



# City of Madison

City of Madison  
Madison, WI 53703  
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## Meeting Minutes - Amended TRANSIT AND PARKING COMMISSION

*PLEASE NOTE: This meeting can be viewed in a live webcast of Madison City Channel at  
www.madisoncitychannel.com.*

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Wednesday, July 8, 2015

5:30 PM

215 Martin Luther King, Jr. Blvd.  
Room 260, Madison Municipal Building  
(After 6 PM, use Doty St. entrance.)

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Please note: These Minutes were amended at Item G.2., paragraph 3, bullet 12.

### A. CALL TO ORDER/ROLL CALL

The meeting was called to order at 5:30 PM.

**Present:** 9 - David Ahrens; Chris Schmidt; Rebecca Kemble; Wayne Bigelow; Gary L. Poulson; Margaret Bergamini; Ann E. Kovich; Kenneth Golden and Kate D. Lloyd

**Excused:** 1 - David E. Tolmie

Please note: There is one vacancy on the Commission in the position of Second Alternate. Also, please note that Ken Golden arrived at 5:35, during the public appearance of Scott Peterson.

### B. APPROVAL OF MINUTES

A motion was made by Schmidt, seconded by Kovich, to Approve the Minutes of the June 10, 2015 meeting. The motion passed by voice vote/other.

### C. PUBLIC APPEARANCES

1) Paul Bittorf of Union Cab Cooperative noted that at their previous meeting, the TPC talked about putting accessible taxi service on a future agenda. Also, the week before, he had attended a meeting for the Cooperative Development Funding that the City was preparing. They had come up with an idea there, which they needed to get going, because that funding would come due January 1st.

He distributed two documents to members: The 4/30/15 report of the City Attorney's Office and Metro Transit, entitled "Accessible Taxi Program - Transportation Systems and Legal Analysis"; and Union Cab's 7/8/15 "Accessible Taxi Service Recommendations to the TPC". [See these documents attached.] The City report seemed to say there was no legal basis for the City to have regulations or have anything to do with accessible taxi service. It was the problem of the taxi companies to deal with the federal regulations. This was a change from over 20 years of cooperation between Union Cab and the City; and they were a bit dismayed, as outlined in his recommendations. Union Cab had provided much of the information contained in the City's report.

They thought there was a possible solution that would allow them to account for all the different items that were standing in the way of their ability to do the

service affordably. They were bringing the information to the TPC now, so they could consider it over time. Bittorf invited members to contact him if they had any questions. Poulson said they would probably have something about the issue on their agenda next month.

2) Scott Peterson, University Avenue, 53705, spoke of finding a broken emergency exit on Metro's bus 007 on Route 2, on June 19, 2015. (See attached document submitted by Peterson, recounting the sequence of events and showing pictures.) He reported the problem and found Metro's response inadequate; he observed later that day that bus 007 was left in service. [Please note: Ken Golden arrived at this point in the meeting.] Peterson's instinct was that the bus shouldn't be on the road; and that there must be regulations about this. He later found the Wis. Commercial Driver's Manual stated that in transporting passengers, emergency exit handles must be in safe working condition. The School Bus Inspection Manual said that windows and hatches for emergency exits must release freely, or it would be out of service. A week later, he found the knob for the exit was replaced, but the exit lacked English instructions and a latch position indicator; and a different exit had a knob not in the latched position. He thought the TPC should ask for a report on this incident, and look into how this could be avoided in the future.

Ahrens thanked Peterson for being so diligent. Peterson said that the chances of that emergency exit being needed that day were slim; but if an incident occurred and an exit was out of service, riders didn't always get to choose which emergency exit to use. Metro Transit General Manager Chuck Kamp said staff would look into this, and report back to the body at its next meeting.

[39251](#)

Documents distributed by Paul Bittorf and Scott Peterson as part of their Public Appearances - TPC 07.08.15

#### D. DISCLOSURES AND RECUSALS

Golden said he would not participate in discussion about F.1., JDS proposal for Judge Doyle Square and Gov East garage, because he had investments in Exact Sciences. Poulson said Golden, though not participating in discussion, could stay in the room.

#### E. TRANSIT AND PARKING MONTHLY REPORTS

E.1. [39176](#) Parking: June 2015 Activity Report, May Revenue-Expense-Occupancy Reports - TPC 07.08.15

Hearing no questions, Kovich/Bigelow made a motion to receive the report. The motion passed by voice vote/other.

E.2. [39178](#) Metro: YTD Financial, Performance Measures, Ride-Revenue-Fare Type Reports, and 10-year Financial and Fixed Ride Data 2005-2014 - TPC 07.08.15

Kamp noted that ten years of ridership and financial information had been provided to members, per a request from Ahrens. Some regular reports that were not included this month would be available in the Quarterly Report in August. Kovich/Golden made a motion to receive the report. The motion passed by voice vote/other.

**F. INFORMATIONAL PRESENTATIONS AND DISCUSSION ITEMS**

- F.1. [39179](#) Update on JDS Proposal for Judge Doyle Square, presented by Asst. Parking Utility Manager Scott Lee - TPC 07.08.15

Lee introduced Natalie Erdman, Director of Planning and Community and Economic Development, who was a member of the City's Negotiating Team for the JDS proposal. District 2 Alder Ledell Zellers joined the table, and Golden left the table. Lee updated the Commission.

