



City of Madison
Meeting Minutes - Approved
COMMISSION ON PEOPLE WITH
DISABILITIES

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

Thursday, October 25, 2007

4:30 PM

210 M L King Jr Blvd, Rm GR-27

CALL TO ORDER / ROLL CALL

Fike called the meeting to order at approximately 4:30 p.m.

Present: 7 -

Robert P. Monahan; Randy G. Black; Alice J. Fike; Ken W. Pritchard;
William J. Tangney; Gregory B. Banks and Marie I. Vandenberg

Absent: 1 -

Paul E. Skidmore

Excused: 2 -

Mary P. Conroy and Nancy R. Kathman

Staff Present: Nuñez, Bennett and Felton

APPROVAL OF MINUTES

**A motion was made by Banks, seconded by Pritchard, to Approve the Minutes.
The motion passed by voice vote/other.**

PUBLIC COMMENT

There was no public comment

REPORTS

[08116](#)

Report from the Department of Civil Rights

For information only. No action required. Lucía Nuñwz, Director, Department of Civil Rights, and Angela Bennett, Disability Rights and Services Program Coordinator: Actions taken since the last meeting. 10 minutes

The Director reported that

(1) the Common Council tasked the DCR to research top management positions by race, gender, and disability (a) The city is doing pretty well in hiring in the areas of race and gender, when compared with workforce development data on availability; (b) this is the first year that data was gathered regarding disability; (c) some areas need improvement, for example in the areas of promotion.

(2) The next Town Hall meeting: Nov. 5, Warner Park:

(3) The DCR is collaborating with the Equal Opportunities Commission employment committee, and a church council to do an employment seminar on resume writing, interviewing and, how to apply for a job with the city.

(4) The elevator in the Madison Municipal Building (MMB) is in need of repair, and all city meetings that met on the 2nd and 3rd floor have been moved to accessible locations.

08118 Report from the Chairperson of the Commission on People with Disabilities

For information only. No action required. Alice Fike: Actions taken since the last meeting. (3 minutes)

Fike reported that she would combine items 5 and 6:

(1) The CPD Executive Committee heard a Department of Civil Rights Equal Opportunities Division presentation on service animals, and

(2) Then discussed election of a new chair. Fike asked that the Commissioners be ready to decide on a new chairperson at the next full meeting of the CPD.

[08121](#) Report from the Executive Committee

For information only. No action required. Alice Fike: Actions taken since the last meeting. (3 minutes)

See Vice Chairperson's Report above.

[08122](#) Report from the Parking Council for People with Disabilities

For information only. No action required. Mary Conroy: Actions taken since the last meeting. 3 minutes

Conroy was not present, so there was no report.

[08125](#) Report from the Common Council

For information only. No action required. Ald. Skidmore: Actions taken since the last meeting. 3 minutes

Monahan moved, and Banks seconded to table this item. The motion passed unanimously. The Commission took up this item after the discussion of item 10 A, after Alder Skidmore was present.

The Alder reported that next month the Council will be taking up the budget, and Commissioners, or the public may contact him with their concerns.

UNFINISHED BUSINESS

08295

CPD Appointment to ADATS

Martin, Metro's Paratransit Program Manager, and staff person for ADATS, stated as follows:

- (1) There is a liaison position open on ADATS.
- (2) ADATS provides policy oversight for provision of paratransit transportation services for people with disabilities, and quasi-judicial role for appeals of paratransit eligibility.
- (3) Recent items that were policy recommendations include: pilot senior/disabled monthly pass with unlimited rides at half fare, putting the paratransit boundary map on the website, having those that use paratransit able to use their paratransit eligibility card on the fixed route and have a person ride with them for free.
- (4) Upcoming issues for ADATS consultation: co-operative transportation services with Dane County Human Services; duplication of City of Madison paratransit services with other transportation services, and the impact of a regional transit system.

Tangney volunteered for the position, as a former paratransit driver and trainer of drivers.

A motion was made by Monahan, seconded by Banks, to RECOMMEND TO MAYOR TO APPOINT Tangney to the ADATS. The motion passed by voice vote/other.

08298

2007-2008 CPD Meeting Ground Rules

Attachments: [2007-2008 CPD Meeting Ground Rules.pdf](#)
[Standing Rules of the Common Council.pdf](#)

The Commission took up this item after item 11 B:

The Chair read the accommodations statement at the top of the proposed ground rules.

