

The Municipality

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February | 2022
HIRING

Engineering Technician-City of St. Francis, WI

Posted December 28, 2021 | Closes January 31, 2022 11:59 PM

Engineering Technician City of St. Francis, WI The City of St. Francis is seeking an Engineering Technician to assist the...

Planner-City of Prescott, WI

Posted January 3, 2022 | Closes January 21, 2022 4:30 PM

Planner City of Prescott, WI Salary: \$54,995 (\$26.44/Hour) plus benefits The City of Prescott located 20 minutes from St. Paul, MN and the eastern Twin Cities...

Clerk/Treasurer-Village of North Prairie, WI

Posted December 10, 2021 | Closes January 21, 2022 5:00 PM

Job Posting - Village of North Prairie Clerk/Treasurer Waukesha County, WI Application Deadline January 21, 2022, by 5:00 p.m. central time...

Clerk-Treasurer-Village of Johnson Creek, WI

Posted December 29, 2021 | Closes January 17, 2022

Clerk-Treasurer Village of Johnson Creek, WI The Village of Johnson Creek, the fastest growing community in Jefferson County which embraces small town charm with big...

Clerk/Treasurer-Village of Belmont, WI

Posted January 6, 2022 | Closes January 28, 2022 4:00 PM

Village of Belmont, Lafayette County, Wisconsin Clerk/Treasurer An Equal Opportunity Employer The Village of Belmont, WI is seeking a professional to fulfill...

Senior Center Janitor-City of West Allis, WI

Posted December 14, 2021 | Closes January 15, 2022 11:59 PM

Senior Center Janitor City of West Allis, WI Salary: \$17.56 - \$20.07 Hourly Job Type: Permanent part time Department: ...

Electrician/Electrical Inspector-City of Two Rivers, WI

Posted December 29, 2021 | Closes January 28, 2022 4:00 PM

ELECTRICIAN/ELECTRICAL INSPECTOR City of Two Rivers - Two Rivers Water & Light The Electrician/Electrical Inspector performs skilled work in the installation,...

City Clerk-City of Ripon, WI

Posted December 22, 2021 | Closes January 24, 2022 11:59 PM

City Clerk City of Ripon, Wisconsin City Clerk, Ripon, WI (pop. 7,833). Ripon is a delightful city in Fond du Lac County, best known as the home of renowned...

Fire Chief-Village and Township of Egg Harbor, WI

Posted November 8, 2021 | Closes January 30, 2022 11:59 PM

Fire Chief Village and Township of Egg Harbor, WI The combined Township & Village of Egg Harbor are currently seeking to fill the position of Fire Chief...

Parks Maintenance/Zookeeper-City of Chippewa Falls, WI

Posted December 28, 2021 | Closes January 21, 2022 11:59 PM

City of Chippewa Falls - Parks, Recreation and Forestry Department Job Opportunity Parks Maintenance/Zookeeper The City of Chippewa Falls is accepting...

Financial Analyst-City of New Richmond, WI

Posted December 21, 2021 | Closes January 19, 2022 11:00 AM

Financial Analyst City of New Richmond, WI The City of New Richmond is accepting applications for a Financial Analyst to join our team.

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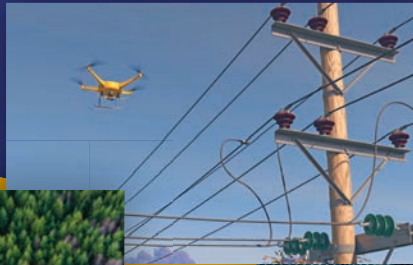
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On the Cover



Hiring right now is a challenge. The jobs page on the League's website is the most visited page of our more than 1,800 web pages. We post more than 10 new jobs every week for local governments including municipalities in other states and counties. This magazine is chock-full of information that will help you stand out.

Job postings are free for League members and Business Partners and \$150 for nonmembers. Learn more: <https://lwm-info.org/712/Classified-Ads>



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Thank You for Your Service

Jerry Deschane, Executive Director, League of Wisconsin Municipalities



My brother-in-law retired this year. If you look back to page 36, you'll see a short post from Oak Creek Police Chief Steve Anderson's LinkedIn retirement message. My wife's brother spent more than 30 years as a dedicated Wisconsin law enforcement professional; all of those years in service to the citizens of Oak Creek. Oak Creek has already hired its new chief, promoting Captain David Stecker to the top spot. Steve, best of luck in this next phase of the great adventure, and Chief Stecker, welcome! We thank both of you for your service.

For that matter, the entire staff of the League of Wisconsin Municipalities thanks each and every one of you and the people who work with you for your service. Local government jobs, from police officer to election clerk, are the ultimate "service" industry. You work for your family, your friends, your neighbors, and everyone in your city or village, making it a better place. Most of the time, what you do seems to go unnoticed. But it's not, really. Plowing the streets, sorting the ballots, and keeping the streetlights on are critical services that would be missed instantly if you weren't around to do your job. So, once again, thank you – all of you.

This month's issue of *The Municipality* is focused on the people who come next; your newest co-workers, the next generation of local government servants in Wisconsin. Local government is undergoing a massive generational shift as the last of the baby boomers move on (to become your next city and village board members ... keep that in mind, you young whippersnappers!). While workplace turnover has always been part of life, it's been accelerated by the demographics of the baby boom and by (yes, we have to say it) the pandemic. Everyone is hiring. As always, we did our best to pack the pages of *The Municipality* with the most timely, relevant, and interesting information we could come up with to help you find the best new municipal employees.

As part of this salute to hiring, we want to especially call out new employees who are in the government arena for the first time. *Throughout the magazine, you'll see short bios of newly hired city and village employees. Everyone featured has been in their post for less than a year. We asked them where they came from and why they chose the route of government service. Read their comments; they're inspiring. Just as you are.*

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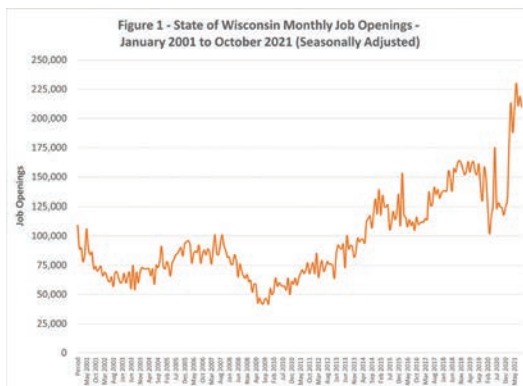
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Where are Wisconsin's Workers?

Matt Kures, Community Economic Development Specialist, Community Development Institute,
University of Wisconsin-Madison Division of Extension

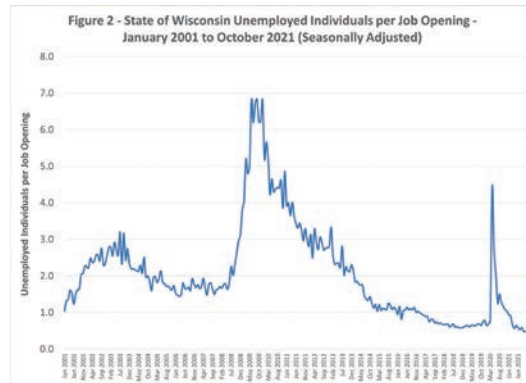
Wisconsin had an estimated 230,000 job openings in July 2021, which was by far the highest number in the last two decades (Figure 1). More recent figures suggest somewhat of a decrease from this peak, but the preliminary estimate of 210,000 openings in October 2021 remains well over the monthly average of 154,000 openings found in 2019. While it may be tempting to attribute the large number of job openings to factors stemming from the emergence of COVID-19, such as the availability of enhanced unemployment benefits, many employers expressed challenges with finding employees prior to the start of the pandemic. In fact, the number of Wisconsin job openings has been steadily increasing since the end of the Great Recession in 2009. Consequently, we must consider a breadth of factors, both related and unrelated to the pandemic, to better understand labor availability.



Source: Bureau of Labor Statistics

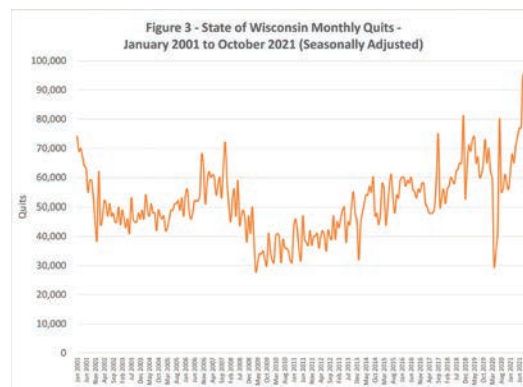
While some workers undoubtedly remained unemployed longer due to pandemic-related unemployment benefits, the number of unemployed workers per job opening has dropped below 1.0 since January 2021, suggesting there are more job openings than unemployed individuals (Figure 2). Current levels are more reflective of the ratios found throughout 2018 and 2019 prior to the start of the pandemic. Furthermore, the ratio of unemployed individuals per job opening was approximately 0.5 (i.e., two jobs for every unemployed individual) in both September and October of 2021, which were among the lowest values in decades. These figures for Wisconsin are also below the national value of 0.7.

In October 2021, Wisconsin had a preliminary estimate of 82,000 quits, or workers who leave their job voluntarily, which



Source: Bureau of Labor Statistics

is near the recent record high of 95,000 in August 2021 (Figure 3). Quits tend to increase as the economy grows and workers become more confident in their ability to find a new job. As with job openings, the number of quits has steadily increased since the end of the Great Recession. However, the large number of recent quits is also influenced by the COVID-19 pandemic as some workers left their jobs due to childcare demands that arose due to school and childcare disruptions. Other workers employed in high-contact occupations may have quit due to health and safety concerns. The pandemic also may have encouraged workers to quit in pursuit of a higher paying job, a new career path, or to start their own business.

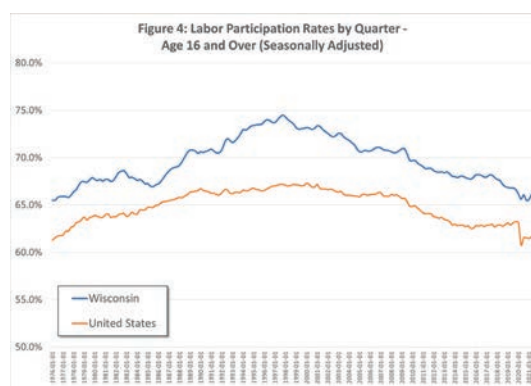


Source: Bureau of Labor Statistics

With the onset of the pandemic, Wisconsin's unemployment rate jumped to 14.8% in April 2020. Despite this rapid increase, the state's unemployment rate dropped to 4.0% by January 2021 and has since declined to a preliminary figure of

3.0% in November 2021, which matches Wisconsin's lowest rate in the last three decades. However, unemployment rates do not include individuals who have dropped out of the labor force for one reason or another. Shifts in the labor participation rate, or the share of individuals who are either employed, or unemployed and actively looking for a job, provide another perspective on how labor availability has changed.

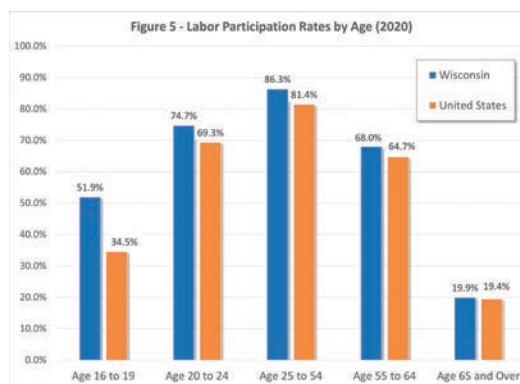
The pandemic induced many people to leave the labor force, both on a voluntary and involuntary basis. Even at the end of 2021, the nation's total labor force is almost 2.3 million participants below its pre-pandemic level. In terms of labor participation rates, the national rate dropped from 63.2% at the start of the pandemic to 61.7% in the third quarter of 2021. Participation rates among women and employees of color experienced particularly notable declines. While Wisconsin's labor participation rate also declined temporarily over the course of the pandemic, it currently sits at 66.5% which is above the 66.2% rate reported in the first quarter of 2020.