- Referring to the floor plans distributed to Commissioners (attached), Lee noted there was 10-foot grade difference between the elevation on Doty and Wilson Street. Level 1 Floor Plan showed the entries from Wilson, which led to lower level floors, which were five levels underground, under Pinckney and Block 105 (current site of Gov East). Level 2 Floor Plan showed the entrance from Doty, which was the singular entrance to the upper levels of 400 stalls (when the original design was ~1,400 spaces). The upper level was completely isolated from the lower levels; there was no ramp between them.
- The Utility had concerns about the loss of parking. The original RFP had stressed that as much parking as possible be retained during the process, by phasing it in at Block 88, then doing Block 105, to accommodate current parking customers. As the design was now, the project would be done all at one time, with minimal parking retained; essentially, the Utility would lose all of its parking during the construction, which would take ~ 17 months. This was significant, especially in a tight market.
- The Utility didn't have capacity at other facilities to handle the current load of parking. Gov East had 117 permit parkers. Staff was attempting to find a different location for them (probably State Street Cap). Because of Gov East's location, people paid a premium for parking there, which would be lost when these parkers were relocated.
- Staff had explored other alternatives as well. They contacted ULI, Anchor Bank and Dane County, none of which had available parking capacity at this time. Staff had also looked into perhaps having customers park somewhere off-site, and shuttling them; but currently Metro had no extra capacity and there might be regulatory issues associated with this. They would continue looking into this option and report back. But right now, the Utility had no options for its current customers.
- As mentioned, staff had concerns about access and flow of the structure. Staff was trying to work through this with the design architects and developers, who had certain lay-outs that worked for their loading docks, etc., so it was not like building a free-standing parking garage, which they had hoped to have done by now. But this was not currently an option.
- The two main issues for the Utility was the loss of available parking and the flow.

Lee and Erdman responded to questions.

- (Lee) Re: access and traffic flow: The only way to access the lower levels would be to enter on Wilson, with westbound drivers having to travel east on Doty, right on King, and west on Wilson. Parkers would have to loop around, creating a lot more traffic in the area, which concerned Traffic Engineering.
- One idea was to add an exit from Block 88 onto Doty, at the "E" in "E Doty St" shown on the Google map (attached). But this was right across the street from the ULI Block 89 exit. Doty was going to be an issue regardless of which proposal or design was being considered.

- In terms of traffic flow within the garage, the proposal called for a private component as well as a public component, which hadn't been clearly defined as to where each piece would be. This created some complications, and would require an extremely good way-finding system to make sure parkers (for Exact Sciences, the hotel, the public) were parking in their designated areas. People might end up circling the block to find their section of the garage.
- (Erdman) Re: having an adequate number of spaces and the sharing of parking (esp. if the sections weren't connected), the proposal called for 600 stalls for private parking for Exact Sciences (ES) during the day, which would be available for the hotel and other entertainment uses at night/weekends. They had estimated that 50 hotel guests would leave their car during the day.
- Info had been requested from the developer's traffic and parking consultant, Kimley-Horn, about typical hotels serving the convention center and other business uses in the Downtown; how many of those people were expected to arrive by alternative forms of transportation (not in a car); and of those who arrive in a car, how many would leave in the AM in their vehicle. This info was on the checklist of items requested within the next 30 days, so the Team could get more comfortable with the numbers for Parking.
- The Team had also asked that the 800 spaces originally planned for Exact Sciences, be cut back to 650 spaces. The rule of thumb was 1.7 spaces/1,000 sf of commercial space, vs. the original, hefty number of 2.2 spaces/1,000 sf, which was far more than other office buildings in the Downtown generally programmed.
- (Lee) As it currently stood, the Parking Utility reserves would only have to pay for the cost of the replacement structure as if it were built above ground. Going underground would improve the sell-ability of air rights.
- (Erdman) The land purchase price had a TIF component; and that component, which was allocated to air rights over Block 105, was going to go to the Parking Utility and be contributed back to partially cover the costs of going underground. The remaining portion of the costs was coming from a TIF fund; so the City was using funding to subsidize that.
- (Lee) The Parking Utility would sell the entirety of Block 105 to the Developer. Part of the purchase price would come to the Utility and be held by the City to pay for part of the differential for underground parking. TIF would be paying for the private component of the underground parking as well.
- (Erdman) From the uses standpoint, the assumption was that Gov East's replacement with 560 stalls, at \$23,333/stall, would cost ~\$13.1 million. The City would also pay for the additional 40 spaces needed for the fleet behind MMB.
- (Erdman) Because of the Team's request to reduce the number of private spaces (from 800 to 650), and to address other issues such as TE and Parking's concerns about ingress/egress, questions about public vs. private, and how the hotel would relate to the parking structure, JDS saw they had to come up with more than they had planned. This had given rise to a complete redesign of the parking structure to more adequately address all these concerns, and after the Council meeting, they had gone into design mode.
- (Lee) The first level of underground parking, Basement Level 1, would have 290 stalls, running from the edge of MMB under Pinckney to the far edge of Block 105, with 88 stalls under Block 88.
- (Erdman) As to how one layer of parking under Block 88 would meet the needs of hundreds of ES employees and why more layers were not planned under Block 88, it had to do with timing. When completed, the entire parking structure would contain 1,250 spaces (600 public and 650 private). The construction of the ES offices and all the parking would take 17 months. It

would take one month to build one layer under the ES offices. To build more layers of parking below that, would take additional months, which would delay the start of construction of the office building, thereby delaying completion of the project beyond 17 months. So, by building just one layer under the offices, they would meet the ES deadline.

Poulson noted that it was 6 PM, and time for the Public Hearing. The group turned to Item G.1. After Items G.1. and G.2. were completed, discussion of Item F.1. resumed. Please note: Alder Zellers was no longer at the table.

