

AGENDA
REGULAR MEETING
PUBLIC SAFETY COMMITTEE
City Hall – Large Conference Room
5211 SCHLUTER ROAD
Wednesday – July 27, 2016
6:00 P.M.

1. Call To Order
2. Roll Call
3. Approval Of Minutes
 - a) May 25, 2016
4. Appearances
5. Unfinished Business
 - a) Discussion/Action on Volunteer FD Staffing – Sullivan
 - b) Discussion/Action on Junked Vehicles and Appliances on Private Property 10-5-8 - Holmquist (Item tabled 4/22/15)
 - c) Discussion/Action on the Bray Study
 - d) Discussion/Action on City Ordinance Recodification Project
 - e) Discussion/Action on Parking Complaint: Winnequah Road
 - f) Discussion/Action on Dispatch Study Group
6. New Business
 - a) Discussion/Action on 2017 Capital Budgets for Law Enforcement, Dispatch, Fire and EMS
 - b) Discussion/Action on a Resolution and MOU for the purchase of a port on the Fitchburg gateway and the control station to connect the Fire Department frequency to DaneCom - Sullivan
7. Review Monthly Financial Reports: Law Enforcement, Fire Protection, Emergency Communications and Ambulance
8. Discussion of future agenda items.
9. Reports
 - a) Fire Department
 - b) Police Department
 - c) Building Inspection
10. Next meeting date: August 24, 2016
11. Adjournment

NOTE: Upon reasonable notice, the City of Monona will accommodate the needs of disabled individuals through auxiliary aids or services. For additional information or to request this service, contact Joan Andrusz at (608) 222-2525 (not a TDD telephone number), FAX: (608) 222-9225, or through the City Police Department TDD telephone number 441-0399.

It is possible that members of and a possible quorum of members of other governmental bodies of the municipality may be in attendance at the above stated meeting to gather information or speak about a subject, over which they have decision-making responsibility. Any governmental body at the above stated meeting will take no action other than the governmental body specifically referred to above in this notice.

**CITY OF MONONA
PUBLIC SAFETY COMMISSION
Wednesday- May 25, 2016**

MINUTES

1. **Call to Order:** Chair Holmquist called the meeting to order at 6:03 pm.

2. **Roll Call:**

Commissioners Present: Holmquist, Kitslaar, Fadness, Hoelzel, Hanson, Fontaine (6:10) and Reed.

Commissioners Excused: Bisbee and one VACANT position.

Staff Present: Police Chief Ostrenga, Fire Chief Sullivan and City Administrator Little.

3. **Minutes:** A motion was made by Hoelzel and seconded by Fadness to approve the minutes of the March 23, 2016 meeting. Motion approved unanimously.

4. **Appearances:** Brad Bruun, Monona Public Works Dept., was scheduled to appear, but had to cancel. A handout was provided describing the sustainable transportation project he is working on. He is soliciting volunteers to work on the project.

5. **Unfinished Business**

a) **Discussion/Action on Volunteer FD Staffing** – Chief Sullivan updated the PSC on the status of the Fire Department. Paid on call has 36-37 members. The board decided not to add additional members until the existing new members are trained. They will have another intern starting in June.

b) **Discussion/Action on Junked Vehicles and Appliances on Private Property 10-5-8**
Administrator Little has been reviewing this section, but is not recommending any revisions until it is reviewed by the City Attorney.

6. **New Business**

a) **Discussion/Action on City Ordinance Recodification Project**

Administrator Little started the discussion by reporting a problem with pop up sheds and garages. Tents are not allowed in some jurisdictions as they are taking the place of permanent structures. She is doing some research on the following topics: 1) Temporary Tents; 2) Questions regarding gravel driveways. Ordinance requires impervious surfaces, but some older situations have been grandfathered in; 3) Junk Vehicles; 4) Natural Lawns; and 5) Grass/Weed ordinance.

Chief Ostrenga reviewed the following new chapters: 29, Citations; 54, Emergency Management; 112, Police and Fire Commission; 145, Adult-Oriented Establishments;

159, Animals; 168, Bicycles; 272, Alcoholic Beverages; 281, Juveniles; 312, Nuisances; 335, Peace and Good Order; 367, Smoking; 374, Snowmobiles; 427, Vehicles; and 434, Vehicles and Traffic. Additional information was requested on the following: 1) Dog at Large leash law. Check to see what Parks is doing; 2) Scooters with electric motors; 3) Electric bikes; and 4) Truancy changes (recode document missing).

Chief Sullivan reviewed a potential ordinance that would ban novelty lighters and an update to the fireworks sale permit. The following new chapters were also discussed: 70, Fire Department; 152, Ambulance Transportation; and 232, Fires and Fire Prevention.

b) Discussion/Action on Parking Complaint: Winnequah Road

Michael Schachter, 708 Moygara, appeared before the PSC with concerns over the parking on Winnequah Road and asked if members heard the PSA on WVMO. He provided pictures of large vehicles that are too wide to fit in the designated parking lane and project over the bike lane. This causes bicyclists and pedestrians to traverse in the traffic lane. He is concerned that this is a dangerous situation and had three recommendations: 1) Provide more awareness through outlets like WVMO; 2) ban all parking on the street; and 3) have strict no parking enforcement.

A recent letter to the editor was provided to stimulate background discussion. Chair Holmquist was going to discuss some of the issues with the Public Works Committee. This item is to remain on the agenda for future discussion.

d) Discussion/Action on Synthetic Cannabinoid Ordinance (taken out of order)

Danny Conners, 4814 Goldfinch Drive, Madison, appeared before the PSC and registered against the proposed ordinance.

Chief Ostrenga explained to the PSC that this ordinance was drafted from the City of Madison ordinance that applies to synthetic marijuana. This product is much different from the plant type cannabis in that it is made from different chemicals that can cause very violent reactions from those that use it. In two recent high profile incidents (in Monona on the beltline on 4/17/16 when the driver had to be Tasered; and in Middleton on 4/21/16 where two young girls were run over) synthetic marijuana was involved. In the Monona case the driver exhibited signs of “excited delirium” and was very fortunate to get immediate medical attention on the scene. This is a very dangerous substance that is becoming more common in the area; therefore the recommended fines are quite substantial.

There was a motion by Hanson, seconded by Hoelzel, to approve the ordinance and move it on to the city council. Motion approved unanimously.

c) Discussion/Action on Parking Restrictions: Wallace, Gordon, Lofty and Parkway

This item was referred to the PSC for discussion by the Public Works Committee. The proposal is to change the no parking signs in the area to an even/odd system during the Monona Grove School year. By making this change it will improve the service to the area for garbage, brush and snow removal. The PSC did not vote on the issue, but discussion was favorable for Public Works to change the signs in order to spread the

parking out in a more organized fashion. One idea was to use calendar dates on the signs with an exception for weekends and holidays.

e) Discussion/Action on Dispatch Study Group Chiefs Ostrenga and Sullivan updated the PSC on the status of the Dispatch Study Group. The study group hopes to be completed with a recommendation to the city council prior to the 2017 budget process. There are three options being considered: 1) 911 calls being handled by Dane County; 2) Fire Dispatch being handled by Dane County; and 3) Police Dispatch being handled by Dane County.

The group last met on Friday, 5/20/16, with a trip to the Sun Prairie dispatch center. Sun Prairie has relinquished the Fire Dispatch to Dane County and is testing having the county take the 911 calls. The Fire dispatch is working well, however there are unresolved issues with the transfer of information on the 911 calls. The biggest problem is the incomparability between the county TriTech CAD and the Sun Prairie Global CAD systems.

5c) Discussion/Action on the Bray Study – (taken out of order) Item not discussed.

7. Review Monthly Financial Reports: Law Enforcement, Fire Protection, Emergency Communications and Ambulance. No report for this meeting.

8. Discussion of future agenda items.

Member Hoelzel stated she has no confidence in the makeup of the Police and Fire Commission, as it consists of all 5 white males and does not fairly represent the community. To represent the community there needs to be minorities and women on the commission.

Chair Holmquist explained the process of matching person's areas of expertise to the different committees.

Member Fadness indicated that there should be more no parking signs near the curve at the north end of Winnequah Road. Chair Holmquist indicated this should go to the Public Works Committee.

9. Reports:

Fire: Chief Sullivan updated the PSC on the status of the FD grievance. Last Saturday they held CPR training at all the fire stations county wide. The new truck is in the process of being built and he would be coming back to the PSC in the future for some of the additional equipment needed.

Police: Chief Ostrenga reported that last Friday night the Capital Area OWI task force was in Monona. A total of 102 traffic stops were made only one OWI arrest. This had been broadcast as a PSA on WVMO, so hopefully people out drinking had designated drivers. Two officers are still out on light duty with injuries; and our newest officer is still in field training. The Special Community / Police Task Force Recommendations regarding police "Use of Force" will be presented to a future city council meeting. We have received one of our two new cars and we have also made the purchase of two new Trek Police bicycles.

Building Inspection: No Report

11. Next meeting date: The next scheduled meeting will be on June 22, 2016

12. Adjournment Motion was made by Fontaine and seconded by Hanson to adjourn. Motion approved unanimously at 8:55 pm.

DRAFT

CODE ENFORCEMENT – ORDINANCE DISCUSSION ITEMS

7/26/2016

1. “POP-UP SHEDS AND GARAGES”

Questions:

- a. Should they be allowed?
- b. Should each be included in terms of total allowable parcel use for accessory buildings?
- c. Should/can existing ones be “grandfathered?”

