ITEM NUMBER</p> <p><i>G.5.</i></p>

The above subject matter is presented to the Common Council following its previous deliberations and actions thereon, with regard to the potential immediate furthering of the project with regard to the matching obligations expenditures of impact fees as they pertain to parks otherwise being considered by the City. Staff has considered the potential to inquire of Milwaukee County and the Wisconsin Department of Transportation of the ability to accomplish the above project by way of a change order between the County and WisDOT, with the County then entering into an agreement with the City whereunder the City forthwith (prior to January 31, 2016) pays to Milwaukee County the cost of the change order for WisDOT to complete the above project and also grants an easement to the City for the pedestrian way.

COUNCIL ACTION REQUESTED

A motion to authorize staff to undertake communications with Milwaukee County and to authorize the Mayor, City Clerk and Director of Finance to enter into an agreement with Milwaukee County to pay for the costs of a change order with the Wisconsin Department of Transportation and/or project contractor to complete the portions of the College Avenue pathway and to enter into an agreement or receive delivery of an easement from Milwaukee County for such improvement, with expenditures by the City to not exceed \$50,000.00 for such purpose and with such funding to be provided by the Capital Improvement Fund General Park Appropriations or the Capital Outlay Fund Contingency Appropriations.

<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;">January 5, 2016</p>
<p style="text-align: center;">REPORTS AND RECOMMENDATIONS</p>	<p style="text-align: center;">JSD Professional Services, Inc. Contract for Design Services for a Trail and Bridge Crossing the East Branch of the Root River (River Park Trail Design)</p>	<p style="text-align: center;">ITEM NUMBER</p> <p style="text-align: center;"><i>G.6.</i></p>

The above subject matter is presented to the Common Council following its previous approval of the above contract in the amount of \$103,631, with regard to the potential immediate furthering of the project with regard to the matching obligations expenditures of impact fees as they pertain to parks otherwise being considered by the City. Staff has considered the potential to inquire of contractor as to whether a contract price discount would be available in exchange for an advance payment of the contract price before January 31, 2016. JSD Professional Services, Inc. has verbally agreed to a 5% discount off the contract price in exchange for an advance payment by the City of 75% of the contract price.

COUNCIL ACTION REQUESTED

A motion to authorize the Mayor, City Clerk and the Director of Finance and Treasurer to execute an amendment to the bridge and trail design contract with JSD Professional Services, Inc., subject to review by the City Attorney, to provide for an advance payment in exchange for a discount to the project cost, and to authorize staff to pay such agreed upon advance payment from the Capital Improvement Fund General Park Appropriations or the Capital Outlay Fund Contingency Appropriations.

<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;">01/05/2016</p>
<p style="text-align: center;">REPORTS & RECOMMENDATIONS</p>	<p style="text-align: center;">STATUS OF POTENTIAL PROJECTS FOR DISTRICT 2</p>	<p style="text-align: center;">ITEM NUMBER</p> <p style="text-align: center;"><i>G.7.</i></p>

BACKGROUND

At the December 1, 2015 Common Council Meeting, Staff was directed to proceed with the development of three projects in District 2:

1. Benches near the flagpole along W. St. Martins Road
2. Sidewalk on W. Church Street to connect W. St. Martins Road to S. Mission Hills Drive
3. Bridge bordering Lake Ernie.

ANALYSIS

Staff can report status as follows:

Benches near flagpole:

The Milwaukee County road reconstruction project for 2016 will include a path along the north side of the road in the vicinity of the flagpole. Staff is coordinating design aspects with Milwaukee county.

Staff is working with the District Alderman to select:

- patio shape, material, and finish.
- Decision to replace or rehabilitate flagpole.
- Bench quantity and style.

Sidewalk on W. Church Street:

Staff has considered sidewalk placement on both sides of W. Church Street. Preference is to keep the sidewalk on the north side pending conversations with affected property owners. Staff has initiated conversations with property owners.

Bridge bordering Lake Ernie:

Staff is started to research grant options for the water quality aspect of the project as requested by Common Council.

FISCAL NOTES

It appears that all projects could assist in the expenditures of park impact fees. Project development will explore options in detail. Timing of these projects will vary. There are NO Budget appropriations for these three projects. Staff will need to locate funding and prepare a budget amendment for the projects once developed more.

REMMENDATIONS

No additional direction is needed at this time. Additional Status Reports will be presented when applicable.

APPROVAL <i>Slw</i>	REQUEST FOR COUNCIL ACTION	MTG. DATE 1/5/2016
Reports & Recommendations	SUBJECT: Lease of color copy machine for the Engineering Department.	ITEM NO. <i>G.8.</i>

BACKGROUND

Pursuant to the 2016 budget which includes funds to lease a color copy machine for a five (5) year lease, please be advised that staff has reviewed three brands of copy machines and have selected the Sharp Color Copier Model No. MX-5141N, said lease is a Municipal Lease with NJP pricing and is within the 2016 budget.

ANALYSIS

The agreement is for five (5) years at \$187 per month. This is the same lease price we have paid for the past five years and this is a much faster copier and also has faxing, scanning and color as the previous lease.

OPTIONS

Approve or Deny

FISCAL NOTE

Funds for lease are available in 2016 budget. The lease commits the City for the lease for the next four years after the 2016 budget. There are no charges for removal and data destruction on the old system. It is all included with delivery and install of the new system.

RECOMMENDATION

Motion to authorize signing a five (5) year lease for a Sharp Color Copier Model No. MX-5141N for \$187 per month.

Department of Engineering/GEM/db

ca\ Lease color copy machine for Engineering 2016

COPIERS

2015 Note* Our volume is 8,000 per month for B/W copies & prints and 1,500 for color copies & prints.

Approximate Purchase Date: **January 2016**

Email information to: dengineering@franklinwi.gov

Name of Color Copier System:	<i>What we have now:</i> <u>SHARP MX-4101 N Color Copy Digital System</u>	<u>SHARP MX-5141N Color Copy Digital System</u>
Name of Company/Contact:		Office Copying Equipment/Mike
Phone Number:		414-778-0000
Email Address:		<u>mgraff@oceltd.com</u>
Reversing Automatic Document Feeder – Yes or No	<u>Yes, 150 sheet capacity</u>	<u>NO, BUT has Dual Head Scanner instead to scan up to 170 IPM !!! 150 sheet capacity</u>
By Pass Tray – How many sheets will it hold?	100 sheet up to 13 x 18"	100 sheet up to 13 x 18" & envelopes
Print & Scanning	Yes	Yes
Staple/Finisher – How many sheets can be stapled?	50 sheets	50 sheets
How many drawers/cassettes? Sheet capacity of each?	4 – 500 paper drawer	4 – 500 paper drawer
Zoom Range	25% to 400%	25% to 400%
Hole Punch – Cost?		
Fax – Cost?	Add \$820/ \$18.75 @ 60 mo.	INCLUDED IN PRICE!!
Life expect. -Years or copies?	7 years or 2,000,000 copies	7 years or 2,000,000 copies
Service & supply agreement/Maintenance contract includes:	PM Service calls, labor, parts, toner	PM Service calls, labor, parts, toner
Copies per minute: How many black & white? How many color?	45 b/w & 41 color	51 b/w & 51 color
B/W copies billed @	.007 per copy	.0063 per copy
Color copies billed @	.055 per copy	.048 per copy
MB Memory? GB Hard Disk Drive?	1 GIG (printing scanning) memory + 512MB standard copier & 80GB HD	4 GIG (printing scanning) memory & 320GB HD
Approximate price for projected budget:	Purchase price: <u>\$8,475</u> Lease 3 yr. <u>\$289 per month</u> 5 yr. <u>\$187 per month</u>	Purchase price: <u>\$9,675</u> <u>– (\$1,250.00) REBATE</u> <u>NET: \$8,425.00</u> Lease 3 yr. <u>\$285 per month</u> 5 yr. <u>\$187 per month</u>
Lease price? Years?		
Anything new we should try or know about ?		<u>Has Post script & I-Print standard equipment, much faster scan speed, full 10.1 touch screen control panel, requires 20 amp dedicated power, Currnet lease goes through January 1, 2016. Only, 3 payments remaining</u>



SALES ORDER

SECURITY AND PURCHASE AGREEMENTS

SHARP® COPIERS AND FACSIMILES

1540 S. 113th Street • Milwaukee, WI 53214
(414) 778-0000 FAX (414) 777-1515

SALES ORDER NO.
25637

CUSTOMER NO.
425-7510

PURCHASE ORDER NO.

SALESMAN
MIKE G.

DATE
1/5/15

*TRAINING CONTACT -
DEBBIE 425-7510*

BILL TO
LEASING SERVICES, LLC
1112 W15568
MEQUON RD.
GERMANTOWN, WI 53022

SHIP TO: (If other than bill to)
CITY OF FRANKLIN -
ENGINEERING DEPT
9229 W LOOMIS RD.
FRANKLIN, WI 53132

EQUIPMENT and ACCESSORIES				SHIPPING STATUS		PRICE EA.	EXTENDED PRICE
QUANTITY	ITEM NO.	DESCRIPTION	CODE	QTY SHIPPED			
1	NEW SHARP	DIGITAL FULL COLOR SFS.			}	}	*SEE BELOW
	MX-S141N	SN#					
1	MX-FMX9	NEW FINISHED SN#					
1	MX-DE 23	NEW PAPERDECK SN#					
1	MX-FX 11	NEW FAX BOARD SN#					
*TO BE LEASED THROUGH A LEASING SERVICES, LLC FOR A TERM OF 60 MONTHS AT A RATE OF \$187.00/MO WITH A \$1.00 BUY-OUT OPTION AT END OF TERM							

SHIPPING STATUS CODE KEY: D=DELIVERED; PD=PARTIALLY DELIVERED; ND=NOT DELIVERED

SUPPLIES and PAPER				SHIPPING STATUS		PRICE EA.	EXTENDED PRICE
QUANTITY	ITEM NO.	DESCRIPTION	CODE	QTY SHIPPED			
2	MX-S1M1A	BLACK TONER			}	}	*SEE MEETEN
1	MX-S1M1A	YELLOW TONER					
1	MX-S1M1A	CYAN TONER					
1	MX-S1M1A	MAGENTA TONER					

CUSTOMER ACKNOWLEDGES THAT IT HAS READ THIS AGREEMENT (FRONT AND REVERSE), AND UNDERSTANDS AND AGREES TO ALL THE TERMS AND CONDITIONS STATED HEREIN.

xo
AUTHORIZED SIGNATURE _____ TITLE _____ DATE **1/5/15**

DELIVERY	→	\$ <i>N/C</i>
SUB-TOTAL	→	\$ <i>LEASE</i>
SALES TAX		\$
TOTAL	→	\$
PAID (50%)	→	\$
BALANCE DUE	→	\$

REMARKS
OLE, LTD TO DELIVER, INSTALL, TRAIN & INTEGRATE AT N/C! THEN RETURN OLD SYSTEM TO LEASING CO. AT N/C!

This order incorporates the terms and conditions listed on the reverse side hereof, and is an offer to buy the above items, and to enter a security agreement granting Office Copying Equipment, Ltd., a security interest in the equipment. This offers becomes a contract of sale and a security agreement upon acceptance by Office Copying Equipment, Ltd.



PROFESSIONAL SERVICES - NETWORK INTEGRATION SCOPE OF WORK

Network Integration performed by OCE, Ltd. Professional Services

Department will include up to the following items:

- Configure IP addressing for Sharp MFP
- Load print drivers on server or up to 3 computers
- Configure Sharp MFP web page for DNS & SMTP
- Add up to 5 scan to email addresses
- Add a single scan to network folder location
 - If network folder structure is available
- Install & configure Sharpdesk software on a single Windows PC
- Configure Inbound Fax Routing
 - If MFP is purchased with facsimile expansion kit
- Install PC Fax driver on single PC
 - If MFP is purchased with facsimile expansion kit
- User Control configured – if necessary
 - 2 User Control codes enabled
 - Black & White user code
 - Auto login for Black only copying if necessary
 - Color user code
- Configure Sharp MFP for email meter reads (RED system)
 - If email outside of network is configured & allowed
- Additional items outside of this Scope of Work will be determined by Professional Services personnel and discussed with customer
 - Items will be billable or an additional Scope of Work with billable items presented

**ALL AT
NO CHARGE!*

OFFICE COPYING EQUIPMENT, LTD.

1540 S. 113 St. Milwaukee, WI 53214
Phone: (414) 778-0000 Fax: (414) 777-1515

COPYNET MAINTENANCE AGREEMENT

CUSTOMER:

CITY OF FRANKLIN - ENGINEERING DEPT.
9229 W. LOOMIS RD.
FRANKLIN, WI 53132

EQUIPMENT MODEL	SERIAL NUMBER	PER COPY CHARGE	
		B/W	COLOR
NEW SHARP MX-514M		\$0.0063	\$0.048
NEW SHARP MX-FX9	MX-DE23		
MX-FX11			
TOTAL PER COPY CHARGE		\$0.0063	\$0.048
MONTHLY COPY MINIMUM		N/A	N/A

PURCHASE ORDER # N/A

Copynet agreement includes all operating costs with the exception of staples & paper. Service parts, labor, drums, all toners & developers, fuser rollers, maintenance kits and PM calls are provided at no additional cost under the terms of this agreement.

I have read and agree to the terms of this Agreement, including the reverse side of this sheet.

EFFECTIVE DATE OF AGREEMENT DATE OF INSTALL

Signed [Signature]

Title [Signature] Date 1/5/15

OCE Rep [Signature] Date 1/5/15

Remarks:

COPYNET MAINTENANCE AGREEMENT

TERMS & CONDITIONS

This agreement protects the customer with respect to machine(s) sold and/or serviced by Office Copying Equipment Ltd. (OCE) and identified by serial number on the reverse side of this contract -- against added expense for labor or parts replacement necessary to obtain satisfactory machine operation. OCE will provide the following maintenance service from the effective date shown, following acceptance of this Agreement upon the terms and conditions below.