- (Erdman) The 88 parking spaces on Block 88 would be built as part of the ES building. The ES building and the 1,250-stall parking structure would be completed around the same time. ES needed to get into their space by July 2017, at which point they would need all the parking completed.
- (Ahrens) The amendment the Council received the previous night proposed that the City would get 20% of the revenues from the private structure when these stalls were used by the the public. Total net revenue for this was estimated at \$375K, of which the City would receive \$75K.
- (Lee) Non-permit parking in Gov East was \$165K/month. There were 116 permits at \$190/month. The bulk of revenue there was from hourly users. He would look into how much of the \$165K was collected during different times (weekdays, nights, weekends).
- (Ahrens) This would be important to know because a substantial part of those revenues could be lost when the private parking became public (nights and weekends). ES employees would be given free parking, and so they would not buy a permit; and then the Parking Utility would be in competition with JDS for the rest of the parking (during non-office hours).
- (Kemble) This would also be true during the time before ES would occupy all their 600 spaces. They were talking about only 300 jobs at first. What would happen to all that extra parking; would they try to sell it, at what price?
- (Erdman) The Negotiating Team had taken the position that any spaces not used in the first phase, would not be saleable for JDS. In preliminary discussion, any revenue from those spaces would go to the City, as the owner of the structure. But they hadn't worked through those details yet.
- (Kovich) A lot of questions were not resolved. She hoped the TPC would see this as a monthly agenda item, so they could be involved in what was going on. For example, something new was the request that public stalls be available on a reserve basis. Also, what would Parking be able to do to provide alternate parking options for current Gov East parkers? The Commission had to be involved in these conversations. She asked if it was the ES timing that was the reason for Parking construction not be staged.
- (Erdman) ES needed to occupy the building in July 2017, and they would need parking at that time as well. It was not feasible to build parking on Block 88 prior to Gov East being taken down, build the 250K sf ES lab space on top of that parking, and get it all done in the period between Dec. 2015 and July 2017.
- (Kovich) The Commission had hoped parking construction could be staged, to avoid the loss of all the revenue while Gov East was torn down. Erdman said the Team agreed.
- (Lee) As to a connection between ES parking and City parking, in the original design, there would be no connection between the upper decks of parking and the underground parking (though the design was under discussion and might be modified). With the reduction in ES parking from 800 to 650, there would be ~200+ above ground parking and the remainder underground.
- (Lee) The Utility would not want to divide their public parking between

above and below, because it would confuse customers. There would have to be a method for segregating private and public.

- (Erdman) The Fire Dept. had said that there would need to be a firewall between the Block 88 building and the Block 105 building. This would be true if condominiums were to be built above the garage also; other firewalls would be needed. These were factors that were giving rise to significant design work.
- (Bergamini) Over the useful life of the building, there may be changes in ownership and usage, when it might become desirable to reconfigure the parking. She wondered to what extent the designs would permit that. Though working on a short deadline, she hoped people were thinking about what would happen if ES were to move out.
- (Lee) As shown, each block (building) would have their own loading docks, both entering from Wilson. He wasn't sure about the turning radius on Wilson.
- (Erdman) JDS had received long lists of questions from the Development Assistance Team, regarding loading docks, ingress/egress, traffic onto Doty vs. onto Wilson, how traffic would be queued to the hotel (on corner of Block 105), and how the Block 105 face might be changed to get a different hotel drop off.
- (Erdman) The 650 spaces which would be owned either by the City or the CDA and leased to JDS LLC, would be assumed to be available for nighttime use or hotel and other parking needs. They would not be reserved and shut down. ES's lease would have a limited option as to when they would get spaces, and they would be daytime spaces. They were talking about the first phase of growth, when ES would not need all 650 spaces; and whether the 200 spaces allocated to the second phase, would be control of City or potential controlled in a different way.
- (Ahrens) Thinking of the Wilson-Doty Street mega-traffic jam as these 1,200 cars exit, he wondered how many spaces would be at the new Anchor Bank lot. He recalled George Austin saying that once Anchor Bank parking was complete, there would be 2,000 parking spaces in that corridor (within 2-3 blocks) all going in one direction.
- (Kovich) Other development was going on in the area which would require some of these new spaces.

Poulson said the Commission wanted to be updated on this issue on a regular basis. If staff could come back in August, they would be deeply appreciate it. Poulson mentioned the registration slip of Alexis Turner, Richie Road, Verona, who, due to the length of the meeting, had to leave before speaking. She had a concern about a loading dock.

F.2. [39180](#)

Metro: Review of Turner Avenue Bus Stops - TPC 07.08.15

Kamp referred members to the flyer that had been distributed (attached). Staff had worked with Alder Ahrens, and had modified their original proposal to thin out stops on Turner Avenue. This was consistent with the TDP to look for areas where it made sense to do so. Beck said they had first looked at removing stops at every other intersection. But they had received quite a bit of feedback on the Allis Avenue stop, which he himself knew was well-utilized. The changes were coinciding with construction on Turner. Buses would gain about a minute. Route 16 was anchored at two transfer points, and would particularly benefit by passengers being able to more reliably make their transfers.

F.3. [39181](#)

Metro: Update on Audible Turn Signal Program - TPC 07.08.15

Kamp reported that all the audible turn signals had been turned off. Staff was looking at other available ped/bike safety programs. They would look at piloting other things, and would bring any ideas back to the TPC before doing so. Poulson had just observed a woman so determined to reach the bus pad at the WTP, that she didn't notice a bus entering from Tokay; it almost hit her. He wasn't sure that a signal would have stopped that almost-incident, because she just was not looking. Kamp added that more and more people (walking, biking, skateboarding) were using electronic devices that were distractions, either ear buds or texting while moving. So Metro would continue to look at ways to minimize that risk. Ahrens thanked Metro for their quick response to the outcry. He hoped they would not adopt the Seattle system, which broadcast the voice of an English woman warning of every turn. When asked, Kamp said issues with safety were concentrated centrally, but they had occasional issues on the periphery as well.

**G. 6:00 PM - PUBLIC HEARING AND CONSIDERATION OF PROPOSAL**

G.1. [39182](#) Metro Public Hearing: To hear comments on proposed removal of the bus shelter at the top of State Street at W. Mifflin Street - TPC 07.08.15

Kamp said the issue before them was the removal of the bus stop on State Street just before N. Carroll Street. If this shelter on State were removed, eastbound buses would instead use the shelter and stop 250 feet away on N. Carroll.

Registrant Susan Schmitz, representing DMI, spoke in support of removing the bus shelter/stop, and provided some historical perspective.

- When the State Street Design Plan was completed over 10 years ago, the City began a program to have the (~7) bus shelters in BID be specially designed. At that time, people discussed whether they needed that many shelters/stops, with discussion focusing on the one at the top of State, and the other nearby on Carroll because they were such a short distance from each other.
- In terms of boardings/alightings, then Metro General Manager Catherine Debo, said it would really work best if there was only one stop. The issue came before the TPC, where if they had to choose, it was decided to remove the stop on Carroll Street. But after the cost of the shelters came in lower than was expected, all the shelters were put in.
- There were actual Metro challenges with these shelters being so close, as Kamp could attest.

