

The Municipality

Your Voice Your Wisconsin.

May | 2020
WISCONSIN ADAPTS



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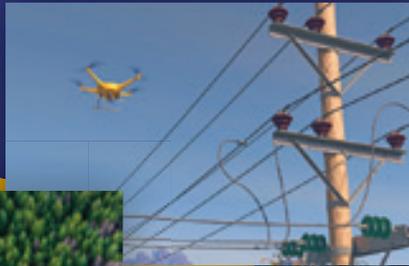
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The Municipality

May | 2020

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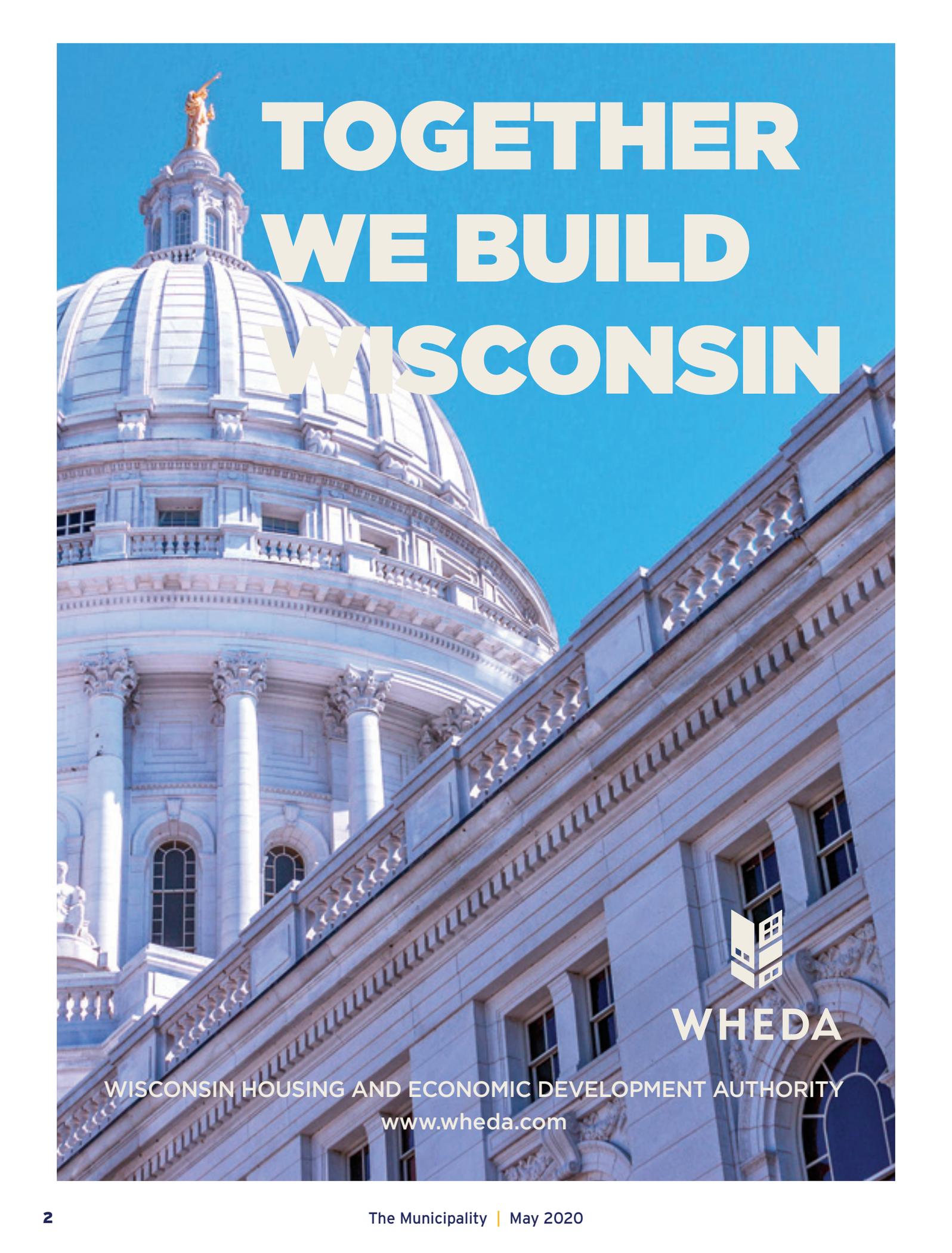
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On the Cover

Like communities and chambers across the state, the Milton Area Chamber of Commerce (MACC) is working to support the city's businesses. Creating community has been key these last few weeks. Thanks to the MACC members and to photographer Erin Weberpal, Don't Blink Photography, for the photos. Find them at <http://www.visitmilton.com/> and <http://dontblinkbyerin.com/>



A low-angle photograph of the Wisconsin State Capitol building, showing the large dome with the Spirit of Liberty statue on top, and the classical facade with columns and a balcony. The sky is a clear, bright blue.

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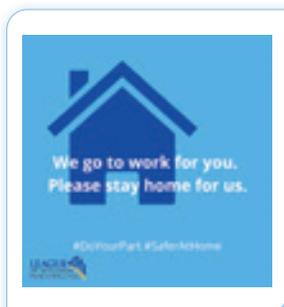
WISCONSIN HOUSING AND ECONOMIC DEVELOPMENT AUTHORITY

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Is Anything the Same?

Jerry Deschane, Executive Director, League of Wisconsin Municipalities



The advantage of being the biggest procrastinator among *The Municipality* contributors is that I see other articles before writing mine. This month, that just made me confused. This magazine was planned to focus on the Creative Economy in partnership with Arts Wisconsin. While two of the

articles reflect that focus, we pivoted to the new reality for the remaining content.

And then along came a microscopic “bug.” Our world changed overnight. It continues to change and society continues to adapt. According to medical experts, our world will not be the same for a long time.

Recently, the League and the Wisconsin Counties Association hosted a video conference with Dr. John Raymond, Sr., President and CEO of the Medical College of Wisconsin. He spoke to local officials about the progress of COVID-19. One comment that struck me came in response to a question about what the world will look like when the “Safer At Home” order is lifted. Would life finally go back to normal? Dr. Raymond responded by saying, “I think we will need to get used to the idea of wearing face masks in public.” In other words, one of the best medical minds in Wisconsin is telling us to be patient. Recovery is a long process.

And so we adapt. That includes the League. We have cancelled all of our in-person training opportunities through (so far) the month of May, and we will make a decision whether to hold the summer events soon. We are converting the popular Local Government 101 program to a virtual series. Watch for the details in our newsletters and on the website.

Those adjustments are child’s play compared to what you pulled off in April. The April election was one of the most remarkable exhibitions of local government ingenuity that I have ever witnessed. Who ever heard of “drive-up voting,” or conducting an election through the window of a bank? Who imagined losing more than three-fourths of Wisconsin’s 30,000 poll workers, or issuing masks to poll workers and voters? The League congratulates every municipal clerk, city and village leader, reassigned local employee who helped turn a perilous situation into a dramatic success, as well as everyone else who kept it all running.

We will continue to face new challenges. Each week you’re asking the League questions no one has asked before, but there is a constant. Democracy is the best form of government in the world because it is a government built to adapt. Changes in political direction; changes in economic circumstances and priority; and even sudden changes out of nowhere. Democracy adapts because it is people working together to face a common challenge. That will never change.

Stay well.

The League appreciates the support of the following Business Members:



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For more information, contact Robin Powers: rpowers@lwm-info.org | (608) 267-2383

Resilient Wisconsin Munis Adapt to Life with COVID-19

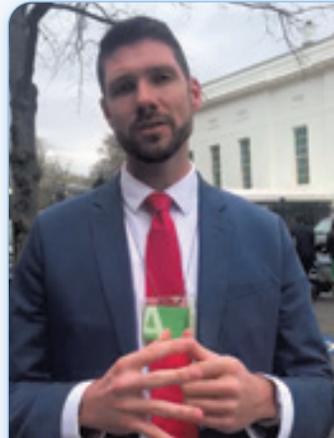


Local Perspective - PFAS

Jerry Deschane discussed PFAS with water law expert Paul Kent, Stafford Rosenbaum LLP on the League's Local Perspective. Watch it on the League's YouTube Channel. March 3, 2020



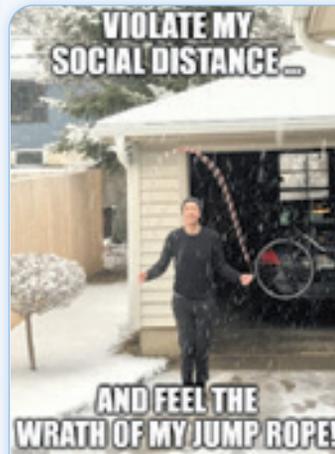
The League delegation at the National League of Cities Congressional Conference. Todd Schmidt, Waunakee, Curt Witynski, League, Ian Rigg, Evansville, Emily Berge, Eau Claire & Kathy Ehley, Wauwatosa. March 11, 2020



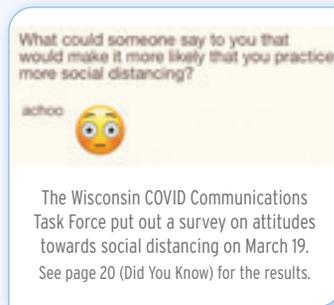
League Board President and Wisconsin Rapids Mayor Zach Vruwink provided a report on what he learned from a White House briefing on Coronavirus. March 11, 2020



The Grand Opening of the renovated Bend (West Bend) was scaled down by the mass gathering restriction. The Theater originally opened in 1929. Weekend of March 14-15



Curt Witynski, Deputy Director, League of Wisconsin Municipalities on the first day of #SaferAtHome.



The Wisconsin COVID Communications Task Force put out a survey on attitudes towards social distancing on March 19. See page 20 (Did You Know) for the results.



The City of West Bend "Support Small Businesses" video produced in mid-March featuring their local restaurants, shops, and a small meat market/grocer. Watch the video on the City's YouTube Channel.



Village Administrator Todd Schmidt provides a quick update on COVID-19. He did not state the election date... It's April 7th, NCP April 17th. But, please, we urge all voters to vote absentee by mail. Find details at www.waunakee.com.



Drive through Absentee Voting is going great, thanks for all the patience as we work through it! Operating like a @portlinohotdog drive through!



