

The Municipality

Your Voice Your Wisconsin.

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When Destination Sturgeon Bay "reimagined" their traditional Christmas by the Bay Weekend, never did they think that between 500-700 cars would participate in this community car parade. Businesses went all out covering their windows while secret displays were created behind the scenes. The reveal was amazing! Hearing cars honk their horns and clap for the businesses that have survived this unprecedented year, reminded everyone of the importance of community. To learn more, go to <https://www.sturgeonbay.net/>



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Spring Forward!

Jerry Deschane, Executive Director, League of Wisconsin Municipalities



A weird mental time shift is required to write this column. It's early January and I'm looking at the snow in my back yard. More is coming and we're in for several weeks of winter. We're reeling from the shock of this month's unrest in Washington, D.C., and hoping for a peaceful transition of federal authority. At the same time, I have to put my head into the month of March, with spring right around the corner, the state legislature in budget-development mode, and coronavirus vaccine distribution in full swing across Wisconsin. Magazine column writing is as much as anything else an exercise in crystal ball-gazing.

But my crystal ball has a shine on it. This month's magazine is packed with optimistic looks into the future. We know you're focused on rebuilding our economy where it was knocked back by the pandemic. Sturgeon Bay Mayor David Ward has written an excellent article outlining what the city did in 2020 to survive, AND what they're doing in 2021 to thrive. My "Spring Thaw" article echoes similar themes picked up from chambers and business associations serving Wisconsin's economy. Jason Valerius from MSA Professional Services has given us the benefit of his thoughts on the role of planning in this Springtime of Recovery.

Those are just a few of the resources in this month's issue of *The Municipality*. As always, we are trying to present you with tools that you need to do your job. In this case, your job is to work with your citizens, your chambers, and your economic drivers to let loose the energy and optimism that has been "socially distanced" these past 11 months.

Finally, I'd like to call your attention to page 21 of the magazine and ask you to welcome your newest resource and crusader. We are thrilled to have Toni Herkert in the League's new position of Government Affairs Director. Toni is teamed up with longtime League Deputy Director Curt Witynski. Together, they'll present the Legislature with a "Dynamic Duo" of municipal expertise. One word of warning: Toni is a BIG believer in the power of local officials. She was a longtime advisor of one of Wisconsin's leading state senators and she knows firsthand how important local perspectives are to state policymakers. You will be hearing from her as the League works through the state budget process to protect your ability to sustain Wisconsin's communities and high quality of life. We can't do it without you.

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Economic Development During & After the Pandemic

David J. Ward, Mayor, Sturgeon Bay

Like most communities, Sturgeon Bay has been hit hard by the COVID-19 pandemic. The pandemic affected all parts of our civic life and every sector of our economy – manufacturing, tourism, hospitality, health care, retail, and city services.

Our approach to this crisis is to first look out for the safety of our residents and employees and to continue to do the work needed to provide essential services while moving ahead on strategic economic development goals. To accomplish these goals, we initially declared a 60-day state of emergency that created a small working group that could quickly make decisions related to the COVID-19 situation.

As we worked our way through the initial stages of the pandemic, we settled into an almost daily emergency meeting schedule and soon had a better feel for COVID-related decisions that needed to be made. About a month into that emergency order, we began to again resume our work on Sturgeon Bay’s economic development problems and opportunities. The brief but sharp recession that accompanied the pandemic got immediate attention. We tried to assess how this recession would affect us in 2020 and in 2021.

The immediate economic COVID impacts on the city were reduced revenues from room taxes as the pandemic shut down most of our hospitality businesses. We also had some increased expense caused by overtime, the need for PPE, expenses related to the spring general election and August primary election, and other COVID-related expenses. Finally, and perhaps of most concern, was the survival of many of our small businesses that had been shut down due to staffing issues or state orders.

Fortunately, we could handle most of the expense issues thanks to a healthy reserve fund and some CARES Act money. So we turned our attention to business survival and opportunities to survive, expand, and grow during and after the pandemic.

We are very fortunate to have good partners to work with in Door County. The problems we faced were larger than our local government’s capacity to solve them. By partnering we were able to begin to address most of our problems. On the business survival front, the Door County Economic Development Corporation, a 30-year-old countywide organization, worked tirelessly to get vital communications out



The new 10-story-tall Jim Kress Maritime Lighthouse Tower at the Door County Maritime Museum in Sturgeon Bay is the tallest building in Door County. It is scheduled to be opened to the public in May.

to small businesses and to identify all of the sources of state, federal, and local money that local businesses could tap.

We also were lucky to have Destination Sturgeon Bay and Destination Door County. They did great work to make the best of the situation for our tourism industry. Remember that the COVID-19 crisis struck right at the beginning of our summer tourist season. Both tourism groups worked hard to save what we could (unfortunately, we had to cancel all of the festivals in the city and county) of the tourism season while keeping both residents and tourists as safe as possible. As it turns out, because of the pandemic, many tourists and second residents found Door County and Sturgeon Bay a safe and convenient location and our tourist season was quite busy.

We had a good partner in Door County government that helped to provide countywide emergency services and communication related to COVID-19. We also continued to work with the county on other economic development opportunities including affordable housing.

Finally, we did tap regional sources such as New North and state agencies such as the Wisconsin Housing and Economic Development Authority (WHEDA), as well as Federal agencies such as the Small Business Development Center (SBDC).

Moving Forward

During the current crisis, it was important to have a positive message that we could not only survive the pandemic but could also keep moving forward. The organizational infrastructure that we had in place (some would call this “soft” infrastructure) was vital in creating a positive message to encourage action. That infrastructure included our economic development groups, the tourism groups, emergency management groups, and health care providers. All worked in concert! We talked to each other and supported the actions and messages of each group.

Early in the pandemic, the Sturgeon Bay city government acted to help local businesses. Those early measures included:

- Waiving sidewalk café permit fees
- Allowing a payment plan for liquor permits
- Setting COVID-related guidelines to allow the local farmers’ market to start on a limited scale
- Resetting deadlines on property tax payments
- Relaxing open carry ordinances to allow a series of Saturday night dining under the stars events

As part of our strategy to support local businesses, city staff and our partner organizations aggressively went after every existing and crisis-created funding source that could help our business community. We literally pushed all of the buttons to get working capital and financial relief and economic growth money. Some of those efforts included:

- Applying for Harbor Assistance Grants to help our working waterfront development project on the west side of the bay. This successful grant application helps a local tug company as well as providing infrastructure for the dock/promenade area.
- Applying for Community Development Initiative (CDI) grants to help restore a vacant Younkers Department store in downtown Sturgeon Bay. This application was also successful and the restored retail space, now known as the Bliss Marketplace, successfully opened in late November. Just prior to the COVID outbreak, this process was also used to get a grant for the Door County Maritime Museum to help finance their 10-story museum/lighthouse addition.
- Leveraging existing or planned city capital expenditures to promote economic growth. The city planned to build public restrooms in the downtown area and partnered with the Bliss Development to house those public facilities and to help in the redevelopment of the restored retail space.

- Applying for and receiving \$500,000 in COVID-related loan funds from the EDA. Our partner organization, Door County Economic Development Corporation (DCEDC), applied for this award. DCEDC worked through a lengthy process to get a successful outcome.
- Realigning our Saturday farmers’ market to make a COVID safe space with plenty of social distancing and other precautions.

Destination Sturgeon Bay worked hard with local lodging, retail, and restaurants to save as much of the tourism season as we could. Early on, they came up with idea of a Saturday Dining Under the Stars theme that involved closing our main street for outdoor dining. This, along with some relaxation in the open carry of alcohol ordinance, made for a very successful string of Saturday nights that helped local shops and eating establishments. A second effort Destination Sturgeon Bay organized for the holidays was an Unwrapping Sturgeon Bay event with shops decorating their windows and “unwrapping” them as a parade of cars drove through town on a Friday night. A hoped-for 100 car parade turned into a parade of over 500 cars. This event helped to relieve some of the tension that the COVID pandemic produced.

Economic Recovery: It’s Not Over Until It’s Over

While we have been able to sustain much of our business community and economic development agenda, everyone will realize that this crisis is not over. Certainly prospects for returning to “normal” are brightening, but we have many lean months ahead of us. And a full recovery may take many months if not years.

With this in mind and with the help of the DCEDC and Destination Sturgeon Bay, we continue to gather information to help shape our economic recovery. A deep, countywide needs assessment has just been completed. Early results of this business gap assessment showed that businesses need help with e-commerce and marketing. It also shows a need to dramatically improve our e-infrastructure, something we all recognize.

Summary and Lessons

Though we have both practice and resources for emergency management, few if any in local government had an understanding of the kind of emergency that this pandemic would cause. The impact on workforce, health care systems, freedom of movement, government ordered shutdowns – all of this coming at once – was something no one planned for.

What we learned in this situation was that information and guidance on the virus was imperfect and constantly changing as our collective knowledge of the virus improved. A big lesson from the last year was the need to be learning organizations and to shift directions as the situation changed. Many in the public have criticized government action as always shifting or not being clear and concise. Well, there was a good reason for that because we knew little about this virus and as local officials, we often had to change direction and had to react to many shifts in state and national policy.

But I believe that we got much better at managing and reacting to uncertainties fairly quickly. What we learned in Sturgeon Bay was that the city and its partnering organizations needed to lead and provide:

- Inspiration and hope to keep moving forward
- A constant flow of information to help us form strategies
- Effective partnerships with local, regional, and state organizations to build our capacity to deal with the effects of the pandemic
- Communication to our residents and businesses on how to live with and help reduce COVID infections
- Emphasis on our rural strengths – lots of open space, little crowding, plenty of walking around space
- Resources by pushing all of the buttons to acquire funds for extra expenses and continue economic growth

Through all of these trials, Sturgeon Bay continued to move ahead. For 2021, we have in place a new Way Finding System for visitors, a new 10-story Maritime Museum Tower, a new Promenade along our working waterfront, a big expansion of our shipyard, and many other initiatives. Most importantly, we have resilient people who are thankful for what we have and are willing to build for the future.

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About the Author:

Dr. David J. Ward was elected mayor of Sturgeon Bay in April of 2019. Prior to that in July of 2016, he was appointed to the Sturgeon Bay City Council. He successfully ran for election to the council in the 2017 election.

David had a 35-year career with the University of Wisconsin and was a professor of finance on UW campuses at Green Bay and Oshkosh. He also served eight years as the Senior Vice President and Chief Academic Officer for the University of Wisconsin System. His career in university administration included interim chancellor positions at both UW-Green Bay and UW-Oshkosh.

Dr. Ward is the chair of the board of the WiSys Technology Foundation, and is president of the board of National Railroad Museum, and is the former chair of the Door County Economic Development Corporation.

Dr. Ward is a native of Green Bay, Wisconsin. He and his wife Judy have lived in Sturgeon Bay for 20 years. They have four children, eight grandchildren, and one great-grandchild. Contact David at sbmayor@sturgeonbaywi.org

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Spring: Time for Economic Thaw

Jerry Deschane, Executive Director, League of Wisconsin Municipalities



What will the post-pandemic economic recovery look like? What role do municipalities have to play in encouraging that recovery? Across Wisconsin, municipalities are asking those questions. Many of them are continuing partnerships begun last year or building new ones to bring their communities out from the pandemic's economic shadows. Optimism is high that 2021 will be a good year. That optimism, however, is tempered by the realization that some businesses, notably restaurants and hotels, have suffered deeply and have a long way to go to get back to "normal." The collaboration with chambers of commerce and main street groups that came together quickly last spring appear to be your best bet for helping move that recovery along. A listening ear and willingness to be adaptable will also help.

We asked leaders from Wisconsin's chambers of commerce to talk to us about the municipal partnership from their perspective and many responded. We also talked to the leaders of the Wisconsin Restaurant Association and the Hotel and Lodging Association. There is a consensus that local economies around Wisconsin suffered serious slowdowns immediately due to the pandemic, but there's also broad agreement that, with the exception of the hospitality industry, most businesses bounced back quickly.

Envision Greater Fond du Lac is the chamber of commerce and economic development organization for the Fond du Lac area. Envision's recent blog on the economy reported a big hit, followed by a robust recovery. "In April 2020, Fond du Lac County initially saw a sharp decrease in economic activity, followed by a slow but steady upswing. [The] County peaked at 15% unemployment that month, before declining back to an unemployment rate of 3.7% in October 2020, which is equal to the unemployment rate in January 2020. As a comparison, the state of Wisconsin reported an unemployment rate of 5.2% in October 2020 (not seasonally adjusted)."

Those numbers do not necessarily reflect the numbers of people who dropped out of the job market entirely, but evidence hints those losses were not great. The blog points out that Fond du Lac county actually increased its labor force 0.96% since October 2018.

Fond du Lac, like many parts of Wisconsin, benefits from a strong manufacturing sector. Fond du Lac City Manager Joe Moore said that manufacturers have a leg up on retail establishments.

"They don't depend upon convincing customers to come in the door, and they can control the environment of their workplaces. That makes a big difference." Moore reported that many contractors, subcontractors, and similar small businesses were having even better years than in 2019; to the point that finding adequate labor was again becoming a leading issue.