Source: Bureau of Labor Statistics

Despite the small recent gain in labor participation, Wisconsin's overall labor participation rate has been declining since late 1990s (Figure 4). This decline is attributed to a variety of factors, but an aging population is an important driver of this trend. Consider the variations in labor participation by age group (Figure 5). The highest rate is found among individuals between the ages of 25 and 54, also known as the prime working age population. In contrast, participation rates begin to decline among individuals ages 55 to 64 and drop significantly for individuals ages 65 and over. Importantly, Wisconsin exceeds the national average participation rate in all age groups.

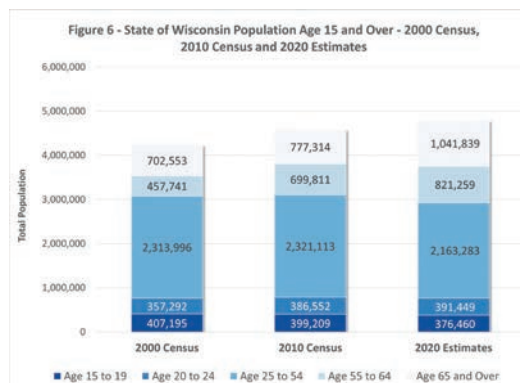
With these labor participation rates in mind, consider how Wisconsin's population has changed over the past several decades (Figure 6). Between 2010 and 2020, the number of working age individuals between the ages of 15 and 64 declined by over 50,000. Furthermore, prime working age



Source: Bureau of Labor Statistics

residents (age 25 to 54) declined by almost 160,000 as many individuals aged out of this labor force category. In contrast, the number of residents ages 55 to 64 jumped by more than 120,000 individuals while residents ages 65 and over increased by more than 260,000. These trends differ from the changes between 2000 and 2010 when total working age individuals increased by 270,000 and the number of prime working age residents grew by 7,000.

The shift of workers from prime working ages to older age groups with lower participation rates has pushed the state's overall labor participation rate downward. Unfortunately, the imbalance between younger and older workers likely will continue given the changes in ratios of people at the beginning of their careers compared to those nearing retirement. Specifically, there were 1.67 people ages 15 to 24 for every individual between the ages of 55 to 64 in the year 2000. By 2020 this ratio had declined to 0.94.



Source: Bureau of Labor Statistics

The declines in total working age population and prime working age population have not been uniform across all Wisconsin counties, but have been widespread geographically (Figure 7 on page 6). Notable declines in total and prime working age individuals occurred throughout northern Wisconsin and in portions of central and southwestern

Your Talent Retention Strategy in an Employee-Driven Market

Allyson Watson Brunette, Community Development Consultant



If you've logged onto LinkedIn recently, you've likely been inundated with headlines like "The Great Resignation," "Record Numbers of Workers Quitting," etc. What is on the horizon may look bleak through the headlines, but there are actionable steps you can take in your organization to *keep the talent you already have*.

How and When We Work Is Up for Negotiation

In researching this article, I spoke with Anne Wettstein from HR Consulting Partners, a private human resource service provider that works with both public and private sector clients, about what is motivating employee movement. Anne shared, "people aren't moving for [more] money, they're looking for flexibility, cultural fit, and work-life balance." How can you reposition the fringe benefits of local government employment to fit contemporary expectations?

Paid Time Off

The traditional mindset around PTO has been that this is a longevity benefit. This mindset doesn't pair with upcoming generations who value work-life balance and often stay with one organization for shorter timeframes. Granting additional paid time off to an exempt employee shouldn't negatively impact an organization if you've hired the right person.

A trend in the private sector is moving toward a shared bank of paid leave. This discourages abuse of leave such as sick leave to take personal time off and entrusts employees with the ability to use their time when needed, as needed, without questioning if they needed the time off because they were ill, had a family emergency arise, or simply wanted to take a day off.

The City of De Pere's Human Resources Director, Shannon Metzler, shared that years ago employees would compete for overtime hours. Now, the culture around work has changed. "Dedication to a job doesn't equate to endless hours. [People] no longer live to work. They happen to have a job, yes, but they have a personal life that comes first."

Flexibility in Hours

Increasing flexibility within roles, especially for office staff, can reduce the need to utilize PTO for minor appointments, such

as a doctor appointment or a family commitment. COVID-19 has educated many municipal organizations that much of their work can be done remotely or during different hours of the day while still providing core customer services to residents. If your organization does not yet have a remote work policy, it's time to draft one.

The City of De Pere, with employee input, shifted their summer hours (longer Mondays-Thursdays and half-day Fridays) to a year-round model. By having city services available to residents from 7:30 am-5:00 pm on Mondays-Thursdays, they now offer a wider spread of business hours for their residents. Half-day Fridays (7:30-11:30 am) are resoundingly popular with team members and this has not been met negatively by residents. Office employees in De Pere also can flex their shifts to anywhere from 6:30 am-5:30 pm and that can take the form of four 10-hour shifts, five eight-hour shifts, etc. Some employees continue to work a portion of the week remotely, as well.

Night Meetings Are Work Hours, Too

Evening meetings are a mainstay of local government, but these hours can take a toll on employee well-being and their work-life balance. The Village of Ashwaubenon allows employees who regularly attend night meetings to flex their hours to meet both core business hour commitments and the hours worked in the evening. It's based on communication and mutual trust, Ashwaubenon Village Manager Joel Gregozeski explained. The City of De Pere provides a bank of 40 hours of administrative leave per annum to department heads. These individuals have the option to log night meeting hours as administrative leave or flex their schedule around evening commitments.

A Creative Approach to Short-Term Benefits

Longevity-tied benefits like retirement packages are realized decades after employees join an organization. It takes some creativity to find ways to make benefits work for your employees earlier in their career.

Short-Term Disability Insurance

An area that the private sector is tackling in recruitment is the addition of short-term disability coverage, including paid maternity/paternity leave. The Town of Ledgeview offers short-term disability to its employees experiencing serious illness or injury, including more commonplace events like pregnancy or surgery rehabilitation. Eligibility begins after just seven days and this insurance pays a percentage of take-home pay to employees (instead of requiring them to tap into their vacation or sick leave banks first). This insurance is pennies on the dollar in terms of employer expense but can be a major point of attraction for younger candidates starting their own families.

On-Site Wellness

The Village of Ashwaubenon partnered with local hospital system Bellin Health to create the A+ Clinic in their village hall. Employees and their families can stop into the clinic for physical examinations, occupational therapy, and the types of walk-in services that you might visit a family doctor for, such as vaccinations, and common ailments. This service is provided at no out-of-pocket expense.

Financial Wellness

Financial wellness is much more than offering retirement matches. COVID-19 exacerbated financial concerns for many families, and financial health can be a major contributor to stress. Anne Wettstein shared a concept of bringing in a financial advisor (at company cost) on an annual contract to provide one-on-one financial wellness visits with employees. Employees can confidentially discuss any financial topic of concern they might have (such as building credit, paying off debt, etc.) with no expectation of buying or investing from this advisor. This benefit can be particularly helpful for younger employees who are facing student loan debt, an overpriced housing market, and may be new to saving for retirement.

(See also the HR Matters column “Benefits You Didn’t Know You Offered” on page 21 of this magazine.)

Encouraging Feedback and Effective Communication

The time for employee feedback shouldn’t be solely in the form of an exit interview (although those are important, too). Ongoing communication between team members and leadership are critical for employee retention.

Reposition the Annual Performance Review

Move away from the report card style performance reviews! Instead, treat these as “stay interviews” – a key strategy to keep the employees you already have in lieu of a future exit interview. Focus them less on issuing grades and more on meaningful conversation.

The City of De Pere engages in semi-annual Employee Check-Ins. These casual, 30-minute meetings are intended to get supervisors and employees *talking to one another*. Employees are asked to highlight 2-3 things they’ve accomplished, identify 1-2 goals, and can talk through a bucket of question prompts with their supervisor such as: “What would you like to be different in your workplace?” or “What are you learning here?” or “What do you want to learn?” These check-ins can bring to light valuable opportunities to cross-train, invest in professional development, or fine-tune roles.

The Town of Ledgeview engages in a similar annual approach. Their Expectations Exchange is structured as an employee and supervisor discussion around accomplishments, challenges, and what they expect from the organization as well as what they can actively contribute to the organization. The supervisor also answers the expectation/contribution question from the standpoint of how they can best support their employee.

Personality Insights and Communication Training

A less conventional workplace benefit is bringing in an outside professional to train your team in working together effectively. The Town of Ledgeview has a DiSC Analysis (soft skills training and personality analysis) completed for all new hires by an outside consultant. This is paired with

► p.9



HUNSTAD

Ashley Hunstad, Administrative Assistant - Milton

Previous work experience: I most recently worked as an Area Human Resources and Housing Manager in Yellowstone National Park.

Why did you decide to join the local government workforce? I recently moved to Wisconsin from Montana to be closer to family. When I started looking for jobs I saw the position available for the City of Milton. Having only lived in Milton for about six months, I thought it would be a wonderful opportunity to immerse myself in my new community. I have always had an interest in how things work and I felt like working for the local government would be a good way to experience all of it hands-on.

training on how each personality type engages in a team setting, communication preferences, etc. These trainings are not limited to office staff in Ledgeview – every member of the organization, including public works, participates in these trainings once yearly. Just because a role doesn't come with an office does not mean that it does not involve teamwork or communication.

Managing Turnover Well When It Does Happen

Even the best organizations inevitably have some talent movement. How your organization positions itself for talent turnover will influence how well you weather such movement.

Tenure Isn't What It Used to Be

The days of hiring a 20 or 30-something into the role they will eventually retire from are long-gone. Knowing that, your goal in recouping your return on investment in a new hire needs to occur in a shorter timeframe. The experts I met with didn't land on one timeline, but on average those in recruitment noted that 3-5 years would be a goal in how long an individual might stay in an organization in a leadership role. Joel Gregozeski shared: "Three years is an opportunity for a good return on investment for [a] highly motivated and driven team member."

Ambition May Fuel an Exit

If you have an ambitious employee who seeks to widen their skillset and move up, but that opportunity doesn't exist within your organization – they may move on. This isn't a bad thing necessarily. Shannon Metzler shared, "99% of our employees who leave our organization are leaving to retire, but we don't have a closed-door policy that someone couldn't return in the future if they move up elsewhere ... we encourage their growth elsewhere, too."

Position Description Refreshers

Use the exit of an outgoing employee as an opportunity to refresh their position description. You can't, after all, entice top talent to your organization if you don't have a compelling position description. Does the position describe the values of your organizational culture? Does it adequately describe the attitude needed to take on the position responsibilities? Outgoing employees should be tapped for insights into how accurate the description of their role truly is. What did they like/dislike in their role? What did they have time to complete vs. what fell to the wayside? Keep descriptions refreshed to ensure their accuracy.

Thank you to the individuals who contributed to this piece: Sarah Burdette (Town of Ledgeview), Joel Gregozeski (Village of Ashwaubenon), Shannon Metzler (City of De Pere), and Anne Wettstein (HR Consulting Partners).

About the Author:

Allyson is a professional consultant in community and economic development, working with both municipal and private clients. She earned her Master of Public Administration from Marist College and spent nine years working in local government roles. Allyson joined The Great Resignation in late 2021, leaving the municipal world to self-reflect, and decided to start her own firm. She loves the flexibility that self-employment offers, which gives her more time to read, cook, and explore Wisconsin with her husband and greyhound. Contact Allyson via LinkedIn or at allysonwbrunette@gmail.com



WEBER

Kurtis Weber, Public Works - Strum

Previous work experience: I'm originally from northern Wisconsin and graduated from UW-River Falls. I began work in the fisheries industry immediately after school then transitioned to work in the public sector.

