



City of Madison

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

Meeting Minutes - Draft PUBLIC SAFETY REVIEW COMMITTEE

Tuesday, July 10, 2012

5:00 PM

Madison Police Department - North District
2033 Londonderry Drive

Present: 7 -

Paul E. Skidmore; Merrilee Pickett; Ernest E. Horinek; David K. Dison;
Ryan M. Jennissen; Maurice S. Cheeks and Chan M. Stroman

Absent: 1 -

Jill Johnson

Excused: 1 -

Matthew J. Phair

CALL TO ORDER / ROLL CALL

APPROVAL OF MINUTES

Merrilee Pickett made a motion to approve the June 12th, 2012 minutes. Alder Skidmore seconded the motion.

PUBLIC COMMENT

Public comment is listed prior to the agenda item.

Item number 26604 -

Ulysses Williams
Allen Barkoff
Ted Voth, Jr.
Edward Kuharski
Craig Spaulding

Item number 26693 -

Tom Galway

DISCLOSURES AND RECUSALS

There were no disclosures or recusals.

PRESENTATIONS

NEW BUSINESS

1. [26398](#) Presentation from Mark Woulf, City of Madison Alcohol Policy Coordinator on the Alcohol License Density Plan.

Mark Woulf, the City of Madison Alcohol Policy Coordinator began his presentation by sharing the background on the Alcohol License Density Ordinance otherwise known as ALDO. He shared with the group what ALDO is set to accomplish which is decreasing incidents of alcohol related problems in the downtown area and to maintain and deduce the number of certain types of alcohol licenses. He said in 2011 there were a few changes and the major change was allowing flexibility to those establishments that represent themselves as entertainment venues. Another change he mentioned is that time was increased for property owners to replace tenants from one to two years. Another change is that it allows the possibility of increasing capacity for physical changes and under the previous ALDO you could not increase capacity for any reason. Last, he said it placed a small sunset on the ordinance for July 5th, 2013. He said as you think about ALDO going through his presentation he said that it will come to this committee again in the distant future to allow more flexibility in the annual review. He said the annual review is to try and determine what affect the ordinances have on what they are set to do such as crime and licenses. He shared the crime data set which he said is being measured by calls of service by address between the hours of 10pm-4am where the calls are more frequent and also large events are included in the data set. In 2007 he shared was the beginning of ALDO and the downtown safety initiative. He said in 2005 three areas that stayed consistent was the 600 Block of University, 500 Block of State Street, and the Library Mall area of State Street. He shared that the Library Mall area is not necessarily saying that calls are up in this location but when individuals made calls they were in this area when contacted. Primarily he said over the years these areas don't change too much. He did say that changes that have occurred are with the change of management at an establishment. Next, he went to licenses and mentioned that from 2003 to 2008 that licenses stayed steady, from 2008 to 2011 there was a slight rise of ten licenses. Generally he said there have been more restaurant licenses in the ALDO area. Next, he went to capacity when he mentioned that the data that is available has been difficult to obtain over the years. He said over time there hasn't been time to look over floor plans. He mentioned that just for the taverns alone from 2007 to now there has been a slight decrease in the total number of taverns in that time period. Last, he mentioned that to get the right business mix downtown the committee will want to consider visions of what we want our downtown to be and mentioned whether it is to be ALDO or through some other regulation. He said those questions will need to be considered. He said at this time there is nothing before the committee to vote on but in the future there will be.

2. [26604](#) Amending Section 24.12 of the Madison General Ordinances to prohibit panhandling within 150 feet of a licensed alcohol establishment and in the State Street Mall Concourse.

Registered speakers -

Ulysses Williams opposes the panhandling ordinance and feels that aggressive panhandlers should not be allowed, however, feels that passive panhandling should be allowed for reasons such as supporting daily living. He feels that if panhandling is banned other forms of theft will become of it causing more problems. Last, he mentioned that alcoholism will continue because there will be other ways of obtaining it. He said there should be solutions created like other cities that have worked.

Allen Barkoff opposes the panhandling ordinance. He said it is true in that some panhandlers use it to get alcohol but not all and that some use the money to buy groceries. He said that if a panhandler is fined there will be no way they can pay their ticket and will go to jail. He said this will cost the City additional money for the jail stay. He said he would like to see data to know if this is a problem and he mentioned that there should be solutions to the problem. He also mentioned street musicians and the Salvation Army who solicit money if they fall into the ordinance.

Ted Voth, Jr. opposes the panhandling ordinance. He said that he felt that there was a possible solution being worked out in the Don Miller parking lot as a place for homeless. He shared that he is disappointed in the Mayor and the Council's handling of that. He shared that he is deeply concerned with a society that puts people out on the street. He questioned the ordinance and the purpose of it. He said homeless are just not going to go away and that something needs to be done about it.

Edward Kuharski opposes the panhandling ordinance sharing that he lives downtown Madison and said that he has taken his turn hosting homeless people in his home. He said that homeless individuals should be treated as human beings and offered functional solutions. He felt that the ordinance is going to curtail and cattle the individual. He said that he has been a lifelong resident in Madison and that isn't the City he grew up in. He said he has been a lifelong resident and it is not okay with this ordinance. He said that he urges the committee to not participate in gang abuse and that anyone can be there at any point.