Registrant Rebecca Cnare of the City Planning Division said she was appearing on behalf of the Downtown Coordinating Committee (DCC), and mentioned that she had been part of an interdisciplinary staff team that had been looking at all the issues related to the removal of this shelter. DCC had been talking about Philosopher's Grove for a while and had been working with Council on doing some physical changes to the area. The bus shelter was part of that suite of changes. Cnare presented the DCC motion passed unanimously at their June 18, 2015 meeting (attached), which recommended:

- That City staff remove the shelter on State Street asap, for a trial period of a year, in order to observe the changes at Philosopher's Grove afterwards;
- That to avoid delay, removing the shelter should be separated from the issue of finding a new location for it; and

- That the TPC remove the corresponding bus stop and reroute buses to the larger shelter on N. Carroll.

Registrant Fred Mohs, Wisconsin Avenue, 53703, neither supporting nor opposing, made the following comments.

- A property owner on N. Carroll for 50+ years, he had had trouble keeping retail on Carroll.
- He had opposed the placement of the bus shelter on N. Carroll, where the Camera Company was located, because it would block the view of traffic coming around the Square.
- There had been talk of building a smaller shelter, but that would have cost more than the bigger one, so they got the bigger one, which was virtually vacant much of the time.
- The problem was the stones, and the people who gathered around them, not the location of the bus shelter. He had just asked a police officer if the problems on the corner required the removal of the shelter. The officer said that removal of the stones would solve the whole problem.
- He had not run into anyone who, knowing what they knew now, would put the stones in, even the advocates for them.
- They could remove the shelter, and still not solve the social problem there. If someone were to pick up the ball on this idea, it would be very worthwhile.
- Madison had a rule that non-bus riders could not be in the shelters. In other cities with this rule, police monitored the shelters. The thinking behind this was that people who had paid their fare, had paid to have that shelter available to them in a reasonable condition; it was part of the service. By allowing non-riders to come into the shelters and be disruptive, it degraded the service.
- If these other cities could do this, what was it about it about Madison that it couldn't? The issue should be viewed holistically, so in the end, the problem was solved, and not just band-aided.

When asked about ordinances, Kamp said the shelters were supposed to be used by bus passengers. His experience was a little different than that described by Mohs. He had worked in Washington DC, where they had the rules; and enforcement could go either way. It was an enforcement challenge. Some of these other cities had their own transit security, which was different than Metro's situation.

Registrant Greg Frank, Wallingford Circle, 53717, spoke in support of removing the bus shelter/stop.

- An owner of restaurants on Mifflin, on either side of State, he walked the area every day. A bottle-neck was created by the bus shelter, which made it very difficult to pass during the busiest times of the day; and very intimidating as well.
- The people who were using the bus shelter were not using the bus shelter to wait for a bus. It was being used as a bedroom, an outdoor cafe, a smoking room, and a trash receptacle; not the intended use for the shelter.
- With an underutilized bus shelter just 250 feet away, why not look at creating an efficiency and hopefully making transit passengers happier in the long run?
- Mohs was right: There were other issues there, and we needed to deal with those issues, before tragedy happened; and so that businesses could operate as intended and so that their rights were taken care of also.
- The bus shelter was a separate issue; and he hoped the Commission would at least look at a pilot.



Registrant Mike Goodman, Maple Wood Lane, 53704, registered in opposition.

- A frequent user of Metro Transit, his concern was that there was legislation prohibiting smoking and prohibiting people who were not passengers from using the shelter. It was just a question of enforcement. With enough officers in that immediate area, he didn't see why they couldn't challenge people, particularly if they were smoking or drinking.
- It was extremely naive to think that moving the problem to Carroll Street would change anything; it would just transfer the issue to the other bus stop.
- He had once called 911 to report someone without any shame urinating right inside the shelter. He had also asked people not to smoke at the shelter, only to be answered with profanity.
- The issue was primarily one of enforcement. He saw locally (not just in transit but also in the schools), the attitude was to walk away from the problem and that would solve it. The response was to relax the rules. If there was a problem with unauthorized use of the shelters, just close it down and that would solve the problem.
- There were enough enforcement resources in the area. Officers could certainly challenge people inside the shelters when there was no bus service.

Registrant Steve Weber, E. Wilson Street, 53703, spoke in support of removing the bus shelter/stop.

- He worked with the Noble Chef Group, with four locations at the top of State Street and Mifflin: Ivory Room, Buck&Badger, Capital Tap Haus and Rare Steak House.
- He walked the area every day, and had also spoken to a police officer about the bus stop. The bus stop and the plaza area around it created a negative energy and synergy.
- For them, the main issue was their employees; their female employees would not walk in that area during the day or night, with the catcalls, belligerence, gestures and rudeness. If it was happening to their female employees, it was probably happening to anyone walking in the area.
- The synergy and negativity, the conversations, yelling and drug trafficking, went back and forth between the plaza and the bus stop.
- Perhaps it wasn't the best solution, but he saw it as a divide and conquer kind of a thing. Maybe by changing things, the synergy would be broken down a bit.
- As it was, the situation was not good for anybody on any level; not for the folks in the plaza every day, not for the tourists passing by, not for the people who had businesses in the area, not for the people who worked in the area.
- After many discussions with staff, people felt that maybe removal of the shelter/stop would change the energy and dynamic; maybe it would be a start.

Nina Berkani, mother of Karima Berkani and Anthony Rineer, co-owners of Teddywedgers, spoke of her concerns for safety. As described by Weber, a synergy seemed to exist between the bus stop and Philosopher's Grove, where people immediately started yelling (happy or sad) as soon as they got off the bus, as though no one else was there; which then went back and forth, and back and forth. She read a letter from her daughter, Karima, in support of removing the shelter/stop (attached).

- Teddywedgers, which had an all-glass storefront, was just a sidewalk away from the bus shelter.
- Life-long resident and now owner of this business, she had a vested interest

in the future of the downtown, and a concern for the safety of customers, the public and her family.