The Commissioners discussed the ground rules accommodations statement as applying to commissioners, and as being decided on a case by case basis, so it could be on-going if needed.

Alder Skidmore discussed the rules of the Common Council (CC) as follows: limit of speaking twice on a motion, no limits on amount of time a commissioner could speak on a motion, limits on public comment time to from 3 minutes at a meeting to 5 minutes at a public hearing.

Skidmore moved and Black seconded to refer the Ground Rules back to the CPD Executive committee for possible revision to make them more consistent with CC rules. The motion passed by voice vote/other.

PRESENTATIONS

08291

CPD Accessible Housing Goal Presentation: Howard Mandeville, Movin' Out

Attachments: [Property Tax Exemption.pdf](#)
[Proposed Changes to Sec. 70.11.pdf](#)
[Movin' Out Housing Services.pdf](#)
[Sue Helgesen Share Secrets.pdf](#)
[Putting a Face on the Prop Tax Exemp.pdf](#)
[The War to Remain Tax Exempt.pdf](#)
[Mayor's Non-Profit Housing Tax Exemption correspondence.pdf](#)

Mandeville presented that Movin' Out (MO):

(1) Has been operating for 12 years, state-wide, with a focus on helping people with disabilities, who are also low income, to achieve home ownership.

(2) Has about 800 home owners: 175 in Madison/Dane county:

(3) Provides information about and some funds in the area of down payment assistance, information, assistance in finding resources, resources to make housing more accessible, primarily to those with low income

(4) Works with Independent Living Centers and the Medicaid waiver for increasing housing accessibility.

(5) Handles the WISH (Wisconsin Initiatives for Sustainable Housing) program:

(a) Charitable housing trust program and

(b) Obtains rental housing that would be retained for people with disabilities, making them accessible, and will have as its goal to make housing stable and long term (such as long term renewable leases), as well as being sensitive to the needs of those with disabilities.

(6) Needs property tax exemptions to help make these properties affordable: MO/CDBG/City tax assessors office partnership has worked to keep rents low, and thus affordable. There is now a hold on current property tax exemption applications for non-profit owners of rental housing, and this hold has put those properties beyond the allowable rent both for individuals with low incomes and CDBG limits. This hold is due to a new interpretation of a section of state law by the current assessor, and the City Attorney's office that the tax exemption cannot be granted.

Skidmore arrived at 4:45 pm

Present: 10 -

Paul E. Skidmore; Mary P. Conroy; Robert P. Monahan; Randy G. Black;
Nancy R. Kathman; Alice J. Fike; Ken W. Pritchard; William J. Tangney;
Gregory B. Banks and Marie I. VandeBerg

The City may be seeing the potential of properties being developed as low income, but then rented to those that are not low income, thus depriving the city of property tax revenue.

Mandeville provided several handouts to the Commission (see attachments).

The State Statute amendment language that Mandeville was recommending is as follows:

“Organizations that rent property to low income people, as defined by IRS regulations, would be granted the tax exemption.”

Commissioners commented and questioned as follows:

(a) That this process began about two years ago, with suburban communities, as municipalities looked at non-profits with tax exempt status that were developing senior housing, and attempting to determine which were non-profit, and which were not;

(b) Was the tax-exemption applicable as long as the eligible individual was in the home? Mandeville responded that once the status is developed, then the assessor would reassess the tax exempt status, with an automatically renewal where appropriate.

(c) Whether the new opinion will be applied to the existing tax-exempt properties upon reassessment? Mandeville responded that (1) he did not know, though the City has stated that it is not their intention to disallow existing property tax exemptions, (2) if the currently allowed exemption is denied, Mandeville’s organization could no longer afford to continue renting the apartments.

(d) If there was any specific litigation that the City was facing on this issue? Mandeville responded that there was none.

(e) The City is on slippery ground in treating some properties differently than other properties that are exactly the same.

(f) What could the city do now? Mandeville responded that the city could (1) continue to work with the legislature to remedy the problem, (2) continue to use the same policy they had for 25 years, and grant the exemption.

(g) Whether the City Attorney’s office has looked at the difference between these organizations and ones that may be renting to high income people that were tax exempt? Mandeville responded that Assistant City Attorney Larry O’Brien’s opinion focused on language in the statute that limited tax exemptions to non-profits who used the rent for maintenance and retiring of construction debt. Construction debt had formerly been interpreted to apply to any mortgage, but is not now. The interpretation is strictly for the type of debt associated with new construction, and not the type of debt that low-income housing providers generally use.

