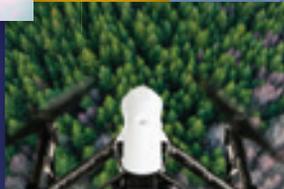
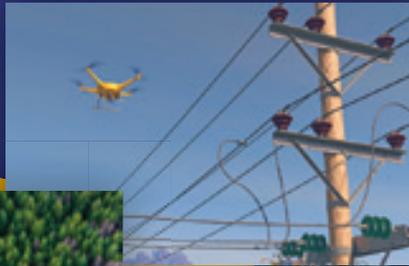




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November | 2019

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## On the Cover

According to Merriam-Webster, the Definition of *Inclusive* is: including everyone

*especially*: allowing and accommodating people who have historically been excluded (as because of their race, gender, sexuality, or ability)

Synonyms for *Inclusive*:

all-embracing, all-in [chiefly British], all-inclusive, broad-gauge (or broad-gauged), compendious, complete, comprehensive, cover-all, cyclopedic, embrative, encyclopedic, exhaustive, full, global, in-depth, omnibus, panoramic, thorough, universal

The first known use of the word inclusive was in 1929.





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# Awkward

Jerry Deschane, Executive Director, League of Wisconsin Municipalities



Yup. Some conversations are just awkward. Or we *think* they're going to be awkward, so we don't have them, label them or discredit them in some way, or (and this is my personal favorite) we procrastinate, putting that difficult conversation off to another day. Conversations about inclusion can be like that. Awkward.

But, for the sake of our communities and for the sake of our futures, we need to (as my daughter likes to say to me about my diet) "Suck it up, Buttercup." Many of Wisconsin's cities and villages are losing population, and the remaining population is aging, with a shrinking work force. On the other side of the coin are communities that are growing and thriving. The places that will thrive in the 21st Century are the ones that have the "awkward moment," embrace inclusion, and then get on with life, because they recognize that's what our children expect. The next generation will expect to live in communities that are welcoming, original, and diverse. When it comes to the future of Wisconsin cities and villages, success rhymes with welcome.

So don't sweat the awkward conversation. We'll help you through it. This month's issue of *The Municipality* is filled with great thoughts, ideas, and examples from some of Wisconsin's best municipal voices on the topic of inclusion. It's a diverse bunch of writers, who look at the issue from rural and urban perspectives, conservative looks, progressive ones, and more. Diversity and inclusion have many definitions. Some of those fit what's happening in your community, some do not. But no matter what your community looks like or sounds like, you will find good ideas and good conversation-starters.

Our amazing technical writers help out too, with thoughts of how to bring the many public voices into municipal policymaking (without creating chaos). Our HR expert has important information on diversity, inclusion, and equal employment opportunity. Democracy, after all, is nothing more than people with different points of view (gasp! Diversity!) getting together to do the stuff that needs to be done. The League's job is to give you the tools to do that.

Awkward? Maybe. Essential? Definitely.

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# Diversity and Inclusion: Let's Have the Conversation

Eric Giordano, Ph.D., Executive Director,  
Wisconsin Institute for Public Policy and Service, University of Wisconsin System

What does it mean to be an inclusive community that is welcoming to diverse residents? Will we know it when we see it? What would make our community a more attractive place to live and work for people who live outside of our community or state? These are just a few of the questions we will be addressing at the second annual Toward One Wisconsin: A Conference on Building Communities of Equity and Opportunity, April 28-29, 2020, at the Radisson Hotel and Conference Center in Green Bay (visit [inclusivity-wi.org](http://inclusivity-wi.org)).

Last year, the League of Wisconsin Municipalities graciously granted conference organizers time and space to ask these and other crucial questions to municipal leaders across Wisconsin at a series of regional gatherings. What we heard was more encouraging than we imagined but also highlighted significant challenges. While community leaders were largely cognizant of the importance of creating an environment that is inclusive and welcoming to residents of all backgrounds, creeds, and abilities, they asked some tough questions that were not readily answered:

1. How do we create a climate of inclusiveness in rural communities where there is a conspicuous absence of certain kinds of diversity (for example, people of certain ethnic heritages)?
2. Similarly, particularly in smaller communities, how do we make elected bodies, boardrooms, and community organizations more diverse while avoiding the trap of tokenism?
3. In urban settings with vibrant minority communities, how do we encourage bridging social capital that transcends segregated relationships and attitudes?
4. How do we overcome a certain “old guard” mentality that is resistant to new ideas and change?
5. On the flipside, how do we attract and keep young people in our communities who tend to be more inclusive-minded?

Precisely because these questions are paramount to the well-being of our communities, workplaces, and families, we are intentionally creating a space and platform at the Toward One Wisconsin conference for meaningful dialogue and exchange of ideas, including sharing innovative practices that are responding to these challenges in concrete ways. While contemplating these questions, I would like to offer a few thoughts on how we can challenge our thinking in constructive ways, prepare ourselves to have difficult bridging conversations, and to uncover and recognize shared pathways – and even unexpected alliances – toward solutions-oriented change.

First, let's honestly ask ourselves: Why does having an inclusive and welcoming community matter? Besides resonating intuitively as a social good, it fits neatly into the casserole of oft-cited Midwestern values among which are a sense of attachment to place, pragmatism, frugality, and neighborliness, among others. But this begs the question of whether or not we can empirically show that perceptions of being “welcoming” correlate to better outcomes in terms of economic prosperity, workforce attraction, and attachment to community, among other values we might consider pragmatically important. The empirical data is limited, but what we do know seems to confirm our intuition.

In 2010 the Knight Foundation teamed up with Gallup on a three-year study of 26 communities (Soul of the Community study) to examine the factors that cause feelings of attachment of residents to their communities and the effect of that attachment on economic growth and community vibrancy. The findings showed a significant correlation between community attachment and economic growth. Interestingly, though conducted on the heels of the “Great Recession,” the study also found that national economic troubles had virtually no impact on how local residents felt about their communities. Here is the kicker: Of the 11 domains studied that drive feelings of community attachment (ranging from community infrastructure and public safety to education and the local economy), the three domains with the highest correlation to community satisfaction in all 26 communities studied were

1) social offerings, 2) community aesthetics, and 3) the degree to which communities were open and welcoming to all residents. The findings are not rigorously conclusive, but they serve as a directional indicator and a hypothesis for discussion, namely, that people are attracted to vibrant communities which are defined in part by perceptions that communities are open, welcoming, and attuned to social dimensions of what it means to be an inclusive community.

But what does an inclusive community look like on the ground? How will we know it when we see it? And, if we believe attracting others to our community matters, how will *others* know it when they see it? As a starting point, consider the myriad diversity toolkits that are available online. Some are better than others, but there are some valuable nuggets and tools available – much of it free and open source – which are designed to assess, measure, and find more effective approaches to addressing issues of diversity and inclusion in our organizations and communities. I would begin with the International City/County Manager Association (ICMA) *Diversity and Inclusion Toolkit*.<sup>1</sup> Most toolkits, like this one, begin with a set of reflective questions, sometimes labeled as assessments or audits. Beginning with a set of questions is critical to setting up a clear and transparent process to name, frame, and discuss issues of inclusion from both an internal (organizational) and external (policymaking) perspective.

Ultimately, to develop a culture of inclusivity around both internal and external policy development requires a significant and intentional commitment. It can be daunting to embark on this journey and organizational leaders need to have their eyes wide open to effectively cultivate the necessary conditions for success, which begin with inclusive-minded leaders/champions bolstered by the establishment of a robust inclusive inquiry process. This process must involve effective criteria for assessment, standard operational procedures and mechanisms to address identified needs, adequate resources to implement decisions, and appropriate measurements and benchmarks to ensure accountability. Unfortunately, we cannot cover all of these crucial elements in one brief article.

However, the first step – and arguably the step that requires the most courage and vision – is to begin with a conversation. Ashley (TRIM) Laboisier, Executive Director of the Davenport Institute for Public Engagement and Civic Leadership at Pepperdine University, sums it up this way, “Sometimes inclusiveness has less to do with the policy a local

government implements than it does with the conversation it convenes and the people it invites to the table.”<sup>2</sup>

Recently, in the community where I live, there was an attempt to offer a resolution to formally recognize “Pride Month.” With very little prompting, the issue was quickly hijacked and transformed into a political touchstone for elected officials. Unfortunately, a narrative emerged that falsely pitted an urban “liberal/socialist identity politics” agenda against a rural “reactionary and out-of-touch conservative” agenda. This framing forced people to take sides in a high stakes political vote-counting exercise. Lost in the public debate were the underlying values and concerns of many constituents. Even “moderate” voices became soured and skeptical, arguing that one side or the other was not acting in good faith. Ultimately, a revised resolution narrowly passed in favor of a Pride Month recognition that was broad in scope, meaning it recognized more than just the LGBTQ+ populations and included a broader set of diverse populations.

