



INTERGOVERNMENTAL
COOPERATION COUNCIL

Greenfield Mayor Michael Neitzke, Chair & Secretary, 7325 West Forest Home Avenue, Greenfield, WI 53220; (414) 329-5208
West Allis Mayor Dan Devine, Vice-Chair, 7525 West Greenfield Avenue, West Allis, WI 53214; (414) 302-8290
Glendale Mayor Bryan Kennedy, Treasurer, 5909 N. Milwaukee River Parkway, Glendale, WI 53209; (414) 228-1700

ICC Meeting Minutes
Monday, September 10, 2018; 1:10 p.m.
Indian Community School of Milwaukee
10405 W. St. Martin's Road
Franklin, WI 53132

Members Present:

Carl Krueger, Village of Brown Deer
John Hohenfeldt, City of Cudahy
Scott Botcher, Village of Fox Point
Steve Olson, City of Franklin
Bryan Kennedy, City of Glendale
Jim Birmingham, Village of Greendale
Michael Neitzke, City of Greenfield
Dan Besson, Village of Hales Corners
Mayor Barrett, City of Milwaukee
Chris Abele, Milwaukee County
Daniel Bukiewicz, City of Oak Creek
J. Stephen Anderson, Village of River Hills
Allison Rozek, Village of Shorewood
Erik Brooks, City of South Milwaukee
Kathy Ehley, City of Wauwatosa
Dan Devine, City of West Allis
Paul Boening, Village of Whitefish Bay

Excused:

Sam Dickman, Village of Bayside
Ken Tutaj, City of St. Francis
John Stalewski, Village of West Milwaukee

Guests Present: (per sign-in sheet)

Kevin Shafer, MMSD
Rachel Reiss, City of Glendale
Andy Pederson, Village of Bayside
Kevin Bruhn, Milwaukee County

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David DeAngelis, Village of Elm Grove
Todd Michaels, City of Greendale
Mark Luberda, City of Franklin
Adam Remington, City of Franklin
Glen Morrow, City of Franklin
Calli Berg, City of Franklin
Curt Witynski, League of WI Municipalities
Karen Sparapani, MADACC
Christine Westrich, Milwaukee County OEM
Jon Richards, Clean Wisconsin
Vanessa Llanas, Office of U.S. Senator Tammy Baldwin
Kimberly Montgomery, City of Milwaukee
Danielle Decker, City of Milwaukee
Paulina de Haan, City of Milwaukee
Scott Jansen, Employ Milwaukee

Mayor Neitzke called the Intergovernmental Cooperation Council of Milwaukee County (ICC) meeting to order at 1:28 p.m. A quorum was present.

I. Welcome to Franklin

Mayor Olson welcomed the members to Franklin. Mayor Olson stated he would like for everyone to take advantage of the facility and understand what a great community facility this is, which teaches our children of Indian descent their heritage and culture. Mayor Olson introduced Glen Morrow, City Engineer; Adam Remington, Fire Chief; Mark Luberda, City Administrator; Alderperson Kristen Wilhelm and John Nelson; Calli Berg, Economic Director.

Mayor Olson stated development has quietly been happening over the past three years, they have approved 830 new residential spaces to include apartments, condominiums, and single-family lots. There is also a new industrial park going up with a tenant and several new prospects coming that will also include a natural area in the middle of this industrial park.

Jason Dropik, Head of Indian Community School, provided information regarding the school. Mr. Dropik stated the folder provided has demographic information as it relates to the student population that exists, which zip codes students are coming from. The school provides transportation. The school services students of Native American descent, they just have to prove descent of any tribe. There

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are over 20 tribes represented currently. There are approximately 373 students currently with a cap of 400 students, K4 through 8th grade. There is quite a bit of wetland and outdoor learning opportunities, which is very important to the school culturally. There are three languages that are taught, all students are in a native language. The school was founded in 1969 by three mothers in their apartment through some exercising of treaty rights, which is how the school is funded. It was a bingo hall that was created and founded on trust land that the school had owned; then later turned into a casino; and now uses endowments to fund the school's operation. There is some federal funding for busing and food; there is no tuition and it is not a Choice or Charter school.

Mayor Olson stated the 8th graders will provide tours after the meeting.

II. Approval of the July 9, 2018 minutes

It was moved by Mayor Hohenfeldt seconded by Mayor Kennedy to approve the minutes.

The motion carried unanimously.

