



City of Madison

City of Madison
Madison, WI 53703
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Meeting Minutes - Approved DOWNTOWN COORDINATING COMMITTEE

Thursday, August 20, 2015

5:30 PM

210 Martin Luther King, Jr. Blvd.
Room 108 (City-County Building)

CALL TO ORDER / ROLL CALL

Present: 9 - Michael E. Verveer; Ledell Zellers; Davy Mayer; Gregory O. Frank; Ted Crabb; Matthew J. Covert; Sandra J. Torkildson; Austin E. McClendon and Adam J. Plotkin

Excused: 2 - Mary C. Carbine and Thomas E. Hirsch

APPROVAL OF June 18, 2015 MINUTES

A motion was made by Frank, seconded by Plotkin, to Approve the June 18, 2015 Minutes. The motion passed by voice vote/other.

PUBLIC COMMENT

None

DISCLOSURES AND RECUSALS

None

1. [36258](#) Report of Mall Maintenance and Special Events 2015

Lisa Laschinger, Parks Division gave a brief report. She said that notification letters to the property owners in the maintenance expansion area will be sent out shortly now that the informational meeting has been set for 3pm, August 27, 2015 at the Fluno Center.

Laschinger said that staff will begin painting the bases of the light poles as well as the bus shelters. She also followed-up on a question from the last meeting regarding the sidewalk planting beds at the base of Park Street. She said that they were under UW control. Zellers asked if there was any better paint available for the light poles to prevent this kind of damage from the salt. Laschinger replied that they use what is recommended by the manufacturer.

2. [36539](#) Philosophers Grove

*Several speakers combined their time and spoke about agenda items 2 & 4 together.

Megan Rottstein, registered in opposition to 2 & 4, but did not speak.

Heidi Wegleitner, County Board Supervisor, spoke in opposition of items 2 & 4. Wegleitner said that removal of the Philosophers' Stones and the Bench Ordinance are an attempt to criminalize homelessness, and she asks that the DCC reject the bench ordinance. She said that everyone needs a place to sit and sleep as shelter nights are limited to 60 /year. Enforcement will be costly, and studies show that it will not work. It affects a lot of people, but

only a few get tickets, which makes it even more difficult to find housing. We need to support Housing First initiatives. The Federal government is warning that cities that criminalize homelessness may pay by having reduced CDBG grants available to them. There are laws on the books that can stop criminal behavior. These ordinances are a racial injustice and also affect people with mental illness. She referenced the CDBG County Annual Report on Homelessness and the Zero by 2016 Community Solutions Initiatives. Crabb asked about the behavioral problem issues. Wegleitner says that those activities are already against the law. Covert noted that the purview of the Downtown Coordinating Committee (DCC) is downtown issues, and asked where will people go if the bench ordinance passes. Wegleitner said that she doesn't know the answer but that she suspects that they will get pushed further out in the city to find safe spaces. Mayer said that they understand that enforcement of the existing laws didn't have an effect on the problems in the Philosophers' Grove.

Karen Reece, Urban Community Arts Network, spoke in opposition of items 2 & 4. She said that they have been involved in some of the programming for the top of State Street this summer with great success. She was pleased with the diversity of both performers and the crowds. She said that neither the stone removal nor the bench ordinance will solve the larger problem. She has never seen a long term solution of the problem, but displacement just moves things around. Frank noted that the UCAN program was one of the most popular series for the events on the Top of State this summer; however the programming can't be there all of the time.

Ed Kuharski spoke in opposition of items 2 & 4. He said that the Philosophers' Stones were an example of terribly successful public art that allowed people to have discussions and public discourse. He said that the destruction of the stones is terrible, and that the city should design places to encourage the behaviors that you expect. You don't see graffiti often on a well maintained store front, but you often see it dreary facades. He said that eyes on the street and staffing of places can make a difference. Why not have a lobby attendant in the CCB that could help connect the homeless with services and opportunities. Torkildson asked about the effect of the empty storefronts and blank walls along Mifflin Street. Kuharski said that there is a message of "keep-out" when there are empty storefronts.

Torrie Kopp Mueller spoke in opposition of items 2 & 4. She said that police citations for loitering greatly affect the ability of people to find housing, as landlords look at CCAP and see the unpaid tickets. Housing First is the answer, and in Salt Lake City, they were able to affect their homeless problem by having the Mayor personally call landlords and convince them to provide and offer housing to homeless people. The political process could be used in our favor if not for ordinances like this one.

Ronald Barber spoke in opposition of items 2 & 4. He said that he arrived in Madison homeless in 2012 and that he was lucky to get involved with the Homeless Issues Committee. He said the city needs a daytime warming shelter, and that could provide activities to build peoples skills and services. He said that Metro Transit should allow people to sleep in shelters on rainy days, and that we should give homeless people bus passes so that they can have alternative places to hang out. People are downtown because it is lit and feels safer. There are lots of people in wheelchairs and walkers and that removing a work of art doesn't help.

