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ON THE COVER

A Village is Born  
Former town chairman and current Village President Bob Wipperfurth (far right) announces the results of Windsor’s November 3 incorporation referendum. Residents voted 1,816 to 57 in favor of becoming a village, far outnumbering turnout expectations of town officials. Also pictured (left to right) are current village trustees Bruce Stravinski, Alan Buchner, Monica Smith and Village Clerk Christine Capstran. Photo by Jake Kurtz, DeForest Times-Tribune.
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This month's magazine may be my favorite. It combines and proclaims the rejuvenating power of democracy with the evolutionary magic of the creative economy. Say what you want about our state, Wisconsin is blessed with an abundance of both. Our 600 cities and villages are a constant source of change and evolution, led by 4,000 men and women, young and old, conservative and liberal who give their time making sure the buses run on time, the streets are plowed and the libraries are open. In between, they create unique places where creative ideas are born, dwell and grow.

Every spring approximately 20 percent of the elected offices in Wisconsin cities and villages change hands. This year is no exception and some of my favorite mayors are not running for re-election. In this issue, we have asked some of Wisconsin's outgoing mayors to give us a few words of farewell, and to pass along lessons they've learned along the way. You will enjoy their thoughts. They are as diverse and as interesting as the communities they serve.

This magazine is also our Creative Economy issue. And this year, we're taking a different look at how creativity is born by exposing you to some of Wisconsin's most-celebrated poets. That's right, poets. Wisconsin Poet Laureate Kimberly Blaeser and five other Wisconsin originals have agreed to provide us with samples of their most interesting works. Read them once and I promise you'll read each one again, and again, and again…

I know, I know. This is the magazine of the League of Wisconsin Municipalities. We focus on the pragmatic basics. We advocate for Home Rule, highway funding and sustainable tax policy. Our idea of excitement is a tour of the Stevens Point Sewage Treatment Facility.

Hooey. We are Wisconsin. We are common sense and we are creative. We are cheddar, but we are also Camembert. We are the home of both Vince Lombardi and Georgia O'Keefe. This spring we’re setting aside the pragmatic for just a few moments of the poetic. Enjoy.

Jerry Deschane
Executive Director
20 YEARS AS MAYOR OF BAYFIELD

By: Larry MacDonald, Mayor of Bayfield

As I think about my last days in office, the last 20 years have gone by quickly, sometimes too quickly. What started as a casual interest in local government has turned into a major commitment of time, energy, education and action. Bayfield, population 487, is the smallest city in Wisconsin and is about 1 square mile. Because of our tourism economy, we function as a city of several thousand which provides a unique set of operational challenges.

My success as Mayor has come from a supportive community, cooperative city councils, a dedicated and hard working staff and a spouse who understands my desire to serve. I first ran for office in 1994 and served for 10 years before I tried to retire in 2004. That retirement served as a two-year sabbatical, since I ran again in 2006 and have now served an additional 10 years. This will be my final retirement from elected office. Additionally, my wife and I have sold or closed our business interests. We plan to continue enjoying life in Bayfield, while taking time to travel, visit friends and enjoy our four kids, eight grandkids and soon-to-be 14 great-grandkids.

I have learned a variety of things over the years:

1. **Be honest. Do what you promise.** Your job will be much easier. “Talk is cheap since supply greatly exceeds demand.”

2. **Hire people who are smarter than you.** Your staff, consultants and contractors make things happen every day.

3. **“Listen” and “Silent” have the same letters but in different order.** The more you listen and the less you talk, the more people will want to hear what you have to say.

4. **Don’t sit in your office waiting for things to happen.** Broaden your exposure across Wisconsin. I have been active with the WI Coastal Management Council, the UW Madison Sea Grant Council, the WI Local Government Institute, Green Tier Legacy Communities and many other valuable organizations.

5. **Accomplish a signature community project ASAP.** This gives you a baseline for the future. My first project, renovation of our 1927 Bayfield Lakeside Pavilion, took almost three years, but truly brought our community together. It was the first of 15 major projects, including renovating our City Dock, our Boat Ramp, our Bayfield Carnegie Library and repaving several streets with original Bayfield paving brick from the 1920s. A state-of-the-art wastewater treatment plant, along with multiple water, sewer and street projects has helped protect our Lake Superior environment.

6. **Involve your community.** Appoint a broad spectrum of people to committees and boards.

7. **Make nice with your local news outlets.** You need each other, but they need to ask the right questions. It is not your job to turn them into a good reporter.

8. **Thank people with letters, emails and by public notice.** Never miss a chance for your community to celebrate success.

9. **Be active on the League of Wisconsin Municipality lobbying efforts.** The League staff are your best friends. Regularly call, email and write your county, state and federal officials.

10. **Work toward supporting a healthy and informed population, a successful business community and to protect your environment.** “Water is more important than gold.” This is a quote from Walt Bresette, environmentalist from our neighbors, the Red Cliff Band of Lake Superior Chippewa.

(CONTINUED ON PAGE 7)
20 YEARS AS MAYOR OF BAYFIELD (CONTINUED)

11. Become involved with nearby Mayors, Village Presidents, Town Chairs, County Officials and Tribal Chairs. Working together makes life better for all.

12. If I could do it all over again, I would. This has been a great adventure.

13. My final words of advice come from Will Rogers: “There are 3 kinds of men: The ones that learn by reading. The few who learn by observation. The rest of them have to pee on the electric fence.” Although I do a lot of reading and observation, I generally fall into the last category.

Larry MacDonald and his wife, Julie, moved to Bayfield in 1989 in an attempt to slow down their lives. However, within two years they bought two businesses and then Larry was elected Mayor in 1994. Having traveled extensively, they discovered Bayfield as the “Center of their Universe.” They sailed more than 10,000 miles on their 38’ sailboat, mostly on the waters of the Greatest of all the Great Lakes, “Lake Superior.” Spending 20 years as Mayor of Bayfield has been truly a remarkable experience for both Larry and Julie.

BLACKTOP JUNGLE

by Erin Carlson

We used to run
through the blacktop jungle of our backyard
until our feet turned black,
and we had to walk on tar-filled cracks
to avoid getting blisters as big as pancakes.

We built our tree houses from scratch,
using nothing but chalk and blacktop
to scribble out our Swiss Family Robinson dreams.
We could imagine the trees, so tall they brushed the sky,
and the piranha-filled rivers that lead to the ocean.

As bonafide city-girls we never cared
that our jungle was lacking in the tree department,
or that instead of monkeys and tigers
we had cats,
and a family of bunnies under the garden shed.

We didn’t need to see our jungle
to know that it was there.
We ran wild through our blacktop jungle
laughing at the tigers,
and waiting for the day we’d be tall enough
to cast shadows for our imaginary trees.

Erin Carlson is a poet and arts organizer currently working at Arts Wisconsin. Erin discovered her love for poetry in an environmental literacy class while attending UW-Stevens Point. Erin currently shares her poetry on Instagram (@hyperponderating), where she explores her love of riding the bus and the use of hashtags as literary devices.
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I am retiring as mayor of the City of Evansville after serving five two-year terms. The work has been enjoyable, challenging and very rewarding.

Public service is ingrained in my family. My father served several years as an Evansville alderman and common council president. My mother was instrumental in starting and growing the local senior center. My father-in-law ended his decades’ long judicial career as the first Chief Judge of the Wisconsin Court of Appeals. My mother-in-law was a volunteer teacher for the Lutheran Children’s Friend Society of Wisconsin. My husband John is a past president of the State Bar of Wisconsin and the current president of the Wisconsin Association of Historic Preservation Commissions. Our daughter Jenny is a disaster relief volunteer and serves on our church council. I have had strong family role models to guide my service to the hometown I love.

I believe in life-long learning. Because public office was outside my comfort zone, I took many courses in the Wisconsin Certified Public Manager Program offered by UW-Madison Continuing Studies, such as Executive Writing, Media Relations, Leadership and my favorite—Managing in Permanent Whitewater. I have participated in League of Wisconsin Municipalities workshops and conferences to increase my knowledge and hone my skills. I became educated in utility matters, starting with Electricity 101. I attended Ehlers Public Finance Seminars to learn up-to-date financial tools and understand existing economic conditions.

