



City of Madison

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

Tuesday, March 13, 2007

5:00 PM

Room LL110 Madison Municipal Building

CALL TO ORDER

Meeting called to order by Chair Moen at 5:00 pm.

ROLL CALL

Present: 6 -

Paul E. Skidmore; Austin W. King; Larry Pasha; Tyrone W. Bell; Michael S. Scott and Terry E. Moen

Excused: 2 -

Adam G. Lichtenheld and Amy R. Smith

PUBLIC COMMENT

A representative from the Munz Corporation - they support this ordinance because it controls activities in any given neighborhood. Landlords affect the areas by who they give keys to. Screening of applicants is important - hinders criminal activity and promotes peace if good tenants are in their buildings. Joan Horinek - she and her husband have been homeowners and residents of the Orchard Ridge area for 45 years + own five apartment buildings/townhouses. Is a high school teacher who formed a landlord organization in her neighborhood years ago. Believes in screening because landlords are the gatekeepers of the community. Wants to reclaim their neighborhood - is fragile and borders the Allied Neighborhood. There are 3-4 bad landlords. Want some tools to help get rid of these bad landlords to be able to screen tenants to reduce crime, drugs, and shooting in neighborhoods. Eileen Bruakewitz (sp?) - is a landlord in the downtown area. Landlords can't do it all - some may be trying to give a tenant a second chance. Most landlords want good, safe neighborhoods. Supports this ordinance because it will be used to take out the bad guys. Will be a plan that landlords can participate in. Is an effort to reach out to court commissioners - evictions on behavior not now being done as a rule. Could addresses/apartment numbers of nuisance buildings be posted on the the Police Department web site? She trusts that the ordinance would be used fairly by police and that protection for landlords who are complying will occur. Alderman Tim Bruer - what a difference two decades make! The key to the revitalized south side (his district) of Madison is zero tolerance policy for crime, drugs or bad landlords. If you are not part of the solution, are part of the problem. Pride and ownership in the neighborhood is important. This ordinance is a partnership of the stakeholders and is a good tool. Tim Johnson - submitted a letter of support for the ordinance.

APPROVAL OF MINUTES

On a motion by King, seconded by Pasha, minutes were unanimously approved.

NEW BUSINESS ITEMS

Introduction new Medical Director for Fire Department, Dr. Bean

Assistant Fire Chief Keiken introduced Dr. Darren Bean, the new Medical Director for the Fire Department. Dr. Bean is an emergency physician with UW Hospital and also works with the med-flight service. His predecessor, Dr. Birnbaum, did an enormous evolution of the paramedic system and he plans to continue to work in developing and integrating with our surrounding neighbor cities this system. A new residency program for training emergency directors is coming which is exciting - the first updated training in this regard in many years.

04196

Creating Section 25.09 of the Madison General Ordinances to establish that certain premises may be declared Chronic Nuisance Premises.

A motion was made by Skidmore, seconded by Scott, to Refer to the Attorney's Office Pasha asked how prospective tenants will learn of this ordinance and will it be part of the lease? Jennifer Zilavy of the City Attorney's Office responded that most of the behaviors in this ordinance are already those for which one can be arrested, but there will also be an educational component for both tenants and landlords. Landlords can add to the standard state lease as they see fit. The ordinance is to hold landlords accountable for the activities on their properties. King asked if there was case law on #3 - Zilavy said there was some. He also asked about #21 - violations of minimum housing codes - Zilavy replied that the police department has guidelines with discretionary enforcement. Health, safety and welfare of citizens is the concern. There is a trust that the Police Department and Building Inspection Unit will not go after landlords on trivial issues (wrong light bulbs for example). Scott asked if this ordinance was modelled after another community's. Lt. Strasburg and Zilavy stated they had used those of Appleton, Wausau and Green Bay and also looked at Milwaukee and Beloit. Scott was very much in favour of this type of ordinance but had several concerns with the wording of the proposed ordinance. Would it be more correct to have a body outside of the Police Department before whom complaints are brought since the police will be ones also doing the enforcement? Perhaps a Nuisance Abatement Board? The current appeal board has no experience in this subject. There are three options for "punishment" in the current ordinance: fine, cost recovery and injunctive relief (shut down establishment). Does the cost recovery really belong in this category? Moen wondered about the cost of enforcement - how much the tracking of this system compilation of statistics would cost. Captain Klubertanz replied that the system is already streamlined with accounting and would simply be a matter of looking at the report to get officers' names and how much time was involved, then taking those hours times their hourly wage. Accounting Division estimated about a ten minute process for them so minimal time would be needed. Strasburg added that a very small number actually go the enforcement level. Assistant Police Chief Davenport said that in the overall process this was a "last resort" and would follow the in-between steps first. The focus is on changing the bad practices of the few bad apples. Statistics are now gathered from Records Section and once a prescribed level of violations is reached, the landlord is contacted and asked to come in to