- The bus stop was a safety issue. People drank alcohol, smoked, and had verbal/physical altercations there. Bus riders were displaced by the loiterers. The bus stop was not serving its purpose in its current location.
- Passersby were often harassed by the loiterers in/around the stop. This was not welcoming to visitors, and discouraged people from walking into their shop.
- In May, an intoxicated man punched through their largest window, luckily not hurting himself. However the jagged glass was a serious hazard to the public and a financial burden on them.
- This violent act forced them to rethink a plan they had to open an outdoor cafe, which could help their business.
- The bus stop prevented them from using the area in front of the shop, and the current state of the stop hurt their business and the community.

Registrant Nina Berkani, then submitted her own written statement (attached), which like her daughter's letter, supported removal of the shelter/stop.

- As an experienced economist at DOT, she analyzed the impact of public projects on land use, businesses, ag and environmental resources.
- This was a public project that flagrantly mis-used public funds, because it was pretty much mis-used as a de-tox center.
- While re-opening the shop, they got to know the people outside. They didn't want to ostracize them. But as a result, her son had ended up doing social services for the City. This was unfair to him.
- It was challenging for him at the age of 23, to open and run a business. He was constantly being asked for water, salt/pepper, phone calls, etc. Some would come into chat while he was waiting on customers. Some had to be barred because they had become unruly, starting fights with her son if he asked them to leave.
- The location of the bus stop was a problem that went hand in hand with Philosopher's Grove. People going back and forth, often stopped right in front of their door.

Registrant Anthony Rineer, co-owner of Teddywedgers, spoke in support of removing the shelter/stop, and answered questions.

- With his storefront just a few feet from the bus stop and with his being there all the time, he knew pretty much everyone who used it. He constantly saw riders being displaced; his own girlfriend skipped the stop and avoided using it.
- The stop created a bad bottle-neck. When the window was broken, they had to close off a foot of the sidewalk, which created a mess.
- Even with the cameras at the Historical Society, the stop and his store were in sort of a blind spot; and they had a lot of drug-dealing right in front of their window, which was very uncomfortable. Someone had etched into their window that was the furthest from the Square, in that blind spot.
- He never saw anyone who really needed to use the bus, in the shelter. It was a de-tox zone, like his Mom said.
- Uniformed police came sporadically, arriving all at once and then leaving all at once. Just that day, they had come and targeted one/two people, left everyone else alone, and then dispersed.
- It was hard for him to contact the police himself, because the store was like one big window. Anytime he was seen on the phone, the folks outside

assumed he was calling the police. They had actually accused him of snitching on them. The police did not maintain a patrol there; it was very much all or nothing.

- Police enforcement was uneven: They might ticket a boy who was sleeping in the shelter, but then ignore five men with baby strollers who were sitting there and drinking.
- A huge fight had occurred in front of their store in the winter, and even though he could provide the names of the people involved, the police did not pursue the issue because the fight had broken up and everyone had dispersed. Instead they targeted a woman who was in the wrong place at the wrong time.

Registrant Sandy Torkildson, Chair of DCC, spoke in support of removing the shelter/stop. She disclosed that she was one of the people who had originally opposed these bus shelters, because of their cost, ~\$72K. She wondered if anyone owned a car or property worth that much, if s/he would want to this to be happening to it.

- The moving of the shelter was just one part of a solution to a larger problem there, which involved drug abuse, addiction and mental health issues. The City needed to address some of these larger issues by providing some sort of a day-time shelter.
- The removal of the shelter/stop was a small step that could be taken. This was a very tight corner, which was hard to walk through.
- Also, the shelter blocked the view and opening up the view might help with the problems. She believed in the idea that "eyes on a street made it safe". The more eyes and the bigger view people had of the area, the less likely it was that people would engage in activities like drug-dealing; and there was quite a bit of evidence that this was occurring there. She passed the area nearly daily, and had seen it herself.
- She hoped the Commission would seriously consider Rineer's testimony, given that he and his family were there every day. People needed to realize what was happening there, and be honest about it.
- It was not about moving people out of the shelter; it was about changing behavior. Anything we could do to make it a more public and welcoming space for everyone, the better it would be for the whole city.

Registrant Margarita Bassett, E. Johnson, 53703, spoke in support of removing the shelter/stop.

- She worked with the Noble Chef Group-Capital Tap Haus on the 100 block of State. She had ridden the bus for twenty years.
- She felt unsafe working in the area; and her income depended on tourists, who also were not comfortable being there.
- She made her way to other bus stops, just to avoid (this) the most convenient stop, just 30 feet from her place of business. This added an extra ten minutes to her travel time, which in the winter made things more difficult.
- She walked down a block or up a block, just to avoid being harassed at this stop.
- She would feel a thousand times better if that bus stop was not there.
- When asked, she said she would feel better if the stop were moved, and not right outside her front door; where people were doing drugs, and being physically violent. If moving the stop moved the problems further away, she would feel safer. The previous night she had left work to see a man take off his belt to hit his female companion.

District 4 Alder Mike Verveer spoke in support of removing the shelter/stop.