Comments:

Attorney Cole Comment - with respect to the pop up garages, all three questions posed are **policy** considerations. There is no legal impediment to proceeding either way as to each of the three questions. If the council decides to regulate such structures, I agree the proposed Fox Lake language would be appropriate.

Building Inspector Comment: I think that the highlighted section means that all accessory structures must meet the construction standards established in the Uniform Dwelling Code. One of the requirements in the UDC is that structures be designed and constructed to support dead loads, live loads and wind loads. I think that most of these “popup” or tent like structures would be unable to support the snow load for this area. I will research these structures to see if I can find any that are tested and listed to support the loads. It certainly would be easier from an enforcement perspective to add language restricting building materials like the Fox Lake ordinance. - Marty

Current Monona Code (New Numbering):

ARTICLE IV

Accessory Structures Code

§ 175-19. Applicability.

This article shall apply to any structure not considered a habitable building or structure and not under the auspices of Article III, Building Codes, of this chapter.

§ 175-20. Definition — accessory structure or use.

As used in this chapter, the following terms shall have the meanings indicated:

ACCESSORY STRUCTURE OR USE — Is one which:

- A. Is customary and clearly incidental to the principal building or use.
- B. Is subordinate in use, area, extent and purpose to the principal building or use.
- C. Is located on the same property as the principal building or use served.
- D. May include, but is not exclusively structures such a boathouses, sheds, signs and fences.

§ 175-21 BUILDING CONSTRUCTION § 175-22

§ 175-21. Construction standards.

All accessory structures shall be constructed in accordance with Article III, Building Codes, except:

A. Where the Building Inspector deems it impractical to comply with the Construction Standards Code.

B. Where the accessory structure is manufactured (e.g., metal sheds), to a recognized standard or listing.

Sample

THE CITY OF FOX LAKE:

SECTION 13-1-200 – ACCESSORY USES OR STRUCTURES

Subsection (a)(1):

(a)

(1) Building Material Restrictions

- (a) Structures with fabric, plastic-type *structures* such as tents, screen rooms, greenhouses or similar structures that are used for storage are not allowed as an accessory building.
- (b) This same type of structure can be erected on a temporary basis for special occasions but cannot be erected for more than seven days per calendar year. Such structures shall meet all zoning standards, meet all setback requirements as outlined in the Zoning Code and any structure erected for greater than seven (7) days requires a building permit. Buildings determined to be in poor condition by the building inspection department will be ordered removed.
- (c) Wood frame or metal structures over 192 square feet (12'x16') shall be placed on a permanent concrete or masonry foundation. The floor of such structures shall be poured concrete. The building components and systems shall meet the minimum requirements for attached garages as set forth in the Wisconsin Uniform Dwelling Code. These same structures placed in commercial zones shall meet all requirements of the Wisconsin Enrolled Commercial Building Code.

2. GRAVEL DRIVEWAYS

Questions: Should restrictions on them be enforced?

Attorney Cole Comment -

With respect to the gravel driveway question, that is similarly a policy determination. There is no legal impediment to enforcing. Consideration should be given to whether a problem currently exists in this regard, as well as the cost and ability of property owners to bring their properties into compliance.

Current Monona Code (Current Numbering):

Title 13, Appendix A

V. Surfacing, Drainage, Striping and Lighting.

(a) Surfacing. All open off-street parking areas for vehicles shall be improved with a hard surface of bituminous or portland cement concrete pavement or paving brick. Gravel surfaced parking areas or parking access drives are not acceptable surfaces. All parking area surfaces must be maintained in good condition capable of holding striping. Minimum pavement thickness shall be Type I pavement for light duty use and Type II for heavy-duty use, or an alternative design submitted by a design professional (i.e., soils engineer, architect, etc.), approved by the City. Standards for Type I and Type II use shall be as follows:

Type I: 8 inch gravel base; 2½ inch bituminous pavement

Type II: 10 inch gravel base; 3½ inch bituminous pavement

3. FIREWOOD

Question: Strengthen this ordinance?

Current Monona Ordinance (New Numbering)

§ 312-4. Public nuisances affecting health.

The following acts, omissions, places, conditions and things are hereby specifically declared to be public health nuisances, but such enumeration shall not be construed to exclude other health nuisances coming within the definition of § 312-2:

K. Accumulations of refuse. Accumulations of old cans, lumber, **elm firewood** and other refuse.

Sample:

Chapter 615. Zoning

Article X. Accessory Uses and Structures; Fences; Swimming Pools

§ 615-73. Outside storage of firewood.

A. No person shall store firewood in the front yard on residentially zoned property, except that firewood may be temporarily stored in the front yard for a period of 30 days from the date of its delivery.

B. Firewood should be neatly stacked and may be stacked not closer than two feet to any lot line and not higher than six feet from grade, except adjacent to a fence where firewood can be stacked against the fence as high as the fence. "Fence" as used in this section shall not include hedges and other vegetation.

C. All brush, debris and refuse from processing of firewood shall be promptly and properly disposed of and shall not be allowed to remain on the premises.

D. Woodpiles that contain diseased wood that is capable of transmitting disease to healthy trees and woodpiles that harbor or are infested or inhabited by rats or other vermin are public nuisances and may be abated pursuant to the provisions of this Code.

E. Not more than 15% of the side and rear yard may be used for storage of firewood at any one time.

4. JUNKED / ABANDONED VEHICLES

There is an issue related to vehicles parked in an apartment parking lot without proper registration. The letter goes to the landlord; but the landlord may not have information on all residents or guests vehicles (or is uncooperative). Typically, landlords mandate current vehicle information, issues a parking sticker or hang tag, or assigns a specific parking spot. The problem with an abandoned vehicle is if the owner is never found, the **property owner** assumes that towing cost, at least according to the current ordinance. Therefore, the real issue is landlords not wanting to incur these additional costs. (324-4)

Question: Citations and removal costs of junked vehicles (and appliances): can we set up the charges the same as we do for abandoned vehicles as in 420-6? Why is there a difference? It discourages landlord cooperation. Also, do we need to be concerned with the definition of "collector" cars?

Attorney Cole Comment: We do treat them the same. See sec. 342-4.B, which says junked vehicles are to be removed and disposed of as per 420-3 through 420-6 (the abandoned vehicle ordinance). Collector vehicles are taken into account through the exceptions listed in 342-3 for vehicles registered per secs. 341.265 and 341.266, Stats. Those statutes deal with antique and special interest vehicles. Such vehicles are taken into account in the abandoned vehicle ordinance through the valuation provisions of sec. 420-3.C. I recommend not substantively amending Chapter 420 without my further review. The Chapter is intended to operate in harmony with the state statute concerning abandoned vehicles, sec. 342.40, Stats. [The attorney is **not** recommending any changes].

Current Monona Ordinances:

ARTICLE I

Junked Vehicles and Appliances

[Adopted as § 10-5-8 of the 1994 Code]

§ 342-1. Storage of automobiles restricted.

No disassembled, inoperable, unlicensed, junked or wrecked motor vehicles, truck bodies, tractors, trailers, farm machinery, vehicle parts or tires, or appliances shall be stored upon private residential property or unenclosed within a building upon nonresidential property within the City of Monona for a period exceeding 10 days unless it is in connection with an authorized business enterprise located in a properly zoned area maintained in such a manner as to not constitute a public nuisance.

§ 342-2. Definitions.

As used in this article, the following terms shall have the meanings indicated:

DISASSEMBLED, INOPERABLE, JUNKED OR WRECKED MOTOR VEHICLES, TRUCK BODIES, TRACTORS, TRAILERS — As used in this section is defined as follows: motor vehicles, recreational vehicles, truck bodies, tractors, farm machinery or trailers in such state of physical or mechanical ruin as to be incapable of propulsion, being operated upon the public streets or highways or which is otherwise not in safe or legal condition for operation on public streets or highways due to missing or inoperative parts, flat or removed tires, expired or missing license plates or other defects.

MOTOR VEHICLE — Is defined in Sec. 340.01(35), Wis. Stats.

UNLICENSED- MOTOR VEHICLES, TRUCK BODIES, TRACTORS OR TRAILERS — As used in this chapter is defined as follows: motor vehicles, truck bodies, tractors, recreational vehicles or trailers which do not bear lawful current license plates.

§ 342-3. Exceptions.

This section shall not apply to any motor vehicle or motor vehicle accessories stored within an enclosed building or on the premises of a business enterprise operated in a lawful place and manner in a properly zoned area when necessary to the operation of such business enterprise, in a storage place or depository maintained in a lawful place and manner, or seasonal use vehicles such as snowmobiles, motorcycles, motor scooters and nonmotorized campers, provided such vehicles are stored in compliance with the Ordinances of the City. Also excepted are motor vehicles registered pursuant to Sections 341.265 and 341.266, Wis. Stats. In other situations the Common Council may issue temporary permits permitting an extension of not to exceed an additional 30 days' time to comply with this section where exceptional facts and circumstances warrant such extension.

§ 342-4. Enforcement.

A. Whenever the Police Department or Building Inspector shall find any vehicles, vehicle parts or tires, or appliances, as described herein, placed or stored in the open upon private property within the City, they shall notify the owner of said property on which said vehicle or appliance is stored of the violation of this section. If said vehicles, part thereof or appliance is not removed within five days, the Police Department or Building Inspector shall cause to be issued a citation to the property owner or tenant of the property upon which said vehicle or appliance is stored.