One could make the argument that democracy worked. A compromise was reached, a resolution was passed and no one came to physical blows. However, there were unintended consequences. First, even the “compromise” resolution passed by a remarkably close vote, indicating a deep and abiding split. Second, there is no sense that the community came together productively to reach the compromise. If anything, the entrenchment and mistrust has grown deeper and there has been scant effort at reconciliation. In fact, it appears that both sides are saving up their powder for the next fight. There was a brief attempt after the fact to have people on both “sides” sit down for some dialogue, but many felt the issue was too “politically hot” for them to participate and the conversation was scuttled.

If government officials had approached the problem with a conversation . . .

If a diversity/inclusion assessment tool had been introduced early in the process . . .

If we could have led with well-moderated and reflective dialogue among community stakeholders . . .

. . . might the outcome have been different? It is hard to say. There are without doubt strong and divergent viewpoints on LGBTQ+ issues. But I would argue that the political mistrust and rancor was neither automatic nor predestined.

1. See <https://icma.org/documents/icma-equity-and-inclusion-toolkit>, accessed October 1, 2019.

2. Ashley (TRIM) Davenport, “Empowering Needles in the Haystack,” *Public Management* (September 2019), 54-55.

If there is a takeaway from this experience, it is the need to foster conversations about what we mean by diversity and inclusion and to have an honest discussion about the opportunities and challenges inherent in these concepts. It is remarkably common, for example, to fall into the trap of thinking that diversity is limited to a few demographic categories. Perhaps it would be healthy to begin a conversation by acknowledging that we ALL have implicit biases, including those of us who self-identify as diverse.

As an example, we recognize that the inaugural Toward One Wisconsin conference (April 2019) did not adequately prepare for or address issues of disability in terms of the conference infrastructure or content. These issues were not completely ignored, but afterwards in a post-conference reflection process, planners recognized that they could have done a better job. 2020 conference planners are attempting to correct that, but only because they took the time to engage in meaningful conversations that allowed for constructive feedback. I expose this shortcoming to emphasize that we are only hurting ourselves if we fail to engage in honest conversations, no matter how attuned we think we are to issues of diversity in our personal and professional lives.

Similarly, we have received feedback from some who are surprised that there are self-identified conservatives who are both advocates for and leaders in organizing the 2020 Toward One Wisconsin conference. We have been asked: "Why are conservatives suddenly interested in diversity? We have been advocating this for years and now they are suddenly on board?" We embrace the opportunity to remind everyone

that if we are going to advocate for inclusion, diversity, equity, and accessibility, we have to model and reflect those principles in every way. To reference an infamous metaphor from Dr. Martin Luther King, Jr., "The nation is sick. Trouble is in the land. Confusion all around." As my good friend and social justice advocate, Chris Norfleet, constantly reminds me, if the nation is sick – if our communities are suffering from the ill effects of bias, discrimination, inequity, and lack of access to opportunity – then we are ALL sick and suffering. We all need a cure. We must all be part of the cure.

I invite you to join us on April 28-29 in Green Bay for the 2020 Toward One Wisconsin conference. Bring your curiosity, bring your passion, bring your ideas – and start (or continue) the conversation.

### About the Author:

Eric Giordano is the Executive Director of the Wisconsin Institute for Public Policy and Service (WIPPS) and an Associate Professor of Political Science at UW-Stevens Point. Founded in 2007, WIPPS is a unit of the University of Wisconsin System with a mission to address local, state, and national issues by linking public research and scholarship, civic outreach, and student service to enhance community life throughout Wisconsin. WIPPS Research Partners carries out independent quantitative and qualitative research and designs and facilitates conflict management processes for governments, businesses, and communities. Contact Eric at [egiordano@uwsa.edu](mailto:egiordano@uwsa.edu)



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# Diversity & Inclusion and the Dignity & Respect Campaign

Karen Nelson, Diversity & Inclusion Coordinator, City of Appleton



## HAPPY NATIONAL NATIVE AMERICAN HERITAGE MONTH!

November celebrates the history and contributions of Native Americans. Estimates of the population of the Western Hemisphere prior to the arrival of Europeans range from 8 million to more than 100 million. Cultures were as varied as the stationary Mayas in the Yucatan and the nomadic Plains Indians in North America. In 1990 President George H. W. Bush approved a joint resolution designating November 1990 "National American Indian Heritage Month." Similar proclamations, under variants on the name (including "Native American Heritage Month" and "National American Indian and Alaska Native Heritage Month") have been issued each year since 1994.



So, how did Appleton become so focused on diversity and inclusion? You may be surprised to learn that my position was created 22 years ago, but won't be

surprised that it has evolved over time.

Years ago, during the Vietnam War, many Hmong soldiers and families helped the United States stop the flow of supplies from North Vietnam to Laos. As a result, the U.S. started accepting Hmong refugees in 1975 and many settled here in Wisconsin, including in Appleton. In 1992, the Appleton Police Department swore in its 1st Hmong Liaison Officer. In 1997 Police Chief Rick Myers, who was two years into his job, decided to take inclusion up a notch so he created the position of Inter-cultural Relations Coordinator. He brought the idea to the newly elected Mayor Tim Hanna, who said YES because Mayor Hanna believes in being proactive NOT reactive! The position was shared halftime with the Appleton Area School District. After only one year, both organizations quickly realized they each needed their own full-time person. In 2007 the position was moved directly into the mayor's office and the title was later changed to Diversity Coordinator. In 2016, two words were added to the title "and Inclusion." Hired in 2017, I am the lucky person #7 to have this position!

### Dignity & Respect Campaign

January 16, 2018, was the kick-off of the city of Appleton's Dignity & Respect Campaign. This initiative is led by myself in the mayor's office, in partnership with Lawrence University's Vice President of Diversity and Inclusion, Dr. Kimberly



Barrett. The goal of the initiative is to support community, organizations, youth programs, schools, and sports programs in making Appleton a better place for everyone to live with all of our differences.

We chose January 16, 2018 – the day after Dr. King's birthday holiday last year – as a call to action for the community to come together and rally around the issues of racism, bias, inequity, and injustice in our society. What a great way to live out the values of Dr. King beyond just his birthday holiday.

Initially, 113 people signed the pledge. After spending the entire year of 2018 building cultural awareness, we started 2019 with that figure at 2,200! Twelve free "Community Conversations" have been conducted that help people learn about other cultures. We are also guests on WHBY's *Fresh Take* on the third Friday of every month, updating listeners on what is happening with the campaign, along with diversity and inclusion in general.

► p.8

The engagement and the community's enthusiasm really warms my heart. Every single one of the workshops and community conversations has been wildly successful. Rooms have been filled to capacity. People are already inquiring about 2020 workshops and how they can support the effort.

Every day, Mayor Hanna and I, plus hundreds of others in our community, wear a pin that says, "I will do my part."

If everyone just does their part, then the city of Appleton will be a better place at accepting all of our differences. That is why the city took the campaign to the next level in 2019 with *Dignity & Respect 2.0 – A Deeper Dive: Truth & Reconciliation: enhancing trust, empathy and learning!* It started by promoting January 21 as the 1st Day of Service with the Appleton Area School District in conjunction with Martin Luther King Jr. Day. Students were out of school on that day for the first time in observance of the holiday. By "Day of Service" we mean, make it a day on, not a day off, so that people can proactively get out of their comfort zones and find something to do as service to others. During his life, Dr. King did his part in serving others so it was fitting to hold the Day of Service on that date.

### Government Alliance on Race Equity

2019 is also our Learning Year with Government Alliance on Race Equity (GARE), a national organization working to normalize conversations around race. Our work with GARE will lay the foundation for 2020 and beyond. The Core GARE Team includes the Appleton Area School District and Lawrence University. In 2020 we will focus on "Advancing Racial Equity." Conversations around race are difficult and can be uncomfortable for some, however, we are "all in" and committed to the task of working to achieve racial equity and advance opportunities for all.

#### About the Author:

Karen Nelson is the Diversity & Inclusion Coordinator for the city of Appleton, reporting to The Honorable Mayor Timothy Hanna. Over the course of her career, she has progressed from the corporate setting to outside consulting and back again. She was the first Corporate Diversity Manager for Shaw Industries, in Dalton, GA. Shaw is a \$6.5 billion flooring company with 30,000 associates worldwide. Before joining Shaw, Karen owned her own diversity consulting firm, NelStar Enterprises in Milwaukee, WI. Prior to that, she worked in a similar capacity as the first African-American female Cultural Diversity Manager for General Electric (GE) Medical Systems in Waukesha, WI, with 10,000 employees. Named one of Wisconsin's Top 35 Black Leaders in 2017 by



Madison 365, and awarded for her Community Leadership as Champion of the Dignity & Respect Campaign by ESTHER in 2018 and AASD in 2019, Karen is a member of Fox Valley-SHRM (Society of Human Resources Management), NAAHR (National Association of African-American Human Resources)-Milwaukee (2018 National Member of the Year), and is on the Midwest Regional Leadership Team of Delta Sigma Theta International Public Service Sorority, Inc. Karen holds a bachelor's degree in Chemistry from Bennett College in Greensboro, NC, and an Executive MBA from the Lubar School of Business Management at the University of Wisconsin in Milwaukee. Nelson and her husband Stanford have two adult children, Sable & Stanford II. Contact Karen at [karen.nelson@appleton.org](mailto:karen.nelson@appleton.org) or 920-832-1564.

