

CITY ADMINISTRATOR

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MEMO

To: Mayor, City Attorney and City Council
CC: Department Directors and Press
From: City Administrator
Subject: Administrator's Report
Date: January 30, 2015

- 1. Library New Course Offerings Off to Great Start:** The Waukesha Public Library, in cooperation with the Waukesha County Federated Library System (WCFLS), launched "Gale Courses" at the start of the year. The six-week long, instructor-led online classes are available for free to anyone with a library card, and cover an enormous selection of classes geared towards workplace literacy, test preparation, continuing professional education, and personal enrichment. New classes are added each week, and the last tally was around 400 offerings. What is perhaps most exciting about this is the preliminary data regarding usage. This brand-new service came at a cost of \$40,000, and was entirely paid for by the County library system. In order to achieve a net gain based on the initial investment, 978 classes need to be taken by the end of FY2015. As of January 28, 2015, or 27 days after we launched the program, we have 707 enrollments for classes through March. If we maintain this rate, it is possible that we could achieve over 2,500 classes in the first year, or around 150% higher than break-even projections. The library would like your assistance in spreading the word about these classes, We are promoting this to businesses, organizations and schools to utilize this service as a complement or alternative to costly professional development options. Navigate to <http://www.wcfls.org/classes> to see the line-up!
- 2. Pay and Class Study Update:** The Classification & Compensation study is progressing well. The basic data for the study has been collected including relevant comparability data, employee questionnaires and interviews of employees. The consultants are developing revised job descriptions and recommendations for placements on a salary schedule for the various City positions. Discussions with the City Administrator and Department Directors are continuing relative to policy issues presented by this study.
- 3. Employee Health Clinic Update:** The on site Waukesha Employee Health & Wellness Center is continuing to expand its client base and is performing at a level close to the projected utilization. Employee satisfaction with the services provided is very high. Additionally, the City is participating in a weight loss challenge between the city, school district and county that begins in February and runs through April.
- 4. League of Wisconsin Municipalities Legislative Advisory Committee:** I indicated in my last report that I would share the information from the Legislative Advisory Committee meeting I attended last week. The information is enclosed.



5. **Congratulations Captain Ron Oremus:** Please see the enclosed letter regarding Captain Ron Oremus' graduation from the FBI Academy. This is a rigorous program and Captain Oremus is to be commended for his efforts.

6. **New Police Department Mission Statement:** The new mission statement for the Waukesha Police Department is attached. Chief Jack is incorporating the mission into the daily activities of the police department and you will likely see many instances where this mission statement is reflected.

Agenda and Background Material

**League of Wisconsin Municipalities
Advisory Committee on Legislation
Crowne Plaza Hotel
4402 East Washington Ave, Madison
Friday, January 23, 2015
10:00 a.m.**

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13. Adjournment (next meeting April 24)	--

Date: January 23, 2015
To: Advisory Committee on Legislation
From: Jerry Deschane
Re: Travel expenses

The League's policy on reimbursement for travel expenses is explained in the following bylaw adopted by the Board of Directors:

Travel expenses. The League will reimburse mileage expenses for Board members, Advisory Committee members, and Lobbying Corps members who attend League meetings. The League will also reimburse members for one night's lodging and meals, if the member must travel more than 400 miles round trip to attend the meeting.

To be reimbursed for travel expenses for attending today's meeting, please return the form at the bottom of this page. Thanks.

* * * * *

Return to: League of Wisconsin Municipalities
e-mail: league@lwm-info.org
fax: 608-267-0645

To attend the committee meeting in Madison on January 23, 2015, I drove my personal automobile the following number of miles roundtrip: _____ miles

I traveled more than 400 miles roundtrip to attend this meeting.

Please reimburse me for one night's lodging and dinner.

My lodging and dinner expenses for one night were: \$ _____

Name (Please Print)

Municipality

Signed dated

Minutes

Meeting of the Advisory Committee on Legislation League of Wisconsin Municipalities Friday, January 24, 2014

1. The Committee met in Madison. President John Small, Marathon City, served as chair and called the meeting to order at 10:00 a.m. Committee members present were:

Village Trustee Beverly Bell, Fox Point
City Engineer John Bennett, Franklin
Mayor Joe Chilsen*, Onalaska
Mayor Sandy Decker, Evansville
Village President Barbara Dickman, Saukville
Community Development Director Daniel Ertl*, Brookfield
Village Clerk-Treasurer Stacy Grunwald, Cleveland
Village Trustee Jeff Hanewell, Shorewood
Mayor Tim Hanna, Appleton
Village President Marlin Hensler, Marshall
City Administrator Dennis Jordan, Lake Geneva
Aldersperson Audrey Kader*, La Crosse
City Administrator Joe Laux*, Eagle River
Lobbyist Kimberly Montgomery*, Milwaukee
City Clerk Treasurer Kathy Morse, Rice Lake
Mayor Donna Olson*, Stoughton
Village President George Peterson, Rothschild
City Administrator Lowell Prange*, Menomonie
Mayor Tom Ratzlaff, Park Falls
Mayor Dianne Reese*, New Holstein
Mayor Jerry Wehrle, Lancaster
Lobbyist Nick Zavos*, Madison

*Participated by telephone.

Also in attendance were Marshall Clerk Treasurer Sue Peck and Potosi Village President Frank Fiorenza,

Dan Thompson and Curt Witynski of the League's staff were also present.

2. Thompson explained the League's policy on reimbursing committee member travel expenses.
3. **Motion:** Approve the minutes of the September 2013 meeting. Motion carried.
4. Thompson and Witynski explained what action the Board of Directors took regarding the Advisory Committee on Legislation's September, 2013 report.
5. **Creating an Alternative Option for Complying with Phosphorus Regulations.** The committee recommended that the League support AB 680/SB

547, which creates an alternative method of complying with the phosphorus regulations that might prove more cost effective than other options, such as installing advanced filtration equipment.

6. **Reducing the Driver's License Suspension Period from two years to one for Failure to pay Traffic Forfeitures.** The committee recommended that League take no position on the Center for Driver's License Recoverability and Employability's proposal.
7. **Collection of Delinquent Tenant Utility Bills Compromise Legislation.** The committee recommended that the League take a neutral position on SB 517, compromise legislation retaining the ability of municipal utilities to place delinquent tenant utility bills on the landlord's tax bill. While we did not initiate the legislation, we did have input on it and while we don't necessarily support the bill, we should not oppose either.
8. **Nonpartisan Redistricting Process.** The committee recommended the League not take a position on efforts to establish a nonpartisan process for establishing state legislative and congressional districts.
9. **Allowing Counties to make a Partial Settlement of Unpaid Special Assessments.** The Committee recommended that the League not support legislation sought by the Wisconsin Counties Association allowing a county to make a partial payment of the unpaid municipal special charges and special assessments each August. Instead, the committee recommends that League staff work with WCA staff to organize a committee of municipal and county officials to discuss a way to modify the settlement of special assessments and special charges in a way that addresses both municipal and county concerns.
10. **Creative Economy Development Initiative Grant Program.** The committee recommends the League support legislation, LRB 3517/2, creating a grant program administered by the Arts Board in the Department of Tourism that awards grants to businesses, arts organizations, local arts agencies, and business development organizations that work to promote businesses and organizations that engage in artistic or creative services or products.
11. **The Committee recommended the League support the following bills:**
 - **AB 547/SB 455, Making several changes to the TIF law, including increasing from 50% to 80% the amount of value increment that a community can treat as net new construction under the levy limit law when the TID is closed. The bill also increases municipal annual TID reporting requirements.**
 - **AB 615, Allowing municipal prisoners to be imprisoned in a bordering county outside of the state if the cost is less and other conditions are met.**
 - **AB 288, Requiring counties that maintain consolidated public libraries to make library service payments to each public library in an adjacent counties.**

