

**MINUTES**  
**ADVISORY COMMITTEE**  
**Thursday, November 10, 2011**  
**City Hall, Room 604**  
**5:00 p.m.**

MEMBERS: Council President Tom DeWane, Council Vice-President Amy Kocha, Ald. Tony Theisen, Ald. Chris Wery, Ald. Steven Deneys, Ald. Jerry Wiezbiskie

OTHERS PRESENT: Ald. Guy Zima, Ald. Brian Danzinger, Ald. Buckley, Ald. Ned Dorff, Lauri Marenger, Kris Teske, Anita Raleigh, Dawn Foeller, Tony Wachewicz, Kail Decker, Mike Hronek and others

1. Call to order.

Roll call was taken and all were present

2. Approval of the agenda.

A motion was made by Ald. Wiezbiskie, seconded by Ald. Kocha, and carried to approve.

3. Approval of the minutes of the June 1, 2011 Advisory Committee meeting.

A motion was made by Ald. Kocha, seconded by Ald. Wiezbiskie, and carried to approve.

4. Discussion and possible action on redistricting and the adjustment of ward boundaries.

Assistant City Attorney, Kail Decker, gave the committee a presentation on the redistricting of 2011. Attorney Decker began by explaining the City has received a tentative plan from the County outlining its Supervisory District lines. Legally, the City is tasked with creating wards followed by the creation of Aldermanic Districts. However, Attorney Decker advised they create Aldermanic Districts before creating wards so that they create Aldermanic Districts within legal guidelines. In reality, wards are the building blocks that make Aldermanic and Supervisory Districts, so there is no point in creating wards that do not allow the City and County to make legal districts. He recommends they determine the Aldermanic Districts and then divide those districts into wards.

State law sets a framework for designing wards. They must use whole blocks, keep in mind the convenience of the voters, and be sure the district designs conform to a somewhat solid, compact shape. Also, the City and County districts need to be close in population. Per state statute, the wards must be between 800 and 3,200 people. The City currently has fifty wards that make up twelve Aldermanic Districts.

Attorney Decker explained the reason why the City must change its current boundaries is due to a substantial increase in population in District 1. The other districts have stayed pretty much the same in population, but the increase in District 1 means other districts must absorb some of that population in order to remain compliant with state statute. That being said, the City districts adjacent to District 1 – Districts 2, 3, and 6 – are the only districts capable of absorbing some of District 1's constituents. In turn, they will lose some of their current constituents to Districts 4, 5, 7, and so on as each district's boundaries extend east to pick up constituents as a result of the expansion of other districts.

Given these facts, the committee must first decide if they want to follow State Assembly District lines. The County's current plan does not follow state lines in nine separate locations. This is significant because the City will need to create nine additional wards to account for the inconsistency in borders. The standard before the City is to make a good-faith effort to accommodate the County's tentative plan. Attorney Decker suggests a good-faith effort would be to divide its wards to allow the County to create eleven districts since that was approved by the County. That does not mean they legally must do so, but to change any County lines must be done so in good faith. An example of a good-faith effort would be to match the State lines to avoid any voter confusion and, in turn, allow for the easier administration of elections. The other option is to create small wards when necessary without changing the County's plan. Both options are lawful and up to the City Council to decide.

Attorney Decker drew attention to a map outlining both the State Assembly Districts overlapped by the proposed County Supervisory Districts. There are nine locations on the map in which the State's Assembly lines diverges from the County Supervisory lines. This means that voters in those nine pockets will vote for different State and County offices as compared to the majority in those districts. That being said, if there is not a polling location located in those pockets, those people will either have to vote at two different polling locations based on if it is a spring or fall election, or put two wards at one polling location to manage two different ballot styles.

Ald. Theisen pointed out that there must be an exception to state statute to allow for the creation of wards in those smaller pockets of the City where State and County lines do not match up. Attorney Decker said that is correct because the City is being asked to develop its districts after the State has developed its boundaries, which has not been the case in the past. Therefore, the exception will allow for a ward to be drawn with less than a population of 800. The key is that the ward must border a State Assembly District border.

Ald. Kocha asked for clarification on the exception. The wards that do qualify for the exception do not need to be made into wards, but the exception will allow for that.

Ald. Wiezbiskie pointed out that an obvious solution would be to eliminate those pockets that create those smaller wards. This could be done by adjusting the County lines.

