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By thoughtfully planning public meetings, you can increase resident engagement.  PAGE 10

Digital Accessibility
Take these steps toward making your website and other digital content accessible to people with disabilities.  PAGE 28

SCADA UPGRADE
Protect City Utility Systems From Hackers  PAGE 8
Foundational Program

If you’re newly elected or just need a refresher, learn foundational skills and knowledge for running and governing your city — including basics of the Open Meeting Law, your responsibilities in the budgeting process, and how to effectively manage risk.

DATE & LOCATION:
Jan. 24-25
Plymouth

Advanced Program

For more experienced elected officials, learn how to make decisions in situations with an overwhelming amount of data — plus understand how to build public trust and transparency, and participate in a discussion with graduate students on what makes strong communities.

DATES & LOCATIONS:
Jan. 24-25
Plymouth
Feb. 28-29
Baxter

CREATE NEW CONNECTIONS!

Foundational and Advanced Program attendees will come together during joint sessions and networking time in Plymouth.

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Find out more: www.lmc.org/upcomingevents
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ON THE WEB
Check out Minnesota Cities online, where you can add to the discussion by posting your comments! Visit www.mncities.org.
Embracing the Value of Change

BY DAVID UNMACHT

The League of Minnesota Cities’ (LMC) mission and vision include three guiding principles: promoting excellence, meeting ongoing challenges, and providing premier services. With a proven track record over decades, these principles are intrinsic within our culture.

Grounded in our experience is the importance of change; being responsive and flexible is essential to our relevance. As cities change, we change with you. Along those lines, I want to tell you about a few changes happening at the League that will benefit our member cities.

New department
As I’ve shared before, the League has ramped up member engagement to ensure all city voices are heard and needs are addressed. In recognition of this, we recently combined the departments of Member Services and Communications to form a newly named Engagement and Learning Department.

In making this decision, we considered that the staff in these departments collaborate frequently to design and present trainings, research, and communications to our members. When fully implemented, this merger will seamlessly integrate staff functions to more effectively work on common responsibilities for programs and services important to our city officials.

Adult learning
Over the past few years, we have witnessed that training and technology tools continue to evolve. In response, we created a new position and hired Adriana Temali-Smith as the League’s first Education Manager. Adriana is an expert in adult learning — and we are intentionally applying adult learning principles to our educational offerings.

One product of Adriana’s expertise is our new podcast, The City Speak. This fall we opened our second full season of podcasts that provide short takes on city issues — on timely topics like legislative updates, as well as perennial content like budgeting. This is only one of the innovations that members will notice as we introduce new tools and methods to enhance your learning experiences.

Collaboration services
In the course of events, cities can experience conflict. Conflict is not bad; it’s how you deal with it that determines the impact on your city. To help with this, the League of Minnesota Cities Insurance Trust now offers personalized collaboration services, which is a one-of-a-kind program among state municipal leagues.

League personnel work with you to help your city council and staff work together, understand roles, and avoid conflict. Pam Whitmore, a qualified neutral and experienced facilitator, leads this effort and offers personalized workshops and facilitated discussions. And best of all, there is no charge to members for this service.

LMC office remodel
I conclude with two changes that will become more visible in the coming months. With careful planning, an ongoing capital improvement program, and clear goals, we will be remodeling our office space in 2020.

The centerpiece and most exciting aspect of our remodel will be space specifically designed to provide state-of-the-art working and meeting areas for city officials who visit the League building. The member space will be conveniently located on the first floor of our building. It will include modern office cubes, technology ports, and meeting rooms.

As a League member, you can use this space when you are attending LMC meetings and events, visiting the Capitol, or whenever city business brings you to St. Paul. We are in the design development stage of the space and anticipate construction in the first six months of 2020.

Budget and finance consulting
Members often tell us that budget and finance concerns keep them from “restfully sleeping at night.”

As you know, one of the League’s core functions is responding to your questions, and we field thousands of them each year. So, we thought we could put that core function and your need together to create a new service.

In recognition of what keeps you awake at night, we are ramping up our budget and finance consulting capacities to mirror the depth of service we already offer in areas like human resources, technology, and communications. To that end, we will be hiring a staff member in 2020 to assist cities with the all-important area of finance.

The strength of the League — our consistency and responsiveness — mirrors that of our members. Yet, within an ever-changing environment, it is critical that we (the League) and you (our members) maintain an engaged and active relationship. The changes outlined above demonstrate that we are listening carefully and doing our best to promote excellence, meet ongoing challenges, and provide premier services.

David Unmacht is executive director of the League of Minnesota Cities. Contact: dunmacht@lmc.org or (651) 281-1205.

ON THE WEB
Share comments about this topic at www.mncities.org. Click on “St. Paul to City Hall,” and post your comments below the story.
Try ‘Chat Benches’ to Build Community

Detective Sgt. Ashley Jones of the Avon and Somerset Police Department in England is credited with designating the first “chat bench” in a local park last summer to remove a barrier between two strangers who might enjoy some conversation. Jones got the idea after talking with a lonely senior who had fallen victim to a scammer, according to news reports. Now the cheap and easy concept is catching on as a way to build community and combat chronic loneliness that can lead to victimization.

How it works: find a bench in a popular public place. Put up a simple sign with a note that the bench is open to anyone willing to chat. Let your bench visitors take it from there to create moments of face-to-face connection that can brighten someone’s day. Read more about this in a Washington Post story at http://bit.ly/chatbench.

Minnesota Lawyer Honors LMC Attorney Irene Kao

Irene Kao, League of Minnesota Cities’ intergovernmental relations counsel, has been selected as one of Minnesota Lawyer’s Diversity and Inclusion honorees for 2019. Minnesota Lawyer worked with members of the Minnesota State Bar Association’s affinity groups to develop the criteria for individuals and organizations with a consistent track record in D&I advocacy and action. Among her qualifications, Kao is a leader and co-facilitator on the League’s race equity team and a past president of the Minnesota Asian Pacific American Bar Association. Kao in particular caught the judge’s eyes with her recent work developing a series of “judicial boot camps” to encourage more Asian Pacific Americans, especially women, to be judges.

Snow Pusher, Mood Lifter

Kids in Rosemount got to put their own artistic touch on a city service last fall when the Rosemount Youth Commission organized a “paint a plow” activity. The project occurred in September at one of the Rosemount City Council’s monthly Council in the Park events.

Young artists who stopped by were able to see a plow up close and personal, and put a colorful handprint on the plow blade’s face (hand wipes were provided, too!). Tor Berkeland, the public works staffer who will be driving the colorful plows this winter, was in attendance for the fun.

Hosting the art project was one of the 12-member Youth Commission’s goals for the year, according to City Administrator Logan Martin. Rosemount may be part of a trend — the City of Northfield and even the Minnesota Department of Transportation have recently bucked the plain plow look for a mid-winter mood lifter.

Irene Kao, center, is joined by co-workers Pat Beety, left, and Amber Eisenschken at Minnesota Lawyer’s Diversity and Inclusion event.

PHOTO COURTESY IRENE KAO

PHOTO COURTESY CITY OF ROSEMOUNT

PHOTO COURTESY CITY OF ROSEMOUNT
Scenes From the 2019 Regional Meetings

Minnesota city officials all over the state joined the conversation this fall at the League of Minnesota Cities (LMC) 2019 Regional Meetings. As always, these meetings offered city staff and elected officials an opportunity to talk with peers as well as with League staff and Board members.

On the agenda, guests from state agencies were on hand to discuss regional economic development issues and opportunities. The meetings also featured panel discussions of how staff and elected officials can support mental health in first responders. Police chiefs from Willmar, Chisholm, Sleepy Eye, East Grand Forks, Waite Park, Austin, Crystal, and Wadena were involved in these panel discussions.