- **SB 487, Requiring the County to Install Lighting on Tax Delinquent Properties and Properties in Foreclosure.** (The committee recommended conditioning League support on amending the bill to require municipal approval of the lighting plan.)
- **SB 444, Reducing the number of nomination paper signatures required for city-wide office in second and third class cities.**
- **SB 488, Allowing municipal employees to enter property in foreclosure to take action to preserve or protect the property or public health and safety.**
- **SB 502/AB 663, Enabling municipalities to allow the use of certified survey maps to accomplish land divisions that exceed 4 parcels within areas zoned for industrial, commercial, or mixed use development.**

12. **The Committee recommended the League oppose the following bill:**

SB 414/AB 576, Changing the process for objecting to property tax assessments before the board of review.

13. **The Committee recommended that the League neither support nor oppose the following bills:**

- **AB 525/SB 499, Creating a property tax exemption for a non-profit youth baseball association.**
- **AB 410, Manufactured home parks and nonconforming use status.**
- **SB 379, Streamlining DSPS's Review of building Project Plans.**
- **AB 471, Formula for Calculating Benefits paid to Retirees under the WRS.**
- **AB 499, Exempting Amish homes from certain uniform dwelling code requirements.**
- **AB 546/SB 454, Enabling creation of short-term TIF districts.**
- **AB 548/SB 456, Expanding definition of TIF project costs to include cash grants made to a landlord in a tech park with rentals at below market rates.**

14. The meeting adjourned at 12:15 p.m.

Respectfully Submitted,

Curt Witynski, Assistant Director

To: Advisory Committee on Legislation
From: Curt Witynski, Assistant Director
Date: January 16, 2015
Re: Report on Previous Board Action

Set out below is a copy of the January 2014 Report of the Advisory Committee on Legislation that I submitted to the Board of Directors in February 2014. The Board took the following action regarding the committee's report, as indicated in the minutes of the Board's February meeting:

*Witynski presented the legislative update with Rogowski and Lyons joining the discussion. He started with the Report of the Advisory Committee on Legislation. After the Committee meeting, two bills were amended significantly in the League's favor. SB 517, collection of delinquent tenant utility bills, was amended to gain the support of municipal utility groups, and Witynski recommended support as well. SB 414/AB 576, process for objecting to property tax assessments, was amended to address our concerns, so Witynski recommended taking "No Position". Members discussed both bills and other items on the agenda. **Motion:** That the report of the Advisory Committee is approved with two changes recommended by staff—support for SB 517 and no position on SB 414/AB 576. Carried.*

To: Board of Directors
From: Advisory Committee on Legislation
Date: February 4, 2014
Re: Report of the Advisory Committee on Legislation

Introduction

On January 24 the Advisory Committee on Legislation met in Madison to review legislative proposals and make recommendations to the Board of Directors. League President John Small chaired the meeting. The following members of the Committee were present: Beverly Bell, John Bennett, Joe Chilsen*, Sandy Decker, Barbara Dickmann, Daniel Ertl*, Stacy Grunwald, Jeff Hanewell, Tim Hanna, Marlin Hensler, Dennis Jordan, Audrey Kader*, Kevin Lahner, Joe Laux*, Kimberly Montgomery*, Kathy Morse, Donna Olson*, George Peterson, Lowell Prange*, Tom Ratzlaff, Dianne Reese*, Delton Thorson, Rob Vanden Noven, Jerry Wehrle, and Nick Zavos.

*Participated by phone.

Guests: Marshall Clerk Treasurer Sue Peck and Potosi Village President Frank Fiorenza attended the meeting.

Also in attendance were Dan Thompson and Curt Witynski of the League staff.

Committee Recommendations

At its January 24th meeting the Committee reviewed a list of legislative proposals and topics presented by League staff and made the following recommendations:

1. Creating an Alternative Option for Complying with Phosphorus Regulations. The committee recommends that the League support AB 680/SB 547, which creates an alternative method of complying with the phosphorus regulations that might prove more cost effective than other options, such as installing advanced filtration equipment.

2. Reducing the Driver's License Suspension Period from two years to one for Failure to pay Traffic Forfeitures. The committee recommends that League take no position at this time on the Center for Driver's License Recoverability and Employability's proposal.

3. Collection of Delinquent Tenant Utility Bills Compromise Legislation. The committee recommends the League take a neutral position on SB 517, compromise legislation that retains the ability of municipal utilities to place delinquent tenant utility bills on the landlord's tax bill. While we did not initiate the legislation, we did have input on it and while we don't necessarily support the bill, we should not oppose either.

4. Nonpartisan Redistricting Process. The committee recommends the League not take a position on efforts to establish a nonpartisan process for establishing state legislative and congressional districts.

5. Allowing Counties to make a Partial Settlement of Unpaid Special Assessments. The Committee recommends that League not support legislation sought by the Wisconsin Counties Association that would allow a county to make a partial payment of the unpaid municipal special charges and special assessments each August. Instead, the committee recommends that League staff work with WCA staff to organize a committee of municipal and county officials to discuss a way to modify the settlement of special assessments and special charges in a way that addresses both municipal and county concerns.

6. Creative Economy Development Initiative Grant Program. The committee recommends the League support legislation, LRB 3517/2, creating a grant program administered by the Arts Board in the Department of Tourism that awards grants to businesses, arts organizations, local arts agencies, and business development organizations that work to promote businesses and organizations that engage in artistic or creative services or products.

7. The Committee recommends the League support the following bills:

AB 547/SB 455, Making several changes to the TIF law, including increasing from 50% to 80% the amount of value increment that a community can treat as net new construction under the levy limit law when the TID is closed. The bill also increases municipal annual TID reporting requirements.

AB 615, Allowing municipal prisoners to be imprisoned in a bordering county outside of the state if the cost is less and other conditions are met.

AB 288, Requiring counties that maintain consolidated public libraries to make library service payments to each public library in an adjacent counties.

SB 487, Requiring the County to Install Lighting on Tax Delinquent Properties and Properties in Foreclosure. (The committee recommended

conditioning League support on amending the bill to require municipal approval of the lighting plan.)

SB 444, Reducing the number of nomination paper signatures required for city-wide office in second and third class cities.

SB 488, Allowing municipal employees to enter property in foreclosure to take action to preserve or protect the property or public health and safety.

SB 502/AB 663, Enabling municipalities to allow the use of certified survey maps to accomplish land divisions that exceed 4 parcels within areas zoned for industrial, commercial, or mixed use development.

