



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Meeting Minutes - Draft PUBLIC SAFETY REVIEW COMMITTEE

Tuesday, June 10, 2014

5:00 PM

Madison Police Department
Central Community Room
211 South Carroll Street - Room GR27

CALL TO ORDER / ROLL CALL

Present: 7 -

Paul E. Skidmore; Maurice S. Cheeks; Merrilee Pickett; Ernest E. Horinek;
Wayne S. Strong; Bruce P. Frey and John Strasser

Absent: 1 -

Chan M. Stroman

APPROVAL OF MINUTES

Bruce Frey made a motion to approve the May 13, 2014 meeting minutes.
Wayne Strong seconded the motion. The meeting minutes were unanimously approved.

PUBLIC COMMENT

There was public comment on item number 34016.

DISCLOSURES AND RECUSALS

There were no disclosures or recusals.

34016

Amending Sections 11.06(3), (4)(a), (5)(a), (7)(a), creating Sec. 11.06(7)(b), renumbering Secs. 11.06(7)(b) through (m) to Sec. 11.06(7)(c) through (7)(n), creating Sec. 11.06(7)(e)3., renumbering Secs. 11.06(7)(e)3. and 4. to Secs. 11.06(7)(e)4. and 5., amending Secs. 11.06(7)(f)1., 5. and 6., (9), (10)(a)2., creating Sec. 11.06(10)(c), renumbering Secs. 10.06(10)(c) through (g) to Secs. 11.06(10)(d) through (h), amending Secs. 11.06(10)(d)1. and (10)(f) of the Madison General Ordinances to permit the business of and outline the licensing requirements for Transportation Network Companies operating in the City of Madison.

Attachments: [BODY](#)

Alder Strasser made a motion to change the order of the agenda moving item number 34016 to accommodate public speakers. Alder Cheeks seconded the motion.

Public Comment: 34016

Christina Ballard opposes item number 34016 mentioning that regulations are in place for cab companies to protect consumers in which she mentions that

Lyft and Uber do not have the same standards. She said that Lyft and Uber is attempting to eliminate brick and mortar cab companies. She shared that employees from Lyft and Uber are not properly trained which is dangerous and that they determine who they pick up by turning on or off the mobile app and rate their customers by tipping.

Jason Glomp shared that he is opposed to item number 34016 mentioning that he has an issue with regard to insurance policies in which cab companies are mandated to have for safety. He said that Lyft and Uber are not required to have commercial insurance which is a safety issue to the public. He also mentioned that Lyft and Uber eliminates the 24/7 rule which is needed to service customers during the late night hours and also shared that they are attempting to put cab companies out of business and that the use of flagging down or telephoning for a cab will be gone.

David Rossing shared that Lyft and Uber is not held under the same insurance restrictions as cab companies with having commercial and private insurance sharing that this allows a profit for Lyft and Uber to begin with. He said cab companies are struggling to survive with the economy and that Lyft and Uber are breaking laws.

Alder Strasser inquired with speakers asking them who is the owner of the cab car, are they titled as taxi's, and what is the resale of the vehicle. In response, it was shared that the cab company owns the vehicles and that they are titled as taxi's. It was mentioned that the value of the car depreciates over time because of the 24/7 use of the vehicle. There were additional questions asked such as is any person qualified to drive a cab with a response sharing that all interviews go through a City street test first and then the company backgrounds as well as being backgrounded by the City of Madison Records Department. In addition the speakers shared that there is training and a defensive test. It was shared that each cab company has ways of scheduling drivers by way of which is computerized. There was a question on what the cost of insurance is per year to the reply it is about 200/month for cabs and around 300/month for vans which hold one million dollar policies. It was shared that Lyft and Uber does not have to hold the same requirements as cab companies. The speakers shared that Lyft and Uber does not operate on a 24/7 rule and that they have office staff from 9am-5pm. Last they mentioned there is a surcharge where there is the ability to raise prices dependant on different situations.

Alder Strasser made a motion to recommend rejection of item number 34016. Alder Skidmore seconded the motion for discussion. The committee unanimously agreed.

Alder Strasser shared that accommodating Lyft and Uber from other cab companies policies and regulations is not acceptable stating that there is a need to be regulated, safe, and secure.

Alder Skidmore shared that he concurs with Alder Strasser and would urge those to not approve item number 34016. He said that there are liability issues and that for those who do not have a smart phone there is still a need to pick up the phone and request cab services.

Member Horinek commented that Lyft and Uber should follow the same rules

as the other four cab companies in town instead of developing their own rules.

Alder Cheeks shared that there are benefits of Lyft and Uber stating that using the app is innovative and provides convenience. He mentioned that Madison has insufficient public transportation making Lyft and Uber a good option. Cheeks inquired with the Madison Police Department on their perspective to which Captain Ackeret responded that the department enforces ordinances as written. Chief Koval mentioned that specifically on public safety interests operators are not going through a thorough backgrounding.

A motion was made by Strasser, seconded by Skidmore, to Return to Lead with the Recommendation to Place on File to the TRANSIT AND PARKING COMMISSION,. The motion passed by the following vote:

- Absent:** 1 -
Chan M. Stroman
- Ayes:** 5 -
Paul E. Skidmore; Ernest E. Horinek; Wayne S. Strong; Bruce P. Frey and John Strasser
- Noes:** 1 -
Maurice S. Cheeks
- Non Voting:** 1 -
Merrilee Pickett

PRESENTATIONS

[34396](#)

Report from Assistant City Attorney Jennifer Zilavy on nuisance ordinance.

