



WCMA

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WCMA NEWSLETTER

Spring 2011

WCMA Summer Professional Seminar

The WCMA Summer Conference will be held June 15-17 at the Wilderness Resort in Wisconsin Dells. An expanded number of concurrent sessions will be offered which is designed to try to provide something of interest to everyone. The conference will begin on Wednesday with a golf outing at Wild Rock Golf Course. If you are interested in playing golf, call Matt Schuenke at Whitefish Bay (414-962-6690) or send email to m.schuenke@wfbvillage.org. Wednesday evening will include an outdoor cookout, weather permitting.

Educational sessions at the conference include:

- Planning the Future from the Leadership Standpoint
- Public Pay in a New Age
- Fraud for the manager
- Mitigating Risk and Reducing Cost for Mobile Employees
- Effective Cost Management of your Telecom Expenses
- Personal Financial Planning for the Young Professional
- Dashboard for performance measurement and financial Analysis
- The Impact of the State Budget on Municipalities
- Is Consolidation in the Police & Fire Service Inevitable?

In addition to educational sessions, ample time will be allowed for family time, socializing and renewing acquaintances. To reserve a room at the Wilderness Resort, call the resort at 800-867-9453 and ask for the Wisconsin City Managers Association Block. The room rate is \$129.00/night for single or double occupancy rooms. For a two bedroom deluxe, the rate is \$169.00/night. Watch your email for the conference program and conference registration form.

Mark your calendar and plan to attend this conference.

Summer Seminar Registration Deadlines



Complete your registration form and send in your payment right away so you won't miss this great opportunity to achieve your professional development goals (ICMA recommends 40 hours of professional training per year), expand your knowledge base and socialize with your colleagues.

Make your room reservations with the Wilderness Resort by **May 16**, by calling the Wilderness directly at **800-867-9453** (ask for the Wisconsin City Managers Association block of rooms). The rooms are \$129/night single or double, and \$169/night for two bedroom deluxe. There is also a resort fee of \$9.95. Rooms will only be held until May 16, so make your reservations right away.

Conference registrations must be received by WCMA by **May 25**. There is a \$10.00 late charge after that date. Contact Ed Henschel at 414-303-4554 or email him at ehenschel@wcma-wi.org for late registrations.

There will be a \$50.00 non-refundable fee charged for conference registrations that are cancelled after June 1.



Comings & Goings

Joe Salitros has retired as the Delavan City Administrator, effective 5/23/2011.

Jim Gitz has been appointed the Administrator at the Town of Campbell.

Jamie Belongia left the Village of Howard to accept a position as Assistant to the Village Manager in Montgomery, Illinois

Mary Willett has left her position as administrator in Holmen.

Denise Pieroni, has accepted the position as City Administrator in Delavan. Denise previously served as the Barrington, IL, Administrator and Jefferson administrator.

Pat DeGrave has been appointed Village Manager of Whitefish Bay. He begins his duties in May.

Kim Manley left her position as the Cottage Grove Village Administrator to become the Finance Director in Columbus, WI.

Brett Klein left his position as the Hillsboro Village Administrator and has accepted the position as the Clinton City Administrator.

Adam Sonntag has been appointed the Hillsboro Village Administrator.

The City of Ripon chose **Lori Rich** as the new administrator. She has served as the interim administrator since mid-January and assistant to the city administrator since 2003.

Tony Chaldek resigned from his position as the Merrill City Administrator.

Congratulations and good luck to all who have been appointed to new positions. WCMA is a resource for you. Contact the Executive Director, your regional coordinator, or other members if you need ideas on how to handle problems or how to implement new policies. Also be sure to check out the Peer Assistance Resource Center (PARC) on the WCMA web site: <http://members.wcma-wi.org/members/kb/index.php>

We apologize for any omissions or errors. Please be sure to let us know of changes in employment, so we can update our records.

**Dunn County's Smith
Named NACA
President**

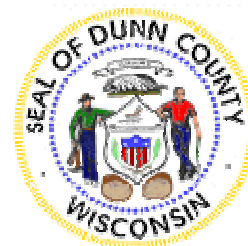
For the second time in his career Dunn County Manager Gene Smith has been selected to serve as the President of the National Association of County Administrators (NACA).

This time the term will be a relatively short one. With the announcement of Peoria County, Illinois County Administrator Patrick Urich's decision to accept the job of City Manager for the City of Peoria, Mr. Urich is unable to complete his two year term as president.

At their meeting held in conjunction with the Legislative Conference of the National Association of Counties the NACA Executive Committee acted to appoint Smith to complete the term which will end in July of this year. For even this short period of transition, Smith is looking forward to serving the almost 500 professional county administrative officers from across the county which makes up the core membership of the Association.

In related action the Committee appointed Mr. Peter Crichton, County Manager of Cumberland County Maine, as President-Elect, to succeed Smith after the annual meeting of the Association which to be held with the NACo annual meeting in July in Multnomah County, Oregon. Mr. Crichton will replace Michael Johnson, the Solano County, CA County Administrator, who has chosen to retire at end of April.

Smith has served as NACA President from July of 1999 through July of 2001. He was appointed to his Dunn County position in the spring of 2001. Later this year he will be recognized by the International City / County Management Association at their annual meeting to be held in Milwaukee, Wisconsin for 30 years of service to local governments and the communities they serve.



Dear WCMA Members:

It's just shy of six months when you'll be returning to Milwaukee for the 97th annual ICMA Conference. As you "talk it up" among your colleagues, refer them to a terrific article in the March 14th edition of the ICMA Newsletter – [Top Ten Reasons to Come to the ICMA Annual Conference in Milwaukee!](#) It's a great primer to a great city.



