



**City of Madison**  
**Meeting Minutes - Amended**  
**COMMISSION ON PEOPLE WITH**  
**DISABILITIES**

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

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Thursday, September 22, 2005

4:30 PM

215 Martin Luther King, Jr. Blvd.  
Room 260 (Madison Municipal Building)

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**1. CALL TO ORDER**

**2. ROLL CALL**

**Present:** Mary P. Conroy, Robert P. Monahan, Michael W. T. Howe, Jeff C. Erlanger, Alice J. Fike, Lynn A. Peterson and Gregory B. Banks

**Absent:** Ald. Paul E. Skidmore

**Excused:** Randy G. Black, Nancy R. Kathman and Michael C. O'Connor

*Staff: Norman Davis-AA Interim Director, Roger Allen-Assistant City Attorney, Angela Bennett-Disability Rights Specialist*

**3. PUBLIC COMMENT**

*There was no public comment.*

**4. APPROVAL OF MINUTES of August 25, 2005 meeting**

*The Commission suggested corrections to the minutes. The minutes were then approved with corrections.*

*Alder Skidmore arrived at the meeting.*

**A motion was made by Erlanger, seconded by Conroy, to Approve the Minutes. The motion passed by acclamation.**

**Present:** Ald. Paul E. Skidmore, Mary P. Conroy, Robert P. Monahan, Michael W. T. Howe, Jeff C. Erlanger, Alice J. Fike, Lynn A. Peterson and Gregory B. Banks

**Excused:** Randy G. Black, Nancy R. Kathman and Michael C. O'Connor

**5. AFFIRMATIVE ACTION DEPARTMENT ACTIVITIES- Norman Davis, Interim Director**

*Norman Davis, Interim Director of the Affirmative Action (AA) Department addressed the Commission regarding the CPD minutes. He stated that his objective is to produce the highest quality minutes possible and deliver the material to the Commission in a timely manner. He described the process of AA office oversight of the minutes and their future summary format.*

*There was discussion on the required language in the minutes of notified (excused)/ un-notified (absent) explaining non-attendance of commission members. The Chair has authority to excuse members. After three unexcused absences a member can become eligible to be removed from the commission or committee.*

## 6. REPORT FROM THE COMMON COUNCIL - Alder Paul Skidmore

*Alder Paul Skidmore reported that the September 19 council meeting addressed 3 major items: (1) Allied Drive, which was referred to a future meeting, (2) the lobby ordinance, which passed overwhelmingly, and (3) a public hearing on the smoking ban, which was upheld.*

*He also stated that the Common Council will address the Operating and Capital Budget. Because of State funding freezes, the City will need to cut between 3 and 4 million dollars from the city budget. Alder Skidmore will speak to Bruce Newton of Community Services and report back to the Commission, regarding the CPD request that the "Home Chore" program be funded for 2006 through the Community Services Department.*

## 7. DISABILITY RIGHTS SPECIALIST REPORT- Angela Bennett

*The Disability Rights Specialist had nothing to report.*

## 8. OLD BUSINESS

### *A. Goals and Objectives*

*Chair stated the Executive Committee discussed dedicating a single meeting of the full commission to goals and objectives of the CPD and the Disability Rights program. The meeting would be facilitated by Guy VanRensselaer of the City Human Resources Department, on December 15. This meeting would replace the December regular CPD meeting.*

### *B. Amended May 26, 2005 minutes*

*The Commission discussed that the minutes had been approved with changes at it's August meeting. The Commission then discussed how to adopt a version of the minutes on which the CPD could agree. The Commission then decided to accept the May 26, 2005 minutes with corrections submitted to the September 22, 2005 meeting.*

**A motion was made by Conroy, seconded by Erlanger, to Approve the Minutes. The motion failed by the following vote:**

**Excused:** Black, Kathman and O'Connor

**No:** Skidmore, Conroy, Monahan, Howe, Erlanger, Fike, Peterson and Banks

**A motion was made by Erlanger, seconded by Ald. Skidmore, that the CPD accepts the corrections to the May 26, 2005 minutes submitted by staff at the September 22, 2005 meeting. The motion passed by acclamation.**

## 9. LEGISLATIVE BUSINESS

01853

Amending Secs. 1.08, 3.23, 3.35, 3.36, 3.38, 3.48, 3.51, 3.52, 3.59, 3.72, 8.35, 9.13, 11.06, 12.03, 22.14, 23.56, 27.05, 28.03, 28.04, 28.08, 28.11, 28.12, and 31.04 of the Madison General Ordinances to update references to handicapped and/or disabled utilizing People First language.