1. OCE will provide all necessary scheduled service and emergency service as reasonably requested by the customer.
2. There will be no additional charge for normal replacement parts and repair labor. Consumable supplies, including paper and staples, are chargeable unless stated otherwise in this agreement. Shipping charges (UPS or other carrier) are chargeable.
3. Time and materials provided at the customer's site or via telephone for the support of copier, facsimile or digital imaging equipment's connection to and operation via the customer's computer or computer network system, including consulting, software program upgrades, program modifications, cables and connection apparatus are chargeable unless stated otherwise in this agreement.
4. Service is to be performed during normal working hours. Normal working hours are defined to mean 8:00 a.m. to 4:30 p.m., Monday through Friday, exclusive of Holidays.
5. OCE shall not be responsible for delays or inability to provide service due to strikes, accidents, embargos, acts of God or any event beyond its control.
6. For service calls outside of a twenty-five (25) mile radius from OCE's office, the customer will be billed per mile and travel time from OCE's office and return.
7. This agreement is not assignable or transferable and does not cover the adding of toners, replacement of toner collection containers, accessory installations or overhauls. Any loss or damage due to abuse, accident, misuse, neglect, theft, vandalism, electrical power surge or power failure, acts of third parties, or from fires, casualty or any natural force is specifically excluded from this agreement.
8. This agreement will remain in force for one (1) year after the effective date shown on the reverse side.
9. This agreement shall be considered automatically renewed upon present expiration date, subject to price changes by OCE.
10. This agreement may be cancelled by either party following 30 days written notice. OCE may cancel this agreement without notice if customer's account owing to OCE is past due or customer declares bankruptcy or otherwise fails to comply with the terms of this agreement.
11. The use of paper and supplies not recommended by or not meeting manufacturer specifications may create problems requiring frequent servicing. OCE cannot guarantee to provide service under these circumstances and they reserve the right to cancel this maintenance agreement with a refund of amounts prepaid to OCE for the remaining contract period.
12. Customer shall pay all sales taxes and any other tax imposed by any governmental authority based on the charges under this agreement.
13. Customer agrees to provide the subject equipment's meter reading to OCE on a monthly basis at such time and manner as OCE may reasonably request. Customer agrees to pay the total meter charge per copy multiplied by the number of copies made during the monthly period, but not less than the minimum monthly billing shown on the reverse side, if any.

Leasing Company:

**TAX EXEMPT STATE AND MUNICIPAL EQUIPMENT
LEASE-PURCHASE OPTION AGREEMENT UNDER \$50,000**

Leasing Services, LLC

N112 W15568 Mequon Road
Germantown, WI 53022 Phone: (262) 293-1165

Equipment Lease No. 40062378

DESCRIPTION OF LEASED EQUIPMENT (Include quantity, make, model, serial no. and all attachments.) (Attach separate Schedule if necessary.)			
(1) SHARP MX-5141N COPIER WITH FINISHER, PAPER DECK & FAX BOARD			
Serial Number:			
VENDOR'S NAME: OFFICE COPYING EQUIPMENT LTD.			
GOVERNMENTAL LEASING CUSTOMER (LESSEE): Use exact governmental name.			
Government Entity: CITY OF FRANKLIN			Telephone Number (414) 425-4768
Billing Address: 9229 W LOOMIS ROAD FRANKLIN, WI 53132		Equipment Location: ENGINEERING DEPARTMENT 9229 W LOOMIS ROAD FRANKLIN WI 53132 (MILWAUKEE COUNTY)	
SCHEDULE OF LEASE PAYMENTS			
TERM OF LEASE 60 (IN MONTHS)	TOTAL NUMBER OF LEASE PAYMENTS 60	AMOUNT OF EACH PAYMENT* \$187.00	PAYMENT FREQUENCY <input checked="" type="checkbox"/> Monthly, <input type="checkbox"/> Quarterly, <input type="checkbox"/> Annually, <input type="checkbox"/> Other _____ Make check payable to Leasing Company

TERMS AND CONDITIONS

1. **LEASE CHARGES.** You (the governmental leasing customer, or lessee) agree to lease from us (the above leasing company) the above equipment for the periodic payment amount and for the full term stated above. We may charge you a partial payment for the time between the delivery date and the due date for the first payment. If any payment is late, we may charge you a late fee of \$25.00 or 15% of the amount that is late, whichever is greater.

2. **INTEREST.** A portion of each lease payment is paid as interest and Exhibit "A" sets forth the interest component of each payment. Your obligation to make payments hereunder shall constitute a current expense of yours and shall not in any way be construed to be a debt in contravention of any constitutional or statutory limitation requirements concerning your creation of indebtedness, nor shall anything contained herein constitute a pledge of your general tax revenues, funds or monies.

3. **OTHER IMPORTANT TERMS. NOTWITHSTANDING YOUR RIGHT OF NON-APPROPRIATION AS DESCRIBED IN SECTION 10 OF THIS LEASE, THIS LEASE IS AN UNCONDITIONAL OBLIGATION AND CANNOT BE CANCELED BY YOU FOR ANY REASON, INCLUDING EQUIPMENT FAILURE, LOSS OR DAMAGE. YOU MAY NOT REVOKE ACCEPTANCE OF THE EQUIPMENT. YOU ARE LEASING THE EQUIPMENT "AS IS", AND WE DISCLAIM ALL WARRANTIES, EXPRESS OR IMPLIED. WE ARE NOT RESPONSIBLE FOR SERVICE OR REPAIRS. YOU, NOT US, SELECTED THE EQUIPMENT AND THE VENDOR. WE ARE NOT RESPONSIBLE FOR EQUIPMENT FAILURE OR THE VENDORS ACTS.** Any warranties the vendor gave to us, if any, we hereby assign to you. You may contact the vendor for a statement of such warranties, if any.

4. **TITLE.** During the term of the lease legal title to the equipment shall be held in your name. In the event applicable law requires that we hold title during the term of the lease, then legal title to the equipment shall be in our name. Upon termination of the lease for your default or non-appropriation, full and/or unencumbered legal title to the equipment shall pass to us, and you shall have no further interest therein. In either of such events, you shall execute and deliver to us such documents as we may request to evidence that we hold unencumbered legal title to the equipment. To the extent allowed by law, we shall have and retain a security interest under the UCC in the equipment and the proceeds thereof in order to secure your payment of all lease payments due during the term of the lease.

5. **INSURANCE.** You will, at your expense, maintain at all times during the term, fire and extended coverage, public liability and property damage insurance with respect to the equipment or may self-insure against and or all such risks in such amounts not less than the amount of the then applicable Purchase Option Price listed on Exhibit "A". Each policy will name you as the Insured and us as the additional insured and loss payee, and will contain a provision requiring the insurer to give us at least thirty (30) days prior notice of any alteration or cancellation of the policy. In the event of any loss, injury or accident involving the equipment, you will immediately give us written notice thereof and make available to us all information related thereto. In the event you fail to secure or maintain such insurance, we may, at our option, obtain such insurance and charge you a fee as additional rent, but we shall have no obligation to do so.

6. **TAXES AND OTHER FEES; INDEMNIFICATION.** You agree to reimburse us for all taxes (such as sales, use and property taxes) and charges in connection with the ownership and use of the equipment. You also agree to indemnify us for all losses and liabilities arising out of the ownership or your use of the equipment. This indemnification will continue after this lease ends.

7. **DEFAULT.** If you fail to pay us as agreed, we will have the right to (i) sue you for all past due payments and all payments to become due in the future for the un-expired term, and other charges you owe us, and (ii) repossess the equipment. You will also pay for our reasonable collection and legal costs.

8. **ASSIGNMENT.** YOU AGREE THAT YOU MAY NOT ASSIGN (TRANSFER) THIS LEASE OR SUBLEASE THE EQUIPMENT. YOU AGREE THAT WE MAY SELL OR ASSIGN ANY OF OUR INTERESTS TO A NEW OWNER OR A SECURED PARTY ("Third Person") WITHOUT NOTICE TO YOU. In that event, the Third Person will have such rights as we assign to them but none of our obligations, and the rights of the Third Person will not be subject to any claims, defenses or set-offs that you may have against us.

9. **YOUR REPRESENTATIONS/WARRANTIES.** You represent, warrant and covenant to us that: (i) you are a public body corporate and politic as described in Section 103(c) of the IRS Code, duly organized and existing under the Constitution and Laws of your State; (ii) you are authorized to enter into this lease and to perform all of its obligations hereunder; (iii) you have complied with all state laws applicable to this lease; (iv) the person executing this lease possesses the requisite and necessary authority and authorization to execute the lease on your behalf; (v) the equipment will be used solely for the purpose of performing governmental or proprietary functions consistent with the permissible scope of your authority and the use of the equipment is essential to performing such functions; and (vi) you shall sign and submit proper IRS information reporting statements as requested by us from time to time.

10. **NON-APPROPRIATION:** If you are not allotted funds for the next fiscal period to continue the leasing of the equipment and have no funds for the purchase, lease or renting of equipment performing functions similar to those performed by the equipment and you have no funds from other sources, you may terminate this lease at the end of the then current fiscal period, by giving ninety (90) days written notice to us, and enclosing therewith a sworn statement that those conditions exist. In this sole event, you shall not be obligated to make payments beyond the end of the then fiscal period, except it shall be your obligation, at your own expense, to return the equipment to us. Upon the occurrence of this event, we may require from you, an opinion of your counsel to this effect together with appropriate documentation, providing sufficient proof of same. You also certify that upon exercising this clause you will not acquire lease or purchase like or similar functioning equipment for the remaining term of this contract.

11. **PURCHASE OPTION:** Provided you are not in default, during the term of this lease, you shall have the option to purchase the equipment for the applicable purchase option amount set forth on Exhibit "A"

12: **FAXED AND COPIED DOCUMENTS.** The parties intend and agree that a carbon copy, photocopy, or facsimile of this document with their signature thereon shall be treated as an original, and shall be deemed to be as binding, valid, genuine, and authentic as an original-signature document for all purposes, including all matters of evidence and the "best evidence" rules.

Authorized Signature by: CITY OF FRANKLIN		Witness	
(X)			
Print Name and Title		Date	
ACCEPTED BY LEASING COMPANY			
By:	Title:	Date:	Lease#: 40062378

Lessor: LEASING SERVICES, LLC

Lessee: CITY OF FRANKLIN
ENGINEERING DEPARMENT
9229 W. LOOMIS ROAD

RE: "PUT" Addendum to Lease Agreement 40062378

It is hereby agreed that the Lease Agreement entered into by and between Leasing Services, LLC, as Lessor, and the below referenced Lessee is hereby amended to include the following:

Lessee shall purchase all of the equipment described in said Lease Agreement upon the expiration of the initial lease term. The equipment must be purchased for a price that shall be **\$1.00** plus applicable sales tax and any other tax applicable to such sale, provided that Lessee has performed all terms and conditions of said Lease at that time. The parties hereto have agreed that the above-referenced purchase represents a price, which the Lessee and Lessor believe represents an estimate of the fair market value that the equipment will have at the end of the lease.

LESSOR: Leasing Services, LLC

LESSEE: CITY OF FRANKLIN

BY: _____

BY: _____

TITLE _____

TITLE _____

DATE _____

DATE _____

APPROVAL <i>Slw</i> <i>PD</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE January 5, 2016
REPORTS & RECOMMENDATIONS	November 2015 Monthly Financial Report	ITEM NUMBER <i>69.</i>

Background

The November 2015 Financial Report is attached.

The Finance Committee has reviewed this report and recommends its acceptance. Highlights of the report are contained in the transmittal memo.

The Finance Director will be on hand to answer any questions.

COUNCIL ACTION REQUESTED

Motion to Receive and place on file



City of Franklin

Date: December 15, 2015
To: Mayor Olson, Common Council and Finance Committee Members
From: Paul Rotzenberg, Director of Finance & Treasurer *Paul*
Subject: November, 2015 Financial Report

The November, 2015 financial reports for the General Fund, Debt Service Fund, TID3 Fund, TID 4 Fund, Solid Waste Fund, Development Fund, Capital Outlay Fund, Equipment Replacement Fund, Capital Improvement Fund, Street Improvement Fund, Self Insurance Fund, and Employee Retirement Insurance Fund are attached.

The budget allocation is calculated using average activity for that item over the previous five years. Therefore caution is advised when reviewing variances to budget, as activity patterns change over time can relate to manager inputs or service demand changes. Note that, in those instances where no prior history for the account is present, there is no monthly allocation of the budget.

General Fund revenues of \$23,473,886 are \$226,430 favorable to the budget.

- Room Tax revenues on the newest hotel have been delayed with the opening, generating a \$56,027 (25%) unfavorable variance.
- State Exempt Computer Aid of \$589,797 is \$244,797 favorable to budget related to additional equipment in the City. The amount of equipment significantly increased generating a 70% increase in this state aid.
- Building permit revenues of \$435,784 are \$215,116 unfavorable to budget. No major permits have been pulled in 2015.
- Penalties & Forfeitures has generated \$450,373 thru November, \$60,134 favorable to budget.
- Interest on the tax roll of \$66,787 is complete and will be \$33,213 unfavorable to plan. Investment interest income is already \$114,743 compared to the annual budget of \$105,000. A repositioning of the investment pool provided the additional income. Prior year investment interest income was \$88,254.
- An insurance dividend has pushed miscellaneous revenue to \$126,639 compared to the \$59,434 budget.

General Fund Expenditures of \$21,459,263 are \$565,355 favorable to budget.