When I first campaigned to become mayor, I stated that I would not be a “status quo” mayor. I intended to be a change agent. Change was imminent because Evansville faced a looming succession issue. Many department heads and other city staff were nearing retirement. With one exception, all city department heads have changed in the last decade. Only one city hall office employee with more than 10 years of service remains. The common council has completely turned over. There has been a huge loss of institutional knowledge.

To overcome this significant organizational challenge, there has been much city effort expended on skills development, team building, cross training and communication. Some Committee of the Whole meetings have been dedicated to these topics. Daily use of best practices has resulted in accreditation of our police department and certification of our municipal electric utility by the American Public Power Association. The Evansville Common Council has committed to service excellence and encourages city staff and officials to expand and enhance their job knowledge and skills through trainings and seminars. Our residents will continue to be well served in the future by this city commitment.

I am a strong proponent of servant leadership. Maximizing connections with constituents is essential to effective

(CONTINUED ON PAGE 11)
Whyte Hirschboeck Dudek S.C.’s Municipal Law & Civil Rights Team has successfully defended counties, cities, villages, towns, school districts, and other municipal entities against a broad spectrum of claims alleging violations of constitutional rights and other rights created by federal and state law. Our team has:

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Contact WHD’s Municipal Law & Civil Rights Team co-leaders for more information: Charles H. Bohl at (414) 978-5415 or cbohl@whdlaw.com, or Andrew A. Jones at (414) 978-5445 or ajones@whdlaw.com.

WHD is a full-service law firm with offices in Milwaukee, Madison and Waukesha County, Wis., and Chicago.
governance. Participating in service activities alongside community volunteers, regularly communicating with residents through written media and oral presentations, supporting and mentoring our youth at every opportunity, attending community events, encouraging aspiring entrepreneurs and promoting leadership development are all opportunities to build solid interrelationships.

Communication is fostered by strong community connections and collaborations. The Evansville Common Council practices civil discourse and decorum in the conduct of city business. Common council and city committee meetings include citizen comment as a regular agenda item. Open dialogue and productive communication are city goals.

Service excellence, strong connections and collaborations, and open communication are foundational to accomplishing the infrastructure projects, development initiatives and quality of life improvements of a community. We have worked on these building blocks as we have undertaken many significant projects and activities. As I leave office, I hope the next Evansville mayor can use these investments to continue to move our city forward.

Sandy is an Evansville High School graduate and received a Bachelor of Science degree in psychology from the UW-Madison. She is a recipient of the Wisconsin Women in Government Woman of Achievement Award, American Public Power Association Spence Vanderlinden Public Official Award, WPPI Energy Distinguished Service Award and the Municipal Electric Utilities of Wisconsin Phillip F. La Follette Public Official Award. Sandy also served as a member of the American Public Power Association Policy Makers Council.

TO CARE IS TO GET INVOLVED

By: Jerome “Jerry” Wehrle, Mayor of the City of Lancaster

Living by the motto “To Care is to Get Involved” has been a great way to achieve the goals I have set for myself in the past and for the future. Being employed for 31 years by John Deere Dubuque Works, I learned that it takes people talking and working together to solve issues. This is how I have approached situations that have come up during my three years as an Alderperson and 16 years as Mayor of Lancaster.

City infrastructure, health and public safety, citizen welfare, public education, city and area property issues are on the “City to Take Care of List” much of the time in many communities. Lancaster is no exception. Over the years, helping citizens understand their property tax bills has been one of the major challenges. Citizens think that cities are the only tax raising group on their tax bill. Education on why raises are needed on water bills is also an ongoing situation.

Having the League of Municipalities there to turn to for advice and education has been a great help with many issues. Being asked to be on the Board of Directors for the League of Wisconsin Municipalities and later being elected President in 2007 was a great honor. I encourage every local government official to get involved in the League and to understand the tremendous resources available to help make your job easier.

During my year as president, the Local Government Institute was founded. This organization is a collaboration of the League, the Wisconsin Counties Association and the Wisconsin Towns Association. LGI has a great website to check on how other municipalities have worked together to solve problems. Hundreds of local government leaders use the LGI website for information, even from other states.

Being in the “Heart of the Upper Midwest,” I have learned that networking with other communities in other states is a great way to see what is going on around you. They have many of the same issues, but may have different rules.

(Continued on Page 12)
TO CARE IS TO GET INVOLVED (CONTINUED)

and laws as to how it is handled. Even when they have the same laws, I have found that listening to a different perspective can often open your eyes to a new solution.

Having very knowledgeable staff that works for our communities is very important when you have part-time elected officials. Letting them do their job is the most important thing you can do. I have seen several interesting problems both in government positions as well as my experience working for a major manufacturer that have created some “touchy” situations. Hire good people, treat them as professionals and it will pay off, whether you’re in government or the private sector.

We have done some very good things for the City of Lancaster and surrounding areas. New streets, an updated wastewater treatment plant, 75 new homes in Lancaster, Arrow Ridge Business Park, New Schreiner Library, renovations of City Hall, revitalization of the Lancaster Municipal Golf Course, branch library in the Village of Potosi and many more. Every one of these could only have happened because people worked together with a vision for the future.

In parting, after all these years, I believe that public service is a noble, honorable and rewarding way to serve your community. I encourage citizens to get involved but study all sides of issues and ask questions before you make a decision, so your decision is an informed one. It looks like our future will continue to become more complicated, so it is going to take well-informed people with common sense to keep this great country going.

Jerry Wehrle was first elected to the Lancaster City Council in 1997 and elected Mayor in 2000. He has proudly served as Mayor and part of the Lancaster and regional team for six terms. He is a member of the Local Government Institute of Wisconsin, the Tri-State Alliance and an Advisory Member of BEST (Building Economic Strength Together), Inc. Prior to his political career Jerry worked 31 years for the John Deere Co, in Dubuque, Iowa (Retired in 1997), and for 20 of those years he also operated a dairy farm. He and his wife Judy, have been married for 45 years.

JANUARY: SUNNY AND COLD: THE BUS

by Bruce Taylor, Poet Laureate of Eau Claire, Wisconsin

It’s not a long walk except its cold, but sunny, so some try it and we pass them, huffing their shadows, hands over their ears. No news is good news and there’s no news here. So we talk about that all the way downtown, a son on each coast who take turns calling every other Sunday and her daughter married and divorced two or three times by now.

She’s quite a talker, we say after she’s left, busy about a Tuesday’s bills and errands getting off where she always does at an alley where an oil truck is usually idling. Our stout soprano driver sings “I’m in the Mood for Love” over cobblestone and railroad track, her raucous vibrato across pot hole and frost heave takes us where she’s going, and will bring us back.

From The Longest You’ve Lived Anywhere: News & Selected Poems 2013

Professor Emeritus (UWEC) Bruce Taylor is the author of eight collections of poetry and editor of eight anthologies. His poetry has appeared in such places as: Able Muse, The Chicago Review, The Cortland Review, The Nation, The New York Quarterly, Poetry, Rattle and in Writer’s Almanac. He has won awards and Fellowships from the Wisconsin Arts Board, Fulbright-Hayes, the National Endowment for the Arts, the National Endowment for the Humanities, The Council of Wisconsin Writers, the Bush Artist Foundation and the Excellence In Scholarship award from UWEC. He is in his fifth and final year as Poet Laureate of Eau Claire, Wisconsin, and lives with his wife Pattie See, the writer, on Lake Hallie. http://www.uwec.edu/English/about/taylorb.htm
IN TRANSITION

CELEBRATING THE DRAMA-FREE PUBLIC SERVANT

By: Paul Fanlund, The Capital Times

Last week, the hot topic in the Hilldale area was a proposal to dig up about 6,000 square feet of Rennebohm Park to accommodate two dozen small garden plots.