(http://webapps.icma.org/newsletter/dsp_selected_editorial_article.cfm?publication_id=37&publication_issue_id=676&nf_id=b76c17de-aeaa-4bf7-910e-e4342367d10b)

The Host Committee has finalized plans and prices for the social events. This is the most affordable conference ever, thanks to the generous donations of our many supporters. Here's a recap:

Saturday Evening Reception

A Night in Old Milwaukee - Milwaukee Public Museum
Saturday, Sept. 17, 5:30-7:30 p.m.

The **Milwaukee Public Museum** is one of the largest natural history museums in the United States. Take a small step back in time to the turn-of-the-century Streets of Old Milwaukee and European Village. Wander amid free-flying butterflies from around the world in the Puelicher Butterfly Wing, or visit a Costa Rican rainforest all in one evening. Strolling entertainers will perform and food stations featuring Milwaukee specialties like a "shot and a brat" and cuisines from around the world will be featured. **Tickets = \$20.**

Sunday Welcoming Reception

A Taste of Wisconsin – Frontier Airlines Center
Sunday, Sept. 18, 5 -7 p.m.

Tuesday Evening Events

Wet and Wild - Discovery World & the Harley Davidson Museum
Tuesday, Sept. 20, 6 – 11 p.m.

For **Tuesday**, one ticket gets you two attractions. That's right – simultaneous dinner receptions at **Discovery World** on the shores of Lake Michigan and the **Harley-Davidson Museum**, with shuttle busses available to get you between the two places. Have dinner at one place, dessert or a night cap at the other. **Tickets = \$25.** You can't afford *not* to go. Here's why... The evening provides an opportunity to visit two of Milwaukee's most unique attractions. Dive into the world of water at Discovery World located on the shores of beautiful Lake Michigan. Discovery World is an interactive science, technology and freshwater facility with aquariums, state of the art exhibits, Wisconsin's flagship historic lake schooner the S/V Dennis Sullivan, and the best views of the lake and city skyline in town.

Or... roar into the Harley-Davidson Museum where you will experience the freedom, camaraderie, and pride that Harley Davidson riders experience every time they fire up their machines. From the oldest Harley in existence to exhibits on how current bikes are designed and built with state of the art robotics, you'll see dynamic exhibits, interactive displays and hear some really cool stories.

Can't decide which to choose? Don't worry – you can experience both. Just select one location for a full dinner served from 6:15 -8:30 p.m., a traditional Wisconsin fish boil and fish fry at Discovery World or a barbecue at the Harley Davidson Museum. After dinner, hop a shuttle for a five minute ride to enjoy museum admission, dessert and entertainment at the other location. Shuttle buses will loop between the two locations from 8-10 p.m. Not ready to quit? Have a night cap and catch one of Milwaukee's hottest bands at the Harley Museum Garage open to party until 11p.m. with shuttle service back to the convention center until 11:30.

See you in Milwaukee!

Your Host Committee Co-chairs, Lee and Russ

THE UN-COMFORT ZONE with Robert Wilson

Deadlines Work

As I sit here writing this column against the deadline, I'm reminded of my days as a young advertising copywriter when I occasionally needed a deadline as motivation to finish a boring project. The deadline did more than motivate me to finish -- more often than not, it was what finally stimulated enough creative thinking to move me forward -- in other words, it motivated me to think outside of the box.

"Thinking outside of the box." Boy, has that phrase become overused. People are so often telling us that we need to think outside of the box that it has fallen into the realm of cliché. Never-the-less it is still true. Sometimes, however, we need to be put into a box first before we can think outside of it. A deadline is just such a box.

I used to believe that the more freedom I had, the more creative I could be. But it doesn't necessarily work that way. Ingenuity needs to be motivated by something, and if the desire to achieve isn't there, then an uncomfortable boundary may work.

Have you ever watched a man or a woman with one leg running a marathon or competing in downhill snow skiing? I have, and every time I'm deeply impressed because I have both of my legs and I can't do either one. I used to wonder why they were able to do so much more than me when I was the one born with the greater advantage. Now I can see that the difference is that they were challenged by a boundary and I wasn't. Some of them might even argue that they were the ones born with the greater advantage. Being unable to walk made them uncomfortable, and conquering their disability became a powerful motivating factor. They had to get out of that box!

Think of creativity as a prisoner trying to bust out of jail. When your resources and opportunities are limited you must become innovative. A good illustration of this is the World War II movie *The Great Escape*. It is an amazing tale of ingenuity. Men with little to work with escape from a German POW camp. In addition to digging three tunnels without shovels, they made hand drawn traveling documents and identification papers that looked authentic enough to pass for ones made on a printing press. Now that was a box to get out of!

I have enjoyed working for myself most of my adult life. People frequently tell me they wish they could be self-employed like I am. They say things like, "If I could just get one client then I could quit my job." My response is always the same, "Until you quit your job, you are never going to find that first client. There is nothing like the deadline of a rent or mortgage payment staring you down at the end of the month to motivate you to get out and look for clients."

Everyone works under some kind of deadline. They force us to prioritize our responsibilities; they limit procrastination; and they help us achieve our work related goals. But, we often lack them in our private lives. We are not given deadlines to accomplish our most important personal goals and without those boundaries procrastination can creep in and destroy our best intentions. The trick is to impose a deadline on yourself. But it has to have some teeth to work.

