



City of Madison

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

Thursday, September 10, 2015

5:00 PM

Madison Police Department
211 South Carroll Street
Room Gr-22 Community Room

CALL TO ORDER / ROLL CALL

Present: 6 - Paul E. Skidmore; Merrilee Pickett; Bruce P. Frey; Dena M. Carreyn; Debra F. Julian and Barbara Harrington-McKinney

Absent: 2 - Maurice S. Cheeks and Ernest E. Horinek

APPROVAL OF MINUTES

Pickett made a motion to approve the August 11, 2015 PSRC minutes. Alder Skidmore seconded the motion. The minutes were unanimously approved.

PUBLIC COMMENT

Matt Kozlowski, Madison, WI

Very opposed to the proposed ordinance and the intentions of it with making the homeless to feel attacked and criminalized as they live day to day. If ordinance is approved it will force people to sleep in side alleys and bushes as there are not many days that people can stay at shelters and it is illegal at parks. Would like the committee to vote down all aspects of the ordinance.

Edward Kuhorski, Madison, WI

Cautions the proposed ordinance, passing the ordinance would disregard public policy. This ordinance is not the values or principles of Madison, WI. Vote no to ordinance and yes to safety, public health and welfare.

Allen Barkhoff, Madison, WI

No day center for people to stay and limited overnight shelter. Ordinance might be unconstitutional. We already have ordinances against misbehavior. This ordinance does not add to the safety. Homeless are open to harassment from the public, store owners, and discrimination by law enforcement agencies. If people disobey an officer they could end up in jail with extra problems for city and more problems for homeless people.

Brenda Konkel, Madison, WI

Shared several locations that homeless have been moved or been kicked out of. There are not many days that people can stay in a shelter and some are out of the days allocated. Others are due to mental health, drug, alcohol, and other issues of not being able to stay at a shelter. There is no place for people

to go.

Ann Fleischli, Madison, WI

Practiced law for 50 years. After reading the ordinance and the excess fines and bails laws should not be written like this. Advised committee to look at the State of Connecticut which takes focus, solving problems and not penalizing in certain ways. Proposed a day center at the Monona Terrace for a temporary use with lots of room in the basement.

Barbara Reed, Madison, WI

Opposes ordinance

Tami Miller, Belleville, WI

A volunteer who assists with providing homeless survival gear and connections with resources to help homeless and to protect children. Shared statistics; 1,000 Homeless with 79 children from ages 0-5 and 32 from age 0-1, 11 pregnant mothers. There are 1079 homeless each year that the organization knows about and others who don't register for services. There are only 20 beds for homeless with kids.

Alder McKinney requested an extension for one minute. Alder Skidmore opposed. The committee voted unanimously for an additional minute.

The ordinance is penalizing real people who have real life issues. Shared personal knowledge of an individual who needs to sit on bench for health reasons. The ordinance is penalizing a whole group.

Cal Fleming, Fitchburg, WI

Homeless 35 year ago for about 10 years. People who live on the street are incapable. After 35 years thought this would have risen to the extent about this. Compassion is something that we must choose and language means so much.

Sandi Everson, Madison, WI

Opposes ordinance

Ronald Barbet, Madison, WI

If homeless are moved they will only go somewhere else and the same thing will happen there. People need a place to go to. Around the square it is safe and there are police downtown. With the panhandling ordinance people need to make money to survive. We have given you alternatives and suggestions. There are no daytime options. 1st and 3rd Amendment is Freedom of Speech and Assembly. Don't punish people for alcohol, disabilities, and mental illness, push to get space of their own a place away from the square. Push to get a building for a center.

Karen Andro, Madison, WI

Relates to homeless on many levels. Left home at a young age and had a daughter who was homeless with kids for a time. Treat people with dignity and respect. Ordinance treats people with indignity and disrespect. Police the condition verses the behavior. Ordinance is a quick fix and don't see it as public safety.

DISCLOSURES AND RECUSALS

There were no disclosures or recusals

COMMITTEE REPORTS

1. [40059](#) Report from the Madison Police Department (including ARV Report)

Captain Wahl shared an update on the days when the Armored Rescue Vehicle (ARV) was utilized.

A new Academy Class will begin on September 14. There will be 17 men and 7 women. They will go solo mid-Summer next year.

Mid-Town station has not been included in the Executive Budget and this remains a top priority for Madison Police.
2. [40060](#) Report from the Madison Fire Department

Assistant Chief Langer distributed a detailed breakdown of Fire Department calls for service incident types. Pickett inquired with the increased numbers with the Rescue and Emergency Medical Service. A/C Langer shared that there are certain repeat individuals who use 911 to receive medical services. He shared there are certain locations being placed in the city where fire and police personnel will be able to address basic care needs.

The Fire Department's promotion and recognition ceremony will take place on September 25th. November 6th there will the Fire Academy Graduation in which invites will be sent to PSRC members.
3. [40061](#) Report from Alders

Alder McKinney is working with the Police Department in the West District on listening sessions. She shared that information will be sent to the committee when it will take place.