For 35 years, the local community garden group has been using other space in the Hill Farms neighborhood, but redevelopment of the nearby state-owned Department of Transportation site forced gardeners to look elsewhere.

So Thursday night, Chris Schmidt, the alder whose 11th District includes the west side's Hill Farms and Westmorland neighborhoods, hosted a discussion of the idea at a local church. It was the kind of low-profile work that Madison City Council members across the city routinely perform.

But for Schmidt, it was one of his last rodeos.

He recently announced he would resign effective Jan. 31, citing the growing demands of his satellite meteorology job in the Space Science Engineering Center at the University of Wisconsin-Madison.

When Schmidt decided to leave at mid-term, he was lauded by Madison Mayor Paul Soglin — who is not reflexively effusive about alders — as a “major contributor” and one of the council’s “most thoughtful” members.

Schmidt was also praised by the current council president and others as a serious and credible problem solver, hard worker and collaborative player. So I decided this week to pause to acknowledge Schmidt, not only for his own contribution, but also because he typifies the many part-time elected officials who perform high-grief, low-pay gigs for the rest of us.

At a time when most attention is focused on the depressing cesspool of presidential and statehouse politics, taking note of contributions by people like Schmidt seems worthwhile.

I asked him to reflect on his council years one frigid morning at a coffee shop in his district. He said his goal was to be “frank but positive” in the then-new leadership role, a promise he seems to have fulfilled.

Throughout his seven years on the council, Schmidt has not sought the spotlight. His favorite roles, he said, included a working group on snow removal and helping to rewrite the city’s tax increment financing policy and its landmark ordinance. A meat-and-potatoes approach to politics, to be sure.

“My priority has been the basic services and making sure we’re doing kind of the fundamental jobs that we’re supposed to be doing,” Schmidt said. His preference for political small ball is apparent.

He nodded out the window toward Midvale Boulevard and mused about the asphalt and clay composition of the street and how that relates to snow removal strategies.

Schmidt said he and others realized years ago that more plows and drivers were unaffordable, so the city pre-treated streets and used temperature sensors to better determine how and when to deploy equipment.

“We haven’t had as many of these issues where we get icy crud stuck to pavement for six months, but it hasn’t changed the fact that it still takes 12 to 24 hours to plow the city, and that’s not going to change unless we double the size of the fleet, and that’s not going to happen,” he said.

So, Schmidt is stepping aside, no longer able to balance his profession in science with politics. About his experience as an alder, he summarized: “The job can be worth it, but the problem is that you’ve got what you called the progressive idea or the Jeffersonian idea of the citizen legislator or farmer legislator, who would go serve his duty and then go back to his farm.

“We don’t have that luxury, and life is not nearly as simple, relatively speaking, as it was. The kind of questions we get, if you want to actually be able to answer them on the fly, you need to understand everything about city government.”

The fact that Madison has people like Schmidt who’ve been willing to try is, to me, pretty cool.

(Editor’s note: This item ran on January 25, 2016 in The Capital Times of Madison. We thought it was an excellent analysis of what local government service looks like.)

Paul Fanlund is editor and executive publisher of The Capital Times. A longtime Madisonian, he was a Wisconsin State Journal reporter and editor before becoming a vice president of Madison Newspapers. He joined the The Capital Times in 2006. Edited for space and reprinted with permission of the The Capital Times.

the Municipality, April 2016 | 13
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POST-ELECTION ISSUES: OATHS, BONDS, VACANCIES AND ORGANIZATIONAL MEETINGS

By: Claire Silverman, League Legal Counsel

This article is an updated and revised version of an article that was published in the April 2013 issue of the Municipality.

As surely as April showers bring May flowers, the first Tuesday in April brings local elections. With these elections comes the potential for change in local leadership in Wisconsin cities and villages.

From past experience, we know that this time of transition brings many questions: What steps must newly elected officials take to qualify for the office? What happens if someone is elected to more than one office or if someone who is elected fails to qualify for the office? When do the reins change hands? What organizational matters are handled at the first meeting of the new governing body, commonly referred to as the organizational meeting? We also receive questions relating to compensation for governing body members. This legal comment addresses a number of these post-election topics of perennial interest.

NOTICE OF ELECTION AND CERTIFICATE OF ELECTION

When the election is over, it is the municipal clerk’s responsibility to notify those persons elected to a municipal office. In villages, Wis. Stat. sec. 61.21 requires that the clerk notify officers-elect within five days after the election. The statute does not detail how notice must be given.

State statutes require that the clerk “promptly” issue a certificate of election to each person elected. However, the clerk cannot issue the certificate until the deadline for filing a recount petition set forth in sec. 9.01(1) has passed. When a valid recount petition is filed, the municipal clerk cannot issue the certificate of election for the office in question until the recount has been completed and the time allowed for appealing the recount has passed. If the recount is appealed, the clerk cannot issue a certificate of election until the appeal is decided.

OATH OF OFFICE

Everyone elected or appointed or re-elected or reappointed to any village or city office must take and file a written oath or affirmation to qualify for the office. The form of the oath or affirmation is prescribed by sec. 19.01 of the Wisconsin Statutes and by sec. 757.02 for municipal judges. The oath is administered by the clerk or, in the clerk’s absence, the deputy clerk. All oaths are filed in the clerk’s office, except for the clerk’s oath, which is filed in the treasurer’s office.

Persons elected or appointed to a city office must take and file the official oath within ten days after receiving notice of election or appointment from the city clerk. Elected city assessors must take and file the oath within five days before June 1. When an appointive city officer has filed the oath, and bond if required as discussed below, the city clerk must issue the officer a certificate of appointment. If the appointment is to a board or commission, such as the plan commission or zoning board of appeals, the appointee must file the certificate of appointment with the secretary of the board or commission.

In villages, the clerk must inform anyone elected or appointed to any office within five days of election or appointment and that person must, within five days of such notice, take and file the official oath. The assessor, however, must take and file the oath within five days prior to June 1.

What happens if the clerk does not notify the officer elected or appointed within the time required or in a timely fashion? The answer, we presume, is that the time within which the person is required to file the oath does not start running since it is the receipt of the notice that appears to trigger the duty to take and file the oath.

Once the officer has received notice of election or appointment from the clerk, it is important that he or she take and file the oath of office within the requisite time since failure to do so creates a vacancy in the office. For this reason, municipalities should not wait until the third
Tuesday in April (that’s when the term of newly elected or re-elected governing body members begins) or the organizational meeting to administer the oath of office. Although many municipalities have a ceremonial swearing in of new or re-elected members, with the oath orally administered, the oral oath is optional and must be in addition to the written oath. Municipalities that wait until the third Tuesday in April or the organizational meeting to administer the oath of office will not administer the oath to elected officers in the time required by law.

However, an officer who fails to file the oath of office and who nevertheless continues to exercise the duties of the office will be considered a de facto officer and his or her acts will be valid so far as they concern the public or third persons having an interest in the actions taken. A de facto officer is “one who is in possession of an office, and discharging its duties, under color of authority… . By color of authority is meant authority derived from an election or appointment, however irregular or informal, so that the incumbent be not a mere volunteer.” In Wisconsin, the “acts of a de facto officer are valid to the public and third parties and cannot be attacked collaterally.” The de facto officer’s acts are binding and valid until the individual is ousted from the office by the judgment of a court in a direct proceeding to try the officer’s title to the office.

OFFICIAL BONDS

The following city officers are required to file an official surety bond: treasurer, comptroller, chief of police and such others as the statutes direct (e.g., the municipal judge under Wis. Stat. sec. 755.03) or as the council directs. The bonds must be approved by the mayor and filed within ten days after notice of election or appointment. Every bond required of a village officer (e.g., the clerk under sec. 61.25, the treasurer under sec. 61.26(1), the marshal and constable, if any, under secs. 61.28 and 61.29, and the municipal judge under sec. 755.03) must be executed with sufficient sureties as determined by the village board and must be approved by the village president. For more information on the bonding requirements applicable to local officials see “Bond Requirements for Municipal Officials” (Fidelity Bonds 33R1) which was published in the April 2011 issue of the Municipality.