Here's how to do it: Write down your goal. Then set a reasonable date in which you can achieve it. Next, go to your bank or attorney and set up an escrow account. Now add the teeth — put into the account an amount of money that will hurt to lose: \$1,000... \$10,000... \$100,000... you decide! Set it up so that if you haven't achieved your goal by the deadline then the funds go to a favorite charity... or make it even more motivating: let the funds go to your worst enemy!

Not ready to try that? Then try the buddy system. Pair up with a friend and each of you take responsibility to follow up on the other one. You can get together once a week and check on each other's progress. If goals aren't being met, then nag each other into the UnComfort Zone!

Robert Evans Wilson, Jr. is an author, speaker and humorist. He works with companies that want to be more competitive and with people who want to think like innovators. For more information on Robert's programs please visit www.jumpstartyourmeeting.com.



ICMA Conference Supporters

As noted elsewhere in this Newsletter, the 97th ICMA Annual Conference in Milwaukee will be one of the most affordable conferences ever. This is due in large part to the generous donations of our corporate sponsors. They include:

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We thank them for supporting WCMA through their donations for the ICMA Conference.



WCMA Membership Roster

The 2011 WCMA Membership Roster is available on-line at www.wcma-wi.org. This is the key resource for staying in touch with your colleagues. If you would like a printed copy of the Roster, just send an email to Ed Henschel at ehenschel@wcma-wi.org requesting one and we will mail a copy to you. We would also like to take this opportunity to thank Paul Ziehler and the City of West Allis for printing the Rosters for WCMA.



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ICMA Public Management



Leaders at the Core of Better Communities

Council Job Description

Virtually every employee hired in the public sector from the most senior executive to the newest entry level individual has a job description. In essence it articulates what qualifications and characteristics the employee is expected to possess and what tasks they are expected to perform. Additionally most of these employees are also subject to various rules and regulations generally encapsulated in some sort of "personnel manual." This collection of policies describes acceptable and unacceptable behaviors, and articulates an evaluation process to allow for feedback on how the employee is complying and performing. This reality is so accepted we cannot envision utilizing even a part time worker without it.

Recognizing the value of this type of arrangement, top flight city councils across the country are debating and developing their own council job descriptions and operating policy manuals. These are always community specific and customized, and reflect the values of the elected officials on the council as well as the community that elected them. With values firmly and clearly articulated and acceptable and unacceptable behaviors delineated the council is free to focus on visioning and defining outcomes for the community.

Following extensive research in multiple board environments on 3 continents, Catherine Raso from Hamilton, Ontario, and Carol Gabanna from Charlottetown, Prince Edward Island, have distilled 8 common behaviors of these best practice city councils that serve as the basis for effective council governing manuals.

1. **Act on Behalf** – In this arena the Council examines who it is that they represent and how to best fulfill the expectations of these constituencies. A conversation about owners and customers and the difference in their issues (even when they are the same person) is very helpful to focus Council behavior.
2. **Know Their Job** – Representing owners on ownership matters allows Council to concentrate on the long-term and big picture items. Governing is not managing on a higher level, but rather directing the aim of the community.
3. **Set Targets** – By articulating outcomes (not methodologies) the elected officials say what they want, when they want it and how much money they are willing to spend to get it. Few folks would start a trip without some sense of the destination, the price they are willing to pay and the length of time they are willing to travel. Give a City Manager a clear target and they will hit it virtually every time.
4. **Identify Risk** – Every community and organization has a few key risk factors. What things would be fatal for the community or organization? If Council can articulate these then Staff can avoid them.
5. **Delegate the Work** – Great elected officials understand the incredible value of professional management. Empowering a city staff through a trained, talented City Manager by setting clear boundaries is the key to high performance by the organization's members.
6. **Assess Performance** – Is acceptable progress being made toward the targets? Is the Council operating as it has agreed? Has staff stayed within their boundaries? Regularly considering these questions allows midcourse correction and avoids upsets and crises.
7. **Practice Discipline** – Maintaining good governance is not easy. For city councils it is always tempting to dive into minutia or help solve a customer service issue. Only the Council can govern; they should do it with excellence.
8. **Report Back** – In this leadership loop the council develops, finds or expands opportunities to tell the community what the council heard, and what it did as a result and then asks for feedback.

Jim Hunt is a Past President of the National League of Cities and recently celebrated 25 years of being continuously elected. He says, "In my several years of traveling the country on behalf of NLC, I have seen some amazing cities. Upon examination, in virtually every case these cities are well served by elected officials who not only understand their critical role in the governance process, they have gone to the trouble of examining it in detail. They focus on the big picture and do what only they can do and delegate the rest to their management partner, generally a city manager or administrator." If your council has not yet developed its own job description and operational rules it is likely not operating at the highest level possible.

Who's the Boss?

A sales rep, an administration clerk, and the manager are walking to lunch when they find an antique oil lamp.

They rub it and a Genie comes out. The Genie says, 'I'll give each of you just one wish.'

'Me first! Me first!' says the admin clerk 'I want to be in the Bahamas , driving a speedboat, without a care in the world.' Puff! She's gone.

'Me next! Me next!' says the sales rep. 'I want to be in Hawaii , relaxing on the beach with my personal masseuse, an endless supply of Pina Coladas and the love of my life.' Puff! He's gone.

'OK, you're up,' the Genie says to the manager. The manager says, 'I want those two back in the office after lunch'

Moral of the story:
Always let your boss have the first say.




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Finding Budget Dollars in Tough Economic Times

By Joe Kitzinger

Most cities, villages, counties and towns are being tasked to do more with a smaller budget these days. With budget cutbacks, furloughs and layoffs, the bottom line is we are all being asked to do more with fewer budget dollars. But sometimes, there are budget dollars and savings to be had if you look in the right places. So when is the last time you looked at your monthly telecom and data expenditures?