B. If such vehicle or appliance is not removed within 20 days after issuance of a citation, the Chief of Police or Building Inspector shall cause the vehicle or appliance to be removed and impounded, and it shall thereafter be disposed of as prescribed in §§ 420-3 through 420-6 by the Chief of Police or Building Inspector or their duly authorized representative. Any cost incurred in the removal and sale of said vehicle or appliance shall be recovered from **the owner**. However, if the owner of the vehicle or appliance cannot readily be found, the cost of such removal shall be charged to the property from which it is removed, which charges shall be entered as a special charge on the tax roll.

*Note that if it is the property **without permission** it can be considered **abandoned**, then can charge the vehicle owner. Towing company could get salvage rights if the owner can't be found to cover costs.*

§ 420-1. Abandoned vehicles; definitions.

A. Abandonment of vehicles prohibited. No person shall leave unattended any motor vehicle, trailer, semitrailer or mobile home on any public street or highway or private or public property in the City of Monona for such time and under such circumstances as to cause the vehicle to reasonably appear to have been abandoned. Whenever any such vehicle has been left unattended on any street or highway in the City of Monona or upon private or public property without the permission of the property owner or other person charged with the lawful jurisdiction thereof for more than 72 hours, the vehicle shall be deemed abandoned and constitutes a public nuisance.

B. Definitions. For purposes of this chapter, the following definitions shall be applicable:

STREET — Any public highway or alley and shall mean the entire width between the boundary lines of any public way where any part thereof is open to the public for purposes of vehicular traffic.

UNATTENDED — Unmoved from its location with no obvious sign of continuous human use.

VEHICLE — A motor vehicle, trailer, semitrailer or mobile home, whether or not such vehicle is registered under Wisconsin Law.

C. Presumptions. For purposes of this section, the following irrebuttable presumptions shall apply:

(1) A vehicle shall be presumed unattended if it is found in the same position 72 hours after issuance of a traffic ticket or citation and if such traffic ticket or citation remains placed upon the windshield during said 72 hours.

(2) Any vehicle left unattended for more than 72 hours on any public street or public ground or left unattended for more than 72 hours on private property without the consent of the property owner is deemed abandoned and constitutes a nuisance; provided, that the vehicle shall not be deemed abandoned under this Subsection if left unattended on private property outside of public view and is enclosed within a building, or if designated as not abandoned by the Chief of Police.

D. Exceptions. This section shall not apply to a vehicle in an enclosed building or a vehicle stored on a premises licensed for storage of junk or junked vehicles and fully in compliance with City zoning regulations, or to a vehicle parked in a paid parking lot or space where the required fee has been paid.

§ 420-2. Removal and impoundment of vehicles.

Any vehicle in violation of this chapter shall be removed and impounded until lawfully claimed or disposed of under the provisions of § 420-3.

§ 420-3. Removal, storage, notice or reclaimer of abandoned vehicles.

A. Applicability. The provisions of this section shall apply to the removal, storage, notice, reclaimer or disposal of abandoned vehicles as defined in § 420-1.

B. Removal.

(1) Any police officer who discovers any motor vehicle, trailer, semitrailer or mobile home on any public street or highway or private or public property in the City of Monona which has been abandoned shall cause the vehicle to be removed to a suitable place of impoundment.

(2) Upon removal of the vehicle, the police officer shall notify the Chief of Police or his designee of the abandonment and of the location of the impounded vehicle.

C. Storage and reclaimer. Any abandoned vehicle which is determined by the Chief of Police or his designee to be abandoned shall be retained in storage for a period of 14 days after certified mail notice, as hereinafter provided, has been sent to the Wisconsin titled owner and/or secured party of record with the Wisconsin Motor Vehicle Division, except that if the Chief of Police or his designee determines an abandoned vehicle to have a value of less than \$100, or that the cost of towing and storage charges for impoundment will exceed the value of the vehicle, it may be junked or sold by direct sale to a licensed salvage dealer after having been retained in storage for a period of seven days and after certified mail notice, as hereinafter provided, has been sent to the Wisconsin titled owner or secured party of record with the Wisconsin Motor Vehicle Division, provided that it is first determined that the vehicle is not reported stolen or wanted for evidence or other reason. All substantially complete vehicles in excess of 19 model years of age shall be deemed as a having value in excess of \$100. Any such vehicle which may be lawfully reclaimed may be released upon the payment of all accrued charges, including towing, storage and notice charges and upon presentation of the vehicle title or other satisfactory evidence to the Chief of Police or his designee to prove an ownership or secured party interest in said vehicle.

D. Notice to owner or secured party. Certified mail notice, as referred to herein, shall notify the Wisconsin titled owner of the abandoned vehicle, if any, and/or the secured party of record with the Wisconsin Motor Vehicle Division, if any, of the following:

(1) That the vehicle has been deemed abandoned and impounded by the City of Monona;

(2) The "determined value" of the abandoned vehicle;

(3) If the cost of towing and storage costs will exceed the determined value of the vehicle;

(4) That if the vehicle is not wanted for evidence or other reason, the vehicle may be reclaimed upon the payment of all accrued charges, including towing, storage and notice charges, within 14 days of the date of notice, unless the vehicle has been determined to have a value less than \$100 or that the cost of towing and storage charges for impoundment will exceed the value of the vehicle, in which case the vehicle may be reclaimed within seven days upon the payment of the aforesaid charges; and

(5) That the owner or aforesaid secured party may, upon request, be granted a hearing relating to the determinations made with respect to said vehicle within the period that such vehicles may be reclaimed.

§ 420-4. Disposal of abandoned vehicles.

Any abandoned vehicle impounded by the City which has not been reclaimed or junked or sold by direct sale to a licensed salvage dealer pursuant to the provisions of this chapter may be sold by public auction sale or public sale calling for the receipt of sealed bids. A Class I Notice, including the description of the vehicles, the name(s) and address(es) of the Wisconsin titled owner and secured party of record, if known, and the time of sale shall be published before the sale.

§ 420-5. Report of sale or disposal.

Within five days after the direct sale or disposal of a vehicle as provided for herein, the Chief of Police or his designee shall advise the State of Wisconsin Department of Transportation, Division of Motor Vehicles, of such sale or disposal on a form supplied by said Division. A copy of the form shall be given to the purchaser of the vehicle enabling the purchaser to obtain a regular certificate of title for the vehicle. The purchaser shall have 10 days to remove the vehicle from the storage area but shall pay a reasonable storage fee established by the City for each day the vehicle remains in storage after the second business day subsequent to the sale date. Ten days after the sale the purchaser shall forfeit all interest in the vehicle and the vehicle shall be deemed to be abandoned and may be sold again. Any listing of vehicles to be sold by the City shall be made available to any interested person or organization which makes a written request for such list to the Police Department. The Police Department may charge a reasonable fee for the list.

§ 420-6. Owner responsible for impoundment and disposal costs.

A. The owner of any abandoned vehicle, except a stolen vehicle, is responsible for the abandonment and all costs of impounding and disposing of the vehicle. Costs not covered from the sale of the vehicle may be recovered in a civil action by the City against the owner.

B. Payment of removal and impoundment costs is not required when the vehicle has been impounded for purposes of law enforcement investigation.

§

5. GRASS CUTTING / NOXIOUS WEEDS

Question: Review due process hearing section and list of noxious weeds (includes milkweed – that section to be reviewed by Parks Board).

Edits from Attorney Cole (following):

§ 312-7. Abatement of public nuisances.

(A) **ENFORCEMENT.** It shall be the duty of the Chief of Police and the Building Inspector to enforce the provisions of this chapter. The Weed Commissioner shall have concurrent jurisdiction to enforce the provisions of sections. 263-4, 263-5, and 263-6. Such officers shall make periodic inspections and inspections upon complaint to ensure that such provisions are not violated. Notwithstanding the foregoing, any provision of this chapter may be enforced by the Village Administrator and Village employees designated by the Administrator to make such inspections and reports. No action shall be taken under this section to abate a public nuisance unless an officer shall have inspected or caused to be inspected the premises where the nuisance is alleged to exist and has determined that a nuisance does in fact exist.

(B) Summary abatement.

(1) Notice to owner. If the inspecting officer or agent determines that a public nuisance exists within the City and that there is a great and immediate danger of to the public health, safety, peace, morals or decency, **decency he shall immediately report such determination to the City Administrator and the City Administrator may direct the Chief of Police to serve notice on the person causing, permitting or maintaining such nuisance or upon the owner or occupant of the premises where such nuisance is caused, permitted or maintained and to post a copy of said notice on the premises.**notice may be served by the inspecting officer or an authorized deputy on the person causing, maintaining or permitting such nuisance or on the owner or occupant of the premises where such nuisance is caused, maintained or permitted; and a copy of such notice shall be posted on the premises. Such notice shall direct the person causing, maintaining or permitting such nuisance, or the owner or occupant of the premises, to abate or remove such nuisance within a period not less than 24 hours or greater than seven days and shall state that unless such nuisance is so abated, the City will cause the same to be abated and will charge the cost thereof to the owner, occupant or person causing, maintaining or permitting the nuisance, as the case may be.

