

The Municipality

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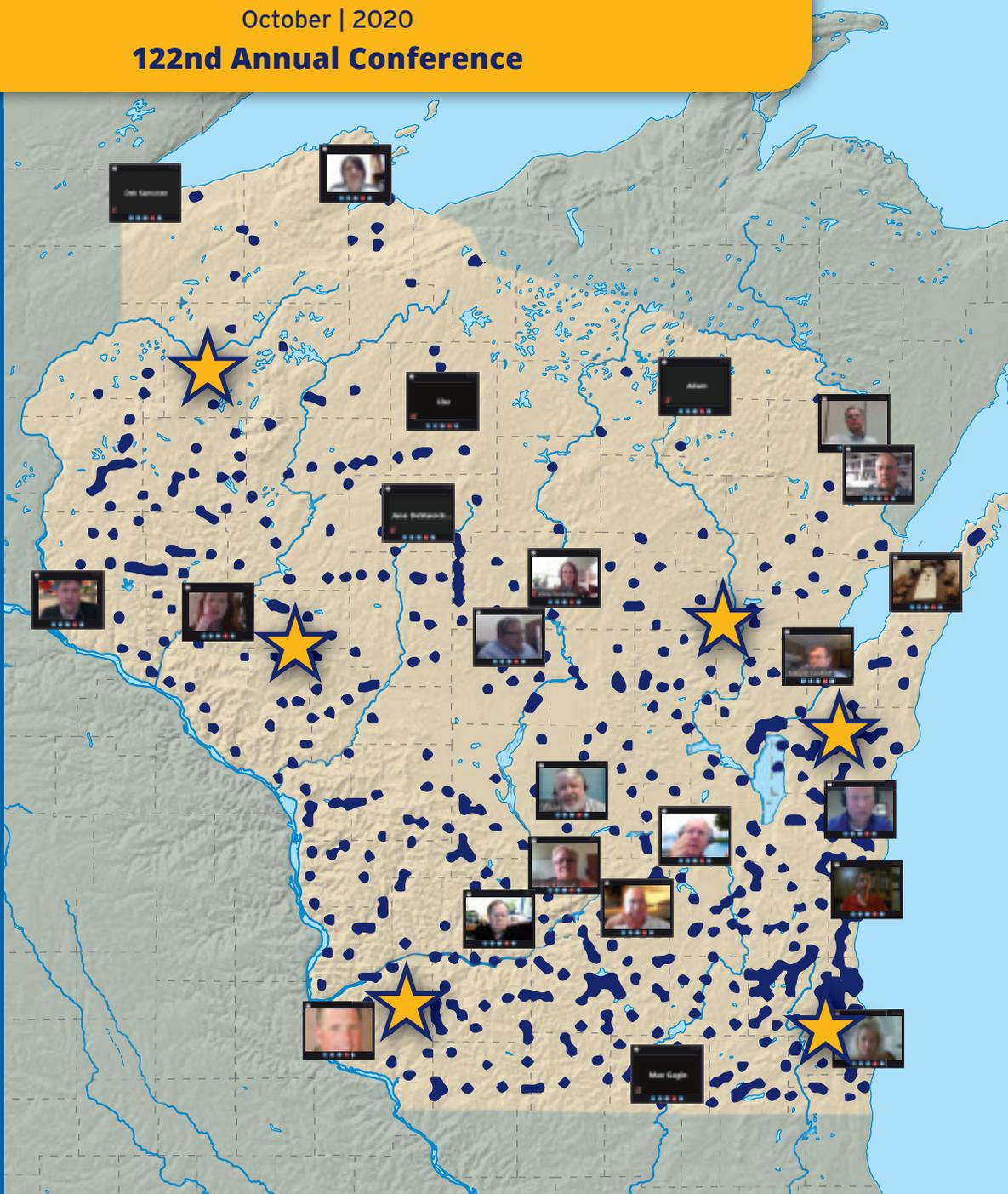
October | 2020
122nd Annual Conference

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131 W. Wilson St., Suite 505, Madison, WI 53703
Dial (608) 267-2380
In-State (800) 991-5502
Fax: (608) 267-0645
e-mail: league@lwm-info.org
Website: www.lwm-info.org

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You get the idea! Anyone, from anywhere can join us for the League's 122nd Annual Conference and learn from the 14 valuable virtual workshops. When you register for the conference, you can also join us for one of the 6 in-person regional meetings. Details and registration information on page 23 of this magazine and at <https://lwm-info.org/731/Annual-Conference>

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It's October, Is Your Legislator Home?

Jerry Deschane, Executive Director, League of Wisconsin Municipalities



With all of the hullabaloo surrounding the presidential election and Wisconsin's status as a critical state in that contest, it's easy to forget that there will be over 100 other elections on ballots around Wisconsin. Those state legislative elections are vital to your city or village's future. Do those candidates for the state Senate and Assembly know what matters to your community?

This year, the League is asking local leaders to get to know the people who want to serve you as state legislators. Help them get to know your community. Take them on a tour. Take them on a tour of your fire stations, water treatment system, wastewater treatment plant, municipal parks, or recent public works projects. Introduce them to city hall staff, your first responders, and the other dedicated public servants who make your community a unique and terrific place to live. They are asking your citizens for the privilege of representing your city or village. If they're worth their salt, they will want to understand the issues and concerns of your municipality. Give them that opportunity.

The League has a legislative agenda, and we'll be talking to you about that soon enough. We'll also be sharing it with lawmakers and making the case for local control...including treating local elected leaders like adults when it comes to making financial decisions. But relationships come before issue debates. There's no better time to establish a good working relationship than during election season.

Many of you already have those relationships, and that's a great thing. Perhaps this is a good time for an update in the mayor's office on that economic development project you talked about last spring, or how the village is coping with the unique challenges of changing demographics, social unrest, and a pandemic. And, oh yeah, reinventing elections.

Wisconsin renews its legislature every two years; and like local elections there are a fair number of familiar faces, along with about 20% new faces. Whether your state representative is someone you've known since high school or a new face from the other side of the county, you'll be working together. You are representing the same citizens, albeit with a different set of tools. You need one another. They need to know what you know.

Advocacy is a year-round process. What you do now lays the groundwork for your future interaction with state legislators during the legislative session.

THIS is your Annual Conference Program!



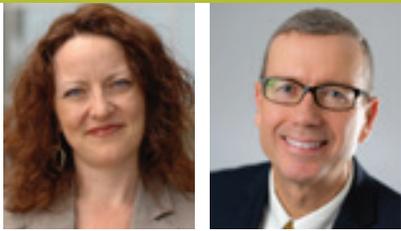
Since anyone in Wisconsin can attend and everyone gets *The Municipality*, this is your guide to the Conference. **Join us!**

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New Public Bidding Resource

Cindy Buchko, General Counsel, Construction Business Group and Curt Witynski, Deputy Executive Director, League of Wisconsin Municipalities

When municipalities competitively bid public works, the award must go to the “lowest *responsible* bidder.” Determining whether a bidder is “responsible,” however, can be a near impossible task unless the local government has an extensive contractor prequalification process. A contractor prequalification process is beyond the resource capabilities of many local governments.

All too often, a local government awards work to a contractor only to find out later – after the project experiences delay, cost overruns, or poor quality – that the contractor previously failed to satisfactorily perform for other local governments. How can local governments better inform themselves on whether a bidder is truly responsible?

Construction Business Group (CBG) is a trade organization that monitors public and private construction projects throughout Wisconsin. CBG has compiled information on over 9,600 contractors and offers free access to the database to registered users. For each contractor, the database has links to judgments, tax liens, debarment records, OSHA violations, and more. The data is verifiable and reliable public information and provides local governments, other project owners, general contractors, and engineering firms with a convenient, easy-to-use research resource.

Recently, the League of Wisconsin Municipalities and CBG entered into a Memorandum of Agreement that will make

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Putting the “Responsible” Back into Low Bidders

Randy Reeg, City Administrator, Mauston

If you’ve worked in local government long enough, you know what it’s like to regret having awarded a public construction contract to the lowest bidder. State statutes require municipalities to award public construction contracts to the lowest responsible bidder, not the absolute lowest bidder. But most of us have gotten used to awarding contracts to the low bidder, no matter who it is. Whether due to the irrational fear of being sued for selecting a contractor without the lowest bid, or the misguided presumption that all contractors bidding on projects in Wisconsin should be regarded as equally “responsible,” virtually every municipality has awarded a large contract to a low bidder over a few thousand dollars and later regretted it. And even worse is hearing “That doesn’t surprise me!” or “I could have told you that!” when discussing these nightmare projects after the fact with engineers, attorneys, or other municipal officials.

So how can municipalities work together to share information and experiences proactively, to help each other avoid these pitfalls? At the annual conference last fall, I posed this question to League staff with the idea of developing a municipal equivalent to Yelp or Angie’s List –

creating a database of contractor reviews by municipalities with which the “responsibility” of bidders could be established. Fast forward to today, and we now have a tool we can begin to use.

The League partnered with the Construction Business Group to enhance a database they already had in place, but few knew about. This partnership and effort has been marked by the launch of a new website (responsiblewisconsin.com), which provides local government officials with exclusive access to a project evaluation form that may be completed for your public works projects. The project evaluations will be connected to the contractor (or subcontractor) who was evaluated and available to view by other local governments. The project evaluation survey form allows local government staff and officials to weigh in on whether the project was completed on time, within budget, and whether the quality of the work was satisfactory. I would encourage all municipal officials to check it out and begin to incorporate its use into your bidding process!