"Economic development isn't about jobs - It's about people...Appleton began the work of acknowledging the differences that people who live here experience in education, employment, and housing based on their race 20 years ago, when population of color was less than 5 percent. We are now a community with a population of color that is approaching 20 percent. And we're growing - together." Appleton Mayor Tim Hanna

#### For more information, visit:

Dignity & Respect Campaign website  
[www.dignityandrespect.org/Appleton](http://www.dignityandrespect.org/Appleton)

The City of Appleton's Diversity & Inclusion Facebook page @AppletonDiversityandInclusion

The City of Appleton's website:  
<https://www.appleton.org/government/mayor-s-office/diversity-inclusion>

# What it Means to Be an Inclusive Leader



**Barb Dickmann, Village President,  
Village of Saukville**

Inclusivity in government is the best way to get full and complete representation of residents and businesses in any given community. It is also vital in the making of good decisions. When input comes from a diverse group of representatives, it is more broad-based and gives a more complete picture of the pulse of the community.

When I make committee appointments in Saukville, I attempt to draw from a wide range of interests and backgrounds ... thereby ensuring deliberations will represent wholeness. In our Village Board setting, I ask opinions from all of our elected representatives, as their backgrounds are varied, to make sure different aspects of any subject are well represented.

I strongly believe it is our responsibility, as elected officials, to make sure decisions made reflect the wishes of all of our constituents to the very best of our ability.



**Kathy Ehley, Mayor,  
City of Wauwatosa**

Inclusion is often discussed in terms of race and gender. Both are important considerations, but for a community there are many more perspectives that should be included and vital to represent the wholeness of the community. When I am looking for people to serve on commissions and boards or get involved in the community, I make the effort to identify and encourage people from all walks of life, age groups, gender, background, and geographic areas of our city. It can be a daunting task but networking and meeting people in person is very important. Wauwatosa was founded in the mid-1800s by pioneers from the East Coast. Today our residents include many people who have moved here from all over the world and have chosen Wauwatosa as their home. Just as our demographics have evolved so should our efforts for inclusion. As an elected official, I believe it is our responsibility to make the effort to meet our residents, actively listen, help people gain understanding,

and encourage people to get involved. This can be challenging but I make the comparison that building a great community is like putting together a jigsaw puzzle. The community is stronger if each individual piece is a part of the picture.



**Paul Esser, Mayor,  
City of Sun Prairie**

The US Census Bureau tells us that by 2050 the white population of the United States will become a minority. The same will be true for the state of Wisconsin and our municipalities. So diversity is a coming reality for our communities and we need to decide if we are going to embrace that diversity or resist it. To me, if we embrace the change and bring the people of diversity into the governing positions in our communities we will all be better off.

Encouraging this inclusion and diversity is my number one reason for wanting to be the mayor of Sun Prairie. As mayor, I am in a position to highlight these issues for the Sun Prairie community and push the Sun Prairie government to have a more diverse workforce. I talk all the time about our need to be aggressive in bringing diverse people into our municipal workforce and striving to get people of diversity on our municipal boards and commission and, certainly, to recruit people of diversity to run for elected positions.

I encourage you to join me in embracing the diversity that is coming our way. The work we do today to prepare our communities is going to provide big rewards for our communities in the future.



**Emily McFarland, Mayor,  
City of Watertown**

In a time that citizens are uncertain about their government, what role their government can play and should play in their lives, it is more important than ever to have a government in which citizens see themselves. For me, trust is one of the largest intangible benefits of inclusivity in local

government. Inclusivity isn't about one gender, one race, one religion, one age, etc. It's about all of them – excluding none. It's about having a room full of minds that examine an issue or consider a problem with their individual unique thoughts and experiences, and those diverse experiences culminating in the way of positive, forward moving, thought-provoking analysis and problem solving. The more people trust in their government, the more they participate, the more they participate, the more ideas we have and the better off our policy and problem solving is. In the time I've served I've attempted to ensure that “tables are balanced.” I look to ensure I have experienced voices and new ones, female voices and male voices, and so on at the proverbial “table.” It's inspiring to watch all of the diverse experiences and points of view brainstorm and coalesce around a decision.



**Wanda Montgomery,**  
Village President,  
Village of Brown Deer

Inclusion, for many, is a journey. It's a journey that if we haven't started, we should. It can be difficult when we live in an environment where it was once not necessary to be inclusive. Many of our cities, and especially small municipalities, were created around and with people who were like-minded and inclusion was not a consideration.

For a long time communities were governed by laws that were restrictive. People of color were not allowed to purchase homes or attend schools in many of our communities. As we grow and more people come into

our communities, we should be deliberate about inviting people from different backgrounds to the table.

As a newly elected official, I learned firsthand how difficult it is to inform people about opportunities and to get them engaged. I have been deliberate about being fair, inclusive, and equitable. It's not easy, but I know that if we are going to live by the slogan “Diversity is Our Strength,” then we must start with inclusion.



**Lori Palmeri, Mayor, City of Oshkosh**

It has been said that Diversity is a fact, *Inclusion* is an act. For a community to be equitable, we must not just acknowledge different viewpoints, but also *include* multiple perspectives in a welcoming way. This requires actively supporting (and valuing) people to bring their full selves to decision making about what takes place in the community with regard to public health, safety, and welfare. This sometimes requires holding accountable and calling out exclusion. This also requires us to step out of the “othered” place and make our voice heard.

Before making changes promoting inclusivity, understanding and benchmarking experiences is needed. It is not enough to recruit diversity if we do not retain multiple viewpoints through inclusive acts. We start by being aware of communication and actions that “other” or exclude people. Inclusion requires invitation and welcoming. Understanding our own blind spots begins with understanding that “other” experience and making a place at the table through genuine hospitality in the workplace and community, starting with our leaders. Ultimately, these actions bring about equity.

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**DID YOU KNOW?**



- ★ The State Demographic Services Center develops annual population estimates for each Wisconsin Municipality and County. Wisconsin's population estimate continued to grow in calendar year 2018, reaching a total population of 5,843,443 by January 1, 2019, which represents a change from the 2010 Census of 156,457 (+2.75%)
- ★ Nearly 67 percent of the state's 1,850 municipalities are estimated to have added population from April 1, 2010 to January 1, 2019. Of those which are estimated to have lost population, 400 have declined by two percent or less.

Source: [https://doa.wi.gov/DIR/Final\\_Ests\\_Summary\\_2019.pdf](https://doa.wi.gov/DIR/Final_Ests_Summary_2019.pdf)

- ★ The traditional working-age population - ages 18 through 64 - will rise modestly from 3,570,000 in 2010 to 3,603,000 in 2020, then begin a slow decline during the 2020s and 2030s to 3,575,000 in 2040, resulting in a 0.1 percent increase across time.
- ★ The elderly population - age 65 and over - will increase rapidly in every five-year interval, from 777,500 in 2010 to 1,535,500 in 2040, nearly doubling in 30 years.
- ★ Kenosha is projected to gain enough residents by 2020 to supplant Green Bay as the state's third largest city. In addition, Waukesha is predicted to surpass both Appleton and Racine to become the fifth largest city at 2030.
- ★ In aggregate, cities will contain the largest number and share of state residents at 2040 (3.5 million, 54 percent). Villages are predicted to experience a greater percentage growth than cities and towns over the 27-year period, of 22 percent, and will have approximately 1.1 million inhabitants at 2040. Towns are projected to have 1.9 million residents, an increase of 14 percent from 2013, but their share of the state's population will remain at 29 percent.

Source: [https://doa.wi.gov/DIR/FinalProjs2040\\_Publication.pdf](https://doa.wi.gov/DIR/FinalProjs2040_Publication.pdf)

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# Focusing on Inclusion Benefits for All City of Madison, Department of Civil Rights

City of Madison Department of Civil Rights



In 2014, the city of Madison formally adopted the Racial Equity & Social Justice Initiative (RESJI), in recognition of disparities in the city negatively impacting people of color and other vulnerable residents. The initiative was led by a group of volunteers who saw the need for culture change. Inequities were well documented, and something had to be done to infuse equity and inclusion in city employment and in the city as a community.

Later that year, the city started using a racial equity analysis tool, which is a comprehensive set of questions that help illuminate barriers and unintended impacts. Department teams use this tool to analyze policies, processes, and positions to make the city more inclusive and responsive to all residents.

Each city department has an Equity Team, led by volunteers in those departments. Teams can be large or small, depending on the size of the department and the projects they choose to work on. There are also action teams such as: the communication team, the community connection team, the data team, and the tools and training team.