Municipalities spend thousands or tens of thousands of dollars per month with vendors like AT&T, CenturyLink, Frontier Communications (formerly Verizon) or one of the many other local providers we have here in Wisconsin. These vendors deliver services that allow us to communicate effectively using today's needed technologies. The services these vendors provide include local service or phone lines (including Analog lines, Centrex lines, ISDN PRI's), long distance services, local calling plans, internet circuits, point-to-point circuits, private data lines, MPLS networks, cellular devices, Smartphones, Aircards and audio conferencing services, to name just a few.

For example, the Village of Germantown, achieved over \$36,000.00 in annual cost savings on their existing telecom and data services. And they did NOT have to switch vendors to obtain these savings. In the case of Village of Germantown, some of the monthly savings came from:

- Making sure the village was enrolled in the "right" vendor programs. Companies like AT&T and CenturyLink offer a number of state programs that allow public entities to take advantage of for cost savings. There are other "non-state-related programs" that can also save public entities money. Making sure you are enrolled in the correct vendor programs and getting all of the discounts that are outlined in your contracts can mean saving thousands of dollars annually.
- Replacing "old technology" with "new technology" for cost savings. In the case of Germantown, installing a more cost effective ISDN PRI at Village Hall allowed us to drop 48 phone lines and save hundreds of dollars per month.
- Getting rid of unused or unneeded "legacy" lines, circuits and services. Many times, older "legacy" circuits and services never get disconnected. These "legacy services" can include unused phone lines, unneeded features on phone lines, old alarm lines or unneeded circuits that connect two locations. Years ago, there was need to have many smaller analog circuits running between your police department, fire department, lift stations, water towers or cellular towers. In Germantown's case, many of these circuits and services were no longer needed. To reap the savings, however, you must tell your vendor to disconnect these services or you will still be billed for them - whether you use the circuit or not.
- Getting the village on the right local calling plans. Most of the calls that municipalities make are local — not long distance — calls. Most clients that I work with pay too much for local and extended community calls. More often than not, vendors like AT&T have their end users enrolled in more expensive local calling plans than they need to be.
- Getting a \$9,504.00 back-credit for overpayment of a circuit that the village had been "over-charged" for during the past 36 months. In Germantown's case the village had mistakenly been paying \$376.00 per month for a circuit that they should have been charged \$112.00 per month for. The \$264.00 per month overcharge for 3 years resulted in a \$9,504.00 refund to the village.
- Re-negotiating and lowering the village's internet circuit costs. Broadband internet services have continued to drop for the past 15 years. An expired internet contract that we renewed at current (and lower) market pricing resulted in savings for the village. If you have an older contract, you are paying too much for internet.
- Perhaps the best benefit to come out of the telecom audit was that the Village used a portion of the \$36,000.00 annual savings to purchase 6 new, smaller phone systems for Village Hall, DPW, Fire Station #1, Fire Station #2, the Public Library and the Senior Center.

These are just a few places to look at that can result in you finding hidden budget dollars for your county, village, city or town. Happy hunting! For further information, please contact K-Consult, LLC via email at joe@kitzconsult.com or call 262-527-9990 if you have any questions.

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Innovation Edge: Building a Platform of Social Efficacy and Pride

What do Hillsborough County, Florida and the Cities of Philadelphia, Pennsylvania and Wellington, Florida have in common? They share inspiring stories of transformation and creativity in improving the quality of life and safety of neighborhoods in their communities. These governments have significantly impacted their neighborhoods using collaboration and partnerships that has led to rapid implementation and the achievement of rapid results.

Hillsborough County, Florida

Using a Law Enforcement Liaison (LEL) Team, Hillsborough County formed a cohesive partnership between criminal justice and code



enforcement in October 2009. Using a Federal Recovery Act Justice Assistance Grant, the county formed the Law Enforcement Team, to save positions, strengthen anti-gang task force, assist law enforcement, and enhance the community's crime fighting toolbox at the same time. The LEL Team, consisting of five designated Code Enforcement investigators, is specially assigned to collaborate with authorities to eradicate conditions that contribute to neighborhood decline and proliferation of criminal activity. Their focus is on correcting code violations to create a safer environment in areas that have been determined by law enforcement to be at risk due to neglect and waning property conditions, with a focus on areas surrounding schools, playgrounds and other places where children congregate.

Through the grant, the program purchased much needed technology, including: high definition video cameras to document criminal activity, night vision goggles, Kevlar vests, binoculars, a projector for public education and digital cameras to document violations.



The reach of the LEL team has created programs including a foreclosure registry, pain management clinic, safer areas for education, fight to reduce crime, and gang activity programs. It is a win-win: code enforcement

efforts and resources are reinforced, law enforcement results are heightened and citizens gain a safer environment.

Philadelphia, Pennsylvania

Philadelphia's story is a tale of collaboration and partnership within the community. It is not a typical program whereby the city provides a



service, but rather a different model of working in partnership that is changing the mindset of how to do this work. The Public Service Areas initiative is a pilot program that the city has launched to bring a citizen-centric, coordinated approach to improving public safety in Philadelphia's high-crime neighborhoods. The Police Department has re-focused its geographically-based method of service delivery. Each Police District is divided into 2-3 Police Service Areas, each of which has a command structure dedicated to resolving crime and disorder issues in that particular neighborhood. To complement this policing strategy and improve government efficiency, the Managing Director's Office (the chief operating office for the City) has taken charge of coordinating the delivery of City services in areas plagued by chronic crime and disorder. This model significantly alters the way the City delivers services to its residents, specifically in areas of chronic crime and disorder problems that require a coordinated multi-agency response.