Contact Randy at cityadmin@mauston.com

the bidder database an even more powerful tool for local governments. Local government officials will have exclusive access to a project evaluation form that may be completed for your public works projects. The project evaluations will be connected to the contractor (or subcontractor) that was evaluated and available to view by other local governments. The project evaluation survey form allows local government staff and officials to weigh in on whether the project was completed on time, within budget, and whether the quality of the work was satisfactory. Taking 10 minutes to complete a survey could save a fellow local government from awarding work to a contractor that is not responsible.

To register for and access the database, go to responsiblewisconsin.com. From the home page, you can request access if you are not a registered user or access the database if you are a registered user.



Once you are a registered user, you will have a username and password for accessing the database. Within the database, only credentialed local government officials will be able to access the project evaluation, which appears at the top right of the page.



The project evaluation is a short, easy-to-navigate digital questionnaire. You will be asked to provide basic project information, such as a description of the project, cost, start and end dates, and the awarded bidder. You will then be asked if the project was on time, on budget, and to project specifications. If the project was not on time, on budget, or to project specifications, additional dropdown questions allow you to provide additional information. You may also rate your overall satisfaction with the project. Once completed, click on the submit button.



Once submitted, the project evaluation becomes a PDF document that CBG staff will review for completeness and post within the bidder database for the applicable contractor. League staff will assist CBG if any questions arise as to the propriety of a submitted project evaluation.

The League strongly encourages its members to complete project evaluations for all public works projects. A few minutes of effort will allow your fellow local government officials to benefit from your contractor experience, whether it be positive or negative.

About the Authors

Cynthia (Cindy) Buchko is the General Counsel of Construction Business Group (CBG), a trade organization protecting the interests of 30,000 construction workers and 4,000 contractors. Cindy is a past Chair of the Construction and Public Contract Law section of the Wisconsin State Bar. Contact Cindy at c.buchko@cbgwi.com

Curt Witynski is the Deputy Executive Director of the League of Wisconsin Municipalities. Curt joined the League staff in 1987. Contact Curt at witynski@lwm-info.org



THURSDAY, OCTOBER 8
12:00 P.M.

Finding Lowest Responsible Bidders for Your Construction Projects - EPW PDH Eligible

Cynthia Buchko, *General Counsel, Construction Business Group* and Kail Decker, *City Attorney, City of West Allis*

All too often, a municipality awards work to a contractor only to find out later – after the project experiences delay, cost overruns, or poor quality – that the contractor previously failed to satisfactorily perform for other local governments. How can municipalities better inform themselves on whether a low bidder is truly responsible?

The speakers at this workshop will give a brief overview of the public construction bidding law, particularly focusing on how communities can determine if a low bid is from a “responsible bidder.” The process for qualifying bidders under the bidders proof of responsibility provision in state law will be discussed. Speakers will also highlight a new online public project evaluation tool, ResponsibleWisconsin.com, created by the Construction Business Group and sponsored by the League, which can help communities determine whether contractors are responsible bidders.

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- Unpacking 2020: Lessons Learned in Crisis Communications
- Racial Equity Local Government Action Steps
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- How Secure is Your Municipality's Network? Assessing Cyber Risk
- Best Practices for Recruiting & Interviewing Your Next Hire
- Finding Lowest Responsible Bidders for Your Construction Projects
- Roundtable: Large Communities
- Ask the Attorneys
- Innovative and Affordable Ways to Comply with Phosphorus Standards
- Locally Sourced Downtowns: Supporting and Cultivating a Thriving District
- Useful Tools for Environmental Cleanup and Property Redevelopment
- Managing Conflict in Local Government
- How Some Rural Communities Thrive While Shedding Population: Learning to Shrink Smart
- Budget Strategies for Surviving the Recession and Thriving Post-Pandemic
- Three Feisty Clerks: Candid Feedback for Municipal Leaders

Register at <https://lwm-info.org/731/Annual-Conference>

Three Feisty Clerks

Jerry Deschane, Executive Director, League of Wisconsin Municipalities



Do your homework, ask questions, listen, don't be the Lone Ranger, and think "community." Those are the most important pieces of advice municipal clerks have for elected leaders.

Recently, we surveyed city and village clerks throughout Wisconsin, asking them what they would tell a new alder or trustee who came into their office and said, "How can I do this job better?" Their interesting, straightforward, and sometimes painful responses will be a featured part of the Annual Conference. Make sure you attend the "Three Feisty Clerks" session. You'll be a better elected official because of it.

Why did we ask clerks? (You're new here, aren't you?) Anyone who's been around local government for any amount of time will tell you that the clerk is the heart of most municipalities. They are the clearinghouse of information, the mayor's right hand, the village president's conscience, and usually the election clerk. Don't mess with them; they know where ALL the bodies are buried. They also have their finger on the pulse of your community. We could all learn a lot by listening to them.

To help "prime the pump," we asked clerks to respond to these open-ended statements:

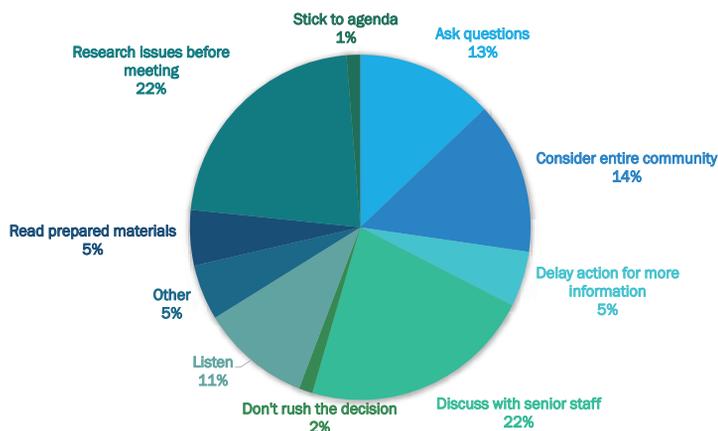
1. When they are wrestling with a difficult topic, I wish all village/city elected leaders would:
2. I bite my lip when I hear my trustee/alder/village president/mayor:
3. If a board/council member has a question, they should:
4. So many times, I've seen an elected leader make this mistake:
5. To avoid becoming that trustee/alder nobody wants to work with, they should:_____ and they should NEVER:_____ .

About 80 clerks responded.

Several common themes emerged in their responses. The first is the least surprising: too many elected officials open their meeting packet for the first time after they sit down at the

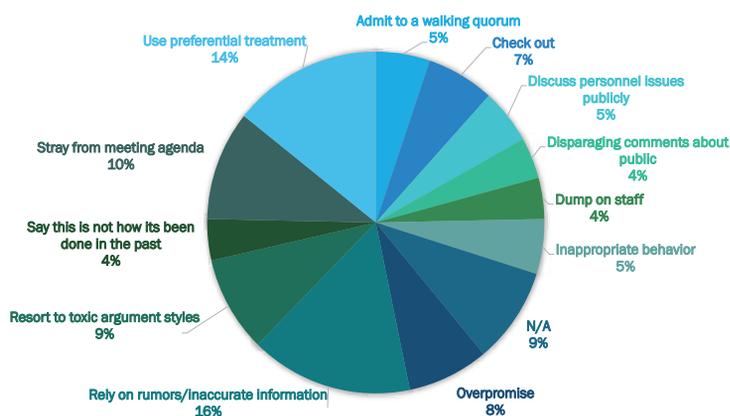
WHEN THEY ARE WRESTLING WITH A DIFFICULT TOPIC, I WISH ALL VILLAGE/CITY ELECTED LEADERS WOULD:_____.

CATEGORIZED RESPONSES



I BITE MY LIP WHEN I HEAR MY TRUSTEE/ALDER/VILLAGE PRESIDENT/MAYOR:_____.

CATEGORIZED RESPONSES



meeting. Do your homework. You deal with complex issues; sometimes issues that have more than one “correct” point of view. You owe it to your municipality, yourself, the staff who have been working on the issue, and most of all the citizens who elected you to be up-to-speed before the meeting starts. You don’t need to have your mind made up, but you should have read the information provided to you.

Twenty-two percent of the survey respondents said the first thing they wish board members would do is research the issue before the meeting, including discussing it with senior municipal staff. You play a critical role in the life of your community; you are part of the policymaking body. That means you are at the narrow end of the information funnel. (Don’t worry, that feeling of drinking from a fire hose is common to all council members and board members. You get used to it. It doesn’t go away; you just get used to it.) You will receive a lot of information; much of it good, a lot of it complicated, and a fair amount of what is provided from outside city hall is naturally biased by those who have a vested interest in the outcome. Ask questions. That’s your job.

Rely on your staff. The folks who work at the village hall, public works, or your first responders, not only have special training and education, they have the advantage of being

there, day after day. One clerk commented, “It feels like our board members forget that the employees who work for the municipality are there 40 hours per week and really know the workings of the municipality, and background information of most topics.”