## The Equity Analysis Tool in Action at Warner Park

When Terrence Thompson started with the city of Madison in October 2017, he hit the ground running. As Warner Park Facility Manager and team lead for the Parks Racial Equity Team, Terrence has been working to increase access and inclusion for those who live in the area near Warner Park on Madison's north side. He sees great value in advocating for change and helping to dismantle institutional racism.

Terrence and his team have used the racial equity analysis tool for many processes, specifically at Warner Park, historically regarded as a place for seniors. Terrence met with area

residents, and soon learned that the community needed a safe place for teens, who were under-served by the Center. It became clear that some policies were creating obstacles: for example fees to use the gym. They decided to remove the fees.

This one change produced measurable success. The Center saw an increase from an average of 350 (when fees were charged) to 750 (when no fees were charged) youth access scans per month. The Center also added a youth dance team, 3ON3 basketball tournament Series, Teen Nights, and daily open gyms. These changes have helped create a shift in culture for teens in some of the highest need neighborhoods in the city. Some now see the Center as a second home, and visit it daily.

## Metro Transit Wins With Equitable Hiring Practices

According to Ann Schroeder, a member of Metro Transit's Equity Team, Metro had been challenged for years with getting a diverse pool of candidates for entry level C Mechanic positions. Rarely more than a handful of people met the minimum qualifications in the past.

It soon became apparent that Metro was not the only city agency with this challenge. Representatives from the Water Utility and Fleet Services collaborated with Human Resources, members of Metro's Racial Equity Team, and others, and used the Equitable Hiring Tool to review position descriptions. Changes were made to the minimum requirements, and outreach was increased.

In contrast, a previous recruitment yielded fewer than five candidates. After the changes, 28 candidates were qualified for first round interviews; 14 people were invited for second interviews, including one woman and five people of color.

In the past, one of Metro’s Customer Service representative positions was designated bilingual, English-Spanish, in order to serve Metro’s Spanish-speaking customers better. Later, a Marketing Specialist position was also made bilingual, English-Spanish, to improve outreach to the Spanish-speaking community. After some ups and downs with that position, the decision was made to advertise the Marketing Specialist as a trainee. Hiring as a trainee can open recruitment up to a greater pool of people, benefiting both applicants and the agency. By advertising the position differently, Metro was able to promote an excellent candidate from within the agency.

Continuing to look at procedures in new and different ways and re-evaluating how they have been done in the past has definitely had a positive effect at Metro Transit.

**Culture Change**

Metro Transit and Madison Parks are among the many departments analyzing their processes with a lens of equity and inclusion. The intention is to review *every* policy and position.

While this is a big task, there is now a five-year track record and many lessons learned. A staff team is currently working on a new five-year plan for RESJI, laying out goals, noting what has been accomplished, and learning from the work done in other municipalities. Culture change *is* possible.

**About the Author:**

The City of Madison Department of Civil Rights advances the local economy and opportunities for all through civil rights education, access, and accountability. As “Strong and Compassionate Leaders for Justice,” our agency 1) removes barriers by creating inclusion and meaningful access to resources; 2) addresses discrimination by educating, investigating, and taking corrective action; and 3) promotes shared prosperity by leveraging resources equitably. Contact the city’s team at [dcr@cityofmadison.com](mailto:dcr@cityofmadison.com)

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# Inclusivity and Mental Health Care in Wisconsin

Laura Taylor, Communications Specialist, WEA Trust



In Wisconsin, there’s an alarming shortage of providers who deliver care for some of the

most important situations. According to the Kaiser Family Foundation, just 59 percent of the primary medical care and only 19.4 percent of the mental health care needs are met.<sup>1</sup> It would take more than 150 primary care doctors and 250 mental health practitioners in order to remove Wisconsin’s official provider shortage designation.<sup>2</sup> It’s no wonder that in our state, it’s difficult to find a primary care doctor with openings, and on average, you’ll wait up to 5 weeks to schedule an initial therapy appointment.<sup>3</sup>

In addition to the lack of doctors and specifically mental health practitioners, Wisconsin citizens often face multiple barriers when looking for a provider. For a public employee in Wisconsin, it can be difficult to take time off of work – especially during standard business hours – to be able to go to a doctor’s appointment or visit an urgent care center. Other times, when seeking mental health care, there may only be one mental health facility within a city or village and the fear or stigma that comes with having a mental health condition prevents the visit altogether. Finally, with the ever-increasing costs of health care services, the inability to afford a visit could likely be one of the biggest deterrents to care.

These barriers have created a health care environment that is anything but inclusive. It’s an environment that is difficult, expensive, and frustrating.

## A New Way to Better Serve Employees

To combat these issues within the health care system, public employers are looking for new ways to better serve their employees’ medical and mental health needs. As an example, the School District of Waupaca is pioneering a new model of health care services for their staff.

During the 2016-2017 school year, the School District of Waupaca staff missed 2,436 hours or roughly 325 days of work

for medical appointments for themselves or family members. The school district saw an area where they could not only help their employees – but directly benefit the district and students as well. Beginning in 2017, Waupaca schools partnered with its insurance carrier, WEA Trust, to create three virtual clinics across the district to provide employees easy access to urgent care and behavioral health services.

The virtual clinic model creates a space for employees to connect with a physician or therapist through a video-conference on a computer. Waupaca schools furnished three rooms, one in the elementary, middle, and high school, and equipped the rooms with a new computer and video camera. Through the district’s WEA Trust health plan, employees have access to free telehealth services, allowing them to login and video conference with a therapist or a physician who can treat, diagnose, and for some conditions, even prescribe.

“Using a virtual clinic model has greatly benefited our district,” said Carl Hayek, School District of Waupaca Director of Business Services. “From a financial perspective, it completely makes sense – the virtual clinics save our district money. But even more so, they help our employees access health care and ultimately lead our students to higher achievement.”

In addition to the virtual clinics, Waupaca School District hired two full-time substitute teachers to cover for staff when they need to be excused to have an appointment. In the first eight months since the virtual clinic rooms opened, Waupaca School District saved over \$200,000 on substitute costs alone due to a decrease in overall substitute needs.

A 2007 National Bureau of Economic Research study<sup>4</sup> found a direct link between higher substitute rates and lower student achievement, drawing the conclusion that Waupaca School District students may have a chance at higher achievement levels as a result of creating the virtual clinics. Teachers no longer have to take off a full day of work to have an appointment but can rather call for backup from the substitute, visit the virtual clinic room for their appointment, and quickly

1. Kaiser Family Foundation  
 2. Kaiser Family Foundation  
 3. WEA Trust Research Data  
 4. <https://www.nctq.org/nctq/research/1190910822841.pdf>

get back to work – all with the comfort and ease knowing that the visits are free.

Waupaca School District chose to implement its virtual clinic in place of building an onsite clinic, a physical setting at a workplace where employers contract physicians and offer medical services to employees – a popular yet expensive health care benefit. Other WEA Trust school district groups like Winneconne Community School District have followed suit and created a virtual clinic within their district buildings.

“As a smaller and local carrier, we are able to offer these types of unique solutions to our members,” said Chris Ceniti, the WEA Trust Account Manager for Waupaca and Winneconne Community School District. “I believe that it’s our job to do our best to meet the needs of our clients, and that means helping them save costs and providing better care to their employees.”

At the core of it, a virtual clinic model isn’t overly difficult, complicated or expensive – but the potential outcomes and benefits go far beyond cost savings. In these situations, a virtual clinic allows a teacher to see his therapist on a weekly

basis in order to be their best self for their students. It makes it easy for a guidance counselor to be treated and prescribed medication for a sinus infection. Having a virtual clinic creates an inclusive environment where people don’t have to face the access, stigma, or cost barriers that too many Americans face when accessing health care on a daily basis. As we look toward the future of health care, these solutions that promote accessibility and inclusivity need to be at the forefront of decisions made by health systems, insurance carriers, government, and citizens alike.

About the Author:

WEA Trust provides employers the combination of flexibility, cost, and value that many Wisconsin municipalities have difficulty finding in the health insurance market. Endorsed by the League of Wisconsin Municipalities, WEA Trust designs solutions to solve the unique problems public employers face. For more information, contact Laura at [LTaylor@neugenhealth.com](mailto:LTaylor@neugenhealth.com)

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# Rapids Mayor Leads League

Jerry Deschane, Executive Director, League of Wisconsin Municipalities

As a Wisconsin Rapids native, Zach Vruwink lived through the painful transition of a changing industrial economy. This central Wisconsin city had been a successful pulp and papermaking community for over a century, but in the early 2000s it faced dramatic headwinds as digital substitution reduced demand for the paper produced there. Thousands of jobs were lost, families moved to seek employment opportunities elsewhere, and a corporate headquarters was moved overseas as two area mills closed. General community attitudes about the future were bleak, at best. The general consensus of Vruwink's high school peers was to not just move away for college after high school, but to move and not return.

