



# City of Madison

City of Madison  
Madison, WI 53703  
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## Meeting Minutes - Approved PUBLIC SAFETY REVIEW BOARD

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Tuesday, February 10, 2009

5:00 PM

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

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### CALL TO ORDER / ROLL CALL

- Present:** 5 -  
Paul E. Skidmore; Eli Judge; Michael S. Scott; Terry E. Moen and Bret M. Gundlach
- Absent:** 2 -  
Tyrone W. Bell and Amy R. Smith
- Excused:** 1 -  
Larry Pasha

### APPROVAL OF MINUTES

The Minutes were approved for the January 13, 2009 PSRB Meeting. Professor Scott indicated that there is one word on Pg. 1, Item #12065 were the word opportunities should be struck out.

### PUBLIC COMMENT

John Jacobs, Greg Ferguson, and Michael Rewey from the public shared with the PSRB Committee as to why they are in favor of a legislation to protect bicyclists.

Alder Skidmore moved to take item #13622 out of order. Alder Judge seconded this motion.

### REFERRALS FROM COMMON COUNCIL

Professor Scott moved to take item # (13273) and item# (12413) out of order. Alder Judge seconded this motion.

2. [13273](#) Creating Section 12.26 of the Madison General Ordinances to create restrictions on opening vehicle doors into oncoming traffic and leaving vehicle doors open while loading or unloading; and amending Sec. 1.08(3)(a) to create a bail deposit for these violations.

This item was previously on the PSRB agenda as a communication from State Representative Sondy Pope-Roberts who contacted the City Clerk's Office reference a incident in which a bicyclist had a car door opened in front of her while she was on her bike. In this instance the bicyclist received a ticket for riding too close to a parked car. This ticket was dismissed at a later date. Alder Webber mentioned during that meeting that Wisconsin is far ahead of protecting bicyclists on the streets but one thing that is not covered is there is no State Law that prohibits opening a door into traffic or impeding traffic. Webber indicated that this law will be reintroduced at the State Legislature this legislative session but until then she is working on addressing the issue as a

local ordinance. She indicated that this uniform vehicle law has been adopted both locally and at the State level across the Country. Today, Alder Webber along with three citizens from the public; John Jacobs, Greg Ferguson, and Michael Rewey expressed their opinions on why they are in favor of a legislation to protect bicyclists. Webber indicated that is something that could be portrayed specifically about bicycling but what it comes down to is the safe use of streets and that it is the responsibility of the driver to check before exiting their car. One question that was asked to Captain Bach from the Madison Police Department is if the Police Department has an official position on this ordinance? He indicated that the Police Department would support any ordinance that would help reduce injury and make the streets safer whether for motorists, bicyclists, or pedestrians. What he thought though was that there would be a need to clarify what the expectations are. He said that the issue is if there is a crash where a door is opened and the crash is between the bicyclist and another vehicle it would be the ability to determine if the person didn't look or if the bicyclist may or may not been between the 3 feet. This would then require the investigating officer to pull together all of the information to decide if there is going to be a citation issued. Bach mentioned that one thing that MPD did discuss was that MPD simply does not have the resources to utilize this beyond a tool at crash investigations. He indicated that MPD does not have the resources to use the speeders hotline type of system where someone would provide information to provide follow-up. Professor Scott mentioned that the main use of this ordinance would be a way to educate and to also give Officers a tool to be able to issue a citation when fault can be established which is important for insurance claims and also on civil liability claims. The group was in favor of this ordinance. Alder Judge and Skidmore indicated that they would both like to be added as a sponsor to this ordinance.

4. [13382](#) Communication dated January 22, 2009 from S. Holtzman, 105 Glen Highway, Madison re: the cost to the City of Madison for the priority dispatch system for improved responses to requests for emergency medical services.

**A motion was made by Judge, seconded by Skidmore, to RECOMMEND TO COUNCIL WITH THE FOLLOWING RECOMMENDATIONS - REPORT OF OFFICER. The motion passed by voice vote/other.**

6. [13476](#) Creating Sections 10.18(9)(f) and 10.18(13)(d) of the Madison General Ordinances to provide a violation and forfeiture range for the removal of recyclable items from private property; and amending Sec. 1.08(3)(a) to create a bail deposit for these violations.