8. The Committee recommends the League oppose the following bill:

SB 414/AB 576, Changing the process for objecting to property tax assessments before the board of review.

9. The Committee recommends that the League neither support nor oppose the following bills:

AB 525/SB 499, Creating a property tax exemption for a non-profit youth baseball association.

AB 410, Manufactured home parks and nonconforming use status.

SB 379, Streamlining DSPS's Review of building Project Plans.

AB 471, Formula for Calculating Benefits paid to Retirees under the WRS.

AB 499, Exempting Amish homes from certain uniform dwelling code requirements.

AB 546/SB 454, Enabling creation of short-term TIF districts.

AB 548/SB 456, Expanding definition of TIF project costs to include cash grants made to a landlord in a tech park with rentals at below market rates.

Conclusion. The Advisory Committee on Legislation is pleased to assist the Board of Directors in developing the League's legislative agenda and hopes that the above recommendations meet with the Board's approval.

To: Advisory Committee on Legislation
From: Curt Witynski, Assistant Director
Date: January 15, 2015
Re: League's Partnership for Prosperity Agenda; Advocacy Efforts

Last October, the League's Board of Directors adopted the Partnership for Prosperity Agenda for the 2015-2016 legislative session. A copy of the agenda is posted on the League's web site: <http://tinyurl.com/putxenf>

I will distribute a professionally printed version of the agenda at our meeting on January 18th.

Also, please consider joining the League's Lobbying Corps and/or Rapid Action Team to help lobby on the League's legislative agenda.

To: Advisory Committee on Legislation
From: Curt Witynski, Assistant Director
Date: January 15, 2015
Re: League Re-Creating its Local Government Stormwater Group

In December the League mailed the attached letter to all Municipal Separate Storm Sewer System (MS4) permit communities in the state. The MS4 permits require municipalities to reduce polluted storm water runoff by implementing storm water management programs with best management practices. The attached letter invites these communities to join the Local Government Stormwater Group. The purpose of the group is to advocate on stormwater issues before the DNR, the Governor's office and the Wisconsin Legislature. The group will also sponsor educational seminars on stormwater issues.

This is for information purposes only. No action by the committee is necessary. If you are an MS4 community, please consider joining the Local Government Stormwater Group.



131 W. Wilson St., Suite 505
Madison, Wisconsin 53703

(608) 267-2380
(800) 991-5502
FAX: (608) 267-0645

e-mail: league@lwm-info.org
www.lwm-info.org

To: Local Government Leaders
From: Jerry Deschane, Executive Director, League of Wisconsin Municipalities
Date: December 23, 2014
Re: Re-creation of a Local Government Stormwater Group

In 2009 the League created a Local Government Stormwater Group and hired water law specialist Paul Kent to lobby DNR on making changes to NR 151 and other stormwater issues. The group has been dormant the last several years, but we believe there is a need to resurrect it at this time. Stormwater management issues are being driven by new regulatory developments such as total maximum daily load (TMDL) requirements as well as by changes in storm intensities.

Stormwater issues that will need to be addressed in the next five years include:

- Advocacy on behalf of municipalities so that stormwater fees remain manageable and proportionate.
- Working with DNR to adopt policies and guidance regarding when on-line ponds and pond treatment options may be an appropriate mechanism to address water quality issues.
- Engaging DNR in a cross-program watershed approach to stormwater projects.
- Developing solutions to stormwater management that can address multiple issues including flooding and infiltration and inflow issues for POTWs.
- Resolving issues associated with stormwater utilities including credits and exemptions associated with permeable areas.
- Developing ways in which stormwater management and associated sediment management might serve as trades for POTWs needing phosphorus reductions.
- Efficiently managing stormwater sediment from ponds under the NR 528 criteria.
- Defending local authority for stormwater management against state preemption efforts.
- The integration of TMDL requirements in new MS4 permits.

Currently there are 254 Municipal Separate Storm Sewer System permits (MS4 permits) issued in Wisconsin. We believe the group of communities involved in stormwater issues could benefit from coordinated advocacy on their behalf. That is why the League is reviving the Local Government Stormwater Group.

We invite you to join with other municipalities and counties in the re-creation of the Local Government Storm Water Group. The purpose of the group is to advocate on stormwater issues before the DNR, the Governor's office and the Wisconsin Legislature. The group will also sponsor educational seminars on stormwater issues. The League will contract with Paul Kent to serve as technical advisor and lead negotiator with DNR on behalf of the group. League staff will

STRONG COMMUNITIES MAKE WISCONSIN WORK

provide administrative services to the group, including handling its bookkeeping, organizing meetings, and maintaining a web page.

Membership in the Municipal Storm Water Group is open to any MS4 community, including counties and towns. The annual cost varies by population size. The fee is \$600 annually for communities over 20,000 in population; \$400 for communities with populations between 10,000 and 20,000; and \$200 for communities with populations below 10,000.

If you are interested in participating, please complete the following form and submit it and a check for the correct amount to the League of Wisconsin Municipalities.

We hope you will accept our invitation. We look forward to working with you on this issue.

If you have any questions or need additional information, please give me or Curt Witynski a call at 1-800-991-5502.

.....

Local Government Storm Water Group

Membership Form

Yes, the _____ (*name of municipality/county*) agrees to join the Local Government Storm Water Group.

I've enclosed a check for the following amount covering our community's 2015 membership dues:

- \$600 for municipalities/counties with populations over 20,000.
- \$400 for municipalities with populations between 10,000 and 20,000.
- \$200 for municipalities with populations under 10,000.

The primary contact in our community regarding the Local Government Storm Water Group shall be:

Name: _____

Title: _____

Address: _____

Phone Number: _____

E-mail: _____

Return this form with a check to: League of Wisconsin Municipalities
131 West Wilson Street, Suite 505
Madison, WI 53703

To: Advisory Committee on Legislation
From: Curt Witynski, Assistant Director
Date: January 15, 2015
Re: Time of Sale Requirements

The Wisconsin Realtors Association plans to seek legislation prohibiting municipalities from imposing time of sale requirements. A time of sale requirement is an obligation that must be performed prior to closing when a property is sold. I've attached an article from the WRA's web site that explains the realtors' concerns about time of sale requirements.

I'd like to receive feedback from the committee regarding the following questions relating to this issue:

Is it common for municipalities to require property owners to comply with certain municipal regulations prior to closing on real estate transactions?

Would a prohibition on time of sale requirements negatively impact municipalities?

Should the League oppose such legislation?

Time of Sale Requirements: Coming to a Community Near You?

By: Tom Larson



Imagine this scenario: after months of trying to sell her home, Mary finally found a buyer. In fact, the buyer is willing to pay cash and close quickly. Mary is ecstatic because she can finally move to be closer to her grandchildren. However, there's a catch: Mary discovers a local ordinance that requires all homes to be retrofitted with sprinklers. While sprinklers will improve fire safety, the retrofit project will cost Mary thousands of dollars. So much for the quick closing!

Time of sale (TOS) requirements like the retrofitted sprinkler example are becoming more common in Wisconsin and are causing headaches for both sellers and REALTORS[®] alike. This article will provide an overview of TOS requirements, why communities impose them, and why they are problematic for homeowners.