(2) Abatement by City. If the nuisance is not abated within the time provided or if the owner, occupant or person causing the nuisance cannot be found, the officer having the duty of enforcement shall cause the abatement or removal of such public nuisance.

(C) **NON-SUMMARY ABATEMENT.**

(1) **Order To Abate Nuisance.** If the inspecting officer shall determine that a public nuisance exists on private premises but that the nature of such nuisance is not such as to threaten imminent danger to the public health, safety, peace, morals or decency, he/she shall issue an order reciting the existence of a public nuisance and requiring the owner or occupant of the premises to remove or abate the condition described in the order within the time period specified therein. The order shall be served personally on the owner of the building as well as the occupant if different from the owner and applicable to the described nuisance, or, at the option of the inspecting officer, the notice may be mailed to

the last known address of the person to be served by registered mail with return receipt. If the owner or the occupant cannot be served, the order may be served by posting it on the main entrance of the premises and by publishing as a class 3 notice under Chapter 985, Wis. Stats. The time limit specified in the order runs from the date of service or publication.

(2) Abatement by City. If the owner or occupant fails or refuses to comply within the time period prescribed, the inspecting officer shall enter upon the premises and cause the nuisance to be removed or abated and the City shall recover the expenses incurred thereby from the owner or occupant of the premises or from the person who has caused or permitted the nuisance.

(3) Remedy From Order. Any person affected by such order shall, within thirty (30) days of service or publication of the order, apply to the circuit court for an order restraining the City and the inspecting officer from entering on the premises and abating or removing the nuisance, or be forever barred. The court shall determine the reasonableness of the order for abatement of the nuisance.

(D) Other methods not excluded. Nothing in this chapter shall be construed as prohibiting the abatement of public nuisances by the City or its officials in accordance with the laws of the State of Wisconsin or under any other provision of this Code applicable to a particular type of nuisance. No action taken to abate a nuisance shall preclude an action seeking a forfeiture as provided in section 312-9 of this Code. An action may be commenced by citation issued by the Chief of Police, the Fire Chief, Building Inspector or City Administrator.

E. Court order. Except where necessary under Subsection C, no officer hereunder shall use force to obtain access to private property to abate a public nuisance, but shall request permission to enter upon private property if such premises are occupied and, if such permission is denied, shall apply to any court having jurisdiction for an order assisting the abatement of the public nuisance.

§ 263-6. Regulation of length of lawn and grasses.

A. Purpose. This section is adopted due to the unique nature of the problems associated with lawns, grasses and noxious weeds being allowed to grow to excessive length in the City of Monona.

B. Public nuisance declared. The Common Council finds that lawns, grasses and noxious weeds on non-agricultural lots or parcels of land, as classified under the Zoning Code, within the City of Monona which exceed eight inches in length adversely affect the public health and safety of the public in that they tend to emit pollen and other discomfoting bits of plants, constitute a fire hazard and a safety hazard in that debris can be hidden in the grass, interferes with the public convenience and adversely affects property values of other land within the City. For that reason, any non-agricultural lawn, grass or weed on a lot or other parcel of land which exceeds eight inches in length is hereby declared to be a public nuisance, except for property located in a designated floodplain area and/or wetland area or where the lawn, grass or weed is part of a natural lawn approved pursuant to § 263-5 above.

C. Nuisances prohibited. No person, firm or corporation shall permit any public nuisance as defined in Subsection B above to remain on any premises owned or controlled by him within the City.

D. Inspection. The Weed Commissioner or his designee shall inspect or cause to be inspected all premises and places within the City to determine whether any public nuisance as defined in Subsection B above exists.

E. Abatement of nuisance.

(1) If the Weed Commissioner shall determine with reasonable certainty that any public nuisance as defined in Subsection B above exists, he shall immediately cause written notice to be served that the City proposes to have the lot grass or lawn cut so as to conform with this section and § 263-5.

(2) ~~The notice shall be served at least five days prior to the date of the hearing and shall be mailed or served on the owner of the lot or parcel of land or, if he is not known and there is a tenant occupying the property, then to the tenant, of the time and place at which the hearing will be held.~~

~~F. Due process hearing. If the owner believes that his grasses or weeds are not a nuisance, he may request a hearing before the Common Council. The request for said hearing must be made in writing to the City Clerk's office within the five days set forth in the Weed Commissioner's notice. Upon application for the hearing, the property owner must deposit a \$25 bond. If a decision is rendered in the property owner's favor, the \$25 will be returned to the property owner. If the property owner fails to appear for the hearing or if the decision is rendered against the property owner, the deposit shall be forfeited and applied to the cost of City personnel abating the nuisance, if necessary. When a hearing is requested by the owner of the property, a hearing by the Common Council shall be held within 20 days from the date of the owner's request. The property in question will not be mowed by the City until such time as the hearing is held by the Common Council. At the hearing, the owner may appear in person or by his attorney, may present witnesses in his own behalf and may cross-examine witnesses presented by the City as well as subpoena witnesses for his own case. At the close of the hearing, the Common Council shall make its determination in writing specifying its findings, facts, and conclusions. If the Common Council determines that a public nuisance did exist, the Common Council~~

~~shall order the Weed Commissioner to mow the property in question unless the property has been mowed by the owner within 48 hours of the decision of the Common Council. If the owner does not abate the nuisance within the described 48 hours, the Weed Commissioner shall cause the same nuisance to be abated and cost in excess of the forfeited fee assessed accordingly.~~

G. City's option to abate nuisance. (1) In any case where the owner, occupant or person in charge of the property shall fail to cut his lawn, grass or weeds as set forth above, then, and in that event, the City may abate the nuisance pursuant to section 312-7 of this Code.~~elect to cut said lawn, grass or weeds as follows:~~

~~(1) The written notice required in Subsection E shall inform said person that in the event of his failure to abate the nuisance within the prescribed time, the City shall abate the same and the cost thereof shall be assessed to the property owner as a special charge.~~

(2) The City shall cut or cause to be cut all grass and weeds from the subject's property and shall charge the expenses of so doing **at a rate as established by resolution by the Common Council.** The charges shall be set forth in a statement to the City Clerk who, in turn, shall mail the same to the owner, occupant or person in charge of the subject premises. If said statement is not paid in full within 30 days thereafter, the City Clerk shall enter the charges in the tax roll as a special tax against said lot or parcel of land, and the same shall be collected in all respects like other taxes upon real estate, or as provided under § 66.0907(3)(f), Wis. Stats.

PUBLIC SAFETY COMMISSION {Agenda Item 5d}

AGENDA ITEM:

Recodification Project

REQUESTED BY:

Walter J. Ostrenga, Chief of Police

POLICY ANALYSIS STATEMENT:

- Brief Description of Proposal:
The City is in the process of recodification of the existing Monona City Ordinances. Different sections have been assigned to city different departments.
- Current Policy or Practice:
Current ordinances are out of date.
- Impact of Adopting Proposal: Update ordinances and format.

The following are sections that have been assigned for Police Department follow up from the 5-25-16 PSC meeting:

1) Dog at Large leash law: Ch. 159, Animals

159-1: Revise definition of At Large to: *A Dog or Cat to be off the premises of the owner and not under the control of some person either by means of a leash no longer than 6' in length, or within an automobile or other enclosure shall be deemed to be at large.*

2) Scooters with electric motors. Are not designed and manufactured for on-road use, and because they lack the equipment and certification needed to comply with federal motor vehicle safety standards, they cannot be registered for use on public roads in Wisconsin.

3) Electric bikes. A pedal powered bicycle with an auxiliary electric motor. Must have a valid D/L, a special restricted operator's license or an instruction permit. Cannot be operated powered by the electric motor on bike paths, sidewalks or crosswalks.

Ch. 168 Bicycles and Play Vehicles. (see attached)

4) Truancy changes: Ch. 281, Juveniles. (see attached)

FISCAL IMPACT:

Funds available in the 2015-2016 operational budgets for the recodification project.

Reviewed By City Administrator
_____ Yes _____ No

Action Taken: _____
Approval: _____
Disapproval: _____
Tabled: _____
Committee Meeting Date: _____

Decision:

- Revise to read as indicated.
- Retain as written.

F. Section 159-11, Violations and penalties.

- (1) The forfeiture amounts in Subsections A, B and C should be reviewed to ensure they are still satisfactory.

Decision:

- Revise as follows: _____
- Retain as written.

- (2) Section 95.21(10)(a), Wis. Stats., provides as follows: "*An owner who fails to have a dog vaccinated against rabies as required under sub. (2)(a) may be required to forfeit not less than \$50 nor more than \$100.*" Should this penalty be added to the City's ordinance? According to § 159-11B(1) the penalty for violation of § 159-2, Rabies vaccination required for dogs and cats, is \$25 to \$200 for a first offense and \$100 to \$400 for any subsequent offense.

Decision:

- Omit § 159-2 from Subsection B and add "*An owner who fails to have a dog vaccinated against rabies as required in § 159-2 shall be subject to the penalty prescribed by § 95.21(10)(a), Wis. Stats.*"
- Revise as follows: _____
- Make no change.

Ch. 168, Bicycles and Play Vehicles

Title 10, Ch. 2, of the 1994 Code; amended in its entirety by Ord. No. 9-10-618

A. Section 168-2B(3) could be deleted as covered by § 168-2E:

§ 168-2B(3): *It shall be unlawful for any person riding upon a bicycle to cling to or attach himself or the bicycle to any other moving vehicle upon a street or highway.*

§ 168-2E: *No person riding upon a bicycle shall cling or attach himself or his bicycle to any other moving vehicle upon a street or highway...*

Decision:

- Delete § 168-2B(3).
- Revise as follows: _____
- Make no change.