Why did you decide to join the local government workforce? Working locally allows for a more balanced lifestyle between both family and career, including working with a smaller, more intimate workforce. The dynamics of a small community are never-ending and require you to apply previous knowledge and experiences to problem solve or be able to learn on the fly. Some duties involve a more formal approach, including certifications from the state level (water, sewer, DOT), but overall my work is about professional and community-oriented gain. Strum, although small, has lots to offer as a unique and beautiful community.



The Strategic Case for Remote Work

Jenny Kosek, Economic Development Specialist, City of West Allis

Earlier this year, the Atlas For Cities, Engaging Local Government Leaders, CivicPlus, Route Fifty, and CivicPulse released a report on “The New Normal Local Government Survey.”¹ The survey took the pulse of local government organizations more than 12 months after the onset of the coronavirus pandemic. One question asked respondents to rank their priorities for the coming year. “Work from home” ranked near the bottom of the list, with only 15% of respondents noting it would be a focus in the next 12 months.

By contrast, on a recent webinar I attended about remote work in government,² CPH Consulting shared that 57% of government employees who could do so would prefer to work remotely, at least part time. 28% would prefer to work remotely full time. Only 9% hoped to work full time on-site.

Despite the data showing workers’ preference for remote opportunities, municipalities continue to cling to in-office models. On November 10, 2021, I visited the League’s website to view current job postings. Of the 104 positions listed, only two offered “limited remote work.” Both were in Minnesota.

Of course, some positions cannot be remote. We don’t expect a paramedic to respond to a cardiac arrest via Zoom, but positions that have historically been “desk jobs” – administrative or professional roles – absolutely can work remotely. The refusal to accommodate remote work is hurting municipal retention and recruitment outcomes. Traditional workplace norms must be changed to support our long-term success and ability to continue providing services.

“I want to see my people in their seats,” say some managers. “We have to be in-office for team building,” others say. The pandemic has clearly demonstrated that connection is possible via technology, and 40 hours a week in an office together is by no means required to develop strong teams. “We need people available to assist residents,” say elected officials. With more municipal communications occurring via email, websites, or over the phone, service can happen anytime, anywhere, offering a better customer service experience than standard business hours ever could. “We pay for you to be in an office,” some residents might object. Residents pay for municipal services and if they’re continuing to receive services, where and how staff are located when providing them is irrelevant.

There are also long-term, strategic reasons for allowing remote or hybrid work that go beyond a kneejerk response to the current cultural landscape. They include:

1. Increasing candidate pools and supporting diverse hiring

If you’re requiring employees to work on-site or even live locally, you’re drastically limiting who can apply for your open positions. Work-from-home options broaden your candidate pools exponentially by opening your opportunities to anyone, anywhere. As residency requirements have weakened over time, so too must requirements to work on-site if we truly are committed to filling our positions with the best talent available. The best talent may not live in your community, so let them come to you from wherever they are. Casting a broad hiring net by offering remote work also encourages more diverse candidates to apply, which is crucial considering 80% of workers want to work for inclusive companies.³ Remote work is an essential tool in supporting inclusive hiring practices.

2. Cost efficiencies and reduced facilities management expectations

With fewer people in offices, municipalities have opportunities to downsize aging infrastructure and lessen the burden on taxpayers and public works professionals to maintain sprawling city halls. Leasing coworking spaces or commercial office spaces, or consolidating services with other municipal facilities are all possibilities when fewer staff are required to be in buildings. In addition, employers save money on consumables, such as paper goods and office supplies, when employees are working from home. It’s estimated that having an employee work just half their hours remotely could save businesses as much as \$11,000 per employee per year on facilities and fleet management costs.⁴

3. Sustainability and climate impact

According to *The Guardian*, “Carbon dioxide emissions from transportation dropped 15% last year as people hunkered at home.”⁵ Transportation is the largest contributor to U.S. greenhouse gas emissions. Encouraging employees to work at home and skip their commutes can have long-term positive impacts on the environment.

The average U.S. round-trip commute time is about an hour, equating to nearly 3.2 tons of carbon per year, per person. Particularly in urban areas, which are disproportionately affected by climate change and nine out of 10 individuals are negatively impacted by air pollution,⁶ empowering municipal employees not to drive into the office can have meaningful ecological impact on the local environment – especially if you’re one of the largest employers in the community. If enough employers embraced it, there is real opportunity to improve air quality, reduce greenhouse emissions, and lessen the demand for fossil fuels. Not only that, but you’re also giving employees their commute time back, allowing them more personal time to support their work-life needs.

4. Reduced healthcare costs for employers, increased financial returns for employees

40% of job turnover is due to stress, and healthcare expenditures are nearly 50% higher for workers experiencing stress.⁷ Workers say that remote work could help them reduce stress.⁸ As employers, we can provide the remote opportunities they seek to be happier and healthier.


Additionally, 73% of Americans cite finances as their number one cause of stress, and remote work can lessen this stressor, too.⁹ According to *The Washington Post*, the average cost of commuting is \$2,000 – \$5,000 annually. Grabbing coffee or lunch on the run can rack up an additional \$2,500 in expenses. Depending on where you live, you could be giving employees back more than \$7,000 per year by letting them work remotely. We can seldom increase salaries, but we can put money back into employees’ pockets by letting them work from home. It all adds up to support employees who are more content, more likely to stay, and less likely to become a burden on already overwhelmed healthcare budgets.


5. Employees want it – and we want employees


Data shows repeatedly that people want flexibility in where and how they work. If we don’t provide that, we will continue to face unprecedented staffing challenges. The days of eager candidates lining up to apply for “cushy” government jobs are long gone. It cannot be stressed enough that the future of employee retention and acquisition is a battlefield. Municipalities are competing with private-sector organizations to attract and retain talent on a global scale, and we need to structure our workplaces accordingly.

► p.12

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With so many employees wanting remote or flexible work environments and so many demonstrable benefits from the practice, resistance to change will only hurt our employment outlooks further. Embracing the benefits of remote work will attract candidates to our opportunities and position us as employers of choice in the continually changing times ahead.

About the Author:

Jenny Kosek holds a certificate in Human Resources Essentials from MRA-The Management Association and served in HR, marketing, and executive leadership roles prior to joining the public sector in 2017. Her areas of passion include culture-building, recruitment, and retention strategies. She currently serves as Economic Development Specialist for the City of West Allis, WI.

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WINDSOR

Bryanna Windsor, Firefighter/Paramedic - Wisconsin Rapids

Previous work experience: I've been in EMS for three years, starting as a first responder for the Town of Hull. After moving to Wisconsin Rapids, I joined the Grand Rapids Volunteer Fire Department.

Why did you decide to join the local government workforce? I have always found enjoyment in helping my local community the best way I can. Getting into public safety gave me the opportunity to make a career out of doing something I enjoy. My family values hard work and serving in their local community. I had to find a career where I would be doing something I love while helping those around me, and it just so happened to be firefighting and EMS.




EDMONDSON

Carrie Edmondson, AICP, Associate Planner/Community Development Specialist - Wisconsin Rapids

Previous work experience: I started as a city planner in Southern California. I then paused professionally to raise four great children and returned to work in 2018 as a regional planner.

Why did you decide to join the local government workforce? I was fully intending to go to law school. As an undergraduate senior, I had a professor/mentor who told the class that the field of law was oversaturated and recommended that we consider a Master of Public Administration degree instead. This intrigued me and I looked through the dictionary (no Google) to try to figure out what exactly this was. I began as a graduate student and was encouraged to do an internship immediately. I started as an unpaid planning intern with the City of Pomona. I fell in love with local government and planning and haven't looked back since.



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Check Your Culture Before Recruiting

Jerry Deschane, Executive Director, League of Wisconsin Municipalities



Recruiting and hiring a diverse workforce is both essential and beneficial for Wisconsin cities and villages, but it's not a one-and-done box to be checked, nor is it something to be pursued without first understanding the culture of your community and your municipal workplace.

And one other thing: it's not easy.

It's becoming more widely understood every day that a diverse workforce, broadly defined as a workforce that looks like your community, generally leads to a more successful operation. Your city or village has a wide range of residents, visitors, workers, and business owners. Regardless of size, every community has a variety of both generational and gender differences, a rainbow of races and a smorgasbord of mental and physical abilities and disabilities. It only makes sense for the local government that represents all of them, to the extent practically possible, to look like all of them.

"It doesn't take long for there to be positive outcomes, just because someone has brought another set of eyes to the work of the city," said Appleton Diversity Equity and Inclusion Coordinator Timber Smith. Expanding the diversity of your workforce "gives you insight into pockets of your community that perhaps you're not hearing from," he said. Having a different voice in the room can only improve the overall quality of municipal services.

Waunakee Village Administrator Todd Schmidt said his community recognizes the value of diversity, while at the same time acknowledging they have a long way to go toward achieving it. But both Schmidt and the village board have agreed that it's an effort worth pursuing. "There's massive research out there that shows over and over again that the greatest-performing organizations have implemented a culture that embraces diversity," Schmidt, who is also the Immediate Past-President of the League and chairs its Diversity, Equity and Inclusion Workgroup, has recently teamed up with the University of Wisconsin's "UniverCity" program to study Waunakee's hiring practices and to put in place tools for doing it better going forward.

The community of Eau Claire shares an Equity, Diversity and Inclusion Coordinator between the city and county. Eau Claire EDI Coordinator Jeneise Briggs said diversity is vital

to keep a community from becoming stale. "Diversity breeds innovation, it removes stagnation, and it allows for growth." A diverse community is a growing community, with new ideas and perspectives constantly rising and residents learning from one another.

Culture First

But recruiting and hiring for diversity isn't something to be taken lightly. "It's not a box to be checked," said Timber Smith. He encourages understanding your current workforce culture before diving into an all-out effort to diversify that workforce. That's a common mistake made by well-meaning leaders who want to make a difference, but it can backfire. "You have people who are doers; they are used to doing tasks and checking the box. If experts say to them it's important to build a diverse workforce, they get to work on that; they're 'churning and burning'."

But the problem is that sometimes the only things being churned and burned are the employees. "What happens when you recruit someone who is different, but the workplace environment, the culture, makes them feel uncomfortable, alien or lonely?" Smith, who is African American, says he has worked a lot of jobs where he was the only African American in the workgroup. Sometimes it's OK, and sometimes it's not.

"There's a big difference between being the only and being lonely," he said. Being the only person of a certain race, gender, or age is one thing. Being the lonely person who is not only different, but who is not welcomed by the group is another. People who are uncomfortable in an awkward or alien workplace will leave. And then your city develops a reputation. "When someone leaves a job because the workplace culture is not welcoming, the word spreads fast." For Smith, it's key that the work culture comes first, and it's really not that complicated.

"It can be as simple as your co-workers telling you where to find the best burgers in town," said Smith. He advocates that employers first take an honest look at their workplace culture and build those elements of teamwork and hospitality that are necessary to broaden the group.

Briggs is working with both the city and county through a four-phase diversity process that has started with a culture scan. She spent her first months talking to employees,

supervisors, and community members about the culture of the workplace. The first thing she observed is that diversity is big. “It can mean many things. Yes, there’s race, there’s gender, varying physical and mental abilities and disabilities, but there’s also geography, socio-economics, even tenure.” Tenure can create challenges in local government workplaces where recognition and opportunity for advancement are only available to people who’ve been there a long time. You need to decide which aspect of diversity needs attention first.

Modifying an organization’s culture to be more welcoming takes time. And it begins from the top. Schmidt, Briggs, and Smith agree: without 100% commitment from the chief executive, organizational culture will not change. Change is hard. Waunakee’s Schmidt, who is all-in on building a welcoming workforce, admits that inertia is a powerful force resisting change, which is why “you can’t show signs of giving room to maneuver. If there’s even a little window allowing us not to change, the organization will walk through it. What we’ve always done is the easiest thing to do.”

The detail work of culture change will be different for every organization. Briggs said it is important to pay attention to

what people are telling you, and to respect what they have to say. “You need to honor the feedback you’ve been given,” and build that feedback into your work.

“I don’t talk to people about diversity right away; diversity is hard. I want to get to know them, their industry, and their issues.”