*A. Legislative File # 01853: The CPD obtained a 30-day extension from the bill's sponsor in order to review the ordinance. The Commission discussed acknowledging the receipt of this request, placing it on the October agenda for action and referring the proposal to the EOC for comment by the October CPD meeting. The Commission also asked for a report from the City Attorney's office regarding the legal issues involved in the proposed ordinance by the October CPD meeting.*

*Jessie Kaysen, a private citizen, addressed the Commission. She submitted a four-page document that had been reviewed by Attorney Jodi Hanna from the Wisconsin Coalition for Advocacy and that contained concerns about the impact of the proposed ordinance. The Commission referred the document to the EOC and to the City Attorney's office to consider when preparing its report.*

*Ms. Kaysen stated that, although the drafter of this legislation claims this is a technical revision limited to modernizing language, in some cases there may be changes in the meaning of the affected ordinances, with important policy considerations. These policy considerations should be addressed as each ordinance comes up to be changed. She wanted the CPD to carefully and deliberately review each ordinance affected by the proposed ordinance. She also asked that the CPD support maintaining the sometimes more expansive standards than the ADA currently allowed in Madison city ordinances for civil rights for people with disabilities.*

**A motion was made by Conroy, seconded by Ald. Skidmore, to Refer to the EQUAL OPPORTUNITIES COMMISSION. The motion passed by acclamation.**

**A motion was made by Conroy, seconded by Ald. Skidmore, to Refer to the Attorney's Office/Approval Group. The motion passed by acclamation.**

*A friendly amendment was made by Ald. Skidmore, seconded by J. Erlanger, that: (1) The CPD acknowledges receipt of the request to comment on this piece of legislation and places this item on its October agenda, (2) the CPD refers this legislation to the Equal Opportunities Commission to give the CPD feedback on this legislation prior to the CPD October meeting, (3) The CPD refers this legislation to the City Attorney's office to draft a report on the impact of this legislation, to be sent to the CPD, and (4) that copies of the notes from Citizen Kaysen be sent to the Equal Opportunities Commission and the City Attorney's Office.*

**A motion was made by Erlanger, seconded by Ald. Skidmore, to Suspend the Rules, and take item 10E out of order. The motion passed by acclamation.**

**Present:** Ald. Paul E. Skidmore, Mary P. Conroy, Robert P. Monahan, Michael W. T. Howe, Jeff C. Erlanger, Alice J. Fike, Lynn A. Peterson and Gregory B. Banks

**Excused:** Randy G. Black, Nancy R. Kathman and Michael C. O'Connor

10E ADATS Representation

*The Commission recommended that J. Erlanger be re-appointed to the ADA Transit Subcommittee as the CPD representative and that staff notify the Mayor's office of that nomination.*

**A motion was made by Conroy, seconded by Fike, Peterson, recommending that J. Erlanger be nominated as the CPD representative to the ADA Transit Subcommittee. The motion passed by acclamation.**

*A 10 minute break was taken at 6:02 pm. The meeting reconvened at 6:12 PM. The Commission resumed with the regular agenda beginning with Item 9, File ID # 01855.*

**Present:** Ald. Paul E. Skidmore, Mary P. Conroy, Robert P. Monahan, Michael W. T. Howe, Alice J. Fike and Gregory B. Banks

**Excused:** Randy G. Black, Nancy R. Kathman, Jeff C. Erlanger, Lynn A. Peterson and Michael C. O'Connor

01855

Amending Section 3.62(2) of the Madison General Ordinances to modify the composition of the Commission on People with Disabilities.

*Assistant City Attorney Roger Allen was present to address questions regarding the proposal.*

*The proposal is intended to have cross representation on the CPD, EOC and AAC. The Commission discussed the application of the proposed ordinance. The language in the proposal was well-intended but seemed to imply that one person with dual membership on both CPD and AAC or the EOC could cross-represent the commissions. Therefore, as few as one person or as many as six would satisfy the requirements of the ordinance. The discussion also included the possible unintended effect of reducing the numbers of individuals with disabilities on the CPD, diminishing the CPD's ability to serve people with disabilities in this community.*

*The Commission also discussed that, in the proposed ordinance, the CPD would continue to have 11 members and 2 alternates, while both the AAC and EOC have 13 full members. The Commission discussed that the requirement of alternate members on the CPD may go back to an outdated and false assumption that CPD members may have attendance difficulties. This assumption is opposed to the mission of the CPD. The Commission also discussed a concern about having the same person, rather than a different person, fill all three positions, one on the CPD, one on the AAC and one on the EOC. The CPD proposed a substitute ordinance that put the CPD on the same level as the AAC and the EOC in the area of alternate members and addressed the concern about having one member fill all three positions. This substitute: (1) required that a different member fill the EOC and AA representative positions on the Commission, (2) strengthened the CPD by eliminating Alternate Members and replacing them with Adult City Resident Members and (3) added the word "Boards" to the ordinance.*