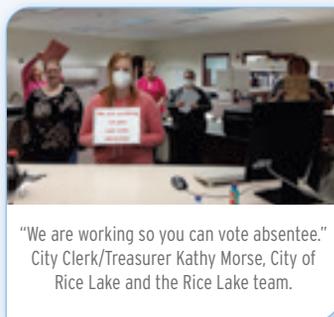
There are many new developments regarding grant opportunities for businesses, curbside voting, water utility closures, and more. To learn more, check out the new Belleville Newsletter. mailchi.mp/9138eaf57cd8yt...



Message from City Hall Staff - Update on the COVID-19 Emergency



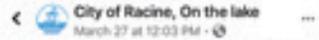
In person absentee voting in the City of Waukesha.



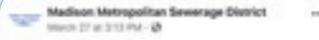
"We are working so you can vote absentee." City Clerk/Treasurer Kathy Morse, City of Rice Lake and the Rice Lake team.



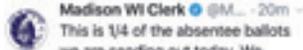
Thank you for the messages of support! Our staff is noticing. We stay at work for you, so please stay home for us. #StopCVMKE #KeepYourDistance #FlattenTheCurve



Reminder: The City of Racine Small Business Emergency Fund applications must be submitted by today, Friday, March 27, at 4 p.m. Please visit <https://www.racinecoronavirus.org/> for more information.



Wastewater treatment is an essential service. Thank you to those employees, including our lab staff, who continue to report to the plant to perform work vital to protecting public health and the environment.



This is 1/4 of the absentee ballots we are sending out today. We couldn't do it without the help of dozens of employees from other city agencies. Our e-mail backlog is down to 11,000 messages. We are working hard to catch up!



Thank you City of West Bend for making elections possible! We owe you!... See More

I challenge you
— TO COMPLETE —
the census to shape
the future of
your community

#shapeyourfuture



Volunteer firefighters & EMS providers, don't stop because of a virus. They keep responding no matter what. Thank you to all of the emergency personnel out there continuing to serve and protect your communities! #ProudOfOurResponders #VolunteersHaveHeart



Newest addition to my apartment. Let's kick this Coronavirus' butt! If anyone can, it's be Manitowish! Honk if you're driving by!



3-29-20
Dear "Essential Employees" of Madison Water Utility,
I'm here "SAFE AT HOME" because machinery and wells and purifiers and waste water treatment needs operation, and maintenance, and repair, and you are sometimes closer than you would like, doing that. I'm at home on a quiet Sunday morning with legal, Aarti, and reading water literature to you. THANK YOU! Your families worry and starve, and so do I. I struggle. I'll love for an unemployment and thank you for your "brothers and sisters" who...

The state plans to hold its elections on Tuesday, thrusting thousands of clerks and poll workers, many of them older or with health conditions, onto the pandemic's front lines.



Barbara Goeckler, a clerk in Cambridge, Wis., sat behind a piece of plexiglass used to create space between voters and poll workers. She plans to work on Election Day on Tuesday. Lauren Justice for The New York Times



"DPW guy Jeff Wright mixing hand sanitizer for us to use for the election." City of Cambridge



Still grateful for Wisconsin fish fry's even during the #COVID19 pandemic



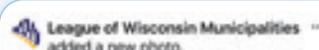
Check out these cards to help hearing impaired individuals to facilitate communications with first responders.

...DEAF... HARD OF HEARING

These cards explain how to communicate with deaf and hard of hearing individuals.

When communicating with deaf or hard of hearing individuals, please:

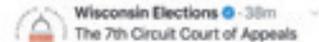
- Speak clearly and slowly
- Face the person you are speaking to
- Write down words or phrases if you are unable to hear
- Use a pen and paper to write down words or phrases if you are unable to hear
- Use a pen and paper to write down words or phrases if you are unable to hear
- Use a pen and paper to write down words or phrases if you are unable to hear



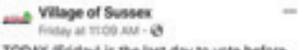
added a new photo. Posted by Gail Sumi 1 hr

Breaking news. Just posted 39 minutes ago on Friday, April 3 by the Wisconsin Elections Commission.

The decision is here <https://wispolitics.us12.list-manage.com/track/click?u=c540e35869d7ba4ca61b4228...> See More



The 7th Circuit Court of Appeals has issued an order removing the option for absentee voters to submit a statement indicating they were unable to get a witness signature. Effective immediately, all voters must have a witness signature on their ballot for it to be counted.



TODAY (Friday) is the last day to vote before Election Day on Tuesday. Please vote in-person at the Civic Center or req...

Help us reduce the number of people in the Civic Center on Election Day

OUR GOAL: 4,500 Election Ballots in Person or by Mail

CURRENTLY: 3,251 Election Ballots in Person or by Mail

MYVOTE.WI.GOV



The State Bank of Cross Plains in Brooklyn closed their drive-up so the Village could hold the election and keep everyone safe. "They have been a WONDERFUL community partner!"

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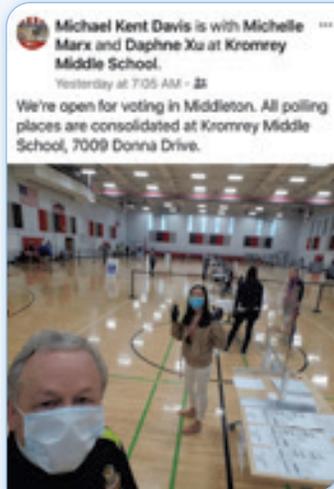
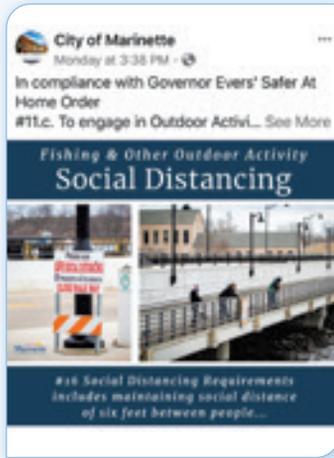
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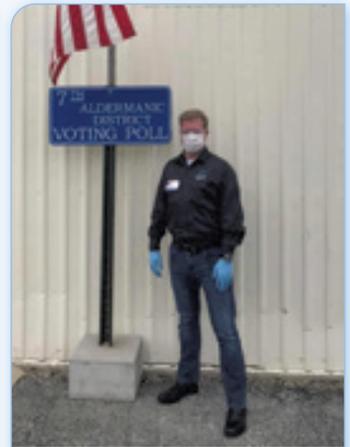


April 3, 2020 - Decision in Election Lawsuit, Last Day to Fill Out Cost Survey
April 2, 2020 - CARE's Act Memo, Transit Funding, Fill Out the Cost Survey
April 1, 2020 - Election Lawsuit, Census Day is Today, New Utility FAQ
March 31, 2020 - Grant Opportunity, White House Call & Census Day
March 30, 2020 - Elections and Election Resources
March 27, 2020 - Result of Safe Elections Practices Survey & Letter from Gov. Evers
March 26, 2020 - Analysis of Safer at Home Order & Sample PFCRA Policy
March 25, 2020 - Safer at Home & PSC on Payments to Utilities
March 24, 2020 - Emergency Order Safer at Home
March 23, 2020 - Shelter in Place, Elections & Open Meetings Options
March 22, 2020 - Utility Billing & Elections
March 20, 2020 - Letter to Governor on Elections
March 19, 2020 - Emergency Order, Elections & Alcohol Sales
March 18, 2020 - Track your expenses
March 17, 2020 - Muni Emergency Powers
March 16, 2020 - Conference Call Today
March 12, 2020 - Coronavirus Update with Resources

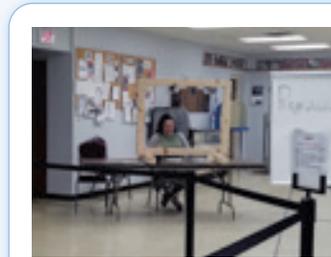
Conference Calls and Newsletters will be provided as needed.
 Wondering about League meetings and workshops? More on that [here](#).



Though Edgerton's Public Library doors are closed, services such as "Virtual Storytime" continue online and library staff help patrons access digital books.
 April 6, 2020



Manitowoc Mayor Justin Nickels works the polls.



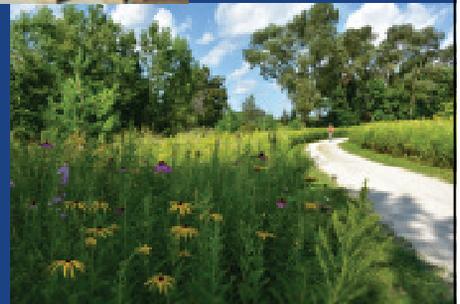
The Village of Random Lake carefully routed voters through their polling place on election day.



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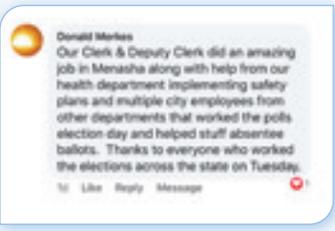


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In Mondovi, Jeff Tiegs & Mike Johnson, Streets Dept employees, constructed barriers protecting the 196 in-person voters and poll workers. They had 396 absentee voters.

Prairie du Chien's "Drive Through" election site was a huge success. They received a vast amount of positive feedback from citizens.

In the Village of Withee, election workers were protected by a plastic shower curtain bubble.