Ald. Theisen stated the County can only change the boundaries if the change resulted in a 10% or less population variance between districts.

Attorney Decker stated the important thing to note is the County cannot change the ward lines as set by the City. That is why the City must make a good-faith effort in its ward creation to allow the County to adjust its boundaries lawfully. The County set a tentative plan to inform the City of the lines it intends to draw, but once the City sets its wards, the County will build its district lines around those ward boundaries, provided it can do so lawfully.

Ald. Theisen said in the past, the City was allowed to have as many Aldermanic Districts regardless of County Supervisory Districts. Attorney Decker said that is correct.

Attorney Decker went on to explain some advantages and disadvantages of changing the County's lines. An advantage to changing the County's lines is that it avoids voter confusion by eliminating different overlapping State and County districts, thereby making it easy for the voter to determine the appropriate polling location and offices he/she is eligible to vote for. This also reduces the cost of having extra polling locations that may result for those voters residing in the

few small pockets developed from such an overlap. The alternative to an additional polling location would be to have that voter travel to a different polling location outside the district in which they live, dependent upon the type of election, whether it be spring or fall.

Some disadvantages to changing the County lines are that district population differences may increase slightly and other lines will change due to a population shift.

The goal of the committee is to make a decision if they want to change the County lines and start building the Aldermanic Districts around those lines, or if they want to keep the County lines as is and then start building the City districts.

Ald. Theisen pointed out the concerns of incumbents in all of this. The County's lines were drawn to avoid an incumbency problem, so if the City changes those line configurations to match the State's boundaries, it may very well be pinning a County incumbent against another incumbent and the County will not like that. He also questioned the possibility of creating twelve Aldermanic Districts given the County's eleven Supervisory Districts. Attorney Decker replied that it is possible to do so, but the State and County lines cannot remain the same.

Ald. Theisen stated the City could first decide on eleven or twelve Aldermanic Districts and go from there. However, if they do make that determination, an alderperson may find out he/she was better off in the other scenario.

Attorney Decker said they can create a City plan that avoids an incumbent versus an incumbent situation. However, this may create that type of situation at the County level.

Ald. Dorff wanted to respond to the slide on advantages and disadvantages. He believes the advantages do outweigh the disadvantages if you consider it from a voter's perspective. That issue should take priority over having multiple incumbents in the same district.

Attorney Decker said it would be ideal for a voter if they lived in a district that voted for the same City Alderman, County Supervisor, and State Assembly person.

Ald. Zima said he believes there will be a lot of confusion for voters if they decide to create a different number of Aldermanic Districts from Supervisory Districts. He suggested an alternative would be to double the amount of Aldermanic Districts within the County-created Supervisory Districts so as to have two alderpersons per Supervisory District.

Ald. Wiezbiskie said he agrees with Ald. Dorff that they need to remove the political aspect from the decision, but they also must consider the costs involved in all of these changes.

Ald. Theisen recommended they stick with eleven or twelve Aldermanic Districts. Increasing beyond that would not be favored by the public.

Ald. Wiezbiskie also pointed out that the alderpersons may be running against a few opponents in the upcoming election, so the incumbency issue seems immaterial given that aspect.

Attorney Decker continued with his presentation by pointing out step two of the decision involves choosing between eleven or twelve Aldermanic Districts. While the creation of more than that is legally possible, the proposal by Ald. Zima was the first he had heard. He had only prepared five sample maps based on eleven or twelve Aldermanic Districts, so he asks that they consider those proposals.

Attorney Decker said an eleven Aldermanic District map would be the easiest given the County's eleven Supervisory Districts and the ability to remain consistent with those boundaries. Again, this makes it easier on the voter come election time.

Alternatively, the twelve Aldermanic District option would remain relatively consistent with what the City has today. However, that does not mean that it would be easier for the voter because reconstruction of those lines would not be as congruent as the eleven Aldermanic District option. There is no right or wrong answer; it simply boils down to the weight the alderpersons place on the advantages and disadvantages of the alternative options.

Attorney Decker proceeded to present five options for the committee, though more options are certainly available. Of these five options, two presented eleven Aldermanic Districts and three, twelve Aldermanic Districts.