- General Government savings of \$130,746 is centered in Insurance (\$53,644 a timing issue with the budget), and Information Services (\$56,910) related to a vacant manager position.
- Within Public Safety (\$388,094 favorable) – several vacant Police positions over the summer are providing savings to budget (\$137,406 favorable variance). Employee benefit costs are lower than budget with savings on lower health costs (\$152,636) than planned and reduced Retiree Health costs (\$44,076). Fuel savings are also providing considerable savings (\$73,746 in Police and \$14,781 in Fire for a total of \$88,527).
- Public Works (\$484,520 favorable variance) - DPW Personnel costs are favorable. A use of dept staff on Kayla's Park project is resulting in favorable personnel savings (\$96,875) and a vacant position/delayed wage increases have also held personnel costs down (\$49,269). While Non-Personnel costs are reduced on low fuel prices (\$54,316). Salt purchases in 2015 are \$70,995 favorable to budget as well.
- The vacant Economic Development Manager position explains the reduced Conservation and Development costs (\$45,652 favorable variance). Professional fees related to the Retail Area and Ryan & Loomis development projects are generating these costs which had no prior year activity to generate budget allocations.
- In the Contingency area, expenditures to explore new Development areas are driving those costs and will be moved to the Development area.
- Transfers are those to Capital Outlay fund authorized in the 2015 budget.
- Fourth Quarter reviews resulted a budget amendments to deal with spending issues that was approved December 1, 2015 and will be reflected in the yearend report..

The General Fund \$2,014,623 surplus is \$791,785 favorable to budget primarily due to reduced expenditures and the additional exempt computer aids.

DEBT SERVICE – Activity is as expected.

TID3 – Receipts are as forecast. The 27th Street road project is in full swing with commitments made on the Burying utilities project and elements of the road project.

TID4 – Receipts are as forecast. Expenditures on planning the next phase of project costs have been incurred, but no decisions to proceed have been made.

SOLID WASTE FUND – Revenue is comparable to budget. Tippage Fee costs arrive a month after other costs.

DEVELOPMENT FUND Impact fee revenues of \$398,353 are below budget. 2015 Development is slower than last year. With no larger development projects, Impact fees collected are falling behind budget. Police, Transportation and Library impact fee collections have been insufficient to provide the scheduled debt service. As those funds arrive in future years, funds can be used to defray Debt Service costs. Capital Improvement Fund park expenditures have qualified \$535,528 of Park Impact fees. This has kept the Park Impact fees just ahead of the limit on the holding period. However, park development projects slow in the winter months, so park impact fee transfers will also slow down. Water Impact fees on the Water building project have not transferred, waiting on a revised Water Impact fee study.

CAPITAL OUTLAY FUND – 2015 Revenues are substantially received. Public Safety purchases relate to several police squad cars, while the Public Works expenditure was the purchase of the wood chipper to fight the Emerald Ash Borer.

EQUIPMENT REPLACEMENT FUND – Revenues are in line with budget. DPW purchased the snow plow. The equipment was only 94% of budget.

CAPITAL IMPROVEMENT FUND – Landfill siting revenue has fallen behind 2015 Budget levels. Tonnage going into the landfill has fallen 20% off of prior year levels. Given the allocation of Landfill siting revenues, Capital Improvement Fund revenues from landfill siting are projected to be less than 80% of budget for the year.

Kayla's Krew playground expenditures and Pleasant View Park improvements (2014 project completion) account for the bulk of the Park expenditures.

The Water & Sewer project costs relate to the S. North Cape Road project.

STREET IMPROVEMENT FUND – Revenues are in line with budget. The 2015 street improvement program is complete. The project bid came in favorable to the budget.

SELF INSURANCE FUND – With little change in participation in the City's plan, premium revenues are approximately equal to budget. 2015 premium rates are lower than 2014, which explains the reduction in revenues to the prior year. Claims costs have recently exceeded forecast, and slightly greater than 2014. Net expenditures of \$106,256 are unfavorable to forecast. The fund has reserves sufficient to meet these additional costs. Caution is always advisable in the fund, as claims are lumpy, and swings from surplus to deficit are common.

RETIREE HEALTH FUND – Claims activity has driven the Implicit Rate Subsidy to \$210,896. The Implicit Rate Subsidy is the amount that retirees use the health benefit over the rate that Active employees use the benefit. It is common for older participants to use the health benefit to a greater extent than younger participants.

The 2015 rate reduction has reduced premium revenues, while 2015 is seeing higher claims costs than 2014 (which was not a great year either).

Investment results swung favorable in October, continuing in November, now reflecting an investment gain of \$120,837 year to date.

City of Franklin
2015 Financial Report
General Fund Summary
For the Eleven months ended November 30, 2015 and 2014

Revenue	2015		2015		2015		2014		2014		Variance Favorable (Unfavorable)
	Amended Budget	Year-to-Date Budget	Year-to-Date Actual	Year-to-Date Budget	Year-to-Date Actual	Amended Budget	Year-to-Date Budget	Year-to-Date Actual	Year-to-Date Actual		
Property Taxes	\$ 16,209,000	\$ 16,209,000	\$ 16,203,311	\$ 16,209,000	\$ 16,203,311	\$ 16,220,400	\$ 16,220,354	\$ 16,201,001	\$ 16,201,001	\$	\$ (19,353)
Other Taxes	1,916,700	1,630,785	1,597,682	1,630,785	1,597,682	1,770,500	1,496,782	1,510,005	1,510,005	1,510,005	13,223
Intergovernmental Revenue	2,480,500	2,472,032	2,761,529	2,472,032	2,761,529	2,549,550	2,540,988	2,534,225	2,534,225	2,534,225	(6,763)
Licenses & Permits	862,100	819,237	628,034	819,237	628,034	864,300	823,519	761,394	761,394	761,394	(62,125)
Law and Ordinance Violations	422,600	390,239	450,373	390,239	450,373	444,000	410,964	390,267	390,267	390,267	(20,697)
Public Charges for Services	1,515,870	1,344,021	1,349,150	1,344,021	1,349,150	1,416,400	1,256,595	1,221,640	1,221,640	1,221,640	(34,955)
Intergovernmental Charges	201,300	98,956	138,567	98,956	138,567	125,000	103,138	54,965	54,965	54,965	(48,173)
Investment Income	206,500	189,292	197,035	189,292	197,035	138,500	126,958	320,039	320,039	320,039	193,081
Miscellaneous Revenue	103,500	93,894	148,205	93,894	148,205	74,700	69,368	134,283	134,283	134,283	54,915
Transfer from Other Funds	175,000	-	-	-	-	400,000	-	9,930	9,930	9,930	9,930
Total Revenue	\$ 24,093,070	\$ 23,247,456	\$ 23,473,886	\$ 23,247,456	\$ 23,473,886	\$ 24,003,350	\$ 23,048,666	\$ 23,137,749	\$ 23,137,749	\$	\$ 89,083
			100.97%		100.97%				100.39%		

Expenditures	2015		2015		2015		2014		2014		Variance Favorable (Unfavorable)
	Amended Budget	Year-to-Date Budget	Year-to-Date Actual	Year-to-Date Budget	Year-to-Date Actual	Amended Budget	Year-to-Date Budget	Year-to-Date Actual	Year-to-Date Actual		
General Government	\$ 2,985,416	\$ 2,671,325	\$ 2,540,579	\$ 2,671,325	\$ 2,540,579	\$ 2,910,266	\$ 2,623,679	\$ 2,621,321	\$ 2,621,321	\$	\$ 2,358
Public Safety	16,295,688	14,945,723	14,557,629	14,945,723	14,557,629	16,121,722	14,801,152	13,986,372	13,986,372	13,986,372	814,780
Public Works	3,624,972	3,159,276	2,674,756	3,159,276	2,674,756	3,680,900	3,266,025	3,170,148	3,170,148	3,170,148	95,877
Health and Human Services	647,732	586,413	581,788	586,413	581,788	657,804	609,216	586,960	586,960	586,960	22,256
Other Culture and Recreation	180,673	152,008	190,296	152,008	190,296	173,682	147,429	177,014	177,014	177,014	(29,585)
Conservation and Development	670,352	435,925	547,371	435,925	547,371	471,758	424,383	326,947	326,947	326,947	97,436
Contingency and Unclassified	1,006,807	53,248	27,590	53,248	27,590	928,600	116,175	-	-	-	116,175
Anticipated underexpenditures	(360,300)	-	-	-	-	(360,300)	(330,275)	-	-	-	(330,275)
Transfers to Other Funds	749,000	20,700	524,000	20,700	524,000	424,000	217,275	24,000	24,000	24,000	193,275
Encumbrances	-	-	(184,746)	-	(184,746)	-	-	(385,512)	(385,512)	(385,512)	385,512
Total Expenditures	\$ 25,800,340	\$ 22,024,618	\$ 21,459,263	\$ 22,024,618	\$ 21,459,263	\$ 25,008,432	\$ 21,875,059	\$ 20,507,250	\$ 20,507,250	\$	\$ 1,367,809
			87.43%		87.43%				93.75%		

Excess of revenue over (under) expenditures	(1,707,270)	\$ 1,222,838	2,014,623	\$ 1,222,838	2,014,623	(1,005,082)	\$ 1,173,607	2,630,499	\$ 1,173,607	\$	\$ 1,456,892
Fund balance, beginning of year	8,633,112		8,633,112		8,633,112	7,781,566		7,781,566	7,781,566	7,781,566	
Fund balance, end of period	6,925,842		10,647,735		10,647,735	6,776,484		10,412,065	10,412,065	10,412,065	

A Represents an amendment to Adopted Budget
E Represents an encumbrance for current year from prior year

City of Franklin
Debt Service Funds
Balance Sheet
November 30, 2015 and 2014

	2015 Special Assessment	2015 Debt Service	2015 Total	2014 Special Assessment	2014 Debt Service	2014 Total
Assets						
Cash and investments	\$ 473,054	\$ 1,357	\$ 474,411	\$ 474,998	\$ 47,876	\$ 522,874
Taxes receivable	-	-	-	196,694	-	196,694
Special assessment receivable	135,635	-	135,635	671,692	47,876	719,568
Total Assets	\$ 608,689	\$ 1,357	\$ 610,046	\$ 1,242,784	\$ 95,752	\$ 1,338,536
Liabilities and Fund Balance						
Unearned & unavailable revenue	\$ 135,635	-	\$ 135,635	\$ 196,694	-	\$ 196,694
Due to other funds	-	-	-	1,075,000	-	1,075,000
Unassigned fund balance	473,054	1,357	474,411	474,998	(1,027,124)	(552,126)
Total Liabilities and Fund Balance	\$ 608,689	\$ 1,357	\$ 610,046	\$ 671,692	\$ 47,876	\$ 719,568

Statement of Revenue, Expenses and Fund Balance
For the Eleven months ended November, 2015 and 2014

	2015 Special Assessment	2015 Debt Service	2015 Year-to-Date Actual	2015 Annual Budget	Variance Favorable (Unfavorable)	2014 Special Assessment	2014 Debt Service	2014 Year-to-Date Actual	2014 Annual Budget	Variance Favorable (Unfavorable)
Revenue										
Property Taxes	\$ -	\$ 1,600,000	\$ 1,600,000	\$ 1,600,000	\$ -	\$ -	\$ 1,600,000	\$ 1,600,000	\$ 1,600,000	\$ -
Special Assessments	22,889	-	22,889	-	22,889	7,981	7,981	-	-	7,981
Investment Income	3,927	395	4,322	-	4,322	10,835	10,925	-	-	10,925
Total Revenue	26,816	1,600,395	1,627,211	1,600,000	27,211	18,816	1,618,906	1,600,000	1,600,000	18,906
Expenditures:										
Debt Service:										
Principal	-	595,000	595,000	595,000	-	-	570,000	570,000	570,000	-
Interest	-	312,011	312,011	343,365	31,354	-	300,200	300,200	300,200	-
Interfund Interest Expense	-	3,561	3,561	3,561	-	-	34,876	34,876	45,444	10,568
Total expenditures	-	910,572	910,572	941,926	31,354	-	905,076	905,076	915,644	10,568
Transfers in	-	282,493	282,493	416,926	(134,433)	-	377,574	377,574	377,644	(70)
Transfers out	(100,000)	-	(100,000)	-	100,000	(150,763)	-	(150,763)	-	150,763
Net change in fund balances	(73,184)	972,316	899,132	1,075,000	24,132	(131,947)	940,641	(1,492,767)	1,062,000	180,167
Fund balance, beginning of year	546,238	(970,959)	(424,721)	(424,721)		606,945	(2,099,712)	(1,492,767)	(1,492,767)	
Fund balance, end of period	\$ 473,054	\$ 1,357	\$ 474,411	\$ 650,279		\$ 474,998	\$ (1,027,124)	\$ (552,126)	\$ (430,767)	

City of Franklin
Tax Increment Financing District #4
Balance Sheet
November 30, 2015 and 2014

<u>Assets</u>	<u>2015</u>	<u>2014</u>
Cash and investments	\$ 103,259	\$ 121,544
Developer receivable	-	1,199
Total Assets	<u><u>\$ 103,259</u></u>	<u><u>\$ 122,743</u></u>
<u>Liabilities and Fund Balance</u>		
Accounts payable	\$ -	\$ -
Interfund Advance from Development Fund	238,000	1,238,000
Total Liabilities	<u>238,000</u>	<u>1,238,000</u>
 Unassigned Fund Balance	 <u>(134,741)</u>	 <u>(1,115,257)</u>
 Total Liabilities and Fund Balance	 <u><u>\$ 103,259</u></u>	 <u><u>\$ 122,743</u></u>

Statement of Revenue, Expenses and Fund Balance
For the Eleven months ended November 30, 2015 and 2014

	<u>2015</u> <u>Annual</u> <u>Forecast</u>	<u>2015</u> <u>Year-to-Date</u> <u>Forecast</u>	<u>2015</u> <u>Year-to-Date</u> <u>Actual</u>	<u>2014</u> <u>Year-to-Date</u> <u>Actual</u>
Revenue				
General property tax levy	\$ 1,009,060	\$ 1,009,060	\$ 1,009,060	\$ 954,727
State exempt computer aid	23,389	23,389	19,631	24,620
Payment in Lieu of Taxes	92,021	-	92,021	18,001
Investment income	926	843	399	963
Total revenue	<u>1,125,396</u>	<u>1,033,292</u>	<u>1,121,111</u>	<u>998,311</u>
 Expenditures				
Debt service/interfund interest	33,579	\$ 25,184	11,965	45,706
Administrative expenses	9,585	8,722	11,737	8,985
Capital outlays	-	-	30,378	104,550
Encumbrances	-	-	(12,100)	(104,550)
Total expenditures	<u>43,164</u>	<u>33,906</u>	<u>41,980</u>	<u>54,691</u>
 Revenue over (under) expenditures	 1,082,232	 <u>\$ 999,386</u>	 1,079,131	 943,620
 Fund balance, beginning of year	 <u>(1,213,872)</u>		 <u>(1,213,872)</u>	 <u>(2,058,877)</u>
 Fund balance, end of period	 <u><u>\$ (131,640)</u></u>		 <u><u>\$ (134,741)</u></u>	 <u><u>\$ (1,115,257)</u></u>

