



Legislation Details (With Text)

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**Title:** Substitute resolution expressing the City of Milwaukee’s support for maintaining local control over residency rules.

**Sponsors:** ALD. HINES JR., ALD. HAMILTON, ALD. WITKOWSKI, ALD. MURPHY, ALD. DAVIS, James N. Witkowiak, ALD. BAUMAN, ALD. WADE, ALD. ZIELINSKI, ALD. COGGS, ALD. KOVAC, ALD. PUENTE, ALD. BOHL, ALD. DUDZIK

**Indexes:** SOCIAL CONCERNS, STATE LEGISLATION

**Attachments:**

Date	Ver.	Action By	Action	Result	Tally
2/8/2011	0	COMMON COUNCIL	ASSIGNED TO		
2/28/2011	1	CITY CLERK	DRAFT SUBMITTED		
3/10/2011	1	JUDICIARY & LEGISLATION COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	5:0
3/23/2011	1	COMMON COUNCIL	ADOPTED	Pass	15:0
3/28/2011	1	MAYOR	SIGNED		

101310  
SUBSTITUTE 1

ALD. HINES, HAMILTON, WITKOWSKI, MURPHY, DAVIS, WITKOWIAK, BAUMAN, WADE, ZIELINSKI, COGGS, KOVAC, PUENTE, BOHL, AND DUDZIK

Substitute resolution expressing the City of Milwaukee’s support for maintaining local control over residency rules.

This resolution expresses the City of Milwaukee’s support for maintaining local control over employee residency rules. The resolution also directs the Intergovernmental Relations Division - Department of Administration to lobby for maintaining such control and the City’s authority to establish residency requirements for its employees, and urges all state legislators to support current municipal residency requirements.

Whereas, Under home rule granted to cities under the Wisconsin State Constitution and State Statutes, cities have the authority to govern themselves in local matters; and

Whereas, Local governments and school districts throughout the state are currently able to evaluate their own unique circumstances and concerns as they decide whether to require their employees to reside within municipal or district boundaries; and

Whereas, The issue of local residency is not a matter of state-wide concern but is instead clearly a local question that should be determined by local governments that are directly accountable to local voters; and

Whereas, Generally, residency requirements have been upheld and deemed to be constitutional by federal courts, provided the employing jurisdiction has demonstrated a “rational basis” for these provisions, with the “rational” interests including such things as employee availability for emergency calls, employees having a stake in the community for which they work, enhancing the tax base, improving community attitudes and cooperation, increasing loyalty to the community, etc.; and

Whereas, The City of Milwaukee has had a residency requirement for its employees since October 10, 1938, and this practice has not impeded the City’s efforts to attract quality applicants for City employment; and

Whereas, In 2010, the City received 5,922 applications for general City employment from applicants, 82% of whom were already City residents; and

Whereas, In the City’s most recent recruitment, the City received 5,711 applications for the position of Firefighter and 3,569 applications for the position of Police Officer; and

Whereas, The City Service Commission grants temporary residency waivers for hardship and has approved all 106 waiver requests over the past 10 years; and

Whereas, The Fire and Police Commission also accepts requests for temporary residency waivers and has approved 23 out of 25 such requests over the past 5 years; and

Whereas, Since 1997, the City has implemented a hardship waiver of the residency requirement for employees whose spouses are subject to residency requirements in other jurisdictions; and

Whereas, The Department of Public Works must be able to mobilize its staff in a timely manner to respond to winter weather events that jeopardize public safety; and

Whereas, Minimizing the City’s response time is critical to reducing personal injury, property damage and adverse economic and financial impact; and

Whereas, It currently takes 2.5 to 3 hours for all 90 of the City’s first responder salt truck drivers to report, load and be dispatched to their routes; and

Whereas, The Blizzard of 2011 on February 2, 2011, produced 20 inches of snow and 44 mph winds and required Department of Public Works plow drivers to take their trucks home in order to safely get back onto the streets during the storm; and

Whereas, Concerns regarding response time also apply to protective services staff needed for emergencies or homeland security events; and

Whereas, Having police and fire department personnel live in the City provides them with better knowledge of the challenges facing the City, increased understanding of neighborhoods and enhanced relationships with residents; and

Whereas, Residency requirements encourage City employees to provide better results for residents since City employees are interested in the success of City services; and

Whereas, Employees who live within City boundaries make innumerable contributions to the City's economy, culture and community-contributions that would vanish if the employees lived elsewhere; and

Whereas, The financial impacts of the out-migration of public employees on the City of Milwaukee would include depressed residential and commercial property values which would in turn erode the years of investment that City residents have made in their homes and businesses; and

Whereas, Over time the reduction in property values would likely decrease Milwaukee property tax receipts, diminishing the ability of the City to provide services and continue to pay family-supporting wages to the very City employees whose residency requirements are affected; and

Whereas, The current system, under which local governments evaluate local considerations in order to determine whether to establish local residency requirements, is the most appropriate way for local governmental policy to be established; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Common Council expresses support for maintaining local control over employee residency rules; and, be it

Further Resolved, That the Common Council expresses its grave concern about the devastating impacts that the elimination of such control could have on the City of Milwaukee, its homeowners and businesses; and, be it

Further Resolved, That the Intergovernmental Relations Division - Department of Administration is directed to lobby in support of maintaining local control over residency rules and the City's authority to establish residency requirements for its employees, and urges all state legislators to support current municipal residency requirements.

LRB125316-2  
Teodros W. Medhin/lp  
2/28/2011

Clerical correction made -- jro -- 03/09/11