Short-term economic suffering and a quick bounce-back was similar across Wisconsin's urban areas. What was also similar was the immediate response. Chamber executives from La Crosse, Wisconsin Rapids, Marshfield, the Fox Valley, the lakeshore, and Milwaukee area all reported creating pandemic working groups or task forces to share information with public health officials. Often those groups would serve as conduits to distribute chamber or local government business grants, or Paycheck Protection funds from the federal COVID relief acts.

Appleton Mayor Jake Woodford was typical of the mayors who praised their local business organizations. "I've been deeply appreciative of the collaboration with the Fox Cities Chamber of Commerce. Chamber President/CEO Becky Bartoszek and I have kept in regular contact since I took office in April, and our discussions about the needs of the community and how best to support local businesses have been invaluable. We have worked together on public education and providing informational resources to businesses, and the chamber has been a leader in reimagining events in ways that prioritize public health. The chamber has also been supportive of pragmatic steps to prevent the spread of COVID-19 in ways that serve the community and their members well."

The Wisconsin Restaurant Association's President and CEO Kristine Hillmer affirmed that municipality and business communication is critical. The Restaurant Association, Metropolitan Milwaukee Area Chamber of Commerce and Visit Milwaukee established weekly check-in calls with the city's Public Health department. She has high praise for Deputy Health Commissioner Claire Evers. "We set up a

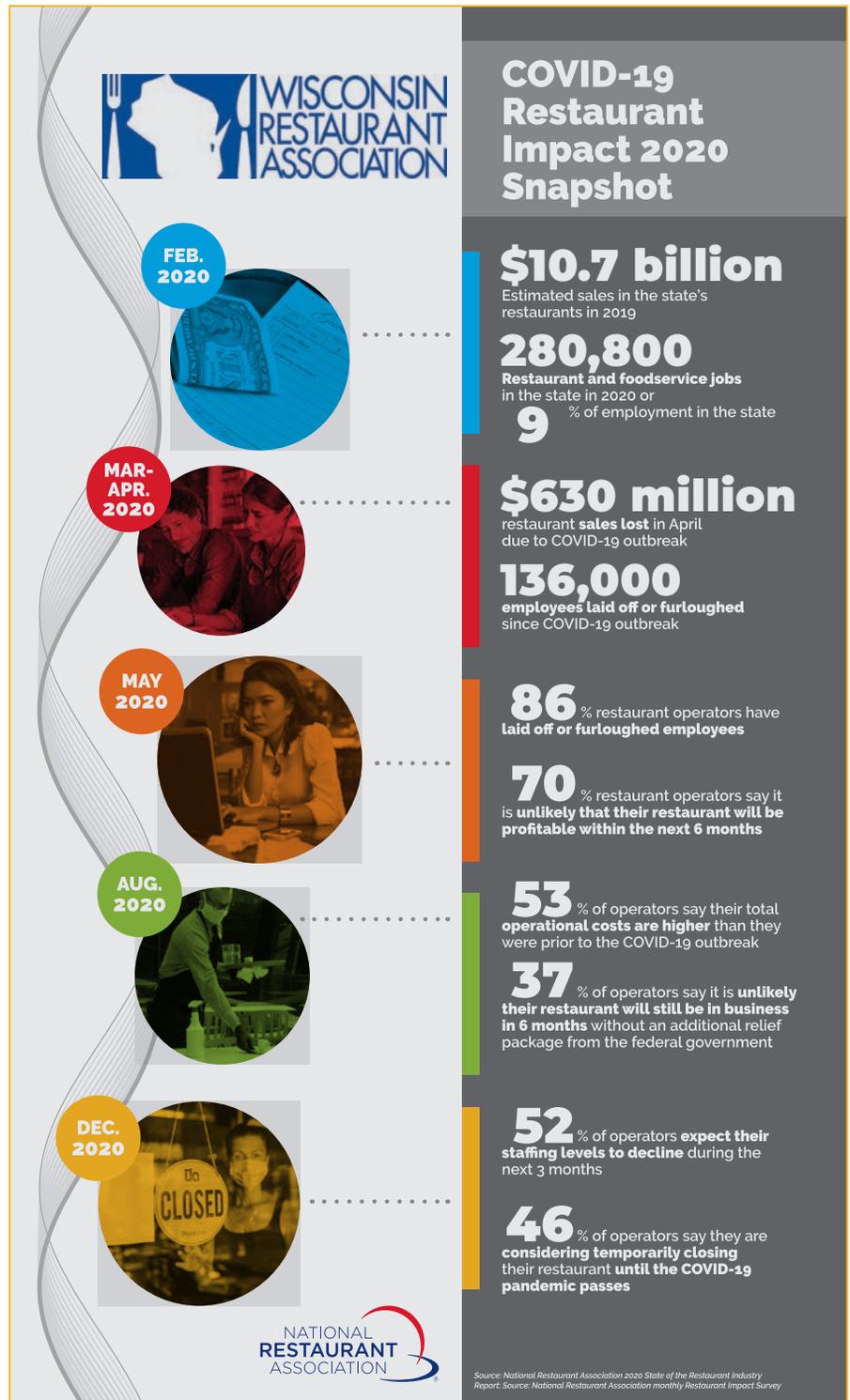
weekly call with Claire. She would bring potential new policies or issues to the group and we would talk it through.” During those calls, policies would be examined and sometimes adapted to make them workable for the restaurants while still achieving their goal of protecting public health. “It was refreshing! The department was willing to work with the [restaurant] operators.”

Hillmer said her members have not experienced the same level of openness everywhere in Wisconsin, but that kind of communication and give-and-take will be essential for this year’s recovery. “That’s the only way we’re going to come out of this alive,” said Hillmer, “There has to be an openness, and a willingness to understand everyone’s perspective and the pressures they are facing.”

By most measures, the hospitality industry is the one still suffering the most from the pandemic. The graphic shown here paints a grim picture of the current state of the restaurant industry. In December, 37% of the 770 Wisconsin restaurants that replied to a survey reported being on the brink of economic collapse, while 46% were in the midst of, or were considering, at least a temporary closure. Hotels are in a similar position.

Bill Elliott, President and CEO of the Wisconsin Hospitality and Lodging Association said the industry was just coming off a record year in 2019, “and then in March of 2020 the floor was just pulled out from underneath,” the industry. It hasn’t recovered yet. There were some “ups and downs” in leisure travel over the summer of 2020, but as of November, the average hotel occupancy rate in Wisconsin was just 37%, compared to a norm of 58% for that time of year. To make the problem even worse, the ADR, or the average daily rate that hotels were able to charge, has plummeted. “So hotels in Wisconsin are selling less and they’re selling it for a lot cheaper.” In August, 47% of hotel operators reported they would close within a year without additional outside support or a dramatic change in the pandemic. When

that survey was updated in November, the number of hotels reporting they were at risk of closing was still 47%, but the group was now reporting they would likely close within six months, instead of a year.



“The vaccine is clearly the key to recovery in this industry,” said Elliott.

Despite all of the challenges, Elliott told us the lodging industry is “an optimistic industry.” Barring a problem with vaccine distribution or something else that would slow the recovery from the pandemic, Elliott predicts that the industry will see 2019’s occupancy rates returning by 2023. Leisure travel will return first, with some signs of recovery already occurring. Business travel will be slower to return, and “people will be concerned with safety for a long time to come. You’ll see masks being used by hotel workers more than you might expect, and fewer or different buffet lines at events.”

To illustrate the point about business travel, the League of Municipalities, which relies on the hotel industry for nearly 30 different training events annually, will be holding only online events for the first half of this year, with a return to in-person events in the second half. Those plans are subject to change based on the trajectory of the pandemic and vaccine distribution.

It’s clear to everyone we talked to that people are eager to reconnect. Appleton Mayor Jake Woodford believes that the recovery might surprise people. “There is a hunger in our community for traditions and important cultural events to resume, so in many ways, I think the sort of distinctive events Appleton and the Fox Cities are known for might actually come back stronger than ever,” he said. When that will happen is unclear because of the unknowns associated with vaccine distribution. 2021 will be unpredictable. Mayor Woodford also says recovery won’t happen on its own.

“Recovery is going to take time and effort to succeed. One of the areas we’ll need to work together on is encouraging our community to get back to safely gathering and going out when the virus is under control. The public is, rightly, going to be cautious about resuming “normal” activities and local leaders and Chambers of Commerce will need to work closely together to rally our communities.”

Hillmer said the pandemic forced the restaurant industry to innovate, and many of those innovations will remain. “Curbside pickup and delivery are here to stay in some form, as is outside dining. Buffets will change and more restaurants

will be preparing meals that can be cooked at home.” The association is also pursuing legislation to facilitate carry-out mixed drinks, currently illegal in Wisconsin. Some of these innovations will require help and support from local governments.

“Definitions of premises under liquor licenses may need to be changed, along with other ordinances allowing restaurants to use sidewalks and streets for outdoor dining,” said Hillmer. “Anything a municipality can do to reduce barriers to these businesses getting back on their feet will help. Part of that is dollars, obviously, and operators are asking local governments for forgiveness, patience, payment plans, whatever they can do.” She said there will be cases of a restaurant owner having to choose between paying property taxes or keeping people working.

The pandemic recovery is underway. Medical professionals and high-risk elderly are receiving the coronavirus vaccine and the goal is to reach most of the population this year. The pandemic caused thousands of deaths in Wisconsin and did significant harm to public health, education, and our peace of mind. We still don’t know how long those impacts, including the economic impacts, will linger. But, at least for the economy, there are definite signs of a “Spring Thaw” in 2021. Municipal leaders were on the front lines of helping their citizens cope with the social shut down. You will have to be there again to help them with the new spring.

Will we ever get back to “normal”? Tracy Qualmann told us “Normal, circa 2019 and before, is something for the history books.” Adaptation and innovation are the buzzwords of the recovery.

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



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The World Has Changed - Are You Adapting? Planning for Resilience and Recovery

Jason Valerius, AICP, MSA Professional Services, Inc.



The term “bounce-back plan” makes recovery from one of the world’s most consequential pandemics sound effortless – a natural cause-and-effect with a guaranteed rebound. We know this isn’t the case. Community leaders need to approach their post-COVID-19 rebound with a mix of patience, persistence, and nimble adaptability. And, with the knowledge that the underlying canvas has fundamentally changed. COVID-19 has accelerated several recent trends in community development and is affecting every aspect of land use and development in our communities.

Unmet Housing Needs

Housing has been the hottest topic in many community development discussions for years. Now, with the pandemic still swirling, many of us are currently spending much more of our time in our homes, with our families, leading to more thought about our housing wants and needs. The pandemic has led to a surge in interest in home ownership driven by low interest rates and the desire for amenities such as private yards and home office space. Yet, developer interest in apartment buildings remains strong, too. We hear a continuous and compelling call for more residential housing across the country, with supply falling far short of demand. In fact, most communities need more housing of all types to address this

unmet need. Not answering the call only pushes housing prices higher and can leave residents and workforce looking elsewhere for that new home. A housing study can help municipal leaders first identify and understand gaps in the local housing market, and find solutions to fill those gaps in ways that support healthy, vibrant neighborhoods.

Busy Parks

For many communities, the focus on housing is part of an effort to attract workers, because jobs follow workers more than workers follow jobs these days. Attracting people also requires quality of life amenities, especially outdoor recreation opportunities. Activities like hiking, biking, boating, fishing, and skiing have all surged since the onset of the pandemic, reinforcing the value of prior investments in parks, trails, and waterway access. But, there are always more “wants” than budget in a park system, and smart communities utilize some variation of a Comprehensive Outdoor Recreation Plan (CORP) to align investment with the most important of those interests. A CORP can help analyze citizen demographics and recreational trends, assess the condition of existing parks and recreational spaces, identify current and future needs, and prioritize actions to fill gaps in the park system. Investments in new parks, trails, aquatic centers, sports complexes, ball fields, marinas, waterfronts, and adaptable, multi-season amenities can attract visitors and residents in support of economic success.

Retail at Risk

Social distancing rules and COVID-accelerated market shifts are pounding many of the retail and service businesses that make up our business districts. The fight for survival against e-commerce giants like Amazon is leaving many local business owners wondering how to keep the lights on. Restaurants are facing extraordinary headwinds in a business that is always challenging. The struggle to keep business districts humming has become even harder than it already was. Some communities are finding ways to leverage existing revolving loan programs (often funded by tax increment finance districts) to help sustain struggling businesses through the pandemic. Where business closures are occurring, retail vacancies are increasing pressures on communities to accept other uses, especially residential, where they might prefer more retail activity, both in new development and in downtown districts.



Decisions to eliminate or convert these spaces should be made carefully and without haste, especially in downtown districts, guided by the advice of urban design professionals and with a goal of balance between short-term economic interests and long-term community interests. A sustainable core of downtown retailers often requires continued tending and support by an economic development professional, someone who can help monitor needs, organize promotional events, administer grant and loan programs, and more.