TIME OF TAKING OFFICE

The regular term of the mayor and council members, as well as that of village president and trustees, begins on the third Tuesday in April. The term of other officers begins on May 1 following their election, unless otherwise provided by ordinance or statute.

HOLDOVERS

Questions sometimes arise regarding whether an officer holds over in office until a successor qualifies. The answer depends on whether the office is elected or appointed. Appointees to elective city and village offices do not hold over after the term of office ends. Elective city and village offices are vacant upon the expiration of the incumbent’s term. Therefore, even though Wis. Stat. sec. 17.23(1)(a) provides that appointees to the offices of mayor and alderperson hold office until a successor is elected and qualified, it is unlikely that this provision authorizes the person appointed to fill the vacancy to hold over beyond the end of the term. That language simply contemplates the possibility of a special election to fill a vacancy following a temporary appointment.

Appointed offices are different. Under Wis. Stat. sec. 61.23(1), appointed village officers serve until their successors are appointed and qualify. Until recently, there was no express holdover provision in chapter 62 for appointed city officers. Nonetheless, prior League opinions stated that it could be inferred, in light of the common law, that appointed city officers do hold over. Now there is an express provision. Section 62.09(5)(e) provides that persons serving in appointive city offices shall serve until their respective successors are appointed and qualify, unless otherwise provided by ordinance.

VACANCIES

Although vacancies may occur for a number of reasons, as set forth in Wis. Stat. sec. 17.03, April vacancies often occur because an elected or appointed officer fails to qualify for office (e.g., declines to take the oath of office, as discussed above) or because a current member of the governing body whose term is not expiring resigns after being elected to another municipal office.
When vacancies occur, successors are chosen as provided by statute. However, the vacancy is filled by the appointing authority in office during the term in which there is a vacancy. For example, let’s assume that a trustee with one more year in office is elected village president. If the trustee does not resign, the trustee’s office becomes vacant when the trustee assumes the office of village president. That vacancy is then filled by the new board, not the board in office prior to the third Tuesday in April. However, if the trustee resigns after being elected president but before the third Tuesday in April, the board in office at that time could fill the vacancy for the remainder of the term, or could leave the matter to the new board.

The filling of mayoral and aldermanic vacancies in first class cities (Milwaukee) is governed by sec. 17.23(1)(b) and is not detailed here. The following is a discussion of the statutory provisions that govern the filling of vacancies in second, third and fourth class cities and in villages. Effective April 13, 2006, these statutes were amended by 2005 Wis. Act 248 to give governing bodies additional options. The statutes pertaining to filling vacancies have always been difficult to read. Unfortunately, the amendments did not make matters better. After considerable struggle and reflection, here is what I think they say.

In second, third and fourth class cities, vacancies in the office of mayor are filled by appointment by the common council for the residue of the unexpired term unless the council orders a special election in which case the person so appointed serves until a successor is elected and qualified.

Vacancies in the office of alderperson are filled by appointment by the common council and the person so appointed holds office until a successor is elected and qualified. Unless the council orders otherwise, or the timing of the vacancy dictates otherwise (see discussion below), a special election is held to elect a successor for the residue of the unexpired term.

Vacancies in other elective city offices are filled by the mayor subject to council confirmation, unless the council orders a special election, and the person chosen serves until a successor is elected and qualified.23

(Continued on Page 18)
Vacancies in elective village offices are filled by appointment by a majority of the members of the village board for the residue of the unexpired term or until a successor is chosen if the board orders a special election.\(^{24}\)

The timing of any special election to fill vacancies on common councils or village boards depends on when the vacancy occurs.

If the vacancy occurs after the officer was elected at the April election but before or on December 1 in that same year, then any special election to elect a successor for the residue of the unexpired term is held concurrently with the spring election on the first Tuesday in April of the following year. Unless the governing body orders a special election in the fall under the option explained below, a vacancy that occurs after December 1 in that same year is filled as follows. If the vacancy occurs anytime between December 2 in the year the person who vacated the office was elected and the first Tuesday in April of the next year and the term is a two-year term, no special election is held and a successor is elected to fill a new term of office at the regular spring election on the first Tuesday of April in the following year. If the term of office is more than two years, the vacancy to fill the residue of the unexpired term is filled by special election at the spring election on the first Tuesday of April. If a vacancy occurs on or after January 1 and before June 1 in the year preceding expiration of the term of office, the governing body may order a special election to fill the vacancy to be held concurrently with the fall general election on the Tuesday after the first Monday in November following the date of the order. A person elected at that time serves for the residue of the unexpired term.\(^{25}\)

Vacancies in appointive city and village offices are filled for the residue of the unexpired term in the manner used for making regular full-term appointments.\(^{26}\)

Vacancies in the office of municipal judge are filled by appointment by the governing body until a new judge can be chosen at the spring election. As in the case of other city and village spring elections to fill vacancies, the vacancy must occur on or before December 1 for the election to be held the following April. If the vacancy occurs after December 1 but before June 1 in the year preceding expiration of the term, the governing body can order that a special election be held in November to fill the vacancy.\(^{27}\)

Two other statutory provisions that relate to vacancies in office should be mentioned here, Wis. Stat. secs. 17.245 and 8.50(4)(g). Section 17.245 provides that whenever an elected office is created in a municipality by state law or ordinance, the office may not be deemed vacant until it has first been filled by the electorate. This provision, therefore, prohibits a municipality from filling a newly created elective office by appointment. An exception allows for the temporary appointment of a municipal judge when a city or village creates a new municipal court. Section 8.50(4)(g) provides that if through neglect or failure, an elected officer who should have been chosen at the spring election is not so chosen, a special election may be held to fill the vacancy.

**ORGANIZATIONAL MEETING**

Under Wis. Stat. 62.11(2), the new common council first meets on the third Tuesday in April. A village board may meet on this date or may wait until the next regularly scheduled meeting.\(^{28}\) The first meeting is an organizational meeting. Practice varies among municipalities, but this meeting generally has a ceremonial aspect as the newly elected members take their seats with previously elected members and may be a time when procedural matters, such as bylaws, are dealt with.

The organizational meeting is generally the time when officers such as the council president are chosen, committee assignments are made, and appointments are made to offices whose terms start on May 1. Section 19.88, part of Wisconsin’s open meeting law, prohibits voting by secret ballot except for the limited purpose of electing the officers of a governmental body. This provision has caused some confusion. It does not authorize the filling of vacancies on a governmental body by secret ballot or the selection, by secret ballot, of committee members or officers of the municipality.\(^{30}\) It merely authorizes the use of secret ballots to choose officers of the body where the body has the power to fill such office. It is useful in understanding this provision to distinguish between officers of the body and officers of the municipality in general. This section is very narrow and would allow a common council to choose a council president by secret ballot because the council president is an officer of the body.\(^{31}\) Likewise, if any municipalities provide that a committee chooses its own chair, then this provision would allow the chair to be chosen by secret ballot.
LEGAL

Council confirmations of mayoral appointees require a majority vote of the entire council, and the mayor may break a tie. A proposed appointee who is rejected by the council is ineligible for appointment to the same office for a period of one year. There are no similar provisions governing villages in chapter 61.

We are often asked whether business other than these organizational matters may be conducted at the first meeting. Unless there is something in the community’s ordinances, resolutions or bylaws that prohibits this, there is no reason why other business may not be conducted at this meeting.

LAME DUCK ISSUES

Sometimes the outgoing governing body passes legislation or exercises its authority on matters that the new body would have preferred to act upon. A new or existing governing body may repeal or amend legislation. However, if executive or administrative actions, such as the approval of a contract or the appointment of an officer or employee are involved, there may be problems if the new body attempts to adopt legislation repealing the action of the prior body. Governing bodies should therefore seek legal advice before seeking to nullify such actions.

In addition, there may be powers that can arguably be exercised by either the old or new body. For example, the alderperson and citizen members of the plan commission are to be appointed in April of each year for terms beginning May 1. In some cases ambiguities such as this may be resolved by the municipality’s ordinances, and it is important to be aware of local provisions.