**Alder Skidmore indicated that there has been a significant amount of theft from private properties not just from private small recycling dumpsters, but also from large industrial dumpsters including copper and other types of metal taken from construction sites dumpsters. This item was discussed by the group and they felt that the language on the ordinance is very broad and also Captain Bach mentioned that he was not aware that this item was going to be on the agenda to discuss details. He requested along with other Committee members that this item is re-referred to the next PSRB meeting. Alder Skidmore was okay to re-refer this agenda item and Alder Judge seconded the motion for purposes of discussion.**

Alder Skidmore moved to take item #(12413) out of order. Alder Judge seconded this motion.

3. [12413](#)

SUBSTITUTE - Amending Section 12.1335 of the Madison General Ordinances to strike alternate side parking regulations from November 15 through March 15 and subsection (2) "snow emergency zone"; amending Sec. 12.1335(4) of the Madison General Ordinances to create alternate side parking regulations during a declared snow emergency; repealing Secs. 12.1335(4)(c) and 12.1335(6) of the Madison General Ordinances and amending Sec. 1.08(3)(a) of the Madison General Ordinances to eliminate the bail deposit for Alternate Side Parking from November 15-March 15.

**Alder Webber is a sponsor of eliminating alternate side street parking to just declare snow emergencies. She indicated that when she supported raising the fines for the snow emergency; doubling the fines from \$30 to \$60 it was then that she would then introduce legislation to eliminate alternate side street parking as she feels there is no reason that people should have to move their vehicle, or receive a ticket when there is no snow. She further stated that she would be in support to raise the snow emergency fines even higher to not have alternate side parking. She felt that it is not good public policy, or environmental policy. Captain Bach and Stefanie Niesen, the Parking Enforcement Supervisor, were in attendance to speak on behalf of the Madison Police Department. Bach indicated that there are a number of primary concerns or impacts of abolishing alternate side parking in which he spoke about. First and foremost is public safety. The alternate side parking ordinance was enacted so the streets dept. could routinely plow the streets side to side which prevents them from narrowing from the buildup of previous snowfalls. The narrowing of the streets would make it difficult for emergency vehicle apparatus to navigate safely through. The second impact would be staffing and service. Hourly parking officers are employed to enforce the alternate side ord. would be eliminated. Thus when a snow emergency was declared the permanent parking enforcement employees would be responsible for 24 hour coverage during the declared snow emergency. There is insufficient staff to provide the needed coverage and staff would be supplemented with overtime assignments. Niesen added that there would then be a need to expand the hours of the snow emergency which would then take away from parking for commuters that come downtown, would most likely see less enforcement in the downtown areas, and there would then be towing during the day instead of the night. Bach mentioned that Streets use Post n Tow. This is when they post notices on a block indicating that on a specific date that they are going to tow. This would then need to be expanded City wide, as it is now just Central, which is resource intense for both MPD and Streets. Assistant Fire Chief Keiken agreed with Captain Bach on the impacts of eliminating this ordinance. Chief Keiken shared Capt. Bach's primary concern about the impact of the narrowing of the streets. He said the Fire Department currently struggles during the winter getting fire apparatus down some streets, due to snow accumulating from many snowfalls that has not been cleared curb to curb. He further said that the idea of the post n tow may sound reasonable but it doesn't help during a snowfall when the Fire Department has an emergency call and the streets have yet to be cleared. Chief Keiken indicated that at least with the alternate side parking, if enforced, more often than not there is adequate space to get fire apparatus through. Terry Moen mentioned that George Dreckman from City Streets didn't realize that this item was on the agenda until late in the day in which streets could not attend this meeting, but they would have wanted a vote delayed until they could comment on this agenda item. Professor Scott indicated that there must be other Communities the size of Madison that has different approaches of**

clearing streets from snow. It was mentioned that what it comes down to is a public safety issue and a public policy issue. The group agreed that they would like to see additional data and information before making a decision on this agenda item. Alder Skidmore made a motion to re-refer this agenda item to the next meeting and Alder Judge seconded this motion.

