



City of Madison

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

Thursday, November 19, 2009

5:00 PM

210 Martin Luther King, Jr. Blvd.
Room 103-A (City-County Building)

CALL TO ORDER / ROLL CALL

Present: 6 -

Paul E. Skidmore; Bryon A. Eagon; Eli Judge; Michael S. Scott; Bret M. Gundlach and Chan M. Stroman

Excused: 2 -

Tyrone W. Bell and Joel Plant

APPROVAL OF MINUTES

The October 15, 2009 minutes were unanimously approved.

PUBLIC COMMENT

Warren Hansen, the Street Vending Coordinator, was present at the meeting in case there were any questions regarding Item 3, Legislative File ID 16367.

NEW BUSINESS

A motion was made by Judge, seconded by Eagon, to take the agenda items out of order in order to accommodate Chief James Keiken from the Fire Department. Item 2 was discussed as the first Agenda item.

1. [15823](#) Creating Section 9.25 of the Madison General Ordinances to require the licensing of landlords of chronic nuisance properties, creating Section 25.09(3)(a)10. to require notification to landlords of the requirements of Section 9.25, amending Section 1.08(3)(a) to establish a bond schedule for violations of Section 9.25, and amending Section 1.08(4) to give the Director of Building Inspection the power to enforce Section 9.25 by citation.

Alder Skidmore made a motion for discussion purposes and Judge seconded the motion for discussion purposes.

Scott indicated that this ordinance was proposed by Alder Bruer, has gone through the Common Council Organizational Committee, was referred to Housing and PSRC, and went back for revision. In October there was some opposition in Housing, but it passed by a voice vote. It is now back to PSRC.

Attorney Zilavy explained that chronic nuisance property owners are required to keep current contact information on file. In order to get a registration certificate, they are also required to comply with an abatement plan. Building Inspection would be responsible for enforcement. The Clerk's Office will

collect the information in a database and send it to the various departments. There is an immediate need for this information from Police or Fire. A question was raised if this information would be kept in the 911 Center. Captain Wahl from Police indicated that once a list is produced, the 911 Center would have access to it. Atty. Zilavy indicated that the Housing opposition mainly came from one woman who was concerned that this would negatively impact landlords. Judge stated that there were nine total chronic nuisance properties since the ordinance went into effect. Gundlach pointed out a misprint in the code; Attorney Zilavy stated that this was corrected in the latest revision. Scott wondered why the Common Council did not request that this ordinance apply to all property owners. Alder Eagon stated that the City Assessor's Office is trying to see if it is feasible to have a local contact person for each property. This contact would be responsive to calls regarding the property. Citywide registration is a debate in the Housing Committee. Atty. Zilavy stated that an all-inclusive ordinance would be a huge controversy. This ordinance was designed for bad landlords. Scott questioned – If property owners ask the Police for help, is it unreasonable for these property owners to give the City contact information? Stroman indicated that the ordinance was designed to give a higher threshold to problem landlords. These landlords would have to undergo training and registration. They would be required to post registration certification at properties, provide a copy to each tenant, and provide an explanation of what is going on with the property. Zilavy stated that the first time this ordinance went through as a licensing ordinance. After meeting with individuals in the industry, this was changed to a registration.

Excused: 2 -

Tyrone W. Bell and Joel Plant

Ayes: 6 -

Paul E. Skidmore; Bryon A. Eagon; Eli Judge; Michael S. Scott; Bret M. Gundlach and Chan M. Stroman

2. [16401](#)

Resolution to adopt the City of Madison Annex to the Dane County Natural Hazard Mitigation Plan.

Resolution to adopt the city of Madison Annex to the Dane County Natural Hazard Mitigation Plan

Alder Skidmore made a motion for discussion purposes and Judge seconded the motion for discussion purposes.

Chief Keiken indicated that Dane County Emergency Management developed this plan to cover natural hazards such as flooding and tornadoes. He stated that Dane County Emergency Management plans tend to blend well with normal operations. Scott asked if this only covered natural hazards as opposed to terrorism, and Chief Keiken affirmed that the plan only covered natural hazards. Scott stated that there are 13 to 14 major objectives covering such things as anti-icing equipment, clearing drainage problems to prevent flooding, emergency backup generators, studies of lakes to reduce flooding, improving the emergency warning siren program, improving the monitoring of chlorine gas at the Madison Water Utility, etc.

Excused: 2 -

Tyrone W. Bell and Joel Plant

Ayes: 6 -

Paul E. Skidmore; Bryon A. Eagon; Eli Judge; Michael S. Scott; Bret M. Gundlach and Chan M. Stroman

3. [16367](#)

Amending Sec. 9.13(1)(b)2. of the Madison General Ordinances to repeal the sunset provision and to make permanent the ban on vendor sales adjacent to schools.

Amending Sec. 9.13(1)(b)2 – Repeal the sunset provision and make permanent the ban on vendor sales adjacent to schools.

Alder Skidmore made a motion for discussion purposes and Judge seconded the motion for discussion purposes.