Three sources are used as a primary means of identifying and prioritizing problems: data, police officers familiar with public service areas, and engaging residents. The city engages residents in a conversation about what real issues their neighborhood is facing, and the community vision for where it should go. Residents, City agencies and other organizations develop action items that lead to a plan to achieve the

continued on next page...

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community's vision. Residents are at the center of the process and must buy into the project to sustain the change.

Philadelphia piloted this initiative in a community plagued with high crime rates, vacant homes and a significant portion of its population living below the poverty line. Residents perceived themselves as abandoned by government. Since the program's inception in February 2010, 85 parcels in the three-by-four block area have been cleaned, 180 instances of graffiti have been cleaned, 14 imminently dangerous buildings were destroyed, 10 vacant buildings were cleaned and sealed, and four community cleanups have occurred on blocks and alleyways. Also noteworthy is the reopening of a community pool, which 1,450 people visited in July 2010. Compared to the same time in 2009, between February and July 2010, Part I crimes in the pilot area decreased by 17%.

Success is also being measured on number of dangerous vacant properties, number of after-school programs available to children, access to health programs for seniors, number of residents involved in job training programs, and the increase in the capacity of community organizations to sustain positive change.

Wellington, Florida

Safe Neighborhoods was introduced as a new department



in Wellington a little over a year ago. The program is aimed towards revitalization and stabilization of the community, neighborhood by neighborhood. The goal is to increase property values, reduce crime, improve property maintenance, sustain uniqueness and engage residents through recreation, beautification projects and civic efforts. The team comprised of local government members, staff, community policing officers, code compliance officers and neighborhood advocates work together on a daily basis addressing challenges in the community. The ultimate goal is to improve infrastructure, reduce crime, create community cohesion, and provide families with solutions and better access to social services.

Advocates interact directly with residents by going door to door to assess the needs of the

community. Programs are then created based on the information obtained. Collaboration comes in the form of work with local businesses, both Chambers of Commerce and faith based groups to engage the community as a whole. Since the program began, many programs and activities have been created including neighborhood cleanups, block parties, foreclosure prevention services, a homeownership center, workforce housing initiative, InterFaith and an active citizen volunteer organization. They have reduced the crime trend within one year and have seen increased community involvement including:

- 25% Decrease in Crime Target Areas
- Community Crime Watch Meetings Held Continuously
- 75+ New Partnerships Created
- 915 Volunteers Coordinated into Action
- 56 Events and Community Block Parties Organized
- Programming for 1,642+ Youths/Teens
- Educational Seminars for 750+ Residents
- Transformation of High Crime/Poorly Maintained Neighborhoods

Conclusion

These three stories demonstrate that collaboration between government, residents, businesses and non-profit agencies do create real solutions while reigniting residents' community spirit. To learn more attend their session at the 2011 [Transforming Local Government Conference](http://www.tlgconference.org) (www.tlgconference.org) in Clearwater, Florida, June 1-3.

WCMA and the Alliance for Innovation are partnered in efforts to provide members of both organizations exposure to national innovations along with sharing the innovative initiatives and projects of Wisconsin's local governments.

The Alliance is a network of local governments driving innovation throughout their organizations. You can learn more about the Alliance for Innovation and or the new joint Alliance and ICMA Knowledge Network at www.transformgov.org or contact our interim Regional Director, Toni Shope at tshope@transformgov.org.

National Ethics Awareness Month

March is National Ethics Awareness Month! Local government managers are expected to help promote an ethical culture within their organization. ICMA has various resources available to assist in that goal:
<http://icma.org/en/icma/ethics>.

The ICMA Code of ethics is very important to review and consult. Adopted in 1924, the code provides a basis for standards of excellence within the profession. Below is a listing of the 12 tenets. More information about the ICMA Code of Ethics may be found at:
http://icma.org/en/icma/ethics/code_of_ethics.

Tenet 1

Be dedicated to the concepts of effective and democratic local government by responsible elected officials and believe that professional general management is essential to the achievement of this objective.

Tenet 2

Affirm the dignity and worth of the services rendered by government and maintain a constructive, creative, and practical attitude toward local government affairs and a deep sense of social responsibility as a trusted public servant

Tenet 3

Be dedicated to the highest ideals of honor and integrity in all public and personal relationships in order that the member may merit the respect and confidence of the elected officials, of other officials and employees, and of the public.

Tenet 4

Recognize that the chief function of local government at all times is to serve the best interests of all people.

Tenet 5

Submit policy proposals to elected officials; provide them with facts and advice on matters of policy as a basis for making decisions and setting community goals; and uphold and implement local government policies adopted by elected officials.

Tenet 6

Recognize that elected representatives of the people are entitled to the credit for the establishment of local government policies; responsibility for policy execution rests with the members.

Tenet 7

Refrain from all political activities which undermine public confidence in professional administrators. Refrain from participation in the election of the members of the employing legislative body.

Tenet 8

Make it a duty continually to improve the member's professional ability and to develop the competence of associates in the use of management techniques.

Tenet 9

Keep the community informed on local government affairs; encourage communication between the citizens and all local government officers; emphasize friendly and courteous service to the public; and seek to improve the quality and image of public service.

Tenet 10

Resist any encroachment on professional responsibilities, believing the member should be free to carry out official policies without interference, and handle each problem without discrimination on the basis of principle and justice.