Assistant City Attorney (ACA) Zilavy shared information on the current City of Madison Nuisance abatement ordinance mentioning to the committee that the ordinance in current form went through lots of committees before it was enacted. ACA Zilavy mentioned that in order for a nuisance to be initiated there would need to be three or more calls requiring police service enforcement action within a 90 day period or a physical arrest of an individual. It was shared that Madison only requires enforcement action compared to other cities in which she shared a few differences between Madison's ordinance and other cities. Member Horinek inquired when the most recent ordinance went into effect and how often is it used successfully to which ACA Zilavy responded around 2008 and that it is used 3 to 4 times a month and that the ordinance has generally been successful in nuisance abatements. There was discussion on vacant properties and the non-registration of owners with banks. It was questioned as to whether there is a need to strengthen the ordinance and what the issues were of going back and forth for an extended period of time before the ordinance was enacted. ACA Zilavy shared some of the concerns regarding the ordinance such as being used with no discretion, used against landlords for one bad tenant, and the potential of domestic violence incidents being treated differently to name a few. Alder Skidmore and Strasser shared that they would be interested in sponsoring revisions of the ordinance to make it stronger. It was decided that they would work from the ordinance that has already been adopted and work with ACA Zilavy who said would draft a memo on what has changed that could be implemented and issued.

[34397](#)

Report from Captain Victor Wahl on the policy/use of armored military vehicles used by the Madison Police Department.

Captain Wahl from the Madison Police Department West District and Commander of the Special Weapons and Tactics Team (SWAT) shared that back in 2011 he worked with the Chief at that time to secure a department rescue vehicle. He shared that as a department we are an outlier nationally in comparison to other agencies with not owning one. He said the department was placed on the 1033 program after working with Council on a resolution and was awarded the vehicle in September of 2013. He said in the between time the vehicle has been undergoing transition to make it street ready which became operational in March. He shared that select personnel members from the department have been trained to operate it and fleet management for maintenance. He shared the vehicle will be used for tactical/critical incidents such as high risk search warrants with armed individuals or at times when there is a situation with a need to get closer to a residence. He said the vehicle is ideal for now given how it was granted although in the future he shared that there is a desire to work on using the capital improvement plan to purchase a Ford-350 which is a civilian version rescue vehicle and would be more ideal for law enforcement.

NEW BUSINESS

[33918](#)

Amending Sections 6.01, 6.02, and 6.03 of the Madison General Ordinances to remove unnecessary specific details regarding the composition, hours and salary of employees of the Fire Department.

Assistant Fire Chief Langer shared the history of the ordinance stating that ACA Paulsen has been working on cleaning up the ordinance language with the Fire Department removing unnecessary specific details on the composition, hours, and salaries of employees. Alder Skidmore made a motion for discussion. Alder Strasser seconded the motion. The committee voted unanimously in favor of approving item number 33918.

[34398](#)

Finalize New Member Orientation guidance - Merrilee Pickett

Merrilee Pickett distributed the updated draft version of the Member Orientation guidance. There was a minor correction on an address change. Alder Strasser moved approval of the member guidance information. Ernie Horinek seconded the motion. The committee unanimously approved.

COMMITTEE REPORTS

[34399](#)

Report from Madison Fire Department - Assistant Chief Langer

Assistant Fire Chief Langer shared that Fire Station #13 opened. He mentioned there will be a grand opening with a few special guest speakers in which he will pass on the information when the date is set. He shared that Safety Saturday will take place on June 13th with various exhibits taking place by the Capitol Square. He said that the department just ordered a platform ladder truck. He ended by sharing that it has been a very busy season with lots going on.

[34400](#)

Report from the Madison Police Department - Captain Ackeret

Captain Ackeret from the Madison Police Department shared that the 35 recruits will finish field training on June 22 and that they will soon be going out into patrol which will help with staffing numbers. He shared an update on Rhythm and Booms with regard to staffing. He also mentioned Warner and Elver Parks Fireworks and police enforcement efforts that will be on hand for the events. He mentioned that Juneteenth takes place on June 21st being held at Penn Park. Lastly, he shared that the Chief has a blog that can be accessed through the Madison Police website or through Facebook.

[34401](#)

Report on the Dane County 911 - Alder Skidmore

Alder Skidmore shared that his term was up as the Chair of the 911 Center Board and that Fire Chief Josh Ripp has taken on that role. He mentioned that call response times are a big issue and a topic of discussion that has called for a special meeting. He shared that Director John Dejung's contract is being discussed in which he mentioned that he will be calling for a performance review. It was shared that overall there is a lack of how processes are being completed that is creating huge problems from not going to the correct address to the input of data with not knowing which vehicle it is going to be sent to the scene. Will continue to keep committee informed as new information becomes available.

[34402](#)

Alder Report

There was additional information to report from the Alders during this meeting.

ADJOURNMENT

Alder Strasser made a motion to adjourn. Alder Cheeks seconded the motion. The meeting was adjourned at 6:52pm.