Judge stated that this amendment was written because people were crossing the street to buy food from a vendor around Memorial High School. The vendor set up on the terrace and perhaps was causing traffic violations. Alder Skidmore indicated that Capt. Lengfeld brought forth a safety concern as to where this vendor was setting up. The City Attorney's Office found that there is a loophole in the ordinance whereby a vendor could legally set up on the terrace of the school and no one could do anything about it. Everyone was opposed to where the vendor was setting up—the principal, the school board, the Police, etc. The only person in favor was the vendor. The issue was that the vendor was setting up in an area that impacted traffic and public safety. This vendor found out he could legally set up on the terrace of school property and refused to move. The school is situated on former park property. The vendor cannot set up on school property without a permit from the school and City. This is a public safety issue. Traffic is a problem. Also, the stand is attracting non-students; this puts more stress on school staff. People are actually stopping in traffic to buy from the vendor. With students so close to traffic, this can be a real problem. Legally the cart can be located 6 inches from the curb. This ordinance allows the school district to decide whether they want this or not. A Yes vote would repeal the sunset and make this a permanent ban. The curb and sidewalk are City property. Alder Eagon stated that this ordinance made sense. A lot of students are crossing the street to go to the mall. The stand should be placed where students can get food without crossing the street. It is smart to let the schools decide on a place that they feel is safe. This should be determined on a case-by-case basis. Alder Skidmore thought there were a lot of issues. They are currently negotiating and talking with vendor to decide on a safe place for his stand. A safe alternative needs to be found.

Judge pointed out that there does not seem to be a provision for the school to decide where to place vendors. The amendment just states that vendor sales adjacent to school property are prohibited. Skidmore stated that there never was a question on the quality of the vendor; this was just a public safety issue. Stroman had concerns about regulation. It makes sense to close the loophole, and it also makes sense to have this decision at the discretion of the school district. However, the language of the ordinance prohibits sidewalk sales; the sidewalk is in front of the school. Alder Maniaci stated that this amendment came forward at the school district's prerogative. She did not want a knee jerk reaction it. Capt. Lengfeld from the West District brought this forth as a public safety issue. The vendor was approached and would not move his stand.

There may be First Amendment challenges in giving the School district too much authority. Judge mentioned that the Vending Oversight Committee regulates the Library Mall food carts and he would like to see how they might regulate this. The amendment would affect the public high schools and private high schools. Stroman stated that regulation is a good thing. However, the amendment is drafted too broad in some parts, and too narrow in others. Should this be regulated to state that a vendor can sell in one area, but not another, instead of a prohibition on selling on sidewalks?

Warren Hansen, Street Vending Coordinator, commented on the regulations relative to where vendors could sell on City property. He indicated there were certain specialized areas like the Library Mall and Capitol Square that are part of the collective mall concourse. It has been only in the last few years that vendors have sprouted outside of the downtown area. The Camp Randall area also has vendors as well as 35-40 vendors who come on football Saturdays that are not assigned sites. He hopes to regulate the campus area vendors in the next few years. The school property this amendment references is the Metropolitan School District and the private high schools.

There was a voice vote to repeal the sunset provision:

Excused: 2 -

Tyrone W. Bell and Joel Plant

Ayes: 6 -

Bryon A. Eagon; Eli Judge; Michael S. Scott; Bret M. Gundlach; Chan M. Stroman and Paul E. Skidmore

REPORTS

Committee Reports

4. [16659](#) 911 Center Committee

Skidmore attended a 911 Center subcommittee meeting the previous day. One of the discussion items included discussing police dispatch protocol. There is priority protocol for fire and medical dispatch, but there is no priority dispatch for police calls. One idea is to give call takers a standardized set of questions to ask callers. This would help them determine how the call should be fielded. A demonstration will be given to the 911 Center subcommittee at a future date. Standardized protocol may or may not be useful in dispatching police calls. Police have a much larger variety of calls than fire or EMS. A checklist may overcome common sense. Citizens calling in might get frustrated by having to answer questions instead of just relaying information to the call taker. The Director is looking at different systems to guide call takers. Another option is to have the police department have its own call takers.

The proposed auto attendant for incoming 911 calls was discussed. When a call goes to 911, a person takes the emergency call. The same person may also take non-emergency calls. This person is tied up with a non-emergency call when they might be better suited to take a 911 call. The auto attendant will free up approximately 20-40% of the 911 Center staff. The auto attendant will direct the call to the right agency and free up people to do the work. Mike Scott asked if there is a citizen group that will vet this process, and might the

PSRC be the group to do this. Members of PSRC were interested in vetting the 911 phone tree. There are some non-emergency calls that have a legitimate need for a police officer to be dispatched, like a noise complaint. These calls should go to a live call taker. Bridget Maniaci indicated that she would be quite upset if a non-emergency call would go directly to voice mail. If people get frustrated, they will call 911. Let the call taker decide if the call should be dispatched to another line. A question was asked about the development of a 311 system. Stroman asked if PSRC should be part of the process. The PSRC is willing, available and interested in looking at the technology aspect of a 311 system.

The 911 Communications subcommittee has moved its meetings for 2010 to the 3rd floor of the City County Building. These meetings will be held on the third Wednesday of the month at 1:00 p.m. This will allow for good attendance at the meetings.

Skidmore talked about the Phase 1 drop protocol. He mentioned how cell phone hang-ups and the tracking procedures were handled. The timeline and chart for building two more towers is the end of the year. The County is paying for the infrastructure; the individual agencies are expected to pay for the radios, which are very expensive. The radios connect to anywhere on the system if on the same megahertz. It is unclear at this time what will happen. The subcommittee is active and doing a lot of good.

FUTURE BUSINESS

The Committee would like to be briefed on the newly acted budget for police and fire, and would like reports on both Mifflin Street and Halloween. The Committee would like to know the taxpayer expense from the presidential visit, including all the costs involved from garbage trucks and metro buses. The Committee would also like a presentation from Sgt. Dexheimer regarding the on-going issues at Olin Park.

ADJOURNMENT

The meeting was adjourned at 6:13 p.m.