### **Option 11A**

- Aldermanic Districts = 11
- Changes to the County's tentative plan? = No
- Theme: County and City districts share borders
- Advantages: Accommodates County plan, no voter confusion in Spring Elections
- Disadvantages: Voter confusion in Fall Elections and creates extra wards
- Statistics: 43 wards, 6 areas will have different state assembly representatives

### **Option 11B**

- Aldermanic Districts = 11
- Changes to County's tentative plan? = Yes
- Theme: County and City districts share borders
- Advantages: Least chance of voter confusion, least number of wards (only 11 ballots)
- Disadvantages: Changes County's tentative plan
- Statistics: 37 wards, no areas will have different state assembly reps

### **Option 12A**

- Aldermanic Districts = 12
- Changes to County's tentative plan? = No
- Theme: Reflection of current Aldermanic Districts

- Advantages: Similar to current districts, accommodates tentative plan
- Disadvantages: Voter confusion (33 different spring ballots and state/county lines diverge)
- Statistics: 48 wards, 6 Aldermanic and 7 Supervisory Districts will have different state assembly reps

### **Option 12B**

- Aldermanic Districts = 12
- Changes County's tentative plan? = Yes
- Theme: Reflection of current Aldermanic Districts
- Advantages: Consistent with current districts, reduces some voter confusion by matching State lines
- Disadvantages: Voter confusion in spring (26 different spring ballots)
- Statistics: 42 wards, 6 Aldermanic and no Supervisory Districts will have 2 state assembly reps

### **Option 12C**

- Aldermanic Districts = 12
- Changes to County's tentative plan? = No
- Theme: Example of compact 12-Alderman plan
- Advantages: Accommodates tentative plan, compact Aldermanic Districts
- Disadvantages: Voter confusion (29 different spring ballots), significant boundary changes
- Statistics: 44 wards, 6 Aldermen and 7 Supervisory Districts will have 2 state assembly representatives

Ald. Theisen stated plan 11B is less expensive administratively and less confusing to the voters. This option involves changing the County lines, but the County does not care what the City's lines are, it is only the incumbents in the County that would care.

Ald. Dorff said there is more of a disadvantage to 11B than what Ald. Theisen stated. There would be more constituents added to the districts, which in turn could negatively affect the quality of service the aldermen provide to their districts.

Ald. Kocha believes the first consideration needs to be the voters. She asked to hear from the staff involved with the administration of elections.

Ald. De Wane turned the floor over to the City Clerk, Lauri Marenger.

Ms. Marenger explained their decision on redistricting will have a huge impact administratively. The City's Election Specialist has a huge task when it comes to reporting and balancing all elections within 30 days of an election. Ms. Marenger spoke to the County Clerk to determine some of the costs involved in the electoral process given the various redistricting options before the committee. For instance, if the lines match with the County, the expenses for ballots are shared between the County because both the ballots encompass both County and City elections. However, the City will need to cover the full expense of those elections in which the County and City do not share an elected office on the ballot, which would be situations involving those pockets of smaller wards. Additionally, there will be additional programming costs for the voting machines because of additional ballot styles that will need to be generated as a result of those overlapping districts. There is a \$120 charge per ward, per election. The law states that you can only have one ballot style at one ward, so if you have two wards voting at one polling location, you will still have to pay the \$240 cost to program the machine for two wards, two ballot styles. The less ballots there are, the less confusion for the voters. The election staff receives many calls at election time regarding polling locations and the offices up for election on the ballot, so the less confusing the borders, the less staff time spent fielding such calls and the less voter frustration.

Ald. De Wane asked Election Specialist, Kris Teske, if option 11B is the preferred option, and she agreed that it is. She wanted to clarify that the City is legally not able to have two ballots at one ward; it is only capable of having one ballot per ward. There is the option to put two wards at one polling location, but the cost of programming the Eagle machine will remain consistent with two wards, meaning the City will be charged as if it was operating a second ward.

Ms. Teske also wanted to bring up Ward 2, the University of Wisconsin Green Bay (UWGB) polling location. There are eight "permanent" residents within that ward that were required to go to a different location if UWGB was not operating as a polling location. This required a letter be mailed to those residents notifying them of their change in polling location for a specific election. They have requested over the years that they be included in a normal polling location with the next census because of the confusion involved in switching polling locations based on the election. Given the possibility of there being nine pockets that would require such notification, she asks that they consider the administrative effort in notifying those additional people of their change in polling location that would result between spring and fall elections. There is more than just ballots to consider. There is postage and staff time to consider as well.