"But I didn't feel that way. I saw a lot of untapped potential, and I wanted to be a part of that regrowth. There were a number of residents and small business owners who came together under the "Community Progress Initiatives," and we focused on building our local economy back up by celebrating the community's history and highlighting the arts of the area. I jumped in and started my own business." Vruwink was 15 when he started a computer business in one of Wisconsin Rapids' many vacant downtown storefronts. Soon after, he enrolled in college at nearby University of Wisconsin-Stevens Point while he continued to grow the business, which by now had retail locations in Wrightstown, Iola, Plover, and Wisconsin Rapids. He became active in downtown revitalization efforts, business groups, and served on the boards of community organizations. He graduated in 2010 with a BA in Political Science, Public Administration and Policy Analysis.

Mayor Vruwink's public career began shortly after his college graduation. During the summer of 2011, the incumbent mayor announced her retirement from the position. The young entrepreneur had attracted attention, and he found community members asking if would consider running for mayor. "It was an honor," Zach reported, "But, I wondered if the city was ready for a 24-year-old mayor. To my surprise, as I went door to door, residents affirmed it was time for my ideas and energy to lead city government."

He was elected in 2012 in a four-way general election with 69 percent of the vote and has been re-elected ever since. His priorities, unchanged from his days as the creator of a new business, include investment in the city's "core" waterfront



district, infrastructure, and quality of life amenities that would attract and retain talent, a challenge for the city.

The mayor has moved the city to where its residents are – online and active on social media. City residents can now use a smartphone app to report neighborhood concerns and potholes. He has also recommended priority investments in Geographic Information Systems (GIS), which are being utilized by residents and city staff in the field.

Building on Wisconsin Rapids' untapped economic potential has continued to be a priority. Vruwink has worked to address the city's economic competitiveness at every turn; from addressing infrastructure needs to realizing its recreational potential through riverfront renewal, a new aquatic center and reinvesting in parks and the city zoo. [See September edition of *The Municipality*]

"Investments in 'place' play a critical role in attracting the talent that employers need alongside the basic infrastructure they come to expect." That focus on place caught the eye of Matalco, a Canadian aluminum manufacturer, which just broke ground on an \$80 million plant that will employ 80 people. And the opportunities continue.

Vruwink intends to bring that energy, vision, and optimism to his work as leader of the League, an organization that has helped him connect with his peers. "I can't imagine having been a new local leader without the League," he said. "The high-quality events put on by the League are not to be missed

by the most seasoned or the newbies. I enjoy telling the story of Wisconsin Rapids – its challenges and opportunities when meeting with our federal and state representatives. Without the League, some of these opportunities would be less or non-existent.”

Looking forward to 2020, the mayor says it will be a year of focus for the League. “Our advocacy efforts will be focused on local government finance. We want to use the upcoming 2020 campaign season to call attention to the fact that Wisconsin’s property-tax-only system of funding local government is a 19th Century relic. That relic is not suitable for the dynamic new economy of the 21st Century; a new economy that Mayor Vruwink is determined to bring to his home town. “I’m as passionate about the potential of Wisconsin Rapids and other Wisconsin cities and villages as I was at the beginning of my career. We just need the right tools to do the job, and to do that, we will rely on the League to make our case to the Legislature and governor.”

Another strategic direction of the 2020 League will be to promote inclusivity and diversity in all of its formats; age, gender, race, ethnicity, and sexual orientation. “Wisconsin has always been a diverse state, and we’re going to become more so in the next few years. Large cities and small villages that want to succeed will embrace that diversity and celebrate it as an economic strength.”

Vruwink recognizes that diversity brings challenges along with its opportunities, and he will work with other League leaders to ensure that the League continues to be a resource and a sounding board for both incumbent and new local officials. “Let’s face it, running for and participating in local office is not for the faint of heart,” he says. “The League’s Local Government 101 training, the annual conference, regional meetings, and online training will be even more important in the future. I am honored to have been elected to the position of League President for 2020, and I pledge to my fellow local leaders that I will listen, engage, and work with them. It’s going to be a great year.”



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From left to right: Attorneys Mary S. Gerbig, Lisa M. Bergersen and Saveon D. Grenell.

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- Saveon’s experience as an Assistant City Attorney for the City of Milwaukee and as attorney for Milwaukee Public Schools makes him another perfect addition to our team of experienced attorneys who provide legal services to schools, municipalities and corporations throughout the state.

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ADV 0019-1218

# Public Comment Q & A

Maria Davis, Assistant Legal Counsel and  
Claire Silverman, Legal Counsel, League of Wisconsin Municipalities



## Are governing bodies required to include a public comment period at meetings?

No. The public does not have a constitutional right to speak at governmental body meetings<sup>1</sup> and Wisconsin Statutes do not require governing bodies to designate public comment periods at meetings. Wisconsin Stat. § 19.84(2) provides that the public notice of a meeting of a governmental body *may* include a period of public comment.<sup>2</sup> While Wisconsin's open meetings law and other statutes require that meetings be accessible to the public,<sup>3</sup> they do not afford the public the right to address the governmental body. Although public comment periods are not required by law, many municipalities utilize public comment periods, finding they provide a valuable opportunity for constituents to offer feedback on matters in their community.

## Are governing body members able to speak/respond to citizens during public comment period?

Yes, although there is a limit to how far that discussion should go if the subject was not specifically included in the meeting notice. Wisconsin Stat. § 19.83(2) provides that a governmental body may discuss any matter raised by the public during a public comment period that was publicly noticed. However, if members of the public

raise subjects not specifically included in the meeting notice, the Wisconsin Department of Justice's Open Meetings Law Compliance Guide suggests, "it is advisable to limit the discussion of that subject and to defer any extensive deliberation to a later meeting for which more specific notice can be given." The compliance guide also states that a governmental body may not take formal action on a subject raised during public comment that was not also identified in the meeting's public notice.

## May governing body members speak as members of the public during a public comment period?

No, unless the subject matter the governing body member intends to speak on was included in the meeting's public notice. The limited exception in Wisconsin Stat. § 19.84(2), allowing members of the public to bring up items not specifically on the agenda during a period of noticed public comment, is intended to allow local governments to be responsive to their constituents and to receive information from members of the public. However, it was not intended to allow members of governmental bodies to bring up matters without placing them on the agenda and giving notice to the public. Given that members of governmental bodies have ready access to the body's agendas, a body member's use of the § 19.84(2) exception to discuss

unnoticed subject matter would likely be seen as an impermissible attempt to circumvent the open meetings law's notice requirements.

## Can governing bodies restrict the subject matter that may be discussed during a public comment period?

It depends on whether the governing body established the public comment period as a designated public forum or a limited public forum. Nothing in the Constitution requires government to freely grant access to all who wish to exercise a right to free speech on every type of government property without regard to the nature of the property or to disruption that might be caused by speakers' activities.<sup>4</sup> Government ability to regulate or restrict protected speech depends, in part, on where that speech is occurring. Government property can be classified into three basic types of forums: (1) Traditional public forum; (2) designated public forum; and (3) non-public forum. Examples of a traditional public forum include, but are not limited to, public streets, parks, sidewalks, etc. A designated public forum is a place that is not traditionally open for expressive activity, but that the government has opened for expressive activity.<sup>5</sup> Non-public forums are all other types of government property that have not been opened to expressive activity.

1. See *Minnesota State Bd. for Cmty. Colleges v. Knight*, 465 U.S. 271, 283 (1984). Note, however, that some statutes require public hearings for particular subject matters. In such instances, the public *does* have a right to be heard. Examples of statutes requiring public hearings are § 65.90(4) (hearing on proposed budget), § 62.23(7)(d)1.b. (prior to rezoning), and § 66.0703(8) (prior to special assessment).

2. "May" is typically construed as being permissive, rather than mandatory, in nature. *City of Wauwatosa v. Milwaukee Cty.*, 22 Wis. 2d 184, 191, 125 N.W.2d 386 (1963).

3. Wis. Stat. §§ 19.81(2), 19.82(3), 61.32, and 62.11(3)(c).

4. *Cornelius v. NAACP Legal Defense and Educational Fund, Inc.*, 473 U.S. 788 (1985).

5. *Int'l Soc'y for Krishna Consciousness, Inc. v. Lee*, 505 U.S. 672, 678 (1992).

A governing body has limited ability to regulate speech in traditional and designated public forums.<sup>6</sup> In either of these forums, a regulation based on the content of one's speech is subject to strict scrutiny, meaning the government must show that the regulation "is necessary to serve a compelling state interest and that it is narrowly drawn to achieve that end."<sup>7</sup> In other words, the regulation must be the least restrictive means of achieving the compelling governmental interest.<sup>8</sup> Regulations subject to a strict scrutiny analysis rarely survive. Governments may enforce reasonable time, place, and manner restrictions on speech in traditional and designated public forums provided they are content neutral, narrowly tailored to serve a significant government interest, and leave open ample alternative channels of communication.<sup>9</sup> Regulations of speech based on viewpoint are always prohibited.