COMPENSATION DISCREPANCIES AND SALARY REFUSAL

We are sometimes asked why persons holding the same office might be compensated at different rates, and whether governing body members can refuse salary. With regard to compensation differences, the law requires that compensation for governing body members be established before the earliest time for filing nomination papers for the office or, in villages that don’t use nomination papers, before the caucus date determined under Wis. Stat. sec. 8.05(1)(a). After that time or date, no changes may be

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made to the compensation for the office that applies to the term of office for which the deadline or date applies.36 In newly incorporated cities and villages, compensation for governing body members may be established during the first term of office.37 Section. 66.0505 of the Wisconsin Statutes prohibits city and village officials who by virtue of their office are entitled to participate in setting the salary for that office, from collecting salary in excess of the salary provided at the time they took office during their term of office. Since village board and common council members are entitled to participate in setting the salary for those offices, this essentially prohibits governing body members from raising their own salaries during their term. This prohibition does not prevent the members of a municipal governing body from receiving prescheduled salary increases during the middle of their term. Rather, it prohibits mid-term increases determined by current governing body members. A governing body may decide that a salary increase will take effect at the beginning of the next term, or at some other time, such as after the first year of the next term.38 This means, if seats are staggered, that newly elected officers could be compensated differently than officers continuing to serve out their terms.

A municipal governing body member who wishes to waive or refuse his or her annual salary can do so provided the refusal complies with the procedures and time constraints set forth in sec. 66.0505(3). Under sec. 66.0503(3), a member or member-elect of a governing body may notify the municipality’s clerk and treasurer in writing that he or she wishes to refuse to accept the salary he or she is otherwise entitled to receive. In order to be valid, the notification must be given within certain time frames. Initially, notification must be sent no later than 30 days after the officer’s election is certified. The notification applies only to the taxable year in which the officer’s election is certified or, if the elective officer’s current taxable year ends within three months of his or her certification, the notification applies until the end of his or her next term.

(CONTINUED ON PAGE 22)

AMERY TOWN

by LaMoine MacLaughlin, Poet Laureate of Amery, Wisconsin

Amery town wears a sugar white gown
when lakes freeze in icy November;
Amery town wears a sugar white gown
discarding the green of September.

Amery town wears boots muddy and brown
when April rains thunder and clatter;
Amery town wears boots muddy and brown
from walking through wet grassy splatter.

Amery town wears her hair swirling down
when lilies burst orange in June;
Amery town wears her hair swirling down
at night bullfrogs croon to the moon.

Amery town wears a maple leaf crown
October winds howl overhead;
Amery town wears a maple leaf crown
corn yellow and cranberry red.

LaMoine MacLaughlin is co-founder and Executive Director of the Northern Lakes Center for the Arts in Amery. The Center has been included in the book, The 100 Best Small Arts Towns in America. He is also editor of The Hometown Gazette, the newspaper serving the Clayton/Amery/Clear Lake area. In 1996, he and his wife, Mary Ellen, received the Governor’s Award in Support of the Arts, and in 1999, the Rural Genius Award from the Front Porch Institute. In 2003, Mr. MacLaughlin was appointed the first Poet Laureate of Amery. He is Director of the Rural Arts Management (RAM) Institute, a training program for rural arts leadership; has served as President of the Wisconsin Writers Association, and published four books of poetry.
taxable year. For subsequent taxable years, the notification must be sent at least 30 days before the start of the elective officer’s next taxable year to be valid, and the notification applies only to that taxable year although the notification may be renewed annually.

Once the clerk and treasurer receive written notification as described above, the treasurer may not pay the officer the salary he or she is otherwise entitled to receive during the time period to which the notification applies, beginning with the first pay period that commences after notification applies. Governing body members or members-elect who send the written notification described above may not rescind the notification. If the notification no longer applies, the municipal treasurer shall pay the elective officer any salary that he or she is entitled to receive, beginning with the first pay period that commences after the expiration of the notification.

CONCLUSION

April is often a time of transition for Wisconsin cities and villages. Elections often result in changes in local leadership and new municipal officials are faced with the task of learning how their local government functions and how to be effective officers. The League has handbooks, articles and other resources available to assist the new official in learning about local government. The League’s website is also a good source of information on local government operations. It contains among other information, a substantial section devoted to frequently asked questions concerning municipal laws. In addition, each spring the League sponsors one-day Local Government 101 Workshops at various locations around the state. See page 31 of this Municipality for details.

Endnotes

1 Wis. Stat. sec. 5.02(21).
2 Wis. Stat. sec. 7.53(4).
3 Id.
4 The statutory section governing official oaths in villages is perplexing as well as troubling. Section 61.21 seems to indicate that only village officers named in sec. 61.19 need take the oath of office. However, the only officers named in sec. 61.19 are the president, clerk, treasurer, assessor, constable, and the deputy clerk if one is appointed by the village clerk. Although the language appears to be explicit and unambiguous, League attorneys have struggled to come up with a rationale as to why trustees and other village officials (e.g., the police chief if the office exists or the deputy treasurer if one is appointed under sec. 61.261) should not be required to take the oath of office. We have been unable to do so and we strongly urge that every elected or appointed village officer—not just those named in sec. 61.19—be required to take the oath of office. Section 17.03(7) implies that every officer elected or appointed or reelected or appointed must take and file the oath of office and states that failure to do so creates a vacancy.
5 Wis. Stat. secs. 19.01, 17.03(7), 62.09(4)(a).
6 Wis. Stat. secs. 61.25(1) and 61.19, 62.09(11)(b) and (i).
7 Wis. Stat. secs. 19.01(4)(f) and (g). Prior law required the municipal judge’s oath and bond to be filed with the clerk of court circuit court but sec. 19.01(4)(e) was repealed by 2013 Wis. Act 107 and the municipal judge’s oath and bond should be filed in the municipal clerk’s office.
8 Wis. Stat. sec. 62.09(4)(a).
10 Wis. Stat. sec. 61.21.
11 Wis. Stat. sec. 17.03(7).
12 Wis. Stat. 19.01(1m).
13 Schoonover v. City of Viroqua, 245 Wis. 239, 244, 14 N.W. 2d 9, 12 (1944) (citations omitted).
14 Walberg v. Statte, 73 Wis.2d 448, 463, 243 N.W. 2d 190, 198 (1976); Joyce v. Town of Tainter, 232 Wis.2d 349, 606 N.W.2d 284 (Ct. App. 1999).
15 Id.
16 Wis. Stat. secs. 62.09(4)(b) and 19.01.
17 Wis. Stat. secs. 61.22 and 19.01.
18 Wis. Stat. secs. 61.23(2), 64.02(1), 64.05(1) and 62.09(5)(a).
19 Wis. Stat. sec. 17.03(10).
20 Wis. Stat. sec. 17.23(1)(a).
21 See Appointments and Vacancies 234; Officers 715 and 675; and McQuillin, The Law of Municipal Corporations sec. 12.165 (3d ed.)
22 Wis. Stat. sec. 62.09(5)(e) was created by 2009 Wis. Act 173 which was aimed at eliminating non-intentional differences between the laws governing cities and villages.
23 Wis. Stat. sec. 17.23(1)(c).
25 Wis. Stat. secs. 17.23(1)(a), 17.24(1)(a) and (b), and 64.05(2).
26 Wis. Stat. secs. 17.23(1)(d) and 17.24(1).
27 Wis. Stat. secs. 8.50(4)(fm), 17.23(1)(bm) and 17.24(1).
28 See Wis. Stat. secs. 61.19 and 61.32.
29 Wis. Stat. secs. 62.09(8)(e) and 64.07(2).
31 Governing Bodies 299.
33 Wis. Stat. sec. 62.09(2)(d).
34 See League opinions Ordinances and Resolutions 334, Powers of Municipality 824, and Governing Bodies 354.
35 Wis. Stat. sec. 62.23(1)(d).
37 Wis. Stat. secs. 61.193(3) and 62.09(6)(1)(am)3.
38 Wis. Stat. sec. 66.0505(2).
SO YOU’RE THINKING ABOUT SWITCHING HEALTH PLANS?