October 2014



What is a TOS requirement?

A TOS requirement is an obligation that must be performed prior to closing when a property is sold. The requirement may be an improvement, an inspection, or some other activity such as paving a gravel driveway or conducting an energy audit to determine the energy efficiency of a home or building. Some of these requirements are rather minor, while others are more significant. However, all of the requirements add complexity to the transaction and could delay closing, result in additional costs, and/or create liability for the seller and/or REALTOR[®] if the requirement is not satisfied before the transfer of title. For example, one community in Wisconsin passed an ordinance making the REALTOR[®] jointly and severally liable for any building code violations not remedied within a certain number of days of closing.

Why communities impose TOS requirements

Generally, communities impose TOS requirements to address possible health, safety, environmental or aesthetic concerns related to a property. While the concerns themselves and the proposed remedies may be reasonable, requiring the issues to be addressed only when a property is sold is problematic for numerous reasons, including:

- **Only a small percentage of properties are sold each year:** TOS requirements only affect those properties that are being sold, which is likely a very small percentage of the overall properties being targeted. Accordingly, decades likely would pass before all the targeted properties are sold and remedied, which brings into question the significance of the concern the community is trying to address. If the community is trying to address a significant or immediate health and safety concern, waiting decades to fix the problem seems to be an imprudent solution.
- **Property owners often don't have money to make the repairs:** It's a common misperception that all property owners "make money" when selling their property. With the downturn in the real estate market that occurred over the last several years, many homeowners don't have the money to make expensive repairs or upgrades at closing. Moreover, people are often selling their home because of some adverse change in their life such as a divorce or loss of a job. Imposing an additional financial burden on them only makes a bad situation worse.

Communities often choose to impose these requirements at the TOS because they know the public would not support the imposition of such requirements if they were to be applied immediately to all affected property owners. Requiring all property owners to perform the necessary testing or upgrades to their property would likely shorten the political life of the local officials enacting the requirement into law. Local officials often believe that imposing the requirements at the TOS is a much lower political risk because most property owners are more engaged about things that impact them immediately, rather than during some time-uncertain event in the future.

Possible legislation next session

To address the concerns related to TOS requirements, the WRA has been meeting with lawmakers about possible solutions. Hopefully, legislation will be introduced during the upcoming legislative session to address concerns about the growing number of TOS requirements being imposed by local communities.

For more information about TOS requirements, please contact Tom Larson at tlarson@wra.org or by phone at 608-240-8254.

Tom Larson is Vice President of Legal and Public Affairs for the WRA.

Published: October 09, 2014

To: Advisory Committee on Legislation
From: Curt Witynski, Assistant Director
Date: January 15, 2015
Re: Adverse Possession of Municipal Property

Staff for the City of Madison has uncovered a problem in state law that needs to be fixed. The problem relates to the apparent ability under current law for persons to adversely possess government land.

It appears that an attempt in 1998 to eliminate adverse possession against government land has put state and local government in a *worse* position than before.

Prior to 1998, state law specifically allowed adverse possession of publically owned land if the claimant continuously occupied the land for 20 years. The statute created a few specific exceptions. Adverse possession was prohibited against certain state-owned land, and highway land owned by state or local governments.

1997 Senate Bill 124 aimed to eliminate *all* adverse possession against the public land. The bill simply inserted “no” in the statutory language - - “No interest in real property . . . may be obtained by adverse possession. . .” Since the bill prohibited all adverse possession against public property, the bill deleted the exceptions for certain state and local land.

At the end of session, however, a simple amendment added a clause saying “unless the adverse possession . . . continues for more than 20 years and is based on a continuously maintained fence line. . .” In essence, the amendment returned the law to its original state, but with different wording. The original law *allowed* adverse possession *if* the land had been occupied for 20 years; the amended legislation *prohibited* adverse possession *unless* the land had been occupied for 20 years. Importantly, however, the amendment did not return the exemptions for state and highway land. As a result, instead of eliminating adverse possession against the government, the amended bill expanded it to include highways and other public land.

This was not the intended effect of the legislation. Its author Representative Handrick named it the Public Land Protection Act. He wrote a guest column in for the Wisconsin Counties Association magazine stating that the legislation “ends the ability of people to take public land through adverse possession.” The League supported the legislation as did other local government groups, including the Wisconsin Town’s Association, the Alliance of Cities, and the Wisconsin Counties Association.

Costs of compliance

We are in a difficult position. There are likely thousands of encroachments in the city of Madison alone. They range from a garden a few feet over the property line to a garage built on city right-of-way. The city does not monitor or catalog these, and, unless there is

a need, the city does not actively attempt to eject small encroachments. However, If the city does nothing, it runs the risk of relinquishing ownership of all of this land. If it wants to widen a road, for example, the city may be forced to purchase its own land from a citizen who has been illegally occupying it.

To prevent this, the city will be forced to survey all public lands and remove all encroachments. A rough estimate of the cost of this process runs over \$1 million. It will needlessly upset residents and spur litigation, and the surveying will have to be repeated every few years to guard against further encroachments. The clock began ticking in 1998, and, in 2018, all public lands face the potential claims of private ownership. A far simpler result would be to amend the law to conform to what most other states do.

I recommend that the committee recommend that the League seek corrective legislation addressing this issue.

To: Advisory Committee on Legislation
From: Curt Witynski, Assistant Director
Date: January 15, 2015
Re: Framework for Managing frozen Service Laterals

The Municipal Environmental Group – Water Division (MEG-Water) has proposed the attached Framework for Managing Frozen Service Laterals in the Future. The framework was developed in the aftermath of the 2013-2014 severe winter to better address the challenges water utilities face in dealing with frozen water mains. The framework sets forth what the water utility members of MEG-Water think is a fair and reasonable way to determine responsibility for paying for the cost of thawing frozen services.

The MEG Water framework conflicts with current law as interpreted by the PSC. The PSC's understanding of the law governing frozen water mains and laterals is set out below. This is taken from a memo prepared by PSC staff:

Wisconsin Admin. Code § PSC 185.52 requires that mains and laterals be placed at such depth or otherwise protected as will prevent freezing. If a freeze-up occurs in the main or utility-owned portion of the lateral, the utility is responsible for the expense of thawing its facilities. Individual customers may not be held responsible for the expense of thawing utility-owned laterals or mains.

If a freeze-up occurs in the customer-owned portion of a lateral, Wis. Admin. Code § PSC 185.88 specifies the situations when the utility is responsible for the expense of thawing the customer's portion of the lateral, and when the customer is responsible for the expense. This section provides that the utility is responsible for the expense of thawing the customer-owned portion of a lateral if it is the first thaw for the customer at the location, the lateral is electrically conductive, and the utility has not given notice to the customer to take corrective actions for a known condition (e.g., a notice that the customer should increase the lateral depth or provide insulation to prevent freezing). The utility is also responsible if the freeze-up is the direct result of a utility disconnection that occurred during a time when the freeze-up could be reasonably expected to occur.

Generally, customers should be provided with these "known condition" notices in the fall, so customers have time to take corrective actions to protect their laterals from freezing before the ground freezes. In order to ensure the notice is provided to the customer, utilities generally provide the notice in the form of a letter, door hanger, bill insert, documented phone call, or email. Media like radio, TV, newspapers and websites are unsuitable for this notice, as these forms of media would not address the specific known condition at an individual customer's property and may not even reach all the customers with known conditions.