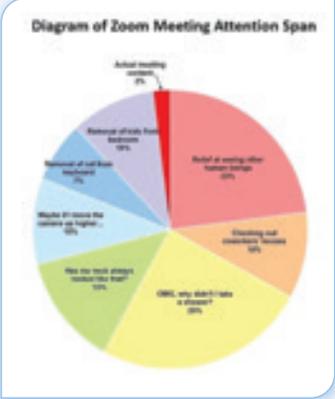
Footville's typical election workers were unable to work so luckily these young, displaced college students stepped up!! They worked a 15-hour day alongside their chief inspector and Clerk Shawna March. 😊

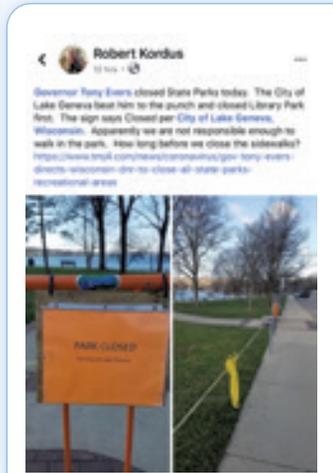
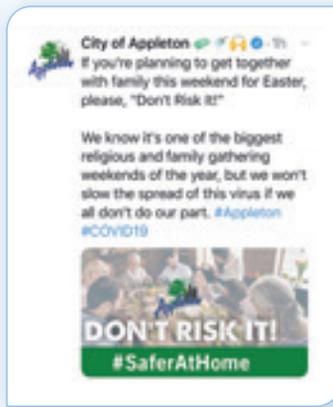
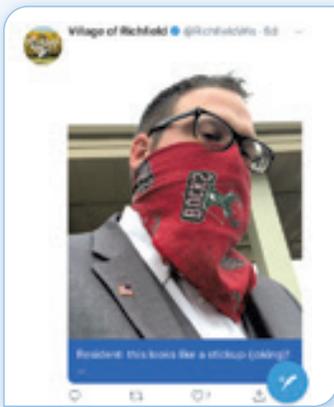


From the Village of North Prairie! They were ready to work on election day!



The League held daily conference calls starting on March 16 first on Wisline and then on Zoom. Because we're stronger together.





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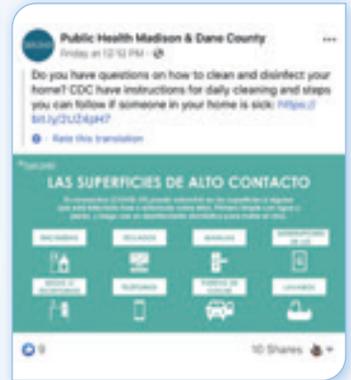
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DE PERE, WI
MARSHFIELD, WI



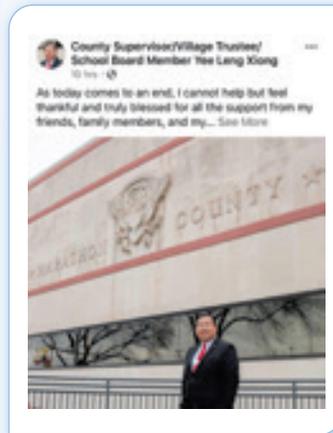
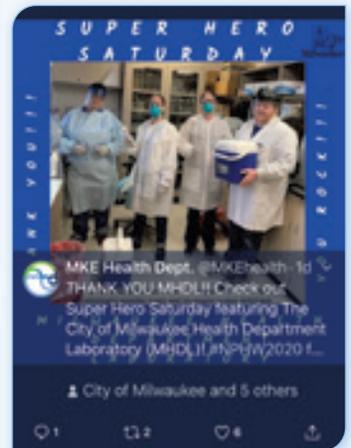
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Mayor Tony Penterman, City of Kaukauna



"When shelter-in-place goes on for so long that your kid starts prepping for the apocalypse."
City Administrator Sharon Eveland, City of Clintonville



City Manager Lori Luther, City of Beloit



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Heroes

Jerry Deschane, Executive Director, League of Wisconsin Municipalities



Heroic.

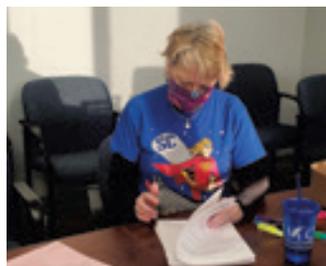
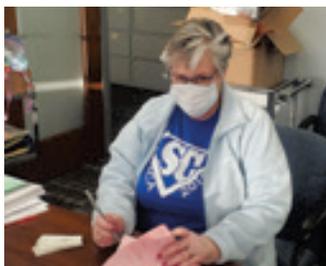
There's no better word to describe the work of Wisconsin's municipal clerks and polling place staff during the April election. The hardworking and under-appreciated city and village clerks throughout Wisconsin had to reinvent elections to keep

themselves and voters safe in the midst of a pandemic. At the same time, the number of absentee voters broke all records, while state and federal orders and lawsuits imposed last-minute changes.

The clerks made it work.

"It went well," said a relieved Barb Goeckner. Goeckner is the Deputy Clerk-Treasurer-Administrator for the Village of Cambridge. "Voters were very appreciative that we were there and had everything set up safely."

Cambridge Administrator Lisa Moen echoed that after-the-mayhem calm. "It's what clerks do. You do the best you can with what you have."



City Clerk/Treasurer/Administrator Lisa Moen & Deputy City Clerk/Treasurer/Administrator Barbara Goeckner, Village of Cambridge finalizing the election on April 13.

Clerks throughout the state often operate solo; many of them are part time. But solo does not mean they are without help. Over the years they have come to rely on one another through formal and informal networks. With regard to elections, one resource clerks have come to trust and rely on is the staff of the Wisconsin Elections Commission (WEC). West Bend Clerk



West Bend City Clerk Stephanie Justmann guided voters through the voting process for the Spring Election and Presidential Preference Primary in a video.

Stephanie Justmann credited WEC training and guidance with helping her plan and train her staff. "We were prepared. When the demand hit, we were ready. There were a lot of hiccups along the way, and it was more difficult than I anticipated, but considering the increase in absentee ballot requests, it went smoothly."

The changing landscape demanded a lot of creativity. Justmann and other clerks worked with city communication experts to create videos showing voters how the new in-person election process would "flow." In West Bend's case, Justmann literally walked through the process, from the front door to the voting machine. The city of Beloit prepared its demonstration video by car, as they explained an entirely new concept: drive-through voting. In Neenah, a city maintenance worker designed and built a plexiglass shield one afternoon which was quickly copied throughout the Fox Valley.

But "prepared" is not the same as easy. Municipalities have contingency plans for fires, floods, and other disasters, but no one planned for a pandemic. Many state- and court-imposed changes came very late in the planning process. Three lawsuits demanded a competing variety of revisions and delays and produced both relief and confusion. A federal judge extended the amount of time voters could register online using the state's My Vote Wisconsin system (myvotewi.gov). That required the program software to be changed on the fly, while at the same time, state and local officials were encouraging voters to vote absentee, which overwhelmed the system. The combination of reprogramming and heavy usage caused system slowdowns

and voter frustration. Governor Evers ordered a pause on the election on the Friday morning before election day, but that pause lasted only three hours before it was overturned by the Supreme Court. Through it all clerks had to adjust their expectations and re-inform confused constituents.

Despite the dizzying changes, turnout was high. The roughly 1.5 million votes cast was second only to the record 1.6 million set during the 2016 Spring Election. No other election in Wisconsin history had seen over one million absentee ballots cast. There were shortages of ballots, the envelopes in which to mail those ballots, hand sanitizer, and in one region there was even a run on plexiglass as municipalities devised shields to keep voters and poll workers from exposing one another to infection risk.

Was it enough? That's the question that haunts Waukesha City Administrator Kevin Lahner. Waukesha collapsed its 13 polling places down to one and devised an elaborate traffic plan to keep voters from contact with one another or with election workers. "All things considered, the system we put in place for walk-in voters worked very well." They also had a robust follow-up system that resulted in a 90 percent return rate for absentee ballots. But is Lahner confident that system prevented the transmission of the coronavirus? "No. Only the numbers will tell that story. I want to be wrong, but I would argue that if even one poll worker or voter becomes ill as a result of voting, that is one too many."

We talked to Madison Clerk Maribeth Witzel-Behl shortly after the election. Madison won high marks from many observers and voters for maintaining a large number of polling places and an efficient drive-up early voting system. But still Witzel-Behl called it "the worst election I've ever experienced. Our voters were let down. We've been hearing from a lot of angry voters, and rightfully so." Voters were frustrated by backlogs and delays in receiving absentee ballots, and angry when those ballots seemed to take forever to come and go by mail.



Andy Kurtz and his daughter Paige, a National Guard member who worked the polls.

Marathon City Clerk-Treasurer-Administrator Andy Kurtz shares the view of those who said it was stressful, but in the end it came together. "State leaders squandered three weeks of time that we could have used to plan. All of the last-minute changes caused a lot of stress." In spite of that, and in spite of being overwhelmed

by absentee ballots, "It did take a while, but we were able to get it done."

Marathon City was one of the communities that accepted help from the National Guard. For Kurtz, that ended up being a highlight of the day, since the Guardswoman assigned was his daughter, Paige.

One of the greatest challenges was the loss of seasoned poll workers. Voting in Wisconsin is a people process, requiring 30,000 municipal workers, part timers and volunteers. The majority of part-time poll clerks and volunteers, most of them retirees, did not work this election for fear of infection. In Waukesha, Kevin Lahner said the election would not have happened had they not been able to reassign city staff from other departments to the clerk's office.



Buffalo City Clerk-Treasurer Jennifer Ehlenfeldt worked drive-up in-person absentee voting with poll workers on a windy day the week of March 30.

Buffalo City nearly found itself not only without poll workers, but without its Clerk-Treasurer. Two weeks before election day, a coworker was exposed to the coronavirus. Clerk-Treasurer Jennifer Ehlenfeldt had a moment of panic as she realized that the one person who could not be replaced at the last minute was her. "I have backup plans, but there's no one to back me up," said the clerk of this community of 1,016 residents. She never developed the illness and was there to make the election happen.



On election day Jennifer's son and his friends substituted in for the regular poll workers.

Ehlenfeldt was the only experienced person working the polls on election day. She made the difficult decision to "furlough" all of her normal poll workers "I just couldn't do it. They are all over 70 years old, and really committed to this work.

They would not have told me no if I asked them to come in.” Ehlenfeldt tapped her son and two of his friends to be interim election workers.

As this story is being written, clerks are completing the final steps of the spring election. Boards of Canvass are certifying election results, there are recounts of close local elections here and there, and board and council reorganization meetings are being posted and carried out. There is also a federal lawsuit underway to determine whether voters who were unable to have their votes counted as a result of the changing process were disenfranchised and entitled to a re-vote.

But the clerks are looking forward. Andy Kurtz is putting his voting machines back up for a special mid-May Congressional election. Across the state clerks are looking at the calendar, recognizing that the August partisan primary is right around the corner.