By: Michael Schwitzer, Account Executive for WEA Trust

Most municipalities offer medical coverage to their employees. It is likely one of your most important employee retention tools and it’s important that you get the best options available. This article covers some basic aspects of shopping for health benefits.

IS SWITCHING INSURANCE CARRIERS RIGHT FOR ME?

In order to determine if making a switch is right, you should start with why. Why are you considering changing to a different insurance provider or benefit plan? To help with answering this question, the four most common reasons are described below.

Cost Savings

With budget constraints, nearly everyone is interested in saving money on their health plan. If saving money is the only reason you are shopping for a new insurance plan, it’s important to understand the following:

1. The simplest way to achieve initial premium savings is by adjusting your plan design to allow for more employee cost-sharing.
2. The size of your group will often affect not only how you’re rated, but also to what degree those rates can lead to cost savings.
3. Switching to a narrow network of providers (doctors) will often result in savings.

Access to Value-Added Services

One of the things often promoted during the buying process is a carrier’s value-added services. For example, the WEA Trust offers the Amwell telehealth product—only $5 for most members for live video doctor visits. WEA Trust is also launching Vitality, a world-class wellness solution, July 1, 2016. These services are available to customers at no additional cost.

If you don’t feel your current plan is offering competitive value-added services, this would be a good reason to look at other options.

Access to Providers

Carriers often differ in their provider networks and coverage options. If your employees are struggling with access, switching to a new carrier with a broader network may alleviate this.

Improved Service

Customer service quality can vary dramatically between companies. Better service can mean a better benefit for your employees and less hassle for your administration. Objective reports like the Consumer Assessment of Health Plans (CAHPS) https://cahps.ahrq.gov/ can help you investigate most Wisconsin carriers’ service performance before you make a switch.

THE PROCESS OF SHOPPING

Now that you know why you want to switch, consider your options. Most employers choose to work with an insurance broker, as a broker can help make the purchasing process easier. WEA Trust recommends employers work with a broker when making a switch.

What does a carrier need from you to provide a quote?

Every carrier has initial paperwork. For example, an employee census (age, gender, zip code and coverage type), the current benefit design, current employee contribution, current rates and renewal/projected rates are all typically required. If you’re not currently in the Wisconsin State Group Insurance Program (State Plan), there are several more specific documents that your current carrier must provide. You can find a list of these documents at WeaTrust.com/League.

(CONTINUED ON PAGE 24)
SO YOU’RE THINKING ABOUT SWITCHING HEALTH PLANS? (CONTINUED)

When should I start the process?

We recommend starting the process of getting a quote from a new carrier at least 90 days before your effective date (the date on which your benefits renew). If your coverage is currently through the State Plan, the process involves some different steps.¹ You’ll need to provide the State’s renewal rates when rates are released in early September. To best accommodate the full State Plan timeline, you should begin the process of getting a quote no later than September 1, 2016.

ADDITIONAL QUESTIONS

If you have additional questions, the WEA Trust sales team would be happy to answer them. You can go to WeaTrust.com/League to find the representative in your area.

Michael Schwitzer is an Account Executive for WEA Trust, which administers the “League Health Plan - Powered by WEA Trust.” The information in this article does not constitute legal counsel. WEA Trust recommends working with an insurance broker when looking for an insurance company.

¹ Disclaimer: The employer has specific responsibilities during the process of withdrawing and terminating their coverage with ETF. Please contact ETF for detailed information on your responsibilities during this process.

DID YOU KNOW?

The average number of legal inquiries from member municipalities that League attorneys Claire Silverman and Daniel Olson respond to annually is 2,800. Whew!
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CREATIVE ECONOMY WEEK | APRIL 24-30, 2016

The League of Wisconsin Municipalities and Arts Wisconsin are hosting the annual statewide Creative Economy Week, promoting and celebrating the creative economy in Wisconsin's communities. Look for additional details on the League's website. In the meantime, localize and adopt this proclamation in your community to celebrate Creative Economy Week and send it to the League at league@lwm-info.org:

WHEREAS,

... city/village recognizes that investment in creative economy development and the arts are important to the health and vibrancy of the community and its future;

... city/village appreciates that creative economy development and community cultural engagement are directly related to economic vitality, education for the 21st century, engaged residents and a community’s future success;

... city/village celebrates many impressive creative economy activities, projects and initiatives, such as education programs at arts centers, revitalization initiatives, and civic engagement projects, happening in communities across the state during Creative Economy Week;

... city/village recognizes that investment in the creative economy is critical for Wisconsin’s success for these reasons:

• The arts engage. Attendees at Wisconsin's nonprofit arts events spend $19.06 per person, per event, beyond the cost of admission on items such as meals, parking and babysitters. Nine percent of the 9.4 million nonprofit arts attendees come from outside of Wisconsin. Those 806,000 attendees spend nearly twice as much as residents ($33.02 vs. $17.73), valuable revenue for businesses and communities statewide.

• The arts drive tourism. Arts travelers are ideal tourists, staying longer and spending more to seek out authentic cultural experiences. The U.S. Department of Commerce reports that the percentage of international travelers who include museum visits on their trip has grown steadily since 2003 (18 to 28 percent).

• The arts are an export industry. U.S. exports of arts goods (e.g., movies, paintings, jewelry) grew to $75 billion in 2012, while imports were just $27 billion—a $47 billion arts trade surplus.

• The arts spark creativity and innovation. The Conference Board reports that creativity is among the top 5 applied skills sought by business leaders—with 72 percent saying creativity is of high importance when hiring. The biggest creativity indicator? A college arts degree. Their Ready to Innovate report concludes, “The arts—music, creative writing, drawing, dance—provide skills sought by employers of the 3rd millennium.” Nobel laureates in the sciences are 17 times more likely to be actively engaged in the arts than average scientists.

• The arts have social impact. Research shows that a high concentration of the arts in a community leads to higher civic engagement, more social cohesion, higher child welfare and lower crime and poverty rates.

THEREFORE, the City /Village of ______________ declares the week of April 24-30, 2016 as Creative Economy Week, to celebrate and promote the arts, creativity and vitality in and for our community.
As we celebrate Creative Economy Week, I’m reminded of a question I often hear when I talk with local elected officials and economic development professionals around the state: “We want to do some creative economy stuff in our city, so can you tell us how to do it?”

Oh, if only it were that simple. If only every local official and economic development leader had a magic wand to wave across their community so that voila!—it would instantly become a creative place. Creative economy development isn’t necessarily simple, but it’s the direction Wisconsin needs to go in order to succeed now and in the future.

In our rapidly changing 21st century world, creativity, innovation, imagination and entrepreneurship are the hallmarks of the new economy. That means that investment in the arts and creativity is critical to economic, educational and civic success.

We’ve come to a moment in history where we know the old economy is ending (we’re not in a recession anymore, we’re in a new economy), we can see the new economy ahead of us, and we are all trying to define how to proceed. Our systems and mindsets must change to stay ahead of the times. Wisconsin will continue to be a manufacturing state, and agriculture is still critical. But even those established industries must innovate to keep moving forward. There’s no quick solution to the issues facing Wisconsin. In fact, there’s no one “solution,” because change is constant and the work on the ground doesn’t stop. But we should give ourselves some credit, because here’s the good news: there’s already a whole lot of new economy development going on around Wisconsin. What’s happening on the local level in arts and cultural development throughout Wisconsin, with myriad possibilities on the state level, shows us a path for new ideas and new methods to stay ahead of the change around us.

Programs and initiatives like the Waunakee Creative Economy Initiative, the Confluence Project in Eau Claire, the Creational Trails in Milwaukee, and a plethora of arts centers, creative entrepreneur hubs and revitalization projects all over the state, are just a few of the ways Wisconsin is moving forward in the creative economy realm. What we need to really shine in this area is some vision, strategic thinking, planning and plain old hard work. Like any development strategy, creative economy development takes focus, energy, time, and resources, expands over time, and requires consistent attention paid to big and small issues. The arts—bringing creativity, imagination, innovation and entrepreneurship—are what we are all looking for.