III. Presentation pertaining to the Dark Store campaign (Curt Witynski, Deputy Director, The League of Municipalities)

Mr. Witynski provided a presentation on the Dark Store. He stated that their association has been advocating for changes to state law affecting how commercial properties are assessed in our state. They are referred to as the Dark Store loopholes. They worked hard last legislative session to reintroduce two bills with legislatures and there are lots of co-sponsors and support but not able to pass those two bills to close the Dark Store loopholes. The main concern and motivation is the tax shift from commercial property owners big box retail to homeowners and other small businesses. Homeowners in Wisconsin already pay 68% - 70% of the statewide property tax levy and the thought is that is too much.

Mr. Witynski stated when they were unsuccessful in passing the legislation they went to the Board of Directors and asked if they should give up or try to double down on efforts and try to pass legislation the next session. The Board stated they would like to double down next session, which meant creating and soliciting funds for a public education campaign about Dark Store with the hope of forcing

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this issue to be discussed by people who were running for state office, both the governor and state legislatures during the fall campaign season. They solicited their members and still continue to do so. There have been 45 communities that have sent checks for this campaign totally in excess of \$93,000. The League is also dipping in to reserves. The goal was to create some discussion; the League went with a company that had the idea to put together a digital ad campaign. Mr. Witynski played a few video ads regarding the Dark Store.

Mayor Barrett stated this is the best thing he has seen the organization do by far and asked if this has caused any issues. Mr. Witynski stated they have not heard from Speaker who is the primary audience. He was opposed to having any type of referendum in Racine County and he was able to convince them to not have the referendum. However, it is occurring in Kenosha County and other communities throughout the State. There has not been much pushback yet.

Mayor Neitzke reminded the ICC members about the City of Greenfield being sued by Walmart regarding the value. Walmart thinks it is worth \$5 million; however, Greenfield identifies well over \$23-\$25 million of costs going in to the building. Mayor Neitzke stated he was recently interviewed in the Greenfield Now and also in Reuters out of New York.

Mr. Witynski stated there is a Legislative Council Study Committee that is meeting on this issue. They have had two meetings; the committee is made up of technical experts from both sides. They are continuing to engage with this committee chair. The committee chair and most of the legislatures are supportive of our perspective. There is not an expectation of a compromise to come from this. Mayor Barrett asked if he was not optimistic that something will come out or not optimistic about what will come out. Mr. Witynski stated that he was not optimistic that something will come out of this study committee effort and they anticipate they will proceed with the same authors who have committed to the legislation last session to introduce it this session. Mayor Barrett stated there are two issues, the Walgreens and Dark Store; how do you differentiate the chances, which one do you see as the clear path. Mr. Witynski stated Dark Store has always been easier and thinks there could be a compromise on Dark Store from WMC that would be satisfying. The real goal is Walgreens and other entities are beginning to use that theory Walgreens was successful, that is where the money is. That is where the real money lies, so the opposition is the strongest.

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Mayor Kennedy stated that West Allis had a referendum at 91% and Glendale is putting it on the November ballot. How many communities are putting this item on the November ballot. Mayor Neitzke stated that Greenfield was going to; however, decided to remove it because there is a different referendum.

President Krueger asked if Michigan passed a law to stop this. Mr. Witynski stated in Michigan one house of the legislature passed a law a session ago, but the senate did not; the action in Michigan is in the court system. Their supreme court sided with the municipalities and the assessors on this issues on the Dark Store; they do not have a Walgreens issue. The decision has been sent back to a lower court to look at all the facts and come up with a decision and that is what is pending.

County Executive Abele asked if there was any example that could be looked to or a precedent or any successful example to look at. County Executive Abele also stated the other point is that he agrees with Mayor Barrett is that explanation is the clearest explanation. He stated maybe they could do a letter or full page somewhere in the Journal, along with the letter a nice clear line “this is moving, the tax burden from empty buildings to your residence”, to show people this.

Mayor Ehley stated she did a two page article in a magazine that goes out to every household and heard from some people that they are communicating with their legislatures and feel like they have done this in the past and it has not done any good.

President Rozek stated they just got summons for the grocery store development that they spent \$38 million and they want their assessment down to \$17.5 plus \$2 million. President Rozek stated their lawyers feel that they should not say much and don't go public. Has anyone found any downfall in linking that video to a current lawsuit. Mayor Neitzke stated that Greenfield will be and Greenfield's attorney has not stated to keep quiet about it.

Mayor Olson stated Franklin is working on their budget and their growth leads to a \$148,000 potential increase in their levy. The exposure for lawsuits on the Dark Store is \$265,000. Mayor Olson said to President Rozek that she is the client and if she wants to do that, go do it.