Under Wis. Admin. Code § PSC 185.88, the customer is responsible for the expense of thawing a freeze-up in the customer's portion of the lateral if the customer's lateral is not electrically conductive, the customer neglected to provide or maintain proper

insulation or protection, the utility advises the customer of corrective measures to be taken and the customer does not follow the utility's advice, or if the utility disconnects for a dangerous condition.

During the previous winter, many utilities requested customers to run a stream of water to prevent mains and utility-owned laterals for freezing. In some cases, customers did not follow the utility's advice to run the water as requested. In these cases, the customer would be responsible for the expense of thawing the customer-owned portion of the lateral, however, the utility would remain responsible for the expense of thawing its facilities as this section does not permit the utility to shift the cost of thawing utility-owned facilities to individual customers.

League staff supports MEG Water's alternative approach to determining responsibility for the cost of thawing frozen water main and lateral services. MEG Water plans to seek a change in PSC rules and/or legislation adopting its proposed framework. I urge the committee to recommend that the League support MEG Water's efforts to change to state law in this area.

TO: Mr. Jeff Stone, DWCCA Administrator
Public Service Commission of Wisconsin

FROM: Lawrie Kobza, MEG-Water Legal Counsel

DATE: July 29, 2014

RE: Framework for Managing Frozen Service Laterals in the Future

The Municipal Environmental Group - Water Division (MEG - Water) is submitting to you this *Framework for Managing Frozen Service Laterals in the Future* in the hope that it can prompt further conversations regarding the revision of administrative rules applicable to frozen water laterals. The Framework proposed below is based on conversations with water utilities regarding their practices, and the challenges they face in dealing with frozen service laterals while providing high quality and affordable customer service to all customers. The Framework is intended to reflect conscientious, but realistic, utility practice which is fair to customers. MEG - Water would welcome the opportunity to discuss this Framework further with you.

FRAMEWORK FOR MANAGING FROZEN SERVICE LATERALS IN THE FUTURE

1. Each water utility is responsible for determining how to respond to frozen service laterals in a manner that is consistent with the utility's obligation to provide water service.
2. If a service lateral is frozen, a utility may meet its obligation to provide water service to a customer by providing or agreeing to provide the customer with service through an alternative water supply connection. A connection to a neighboring property is a type of alternative water supply connection.
3. It is not unreasonable for a utility to determine that it will not thaw frozen service laterals because of safety and/or risk issues. If a utility chooses to thaw or arrange for the thawing of frozen services a utility may select the method used to thaw frozen service laterals.
4. If a utility thaws or arranges for the thawing of a frozen service lateral, the cost of the thawing shall be borne by the utility unless (a) the utility has determined that only the customer side of the service lateral is frozen; or (b) the utility has provided the customer, occupant or owner with a run water directive to prevent freezing.
5. If a utility thaws or arranges for the thawing of a frozen service lateral, and the utility determines that only the customer side of the service lateral is frozen, the cost of the thawing shall be borne by the customer.

6. If a utility thaws or arranges for the thawing of a frozen service lateral, and the utility has provided the customer, occupant or owner with a run water directive to prevent freezing, the cost of the thawing shall be borne by the customer regardless of whether the utility-side or customer side of the service lateral is frozen.
7. A utility may provide a run water directive on an individual customer basis, an area-wide basis, or a community-wide basis.
8. A run water directive shall be in a form and manner reasonably calculated to reach the affected customers. The form and manner used by the utility shall be designed to fit the specific situation using such methods as:
 - (1) Hand delivery of the notice to persons or properties served by the public water system;
 - (2) Mail;
 - (3) Appropriate broadcast media, such as radio and television;
 - (4) Electronic notification service; and
 - (5) Posting of the notice in conspicuous locations throughout the area served by the public water system.The directive shall include specific instructions on how to run water (i.e., how much water to run) to prevent freezing of the service lateral.
9. If a run water directive is issued, the utility shall not charge the customers directed to run water for the cost of the water (over and above normal water use) run to comply with the directive, unless either (a) the utility has notified the customer of a customer side deficiency in the customer's service lateral which makes the customer's service lateral susceptible to freezing; or (b) the utility has thawed the customer's service lateral and determined that only the customer side of the service lateral was frozen.
10. If a customer runs their water without receiving a directive from the utility to do so the customer is responsible for the costs of the water run.

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To: Advisory Committee on Legislation
From: Curt Witynski, Assistant Director
Date: January 15, 2015
Re: 911 Dispatch Centers; Police and Fire Protection Fee

We anticipate that the Wisconsin Counties Association and a coalition of telecommunication companies will seek to pass legislation similar to last session's SB 566. A copy of that bill is attached. SB 566 sought to eliminate the 75 cent police and fire protection fee levied on all phone bills and create a grant program for funding improvements to 911 systems. I've attached our memo in opposition to last session's SB 566. I recommend the League oppose similar legislation that we anticipate will be introduced this session.



2013 SENATE BILL 566

February 5, 2014 - Introduced by Senators LEIBHAM, GUDEx, L. TAYLOR, HARSDORE, LAZICH, LASSA, LEHMAN, TIFFANY and SCHULTZ, cosponsored by Representatives TITTL, SCHRAA, BERCEAU, BERNARD SCHABER, BIES, DOYLE, ENDSLEY, HINTZ, KAUFERT, KESTELL, KLEEFISCH, KOLSTE, KRUG, KULP, MURPHY, A. OTT, PETRYK, RIPP, SHANKLAND, SMITH, SWEARINGEN and WEATHERSTON. Referred to Committee on Government Operations, Public Works, and Telecommunications.

1 **AN ACT to repeal** 20.155 (3) (t), 20.835 (1) (r), 25.17 (1) (ku), 25.99, 77.54 (55),
2 196.025 (6), 256.35 (1) (d), 256.35 (3) (a) 3., 256.35 (3) (b), (c), (d), (e), (f), (g), (i)
3 and (j) and 256.35 (3m) (a) 2.; **to renumber** 256.35 (1) (a) and 256.35 (3) (a) 1.;
4 **to renumber and amend** 256.35 (3) (a) 2.; **to amend** 15.01 (4), 15.797 (title),
5 20.835 (1) (db), 25.50 (3) (b), 79.035 (1), 196.025 (6) (b), 196.202 (2), 196.203 (1g)
6 (a), 196.206 (1), 196.499 (1) (intro.), 196.50 (2) (j) 1. b., 256.35 (3) (title), 256.35
7 (3) (a) 4., 256.35 (3) (h) and 256.35 (4); and **to create** 15.797 (2), 16.9645 (2) (g),
8 20.155 (3) (h), 20.155 (3) (k), 256.35 (1) (am), 256.35 (1) (ct), 256.35 (1) (cw),
9 256.35 (1) (em), 256.35 (3) (a) 2m., 256.35 (3) (bm), 256.35 (3) (cm), 256.35 (3)
10 (dm), 256.35 (3) (em), 256.35 (3f), 256.35 (3h), 256.35 (3j) and 256.35 (12) of the
11 statutes; **relating to:** state 911 telecommunications services, police and fire

SENATE BILL 566

1 protection fee imposed on certain communications services, granting
2 rule-making authority, and making appropriations.