City of Franklin
Tax Increment Financing District #3
Balance Sheet
November 30, 2015 and 2014

<u>Assets</u>	<u>2015</u>	<u>2014</u>
Cash and investments	\$ 3,117,215	\$ 297,352
Total Assets	<u>\$ 3,117,215</u>	<u>\$ 297,352</u>
 <u>Liabilities and Fund Balance</u>		
Accounts payable	\$ 5,401	\$ -
Line of Credit Advance from Development Fund	1,700,000	3,350,000
Total Liabilities	1,705,401	3,350,000
Unassigned fund balance	1,411,814	(3,052,648)
Total Fund Balance	<u>1,411,814</u>	<u>(3,052,648)</u>
 Total Liabilities and Fund Balance	 <u>\$ 3,117,215</u>	 <u>\$ 297,352</u>

Statement of Revenue, Expenses and Fund Balance
For the Eleven months ended November 30, 2015 and 2014

	<u>2015</u> <u>Annual</u> <u>Forecast</u>	<u>2015</u> <u>Year-to-Date</u> <u>Forecast</u>	<u>2015</u> <u>Year-to-Date</u> <u>Actual</u>	<u>2014</u> <u>Year-to-Date</u> <u>Actual</u>
Revenue				
General property tax levy	\$ 1,681,578	\$ 1,681,578	\$ 1,681,577	\$ 1,572,198
State exempt computer aid	387,133	387,133	421,710	407,508
Investment income	55,759	55,759	102,074	108,060
Total revenue	<u>2,124,470</u>	<u>2,124,470</u>	<u>2,205,361</u>	<u>2,087,766</u>
 Expenditures				
Debt service principal	-	-	20,000	9,695,000
Debt service interest & fees	146,674	146,674	65,399	214,576
Administrative expenses	29,000	26,390	21,286	11,847
Interfund interest	-	-	49,408	81,157
Capital outlays	3,640,419	2,730,314	3,305,721	2,631,621
Encumbrances	-	-	(2,320,289)	(2,320,289)
Total expenditures	<u>3,816,093</u>	<u>2,903,378</u>	<u>1,141,525</u>	<u>10,313,912</u>
	(1,691,623)	<u>\$ (778,908)</u>	1,063,836	(8,226,146)
 Fund balance, beginning of year	 <u>347,978</u>		 <u>347,978</u>	 <u>5,173,498</u>
 Fund balance, end of period	 <u>\$ (1,343,645)</u>		 <u>\$ 1,411,814</u>	 <u>\$ (3,052,648)</u>

**City of Franklin
Solid Waste Collection Fund
Balance Sheet
November 30, 2015 and 2014**

<u>Assets</u>	<u>2015</u>	<u>2014</u>
Cash and investments	\$ 508,528	\$ 464,165
Total Assets	\$ 508,528	\$ 464,165
<u>Liabilities and Fund Balance</u>		
Accounts payable	\$ 140,870	\$ -
Accrued salaries & wages	544	315
Restricted fund balance	367,114	463,850
Total Liabilities and Fund Balance	\$ 508,528	\$ 464,165

**Statement of Revenue, Expenses and Fund Balance
For the Eleven months ended November 30, 2015 and 2014**

<u>Revenue</u>	<u>2015 Adopted Budget</u>	<u>2015 Year-to-Date Budget</u>	<u>2015 Year-to-Date Actual</u>	<u>2014 Year-to-Date Actual</u>
Grants	\$ 69,300	69,300	\$ 69,191	\$ 69,214
User Fees	1,173,200	1,173,165	1,172,069	1,168,087
Landfill Operations-tippage	335,000	279,493	281,229	296,919
Investment Income	5,000	4,383	2,387	7,557
Sale of Recyclables	4,100	3,758	390	6,728
Total Revenue	1,586,600	1,530,099	1,525,266	1,548,505
Expenditures:				
Personal Services	22,713	20,966	17,786	17,591
Refuse Collection	666,000	610,500	602,690	541,507
Recycling Collection	365,400	334,950	332,652	298,772
Leaf & Brush Pickups	51,400	47,117	53,268	35,060
Tippage Fees	438,600	402,050	365,479	377,632
Miscellaneous	2,500	2,292	2,662	2,400
Total expenditures	1,546,613	1,417,875	1,374,537	1,272,962
 Revenue over (under) expenditures	 39,987	 <u>112,224</u>	 150,729	 275,543
 Fund balance, beginning of year	 <u>216,385</u>		 <u>216,385</u>	 <u>188,307</u>
 Fund balance, end of period	 <u>\$ 256,372</u>		 <u>\$ 367,114</u>	 <u>\$ 463,850</u>

**City of Franklin
Development Fund
Comparative Balance Sheet
November 30, 2015 and 2014**

<u>Assets</u>	<u>2015</u>	<u>2014</u>
Cash and investments	\$ 3,050,195	\$ 1,118,129
Due From Debt Service Fund	-	1,075,000
Due From TID 3	850,000	2,250,000
Total Assets	<u>\$ 3,900,195</u>	<u>\$ 4,443,129</u>
 <u>Liabilities and Fund Balance</u>		
Accounts payable	\$ -	\$ -
Non-Spendable Fund Balance - Advances	850,000	3,325,000
Encumbrance	3,321	-
Assigned fund balance	3,046,874	1,118,129
Total Fund Balance	<u>3,896,874</u>	<u>4,443,129</u>
Total Liabilities and Fund Balance	<u>\$ 3,900,195</u>	<u>\$ 4,443,129</u>

**Comparative Statement of Revenue, Expenses and Fund Balance
For the Eleven months ended November 30, 2015 and 2014**

	<u>2015</u>	<u>2015</u>	<u>2015</u>	<u>2014</u>
	<u>Amended</u>	<u>Year-to-Date</u>	<u>Year-to-Date</u>	<u>Year-to-Date</u>
Revenue:	Budget	Budget	Actual	Actual
Impact Fee: Parks	\$ 210,000	\$ 203,087	\$ 137,670	\$ 176,144
Impact Fee: Southwest Sewer Serv	-	-	2,928	17,568
Impact Fee: Administration	5,500	5,193	3,465	5,665
Impact Fee: Water	250,000	219,370	121,973	215,715
Impact Fee: Transportation	50,000	46,237	18,823	51,208
Impact Fee: Fire Protection	50,000	47,001	26,276	46,961
Impact Fee: Law Enforcement	73,000	68,606	48,692	86,253
Impact Fee: Library	65,000	62,777	38,526	49,430
Total Impact Fees	<u>703,500</u>	<u>652,271</u>	<u>398,353</u>	<u>648,944</u>
Investment Income	39,000	35,750	26,302	44,042
Interfund Interest Income	67,966	62,302	29,974	90,507
Total revenue	<u>810,466</u>	<u>750,323</u>	<u>454,629</u>	<u>783,493</u>
 Expenditures:				
Other Professional Services	15,000	11,250	10,073	-
Transfer to Debt Service:				
Law Enforcement	204,978	204,978	67,122	78,010
Fire	43,013	43,013	42,974	42,959
Transportation	73,535	73,535	23,393	44,734
Library	133,650	133,650	49,004	61,108
Total Transfers to Debt Service	<u>455,176</u>	<u>455,176</u>	<u>182,493</u>	<u>226,811</u>
Transfer to Capital Improvement Fund:				
Park	1,609,625	845,398	535,528	291,994
Total Transfers to Capital Improve	<u>1,609,625</u>	<u>845,398</u>	<u>535,528</u>	<u>291,994</u>
Transfer to Water Utility	150,000	137,500	-	873,727
Total expenditures	<u>2,229,801</u>	<u>1,449,324</u>	<u>728,094</u>	<u>1,392,532</u>
Revenue over (under) expenditures	(1,419,335)	<u>(699,001)</u>	(273,465)	(609,039)
Fund balance, beginning of year	4,170,339		4,170,339	5,052,168
Fund balance, end of period	<u>\$ 2,751,004</u>		<u>\$ 3,896,874</u>	<u>\$ 4,443,129</u>

**City of Franklin
Capital Outlay Fund
Balance Sheet
November 30, 2015 and 2014**

<u>Assets</u>	<u>2015</u>	<u>2014</u>
Cash and investments	\$ 724,010	\$ 399,929
Total Assets	<u>\$ 724,010</u>	<u>\$ 399,929</u>
<u>Liabilities and Fund Balance</u>		
Accounts payable	\$ 23,565	\$ 8,942
Miscellaneous claims payable	12,508	18,277
Encumbrance	27,868	59,855
Assigned fund balance	660,069	312,855
Total Liabilities and Fund Balance	<u>\$ 724,010</u>	<u>\$ 399,929</u>

**Statement of Revenue, Expenses and Fund Balance
For the Eleven months ended November 30, 2015 and 2014**

<u>Revenue</u>	<u>2015 Amended Budget</u>	<u>2015 Year-to-Date Budget</u>	<u>2015 Year-to-Date Actual *</u>	<u>2014 Year-to-Date Actual</u>
Property Taxes	\$ 433,200	\$ 433,200	\$ 433,200	\$ 430,000
Grants	-	-	4,923	10,082
Landfill Siting	67,000	67,000	67,000	67,000
Investment Income	4,500	4,125	6,765	13,953
Miscellaneous Revenue	25,000	18,217	20,559	16,783
Transfers from Other Funds	475,000	475,000	475,000	-
Transfers from Fund Balance	80,882	-	-	-
Total Revenue	<u>1,085,582</u>	<u>997,542</u>	<u>1,007,447</u>	<u>537,818</u>
Expenditures:				
General Government	240,214	169,574	56,604	55,563
Public Safety	478,344	423,395	432,526	408,556
Public Works	160,700	124,392	140,030	79,491
Health and Human Services	800	733	-	-
Culture and Recreation	12,000	11,000	9,403	18,678
Conservation and Development	5,665	3,896	3,213	250
Contingency	130,000	119,167	8,950	-
Total expenditures	<u>1,027,723</u>	<u>852,157</u>	<u>650,726</u>	<u>562,538</u>
Revenue over (under) expenditures	57,859	<u>145,385</u>	356,721	(24,720)
Fund balance, beginning of year	<u>303,348</u>		<u>303,348</u>	<u>337,575</u>
Fund balance, end of period	<u>\$ 361,207</u>		<u>\$ 660,069</u>	<u>\$ 312,855</u>

* Amount shown is actual expenditures plus encumbrance

**City of Franklin
Equipment Replacement Fund
Comparative Balance Sheet
November 30, 2015 and 2014**

	<u>2015</u>	<u>2014</u>
<u>Assets</u>		
Cash and investments	\$ 2,328,138	\$ 2,181,453
Total Assets	<u>\$ 2,328,138</u>	<u>\$ 2,181,453</u>
<u>Liabilities and Fund Balance</u>		
Accounts payable	\$ -	\$ -
Encumbrance	23,646	-
Assigned fund balance	2,304,492	2,181,453
Total Liabilities and Fund Balance	<u>\$ 2,328,138</u>	<u>\$ 2,181,453</u>

**Comparative Statement of Revenue, Expenses and Fund Balance
For the Eleven months ended November 30, 2015 and 2014**

	<u>2015 Amended Budget</u>	<u>2015 Year-to-Date Budget</u>	<u>2015 Year-to-Date Actual *</u>	<u>2014 Year-to-Date Actual</u>
Revenue:				
Property Taxes	\$ 339,500	\$339,500	\$ 339,500	\$ 337,000
Landfill	100,000	100,000	100,000	100,000
Investment Income	20,000	18,333	26,768	54,945
Transfers from Other Funds	25,000	22,917	-	5,395
Property Sales	-	-	9,306	3,077
Total revenue	<u>484,500</u>	<u>480,750</u>	<u>475,574</u>	<u>500,417</u>
Expenditures:				
Public Safety	194,000	191,684	180,131	56,159
Public Works	188,000	186,271	180,624	178,850
Total expenditures	<u>382,000</u>	<u>377,955</u>	<u>360,755</u>	<u>235,009</u>
Revenue over (under) expenditures	102,500	<u>102,795</u>	114,819	265,408
Fund balance, beginning of year	<u>2,189,673</u>		<u>2,189,673</u>	<u>1,916,045</u>
Fund balance, end of period	<u>\$ 2,292,173</u>		<u>\$ 2,304,492</u>	<u>\$ 2,181,453</u>

* Amount shown is actual expenditures plus emcumbrance

**City of Franklin
Capital Improvement Fund
Balance Sheet
November 30, 2015 and 2014**

<u>Assets</u>	<u>2015</u>	<u>2014</u>
Cash and investments	\$ 1,830,225	\$ (6,858)
Accrued receivables	847	847
Total Assets	\$ 1,831,072	\$ (6,011)
<u>Liabilities and Fund Balance</u>		
Accounts payable	\$ 19,560	\$ 9,502
Contracts Payable	118,746	47,324
Accrued payables	-	7,457
Encumbrance	876,739	-
Assigned fund balance	816,027	(70,294)
Total Liabilities and Fund Balance	\$ 1,831,072	\$ (6,011)