Briggs’ practical approach to listening first was brought home in a very Wisconsin way last summer during a trip to a local dairy farm. The farmer wasn’t worried about a diverse county workforce, she was worried about the paperwork involved in getting a permit for manure storage. “We were standing in her yard looking at this big hill. I didn’t realize it, but it was a hill of poop, and she wanted help with the paperwork that the county was requiring of her. She wanted to deal with this mountain of poop,” said Briggs.

Recruiting Second

Once the commitment from leadership is there, you have a firm grasp of your organizational culture, and you’ve listened to your community and understand its priorities, then you can pursue

► p.15



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recruiting for diversity with some confidence. Like diversity itself, successful recruiting calls for a shift in your mindset.

“Think about where you are posting your jobs,” said Briggs. “Let’s say you would like to increase the number of women in your workforce. Have you thought about posting jobs in places more likely to be frequented by women?” Briggs advocates thinking outside the usual help wanted places to include grocery stores, coffee shops, chambers of commerce, and more. Spreading the word among faith-based organizations can also help you reach more candidates.”

Don’t be afraid to brag about your organization. League Membership Services Director Elizabeth Yanke has spent a significant part of her career counseling supervisors in both the art and the science of recruiting. “Consider asking your current staff to be brand ambassadors,” she said. “Ask them to go on camera or in print with the good things about working at your municipality.”

The League offers a free job board on its website. It is the most frequently visited of the 1,800 pages of material on the League website.

The language of the job posting is also important. Yanke said, “Take the time to rethink your standard job posting. Why not create a job post that draws in the reader and really speaks to the advantages of working for your municipality?” After all, posting a job is not just posting a description of the things that need to be done, it’s a marketing piece explaining why your municipality is the best next step in someone’s career. Consider including language that encourages applicants who meet most of the requirements of the job to apply. Is a master’s degree really essential, or is an equivalent of experience worth considering?

After recruiting, think carefully about the interview questions, including who’s asking the questions. “If you’re recruiting for diversity, the hiring committee should look like the kind of workforce you want,” said Briggs. Also, work with your city’s DEI office (or with your peer network, if you work for a smaller community) to scrub out any limiting or biasing words within a job description.

Both Briggs and Yanke said that a job description that is gender neutral and ability inclusive will attract more candidates than the usual litany of “Must be able to bend and lift 50 pounds, etc.”

After recruiting comes onboarding, which leads right back to the beginning and the fundamental essential: a welcoming and inclusive culture. And, finally, said Briggs, don’t fake it.

“The value of authentic relationships in the workplace is so key,” she said. “Especially with traditionally marginalized communities, they want to know that you are the real deal, and not just a checked box.”

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

Use Inclusive Language

Signal to candidates that you are an inclusive and welcoming workplace by ending your job post with an invitation to apply even if they don’t tick all the boxes. Hiring employees with some room to grow encourages them to stay in the role and with your organization longer. In a recent Engaging Local Government Leaders (ELGL) Facebook group post, an ELGL member suggests the following:

“Studies have shown that women and people of color are less likely to apply for jobs unless they believe they are able to perform every task in the job description. We are most interested in finding the best candidate for the job, and that candidate may be one who comes from a less traditional background. The city/village will consider any equivalent combination of knowledge, skills, education, and experience to meet minimum qualifications. If you are interested in applying, we encourage you to think broadly about your background and skill set for the role.”



Watertown Puts It All Together

Emily McFarland, Mayor, Watertown



The workforce shortage has required municipalities as an employer to think differently

about how we attract and retain employees. Acknowledging that the tables have turned – we need candidates more than they need us – has allowed us to evaluate our entire recruitment and retention process and policies. At the City of Watertown, we have been intentional about evaluating and adjusting a few key items: retention, recruitment and onboarding.

Retention had to be our primary focus, after all, the most powerful asset we have is the team we have today. In order to evaluate our retention efforts, we asked our employees what needed to be fixed, what was outdated, what was missing, etc. For some that meant reclassifying positions, for others it meant reevaluating salaries, and in some areas it meant reorganizing departments. We went through a process of changing dated job titles and replacing them with ones that were more representative of the work and who we are as an organization; we completed major departmental reorganizations that better fit the needs of our community and us as an employer; and we invested in a pay compensation analysis so that our team is being compensated appropriately. The last component that was critical to our retention work is that we began to build a team and a culture that employees wanted to be in. We found “sparks” in our people, things they loved about their jobs – or even their personal lives that we could bring into our workplace – and we leveraged those. We came together as a leadership team and created employee events: a summer ice cream social in a park, cleaning up a park on Earth Day, or our holiday breakfast. We took the time to ensure our team knew how much we appreciated them and encouraged the activities to be done during work time. We’ve completed smaller items as well, and honestly, these are the items I get the most positive feedback about. We did employee surveys and then actually did something with the outcomes. I send (at minimum) monthly emails providing updates to our entire city team, we provided them with city logo face coverings, and employee engagement events that allowed them to come together, and we updated antiquated policies that made it restrictive to

balance work and home. In short, we worked – and are still working – to build the employment culture we ourselves want to be in.

Next, we focused on recruitment. We are still in the process of updating our externally facing recruitment strategy, so watch for more on that, but we have already addressed our internal recruitment process. We began by simply modernizing the way people apply with the city; with a new electronic platform that allows for greater efficiency in applying, we found a wider scope of outreach to our applications. We also realized benefits on the internal side with greater availability to the application and data associated with our applicants; this allowed panel members to centralize notes and track hiring practices. We standardized our messaging, and we evolved that into a standard “conversation” experience for our candidates. I am intentional about not using the word “interview,” yes, we want to ensure someone is technically qualified, but I’m equally as interested in ensuring they fit with our mission and culture, and as important, we fit with what they’re looking for in a workplace culture. In the coming months, we will be adjusting our outward facing recruitment. Things like experience and education requirements will change, the “package” for our postings will modernize more into a visual representation of who we are, and we will offer more about who we are as a team, not just as a city. We also streamlined the process of hiring that we take to committee; new forms made it easier for our elected officials to feel informed about new hires.

Finally, we focused on onboarding. Frankly, when it comes to new hires, I don’t think there is anything more important than onboarding them with real purpose. To ensure our new team members feel welcome and taken care of, we’ve standardized the experience for their first day and week. New team members are given tours, provided a free city of Watertown shirt, are introduced to their teams individually, they’re provided training and watch videos we created that give them a bit of information about each department, not just theirs, and more. We do the small things like ensure their workspace is well stocked and a nice sign is welcoming them in, and we’re intentional about sharing who we are, and what they can anticipate.

While there is still work for us to do to continue to expand our efforts through every department and to improve our outward communication about opportunities to join our team, we have seen a positive result of this work and we are confident that as we continue to improve our processes, that more people will join us in the conversation about what it means to be a part of the Watertown team.

About the Author:

Emily McFarland is currently serving as the Mayor of the City of Watertown. She has a bachelor's degree in political science and a master's degree in public administration. Emily's entire career has been in government. She worked for the United States House of Representatives, Green Lake County, the Wisconsin Department of Administration, and Department of Children and Families. Prior to being elected mayor, Emily served as an alderperson for the City of Watertown for five years. Emily's career in government is based on her belief that we need to give more than we take, and she is committed to giving the next generation a better version of Watertown than we have today. Contact Emily at emcfarland@cityofwatertown.org



ALLON

Alex Allon, Strategic Initiatives and Development Coordinator - Watertown

Previous work experience: Nonprofit administration and Workforce Development

Why did I decide to join the local government workforce: I've always been a geek for local government. In my opinion, local government is the level at which impactful community development takes place. I was working for a regional workforce agency prior to entering municipal government and have appreciated the connections that are made in my new role.



RAUTERBERG

Anthony Rauterberg, Deputy Fire Chief-Operations - Watertown

Previous work experience: Over the past 19 years, I have worked for St. Francis, WI, Clive, IA, Windsor Heights, IA, Altoona, IA, and Pleasant Hill, IA Fire Departments prior to coming to Watertown.

Why did I decide to join the local government workforce: I always had an interest in the fire service and it seemed like it would be an interesting job. No day is the same, not knowing what the day will bring is exciting. The job is challenging, both physically and mentally, so when others are appreciative of what you do it's even more rewarding. The friendships you make throughout your career are unbreakable and last a lifetime. These people are outstanding and have a wealth of knowledge if you seek it out.



FAMULARO

Lisa Famularo, Media and Communications Director - Watertown

Previous work experience: I've worked in several community media centers in Wisconsin since 2010. Before that, I did video production and graphic design for a couple of private companies.

Why did you decide to join the local government workforce? I began working for local government in 2010 when I joined the crew at Fitchburg Access Community Television. I quickly became hooked on the direct, positive impact I could make on citizens' lives by helping to provide transparency and by relaying important city and community information. I enjoy connecting with our community in Watertown, inspiring people to engage with their local government, and making governmental processes and information more accessible to everyone through my role as Media and Communications Director.

DID YOU KNOW?

★★★★★



WI Act 69 Fills Jobs in Small Communities

Wisconsin State Representative Jeffrey Mursau

I introduced Assembly Bill 168 (now 2021 WI Act 69) after hearing from constituents that a state law prohibiting a village officer from working for the same village they represent was making it hard to fill necessary positions in their small communities. Some of these vacant positions included: crossing guards, snow removal, mowing, and cemetery maintenance. Oftentimes, village board members are retired individuals who have flexibility which would allow them to take on a part-time job that is critical to village operations, but the existing law prevented them from doing so.

There is a specific statutory provision in Wisconsin law that allows a town board member to receive an hourly wage, not exceeding \$15,000 each year, to work as a town employee. Wisconsin Act 69 simply extends this same provision to members of a village board. The law went into effect July 10, 2021.

This simple change will give smaller communities some flexibility in filling necessary positions that have been vacated by village staff who have quit, retired, or need to take a leave of absence for an extended period of time.

Editors Note - The League worked with the authors to draft this bill and supported this legislation, testifying in support in both the Assembly and the Senate. We regularly hear from our members about the challenges small communities face when trying to fill vacant positions. In small villages, often the most qualified or logical choice to fill a job opening is a board member; sometimes they may be the only choice. We thank Representative Mursau and Senator Felzkowski for initiating and championing this bill into law. To learn more about the League's Legislative Agenda: <https://lwm-info.org/1617/2021-2022-Legislative-Session>

About the author:

Representative Mursau served as Crivitz Village President from 1991-2004 and was elected to the Wisconsin State Assembly in 2004. He represents the 36th Assembly District, which consists of all or parts of the counties of Oconto, Menominee, Marinette, Forest, Langlade, and Shawano. He is the Chair of the Assembly Committee on Forestry, Parks, and Outdoor Recreation.



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Hiring: Is Your Organization Competitive?

Kane Insights: State of Working Women in Wisconsin



The first detailed study to assess the impact of the pandemic on working women in Wisconsin revealed significant issues and opportunities for employers. *The Kane Insights: State of Working Women in Wisconsin* research found 50% of Wisconsin's working women are considering quitting, a number

that is 25% higher than the national average. The number one reason behind this is that women of all demographics feel undervalued in their current position. High levels of stress, lack of childcare support, pay inequities, poor communication from supervisors, out-of-touch policies, and ineffective diversity and inclusion programs are all issues that have created a disconnect between women and their employers.

The good news is, Wisconsin employers can stem the tide of a large-scale female workforce exodus if they act intentionally and heed the call to evolve. Download the report at [KaneInsights.com](https://www.kaneinsights.com) for the complete research findings and recommendations to be an employer of choice. For tips on strategic employee communications: <https://www.kanecommgroup.com/articles-resources/the-great-resignation-is-here-is-your-company-ready>

Wage Surveys: No Magic Wand

We reached out to League partners and member municipalities and the consensus is there is no consensus on where to find well-compiled municipal salary data. Some municipalities participate in consulting firm surveys. Some municipalities pay for salary data provided by consulting firms. Some League members collect salary information from membership organizations like the Wisconsin Rural Water Association (WRWA), Wisconsin City/County Managers Association (WCMA), Wisconsin Municipal Clerks Association (WMCA), Wisconsin Chiefs of Police Association (WCPA), Wisconsin Municipal Court Clerks Association (WMCCA), etc. Some municipalities participate in peer salary surveys to collect such information.