Ready for the next opportunity to meet with colleagues from other cities? Save the date for the 2020 Elected Leaders Institutes, happening Jan. 24-25 in Plymouth (for newly elected and experienced officials) and Feb. 28-29 in Baxter (for experienced officials). League staff can also come to you! To invite us to your city, just drop a note to LMC Engagement Manager Heather Corcoran at hcorcoran@lmc.org.

Better by Design

The League’s building at the corner of Rice and University in St. Paul has been a home base for city officials visiting St. Paul since 1996. And since 1996 — when you were more likely to have a Nintendo Game Boy than a cell phone, and Google wasn’t a registered domain yet — a lot of things about how work and gathering spaces function has changed. This winter, the League is kicking off a remodel project that will create new and improved meeting rooms for members, as well as more flexible working space for staff. What can you expect? Easier access, tech-ready rooms, more availability, and safety-centered design, all in the same familiar building. Careful planning by the League’s governing boards means that there won’t be any debt incurred or any effect on member dues. We’ll be posting regular updates in the Cities Bulletin, so stay tuned.
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How Does Your City Coordinate Its GreenStep Cities Program?

MARY HOOLEY
GREENSTEP ADVISORY COMMITTEE MEMBER
SCANDIA (POPULATION 4,049)

Just over a decade ago, a citizen brought the Minnesota GreenStep Cities program idea to the Scandia City Council. GreenStep Cities is a voluntary program that helps cities meet their sustainability goals. Though it was slow to take hold, the Council authorized the city to participate in the program in May 2014.

Volunteer involvement
Our support for GreenStep policies and environmental improvements has advanced significantly since 2014. Much of this momentum can be attributed to volunteers.

GreenStep principles are now an even stronger part of our City Council’s decision-making process, thanks in part to the support of our current mayor, Christine Maefsky, who took office in 2017. Mayor Maefsky’s involvement has been a critical part of energizing the community’s efforts, but volunteers remain an essential part of the program.

Establishing a committee
A small group of citizens came together to form Scandia’s GreenStep Advisory Committee to continue the city’s sustainability efforts. This group implemented and documented the needed best practices, as outlined by the program.

One of the most influential activities of the committee has been a speaker series offered to the public at no cost with community partners like the Friends of Scandia Parks and Trails and the neighboring Marine Community Library.

Topics have included providing education on recycling issues, building resiliency to climate change, and identifying ways community members can be better stewards of our climate. There has been a great deal of interest in these events, with some attracting as many as 150 attendees.

We are also proud of other projects, which include providing maps of the city’s bike trails, approving a city policy of purchasing sustainably produced products when possible, and adopting a solar farm and garden ordinance. Scandia achieved Step 2 in May 2018, and Step 3 in May 2019.

Benefits to the city
The GreenStep Cities program has been very beneficial to Scandia. It has helped the city reduce its environmental impact while saving money. It has also helped us educate the public about sustainability concerns and possible solutions. The program has provided great tools that help us as we seek to address the challenges of climate change.

PATTY NORGAARD
EDA COMMISSION MEMBER
CROSSLAKE (POPULATION 2,250)

Crosslake, located on the Whitefish Chain of Lakes in west central Minnesota, is just beginning its third year of membership in the Minnesota GreenStep Cities initiative. Although we’ve only been involved a short time, we have worked diligently to follow the best practices as outlined by the program.

Collaborative effort
In our small community, we are fortunate to have the Crosslake Economic Development Authority (EDA) administer our GreenStep Cities program, while keeping it relevant to us and keeping the community informed. This is helpful because our city staff does not have the capacity to do it.

Along with the EDA, we also have a large group of volunteers that includes city and county staff and a community team called the Crosslakers. The Crosslake EDA, the Crosslakers, and the Water Quality Group meet monthly or more if needed. This brings continuity, support, and energy to our projects.

For example, the Water Quality Group has begun a project to address stormwater runoff that flows directly into the Whitefish Chain. This is a collaborative effort of the city, county, and Whitefish Area Property Owners Association.

Crosslake achieved Step 2 in the GreenStep program with its initial stormwater runoff project. Next will be a larger stormwater runoff project that will divert six runoffs. Once this initiative is completed, we will achieve Step 3.

Eye to the future
Our city is in a season of change, so we look at the future generations and what is going to appeal to them. We know our new audience is concerned about sustainability.

And since Crosslake is on the Whitefish Chain of Lakes, our focus must be on the environment, which includes water quality, climate change, and forest management — all working to sustain an economic vitality in our community.

Helpful guidance
The 29 best practices of the GreenStep Cities program provide the guidance we need. We try to apply the best practices in a way that makes sense to our community and makes us all more environmentally aware. The GreenStep program gives us the tools to accomplish what we consider important in Crosslake.

Learn more about the Minnesota GreenStep Cities program at https://greenstep.pca.state.mn.us.
A round Minnesota, a potentially big problem lurks in computer systems linked to a basic but critical city function: providing sewer service, clean drinking water, and other utilities to residents.

On Jan. 14, Microsoft will stop supporting Windows 7, the computer platform that many cities use to run software that monitors and controls public works functions such as operation of lift stations, well pumping, water storage levels, electricity, and other utility services. Unless cities upgrade their technology, they could be open to malicious activity like hacking.

“As cities have automated, they’ve started to use their ability to get on the internet and connect everything,” says League of Minnesota Cities Chief Information Officer Melissa Reeder. “Public works manages these systems day and night, and it’s great to monitor them wherever you are. But you do have exposure to the outside world, and the possibility of hacking.”

A very real threat
While the chances of being hacked may seem unlikely, cities nationwide have been targeted by people who look for vulnerabilities in computer systems to demand ransoms or to see if they can penetrate a seemingly secure network. Once Windows 7 support goes away in January, hackers will be looking for those security holes, Reeder says.

Most of the software used to control city water systems operates on a Windows platform. Those supervisory control and data acquisition systems, or SCADA, are usually installed on a PC in a public works building or connected to devices like laptops and phones, allowing remote monitoring and control, and alerting users to problems like a loss of water pressure or a broken pump.

Years ago, Microsoft announced that it would stop supporting Windows 7 in 2020, but Reeder worries that many small cities with old computers may not be aware of how vulnerable they could be. She advises cities to address this now.

“I think this situation is widespread,” she says. “Hackers will program for these vulnerabilities.”

Upgrading in New Prague
New Prague built a new wastewater plant in 2010 and has been operating the plant and nine lift stations on software that uses Windows XP. Microsoft ended support for XP in 2014.

Public Works Director Glen Sticha says that though the city’s system has operated safely so far, city officials hired a technology consultant last summer to help upgrade the system. In addition to buying new Windows 10 computers and other assorted hardware, the city is spending an estimated $38,000 to buy updated SCADA software.

New Prague wants to hold taxes down, Sticha says, but city officials agreed that it wasn’t worth the risk to run critical utilities on very old platforms that could fail or be compromised.

“We have to do it. We’ve lived on borrowed time with XP for a long time,” he says. “You have to watch where you’re spending your money so you’re not raising taxes all the time, but what if it fails and someone says, ‘You’re using XP? Are you kidding me?’ These are the things that keep me up at night.”

To help keep its SCADA system safe, it is backed up daily and is not directly connected to the internet. The public works staff has remote access to the SCADA system via their smartphones and touchscreen monitors in the treatment plant. But on occasion, hardware has failed, Sticha says, and the monitors work only with XP. Now, parts to fix them are almost impossible to find.