Generally, a governmental body meeting is not considered a traditional public forum. A governing body that includes a public comment period in its meetings will typically have created either a designated public forum or limited public forum. In a designated public forum, content-based restrictions on speech are subject to the same strict scrutiny analysis that applies to traditional public forums;<sup>10</sup> thus, content-based restrictions of speech are unlikely to survive. A limited public forum is a type of designated public forum. In a limited public forum setting, governing bodies may restrict participating speakers to certain topics.<sup>11</sup> Those restrictions are then subject to intermediate judicial scrutiny and will survive so long as they are "reasonable in light of the purpose served by the forum" and do not restrict speech based on particular viewpoints within the permitted topics of conversation.<sup>12</sup> For example, a governing body could limit public comment discussions to agenda items, which might include discussion of whether to build a new public library, but it could not limit speakers to only those who were in favor of the project. Accordingly, a governing body's ability to place restrictions on what is discussed during public comment turns on how the body has created the forum. Merely specifying a time period during meetings for public comment, with nothing further, likely results in a designated public forum and content-based restrictions on speech will be unlikely to survive judicial scrutiny. On the other hand, when a governing body limits a public comment period from the outset – e.g., limiting discussion to certain topics – it will likely have created a limited public forum and content-based restrictions on speech

6. *Surita v. Hyde*, 665 F.3d 860, 870 (7th Cir. 2011).

7. *Perry Educ. Ass'n v. Perry Local Educators' Ass'n*, 460 U.S. 37, 45 (1983).

8. *McCullen v. Coakley*, 573 U.S. 464, 478 (2014).

9. *Surita v. Hyde*, 665 F.3d at 870.

10. *Pleasant Grove City v. Summum*, 555 U.S. 460, 469-70 (2009).

11. *See Good News Club v. Milford Central School*, 533 U.S. 98, 106 (2001).

12. *Good News Club v. Milford Central School*, 533 U.S. at 106-07 (2001).

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are permissible if reasonable in light of the forum's purpose.

### **Can governing bodies limit participation in public comment period to certain categories of speakers?**

Yes, but only if the governing body creates a limited public forum when it establishes the public comment period.<sup>13</sup> Additionally, the restrictions must still be reasonable in light of the forum's purpose and may not discriminate on the basis of viewpoint or protected class. For example, a governing body could choose to limit participation in public comment periods to residents and taxpayers. However, this may not be best practice, and other alternatives could achieve a more inclusive result. For instance, a governing body could choose to apply reasonable time, place, and manner restrictions to the public comment period that give priority to resident and taxpayer speakers. If the governing body has placed an overall time limitation on the public comment period – e.g., it shall last for no more than one hour – all speakers could then be prioritized within that timeframe.

### **Should governmental bodies allow the public to speak outside of public comment periods?**

Generally speaking, no. Although governmental bodies may disagree with this answer, allowing the public to interject outside of public comment periods raises significant legal issues and is probably not a best practice. Most concerning is that a governmental body that regularly allows the public to speak outside of public comment periods is arguably setting up its meetings as a designated public forum, which

will greatly curtail the body's ability to control its meetings. For example, if the governing body permits public commentary at some times but not others, or allows some persons to speak but not others, the governing body opens itself to claims that the differential treatment is content or viewpoint based or that the regulations are not reasonable or sufficiently defined.

### **What are some reasonable time, place, and manner restrictions?**

Reasonable time, place, and manner restrictions must be content neutral and are subject to intermediate scrutiny. Some examples of reasonable restrictions include limiting the amount of time per speaker, limiting the total amount of time devoted to public comment, requiring speakers to address the body from a podium or designated area, and requiring speakers to register before speaking.

### **What can governing bodies do if persons are disorderly?**

Governing bodies have power to preserve order at meetings and to punish by fine persons present for disorderly conduct.<sup>14</sup> To preserve order, governing bodies may also order disorderly persons removed. However, this should not be done lightly. Because any content-based regulation of speech in a designated public forum will be subject to strict judicial scrutiny, it is imperative that speakers not be viewed as disorderly simply because they are critical of the governing body or municipal employees; or are speaking in an angry voice. The same holds true in limited public forums, even though regulations of speech in a limited public forum are subject to intermediate scrutiny rather than strict scrutiny. As a general rule, the

focus should be on the person's conduct rather than what the person is saying.

In the context of a public meeting, conduct may be viewed as disorderly when it interferes with the running of the meeting itself. Examples of disorderly conduct include a speaker who refuses to conform with time limits set by the body and yield the floor once his or her allotted speaking time is over, or a person who repeatedly yells things out while sitting in the audience, or a speaker in a limited public forum who insists on speaking about a topic for which the forum has not been opened up.

Situations involving disorderly conduct during public comment periods are fraught with difficulty; the line between speech and conduct can be difficult to draw, and courts' after-the-fact analysis of such situations will be heavily fact dependent and evaluated on a case-by-case basis. Therefore, it is important that governing bodies tread carefully whenever a potential limitation of speech is involved.

### **Governing Bodies 410**

#### **About the Authors:**

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13. See *Good News Club v. Milford Central School*, 533 U.S. at 106 (2001).

14. Wis. Stat. §§ 61.32 and 62.11(3)(c).



applicants and ensure a bias-free hiring process. Expanding recruitment sources could include, for example, posting job announcements on sites that promote diversity in the workplace, such as Professional Diversity Network. College job fairs and career centers are also excellent sources to increase a diverse candidate pool.

3. **Workplace Culture:** Culture is the foundation upon which diversity, inclusion, and EEO flourish in the workplace. The U.S. Education Department’s Diversity and Inclusion Strategic Plan highlights this idea: “Cultivate a culture that encourages collaboration, flexibility, and fairness to enable individuals to contribute to their full potential and further retention.” Diverse and inclusive environments emphasize the importance of:

- unique perspectives, ideas, and experiences;
- innovation and creativity;
- equal opportunity;
- teamwork and collaboration; and
- promotion of healthy and respectful conflict.

One option to drive these concepts into the workplace culture is appointing a committee responsible for championing diversity and inclusion and whose members consist of employees from different departments and levels of the organization.

4. **Training:** Organizations should train employees, especially managers, to be mindful of their biases. Assessments exist to measure a person’s unconscious biases, and training can reduce or eliminate the influence of these biases. Training provides instruction on modeling inclusive behavior and

demonstrates how these concepts are important for making decisions and solving problems throughout the organization. This training can be part of broader respectful workplace training that encompasses anti-harassment, anti-discrimination, diversity, and cultural competence education.

Communities that embrace diversity, inclusion, and EEO in their workforce have a greater ability to fulfill their mission to serve what is often a diverse population. These organizations are more innovative, efficient, and solve problems faster with a more engaged workforce. Adopting a formal plan to achieve these things is worth the effort.

Next month, we will explore legally-required EEO obligations related specifically to recruiting and hiring as well as compliance resources.

**Employees 354**

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- Pamela

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## Parliamentary Procedure - Inclusivity

Daniel Foth, JD, Local Government Specialist, Local Government Center, UW-Madison, Division of Extension

Is inclusivity an integral part of your meetings? Do all governing body members have a chance to participate? Imagine if the chair (mayor or president) had total power to decide how a meeting is run, how debate is conducted, and who may participate. The result would be a governing body that operates without any rules or procedures, except what the chair or ruling majority determine.

Meeting rules (parliamentary procedure), such as Robert's Rules of Order, Newly Revised 11th Edition (RONR), were developed to facilitate decisions by the majority while providing opportunities to hear all views and provide an orderly way to disagree without being disagreeable. In short, parliamentary rules promote inclusivity and allow all governing body members to voice their views and participate. Parliamentary rules and RONR in particular are intended to facilitate rather than obstruct discussion, to ensure courtesy is afforded to all body members and to ensure each proposition can receive a full and free discussion. Issues are addressed one at a time, so that the governing body has a common understanding and is focused on substance. A basic tenet of inclusivity is fairness to all. RONR encourages this

by respecting the rights of all members, whether part of the majority or not.

Under RONR, inclusion is a shared responsibility between the chair and body members. The chair manages the meeting, by making meeting rule decisions and maintaining order. Members maintain decorum, may question the chair's parliamentary rulings, and may overrule the chair's meeting rule decision if they believe it is incorrect. The concept of inclusivity manifests itself in many ways, starting with motions. Generally, any member of the body may make a motion. It takes one additional person to second the motion to advance it for discussion. The emphasis on inclusivity is shown through the concept that two people can initiate discussion and action by the entire body. There is no need to show a majority prior to making the motion.

Furthering the RONR concept that everyone has an opportunity to be heard, the chair's responsibility is to make certain that discussion (RONR uses the term debate) is conducted fairly and all viewpoints are heard by allowing every governing body member the opportunity to speak and preventing one person or small group from dominating the discussion. To accomplish this, RONR tells the chair to limit the amount of time

each member may speak to an issue (no more than two times per motion up to 10 minutes each time). *RONR (11th ed.) pp 387-389*. Also, where possible, the chair should direct discussion that alternates between viewpoints and allow every member the opportunity to speak before a member speaks a second time.