**Statement of Revenue, Expenses and Fund Balance
For the Eleven months ended November 30, 2015 and 2014**

	<u>2015</u> <u>Original</u> <u>Budget</u>	<u>2015</u> <u>Amended</u> <u>Budget</u>	<u>2015</u> <u>Year-to-Date</u> <u>Totals</u>	<u>2014</u> <u>Year-to-Date</u> <u>Totals</u>
Revenue:				
Landfill Siting	\$ 830,000	\$ 830,000	\$ 456,858	\$ 385,115
Transfers from Other Funds	4,858,405	3,358,405	-	-
Transfers from General Funds		50,000	-	-
Transfers from Impact Fees	1,434,625	1,484,625	535,528	291,993
Transfers from Connection Fees	700,000	2,050,000	-	122,935
Transfers from Fund Balance		138,000	-	-
Donations		100,000	-	-
Investment Income	-	-	4,584	198
Total revenue	7,823,030	8,011,030	996,970	800,241
Expenditures:				
General Government	2,475,000	2,475,000	-	3,190
Public Safety	75,000	198,181	90,897	300,961
Public Works	3,566,405	3,779,405	162,458	551,169
Culture and Recreation	2,259,842	2,265,823	1,693,683	318,189
Sewer & Water	700,000	700,000	174,273	15,954
Culture and Recreation	20,000	20,000	-	-
Contingency	50,000	-	35,233	-
Total expenditures	9,146,247	9,438,409	2,156,544	1,189,463
Revenue over (under) expenditures	(1,323,217)	(1,427,379)	(1,159,574)	(389,222)
Fund balance, beginning of year	1,975,601	1,975,601	1,975,601	318,928
Fund balance, end of period	\$ 652,384	\$ 548,222	\$ 816,027	\$ (70,294)

**City of Franklin
Street Improvement Fund
Balance Sheet
November 30, 2015 and 2014**

<u>Assets</u>	<u>2015</u>	<u>2014</u>
Cash and investments	\$ 245,950	\$ 250,577
Total Assets	<u>\$ 245,950</u>	<u>\$ 250,577</u>
<u>Liabilities and Fund Balance</u>		
Accounts payable	\$ -	\$ -
Encumbrances	-	-
Assigned fund balance	245,950	250,577
Total Liabilities and Fund Balance	<u>\$ 245,950</u>	<u>\$ 250,577</u>

**Statement of Revenue, Expenses and Fund Balance
For the Eleven months ended November 30, 2015 and 2014**

	<u>2015 Amended Budget</u>	<u>2015 Year-to-Date Totals</u>	<u>2014 Year-to-Date Totals</u>
Revenue:			
Property Taxes	\$ 687,300	\$ 687,300	\$ 681,600
Landfill Siting	133,000	133,000	133,000
Investment Income	6,000	5,329	12,882
Refunds and Reimbursements	-	2,441	-
Transfer from General Fund	200,000	25,000	-
Total revenue	<u>1,026,300</u>	<u>853,070</u>	<u>827,482</u>
Expenditures:			
Street Reconstruction Program - Current Year	960,000	836,557	794,468
Transfer to General Fund	200,000	-	-
Street Reconstruction Program - Prior Year(s)	-	1,399	1,000
Total expenditures	<u>1,160,000</u>	<u>837,956</u>	<u>795,468</u>
Revenue over (under) expenditures	(133,700)	15,114	32,014
Fund balance, beginning of year	230,836	230,836	218,563
Fund balance, end of period	<u>\$ 97,136</u>	<u>\$ 245,950</u>	<u>\$ 250,577</u>

City of Franklin
Self Insurance Fund - Actives
Balance Sheet
November 30, 2015 and 2014

<u>Assets</u>	<u>2015</u>	<u>2014</u>
Cash and investments	\$ 2,611,386	\$ 1,386,701
Accounts receivable	384	384
Interfund advance receivable	1,088,000	2,338,000
Prepaid expenses	57,500	57,500
Total Assets	\$ 3,757,270	\$ 3,782,585
<u>Liabilities and Net Assets</u>		
Accounts payable	\$ 52,854	\$ -
Claims payable	370,500	379,100
Unrestricted net assets	3,333,916	3,403,485
Total Liabilities and Fund Balance	\$ 3,757,270	\$ 3,782,585

City of Franklin Self Insurance Fund - Actives
Statement of Revenue, Expenses and Fund Balance
For the Eleven months ended November 30, 2015 and 2014

<u>Revenue</u>	<u>2015</u>	<u>2015</u>	<u>2015</u>	<u>2014</u>
	<u>Forecast</u>	<u>Year-to-Date</u>	<u>Year-to-Date</u>	<u>Year-to-Date</u>
		<u>Forecast</u>	<u>Actual</u>	<u>Actual</u>
Medical Premiums-City	\$ 2,608,900	\$ 2,391,492	\$ 2,359,678	\$ 2,457,878
Medical Premiums-Employee	397,600	364,467	379,353	377,215
Other - Investment Income, etc.	35,277	32,337	57,975	95,196
Medical Revenue	<u>3,041,777</u>	<u>2,788,296</u>	<u>2,797,006</u>	<u>2,930,289</u>
Dental Premiums-City	112,600	103,217	95,685	95,667
Dental Premiums-Retirees	5,750	5,271	3,456	4,800
Dental Premiums-Employee	55,200	50,600	48,429	53,793
Dental Revenue	<u>173,550</u>	<u>159,088</u>	<u>147,570</u>	<u>154,260</u>
Total Revenue	<u>3,215,327</u>	<u>2,947,383</u>	<u>2,944,576</u>	<u>3,084,549</u>
Expenditures:				
Active Employees-Medical				
Medical claims - Current Year	1,900,000	1,741,667	1,707,789	1,267,365
Medical claims - Prior Year	-	-	194,552	361,721
Prescription drug claims	290,000	265,833	283,312	248,039
Refunds-Stop Loss Coverage	-	-	(101,062)	(419)
Total Claims-Actives	<u>2,190,000</u>	<u>2,007,500</u>	<u>2,084,591</u>	<u>1,876,706</u>
Medical Claim Fees	185,000	169,583	155,029	181,253
Memberships	-	-	3,180	4,525
Miscellaneous Wellness	12,000	11,000	76,583	11,190
Section 125 administration Fee	10,700	9,808	1,589	5,080
Stop Loss Premiums	587,160	538,230	542,231	549,788
ACA Fees	-	-	35,203	-
Total Medical Costs-Actives	<u>2,984,860</u>	<u>2,736,122</u>	<u>2,898,406</u>	<u>2,628,542</u>
Active Employees-Dental				
Dental claims - Current Year	150,000	137,500	128,009	125,618
Dental claims - Prior Year	2,000	1,833	11,108	16,966
Dental Claim Fees	12,000	11,000	9,062	11,185
Total Dental Costs-Actives	<u>164,000</u>	<u>150,333</u>	<u>148,179</u>	<u>153,769</u>
Retirees-Dental				
Dental claims - Current Year	5,200	4,767	3,556	4,840
Dental claims - Prior Year	900	825	563	-
Dental Claim Fees	200	183	127	314
Total Dental Costs-Retirees	<u>6,300</u>	<u>5,775</u>	<u>4,246</u>	<u>5,154</u>
Total Dental Costs	<u>170,300</u>	<u>156,108</u>	<u>152,425</u>	<u>158,923</u>
Total Expenditures	<u>3,155,160</u>	<u>2,892,230</u>	<u>3,050,831</u>	<u>2,787,465</u>
Revenue over (under) expenditures	60,167	<u>\$ 55,153</u>	(106,255)	297,084
Net assets, beginning of year	3,440,171		3,440,171	3,106,401
Net assets, end of period	<u>\$ 3,500,338</u>		<u>\$ 3,333,916</u>	<u>\$ 3,403,485</u>

City of Franklin
City of Franklin Post Employment Benefits Trust
Balance Sheet
November 30, 2015 and 2014

<u>Assets</u>	<u>2015</u>	<u>2014</u>
Cash and investments	\$ (99,905)	\$ (97,302)
Investments held in trust - Fixed Inc	1,225,564	1,022,279
Investments held in trust - Equities	3,585,456	3,521,319
Accounts receivable	3,285	4,778
Due from Water Utility	1,460	1,459
Total Assets	<u>\$ 4,715,860</u>	<u>\$ 4,452,533</u>
<u>Liabilities and Net Assets</u>		
Accounts payable	\$ 3,702	\$ -
Claims payable	57,482	77,182
Due from OPEB Trust	-	-
Net assets held in trust for post employment benefi	4,654,676	4,375,351
Total Liabilities and Fund Balance	<u>\$ 4,715,860</u>	<u>\$ 4,452,533</u>

City of Franklin Post Employment Benefits Trust
Statement of Revenue, Expenses and Fund Balance
For the Eleven months ended November 30, 2015 and 2014

<u>Revenue</u>	<u>2015</u>	<u>2015</u>	<u>2014</u>
	<u>Forecast</u>	<u>Year-to-Date</u>	<u>Year-to-Date</u>
		<u>Actual</u>	<u>Actual</u>
ARC Medical Charges - City	\$ 167,900	\$ 148,954	\$ 149,220
Medical Charges - Retirees	90,000	85,444	84,492
Implicit Rate Subsidy	103,100	210,896	93,089
Interest Income	-	-	(1,114)
Medical Revenue	<u>361,000</u>	<u>445,294</u>	<u>325,687</u>
Expenditures:			
Retirees-Medical			
Medical claims - Current Year	175,000	570,337	172,125
Medical claims - Prior Year	12,000	22,505	88,199
Prescription drug claims	110,000	74,540	67,643
Refunds-Stop Loss Coverage	-	(281,612)	(69,880)
Total Claims-Retirees	<u>297,000</u>	<u>385,770</u>	<u>258,087</u>
Medical Claim Fees	14,500	9,169	13,929
Stop Loss Premiums	49,500	47,099	53,585
Miscellaneous Expense	-	225	86
ACA Fees	-	3,031	-
Total Medical Costs-Retirees	<u>361,000</u>	<u>445,294</u>	<u>325,687</u>
Revenue over (under) expenditures	-	-	-
Annual Required Contribution-Net	467,523	115,600	263,491
Other - Investment Income, etc.	338,400	120,837	305,676
Total Revenues	<u>805,923</u>	<u>236,437</u>	<u>569,167</u>
Net Revenues (Expenditures)	805,923	236,437	569,167
Net assets, beginning of year	<u>4,418,239</u>	<u>4,418,239</u>	<u>3,806,184</u>
Net assets, end of period	<u>\$ 5,224,162</u>	<u>\$ 4,654,676</u>	<u>\$ 4,375,351</u>

APPROVAL <i>slw</i>	REQUEST FOR COMMON COUNCIL ACTION	MEETING DATE JANUARY 5, 2016
REPORTS & RECOMMENDATIONS	OPEB Trust Investment Manager	ITEM NUMBER <i>G. 10.</i>

Background

The Director of Finance & Treasurer reported to the Finance Committee at the December 22, 2015 meeting on the OPEB investment portfolio performance, investment position and investment management. The Finance Committee has requested updates on the Investment OPEB portfolio monthly, once the financial advisor was removed in Q4 of 2013 and began using ETF passively managed portfolios.

Analysis

A graphical presentation is provided the Finance Committee monthly of

1. the portfolio's allocation between fixed income and equity investments
2. The size of the portfolio in terms of assets, equity and fixed income
3. The Equity portfolio, percentage allocation to investment vehicles, and
4. The fixed income portfolio, percentage allocation to investment vehicle.

One contribution of \$71,000 was made to the Trust portfolio in the first quarter 2015. All other City contributions have funded current year Retiree health claims. Since that time, a number of events have impacted the fund:

1. The Retiree health claims costs have significantly exceeded prior year experience, \$445,294 thru November 30, 2015 compared to \$325,687 thru November, 2014
2. The new Actuarial report reduced the required 2015 employer contribution from \$571,000 to \$343,000.
3. The 2015 claims costs exceed the required contribution, which is the first time that has happened.
4. The Common Council accepted the Finance Committee's November recommendation to hold contributions at the October 2015 level, which is above the new ARC, but below the budgeted contribution amount.
5. The fund owes the City \$129,057 at December 23, with one additional weeks claims yet to be paid. The City continues to be charged for weekly claims as the Third Party Administer processes them. The Common Council has directed the Trustee to fund the November & December claims.
6. The portfolio holds approximately \$175,000 in bonds maturing in 2016, 2017, 2018 (\$150,000), and 2020 which will meet potential claims demands in excess of the required contribution in those years.

Options

Items to consider:

- Continue to manage the fund with a passive investment style, accepting market rate returns, tempered by the mix of equity to fixed income allocations
- Hire a third party financial advisor to manage the portfolio. This would involve an advisor fee of \$50,000 to \$75,000/year, costs the fund is avoiding now.