Empty Offices

The market for office space wasn't all that strong before the pandemic, and it's really in trouble now. While the majority of office workers currently working at home will bounce back into their offices when social distancing needs subside, a portion will continue to work remotely. Many employees have been able to function at a high level from home thanks to recent advancements and investments in videoconferencing and remote network access. As office leases come up for renewal and as growing companies experience space constraints, we expect to see employers allowing more people to work remotely and a trend toward smaller spaces. The net result will be a poor market for new office space and a risk of extended vacancies in some markets. Commercial broker CBRE projects a very tough year in 2021 with falling vacancy and lease rates and little interest in new investment. The best spaces with good amenities and quality building systems (especially indoor air quality) will do alright, but older and lower-quality space will be tough to fill. As with retail, communities will see pressure to allow more residential use in new development where office use was preferred. In existing office space, most property owners seem to be able to wait for the market to return, so far. But, we may start to see more adaptive reuse or full redevelopment proposals. Communities should be receptive to new ideas while continuing to think about neighborhood fit and function.

A Distribution Boom

While retail and office space is at risk, large, flat sites near highways are in heightened demand. Amazon opened 100 new distribution centers in 2020 – just during the month of September – and commercial real estate firm JLL projects demand for another billion square feet of industrial space by 2025. This represents opportunity for development and growth, but communities should take care not to “give away the farm.” Warehouse and distribution uses generally have a low concentration of property value and jobs per square foot, and the employment in these facilities continues to drop due to automation and robotics. Communities can welcome these uses but should be cautious about chasing them with incentives.

A New Focus for Federal Funding?

With a new administration taking over in Washington, D.C., we expect to see more funding for infrastructure and community facilities in support of pandemic recovery, and also a renewed focus for that funding. Early indicators include the phrase “shovel-worthy,” suggesting a preference for applications that can show how a project is consistent with an adopted plan and/or supports the health and vibrancy of the community. Documentation of prior planning decisions based on genuine community engagement will become more important than ever.

Nimble, Patient, Prepared

A fundamental challenge of good land use stewardship is keeping a thoughtful balance between competing needs. Leaders must be nimble about responding to new opportunities while also keeping long-term objectives such as healthy neighborhoods and community character in mind. They also need to be patient about realizing development visions and persistent in the pursuit of improvements that fit those visions, if there is some reason to believe that the long-term market still exists for the preferred uses.

Being flexible and nimble is easier with a good plan, such as a comprehensive plan, downtown plan, or neighborhood plan. That may sound counterintuitive to some, but a good plan can establish clarity about big-picture goals while also allowing for the flexibility to adapt to unexpected opportunities. That apartment building, distribution center, or grant-funded splash pad may not have been anticipated exactly as proposed, but if it can be shown to be consistent with local needs and community design preferences, it can be approved quickly.

While a simple bounce-back is unlikely, successful adaptation is feasible. The overall economy still has many signs of strength, despite the challenges in particular economic sectors and land use types. Resilient communities find ways to recognize and respond to opportunities while continuing to honor long-term goals.

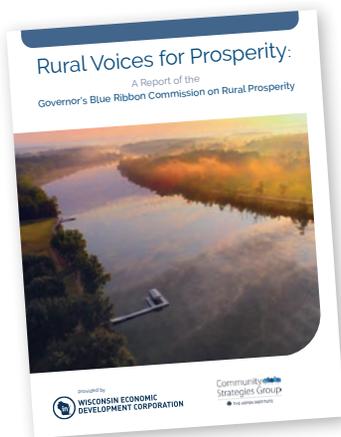
About the Author:

Jason Valerius, AICP, MSA Professional Services, Inc. (MSA) is a senior planner and team leader with over 15 years of community planning and design experience across the Midwest. He leads MSA's Madison-based planning team and has led the development of comprehensive plans, neighborhood plans, and zoning ordinances to help communities define and realize their visions. Jason is an active member of the board of directors for the Wisconsin Chapter of the American Planning Association, where he also serves as past president. Contact Jason at jvalerius@msa-ps.com



Rural Voices for Prosperity

Kelliann Blazek, Director, Office of Rural Prosperity, WEDC



After receiving input from over 500 rural stakeholders, the Governor's Blue Ribbon Commission on Rural Prosperity (the "Commission") recently released its report, "Rural Voices for Prosperity: A Report of the Governor's Blue Ribbon Commission on Rural Prosperity."

The commissioners started their work amid the COVID-19 pandemic after Governor Tony Evers created the Commission in Executive Order #65 in January 2020. The governor appointed 12 commission members, including:

- Bob Atwell, President & CEO, Nicolet National Bank, Green Bay
- Thelma Heidel Baker, Owner Bossie Cow Farm, Random Lake

- Brittany Beyer, Executive Director, Grow North, Rhinelander
- Pamela Boivin, Executive Director and Loan Officer, NiiJii Capital Partners, Inc. (NiiCaP), Keshena
- David Falk, General Manager, ND Paper, Biron
- Tom Landgraf, Principal, Dimension Development, LLC, Madison
- Rachel Sauvola, Agriscience Teacher, New Richmond High School, New Richmond
- Lauren Thompson, Co-President, Wisconsin 4-H Leadership Council, Woodville
- Gina Tomlinson, CEO, Cochrane Co-op Telephone Company, Cochrane
- Susan Townsley, Clinical Social Worker, Stonehouse Counseling, Viroqua
- Jeff Tucker, Vice President of Business Development & Care Innovation, Marshfield Clinic, Eau Claire
- Cheu Vang, Owner, Vang C&C Farms, Jefferson

The report contains 10 overarching recommendations from the commissioners, including:

- Create and appropriately resource a place within the Wisconsin state government that understands and champions the unique attributes of rural Wisconsin - including Native Nations;
- Continue the governor's efforts to make the needs and priorities of rural communities and Native Nations a forethought, rather than an afterthought;
- Take an "all-of-government approach" to doing right by rural and tribal communities;
- Ensure rural places and Native Nations in rural Wisconsin get a fair shake in accessing state and federal resources;
- Look beyond Wisconsin's borders for good ideas;
- Unleash the full power of communities to innovate and act by updating state laws that restrict local agency;
- Reinvest in the Wisconsin Idea and the University of Wisconsin, its satellite campuses, and our state's network of community and technical colleges as unique and valuable assets;
- Rebalance state business incentives to ensure economic development prioritizes the assets of Wisconsin people, communities, and businesses;
- Invest in vital ingredients for our better future; and
- Continue the work of the Governor's Blue Ribbon Commission on Rural Prosperity.

Due to the pandemic, the Commission never met in person and conducted all of its work virtually. The report is an account of what the commissioners heard from over 500 rural stakeholders through three virtual public listening sessions, 25 virtual meetings, and 45 written submissions. WEDC's Office of Rural Prosperity, which was also created by the governor in early 2020, partnered with the Aspen Institute's Community Strategies Group to support the Commission's work.

As the commissioners wrote to fellow Wisconsinites in the report, "Representing a variety of occupations, we know, understand, and celebrate the diversity within Wisconsin. We are motivated to make necessary recommendations to ensure that Wisconsin continues to be known for its successful rural pursuits, therefore encouraging our people and communities to continue to grow, thrive, and survive whatever life may throw our way."

The immediate need for broadband expansion came up in nearly every one of the commissioners' conversations. Rural stakeholders told the Commission that the COVID-19 pandemic has made broadband a necessity for education, healthcare, business, and more. The Office of Rural Prosperity (ORP) did not waste any time in helping to address this need. During fall 2020, ORP collaborated with the Public Service Commission of Wisconsin (PSC) to launch the Broadband Connectors Pilot and provide technical assistance to communities seeking to expand broadband.

Even after a short application period, ORP received 96 applications for the pilot, demonstrating the substantial need for assistance. Six communities were selected for the pilot and received support from WEDC staff from October to December 2020: Lac du Flambeau Band of Lake Superior Chippewa Indians, Ho-Chunk Nation, School District of Owen-Withee, Town of Cross, St Croix County, and Fond du Lac County. The lessons learned from the pilot are helping ORP and PSC better understand the broadband technical assistance needs of communities and identify gaps in resources.

In addition to broadband, rural stakeholders told the Commission that a comprehensive economic development strategy for rural Wisconsin includes: child care and housing, physical and mental health care, career pathways, family support, youth mentorship, transportation, food security, renewable energy systems, and education. The Commission found that these issues are often interconnected and many of these challenges have been exacerbated by the pandemic. These issues are explored in the "Findings" section of the report, which includes ideas from rural stakeholders that warrant further exploration.

Some of the ideas from rural stakeholders include:

- Acknowledge and reward farmers and foresters who provide environmental services;
- Support child care professional development, mentoring, and information sharing;
- Provide cities, villages, and towns with tools and a committed partnership to fund infrastructure repair and replacement;
- Change county and municipal levy limits;
- Expand career pathways for rural medical professionals and caregivers;
- Elevate success stories from rural Wisconsin communities that have succeeded at providing better broadband and coverage; and
- Examine how the state could encourage more investment in renewable energy projects.

This report is just the first step in gaining a better understanding of the challenges and opportunities in rural communities. ORP and the commissioners welcome feedback on the report and look forward to continuing this important work in 2021.

Read the full report <https://wedc.org/rural-prosperity/blue-ribbon-commission/>

About the Author:

Kelliann Blazek is director of WEDC's Office of Rural Prosperity, which was created in 2020 to help build and maintain rural prosperity across the state. Before joining WEDC, Kelliann was Counsel for a U.S. Member of Congress in Washington, D.C., where she oversaw a policy portfolio including agriculture, rural development, nutrition, forestry, trade, and housing. Prior to that role, she worked on agriculture policy at the National Sustainable Agriculture Coalition and Harvard Law School's Food Law and Policy Clinic. Kelliann holds a bachelor's degree from the University of Wisconsin-La Crosse and a master's degree from the University of Wisconsin-Madison. She is also a graduate of the University of Wisconsin Law School and is a licensed attorney in the State Bar of Wisconsin. She grew up on her family's farm near Bangor, Wisconsin. Contact Kelliann at kelliann.blazek@wedc.org



WEDA Legislative Goals Aim at Boosting Economic Growth

Bob Dennik, WEDA Board Chair



Economic Development has a broad scope but can be effectively described as investment in growing the economy to create opportunity and prosperity for Wisconsin

communities, employers, and residents. Effective economic development has played a vital role in Wisconsin's success and will be increasingly important as policymakers focus on innovative approaches to put Wisconsin back on a path to higher growth and increased business productivity.

As the "Voice of Economic Development" in Wisconsin, WEDA members are committed to working with lawmakers to promote programs and policies that advance economic activity in all corners of the state. In fact, our 2021-22 Legislative Agenda provides a comprehensive list of key initiatives to boost workforce housing, increase broadband access, improve state business attraction and retention efforts, and ensure local communities are properly equipped with policy tools to promote economic development.

Unfortunately, Wisconsin communities currently have very few economic development tools at their disposal to spur growth. In fact, Tax Incremental Financing (TIF) is the only consistently reliable financial incentive local governments have at their disposal to promote private development, job creation and retention, and additional tax base growth.

This unique funding tool has been used successfully in Wisconsin since 1975 to fund public infrastructure, redevelopment, and other incentives to attract new and expanding businesses. TIF is a proven driver of local economic activity, revitalizing urban corridors and bolstering industrial growth in rural areas throughout Wisconsin. WEDA encourages lawmakers to preserve and enhance state TIF law to keep Wisconsin competitive regionally, nationally, and globally.

Of course, there are other complementary economic and workforce development tools that play an important role in shaping Wisconsin's economy. Developing, enhancing, and ultimately strengthening these tools requires broad-based collaboration and support, and WEDA looks forward to working with the Legislature and the Evers administration

during the 2021-22 legislative session and will pursue the following initiatives to position the Badger State for stability, growth, and prosperity:

Effective Economic Development Incentives:

- Increase from 12% to 18% the amount of taxable property permitted to be within a community's existing TIF districts. Increasing the TIF limit will pave the way for critical development projects, including workforce housing that would not be possible "but for" TIF assistance.
- Authorize environmental remediation TIF districts to be created for the redevelopment of existing buildings that contain environmental pollution, such as asbestos. This proposal would encourage redevelopment projects that are currently impractical due to environmental concerns.
- Bring Wisconsin's Business Development Tax Credit in line with current economic realities by basing eligibility on total payroll, increasing tax benefits for capital investment, and expanding the list of eligible businesses. These simple and important modifications will alleviate various barriers for businesses to secure and maintain this key tax credit.
- Maintain the Manufacturing and Agriculture Tax Credit in its current form. This tax credit is a valuable business attraction and retention tool and makes Wisconsin a more desirable place for businesses looking to relocate or expand.
- Create a Wisconsin New Market Tax Credit, as a supplement to the Federal NMTC credit, to encourage investors to fund businesses in economically challenged communities across the state. This action would harmonize state and federal programs, creating an added incentive to increase the overall appeal of Wisconsin's investment climate.