B. Regarding § 168-2C, Required equipment: Subsection C(1), pertaining to brakes, could be deleted as covered by § 168-2J(2); and Subsection C(2), pertaining to unlawful sirens or bells, could be added to § 168-2J.

Decision:

- Delete § 168-2C(1); move § 168-2C(2) to Subsection J.
- Revise as follows: _____
- Make no change.

C. Section 168-4 contains various forfeiture amounts for violation of this chapter. Are any revisions desired? Note that the forfeiture amounts for violation of § 168-2B(3) or E are in line with § 346.82(2), Wis. Stats.

Decision:

- Revise as follows: _____
- Retain as written.

Ch. 175, Building Construction

Title 15, Ch. 1, of the 1994 Code

A. We have updated the references to ILHR Industry, Labor and Human Relations, to SPS Safety and Professional Services. Administrative Code references to "ILHR" and "COMM" have been updated to "SPS" references as appropriate.

B. There is an incomplete sentence in § 175-8C, as follows:

C. Application for permit. Application for a building permit shall be made in writing upon a blank form furnished by the Building Inspector and shall state the name and address of the owner of the building and the owner of the land upon which it is to be erected, and the name and address of the architect or designer, and shall describe the location of the building and the purpose for which it is to be used, and shall contain such other information as the Building Inspector may require. If an application is made by anyone other than the signed statement of approval. An application shall also be deemed incomplete if it is not accompanied by an approved zoning permit, where required...

Chapter 168

BICYCLES AND PLAY VEHICLES

§ 168-1. Definitions.

§ 168-2. General bicycle regulations.

§ 168-3. Registration and licensing of bicycles.

§ 168-4. Bicycle penalties.

§ 168-5. Enforcement.

§ 168-6. Skateboards and in-line skates.

[HISTORY: Adopted by the Common Council of the City of Monona as Title 10, Ch. 2, of the 1994 Code; amended in its entirety 10-18-2010 by Ord. No. 9-10-618. Subsequent amendments noted where applicable.]

§ 168-1. Definitions.

As used in this chapter:

BICYCLE — Every device propelled by the feet acting upon pedals and having wheels, any two of which are not less than 14 inches in diameter.

BICYCLES' LANE — That portion of a roadway set aside for exclusive use of bicycles and so designated by appropriate signs and markings by the responsible governing body.

BICYCLE WAY — Any path or sidewalk, or portion thereof, designated for the use of bicycles by the responsible governing body.

BIKE ROUTE — Any bicycle lane, bicycle way or highway which has been duly designated by the responsible governing body and identified by appropriate signs and markings.

CARRIER — Any device attached to a bicycle designed for carrying articles.

PLAY VEHICLES — Any coaster, skateboard, roller skates, sled, toboggan, unicycle or toy vehicle upon which a person may ride.

RIGHT-OF-WAY — The right of one vehicle or pedestrian to proceed in a lawful manner in preference to another vehicle or pedestrian approaching under such circumstances of direction, speed and proximity as to give rise to danger of collision unless one grants precedence to the other.

§ 168-2. General bicycle regulations.

A. Parental responsibility. No parent or guardian of any child shall authorize or knowingly permit such child to violate any of the provisions of this section.

B. Street operation.

- (1) Unless preparing to make a left turn, every person operating a bicycle upon a roadway carrying two-way traffic shall ride as near as possible to the right edge of the unobstructed traveled roadway. On one-way roadways, the operator of the

bicycle shall ride as near as possible to the right edge or left edge of the unobstructed traveled roadway. Every person operating a bicycle upon a roadway shall exercise due care when passing a standing vehicle or one proceeding in the same direction, allowing a minimum of three feet between his bicycle and the vehicle.

- (2) Every person when operating a bicycle upon a roadway shall ride such bicycle in single file.
- (3) It shall be unlawful for any person riding upon a bicycle to cling to or attach himself or the bicycle to any other moving vehicle upon a street or highway.
- (4) No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped. Infant seats are permitted if securely attached to the frame at the top mount and to the axle and frame at the rear bottom mount and if provided with hand holds, foot rests, foot guards and safety belt. The use of a back pack for carrying an infant is permitted. Persons are not permitted to be located on a bicycle in front of the operator of the bicycle.
- (5) No person operating a bicycle shall carry any package, bundle or article which prevents the safe operation of the bicycle with at least one hand on the handlebars at all times.
- (6) No rider of a bicycle shall remove both hands from the handlebars or feet from the pedals, or practice any acrobatic or fancy riding on any street.
- (7) Whenever a usable path for bicycles has been provided adjacent to a roadway, bicycle riders shall use such path and shall not use the roadway.
- (8) No person may operate a bicycle or moped upon a roadway where a sign is erected indicating that bicycle riding is prohibited.

C. Required equipment.

- (1) Every bicycle, when operated upon a highway, shall be equipped with a brake adequate to control the movement of and to stop such vehicle whenever necessary. Such brake shall be maintained in good working order at all times.
- (2) It shall be unlawful for any bicycle to be equipped with a siren or whistle, or to use any bell or horn otherwise than as a reasonable warning to other users of the highway. Law enforcement officers shall be exempt from this subsection while acting in the performance of their official duties.

D. Display of license. Valid license stickers must be displayed on the bicycle so that it is clearly visible.

E. Bicycles not to be pulled by moving vehicles. No person riding upon a bicycle shall cling or attach himself or his bicycle to any other moving vehicle upon a street or highway, nor shall the operator of any such bicycle tow or draw any coaster wagon, sled, person on roller skates, toy vehicles or any other similar vehicle which is not designed to be towed by a bicycle on such highway.

F. Operation on sidewalks.

- (1) Bicycles shall not be operated on Monona Drive sidewalks from the northern limits of the City to Winncquah Road and on the Yahara Cove Boardwalk at River Place.
- (2) Whenever any person is riding a bicycle upon a sidewalk, such person shall yield the right-of-way to any pedestrian and shall give audible signal before overtaking and passing such pedestrian.

G. Mopeds prohibited on bicycle ways. No person may ride a moped or motor bicycle with the power unit in operation upon a bicycle way. Law enforcement officers shall be exempt from this subsection while acting in the performance of their official duties.

H. Riding bicycle on bicycle lane.

- (1) Unless two-way traffic is authorized by the Common Council on any portion of a roadway which it has set aside as a bicycle lane and appropriate traffic signs are installed, every person operating a bicycle upon a bicycle lane shall ride in the same direction in which vehicular traffic on the lane of the roadway nearest the bicycle lane is traveling.
- (2) _____
 - (a) Unless otherwise provided under Subsection H(2)(b) below, a person operating a bicycle may enter or leave a bicycle lane only at intersections or at driveways adjoining the bicycle lane.
 - (b) A person may leave a bicycle at any point by dismounting from the bicycle and walking it out of the lane. A person may enter a bicycle lane at any point by walking his bicycle into the lane and then mounting it.
- (3) Every person operating a bicycle upon a bicycle lane shall exercise due care and given an audible signal when passing a bicycle rider proceeding in the same direction.
- (4) Every operator of a bicycle entering a bicycle lane shall yield the right-of-way to all bicycles in the bicycle lane. Upon leaving a bicycle lane, the operator of a bicycle shall yield the right-of-way to all vehicles and pedestrians.

I. Riding bicycle on bicycle way.

- (1) Every person operating a bicycle upon a bicycle way shall:
 - (a) Exercise due care and give an audible signal when passing a bicycle rider or a pedestrian proceeding in the same direction.
 - (b) Obey each traffic signal or sign facing a roadway which runs parallel and adjacent to a bicycle way.
- (2) Every person operating a bicycle upon a bicycle way open to two-way traffic shall ride on the right side of the bicycle way.

- (3) Every operator of a bicycle entering a bicycle way shall yield the right-of-way to all bicycles and pedestrians in the bicycle way.

J. Lamps and other equipment on bicycles.

- (1) No person may operate a bicycle upon a highway, bicycle lane or bicycle way during hours of darkness unless such bicycle is equipped with or the operator is wearing a lamp emitting a white light visible from a distance of at least 500 feet to the front of such bicycle. Such bicycle shall also be equipped with a red reflector that has a diameter of at least two inches of surface area so mounted and maintained as to be visible from all distances from 50 to 500 feet to the rear when directly in front of lawful upper beams of headlamps on a motor vehicle. A lamp emitting a red light visible from a distance of 500 feet to the rear may be used in addition to but not in lieu of the red reflector.
- (2) No person may operate a bicycle upon a highway, bicycle lane or bicycle way unless all braking equipment with which the bicycle was originally provided is in good working order. No person may operate a bicycle equipped with a coaster brake upon a highway or bicycle lane unless such brakes will enable the operator to make the rear wheel skid on dry, level, clean pavement.

K. Turns. Every person riding a bicycle upon any public street shall turn only at intersections as permitted, signal for all turns and stops, and pass to the left when passing vehicles or bicycles. Every person shall keep both hands on the handlebars when operating a bicycle.

L. Rentals. A rental agency shall not rent or offer any bicycle for rent unless the bicycle is licensed and a license sticker or plate is attached thereto as provided herein and such bicycle is equipped with equipment required in this chapter.