Analysis by the Legislative Reference Bureau

This bill does all of the following: 1) eliminates the police and fire protection fee; 2) requires statewide funding for a 911 emergency telecommunications system; 3) requires the Public Service Commission (PSC) to contract for such a system and reimburse communications providers for related costs; 4) allows the PSC to make grants to public safety agencies for improving 911 service; 5) creates a state 911 council; and 6) includes other provisions related to the foregoing.

Police and fire protection fee. Under current law, a provider of active retail voice communications service must impose a monthly fee of 75 cents on each communications service connection with an assigned telephone number. However, for a prepaid wireless plan, a provider or a retailer must impose a one-time fee of 38 cents, instead of the 75 cents monthly fee. Current law allows a provider or retailer to separately list the fee on customer bills. If separately listed, the provider or retailer must identify the fee as “police and fire protection fee.” The provider or retailer must remit the fees to the PSC, except that the PSC may contract with the Department of Revenue (DOR) to collect the fees for prepaid wireless plans. The PSC and DOR must deposit the fees in the police and fire protection fund, which is used to make shared revenue payments to counties, towns, villages, and cities.

The bill eliminates the requirement to impose the above fees. The bill also eliminates the police and fire protection fund and the shared revenue payments made from that fund. The foregoing changes, as well as the rest of the bill, take effect on July 1, 2014, or the day after the bill’s publication, whichever is later. The bill also allows providers and retailers to indicate on bills that the fees will not be collected after that date.

Statewide 911 funding. Current law allows a county to levy charges on telecommunications service users to finance costs related to a 911 emergency telecommunications system, if certain requirements are satisfied. One of the requirements is that a county must enter into contracts with telecommunications utilities to establish such a system. Also, the telecommunications utilities must include the charges in their regular billing to service users. Current law imposes limits on the amounts of the charges, which are based, in part, on a county’s population.

This bill eliminates a county’s authority to levy the above charges and enter into the above contracts. Instead, the bill generally requires that each communications provider in the state impose a monthly fee of 40 cents on each communications service connection, including those provided via a voice over Internet protocol (VOIP) connection. The bill defines “communications provider” as any person that provides a “communications service,” which the bill defines as an active voice or nonvoice communications service that is capable of accessing a “public safety answering point” (PSAP), which is a facility to which 911 calls are initially routed so that a public

SENATE BILL 566

safety agency may dispatch emergency service providers. The bill also requires communications providers and retailers to impose a fee of 20 cents on each retail transaction for a prepaid wireless plan.

Subject to certain limits, the bill allows the PSC to annually increase or decrease the above fees, but only if directed to do so by the state 911 council, which is created in this bill and discussed below. Also, the PSC may increase or decrease the above fees only with the approval of the governor and the only increases allowed under the bill are those that reflect adjustments to the U.S. consumer price index. In addition, increases are subject to the approval of the joint committee on finance.

The bill allows communications providers and retailers to identify the fee on bills as "state 911 fee." Communications providers and retailers must remit the fees they receive on a monthly basis to the PSC, except that the PSC may contract with DOR to collect the fees.

Contracts and reimbursements. The bill requires the PSC to contract for the establishment and maintenance of a statewide 911 telecommunications system by contracting with entities to perform selective routing services, manage updates to automatic location information databases, manage master street address guides, and perform other services. If a county has contracted under current law with a telecommunications utility for a system in the county, the telecommunications utility must continue to perform the duties specified in the contract until the date that the PSC determines that a statewide 911 telecommunications system has been established in that county pursuant to contracts entered into by the PSC under the bill. The PSC must reimburse the telecommunications utility for services related to the county contract.

The bill also requires the PSC to reimburse communications providers, which are defined as described above, for the commercially reasonable costs they incur to provide 911 telecommunications service. Communications providers must provide price schedules for 911 telecommunications services to the PSC, and the PSC must review the schedules to determine whether they are commercially reasonable.

The fees imposed by communications providers and retailers under the bill are used to fund the contracts entered into by the PSC for a statewide 911 telecommunications system. The fees are also used to fund the reimbursements described above. In addition, no more than 1 percent of the fees may be used for the PSC's administration of the contracts and reimbursements. If fees are received in excess of the amount needed for the foregoing purposes, the bill requires the PSC to use the excess to make grants to PSAPs, which are described below, and to provide administrative support to the state 911 council.

PSAP grants. The bill requires the PSC, under the direction of the state 911 council, to make grants to PSAPs for the improvement of 911 services. Only one PSAP in a county is eligible for the grants, and a county must pass a resolution specifying the eligible PSAP. The PSC must promulgate rules specifying the purposes of the grants, which may include advanced training of telecommunicators, equipment or software expenses, and incentives for consolidation of PSAPs, but may not include general PSAP overhead or staffing costs or costs for providing emergency services or emergency services equipment. The PSC must also promulgate rules

SENATE BILL 566

specifying criteria and procedures for the grants, including basic training and service standards that PSAPs must satisfy for grant eligibility. The PSC rules must also include measures ensuring the accountability of grant recipients.

State 911 council. This bill creates a 16-member state 911 council to advise and, in specified circumstances, direct the PSC regarding the PSC's duties under the bill. The council's duties include conducting a statewide 911 telecommunications system assessment, developing recommendations for service standards for PSAPs, establishing criteria for eligibility for PSAP grants under the PSC rules described above, promoting interoperability and consolidation of PSAPs, and seeking additional funding sources for 911 telecommunications purposes. The bill requires the council to perform its duties in a manner that is technologically and competitively neutral. The council must also submit a biennial report to the joint committee on finance on the grants awarded to PSAPs.

The governor appoints members to the council for 3-year terms. In making appointments, the governor must consider geographical diversity and representation of urban and rural interests. The council consists of the following: 1) one member recommended by an association of Wisconsin cities, villages, or towns; 2) one member recommended by an association of Wisconsin counties; 3) one member recommended by an association that promotes a universal emergency telephone number system; 4) one member recommended by an association of Wisconsin county sheriffs; 5) one member representing a wireless provider serving a national market; 6) one member representing a wireless provider serving a primarily regional market; 7) one member recommended by an association of public safety communications professionals; 8) two members recommended by an association of telecommunications providers, each of whom represents an incumbent local exchange carrier; 9) one member who represents a competitive local exchange carrier; 10) one member who represents a VOIP provider; 11) a police chief recommended by an association of Wisconsin police chiefs; 12) a fire chief recommended by an association of Wisconsin fire chiefs; 13) one member recommended by a Wisconsin association that promotes emergency management; 14) one member who represents a cable television or other video service provider; and 15) one member recommended by a Wisconsin association of emergency medical service providers.