Getting new computers that use Windows 10 means that even if something in the system fails, there will be redundant computers to back everything up. And regular software updates will make the system more secure.
**Budgeting for Windows 10**
The City of Victoria has a single PC with a Windows 7 SCADA program running its water treatment plant and lift stations. Brady Lee, a public works employee who is dedicated to the water treatment plant, says the city began planning for a Windows update in 2018. He has been working on it with the city’s technology consultant.

“We’re trying to prepare for the overall cost so it can be fit into next year’s budget,” Lee says. “We will need to buy a new computer with Windows 10 for the water plant. We already purchased the SCADA programs, so they can be upgraded.”

“Hackers will be out looking for copies of Windows 7, and if you’re not connected, they can’t get to you,” Finn says.

**Upgrading is best option**
Microsoft is offering Windows 7 security updates for a fee for some clients until 2023, but those updates will be expensive and don’t protect cities if older computers using obsolete software die. That could mean real trouble for cities, Finn says. In the long run, it’s easier and safer to buy a new Windows 10 computer and get new or updated software.

Cities that already have a SCADA program like those sold by Wonderware can update their software, something that Finn says generally costs about half the price of buying a new program. For a small city with a single computer, he estimates the cost of basic Wonderware SCADA software would range from about $1,500 to $3,000, depending on what features a city chooses.

Reeder urges cities not to take any chances. “Your network is only as secure as your weakest link,” she says. “Cities tend to leave old technology in public works because it’s working great. But that’s where the mistakes can happen.”

**Security Risks Beyond Public Works**
Microsoft’s ending of support for Windows 7 on Jan. 14 has implications for city operations beyond just the public works department. Older versions of Windows are more susceptible to security issues, from hacking to phishing schemes that trick users into clicking on links with viruses or ransomware.

Though cities can download Windows 10 if they already have Windows 7 or 8.1, the free update period is over, and it will cost about $100 to download Windows 10. But older computers may not have the capability to handle Windows 10, so even if the new version is successfully downloaded, it may not work on older machines, says League CIO Melissa Reeder.

If computers are three years old or older, Reeder recommends buying a new computer that has Windows 10 already installed. While that is no small cost for a small city — new PCs cost $500 to $800 or more per computer — it is the safest and easiest route to go, she says.

“The only safe way to continue using an old operating system like Windows 7 is to remove the computer completely from your network and the internet,” Reeder says. “In this day and age, it’s pretty impractical to think you are going to operate any business without an internet connection.”

But, she warns, if you connect a Windows 7 computer to any portion of the city’s network, you are putting all computers on that network at risk. “In other words, just deciding to not surf the net with a Windows 7 computer will not be enough,” Reeder says.

There could be additional issues with moving to Windows 10. Cities need to look at the software packages they use. Utility billing, general ledger, payroll, and other programs may need to be updated to work with Windows 10, and some cities may need help from consultants to do that.

With Windows 7 support ending in January, IT folks could be busy, Reeder points out. Cities need to start working on their technology now.
Have you ever walked into a public meeting, seen a larger than usual audience, and immediately gotten nervous, wondering what people are upset about? It seems that public engagement has become more confrontational — but it doesn't have to be that way.

When you’re a city leader, elected or staff, public meetings are part of life, and public input is essential to city work. It’s important to make these meetings a time of sharing information, while respecting and addressing differences. And a large turnout, including residents with varying perspectives, should be the goal.

Better public engagement builds a sense of community, increases productive dialogue, and decreases division. Difficult conversations and tough decisions will always remain part of the mix, but by thoughtfully planning public meetings, you can involve more citizens, draw out a broader range of ideas and concerns, and demonstrate leadership through difficult issues.

Get input early
Cities often hold only those meetings that are required by law or are typically held as part of their regular process. Regular council meetings are important, and they typically follow a traditional structure.

But when the council is considering a significant public project or a controversial proposal, you might want to add some informal information sessions earlier in the process. This will take some extra time and perhaps cost, but it can add significant value.

You can’t tell people too soon or too often about something that will impact them. It will allow concerns to be uncovered early, so you are better prepared to address them as the process moves forward.
Be clear about the purpose of the meeting

One of the building blocks to a good public meeting is being very clear about the intent of the meeting. While this sounds simple enough, many people in the audience may misunderstand the purpose of the meeting.

People may come thinking they are going to sway the city council against a project when the council has already debated and voted for it, and the meeting is actually about the timing of construction. The audience is upset because they feel they are not being heard. The council is upset because this project has been discussed many times over the last six months — where were all these people then?

At the start of the meeting, make sure you clearly state the purpose of the meeting, and perhaps carefully walk through the history of the issue and how you got where you are today.

Get creative with invitations

At the beginning of your planning, consider who will likely attend the meeting, and then who should attend but will need some extra outreach. Are you identifying creative ways to make sure everyone is invited? (See “Real-Life Example: Circle Pines” above.)

Remember, when a quorum of the council (and of most other standing city committees) gathers to discuss city business, it is subject to the Open Meeting Law, which outlines specific requirements, including those for providing public notice. But cities can go beyond that notice and look for additional ways to encourage people to attend.

Think about a particular group you want to reach but is rarely involved. What extra efforts could draw them to your meeting? Try reaching out to nonprofits and community groups for help. Consider mailing an attractive postcard with positive and inviting language that helps define why someone should attend.

Maybe you could serve punch and cookies and offer free child care. Also, hold it at a location convenient for people, at a day and time that works well for those you want to attend.

Preparing for the meeting

You can’t over-prepare for what could be a challenging meeting. Be ready to answer some key questions as you plan out the meeting. For example, what are the interests and concerns of those likely to attend? Do likely participants have any gaps in information? You may need to figure out an easy-to-understand way to get everyone up to speed.

Consider talking with colleagues from other communities that have dealt with a similar situation. What should you expect to face at the meeting, and what advice do they have?

If there is a key leader or an organized group concerned about the issue, consider meeting with them or their leaders before you plan the meeting. This will help you better understand their views and concerns in a more calm, discreet setting.

Allow other ways for people to give input without attending the meeting, such as via email or an online survey. Offering multiple ways for people to give you their ideas is important because not everyone is comfortable using a microphone in front of a crowd.

REAL-LIFE EXAMPLE:

Circle Pines

The City of Circle Pines is in year 12 of a 15-year street reconstruction plan, replacing water and sewer pipes along with a full street and curb rebuild. Projects generate neighborhood concerns because of the mess and the approximate $5,000 assessment.

In order to do a better job of public engagement, the city holds additional information meetings a year before with the impacted neighborhood. And in a new twist, last spring two city councilmembers went door to door throughout the impacted area to personally invite the neighbors to the meeting.

Their effort generated a full house at City Hall. Rather than being nervous about a big crowd, councilmembers saw this as a positive meeting that provided an opportunity to get accurate information to the homeowners, many of whom asked for extra copies of the materials to share with neighbors who were unable to attend.

Consider mailing an attractive postcard with positive and inviting language that helps define why someone should attend.

(continued on page 12)
At the meeting
Early in the meeting, present the purpose and the agenda. Let attendees know when there will be opportunities for public input today or in the future. Talk about the decision-making process and describe the roles of the people presenting information.

If participants need to sign in or identify themselves, explain the purpose this serves for both the speakers and the audience. Don’t ask people to identify themselves if it really isn’t needed because it could be viewed as a way to intimidate them.

Next, be sure to explain the meeting ground rules, including the values and behaviors that attendees are expected to adhere to, such as respecting all voices, not interrupting, etc. Ask everyone to be civil and to be good listeners — to listen the way they would want others to listen to them.