Tenet 11

Handle all matters of personnel on the basis of merit so that fairness and impartiality govern a member's decisions, pertaining to appointments, pay adjustments, promotions, and discipline.

Tenet 12

Seek no favor; believe that personal aggrandizement or profit secured by confidential information or by misuse of public time is dishonest.



ICMA Ethics Resources

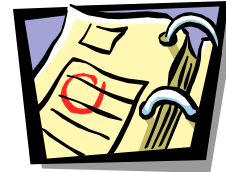
More resources about professional ethics can be found on the ICMA web site. There you will find additional advice columns, along with information on local government innovations and sample government documents, as well as reports, articles and ethics publications.

Promoting an ethical culture is a key leadership responsibility. Equity, transparency, honor, integrity, commitment, and stewardship are standards for excellence in democratic local governance. ICMA promotes ethical conduct through its Code of Ethics, training for local governments, publications on ethics issues, technical assistance, and advice to members. For more information about ICMA's Code of Ethics, its guidelines and enforcement process, and current issues and advice facing local government professionals, visit the Ethics Program section of www.icma.org.

The Code of Ethics was adopted by the ICMA membership in 1924, and most recently amended by the membership in May 1998. The Guidelines for the Code were adopted by the ICMA Executive Board in 1972, and most recently revised in September 2002. WCMA has adopted the ICMA Code of Ethics to apply to WCMA members, regardless of whether they are also members of ICMA.

Future Conference Dates

Mark your calendar now to attend the following WCMA conferences and other professional development opportunities:



June 15-17, 2011, WCMA Summer Conference, Wilderness Resort, Wisconsin Dells

September 18–21, 2011, ICMA's 97th Annual Conference, Milwaukee

March 2-4, 2012, WCMA Winter Conference, Plaza Hotel, Eau

- ◆ **LEARN NEW SKILLS**
- **MAKE NEW FRIENDS**
- **FIND OUT ABOUT NEW ISSUES**



ATTEND A PROFESSIONAL CONFERENCE!

Performance Management Resources Available

Have you ever wondered what other jurisdictions are doing with their performance data? Obtained from the applications of 2010 Certificate in Performance Measurement winners, the ICMA Center for Performance Measurement is proud to announce that examples in which CPM participants and other local governments have demonstrated effective application of performance measurement data are now available online (<http://links2.icma.org/CT00222604MTkxMTY5.HTML?D=2010-11-10>).



These helpful resource documents demonstrate how local governments have taken performance data into consideration when measuring progress against strategic plans and other goals (for the overall organization, departments, or individuals).

Information regarding ICMA's performance measurement certificate program, including the criteria and application can also be found online. Even if you feel your jurisdiction is not quite ready for such recognition, we encourage you to review the certificate criteria and use them as a guide to further improvements you can make to your performance measurement efforts in the year to come.

Please contact cpmmail@icma.org with any questions.

Mandatory Employee Contributions to WRS: What's a Governmental Employer to Do? (Hint: You May Need a Pick Up Resolution!)

As we wait for some sort of finality out of Madison relating to Wisconsin Act 10, some governmental employers are already faced with the prospect of imposing mandatory Wisconsin Retirement System (WRS) contributions upon employees, due to recently implemented collective bargaining agreements. Others are preparing for a day when Wisconsin Act 10 (or some similar legislation) requires mandatory employee contributions from non-union represented employees.

The Department of Employee Trust Funds (ETF), which administers WRS, has already made it clear that any contributions that come from the salary or wages of employees, such as the contributions mandated by Wisconsin Act 10, are made on an after-tax basis, meaning federal, state, Social Security, and Medicare taxes are applied first, and then the required contribution amount is remitted to WRS. The most recent ETF guidance is found at: http://etf.wi.gov/news/Budget_Repair_Bill_What_s_New.pdf.

ETF's analysis has led it to the conclusion that there is nothing currently in Wisconsin Act 10 that would make the mandated employee contributions pre-tax. However, ETF has also indicated that if state law were changed, it "may be a means to make the contributions pre-tax rather than post-tax." Further, ETF acknowledges that a local governmental employer "may be able to make the contributions pre-tax by developing a compensation agreement (as an example) between the employer and employees that complies with IRS criteria."

What's a governmental employer to do? What is the "IRS criteria" that has to be met in order for mandatory employee contributions to be made pre-tax rather than after-tax? To assist governmental employers with these questions, we offer the following Q&A's.

Why aren't these mandatory contributions pre-tax? Employees make pre-tax contributions to 401(k) plans all the time.

That's true, 401(k) plans do offer employees an option of contributing out of their salary/wages on a pre-tax basis. The problem is, the federal



tax code does not allow governmental employers to maintain 401(k) plans, and the WRS also does not (and arguably cannot) offer a 401(k) arrangement.

Isn't WRS designed to have employee contributions?

Yes, WRS and the Wisconsin statutes that implement WRS do refer to employee contributions. This was true even before Wisconsin Act 10. However, in the vast majority of cases, employers (through bargaining or otherwise) have agreed to "pick up" these contributions by actually paying the contributions for the employees. This is allowed under the WRS and IRS rules. In the case where the employee is actually making the employee contributions out of his/her salary or wages, these contributions are made on an after-tax basis, unless the employer has adopted a "pick up" resolution, addressed in an upcoming question.

What is the impact on the employee of the after-tax contributions?

The impact on the employee is the federal and state taxes which the employee has to pay first, to arrive at the mandatory WRS contribution. For a single employee with a salary of \$50,000, the mandatory employee contribution at 5.8% would be \$2,900. Just looking at the federal taxes, assuming standard deductions and exemptions, in order to have \$2,900 to remit to WRS, the employee actually has to earn \$3,625, pay the federal taxes of \$725, and the rest is deducted and remitted to WRS. State taxes will obviously have an impact as well.

