



City of Madison

City of Madison
Madison, WI 53703
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Meeting Minutes - Draft PUBLIC SAFETY REVIEW COMMITTEE

Tuesday, June 14, 2011

5:00 PM

City of Madison Police Department
211 South Carroll Street
Room - GR-22 (City County Building)
Central Community Room

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Yog hais tias koj xav tau ib tug neeg txhais lus, ib tug neeg txhais ntawv, cov ntawv ua lwm hom ntawv los sis lwm cov kev pab kom siv tau cov kev pab, cov kev ua ub no (activity) los sis qhov kev pab cuam, thov hu rau tus xov tooj hauv qab yam tsawg peb hnuv ua hauj lwm ua ntej yuav tuaj sib tham.

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Contact: Emily Hardiman at 267-8676.

CALL TO ORDER / ROLL CALL

- Present:** 5 - Paul E. Skidmore; Ald. Jill Johnson; Michael S. Scott; Maurice S. Cheeks and Ald. Matthew J. Phair
- Absent:** 1 - Bret M. Gundlach
- Excused:** 2 - Tyrone W. Bell and Chan M. Stroman

APPROVAL OF MINUTES

Alder Phair made a motion to approve the meeting minutes from the April 12th, 2011 meeting. Alder Skidmore seconded the motion. The minutes were unanimously approved.

PUBLIC COMMENT

Mary Carbine, the Executive Director of the Central Business Improvement District (BID) spoke on item number 22548 where she opposes the amended ordinance on the Alcohol License Density Ordinance referred to as (ALDO). She said since 2006 that the BID Board has been very engaged in ALDO and the amended ordinance which is before the committee today. She said that the BID Board supports several goals of ALDO such as reducing the alcohol related crime and disorder downtown and supporting a healthy business mix, however she said that the BID board does not feel that ALDO will be affective in achieving the proposed goals as they haven't seen any data that shows a reduction in crime and disorder downtown that is a result of ALDO rather than an overall trend of reduced crime citywide. She said that the BID Board has spent a lot of time working with the Alcohol License Review Committee (ALRC) on the proposed amendments to ALDO to allow entertainment venues that would be a non-vertical drinking focus as an example a dinner and a movie venue or live music club downtown, she said unfortunately BID feels that the ALDO amendments are so unrelated to the realities of how businesses operate that they don't pride any real opportunities for entertainment venues. She said that the BID board has decided to reiterate its initial opposition to ALDO and to oppose the amended version in its entirety.

Pamela Bean, a voting member of the ALRC and Chair of the sub-committee ALDO said that she has been discussing ALDO issues for the past 18 months to establish the draft ordinance that is being discussed before the meeting today and is in support of item number 22548. She said that the two main goals of ALDO are to maintain or reduce the number of bars or taverns in the downtown area and the capacity at establishments. She distributed a handout on studies and explained that there is an association between the density of alcohol outlets in a community and alcohol related harm. She said that alcohol related harm has been measured by alcohol related excessive consumption or alcohol related violence. She said that in those neighborhoods where there is an increased concentration density of alcohol there has been an associated increase in alcohol related harm. She shared with the committee the calls for service before and after ALDO on the annual review. She said that the number of batteries before and after ALDO has decreased, the liquor law violations decreased, the aggravated assaults remained the same, the number of fights has decreased, and the number of disturbances has decreased. She said that the overall number of calls for service has decreased from 2006-09. She said that the last three and a half years that she has served on the ALRC this is the first time on an ordinance that technical advisor representatives from the Madison Police, the Alcohol Policing Group from the UW-Madison, the Tavern League, and the Mayor's Office are all in favor of continuing ALDO.

Nicholas Wootton, a citizen of the Community is speaking today in opposition of item number 22665. He said that he is in support of the intent of the law to safeguard the community, however he has concerns regarding the law where he feels that it is overly vague and broad and that it would not be able to

survive a test in court. He said the Supreme Court of Wisconsin has ruled that the exposure of genitals in public does not itself constitute criminal behavior and that more has to be involved in that activity to be criminal. He said this ordinance does not make any provisions for intent or any distinctions between private and public behavior that would be illegal in a private or public situation. He said that the cost of defending a law like this would far exceed what the City would bring in income by fines imposed by it. He said that he would be happy to work with the Common Council to help draft legislation to target against the intent of behavior and exclude those that are portraying innocent behavior.

Amanda Ney, from the Dane County Coalition expressed that she was not here to speak at the meeting, but to answer questions regarding item number 22548. She said that she has three packets of information that she distributed on the coalition, facts on alcohol and neighborhood violence, and recommendations on requiring municipal action.

DISCLOSURES AND RECUSALS

There were no disclosures or recusals.

NEW BUSINESS

1. [22805](#) Election of the Chair and Co-Chair of the Public Safety Review Committee

Professor Scott who is the Chair mentioned that he and Vice-Chair Tyrone Bell who is not present at the meeting today are only legally authorized to attend one more PSRC meeting in July. Alder Skidmore expressed that he felt uncomfortable voting today because there are 3 Alders at the meeting and one citizen voting member. Scott said there is one City resident vacancy, Chan Stroman who is an alternate and that it would take action to make her a full member, and a Mayor's designee. He said the last few designees has been a staff member of the Mayor's Office which that position has not been officially filled. This is why he explained the reason the committee is short on citizen members. He said that he would like to entertain a motion to refer the matter to fill the Chair and Vice-Chair to the July meeting.
Alder Skidmore made a motion for approval, and Alder Phair seconded the motion. The Committee unanimously approved the motion
2. [21678](#) Accepting a Safety and Security Report from the Allied Area Task Force.