§ 168-3. Registration and licensing of bicycles.

- A. Registration of bicycles. No person shall ride or use a bicycle customarily kept in the City of Monona upon any public street, highway, or alley in the City unless licensed and registered as herein provided.
- B. Registration form. Every owner or operator of any bicycle within the City shall, within 10 days of the acquisition of such bicycle, file and register with the Police Department his name and address, the name of the manufacturer of the bicycle, its identification number, style and a general description of the bike.
- C. Bicycle license. The Police Department shall provide and keep at the City Hall a suitable record of applications and registrations under this section. On receipt of payment of the license fee, the Department shall provide a suitable identification sticker or plate upon which shall be printed or stamped a distinguishing number. The owner shall affix and keep affixed to the bicycle for which identification is issued the original sticker or plate and shall keep the same clean and visible at all times. An unregistered bicycle may be impounded by the Police Department for a period of time not to exceed 30 days.

MOTOR SCOOTER PSC
7-27-16 (7)

CORRESPONDENCE MEMORANDUM

DT1175 97

Wisconsin Department of Transportation

Date: May 31, 2005

From: John J. Sobotik and Paul E. Nilsen, Assistants General Counsel, WisDOT

Subject: **Motorized Scooters, Pocket Bikes and Low Speed Electric Bicycles**

I. INTRODUCTION

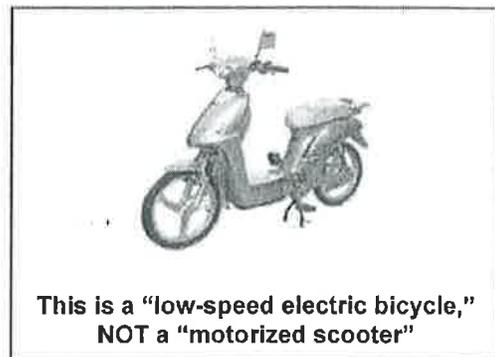
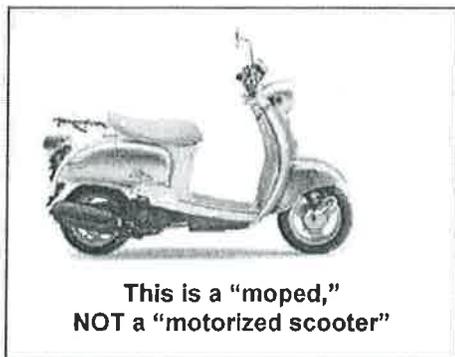
For the past few years, a wide variety of small, inexpensive motorized scooters have been distributed widely throughout the United States. We intend this memo to answer questions about their treatment under current Wisconsin law. This memo updates and replaces earlier memos on motorized scooters issued by this office¹.

This memo offers no opinion as to the public policy underlying the statutes applicable to motorized scooters, but only summarizes current law.

II. WHAT IS A MOTORIZED SCOOTER?

Wisconsin statutes do not define "motorized scooter." In general, a "motorized scooter" is a vehicle that is designed to be stood or sat upon by the operator and that has two small-diameter wheels in tandem, upright t-shaped handlebars, and is powered by an internal-combustion engine or electric motor that is capable of propelling the device with or without human propulsion. Top speeds are generally 8-20 miles per hour. They can be "souped up" to run at up to 40 miles per hour.

Do not confuse motorized scooters with mopeds or "low-speed electric bicycles." Mopeds, of course, can be operated lawfully on public roads. A "moped" is usually a Type 1 motorcycle that is incapable of speeds faster than 30 miles per hour, is equipped with an automatic transmission, an engine certified by the manufacturer at not more than 50 cubic centimeters or an equivalent power unit, and a seat for the operator. Section 340.01(29m), Wis. Stats. This definition includes models such as the Honda Spree, Honda Metropolitan, Yamaha Jog and Yamaha Vino (shown below left).



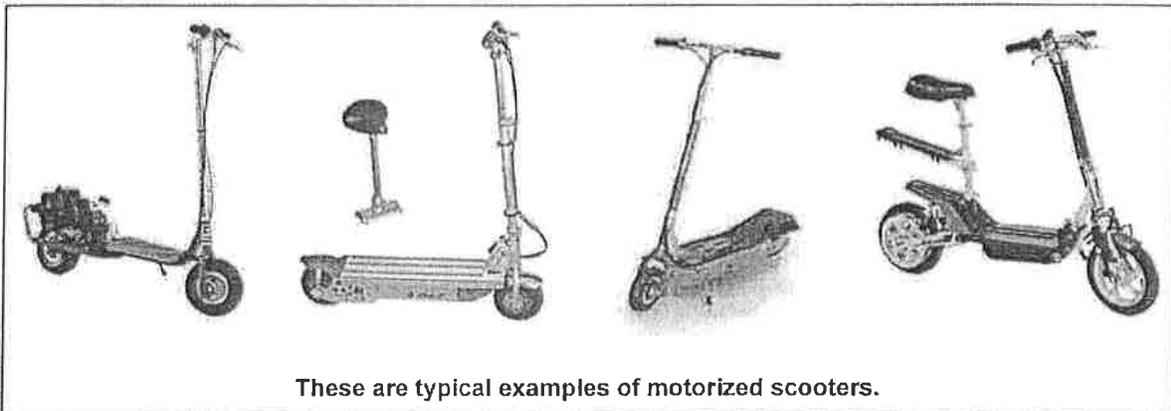
In December 2002, Congress created a new category of vehicle called "Low-speed electric bicycles." (See above right) They are moped-like vehicles with a top speed of 20 m.p.h. that are equipped with functional pedals². Under federal law, low-speed electric bicycles are not considered "motor vehicles" and so are not

¹ This memo replaces earlier memos of May 7, 2004, and November 12, 2003.

² The federal definition for "low-speed electric bicycle" is "a two- or three-wheeled vehicle with fully operable pedals and an electric motor of less than 750 watts (1 h.p.), whose maximum speed on a paved

required to meet federal motor vehicle safety standards promulgated by the National Highway Traffic Safety Administration. Accordingly, they will not bear a manufacturer's certificate of conformity as required by 49 CFR 567.4(g). Instead, the Consumer Product Safety Commission regulates these vehicles like bicycles. This memo does not address titling or registration issues related to "low-speed electric bicycles."

Motorized scooters, in contrast, are typically designed to be operated by a person in the standing position, though some are equipped with a bicycle-type seat. None has working pedals. Wheels can be solid rubber or pneumatic. Most are equipped with a handbrake, but lighter models may be equipped with only a footbrake. Sizes vary, up to 42 inches high, up to 18 inches wide and up to 40 inches long. Gross weights vary from 16 to 65 pounds (battery-powered models are generally heaviest). Gas engines are generally smaller than 35cc displacement and are generally 1.5 hp or less. Electric motors typically produce 600W or less output. Retail prices vary from \$150-\$1,000. Some models are equipped with rudimentary lights, horns, and turn signals. The vehicles are sometimes called "go-peds" or "motorized foot scooters."



Other states have defined motorized scooters (and regulated their use) by statute, but Wisconsin statutes do not recognize them as a separate class of vehicle. (See, e.g. California Veh. Code § 407.5 (a); Maine Rev. Stat. Ann. Tit. 29, § 101(41-B); Florida Stat. ch. 316.003 (82).)³

level surface, when powered solely by such a motor while ridden by an operator who weighs 170 pounds, is less than 20 miles per hour." 15 USC 2085, as created by Public Law 107-319.

³ California Veh. Code § 407.5 (a). "Motorized scooter" means any two-wheeled device that has handlebars, is designed to be stood or sat upon by the operator, and is powered by an electric motor that is capable of propelling the device with or without human propulsion. For purposes of this section, a motorcycle, as defined in Section 400, a motor-driven cycle, as defined in Section 405, a motorized bicycle or moped, as defined in Section 406, or a toy, as defined in Section 108550 of the Health and Safety Code, is not a motorized scooter.

Maine Rev. Stat. Ann. Tit. 29, § 101(41-B). "Motorized scooter" means a scooter that is powered by a motor having a maximum piston displacement of less than 25 cubic centimeters or an electric driven motor and is capable of a maximum speed of no more than 25 miles per hour on a flat surface. "Motorized scooter" does not include an electric personal assistive mobility device.

Florida Stat. ch. 316.003 (82). "Motorized scooter" means any vehicle not having a seat or saddle for the use of the rider, designed to travel on not more than three wheels, and not capable of propelling the vehicle at a speed greater than 30 miles per hour on level ground.

III. MOTORIZED SCOOTERS ARE "MOTOR VEHICLES."

A motorized scooter is a "vehicle," because it is a "device in, upon, or by which any person or property is or may be transported or drawn upon a highway." Section 340.01 (74), Wis. Stats. A motorized scooter is a "motor vehicle," because it is a self-propelled vehicle that does not operate exclusively on rail. Section 340.01(35), Wis. Stats. Courts in at least two other states have found motorized scooters to be "motor vehicles" under statutes similar to Wisconsin's, and therefore found them to be subject to driver licensing and insurance requirements. State v. Riley, 698 So. 2d 374 (Fl. Dist. Ct. App. 1997); Reilley v. DMV, 240 A.D.2d 296 (N.Y. App. Div. 1997).