What is the "IRS criteria" that ETF refers to which would solve this problem?

There is a section of the federal Internal Revenue Code (Section 414(h)) that provides a governmental employer can designate employee contributions to a retirement plan as being "picked up" by the employer, with the result being the contributions are treated as though paid by the employer for tax purposes. Combining that with the general rule that employer-paid contributions to a retirement plan are not taxable to the employee until the benefits are actually paid, this means that employer pick-up contributions are not taxable for federal (and Wis-

consin) income tax purposes.

Hasn't my governmental unit been "picking up" these contributions all along?

Yes, in the sense that someone says they will "pick up" the dinner check at a restaurant. And, unbeknownst to many employers, they have also been "picking up" employee contributions for tax purposes as well. Since WRS currently provides for employee and employer contributions, and historically the employer has been paying both, arguably the IRS all along could have taken the position that the employees were foregoing salary increases in exchange for the employer picking up the WRS contributions. The IRS is in the habit of taxing foregone salary because the IRS sees the employee as having received the salary and then purchasing the retirement contribution. It is only through the grace of IRS Code Section 414(h) that the employer's pick up of the employee's contribution is treated as non-taxable, whether the employer is truly paying the employee's portion, or just designating the employee's payment as having been paid by the employer under Code Section 414(h).

ETF says that the state could take care of this problem through a change in state law - is that true?

Yes, at the state level (through an amendment to the state statutes which govern WRS), the favorable tax treatment provided by Code Section 414(h) could be taken advantage of by all governmental employees who will be required to pay the mandatory employee contributions to WRS. However, Wisconsin Act 10 does not include the "magic" language at present.

Can we adopt this "magic" language and convert our employee's after-tax contributions to pre-tax contributions?

Unfortunately, there is no specific IRS ruling directly on point that provides a clear, definitive path to treatment of WRS mandatory employee contributions as pre-tax rather than after-tax contributions. The IRS in 2006 issued a Revenue Ruling to a governmental employer (not a Wisconsin governmental employer) that has a similar fact pattern (state retirement system with mandatory employee contributions) and that allowed the governmental employer to adopt a resolution which specified that the employee contributions, although paid by the employer, were to be considered "pick up" contributions under Code Section 414(h). In order for this tax treatment to occur, the employer had to formally

adopt a written resolution designating the contributions as being picked up by the employer, and the employees could not have the option to opt out of the "pick up" or to receive the contributed amounts directly (i.e. in cash).

In light of ETF's acknowledgement that governments at the local government level could, after consultation with legal counsel, implement a program that satisfies the IRS criteria, we are advising our clients that short of requesting an IRS ruling, a local governmental employer could adopt a resolution (a "pick up resolution") that satisfies the criteria set forth in the 2006 IRS Revenue Ruling, and take the position that the mandated employee contributions to WRS can be made on a pre-tax basis.

What about Social Security and Medicare taxes?

IRS rulings make it clear that assuming the Code Section 414(h) "pick up" treatment applies, any contributions made out of the employee's salary or wages pursuant to a salary reduction agreement are subject to Social Security and Medicare taxes. Therefore, if the contributions are intended to be subject to Social Security and Medicare taxes (and therefore be used in determining those benefits), there should be a salary reduction agreement in place with the employee. We recommend a written agreement between the employer and the employee.

Can we get an IRS ruling that would apply to us?

Yes, but rulings can take up to a year. In the meantime we recommend the use of the "pick up" resolution discussed above.

What impact does this have on the employer?

Other than the cost of ensuring the employer's payroll system can accommodate the pre-tax contributions (frankly it is possible that accommodating after-tax contributions can be more problematic), there is no additional cost (in the form of additional taxes) to the employer.

When does this resolution need to be adopted, and how?

The 2006 IRS Revenue Ruling requires the resolution be a formal action, by a person duly authorized to take such action with respect to the employing unit (presumably the governing body), and that the action can only apply pro-

spectively (meaning it can only apply to compensation for services rendered after the date of the action). This means the resolution must be adopted before the beginning of the first pay period for which employee contributions are going to be deducted in order to be effective for that pay period. If the resolution is not adopted timely for that pay period, then the Code Section 414(h) tax treatment will not be effective until the next pay period.

What happens if the challenges to Wisconsin Act 10 are successful, and mandatory employee contributions are not required?

The resolution we would recommend would only be "triggered" if an employee is required to make a mandatory employee contribution by salary reduction to WRS. If mandatory employee contributions are never required, then the resolution is never implemented.

Anything involving the IRS and taxes makes me nervous. How can I make sure we've adopted the "magic" language?

Fortunately, we have attorneys within the Local Government & School District Focus Team who face IRS issues which impact employers on an everyday basis. We are ready to assist local governmental employers with drafting the necessary resolutions to implement a "pick up" contribution tax regime.

Please feel free to [e-mail Mary Ellen Schill \(meschill@ruderware.com\)](mailto:meschill@ruderware.com) the author of this alert or contact her at 715-845-4336, or any of the attorneys in the Local Government & School District Focus Team of Ruder Ware: Dean Dietrich, Jeff Jones, Chris Toner, Steve Lipowski, Randi Osberg, or Ron Rutlin if you have questions in regard to this update.