Other provisions. The bill allows communications providers to designate information provided to the PSC as "proprietary information," which is defined as information that would aid competitors. If the PSC determines that information so designated is proprietary, then the information is not subject to inspection or copying under the state's open records law, except with the written consent of the communications provider. The bill also provides that any connection information of a subscriber obtained from a communications provider by a PSAP is not subject to inspection or copying under the state's open records law. In addition, the bill specifies that subscriber records disclosed by a communications provider to a PSAP for public safety purposes remain the property of the communications provider. The bill also allows a PSAP to access a subscriber record only when a call is placed to "911" from the subscriber's telephone.

SENATE BILL 566

The bill requires communications providers, PSAPs, and entities with whom the PSC contracts for a statewide 911 telecommunications system to take action to update master street address guides and automatic location identification databases within specified time periods.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 15.01 (4) of the statutes is amended to read:

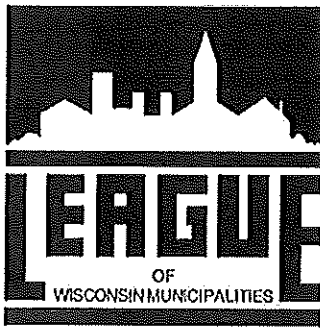
2 15.01 (4) "Council" means a part-time body appointed to function on a
3 continuing basis for the study, and recommendation of solutions and policy
4 alternatives, of the problems arising in a specified functional area of state
5 government, except the Milwaukee River revitalization council has the powers and
6 duties specified in s. 23.18, the council on physical disabilities has the powers and
7 duties specified in s. 46.29 (1) and (2), the state council on alcohol and other drug
8 abuse has the powers and duties specified in s. 14.24, and the electronic recording
9 council has the powers and duties specified in s. 706.25 (4), and the state 911 council
10 has the powers and duties specified in s. 256.35 (3) (cm) 1. and (3h) (b).

11 **SECTION 2.** 15.797 (title) of the statutes is amended to read:

12 **15.797 (title) Same; council councils.**

13 **SECTION 3.** 15.797 (2) of the statutes is created to read:

14 15.797 (2) STATE 911 COUNCIL. There is created a state 911 council, attached to
15 the public service commission under s. 15.03. When making appointments to the
16 council, the governor shall consider the geographical diversity of, and the
17 representation of urban and rural interests by, the membership of the council. The
18 council consists of the following members serving for staggered 3-year terms:



131 W. Wilson St., Suite 505
Madison, Wisconsin 53703

(608) 267-2380
(800) 991-5502
FAX: (608) 267-0645

e-mail: league@lwm-info.org
www.lwm-info.org

To: Senate Committee on Government Operations, Public Works, and
Telecommunications
Assembly Committee on Energy and Utilities

From: Curt Witynski, Assistant Director, League of Wisconsin Municipalities

Date: March 5, 2013

Re: SB 566/AB 779, 911 Systems; Eliminating the Police and Fire Protection Fee

The League of Wisconsin Municipalities opposes SB 566/AB 779 for the following reasons:

1. The bill eliminates the police and fire protection fee (P&FP fee). The League is concerned about the long term ramifications of eliminating this important source of revenue for the shared revenue program. Revenue from the P&FP fee currently helps fund the state's shared revenue program. In 2013, the P&FP fee funded approximately \$54 million of the \$753 million distributed to cities, villages, towns and counties through the shared revenue program. In other words, 7.2 percent of the program is funded by the P&FP.

The state shared revenue program is a key component of Wisconsin's state and local relationship. It is also an important part of the state's overall program of property tax relief. Unfortunately, during the last ten years funding for the program was reduced three times to address state fiscal difficulties. Shared revenue payments to cities and villages were cut by \$57.6 million in 2004, by \$23 million in 2010, and by \$48 million in 2012.

The League fears that converting the P&FP fee to a 911 surcharge will cause further reductions in shared revenue. Up-to-date 911 systems do Wisconsin no good if there are not enough police and fire fighters to be dispatched.

2. The bill establishes a PSAP grant program to make grants to PSAPs for the improvement of 911 services. Under the bill, however, only one PSAP per county is eligible for the grant and the County Board specifies which PSAP is eligible. As a result, numerous municipal PSAPs would not be eligible for the grants created by this bill. Even consolidated municipal dispatch centers, such as the consolidated dispatch center for the seven north shore communities and the North Shore Fire Department, would likely not be eligible for any PSAP grants. The bill would adversely impact fiscally responsible consolidations such as the Bayside Communications Center.

We urge you to vote against recommending passage of SB 566/AB 779. Thanks for considering our comments.

STRONG COMMUNITIES MAKE WISCONSIN WORK

To: Advisory Committee on Legislation
From: Curt Witynski, Assistant Director
Date: January 15, 2015
Re: Regulating Residency of Registered Sex Offenders

I've attached a letter and a resolution from the Village of Allouez supporting the enactment of uniform statewide legislation regulating the placement and residency restrictions on registered sex offenders. The League's current policy, based on the attached 2010 conference resolution, is to support local control on regulating the residency of registered sex offenders. In the past we have opposed legislation preempting municipal authority to regulate the residency of released sex offenders.

Not all of our members agree with our opposition to preemptive legislation. Over the years De Pere, Green Bay, Neenah, Milwaukee and other communities have expressed concerns about each community imposing different bans on locating released sex offenders within the community.

The question for the committee is should the League change its policy and support the approach advocated by the Village of Allouez, which is to seek uniform statewide rules governing the placement and residency of sex offenders released from prison.

Curt Witynski

From: Debbie Baenen <Debbie@villageofallouez.com>
Sent: Monday, September 22, 2014 9:17 AM
To: Jerry Deschane; Curt Witynski; Claire Silverman; Daniel Olson; Jean Staral; Sherry Lee; Mary Malone; Gail Sumi
Subject: Resolution - Residency of Registered Sex Offenders
Attachments: Res. 2014-15, Residency of Registered Sex Offenders.doc

The Village of Allouez passed the attached Resolution on September 2, 2014 and sent the letter below to the following as well asking for support:

Governor Walker, Village of Allouez Elected Representatives in the Senate and Assembly and Community Leaders,

Like most municipalities in Wisconsin, the Village of Allouez has been struggling with how to deal with an influx of Sexual Offenders into our community. This emotionally-charged issue has gotten so difficult to resolve that the Allouez Village Board recently passed an ordinance referring to residency restrictions, similar to the City of Milwaukee that significantly restricts where an offender can live. For several years, the Allouez Village Board took a more measured approach because they did not want overly strict guidelines on where the offenders could live as long as we knew where they were living. The Board was willing for Allouez to do its part in providing a place for offenders to live.

However, data regarding the number and type of offenders who are moving to Allouez, including some high-profile cases in which offenders who were not allowed in (or were expelled from) Green Bay took up residence in Allouez, suggested that inconsistencies in the ordinances between neighboring municipalities was having the effect of shuffling offenders from one municipality to the next.

The Allouez Village Board thus found itself in a situation in which action at the state level is not only warranted, it is long overdue.

Attached is the recent resolution the Allouez Village Board passed in hopes that other communities around the state would do the same.

The Allouez Village Board feels this is an issue that is too large and too complex at the local levels that our state leaders need to address it for the fairness of all communities in the State of Wisconsin.

We ask for your support in passing the attached resolution and forwarding your resolution onto your state representatives.

Thank you for your consideration.