Alder Skidmore shared the 10th annual Connections event took place in the Wexford Ridge Neighborhood. The event was sponsored by the Madison Police.

NEW BUSINESS

4. [40065](#) Designated Park Areas - Deb Julian

Julian shared her interest in areas that are referred to as a park, however are not considered a park. She mentioned city ordinances with regard to enforcement in a park verses a street corner sharing the recent removal of Philosopher's Grove and that individuals just moved from one side of the street to the other. Alder Skidmore shared that there are other works in the process regarding this issue and that it may be beyond the scope of this meeting. It was suggested that staff from City Parks and Downtown Madison, Inc. are invited to the November meeting to discuss this topic further.

This Discussion Item was Referred back to the PUBLIC SAFETY REVIEW COMMITTEE due back on 10/8/2015

DISCUSSION ITEMS/ACTION ITEMS

5. [40062](#) Electing a member from the PSRC to serve on the Dane County Commission on Sensitive Crimes

Pickett made a motion to elect PSRC Chair Carreyn to serve as a member on the Dane County Commission on Sensitive Crimes. Alder Skidmore seconded the motion. Alder McKinney raised a concern on whether it was appropriate procedurally for the Chair of the PSRC, Dena Carreyn to be involved with the nominations since she was one from the committee who was nominated to serve on the Dane County Commission on Sensitive Crimes. PSRC Chair Carreyn inquired with the committee three times if there are any other nominations. Alder Skidmore made a motion to close the nominations. The committee voted unanimously in favor of PSRC Chair Carreyn to serve on the Dane County Commission on Sensitive Crimes.

6. [39502](#) Creating Section 23.60, renumbering current Section 23.60 to Section 23.70, and amending Section 1.08(3)(a) of the Madison General Ordinances to impose a time limit on use of public benches, to prohibit sitting or lying or lodging in the public sidewalks and rights of way and specified other public places, during specified hours in the Central Business District, and establish a bail deposit schedule for violations thereof, to be known as the Downtown Pedestrian Protection Ordinance.

Attachments: [Version 2 - Substitute](#)
[Version 1](#)
[Central Business District Map](#)
[Substitute--working](#)

Assistant City Attorney Peguero was available to answer any questions that the committee had regarding the proposed Downtown Pedestrian Protection Ordinance. There was discussion on the ordinance being constitutional or unconstitutional. It was shared there are ordinances that exist where you cannot sleep, block public sidewalk, or a right away. Alder McKinney inquired with ACA Peguero about the existing ordinances in place. ACA Peguero responded the proposed ordinance would be a little different with the interpretation of the violation in how it would be determined as officers have discretion and it would be based on reasonable person's standards. Julian made a motion to recommend to the Council to accept the ordinance with the following amendments; Alter item number 3 with striking the language up to where it says store property and to strike out number 4. Alder Skidmore seconded the motion. Alder Skidmore shared he felt the revision would be

reasonable stating it is not about the homeless, but about the behavior. He said there is a need for a multitude of programs and services. He further said there is a core group of problematic issues with behavior problems such as loitering, sexual assaults, armed assault, depositing human waste, etc in which the ordinance would be one small thing to help the situation. He mentioned leaving property unattended and the potential safety issues that it may create. Alder McKinney shared that she is against the amendment indicating that it is specifically targeting a population who are being pushed everywhere and that it is not a solution to an enormous problem. Further she shared there are ordinances in place that address bad behaviors, but this ordinance does not address homelessness. She said the suggestion to pick apart the ordinance and recommend suggestions is something the committee should not have part in as it is not addressing the issue of homelessness. Pickett shares that she would tend to vote with the amendments on the table, although the homeless problem is much larger than the ordinance. She felt it was beyond the scope of the committee and that it really needs those individuals involved who can provide resources and long term solutions. She mentioned that the ordinance is just one tool to use, but does not look at it to solve the problem. Carreyn shared she liked the proposed changes as she feels that property left alone creates public safety issues. She inquired on alternatives where property can be stored. It was mentioned that currently there is not a place for homeless to store property, however, if property appears to be left unattended there is an unclaimed property ordinance and the property is taken and stored at the Goodman facility for a certain period of time. She shared her concern on the lack of alternatives and mentioned that it is a delicate balance between public safety verses people's rights. She looked at the map where the ordinance would cover and mentioned that bags and property left unattended is a safety issue for her when it is left around the Capitol grounds. Frey indicated the ordinance could help to enforce public safety sharing that it is not going to solve homeless issues. He said the ordinance can be used to address specific behaviors. Last he mentioned that this is something that is above the committee's scope.

Alder Skidmore made a motion to approve the ordinance with the suggested amendments to be shared with Council; Alter under item number 3 under Purpose and Findings to strike language up until it says store property. Strike out number 4. Julian seconded the motion. The committee voted 5:1, the motion carries.

Absent: 2 - Maurice S. Cheeks and Ernest E. Horinek

Ayes: 5 - Paul E. Skidmore; Merrilee Pickett; Bruce P. Frey; Dena M. Carreyn and Debra F. Julian

Noes: 1 - Barbara Harrington-McKinney

ADJOURNMENT