By the way, in case you are wondering: a general definition of the creative economy is the intersection of the creative workforce, creative industries and creative communities. There are many variations of this kind of development, but here’s how John Howkins, a British economist who coined the term, describes it:

New ideas, not money or machinery, are the source of success today, and the greatest source of personal satisfaction. The creative economy is revitalizing manufacturing, services, retailing and entertainment industries. It is changing where people want to live, work and learn—where they think, invent and produce. The creative economy is based on a new way of thinking and doing. The primary inputs are our individual talent or skill. These inputs may be familiar or novel; what is more important is that our creativity transforms them in novel ways. In some sectors the output value depends on their uniqueness; in others, on how easily it can be copied and sold to large numbers of people. The heartlands are art, culture, design and innovation.

(CONTINUED ON PAGE 28)
To succeed in the creative economy takes a sense of common purpose and goals, persistence, planning combined with flexibility, big-picture thinking, a can-do attitude and the ability to admit and learn from challenges and celebrate big and small successes. Communities need to focus on new economy development strategies that capitalize on and invest in community assets to provide pathways to growth and stability.

What’s needed are coordinated, pro-active strategies at all levels to make the most of the abundance of cultural and creative resources in every corner of the state. Here are some strategies for communities to use in creative economy development:

1. **Focus on a community’s assets**—human, financial, social, economic, educational—while addressing issues and challenges. Support an asset-based community development mindset.

2. **Support a mindset and programs that welcome a multi-cultural, diverse mix of creative people.** A rich and ever-evolving mix of income levels, backgrounds and perspectives enlivens the city. A really creative city must recognize and take action on the idea that diversity is what the 21st century is all about. Everyone in a community, regardless of income level, background, or perspective, can bring their creativity to the table and should be able to participate in the creative economy and all that the community has to offer.

3. **Prioritize access to the arts—and everything else—for all.** Any place can and should be recognized for its creative economy if the arts and creativity are available for everyone in the community. There must be a diversity of arts opportunities in the community so that everyone can participate in some way, not just those who can afford the price of a ticket.

4. **Arts integrated into education for all students in the public schools is key.** All kids deserve and need the arts in the learning process, to help them express themselves and gain the skills they need to thrive in the 21st century world and workforce. It’s especially important to include the arts and creativity in education in public schools, since school is often the only place many kids get to participate in the arts. Global research and practice show that students with high levels of arts participation outperform other students on virtually every measure from standardized tests to community participation, and that learning through the arts has a significant effect on learning in other areas, particularly in the early years. Wisconsin’s 21st century education must be all about **STEAM** (Science, Technology, Engineering, **Arts** and Math).

5. **The arts are not separate from everything else going on in a community.** It’s not like only some people are artists and others are not. There’s creativity everywhere and in every person, whether they call themselves (or are called) an artist or not. Creative collaborations, imaginative processes, innovative thinking and entrepreneurship, connecting arts/business, arts/education, arts/environment, arts/recreation, arts/food, arts/civic issues…the arts and creativity can and should be part of every project, program, organization and effort happening locally and beyond. Partnerships do take work – but community involvement and engagement is the only way to move forward.

6. **Creative economy growth needs local elected officials and civic leaders who are visible, pro-active, enthusiastic champions of the arts,** providing leadership that encourages big picture thinking and is open to new ideas and ways of doing. By the way, if you really want to make a change, run for office on the local level. City councils, county boards and school boards are THE entities that make THE decisions in the community.

7. **Support investment in arts infrastructure.** Sure, we need buildings, but what we really need is investment in organizational and leadership infrastructure. Creative people will always do a lot with a little, but ongoing human, organizational and financial resources must be available to make things happen.

8. **A creative place is built and nurtured through a great quality of life—a vibrant street life, arts, food, libraries, parks and other public spaces, local radio stations, museums and bikeways that everyone can enjoy.**

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**SO HOW DO YOU DO THE CREATIVE ECONOMY, ANYWAY? (HINT: IT’S A PROCESS) (CONTINUED)**
Let’s celebrate Wisconsin’s creative economy during Creative Economy Week and every week. We’re living in a time full of opportunity. Wisconsin has all the assets it needs to succeed in the 21st century economy. Increasing our focus on creative economy development will help Wisconsin’s communities compete in the global economy, educate our children, engage residents, and to develop, attract and retain entrepreneurs and a highly skilled work force through healthy, vibrant communities where people want to live, work, learn and play. Go to www.artswisconsin.org to learn more about creative economy development in Wisconsin.

Google “creative economy” and “creative industries” and there will be more links than you can imagine. Here are a few to check out:

• What is the Creative Economy, Really? Forbes, 10-8-2011

• Defining the Creative Economy Ann Markusen, Director, Project on Regional and Industrial Economics (PRIE), University of Minnesota, 2006

• Creative Placemaking Ann Markusen, commissioned by the National Endowment for the Arts, 2010

• The Creative Economy – A New Definition New England Foundation for the Arts, 2007

• Creative Placemaking 101 for Community Developers Ann Nicodemus, LISC Institute for Comprehensive Community Development, 2014

• The Creative Community Builder’s Handbook: How to Transform Communities Using Local Assets, Arts and Culture by Tom Borrup, 2006. Assesses 20 arts-centered community development projects, with a step-by-step guide to economic, social, civic and physical development of communities through the arts.

• Arts-based Policies in Our Towns and Neighborhoods from the National Endowment for the Arts, May 2015

Anne Katz is Executive Director of Arts Wisconsin, Wisconsin’s nonprofit statewide community arts action, service and development organization. Arts Wisconsin’s mission is to nurture, serve, promote and speak up for the arts in Wisconsin and all of its communities.

Learn more! Contact Arts Wisconsin, 608-255-8316, info@artswisconsin.org, or www.artswisconsin.org.
THE 2016 WISCONSIN CLERKS, TREASURERS & FINANCE OFFICERS INSTITUTE

THE HEIDEL HOUSE RESORT IN GREEN LAKE, JUNE 22-24

Details and registration are available online at http://bit.ly/LeagueCTFO

Clerks, Treasurers and Finance Officers will receive the agenda and form in the mail in April but you can register online now if you wish. Tuition is $105.00 (League members), $130 (non-members) and $30 for guests.

Reservations can be made at the Heidel House Resort: 800-444-2812. Room charges are $82 single and $92 double. Please indicate you are with the Clerks, Treasurers and Finance Officers when you call to make a reservation.
JOIN US FOR LOCAL GOVERNMENT 101 WORKSHOPS

Invest in yourself and your community by learning more about local government and how to govern in the League’s interactive one-day Local Government 101 Workshop. You’ll learn about city and village powers including municipal home rule, hear about how to recognize and avoid conflicts of interest, go home with a quick tutorial on municipal budgeting as well as how to run a meeting and finish with an overview on managing public works projects. In addition, you’ll have that age-old question answered: “what is a walking quorum anyway?”

AGENDA
2016 Local Government 101

8:30 | Registration - Coffee

9:00 | Welcome
Jerry Deschane, Executive Director, or Gail Sumi, Communications Director, League of Wisconsin Municipalities

Organization & Powers of Cities and Villages
Claire Silverman, Legal Counsel, or Daniel Olson, Assistant Legal Counsel, League of Wisconsin Municipalities

Recognizing and Avoiding Conflicts of Interest
Claire Silverman, Legal Counsel, or Daniel Olson, Assistant Legal Counsel, League of Wisconsin Municipalities

10:45 | Break

11:00 | Budgeting & Financial Oversight
Staff from Ehlers

Noon Lunch (included)

1:00 | Procedures for Local Government Meetings
Dan Hill, Local Government Specialist, UW-Extension Local Government Center

2:15 | Break

2:30 | Managing Public Works Activities
Ben Jordan, Transportation Information Center, Department of Engineering Professional Development, UW-Madison

3:45 | Adjournment

It may be a cliché, but information is power. You’ll leave the League’s Local Government 101 workshop with a wealth of information and be a better municipal leader because of it.
WHAT GOES AROUND COMES AROUND

By: Mary Malone, League Database and Technology Coordinator

Unless you have been residing off the planet, you must know 2016 is an election year. Even NASA Astronaut Scott Kelly must have been aware of the politics unfolding as he watched from his bird’s eye view on the space station.