Craig Spaulding opposes the panhandling ordinance. He mentioned that he has been a business owner for the past twenty years on the Capitol Square. He feels this ordinance is regarding alcoholism and that a person is going to get the alcohol as that is the number one priority. He said that it will stack up the back log in the District Attorney's office and will build more pressure. He said putting a price on human beings is heartbreaking to him. He said that there needs to be more resources on alcoholism and that there should be increased efforts to work with people as citizens and human beings. He said that there is a lot more thought that needs to go into the ordinance than weighing it down with more fines which he feels is abuse.

Alder Verveer mentioned that he is co-share of the ordinance, although he said Mayor Soglin deserves credit for the ordinance as he did originate it. He said

that he wants to lend his support for the ordinance. He said that it is a tough act to follow with all the articulate speakers. He said for those who don't know him well he has represented the downtown area for the past 17 years and he said over the years panhandling has come up quite frequently. He said that panhandling scares a lot of people in the community and he receives complaints about it on a regular basis. He said he was a sponsor of the ordinance about six years ago that banned panhandling in the downtown core area. He said panhandling does exist and that police treat it with a very low priority enforcement item. He said that he feels that the ordinance will not eliminate panhandling all together in the downtown area, but he thinks what it will do is get rid of the one remaining panhandling spot that is being used almost 24 hours a day in the 500 block of State Street. He said the ordinance already banned most locations by proximity of certain locations in the downtown area such as by an ATM, front of a business, etc. He said there was essentially one location that wasn't banned and this is what the ordinance would cover. He said that area where it was legal has lead to many calls for service over the years which lead to arguments.

Alder Skidmore said he strongly supports the ordinance and doesn't look at it as criminalizing poverty but looks at it as managing behavior.

David Dison, PSRC member inquired how will patrol react with this ordinance in place. Captain Lengfeld responded that what would make a difference is that it would be unacceptable anywhere on State Street. He shared the ordinance would make it consistent throughout State Street which makes it easier for the Police Department to enforce instead of previously measuring and knowing the approximate areas where there is a ban. Ernest Horinek, member inquired if there is a larger amount of panhandlers that come from outside of Madison during a home UW football game. Captain Lengfeld felt that there is a specific population that uses panhandling as a revenue generator. Co-Chair Cheeks inquired with Captain Lengfeld on the Madison Police Department's position on the ordinance when Captain Lengfeld responded that the Police Department supports the ordinance. He shared that it is difficult in the case of the State Street area and when patrol responds the ordinance will make it more consistent. He also said that a majority of people don't enjoy having people come and ask them for money. He said it is also difficult given that we all have a different opinion on what an aggressive panhandler is which makes it difficult for officers, but the ordinance makes it very clean to work with.

Alder Skidmore made a motion to approve. Merrilee Pickett seconded the motion.

The committee voted unanimously to approve the ordinance.

This Ordinance was RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER

3. [26693](#)

Amending Sections 9.24 (2)(d), (3), (4)(c), (7)(b), (7)(c)7., and (2)(a) of the Madison General Ordinances to clarify definitions and recordkeeping requirements for secondhand dealers.

Tom Galloway, the President of the Madison Coin Club shared that he opposes the ordinance. He said the part of the ordinance that he is interested in is the gold, silver, coin, bullion and jewelry. He said that they hold an annual gold and coin show over the past 18 years and there has never been a problem except for this year it was disrupted due to the ordinance. He said that he would like to clarify and have a definition of the present laws. He said they have been trying to think of a way that the dealers can't buy bullion but it needs to be defined what that is because there are many kinds of bullion such as jewelry, etc. He said many dealers sell the items verses buy them and would like to continue to hold the show in Madison.

Alder Verveer shared that the last time he attended PSRC was last fall when the ordinance was amended. He shared that PSRC adopted the recommendation before the Council adopted it in December of last year relating to Pawn Shops and Second-hand dealers. The ordinance he said addresses two items one which was unfortunate to the Madison Coin Clubs annual show. He said at show that was at the Sheraton Hotel had most dealers from around the State leave due to the ordinance. He said the first intent of the ordinance is to exempt bonified coin shows which the sweet spot on the language would do just that. He said tonight the committee has the option on exemption of language regarding bonified coin shows and this item would need to be referred to the next meeting. He said if the committee would rather consider this ordinance being technical and outside the general jurisdiction of the committee of defining bullion and not affect coin shows he said feel free to take action on this ordinance. He said there would be something worked out between the council and members of the coin clubs.

Ernest Horinek shared that he had a discussion with a member of the Coin Club this past week who mentioned that the show was ruined by the ordinance. He asked if the industries were included in when writing the ordinance. Mr. Horinek said that there should be a review of the ordinance and he is okay with tweaking the ordinance so that an 80 year old coin club does not continue to be affected by the ordinance.

Alder Verveer said that they are working with the City Attorney's office on language that doesn't affect the coin club and something that can be agreed upon to continue to keep them in Madison for the long run.