Fourteen percent asked that decision makers consider the *entire* community, as opposed to one neighborhood or interest group. You have opinions; you were probably elected because of one or two of them. That’s OK, people expect you to have a point of view. But they also expect you to serve the whole community, not just your corner of it. The best local officials are the ones who bring their point of view to the table, but then look for ways to build consensus with others and show they’re conscious of the big picture.

Accepting rumors as gospel tops the list of the lip-biting responses. Sixteen percent of responding clerks want to hide under the table when they hear the local legislators taking action based on gossip or “street knowledge,” without first confirming whether what they heard at the coffee shop is actually true. More than one clerk told us they’ve sat in terrified silence while the discussion swirled around options that would violate state law.

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Don't blame Facebook, Twitter, or Auntie Agnes; tall tales have been a part of democracy since the beginning. Mark Twain wasn't thinking about Facebook when he said, "A lie can travel halfway around the world while the truth is putting on its shoes." It's your job to sift through the pile and find the truth. Again, do your homework, ask questions, and do some honest fact-finding.

This isn't to say elected officials should be rubber stamps. If spending taxpayer dollars and building a sustainable community had nothing but "right or wrong" answers, there wouldn't need to be an odd number of people on the council (to avoid tie votes). In fact, there would be no need for multiple trustees and alders; one person armed with the facts could just run the place.

That's not reality. Human beings live in an imperfect world, and somewhere along the line we lost the owner's manual.

Many questions have multiple potential answers, not all of them right and not all of them wrong. It may be obvious that Main Street needs repaving, but you'd be surprised how many different opinions people have about the right kind of vehicle parking. Whether you consider yourself a conservative or a progressive, woe be unto you if the village doesn't do a good job plowing the snow because you neglected to replace the old truck.

The clerks have a lot more to tell you. Take the time to ask. Do your homework, ask questions, listen, don't be the Lone Ranger and instead think "Community." Attend "Three Feisty Clerks." I'll be moderating.

About the Author:

Jerry Deschane is the Executive Director of the League of Wisconsin Municipalities. Working with the League board and staff, Jerry is responsible for engaging appointed and elected city and village officials in the state legislative process and for motivating state policymakers to support vibrant Wisconsin communities. He is the fifth League Executive Director since the organization was founded in 1898. Deschane is a longtime lobbyist and association executive. He also has experience in state government and the news media. Contact Jerry at jdeschane@lwm-info.org

LEAGUE ANNUAL CONFERENCE WORKSHOP

THURSDAY, OCTOBER 15
12:00 P.M.

Three Feisty Clerks: Candid Feedback for Municipal Leaders

Bradley Hanson, *MPA, CFM'S, City Administrator/ Clerk, Mondovi*; Kathy Morse, *MMC/CMTW/WCPC, Clerk-Treasurer, Rice Lake*; and Diane Coenen, *WCMC/CMC, City Clerk, Oconomowoc, WMCA President*
Moderated by Jerry Deschane, *Executive Director, League of Wisconsin Municipalities*

Do your homework, ask questions, listen, don't be the Lone Ranger, and think "community." Those are the most important pieces of advice municipal clerks have for city and village elected leaders. Three of Wisconsin's leading municipal clerks will share their "Feisty" ideas for making you the best leader you can be.



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Marathon City's Alternative Phosphorus Compliance Strategy

Andy Kurtz, Administrator, Clerk, Treasurer, Director of Economic Development, Director of Public Works, Zoning Administrator, and Human Resources Director, Village of Marathon City



In 2012, the village of Marathon City was among the first wastewater systems in the state to receive the ultralow phosphorus limit of .075 mg/l for its Wisconsin Pollutant Discharge Elimination System

(WPDES) permit along with an associated compliance schedule. While working to develop a cost-effective solution to phosphorus compliance, the village had to take into account significant external factors that developed concurrently to the permit's compliance schedule. Among the external factors were the Multi-Discharger Variance (MDV), the Wisconsin River Total Maximum Daily Load (TMDL), and the Site-Specific Criteria (SSC) resulting from the TMDL. As a result of these external factors, the village was faced with planning for up to four different effluent limits. Each limit variable impacted the solution's design and came with an associated cost. Essentially, Marathon City had to develop a compliance strategy to hit a moving target by the final compliance date of December 31, 2019.

The conventional wisdom at the time was to construct new processing facilities designed to reduce the total phosphorus effluent levels prior to discharge to the Big Rib River. Despite the range of potential limits, the village was advised by DNR to plan for .075 mg/l as the limit. To achieve that effluent limit, the projected cost for such a system was \$1.5M. The inside the fence solution would remove 600 pounds of phosphorus annually, which is less than 1% of the annual phosphorus load of the Big Rib River.

Given the wide range of potential effluent limits for Marathon City, the village focused on alternative compliance strategies that would provide the maximum flexibility in achieving compliance both from a limit perspective and a timing perspective. These strategies were built around Water Quality Trading (WQT). Based on analysis completed by the village, WQT could provide a lower cost per pound of phosphorus removed and would focus reduction efforts where the loading is most significant: agriculture.

Since 2016, Marathon City has been pursuing WQT and working to develop the partnerships required to make the effort successful. Initial efforts focused on engaging Marathon

County Conservation, Zoning and Planning Department to function as a trading agent. However, due to several factors the efforts fell apart and Marathon City pursued a different avenue.

In 2018, discussions began with a Concentrated Animal Feed Operation (CAFO) located in the village's watershed. The discussions focused on the CAFO's desire to implement practices on the farm to reduce their phosphorus footprint and the village's desire to purchase credits. Through analysis, it was determined that a change in their practices and rotation could produce between 5,000 and 11,000 pounds of phosphorus reduction annually which would be made available to communities for WQT purposes.

Through discussions with the Wisconsin Department of Natural Resources (WDNR), Marathon City learned of a less publicized MDV option. Wastewater facilities are provided the ability to enter into a watershed project agreement versus paying a calculated rate per pound to the county. Additionally, under the approved MDV the effluent limits stepped down over several permit cycles. Given these factors, an MDV Watershed Project approach more closely matched the desired outcome of WQT efforts of the village and became the phosphorus compliance strategy for the village of Marathon City.

The Wisconsin River TMDL was approved by the US EPA in late April 2019. This approval reduced the number of final effluent options that Marathon City needed to plan for. However, the TMDL approval resulted in the pursuit of the site-specific criteria limits within the TMDL. This meant that there were still multiple effluent limits that Marathon City would need to plan for and consider in discussions with the CAFO considering partnership in the MDV Watershed Project.

In October of 2019, Marathon City submitted an MDV application to the DNR for implementation of a watershed project with MilTrim Farms of Athens, WI. The watershed project will consist of two primary elements on the 4,700 plus acres they manage. The first is retirement of marginal producing crop land and conversion to prairie resulting in long-term phosphorus credits. Second, MilTrim Farms will

convert all cropping to a limited till method as rotation to corn occurs generating interim phosphorus credits for trading. The net result of these changes will produce thousands of pounds of total phosphorus reduction annually. The village of Marathon City will be paying \$55 per pound of phosphorus annually which is less than the interest payments on the \$1.5M needed for the facility based compliance solution.

Marathon City received conditional approval of the MDV Watershed Project application in February of 2020. The MDV interim limit of .8 will be integrated into the reissuance of the village WPDES which was released for public comment on July 21, 2020. With the approval of the SSC on July 9, 2020, the Village anticipates utilizing the MDV for one permit term and then converting the watershed project to a Water Quality Trading Agreement for future WPDES permits with the SSC limits.

Developing and implementing a phosphorus compliance strategy has been a six-year effort for the village of Marathon City. Being one of the first required to comply with the ultralow phosphorus came with multiple challenges. The MDV, the TMDL, the SSC, multiple effluent targets all influenced the ultimate strategy selected by the village. If Marathon City would have followed the conventional wisdom and implemented a facility-based solution, it would have over configured and over spent. The pursuit of the most flexible, highest impact, most cost effective compliance strategy resulted in a public/private partnership that will remove up to 30 times the phosphorus from the local watershed at a lower cost per pound versus the inside the fence solution.

About the Author:

Andy Kurtz is the Administrator, Clerk, Treasurer, Director of Economic Development, Director of Public Works, Zoning Administrator, and Human Resources Director for the village of Marathon City. Andy serves on the board of directors of the Local Government Institute and is a member of the League Lobby Team. Andy entered the public sector in 2014 after a 19-year career in the private sector as a Product Manager and Account Manager for a Wisconsin-based technology company focused on financial institutions, payment automation, and document management systems. Contact Andy at AKurtz@marathoncity.org

» The Conference hashtag is #LeagueWI2020 - Show us your League Spirit!

LEAGUE ANNUAL CONFERENCE WORKSHOP

» TUESDAY, OCTOBER 13, 12:00 P.M.

Innovative and Affordable Ways to Comply with Phosphorus Standards - EPW PDH Eligible

Andrew Kurtz, Village Administrator, Village of Marathon City and Adrian Stocks, Director of Water Quality Program, Department of Natural Resources

The village of Marathon City has been in the forefront of trying to find ways for its wastewater treatment plant to affordably comply with the state's phosphorus water quality standards. In this workshop, Marathon City Administrator Andy Kurtz will describe the village's Multi-Discharger Variance (MDV) and a creative biosolids management approach the village is seeking to implement. Adrian Stocks, Director of DNR's Water Quality Program, will discuss adaptive management, water quality trading, and other innovative ways communities are complying with phosphorus standards around the state.