IV. MOTORIZED SCOOTERS CANNOT BE REGISTERED OR TITLED.

Federal law requires that all motor vehicles sold in the United States for on-road use meet federal motor vehicle safety standards and that manufacturers certify that their vehicles meet those standards. 49 USC 30115 and 49 CFR 571.7.

49 USC 30115. Certification of compliance. A manufacturer or distributor of a motor vehicle or motor vehicle equipment shall certify to the distributor or dealer at delivery that the vehicle or equipment complies with applicable motor vehicle safety standards prescribed under this chapter. [emphasis added].

49 USC 30102(a) (6) "motor vehicle" means a vehicle driven or drawn by mechanical power and manufactured primarily for use on public streets, roads, and highways, but does not include a vehicle operated only on a rail line. *[emphasis added]*

49 USC 30112. A person may not manufacture for sale, sell, offer for sale, introduce or deliver for introduction in interstate commerce, or import into the United States, any motor vehicle or motor vehicle equipment manufactured on or after the date an applicable motor vehicle safety standard prescribed under this chapter takes effect unless the vehicle or equipment complies with the standard and is covered by a certification issued under section 30115 of this title. [emphasis added]

For purposes of federal motor vehicle safety standards, a motorized scooter falls within the definition of a motorcycle, a motor-driven cycle, or perhaps a passenger car under 49 CFR 571.3:

"Motorcycle" means a motor vehicle with motive power having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground.

"Motor-driven cycle" means a motorcycle with a motor that produces 5-brake horsepower or less.

"Passenger car" means a motor vehicle with motive power, except a low-speed vehicle, multipurpose passenger vehicle, motorcycle, or trailer, designed for carrying 10 persons or less. 49 CFR 571.3

Accordingly, if motorized scooters were designed for on-road use, they would be subject to federal safety standards applicable to motorcycles, motor-driven cycles or passenger cars, including headlamps, turn signals, reflectors, rear view mirrors, brake lamps and mufflers. In addition, the manufacturer would certify that the motor vehicle meets all applicable safety standards by permanently affixing a decal to the vehicle stating, among other things, "This vehicle conforms to all applicable federal motor vehicle safety standards in effect on the date of manufacture." 49 CFR 567.4 (g) (5). The fact that the manufacturer has not certified a motorized scooter as complying with federal motor vehicle safety standards indicates that the manufacturer does not intend them to be used on public roads.

Motorized scooters
May 31, 2005

Because motorized scooters are not designed and manufactured for on-road use, and because they lack the equipment and certification needed to comply with federal motor vehicle safety standards, they cannot be registered for use on public roads in Wisconsin:

341.10 Grounds for refusing registration. The department shall refuse registration of a vehicle under any of the following circumstances:

...
(6) The vehicle is originally designed and manufactured for off-highway operation unless the vehicle meets the provisions of s. 114 of the national traffic and motor vehicle safety act of 1966, as amended, except as otherwise authorized by the statutes. *[emphasis added]*

Thus, motorized scooters are another addition to the long list of vehicles that are ineligible for registration and unrestricted operation on Wisconsin public roads, such as mini-bikes, go-carts, all-terrain vehicles, snowmobiles, lawn tractors, lightweight utility vehicles (such as the John Deere Gator and the Kawasaki Mule), battery powered kiddie cars, golf carts and neighborhood electric vehicles.

V. WHAT LAWS REGULATE USE OF MOTORIZED SCOOTERS IN WISCONSIN?

Because motorized scooters are considered "motor vehicles" under the law but are ineligible for registration, they cannot be legally operated on any public road in Wisconsin. In addition, because they are "motor vehicles," a driver's license is required to operate them on public roads, including most sidewalks along them.

A. Valid Registration is Required to Operate a Motor Vehicle on a Highway (including most sidewalks).

Wisconsin law has long prohibited the operation of unregistered motor vehicles on public roads:

341.04(1) It is unlawful for any person to operate or for an owner to consent to being operated on any highway of this state any motor vehicle... unless at the time of operation the vehicle in question either is registered in this state, or... a complete application for registration... has been delivered to the department...

The statutes exempt many vehicles from registration requirements, including farm equipment and bicycles, but none of the exceptions applies to motorized scooters. Section 341.05, Wis. Stats. Because motorized scooters cannot be registered and are not exempt from registration, they cannot be ridden upon Wisconsin highways⁴. Drivers operating motorized scooters on highways can be issued a citation for violating s. 341.04(1), Wis. Stats. The penalty for operating an unregistered motor vehicle on a highway is around \$150 (depending on court costs and other variables).

B. A Drivers License is Required to Operate a Motor Vehicle on a Highway (including most sidewalks).

For over 50 years, state law has required a person who operates a motor vehicle on a public road in Wisconsin to possess a driver's license:

343.05(3)(a) No person may operate a motor vehicle which is not a commercial motor vehicle upon a highway in this state unless the person possesses a valid operator's license issued to the person by the department which is not revoked, suspended, canceled or expired.

A person riding a motorized scooter on a public road without a driver's license can be issued a citation for violating this statute, or a local ordinance conforming to the statute. The penalty for driving without a

⁴ "Highway" includes all public roads and streets. See section C for a discussion of what constitutes a "highway" under Wisconsin law.

11

Motorized scooters
May 31, 2005

license is approximately \$181, and earns three demerit points. This applies to motorized scooters ridden on most sidewalks (see section C. below).

C. Regulations Typically Apply to Sidewalks.

The term "highway" means "all public ways and thoroughfares and bridges on the same. It includes the entire width between the boundary lines of every way open to the use of the public as a matter of right for the purposes of vehicular travel." Section 340.01(22), Wis. Stats. Many highways are composed of a paved travel lane in the center, called a "roadway", with the remaining right-of-way width used as an unpaved shoulder or as an improved sidewalk. Sidewalks adjoining a highway typically lie within the highway right-of-way, which makes them a part of the "highway," and subject to laws regulating motor vehicle use in the highway. In Interest of E.J.H., 112 Wis. 2d 439, 334 N.W.2d 77 (1983). Therefore, the laws regulating operation of motor vehicles on a "highway" apply on sidewalks as well as on the roadway itself.

VI. ARE MOTORIZED SCOOTERS, "PLAY VEHICLES," UNDER WISCONSIN LAW?

A. Motorized Scooters Might be Considered "Play Vehicles."

Under Wisconsin law, play vehicles are subject to some regulations not applicable to other vehicles. Thus, determining whether a motorized scooter is a "play vehicle" has implications regarding the manner and locations in which the vehicles may be operated.

Whether a motorized scooter is a "play vehicle" at law depends on whether it is a "toy." Section 340.01(43m), Wis. Stats., defines "play vehicle":

340.01(43m) "Play vehicle":

- (a) Means a coaster, skate board, roller skates, sled, toboggan, unicycle or toy vehicle upon which a person may ride.
- (b) Does not include in-line skates.

Clearly, motorized scooters are not inline skates, coasters, skateboards, roller skates, sleds, or unicycles. Are they "toy vehicles?" This is debatable, as no court has yet examined motorized scooters to make this determination.

"Toy" is not defined in the statutes. The Wisconsin Supreme Court has found a bicycle having wheels smaller than the minimum size specified in the statutory definition of "bicycle" and ridden by two girls was a "toy bicycle", and treated it as a "play vehicle". Bey v. Transport Indem. Co., 23 Wis. 2d 182 (Wis., 1964). The Wisconsin Supreme Court described a Daisy BB gun used to shoot a child's eye out as a "toy," a mere "plaything." Harris v. Cameron, 51 N.W. 437, 81 Wis. 239, 29 Am.St.Rep. 891 (1892). This is consistent with the dictionary definition of "toy," which means "any article to play with, esp. a plaything for children." Webster's New World Dictionary, 2nd Ed. In Fleury v. Wentorf, 262 N.W.2d 68, 82 Wis.2d 105(1978) the Wisconsin Supreme Court described a homemade cannon used to shoot tennis balls 100 yards (and also to shoot out a child's eye) as a "toy." The fact that items as dangerous as BB guns and tennis ball cannons are considered "toys" by the court suggests that the age of the average user of the item is more important to the court in determining whether an item is a "toy" than whether the item is inherently dangerous. Because motorized scooters are most commonly ridden by children, it follows that a court could view them as toys.

Some have suggested that the fact that none of the other vehicles listed in the definition of "play vehicle" is self-propelled may be important. They postulate that a court might exclude all self-propelled vehicles from the class of "toy vehicles" because of that distinction. In fact, however, there are many self-propelled vehicles on the market today, such as battery powered self-propelled tractors, that are clearly intended only for children and are undoubtedly "toy vehicles." So the fact that motorized scooters are self-propelled is not especially telling and cannot be said to exclude them from the "play vehicle" category. We have encountered many police agencies that do consider motorized scooters to be "play vehicles" and issue citations to riders under the statutes applicable to play vehicles. Given the fact that most people riding

Motorized scooters
May 31, 2005

these scooters are children, we concur with the opinion of the police agencies that consider that motorized scooters to be "toy vehicles."