It will be another election of unknowns. No one can predict with certainty where Wisconsin will be on the pandemic “curve” in August. We’re expecting more freedom of movement and less risk of local COVID-19 outbreaks, but none of us really know. With that same uncertainty comes the same questions: Should the election be delayed (unlikely)? Should it be an all-mail election, or at least should we be encouraging greater use of absentee voting? What, if any, changes will arise from the pending lawsuit? Will there be a continuing need for “social distancing” and disinfection? Or will Wisconsin be back to business as usual?

Jennifer Ehlenfeldt doesn’t know the answer to those questions, but she, along with Wisconsin’s other 1,849 election clerks are using the lessons learned in April to prepare for August, November, and beyond. “Well, first of all, I’ll have a backup plan to replace myself if necessary. In addition to that, we’re all paper here; it’s time to look at what else is out there in terms of voting technology.”

For Andy Kurtz, there’s no time between the April election and May to make dramatic changes, but Marathon City

will still adapt. “The key is to organize as much as possible, anticipate as much as possible, and be as prepared as possible. That way there’s time to deal with the surprises.”

Stephanie Justmann believes firmly that, “You cannot prepare enough.” By planning for the entire year, Justmann was able to tap into absentee envelopes printed for the November election to keep things moving in April. Waukesha’s Lahner was encouraged by the success of reducing the number of polling places, something the city had wanted to explore.

Regardless of the trajectory of the pandemic, Reid Magney, Public Information Officer for WEC, believes the April election has shifted voter behavior. He predicts a permanent increase in absentee voting that is going to require voters to think further in advance. “I think we’ve learned that people need time to request and receive absentee ballots. One of the messages has to be to the voting public: don’t wait until the last minute to request an absentee ballot.”

For the last word on this subject, we turn to an outside observer. Federal Judge James Conley was the first judge to issue an order in the election. It was his decision that allowed more time for online voter registration and more time to count absentee ballots. While people will debate whether those decisions were or were not legally correct, no one can argue about Judge Conley’s observation regarding the people who made the election happen.

“If there is a hero to this story, it is the WEC Administrator, her staff, and the municipal election workers, all of whom continue to improvise election practices.”

About the Author:

Jerry Deschane is the Executive Director of the League of Wisconsin Municipalities. He is the League’s fifth Executive Director since the League was founded in 1898. Contact Jerry at jdeschane@lwm-info.org



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The COVID-19 Fiscal Fall-Out for Wisconsin Cities and Villages

While revenues for Wisconsin municipalities will likely be hit hard by the COVID-19 economic shutdown, compared to other states local governments here may see at least some benefits from their heavy reliance on property taxes and state aids to fund public services.

Still, Wisconsin municipalities nevertheless will experience some of the same daunting challenges and uncertainty that will confront their citizens and businesses during, and well beyond the current crisis. This is especially true for municipalities that rely more heavily on fees and taxes tied to tourism and visitors.

To be sure, the Forum has noted in the past the potential drawbacks of Wisconsin denying most municipalities a more diverse portfolio of revenues such as sales taxes, particularly during times of growth. In this crisis, however, it may actually prove beneficial for some municipalities.

The property tax tends not to be as immediately impacted by sharp economic swings. And state aid - for now at least - is set as part of the current state budget that runs through June 30 of next year. Wisconsin municipalities and counties may also receive help directly or indirectly from the \$150 billion allocated to state and local governments in the recently passed federal relief package, and there may be more assistance from Washington, D.C. to come.

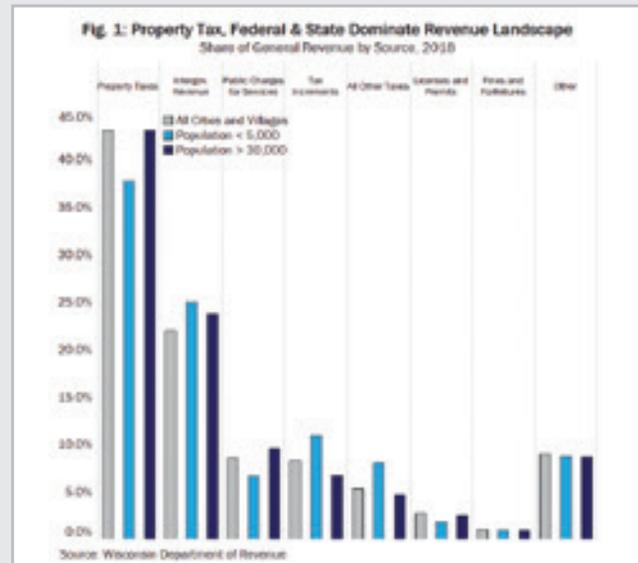
These somewhat encouraging factors notwithstanding, many likely challenges remain. For all Wisconsin communities, collections of certain user fees, from bus fares to zoo admissions to building inspections - as well as fine collections from parking and other violations - are likely to decline precipitously.

Other challenges could include an increase in delinquent or unpaid property taxes and fees and a failure of revenues in tax increment districts to grow at levels needed to service debt.

Cities and villages that rely more heavily on fees and taxes tied to tourism and visitors will suffer even greater hardships. As this and another recent Forum report show, the heavy job losses resulting from a virtual travel shutdown will likely inflict a double blow to their public and private sectors.

Seven municipal governments designated by the state as "premier resort areas" - the cities of Rhinelander, Eagle River, Bayfield, and Wisconsin Dells; and the villages of Lake Delton, Sister Bay, and Stockholm - are permitted to collect a limited sales tax. These revenues are nearly certain to see a sharp decline as the tourism economy nationally has cratered. The same is true for "room" taxes for hotel and other short-term lodging stays, which all municipalities (except Milwaukee) may collect - though a large portion of the proceeds of this tax are required to go to tourism promotion.

Other communities are likely to see less of a large, immediate impact because of the unusual extent to which Wisconsin, relative to other states, funds local governments with property tax revenues. Although property values can plunge during



economic downturns, there is a lag between the onset of the downturn and the time it takes to conduct new property assessments that quantify the loss in value.

Furthermore, property taxes for 2020 already have been levied, while levy amounts for 2021 will be based on property valuations as of the beginning of this year, before the COVID-19 crisis hit.

Despite some advantages associated with property tax reliance in an economic downturn (as compared to more volatile sources of tax revenue like sales and income taxes), many cities and villages still are in the process of collecting property tax payments due for 2020. Most local governments give citizens the opportunity to pay their bills in installments during the first several months of the year. However, the current economic crisis may make it difficult for many property owners to make their full second payment, leading to a potential problem for local governments in general and counties in particular, since they generally take responsibility for collecting delinquent payments.

In addition, while state aid payments are written in state law as part of the current state budget that runs through June 30, 2021, should the state budget face a large shortfall, the legislature and governor could target municipal aids for some of the spending reductions needed to bring it back into balance as mandated by the state constitution.

Overall, while individual impacts will vary, most Wisconsin cities and villages will have to determine strategies to cope with unexpectedly lower revenues for the remainder of 2020. Local officials will then face far more difficult fiscal challenges than originally anticipated as they begin to prepare their 2021 budgets.

Read the full analysis at <https://wispolicyforum.org/research/>



Leadership in the Age of COVID-19: Local Officials Share Lessons & Challenges

Lori DiPrete Brown, Co-Chair of the UniverCity Alliance and an Associate Director of the UW Global Health Institute, UW-Madison, Gavin Luter, Managing Director of the UniverCity Alliance, and Gail Sumi, Member Engagement and Communications Director, League of Wisconsin Municipalities

How can you lead an effective COVID-19 response in your community? On April 10, the League of Wisconsin Municipalities brought together 14 city and village leaders on Zoom to share their insights about this question. The listening session was facilitated by the UniverCity Alliance (UCA), a UW-Madison program that works to support effective and responsive local governance through programs of education and collaboration. Here we summarize the questions and responses from local leaders.

Gail Sumi: *So much has changed for all of us since the first week of March, when we began to understand the magnitude of the COVID-19 health threat and determine how to respond. How have you responded as a leader? What suggestions do you have for others?*

Lead with trust and authenticity. Relationships are important at these times, and the group humbly reflected an awareness of the responsibilities of local leaders, who are some of the most trusted members of society. Those gathered acknowledged that they have different personal styles and local circumstances – but all agreed that it is important to communicate facts and plans clearly and to express empathy, comfort, encouragement, reassurance, hope, and gratitude. Honesty, positivity – and even (some said especially) humor can help people get through difficult times.

Convey accurate health information. Leaders are relying on their health departments and are being very careful to relay information accurately. Some leaders routinely promote health department FB live videos and other information. Phone and text alerts are also used.

Develop a communication routine. While some members worried about information overload, most felt that regular communicating, and “overcommunicating” is best at this time. A communication routine might be “one Facebook post per day and one briefing or video per week.” Some promote DHSWI health briefings [youtube.com/user/dhswi](https://www.youtube.com/user/dhswi), or use other resources such as DoYourPart to locate good information to post www.doyourpartcovid.com

Support and thank city employees and essential workers. Some local governments are using emergency paid sick leave for COVID-19 leave, with part of that designated for childcare. They are tracking COVID-19-related expenses. They are paying close attention to morale – holding briefings frequently, buying

meals for staff and local EMS, hosting birthday parties, instituting casual days, and giving individual messages of thanks and recognition.

Show residents that business as usual is still going on. Members of the group shared how important and reassuring it is for people to see that routine administrative functions like road construction, parks programs, and future planning are ongoing. Leaders are reaching out to local business leaders to talk about strategies for economic recovery. Phones and emails are being answered. Make this visible to residents through newsletters and social media.

Be positive about the future. It is important to express empathy and grief about the losses that are experienced at this time, but it is also critical to remind everyone that we will get through this and that the things that we hoped to do are still possible.

Lori DiPrete Brown: *The Wisconsin COVID Communications Task Force is developing communication materials that can be used to help people cope with the COVID pandemic. Our “10 Ways You Can Do Your Part” are based on public health recommendations. You can refer to the list on page 19 of this magazine.*

As you consider these messages, what works and what do you think is most important? What’s missing? How comfortable do you think leaders like yourself are in sharing these messages and leading by example?

The messages align well with what the leaders assembled are already doing, and they do provide guidance about going the distance. Respondents felt that the list would be useful as a checklist, to help them reinforce messages, and to repeat messages in new and creative ways to help stay with the recommendations.

So far, we have been focusing on the health recommendations, and now is a good time to emphasize additional things that people can do to weather the storm. Even in difficult times people need to be able to relax and have fun. At the same time, resources and information need to be available to address the depression and suicide, crime, and violence and abuse in the home.