1916 was also an election year. Woodrow Wilson defeated Supreme Court Justice Charles Evans Hughes in the Presidential Election. Candidates for other offices challenged each other at all levels of government. Prior to 1905 Wisconsin selected candidates through caucuses, but in 1916 voters chose candidates as we do today, through a series of partisan and non-partisan elections leading to general elections.

1916 was also a year of transition for the League of Wisconsin Municipalities. During the August Annual Convention, delegates adopted a revised League Constitution and Bylaws and adopted a resolution calling upon the state legislature to enact laws to ensure the integrity of the elections process. The League’s Committee on Elections presented the accompanying resolution. The resolution was passed and printed in the August 1916 Municipality magazine.

As we read the resolution, we realize that issues we think are specific to our time and place were discussed 100 years ago and earlier even than 1916. It is true that what’s old becomes new again.

Did you know University of Wisconsin-Madison Libraries provides a digital Services collection? Thanks to this resource, research for this article was easy. Learn more at http://www.library.wisc.edu/digital-library-services/uwdcc/

LEGAL CAPTION

The following is a legal caption. All legal articles are published in full on the League’s website at www.lwm-info.org You can also obtain copies of these and past articles by contacting the League office at 608-267-2380. Please always include the subject heading and number when making the request.

Governning Bodies # 369R4

Discusses oaths of office, bonds, time of taking office, de facto officers, vacancies, salary discrepancies and refusal, and other spring organizational and transitional issues affecting new municipal officers and bodies. 4/16.
Eat the upside down Vs of forest,
each small stuttering - - - - - dash of rustic roads.
My pedals devour miles; my shaded eyes,
names: Big Foot Beach, Devil’s Lake.
The taste of mythology on my tongue,
this cartographic hunger. Now tip
the tiny cups ☐ of lakes
the blue spilling veins of ancient rivers.
Pause for fill at each crisscross view
+++ of bridges, of tattered railways
vanishing into planted fields of forever.
Inhale lingering scent of wild on onion—
this papyrus, this map of belonging.

As the current Wisconsin Poet Laureate, poet, photographer, and scholar, Kimberly Blaeser has been zig-zagging the state traveling from the thumb of Door County to the southern wrist cities, and everywhere in between. A Professor at UW-Milwaukee, she teaches Creative Writing and Native American Literature and lives near Burlington. Blaeser has authored three poetry collections: Apprenticed to Justice, Absentee Indians and Trailing You.
IN TRANSITION

WELCOME
Assistant Attorney: Manitowoc, Elizabeth Majerus
Council Member: Madison, Tim Gruber
Deputy Clerk: Almond, Heidi M. Iwanski
Deputy Finance Dir: Weston, Donna Stroik
Finance Clerk: Weston, Jenna Trittin
Fire Chief: New London, Mark Wilfuer
Parks-Rec. Committee: Weston, Katrina Clark
Police Chief: Green Bay, Andrew Smith
Property Inspector: Weston, Roman Maguire
Utility Maintenance Worker: Weston, Trevor Skerven

Sister Bay. Steve Jacobson, Superintendent of the Village of Sister Bay Water & Sewer Utilities announced he will retire this April after 37 years of devoted service to his community. Steve looks forward to having plenty of time to play with the grandkids and serve with the Lion’s Club. When his Clerk said the utility would probably need to call him often because of the vast knowledge stored in his head, Steve chuckled that after retirement he may develop water system amnesia.

HELLO April

Yes, April is here again.

Please watch for the League’s annual form requesting current contact information. We will email the forms to clerks or administrators around April 1. When election results are complete, return the form via email, fax or regular mail, and we will update your community’s roster. We rely on you for this information. Thanks for your help and for all that you do for the League.

RETIREMENT
Hilbert. Darlene Buechel retired in November after serving the village for 22 years as Deputy Clerk Treasurer and Wastewater Treatment Plant Lab Technician. She will spend her “golden years” pursuing her lifelong passion of being an author and spending time with her grandchildren. The Village is grateful for her dedicated service for the last 22 years and we wish her the best in her retirement!

ADDITIONS AND CHANGES
Please send changes, corrections or additions to Mary Malone, mmalone@lwm-info.org, fax (608) 267-0645 or send to the League at 131 West Wilson St., Suite 505, Madison, WI 53703

2016 LEAGUE OF WISCONSIN MUNICIPALITIES CALENDAR

<table>
<thead>
<tr>
<th>Event</th>
<th>Dates</th>
<th>Location</th>
<th>Phone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building Inspectors Institute</td>
<td>April 20-22</td>
<td>Lake Lawn Resort, Delavan</td>
<td>(800) 338-5253</td>
</tr>
<tr>
<td>Attorneys Institute</td>
<td>June 15-17</td>
<td>Stone Harbor, Sturgeon Bay</td>
<td>(920) 746-0700</td>
</tr>
<tr>
<td>Clerks, Treasurers, Fin. Officers Institute</td>
<td>June 22-24</td>
<td>Heidel House, Green Lake</td>
<td>(800) 444-2812</td>
</tr>
<tr>
<td>Chief Executives Workshop</td>
<td>Aug. 24-26</td>
<td>Lake Lawn Resort, Delavan</td>
<td>(800) 338-5253</td>
</tr>
<tr>
<td>Assessors Institute</td>
<td>Sept. 13-16</td>
<td>Wilderness Resort, Wisconsin Dells</td>
<td>(800) 867-9453</td>
</tr>
<tr>
<td>Plumbing Inspectors</td>
<td>Sept. 21-23</td>
<td>The Riverwalk Hotel, Neenah</td>
<td>(920) 725-8441</td>
</tr>
<tr>
<td>Annual Conference</td>
<td>Oct. 19-21</td>
<td>Holiday Inn, Stevens Point</td>
<td>(715) 344-0200</td>
</tr>
<tr>
<td>Police and Fire Commission Workshop</td>
<td>Nov. 4</td>
<td>Glacier Canyon Lodge at Wilderness Resort, Wisconsin Dells</td>
<td>(800) 867-9453</td>
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</tbody>
</table>
When John Howkins popularized the term “creative economy” in 2001, he applied it to the arts, cultural goods and services, toys and games, and research and development.

When I first think of creative economy, I remember traveling to New York in the late 70’s visiting friends living in artist lofts, spaces that had lost their regular purpose as factories and warehouses and helped revitalize neighborhoods that had long stood empty.

When I think of the term creative economy now, it is clearly how technology has merged with our many needs and wants getting a ride from a stranger used to be called “hitch hiking” now it is the basic platform for the business we know as Uber.

CREATIVE ECONOMY
by Oscar Mireles, Poet Laureate of Madison, Wisconsin

Poetry in general and the arts in particular can force us to look at the world in a different way inspire us to take chances that might not ever seem possible

a creative economy will only happen if artists, engineers, architects and entrepreneurs see that we have erected false barriers between our respective disciplines and once we look beyond our differences the sky has no limits

Oscar Mireles has been writing poetry for the past 25 years and is currently the Poet Laureate of Madison, WI. He is the editor of two anthologies titled I didn’t know there were Latinos in Wisconsin: 20 Hispanic Poets (Focus Communications, 1989) and I didn’t know there were Latinos in Wisconsin: 30 Hispanic Writers (Focus Communications, 1999). He has received grants for his writing activities from numerous public agencies and private foundations, and is a former Board member of Arts Wisconsin. He is Principal/Executive Director of Omega School, an alternative school in Madison, Wisconsin, and has helped over 1,500 young adults prepare for and complete their GED diploma in the past decade.
Each municipality in Wisconsin faces unique challenges. Shouldn’t your financing plan be unique as well?

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