RONR also encourages full discussion on every motion. The RONR view is that too much discussion is better than too little. To end discussion, either unanimous consent or a motion (with a second and a two-thirds majority vote) is required. Alternatively, a multifaceted matter can require significant consideration and input. Under RONR, the body, by a two-thirds majority vote, can suspend the rules to allow additional speaking time so that all members can fully discuss the issue. *RONR (11th ed.) pp 197-209*.

Recall that the chair is responsible for maintaining meeting decorum and discipline. This is accomplished by reminding members to address their comments to the chair, not each other; to make comments about the issue at hand, not last week's agenda (or other non-germane matters); to refrain from attacking a member's motives and debate issues not personalities *RONR (11th ed.) page 392, II. 5-10*.

Members are responsible for ensuring the chair conducts a “fair and appropriate” approach to maintaining meeting order and rules. If a member of the body believes the chair or another member of the body is not following the meeting rules, a member can make a Point of Order. *RONR (11th ed.) pp 247-251.* The Point of Order requires that the chair rule on the action. If the member disagrees with the chair, s/he may “appeal

the ruling of the chair,” which asks the body whether it agrees with the chair’s parliamentary ruling. If the body agrees by majority vote that the chair’s ruling was incorrect, the chair is overruled, the error is resolved, and discussion resumes. *RONR (11th ed.) pp. 247-55.* In future months, we will delve deeper into the chair and member responsibilities discussed above.

About the Author:

Daniel has worked with local, regional, state and federal government and nonprofit entities for his entire 40+ year career in the areas of infrastructure, operation, and governance.

Share your meeting rule/parliamentary procedure suggestions or questions by emailing Daniel at [daniel.foth@wisc.edu](mailto:daniel.foth@wisc.edu)

## Legal Captions

### Employees 354

HR Matters column article by Lisa Bergersen discussing what diversity, inclusion, and equal employment opportunity mean in the workplace, why they’re important, and how organizations can implement them.

### Governing Bodies 410

Legal comment answers questions regarding public comment periods at city council or village board meetings including the following: whether public comment period is required; ability of governing body members to respond to matters raised during public comment

period or speak as member of public during such a period; first amendment forum analysis for evaluating body’s ability to limit subject matter or persons who can speak during public comment period; examples of reasonable content-neutral time, place and manner regulations; and dealing with disorderly persons.

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Did you know? The published Legal FAQs are taken directly from the extensive library of resources on the League's website. Have a question? Try the search function on the website and get an answer. <http://www.lwm-info.org>

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## Financial Procedure FAQ2

### Is a majority vote of a quorum of the municipal governing body sufficient to adopt the annual municipal budget?

Yes, unless a local ordinance provides otherwise. No extraordinary vote is required to formally adopt the annual budget. However, after the budget has been adopted, a two-thirds vote of the entire membership of the governing body (not just those attending and voting) is necessary to affect any change in the budget (i.e., the amount of the tax to be levied or certified, the amounts of the various appropriations and the purposes for such appropriations stated in the budget). Wis. Stat. §§ 65.90(1), (5). (rev. 9/19)

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## Financial Procedure FAQ5

### Is there a deadline for adopting a municipal budget?

No. State law does not set forth a specific date by which a municipal budget must be enacted. In the past, the League advised that a municipal budget must be adopted by the end of the year because villages and cities operate on a calendar fiscal year. Wis. Stat. §§ 61.51(3) and 62.12(1).

For all practical purposes, however, the budget should be adopted by the end of November or, at the latest, the beginning of December. Otherwise, the municipality will be unable to comply with certain other deadlines relating to the property tax process. For example, village boards must determine the

village's tax levy by December 15. Wis. Stat. § 61.46.

Also, the municipal clerk must transfer the tax roll to the municipal treasurer by December 8 under § 74.03(1), unless the § 74.03(2) exception to this deadline applies. Additionally, the clerk must return the annual "Statement of Taxes," showing all taxes levied in the municipality, to the Department of Revenue on or before the 3rd Monday in December. Wis. Stat. § 69.61.

Moreover, many municipalities have their tax bills printed by the county or a private service provider. In such situations, the municipality will need to have its budget adopted in time to comply with the county's or private service provider's deadline for receiving the tax roll. Thus, practically speaking, the deadline for adopting a budget is dictated by other deadlines, both statutory and otherwise, designed to ensure that tax bills are sent to taxpayers with enough time so that they can pay their property tax bills before the end of the year. (rev. 9/19)

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## Open Meetings Law FAQ2

### Must a common council, village board, or other municipal governmental body allow a citizen to tape record or video tape an open session of the body?

Generally speaking, yes. The open meetings law requires a governmental body to make a reasonable effort to accommodate any person desiring to record, film, or photograph its proceedings in open session. Wis. Stat. § 19.90. However, § 19.90 also provides that recording, filming, or photographing a meeting in a manner that interferes with the conduct of the meeting or the rights of the participants is not permitted. Thus, if a person's recording or filming activities interferes with the conduct of a meeting or the rights of the participants, the governmental body may order that person to record or film in a non-disruptive manner, or, if that is not possible, to cease recording or filming. The governmental body maintains ultimate control over matters of public conduct and decorum during its meetings.

The accommodation required by § 19.90 does not apply to closed sessions. A governmental body may prohibit any of its members or any other person present from recording or filming a closed session. (rev. 9/19)

# DNR Surface Water Grant Deadlines Approaching



Are you interested in conservation work on Wisconsin lakes, rivers, or wetlands? Do you belong to a lake district, river management group, or lake association that is looking for project funding? The Wisconsin Department of Natural Resources provides more than \$6 million each year for projects that protect and restore surface waters. The deadline for planning projects is December 10, and the deadline for management projects is February 1, 2020.

“The surface water grant program can help you carry out projects that make lakes, wetlands, and rivers healthier. From low-cost projects aimed at the DIY landowner, to large-scale projects for shoreland restoration and aquatic invasive species control, there is likely a grant program out there that fits your needs,” said Alison Mikulyuk, DNR’s Lakes and Rivers Team Leader, who coordinates the grant effort. “The first step is to determine your eligibility and goals. Your local lakes, rivers, or AIS coordinator can help you take those important first steps.”

Department funds may be granted to lake and river associations, units of local government, school districts, and qualified nonprofits. If you are an individual, you should find a local organization willing to sponsor your project. After you establish your eligibility, the next step is to decide what grant program is right for you. Note that granted funds must be cost-shared, so local entities must contribute money or donate value to the project. The state typically covers 75 percent or 67 percent of project costs up to a maximum amount specified by subprogram.

## Which grant program should you choose?



### Best for first-time participants

If you or your organization has never received a grant before, Healthy Lakes is a great place to start. The program promotes five simple and inexpensive best practices, providing up to \$1,000 per practice installed. Landowners can ask their lake association or county conservationist to sponsor an application. The more landowners you can recruit to participate with you, the healthier your lake will be.



### Best for those who want a comprehensive plan for the future

If you need a strategic management plan to help guide your work, consider a lake management planning or river management planning grant. These funds can be used to develop or update a comprehensive management plan that will take a hard look at the waterbody to determine its condition and quality. Plans help to identify the cause of any problems and provide strategic direction to guide future management. The plan will also strive to understand the community and its goals, then it will suggest actions to accomplish them. Many consultants and planning commissions around the state offer planning services that may be paid for with grant dollars.



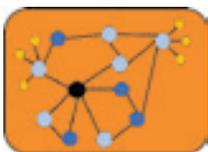
### For those who already have a comprehensive plan

If you have a management plan already in place, then it's time to put it into practice. This year we have a funding surplus for implementation projects on lakes and rivers – so competition is likely to be milder than usual. Whether you are working a lake management project or river management project, implementation funding is available, up to \$200,000 for projects that help lakes and \$50,000 for rivers. Contact your local biologist right away.



### Best for shoreline and wetland restoration

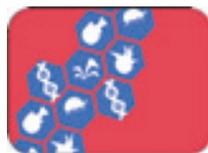
If you would like to take on a large shoreline or wetland restoration project, you may be eligible for a restoration grant. Up to \$100,000 is available per project to restore shoreline habitat, or the hydrology and vegetation in a wetland. No management plan is necessary, but projects must be conducted according to National Resource Conservation Service standards.



### Best for lake and river protection

The lakes, rivers, and wetlands of Wisconsin are beloved by Wisconsinites and our visitors, and protection can help ensure they stay healthy for all to enjoy.

The surface water grant program supports land acquisition and the placement of conservation easements for lakes and rivers that will protect land in perpetuity. If you have a lake that isn't developed, these programs can help set aside some of the shoreland to convey water quality benefits far into the future. If land acquisition isn't a possibility, you might want to consider seeking support to develop a local ordinance.