Reminding people what they CAN do is important. Safer at Home is different from quarantine, isolation and lockdown – which are all more restrictive. Leaders are emphasizing that there are a lot of things that CAN be done, and that we will be finding ways to do more things and get back to work safely. People

We Can Go the Distance Together 10 Ways You Can Do Your Part

- *Physical distancing means avoiding nonessential outings and staying 6 ft. from others when you go out.*
 - *Together with frequent handwashing, physical distancing can slow the spread and reduce illness and death.*
 - *There are many activities inside and out that you CAN do to care for yourself and others.*
1. **Stay at home as much as possible**, going out only for critical needs like groceries, medicine. Limit essential outings to once a week. *If you are an essential worker - thank you from all of us!*
 2. **Maintain a distance of 6 feet** away from others when you leave home. **Do not greet with hugs, or kisses, or handshakes**, and **limit your total circle of contact to a maximum of 5 people**.
 3. **Keep your hands clean**. Wash your hands frequently - especially when you enter and exit home and work, before preparing food and eating, when you use the toilet. Wash surfaces that are touched frequently or used for food preparation. Also cough into your elbow, and don't touch your face.
 4. **If you are sick**...Most people will be able to recover at home. If you have trouble breathing seek medical attention but call, and refrain from using public transportation to go to the doctor. Stay in your own sick room and use a separate bathroom if you can. **You can stop isolating yourself** (but don't stop physical distancing) when you have 72 hours (3 days) without fever, symptoms have improved, and at least 7 days have passed since symptoms appeared.
 5. **It's okay to go outside!** Enjoy fresh air and open spaces, to take a walk, work in your garden, walk your dog etc. - but stay strict about keeping a safe 6 foot distance from others.
 6. **Stay connected** with others. Use phone, social media, letters, games and hobbies daily to stay connected. Remember, we can still give and receive companionship, love, and support.
 7. **Develop routines** for yourself and your loved ones. Daily and weekly structure will help everyone to stay calm.
 8. **Make your home as comfortable as possible**. Rearrange to meet needs for work, safety, care, exercise, and play.
 9. **Take care of yourself** - rest well, and enjoy music, books, movies, drawing or writing, meditation or prayer, enjoying nature, or exercise. **Relaxation, recreation, and enjoyment are essential at difficult times.**
 10. **Be a supportive, generous, and kind community member in every way that you can!** Provide support of all kinds (safely) to those who are isolated, more susceptible to illness, subject to stigma, or in need in other ways.

The Wisconsin COVID Communications Task Force developed these "10 Ways You Can Do Your Part" based on public health recommendations. You can use them as talking points. Learn more here: <https://ghi.wisc.edu/10-ways-you-can-do-your-part/>

reflected honestly that this is hard and will get harder, as Safer at Home continues, and they would like an accurate source of information on what people can and cannot do.

Recommendation 10, to Be a supportive, generous, and kind community member in every way that you can! - was discussed in some detail. Leaders gave many examples of ways that citizens are caring for the community. Local nonprofits and businesses are providing support for everyone, and remembering those who are isolated, more susceptible to illness, subject to stigma, or in need in other ways. Local government communications have been providing information and linkages to services including schools, food pantry, and other social service agencies.

Leaders suggested encouraging others to deliver these messages. It helps if it also comes from other places - such as chambers of commerce, libraries, police chiefs, school superintendents, health officers, realtors, insurers, and other leaders in the private and nonprofit sectors.

It's important to reach out to local businesses with support. Small business owners face a huge burden of responsibility and worry. They want to sustain their livelihood and ensure job security and safety for their employees. Reaching out to listen and involving them in strategic discussions about the future is important. Some have offered free advertisement of delivery and take-out and drive-by services.

Lead by example. Most members say they are comfortable being role models. They have posted pictures of themselves at the store to emphasize essential errands. They let people know that they support local businesses by using take-out and drive-through services. They inform residents about opportunities to give to food pantries and needed social services.

Gavin Luter: *The COVID-19 pandemic will impact many aspects of life now and in the future - such as education, health care, and the local economy - which will impact your work and local government budgets. What are your thoughts, concerns, questions, and ideas as you look toward the future?*

The respondents underscored the need to prepare for summer and outdoor activities. Park closures make things very difficult. How can they be reopened safely? How can contagion be prevented when summer residents come from other places in May and June? Should docks be closed so that people cannot enter the state by water? How can we best use libraries and community centers?

All recovery is important. In addition to health, residents expect us to address social and economic challenges too. What is the best way to communicate this?

Both long- and short-term revenue loss are expected. What are the implications for our current plans? What does this mean for

construction projects and local businesses? What if young people don't have the space and safety provided by schools until next year? How will we have the bandwidth to support the emotional health of the entire community with reductions in staffing? What can economic recovery look like?

When state and local government aren't in agreement it is hard to do the job of local government. We need strategies to bring people together across partisan lines.

We are going to have to balance being positive and recognizing the hardship and grief in our communities. How can we strike the right balance?

Participants look forward to taking lessons learned from each other back to their leadership teams. They recognized that effective response will be a multi-year effort and will require coordination and collaboration of all levels of government, the private sector, nonprofits, and residents. Over the next few years, one section at a time, we will build the bridge to the future by working together.

About the Authors:

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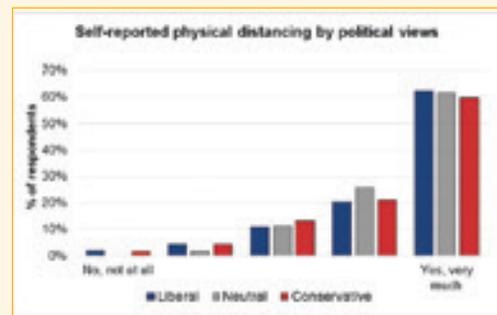
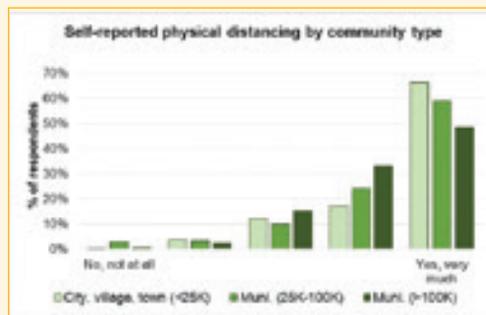
Gavin Luter is the Managing Director of the UniverCity Alliance and teaches in the Educational Leadership and Policy Analysis department. The Alliance oversees the UniverCity Year program, an effort to connect local governments in Wisconsin to resources at UW-Madison. He has spent the last 15 years facilitating and studying university/community/school partnerships in Wisconsin, Buffalo, NY, Knoxville, TN. He is a Senior Research Fellow at the University at Buffalo Center for Urban Studies. He also serves on the Advisory Board for the Wisconsin Coalition for Community Schools. Contact Gavin at gavin@cow.org

Gail Sumi is the Member Engagement and Communications Director for the League of Wisconsin Municipalities. She has worked in government since 1986, working in the Capitol and then as a lobbyist for the Wisconsin Alliance of Cities, AARP, and the American Cancer Society before joining the League in 2011. Contact Gail at gsumi@lwm-info.org

DID YOU KNOW?

★★★★

Taking Wisconsin's Temperature on Physical Distancing



These findings come from a report released April 13, 2020, by the University of Wisconsin Communication Task Force for COVID-19 (UCCC19). The group was convened in partnership with the League of Wisconsin Municipalities in part to conduct a study to better understand Wisconsin residents' self-reported physical distancing practices. The data come from an online survey of

Wisconsin residents fielded from March 26 to April 1, 2020, and the results are weighted to be representative of Wisconsin adults. For more findings and details from this study, as well as more resources related to COVID-19, please visit the UCCC19 website: <https://www.doyourpartcovid.com/>

On the Right PATH

Angie Wright, Museum Specialist, Communications,
The Mining & Rollo Jamison Museums, City of Platteville



Editor's Note: The May magazine was originally scheduled to be focused on the Creative Economy. We pivoted and thank Angie and Anne for contributing.

Platteville has a long history of arts and culture. The community hosted the renowned Wisconsin Shakespeare Festival from 1976 to 1998, the Celebration of the Arts Festival of fine arts from 1989 to 2008, and a museum known today as The Mining & Rollo Jamison Museums from 1964 to present – remains one of Wisconsin's few municipal museums. The community continues to offer an array of arts and cultural resources, including the Rountree Gallery (a 501(c)(3) nonprofit), Music in the Park (Platteville Main Street Program), Platteville Farmer's Market (Platteville Mainstreet Program), Make Music Day (grant-supported volunteer event), the Center for the Arts (UW-Platteville), and the Harry & Laura Nohr Gallery (UW-Platteville).



Despite supporting the arts in many ways, the city of Platteville made the difficult decision to dissolve the City Arts Board in 2013. At the time, there was a recognition that the Arts Board duplicated services available through other community groups and organizations. In the years since, discussion in the community has increasingly focused on creative placemaking and the creation of a more formal structure to nurture the creative economy.

In 2017, then-Museum Director Diana Bolander was spurred by community creative placemaking conversations to accept an opportunity to apply for an Our Town grant through the National Endowment for the Arts. She hosted a discussion to explore a broader community interest in creative placemaking and arts planning, which spawned a small working group from across the business, arts, and education sectors. Enthusiasm in the community was high due in part to the recent completion of the Moving Platteville Outdoors project that paved and lighted the 3-mile David Canny Rountree Branch Trail, as well as a public-private partnership that redeveloped a block of blighted properties in the Main Street business district and added a hotel and new public library. The group wanted to take advantage of the momentum generated by the library and trail projects and to refocus the energy on reinvigorating and redefining the community's commitment to arts and the creative economy. Over the next four months, the group worked with local grant writer Angie Wright to develop the Platteville Art, Trails and History (PATH) project and to submit the grant proposal.

PATH kicked off in August 2017 with a \$25,000 Our Town grant. The two-year project was a partnership between the city, led by The Mining & Rollo Jamison Museums, and Arts Wisconsin. The goals of PATH were to bring the community together to collaboratively identify Platteville's unique artistic, creative, and cultural assets; to develop a Creative Community Plan that would highlight civic amenities; to support meaningful experiences accessible to all; and to draw people to live, work, and play in the community. Collaboration, partnership, and outreach were essential to the project. Heidi Dyas-McBeth, a PATH founder, noted "We chose the PATH acronym in part because we liked the visual invoked by the word. Paths connect people, places, and things. We envisioned a plan that would connect our community."