Alder Skidmore chimed in saying that the ordinance was for a very specific reason primarily for pawn shops and that this was an unintended consequence that it would affect the Coin Club. He said this is a loophole that needs to be closed and the ordinance wasn't done maliciously but something that needed to be done. Alder Skidmore shared that he supports Alder Verveer's suggestion on the committee not needing to know everything regarding bullion. He said what he needs to know is that the new language will close the loophole and that the Coin Club is satisfied with the ordinance but that we still maintain the purpose of which we adopted the ordinance.

Alder Skidmore made a motion to adopt the ordinance with a substitute offered on bonified coin shows being exempt. Ernest Horinek seconded the motion.

The committee voted unanimously to approve the ordinance .

This Ordinance was RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER

REPORTS

COMMITTEE REPORTS

REPORT FROM THE MADISON FIRE DEPARTMENT

Assistant Chief Popovich shared that there have been roughly 20 to 25 heat related issues such as dehydration or exhaustion. He shared that from the high heat wave there have been cooling shelters set up at Warner Park, Monona Terrace, and the Senior Center. He said that the Police and Fire Department work together with police providing staff for security and fire with emergency medical services. He then mentioned that the meetings for Freakfest have began. He then shared that the Department applied for a federal grant for personnel to staff Station #13 on the north/eastside along Sprecher Rd. He said FEMA approved a grant that the Fire Department applied for and that the Mayor approved to accept the Grant. He said there are perimeters for the federal grant but that a class of 18 to 20 will start on September 24th. The Police and Fire Commission gave approval to extend the hiring process for another year to meet the guidelines of the grant. He said this will allow another hiring from the grant for a class of 10 to 12 next Summer. Last he said that hopefully the Capital budget will be approved for Station #13 as there will be staff in place for that.

REPORT FROM THE MADISON POLICE DEPARTMENT

Captain Lengfeld shared that Rhythm and Booms went well and that the attendance was down from previous years. He said that there was a homicide that added a little complexity in the North district during Rhythm and Booms. He shared that in years past there were fireworks being let off and that this year there were none. He said that he has heard the same thing from Elver Park. He then shared that the Police Department received a grant for \$9,300.00 to have two bicycle/pedestrian ambassadors that will end by the end of September. He said that this initiative will be more for education and not for writing tickets. He then shared saying the other good news is the approval of \$7,500 from the Board of Estimates to purchase police bikes. He said TREK is donating 5 more to the fleet and then they are giving a great price for the purchase of 15 additional. He said there will be 30 bikes total so all the districts will come up with an operational plan on the use for the bikes. He ended saying that given the hot weather it has been relatively quiet except for a few instances with lewd and lascivious behavior.

4. [26969](#) Report on the Dane County 911 Center Board - Alder Skidmore

Alder Skidmore reported that there were direct questions inquired to Mr. Dejung the Dane County 911 Center Board Director. He said there are three remaining issues that haven't been addressed and one of those is the DaneCom radio project. He said that even though there hasn't been anything to report the director is still optimistic. Next, he shared that there hasn't been a report back on the FCC waiver or the additional frequencies that are needed or any other technical items whether the system will actually work. He said Harris Corporation will attend the Center Board meeting in August to give an update and answer specific questions. Next, he shared Community Aided Dispatching (CAD) when he said that there have been fairly significant impacts to the Madison Police Department saying the vendor that the County hired called Tritech shared that they could take care of the project and then said they wouldn't be able to deliver the end project. He said the County is now negotiating what they will deliver and what are the liquidated damages for what they can't deliver. The COO of Tritech will also be present at the meeting in August and there will be questions asked to them as well. Last, he mentioned the catalog of services in which Dane County 911 provide services to the City of Madison. He said that they were asking the City of Madison to pay for services ala carte. He said it is now coming back and being discussed in the operating practices committee and referred back as a recommendation in which he shared he feels is a favorable outcome to be presented. He said that the Mayor's Office is actively engaged and are working on a Plan B in case it doesn't work out. Captain Lengfeld shared that the Police Department is very concerned and that the Management Team met about this with the loss of options with the CAD and the radio system. The timelines with the CAD system going live in November and the police department's new records management system is not expected to go on line until December. He said that would throw the Police Department back 30 years and they wouldn't be able to use computers to get calls and police officers would have to write everything out with hand. He said the CAD is the beginning of the stream that will cause a major roadblock that we will need to work through. He said there are a number of people working on it but he said that he would like the committee to know that if it doesn't get resolved there could be some major issues for that month's period of time.

COMMITTEE MEMBER RESOURCES

Chair Stroman mentioned to the committee that she will send a list via e-mail on useful resources to use as a committee member. She said she highly recommends the committee to attend the member training which is put on through the Mayor's Office. She explained that the training has loads of information for committee members on such items as organization and processes. She also said the information that she is sending has information on where to go to receive news feeds from the Police and Fire Departments.

ADJOURNMENT

Chair Stroman made a motion to adjourn. Co-Chair Cheeks seconded the motion. The meeting adjourned at 7:20pm.

TOUR OF NORTH POLICE DISTRICT