- He appreciated the public hearing, but he came with no enthusiasm and much regret that this item had to be on the agenda at all. But these were desperate times in the 100 blocks of State Street and W. Mifflin Street. People had gotten the flavor of it from the testimony thus far.
- The reality was that they had no option but to remove the bus shelter.
- This was analogous to the Council voting to remove eleven of the 44 stones in Philosopher's Grove around the corner.
- This bus shelter (like some others mentioned earlier by Schmitz) was an art project, uniquely designed by an artist as part of a public art project. The shelters were owned and maintained by the Parks Division as part of their State St-Capitol Concourse maintenance function.
- But it was Metro's customers who were so negatively impacted by the behavior in/around the shelter.
- The reason he had sponsored with Alder Zellers the resolution to remove the eleven stones that the Council approved unanimously in April, was that desperate times called for desperate measures. They had no other choice.
- It had been year after year of concerns, of complaints, of police calls for service, of violence and unacceptable behavioral issues in this area. The removal of the stones to create a path through the Grove was just one of a multi-pronged approach taken by the City over past months.
- Another part of that was a partnership with Downtown BID for programming taking place regularly at the top of State Street, supported by \$25K from the City's contingent reserve. Another \$50K was in the capital budget to address the behavioral issues, part of which was used to remove the 11 stones.
- He begged the Commission to support a pilot to temporarily remove the shelter, to allow Parks to put it in storage. Using the capital funds, the cost to remove the shelter would be small; and would cost Metro nothing.
- The behavioral issues were significant, as shown in the police report distributed to members (attached), in which the police officer supported the removal of the shelter.
- These issues included alcohol consumption, public intoxication, drug-dealing. The City's security cameras didn't cover the interior of the shelter, so police couldn't see what went on inside the shelter when they weren't there.
- The issue was not about the homeless, or about people sleeping in the bus shelter. People slept in shelters all around the Square. Yes, technically it was illegal for people to sleep in shelters, but in general the police did not bother people sleeping overnight when Metro was not running. Also, the ordinance made an exception for inclement weather.
- It was true that the police did have that tool, but obviously it wasn't enough, it wasn't working.
- The issue was about criminal behavior in the shelter, intimidating Metro customers and preventing them from using an amenity provided for them. People waiting for the bus were not utilizing that shelter, and it was a crying shame that it was not being used for its intended purpose.
- While it might be argued that DCC was the body with purview over street amenities on the Concourse (such as the shelter), he was grateful that the TPC and Metro had the tools to hold this hearing and create a public forum such as this.
- Certainly, the removal of the stop itself was a (separate) Transit issue, and its removal would likely bring comfort to some. He himself was agnostic about whether or not the bus stop should be removed; it was the shelter that was

causing behavioral issues.

- Metro could speak to the operational efficiencies they might gain by removing the stop and not having to stop at the signal there.
- One reason they weren't hearing opposition to this proposal was likely because another shelter just 250 feet away was available and underutilized, which contributed to DCC's unanimous decision to recommend removal of the shelter asap.
- It was possible the problems could move to the other shelter, and he appreciated Mohs' apprehension about this. But he felt they should try the pilot and see. This would be part of larger initiative that included lighting improvements and significant police resources.
- He was very frustrated that so many of his constituents who lived downtown, reported they purposely avoided the top of State Street because of the problems there. The issue came up dozens of times at neighborhood meetings.
- Though the behavioral issues in the area were his main concern, lesser arguments could be made that the shelter created a pinch-point for pedestrians and people with strollers; and that Teddywedgers was an historical landmark that was being obstructed by the bus shelter.

Ahrens clarified that his question about people sleeping in the shelter was not directed at the homeless, it was connected to testimony suggesting that people were passed out in the shelter. Though not frequently in the 100 block, when he was, Ahrens observed police in the area not doing anything about the behavior. He wondered if Verveer had talked to the local police district to try to deal with this.

Noting how unfortunate it was that Teddywedgers could only stay open over the extended lunch hour because the problems worsened as the day wore on, Verveer said he couldn't add much to what Rineer had said. The police seemed to come and go in waves; and seemed to respond to 911 calls or to things they could see on their cameras. The police regularly attended the Mifflin Neighborhood meetings in his district, where the issue of upper State Street came up month after month. Every officer in the Central District was very familiar with the issue and the concerns of stakeholders, and would testify to the drain it was on their resources. But Verveer said he couldn't speak to the question that Ahrens raised.

When asked, Verveer said the building that housed Teddywedgers was one of the oldest commercial buildings in the city (dating from the 1850's), and did in fact have landmark status. (He referred to the email sent from Dan Milsted, who owned the building.)

Kemble noted that procedurally, the item had come before the TPC because Metro buses stopped there; but the shelter was owned by Parks, and the DCC had control over amenities in the area. She wondered what had to happen for the shelter to be removed. Verveer said he had exchanged emails with ACA John Strange about whether the removal of the shelter as an amenity needed to be a decision of the Common Council.

Verveer noted that in the Verveer/Zeller resolution (Leg. File 37817) passed in April, language was included to say: City staff should study the effects of potential relocation of the eastbound bus stop at the 100 block of State Street to the existing stop on North Carroll, along with the removal of the bus shelter

at the top of State Street. The resolution approved starting this process, and memorialized that this (shelter/stop) issue went hand in hand with the whole issue of Philosopher's Grove. Also, an educated argument could be made that the reason the issue had come to the TPC was that it did such an excellent of public notification and had an established process for public hearings (as effective as DCC might have done). As a result, Verveer felt comfortable that the decision rested here.

Verveer went on to say that his understanding was that the Metro General Manager had administrative authority to consolidate one bus stop, and this would not require public hearing or approval by TPC. As for the TPC's legal jurisdiction over this unique shelter (not maintained by Metro), that was sort of a fuzzy area. But if not TPC, who did? DCC discussed issues re: sidewalk cafes, and nearby bike racks and planters. In talking to ACA Strange and the Mayor, they felt that the question of the shelter and the stop was not a question the Common Council needed to weigh in on. The money was already in the capital budget to remove the shelter if so decided.

Cnare said the estimate for removing the shelter (which had electrical and plumbing in it) was less than \$10K. Like Kamp, Planning staff had administrative authority to do certain things, like move planters and racks around. But when it came to anything controversial, they brought it to DCC. So with this issue, staff did not want to make the decision on their own and wanted input from the DCC and the TPC, because it was an amenity for bus riders.

Kemble asked about the role of Parks in the purchase of the shelters as part of a public arts project. Verveer thought the original arts project was probably a separate line item in Planning's or Engineering's capital budget. The role of the Parks Commission didn't really play a role in this, by virtue of having DCC with its own unique ordinance charge, the Parks Commission left all Mall/Concourse issues to DCC. Parks provided a monthly maintenance report to DCC because they maintained the Mall/Concourse. But no one ever thought the Parks Commission would play a role in this decision about the bus shelter.