Grant funds were used to hire Wright as the project manager, and the PATH working group recruited a dedicated group of 12 volunteers to serve as the Core Team and to lead a 15-month collaborative planning process. The Core Team included people from a broad cross-section of the community including city staff from the library and museum, an alderperson, artists, and representatives from health care,

public schools, local businesses, and the nonprofit sector. The Core Team met monthly and sought community input through interactive public meetings, small-group presentations, surveys, and focus groups. Nancy Collins, Core Team member from the Rountree Gallery commented, “I think the most exciting part of PATH is the synergy and ideas that evolve when we get people from the community together and begin asking how we can help make Platteville a great place to live. The collective energy of the group is inspiring and contagious.”

Some of the ideas generated through the PATH outreach were so popular that implementation began almost immediately. At the very first PATH Open House in August 2017, there was strong interest in reviving the Miners Ball, a semi-formal Platteville dance tradition dating back to the mid-1920s when the UW-Platteville was known as the Wisconsin Mining Trade School. The last ball was held in 2006. The Friends of The Mining & Rollo Jamison Museums had already been discussing the possibility of reviving the ball as a fundraiser and this evidence of community support pushed the organization to action. The revived Miners Ball was held in 2019 and has become the Museums’ largest annual fundraiser.

In July 2018, Erik Flesch replaced Bolander as Museum Director and the Project Director of the Our Town grant. The key findings from PATH showed that residents value the small-town atmosphere and sense of community in Platteville, as well as the parks, trails, recreation amenities, and quality educational institutions. The World’s Largest “M,” The Mining & Rollo Jamison Museums and its Bevans Mine, the parks, the trails, the natural beauty, and the historic downtown are some of the things that participants identified as making Platteville unique. People want more artisanal food and beverage events, live music, arts festivals, and intergenerational activities. The main barrier to participating in arts activities was lack of information. Resources that would help nurture the creative economy include, better marketing and promotions; a comprehensive calendar of community events; more locations and opportunities to perform, to display, and to sell work; and more occasions for networking and collaboration.

“Platteville has so many unique assets. PATH has helped us to define and highlight these assets, which will ultimately help grow our creative community and arts economy,” noted then City Manager, Karen Kurt. The Platteville Creative Community Plan includes goals, objectives, and implementation strategies that capitalize on our local identity to stimulate economic development; to highlight civic amenities; to provide access to the arts; and to attract entrepreneurs, visitors, and students who are so critical to our local economy. It is important to note the word “community”

in the plan title. While PATH was a city-led grant project, the Creative Community Plan was written as a community plan, not a city plan. The challenge of implementing the plan is shared with the larger community and success will ultimately depend upon shared leadership and collaborative action. A copy of Platteville’s Creative Community Plan is available on the city’s website (www.platteville.org/PATH).



The final piece of the NEA-funded project was a celebration event to kick off implementation of the Creative Community Plan. On June 22, 2019, PATH hosted more than 300 engaged spectators and 25 chalk artists for Chalk & Cheese Fest in City Park. The festival featured five regionally recognized chalk artists and 22 community participants from as far away as Wausau, who created elaborate chalk art on the sidewalks of City Park. Cheese sculptor Troy Landwehr carved a 19th-century lead mining scene from a 40-pound block of cheddar. The event’s “Big Cheese” sponsor, Emmi Roth, provided free samples of their award-winning cheeses. There was live music, free caricature drawing, and a variety of local and regional food vendors. The idea for the event came directly from community input during the planning process. Post-event surveys showed that 96 percent of respondents want to see Chalk & Cheese Fest happen again. One attendee noted, “I loved that it was a free event for the public. I could come and go as I pleased. There was food, music, talented artists, it was great.”

The plan is written, and the grant funds are gone. Now what? While NEA funding expired in July 2019, the effects of the project continue to ripple through the community. The PATH team continues to meet monthly and is exploring organizational structures and determining their niche in the community. Currently operating under the fiscal sponsorship of the Rountree Gallery, the group hosted about 60 attendees at the inaugural “Fifth Friday” creative economy networking event on January 31 at the Rountree Gallery. PATH is planning another Chalk & Cheese Fest on June 20, 2020.

Arts and Creativity in the Time of Coronavirus

Anne Katz, Executive Director, Arts Wisconsin

Arts Wisconsin, the state's community cultural organization, is a strong partner with the League in growing Wisconsin's creative economy from the ground up. We appreciate the hard work and collaborative spirit of local government, which is more important than ever during the current crisis. I'm writing this as Wisconsin continues to "shelter in place" as the coronavirus wends its way at home and around the world.

Creativity is the powerful force that shapes our lives, inspiring, uniting, and soothing individually and collectively. Wisconsin's cities and villages grow and transform with creativity and innovation. The arts define us as unique individuals, provide meaning, and make community.

"The arts" are also a business sector with a huge economic impact throughout Wisconsin. Just as Wisconsin was starting to shut down in mid-March, the U.S. Department of Commerce and National Endowment for the Arts released data showing that the creative sector is a fundamental part of our local and national economies. According to this research, Wisconsin's creative industries pack an economic impact of over \$10 billion (yes, that's billion, with a b) and has a workforce of over 96,000 people. That's more workers than in the state's beer, biotech, and papermaking industries. Nationally, the economic impact is \$877 billion.

The pandemic has affected Wisconsin's creative sector just as hard as any other business sector in the state. With the outbreak of COVID-19, most arts businesses in Wisconsin and throughout the country – including theaters, concert halls, museums, studios, festivals, production companies, and galleries – have shut their doors until further notice from public health officials. So far, the *negative economic impact* of cancellations and shutdowns on the creative sector is over \$2.8 million in Wisconsin, and over \$4.5 billion nationally.

And of course, creative businesses don't stand alone. It is well documented that the impact of an arts business goes beyond that specific business, connected to tourism, to economic gain, to urban and rural vitality, to community health. Theater, music festivals, and art fairs are anchors and catalysts for a wide-ranging infrastructure of restaurants, hotels, shops, parking garages, and other retail establishments, in communities large and small. The economic impact of that activity for Wisconsin, beyond ticket sales and exhibit fees, is \$657 million.

These are real numbers, real businesses, and real people. The impact is already being felt.

Although the situation is dire in many ways, there are also reasons to hope. In the midst of uncertainty, people, businesses, and communities are trying hard to figure things out. There's an abundance of amazing creativity and connections. Ideas are churning.

Arts Wisconsin has stepped up its leadership, advocacy, and service to keep Wisconsin's creative economy strong. We have jumped into gathering resources, telling stories, offering listening sessions and webinars, providing counsel and a sympathetic ear, churning our partnerships. Like you, we are pondering the immediate and the long term: how will Wisconsin and its communities first survive, then strive, and for the long term, thrive? How can the arts heal and help us emerge? There are still possibilities as we face this uncertain future.

Creativity is still front and center in our lives and our communities, in so many different ways. People can't help themselves. They will continue to create – amateur or professional, musicians will continue to make music, artists will continue to make art, organizations will continue to plan for the time when we can all come out of our houses again. We will decide how to combine the virtual with the live performance. We are finding creative ways to communicate and connect. We will all use our creativity to get through.

Go to Arts Wisconsin's COVID-19 Resource Center for information and resources: www.artswisconsin.org/covid-19



Several city departments have developed arts-related programming informed in part by the Creative Community Plan, including The Mining & Rollo Jamison Museums. “The Creative Community Plan is a profound market research document that has been offered to each and every organization and business in the community to internalize and use as their own,” said Museum Director Erik Flesch. The Museums have launched a series of live musical events in the underground Bevans Mine – including the Holiday Mine Sing two years in a row, a Make Music Platteville choral event, and the Frozen Mine experience – to popular acclaim, earning the moniker, “the epicenter of Platteville’s underground music scene.” They pioneered holiday horse-drawn carriage rides down Main Street on Friday evenings in December 2019 as an intergenerational activity. They have invited a regional artist to begin an artist-in-residence program, and are launching a Making at the Museums series in 2020 to ensure the arts are represented in their growing STEAM workshop curriculum.

Platteville Public Library has been part of PATH from the beginning and continues its involvement. The library has partnered with the Rountree Gallery to offer exhibit space since the opening of the new facility in 2017. Additionally, the library has used PATH input to further their already broad arts and cultural programming,

The 2019 City of Platteville Parks and Recreation Master Plan includes references to ideas generated through PATH and an objective to work with local artists to incorporate art into parks and the trail network. The new Legion Park event center, currently under construction, will include a barn quilt mural. The Parks and Recreation Department partners with the nonprofit Platteville Community Arboretum (PCA) to manage and maintain the David Canny Rountree Branch Trail. The city, PCA, Rountree Gallery, and PATH are working together to install a mural at a bridge underpass along the trail. Additionally, PCA and PATH are working with a local artist to create three art pieces constructed from natural materials to be placed along the trail.

PATH partners and other community groups and businesses are also supporting the arts and nurturing the creative economy. The Rountree Gallery moved into a dedicated space on Main Street in spring of 2019. The gallery hosts seasonal

exhibits both in its space on Main Street and at the Platteville Public Library and offers a variety of classes and workshops. Ideas generated through PATH have provided the gallery with ideas for workshops and classes and renewed community interest in creative pursuits.

The University of Wisconsin-Platteville Office of Sustainability and Art Department are working together to create a cross-walk mural with a “Transportation Equity” theme. They hope to have the mural completed in early summer 2020. A local business owner who will be pouring sidewalks soon is exploring stamping poetry into the sidewalks, while another is considering a mural. A small group of community members are also exploring developing a summer artist in residence program aimed at local creatives.

Thanks to support from the National Endowment for the Arts, committed city staff, and a dedicated group of volunteers, Platteville has a Creative Community Plan that reflects the interests and ideas of the broader community and is using this plan to guide efforts to grow a sustainable and connected creative community that will add significant value to quality of life and economic development across the Platteville community. Platteville is truly on the right PATH to a strong and vibrant creative economy.