Acknowledge that there may be disagreements and that this is part of a democracy. You might even want to share this great quote from President Harry Truman: “When everyone in the room is thinking the same thing, no one is thinking very much.”

You might also consider breaking into small groups. This has proven to be a powerful way to give everyone a chance to state their concerns and to keep the meeting from being dominated by a few vocal people. (See “Real-Life Example: Department of Natural Resources” above.)

In the groups, have each person introduce him- or herself and share their ideas or concerns about the topic. Ask everyone to listen carefully to all members of the group, and to stay within the time constraints so that everyone gets to share their thoughts. Next, ask people to reflect on what they have heard from the group and ask what ideas they have on a way to move forward.

If time allows, consider having one member of each group report their key discussion points to the full group, perhaps allowing the staff and leadership to clarify any misconceptions.

At the end of the meeting, make sure to talk about the next steps in the process and thank everyone for attending.

Also, always make sure to start on time and end on time. It’s fine if people want to stay afterwards and ask questions, but ending the meeting on time is a way to once again model respectful behavior.

After the meeting
There are a few action items that should happen soon after the meeting, including:
► Posting on the city website information from the meeting — such as handouts, a meeting summary, or a video of the meeting if it was recorded — so that others can see what happened. This adds to the transparency of the process.
► Following up on any commitments made during the meeting. For example, maybe you promised to send out additional information or to schedule another meeting.
► Having key staff and leaders debrief to identify what worked best during the meeting and what could have gone better. You can apply these lessons to make future meetings better.

By taking all these steps before, during, and after a public meeting, you’ll improve the way your city engages the community.

Effective public engagement is critical to make sure your residents are well-informed, and all voices are heard.

Dave Bartholomay is program coordinator with the Office of Collaboration and Dispute Resolution at the Minnesota Department of Administration. He is also the mayor of Circle Pines.

ON THE WEB
Several public engagement resources, including “Dealing with Deeply Held Concerns and Other Challenges to Public Engagement Processes” by the Institute for Local Government, are available at www.mn.gov/admin/ocdr.

REAL-LIFE EXAMPLE:
Department of Natural Resources

The Minnesota Department of Natural Resources (DNR) put together plans to improve Little Rock Lake’s water quality by temporarily drawing down the water level of the lake near the City of Rice. There were concerns from people living in the area, and a public meeting was held at the old Town Hall in Rice.

After hearing some information from the DNR and other experts, the large crowd was divided into small groups to share their ideas and concerns. This process generated many good questions, which were then posed to the available experts for a quick response.

Rather than a loud and boisterous meeting, the small-group approach resulted in a fast moving and productive meeting that allowed everyone to participate and have their voices heard.

The DNR created a section on their website for information and meeting notes so that those unable to attend could see what had been discussed. This also allowed meeting attendees to see that their concerns were listed as part of the meeting notes.
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Five Ways to Attract New Residents to Rural Cities

BY JOYCE HOELTING

ewcomers to Minnesota sometimes joke that “Minnesotans will give you directions to everywhere but their house.” But community leaders across the state are trying to change that. They’re designing regional campaigns that welcome newcomers to visit, live, work, and connect.

It’s not just the “Minnesota nice” thing to do. It’s a solid economic development strategy. Turns out, newcomers bring communities more than exotic potluck dishes. They also add workers to a depleted workforce and children to school districts.

The University of Minnesota Extension’s 2016 study of rural business succession found that 33% of those who bought rural businesses were new to the community. An additional 12% had returned to their hometown to take over a business. (Learn more at z.umn.edu/braingain.)

Welcoming newcomers
The Extension study has inspired rural leaders to actively market their communities and welcome newcomers.

“Rural leaders are ready to try new things,” says Ben Winchester, an Extension educator whose research shows rural places are attracting 30–49-year-olds. In response, 14 initiatives throughout the state are focused on resident recruitment and retention. And rural communities are developing local recruitment initiatives through Extension’s Making It Home program.

In 2017 and 2018, Extension conducted in-depth interviews to find out what community leaders are learning from these initiatives. These interviews revealed the following five actions as essential ingredients of rural resident attraction and retention.

1 Connect online.
Extension-led focus groups with newcomers in 2010 found that most started their search for a new community with a general idea of the area they wanted to live in, and then they went online to find a community that met their needs.

So, initiatives are using social media, online campaigns, and websites to discover who is shopping online for rural communities.

2 Promote the simple life.
“People migrate to rural communities for a number of reasons,” says Winchester. “Their No. 1 reason is to attain a slower pace of life.”

The Live Wide Open campaign (www.livewideopen.com) shows the world how good quality of life can be in west central Minnesota. Its website features newcomers who are glad they made the move. Newcomer testimonies describe how moving improved their lives.

3 Make a connection.
Initiative leaders know it takes more than just “buzz” to attract a resident. Each initiative has put strategies in place to make a connection. They assure those who are thinking about moving that they can make a life in rural areas.

“Once somebody gets in the funnel as a prospective employee or resident, you’ve got to make sure that individual gets one-on-one interaction,” says Mike Bjerkness, workforce director with the Brainerd Lakes Area Economic Development Corporation. “Whether it’s a phone call, an email, or a Facebook message.”

4 Hook them with tourism.
The first step to getting people to live in a community might be to get them to visit. Extension Tourism Center Director Cynthia Messer notes that research has found a link between tourism experiences and resident attraction. It’s called the halo effect.

“Minnesota is particularly good at this,” says Messer. “After visiting Minnesota, people are far more likely to say Minnesota is a good place to live, to start a career, or to retire.”

In Otter Tail County, the Rural Rebound initiative integrates resident recruitment into tourism outreach.

“A head in the bed, even if it’s for two nights, is a potential resident someday,” says Eric Osberg, Rural Rebound coordinator.

5 Create welcoming experiences.
Reaching out to newcomers early is important. “If we don’t connect newcomers and their families to the community in the first six months, there’s a chance we’re going to lose them,” says Bjerkness.

In Otter Tail County, Osberg recruits volunteers to make a connection with new residents in the “Grab-a-Bite” program. “We ask champions to take newcomers to lunch without the pressure to join any particular groups or volunteer, but just to get to know them,” he says.

“We see leaders of rural recruitment initiatives getting deeply involved in critical issues of community and economic development. They are at the table when it comes to housing problems, main street development, transportation issues, and more,” Winchester says.

“These initiatives can bring the voices of newcomers and their concerns to policymakers and businesses who are investing in the community,” he adds. “Because newcomers are more than new neighbors — they are the community’s future workforce and life blood.”

Joyce Hoelting, assistant director of the University of Minnesota Extension for Community Vitality, wrote this article on behalf of Sourcewell (www.sourcewell-mn.gov). Sourcewell is a member of the League’s Business Leadership Council (www.lmc.org/sponsors).
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Recruit Top Talent With a Great Employee Experience

BY JESSICA NIKUNEN

Organizational success is a function of the people you employ and how engaged they are in your organization. So, how can you find and keep the top talent that your city needs?

By taking a holistic approach to employees’ physical, emotional, career, and financial well-being, you can make the most of compensation and benefits and maximize the potential of talent to help reach your city’s goals.

Many cities start by looking at the job market when searching for the best candidates. But it’s equally important to observe what your employees experience in the workplace.

Employees want to:

- Know what’s expected of them.
- Understand how their work is valuable to the organization.
- Be rewarded for their work.
- Work for an organization that supports them both professionally and personally.

Let’s look at some ways your city can strengthen its employee experience.

**Job descriptions and employee performance**

Cities should clearly define employee roles, set goals, and manage performance and job descriptions as the foundation of a good employee experience. However, as technology and resident expectations evolve, so do job duties. Therefore, job descriptions and classification systems must be reviewed and adjusted as often as necessary.