Advance Workforce Development:

- Increase the amount of residential development permitted in a "mixed-use" TIF district from 35% to 60% of the district if the residential development that exceeds 35% is used for workforce housing. This proposal will leverage the power of TIF to address Wisconsin's workforce housing shortage and build additional housing to help keep up with demand.

- Expand from one year to three years the length of time a community may extend the life of a TIF district for the purpose of increasing the amount of workforce housing in the community. This initiative will provide communities with a needed tool to address rising home construction costs, the limited supply of affordable housing options, and replace aging housing stock.
- Incentivize local communities to implement policies that encourage additional workforce housing development. This proposal will help address certain market forces and policies that have made building workforce housing a difficult proposition.
- Create a state workforce housing tax credit administered by WHEDA for multifamily workforce housing. Unfortunately, building affordable housing for Wisconsin workers and their families can often be economically impractical. There is a significant gap between the cost of construction and what many people can afford to pay in rent or a mortgage. This proposed tax credit will help limit the challenges and narrow the gaps developers face when financing workforce housing projects.
- Create a sales tax exemption for building equipment and supplies used in workforce housing development to drive down housing construction costs.
- Create a business grant program to help fund private sector-led programs to retain and attract skilled employees to Wisconsin and address local workforce needs.

Competitive Business Climate:

- Support legislation to close the “Dark Store” property tax loophole in Wisconsin. Use of the “Dark Store” strategy by certain commercial property owners has created an unfair tax shift and has had an adverse impact on economic development. Closing the loophole will end the selective application of property tax assessment and ensure the stability of tax incremental financing and local economic development efforts.
- Encourage the Wisconsin Economic Development Corporation and other agencies across state government to

create a strong economic development climate and promote programs and policies that advance economic prosperity.

Robust Infrastructure:

- Support a reliable, practical funding source for the maintenance and development of a modern, statewide transportation network.
- Support additional funding and regulatory reforms to further expand rural broadband access across Wisconsin.

Editor’s Note: The League works closely with WEDA to advance economic development in Wisconsin.

About WEDA:

Founded in 1975, the Wisconsin Economic Development Association (WEDA) is a statewide nonprofit trade association dedicated to growing Wisconsin’s economy through effective advocacy, education, and networking. Our diverse membership includes professionals working to advance economic growth in a variety of settings, including local and regional economic development organizations, chambers of commerce, state and local government, and a variety of businesses and organizations. Contact WEDA at weda@weda.org

About the Author:

Bob is currently a vice president at VJS Construction Services in Pewaukee, WI. He has served as vice president since 2008, functioning as the company’s lobbyist on the local, state, and federal level, as well as business development and financing manager. Prior to joining VJS, Bob was Director of Economic Development for Milwaukee County.

Merry Perry joined WEDA as President and CEO in January 2021. Perry comes to WEDA from her role as Senior Director of Business & Investment Attraction at the Wisconsin Economic Development Corporation (WEDC), the state authority that leads Wisconsin’s economic development efforts. Prior to her nearly 10 years at WEDC, including time as Senior and Regional Economic Development Director, she worked at WEDC’s predecessor agency, the Wisconsin Department of Commerce for almost a decade. Perry is a Certified Economic Developer (CEcD) and holds a bachelor’s degree from Ottawa University.



The Pedlet and the Pandemic

Dan Devine, Mayor, West Allis



How does a community introduce sidewalk dining on a busy street that is also a heavy trucking route?

In 2017, I was on a mission to expand our outdoor dining scene. I had read several articles about pocket parks, sidewalk dining, and pedlets, an extension of outdoor seating into the parking lane, thus widening the sidewalk and allowing tables and chairs for outdoor dining.

At the time, Downtown West Allis had just witnessed the long-awaited opening of Urban Joe’s Café, a downtown coffee and sandwich shop, on a busy street with relatively narrow sidewalks, which led to safety concerns from some of the council members. I proposed the pedlet concept

here, suggesting dining tables be directly on the sidewalk, and the pedlet installed to allow pedestrians to walk safely around the diners. The council went along with this, and our first pedlet was born. The second came a short time later at another downtown restaurant. These new outdoor dining options combined with landscaping and flowers have enhanced the atmosphere of our downtown.

We couldn’t have foreseen in 2017 how vital the pedlet would become in 2020 and now into 2021. As the coronavirus pandemic challenged indoor dining, more of our restaurants have embraced this simple-to-implement concept to support social distancing and add seating at times when indoor occupancy limits have been restricted. Putting the pedlet idea into action when we did made it much easier for us and our restaurants to respond agilely in recent times. For more information, contact Dan at ddevine@westalliswi.gov

The original pedlet article was published in the March 2017 *The Municipality*.

Economic Development and Green Environment Pilot Program



Are you looking for new ways to attract manufacturing jobs to your area? Has your community struggled to find resources to clean up contaminated properties, or even find a company willing to locate on a brownfield?

The Wisconsin Department of Natural Resources (DNR) supports sustainable economic development of Wisconsin’s brownfields through the innovative new Economic Development and Green Environment (EDGE) pilot program. This voluntary program is an economic development tool intended to attract high-value manufacturing jobs to our communities.

Intended to align with local economic redevelopment efforts, EDGE ensures the responsible clean-up and redevelopment of brownfield sites. Manufacturers who use this program are offered the combined benefits of Green Tier participation, Voluntary Party Liability Exemption, and flexible air permitting. In addition, participants could be eligible for a new air permit developed exclusively for those Green Tier companies that are good corporate citizens.

If you have questions or would like additional information, visit <https://dnr.wisconsin.gov/topic/GreenTier/EDGE> or contact the EDGE Program Coordinator, Weston Wegener at 608-284-0908 or DNREDGE@Wisconsin.gov



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Dollar for Dollar

Ari Brown, Data Analyst and Researcher and
Jason Stein, Research Director, Wisconsin Policy Forum



In the past generation, government spending in Wisconsin has undergone a slow but profound shift. The gap between the local and state government shares of this total was almost eliminated, and both amounts are now below national averages.

This trend carries with it profound consequences for the state, both in terms of the cost borne by taxpayers as well as the public services that can be provided to citizens. The current pandemic only amplifies its importance given the financial challenges facing workers and businesses and the expanded demand for services such as public health and welfare.

These findings come from the Wisconsin Policy Forum's recent, comprehensive look at how state and local government spending in the Badger state has changed over time and how it compares to other states. We find that Wisconsin's combined state and local per capita spending is roughly in line with the country as a whole.

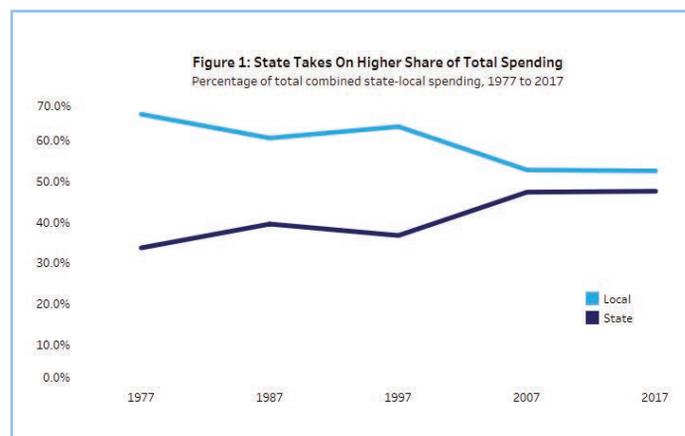
However, the national comparison also yields a more nuanced insight: in general, state government spending in Wisconsin ranks relatively low among states. Local spending ranks significantly higher, though it is also below the national average. This trend holds not only across total spending levels, but in key areas such as public welfare and police spending. These rankings should be seen not simply as a measure of spending efficiency, but also a reflection of the distribution of duties in each state between state and local governments.

Historical and geographic factors may also play a role in how Wisconsin's per capita spending on some key services compares to other states. Cold weather, a widely dispersed population, and aspects of how the state was settled in the 19th century all may contribute to high per capita spending in areas such as sewerage, libraries, and roads and highways.

Trends in State and Local Spending

Our analysis begins with an examination of how local (i.e., municipal, county, school district, and special district) spending has changed over time, with an emphasis on services typically delivered by cities and villages. While the state accounted for only 37% of combined state and local spending in 1977, it

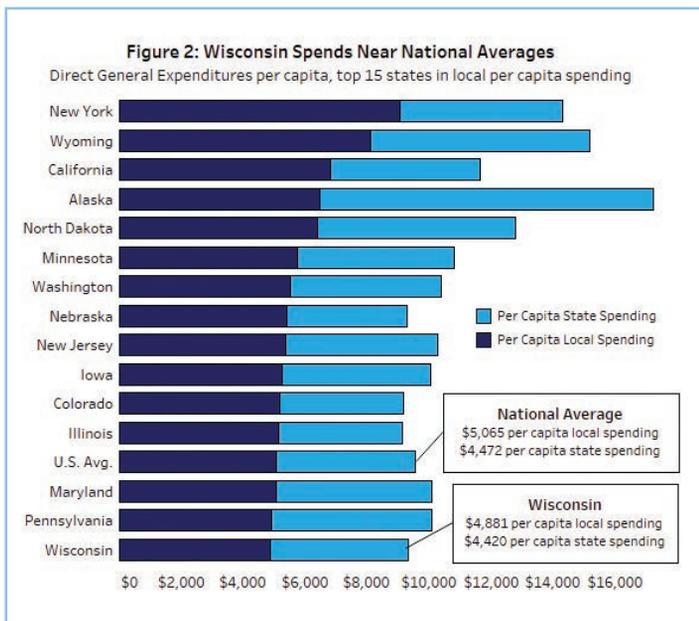
was responsible for nearly half (47.5%) by 2017 (see Figure 1). This trend likely reflects a variety of factors, including lagging state aid to local governments; state limits on school district revenues and on property tax levies by municipalities, counties, and technical colleges; greater growth in state revenues such as the income tax; and upward pressure on state spending in areas such as health care for the needy.



Another factor in Wisconsin's local spending picture is the relative abundance of government in the state. As of 2017, Wisconsin had 3,096 local governments, the 11th-highest in the country. Though this is largely due to the way in which the state was established and settled in the mid-to-late 19th century, the state has also seen an increase in special districts in recent decades and only modest (though growing) efforts to share and consolidate services.

How Wisconsin's Spending Compares to Others

We next look at how Wisconsin compares to the rest of the country in per capita spending for various services. Wisconsin ranked 20th in the country at \$9,301 per capita in combined state-local spending in 2017 under a measure known as direct general expenditures. That was 2.5% below the nationwide average of \$9,537 per capita. This metric is the most comprehensive way to measure state and local spending because it includes government at every level.



Wisconsin’s \$4,420 per capita state spending ranked 31st in the country - 1.2% below the national average of \$4,472 (see Figure 2 above). Local spending, at \$4,881 per capita here, ranked 15th but fell below the national average of \$5,065 by a greater percentage (3.6%). That likely reflects the fact that per capita local spending numbers skew upwards in places containing very large cities (New York, California, Illinois, and Pennsylvania), as well as places with very small populations (Wyoming, Alaska, and North Dakota).

In 2017, Wisconsin was one of 24 states where more was spent directly at the local level than at the state level. It is important to note, however, that these amounts reflect the duties and responsibilities that local governments in Wisconsin and other states are assigned, not merely how efficient they are. For example, spending on parks and recreation is mainly done by local government in Wisconsin, unlike in many other states.

While overall spending by both state and local governments in Wisconsin is below the national average, Wisconsin ranks highly in per capita spending in several individual categories. As Table 1 (on page 19) shows, the state is in the top 10 nationally in local operating spending on Public Welfare (a category that includes programs such as Medicaid and other social services; 2nd), Sewerage (4th), Highways (4th), Libraries (6th), and Health (6th). (These ranks only take into account operating spending except for the case of highways, which includes capital spending because of its importance to that category.) As is the case with overall spending, in many individual categories state spending ranks relatively low, while local government spending ranks somewhat higher, equating to a middle-of-

► p.19



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the-pack ranking overall. For example, while Wisconsin’s local governments rank 12th highest in the country for spending on police – including a rank of 8th in terms of municipal government spending – state-level spending is dead last, and the state ranks 23rd when the two are combined. A similar trend can be seen when it comes to key spending items such as public welfare (2nd in local spending vs. 18th state-local) and health (6th local vs. 22nd state-local).

Table 1: Wisconsin’s Per Capita Ranks, Selected Spending Categories

Spending Category (Operating unless otherwise noted)	Local Spending Rank	State Spending Rank	Overall Spending Rank
Sewerage	4	7	4
Highways (Combined Operating and Capital)	4	10	7
Libraries	6	N/A	7
Central Staff	19	6	8
Corrections	14	14	13
Public Welfare	2	26	18
Natural Resources	14	24	19
Health	6	48	22
K-12 Schools	22	N/A	23
Police	12	50	23
Parks and Recreation	21	49	27
Fire	31	N/A	31
Judicial and Legal	17	32	34
Housing & Community Development	43	47	48
Direct General Spending	15	31	20

What This Means

With a new state budget debate approaching, this is an opportune time for elected officials at every level of government in Wisconsin to assess how municipal and county services are funded, how vital services can be sustained (or if necessary, expanded), and how efficiency and effectiveness might be improved. In some areas such as highways, relatively high spending may be due in part to the state’s cold climate and large road network and as such, may be difficult to change. In other areas, particularly those that require substantial capital investments (like fire and public safety dispatch), the state and local officials might be able to save money or improve services by promoting collaboration across local governments.