(h) Is anyone interested in taxing low-income housing providers? Mandeville stated that no one was, and that the low-income housing providers were

unintentionally caught up in the interpretation.

The Commission decided to refer this item to the Executive Committee to come up with a resolution, with the recommendation to then refer it to the Housing Committee, and the Affordable Housing Subcommittee. Ald. Skidmore stated that he would be willing to sponsor the resolution.

The Director stated that she would gather more information from the Mayor's office and the City Attorney's office before the resolution is drafted.

The Commissioners asked about availability of programs, grants, exemptions etc. for those who do not qualify for low-income assistance. Mandeville responded as follows:

- (1) That there were several programs available for those with low income: the home ownership program is for those with 80% of county median income, rehabilitation funds are for those with 60% of county median income;
- (2) That the housing counselors can assist with planning and what resources may be available;
- (3) MO has no funding for home ownership that is solely based on disability, other than information about some disabled veterans loans. MO focuses on making sure that those with disabilities that have low income are getting their fair share of the low income funding.

08297

Citizen Registry

Attachments: [Dane Co. Emergency Assistance Reg Frm - draft.pdf](#)
[Dane Co. Disaster Preparedness Registry Prog - draft.pdf](#)

The presenters, Janda, DR&SPC, and Ruckriegel, explained what the registry was as follows: (a) information to the county from individuals with evacuation needs in a large scale disaster, (b) where they are and what their needs are and (c) to prepare first responders, and (d) possibly for emergency sheltering to plan for those needs.

They then asked the Commissioners to review the documents and make comments. The Commissioners did this and proceeded as follows with concern about: (1) the security of the data, both paper as well as computer files. The presenters stated that open records requests would not get at this information, that there may be some reporting by census block groups, and that the county has had experience in managing secured data, and will work out the security. (2) how to encourage people to sign up by having a broad statement regarding use of the data only in the event of an emergency, (3) use of the data as part of a larger evacuation preparedness plan that is available to the public. The presenters stated that (a) the registry would be part of individual emergency preparedness planning for themselves, their families, service animals, etc. and for planners, (b) a draft of the plan is available, not as a specific plan, but as a guide for decision-makers, (c) there is a general city evacuation plan on the city employee-net. The specific plan is to be kept secure. (4) changes in disabilities and updating the registry. The presenters responded that (a) updating the county will be an on-going process, either annually or every two years, (b) the registry was in response to the question about how to obtain information about the needs of those with severe disabilities. (5) when electricity is needed to maintain many people with severe disabilities during a large scale disaster, the registry is one of the first steps to find out how many individuals will have specialized needs like that one. One Commissioner asked the presenters to return for updating the Commissioners about the emergency plan, and how the process is going for the registry. The Commission also discussed the recruitment and registering of volunteers, and the building of strong neighborhood support systems to assist in case of a disaster.

NEW BUSINESS

08299

Legistar File 07786, Supporting the objection to the waiver of State of Wisconsin building codes for balconies at 700 University Avenue

The Commission discussed the resolution as follows:

Staff discussed the background of the variance granted by the Department of Commerce, and the current appeal by the City Attorney's office.

Commissioners asked questions regarding what federal laws may be violated by the threshold, the space needed for the ramp as well as accommodations for the patio, and possible door openers, including automatic door openers as an option. Commissioners further discussed (1) how the variance for this large development (a) would create a dangerous precedent, (b) was a relegation of people with disabilities to second class citizens, and (c) was developed with a disregard for people with disabilities, and (2) that the Commission be kept apprised of how the dispute of this variance was proceeding.

A motion was made by Monahan, seconded by Skidmore to return the resolution to the Housing Committee as lead with Commission's strong support for the resolution with the following corrections:

The following sentences be deleted because the information was inaccurate regarding the requirements for the size of ramps: (1) "Permanent ramps 1" x 12" x 32" can easily be provided at the interior of each of the 400 units," and (2) "Similarly, an exterior ramp can be provided outside that is close to code."

The motion passed by voice vote/other.

FUTURE AGENDA ITEMS

Revisit the election process and the performance of the Automark equipment.

ANNOUNCEMENTS OF COMMUNITY EVENTS

Inclusive Design Symposium on Oct 30-31, 2007, Amy Thompson, Pathways to Independence, (608)-266-2614, TTY: 266-1164

ADJOURNMENT

The meeting adjourned at approximately 6:30 PM.