You can find the results of the statewide survey initiated in December 2021 by Menomonie Police Chief Eric Atkinson and other wage survey information here: <https://lwm-info.org/1561/Human-Resources-Matter>



GRANGER

Marcy Granger, Clerk-Treasurer - Beloit

Previous work experience: I previously served as a clerk in the Town of Milton. I attended UW-Green Bay's Municipal Clerks Institute. In addition to my work as a clerk, I have experience as an election worker and am certified as an election trainer.

Why did you decide to join the local government workforce? I truly love the whole election process and value the election workers and the Rock County clerk's time and effort put into each and every election. I am very excited to make the transition to the City of Beloit.



SEMROC

Scott Semroc, Sustainability Coordinator - Sun Prairie

Previous work experience: Over the past six years I've worked with governments, businesses, and nonprofits to advance energy efficiency technologies, projects, and programs. My most recent role was with Wisconsin Focus on Energy.

Why did you decide to join the local government workforce? I joined local government because I saw an incredible opportunity to serve the community and grow professionally. Sustainability is a broad subject, and I am fortunate to work across our departments and staff to serve as a resource and collaborate on various efforts and services we can provide to the community. It's exciting to see how new technology and innovative services can help us reach our goals, and by focusing on our internal operations, our residents, and our businesses, we can work collaboratively to meet our objectives. I joined to serve our community and help build a more sustainable future.

WEST ALLIS

Garbage and Recycling Changes Pilot Program

There are a few changes with garbage and recycling collection coming up in January.* These changes are part of a temporary month-long pilot program listed in the mayor's approved budget for 2022. This initiative (initiative number 5), called Pilot Program for Garbage/Recycling Collection, discusses how both holiday days and weather-impacted days are currently costing the city a minimum of \$40,000 in overtime per year. The budgetary strain on the city is even more than \$40,000 annually, when including any overtime needed for plowing on garbage/recycling collection days during a holiday week.

The same Public Works staff who collect city garbage and recycling are those who plow our streets. Not only have overtime costs become unsustainable for the city, but staff face long hours of driving and service delivery as they juggle both snow plowing and garbage/recycling collection in the same time period. We wish to reduce injury, reduce unsafe conditions, save money, and continue to provide efficient services with the new pilot program.

Under this pilot program, garbage/recycling collection will be skipped on any holidays, and also skipped on weather-impacted days. Garbage and recycling will then be collected a week later during the standard collection time.

For example, let's say your garbage collection day is typically on Monday. If that Monday is a holiday, such as Martin Luther King Jr. Day (this year, Monday, January 17), your collection is skipped and will not be collected until the following Monday.

**This announcement was posted to the City of West Allis website in December. <https://www.westalliswi.gov/>*

This change allows the city to save \$4,500 in overtime costs, to not over-strain a Public Works employee during a holiday week, to prevent injury or harm that often occurs during long hours, and more.

Public Reception of Pilot Program

Resident reaction to the pilot program has been diverse and varied. Social media outlets and email communication are two methods we have used to convey the program. On Facebook, there were 320 positive reactions (likes, hearts, caring emojis) and 48 concerned reactions (angry, surprised, laughing, and sad emojis) to a standalone post, with a variety of comments. Supportive comments commended the city for prioritizing snow plowing, for balancing budgets, for caring about Public Works safety, and for trying something new. Negative commentary included worries about delayed collection, service consolidation, and garbage overflow. Neutral correspondence relayed a wish to understand specific dates for collection and the next pick-up time.



On Facebook from Kara:

"I think it's worth a shot to try. On one hand, people complain how long it takes to clear streets but on the other, they want their garbage picked up. I would prefer a clear street so I can drop off my excess garbage if need be."

And from Erik:

"I applaud you for trying it. Nothing ventured, nothing gained. Anyone who has ever had to balance a large budget knows you try things to see how they work. As a community, we can make an effort to bridge the gap."

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Benefits You Didn't Know You Offered

Elizabeth Yanke, MBA, Member Services Director & Maria Davis, JD, Assistant Legal Counsel,
League of Wisconsin Municipalities

Recruiting can seem like an endless task and the market today demands an active approach to selling open roles. Gone are the days of “post and pray.” Selling the role includes employer branding, writing an alluring post, and getting it in front of the right audience. It is important that municipalities know how they stand out from the crowd – or in this case the private sector. Some infamous private sector perks might be foosball tables, free snacks, kegs on tap, and gym memberships. But public sector work has some great perks too if you know how to frame them.

Public Service Student Loan Forgiveness Program

Many individuals with well-paying jobs struggle with repayment and may face decades of loan payments before they are (student) debt free. But why does this matter to local governments? It matters because local governments can offer prospective employees with student loans something that can make their repayment process easier to accomplish – eligibility for Public Service Loan Forgiveness (PSLF). PSLF offers eligible borrowers the ability to have their student loans forgiven after making 120 monthly payments (or 10 years’ worth) while employed full time with a qualifying public service employer. Many borrowers may qualify for non-public service loan forgiveness while working in the private sector, however, PSLF program benefits are significant compared to alternative federal loan forgiveness options for two primary reasons: a 10-year repayment period instead of 20–25 years and the amount forgiven under PSLF is not treated as taxable income. Borrowers must have an eligible loan, be enrolled in a qualifying repayment plan, and be employed with an eligible public service employer. Qualifying repayment plans include all

of the income-driven repayment plans, which base the monthly payment owed on the borrower’s income level. That makes the program feasible for even those in entry-level positions with lower salaries, so long as they are employed full time and have an eligible loan(s). PSLF is an incredible recruiting tool that local governments should consider highlighting more.

Full-Time Job With Work-Life Balance

Salaries for private sector jobs may seem high, but if you work out the per-hour rate for those employees, they may just make less than you think. The average full-time worker in 2019 spent 8.5 hours per day working.¹ That’s an extra 125 hours per year. In the fast-paced industries of software and biotech it is not uncommon for employees to put in 50–60 hours per week. Events like snowstorms and elections may require overtime, but municipal employees generally have a very healthy balance with work and personal life. Employees have time to volunteer, participate in club activities, a side hustle, or family time. This clear-cut work-life balance is a real perk!

F.I.R.E. - Financial Independence Retire Early

YouTube channels, bloggers, and financial gurus are full of tips on how to get out of the rat race. Historically, private-sector employees expected to work 40 years and retire. Today, it’s a lucky few who have the financial resources to retire at 65 years, yet the younger crowd expects to retire before age 60.² Fortunately for municipal employees, the Wisconsin Retirement System (WRS) or other pension programs make it feasible to retire at a younger age. Of course, everyone’s financial situation is unique, but the option is available. Framed correctly, it’s another untapped selling point.

► p.22

1. Average hours employed people spent working on days worked by day of week (bls.gov)

2. When Can I Retire? Gen Z Wants to Stop Working Before 55, Goldman Sachs Says - Bloomberg

Pay Transparency

Pay is inherently a touchy subject, so much so, that the private sector largely keeps pay ranges secret from employees. In January 2021, Colorado began requiring organizations to disclose wage and benefit information with job postings. The private sector did not respond well.³ At a time when remote work was a necessary part of doing business, businesses were excluding applicants from Colorado, so they did not have to disclose wage information in the posting. Public sector employees have long had access to pay ranges and wage

transparency. Municipal employees are aware what is available to them up front. This can be a selling point for those who have never had pay transparency before.

Knowing what you have that differentiates you from the crowd is part of owning your uniqueness, owning your brand. Local government employers have some distinct qualities that can be highlighted in job postings to attract the elusive talent on the market today. Reframing some of the job postings to speak to a different crowd may just get you a second or third look.

3. Some Employers Are Excluding Colorado Applicants for Remote Work (shrm.org)



LEONARD

Jay Leonard, Part-Time Patrol Officer - Johnson Creek

Previous work experience: I recently retired from the Jefferson County Sheriff's Department with nearly 29 years of law enforcement experience, and I previously served with the Wisconsin State Fair Park and the UW-Stout Police Departments. Also, my wife, Jefferson County Deputy Vanessa Leonard, and I, created the Jefferson County Police Officer Support Team (POST). POST provides a voluntary and confidential outlet for officers, employees, and their families, who have a need to talk about conflicts of feelings they may have about their job, their home situations, or both. It's an impactful service that has helped so many.

Why did you decide to join the local government workforce? I've always wanted to be a safety officer. I've already met so many great people and can't wait to meet more in Johnson Creek.



PEARSON

Rachel Pearson, Human Resources Manager - Rhinelander

Previous work experience: Much of my career has been in the automotive industry focusing on supporting people. I started on the assembly line, moved to supervision, and ultimately HR, emphasizing building relationships and removing roadblocks.

Why did you decide to join the local government workforce? I made the decision to join the City of Rhinelander, the heart of the Wisconsin Northwoods, based on my desire to make a difference in the community. I want to contribute and know what I am doing is meaningful. Learning about government processes and procedures and how everything comes together to keep the city running, interests me. I look forward to collaborating on issues that really matter and being a part of improving this great city. It is important to me to assist those who keep us safe and everyone behind the scenes supporting the community of Rhinelander.



ZARDA

Austyn Zarda, Deputy City Clerk - Rhinelander

Previous work experience: I worked in youth advocacy and engagement at UW-Stevens Point for NextGen America. I then became a Regional Organizing Director for the Northwoods for various candidates of political office.

Why did you decide to join the local government workforce? Working in local government gives me the opportunity to not only give back to my community, but make a noticeable and significant difference in the lives of that very same community that raised me, supported me, and molded me into the person I am today. Local government is the backbone of our society, and the effort so many folks put into enacting meaningful change for their neighbors is inspiring. It is an honor to come to work every single day knowing you have the opportunity to be a public servant and support your community.

Introducing *Enabling Better Places: A User's Guide to Neighborhood Affordability*

Curt Witynski, Deputy Executive Director, League of Wisconsin Municipalities



We are pleased to announce a new Wisconsin-specific League tool to help communities adjust their zoning code and remove obstacles to the development of more affordable housing. Last year, the League partnered with the Congress for the New Urbanism (CNU) and a broad group of Wisconsin organizations¹ to develop a new guide for making small zoning changes to better enable the creation of more workforce and “missing middle” housing within a community.

The guide, *Enabling Better Places: A User's Guide to Neighborhood Affordability* will be posted to our website in mid-February here: <https://lwm-info.org/1473/Housing>

Municipal officials in Wisconsin, like community leaders across the nation, are struggling to make more affordable housing options available in their communities. The availability and pricing of housing is not meeting the needs of people working in jobs that are vital to the success of Wisconsin communities, such as: teachers, firefighters, small business owners, and service industry workers.

There are many reasons for a lack of affordable housing in Wisconsin communities. One cause that local policymakers can address is outdated local zoning regulations and policies that inadvertently restrict the housing market. Much of the existing housing stock in Wisconsin cities and villages consists of large, single-family homes which may not be affordable – or

practical – for the makeup of modern households. It is critical to make the process of adapting existing housing stock and building smaller and more varied housing easier.

The *Enabling Better Places* guide recommends a menu of changes to local zoning codes that Wisconsin communities should consider making and explains how best to accomplish the changes, including ways to convince a skeptical public. The guide includes tools to assist in the process of code reform such as sample ordinance language.

Examples of code changes the guide recommends include the following. Doing any of these will put your community in a better position for offering more housing options:

- Allow multi-unit housing as permitted uses in single-family zoning districts which have historically included two-family and multifamily.
- Realign lot widths and areas to match historic patterns favoring narrower lots.
- Reduce setbacks to historic distances to allow greater use of existing lots.
- Allow accessory dwellings by right for all single-family zoning districts.
- Permit residential uses within downtown and Main Street zoning districts.
- Permit residential uses, including multi-family, in commercial districts.
- Manage residential density with building types not units per acre in each district.
- Reduce or eliminate parking minimums.
- Assess and streamline the subdivision and workforce housing application process, including standards that direct development outcomes and a time limit on municipal response.