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Meet the New League President

Jerry Deschane, Executive Director, League of Wisconsin Municipalities

The last time I heard from Todd Schmidt he was texting me videos of a goat.

This fall, the village of Waunakee, where Todd is the Administrator, has thrown itself into its “Creative Economy” with vigor and was looking for a creative way to encourage people to shop locally. Enter Pretzel, the goat.

“Could we have put up yard signs that say, ‘We’re open; please shop here’? Sure. Would they have gotten much attention? Probably not,” says Schmidt. One wild and creative committee meeting later, GOATWaunakee.com was born. GOAT is an acronym for “Get Out and Try” Waunakee. It’s a whimsical and upbeat message telling residents that Waunakee businesses have put a tremendous amount of time and energy into making their stores safe for shoppers during the pandemic. Pretzel will be the star of a series of social media videos and will be seen browsing Waunakee stores.

“It’s a fun way to carry out an important public work,” said Schmidt. It’s also typical of the way Todd approaches his role as local leader. Talking to him about municipal government is like talking to a teenager about his first car. The enthusiasm continues to show itself even after more than 23 years of city and village management.

“Think about the last time you were in an airplane at night,” he told me. “When you look down you see these clusters of lights, some of them blinking, some flashing, some changing colors; others are moving along roadways. It makes me think about what we do; and it’s just so amazing to be a part of this tremendous machine; this intricate system of people, policies and procedures that comes together to serve members of the public. It’s neat to be a part of that.”

Todd Schmidt was born and raised in Elkhorn, Wisconsin. He recalls meeting Ed Geick, the Manager of the city of Elkhorn, to fulfill a high school writing assignment. “For the life of me, I can’t remember what that paper was about,” Todd admits. He went to UW-Platteville intent on becoming an engineer, but lost interest in engineering “about the same time that I lost interest in Calculus 3.” He shifted to political science and economics. A summer internship in the Platteville

City Hall, followed by another one a year later in Glendale, hooked Schmidt on municipal service. He attended Northern Illinois University and interned with the city of Janesville while working on a Masters in Public Administration. That led to his first “real” job working for Village Manager Russ Van Gompel in Brown Deer, then seven years as Milton’s city administrator, and now finishing his 10th year in Waunakee.



If Schmidt is successful as a municipal leader, he says it is because of the people who trained him and work alongside him. “We are surrounded by so many good leaders and municipal professionals. So much of what is possible in our jobs is simply the result of the people who are around us and who work with us. I’m nothing more than

the product of the people around me.”

Schmidt became interested in serving on the League board because of the energy that he sees among members of the organization. “I am really thrilled to see the way the League has evolved and grown in the space in which it works. When you see the enthusiasm of local leaders who gather at League roundtables; there’s just not enough time in the day for all the idea-sharing and mentoring that goes on. I wanted to be a part of that team.”

Schmidt and other League leaders are committed to tapping into that energy to tackle one of the most difficult issues facing Wisconsin cities and villages: racial equity. “If there was a #1 priority for me today, it would be permanently moving the needle and making progress in how communities understand, appreciate, and benefit from diversity, social justice, and inclusion.”



Another of Schmidt's mentors is former Appleton Mayor Tim Hanna. Schmidt learned from Hanna about the importance of civility in government operations. "Civility," Schmidt says, "is a product of humility; an essential virtue

in local government service. If all local government leaders came from a base of humility, all of their efforts would have a greater potential for success. Humility, listening, a willingness to

change, to appreciate different perspectives, and not putting yourself above anyone else; those things pay off in terms of helping you get good things done. Those involved in local government service and League service are offered the space and privilege to do good things for the people we serve. Plus there's an opportunity for a bit of fun."

Todd Schmidt will be voted on as President of the League during its annual (virtual) business meeting on Tuesday, October 6.

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Wisconsin Policy Forum Releases Updated 2020 Municipal DataTool

Shows tax and spending trends over the last six years for Wisconsin's 600 municipalities

As communities face economic upheaval from COVID-19, the Wisconsin Policy Forum recently released its updated 2020 Municipal DataTool. For the first time, it includes municipal fund balance figures - offering a look at potential financial reserves for these governments at a critical time.

The data suggest Wisconsin municipalities as a whole significantly bolstered their finances in 2018, which could leave some better prepared for fiscal challenges to come. However, while some municipalities increased their fund balances, certain dedicated funds may not be available to address lost revenues or higher costs from the COVID-19 crisis.

Our DataTool includes all 600 municipalities in Wisconsin, from the village of Big Falls (population 57) to the city of Milwaukee. Data is grouped into the following areas: property taxes, spending, debt, fund balances, shared revenue and property values, and income and population. The latest six years of data are provided, enabling users to see trends over time (generally from 2013 to 2018). For each subject, users may choose data from as many as 10 municipalities to compare.

We hope that having accessible and comprehensive data will hopefully inform discussions of how we overcome



the budgetary, service, and social challenges in our communities.

This information is a service of the Wisconsin Policy Forum, the state's leading resource for nonpartisan state and local government research and civic education. Learn more at wispolicyforum.org



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Municipal Attorneys Institute Notes

Thanks to Past Officers and Congratulations to New Officers

The League’s Municipal Attorneys’ Section thanks past officers President Lynn Lorenson, Oshkosh City Attorney, and Secretary Ed Antaramian, Kenosha City Attorney, for their service and for their help planning and assisting with the 2020 Municipal Attorneys Institute.

At the 2020 Municipal Attorneys Institute, the following attorneys were selected to serve as officers of the League’s Municipal Attorneys section:

President: Edward Antaramian, Kenosha City Attorney

Secretary: Anne Jacobson, Wausau City Attorney

CLE Credit

The Wisconsin Board of Bar Examiners approved 10 CLE hours (credits) for the 2020 Municipal Attorneys Institute. With the exception of the Thursday morning presentation on *Governance of Wisconsin Police Departments and Proposals for Reform*, which is worth 2 CLE hours, attorneys may claim 1 CLE credit for each presentation attended. Individual attorneys are responsible for reporting their actual hours of attendance.

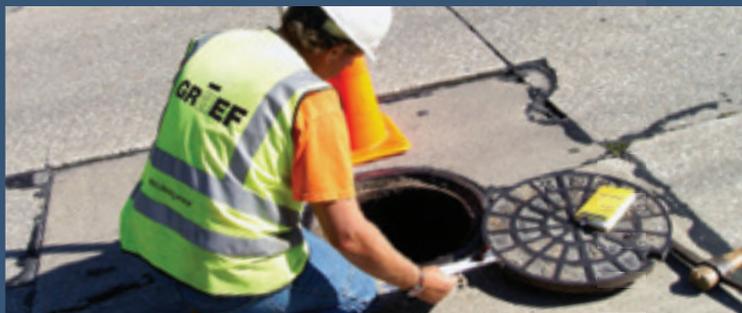
Save the Date!

The 2021 Municipal Attorneys Institute will be June 16-18 at the Radisson Hotel in La Crosse.



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- Can I consider a job candidate’s past arrest record?
- Can I ask job candidates if they have ever been injured on the job in previous employment?
- Do I have to lower performance standards for an employee who has been on an extended FMLA leave?
- One of my staff members worked 2 hours of overtime, although I told them not to, do I have to pay them for that time?
- Do I have to pay an employee for lunch if it is less than 30 minutes?
- What should I do if I suspect an employee is under the influence of drugs or alcohol?

The answers to these questions have legal ramifications. Supervisors who do not know how to answer them or how to handle a situation are likely to do or say the wrong thing.

Conclusion

Equipping supervisors to legally navigate their authority and oversight of staff should be a priority, and training should be part of the annual budget. There are many low-cost resources available, such as the Wisconsin Public Employer Labor Relations Association’s annual supervisory compliance training held at several locations throughout the state.² Many of Wisconsin’s technical schools and colleges offer certificates in supervision, which frequently include a human resources management component. Training supervisors to make legally sound decisions will better position the organization to successfully defend employment-related claims.

Employees 366

¹See the League’s HR Matters page for information on many of these topics: <https://www.lwm-info.org/1561/Human-Resources-Matter>

²See the WPELRA information page: <https://www.statenpelra.org/i4a/pages/index.cfm?pageid=3830>

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Subsidiary Motions Continued

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

Subsidiary Motions¹

This month, we wrap up our discussion of subsidiary motions. Last month we addressed Table, Postpone, and Postpone Indefinitely. This month we address the remaining subsidiary motions: Amend (refine and improve the main motion); Previous Question (vote on the main motion or amendment); Limit or Extend Limits of Debate (determine the amount of discussion time), and Refer (seek additional information from a committee).

To review, subsidiary motions relate to the main motion that brings business before the governing body (“body”). A member can use them to help the body determine and decide the main motion. A subsidiary motion is in order from the moment the chair restates the main motion until the chair begins to take a vote on that main motion. Also, the order of precedence determines which motion outranks the other. One can introduce a subsidiary motion if its precedence number (§17-§11) is higher than the pending motion. Each subsidiary motion, except as noted below, requires a simple majority vote to pass.

The motion to Amend (§12) is the most common subsidiary motion and is lower in precedence than the other subsidiary motions, except a motion to Postpone Indefinitely. The amendment must be

germane to the main motion and is used only to modify it. A member may say, “I move to amend the motion to buy a snowplow by adding with at least a free two-year warranty.”