- Other investment options

Recommendation

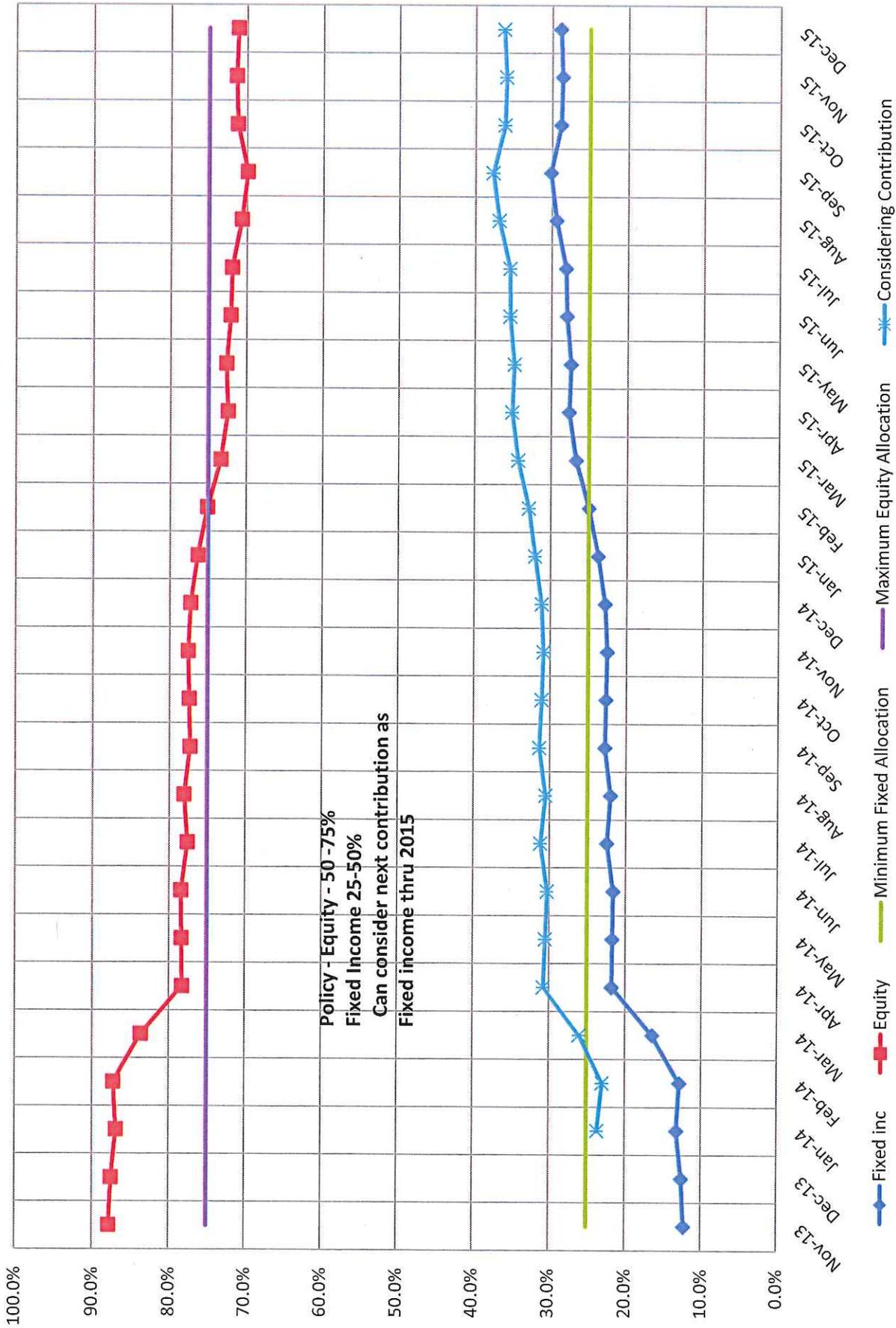
Staff recognizes the risk of managing this portfolio in a passive manner without professional investment advice. The use of passive indexes and a laddered fixed income investment approach should provide the portfolio with market rate returns (adjusted for the investment allocation between asset types.) and the liquidity needed for current demands upon resources. The portfolio was created in 2008, and the market has had few, if any, negative investment return years since its inception. However, when the market has negative returns, and it will, this portfolio will experience those negative returns, which must be expected. The current investing choice avoids the annual advisory fee, estimated at \$50,000 to \$75,000. Staff is comfortable with this risk, understanding of the risk accepted with this investment choice.

The Finance Committee recommends continued management of the OPEB Trust portfolio in the manner described above.

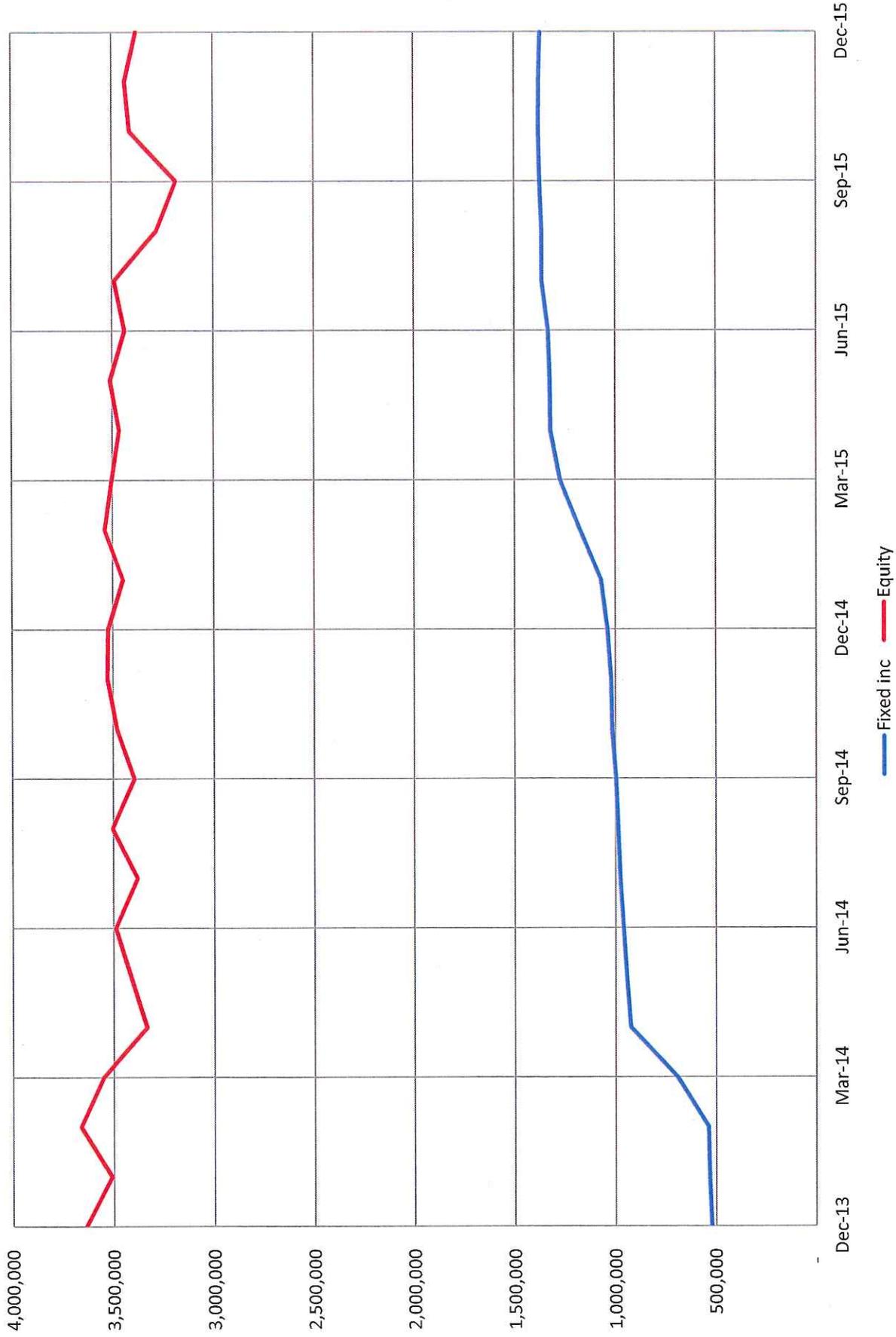
COMMITTEE ACTION REQUESTED

Such action as the Common Council deems appropriate.

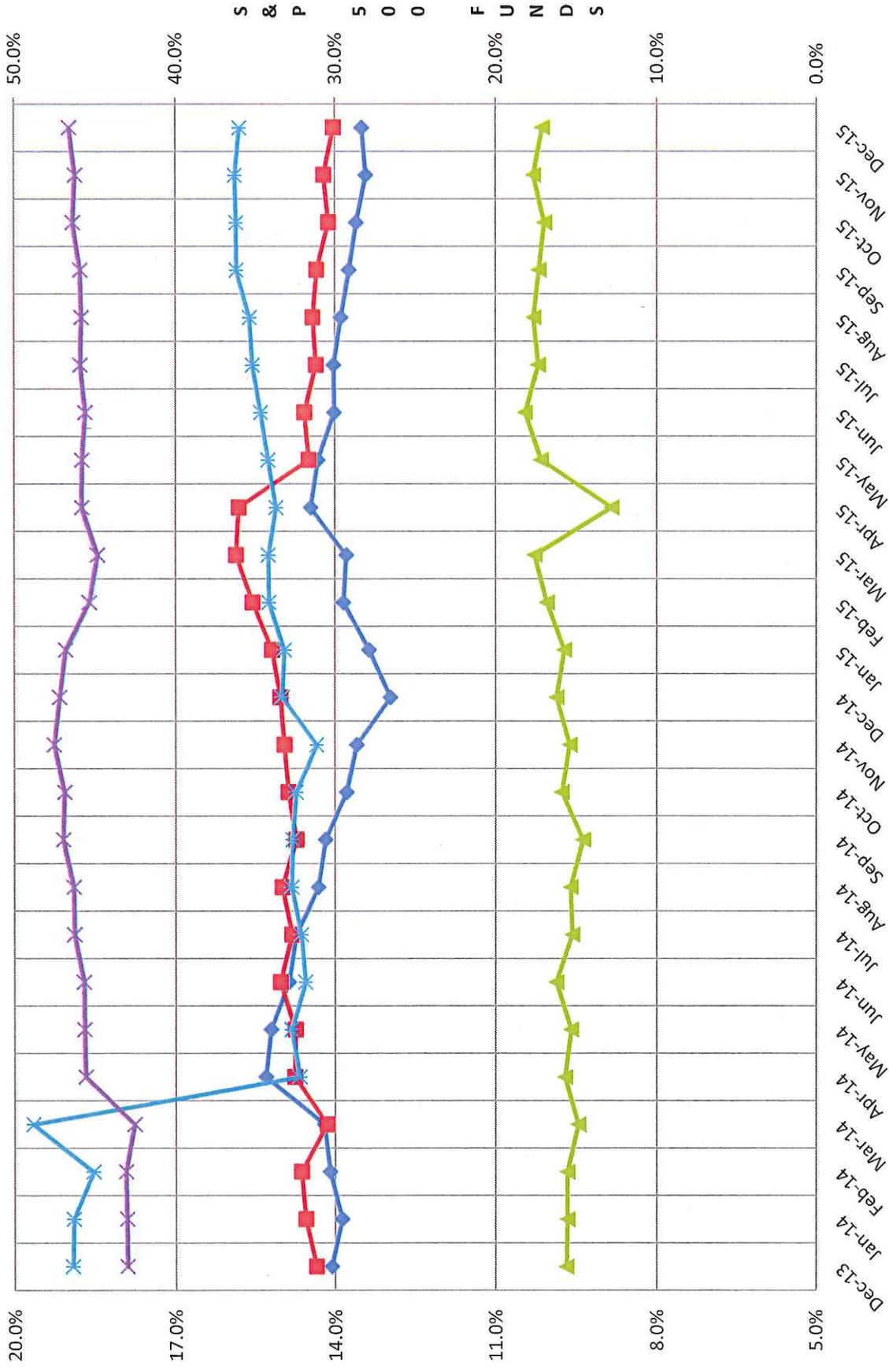
OPEB Trust - Asset Allocation



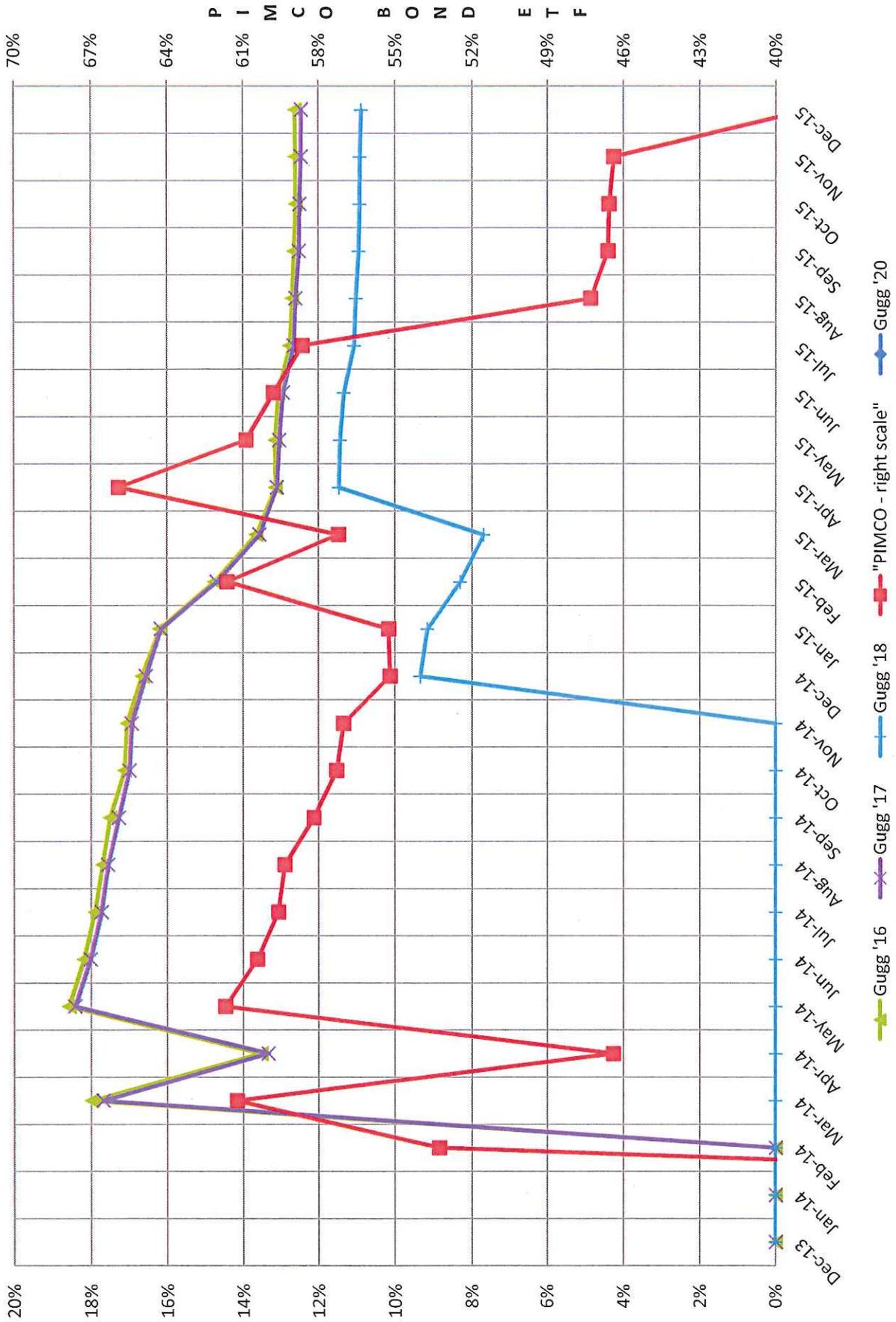
Total Assets by Class



OPEB Trust Equity Allocation



OPEB Trust - Fixed Income Allocation



<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;">1/05/2016</p>
<p>REPORTS AND RECOMMENDATIONS</p>	<p style="text-align: center;">AN ORDINANCE TO AMEND CHAPTER 30 OF THE MUNICIPAL CODE TO CREATE A BOARD OF ABSENTEE BALLOT CANVASSERS AND TO PROVIDE FOR THE BOARD TO CANVASS ABSENTEE BALLOTS ON ELECTION DAY</p>	<p>ITEM NUMBER</p> <p style="text-align: center;"><i>G.11.</i></p>

In July, 2015, the City of Franklin purchased new voting equipment. At the time the Intergovernmental Agreement with Milwaukee County was before the Common Council for approval, it was noted that the Director of Clerk Services/City Clerk desired to purchase an additional device with available funding for Central Count Absentee. With the Agreement fully executed and the equipment in place, it is recommended that the attached ordinance be adopted at this time.