Attachments: [Safety Security Report - Final Approved by ATF 2-24-11 ATF PLAN.pdf](#)

Chair Scott said that item number 21678 was referred to the June meeting as quorum requirements were not met during the May meeting. He said that there were several speakers from the Police Department and the Neighborhood Liaison Office to share a briefing on the report. He said after the meeting was officially cancelled some stayed after to hear about the report. Today, he said since some did hear about the report and others not he would be open to a motion to officially accept the report without an additional briefing or to refer it to a future meeting to have a full briefing. Alder Skidmore made a motion to accept the report and Alder Phair seconded it. The Committee voted unanimously in favor of accepting the report.

Absent: 1 -
Gundlach

Excused: 1 -
Stroman

3. [22448](#) Amending Sec. 12.128(12) of the Madison General Ordinances to restrict parking within four feet of a mailbox between the hours of 6 a.m. and 8 p.m., Monday through Saturday.

Alder Skimore made a motion to approve and Alder Phair seconded item number 22448. The Committee voted unanimously and approved the motion.

4. [22548](#) Amending Sec. 38.05(9)(o) of the Madison General Ordinances to create entertainment venues, extend time limits for applying for new licenses in closed premises, modify annual reporting requirements, and extend the sunset provisions.

Attachments: [22548-Bean handout to EDC.pdf](#)
[22548-Ney handout to EDC.pdf](#)
[Version 1](#)
[ALRC 6.15.2011 registrations](#)
[Draft version one](#)
[Springman Susan letter](#)
[Alcohol Policy Coordinator report](#)
[BID AIDO position - final](#)
[BID report on ALDO](#)
[License locations in density area](#)

Alder Skidmore mentioned to the committee that given there are three voting members who are Alders at the meeting today and one citizen member if the committee wants to take action today or wait until we have additional citizen members at the next meeting. It was shared because of the sunset provision which expires on July 5th this would be the last opportunity to speak before it expires.

Mark Woulf, the Alcohol Policy Coordinator from the Mayor's Office spoke on the report that he distributed regarding the Alcohol License Density Ordinance. (ALDO) He shared the purpose of the ordinance is to decrease alcohol-related crime and disorder through two mechanisms: maintain or gradually reduce the number on capacity of certain types of establishments mainly taverns and to provide opportunities for businesses that sell alcohol incidental or do not sell alcohol as their principal business. He shared that an establishment must file an annual report provided to the City to not exceed the sixty-five percent of gross annual revenues from alcohol and that there should be no more than seven entertainment venue licenses would be available at one time. He spoke on restrictions indicating that they have stayed the same. He said one change that he will be doing is looking at incident based reports to siphon out alcohol related crime as that is the purpose of the density plan. He said that he will leave the annual review open ended so that he can spend some time with stakeholders to determine what is the most pertinent data to put into the annual review to analyze the ordinance. He said that the ALRC agreed on four years from the date of enactment and the Mayor has requested that the sunset date is two years from the date of enactment. He said at that point the Mayor feels that six years of data with a more comprehensive annual review will give enough data to be able to analyze the ordinance officially.

Alder Skidmore moved approval with a two-year sunset, Alder Johnson

seconded the motion. The Committee voted unanimously in favor of the ordinance.

5. [22664](#) Amending Sections 9.14(11) and (12) of the Madison General Ordinances to change the license year for solicitor's and canvasser's permits.

Alder Skimore made a motion for approval for item number 22664. Alder Phair seconded the motion. The Committee voted unanimously in favor ordinance.

6. [22665](#) Repealing and recreating Section 26.01 and amending Section 1.08(3)(a) of the Madison General Ordinances to create an ordinance that specifically addresses various public indecency behaviors including public nudity, public sexual acts and peeping.

Attachments: [Version 1](#)

Alder Skidmore made a motion for approval. Alder Phair seconded the motion. Alder Skidmore said that he was approached by the City Attorney's Office to sponsor this ordinance as they felt the current ordinance was ineffective and wanted to have something more comprehensive. He said when he spoke to the drafting Attorney on the ordinance it was mentioned that the ordinance was patterned after a different state law and surrounding municipalities. He said this ordinance was a project taken by a police officer who had problems enforcing the law because currently he said you have to write a misdemeanor citation and there have been some cases that have been barely reduced or thrown out. He said this ordinance will tighten up the enforceability and allow it to go through municipal court.

The Committee unanimously voted in favor of this ordinance.

PRESENTATIONS

7. [22804](#) Madison Police Department - Special Investigations Unit Initiative

This item was moved to the July meeting. Lieutenant Woodmansee was not available to present to the Committee today. Chair Mike Scott said that there have been years of planning regarding the Special Investigations Unit and encourages attendance at the July meeting to learn about it.

REPORTS

Committee Reports

8. [22802](#) 911 Center Committee Report - Alder Skidmore

Attachments: [May 18th, 2011 Public Safety Communications Center Board Minutes.pdf](#)

Alder Skidmore indicated that the Dane County 911 Center will meet on June 15th. At this time there is nothing to report but he mentioned that he should have something to report at the July meeting. Attached to the PSRC agenda were the minutes for the 911 Dane County Center Board from May, 2011.

UNFINISHED BUSINESS

ADJOURNMENT

Alder Skidmore made a motion to adjourn the meeting. Maurice Cheeks seconded the motion. The meeting adjourned at 6:10pm.