The motion to Refer (or Commit) (§13) is ahead of the motion to Amend in order of precedence. This motion sends the main motion and any pending subsidiary motions to a committee, or other identified group, for discussion and consideration. Typically, it includes a defined time to report back to the body. For example, “Given the complexity of this motion, I move to refer the main motion and the motion to amend to the Public Works Committee, to examine the warranty issue and report their recommendations at our next meeting.” Once passed, the main motion and any pending amendments are now “referred” to the named committee or entity.

Some motions, especially controversial ones, require considerable discussion, while other motions require little discussion. Limit or Extend Limits of Discussion (§15) assists in both situations. Here a member can request that the body modify its approved meeting discussion rules to increase or decrease how long a member may speak or how often. A member might say, “I move to amend the body’s rules to allow a member to speak only one time and for no longer than three

minutes.” A two-thirds affirmative vote is required to pass the motion.

Other than a motion to Lay on the Table (§17), the motion to move the Previous Question (§16), (also known as Calling the Question), is the highest priority subsidiary motion. It seeks to close the discussion, end further subsidiary motions, and proceed to a vote. The Previous Question motion requires that no one else has the floor, is not debatable once seconded, and requires a two-thirds affirmative vote to pass.

To take effect, a subsidiary motion must have a second, and a vote. A common misunderstanding is that to say the words “Call the question,” by itself, automatically stops discussion. It does not.

When a member says, “call the question,” the chair may ask the member, “Is it your intent to stop the discussion, if yes, would you like to make a motion?” Another approach is for the chair to seek the body’s unanimous consent. Here the chair asks the body, “Councilmember/Trustee A is ready to vote; is it the unanimous view of the body to close discussion and move to a vote on the main motion?” If no one objects, the chair can close the discussion.

Finally, except for Lay on the Table, Previous Question, and Postpone Indefinitely, subsidiary motions can

apply to themselves. For example, a motion to Amend may also be amended. When applying a subsidiary motion to another subsidiary motion, it takes that motion's order of precedence. Thus, an amendment to a motion to Lay on the Table, also takes its precedence number (§17).

To review, a subsidiary motion has these five characteristics: 1) it does something to a pending motion; 2) it can be applied to any main motion; 3) it fits into the order of precedence; 4) it is in order, so long as no member has the floor; and 5) it is in order the entire time that the underlying motion is pending.

¹RONR 11th Ed. Pages 62-66

» #LeagueWI2020

LEAGUE ANNUAL CONFERENCE WORKSHOP



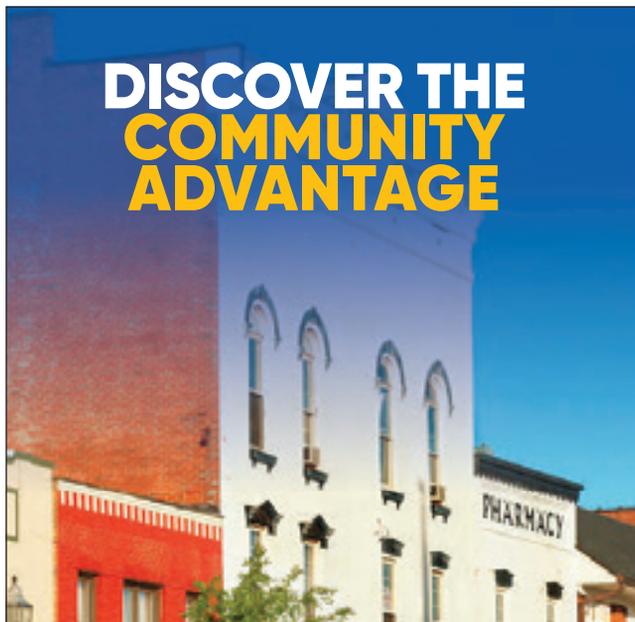
**TUESDAY, OCTOBER 13,
10:00 A.M.**

Ask the Attorneys

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

Do you have a question, or several, you've been pondering? The League attorneys will be available to answer "virtually" all of your questions. Claire and Maria will not make a formal presentation during this session, but will be available to try to answer general questions that you have pertaining to subjects of municipal concern (e.g., open meetings law, public records, conflict of interests and ethics, alcohol licensing, zoning, police and fire commissions, special assessments, parliamentary procedure, appointments and vacancies, ordinances and resolutions, etc.). It's important to remember, though, that the League attorneys do not represent your municipality. Meeting your community's legal needs is the responsibility and prerogative of your municipal attorney. So, while we can usually provide helpful information, we cannot answer questions pertaining to fact-specific situations in your municipality.

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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>

Open Meetings Law FAQ 16

Is posting an upcoming meeting on the municipal website sufficient public notice for purposes of the Open Meetings Law?

Yes, but only if notice is also posted in at least one public place likely to give notice to persons affected. 2019 Wis. Act 140 amended the Open Meetings Law's public notice requirements, set forth in Wis. Stat.

§ 19.84, to allow electronic notice of governmental meetings. Under the revised statute, notice to the public may now be provided in one or several of the following ways:

- Posting a notice in at least 3 public places likely to give notice to persons affected,
- Posting a notice in at least 1 public place likely to give notice to persons affected and placing a notice electronically on the governmental body's internet site, or
- By paid publication in a news medium likely to give notice to persons affected.

Notice must also still be provided to those news media who have filed a written request for such notice, and to the official newspaper designated under Wis. Stat. §§ 985.04, 985.05, and 985.06 or, if none exists, to a news

medium likely to give notice in the area. (new 8/20)

Public Records FAQ 8

How should a records custodian determine whether a request for a public record should be granted or denied?

Wisconsin strongly favors the public's right to access public records. Assuming a records request is sufficiently specific (see Wis. Stat. § 19.35(1)(h)) and involves a public record (see Wis. Stat. § 19.32(2)), a copy of the requested record must be provided to the requester unless: (1) a state or federal law exempts the record from disclosure; (2) Wisconsin case law exempts the record from disclosure; or (3) a "balancing test" analysis determines the public interest in nondisclosure outweighs the strong presumption in favor of the public interest in disclosure.

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Accordingly, when a custodian is faced with a sufficiently specific request for a public record s/he should first determine whether a statute or court decision limits access to the requested record. Some examples of records that are exempt from disclosure pursuant to state statute include patient health care records, computer programs, trade secrets, personal property tax returns, and real estate transfer returns. Additionally, court decisions have determined that the public records law disclosure requirements do not apply to the names of the ultimate purchasers of municipal bonds issued by the municipality or to documents in district attorneys' files relating to the prosecution of a case. If it is unclear whether a statute or court decision applies to a particular record or what procedures should be followed, the custodian should consult with the municipal attorney.

Typically, access to the requested record is not limited or prohibited by any statute or court decision and the custodian must engage in the above-referenced balancing test. This requires the custodian to weigh the competing interests involved and determine whether disclosure would result in sufficient harm to the public interest that outweighs the recognized public interest in allowing access to public records (note, it is the public interest in nondisclosure/disclosure, not the interest of a particular individual who may be the subject of the public record). In performing the balancing test, closed session exemptions to the open meetings law under § 19.85(1) are indicative of public policy and can be considered as balancing factors favoring nondisclosure but are not dispositive and do not relieve the custodian of the duty to engage in the balancing test. Merely referencing an open meetings law exemption or asserting, in general terms, that disclosure would be contrary to the public interest is insufficient evidence that the custodian engaged in the balancing test. Instead, while a custodian is not required to provide a detailed analysis of a record and why public policy directs that a record be withheld, s/he must provide a specific public policy reason if the request is to be denied. If a custodian cannot articulate a specific public policy reason for denying access to a record, then the record must be released.

Finally, if a record contains both information that should be released and information that should not be released, the custodian must release the information that can be disclosed and redact the information that should not. Any redacted information constitutes a partial denial of the public records request and an explanation for the redaction must be provided. In addition, before releasing a record pertaining to a public employee that falls within § 19.356(2)(a), the custodian must give the employee notice of a decision to release the record and an opportunity to obtain a court order restraining the proposed release. (rev. 8/20)



Boardman Clark Welcomes Attorney Michael P. May

We are proud to announce that Michael May has joined the Boardman Clark team. Mike served 16 years as Madison City Attorney, handling complex municipal issues. His inside experience and legal expertise will be invaluable in serving our clients around Wisconsin. Learn more about Mike and our municipal law services at boardmanclark.com.