As the issue moved forward, Kamp discussed this question with ACA Strange, who said the TPC would typically have the lead role on a decision about a passenger amenity. With a typical bus shelter, moving a shelter or a bus stop 250 feet would be a "de minimis" change, and would typically be an administrative decision that Metro could make. But the removal of the shelter, given its cost, given that it was part of an art project, and because of some controversy involved, Strange recommended that they go through the public hearing process. The shelter was owned and maintained by the Parks Department, but they looked to Metro and the TPC for a decision on any change of a location of a shelter on the Mall/Concourse.

Poulson read a statement from Registrant Sammy Baxter, Pawling Street, 53704 (attached): The bus stop shelter next to Teddywedgers was often used as a place for the homeless to store their belongings, where they also left trash and drank. Because this narrowed the sidewalk and because the location was used to panhandle, pedestrians crossed the street. Women, inc. her, were often sexually harassed Drug-dealing and drinking there hurt the community, local businesses and school groups touring the Capitol and museums.

Former Alder Brenda Konkel, N. Hancock Street, 53703, spoke in opposition to removing the shelter/stop.

- This was a very complex issue, with lots of moving pieces and parts. She was probably the only one in the room speaking in favor of not removing the bus shelter.
- She was really getting frustrated by these kinds of conversations throughout the city, where we moved "the problem" someplace else, and never got to the root causes to solve the problems.
- People talked about solving problems with an equity lens, but she didn't see this happening. We also needed a trauma, informed care and harm reduction lens when looking at these particular issues.
- If desperate times called for desperate measures, maybe we should call for desperate measures. Why weren't AODA and mental health services being called to the table, to ask them: Where are your outreach workers, what are you doing, how are you helping to address some of the problems we are seeing?
- The Homeless Consortium had not been asked about this question. No one had invited them to the table.
- Folks who maybe knew these people, who could talk to them, weren't being consulted about these decisions being made. No one was reaching out to the people being directly impacted to say, hey, what's going on here? Some of the people there might not like what was going on there. Nobody was trying to actively engage the people in this area.
- If there was a decent day shelter where services were available, a lot of those folks would probably go there. They wouldn't store things in the bus shelter, if they had a better place, and things weren't be stolen in the dog kennels.
- There were real cost-saving solutions that wouldn't cost the City a dime, and wouldn't impact the bus riders, and would actually solve some of the problems.
- She didn't see these conversations ever happening. The TPC wasn't the body to have those conversations; she was addressing these comments to the alders in the room.
- Their only solution seemed to be the police, because all the money was dumped into policing services, not into social services. They expected the police to solve the problems, which just resulted in more tickets, which then prevented people from getting into housing. This perpetuated the cycle. We were not looking at systemic changes that were needed.
- Remove the bus shelter or don't remove it; it wouldn't make a bit of difference. The same issues would be there, because the root causes weren't being addressed.
- We could get four social workers for the cost of two cops, and we'd get real services and solutions. Removing the bus shelter would just change the location. We had kicked people out of the parks, out of the Library; we had bands everywhere, but we had no services to help people. We just banned them and put them in jail. At some point, we would have to wake up.
- Thinking of the bus riders, if the shelter were removed, it would never come back. If in three years the situation had changed, how would they get the shelter back? It wouldn't be a popular decision.

Registrant Paul Skidmore, Red Maple Trail, 53717, said he was speaking as an individual, not as an alder. He favored removing the shelter/stop.

- He was a licensed landscape architect, dealing with urban open spaces, and

was very familiar with this type of issue.

- He was also the owner of a private detective agency, for which he worked as a security guard.
- He had a number of clients downtown, inc. businesses on both sides of the 100 block of State Street, on N. Carroll, and others in the area. He was not representing them. He came to discuss his observations; what he had seen, heard and learned over the past year of serving the area.
- He had discussed the issue with his customers, who expressed a great deal of frustration over a variety of issues.
- He thanked Alder Verveer for framing the issue. Many of his comments were spot-on. Former Alder Konkel said some good things too.
- Important to remember was that this was an issue of behavior; it wasn't about the homeless. Bad behavior here overshadowed good opportunities, which was one of the reasons his company was doing what they did there.
- They provided two shifts/day, one in the early morning, which was very different from the shift from 6 PM to bar time.
- During the second shift, they tried to manage behavior for clients: Removing an unruly customer, someone who was banned, someone too intoxicated; or reviving an unconscious customer.
- During the early AM shift, from 5:30 to 8 or so, he observed a number of things, esp. in the Philosopher's Stones area.
- There wasn't one magic solution; but many good ideas had been suggested, some of which had been implemented and some in the works.
- Removing the shelter probably wouldn't fix the problem, but it would relieve a lot of the behavioral problems there.
- Because of work in other areas, his company had been approached by several businesses along the route to help manage behavior. Some of the behaviors included: Sleeping in doorways, alleys and buildings; inappropriate behavior; physical intimidation; physical altercation; drug and alcohol abuse; depositing human waste.
- Because of the growing frustration among their clients, they were now providing service seven days/week. One of his busiest places in the AM was at the head of State Street in the Stones area, in the bus shelters, on the benches, in doorways. That week, they received calls Monday and Tuesday.
- They had found people so intoxicated in the bus shelter, they wondered if the person were alive. They carried first aid kits, which included Narcan, in case of an overdose.
- In his observation, the homeless weren't the primary source of most behavioral problems. It was the behavior that needed some sort of regulation.
- The area was a magnet and a pinch-point. They had recently encountered a woman who took all her clothes off, getting ready to sleep on the bench. When told not to do this, she asked why not; the City had passed an ordinance saying nudity was okay. Deal with it. That left his crew with a conundrum.
- A police officer had tried to interrupt some behavior, and the person had said, what are you going to do? Shoot me?
- This seemed to be an attractive nuisance. Removing the shelter would probably not solve the problem entirely, but he had certainly encountered bad behavior in and around the shelter. Riders were not using the shelters because of the people in them doing bad things.
- He strongly urged removing the shelter.
- Along with this, programming and enforcement was needed. The day shelter would help. Such things as Housing First and affordable housing were important. A broad approach was needed.



Registrant Ken Clary, State Street, 53703, spoke in support of removing the shelter.