Ald. Wiezbiskie also asked about public notice. She agreed that cost would go up with additional ballot styles.

Ms. Marenger mentioned the 2012 proposed budget was premised on 36 wards; if they were to increase the ward number, the budget would be affected. They need to keep in mind that each ward costs about \$1,200 per election. This cost involves poll workers and Department of Public Works staffing. The DPW staff is responsible for the delivery of supplies, testing of the machines and setting up each polling location. The DPW election staff, as well as some Park and Recreation staff, will also run ballots out to polling locations as needed on Election Day.

Ald. De Wane pointed out the 2012 budget accounts for 36 wards and Redistricting Option 11B has 37 wards factored in. Finance Director, Dawn Foeller, pointed out that the 37<sup>th</sup> ward is actually joined with another ward for voting purposes but there will be 36 polling places, so the number is actually 37 wards.

Ms. Marenger stated that the City was set to implement new voting equipment in 2012, but it looks like it will not be until 2013 due to delays in certification of the new voting equipment. This is probably a good thing, considering it will be a Presidential Election year tripled with redistricting and voter ID changes. That being said, the start of 2013 will involve the use of the new equipment. The first year will be of no charge to the City, but the fee thereafter there will be a \$250 annual maintenance fee per machine.

Ald. Theisen suggested they first decide if they want to do eleven alderpersons since it is the simplest plan. Otherwise, twelve alderpersons will involve more input on how they want to draw the lines. Option 11B seems the obvious choice since it matches the County's lines.

At this time, the committee and other alderpersons present took some time to review the five maps Attorney Decker had created.

Ald. Kocha asked Attorney Decker to explain the difference between maps 11A and 11B. He responded the only difference between the two maps is that the County's lines are changed to match the State Assembly lines in 11B, which results in a change to the County's tentative plan. Option 11A has six more wards as compared to 11B without such an adjustment of the County's lines.

Ald. Wery said he does not really see the average citizen caring if they differ in Assembly District.

Director Foeller said the cost for the four 2012 elections will be around \$30,000 with the additional six wards.

Ald. Theisen asked Ms. Teske to reiterate the circumstances where additional letters would need to be sent to voters notifying them of a change in polling location. Ms. Teske explained that circumstance happens if those smaller pockets in 11A do not have their own ward, thereby requiring voters within those pockets to travel to a different location. The City Clerk's staff prefers 11B because it eliminates those pockets, which in turn reduces voter confusion and makes the administration of elections easier.

The alderpersons took some additional time to review all the maps and discuss the various options amongst themselves.

Ald. De Wane brought the meeting back to order and asked they vote on the maps to determine the direction they want to go, whether it be eleven or twelve alderpersons.

Ald. Kocha made a motion to approve moving forward with a eleven district plan. Ald. Wiezbiskie seconded the motion.

Ald. Dorff stated a twelve district plan provides for better quality of service to the constituents.

Ald. Wery agreed that increasing the number of constituents will require more investment of their time, which is already quite limited. The position will turn into a full-time job more suitable for a retiree or self-employed individual if you decrease to eleven aldermen because you will be

spreading your time among more constituents and likely have to attend more committee meetings.

Ald. Danzinger said he understands the rationale behind reducing to eleven districts. However, as alderpersons, they work on special projects and serve on various boards within the community and the idea of decreasing the size of Council threatens their ability to continue to do so.

Ald. Kocha said she agrees with the alderpersons in support of the twelve districts, but her main concern must be for the voters and reducing as much confusion for them come election time. Also, she is concerned about staff time and the workload and expense involved if they decide to go with twelve districts over eleven. Finally, they are responsible for making a good-faith effort in their decision, and she has a hard time believing they would be doing so if they remain with twelve districts.

Ald. Wiezbiskie said he realizes the increase in constituents would be challenging, but he has had such a large population over the years and knows it is manageable. Their duty is to find the least complicated adjustment for both the voters and administrators of elections. In conjunction with that, they must consider the costs involved in their decision, and staff is clearly advising them to go with eleven districts.

Ald. Buckley stated he is also concerned about the workload they will face if they reduce districts. While he understands the concerns of those in favor of eleven, he must support a twelve district map.