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Date	Time	Title
Tuesday, October 6	10:00 AM	Opening Keynote: The Positive Power of Servant Leadership with Tom Thibodeau and League Business Meeting
Tuesday, October 6	12:00 PM	Unpacking 2020: Lessons Learned in Crisis Communications***
Tuesday, October 6	2:00 PM	Racial Equity Local Government Action Steps
Wednesday, October 7	10:00 AM	Tax Incremental Financing Basics**
Wednesday, October 7	12:00 PM	Roundtable: Small Communities
Wednesday, October 7	2:00 PM	How Secure is Your Municipality's Network? Assessing Cyber Risk***
Thursday, October 8	10:00 AM	Best Practices for Recruiting & Interviewing Your Next Hire***
Thursday, October 8	12:00 PM	Finding Lowest Responsible Bidders for Your Construction Projects**
Thursday, October 8	2:00 PM	Roundtable: Large Communities
Tuesday, October 13	10:00 AM	Ask the Attorneys
Tuesday, October 13	12:00 PM	Innovative and Affordable Ways to Comply with Phosphorus Standards**
Tuesday, October 13	2:00 PM	Locally Sourced Downtowns: Supporting and Cultivating a Thriving District
Wednesday, October 14	10:00 AM	Useful Tools for Environmental Cleanup and Property Redevelopment
Wednesday, October 14	12:00 PM	Managing Conflict in Local Government
Wednesday, October 14	2:00 PM	How Some Rural Communities Thrive While Shedding Population: Learning to Shrink Smart
Thursday, October 15	10:00 AM	Budget Strategies for Surviving the Recession and Thriving Post-Pandemic
Thursday, October 15	12:00 PM	Three Feisty Clerks: Candid Feedback for Municipal Leaders
Thursday, October 15	2:00 PM	Closing General Session: Featuring a Surprise Guest and Arts in the Community Award



In-Person Meetings

We know there's a unique value to local leaders being able to get together and share ideas, so we're hosting a series of six in-person regional meetings. Join us at the meeting nearest to you. Space will be limited, so only registered conference attendees may attend. Your health is our first concern, so it is possible that we may have to cancel one or more regional meetings based on pandemic conditions.

Date	Time	Location	Building/Room	Address
Tuesday, October 6	6:30-8:00 PM	Spooner	Council Chambers	515 N. Summit Street, Spooner, WI 54801
Wednesday, October 7	6:00-7:30 PM	Strum	Village Hall Community Room	202 5th Avenue South, Strum, WI 54770
Thursday, October 8	6:00-7:30 PM	Lancaster	Lancaster Municipal Golf Course Club House	5 E. Golf Road, Lancaster, WI 53813
Tuesday, October 13	6:00-7:30 PM	Waterford	Seidel Community Center	625 S. 1st Street, Waterford, WI 53185
Wednesday, October 14	6:00-7:30 PM	Brillion	Brillion City Center Council Chambers	201 N. Main Street, Brillion, WI 54110
Thursday, October 15	6:00-7:30 PM	Clintonville	Community Center	305 S. Main Street, Clintonville, WI 54929

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Join us for one or join us for all – the price is the same. The registration deadline is the close of business October 5, 2020.

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TUESDAY, OCTOBER 6 WORKSHOPS



Today is the Day! Show off Your Municipal or Company Logo!

Do you have a hat or shirt, name tag or mask with your municipal or company logo? Wear your logo gear and join your peers across the state!

10:00 A.M.

Opening Keynote: The Positive Power of Servant Leadership with Tom Thibodeau and the League Business Meeting

Thomas Thibodeau is the Distinguished Professor of Servant Leadership at Viterbo University where he has taught for 34 years. Viterbo has the only master's degree in Servant Leadership in the country. Tom is a husband, father, grandfather, teacher, active community member, and part owner of a country tavern. Learn more about the Greenleaf Center for Servant Leadership.

12:00 P.M.

Unpacking 2020: Lessons Learned in Crisis Communications

*Eligible for Municipal Clerk Certification****

Elizabeth Hummitzsch, Vice President, Mueller Communications; **Lynn Lorenson**, Oshkosh City Attorney; **James Madlom**, Chief Executive Officer, Mueller Communications

2020 has shown the power of the media – both traditional and social – and the importance of transparent, accurate, timely, communications. Join professionals from Mueller Communications and the City of Oshkosh as they unpack real-life, recent examples of crisis communications and valuable lessons and actionable best practices you can leverage for your municipality.

2:00 P.M.

Racial Equity Local Government Action Steps

Leon T. Andrews, Jr., Director, Race, Equity And Leadership (REAL), National League of Cities; **Chantia Lewis**, District 9 Alderwoman, City of Milwaukee and **Cory Mason**, Mayor, City of Racine
Moderated by **Jerry Deschane**, Executive Director, League of Wisconsin Municipalities

What role does local government, and you, as a leader in local government, have in moving toward racial equity in your community? Where do you start?

6:30–8:00 P.M.

In-Person Regional Meeting*

Spooner – Council Chambers • 515 N. Summit Street, Spooner, WI 54801



WEDNESDAY, OCTOBER 7 WORKSHOPS

10:00 A.M.

Tax Incremental Financing Basics

*Eligible for EPW PDH***

Jon Cameron and Phil Cosson, Senior Municipal Advisors, Ehlers

Tax Incremental Financing (TIF) is the most potent tool that municipalities have available to finance the cost of public improvements and economic development projects. This session will focus on TIF basics: When is it appropriate to consider TIF? How does TIF work? What can it pay for? The presentation will also cover the types of TIF districts that can be created, and important considerations related to timing, process, and planning for financial success.

WEDNESDAY, OCTOBER 7 WORKSHOPS continued

12:00 P.M.

Roundtable: Small Communities

A roundtable discussion of current and relevant topics to small communities. Participants may self-select into the Small or Large Community Roundtable. (The Large Community Roundtable is Thursday, October 8, at 2:00 p.m.)

2:00 P.M.

How Secure is Your Municipality's Network? Assessing Cyber Risk

*Eligible for Municipal Clerk Certification****

Andrea Jansen, *Baker Tilly*; **Anthony Neumann**, *Manager, Information Technology Division, City of Oshkosh*; and **Brian Nichols**, *Baker Tilly*

Cyberattacks are common, and local governments are a relatively easy target. Municipalities across the country, including some in Wisconsin, have had their computer networks shut down due to ransomware, a cyberattack that locks governments out of their data, usually demanding money in exchange for access. It often enters a system through phishing emails. Learn how the city of Oshkosh suffered a ransomware attack and the lessons it learned from that experience. Hear experts from Baker Tilly explain how to assess your municipality's cyber risk and what steps to take to protect your community from cyberattacks.

6:00-7:30 P.M.

In-Person Regional Meeting*

Strum – Village Hall Community Room • 202 5th Avenue South, Strum, WI 54770



THURSDAY, OCTOBER 8 WORKSHOPS



Dress for Success Day!

Whatever that means to you. Wear your "dress for success" clothing and impress your peers on Zoom.

10:00 A.M.

Best Practices for Recruiting & Interviewing Your Next Hire

*Eligible for Municipal Clerk Certification****

Elizabeth Kazda, *MBA, Project Manager, League of Wisconsin Municipalities*

This workshop will start with a discussion on the importance of and tips for reaching beyond the usual sources to pull in more and diverse candidates to your open positions. Attendees will spend time collaboratively creating situational- and behavioral-based interview questions that target the skills you need in your next hire. And finally, tips for creating a successful interview experience will be shared. The workshop will conclude with a Q&A session, time permitting.

12:00 P.M.

Finding Lowest Responsible Bidders for Your Construction Projects

*Eligible for EPW PDH***

Cynthia L. Buchko, *General Counsel, Construction Business Group* and **Kail Decker**, *City Attorney, City of West Allis*

All too often, a municipality awards work to a contractor only to find out later – after the project experiences delay, cost overruns, or poor quality – that the contractor previously failed to satisfactorily perform for other local governments. How can municipalities better inform themselves

THURSDAY, OCTOBER 8 WORKSHOPS continued

on whether a low bidder is truly responsible? The speakers at this workshop will give a brief overview of the public construction bidding law, particularly focusing on how communities can determine if a low bid is from a “responsible bidder.” The process for qualifying bidders under the bidders proof of responsibility provision in state law will be discussed. Also, the speakers will highlight a new online public project evaluation tool, ResponsibleWisconsin.com, created by the Construction Business Group and sponsored by the League, which can help communities determine whether contractors are responsible bidders.

2:00 P.M.

Roundtable: Large Communities

A roundtable discussion of current and relevant topics to large communities. Participants may self select into the Small or Large Community Roundtable. (The Small Community Roundtable is Wednesday, October 7, at 12:00 p.m.)

6:00–7:30 P.M.

In-Person Regional Meeting*

Lancaster – Municipal Golf Course Club House • 5 E. Golf Road, Lancaster, WI 53813



TUESDAY, OCTOBER 13 WORKSHOPS

10:00 A.M.

Ask the Attorneys

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

Do you have a question, or several that you’ve been pondering? The League attorneys will be available to “virtually” answer all of your questions. Claire and Maria will not make a formal presentation during this session, but will be available to try to answer general questions that you have pertaining to subjects of municipal concern (e.g., open meetings law, public records, conflict of interests and ethics, alcohol licensing, zoning, police and fire commissions, special assessments, parliamentary procedure, appointments and vacancies, ordinances and resolutions, etc.). It’s important to remember, though, that the League attorneys do not represent your municipality. Meeting your community’s legal needs is the responsibility and prerogative of your municipal attorney. So, while we can usually provide helpful information, we cannot answer questions pertaining to fact-specific situations in your municipality.

12:00 P.M.

Innovative and Affordable Ways to Comply with Phosphorus Standards

*Eligible for EPW PDH***

Andrew R. Kurtz, *Village Administrator*, *Village of Marathon City* and **Adrian Stocks**, *Director of Water Quality Program*, *Department of Natural Resources*

The village of Marathon City has been in the forefront of trying to find ways for its wastewater treatment plant to affordably comply with the state’s phosphorus water quality standards. In this workshop, Marathon City Administrator Andy Kurtz will describe the village’s Multi-Discharger Variance (MDV) and a creative biosolids management approach the village is seeking to implement. Adrian Stocks, Director of DNR’s Water Quality Program, will discuss adaptive management, water quality trading, and other innovative ways communities are complying with phosphorus standards around the state.