If Wisconsin officials believe that substantial change is warranted in the local spending and taxing framework, then they could consider various policy options:

1. State government could take on more responsibilities, especially in areas in which it ranks among the lowest in the country in per capita spending such as parks, health, police protection, and housing. This could help local governments either to control spending or focus on other spending priorities.

2. State and local lawmakers could rethink local finance by increasing state aid for local governments or, in what may be a more plausible move at this time, providing local leaders with more revenue options, such as a municipal sales tax.
3. Local governments could collaborate more with one another, either directly or through the creation of regional entities. That might produce efficiencies and higher levels of service at a lower cost than individual local governments could achieve by acting alone. One example of this type of collaboration in Wisconsin is the state’s network of 12 Cooperative Education Service Agencies (CESAs), which allow for regional collaboration among school districts.
4. The state could provide local governments more tools or flexibility for lowering costs such as reducing mandates. This could also extend to loosening laws that make it difficult for local governments to collaborate with each other.
5. Government leaders could choose to stick with the status quo. That would likely result in a continuation of current trends, including a greater reliance on the property tax by local governments and pressure on local services such as police, libraries, and streets.

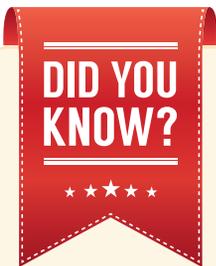
The crisis brought on by the pandemic has threatened local services and also highlighted the ongoing need for them. State and local leaders should use these challenges as an impetus to consider whether the existing local government financial framework is optimal and sustainable; or whether, conversely, there is a need for reform that will allow the state’s citizens to receive the local services they desire at a cost that is both affordable and borne by the appropriate level of government.

The complete Wisconsin Policy Forum “Dollar for Dollar” report, sponsored by the League of Wisconsin Municipalities, the Wisconsin REALTORS® Association, and the Greater Milwaukee Committee, is available at <https://lwm-info.org/>

About the Authors:

Ari Brown is a data analyst and researcher for the Wisconsin Policy Forum. He received his undergraduate degree and master’s in Public Affairs at UW-Madison. Contact Ari at abrown@wispolicyforum.org

Jason Stein joined the Wisconsin Policy Forum as research director in 2018 after 13 years as a reporter for the *Milwaukee Journal Sentinel* and *Wisconsin State Journal*, where he covered state and local government budgets and finance. Contact Jason at jstein@wispolicyforum.org



It Takes a Village

Local Support Critical to Small Business



WISCONSIN MAIN STREET

- 62% of communities in WEDC’s Main Street or Connect Communities programs launched one or more forms of targeted business assistance in 2020, including gift card campaigns, relaxed regulations, increased marketing, shop local incentives, and direct loans or grants to struggling businesses.
- 19% of small businesses that participated in the National Main Street Center survey indicated a strengthened relationship with their local government during COVID. In the same survey, 14% of businesses had received direct technical assistance from municipal entities, 28% from chambers of commerce, and 40% from their local Main Street organization.
- 59% of Main Street districts saw a net increase in business openings during 2020, driven both by entrepreneurial activity and the many temporarily closed businesses still holding out hope for 2021.

Learn more: <https://wedc.org/programs-and-resources/main-street/>

For more information, contact Errin Welty, CEcD, EDFP, Downtown Development Program Manager, Wisconsin Economic Development Corporation at errin.welty@wedc.org



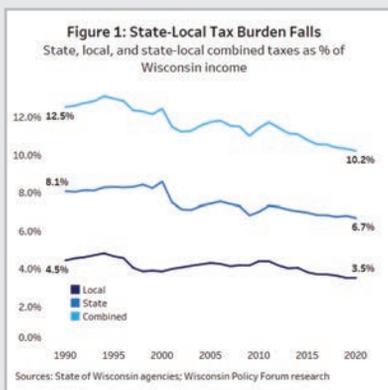
Wisconsin’s State and Local Tax Burden Dips

Wisconsinites paid less of their income in state and local taxes amid a global pandemic and economic upheaval in 2020, as this measure of the state’s tax burden continued its steady decline to again hit a half-century low.

Wisconsin’s tax burden also has seen a striking recent shift in how it compares nationally. The most recent data available show its state and local taxes as a share of income dipped below the U.S. average for only the second time in decades.

While state and local tax collections increased in fiscal year 2020, Wisconsinites’ incomes grew more quickly. This meant they paid 10.2% of income in state and local taxes last year, down from 10.3% in 2019.

This share has declined each year since 2011 and has been on a largely downward trajectory since 1994, when it



peaked at 13.2%. It now is at its lowest point in Forum records going back to 1970.

Meanwhile in 2018 – the most recent year for which U.S. Census data is available, enabling comparisons between states – Wisconsin’s state and local tax burden dropped below the national average.

In a shift that may have implications for both the state budget and economic development debates, Wisconsin also

lowered its tax ranking from 17th among the states to 23rd. As recently as 2011, Wisconsin still ranked within the top 10 states for state and local taxes as a share of income, as was generally the case during the 1990s and 2000s.

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



Toni Herkert Joins League Staff



The League of Wisconsin Municipalities is pleased to announce that Toni Herkert has joined our staff as the League's new Government Affairs Director. Toni will work closely with Curt Witynski, the League's Deputy Director, to advance city and village legislative goals in the State Capitol.

"Toni Herkert is one of those unique individuals who combines deep knowledge of both the legislative and agency processes with a lot of tenacity and pragmatism," said Jerry Deschane, the League's Executive Director. "She will be an outstanding representative for municipal leaders in Wisconsin."

Toni is the former longtime policy advisor for Wisconsin State Senator Robert Cowles (R-Green Bay). She most recently served as a Policy Analyst and Clerk of the Senate Committee on Natural Resources and Energy. She is an expert on issues related to water regulation, including permitting and zoning. Toni holds a B.S. in Environmental Science and Political Science from St. Norbert College and an M.S. in Environmental Science and Policy from the University of Wisconsin Green Bay. She has also previously worked at the Wisconsin Department of Natural Resources, Wisconsin Lakes, and NEW Water (formally Green Bay Metropolitan Sewerage District).

While working in the State Capitol, Toni frequently engaged and collaborated with the League and individual local governments in northeast Wisconsin and throughout the state. She spearheaded legislative discussions on PFAS contamination, lead water lateral removal, and complex land use issues.

"As we turn the page to begin 2021, I am blessed and excited to begin a new chapter of my career with the League of Wisconsin Municipalities," Toni said. "I look forward to diving into the issues that impact local governments and advocating on their behalf."

Toni is joining the staff of the League just as the Wisconsin Legislature begins its 2021-22 session. The first months of the session will focus on the state's biennial budget, including funding for transportation, shared revenue, expenditure restraint, and other critical municipal issues. Observers have stated that this will be one of the most difficult state budgets in recent memory due to significant demands from the growth in the Medicaid program and to sustain promised increases in k12 school funding. To pay for those increases and a minimal 1% increase in other programs would require \$2 billion in additional state revenues.

"All local governments, including the cities and villages of Wisconsin, are facing major challenges with this state budget," said Deschane. "We're viewing our lobbying effort as an 'All hands on deck!' emergency. Toni will bring additional 'hands' to that effort, along with some critical inside expertise and agency knowledge."

The addition of a Government Affairs Director fulfills a goal established by the League board in its latest strategic plan. In addition to doubling our lobbying capacity, Toni's presence will allow the League to approach future legislative issues more strategically. The League's lobbying team of Witynski, Herkert, Deschane, and Communications/Member Engagement Director Gail Sumi are planning an increased emphasis on the role of local leaders in grassroots lobbying. Deschane promised that members will hear more about that as the Legislative session unfolds.

welcome

Welcome Toni Herkert at therkert@lwm-info.org



Great Communities Grow from Wisconsin's Trees

Kirsten Beyer, PhD, MPH, MS, Associate Professor of Epidemiology at the Medical College of Wisconsin and Patty Dreier, Owner/Operator, Blue Springs Innovations LLC and members of the Wisconsin Urban Forestry Council, Public Health & Trees Issue Group

Did you have a favorite tree when you were growing up? Was it a mighty oak towering overhead so high that it seemed to touch the clouds? Or was it more modestly sized, with a sturdy horizontal branch perfect for a swing? Was it a gnarly old willow that seemed to ask to be climbed? Or perhaps it was a sugar maple that provided shelter for a nest of robins outside your bedroom window. Whatever your tree memories are, they helped you bond with a place and the other people who shared it. Municipalities today are in the business of creating a sense of place – a spirit of their community – that attracts and retains citizens, businesses, workers, and their families. Trees are quite possibly the best investment for creating a community worth calling “home,” bringing an aesthetic appeal and cultivating a sense of place for residents.

But the benefits of trees run deeper. Beyond the beauty, interest, and sentimentality of trees, what other benefits do urban trees provide? Decades of research tell us that greener communities are more vibrant and healthier. Let’s take a closer look:

Trees improve property values. Trees increase the value of individual properties, and also benefit neighboring residences.¹ On a greater scale, these increasing property values translate into larger tax bases that can be leveraged for numerous purposes, including reinvestment in more trees to increase benefit.

Trees save energy costs. A recent study found that, in North America, a building with trees/vegetation uses 2-90% less cooling energy and 1-20% less heating energy.² Winter heating costs and summer cooling costs are particularly reduced with the right tree plantings in the right locations. These energy savings benefit property owners and municipalities alike; given widespread use of fossil fuels, these savings further translate into climate change mitigation.

Trees clean the air. They sequester carbon by “breathing in” carbon dioxide to produce food for their growth and “exhaling” life-giving oxygen in return. Total carbon sequestration by urban trees in the U.S. has been estimated at 643 million tons (a \$50.5 billion value), with annual sequestration reaching 25.6 million tons.³ Trees improve urban air quality by absorbing pollutants, supporting our respiratory health – of



Photo credit: Wisconsin DNR Urban Forestry Staff.

great importance for people with conditions such as asthma, COPD, and COVID-19. One study estimated that in 2010, trees in the U.S. removed 17.4 million tons of air pollution, with human health benefits valued at \$6.8 billion.⁴ Clean, breathable air is an essential feature of a livable city.

Trees support urban environmental integrity and resilience to climate change impacts. Trees hold soil in place, absorb rainwater and buffer municipal sewer systems from downpours, preventing stormwater runoff, combined sewer overflow events, and erosion while improving water quality.⁵ Trees also cool our communities, which is especially critical as temperatures rise and urban centers are impacted by urban heat island effects.⁶

Trees and green spaces provide places for us to gather and play. Public green spaces and parks, always adorned by trees, provide opportunities for physical activity and social engagement that keep us healthy, strong, and connected.⁷ And when it gets too hot, trees in these recreational spaces provide a place to cool down and take shelter from the elements, protecting us from sunburns, skin cancer, heatstroke, and other ailments. When planted alongside streets and sidewalks, tree cover can promote active transportation.⁸

Trees improve mental health and restore us. Our ability to concentrate is improved when we look out a window on healthy trees⁹ and people, including in Wisconsin, report lower levels of depression, anxiety, and stress when they live near trees.¹⁰ Trees

also help us heal. Not just in hospitals where patients can look out at greenery as they recover,¹¹ but for all of us – every day.

Trees provide special benefits for children. Children with attention deficit disorders are calmed in natural environments and exposure to trees and natural environments has been linked to better cognitive performance.¹² Green schoolyards can serve as places where children can be physically active and build resilience to life’s stressors.¹³ And tree canopy can also protect expectant mothers and their babies from adverse outcomes.¹⁴

Trees and greenspaces can reduce crime and violence. Trees have been linked not only to reduced street crime, but also to decreased aggression and violence in homes.¹⁵ And when we lose trees to pests such as the Emerald Ash Borer, we feel the effects.¹⁶

Trees may even help us sleep. Studies have linked residential tree cover to healthier sleep durations, including in Wisconsin.¹⁷

In these challenging times, trees and the greenspaces they inhabit have become ever more important. Given restrictions on travel and public gatherings due to COVID-19, and the challenges these restrictions have posed for both physical and mental health, people across the world have turned to nature to find well-being. When COVID-19 began impacting people’s lives in mid-March of 2020, visits to Wisconsin State Parks

increased markedly. For example, weekend park attendance on May 16-17 was up over 44% compared to the previous year and continued to rise to 52% by June 13-14; there was also a sizeable increase in camping reservations.¹⁸

In Wisconsin, municipalities, citizens, and community organizations alike have recognized the value of trees. Led by the WI DNR and the Wisconsin Urban Forestry Council (<https://dnr.wisconsin.gov/topic/urbanforests/members>), a conference was held in May 2019 called “Good Health Grows on Trees.” This conference brought together a diverse, multi-sectoral group of people interested in investing in the trees and public health intersection, including planners, arborists, architects, public health professionals, and academicians. This conference was a great success, but more work is needed to leverage the power of trees to enhance the health and wellness of Wisconsin’s municipal dwellers. So what can you do?