They voted on Ald. Kocha's motion to draft eleven districts. The motion failed 2-4, with Ald. Kocha and Wiezbiskie voting yes and Ald. Theisen, Wery, Deneys, and De Wane voting no.

Ald. Wery made a motion to move forward with drafting twelve districts.

Ald. Zima said they should consider 11A if the majority is opposed to 11B because it is still a reduction in polling locations from what the City presently has and does not change the County's lines. It would be ill advised to create a map that disrupts County and State lines because of the confusion among voters that would undoubtedly ensue.

Director Foeller reminded them that the additional polling locations would increase the Elections budget by about \$30,000. They need to increase the staffing at polling locations for 2012 as well. The City currently has 49 polling locations, but as Ald. Zima pointed out, Option 11A is six less than that.

Ald. Zima reminded them of state statutes and those things they must consider throughout the redistricting process – reduce voter confusion and create compact districts. The County was instructed to follow natural boundary lines and try to keep the districts as similar in size as possible. Any option involving twelve districts does not account for voter convenience.

Ald. Theisen clarified Option 11B is the map that will provide the lowest voter confusion.

Ald. Wery made a motion to move forward with a twelve district map.

Ald. Kocha asked Ald. Wery what he sees as the advantages 12B has over the other twelve district options. He said Option 12B keeps his district relatively the same and compact and is the cheapest twelve district option.

Ald. Wery's motion was seconded by Ald. Theisen.

Ald. Dorff said he if they are moving to a twelve district plan, he is in favor of Option 12B because it matches the State lines.

Ald. De Wane stated Option 12B would drastically change his district. He pointed out that the redistricting needs to be approved by the entire Council at the next Common Council meeting Tuesday, November 15, so changes can still be made at that meeting.

The vote on Ald. Wery's motion failed 3-3. Ald. Kocha, De Wane, and Wiezbiskie voted no and Ald. Theisen, Deneys, and Wery voted yes.

Ald. Kocha asked Ald. De Wane what he thinks they should do. Ald. De Wane said he voted against the eleven districts, but he has now changed his mind and is in favor of the eleven district option because of the work that was already done at the County level to create their tentative plan. Also, Option 12B does not conform to his current district at all.

Ald. Wiezbiskie does not think the County spent as much time on this as other members have stated.

Ald. Theisen said historically, the County set its lines first, sent it to the City to set its lines, and then sent it to the State. This time, the State decided to set their boundaries first. Ald. Kocha said it is a political maneuver to ensure the State Assembly incumbents were eligible for reelection, did not face off against one another, and also to ensure their boundaries conformed to the old boundaries as much as possible.

Ald. Theisen said no matter what they do tonight, six more votes will be involved come Tuesday's Common Council meeting. He suggested that once they understand the various options, they should refer it to Council to hash it out there.

Ald. Zima said they should choose an option to recommend and try to tweak it as much as possible at this committee.

Attorney Decker suggested they select both an eleven district and twelve district option to refer to Council if they are unable to decide between eleven or twelve districts this evening.

Ald. Theisen made a motion to refer the item to Common Council on Tuesday, November 15, for action. Ald. Wery seconded the motion. Ald. Theisen ended up withdrawing that motion and made a motion to hold the item until a special Council meeting Saturday, November 12, at 9 a.m. No one seconded that motion.

Discussion continued over the action the committee should take. Some stated they needed to make a decision at this committee given the urgency of having to approve a map at the Common Council meeting on Tuesday. Another suggestion was to hold a special meeting of the Council prior to Tuesday, but it was determined that option was not feasible given public notice requirements and the Monday night Packer game. Finally, referring this to Tuesday's Council meeting without a recommendation was also not the best option given the 2012 budget

is on the agenda and will likely take up most of the evening. They decided the other Council members need to review the maps as well before making a decision on the matter.

It was decided they would hold a special Common Council meeting to discuss the redistricting options as a whole. The meeting will commence at 1 p.m. Tuesday, November 15, with a final vote to be taken at 3 p.m. to allow for Ald. Danzinger and Ald. Wiezbiskie to be present.

A motion was made by Ald. Theisen to recommend to Common Council Option 11B and Option 12B as the most feasible options for eleven and twelve districts. The motion was seconded by Ald. De Wane and carried to approve.

A motion to adjourn was made by Ald. Wiezbiskie, seconded by Ald. Kocha, and carried. The meeting adjourned at 7:15 p.m.