### Best for aquatic invasive species (AIS)

The department provides nearly \$4 million per year to support work on AIS. AIS grant programs include the Clean Boats, Clean Waters program, prevention and control. Where you start depends on the AIS population, prevention needs, and the availability of public access. Your local AIS coordinator can help you plan a project.



### Best for county governments

If you are a county government, why not start a lakes classification project? These grants support the classification of lakes by physical characteristics, use, and other factors, propose protection activities to carry out, and support the implementation of those activities. These grants are a foundation for large-scale planning and management that can help direct action far into the future.

### How to get started

If you start soon, you can easily make the December or February deadline. Contact your local grants coordinator for help developing a competitive grant application. For more information on the Lakes and Rivers Grant program, contact information for local grants coordinators, and application materials, visit <https://dnr.wi.gov/aid/surfacewater.html> or Google "Wisconsin DNR Surface Water Grants." Absolutely positive you want to dive right in? Our complete program guidance is available to download online.

Contacts: Alison Mikulyuk, DNR lakes and rivers team Leader, 608-264-8947, [Alison.Mikulyuk@wisconsin.gov](mailto:Alison.Mikulyuk@wisconsin.gov)

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# Wisconsin Healthy Communities Designation to Launch Next Application Cycle

Mallory Swenson, Graduate Student Project Assistant, Mobilizing Action Toward Community Health (MATCH) Group, University of Wisconsin Population Health Institute

After a successful first year, the Wisconsin Healthy Communities Designation is excited to announce the launch of the next application cycle.

The Wisconsin Healthy Designation Program is an initiative of the UW Population Health Institute's Mobilizing Action Toward Community Health (MATCH) Group. The program is designed to celebrate local communities' efforts to improve health for everyone and to serve as a guide for communities to enhance and expand their community health improvement efforts. The goals of the Healthy Communities Designation program are:

- To recognize local communities' efforts to improve health across multiple factors;
- To encourage communities to conceptualize health improvement in this broad way and to structure their health improvement efforts accordingly; and
- To promote cooperation across multiple sectors.

In fall 2018, 31 communities (regions, counties and municipalities) around the state were designated as Wisconsin Healthy Communities. Of those – with broad representation from across Wisconsin – 16 municipalities were recognized among the inaugural designees:



The Healthy Communities Designation program has a tiered approach – bronze, silver, or gold – allowing for acknowledgment of communities early on in their health

improvement efforts, as well as those with more advanced, comprehensive, and long-lasting efforts. Communities must meet the six criteria of the designation, based on the Robert Wood Johnson Foundation *Culture of Health Prize*, with different benchmarks for each tier of the program:

1. Defining health broadly
2. Committing to sustainable and comprehensive long-term solutions
3. Creating conditions that give everyone a fair and just opportunity to reach their best possible health
4. Harnessing the collective power of leaders, partners, and community members
5. Securing and making the most of available resources including dollars, people, power, etc.
6. Measuring and sharing progress and results

*Any self-defined, local, place-based community is eligible to apply, including regions, counties, municipalities, and neighborhoods.*

The application process requires collaboration among various community members and organizations, as the application cannot be submitted on behalf of just one applicant and organization, and instead must show work among various organizations. Each community is designated for three years, with the opportunity to reapply to maintain or move up a tier at the end of that time period.

The Wisconsin Healthy Communities Designation program is funded by the Wisconsin Partnership Program at the UW School of Medicine and Public Health.

Visit [www.wihealthycommunities.org](http://www.wihealthycommunities.org) or contact program staff via email at [wihealthycommunities@wisc.edu](mailto:wihealthycommunities@wisc.edu) to learn more about the program, the application process, and timeline.

## About the Author:

Mallory Swenson is the Graduate Student Project Assistant, Mobilizing Action Toward Community Health (MATCH) Group, University of Wisconsin Population Health Institute. Contact Mallory and the team at [wihealthycommunities@wisc.edu](mailto:wihealthycommunities@wisc.edu)



## 2019 Plumbing Inspectors Institute

November 6-8, 2019

Lake Lawn Resort, Delavan

**\$155 Member Tuition, \$185 Non-Member Tuition** (Staff and officials from cities and villages that are currently members of the League and League Business Partners may register as members.)

**Hotel Information:** Make reservations directly with Lake Lawn Resort at 800-338-5253. \$113-133 depending on room type. Use booking ID *Plumbing Inspectors Institute* to receive the block room rate. Deadline for room reservations at the block rate is October 16, 2019, or until group block is sold out, whichever comes first. 72-hour cancellation policy. Check-in is at 4:00 p.m. Check-out is at 11:00 a.m.

**Agenda and Registration Online at:** <http://lwm-info.org/800/Plumbing-Inspectors-Institute>

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The accompanying workbook, which is included with the DVD set, can be ordered on a flash drive or in print. It provides you with the presentations and supporting materials that are provided to all workshop participants.

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## 2020 League Workshops, Institutes, and Conferences

EVENT	DATES	LOCATION	LODGING	REGISTRATION FEE
Building Inspectors Institute	April 15-17	Delavan	Lake Lawn Resort 800-338-5253   \$82 Single/ double ID: WI Bldg Insp. Inst.	\$205 Member \$230 Non-Member
Local Government 101	TBD	TBD	1-day workshop Usually does not require overnight stay but small block is available	\$100 Member \$125 Non-Member
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Clerks, Treasurers & Finance Officers Institute	June 10-12	Oshkosh	Best Western Premier Waterfront 920-230-1900   \$82/single double ID: Clerks, Treasurers, Finance Officers	\$135 Member \$160 Non-Member
Municipal Attorneys Institute	June 17-19	Sturgeon Bay	Stone Harbor Resort   877-746-0700 \$135 single/double ID: League of WI Muni Attorneys Institute	\$295 Member \$320 Non-Member
Local Government 101	TBD	TBD	1-day workshop Usually does not require overnight stay but small block is available	\$100 Member \$125 Non-Member
Local Government 101	TBD	TBD	1-day workshop Usually does not require overnight stay but small block is available	\$100 Member \$125 Non-Member
Chief Executives Workshop	August 20-21	Wausau	City Grill at Jefferson St. Inn   866-855-6500 \$128 single/double ID-Chief Execs Workshop	\$200 Member \$225 Non-Member
Local Government 101	TBD	TBD	1-day workshop Usually does not require overnight stay but small block is available	\$100 Member \$125 Non-Member
Municipal Assessors Institute	September 15-17	Stevens Point	Holiday Inn Hotel & Convention Center 715-344-0200 \$82 single/\$109 double ID: Municipal Assessors Institute	\$190 Member \$215 Non-Member
Annual Conference and Engineering & Public Works Institute	October 7-9	La Crosse	Radisson   608-784-6680 \$119 single/\$129 double ID: League of WI Municipalities Several overflow hotels. See website	\$270 Member \$295 Non-Member
Police & Fire Commission Workshop	TBD	TBD	1-day workshop Usually does not require overnight stay but small block is available	\$130 Member \$155 Non-Member
Plumbing Inspectors Institute	September 23-25 *Date may change to November	Eau Claire	Lismore   715-835-8888 \$82 single/double ID: League of WI Muni's - Plumbing Insp Institute	\$165 Member \$190 Non-Member

*\* Register now at [www.lwm-info.org](http://www.lwm-info.org)*

# Transitions

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**Administrator/Police Chief:** Maple Bluff - Tanner Nystrom

**Clerk-Treasurer:** Stetsonville - Jan Tischendorf

**Trustee:** Minong - Brenda Jelinek, Rio - Bob Benisch

## CONGRATULATIONS

**Beloit.** Congratulations to Sarah Millard, Director of Strategic Communications for receiving the NextGen Award during the Influential Women in Business luncheon in September. The award is sponsored by the Greater Beloit Chamber of Commerce and the Stateline Chamber. Sarah joined the city's staff nearly two years ago and is responsible for sharing accurate, consistent information with residents and community members, especially focusing her efforts on Beloit's police, fire, and public works departments.



**Sheboygan.** Congratulations to the city of Sheboygan for receiving the Government Finance Officers Association (GFOA) Distinguished Budget Presentation Award for the city's 2019 Annual Program Budget. Mayor Mike Vandersteen presented the award to City Administrator Darrell Hofland at a September Common Council meeting. As stated on the city's website, creation of the entire budget document and the achievement of this award would not have been possible without countless hours of work from city staff and in particular Finance Director/Treasurer Marty Halverson and Assistant to the City Administrator Carrie Arenz. It reflects the commitment of the governing body and staff to meeting the highest principles of governmental budgeting.



## RETIREMENT

**Janesville.** Eileen Juhl retired from Hedberg Public Library in September after 15 years of service.

## Have an update?

Please send changes, corrections, or additions to Robin Powers at [rpowers@lwm-info.org](mailto:rpowers@lwm-info.org), fax (608) 267-0645 or mail to the League at 131 West Wilson Street, Suite 505, Madison, WI 53703



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