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Mayor Brooks stated Representative Brooks at the League Chief Executive's conference seemed pretty optimistic that the next session this will get a long, hard look and something will get passed. He also brought up the idea of it being potentially tied to some version of assessor reform.

Scott Botcher stated the League is doing a remarkable job. For Fox Point, the exposure is de minimis, there is some, but the financial situation is different than others. Fox Point asked for a resolution and have contributed to the effort.

Mayor Barrett stated the two well-known products on the planet are Coca-Cola and McDonald's and they continue to advertise all the time. We held a press conference months ago on this and there was some coverage. This is a brand new hook for another press conference where we could bring together not only us, but elected representatives from Racine, Waukesha, and Ozaukee. We should go right back to another press conference and not expect to have the longer version played on the news, but the shorter version is enough and we continue the messaging. Another press hit and get some exposure.

President Anderson asked about the cost for a place such as River Hills. Mayor Neitzke point out that River Hills has the consolidated fire and health department and if the other partners are getting those costs shifted to them for providing the services that has some impact on the relationship between. President Anderson stated the point is that no one in River Hills recognizes that they are getting those hits from North Shore Fire Department and others. He is asking if there is a creditable cost for residential people. Mr. Witynski stated they struggle how they explain to rural communities that do not have a lot of property tax base that they are being impacted by this too through their school district or county taxes. He stated they need to come up with some way to explain that.

Mayor Devine stated West Allis deliberately did the referendum in August hoping it would become a campaign issue. If you are not doing a referendum in November in your community and you have contested elections, he is hoping that you can find a way whether it is through League of Women Voters or Chamber of Commerce that is doing candidate forms that you can try to get questions about this on the record. Mayor Devine did not want to do this just to have the results sent to delegation and nothing further.

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President Rozek stated they have 13,000 residents and over 4,000 on their Facebook site. Is the League putting out a post that can be shared with their community. Mr. Witynski stated he will send the link to the website that has all of the videos.

Mr. Botcher stated that part of this shift is not just residents, it is small businesses and asked if there was an organization of small business people that the League would network with regarding this issue. Mr. Witynski stated that there have been individual businesses show up at their press events, but there needs to be something.

Mayor Barrett asked if the October 8th meeting should include a 30 minute press conference ahead of time. There was some further discussion about the location and the elected officials will work on a location.

IV. Request for an ICC member on the Milwaukee County Land Information Council (MCLIC) per Wis. Stat. 59.72(3m) and County Board Res. File No. 16-104 (Christine Westrich, Director Office of Emergency Management and Kevin Bruhn, MCLIC Chair)

Kevin Bruhn introduced himself, he is from Land Information Council and also is the Chair. Mr. Bruhn stated this item is being brought forward to solicit a replacement for representation from the ICC. The bylaws and Charter of this Council was provided to the ICC members. Mayor Neitzke stated no one has ever provided a report on this item over that past 12 to 14 years so it may be helpful if this is done.

President Rozek volunteered for this Council.

It was moved by Mayor Neitzke seconded by Mayor Olson to approve the President Rozek for a member of the Milwaukee County Land Information Council.

The motion carried unanimously.

Mayor Neitzke requested for the Council to provide the ICC updates. Mr. Bruhn stated the Council meets twice a year.

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V. 2018 Annual Report of the Milwaukee County OASIS Public Safety Radio Subsystem (Christine Westrich, Director, Office of Emergency Management)

Christine Westrich stated the annual report was previously sent with the ICC agenda. Director Westrich explained the report, there are over 70 agencies that participate. She explained some of the milestones, in September 2017, the System Acceptance Milestone was achieved which was the beginning of the start of the maintenance agreement with Motorola. The agreement extended extensively for funding, it went from a \$250,000 contract with Motorola to approximately \$810,000 annually to maintain the digital radio system. In December 2017, the Final System Acceptance Milestone was achieved which was when the Motorola build-out ended. There are remaining funds in the capital project, approximately \$1.5 million is for encryption, bi-direction amplifiers to ensure there is better coverage throughout the County.

Director Westrich explained the Governance Board of Directors, Technical and Operations Committees and the newly created 911 Special Committee. She explained the capital build-out budget, there is approximately \$1.5 million remaining; approximately \$17.9 million was used for the entire project funded by Milwaukee County.

The report showed a breakdown of how many radios are on OASIS, there are approximately 4,400 radios currently.

The operating expenditure is approximately \$1.6 million. A significant expenditure of \$970,000 which is to pay the majority of the Motorola maintenance agreement, which is just over \$800,000. Director Westrich stated she just recently negotiated a \$40,000 discount on the Motorola contract in order to ensure the right level of service. This is a savings each year. The annual building and space rental is approximately \$250,000, which pays for the 10 leases and the ownership of five radio antenna towers; the most expensive is on the U.S. Bank for \$76,000 annually. The goal is to get that to \$1 annually by moving that antenna tower; however, that is yet to be determined.