Get outdoors and enjoy trees! With winter upon us and SARS-CoV-2 vaccination getting underway, it’s important to remember that our public open spaces and the trees they harbor can continue to offer benefits to our health and wellness. When Netflix beckons, consider resisting the urge and getting outside instead. Your body (and mind) will thank you.

► p.24

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Partner on tree projects in your community. There is no shortage of inspiring stories about creative and impactful tree projects in Wisconsin. The Hudson Tree Treks Project enhanced an elementary school student-run arboretum with a self-guided informational trail, bringing attention to the city's trees. In a project called Phoenix from the Ashes, the Madison Community Foundation funded a partnership among the Madison Parks Department, Wisconsin Urban Wood, the Madison Arts Commission and others to find a use for ash trees felled by EAB, including lumber for furniture, artistic pieces, and local nonprofits such as the Pinney Public Library and the Habitat for Humanity ReStore. The WI DNR offers grants to support urban forestry projects (<https://dnr.wisconsin.gov/topic/urbanforests/grants>). Connect with your community's forester and your local tree board. Introduce yourself to local arborists. Have you considered partnering with a local public health department or academic institution in your area? Diverse teams bring innovative ideas. Gather your team and apply!

Seek tree focused certifications for your community.

The Arbor Day Foundation is well known for its Tree City designation, but did you know there are now tree campuses? Consider partnering with your local colleges, universities, and healthcare campuses to pursue this designation: <https://www.arborday.org/>

Keep the benefits growing. Seeking shoppers to meander along business corridors? Plant trees. Want a healthier citizenry? Create greenways and parks! Looking for a solution for an overabundance of vacant urban lots with no prospect for home constructions? Consider an urban forest! There are now so many resources to leverage in a quest to know more about trees and public health and make change in our communities. Some great resources include the Environmental Protection Agency Enviroatlas (<https://www.epa.gov/enviroatlas>), the University of Washington Green Cities:

Good Health compendium (<http://depts.washington.edu/hhw/>), the Children and Nature Network (<https://www.childrenandnature.org/>), and a growing list of resources from the WI DNR (<https://dnr.wisconsin.gov/topic/UrbanForests>).

Just plant trees. As our tree memories remind us, trees build a sense of belonging – of community. And isn't creating beautiful and vibrant communities what it's all about?

About the Authors:

This article was written by members of the Public Health & Trees Issue Group of the Wisconsin Urban Forestry Council (<https://dnr.wisconsin.gov/topic/urbanforests/members>). The Council advises the Wisconsin Department of Natural Resources on the best ways to preserve, protect, expand, and improve Wisconsin's urban and community forest resources. The Public Health & Trees Issue Group, led by Kirsten Beyer, PhD, MPH, MS, focuses on the public health benefits of trees for Wisconsin's communities. Dr. Beyer is an Associate Professor of Epidemiology at the Medical College of Wisconsin, where she Directs the PhD Program in Public and Community Health and Co-Directs the Global Health Pathway for medical students. She conducts research on the public health benefits of trees and greenspaces. Patty Dreier is owner/operator of Blue Springs Innovations LLC and has dedicated her life to helping people become better stewards of our planet. Patty wrote *Empowered: One Planet at a Time* for young adults and their teachers and mentors. She is a former member of the Council and Issue group with over three decades of diverse leadership experience in business, nonprofit, higher education, and government, including as the Portage County Executive for many years. Kirsten, Patty, the Issue Group, and the Council all love trees.

- Donovan GH, Butry DT. Trees in the city: Valuing street trees in Portland, Oregon. *Landsc Urban Plan*. 2010. doi:10.1016/j.landurbplan.2009.07.019
- Ko Y. Trees and vegetation for residential energy conservation: A critical review for evidence-based urban greening in North America. *Urban For Urban Green*. 2018. doi:10.1016/j.ufug.2018.07.021
- Nowak DJ, Greenfield EJ, Hoehn RE, Lapoint E. Carbon storage and sequestration by trees in urban and community areas of the United States. *Environ Pollut*. 2013. doi:10.1016/j.envpol.2013.03.019
- Nowak DJ, Hirabayashi S, Bodine A, Greenfield E. Tree and forest effects on air quality and human health in the United States. *Environ Pollut*. 2014;193:119-129. doi:10.1016/j.envpol.2014.05.028
- Livesley SJ, McPherson EG, Calafapietra C. The Urban Forest and Ecosystem Services: Impacts on Urban Water, Heat, and Pollution Cycles at the Tree, Street, and City Scale. *J Environ Qual*. 2016. doi:10.2134/jeq2015.11.0567
- Edmondson JL, Stott I, Davies ZG, Gaston KJ, Leake JR. Soil surface temperatures reveal moderation of the urban heat island effect by trees and shrubs. *Sci Rep*. 2016. doi:10.1038/srep33708
- Roy S, Byrne J, Pickering C. A systematic quantitative review of urban tree benefits, costs, and assessment methods across cities in different climatic zones. *Urban For Urban Green*. 2012. doi:10.1016/j.ufug.2012.06.006
- Tsai W-L, Yngve L, Zhou Y, et al. Street-level neighborhood greenery linked to active transportation: A case study in Milwaukee and Green Bay, WI, USA. *Landsc Urban Plan*. 2019;191:103619. doi:10.1016/j.landurbplan.2019.103619
- Berman MG, Jonides J, Kaplan S. The cognitive benefits of interacting with nature. *Psychol Sci*. 2008;19(12):1207-1212. doi:10.1111/j.1467-9280.2008.02225.x [doi]
- Beyer K, Kallenbach A, Szabo A, Bogar S, Nieto F, Malecki K. Exposure to Neighborhood Green Space and Mental Health: Evidence from the Survey of the Health of Wisconsin. *Int J Environ Res Public Health*. 2014;11(3):3453-3472. doi:10.3390/ijerph110303453
- Ulrich RS. View through a window may influence recovery from surgery. *Science (80-)*. 1984. doi:10.1126/science.6143402
- Louv R. *Last Child in the Woods: Saving Our Children from Nature-Deficit Disorder*. Algonquin Books; 2008.
- Chawla L, Keena K, Pevec I, Stanley E. Green schoolyards as havens from stress and resources for resilience in childhood and adolescence. *Health Place*. 2014;28:1-13. doi:10.1016/j.healthplace.2014.03.001
- Donovan GH, Michael YL, Butry DT, Sullivan AD, Chase JM. Urban trees and the risk of poor birth outcomes. *Health Place*. 2011;17(1):390-393.
- Bogar S, Beyer KM. Green Space, Violence, and Crime: A Systematic Review. *Trauma Violence Abuse*. 2016;17(2):160-171. doi:10.1177/1524838015576412 [doi]
- Kondo MC, Han SH, Donovan GH, MacDonald JM. The association between urban trees and crime: Evidence from the spread of the emerald ash borer in Cincinnati. *Landsc Urban Plan*. 2017;157:193-199. doi:10.1016/j.landurbplan.2016.07.003
- Johnson BS, Malecki KM, Peppard PE, Beyer KMM. Exposure to neighborhood green space and sleep: evidence from the Survey of the Health of Wisconsin. *Sleep Heal*. 2018;4(5):413-419. doi:10.1016/j.sleh.2018.08.001
- Resources WD of N. Find Your Adventure, Go Wild in Wisconsin. 2020. <https://dnr.wi.gov/news/releases/article/?id=5223>.

Discretionary Immunity in Slip and Fall Case

Attorneys Ted Waskowski and Kyle W. Engelke, Stafford Rosenbaum LLP



The Court of Appeals has recommended for publication an opinion resulting from a permissive interlocutory appeal sought by Stafford Rosenbaum on behalf of the City of Monroe. The City sought the appeal after the trial court denied the City's motion for summary judgment asserting absolute and governmental immunity in response to a slip and fall complaint. As explained below, the Court of Appeals reversed and remanded with directions to enter summary judgment in favor of the City dismissing the complaint. See *Knoke v. City of Monroe et. al.*, No. 2019AP2003 (Wis. Ct. App. Dec. 3, 2020).

Background on Governmental Immunity

Governmental immunity is often a key issue in tort claims against municipalities. In cases involving snow and ice accumulations, two types of immunity are at issue – an initial three-week period of absolute immunity under Wis. Stat. § 893.83, and then “discretionary” immunity under Wis. Stat. § 893.80 applies to accumulations that exist for three weeks or more.

Wisconsin Stat. § 893.80(4) provides immunity to a municipal actor “for acts done in the exercise of its legislative, quasi-legislative, judicial or quasi-judicial functions.” Recognizing the separation of powers pitfalls implicated by permitting private parties to litigate the wisdom of public policy decisions of elected bodies (e.g., town and village boards, city councils, etc.), the Court has long interpreted Wis. Stat. § 893.80 to provide immunity for the “discretionary” decisions of municipal actors.

However, there are two main exceptions to discretionary immunity – one for ministerial duties and another for known and present dangers. Duties are ministerial for the purposes of governmental immunity when a duty is “absolute, certain and imperative, involving merely the performance of a specific task” imposed by law. This exception to discretionary immunity applies when statutes, ordinances, or policies obligate the municipality to take a specific action. Where there is no discretion, then there is no immunity. For example, the Court has held that where regulations require railings on a stadium's camera stand, there is no discretion to place the railings, and therefore no immunity from claims to recover damages caused by the failure to install such railings.

The second exception, the known-and-present-danger exception, applies only “where the danger is so severe and so immediate” that a response is demanded. Once again, because there is no discretion, there is no immunity. However, application of this judicially created exception is narrow and very fact-specific. For example, the seminal case involves a fall, arguably caused by a park ranger's failure to give warning that a path passed within inches of a partially concealed 90-foot drop.

Case Background for the *Knoke* Decision

Knoke fell on January 12, 2017. His fall occurred in the curb and/or gutter area adjacent to his law offices in Monroe, Wisconsin. Knoke sued the City and its insurer alleging claims of negligence

and nuisance. The parties completed discovery and briefed the City's summary judgment motion to the trial court. The City argued that it exercised its discretion in enacting a snow and ice policy and that it was undisputed that it complied with the policy. The policy provided in relevant part:

The City of Monroe Street and Park Departments endeavor to maintain adequate traction for pedestrians and vehicles. This does not mean that bare, dry pavement or walks should be expected after each snowfall or ice storm. ***Furthermore, this does not mean the streets will be free of ice and snow.***

Ultimately, the trial court denied the City's motion for summary judgment. The gravamen of the trial court's reasoning is as follows:

[S]o I'm basically saying that there's the three weeks that all the governmental bodies have where they do enjoy the immunity, and then after the three weeks, essentially, they have a specific, [...] duty to remove snow and ice.

The City petitioned the Court of Appeals for an interlocutory appeal which was granted to review the application of Wis. Stat. §§ 893.80 and 893.83 to the facts of this case.

Court of Appeals Opinion

In a decision recommended for publication, the Wisconsin Court of Appeals reversed and remanded with directions to enter summary judgment in favor of the City of Monroe.

As explained by the Court, Wis. Stat. § 893.83 – commonly referred to as the “highway defect statute” – was originally enacted to *allow* suits against governmental entities for injuries caused by “insufficiency or want of repairs of any highway.” The highway defect statute operated as potential exception, or ministerial duty, to the discretionary immunity afforded under the related statute Wis. Stat. § 893.80(4).

However, the Legislature subsequently enacted 2011 WI Act 132 which not only retained the three-week period of absolute immunity for snow and ice accumulations, but eliminated the defect language (“insufficiency of want and repair”) from the statute (eliminating Wis. Stat. § 893.83 as a source of ministerial duty), before *also* expressly subjecting claims for snow and ice accumulations that exist 3 weeks or more to “discretionary” immunity under Wis. Stat. § 893.80.

Here, the Court of Appeals rejected Knoke’s arguments relying on *Morris v. Juneau County*, 219 Wis. 2d 543, 579 N.W.2d 690 (1998), with the Court clarifying that 2011 WI Act 132 eliminates any reliance upon *Morris* for the proposition that snow and ice accumulation cases are subject only to the procedures (notice of claim, etc.) and not the grant of “discretionary” immunity under Wis. Stat. § 893.80(4). Because 2011 WI Act 132 expressly subjects claims – without reservation – to Wis. Stat. § 893.80, the grant of “discretionary” immunity under subsection (4) also applies.

The Court summed up the relationship between the statutes as follows:

The first sentence of § 893.83 grants municipalities a period of “absolute immunity” for claims based on snow and ice accumulations that have existed less than three weeks [...]. And the

second sentence of § 893.83 clarifies that immunity is not absolute if the snow or ice accumulation has existed for three weeks or more – under such circumstances, a claim is “subject to § 893.80,” like any other tort claim against a municipality.