#### DISCUSSION ITEMS

1. [13622](#) Discussion Item:  
Fire Department  
Evacuating Mobility for Impaired Citizens from High Rise Buildings  
  
Ed Ruckriegel from the Madison Fire Department shared information on what role the Fire Department has when it comes to fire evacuations, hazardous planning, emergency planning, etc. He indicated that when there is an evacuation of any building it is the responsibility of the owner, employer, manager, etc. He said that it would fall under anyone that is legally responsible for the care of the citizens in that building. He further stated that the Fire Department simply does not have the resources when it comes to the evacuation of all citizens within a building including citizens with disabilities. What the Fire Department would do is evacuate people within harms way and rescue anyone that would need rescuing. He said the position of the Fire Department is to respond to the incident, make sure citizens are safe, and clear the scene. Ruckriegel felt that there was a mixed message previously and now that they have come up with a clear policy and direction they felt it has made it easier on owners which are now investing in stair chairs, developing evacuation plans, and they are working with resources based on the needs that they have. He mentioned that the international fire code requires property owners to develop evacuation plans. These plans have to be recorded and submitted to the Fire Department in which the Fire Inspector reviews the plan to make sure it is achievable, realistic and meets the code. The Fire Department does witness some evacuation plans including: State buildings, some private owned businesses, and a few UW campus locations in which they witness plans to make sure they are implemented and that every year the Fire Department has fire drills at daycares and schools. He indicated that the Dane County Emergency Management has hired a contractor that is assigned to explain to owners of buildings that an evacuation plan needs to be in place at their facility.

Alder Skidmore moved to take item#(13620) out of order. Alder Judge seconded this motion.

5. [13620](#) Discussion Item:  
Police Department  
Discussion of Neighborhoods and Preventing Decline  
  
This agenda item was a discussion on preventing neighborhood decline. Why do Neighborhood's go into decline? What is the policy of the State Department of Corrections and moving people on probation and parole into certain neighborhoods without giving appropriate support for the people there thus creating additional problems. How is the City of Madison preventing Neighborhoods from going down? Chief Wray attended today's meeting and indicated that he felt this is a timely discussion considering the state of the economy at this time. He said for the first time in 20-25 years that we don't have a neighborhood with the level of an Allied Drive when usually at a

minimum there are 2 or 3 neighborhoods like that, and in the early 90's there were usually 8 or 9. He said from a public safety standpoint both the City/County have been assigning a lot of our resources into neighborhoods on the brink of decline. Wray indicated that as a Police Department how do we stay ahead of emerging neighborhoods? As a Police Department how do we become pre-emptive and pro-active? He indicated that Neighborhoods previously would "heat up" which would enable the Police Department to assign resources and now we have neighborhoods that heat up and then cool down. He mentioned the use of data, key-indicators - how to get ahead of it 2 years before it happens. He said that this is one of the Police Department's top goals within Captain's and MPD analysts. Joel Plant from the Mayor's Office mentioned that Andrew Statz from the Mayor's Office would be available during the next PSRB meeting to present information on finalizing data from the Neighborhood Indicators project. Plant also mentioned ways the City is working proactively on neighborhoods to prevent decline. He mentioned the Chronic Nuisance Ordinance, Advancing relationships within the School Districts on Neighborhoods, Neighborhood Resource Teams through the Police Department, and the City is in the works of an ordinance that would have a tracking system on landlords that have rental property.

#### STANDING COMMITTEE REPORTS

7. [13624](#) Standing Committee Report: 911 Center Committee - Committee Report

Alder Skidmore indicated that he became aware that the County Board created a subcommittee to review the Matrix Phase I report that was given out in open session. This was not notified to City members and that City members were not allowed to participate. Skidmore mentioned that this meeting was not properly posted and that members of the press filed a lawsuit in which they are going to ask for legal costs.

He updated the group on the 911 Center Director search in which 6 members were appointed but names not released yet. There will be 3 from the City and 3 Non-City, which will review the applications for the 911 Center Director. The nominations will then be sent to the County Executive, reviewed and voted on by the County Board.

There were 674,000 dispatch calls in 2008. 62% generated from the City of Madison. 2/3's of these calls were from cell phones and 1/3 from landlines. 22,000 calls were non-connected in which the citizen would dial 911 and then no one was there.

Alder Skidmore said that during his meeting the County budget was discussed. There would be a significant amount of money for the CAD system, upgrade of equipment, 800mg.hertz system, new dispatchers, and a priority police dispatch. A Committee that has been established designed called "Dispatch Protocol".

There will be a discussion on quarterly reports on the number of complaints received relative to the 911 Center.

8. [13626](#) Standing Committee Report: Sensitive Crimes Committee

**This agenda item was not discussed at today's PSRB Meeting.**

**ADJOURNMENT**

**Alder Skidmore made a motion to adjourn the meeting. Professor Scott seconded that motion. The meeting adjourned at 6:55p.m.**