TUESDAY, OCTOBER 13 WORKSHOPS continued

2:00 P.M.

Locally Sourced Downtowns: Supporting and Cultivating a Thriving District

Jeff Gates, *City Administrator, City of Mosinee*; **Benjamin Krumenauer**, *Village Administrator, Village of Osceola*; and **Errin Welty**, *CEcD, EDFP, Downtown Development Program Manager, Wisconsin Economic Development Corporation*

Despite the wholesale changes in our economy, downtowns play a greater role than ever, providing small-scale and community-supporting goods and services within the community. Supporting these local businesses takes a long-term effort and requires proactive policies and investments on the part of both the municipality and private sector. In addition, changing social habits from the pandemic will require new public and private solutions to allow everyone to enjoy these amenities safely. Our panelists will discuss success stories, challenges, and strategies from their own community efforts to support and sustain downtown investment.

6:00-7:30 P.M.

In-Person Regional Meeting*

Waterford - Seidel Community Center • 625 S. 1st Street, Waterford, WI 53185



WEDNESDAY, OCTOBER 14 WORKSHOPS



WEA Trust Run/Walk T-shirt Day!

Did you get your WEA Trust run/walk shirt? The WEA Trust/League run/walk, while virtual, has a way for you to connect. Wear your T-shirt and show off that sporty physique on Zoom!

10:00 A.M.

Useful Tools for Environmental Cleanup and Property Redevelopment

Barry Ashenfelter, *Policy Analyst, DNR Remediation and Redevelopment Program*; **Karen Harkness**, *Director of Community and Economic Development, Appleton*; and **Michael Prager**, *Land Recycling Team Leader, DNR Remediation and Redevelopment Program*

If ignored, boarded up gas stations, factories, feed mills, and other “brownfield” properties with known or likely environmental contamination can worsen and spread health hazards. This further diminishes property values and adds to investigation and cleanup costs. As well as being eyesores, derelict sites can become legal and financial burdens on a community. The Wisconsin DNR’s Remediation and Redevelopment Program, along with a municipal partner, will present the tools you need to address and reuse brownfield properties in your community.

12:00 P.M.

Managing Conflict in Local Government

Eric Giordano, *Executive Director, Wisconsin Institute for Public Policy and Service*

Governance is inherently conflictual. The key is managing conflict effectively to build and sustain trust, especially in an environment and under circumstances where citizens and stakeholders are being encouraged and trained to mistrust government. This workshop will review key principles and values that are essential to pragmatic conflict management. Join us to examine how you can build a firm foundation for effective conflict management, whether among staff members, elected bodies, or the community.

The Conference hashtag is #LeagueWI2020 - Show us your League Spirit!

WEDNESDAY, OCTOBER 14 WORKSHOPS continued

2:00 P.M.

How Some Rural Communities Thrive While Shedding Population: Learning to Shrink Smart
Professor David Peters, Iowa State University

Wisconsin has many small rural communities that are struggling to thrive. Professor David Peters has studied why some rural communities in the neighboring state of Iowa do better than others and even continue to prosper while losing population. In this workshop he will share the results of his research on communities that are shrinking, but still flourishing.

6:00-7:30 P.M.

In-Person Regional Meeting*

Brillion – City Center Council Chambers • 201 N. Main Street, Brillion, WI 54110



THURSDAY, OCTOBER 15 WORKSHOPS

10:00 A.M.

Budget Strategies for Surviving the Recession and Thriving Post-Pandemic

Scott Botcher, Village Manager, Village of Fox Point; David Schmiedicke, Finance Director, City of Madison; and Sharon Eveland, City Administrator, City of Clintonville

Hear three veteran municipal administrative leaders from different-sized communities discuss tactics for surviving any pandemic-caused revenue shortfalls this year and in the coming years. Even if your community's budget was not immediately impacted by the pandemic, the state may need to cut shared revenue and transportation aids in the future to address budget challenges caused by the pandemic-related recession. The trio will discuss possible strategies for guiding communities to a better position financially after COVID-19 ends, including the viability of using alternative revenue sources, such as a transportation utility fees, local vehicle registration fees, and charges for forestry services.

12:00 P.M.

Three Feisty Clerks: Candid Feedback for Municipal Leaders

Bradley Hanson, MPA, CFM, City Administrator/Clerk, Mondovi; Kathy Morse, MMC/CMTW/WCPC, Clerk-Treasurer, Rice Lake; and Diane Coenen, WCMC/CMC, City Clerk, Oconomowoc, WMCA President
Moderated by **Jerry Deschane, Executive Director, League of Wisconsin Municipalities**

Do your homework, ask questions, listen, don't be the Lone Ranger, and think "community." Those are the most important pieces of advice municipal clerks have for city and village elected leaders. Three of Wisconsin's leading municipal clerks will share their "Feisty" ideas for making you the best leader you can be.

2:00 P.M.

Closing General Session: Featuring a Surprise Guest and the Revealing of the Arts Wisconsin "Arts in the Community Award" Recipient

6:00-7:30 P.M.

In-Person Regional Meeting*

Clintonville – Community Center • 305 S. Main Street, Clintonville, WI 54929

*In-Person Regional Meetings: We know there's a unique value to local leaders being able to get together and share ideas, so we're hosting a series of six in-person regional meetings. Join us at the meeting nearest to you. Space will be limited, so only registered conference attendees may attend. Your health is our first concern, so it is possible that we may have to cancel one or more regional meetings based on pandemic conditions.

** EPW Track: Eligible for Engineering and Public Works Professional Development Hours but open to anyone who is interested. The League will provide the necessary forms to EPW staff who complete these sessions.

*** Municipal Clerks Certification Hours: Eligible for Municipal Clerk Certification but open to anyone who is interested. The League will track Municipal Clerk attendance and provide the list of those who attend the entire session to the Wisconsin Municipal Clerks Association for certification.

WANT TO CONNECT TO THE PRESENTERS AND TO YOUR PEERS? THE LEAGUE'S LINKEDIN PAGE IS THE PLACE!

- Leading up to the first day of the conference on October 6, each session will be posted separately to the League's LinkedIn page. We'll tag everyone who is presenting and has a LinkedIn profile.
- A link that takes you directly to the post will be included next to the session's description on the League's website.
- If you are on LinkedIn, connect and leave your takeaways as a comment on the post or ask a question of the presenters. You can continue the discussion and broaden your network.



CONFERENCE FOODIE?

Send us a pic of your best snack or meal and you could win a gift card! The top two photos with the most likes win!



- Send a photo of your tastiest, most photogenic conference snack or meal to us at league@lwm-info.org with "Conference Foodie" in the subject line. We'll post it to a dedicated Facebook album on the League's Facebook page. Photos will be posted anonymously. We will NOT post your name.
- The winners will be determined by the number of likes on the photo on Facebook.
- Photos will be accepted **Tuesday, October 6 through 3:00 p.m. on Thursday, October 15**. Voting will end on Friday, October 16 at noon.
- You can enter as many times as you like. (However, you might actually diminish your chances of winning if you submit more than one entry. Really!)
- League member elected officials and staff, vendors, exhibitors, and sponsors are eligible. League staff are **NOT** eligible. This means you Jerry.
- The two photos with the most likes in the dedicated Facebook album will each receive a \$25.00 gift card. Winners will be notified the week of October 19.

NOTICE: Wisconsin Statute sec. 19.59(1)(a) prohibits local public officials from using their public position or office to obtain financial gain or anything of substantial value for the private benefit of the official, his or her immediate family or an organization with which he/she is associated, as defined in sec. 19.42. If your attendance has been paid in full or in part with municipal funds, retention of a prize with more than nominal value for private benefit may violate this provision.



VISIT THE VIRTUAL EXHIBIT HALL!

The many businesses and organizations that serve Wisconsin's cities and villages want to support you and the League. Visit the Virtual Exhibit Hall on the League's website at <https://lwm-info.org/1498/Conference-Sponsors> and click through to the vendors that you are interested in.

- New this year! All exhibitors will be included in the League's Product and Services Guide which will be provided to all League members as a PDF. A print guide will be mailed to clerks, mayors, and village presidents. Save this valuable guide and refer to it when you are looking for a vendor for a project in your municipality.
- Look for the full list of Conference Sponsors and Exhibitors in the League's November *The Municipality* and be sure to thank them!

WIN A GIFT BASKET!

Winners will be drawn at the close of each session. Attend and be eligible to win!

- Partners, Sponsors and Vendors participating in the Virtual Exhibit Hall are sending raffle prizes to the League office where they will be bundled into 14 baskets, one for each Zoom workshop.
- Conference attendees who are present at the end of the session will be included in the live drawing.
- Prizes will be sent to the winners following the conference at the mailing address the League has on file.
- You can only win once during the conference.

NOTICE: Wisconsin Statute sec. 19.59(1)(a) prohibits local public officials from using their public position or office to obtain financial gain or anything of substantial value for the private benefit of the official, his or her immediate family or an organization with which he/she is associated, as defined in sec. 19.42. If your attendance has been paid in full or in part with municipal funds, retention of a prize with more than nominal value for private benefit may violate this provision.