- His store was right next to the bus shelter, and he had witnessed all that had gone on.
- Bus riders really didn't have access to that shelter most of the time.
- The tobacco shop nearby, the shelter and the bench created a perfect storm of an area for these guys to gather.
- He didn't know how to fix the homeless problem, but removal of the shelter would go a long way in breaking up this crowd that hung out in the area.
- For sure, the situation hadn't been good for business.

With no further registrants, Poulson closed the public hearing.

G.2. [39184](#)

Action on proposed removal of the bus shelter on State Street at W. Mifflin Street - TPC 07.08.15

Poulson asked if members had questions of Metro staff. Kamp and Metro Planning and Scheduling Manager Drew Beck addressed member questions.

- Buses that now stopped on State would instead stop at the shelter on N. Carroll. (See attached maps of current and proposed stops.) The Carroll shelter would go from having few routes stopping there, to having many routes stop there (from 6 to 21 routes).
- Real time info was available at the stop, which would be a benefit. Staff would have to work with Traffic Engineering, to remove some parking stalls.
- As for queuing, occasionally there might be problems just as there were at other locations around the Square. They might need to adjust the number of parking spaces.
- TE and Metro were looking at leap-frogging the first parking space past the other two to place it nearer to W. Washington, which would give buses a longer staging area. Also, at that stop, buses could still stage back on State Street before the traffic signal, before coming around to the stop.
- Even now, it was sometimes hard to get four buses through one cycle of the traffic light.
- Staff felt it would be a manageable issue (like the other stops on the Square).

Golden/Kovich made a motion to endorse/approve/authorize removal of both the bus stop and shelter on State Street permanently.

Golden made the following comments.

- The TPC could make it very simple for themselves, by saying the stop was way too close to the other stop. And a strong case could be made that it was a pedestrian barrier. Plus they could point out the City would save money on maintenance. And they could walk away from the whole issue.
- But he didn't think they should. He genuinely felt that Metro was a stakeholder in the area; it had a stake in seeing resolution of some of the social problems discussed.
- He agreed with former Alder Konkel about everything except for her recommendation not to remove the stop.
- He wasn't interested in seeing the problems moved around. He had seen many efforts that had done this.
- He had also seen attempts at good-sounding solutions that didn't work, weren't enough.
- Occasionally, we leaned too heavily on law enforcement; that wasn't the way to go.

- We needed to think of something different, something that had not been done.
- Part of that would be a day center where people could go, which was attractive and conveniently located.
- Tellurian used to have street teams. Maybe they could make a more assertive attempt at that.
- There might have been 6-7 committees this item could have been referred to, including the City-County Liaison. The County had a serious role here, in terms of mental health, and AODA treatment and intervention.
- Having worked with this population years ago, he felt there was a portion they would never reach. But there were some they could reach. It might cost a lot of money, but they were already spending that money, with increased policing, increased maintenance, and all the time the Council was spending in moving the problems around.
- He felt this could be done simply for transit reasons. But at the same time, they shouldn't abandon their role in terms of other social issues.
- Metro was a business like any other, and this was affecting their customers.
- The TPC should be un-Madison-like, be decisive and just get it done.
- As someone said, there was no way this shelter would come back once it was removed. It would cost too much to bring it back.

Kovich agreed that they should do it for transit reasons, but it was also a step in the right direction for all the other issues that had been discussed.

Bergamini said she would not vote against the motion, but she felt it would do nothing to address the underlying problems.

- It might be one fewer place for people to congregate, but people needed places to be and congregate. This happened to be one of the few public spaces that was conveniently located, and available for people to congregate.
- Obviously, Metro riders, drivers and administrative staff were not AODA counselors. It shouldn't fall on them anymore than on restaurateurs to provide that.
- But this was a community-wide problem, and moving it around the corner to another shelter would adversely affect those businesses.
- The change might actually result in a smoother flow for the buses (exc. for the school and tourist buses that used the area).
- Former Alder Konkel's points needed to be taken seriously and addressed, sooner rather than later. We needed to stop passing this down the road, and build a day shelter and begin the very hard work of addressing the multi-layered issues for individuals and families that lead to having people hanging out on the street for 20 hours/day.

Ahrens confirmed that the motion was to remove both the stop and the shelter. Golden added that he hoped the loss of parking spaces could be minimized, (after the Commission, wearing their other hat, had returned parking to the Square). Beck said that idea to leap frog the first space would maintain all three spaces. The vote was taken, and the motion carried by voice vote/other.

The group then returned to Item F.1., to continue discussion of the JDS proposal for Judge Doyle Square.

**H. REPORTS OF OTHER COMMITTEES - for information only; no action required.  
(Most recent meeting minutes electronically attached, if available)**

[07828](#)

ADA Transit Subcommittee  
Contracted Service Oversight Subcommittee  
Parking Council for People with Disabilities  
Long-Range Transportation Planning Commission  
Joint Southeast Campus Area Committee  
Madison Area Transportation Planning Board (MPO)

**I. ANNOUNCEMENTS AND FUTURE AGENDA ITEMS**

**I.1. General announcements by Chair (Verbal announcements, for information only)**

Poulson announced that the Commission would be electing a Chair and Vice-Chair at the August meeting. He would not be attending the meeting. Electronic copies of the current Rules and Procedures would be sent to members for their review, in case they wanted to suggest any changes.

Golden mentioned that he was Chair of Transit Subcommittee of the County Public Works Committee. The County Committee was planning on five outreach meetings in outlying communities, for some key corridors and bus routes. For alders who represent areas on the periphery adjoining other communities, the County was interested in seeing if it should appropriate some funding for transit (hopefully for Metro). He preferred that the money wouldn't go to other communities to initiate transit, but if a route were to go from Stoughton through McFarland to Madison, the County would pay for the Madison portion of that, and Metro would get some portion of that subsidy as well. He would keep members and alders informed of the meetings.

**I.2. Commission member items for future agendas - None.**

**ADJOURNMENT**

A motion was made by Kovich, seconded by Schmidt, to Adjourn at 8:10 PM. The motion passed by voice vote/other.