While municipalities were permitted to provide for the canvassing of all absentee ballots on Election Day by a municipal board of absentee ballot canvassers with 2005 Wisconsin Act 451, the City's previous voting equipment did not allow reporting units to be uploaded onto one device, especially with Franklin's requirement to report results by reporting unit (25 different wards and potentially 32 different ballot styles). The excessive programming costs would have far exceeded any benefits. The City's new voting system allows for all reporting units and ballot styles to be placed on one jump drive at the Central Count location with election results modemed in, the same process that will be used at the polling locations.

While there are no changes on the process for the absentee voter, the benefits will occur on Election Day. Rather than the delivery of absentee ballots by the Clerk's office to multiple polling locations on Election Day, they will all be processed in one location (City Hall) on Election Day by the Board of Absentee Ballot Canvassers. This will eliminate the election workers having to process absentee ballots at the multiple polling locations, which at busy elections can take several workers (and at times, additional workers) the entire day due to the process. Central Count Absentee allows for consistency and uniform procedures for processing absentee ballots, also allowing election workers at the polling locations to focus on in-person voters, with potential cost saving on election worker staff time at the polling locations. Also, as stated above election results will be modemed in, increasing efficiency in reporting.

COUNCIL ACTION REQUESTED

Motion to adopt an Ordinance to Amend Chapter 30 of the Municipal Code to Create a Board of Absentee Ballot Canvassers and to Provide For the Board to Canvass Absentee Ballots on Election Day.

ORDINANCE NO. 2016-_____

AN ORDINANCE TO AMEND CHAPTER 30 OF THE MUNICIPAL CODE TO CREATE A BOARD OF ABSENTEE BALLOT CANVASSERS AND TO PROVIDE FOR THE BOARD TO CANVASS ABSENTEE BALLOTS ON ELECTION DAY

WHEREAS, Wis. Stat. §§ 7.52 and 7.53 authorize the governing body of a municipality to provide for the canvassing of all absentee ballots on Election Day by a municipal Board of Absentee Ballot Canvassers, at a singular, central location in the municipality in lieu of canvassing absentee ballots at all polling places, commonly referred to as “Central Count Absentee”; and

WHEREAS, Central Count Absentee statutes and guidelines govern procedures that are used at the singular polling place when processing, counting and securing absentee ballots; and

WHEREAS, the Municipal Clerk having reviewed the subject of the creation of a City of Franklin Board of Absentee Ballot Canvassers upon consideration of consistency and uniform procedures for processing absentee ballots by eliminating processing at multiple polling places on Election Day, and having recommended to the Common Council the creation of the Board of Absentee Ballot Canvassers and Central Count Absentee, with adherence to statutory and administrative procedures that will ensure votes cast by absentee ballot are properly reported for the canvass of election results.

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

SECTION 1: §30-3. of the Municipal Code of the City of Franklin, Wisconsin, is hereby created to read as follows:

“§30-3.A. Creation of Board of Absentee Ballot Canvassers.

Pursuant to Wis. Stat. §§ 7.52 and 7.53 (2m), a Board of Absentee Ballot Canvassers is hereby created. The Board shall have the powers and duties as are set forth under this Section §30-3. and the Wisconsin Statutes referenced herein and any Wisconsin Administrative Code provisions applicable thereto. The Board of Absentee Ballot Canvassers shall be composed of the Municipal Clerk, or a qualified elector of the City designated by the Municipal Clerk, and two other qualified electors of the City appointed by the Municipal Clerk for a term of 2 years commencing on January 1 of each odd-numbered year, except that any member who is appointed to fill a permanent vacancy shall serve for the unexpired term of the original appointee. The Municipal Clerk may appoint additional inspectors under Wis. Stat. § 7.30(2)(a) to assist the Board in canvassing absentee ballots under this section.”

SECTION 2: §30-3.B. of the Municipal Code of the City of Franklin, Wisconsin, is hereby created to read as follows:

“§30-3.B. Canvassing and Counting of Absentee Ballots.

In lieu of canvassing absentee ballots at polling places under Wis. Stat. § 6.88, Wis. Stats., the Board shall canvass all absentee ballots at all elections held in the City. At every election held in the City, the Board shall publicly convene to count the absentee ballots for the City in accordance with the procedures set forth in Chapter 7 of the Wisconsin Statutes. The Municipal Clerk shall provide at least 48 hours prior public notice of any meeting of the Board held under this Section. The Municipal Clerk shall post a statement listing the number of absentee ballots that have been issued and the number of absentee ballots that have been returned by the close of the polls on Election Day in accordance with Chapter 7 of the Wisconsin Statutes.”

SECTION 3: 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 4: All ordinances and parts of ordinances in contravention to this ordinance are hereby repealed.

SECTION 5: 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 January, 2016 by _____.

Passed and adopted at a regular meeting of the Common Council of the City of Franklin this ____ day of January, 2016.

APPROVED:

Stephen R. Olson, Mayor

ATTEST:

Sandra L. Wesolowski, City Clerk

AYES ____ NOES ____ ABSENT ____

State of Wisconsin \ Government Accountability Board

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Madison, WI 53707-7984
Voice (608) 266-8005
Fax (608) 267-0500
E-mail: gab@wisconsin.gov
<http://gab.wi.gov>



JUDGE DAVID G. DEININGER
Chairperson

KEVIN J. KENNEDY
Director and General Counsel

DATE: May 22, 2012

TO: Wisconsin Municipal Clerks
City of Milwaukee Election Commission
Wisconsin County Clerks
Milwaukee County Election Commission

FROM: Nathaniel E. Robinson
Elections Division Administrator
Government Accountability Board

SUBJECT: Revised Central Count Absentee Guideline and Procedure Review Process
Action Requested by Tuesday, May 29, 2012.

Immediately following this Memorandum, please find the revised Central Count Absentee Guideline, which was adopted by the Government Accountability Board at its meeting on May 15, 2012.

At the Board's May 15, 2012 meeting, the Board considered revised procedures for Central Count Absentee taking into account changes due to recent legislation affecting absentee voting as prescribed in 2011 Wisconsin Act 227.

Act 227 prohibits a voter from mailing or personally delivering an absentee ballot and voting in person at the same election on Election Day. Act 227 also affects the return of absentee ballots to voters once mailed or personally delivered, except for damaged or spoiled ballots or envelopes with incomplete or no certificates. These new statutory requirements impact the procedures for processing absentee ballots at polling places and central count locations, which required the revision of the Central Count Absentee Guideline.

At the Board's August, September, and December 2011 meetings, the Board considered previous recommended procedures for Central Count Absentee and those practices in place in various jurisdictions. In addition, the Board considered comments submitted by many clerks regarding effective Central Count Absentee procedures and limitations of the current enabling statutes. Ultimately and in the current context of the relatively recent activities of the Joint Committee for Review of Administrative Rules, the Board adopted a guideline with stricter adherence to the statutory provisions prescribing the Central Count Absentee procedures.

Most notably, this revised Central Count Absentee Guideline sets forth Election Day polling place procedures that implement Act 227's new prohibition of voting in person after having submitted an absentee ballot. This revised Central Count Guideline also reaffirms the statutory election night reconciliation of the central count poll list (or absentee log) with polling place poll lists. After any Central Count Absentee canvass is completed, the Board of Canvassers shall reconcile the poll list (or absentee log) of the electors who vote by absentee ballot with the corresponding poll list of electors who vote in-person to ensure that no elector is allowed to cast more than one ballot. *Wis. Stat. §7.53(1) and (2)(d)*. If an elector who votes in-person has submitted an absentee ballot, the absentee ballot is void. *Id.*

In addition, the Board directed staff to notify all clerks, but specifically clerks for municipalities with existing or contemplated Central Count Absentee, of the revised Central Count Absentee Guideline and the Board's direction that clerks conform their Central Count Absentee conduct to the law. **For those clerks in municipalities with, or contemplating, Central Count Absentee, please forward copies of your enabling ordinances and any written procedures for Central Count Absentee for review by Board staff to ensure compliance with the Central Count Absentee Guideline and statutes. Direct your emails to Nadya Perez-Reyes, Election Specialist, at Nadya.PerezReyes@wi.gov. Please complete this submission no later than Tuesday, May 29, 2012.**

Please note that the Board also directed staff to incorporate more information regarding Central Count Absentee processes in the Election Day Manual and training, as well as develop recommendations for statutory revisions for consideration by the Board. This work continues at the G.A.B.; however, the Legislature's recent adoption of Act 227 which affects the absentee voting process as a whole, has delayed the G.A.B.'s statutory review and legislative recommendation process.

For background on the revised Central Count Absentee Guideline, please see the Memorandum to the Board dated May 15, 2012 and attachments, which can be found on the G.A.B. website in the May 15, 2012 Board Meeting Materials.

For even more background on the development of the original Central Count Absentee Guideline, please see the Memorandum to the Board dated December 13, 2011 and attachments, which can be found on the G.A.B. website in the December 13, 2011 Board Meeting Materials at pages 34-51: <http://gab.wi.gov/about/meetings/2011/december>.

If you have any further questions or concerns, please contact Nadya Perez-Reyes, Election Specialist, at 608-267-0714 or Nadya.PerezReyes@wi.gov. Thank you.

cc: Kevin J. Kennedy
Director and General Counsel
Government Accountability Board

Shane W. Falk
Staff Counsel
Government Accountability Board

Ross D. Hein
Elections Supervisor
Government Accountability Board

State of Wisconsin \ Government Accountability Board

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JUDGE DAVID G. DEININGER
Chairperson

KEVIN J. KENNEDY
Director and General Counsel

MEMORANDUM

DATE: May 15, 2012

TO: Wisconsin Municipal Clerks
City of Milwaukee Election Commission
Wisconsin County Clerks
Milwaukee County Election Commission

FROM: Nathaniel E. Robinson
Elections Division Administrator
Government Accountability Board

SUBJECT: Central Count Absentee Guideline

Special Note: This guideline contains revisions formally adopted by the Government Accountability Board at its May 15, 2012 meeting and provides updates to procedures due to legislation affecting absentee voting as prescribed in 2011 Wisconsin Act 227.

Guideline—Central Count Absentee

This guideline was originally adopted by the Government Accountability Board at its December 13, 2011 meeting and was revised at the May 15, 2012 meeting. The guideline provides some basic information for municipalities who want to utilize a municipal board of absentee ballot canvassers for counting absentee ballots on Election Day. Section 7.52, Wis. Stats., permits the governing body of a municipality to provide for the canvassing of all absentee ballots on Election Day by a municipal board of absentee ballot canvassers.

This guideline also provides the basic requirements for establishing procedures for utilizing a municipal board of absentee ballot canvassers to count absentee ballots on Election Day. There are a number of administrative procedures clerks will have to develop to ensure individuals do not vote absentee and in person for the same election. In addition, these administrative procedures will ensure that votes cast by absentee ballot are properly reported for the canvass of election results.

Establishing a Municipal Board of Absentee Ballot Canvassers

If the governing body decides to provide for the canvassing of all absentee ballots on Election Day by a municipal board of absentee ballot canvassers, it must adopt an ordinance. Section 7.52 (1), Wis. Stats. The municipal clerk is required to notify the Elections Division in writing

before the municipality adopts the ordinance and consult with the Elections Division staff concerning administration of a central location for counting absentee ballots.

The governing body must also establish a municipal board of absentee ballot canvassers. Section 7.53 (2m), Wis. Stats. The municipal board of absentee ballot canvassers is the municipal clerk and two other qualified electors of the municipality appointed by the clerk. They serve two-year terms beginning January 1st of odd-numbered years.

Polling Place Procedures for Municipalities with a Municipal Board of Absentee Canvassers

In general, a voter who did not receive an absentee ballot by mail or who chose not to return an absentee ballot is able to vote in person at the polling place on Election Day. However, a voter who returned an absentee ballot with an incomplete or no certificate envelope (or who did not receive or return a replacement envelope) cannot vote in person at the polling place on Election Day. Voters with incomplete or no certificate envelopes may only correct the envelope up to and including Election Day (correction occurring at the central count location on Election Day and with the original witness.)

At the polling place, if a voter has an absentee designation in the poll book, the election inspector must check the absentee ballot log to determine whether the absentee ballot was received. If the absentee ballot log reflects that the voter's absentee ballot was received, the election inspector shall inform the voter that he or she cannot vote in person at the polling place pursuant to Wis. Stat. §6.86(6).

If there is no indication in the absentee ballot log regarding receipt of the voter's absentee ballot, the election inspector shall ask the voter: "Did you mail or personally deliver your absentee ballot to the clerk's office?" If the voter answers this question in the affirmative, the election inspector shall inform the voter that he or she cannot vote in person at the polling place pursuant to Wis. Stat. §6.86(6). If the voter answers this question in the negative, the election inspector shall permit the voter to vote in person at the polling place.

Please note: A voter who did not receive a replacement ballot by mail or who chose not to return a replacement ballot for a spoiled or damaged ballot is able to vote in person at the polling place. The absentee ballot log (GAB 124) should indicate the first ballot was cancelled and a second ballot was issued.