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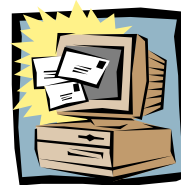
WCMA Contact Information



Do you have a question about your membership in WCMA? Are you looking for help with a sensitive municipal issue? Do you know of a municipality that is considering creating an administrator or manager position? Do you have an idea for improving WCMA?

Contact WCMA Executive Director Ed Henschel with your questions, comments or ideas:

Ed Henschel
WCMA Executive Director
3919 Oakmont Trail
Waukesha, WI 53188
414-303-4554
ehenschel@wcma-wi.org
www.wcma-wi.org




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UW-Madison Continuing Studies offers the PWMI and PWSA in cooperation with UW-Madison Engineering Professional Development and the WI Chapter – American Public Works Association (APWA). The Public Works Supervisory Academy (**PWSA**) is a nine-class basic management program for lead workers and first- and second-line supervisors. The Public Works Management Institute (**PWMI**) provides six advanced management classes for public works managers and leaders. Benefits include learning skills you can use at work, connecting with others in public works departments, and preparing for future job opportunities and challenges. Here are some upcoming opportunities:



CONTINUING STUDIES
University of Wisconsin–Madison

May 11 – Improving Communication Skills for Managers—PWSA (Instructor: Annette Miller)
Learn how to write basic business correspondence, such as work orders, memos, business letters, and work plans. Verbal and written participation is encouraged.

June 8 – Management Assessment—PWSA (Instructor: Robbi Dreifuerst)
Self-awareness is the cornerstone of great management. Through a series of self-assessments completed before class, you learn how your own style and needs compare with other public managers' and with your agency goals. You discover strategies to build on your identified strengths and address possible limitations. You must register by May 26 so that you can complete self-assessments before class. We use class time for analysis and discussion.

For a complete class listing visit us online: www.dcs.wisc.edu/pda/public-mgmt or contact Bonnie Schmidt, UW-Madison Continuing Studies, bschmidt@dcs.wisc.edu, 608-890-2102

Cost: \$155/class covers instruction, materials, and 0.6 CEU. Register for two or more classes at once for \$120/class (save \$35/class). Municipalities/agencies: send two or more participants to one class for \$120/person (save \$35/person).

Times: 8:30 am-3:30 pm, with a break for lunch on your own.

APWA reimbursement information: <http://wisconsin.apwa.net>

Public Works Management Certificates—you may enroll in individual classes without enrolling in the Academy or Institute. No academic experience is required to participate in either program.

Police, Fire and Public Safety Workshops and Class—Police and Fire Commission

Duties, powers, and responsibilities (8:30 AM - noon)

- May 24, 2011 – Brookfield; July 12, 2011 – Wausau

Selecting Police and Fire Personnel (1:00 PM - 4:30 PM)

- May 24, 2011 – Brookfield; July 12, 2011 – Wausau

These two workshops provide an overview of the duties and responsibilities of police and fire commissioners, and a careful review of what is required to ensure legal and effective selection procedures. These workshops are recommended for new and experienced commissioners as well as for police and fire command staff.

Measuring/Reporting Outcomes in Law Enforcement

- June 22, 2011 – Pyle Center, Madison

What gets measured gets done! By identifying desired outcomes, you can identify what to measure and focus more easily on desired outcomes. Learn how to build a step-by-step system for measuring outcomes; identify a comprehensive set of outcome measures; and define success. Effectively present outcome measurement data to your constituents. This class is recommended for police chiefs and sheriffs, assistant chiefs and chief deputies, command staff, police officers with management responsibilities, and others interested.

For information on upcoming classes, please contact Bonnie Schmidt at bschmidt@dcs.wisc.edu or by calling 608-890-2102. See also <http://www.dcs.wisc.edu/pda/public-safety/index.html>.

**WCMA/WAMCAM PROFESSIONAL SEMINAR
June 15-17
Wilderness Resort
Wisconsin Dells, WI
REGISTRATION**

Name as you would like it to appear on your name badge: _____

Title/Organization: _____ / _____

Address: _____

City/State/ZIP: _____

Day Phone (_____) _____

Conference Registration Fee – Please check the applicable item(s) and fill in the totals:

Wednesday Only – Dinner	\$25.00	\$
Wednesday/Thursday/Friday (includes all programs, meals and Cocktail Hour on Thursday; Dinner on your own) – Members*	\$200.00	\$
Wednesday/Thursday/Friday – Students all activities and events*	\$55.00	\$
Wednesday/Thursday/Friday – Life Members, Members in Transition, Spouses/Guests of Any Members*	\$55.00	\$
Thursday and Friday Only	\$150.00	\$
Non-WCMA Member Surcharge (Does not apply to students) (Join WCMA and save the \$50.00 surcharge)	\$50.00	\$
Grand Total		\$

*Registration fee includes Wednesday dinner, hot breakfast Thursday and Friday and lunch Thursday. Thursday dinner is on your own.

Please send registration form and payment by not later than May 25th to:

**Wisconsin City/County Management Association
3919 Oakmont Trail
Waukesha, WI 53188**

The registration deadline for the conference is May 25th. After that date, contact Ed Henschel at 414-303-4554 or email at ehenschel@wcma-wi.org. There will be a \$10 late registration fee for conference registrations made after **May 25th**.

To reserve a room, call the **Wilderness Resort at 800-867-9453**, and ask for the Wisconsin City Managers Association Block. Single or double occupancy rooms cost \$129/night. Two bedroom deluxe is \$169/night. There is also a \$9.95 resort fee. **Rooms will only be held until May 16th**, so make your reservations right away.

Conference Cancellations: There will be a **\$50.00 non-refundable fee** charged for conference registrations that are cancelled after June 1st.