A motion was made by Banks, seconded by Erlanger, to Return to Lead with the Following Recommendation(s) to the COMMON COUNCIL ORGANIZATIONAL COMMITTEE CPD recommends that the Common Council modify MGO 3.62 as stated on the document provided to the CPD by Mr. Howe, with a friendly amendment accepted by the mover and seconder, adding the words "a different member" and removing the word "one" in the sentence "One member shall also be a member of the Affirmative Action Commission and one member shall also be a member of the Equal Opportunities Commission". This sentence would then read: "One member shall also be a member of the Affirmative Action Commission and a different member shall also be a member of the Equal Opportunities Commission." The motion passed by acclamation.

## 10. NEW BUSINESS

- 10A. *Selecting and Designating CPD Rep to EOC and AAC*  
*The Executive Committee recommended to the full commission that M. Howe be re-appointed as the CPD representative to the EOC.*

A motion was made by Ald. Skidmore, seconded by Conroy, to Refer to the Mayor's Office with the recommendation to re-appoint Michael Howe as the CPD Representative to the EOC. The motion passed by acclamation.

- G. Banks volunteered to be the representative on the AAC.*  
*The Commission endorsed that recommendation.*

A motion was made by Howe, seconded by Fike, to Refer to the Mayor's Office with the recommendation to appoint Gregory Banks as the CPD representative on the AAC. The motion passed by acclamation.

- 10B. *Needs and Issues of the Deaf Community*  
*Linda Barbian Russell was not present.*

- 10C. *Medicare Prescription Drug Plan*

A motion was made by Ald. Skidmore, seconded by Monahan, to Suspend the Rules and take item 10D out of order. The motion passed by acclamation.

- 10D. *Pedestrian Safety*

*Lt. Stephanie Bradley Wilson of Madison Police Department- Traffic & Support Services and Officer Stacy Vilas of Madison Police Department of Traffic Enforcement & Safety- Lead person for Pedestrian Safety, addressed the Commission.*

*They reported that the Madison Police Department (MPD) has implemented many different initiatives regarding pedestrian safety. These are: (1) implementing the Pedestrian Flag Program in conjunction with Safe Community Coalition of Madison, (2) receiving a grant from the Wisconsin Department of Transportation Bureau of Transportation Safety for pedestrian and bike safety education and enforcement, and (3) making two videos (Officer Vilas). One of the videos will be for statewide police officer training; MPD has mandated all city officers view the officer's training video. The other, involving City Channel 12 and the mayor's office, will educate any fleet vehicle drivers, including the city and state drivers of fleet vehicles. The videos spell out what the pedestrian traffic laws are and model pedestrian safety behaviors. These videos will be viewed statewide to promote education of the community, especially motorists, on pedestrian safety.*

*The MPD is trying to change the driving and pedestrian culture to be more favorable to pedestrians in Madison through education and enforcement with the main focus being on educating motorists. Lt. Wilson compared Madison to other parts of the country where drivers and pedestrians have a better understanding of their rights and responsibilities.*

*The Commission discussed the following issues regarding pedestrian safety with Officer Vilas and Lt. Bradley Wilson: (1) CPD asking the State Department of Motor Vehicles to bring pedestrian issues more to the forefront in test questions or educational materials distributed to drivers; (2) Pedestrian behaviors that are dangerous, including darting out in front of moving vehicles, wearing dark or landscape matching clothing that drivers can't easily see and being intoxicated (between 10- 20% of pedestrian accidents involve an intoxicated pedestrian); (3) Constituent calls involving Westside traffic and pedestrian safety; (4) MPD conducting group presentations on pedestrian safety; (5) pedestrian assertiveness and responsibility; and (6) Using "test teams" and the Speeder's Hotline (266-4624/TTY 266-6522) for reporting violations.*

## **11. FUTURE AGENDA ITEMS**

*Both the Overture Center accessibility and Emergency Evacuation Plans will be on the October agenda.*

## **12. ANNOUNCEMENTS**

*There was an announcement made regarding a memorial service for Dave Schaefer on October 1, 2005 at 5:00 PM at St. Patrick's Church.*

## **13. ADJOURNMENT**

**A motion was made by Banks, seconded by Ald. Skidmore, to Adjourn. The motion passed by acclamation.**