

CITY OF TWO RIVERS
RESOLUTION AMENDING PERSONNEL POLICY PROVISION
RELATED TO RESIDENCY REQUIREMENT FOR POLICE, FIRE/EMS AND
OTHER EMERGENCY PERSONNEL

WHEREAS, the Wisconsin Legislature and then-Governor Scott Walker in 2013 significantly reduced the authority of local governmental units to independently establish and enforce residency requirements for municipal employees, by including in the State Budget adopted in that year an amendment to State Statutes that permits, at most, a requirement that police, fire and emergency personnel reside within 15 miles of a municipality's corporate limits; and

WHEREAS, the City of Two Rivers responded to this change in the law by quickly adopting a policy resolution identifying those full-time City positions deemed to be "emergency personnel" and requiring that such the employees holding such positions be required, as a condition of employment, to reside within 15 miles of the City's corporate limit; and

WHEREAS, neither the 2013 law (Wis. Stats. Section 66.-0502) nor any subsequent legislation or court rulings have provided a definition of what positions may be classified as "emergency personnel," the City has maintained, and continues to maintain, that a significant number of City positions in addition to those in police, fire and EMS, are emergency positions that need to be able to respond quickly to locations within the City, for emergent situations that threaten public health and safety, private property, and/or municipal buildings and infrastructure; and

WHEREAS, in recent reviews of the City's current Personnel Policy, the City Manager and staff have recommended that the City Council review the current listing of emergency personnel identified in the Personnel Policy, to evaluate whether employees in all of the identified positions indeed have significant emergency response responsibilities, and to more clearly state the reasons why the City considers such positions to be "emergency positions," should the City ever face a challenge to this policy;

NOW, THEREFORE BE IT RESOLVED, that the City Council, upon recommendation of the City Manager and the Personnel and Finance Committee, does hereby adopt the attached amendment to Section 5.04, "Residency Requirement," of the City's Personnel Policy, and does hereby further state the following reasons for identifying the following positions, in addition to those in police, fire and EMS, as "emergency positions" subject to a 15-mile residency requirement:

--City Manager and City Manager's Administrative Assistant—to direct emergency operations and coordinate communications with elected officials and the public

--Information Services Director—to provide IS support to emergency operations

--Director of Public Works; Public Works Street Division Supervisor and all street division employees, to respond to emergencies including by way of example but not limitation:

- Snow and ice events
- Sanitary sewer blockages/backups
- Storm water backups and street flooding
- Downed limbs and trees in streets and on public properties
- Vehicle and equipment failures during emergency responses
- Need for traffic control measures during emergency situations

--Wastewater Superintendent and all wastewater operators, to respond to emergencies including by way of example but not limitation:

- Collection system emergencies, including lift station failures
- Treatment plant equipment failures or other issues that upset the treatment process and may result in damage to plant equipment and facilities, violation of the plant's discharge permit and/or the release of untreated or inadequately treated wastewater

--Electric Utility Director, all line workers and electricians, to respond to emergencies including by way of example but not limitation:

- Power outages
- Downed poles and/or wires
- Motor vehicle accidents, downed trees and limbs and other situations where there is an emergency need to de-energize circuits
- Assistance to other City departments and agencies in situations where emergency power or lighting is needed

--Water Utility Director and all plant operators and distribution staff, to respond to emergencies including by way of example but not limitation:

- Water main and service breaks, both to isolate leaks and undertake repairs
- Water filtration plant equipment failures or other situations where the utility's ability to provide safe water in sufficient quantities is threatened
- Contamination issues, where emergency communications to utility customers are required

--Parks and Recreation Director, all Parks and Recreation Maintenance and Facilities Staff, and City Hall maintenance staff, to respond to emergencies including by way of example but not limitation:

- Damage to/system failures in parks and public buildings, where there is a need to undertake emergency repairs and/or secure facilities to restrict public use or access
- Downed limbs and trees in streets and on public properties
- Situations that necessitate opening public buildings as emergency shelters

Approved this 4th day of August, 2025.

Council Member

Gregory E. Buckley, City Manager