Successful organizations earn employees’ trust and engagement by clearly communicating how performance is measured. Managers should regularly meet with their team members to be better informed about employee needs and how to support career well-being.

Supporting career well-being becomes even more crucial in a strong labor market, where employees know their value and have the confidence to move to another organization.

**Balanced rewards and communication**

Cities should review compensation structures regularly to ensure both internal equity and market competitiveness. As your workforce changes, consider surveying employees to better understand what rewards they value.

According to MetLife’s Employee Benefit Trends Study — Public Sector, a survey of public-sector employees published in 2018, retirement benefits are the top reason employees are drawn to and stay at their jobs, with career development and training also in the top five.

The types of benefits offered by cities have changed within the past few years as a result of surveying employees. With many cities spending over 50% of their budgets on wages and benefits, it’s important to ensure you are spending tax dollars where they are most likely to improve the employee experience.

While some employees may perceive that public-sector compensation and benefits have decreased from 20 years ago, that perception can improve with clear communication. More cities are considering providing total rewards statements to employees as part of a concerted communication campaign.

**Strong workplace culture**

The employee experience is a solid indicator of the strength of the workplace culture, which is key for both attracting and retaining top talent. Candidates should be easily able to find information about your city’s employee experience through various social networks, word of mouth, and even newspaper articles about council actions.

According to Part One of The Talent Forecast, a 2017 survey by the Futurestep division of Korn Ferry, the No. 1 reason candidates chose one job over another was company culture (23%), followed by career progression (22%) and benefits (19%).

It’s important to monitor engagement and regularly check in with employees to get insights about how to enrich organizational well-being. Major changes are not always immediately feasible, but you can focus on incremental improvements.

Many candidates today want their work to make a difference in the world. One unique advantage cities have is the ability to connect daily work with positively impacting the community.

City leaders should share the vision of the community’s strategic plan, articulate how each employee has a role in realizing that vision, and empower employees with the tools they need for individual and organizational success.

**Why the employee experience matters**

Intentional focus on components of the employee experience — including job descriptions, performance management, rewards, communication, and workplace culture — allows cities to attract and retain top talent. Cities that understand this as true business management as opposed to “HR fluff” are best equipped to meet the expectations of employees. By reducing turnover and related costs and increasing productivity, cities can truly foster the organizational well-being required to effectively serve their communities.

Jessica Nikunen is senior consultant, Benefits and HR Consulting Division, at Gallagher (www.ajg.com). Gallagher is a member of the League’s Business Leadership Council (www.lmc.org/sponsors).
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When a tornado blew out the doors and damaged the roof of their only fire station, Clarks Grove Mayor Bruce Hansen and City Clerk Kathy Jensen had no idea how dramatically the storm would impact their lives.

The EF-1 tornado struck this city of nearly 700 residents on March 6, 2017, doing damage to many businesses and houses, as well as the fire station.

The new fire station — which also houses the City Council chambers — was finally move-in ready on Feb. 2, 2019. Through all the months in between, Hansen and Jensen managed a deluge of paperwork, meetings, and phone calls.

New territory
“I’m more or less a farmer and, while our city clerk does an excellent job, neither of us had any expertise in knowing what was involved,” says Hansen. “We’re a small town and not used to this size of a problem, so everything we did was new to us.”

City officials didn’t know, for instance, that their fire station plans would have to be approved by the Minnesota Department of Public Safety, as well as the U.S. Department of Agriculture (USDA), which was considering a loan application from the city.

The city, which is covered by the League of Minnesota Cities Insurance Trust (LMCIT), also needed to gather information to determine the cost to repair the building to its previous condition, says LMCIT Claims Manager Darin Richardson.

“We asked the city to get competitive bids to repair the building,” says Richardson, adding that LMCIT covered the repair bid-related costs. “After receiving the bids, LMCIT and the city agreed to a repair figure of $531,000.”

“We didn’t realize the full scope of all the approvals we’d need,” Hansen says. “This took much more time than we could ever have imagined.”

Ultimately, city officials decided to completely replace the station rather than just repair it, and that led to another uncertainty — how the city would pay for the new $1.7 million building.

Helpful guidance came through
Fortunately, they received considerable guidance from Freeborn County Emergency Management Director Rich Hall and Chris Nordeng, the public assistance engineer for the state Division of Homeland Security and Emergency Management.

“Talking with them helped us think about building a safety hub for neighboring towns that will last for years,” says City Clerk Jensen. “We now have a building with unlimited water and electrical power that can withstand a severe [EF-3] tornado.”

The 2017 tornado received a state disaster declaration from Gov. Mark Dayton, says Nordeng. “This meant that the city could apply for disaster aid.”

Rainy day savings
In the end, the building project’s $1.7 million price tag was covered by:
- LMCIT funds of $531,000.
- State disaster aid of $430,240.
- More than $700,000 from the city’s savings and other city funds.
- Additionally, LMCIT issued nearly $86,000 for water tower, office, and park repairs.

“I give the mayor of 21 years before me and Kathy a lot of credit because the city has always lived within a budget, saved money, and paid for what we need with cash,” Hansen says.

Because Clarks Grove has so many older residents living on fixed incomes, Hansen and the City Council wanted to put up a new building without bonding or raising residents’ taxes. They also decided not to take on the debt of the USDA loan.

“Our accountant told me, ‘You’ve done all this saving year after year for a rainy day. So, take that money, pay the building off, and start putting money away again,’” Hansen says.

Positive results
The new fire station has been open only a few months, and they already tested out the new safety hub when earlier this year, some residents without power gathered in the building to wait out an ice storm.

Jensen acknowledges that she and the mayor are finally starting to relax.

“It was just a matter of trying to do the best we could in the time frame we had,” says Jensen. “And now we’ve got this nice building and we’re proud of what we accomplished as a city.”

“Truly, everybody helped — including the City Council, Fire Department, residents, Freeborn County, and the state,” Hansen adds, “and we really appreciate all of them.”

Renee McGivern is a freelance writer.
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ADA Considerations for Municipal Liquor Stores

By Aisia Davis

Under the Americans With Disabilities Act (ADA), cities must make sure all their programs and services are accessible to people with disabilities. That includes services offered by municipal liquor stores.

Recently, there has been an increase in ADA-related complaints concerning public property. Cities in Minnesota have been sued over accessibility issues—particularly those in municipal liquor store parking lots. The complaints typically allege that parking lots are not compliant with the latest accessibility standards, and that individuals are not able to access the services offered by the liquor store.

Although Minnesota cities have made great strides in this area and continue to do so, cities should evaluate compliance issues and work to address them by following the recommendations outlined here.

Conduct a full compliance assessment

Identify barriers to programs and services and develop an achievable barrier removal plan by prioritizing projects.

As a starting point, consider first assessing barriers in parking that may affect access to the liquor store. For example, and as discussed in more detail later, assess the number, width, slope, and location of accessible parking spaces and whether the spaces meet accessibility standards.

Inside the store, consider evaluating aisle widths, service counter heights, and restroom accessibility.

Evaluate parking lot accessibility

Litigation of parking lot claims often assert that alleged ADA compliance issues prevent a disabled individual from accessing programs or services. One of the most common alleged violations is either a lack of access aisle or too narrow of an access aisle.

According to the Disability Parking Quick Reference Design Guide by the Minnesota Council on Disability, accessible parking spaces must:

► Be at least 8 feet wide.
► Be located on the shortest possible accessible route to the building entrance.
► Have a permanently mounted sign centered at the head of the access aisle space. The sign shall be at least 12 inches by 18 inches, display the international symbol of access in white on blue, and indicate that a vehicle ID is required and that violators are subject to a fine of up to $200.
► Have an adjacent 8-foot-wide access aisle (preferably on the passenger side if there is only one accessible space).
► Van parking spaces that are angled must have access aisles located on the passenger side of the parking space.