Debbie Baenen, Clerk-Treasurer



1900 Libal Street

RESOLUTION NO. 2014-15

**SUPPORTING STATE LEGISLATION RELATING TO A UNIFORM
POLICY FOR THE RESIDENCY OF REGISTERED SEX OFFENDERS**

WHEREAS, individual municipalities within the state, including Allouez, have, over the past several years, struggled with the issue of sex offender residency restrictions within their municipalities;
and

WHEREAS, many municipalities have adopted residency restrictions leading to a patchwork of inconsistent municipal regulations and the disproportionate placement of sex offenders across the state;
and

WHEREAS, residency of registered sex offenders is a matter of statewide concern; and

WHEREAS, the Village believes the issue of statewide regulation of sex offender residency will promote public safety and benefit all Wisconsin residents by making uniform such residency requirements statewide thereby eliminating the municipal patchwork of different and conflicting regulations.

NOW THEREFORE, BE IT HEREBY RESOLVED THAT:

The Village Board of the Village of Allouez supports uniform statewide legislation of sex offender residency requirements.

BE IT FURTHER RESOLVED THAT:

The Village Clerk is directed to send a copy of this resolution to Governor Walker and to the Village's elected representatives in the Senate and Assembly.

The Village Clerk is further directed to send a copy of this resolution to all municipalities in Brown County with the request that each municipality approve its own resolution in support of statewide regulation of sex offender residency.

Dated this 2nd day of September, 2014.

APPROVED:

Steve VandenAvond, Village President

ATTEST:

Debra M. Baenen, Village Clerk

Ayes: _____

Nays: _____

League of Wisconsin Municipalities
Resolution No. 2010-1

**Opposing Legislation Prohibiting Municipalities from Enacting and
Enforcing Ordinances Regulating Placement or Residency of
Sex Offenders**

Whereas, legislation has been introduced in the past, such as 2009 Senate Bill 548, prohibiting municipalities from enacting ordinances regulating the placement or residency of sex offenders; and

Whereas; over 100 Wisconsin municipalities have adopted ordinances providing for local sex offender residency restrictions and/or establishing child safety zones; and

Whereas; legislation like 2009 Senate bill 548, would prohibit such municipalities from continuing to enforce their existing ordinances; and

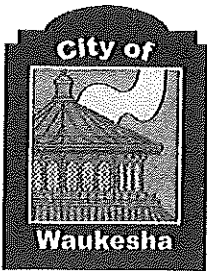
Whereas, the City of Franklin's sex offender residency restriction ordinance was reviewed and upheld by the Milwaukee County Circuit Court in 2007 against constitutional and preemption challenges; and

Whereas, each of Wisconsin's 593 municipalities is unique and should be able to provide for the health, safety and welfare of its citizens and children under broad home rule authority without interference from the state;

Now, Therefore, Be It Resolved, that the League of Wisconsin Municipalities in conference assembled on October 14, 2010, expresses its strong opposition to any legislative efforts seeking to prohibit or limit municipal powers to regulate the placement and residency of sex offenders.

Attest:

Dan Thompson, Executive Director



POLICE DEPARTMENT

1901 DELAFIELD STREET
WAUKESHA, WISCONSIN 53188-3672
TELEPHONE: (262) 524-3761 FAX: (262) 524-3914

RUSSELL P. JACK

Chief of Police

January 26, 2015

Board of Police and Fire Commissioners
City of Waukesha
Waukesha, WI 53188

RE: Captain Ron Oremus – FBI Academy

Dear Commissioners:

This is to inform the members of the Commission that Captain Ron Oremus has successfully graduated from the FBI National Academy in Quantico, Virginia. Its mission is “to support, promote, and enhance the personal and professional development of law enforcement leaders by preparing them for complex, dynamic, and contemporary challenges through innovative techniques, facilitating excellence in education and research, and forging partnerships throughout the world.”

Leaders and managers of state and local police, sheriffs’ departments, military police organizations, and federal law enforcement agencies attend this academy. Participation is by invitation only, through a nomination process. Participants are drawn from every state in the union, from U.S. territories, and from over 160 international partner nations.

Classes of some 250 officers take undergraduate and/or graduate college courses during an 11-week program. Courses include: law, behavioral science, forensic science, understanding terrorism/terrorist mindsets, leadership development, communication, and health/fitness. Officers participate in a wide range of leadership and specialized training, and they share ideas, techniques, and experiences with each other, creating lifelong partnerships that span state and national lines. Captain Oremus chose to take all graduate level courses with a concentration on leadership focused courses.

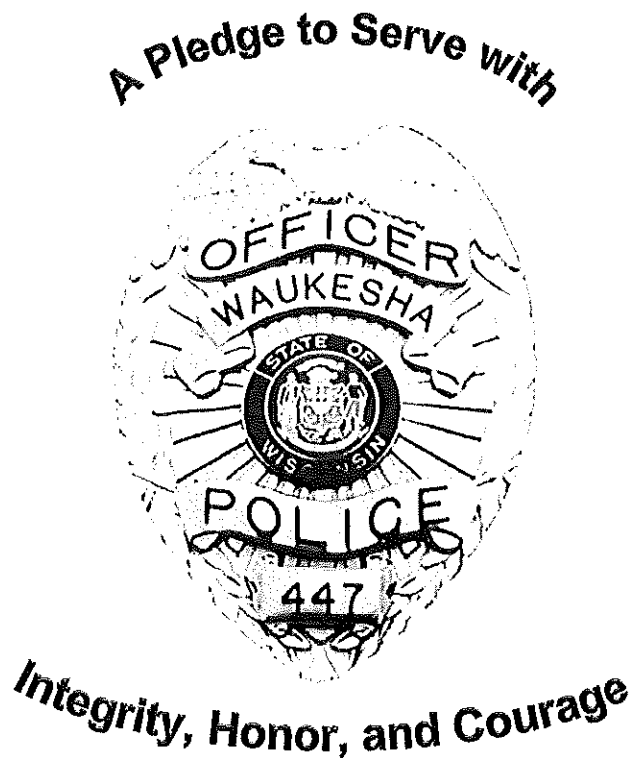
The “Yellow Brick Road” is the final (but optional) test of the fitness challenge. It consists of a 6.1-mile grueling run through a hilly, wooded trail built by the Marines. Along the way, the participants must climb over walls, run through creeks, jump through simulated windows, scale rock faces with ropes, crawl under barbed wire in muddy water, maneuver across a cargo net, and more. When (and if) the students complete this difficult test, they receive an actual yellow brick to memorialize their achievement. The course came to be known as the “Yellow Brick Road” years ago, after the Marines placed yellow bricks at various spots to show runners the way through the wooded trail. Captain Oremus successfully completed this challenge and received his “Yellow Brick” of success.

Sincerely,

RUSSELL P. JACK
CHIEF OF POLICE



Waukesha Police Department Mission Statement



Departmental Priorities

- SAFETY:** *Safety will always be our number one priority.*
- COMMUNICATION:** *We must all communicate openly, honestly, and respectfully.*
- TEAMWORK:** *We must actively work together while performing our mission.*
- ACCOUNTABILITY:** *This does not mean we will perform perfectly. However, we will work to correct mistakes, and eliminate them in the future.*