► p.24

1. The League thanks the following organizations for contributing financially and/or offering technical advice on the development of *Enabling Better Places: A User's Guide to Neighborhood Affordability*: Wisconsin Realtors Association, Wisconsin Builders Association, AARP-Wisconsin, Wisconsin Housing and Economic Development Authority (WHEDA), National Association of Industrial and Office Parks (NAIOP)-Wisconsin, and the American Planning Association - Wisconsin

Training on How to Use the Guide. CNU faculty will be in Wisconsin this month to provide training for municipal elected officials, staff, and private planning consultants interested in using the guide. Join us for our in-person training:

February 21 – Eau Claire, Morning Session 9:00–11:30 a.m.
Afternoon Session - 1:00–4:00 p.m.

February 22 – Plover, Morning Session 9:00–11:30 a.m.
Afternoon Session - 1:00–4:00 p.m.

February 23 – Oshkosh, Morning Session 9:00–11:30 a.m.
Afternoon Session - 1:00–4:00 p.m.

Both the morning and afternoon sessions will focus on the methodology of incremental code reform and the process and implementation described within the guide. The training will cover how to use the documents in the guide, navigating the steps to amending a code, and determining where to start. The **morning session** will include content geared for elected municipal officials, city and village administrators/managers, builders, and advocates. The **afternoon session** will be geared toward municipal planning staff and private planning consultants. You may attend both sessions.

The goal of the guide and the training is to show that bite-sized zoning code changes are possible and can have an immediate impact on removing obstacles to the development of workforce and missing middle housing.

Register for Training Sessions: Register for training sessions on how to implement the recommendations made by the *Enabling Better Places: A User's Guide to Neighborhood Affordability* here: <https://lwm-info.org/1569/Using-the-Leagues-Zoning-Guide>

About the Author:

Curt Witynski is the League's Deputy Executive Director. He joined the League staff as assistant legal counsel in 1987. Before becoming Deputy Executive Director, Curt served as the League's Legal Counsel for eight years. Contact Curt at witynski@lwm-info.org



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Ready for Electric Vehicles? Modifying Local Land Use Policies

This fact sheet is intended for local government officials to provide an introduction to electric vehicles (EVs), EV charging stations, and how to support EVs by including EV charging provisions in zoning ordinances.

Increase in Electric Vehicles and Charging Stations

The number of EVs is increasing rapidly in the U.S. and worldwide. In the U.S., EVs have increased from 4,000 in 2010 to over 1.1 million in 2020, with no sign of slowing down. By the year 2030, there may be

EV Charging, Door County, WI

243,000 EVs on the road in Wisconsin. With this projected growth, it is important for municipalities to plan for EV charging infrastructure as soon as possible.

Public EV charging outlets in the Midwest quadrupled from 1,400 in 2012 to 6,000 in 2020.¹ EV charging outlets are not all the same. Table 1 describes the basic differences between three levels.

U.S. Automakers Pledge Huge Increase in EVs

In 2021, Ford, GM, and Stellantis, also known as the Detroit Big Three, announced a joint goal for electric vehicles to achieve 40% to 50% of their sales in the U.S. by 2030.²

Table: Types of EV Charging Outlets

	Level 1	Level 2	DC Fast Charging Outlet
Volts	120	240 or 208	480+
Miles of Range per Charging Period	2-5 miles per hour	10-20 miles per hour	60-80 miles per 20 minutes
Primary location	Home	Home, Workplace, Public	Public, Highway Corridors, High Tourism Areas

Where to Locate EV Charging Stations?

EV drivers in the U.S. do over 80% of their charging at home and typically use a Level 1 (regular 120-volt outlet) or Level 2 charging outlet. While a homeowner can add an EV charging outlet in their garage or near their parking spot, one-third of households in Wisconsin (nearly 900,000 households) rent their home. Currently, many people who rent their homes cannot charge at home or at work.

EV drivers who do not have access to a charging outlet at their home or work rely on public charging outlets at convenient locations like workplaces, shopping areas, parks and libraries.

Tourism is a big business in Wisconsin with direct tourism spending of \$13.7 billion, overall economic impact of \$22.2 billion, and over 113 million visitors. To appeal to EV-driving visitors, visitor bureaus encourage EV charging station installation and provide listings of EV charging locations and EV signage.



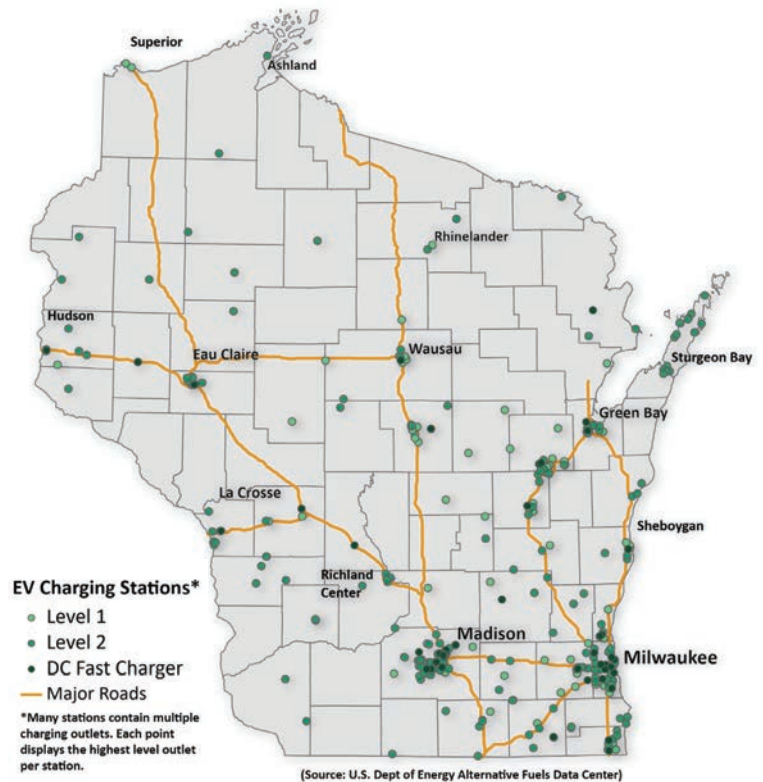
Photo: Level Two and DC Fast Charging Station, Beaver Dam, WI

The map on the right shows EV charging stations in Wisconsin in September 2021. Not surprisingly, there are more stations in the more population dense part of the state.

Include EV Charging Stations in Zoning Ordinances

For local governments in Wisconsin, incorporating EV charging standards in zoning ordinances is one of the easiest and most affordable strategies to support vehicle electrification. Ordinance provisions include EV charging definitions, where charging stations are permitted uses, and where they are required as a part of new construction. The installation of EV charging infrastructure is four to six times less expensive when included during new construction versus a building retrofit.

Once mandatory EV requirements are set in a local zoning ordinance, the charging infrastructure automatically spreads throughout the community as new buildings and parking areas are built, bringing down the cost of charging station installations and allowing public and private investments to stretch further.



Map: Public EV Charging Stations in Wisconsin (September 2021)

Conclusions

- The number of EVs and EV charging stations are increasing rapidly.
- While current EV drivers in the U.S. charge 80% of the time at home, one-third of Wisconsin households rent their home and do not get to decide if EV charging is available where they park.
- EV charging stations will aid one of Wisconsin's most important industries – tourism.
- Local governments can amend their zoning ordinances to include EV charging provisions tailored to the community.

Learn more about EV charging stations and zoning ordinances in the full publication, https://bit.ly/Ready_for_EVs

1 WI data on page 52 at afdc.energy.gov/files/u/publication/electric_vehicle_infrastructure_trends_first_quarter_2020.pdf

2 <https://electrek.co/2021/08/05/ford-gm-stellantis-joint-40-50-ev-sale-goal-2030/>

Prepared by Lynn Markham and Karen Blaha of the Center for Land Use Education. Map by Ryan Michalesko.

The Center for Land Use Education is a joint venture of the College of Natural Resources at the University of Wisconsin-Stevens Point and the University of Wisconsin-Madison Division of Extension.

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Is There a Better Way to Distribute Local Road Aid?

The state's main aid program for supporting local roads could deliver support more efficiently to communities with the greatest need, raising the question of whether it's time to revisit how these dollars are distributed.

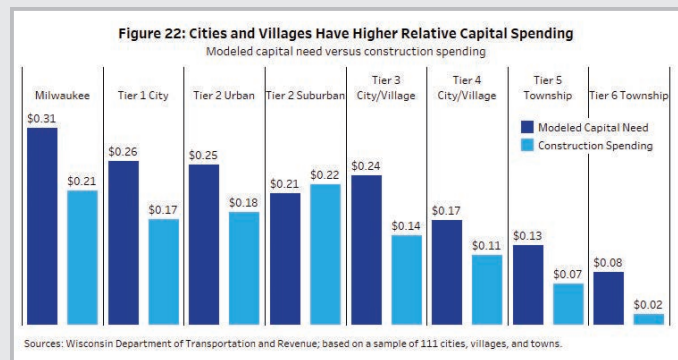
The state's General Transportation Aids (GTA) program is the second-largest program in the Wisconsin Department of Transportation; at \$508.2 million in 2021 alone, it represents the second-largest form of state aid to municipal governments in Wisconsin, and one of the top forms of aid to counties.

Yet the formula for distributing the funding has not had a major update in two decades, according to a recent report produced by the Wisconsin Policy Forum and the UW-Milwaukee Institute for Physical Infrastructure and Transportation.

Over time, more funding has shifted toward smaller municipalities – including nearly all towns and a minority of villages – that receive the same aid payment regardless of how much they spend on roads, removing an incentive for investing in infrastructure. For larger municipalities and counties, increases may be going toward growing communities with the ability to spend more on road-related costs, making it harder for low-growth communities to invest in roads.

Reviewing the state formula in light of these trends could help ensure the dollars are distributed more equitably and better advance the state's transportation goals.

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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Suspicionless Drug Testing Subject to Constitutional Constraints

Claire Silverman, Legal Counsel, League of Wisconsin Municipalities



In a 1989 seminal case governing drug testing of government employees, the U.S. Supreme Court characterized drug abuse as “one of the most serious problems confronting our society.”¹ Drug abuse continues to be a serious problem today. Employees’ illicit use of drugs in the workplace can result in, among other things, increased absenteeism, reduced productivity, greater health costs, impaired judgment, increased safety problems, and potential liability to third parties. Understandably, use of drugs in the workplace is a source of concern to municipal employers.

League attorneys are sometimes asked whether municipalities can subject municipal employees or prospective employees or other municipal officials to suspicionless drug testing as a preventive measure to identify employees currently using or under the influence of certain drugs, and as a means of deterring future drug use by employees.

Government employers are subject to important constitutional constraints. The Fourth Amendment protects people from unreasonable government searches and seizures, and the Fifth and Fourteenth Amendments guarantee due process before a person can be deprived of life, liberty or property and equal protection of the laws. Any municipality implementing any sort of drug testing should consult with the municipal attorney to ensure that the program is

lawful. Additionally, municipalities with unionized employees should be aware that drug and alcohol testing of current employees is a mandatory subject of bargaining.²

This article provides a basic overview of the legal parameters governing suspicionless drug testing. It does not address the law requiring employers to conduct drug tests of employees holding a commercial driver’s license (CDL) and performing safety sensitive jobs. That topic is beyond the scope of this article and was covered most recently in the August 2021 issue of *The Municipality* (see Employees 371).

Fourth Amendment Concerns

The U.S. Constitution’s Fourth Amendment, and a similar provision in Wisconsin’s Constitution,³ provides that the government shall not violate “[t]he right of the people to be secure in their persons, houses, papers, and effects, against *unreasonable* searches and seizures.” [Emphasis added.] Case law clearly establishes that compulsory drug testing, urinalysis or blood testing of public sector employees constitutes a “search” under the Fourth Amendment.⁴ Thus, such testing must be reasonable.