In addition:

► There must be a permanently mounted “No Parking” sign centered at the head of the access aisle space, unless that sign would obstruct a curb ramp or pedestrian route. If that is the case, “No Parking” shall be painted on the access aisle surface. (The sign may also be posted on a building at the head end of the access aisle as long as it’s not more than 8 feet away.)
► The slope of each accessible parking space and access aisle must not exceed a ratio of 1-to-48. The slope of curb ramps must not exceed a ratio of 1-to-12.

Evaluate aisle widths and service counter height

You should ensure there is an accessible route through the store for a person using a wheelchair, electric scooter, or walker.

Evaluate restrooms

If restrooms are available to the public, there should be an accessible route to the store’s restroom, which should be marked with proper signage. There are several components to assessing restroom accessibility. One recommendation is that the toilet room must have adequate space to allow a 5-foot diameter turning circle, so a wheelchair can turn 180 degrees.


Consider restricting the restroom to employees only until any necessary updates can be made. But keep in mind that employment-related portions of the ADA also require employers to provide reasonable accommodations to employees with disabilities, which may include accessible restrooms.

Learn more about ADA accessibility standards at http://bit.ly/learnADA.

Aisia Davis is a research attorney with the League of Minnesota Cities. Contact: adavis@lmc.org or (651) 281-1271.

Digital Accessibility

The ADA also requires city websites and other digital content to be accessible to people with disabilities. Read about that on page 28.
Establishment Clause

In 1925, the American Legion and a group of mothers erected a memorial to honor 49 residents of Prince George’s County, Maryland, who died in World War I. The memorial bears the shape of a cross and is 40 feet tall. A large plaque is attached to it, listing the names of the 49 residents. The memorial is in Veterans Memorial Park, which also contains several other war monuments.

In 1961, the Maryland National Capital Park and Planning Commission acquired the memorial and the roadway median on which it sits due to traffic safety concerns. Since then, the commission has spent $117,000 to maintain and repair the memorial.

In 2014, the American Humanist Association and three individuals sued the commission, claiming that, because of its cross shape, the memorial is an unconstitutional government endorsement of Christianity in violation of the U.S. Constitution’s Establishment Clause. The 4th U.S. Circuit Court of Appeals agreed, finding that the cross violated the Establishment Clause under the test established in Lemon v. Kurtzman, because its primary purpose was endorsing Christianity and because it represented excessive entanglement between the government and religion.

The U.S. Supreme Court reversed the Court of Appeals’ decision, and refused to apply the Lemon v. Kurtzman test, explaining that “four considerations show that retaining established religiously expressive monuments, symbols, and practice is quite different from erecting or adopting new ones” and noting that “the passage of time gives rise to a strong presumption of constitutionality.” The four considerations are: (1) where monuments were established a long time ago, it is especially difficult to identify their original purpose; (2) the purpose associated with an older monument can have multiple meanings; (3) the meaning behind these monuments may change over time and something that may have had an originally religious meaning can now have a secular (nonreligious) or historical one; and (4) as these monuments gain historical and secular significance, removing them may not appear religiously neutral. American Legion v. American Humanist Association, 139 S. Ct. 2067 (2019).

Takings claim

The Township of Scott’s cemetery ordinance allows the public to access any private land containing a burial ground. The township decided the ordinance applies to Rose Mary Knick’s 90 acres of farmland, where officials claimed graves are located. Knick sued the township in federal court, claiming it had violated the Takings Clause of the Fifth Amendment to the U.S. Constitution, which prohibits the government from taking private property “for public use, without just compensation.”

The township made a motion to dismiss the lawsuit, claiming that Knick was required to first exhaust her remedies in state court under Williamson County Regional Planning Commission v. Hamilton Bank of Johnson City, a 1985 U.S. Supreme Court decision, which ruled that a takings claim is not “ripe” for review in federal court until there has been an exhaustion of remedies available in state court. Such a requirement is different from other constitutional claims, where no exhaustion of state remedies is required before a person can bring a lawsuit in federal court.

The federal district court dismissed Knick’s appeal, and the 3rd U.S. Circuit Court of Appeals affirmed the district court’s decision. The U.S. Supreme Court reversed the Court of Appeals’ decision and overruled its earlier decision in Williamson County, concluding that “the state litigation requirement imposes an unjustifiable burden on takings plaintiffs” and “conflicts with the rest of our takings jurisprudence.” Knick v. Township of Scott, Pennsylvania, 139 S. Ct. 2162 (2019).

Note: This decision will likely result in plaintiffs filing more takings lawsuits in federal courts.

First Amendment

The Manhattan Community Access Corporation, known as MNN, operates the public access TV channels on the cable system in Manhattan, New York. MNN refused to put a video by DeeDee Halleck, a producer, and Jesus Melendez, a poet and playwright, on the air again after its initial broadcast because MNN concluded it contained threatening language from...
private entities have historically operated these channels. *Manhattan Community Access Corp. v. Halleck*, 139 S. Ct. 1921 (2019).

**Constitutional Law**

**Retaliatory arrest**

Two Alaska state troopers, Luis Nieves and Bryce Weight, arrested Russell Bartlett, an allegedly intoxicated and belligerent participant at an extreme sports festival, charging him with disorderly conduct and resisting arrest. Bartlett brought a lawsuit for violation of his First Amendment free-speech rights, claiming that he was arrested in retaliation for his efforts to challenge the officers’ attempts to question a teen and for an earlier encounter in which Bartlett refused to speak with Nieves. Bartlett alleged that, when arresting him, Nieves said, “[B]et you wish you would have talked to me now.”

The 9th U.S. Circuit Court of Appeals allowed the lawsuit to go forward, concluding that the existence of probable cause (reasonable grounds) for an arrest does not operate as a bar to a retaliatory arrest claim. The U.S. Supreme Court reversed the Court of Appeals’ decision, ruling that Bartlett’s claims could not survive summary judgment (court-entered judgment without a full trial) because probable cause for the arrest existed and because the record lacked any evidence of retaliation by Weight, who was not involved in the earlier encounter between Bartlett and Nieves.

(continued on page 24)
The Supreme Court noted that a plaintiff generally must show the absence of probable cause to arrest as an element of a retaliatory arrest claim. It further noted that the presence of probable cause will defeat most such claims, unless a plaintiff presents “objective evidence that he was arrested when otherwise similarly situated individuals not engaged in the same sort of protected speech had not been.” Nieves v. Bartlett, 139 S. Ct. 1715 (2019).

EMPLOYMENT LAW

Minnesota Whistleblower Act

Steven Moore, a sergeant with the New Brighton Police Department, sued under the Minnesota Whistleblower Act, claiming that the city had retaliated against him for filing a union grievance regarding its failure to pay him overtime for attending training, as required by the collective bargaining agreement. Shortly after Moore filed his grievance, the city started investigations into two misconduct allegations against him. The city placed Moore on paid administrative leave and ordered him to remain at home from 8 a.m. to 4 p.m., Monday through Friday. Moore’s administrative leave lasted for nine months, which was several months longer than the city took to complete the investigations and to issue a five-day suspension for one allegation and no discipline for the other. Moore alleged that the city’s actions in beginning the investigations, placing him on administrative leave, issuing a poor performance evaluation and coaching directive after the leave, and reassigning him to a different position were designed to penalize him for filing his grievance.