Al Muhaymin spoke in opposition of items 2 & 4 and said that he is homeless but volunteers for JBM security. The police have given him a ticket for trying to calm someone else down, and now he is having trouble getting housing because of it. He said Madison is racially profiling the homeless.

Elizabeth Tucci spoke in opposition of items 2 & 4. She said that it isn't a good idea to criminalize homelessness. There is a program at the YWCA that pays for 100% of housing costs, and it still takes months to find people housing. She has been supporting survivors of

domestic abuse for years, and the city needs to build capacity for service providers. This is the wrong way to talk about these issues, and there are real solutions that make sense.

Maria Milsted spoke on items 2 & 4 neither in opposition or support. Milsted said that she and her husband do business at 106 W Mifflin St. This last week when the stones were removed was not a joyous occasion even though she was in favor of their removal. It shouldn't be the fault of the business people who are just trying to make a living. Everyone blames each other. This year was the first year that they could fill all of their rental units, and that is because the stones were removed. The City and the County need to do their job and not put it on the business people who are afraid to go to work at property that they pay taxes on. The artist, Jill Sebastian, is a talented woman, and they had a good discussion, but the day that the stones were removed she went to work without fear for the first time without being harassed. It is the housing that is needed, not the removal of the stones, but the stones had to go to stop the problem. The homeless people are the cover for the criminal behavior that was going on. Mayer asked how it was different now that the stones have been removed. Milsted said that there were a few people sleeping on the concrete, but there doesn't seem to be the hard core criminal hanging out anymore.

Captain Carl Gloede, Madison Police, came at the request of the DCC, and was available to answer questions. Frank asked about the difference in the area since the stones were removed. Gloede said that over the past few years the area had been a place where people congregate in larger groups which became a problem. Since the stones were removed, the large congregations of people have not resurfaced. There are still a few people, but they are in smaller groups spread around the area. More people are moving through the space on the way to restaurants, shopping and other activities, which is a positive change.

Crabb asked about larger homelessness issues. Gloede said that there are no easy answers to the larger problems. There was a glimmer of hope for the two years that the warming shelter was open, but the issue has grown since it closed two years ago. Crabb said that those issues are a problem whether or not the stones are there. Gloede said that they can write 100 tickets, but that it isn't a solution, the revolving door is also frustrating for officers. Crabb said that he is frustrated about communication with the Police Department. The DCC is supposed to be a committee dealing with downtown issues and what is the purpose of the committee if they are not part of the solutions. Gloede said that the police will be more responsive to DCC requests, and that the police will provide regular updates to the DCC. Crabb said perhaps every other month would be appropriate.

Zellers asked about the Carroll Street cul-de-sac, and whether the behavior problems have moved across the street. Gloede said that there has been some displacement there, but not in the numbers that were across the street.

McClendon asked if the bus shelter had also been removed. Gloede said that is was removed just yesterday.

Torkildson asked staff about the different "hot-spots" that flare up over time, much like King Street from many years back is now a vibrant dining scene. She asked Planning Division Staff how we can design spaces better. Rebecca Cnare, Planning Division, replied that active spaces with healthy, retail/restaurants are the key to successful places. Blank walls, empty storefronts, even semi-empty bank lobbies do not add vibrancy to the built environment. Crabb said that staff is exactly right about public spaces. Perhaps the DCC acted too soon at Philosophers' Grove and we should have waited for Housing First, and Zero by 2016 etc., to work before we changed the space.

Frank said that he agrees with many of the speakers that we have to separate homelessness from criminal behavior. He has businesses on both ends of State Street, and as much as he regrets that necessity of the stones being taken out, he doesn't apologize for it. He suggested that food carts, programming and other things could create

positive activity on the space until the storefronts are filled up. It needs to be safe for everyone downtown.

Mayer asked if the city consulted with the artist. Staff replied that as soon as they knew about the decision to remove the stones, they communicated with the artist so that she was aware of the decision. Mayer asked about the cost of removal. Staff said that it cost a little over \$2000 to remove 11 of the 44 stones, and that they do not have a final cost on the entire removal.

Crabb asked the alders on the Committee to relay to the Mayor that City Committees should be used for these kinds of decisions, and why have a committee if it doesn't matter what they do. Torkildson agreed that she hopes that Committees, whose members are volunteers, should have their time and process be respected.

There was no committee action on this item.

3. [39140](#)

Amending Sections 9.13(5)(c) and 9.13(6)(h)3.a.iv. of the Madison General Ordinances to create a per-square-foot license fee for all sidewalk cafés and increasing the license fees for Mall/Concourse sidewalk cafes in the State Street Mall/Capitol Concourse Vending Area.