After resolving that “discretionary” immunity under Wis. Stat. § 893.80 applied to slip and fall claims involving snow and ice accumulations, the Court continued on to reject Knoke’s arguments seeking an exception to this grant of immunity based on the facts of the case.

The Court first rejected Knoke’s reliance on *Hillcrest Golf & Country Club v. City of Altoona*, 135 Wis. 2d 421, 400 N.W.2d 493 (Ct. App. 1986). Here, the Court noted that *Hillcrest* had been overruled by the Wisconsin Supreme Court in *Milwaukee Metro. Sewerage Dist. v. City of Milwaukee*, 2005 WI 8, ¶159, n. 17. Instead, the Court clarified that nuisance claims – like other tort claims – are barred under “discretionary” immunity if they are “predicated on negligent acts that are discretionary in nature,” but they may proceed if predicated on “acts performed pursuant to a ministerial duty.” Because the City complied with its snow and ice policy, discretionary immunity applied.

In addition to rejecting multiple fact-specific arguments Knoke made regarding the application of the City’s snow and ice policy and shoveling ordinance, the Court concluded by rejecting Knoke’s arguments that the “known and compelling danger” exception applied. Here, the Court called into question whether “constructive notice” is sufficient for the known and compelling danger exception. However, even assuming constructive notice/knowledge of the danger was sufficient, the Court reasoned that the danger was far less severe and immediate than the

dangers contemplated by this exception. Here the Court noted, “it is beyond dispute that even the best-maintained Wisconsin roadways are, at least at times, icy and slippery in the winter.” In rejecting Knoke’s arguments, the Court emphasized:

To conclude otherwise would ignore the realities that Wisconsin pedestrians are accustomed to icy winter conditions and that a Wisconsin municipality will never be able to address every potentially unsafe snow and ice accumulation on its roadways and must instead exercise its discretion in determining how and when to respond to them.

Conclusion

The main takeaway from the decision is to cement the changes made by the Legislature with 2011 WI Act 132, which affords municipalities three weeks of absolute immunity before applying discretionary immunity once the three-week mark has passed. A couple smaller notes include that the Court questioned whether “constructive knowledge” is sufficient for the purposes of the “known danger exception,” and reaffirming that discretionary immunity applies to nuisance claims.

Municipalities can avoid creating “ministerial” duties in ordinances and policies by reviewing whether they impose mandatory action(s) (rather than leaving discretion). Common issues can arise with trip and fall suits regarding sidewalk policies and their requirements regarding inspection and/or repair. Finally, when notified of a potential snow and ice claim, the municipality should seek to preserve weather and maintenance records to help address whether an accumulation existed three weeks or less.

This decision from the Court of Appeals correctly applies the changes made by the Legislature in 2011 and reflects the realities of Wisconsin winters to prevent municipalities from serving as insurers every time snow flies or ice forms.

About the Authors:

Ted Waskowski is a Partner with Stafford Rosenbaum LLP. His practice focuses primarily on litigation. Ted has represented dozens of Wisconsin municipalities in hundreds of litigated matters in the past 30 years. Many of these disputes have been complex and raised novel questions of law. Ted strongly supports alternate dispute resolution. He regularly represents clients in arbitration and mediation and is often asked to

serve as a mediator. Contact Ted at twaskowski@staffordlaw.com

Kyle W. Engelke is a Partner with the Madison law firm of Stafford Rosenbaum LLP. The majority of Kyle's work is litigating on behalf of municipalities. In state court, Kyle frequently defends municipalities against claims ranging from negligence and violations of Wisconsin's Safe Place Law to nuisance and defamation. In federal court, Kyle has appeared defending municipalities against civil rights claims alleging excessive force and fair housing violations, in addition to claims brought under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) for environmental cleanup costs. Kyle has handled

numerous cases seeking emergency injunctions against municipalities in cases ranging from raze orders to dam removal to the continued operation of a non-metallic mine.

Kyle's briefing experience includes successfully dismissing a mass tort claim for carbon monoxide poisoning at a hockey rink and authoring an amicus brief on behalf of the League of Wisconsin Municipalities addressing Wisconsin's governmental immunity law – a matter Kyle also argued before the Wisconsin Supreme Court. Contact Kyle at kengelke@staffordlaw.com

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Case Study: Lake Country Fire & Rescue

Lake Country Fire & Rescue (LCFR) is developing talent in a profession that is short-staffed statewide, and their model addresses the advancement of both community and internal talent. When LCFR Chief Matt Fennig took his first firefighter hiring exam 23 years ago, he tested with almost 200 other candidates. Today, an entry level vacancy might average 15 applications.

LCFR realized that the future of the firefighting/emergency medical profession had to develop at the high school level. They began initially by teaching Intro to Firefighting workshops

to freshman and sophomore students at Kettle Moraine High School.

When Kettle Moraine started a charter school known as HS2 (High School of Health Sciences)⁶ to equip students interested in medical professions, LCFR seized the opportunity to partner with the school. Deputy Chief Nick Heltemes and then Fire Chief Kevin Keith developed a pilot within HS2 where students trained in emergency medical responder (EMR) protocols. Chief Fennig states that the pilot was “wildly successful” in terms of participation rate and enthusiasm, so the department rolled out the next phase by teaching emergency medical technician (EMT) protocols to the students and the program “really took off from there.”

Today, LCFR partners with HS2 and Arrowhead High School to provide students a two-year training program. Year one for juniors teaches EMR and the next year seniors learn EMT. They run the programs at LCFR’s training center, which is managed by Division Chief and Training Coordinator Tanya Reynen. Students go onsite at the training center for different days of the week for a couple of hours each day. It is a part of their normal class schedule and they get credit for attending.

Has the program grown internal talent? “It absolutely has,” says Chief Fennig,

“we are finally seeing the fruits of that labor.” For example, the department recently made offers for full-time positions to two students who started in the Intro to Firefighting workshops as freshmen and sophomores, progressed through the EMR and EMT programs as juniors and seniors, and then entered the resident program at LCFR where they trained at the department and the department covered the cost of their technical college schooling, where they recently completed paramedic training.

LCFR also develops community-based talent through its summer EMT training program, which is offered as a 12-week full-time course to the community. Participants are primarily firefighters advancing their careers and college students majoring in medical fields who commit to the aggressive schedule to become an EMT during the summer break.

Conclusion

The advancement of talent requires local governments to be creative and to explore avenues not previously needed. There are many effective talent strategies available to assist local government leaders to improve how they attract and develop talent, both internally and community-wide.

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1. *Talent-Driven Economic Development*, Joseph Parilla and Sifan Liu, Metropolitan Policy Program at Brookings (October 2019) p. 7 (“[T]here is a significant upside to recalibrating the nation’s local and state economic development system to train its sights on talent development and deployment rather than its current overwhelming focus of business attraction and marketing...”); *Id.* at p. 8 (“Research has always shown that local economies develop only if their people do first...”).

2. *Id.* at p. 3 (“Educational attainment—the core, albeit imperfect, metric for gauging knowledge and skills—is one of the best predictors of economic success for an individual, organization, or community.”).

3. *Talent Drives Prosperity: Transitioning to a Talent Development System for the Metro Denver Region*, Thomas P. Miller and Associates (December 2009)(regional talent development system involving partnerships between local employers, educational and training institutions, and economic and workforce development stakeholders for “talent supply chain management”) see also Ratliff, Arnosti, & Berube, *How States Can Support Shared Prosperity by Promoting Human Capital Development*, Shared Prosperity Partnership (2020) (sharedprosperitypartnership.org).

4. *Municipal Shared Service and Consolidation Handbook: A Practical Guide to a Complex Challenge*, Edmund M. Henschel (2019).

5. Branding resources and ideas:
 a. <https://www.westalliswi.gov/1538/Branding-FAQ>
 b. <https://www.linkedin.com/pulse/employer-branding-public-sector-dave-griffin/>
 c. <https://www.recruitingbrief.com/employer-branding/government/>
 d. <https://icma.org/documents/branding-your-borough>
 6. <https://www.kmsd.edu/hs2>



Robert's New Rules Are Here!

Michael P. May, Senior Counsel at Boardman & Clark, LLP



If you are of a certain vintage and artistic bent, you will remember the classic 1979 comedy film *The Jerk*, with Steve Martin in his first starring

role. In one scene, Martin joyfully leaps down the street, carrying AT&T's latest compiled listings, yelling, "The new phone books are here! The new phone books are here!"

In today's digital world, we don't have phone books, and I'm sure some folks are of the vintage that they have never seen one. What we do have in print, now, is the 12th Edition of *Robert's Rules of Order*, published in 2020.¹ I didn't run down the street like Martin did when I got my new copy of Robert's, but all parliamentarians feel a little twinge of excitement when a new edition of Robert's Rules is published.

Today we will talk about some of the major changes in *Robert's Rules of Order Newly Revised* (RONR, 12th Ed.), and discuss some of the history of the world's most-used guide to parliamentary procedure.

New citation system. Prior editions of RONR recommended citing to the page and line number of any rule being relied

upon. Recognizing that many rely upon e-editions or other electronic versions of RONR, the 12th edition recommends citing to section and paragraph (if any) number. These section numbers are greatly expanded, so that citing to the section number takes the reader to the very paragraph(s) citing the rule. Although we are to cite to the section number, RONR does not use "sec." or §§.

Electronic Meetings. RONR 9:30-36 expressly discuss the extension of parliamentary rules to electronic meetings. More importantly, the edition contains an extensive Appendix of sample rules for electronic meetings. These sample or model rules are not requirements, but suggestions for making the electronic meeting most compatible with RONR. A few examples:

1. Full-Featured Internet Meeting. This type of meeting includes voice and full video, and the Appendix provides a sample bylaw for such meetings, and rules for notice and logging in (to be provided by the Secretary, with the login available at least 15 minutes before the start of the meeting). Quorum is determined by an audible roll call, with any failure of quorum to be seen by the displayed list of participants. Rules are provided for displaying motions through screen

sharing. Each member is required to have adequate technical requirement to participate, and absent loss of quorum or some other violation of rules, any technical malfunction of an individual's internet connection has no impact on the proceedings.

2. Teleconference with Internet Voting and Document Sharing. As with the full-featured meeting, the teleconference establishes quorum by roll call at the start of the meeting and it is presumed to remain unless a person leaves or a roll call vote shows less than a quorum present. Members are to announce their presence at the start of the meeting and seek recognition of the chair to obtain the floor. Voting is done verbally, unless a roll call is requested, and then voting is done via the internet.
3. Speakerphone Participation in Face-to-Face Meeting. As with the other meetings, the Secretary is to provide the call-in information and be certain that the speaker phone is available for use 15 minutes prior to the start of the meeting. The sample rules provide that the Chair must be present at the face-to-face meeting.
4. Full Meeting by Teleconference. Sample rules similar to those above

are provided for these types of electronic meetings, with members announcing their presence and seeking the floor by request of the Chair. One important rule in all these electronic meetings is that the Chair has the power to order a member's voice muted if they are disrupting the meeting. Such a ruling by the Chair is subject to an undebatable appeal to the body.

The Appendix on electronic meetings recommends the body adopt rules for conduct of such meetings. I agree.

Expanded Charts. RONR 12th edition also has new and expanded charts on the nature and precedence of motions, motions requiring a two-thirds vote, which motions are in order when another has the floor, debatable and amendable motions, and rules for counting ballots in an election.

Other Changes in Rules. The preface to each new edition of RONR contains a quick summary of any substantive changes to the rules. The preface to the 12th edition lists 22 such changes, including a substantial reordering of section 37 on the motion to *Reconsider*, an expansion and clarification of section 23 on the *Point of Order*, and new provisions governing debate on nominations (RONR 46:27-29). I recommend that all who are asked to opine on Robert's Rules take the time to review these 22 changes.

New Editors. On a sad note, the last of the Robert clan, Henry M. Robert III, passed away in 2019 while the 12th edition was in the process of revision. Henry was the grandson of General

Henry M. Robert, the original author of *Robert's Rules of Order* (more about him below). Robert III's death ends over 140 years with at least one member of the Robert family being involved in publication of *Robert's Rules of Order*. This included the General's wife (Isabel Robert), his son (Henry M. Robert, Jr.), Henry Jr.'s wife (Helen Corbin Robert), and finally, Henry M. Robert III.

Two lawyers, a mathematician, and a computer scientist comprise the current editors (Daniel Honemann, Thomas J. Balch, Daniel Seabold, and Shmuel Gerber). One of the editors once held the daunting job of serving as the parliamentarian for the National Association of Parliamentarians. I think we can rest assured that they have earned their chops.