The district court ruled in the city’s favor in part, holding that most of the conduct did not constitute adverse employment action under the Whistleblower Act and that Moore had failed to identify evidence showing that the city’s reason for investigating him and placing him on leave was a pretext (not the real reason). The Minnesota Court of Appeals reversed the district court’s decision in part, holding that administrative investigatory leaves are not categorically excluded from constituting adverse employment actions under the Whistleblower Act. The Court of Appeals also concluded that a fact dispute existed regarding whether the city’s actions “penalized” Moore and whether the city’s reason for its actions is pretextual. Moore v. City of New Brighton, 932 N.W.2d 317 (Minn. Ct. App. 2019). Note: The League of Minnesota Cities Insurance Trust represented the city. The city has filed a petition for review with the Minnesota Supreme Court.

Written by Susan Naughton, research attorney with the League of Minnesota Cities. Contact: snaughto@lmc.org or (651) 281-1232.

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Is the City Required to Designate Polling Places Every Year?

**Elections**

**Q** Are we required to annually designate our polling place for the next year, even if it’s been the same location for many years?

**LMC** Yes. Minnesota Statues, section 204B.16 requires cities to pass an ordinance or resolution that designates polling places every year by Dec. 31. This applies even if the location is the same as the year before. The polling places designated in the ordinance or resolution are for the next calendar year, unless a change is made for one of the following reasons: (1) because of an emergency, meaning any situation that prevents the safe, secure, and full operation of a polling place; or (2) because a polling place has become unavailable.

For more information about polling places, see the LMC Handbook for Minnesota Cities, Chapter 5, page 29 at [www.lmc.org/elections](http://www.lmc.org/elections).

Answered by Research Attorney Aisia Davis: adavis@lmc.org

**Workplace Safety**

**Q** I am the city clerk in a very small city. I know there are requirements for cities to have a safety committee, but since we are so small, do we have to comply with this?

**LMC** State law requires all employers with more than 25 employees to establish a joint labor-management safety and health committee for their workplace. People in small municipal operations might think this automatically excludes their city/entity from the requirement. However, when counting employees, you must include all the volunteer firefighters, police volunteers, and other volunteers that are considered city employees for purposes of workers’ compensation benefits. That factor often means smaller Minnesota cities reach the threshold and, therefore, need to create a safety committee.

One option for small cities to consider is to work with neighboring cities and the League of Minnesota Cities Insurance Trust to create a Regional Safety Group. Learn more about Regional Safety Groups at [www.lmc.org/rsg](http://www.lmc.org/rsg). For more information about safety committees, see the LMC information memo at [www.lmc.org/safetycomm](http://www.lmc.org/safetycomm).

Answered by Loss Control Manager Rachel Carlson: rcarlson@lmc.org

**Employment**

**Q** We have an open position in our city, and we need some guidance for our upcoming interview process. What questions should we avoid asking during an employment interview?

**LMC** As a general rule, any questions related to the applicant’s personal life or any protected status (race, sex, disability, sexual orientation, marital status, etc.) should not be asked.

While directly inquiring about disabilities is prohibited under state and federal laws, the city can supply the interview candidates with a copy of the job description and ask them if they are able to perform the essential functions of the position. In addition, workers’ compensation law prohibits the city from asking about prior workers’ compensation injuries. Interview questions should relate to past work experience, skills, and abilities required for the job, and education and training related to the job. They should also be consistent from candidate to candidate. For more information, see the Hiring chapter of the LMC HR Reference Manual at [www.lmc.org/hiring](http://www.lmc.org/hiring).

Answered by Human Resources Director Laura Kushner: lkushner@lmc.org

**GOT QUESTIONS FOR LMC?**

Send your questions to choffacker@lmc.org.
Access to government information and resources is a fundamental principle all cities and their residents value. But are you sure your digital content — like websites, web apps, documents, and videos — has the function or design needed to be accessible to people with disabilities?

More than 10% of Minnesotans have a disability. In addition, others may have some form of limiting condition that may not technically be considered a “disability,” but that makes it challenging to access information online. Ensuring your city provides equitable digital access to people of all abilities is key to serving all.

And there’s another reason your city should strive for digital accessibility. In recent years, several governmental entities, including six Minnesota cities, have faced lawsuits claiming that the information available on their websites was not in a form that individuals with disabilities could access.

While technology and legal standards are ever-evolving, your city can take certain steps to not only reduce the risk of claims but, more importantly, to better serve its residents.

You may be wondering where to start. The following are five steps any city can implement now to provide reasonable access to web-based public services, as required by Title II of the federal Americans with Disabilities Act (ADA).

**STEP 1: Develop an internal plan/policy.**
Start with a self-evaluation. Does the city have an internal policy for handling requests for accessibility? If so, is the policy readily available to the public? How accessible is your website to individuals with disabilities? There are free resources, as well as consultants-for-hire, that can assist in identifying areas for accessibility improvement.

If you don’t already have one, develop an internal plan for how the city will respond to requests from individuals with disabilities. If you already have an access plan or policy, now would be a good time to review and update it.

As part of any plan, staff should be trained on how to respond to accessibility questions and requests. Consider making it part of a specific position’s job duties to handle accessibility requests. Also, make sure you’ve designated a back-up position to handle such requests. For example, if your city has a clerk and a deputy clerk, include this as a duty in both job descriptions.

**Other tips:**
- If a request comes in via phone, email, or in person, follow data practices law for the process, and have a conversation with requesters. Ask them what information is not accessible and what format they need to receive the information in. Then keep them updated about the city’s attempts to provide access.
- Document the date, time, and substance of the request, noting the city’s interest in working with the requester.
- Note how the requested information will be provided (e.g., mail, in person).
- Document progress, any problems, and the final response.
- Establish a grievance procedure for resolving complaints or concerns regarding individual access requests.

**STEP 2: Provide the public with procedures to access information.**
On the city’s website, include the procedures individuals should use if they find that information on your website is not accessible to them.

Here’s an example from the City of Blaine ([https://www.blainemn.gov/accessibility](https://www.blainemn.gov/accessibility)):

“If you use assistive technology (such as a Braille reader, a screen reader, or..."
TTY) and the format of any material on this website interferes with your ability to access information, please contact us. To enable us to respond in a manner most helpful to you, please indicate the nature of your accessibility problem, the preferred format in which to receive the material, the web address of the requested material, and your contact information. Users who need accessibility assistance can also contact us by phone through the Federal Information Relay Service at [phone number] for TTY/Voice communication."

Include the contact information for the staff member who is responsible for processing these requests.

**STEP 3 Try to make the changes that have the most impact now.**

The U.S. Department of Justice has created a list of specific recommendations for making changes to websites, based on the complaints they see most frequently. Review your city’s website to see if you can make some of the changes now. There are free and low-cost online resources that can assist a city in becoming more digitally accessible.

**Basic changes:**

- Provide text descriptions of all photos and graphics.
- Ensure proper color contrast to allow for greater visibility. This means if you have specific colors for fonts or logos as part of your city’s branding, you may have to use slightly different, but similar, colors on your website to ensure proper contrast.
- Include accessible features, such as closed captioning, with videos and other multimedia.
- Structure web page content in a logical reading order, with clear headings and subheads.
- Post documents in an accessible format.

**More complex changes:**

- Include a “skip navigation” link at the top of web pages that allows people who use screen readers to ignore navigation links and skip directly to web page content.
- Minimize blinking, flashing, or other distracting features. If they must be included, ensure that moving, blinking, or auto-updating objects or pages may be paused or stopped.
- Design online forms to include descriptive HTML tags that provide people with disabilities the information they need to complete and submit the forms.
- Include visual notification and transcripts if sounds automatically play.
- Provide a second, static copy of pages that are auto-refreshing or that require a timed response.
- Use titles, context, and other heading structures to help users navigate complex pages or elements (such as web pages that use frames).