General Election Day Procedures for Municipal Board of Absentee Ballot Canvassers

The municipal board of absentee ballot canvassers shall publicly convene between 7 a.m. and 10 p.m. on Election Day to count the absentee ballots for the municipality. The municipal clerk shall give at least a 48-hour notice of the meeting of the municipal board of absentee ballot canvassers.

Any member of the public has the right to observe the proceedings of the municipal board of absentee ballot canvassers just as they do at the polling place.

Election inspectors may be appointed to assist the municipal board of absentee ballot canvassers with counting the absentee ballots for the municipality. If appointed, there must be

an odd number of inspectors, and there must be at least three inspectors present at all times while absentee ballots are counted.

Prior to the polls opening at 7 a.m. on Election Day, the municipal clerk shall identify and announce an Internet website at which an absentee informational statement shall later be posted. No later than 8 p.m. on Election Day, the municipal clerk shall post an absentee informational statement in the clerk's office and on the Internet website as identified by the clerk. The statement shall list the number of absentee ballots that have been issued and the number of absentee ballots that have been returned by the close of the polls on Election Day. The statement shall not include the name or address of absentee voters.

Reconciliation of Poll Lists (or Absentee Log)

After any canvass of the absentee ballots is completed under §7.52, Wis. Stats., the board of canvassers shall reconcile the poll list of the electors who vote by absentee ballot (or absentee log) with the corresponding poll list of the electors who vote in person to ensure that no elector is allowed to cast more than one ballot. §§7.53(1) and (2)(d), Wis. Stats. The purpose of marking the poll list number of each elector on the back of the elector's ballot before depositing it in the ballot box or voting equipment is to provide for easy identification and later rejection of the absentee ballot after the reconciliation of the poll list of the electors who vote by absentee ballot (or absentee log) with the corresponding poll list of the electors who vote in person, pursuant to §§6.86(6) and 7.53(1) and (2)(d), Wis. Stats.

If an elector who votes in person has also submitted an absentee ballot, the absentee ballot is void and only the in person vote shall be counted. §7.53(2)(d), Wis. Stats. The reconciliation will identify electors who mail or personally deliver an absentee ballot to the municipal clerk and also vote in person at the same election on Election Day, which is contrary to §6.86(6), Wis. Stats. The board of canvassers shall prepare a list of electors for which an absentee ballot was voided because the elector voted in person on Election Day. The board of canvassers shall provide this list to the municipal clerk. Immediately following the election, the municipal clerk shall provide this list to the district attorney for review of whether any electors violated §12.13(1)(e), Wis. Stats.

Voter Lists

The municipal board of absentee ballot canvassers shall use two duplicate SVRS-generated copies of a single poll list for the entire municipality, or the SVRS-generated absentee ballot log for the entire municipality. The list shall be annotated with voter numbers beginning with the number 1, along with an indication the voter cast an absentee ballot. If the voter's name does not appear on the poll list, the name and voter number shall be recorded on the supplemental poll list.

Procedures for Processing Absentee Ballots

No earlier than 7:00 a.m. on Election Day, the municipal board of absentee ballot canvassers shall open the carrier envelope or container in which the absentee ballots were delivered to the central count absentee ballot site so that a member of the public may observe the opening.

The municipal clerk shall group absentee ballots with incomplete or no certificates. The municipal board of absentee canvassers shall not process absentee ballots with incomplete or no certificates until 8 p.m. on Election Day. Electors shall have the opportunity to correct an insufficiency on their certificate envelope at the central count location until 8 p.m. on Election Day. The elector shall bring the original witness to the central count location to correct an insufficiency on their certificate envelope. The municipal board of absentee canvassers shall provide a replacement certificate envelope to the elector, as necessary. After 8 p.m. on Election Day absentee ballots with incomplete or no certificates shall be processed as outlined below.

As each ballot is processed, the municipal board of absentee ballot canvassers shall announce the name of the absentee voter so that any member of the public present may hear the voter's name. The municipal board of absentee ballot canvassers shall carefully examine the certificate to determine if it is signed and witnessed and the elector is a registered voter in the reporting unit for which the absentee ballot is being processed.

The municipal board of absentee ballot canvassers shall compare the certificate envelope to the list of ineligible voters provided by the Department of Corrections. If the absentee voter's name appears on the list, the municipal board of absentee ballot canvassers shall challenge the absentee ballot.

The municipal board of absentee ballot canvassers shall carefully open the certificate envelope, remove the ballot from the certificate envelope and verify that the ballot has been initialed by the municipal clerk or a deputy clerk. NOTE: If the ballot does not contain the initials of either the municipal clerk or a deputy clerk, the omission is noted on the Inspectors' Statement (Form GAB-104), and the ballot is processed. An absentee ballot is not rejected solely because the initials of the clerk or deputy clerk are missing.

The municipal board of absentee ballot canvassers shall mark the voter number on the back of the ballot and on the poll list, or SVRS-generated absentee ballot log, along with the indication the voter cast an absentee ballot.

If the poll list indicates the voter was required to provide proof of residence as a first-time voter, the municipal board of absentee ballot canvassers shall record the type of document provided on the poll list. If no proof of residence was provided, the municipal board of absentee ballot canvassers shall treat the absentee ballot as a provisional ballot.

The municipal board of absentee ballot canvassers may not count the absentee ballot and shall mark the ballot as "Rejected" if:

- The voter is not a registered elector of the reporting unit;
- The absentee certificate envelope was open or had been opened and resealed;
- The absentee certificate envelope contains more than one ballot of any one kind;
- The certificate of a military or overseas elector who received an absentee ballot by Fax or e-mail is missing;
- Proof is submitted that the elector has died.

The municipal board of absentee ballot canvassers may not count the ballot and shall mark the ballot as "Rejected" **after 8 p.m. on Election Day** if:

- The certification is insufficient (not signed or witnessed) or missing.

The reason for rejection shall be recorded on the certificate envelope and on the Inspectors' Statement (Form GAB-104) by the municipal board of absentee ballot canvassers. The rejected absentee ballots shall be placed in the brown envelope for rejected absentee ballots (Form GAB-102).

After recording the voter number for a properly cast absentee ballot, the municipal board of absentee ballot canvassers shall deposit the absentee ballot in the ballot box or vote tabulating device. The used certificate envelopes shall be placed in the white envelope for used certificate envelopes (Form GAB-103).

Follow the Same General Procedures to Process Absentee Ballots as Used at the Polling Place

The municipal board of absentee ballot canvassers shall follow the same general procedures, and use the same forms as are used at the polling place when processing, counting and securing absentee ballots. Duplicate original tally sheets and a single Inspectors' Statement (Form GAB-104) must be maintained for each reporting unit. Rejected absentee ballots and used certificate envelopes are not required to be maintained by reporting unit. Rejected absentee ballots may be placed in a single Rejected Absentee Ballot envelope or container. Used certificate envelopes may be placed in a single Used Certificate envelope or container.

Challenging Absentee Ballots

An absentee ballot may be challenged in the same manner as it would be challenged at the polling place. Any qualified elector of Wisconsin may challenge an absentee ballot.

The municipal board of absentee ballot canvassers shall challenge an absentee ballot cast by an elector whose name appears on the ineligible voter list. The municipal board of absentee ballot canvassers shall follow the challenge procedures set out in the Election Day Manual and GAB Chapter 9, Wis. Admin. Code using the GAB 104-C to document the challenge.

An election inspector shall challenge an absentee ballot cast by an elector to whom the municipal clerk issued a replacement absentee ballot as a result of a spoiled or damaged original ballot, when the municipal clerk or clerk staff did not believe the voter was the person to whom the original ballot was issued. The municipal clerk or clerk staff shall attach a note to the absentee ballot certificate indicating the basis for the belief that the voter requesting the replacement ballot was not the person who requested the original ballot. The election inspectors may rely on the municipal clerk's note to challenge an absentee ballot and shall follow the challenge procedures set out in the Election Day Manual and GAB Chapter 9, Wis. Admin. Code. The election inspectors shall use the GAB 104-C to document the challenge and specifically enter information documenting the municipal clerk's evidence/belief as the basis for the challenge.

Completing and Delivering Forms

The municipal board of absentee ballot canvassers shall carefully record the votes for each reporting unit on duplicate original tally sheets, which are signed by the board of absentee ballot canvassers and anyone who assisted in the counting. Municipalities utilizing an optical scan voting system shall use two machine printouts as tally sheets. However, write-in votes must be recorded on duplicate original tally sheets (Form GAB-105). The ballots and materials shall be delivered to the municipal clerk following processing and counting of the absentee ballots, and after completing, recording and securing the required forms.

Miscellaneous Issues

Automatic tabulating devices must be properly set up, programmed and tested before Election Day to count absentee ballots by reporting unit for the entire municipality.

Detailed training, including checklists and instructions shall be provided to the municipal board of absentee ballot canvassers by the municipal clerk.

Questions and Comments

If clerks have questions on the utilization of a municipal board of absentee ballot canvassers to count absentee ballots contact the Elections Division staff. We also encourage you to identify issues and detail procedures so that the central count absentee ballot process can be improved and shared with all clerks.

APPROVAL <i>Slw</i>	REQUEST FOR COUNCIL ACTION	MEETING DATE 1/5/16
LICENSES AND PERMITS	MISCELLANEOUS LICENSES	ITEM NUMBER H.1.

See attached list from meeting of January 5, 2016.

COUNCIL ACTION REQUESTED



City of Franklin

9229 W. Loomis Road
Franklin, WI 53132-9728

414-425-7500

License Committee

Agenda*

Aldermen's Room

January 5, 2016 – 5:40 pm

1.	Call to Order & Roll Call	Time:		
2.	Applicant Interviews & Decisions			
License Applications Reviewed		Recommendations		
Type/ Time	Applicant Information	Approve	Hold	Deny
Operator – New 2015-16 5:45 p.m.	Jeffrey J Raymond 3600 S 94 th St Milwaukee, WI 53228 Country Lanes			
Operator – New 2015-16	Joshua T Harju 5401 S Tuckaway Cir, #4 Greenfield, WI 53221 Chili's Bar & Grill			
Amusement Device Operator 2015-16	Stryker Rich Amusements 5333 Hainers Way Oconto, WI 54153 Don Aric Patenaude, Owner			
Operator – New 2015-16	David F Goehring 8017 S 57 th St Franklin, WI 53132 Knights of Columbus			
Operator – New 2015-16	Lynnette L Jovonovich 2084 E Lilly St., #8 East Troy, WI 53120 Swiss Street Pub & Grill			
Operator – New 2015-16	Cody D Macko 10205 W Coldspring Rd, Apt K204 Greenfield, WI 53228 Walgreen – S. 76 th St			
Operator – New 2015-16	Ashleigh A Wegner 6730 W English Meadows Dr., Apt K204 Greenfield, WI 53220 Irish Cottage			
People Uniting for the Betterment of Life and Investment in the Community (PUBLIC) Grant	Knights of Columbus – Craft Fair & Dinner Ball Fee Waivers: Entertainment & Amusement, Temporary Class B Beer & Wine, Extraordinary Event Date of Events: 1/30/16 & 9/4/16 Location: St Martin of Tours, 7963 S 116 th St and Sacred Heart School of Theology, 8333 S Lovers Lane Rd			
Temporary Entertainment & Amusement	Knights of Columbus – 7th Annual Snow Ball Person in Charge: Tom Kuehn Location: St. Martins of Tours Parish, 7963 S. 116 th St Date of Event: 1/30/16 Fees: Public Grant			
Temporary Class B Beer & Wine	Knights of Columbus – 7th Annual Snow Ball Person in Charge: Tom Kuehn Location: 7963 S 116 th St Date of the Event: 1/30/16 Fees: Public Grant			

Type/ Time	Applicant Information	Approve	Hold	Deny
Temporary Class B Beer & Wine	St. Martin of Tours Parish School – Spaghetti Dinner Person in Charge: Jeanne Johnson Location: 7933 S 116 th St Date of the Event: 1/09/2016 Fees: \$10.00			
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.

APPROVAL 	REQUEST FOR COUNCIL ACTION	MEETING DATE 1/05/16
Bills	Vouchers and Payroll Approval	ITEM NUMBER I. 1

Attached are vouchers dated December 11, 2015 through January 4, 2016 Nos. 159018 through Nos. 159279 in the amount of \$ 1,592,192.05. Included in this listing are EFT's Nos. 3039 through Nos. 3057 and Library vouchers totaling \$ 39,772.37 Voided checks in the amount of \$ (141.20) are separately listed.

Early release disbursements under Resolution 2013-6920 in the amount of \$ 841,059.69 are provided on a separate listing and are also included on the complete disbursement listing.

The net payroll dated December 24, 2015 is \$ 371,848.49, previously estimated at \$ 375,000.00. Payroll deductions for December 24, 2015 are \$ 389,960.68 previously estimated at \$ 400,000.00.

The estimated payroll for January 8, 2016 is \$ 380,000.00 with estimated deductions of \$ 212,000.00.

Attached is a list of property tax disbursements and refunds Nos. 14888 through 15218 with EFT Nos. 75 dated December 14, 2015 through December 29, 2015 in the amount of \$ 43,017.58. These disbursements and refunds have been released as authorized under Resolution 2013-6920. Voided Property Tax checks in the amount of \$ (143.80) are separately listed.

COUNCIL ACTION REQUESTED

Motion approving net general checking account City vouchers in the range of Nos. 159018 through Nos. 159279 in the amount of \$ 1,592,192.05 dated December 11, 2015 through January 4, 2016.

Motion approving the net payroll dated December 24, 2015 in the amount of \$ 371,848.49 and payments of the various payroll deductions in the amount of \$ 389,960.68 plus any City matching payments, where required.

Motion approving the net payroll dated January 8, 2016 estimated at \$ 380,000.00 and payments of the various payroll deductions estimated at \$ 212,000.00, plus any City matching payments, where required.

Motion approving property tax disbursements and refunds in the range of Nos. 14888 through Nos. 15218 in amount of \$ 43,017.58 dated December 11, 2015 through December 29, 2015.