Where law enforcement officials undertake a search to discover evidence of criminal wrongdoing, reasonableness generally requires individualized suspicion of wrongdoing. The officers

must, with limited exceptions, obtain a judicial warrant which requires a showing of probable cause.⁵ However, the U.S. Supreme Court has held that a search unsupported by probable cause can be constitutional “when special needs, beyond the normal need for law enforcement, make the warrant and probable-cause requirement impracticable.”⁶ Where a Fourth Amendment intrusion serves “special governmental needs, beyond the normal needs for law enforcement, it is necessary to balance the individual’s privacy expectations against the Government’s interests to determine whether it is impractical to require a warrant or some level of individualized suspicion in the particular context.”⁷

Thus, it is only in limited circumstances presenting special governmental needs, where the privacy interests implicated by the search are minimal, and where the important governmental interest furthered by the intrusion would be jeopardized by requiring individualized suspicion, that a search may be reasonable despite the absence of such suspicion.⁸

The two leading cases in this area are *Skinner v. Railway Labor Executives*, 489 U.S. 602 (1989) and *National Treasury Employees Union v. Von Raab*, 489 U.S. 656 (1989). In *Skinner*, the U.S. Supreme Court held that federal regulations requiring private railroad employees to produce urine samples for chemical testing

► p.30

1. *National Treasury Employees Union v. Von Raab*, 489 U.S. 656, 674 (1989).

2. Backer, Patterson and Sholl, *Hiring and Firing in Wisconsin*, § 4.18 (1997 ed.) citing *Johnson-Bateman Co.*, 295 N.L.R.B. 180 (1989).

3. Article I, § 11 is similar to the Fourth Amendment.

4. *Skinner v. Railway Labor Executives*, 489 U.S. 602 (1989) and *National Treasury Employees Union v. Von Raab*, 489 U.S. 656 (1989).

5. *Skinner*, supra, at 619.

6. *Id.*, quoting *Griffin v. Wisconsin*, 483 U.S. 868, 873 (1987).

7. *National Treasury Employees Union v. Von Raab*, 489 U.S. 656 (1989).

8. *Skinner*, 489 U.S. at 624.

were subject to the Fourth Amendment and were reasonable. The Federal Railroad Administration (FRA) presented evidence showing that alcohol and drug abuse by railroad employees was a significant problem and that employee alcohol or drug use caused or was a contributing factor in many train accidents resulting in significant fatalities, non-fatal injuries, and property damage. The Court held that the FRA's interest in regulating the conduct of railroad employees to ensure safety presented "special needs." These needs went beyond the normal need for law enforcement because the tests were designed to prevent accidents and casualties in railroad operations that result when employees are impaired by alcohol or drugs, and not to assist in the prosecution of employees. The Court concluded that the restrictions were minimally intrusive and that the needs of the government outweighed the interests of the railroad employees, whose privacy interests were diminished by reason of their participation in an industry "pervasively regulated to ensure safety."⁹

Similarly, in *Von Raab*, the Court concluded that the U.S. Customs Service's suspicionless testing of U.S. Customs employees who apply for employment or promotion to positions directly involving the interdiction of illegal drugs or to positions requiring the incumbent to carry a firearm, was reasonable. The testing was made a condition of placement or employment in the key areas. Employees who qualified for a position covered by the Customs testing program would receive a letter informing the employee that final selection is contingent upon successful completion of drug testing.

In contrast to *Skinner*, the drug testing in *Von Raab* was not motivated by any perceived drug problem among Customs employees. However, the Court concluded that the "Government's compelling interests in preventing the promotion of drug users to positions where they might endanger the integrity of our Nation's borders or the life of the citizenry, outweigh the privacy interests of those who seek promotion to these positions, who enjoy a diminished expectation of privacy by virtue of the special, and obvious, physical and ethical demands of those positions."¹⁰

The reasonableness of the search in *Von Raab* and the Court's comfort with the program stemmed from certain basic protections afforded the employees (e.g., fact that test results could not be turned over to law enforcement without employee's consent demonstrated testing was designed to serve special needs beyond the ordinary needs of law enforcement, intrusion on privacy was minimized while other measures ensured the integrity of the sample). Other important factors are set forth below under the discussion of due process.

The U.S. Supreme Court has never addressed the legality of subjecting all prospective applicants for municipal employment to suspicionless drug testing. A 1997 California case¹¹ concluded a city's pre-employment testing of all applicants for city employment was constitutionally permissible in light of well-documented problems associated with drug abuse in the workplace, but was impermissible with regard to employees being promoted. The court noted that employers generally need not resort to suspicionless drug testing to determine whether a current employee is likely to be absent from work or less productive or effective as a result of current drug or alcohol abuse whereas employers have not had a similar opportunity to observe job applicants over time.

We have been asked whether municipalities can require those running for local office to be subject to suspicionless drug testing. If the "special needs" asserted by the municipality are symbolic rather than real, the answer is no. In *Chandler v. Miller*¹² the U.S. Supreme Court struck down a Georgia statute that required candidates for designated state offices to prove that they had taken a

► p.31

9. *Id.* at 628.

10. *National Treasury Employees Union v. Von Raab*, 489 U.S. 656, 677 (1989).

11. *Loder v. City of Glendale*, 927 P.2d 1200 (Cal. 1997).

12. 520 U.S. 305 (1997).

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urinalysis drug test within 30 days before qualifying for nomination or election and that the result was negative. The Court found that Georgia failed to show a substantial special need important enough to override individual privacy interests.

To demonstrate a special need for the regulation, Georgia argued that unlawful drug use is incompatible with holding a high public office because such drug use draws an official's judgment and integrity into question, jeopardizes the discharge of public functions, including anti-drug law enforcement efforts, and undermines public confidence and trust in elected officials. Georgia conceded that the requirement had not been enacted in response to any fear or suspicion that state officials were using drugs. Although the Court acknowledged that it is not always necessary to demonstrate a problem of drug abuse to justify a testing regime, it stated that such a showing would shore up an assertion of special need for a suspicionless search program. The Court concluded that Georgia was trying to show its commitment to the struggle against drug abuse and, as such, the need demonstrated was symbolic and not "special." The Court held that the Fourth Amendment "shields society" from state action that diminishes personal privacy for a symbol's sake.¹³

Due Process Concerns

Although municipal employment is not necessarily a property interest, any municipality implementing a suspicionless drug testing program should ensure that employees understand the program and that measures are taken to ensure the accuracy of the testing. Any program should clearly identify which categories of employees are subject to testing; what events trigger testing

(e.g., pre-employment/transfer or promotion, post-accident, return to duty, random); what behavior is prohibited; and what are the consequences for violating the drug and alcohol regulations (e.g., not only consequences for testing positive but also for refusing to provide a sample or submit to the test).

In *Von Raab*, the integrity and accuracy of the testing was ensured in several ways. The U.S. Customs Service used strict chain of custody procedures after collecting the urine specimens, screened all samples by a special test, and retested all samples that initially gave positive results by a more expensive but more precise test. The program also had a quality assurance feature where control samples were intermingled with employee samples to measure the incidence of false-positive results. Finally, each employee could opt to resubmitting a specimen pronounced positive to a laboratory of his or her choosing.

Takeaways

The above cases instruct that when a municipality tests employees or prospective employees for drugs, it is considered a search and must be reasonable to be sustained against a challenge that it violates the Fourth Amendment. Suspicionless drug testing is not necessarily unreasonable under the Fourth Amendment, but will only be considered reasonable when the government can demonstrate compelling special needs beyond law enforcement that outweigh the privacy expectations of the individuals subject to the testing.

The government can demonstrate a compelling special need by offering evidence of a significant problem in the workplace relating to drug or alcohol abuse or by illustrating the severe

consequences or injuries that might result from the drug or alcohol impairment of employees subject to the testing. Testing imposed as a symbolic gesture rather than as a necessity will be deemed unreasonable. The government must also demonstrate that the test is for needs beyond normal law enforcement. This can be done by ensuring the test results will not be turned over to law enforcement and will be used only for purposes relating to the subject's employment.

For testing to be reasonable, the government must establish that its special needs outweigh the privacy expectations of the individuals subject to the testing. Privacy expectations are lower when individuals are employed or involved in highly regulated industries or where the nature of the employment is such that impairment by alcohol and drugs could endanger public safety or compromise government security.¹⁴ It can also be argued that applicants for employment have diminished privacy expectations where pre-employment testing is a condition of employment. Voluntary consent is also easier to prove in pre-employment testing. The prospective employee is put on notice from the beginning that drug-free status at the time of hire is a condition of employment, whereas nonconsensual testing of current employees, without reasonable suspicion of drug use, could impermissibly create an additional condition of employment.¹⁵

Employees 302-R1

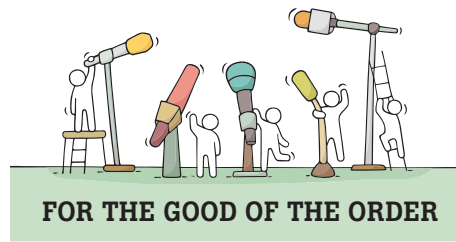
About the Author:

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

13. *Id.*

14. Law enforcement officers are subject to pre-employment testing as part of the certification process by the Department of Justice Law Enforcement Training and Standards Bureau and thus can be said to have a diminished expectation of privacy because they subject themselves to such testing to be certified as law enforcement officers. See Wis. Adm. Code LES § 2.02.

15. 55 Op. Att'y Gen. 257, 260 (1987).



Making a Motion

Maria Davis, Assistant Legal Counsel, League of Wisconsin Municipalities

Motions are the backbone of a productive meeting. They are the procedural tool used to bring business before the body. Robert's Rules of Order, Newly Revised 12th Edition (RONR) 3:21. By making a motion, a member formally proposes that the body take certain action. RONR 3:22. When members of a governmental body understand how to make and use motions, they help the body maintain decorum and hold an efficient meeting.

Robert's Rules of Order, Newly Revised 12th Edition (RONR), which many governmental bodies have adopted as their parliamentary authority, provides ample explanation regarding the procedure for properly making a motion. The basic procedure for bringing a motion before the body involves a member making a motion (e.g., I move that ...), a different member seconding the motion, and the chair then stating the question on the motion for the body to act on. RONR 4:1. To make a motion, a member must first properly obtain the floor by rising, while no one else has the floor, addressing the chair, and waiting to be recognized. RONR 3:30-31. Once recognized by the chair, the member has the floor and may make a motion. In smaller meetings, the procedure may be

more casual.¹ Once the motion has been made, the member yields the floor by being seated. Generally, if two members of the body rise to make a motion at the same time, the first member to address the chair while the floor is open obtains the floor. RONR 3:32.

After a motion is made, it may be seconded. RONR 4:9. If there isn't a second, the chair should ensure that all members have heard the question and ask if there is a second before moving on to other business. RONR 4:10. Members should note that seconding a motion does not necessarily indicate support for the motion. RONR 4:11. Rather, seconding a motion merely indicates that the seconding member agrees the body should discuss the proposed business. For routine matters, there is less emphasis on seconding a motion. If the chair is certain a motion has significant approval by the body, the chair may state the question without waiting for a second. But a point of order could be raised for the need of a second until debate has begun or a vote has occurred. RONR 4:13. After debate or a vote is taken, the lack of a second becomes immaterial.

A motion being made and seconded does not put the question before the

body; only the chair can do that. Once a motion is made and seconded, the chair must state the question immediately unless the wording of the motion was unclear or the chair rules the motion was not in order. RONR 4:16. If the chair rules that a motion is not in order, the body may appeal the ruling. A motion maker may modify or withdraw his or her motion until the time the chair states the question to the body. RONR 4:19. If the motion is modified, a member who seconded the motion generally has the right to withdraw their second. Other members may also suggest the motion be modified if the chair has not yet stated the question or ruled the motion out of order. RONR 4:20.