**STEP 4 Make sure employment opportunities are accessible.**

Review online application procedures to identify possible barriers to employment for people with disabilities. This will help your city attract the broadest pool of qualified candidates.

Doing this will also reduce the likelihood of a claim that your website or job applications process is not fully accessible to people with disabilities, such as those who are blind or have low vision, are deaf or hard of hearing, or have physical disabilities affecting manual dexterity (such as limited ability to use a mouse).

Whatever process you use for advertising and accepting applications, consider what changes can be made to facilitate a more accessible process. If using an online application process, consider adopting standards that conform with the Web Content Accessibility Guidelines (WCAG) 2.1 (see Step 5 for more about these guidelines).

**STEP 5 Raise your standards and add a statement now.**

While the ADA does not yet specify a standard for local government websites or electronic materials, the law does require that programs and services are readily accessible to and usable by individuals with disabilities.

The tech industry seems to agree that the WCAG 2.1 level AA standard is the best available to satisfy this requirement. If your city has any plans to update or alter its website, you should consider these standards as part of the planning phase and discuss them with your web developer. (Learn more about WCAG at [www.w3.org/WAI/standards-guidelines/wcag](http://www.w3.org/WAI/standards-guidelines/wcag).)

If your city is not able to make changes just now, consider adding a statement to your website about your plans for the future. For example: “We are in the process of assessing the accessibility of the city’s website and its electronic documents to establish a plan to comply with and follow best practices set forth in website accessibility standards under Section 508 of the federal Workforce Rehabilitation Act and the Web Content Accessibility Guidelines 2.1 A and AA.”

Of course, even if compliance with WCAG is not currently possible, a city should consider Steps 1–4 outlined here when developing or updating its website accessibility plan.

For more information and links to resources on this topic, visit: [www.lmc.org/accessibilitysteps](http://www.lmc.org/accessibilitysteps). If you receive notice of a legal claim against the city, please immediately contact the League of Minnesota Cities Insurance Trust at [claims@lmc.org](mailto:claims@lmc.org).

Amber Eisenschenk is research manager with the League of Minnesota Cities. Contact: aeisenschenk@lmc.org or (651) 281-1227.
City of North Oaks Tackles Tick Problem

BY ANDREW TELLJOHN

Dr. Brooke Moore’s husband had Lyme disease twice in six years after moving to North Oaks, and her dog had been treated for it as well. So, when she received a notice in 2015 that concerned residents should attend a City of North Oaks public meeting on tick-borne illnesses, it caught her attention. Moore, a physician with a master’s degree in public health, spoke at the meeting, presenting data and taking questions from the mayor and City Council. Though she had not previously been politically active, she received a phone call later in the week asking her to take part in a North Oaks Tick Task Force.

“There were so many residents there that were concerned that I was excited to be a part of it,” she says.

The Council knew the city had a problem with tick-borne illnesses, but they needed to find out the extent of it and figure out how to solve it. The Tick Task Force eventually came up with the North Oaks Integrated Tick Management Program. The program was the winner of a League of Minnesota Cities 2019 City of Excellence Award.

Survey of residents
Seeing a need and an impassioned group of residents, Councilmember Rick Kingston immediately called for the task force to study the tick issue.

“It’s always been my belief that you need to have maximum engagement of your community in order to make something like this work,” Kingston says, “especially when something has been relatively controversial.”

The task force started its work with a survey aimed at benchmarking tick-related infection rates in North Oaks compared with the surrounding communities. Conducted in the spring of 2016, the first survey drew responses from 43% of households in the city.

When it revealed that North Oaks reported five times as many cases of tick-borne illnesses as its neighboring communities like Shoreview, White Bear Lake, Hugo, and Vadnais Heights, the task force began educating itself on what was causing the outbreaks and what could be done to prevent them.

Members collaborated with the public, the Minnesota Department of Health, and the University of Minnesota School of Public Health to create the North Oaks Integrated Tick Management Program. The program includes roles for all those involved in solving the tick problem, including the city government, the North Oaks Home Owners’ Association, residents, and local healthcare providers.

The goal was to study related diseases and develop an action plan to control and reduce tick-borne illnesses in the community. The resulting comprehensive program involved residents, city staff, the local medical community, and others.

“What we found in the literature is that it didn’t seem like any one thing was enough,” Moore says. “The communities that had the most success had implemented more than one strategy. We decided to attack it from all angles of the tick lifecycle.”

Educating residents
The task force went into education mode, developing informational materials and sending them to all residents through the local newspaper, the city’s website, email blasts, and the North Oaks Facebook page. The task force also began attending events, such as the community fair in June and Farm Fest in September.

“We didn’t think at the time that citizens were properly informed about not only the risks of tick-borne illness, including Lyme disease, but also with methods that were best practices for dealing with it,” says Kingston, who acted as the task force’s liaison with the city.

The information included tips, such as tucking pantlegs into socks and regularly checking yourself, your children, and your pets for ticks after they spend time outside. Additionally, the task force highlighted the need to have pets treated with flea and tick preventives because they are known to carry infected ticks and spread them to humans.

Dealing with deer
Another strategy was to control the deer population. Previous research indicated that the city had 10 times more deer per square mile than it should have, so the task force asked it to increase its elimination efforts.

“We have the perfect habitat for deer,” says City Administrator Mike Robertson. “There’s woods, but also open areas. That creates an ideal setting for deer.”

Killing excess deer had been controversial with residents in the past, Robertson acknowledged, as nature-loving residents were fond of them. But they were deemed a significant portion of the risk. So, the city and its partners set several traps in new areas until the numbers were in an appropriate range.

“The city has been doing that now for decades,” Robertson says. “We just ramped it up.”
“You’re not going to eliminate Lyme disease,” Kingston says. “What you are going to be able to do is decrease the possibility for Lyme disease to affect the health and safety of our residents.”

**What’s next?**

The efforts have paid off. Follow-up surveys, which the task force intends to do annually, have subsequently shown decreases in the number of reported Lyme disease cases from 43 in 2016 to 19 in 2018, a reduction of nearly 60%.

Robertson, who is retiring soon, called it one of the most productive task forces he’s been a part of since his career began. “I have never seen a task force or commission get formed and get so much done in such a short time,” he says.

Kingston credits citizen involvement. He was glad to partner with Moore and gratified by how much of the community took part in early meetings. “There were so many people that showed up,” he says. “The No. 1 thing is they wanted to see something get done.”

The task force remains in place, though its meetings are far less frequent. The city has budgeted funding to ensure it has the resources necessary to continue surveying residents on Lyme disease occurrences and to make sure the community plan stays current.

“You have to monitor what the success of the program is,” Kingston says. “You always have new residents moving in and they may or may not be familiar with the challenges of living in a heavily wooded community like ours. It’s really top of mind. It’s a program that will continue, especially with the increased incidents of tick-borne illnesses we’re seeing on a national level.”

Kingston says it’s been rewarding being part of an initiative that has helped city residents and he’s glad that work will continue in the future.

Meanwhile, Moore and Kingston say that while much has been accomplished, city officials and task force members say they want to further their efforts by making them accessible to other communities.

“We want to write something up and get it published,” Moore says. “That’s probably the next step.”

In the meantime, her husband has recovered and is doing well. She, too, says the entire experience has been very gratifying.

“I joke that I’m using my master’s more than anybody ever thought I would,” she says. “It’s been good to be involved in the community and to have seen the response and impact. I definitely would consider participating in something similar in the future.”

Andrew Tellijohn is a freelance writer.
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