discuss a plan of action to correct problems. Some don't respond - this ordinance would solve that problem. It is significant that landlords are supporting this measure. Scott felt that the current proposed ordinance puts the city in the position of micro-managing. Pasha asked if there was the potential for liability exposure for the city. At this point Skidmore moved and King seconded for the purpose of discussion, to adopt the ordinance. After further discussion and consideration of the issues raised, it was felt that the item should be tabled for a future meeting. The concept is supported but needs updated with some drafting changes in the details. This would require a referral back to the City Attorney's Office for fine tuning. Skidmore/King withdrew their earlier move to approve. Members were encouraged to forward their comments/concerns to Jennifer Zilavy in the City Attorney's Office. The clear focus is on behavior which is good - ordinance just needs some modifications. The motion passed by the following vote:

Excused: 2 -

Adam G. Lichtenheld and Amy R. Smith

Ayes: 6 -

Paul E. Skidmore; Austin W. King; Larry Pasha; Tyrone W. Bell; Michael S. Scott and Terry E. Moen

05831

Report of Police Chief dated February 27, 2007 re: Sensitive Crimes Interview Procedures.

A motion was made by King, seconded by Pasha, to Rerefer to the PUBLIC SAFETY REVIEW BOARD Pasha noted that the Sensitive Crimes Commission wanted to review this when all members were back from a conference. It will be taken up by the PSRB at their April meeting. The motion passed by the following vote:

Excused: 2 -

Adam G. Lichtenheld and Amy R. Smith

Ayes: 6 -

Paul E. Skidmore; Austin W. King; Larry Pasha; Tyrone W. Bell; Michael S. Scott and Terry E. Moen

City Planning/Environmental Design (Brad Murphy, City Planning)

Brad Murphy, Director of the Planning Division of City Planning Development Department began the process of educating the PSRB on the city's system for planning and developing within the city. Board members informed him that what the PSRB is seeking is how Fire and Police can have an influence from the beginning in the planning and development process: to design crime out by utilizing planning skills that anticipate crime and safety issues. An example is the impact (for Fire) of high-rise buildings. How can Fire and Police be heard before it is too late in the process? Perhaps a "public safety impact statement" could be part of the process. Currently is it often a catch-up basis system. Murphy said there are several levels of planning: first is the regional (county) plan with an assessment of the physical properties, land use, growth and development; there is city-wide planning and then neighborhood planning. Both Police and Fire do have staff input in the Thursday meetings held by Planning but it is probably not at an earlier enough stage - the neighborhood planning stage is what is needed, along with input as the incremental proposals are added. "Crime prevention through environmental design" is welcomed. The infrastructure for this process is in place but how can it better

be institutionalized for review by police and fire? Annexation proposals are given to the police district captains for review but it is really too late in the process to make changes because now (as opposed to several years ago), once a developer gets approval, the construction starts almost immediately. The macro level comprehensive plan for the next 20-30 years is already in place, so police and fire input would be at the neighborhood level. Planning would welcome comments from Police and Fire. The gap is at the neighborhood development level, but can make some changes in this procedure. Resources are stretched for all agencies but growth is seen overall as adding jobs and economic development, so often departments like police, fire and others have real problems with not enough staff resources. The growth is primarily happening on the peripheral (east and west) of the city. Perhaps a small "primer" on Environmental Design could be given to developers up front. This topic will be further explored at the April meeting.

Tactical Emergency Medical Services (Fire)

Due to time constraints, this item will be taken up at the April meeting.

Standing Committee Reports

No reports were given on this, apart from Pasha's comment under item 05831.

Future Agenda Items

Due to time constraints, this item was not discussed.

ADJOURNMENT

**A motion was made by Moen to Adjourn Meeting was adjourned at 7:05 pm.
The motion passed by the following vote:**

Excused: 2 -

Adam G. Lichtenheld and Amy R. Smith

Ayes: 6 -

Paul E. Skidmore; Austin W. King; Larry Pasha; Tyrone W. Bell; Michael S. Scott and Terry E. Moen