Once the chair has stated the question, the motion is pending and the matter is open for debate (assuming it is a main motion or a debatable motion). RONR 4:3. Robert's permits discussion only in connection with a pending motion, which is an effective tool to keep a meeting running efficiently. RONR 4:7. However, this rule may be relaxed by smaller boards.

Governing Bodies 400 R1

1. See RONR 49:21 for Robert's alternative rules for small boards. RONR 49:21.



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>

Ordinances & Resolutions FAQ 2

Does state law require that ordinances be read a certain number of times before they are voted on?

No. There is no state law that governs the reading of ordinances prior to their being voted on by the governing body. However, many municipalities have local rules of procedure that require a certain number of readings. Local rules of procedure can often be waived by a requisite number of governing body members. Because any requirement that ordinances be given a certain number of readings is local in nature, it can be modified or eliminated if the governing body desires. (rev. 12/21)

Contracts FAQ 16

Can Wisconsin municipalities enter into design/build public construction contracts?

Generally speaking, no. Under a design/build approach to public construction, the municipality contracts with a single entity to provide both the design and construction. Such an approach is inconsistent with the requirement that cities and villages award public construction contracts to the lowest responsible bidder using a competitive bidding process. See Wis. Stat. § 62.15 (cities), and § 61.54 (villages). As the Wisconsin Court of Appeals stated in *J.F. Ahern Co. v. Wisconsin State Bldg. Comm'r*, 114 Wis. 2d 69, 77, 336 N.W.2d 679 (Ct. App. 1982), “[t]he design/build process differs from the conventional procedure by which a building is first designed and contractors then submit bids to construct it, based on the plans, as provided in [the state competitive bid statute].”

However, a municipality can use the design/build process if specifically authorized by statute to use such an approach or if the work falls within an exemption from the competitive bidding requirements. For example, municipalities are expressly authorized to use the design/build approach when contracting for acquisition of any element of a resource recovery and recycling facility. Wis. Stat. §§ 61.57 and 62.155. Additionally, the courts have recognized that “there are circumstances where it is impossible or impracticable to draw specifications

satisfactorily to permit competitive bidding.” See *Waste Mgmt. Inc. v. Wisconsin Solid Waste Recycling Auth.*, 84 Wis. 2d 462, 472, 267 N.W.2d 609 (1978). (rev. 12/21)

Courts FAQ 1

How does a municipality make a municipal court operational or abolish a municipal court?

State law creates and establishes a municipal court in every city, village, and town. Wis. Stat. § 755.01(1). A municipal court shall become operative and function after January 1, 2011, when the city council, town board, or village board adopts an ordinance or bylaw providing for the election of a judge and the operation and maintenance of the court, receives a certification from the chief judge of the judicial administrative district that the court meets the requirements under Wis. Stat. §§ 755.09, 755.10, 755.11, and 755.17, and provides written notification to the director of state courts of the adoption of the ordinance or bylaw. Wis. Stat. § 755.01(1).

Two or more municipalities may create a joint municipal court by entering into an agreement under § 66.0301 and enacting identical ordinances establishing a joint municipal court. Wis. Stat. § 755.01(4). Upon entering into or discontinuing such an agreement, the contracting municipalities shall each transmit a certified copy of the ordinance or bylaw effecting or discontinuing the agreement to the appropriate filing officer

► p.34



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under Wis. Stat. § 11.0102(1)(c) and to the director of state courts. *Id.*

A municipal governing body may by ordinance abolish a municipal court at the end of any term for which the judge has been elected. Wis. Stat. § 755.01(2). The governing body may not abolish a joint municipal court while an agreement under Wis. Stat. § 755.01(4) is in effect. *Id.*

Municipalities interested in establishing a municipal court should contact the Office of Judicial Education within the Director of State Courts Office. The number is (608) 266-7807. There is also an information pamphlet on starting a municipal court. It may be viewed online. (rev. 12/21)

Courts FAQ4

Who determines the municipal judge's salary and can it be changed?

The municipal governing body fixes the salary of the judge. Wis. Stat. § 755.04. The salary may be increased by the governing body before the start of the 2nd or a subsequent year of service of the term of the judge but shall not be decreased during a term. *Id.* (new 1/22)

Courts FAQ5

Who controls municipal court staff?

The municipal governing body must authorize at least one clerk for each court. Wis. Stat. § 755.10(1). Except in the city of Milwaukee, the municipal judge shall in writing appoint the personnel who are authorized by the municipal governing body. Wis. Stat. § 755.10(1). The judge has authority over the hiring, termination, hours of employment, and work responsibilities of the court personnel, when working during hours assigned to the court. The municipal governing body fixes the salary of any municipal court staff. Wis. Stat. § 755.10(1). (new 1/22)

Legal Captions

Governing Bodies 400 R1

For the Good of the Order: Making a Motion. Discusses the procedural rules for making a motion under Robert's Rules of Order.

Employees 302-R1

Drug testing constitutes a search under the Fourth Amendment and must be reasonable. Suspicionless drug testing is only considered reasonable when the government can demonstrate "special governmental needs, beyond the normal needs for law enforcement, and those needs outweigh the privacy expectations of individuals subject to the search and it would be impractical to require a warrant or some level of individualized suspicion in the particular context." Discusses *National Treasury Employees Union v. Von Raab*, 489 U.S. 656 (1989), *Skinner v. Railway Labor Executives*, 489 U.S. 602 (1989), *Vernonia School Dist. v. Acton*, 515 U.S. 646 (1995) and *Chandler v. Miller*, 520 U.S. 305 (1997). Does not discuss testing required for those with CDLs and those performing safety sensitive jobs.



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Upcoming Events & Workshops

Date	Time	Event	Format	Price
February 21	Morning & Afternoon Sessions*	Using the League's Zoning Guide for Affordable Housing <i>Holiday Inn South, Eau Claire</i>	In-Person	Free - Registration Required
February 22	Morning & Afternoon Sessions*	Using the League's Zoning Guide for Affordable Housing <i>Rural Water Association, Plover</i>	In-Person	Free - Registration Required
February 23	Morning & Afternoon Sessions*	Using the League's Zoning Guide for Affordable Housing <i>Best Western Premier Waterfront Hotel & Convention Center, Oshkosh</i>	In-Person	Free - Registration Required
March 8-10	10:00-11:00 am each day	Human Resources for Small Communities Web Series	Web Event	\$50 for all 3 days
March 22-24 New Dates	12:00-1:30 pm	Chief Executives Winter Workshop	Web Event	\$50 for all 3 days
April TBD	TBD	Cybersecurity Webinar: How to Keep Hackers Out of Your Inbox	Web Event	\$25
April 20-22	All Day	Building Inspectors Institute <i>Lake Lawn Resort, Delavan</i>	In-Person	Members \$215
April 20-22	All Day	Plumbing Inspectors Institute <i>Lake Lawn Resort, Delavan</i>	In-Person	Members \$165
May 6	All Day	Local Government 101 More web-based and in-person Local Government 101 Workshops are in the planning stage. Please stay tuned.	Web Event	\$110

* Using the League's Zoning Guide for Affordable Housing: The **morning session** will include content geared for elected municipal officials, city and village administrators/managers, builders, and advocates. The **afternoon session** will be geared toward municipal planning staff and private planning consultants. You may attend both sessions. See the article on page 23 for details.

Don't forget our monthly Membership Roundtable. It's held the second Tuesday of the month, is free and open to all members. Join us February 8 from 12:00 to 1:00 pm. You can find the Zoom link on our website and in newsletters.

More information for all our events on the League website! www.lwm-info.org

Note: For in-person events, the League will closely monitor the COVID-19 situation. Decisions to hold these events in person will be confirmed with careful consideration, keeping the health and safety of our members at the forefront. If the in-person event is canceled due to COVID-19, our intent is to hold the event virtually on the same days.

Transitions

City Admin./Clerk/Treasurer: Berlin - Sara Rutkowski

City Admin./Treasurer: Omro - Vicky Fitzgerald

City Engineer: Oak Creek - Matthew Sullivan

Clerk: Merton - Jacob Balkowski, Pepin - Drew Adams, Superior - Camila Ramos, Waunakee - Karla Endres

Clerk/Treasurer: Oostburg - Amy S. Wilterdink

Council Member: Waukesha - Mike Payne

Director of Human Resources: Kaukauna - Shanon Swaney

Director of Neighborhood Services: Whitewater - Chris Bennett

Director of Planning/Community Development:
Kaukauna - Joe Stephenson

Director of Public Works/City Engineer:

Kaukauna - John W. Neumeier

Finance Director: Franklin - Bryan Tomczak, Watertown - Mark Stevens

Fire Chief: Catawba - Stacy Fields

Mayor: Milwaukee - Cavalier Johnson

Police Chief: Fall Creek - Colin Mumford, Oak Creek - David Stecker, West Bend - Timothy Dehring

Treasurer: Merton - Julie Ofori-Mattmuller

Trustee: Clinton - Stacy Beals, Holmen - Travis Elam

Village President: Oostburg - Allen Wrubbel

Corrections: In the January 2022 "Transitions" Fred Schnook's new position was listed incorrectly. Fred is the new Village Administrator in Mukwonago. Brandon Bledsoe only has one job and is the City Treasurer/Finance Director in Columbus.

Transitions

RETIREMENTS



Oak Creek. In his LinkedIn post on his retirement, Police Chief Steve Anderson said, "I ended the adventure that began on July 22, 1991, as I retired from the Oak Creek Police Department. I cannot say enough about the honor I have felt working next to the men and women of this department and others in law enforcement. This is a great profession and I will continue to pray for all who have answered this call and have made the choice to keep us safe. My daughter has followed in my footsteps and works for the New Berlin Police Department, so the tradition continues. I pray that you all make it to the end of your shift every day, and then to your retirement day. God Bless."

Dodgeville. Library Director Vickie Stangel retired in January with 16 years of service to the community.

Kaukauna. John W. Sundelilus, Director of Public Works/City Engineer, retired after 35 years of service to the city.

Oak Creek. Michael Simmons, City Engineer, retired after 23 years of service. Ted Johnson, Department of Public Works Director, retired after seven years of service.

Omro. Linda Kutchenriter, City Administrator and Treasurer, retired after 35 years of service to the city.

Plover. Daniel Mahoney, City Administrator, retired after 23 years of service to the village.

CONDOLENCES



Readstown. Village President Chad Larson, 47, passed away in early January. Chad started as a trustee in 2000, and he was elected president in 2015. He was a mainstay in his community as an elected official, and contributed many hours to the Readstown Advancement Association, running the annual Labor Day softball tournament. Chad spent countless hours over the years lining up teams and umpires, creating brackets, and getting the field ready for play. He will be missed.

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 our **INTERIM ADDRESS: PO Box 6358, Monona, WI 53716.**

NEW BOARD MEMBERS



Please join us in welcoming Beloit City Manager Lori Luther, Madison Alder Nasra Wehelie, and Stevens Point Mayor Mike Wiza

as the newest League Board members.

In 2022 the League's 16-member board will be working to set the strategic direction for the League at a critical time in the organization's history. Cities and villages are facing challenging circumstances not only due to the pandemic, but Wisconsin municipalities also face a dire need to update aging infrastructure and provide vital services, including police and fire services, to their residents.

Officers

- President, Justin Nickels, Mayor, Manitowoc
- 1st Vice President, Maureen Murphy, Administrator, Mount Pleasant
- 2nd Vice President, Emily Berge, Council Member, Eau Claire
- Past President, Todd Schmidt, Administrator, Village of Waunakee

Directors

- Steve Genisot, Mayor, Marinette
- James Grigg, Mayor, Horicon
- Danny Helgersen, Mayor, Westby
- Lori Luther, City Manager, Beloit
- Emily McFarland, Mayor, Watertown
- Randy Meyer, Mayor, Sheboygan Falls
- Mary Motiff, Mayor, Washburn
- Mark Rohloff, City Manager, Oshkosh
- Nasra Wehelie, Alder, Madison
- Mike Wiza, Mayor, Stevens Point
- Yee Leng Xiong, Trustee, Weston

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