About the Author:

Angie Wright joined The Mining & Rollo Jamison Museums as the part-time Museum Specialist – Communications after the PATH project. Wright also works as a freelance grant professional helping nonprofit organizations and municipalities secure funding to implement projects and reach their goals. Wright has worked in the nonprofit sector for more than 12 years and is in her eighth year as a freelancer. She holds an MS in Forest Resources/Natural Resource Social Science from Oregon State University and a BA in International Relations, Latin American Studies, and Portuguese from the University of Wisconsin-Madison. Wright strives to make a difference and do her part to make the world a little better. Contact Angie at museumcommunications@platteville.org



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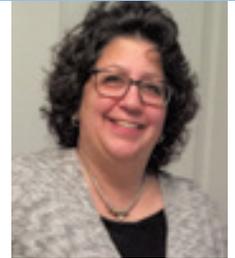
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Focus: The Board of Review in Uncertain Times

Claire Silverman, Legal Counsel, League of Wisconsin Municipalities



What do wild asparagus, blooming bulbs, and Board of Review¹ have in common? They are all sure signs that it is spring in Wisconsin. Wisconsin municipalities that assess taxes locally² must have a Board of Review (BOR or board) that is responsible for correcting any errors in assessment that have been made by the local assessor. The board of review's primary duties, set forth in Wis. Stat. § 70.47(6), include the following:

- examining the assessment roll for omitted property and double assessments,
- correcting any errors or omissions in the descriptions or computations found in the assessment roll, and
- adjusting assessments when they have been proven incorrect by sworn oral testimony.

Boards of Review are a springtime staple. State law requires BORs to meet annually any time during the 45-day period beginning on the 4th Monday of April, but no sooner than 7 days after the last day of the Open Book (that period of time during which the assessment roll is open for examination by the public).³ In 2020, that means the BOR must meet between April 27 and June 10. Although BOR is supposed to conduct its business during this window, Boards may find it necessary to proceed differently this year because of the COVID-19 pandemic.

As this magazine was heading to print,⁴ there was a lot of uncertainty. Wisconsin had 3,455 confirmed cases of COVID-19, with cases in 65 of Wisconsin's 72 counties.⁵ It was unknown whether Governor Evers would extend his Safer at Home order⁶ through May 10 and whether the Wisconsin legislature would extend it after that. It is unlikely the threat to public health will have dissipated by the time the BOR would typically be held. If it has not, Boards of Review will need to consider whether to adjourn to a later time or figure out how to proceed while taking necessary measures to keep their members and the public safe.

Under Governor Evers' Safer at Home Order, local governments must, to the greatest extent possible, follow guidelines established by the Wisconsin Department of Health Services and the U.S. Center for Disease Control for mitigating risk. They must meet Social Distancing Requirements between all individuals on the premises to the extent possible and must, to the greatest extent possible, use technology to avoid meeting in person, including virtual meetings, and teleconference. At the same time, BOR must follow the Wisconsin Department of Justice's Office of Open Government's advisories for complying with the Open Meetings law.

Current state statutes authorize the BOR to meet within the statutory time frame and then adjourn if the roll is incomplete.⁷ As the magazine was heading to print, the legislature was meeting to consider enacting a measure that would authorize the BOR to publish a notice within the statutory time frame adjourning the BOR to a later time regardless of whether the 2020 assessment roll is complete. If this passes, the BOR will have the option of simply adjourning to a later time. Boards may also opt to hold the BOR virtually. This will entail figuring out logistics for things such as taking evidence, swearing in witnesses, and preserving the record. The Wisconsin Department of Revenue has proposed a guidance document (submitted to Legislative Reference Bureau for publication and public comment) which is available at <https://www.revenue.wi.gov/Documents/Property-Assessment-and-Taxation-Information.pdf>

Taxation 1060

About the Author:

Claire Silverman is Legal Counsel for the League of Wisconsin Municipalities. She joined the League staff in 1992. Contact Claire at cms@lwm-info.org

1. For a more comprehensive explanation of Board of Review see Taxation 1026 R1 (2014) and the Guide for Board of Review Members published by the Wisconsin Department of Revenue (DOR) and available online at www.revenue.wi.gov/pubs/slf/pb056.pdf

2. The only municipalities that do not assess locally are those located in counties that have adopted a county assessor system under Wis. Stat. § 70.99. However, no counties currently operate under that system.

3. Wisconsin Statute § 70.47(1).

4. April 14, 2020.

5. Wisconsin Department of Health Services <https://www.dhs.wisconsin.gov/covid-19/county.htm>

6. Governor Evers' Emergency Order #12, Safer at Home, issued March 24 and effective through April 24.

7. Wis. Stat. 70.47(3).

direct threat to safety.⁸ Employers should send the employee for a medical assessment and obtain a doctor's report on the employee's ability to safely do the job, with or without restrictions. If the doctor issues restrictions on the employee's ability because of a disability as defined by state or federal law, the employer must engage in an interactive process with the employee to determine whether a reasonable accommodation would allow the employee to do the job.

The EEOC provides the following example of a legitimate medical inquiry:

"A crane operator works at construction sites hoisting concrete panels weighing several tons. A rigger on the ground helps him load the panels, and several other workers help him position them. During a break, the crane operator appears to become light-headed, has to sit down abruptly, and seems to have some difficulty catching his breath. In response to a question from his supervisor about whether he is feeling all right, the crane operator says that this has happened to him a few times during the past several months, but he does not know why.

The employer has a reasonable belief, based on objective evidence, that the employee will pose a direct threat and, therefore, may require the crane operator to have a medical examination to ascertain whether the symptoms he is experiencing make him unfit to perform his

job. To ensure that it receives sufficient information to make this determination, the employer may want to provide the doctor who does the examination with a description of the employee's duties, including any physical qualification standards, and require that the employee provide documentation of his ability to work following the examination."⁹

c. Periodic medical examinations of public safety employees are permissible when narrowly tailored to identify health conditions that could affect their ability to do their jobs safely. Again, if an identified condition is a disability under state or federal law, consideration of reasonable accommodations is required.

2. Required by law.

Medical inquiries or exams mandated by law are also permissible. Examples include physical exams required to maintain a CDL license, exams associated with a claim for workers' compensation, hearing tests required by state safety regulations, and medical monitoring for employees exposed to toxic or hazardous substances.¹⁰

3. Wellness programs.

Workplace wellness programs often provide screenings related to blood pressure, cholesterol, glucose, and similar tests. These types of screens and related medical inquiries are lawful provided they are voluntary, meaning the employer "neither requires participation nor penalizes employees who do not participate."¹¹

Privacy and Confidentiality

Employers must protect the privacy and confidentiality of employee medical information.¹² Medical records cannot be kept with employees' personnel files, but must be maintained in a separate locked cabinet, or if electronic, stored on a separate network drive. Employers should not let supervisors keep copies of any medical records. They should be kept in one location, preferably in human resources or administration.

Employers can share medical information only with staff who have a "need to know," such as supervisors and managers who need to understand any restrictions and accommodations, or first aid and safety personnel administering emergency treatment.¹³ Supervisors and managers must understand and be trained in their obligation to preserve the confidentiality of employees' medical information. The law prohibits them from sharing that information with staff members or other third parties.

Conclusion

An organization's employee handbook should include a Medical Privacy policy, which outlines the circumstances under which employees may need to provide medical information, and the protections the organization has established to preserve privacy and confidentiality. Legal exposure exists for making unlawful medical inquiries or failing to protect medical information under laws such as the Family and Medical Leave Act and the Americans with Disabilities Act. Employers should be careful and intentional about ensuring compliance throughout the organization.

Employees 361

1. 42 U.S.C. § 12112 (d)(2). This prohibition may not apply if a candidate requests an accommodation during the recruitment process, or if the employer seeks voluntary disclosure of disabilities pursuant to affirmative action in accordance with applicable regulations. *Job Applicants and the Americans with Disabilities Act, Q.1 (10/07/2003)*; *EEOC Enforcement Guidance: Disability-Related Inquiries and Medical Examinations of Employees Under the Americans with Disabilities Act (ADA), Q.23 (7/26/2000)*.

2. *Job Applicants and the Americans with Disabilities Act* at Q.15.

3. *EEOC Enforcement Guidance* at Q.2, 14.

4. 42 U.S.C. § 12112 (d)(3).

5. 29 C.F.R. § 1630.14 (b)(3); the definition of disability under the Wisconsin Fair Employment Act is found at Wis. Stat. § 111.32(8) and is found at 42 U.S.C. § 12102 under the Americans with Disabilities Act.

6. 42 U.S.C. Chapter 21F.

7. 42 U.S.C. § 12112(d)(4).

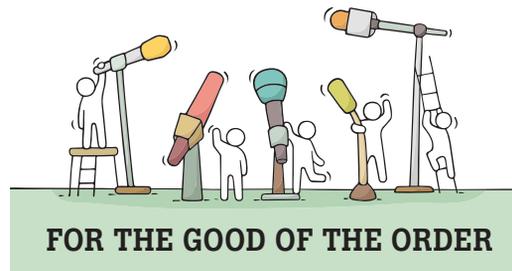
8. *EEOC Enforcement Guidance* at Q. 5. *Id.*

10. *Id.* at Q.21.

11. *EEOC Enforcement Guidance* at Q. 22. The EEOC has since issued more specific regulations on the parameters of acceptable wellness programs. See e.g. 29 C.F.R. § 1630.14(d).

12. 29 CFR 1630.14(b).

13. *Id.*



Preparation and Techniques to Avoid Meeting Chaos - The Body's Duties

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

This month's focus is on responsibilities that governmental body members ("members") have when attending a meeting of that governmental body (the "Body"). The chair and members of a governmental body share responsibility for holding a productive meeting and avoiding chaos.

The first meeting rule is for each member to be civil. The book *Strategic Doing* states, "Rules of civility are one important component of establishing an environment where trust can flourish! With civility, a person can speak and know that others would listen to their ideas."¹

The second rule for productive meetings is preparation. Before the meeting, a member should carefully review the agenda and supporting materials. If they have questions, they should seek information before the meeting from the administrator, clerk, or their designee. The number one complaint I hear is, "Members show up unprepared for meetings." Because of this, they ask uninformed questions, and generally make a mess of the meeting.