Greg Frank requested the referral of this item to a future meeting so that business owners could try to propose a compromise solution that would be acceptable to both café owners and the Mayor.

A motion was made by Crabb, seconded by Zellers, to Re-refer to a DOWNTOWN COORDINATING COMMITTEE future meeting. The motion passed by voice vote/other.

4. [39502](#)

Creating Section 23.60, renumbering current Section 23.60 to Section 23.70, and amending Section 1.08(3)(a) of the Madison General Ordinances to impose a time limit on use of public benches, to prohibit sitting or lying or lodging in the public sidewalks and rights of way and specified other public places, during specified hours in the Central Business District, and establish a bail deposit schedule for violations thereof, to be known as the Downtown Pedestrian Protection Ordinance.

Mary Anglim registered in opposition but was not available to speak .

Matt Kozlowski spoke in opposition to the ordinance. Kozlowski gave information contained in the Madison Homeless Consortium Zero 2016 campaign to end veteran and chronic homelessness by the end of 2016, including the hosting of a registry week which is used to identify the most vulnerable and at-risk homeless residents in the community. He said the city needs to support the Housing First campaign and that they need the Mayor and the DCC to become advocates for these programs, as well as encouraging landlords and telling them about homeless housing success stories. Torkildson said that she is often skeptical of new initiatives, and asked if there are any communities that have had success with Housing First, and how long did it take. Koslowski said that Salt Lake City, Portland and Seattle; among other cities have had great success with housing first. He added that good leadership at the city level is essential to its success. Crabb asked if this is only a question of homelessness, or it is also drugs, alcohol, mental illness and other behavioral issues. Koslowski said that the homeless are often the first victims of criminal behavior and that they are very vulnerable.

Brenda Konkel spoke in opposition to the ordinance. She emphasized the importance of what others said before her and added that the city is suffering from a lack of leadership on these issues . There is a 3-6 month waiting list for housing for the homeless, due to many factors including the city's low vacancy rates. Madison is also suffering from everyone blaming everyone else , and all of these conversations seem to be happening in a vacuum. She said that it is essential that there is a larger community conversation. If this ordinance passes, there will no longer be any legal places for people to sleep and the city will continue to spin its wheels looking for real solutions.

Laurel Fletcher spoke in opposition to the ordinance. She is disappointed and sad about this counterproductive discussion, and that there needs to be an end to these kinds of divisive policies.

Bill Felty, Chair of the Equal Opportunities Commission (EOC), was available to answer questions. Felty said that the EOC recommended against the ordinance, and stated that this ordinance is reminiscent of "sundown laws" that made it legal to discriminate against different racial groups in the southern states .

Evelyn Gildrio-Vayles registered in opposition to the ordinance , and works with children downtown. She said that she always feels safe, and that she cried when she saw the bus shelter was gone. She said that the people hanging out in Philosophers' Grove were always nice to her and the children. She is worried about the woman who lives on the bench on Pinckney Street. This is her city too, and she is upset that she is being treated like an eyesore.

Dan Milsted registered in neither support nor opposition. Milsted said that the old loitering ordinance had a sunset date of about 15 years ago, and that part of the problem is that people using the benches have nowhere else to go. He said that maybe the old Bellini restaurant could become a good day shelter. He added that 14-16 benches were placed in the 100 block of State Street during the reconstruction, but now there are only a few left because of all of the problems, and one person occupies one of the benches all day long not allowing others to sit there.

Greg Frank said that the Mayor told him that he wished he could have come to the DCC meeting this evening, but that he had a conflict. Frank said that the Mayor would like the DCC to refer this ordinance to a future meeting so that he can attend.

Torkildson said that it can be frustrating to keep coming to meetings to testify . Crabb said that he doesn't know what to do about these issues, as there wasn't an attempt to bring parties together to offer solutions. Crabb asked what it would take to get people to offer other solutions . Verveer said that the Mayor could potentially discuss that with the Committee when he comes to the next meeting.

Torkildson said that she is upset that she has gotten some bad emails threatening to boycott her business because of some of the ordinances and activities in the downtown that have been discussed at the DCC, i.e. removal of the stones and the bench ordinance. She wanted to emphasize to people that just because an issue comes before a committee doesn't mean that she personally supports it, and that people serve on committees as a part of public services to the community.

A motion was made by Verveer, seconded by Frank, to Referred to a DOWNTOWN COORDINATING COMMITTEE future meeting. The motion passed by voice vote/other.

5. [33826](#)

Committee Member & Staff Updates

Zellers noted that Capitol Neighborhoods Homeless issues program will be Wednesday, August 26 at 7pm at Capitol Lakes Community room.

ADJOURNMENT

A motion was made by Crabb, seconded by Verveer, to Adjourn at 8:05 p.m. The motion passed by voice vote/other.

Upcoming Meeting: September 17, 2015