Director Westrich showed an OASIS migration chart of the municipalities, Milwaukee County departments and other agencies.

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Director Westrich gave a special thanks to Steve Surwillo, who was a key leader on the OASIS project. There were two members on the Technical and Operations Committee lost over the past year, Wes Guajardo and Greg Reske, a special thanks and remembrance to these individuals.

President Rozek asked for an explanation in the gap in 10 years. Director Westrich stated the project cost of \$12 million and if the user fee collected based on \$4 per radio per month over the next 10 to 15 years; the cost of the radio per radio per month over the next 10 years only gets to \$1.6 million. However, the system that we have costs \$12 million. In 10 years we will have \$1.6 million to contribute towards a new system. Since technology is changing to rapidly, it would be expected that the landscape is going to look dramatically different in 10 years. President Rozek asked if \$4 was not enough or will the municipalities be paying for this. Director Westrich stated historically the County has paid for the build out of the new system but not suggesting the County will do that again. This is something that needs to be addressed and to raise the user fees is not her decision, it would be a decision of this council and would require a change and amendment to every contract. If the governance board elected to do this, it would be quite a disruption to raise that fund.

Mayor Neitzke stated it has been suggested that the build out would come from the municipalities who use the system not from the County which has traditionally funded it with levy dollars since levy dollars do not exist to pay for it.

Mayor Barrett asked about an article he saw from Houston regarding the communication system and the analog system; asked if everyone digital. Director Westrich stated she saw the article, right now the City of Milwaukee is on digital, not on P25, of the other 18 municipalities, the majority are on digital except for what was shown. By first quarter of 2019 all of Milwaukee County will be on a digital radio system, whether it is OASIS, the County or Open Sky. Mayor Barrett asked Paulina de Haan if she needed time to address this. Ms. de Haan stated the City of Milwaukee is not on the OASIS system, they are planning for the P25 transition phase 2. The OASIS transition is currently phase 1. The City of Milwaukee is coordinating what they can to coordinate for the future. They are getting the internal system for Firstnet for their emergency operations center. The question becomes the funding issue, what the State plans to do. The State is building out backbones for 911, it appropriated \$7 million, but it has been reported that it is going to cost \$12 - \$13 million and the State has not indicated

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where that other money is coming from. They do have an emergency communications office at the state level which is applying for 911 grant, the grant is due today for the Federal government. That would qualifying for \$2.9 million, which is not much.

VI. Update regarding improving communication, outreach and advocacy of ICC positions and issues including, but not limited to, retention of outside vendor(s) to assist with same (recurring item)

Mayor Neitzke suggested that if there is money available, communities may consider hiring the same company as the League without any duplication.

VII. Review the contracts of shared services between Milwaukee County and the municipalities (recurring item)

Mayor Devine shared a copy of a resolution West Allis passed. In summary the resolution states that West Allis opposes any attempts to change the ordinance until the governing board has a chance to make recommendations for the 911 system and has studied all the effects fiscal and other as to how it will affect each municipality.

Mayor Neitzke stated the second “whereas” is a big item “if a municipality opted to have the county continue being the primary answering point, there would be a fee that the municipality would incur”.

Director Westrich stated there are a few important points. If you are not in Franklin, the City of Milwaukee or the seven communities in the North Shore and you are on your cell phone and dial 911, the call will come to her office. The operator will ask the location of the emergency, if they say Greenfield, the operator will say “please hold” and they will be transferred. The estimation is about 45 seconds of additional call time or hold time for that caller. In Parkway, FL, the high school, the sheriff came out and publically said that 45 seconds cost lives of students in the high school. The same issue in Houston with the hurricane, the delay cost lives. Director Westrich stated knowing that we do that today, she is making every effort to change the way the calls are routed in Milwaukee County. The first step is changing the ordinance that says “all cell calls will be routed to Milwaukee County”, it actually says to the Sheriff. Director Westrich operates the dispatch center for the Sheriff, so it would be