2020 ARTS IN THE COMMUNITY AWARDS - HOSTED BY ARTS WISCONSIN AND LEAGUE OF WISCONSIN MUNICIPALITIES

Arts Wisconsin, Wisconsin's statewide community cultural development organization, will announce and present the 12th Arts in the Community Award, in partnership with the League of Wisconsin Municipalities, at the League's annual conference on Thursday, October 15. These awards honor local elected and public officials, civic leaders, and communities, as champions focused on creativity as integral to economic, educational, and community vitality and sustainability.



ANNUAL BUSINESS MEETING TUESDAY, OCTOBER 6 | 10:00-11:30 A.M.

Meeting by Videoconference

VOTING PROCEDURE FOR ELECTION OF OFFICERS

Each member municipality shall be entitled to cast one vote on all policy questions coming before the conference, including elections. Such votes shall be cast by an official representative of each municipality, who shall be the mayor, manager, or village president, unless some other official shall have been designated the official representative by action of the delegates in attendance from such municipality.

A majority vote shall control with respect to the election of League officers. Any other question must be supported by not less than 2/3 of the votes cast. No municipality shall be entitled to vote by proxy, and only the official representative from the municipality shall cast the vote of that municipality.

AGENDA

1. Welcome by League President Zach Vruwink, Rhinelander
2. Call to Order by Zach Vruwink
3. Introduction of Officers and Directors
4. Remarks of Outgoing President, Zach Vruwink
5. Review Constitution Rules for Voting, Jerry Deschane
6. Consideration of Resolutions, if any, Zach Vruwink
7. Report from the Nominating Committee and Election of League Officers, Immediate Past President Tammy Bockhorst, Shorewood
8. Remarks by Incoming President, Todd Schmidt, Waunakee
9. Keynote Address: Dr. Tom Thibodeau, Viterbo University
10. Adjournment



ENGINEERING AND PUBLIC WORKS

Thank you to the 2019-2020 Engineering & Public Works Section Officers

Chairperson – Josh Radomski
Director of Public Works, New Berlin

1st Vice Chairman – Dan Koski
Director of Public Infrastructure, Manitowoc

2nd Vice Chairman – Matthew Lindstrom
Public Works Operations Manager, Elkhorn

Secretary – James T. Bergles
Director of Public Works and Utilities, Village of Waterford

Past President – Amber Thomas, PE
Director of Public Works/Engineering, Grafton



NOMINATING COMMITTEE

The League's Nominating Committee is comprised of Past Presidents and is charged with putting forth a slate of Executive Committee candidates to lead the League into 2021.

Tammy Bockhorst, Village of Shorewood

George Peterson, Village of Rothschild

Dean Boehne, Village of Strum

Lee Meyerhofer, City of Kaukauna

Barb Dickmann, Village of Saukville

Dan Devine, City of West Allis

Joe Laux, City of Eagle River



THE LEAGUE'S 122ND ANNUAL CONFERENCE INFORMATIONAL KIOSKS

Check out these great resources and contact them if you have questions.

ARTS WISCONSIN

Anne Katz, Executive Director

Arts Wisconsin is Wisconsin's community cultural development organization, growing Wisconsin creatively through advocacy, service, development, and connections.

www.artswisconsin.org
akatz@artswisconsin.org or (608) 255-8316

UNIVERSITY YEAR PROGRAM, UW-MADISON

Gavin Luter, Managing Director

UCY is a 3-year partnership between the university and a local government, during which UW courses collaborate with the locality to solve local issues.

<https://university.wisc.edu/ucy/>
Gavin@ucy.org or (608) 261-1141

USDA RURAL DEVELOPMENT

Jennifer Engel, USDA Specialist

Rural Development provides financial assistance to communities in need of infrastructure improvements to their water and sewer systems.

<https://www.rd.usda.gov/wi>
RD.BCP.SO@wi.usda.gov or (715) 345-7635

WISCONSIN CITY/COUNTY MANAGEMENT ASSOCIATION (WCMA)

Dawn Peters, Executive Director

WCMA exists to strengthen the quality of local government through professional management.

www.wcma-wi.org
wcma@niu.edu or (815) 753-5230

WISCONSIN MUNICIPAL CLERKS ASSOCIATION (WMCA)

Faith A. Elford, Executive Director

WMCA is the premier source for the personal empowerment of municipal clerks in Wisconsin through education and professional development.

www.wisclerks.org
ExecDirector@wisclerks.org or (920) 568-9278

WISCONSIN RURAL PARTNERS, INC.

Bob Borremans

WRP is the rural development council for the state of Wisconsin, focused on rural community development.

www.wiruralpartners.org
Rtb3629@gmail.com or (608) 751-8604

WISCONSIN DEPARTMENT OF NATURAL RESOURCES - GREEN TIER LEGACY COMMUNITIES

Will Erikson, Program and Policy Analyst

Green Tier Legacy Communities exists to help municipalities and counties move further, and faster, toward their sustainability goals.

<https://dnr.wi.gov/topic/GreenTier/Participants/CharterPages/LegacyCommunities.html>
William.Erikson@Wisconsin.gov or (608) 267-3763

WISCONSIN DEPARTMENT OF NATURAL RESOURCES - ENVIRONMENTAL LOANS

Kay Christensen, Natural Resources Program Specialist

The Environmental Loans programs provide affordable financial assistance to communities within Wisconsin for water infrastructure projects.

<https://dnr.wisconsin.gov/aid/EIF.html>
Kay.Christensen@wisconsin.gov or (608) 266-3163

WISCONSIN DEPARTMENT OF REVENUE (DOR)

Valeah Foy, State and Local Finance Deputy Division Administrator

Our agency administers the state's major tax laws, the Wisconsin Lottery, and the Unclaimed Property program. DOR also administers programs that provide shared revenue and state aids to local governments. We also assist local governments in property assessment, forecast state economic activity, and help formulate state policy.

www.revenue.wi.gov/Pages/ContactUs/gov-topics.aspx
valeah.foy@wisconsin.gov

WISCONSIN HOUSING AND ECONOMIC DEVELOPMENT AUTHORITY (WHEDA)

Jennifer Sereno, Public Affairs Program Manager

WHEDA's mission is to stimulate the state's economy and improve the quality of life for Wisconsin residents by providing affordable housing and business financing products.

<https://www.wheda.com/>
Jennifer.sereno@wheda.com

Transitions

WELCOME



Join the League in welcoming Benoy Jacob as the new Director of the Community Development Institute at UW-Madison, Division of Extension. Benoy will oversee the four programs areas of the Institute, including Local Government Education (formerly, the Local Government Center). Benoy brings a broad range of experience to Wisconsin, having taught at the University of Nevada, Las Vegas and at the School of Public Affairs at the University of Colorado, Denver, where he was also the Director of the Local Government Center, and their Certified Public Management Program.

Benoy brings a strong background in local government education including: work in local public finance, city management, and social equity. His work has been featured in *Urban Affairs Review*, the *National Tax Journal*, and *Public Administration Review*. Benoy also serves on the Executive Committee for the American Society for Public Administration's (ASPA) Section on Intergovernmental Administration and Management, the editorial board for the *State and Local Government Review*, and recently completed a fellowship with the International City and County Managers Association (ICMA).

The mission of UW-Extension's Local Government Education is to provide focus, coordination, and leadership to UW-Extension educational programs supporting local government, and to expand the research and knowledge base for local government education. Materials of interest to local officials can be found at: <https://localgovernment.extension.wisc.edu/>

CONGRATULATIONS



2019-2020 Wisconsin Municipal Clerks Association (WMCA) President Diane Coenen presented Barbara K.D. Goeckner WCPC/MMC with the WMCA Lifetime Achievement Award for 2020 in front of the Cambridge Village Hall in September. She was joined by Nancy Zastrow, Lifetime Achievement Committee Member; Portage City Clerk Marie Moe; Cambridge Administrator/Clerk/Treasurer Lisa Moen; and WMCA President Diane Coenen. (With Executive Director Faith Elford behind the camera!)



Janesville's Department of Public Works was notified in August that they were successful in achieving American Public Works Association (APWA) Accreditation, the first to be accredited in Wisconsin. Of the over 50,000 public works agencies in North America, only 175 are accredited. "This was a historic undertaking by our staff. Our administration and other city staff were instrumental in helping the department become accredited. I'd like to thank my entire team for their hard work," said DPW Director Paul Woodard.

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

Legal Captions

Employees 366

HR Matters column article, by Attorney Lisa Bergersen, highlighting the importance of supervisory responsibilities and the training supervisors should receive. Supervisors should understand employment laws, must regularly document workplace issues, and must adequately coach staff and manage employee performance. Supervisory training in these, and other areas, is key to risk management.

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Middleton, WI 53562

(715) 892-7277 | www.mpicwi.com

MPIC is a leading provider of property insurance solutions for Wisconsin public entities. Organized and founded with the support of the Wisconsin Municipal Mutual Insurance Company (WMMIC), Cities and Villages Mutual Insurance Company (CVMIC), and the League of Wisconsin Municipal Mutual Insurance Company (LWMMI), we are specialists in towns, villages, cities, counties, and special districts.

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