A third issue is meeting attentiveness. For example, using your electronic device indicates you're not paying attention. Further, texting other Body members with comments (potentially a private meeting) could result in an open meetings law violation. The best advice is to mute and stay off personal cell phones and electronic devices. As the meeting continues, keep pace with the agenda. Doing so will help the Body focus on each agenda item and move the meeting forward.

A fourth issue is meeting decorum. Members should arrive at every meeting on time. During the meeting, listen to others, as you would expect each member to listen to you. If you have accepted any responsibility for research or information gathering, do so in a timely fashion. Be diligent in your research and prepare your comments utilizing all of the information received, not just that which supports your viewpoint. You should be able to make the best decisions possible, using all the available facts.

The Robert's Rules of Order Newly Revised (RONR) approach is to use a formality and decorum to keep the debate/discussion from becoming

personal (RONR 11th Ed. Pgs. 22-25 & 393). Once recognized and speaking to the motion (RONR 11th Ed. Pgs. 29-30), a member must always address all comments to the chair. Keep your comments focused on the motion's merits and relevant to the topic at hand. Do not use insults, vulgarity, or inflammatory language. RONR refers to this as refraining from actions that "disturb the assembly" (RONR 11th Ed. Pgs. 391-393). Be mindful that under RONR, a member has the right to speak to an issue only twice, and for no more than ten (10) minutes each. Also, a member should avoid speaking against her or his motion, but if seconding another's motion, s/he may speak against it. The difference is that by making a second, a member is indicating an interest to discuss the motion, not favor it (RONR 11th Ed. Pgs. 387-90 & 391-393).

Avoid making "negative" motions such as "I move not to allow the Clerk to buy staples." What happens if this motion passes? Nothing. And worse, it may add confusion as to the result. Use a positive approach to avoid an ambiguous outcome (RONR 11th Ed. Pgs. 104-105). While addressing comments to the chair,

members should avoid giving a personal opinion, or attacking another member's motives or their characteristics (RONR 11th Ed. Pg. 43).

Remember, RONR's purpose is to *facilitate discussion, not to obstruct it*, and to ensure courtesy to all. Thus, each proposition is entitled to full, free debate and discussion, prioritizing substance over the process. RONR facilitates full discussion participation through its guidance about the types of remarks and methods for making them. For instance, a member must seek recognition from

the chair before making any comments. Once recognized, if making a motion, start with "I move that _____" (RONR 11th Ed, Pgs. 32-33).

Remember that discussion cannot start until the motion is seconded (RONR 11th Ed. Pg. 35), and the chair restates the motion (RONR 11th Ed. Pg. 37).

Now the motion belongs to the Body and can be discussed. I use the term "discuss" versus "debate." While RONR uses "debate," I find that "debate" implies there must be a winner and a loser. Civil discussion leads to a resolution based on

informed information leading to the best course of action.

Finally, remember the number one rule of civility, the Golden Rule: Treat other people the way you would like to be treated. Doing so will keep your meetings running smoothly and effectively.

1. Morrison, Hutcheson, Nilsen, Fadden & Franklin, *Strategic Doing*, 2019.



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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>

Intoxicating Liquors FAQ25

Can the municipal clerk issue operator's licenses without action by the governing body?

Pursuant to 2019 Wis. Act 166, municipal governing bodies may now, by ordinance, authorize a designated municipal official, such as the clerk, to issue operator's licenses. Wis. Stat. § 125.17(1). Such designation of authority may also include the authority to issue temporary operator's licenses and provisional operator's licenses. Wis. Stat. §§ 125.17(4), (6)(b). (new 4/20)

Appointments & Vacancies FAQ7

If a municipal official, such as a member of the library board or the governing body, is temporarily unable to perform his or her duties because of an illness, may the governing body appoint someone to fill the temporary vacancy until the officer is able to return and perform his or her duties?

Yes. State law provides that if any municipal officer, other than an alderperson or trustee, "is incapacitated or absent from any cause," the governing body may appoint a person to discharge the officer's duties until the officer returns or until the disability is removed. See Wis. Stat. §§ 61.23(1) (villages) & 62.09(5)

(d) (cities). These statutes further provide that if a trustee or an alderperson is "temporarily incapacitated because of physical or mental disability," the village board or common council may appoint a person to discharge the trustee's or alderperson's duties until the disability is removed. (rev. 4/20)

Pecuniary Interest FAQ5

Does the state ethics code for local government officials prohibit a local official from voting on a matter or using their office to affect a matter involving the official's son or daughter, parent, sibling, aunt or uncle, father/mother-in-law or other relative?

The answer depends on the circumstances. The state ethics code for local government officials does prohibit a local official from using their office to obtain financial gain or anything of substantial value for the private benefit of their immediate family, taking official action substantially affecting a matter in which an immediate family member has a substantial financial interest or using their office in a way that produces or assists in the production of a substantial benefit for an immediate family member. Wis. Stat. § 19.59(1)(c)1, 2. However, the state ethics code defines "immediate family" in a limited way that substantially limits the scope of these prohibitions.

Under the state ethics code, "immediate family member" is defined as a spouse or relative by marriage, lineal descent or adoption who receives, directly or indirectly, more than one-half of his or her support from the official or contributes, directly or indirectly, that amount for the official's support. Wis. Stat. § 19.42(7). Thus, state law only prohibits voting or other action by an official in certain matters involving their son or daughter, parent, sibling, aunt or uncle, or father/mother-in-law; and only when the official provides more than 50 percent of their support or the official receives more than 50 percent of their support from that person. But it is worth noting that municipalities are authorized to adopt a more stringent code of ethics that prohibits such action irrespective of subject matter or support. Wis. Stat. § 19.59(1m). (rev. 4/20)

Legal Captions

Employees 361

HR Matters column article by Lisa Bergersen discussing legal restrictions pertaining to medical inquiries, examinations, and privacy in the employment relationship. The article outlines what is permissible or prohibited at each stage of the employee life cycle including during the application phase, inquiries following a bona fide conditional offer of employment, and medical inquiries/examinations of current employees.

Taxation 1060

Legal note discusses timing for Board of Review in face of Covid-19 public health emergency.

2020 League Workshops, Institutes, and Conferences

| EVENT | DATES | LOCATION | LODGING | REGISTRATION FEE |
|--|-------------------------------------|-----------------|--|--------------------------------------|
| *Building Inspectors Institute | April 15-17 | Delavan | Lake Lawn Resort 262-728-7950 \$82 Single/ double ID: WI Bldg Insp. Inst. | \$205 Member \$230 Non-Member |
| *Local Government 101 | May 1 | | | \$100 Member \$125 Non-Member |
| Avoiding Common Mistakes | May 1 | | | \$0 LWMMI Insured \$50 all others |
| *Local Government 101 | May 1 | | | \$100 Member \$125 Non-Member |
| *Local Government 101 | May 2 | | but small block is available | \$100 Member \$125 Non-Member |
| *Local Government 101 | June 5 | Madison | Hilton Garden Inn Madison West/Middleton Usually does not require overnight stay but small block is available | \$100 Member \$125 Non-Member |
| *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 | June 26 | Oconto Falls | City of Oconto Falls Administration Building Usually does not require overnight stay | \$100 Member \$125 Non-Member |
| Avoiding Common Mistakes | July 8 | Rice Lake | N/A | \$0 LWMMI Insured \$50 all others |
| Chief Executives Workshop | August 19-21 | Wausau | City Grill at Jefferson St. Inn 866-855-6500 \$128 single/double ID: Chief Execs Workshop | \$200 Member \$225 Non-Member |
| Avoiding Common Mistakes | September 10 | Waupaca | N/A | \$0 LWMMI Insured \$50 all others |
| *Local Government 101 | September 11 | Waupaca | Par 4 Resort 715-256-9000 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 |
| Plumbing Inspectors Institute | September 23-25 *Date may change | Eau Claire | Lismore Hotel 715-835-8888 \$82 single/double ID: League of WI Muni's - Plumbing Insp Institute | \$165 Member \$190 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. Room block open July 1. | \$270 Member \$295 Non-Member |
| Police & Fire Commission Workshop | November 13 | Wisconsin Dells | Wilderness Hotel - Conference Center 1-day workshop Usually does not require overnight stay but small block is available | \$130 Member \$155 Non-Member |

CANCELLED/RESCHEDULED
Due to COVID-19 concerns, we are canceling or rescheduling League programs. Check lwm-info.org for details.

Local Gov 101 to be offered by Webinar!

* Online Registration Available

Transitions

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Columbus - Kyle Ellefson

City Clerk: Mellen - Gwen Watson

Fire Chief: Holmen - Buck Manley

Mayor: Elroy - Karen Sparling
Wausau - Katie Rosenberg

RETIREMENT

Chilton. After 25 years of service to the city, Helen Schmidtkofer retired in March. She was appointed City Clerk/Treasurer in October 1995 and became Administrative Coordinator on January 1, 2006. We thank her for her leadership and outstanding service to the city of Chilton.



Gilman. Gilman would like to thank Fran Prasnicky for her 35 years of dedication to the community! We appreciate you and your time that you have given to the Village of Gilman and the residents!

CONDOLENCES



Combined Locks. Marvin H. Schumacher, who served as League President in 1975, passed away in March. He served as trustee and Village President of Combined Locks. He was founder and past president of Services Plus and Warehouse Specialists. Marvin and his wife Betsy were early leaders in the Green Bay Diocese Cursillo Movement, and Marvin was a member of the Elks Club of Kaukauna, Kaukauna Rotary Club, and The Heart of the Valley Chamber of Commerce. He was an active member and longtime keynote speaker for the Wisconsin Manufacturers and Commerce Business World program, and spoke to thousands of high school students throughout Wisconsin, influencing and encouraging many aspiring young entrepreneurs along the way.

★ **Celebrate your Clerk!**
Municipal Clerks Week is May 3-9.

★ **Creative Economy Week!**
May 9-16, 2020. Check out artswisconsin.org for information on how you can get involved.

★ May is **Clean Air Month**. What are you doing to raise awareness?

Operator Awards



- Outstanding Operator Awards:
 - Warren Howard, City of Marinette POTW
 - Jeff Bratz, Western Racine, Eagle Lake, Brighton, and MHC Rainbow Lake POTWs
- Outstanding Plant Performance Awards:
 - Hartford Water Pollution Control Center
 - City of Superior



Have an update?

Please send changes, corrections, or additions to Robin Powers at 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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