Some History. Few people know that *Robert's Rules of Order* is named after a real man, General Henry M. Robert (1837-1923). Henry was in the U.S. Army and rose to the level of Brigadier General in the Army Corps of Engineers. In the latter part of the 19th century, Henry became troubled by the lack of uniform rules to govern meeting of deliberative assemblies – particularly church congregational meetings – and thought some general guidance was needed for such bodies. At the time, rules were usually made by individual bodies. The U.S. House of Representatives tended to use *Jefferson's Manual*, while other bodies used a work called *Cushing's Manual*. Taking cues from these works and others, in 1876 Robert published the first two editions of *Rules of Order for Deliberative Assemblies*. Despite the title, it soon became known as *Robert's Rules of*

Order, and officially took on that title in the 4th edition of 1915.

General Henry M. Robert also had a direct connection to Wisconsin. He was the principal engineer in the construction of a number of ports in the U.S., including the Ports of Green Bay and Marinette, Wisconsin, in the 1870s, probably before he published his now famous book on procedure. So, when you are in those cities, you should marvel at the order of the ports, just as you marvel at *Robert's Rules of Order Newly Revised* (12th Ed).

"Where there is no law, but every man does what is right in his own eyes, there is the least of real liberty."

-Henry M. Robert

About the Author:

Michael P. May is Senior Counsel at Boardman & Clark, LLP, in Madison, Wisconsin. From 2004-2020, Mike served as City Attorney for the City of Madison. Mike estimates he attended over 350 Common Council meetings, where he served as parliamentary advisor to three different mayors and dozens of council members. Before becoming Madison City Attorney in 2004, Mike practiced with the predecessor of Boardman & Clark (Boardman, Suhr, Curry & Field). A native of Madison, Mike graduated from UW-Madison with a BA (Journalism) in 1975 and a JD in 1979. Contact Mike at MMay@boardmanclark.com

1. See Daniel Foth's article, "For the Good of The Order, *The Municipality* (September, 2020).



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>

Annexation FAQ 4

How does annexation or detachment of territory containing “Class B” liquor licenses affect a municipality’s quota?

If territory containing premises covered by a non-reserve or reserve “Class B” liquor license is annexed to a municipality and if the municipality’s quota would not otherwise allow a non-reserve or reserve “Class B” liquor license for the premises, the municipality’s quota is increased to include the license of each premises in the annexed territory. Detachment of territory decreases the quota of the remainder of the municipality by the number of non-reserve or reserve “Class B” liquor licenses issued for premises in the detached territory, except that detachment does not decrease the quota of the remainder to less than one license per 500 persons or less than one license. Wis. Stat. § 125.51(4)(c), (d). (rev. 1/20)

Eminent Domain FAQ 1

Can a municipality condemn land located outside of its boundaries?

Yes. Municipal governing bodies are expressly authorized to acquire property by purchase or condemnation “within or outside” the municipality for certain

specified public purposes such as parks, water systems, sewage systems, airports and cemeteries. See Wis. Stat. §§ 62.22(1) (cities) and 61.34(3), (3m) (villages). Municipalities may acquire, but cannot condemn, property either within or outside the municipality for industrial sites. *Id.* Additionally, municipalities may not condemn property for the purpose of establishing or extending a recreational trail, a bicycle way or lane, or a pedestrian way. *Id.* Any condemnation action shall be as provided by Wis. Stat. Ch. 32. *Id.* (rev. 1/20)

Special Assessments FAQ 5

Does a municipality have any authority to reconsider a previously approved special assessment?

Yes. Wisconsin Stat. § 66.0703(10) specifically authorizes the governing body of a municipality to amend, cancel, or confirm a prior assessment if the actual cost of any project, upon completion or after the receipt of bids, is found to vary materially from the estimates, if any assessment is void or invalid, or if the governing body decides to reconsider and reopen any assessment. The governing body must first give notice as provided in § 66.0703(7)(a) and hold a public hearing. (rev. 1/20)

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Legal Captions

Employees 369

HR Matters article by Attorney Lisa Bergersen discussing talent development strategies municipalities can use to improve economic growth and workforce improvement. Strategies include sharing services, cross-training existing staff, cultivating your municipal brand, and expanding recruitment resources. This article also features a brief case study on Lake Country Fire & Rescue’s successful talent development program.

Liability 439

Stafford Rosenbaum attorneys Kyle Engelke and Ted Waskowski explain significant court of appeals’ opinion in interlocutory appeal reversing circuit court and concluding city was entitled to summary judgment in slip and fall case involving ice and snow because legislature’s amendment of Wisconsin Stat. § 893.83 in 2011 Wisconsin Act 132 gave city absolute immunity for snow and ice accumulations less than three weeks old and discretionary immunity under Wisconsin Stat. § 893.80(4) thereafter. *Knoke v. City of Monroe*, No. 2019AP2003 (Wisconsin Ct. App. Dec. 3, 2020) (publication recommended).

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Upcoming Events & Workshops

January-June 2021

Date	Event	Format	Time	Price
February 25	Chief Executives Winter Workshop	Webinar	1PM—4:30 PM	\$50
March 16-18	Human Resources for Small Communities Webinar Series	Webinar	10AM—11AM each day	\$30
<p align="center">Local Government 101 Webinar</p> <p align="center">Multiple Dates to Choose from: May 7, May 21, and June 4</p> <p align="center">Take one, take parts, take all.</p> <p>Plus a 90 minute live Q&A on Local Government 101 open to all 2020 and 2021 attendees. A chance to ask follow up questions of the presenters.</p> <p>June 18 9AM—10:30AM</p>			9AM—4PM	\$70
June 9-11	Clerks, Treasurers, & Finance Officers Institute	Webinar	9AM—4PM	\$100

Don't forget our monthly Membership Roundtable Lunch 'n' League. Free and open to all members. Second Tuesday of every month at noon.

More information on the League website!

www.lwm-info.org

Other Events in the Works for 2021

Cyber Security Webinar Series

Common Mistakes Webinar Series

Transitions

RETIREMENTS

La Crosse. City Clerk Teri Lehrke retired at the end of December after serving the city for 38 years. She was elected for seven terms. Lehrke received a Lifetime Achievement Award from the Wisconsin Municipal Clerks Association in 2015. The city council voted to begin appointing the position of city clerk in 2021.



Manitowoc. City Finance Director/Treasurer Steve Corbeille retired at the end of December after serving the community since April 2012. “I can say without a doubt that if not for Steve we would not be in the strong financial shape that we are today,” said Manitowoc Mayor Justin Nickels. “We have a strong financial plan in place. We’ve reduced our debt over \$25 million in that time, we’ve increased our reserves over \$5 million, and Steve implemented very strong financial policies that will benefit us for many years to come.”



Milwaukee. After 32 years with the city, City Engineer Samir Amin retired in January. With a role in every major project of the last few decades, his accomplishments can be seen throughout the city. We thank him for his exemplary service and dedication while wishing him all the best!



Sauk City. Village Administrator/Clerk/Treasurer Vicki Breunig retired in January 2021 after 37 ½ years of working for the village! We congratulate Vicki on her well-deserved retirement and thank her for all of the accomplishments over the years in making the village and our community a better place to live. You are encouraged to send Vicki well wishes C/O Sauk City Village Hall, 726 Water Street, Sauk City, WI 53583. Thank you and congratulations Vicki!

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



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Transitions

Alder: Fennimore - Nate Flynn

City Clerk: La Crosse - Nikki Elsen; Medford - Ashley Lemke

City Finance Director/Treasurer: Manitowoc - Shawn Alfred

Commissioner of Health: Milwaukee - Kirsten Johnson

Trustee: Marquette - Peter Michalos

Village Clerk: Ashwaubenon - Kris Teske

Village President: Crivitz - Jeff Dorschner



Board President, Todd Schmidt

We all have those special people in our communities who just warm our hearts, and from whom we find encouragement to just keep going. Sarah Stevens is one of those people for me here in Waunakee (and also someone I consider a good friend).

Sarah is an accomplished artist in many ways and has an Etsy shop called Cellar Designs. Among her many talents, just this year she self-published “A Grateful Heart: A Daily Gratitude Journal”. While it seems like 2020 just wasn’t the banner year for gratitude, the journal’s timing actually is perfect. In the introduction, Sarah writes that by thinking about that for which she is grateful she “...had trained [her] brain to notice the good things instead of wallowing in the hard ones.”

As you might already know, my focus as League President is to shine a light on humble leadership. I find it easy to believe that community leaders who are humble in their roles will also be leaders who exhibit feelings of gratitude for others. And when it comes to motivating our employees and volunteers, showing gratitude can make a huge difference.

Business Daily News Staff Writer David Mielach wrote an article titled, “8 Things Bosses Say That Make Workers Happy.” It should not surprise you that several of those sayings are purely grateful, like... I’m glad to have you on the team. Thank you. I know I can always count on you for _____. I believe in you.

I believe that making it a practice to include gratitude in your leadership style will pay off. Leadership guru and coach John Baldoni said, “...while gratitude begins with

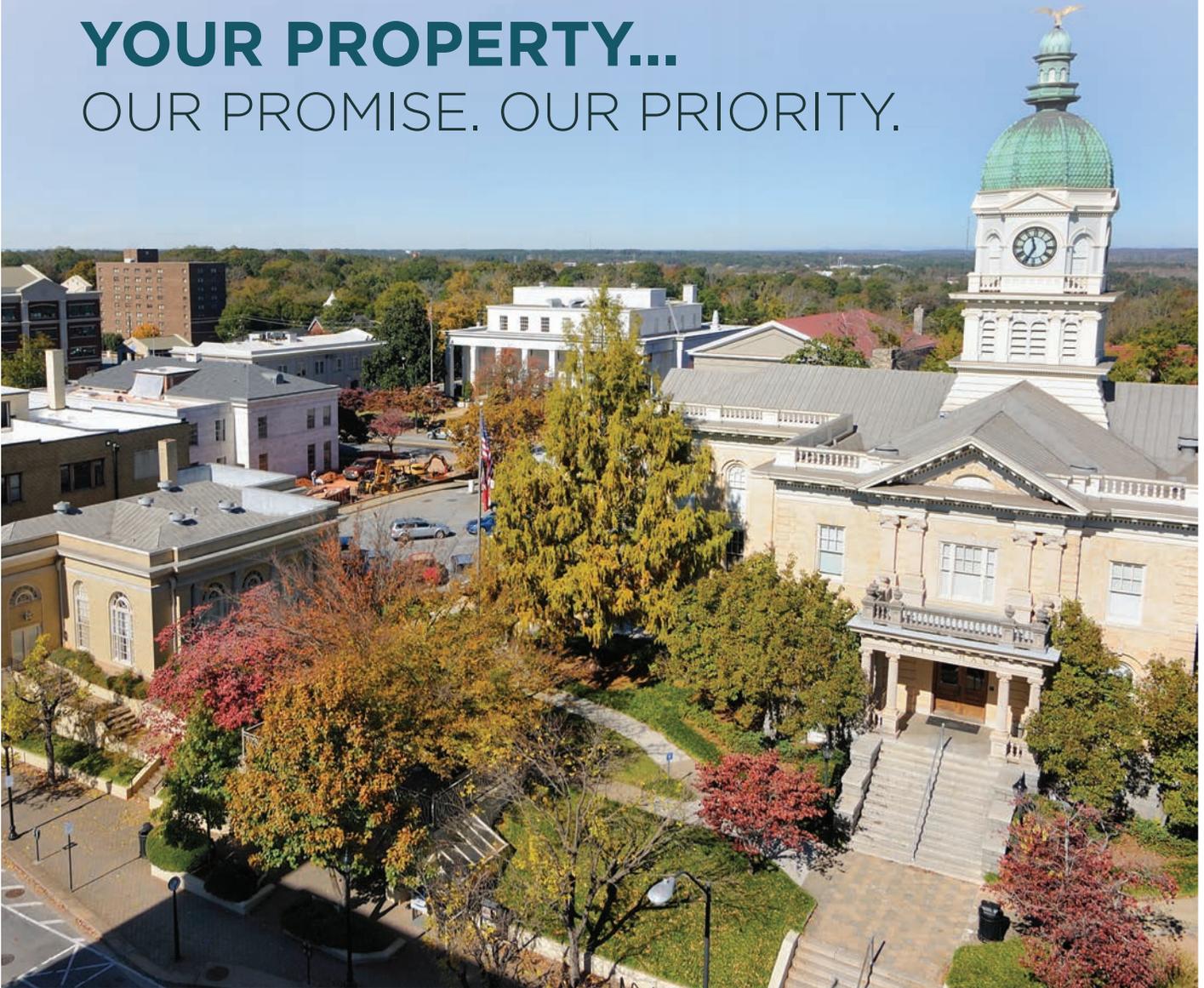
self, it grows exponentially the more it is shared with our colleagues, our friends and our families.” Please consider taking a moment to think about how you can throw a bit more gratitude into your leadership routine.

But getting back to my friend Sarah Stevens, she is certain that flexing the gratitude muscle will help you with your own challenges. She tells the story of how her habit of being grateful had pulled her through deep depressions and allowed her to cope with horrible chronic pain. For us, practicing gratitude just might be one of the ingredients to move us into this new year with added hope and optimism.

If you have a story you’d like to share about how leading with humility has positively impacted your community, please tell me about it. I can be reached at tschmidt@waunakee.com or (608) 850-5227.



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