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changed to the Office of Emergency Management (OEM). Part of that change would say by XX year, probably by 2020 or 2021, there will be a fee incurred if those calls continue to be routed to OEM and then transferred back to the originating municipality. Approximately 45% of her calls are municipal calls and not County Sheriff calls. That 45% equates to 8 people which is very expensive to maintain and is currently a free service. Given the budget and the budget cycle, it would not be reasonable and it would not be politically correct to begin charging immediately, which is why 2020 or more realistically 2021 for any type of fee to be incurred. What needs to happen before then, even if the laws change that does not change the system or technology, the municipality writes five letters to five carriers (Verizon, U.S. Cellular, Sprint, T-Mobile, and AT&T) and she can provide a template. The letter basically states “the municipality wishes to have our 911 cellular calls routed to our municipality for those that originate in our jurisdictional boundaries”. The carrier would execute, which takes approximately six to nine months. The concern is once this is executed, you will then start receiving all of your calls and may need to hire more staff members. If the call volume increases too much and need another 911 trunk line coming into the municipality, there may be cost to that and she is trying to find out the cost for that.

Mayor Ehley asked if drafts of this letter was sent to the Fire and Police Chiefs. Director Westrich stated the letter was sent and could also send it to the elected officials.

Mayor Brooks stated there was a discussion regarding OASIS at the board meeting about this issue and impacts on municipalities. Mayor Brooks asked what percentage of the calls are cellular. Director Westrich stated it varies, approximately 72% up to 86%. Mayor Brooks stated some of the calls get passed through and some do not; however, this is worthy of a lot of study because it potentially will put a lot of pressure on dispatch.

VIII. Discussion and decision(s) regarding pending legislation which may have an impact on the ICC communities

Kimberly Montgomery reported on the Air B&B’s, which is regulated by the State; however, no one is actually regulating them. Ms. Montgomery gets the impression from meetings that DATCP does not want to do this either. She stated that it sounds as though everyone has agent agreements with DATCP and we

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would need to appeal to them to amend Chapter 74 in order to regulate. Racine has implemented a program and the initial fees to license a short-term rental is approximately \$543 initially and \$250 annually for fees alone. There are some concerns whether small mom and pop renting out their homes will be renting at a loss. They will continue to bring information to ICC as they move forward.

Ms. Montgomery reported the FCC released a draft for the declaratory ruling and third report of small cell. Ms. Montgomery will forward the newsletter for distribution because there is a campaign, which the League is part of the campaign. They are asking for all municipalities to reach out to FCC before September 19th with opposition.

IX. Updates from the members of the ICC regarding subjects listed below:

1. MADACC

Ms. Sparapani provided the draft ordinances and the full board meeting October 16 at MADACC.

2. EMS (Mayor Hohenfeldt, Mayor Olson).

No report.

3. Lakefront Development Commission (President Krueger, Mayor Bukiewicz).

No report.

4. Community Development Block Grant (Ms. Toliver)

No report.

5. Land Information Council (Doug Seymour)

No report.

6. County Emergency Management & Communications (Director Westrich)

No report.

7. Metro Go/Regional Transit Leadership Council (Kerry Thomas/Mayor Ehley)

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Mayor Ehley stated they are in the process of hiring an Executive Director.

8. Heroin Task Force (Mayor Bukiewicz)

No report.

9. Employ Milwaukee (City of Milwaukee)

No report.

10. Legislative.

No report.

11. Roundtable Discussion

Mayor Ehley provided a pamphlet on the Police and Health Department for missing people with cognitive issues.

X. Items for Future Meetings

Mayor Neitzke stated the City of Greenfield has seven zip codes and would like a resolution to present to Congress to geofence the City so it states Greenfield and not Milwaukee.

X. Schedule Future Meeting

The October 8, 2018 ICC meeting will be held in the Village of Fox Point. Mayor Olson has volunteered to take the name plates to the October meeting.

X. Adjournment

It was moved by Mayor Olson, seconded by Mayor Devine, to adjourn the ICC meeting of September 10, 2018 at 3:07 p.m.

The motion carried unanimously.

Respectfully submitted by Mayor Neitzke

**Minutes are not official until formally approved by the ICC at the next scheduled meeting.*

Bayside - Brown Deer – Cudahy - Fox Point – Franklin – Glendale - Greendale
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Shorewood - South Milwaukee – Wauwatosa - West Allis - West Milwaukee - Whitefish Bay



INTERGOVERNMENTAL
COOPERATION COUNCIL

Greenfield Mayor Michael Neitzke, Chair & Secretary, 7325 West Forest Home Avenue, Greenfield, WI 53220; (414) 329-5208
West Allis Mayor Dan Devine, Vice-Chair, 7525 West Greenfield Avenue, West Allis, WI 53214; (414) 302-8290
Glendale Mayor Bryan Kennedy, Treasurer, 5909 N. Milwaukee River Parkway, Glendale, WI 53209; (414) 228-1700

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