B. Play Vehicles May Not Be Operated on a "Roadway."

If motorized scooters are play vehicles, a person riding a motorized scooter on a public road is subject to a citation under s. 346.78, Wis. Stats., which prohibits operation of play vehicles on roadways (the paved travel lanes of a highway):

346.78 Play vehicles not to be used on roadway. No person riding upon any play vehicle may attach the same or himself or herself to any vehicle upon a roadway or go upon any roadway except while crossing a roadway at a crosswalk. *[emphasis added]*

The parent or guardian of the child can be issued a citation for permitting the child to operate the vehicle in a roadway:

346.77 Responsibility of parent or guardian for violation of bicycle and play vehicle regulations. No parent or guardian of any child shall authorize or knowingly permit such child to violate any of the provisions of ss. 346.78 to 346.804 and 347.489.

VII. CAN A LOCAL MUNICIPALITY PERMIT OPERATION OF MOTORIZED SCOOTERS ON ROADS, SIDEWALKS OR BIKE PATHS?

A. Municipal Laws Must be Consistent With State Traffic Regulations.

In general, local authorities may not adopt ordinances that are inconsistent with state traffic laws. Section 349.03(1), Wis. Stats.⁵ Although the State of Wisconsin has preempted the field of traffic regulations, it nonetheless has chosen to share the field with local authorities. County of Walworth v. Rohner, 108 Wis.2d 713, 718, 324 N.W.2d 682,684 (1982); see City of Janesville v. Walker, 50 Wis.2d 35, 36-37, 183 N.W.2d 158, 159 (1971); Town of East Troy v. A-1 Service Co., Inc., 196 Wis.2d 120, 537 N.W.2d 126 (Ct. App. 1995).

In Town of East Troy v. A-1 Service Co., Inc., 196 Wis.2d 120, 537 N.W.2d 126 (Ct. App. 1995), the court of appeals summarized municipal authority to enact traffic regulations under this statute as follows:

In s. 349.06(1)(a), Wis. Stats., under a heading entitled "Express Regulatory Powers," the legislature affirmatively delegated to municipalities the power to enact and enforce traffic regulations which are "in strict conformity with one or more provisions of chs. 341 to 348 and 350 for which the penalty for violation thereof is a forfeiture." City of Janesville v. Walker, 50 Wis.2d 35, 36-37, 183 N.W.2d 158, 159 (1971) at 159-60. Additionally, under s. 349.03(1), Wis. Stats., a local authority may "enact or enforce any traffic regulation" that either under subsec. (a) "[i]s not contrary to or inconsistent with chs. 341 to 348 and 350" or under subsec. (b) "[i]s expressly authorized by ss. 349.06 to 349.25 or some other provision of the statutes."

In City of Janesville v. Garthwaite, 83 Wis.2d 866, 874-75, 266 N.W.2d 418, 423 (1978), our supreme court construed language in s. 349.03(1)(a), Wis. Stats., and held that where the local ordinance involves a matter which the legislature has not chosen to regulate, local authorities may enact ordinances that are not inconsistent with the traffic code. See also Steel v. Bach, 124 Wis.2d 250, 253, 369 N.W.2d 174, 175 (Ct. App. 1985). However, as we read the development of the case law in this area, in matters the legislature has chosen to regulate, the local ordinance must strictly comply with chs. 341

⁵ 349.03 Regulation by local authorities forbidden; exceptions.

(1) Chapters 341 to 348 and 350 shall be uniform in operation throughout the state. No local authority may enact or enforce any traffic regulation unless such regulation:

(a) Is not contrary to or inconsistent with chs. 341 to 348 and 350; or

(b) Is expressly authorized by ss. 349.06 to 349.25 or some other provision of the statutes.

Motorized scooters
May 31, 2005

to 348 and 350, Wis. Stats., and be expressly authorized by a statutory provision. See Garthwaite, 83 Wis.2d at 873-74, 266 N.W.2d at 422-23 (distinguishing Walker, 50 Wis.2d at 39-40, 183 N.W.2d at 160-61); City of Madison v. McManus, 44 Wis.2d 396, 401, 171 N.W.2d 426, 429(1969)); compare Walker, 50 Wis.2d at 37, 183 N.W.2d at 159-60, with ss. 349.03(1)(b) and 349.06(1), Wis. Stats.

Because the legislature regulates the use of motor vehicles in highways, under the logic of the Town of East Troy v. A-1 Service Co., Inc., Walker, and Garthwaite decisions, any local ordinance would have to be in strict conformity with state law on that issue. Therefore, a municipality may not adopt an ordinance that permits operation of motorized scooters in violation of the laws described above prohibiting unregistered or unlicensed operation of a motor vehicle on a highway, or any other provision of the traffic code.

B. Municipalities May Permit Operation of Vehicles on Sidewalks.

State law does permit local municipalities to permit operation of vehicles on sidewalks:

Section 346.94(1) Driving on sidewalk. The operator of a vehicle shall not drive upon any sidewalk area except at a permanent or temporarily established driveway unless permitted to do so by the local authorities.

This grant of authority does not permit municipalities to waive licensing and registration requirements applicable to operation of a motor vehicle within a highway, including upon sidewalks that are part of a highway. Such an ordinance would be inconsistent with ss. 343.05 and 341.04, Wis. Stats., and therefore impermissible under s. 349.03(1), Wis. Stats.

Thus, the scope of drivers and vehicle types municipalities may permit to operate on sidewalks is limited. Municipalities may not permit unlicensed drivers to operate motor vehicles on sidewalks within highways. Nor may municipalities permit unregistered motor vehicles to operate on sidewalks. Because all motorized scooters are unregistered motor vehicles, a municipality may not permit their operation on sidewalks that lie within highways. Municipalities may permit all types of unmotorized motor vehicles on sidewalks by ordinance, such as kiddie cars, coaster wagons, coasters, skateboards and bikes.

C. Municipalities May NOT Permit Operation of Motor Vehicles on Bicycle Ways.

Section 349.23, Wis. Stats., generally permits local authorities to establish bicycle ways and to designate what types of vehicles may operate on the bicycle way so long as the use is not inconsistent with bicycle safety. That authority is subject, however, to the general requirement that any municipal traffic ordinance not conflict with the traffic code. s. 349.03(1), Wis. Stats. In the case of bicycle ways, s. 346.94(12) explicitly prohibits motor vehicle operation. This prohibition extends to motorized scooters, which are motor vehicles:

346.94(12) Driving on bicycle lane or bicycle way. No operator of a motor vehicle may drive upon a bicycle lane or bicycle way except to enter a driveway, to merge into a bicycle lane before turning at an intersection, or to enter or leave a parking space located adjacent to the bicycle lane or bicycle way. Persons operating a motor vehicle upon a bicycle lane or bicycle way shall yield the right-of-way to all bicycles and electric personal assistive mobility devices within the bicycle lane or bicycle way.

VIII. WHERE CAN MOTORIZED SCOOTERS BE RIDDEN LEGALLY?

Motorized scooters, of course, can be operated with permission on private property, and on private roads and driveways:

340.01(46) "Private road or driveway" is every way or place in private ownership and used for vehicular travel only by the owner and those having express or implied permission from the owner and every road or driveway upon the grounds of public institutions other

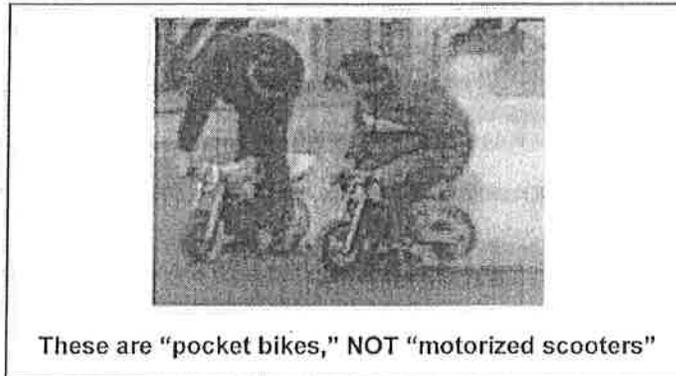
than public schools, as defined in s. 115.01 (1), and institutions under the jurisdiction of the county board of supervisors.

In addition, motorized scooters may be operated on sidewalks that are neither bicycle ways nor highways within any municipality that has enacted an ordinance authorizing their use on sidewalks. They can, of course, be ridden in backyards, fields, and other off-road locations on private property.

Although roads on state university grounds (where motorized scooters are increasingly common) are considered private roads and driveways and are not technically "highways," under state law, the University of Wisconsin System has adopted the state statutes into their internal traffic code, so many of the restrictions discussed in this memo do apply to roads lying within state university grounds. Henkel v. Phillips, 82 Wis.2d 27 (1978). Section UWS 18.04, Wis. Admin Code.

IX. POCKET BIKES AND MINI-CHOPPERS

A "pocket bike" is a mini-motorcycle, usually about eighteen inches high, typically gas or electric powered, with a top speed ranging from thirty-five to forty-five miles per hour. Mini-choppers are pocket bikes that resemble choppers, or customized motorcycles. Pocket bikes are considered "motorcycles" under federal law and so must meet federal safety standards applicable to motorcycles if they are intended for use on highways. However, they do not meet those federal motor vehicle safety standards because, among other deficiencies, their small size puts the headlamp below the minimum 22" height. 49 CFR 571.108, table IV. Manufacturers cannot and do not certify that pocket bikes meet applicable federal safety standards. Therefore, pocket bikes cannot be registered under Wisconsin law and so cannot be operated lawfully on public roads in this state. All the prohibitions applicable to motorized scooters apply to these vehicles.



Moreover, under Wisconsin law, pocket bikes that can exceed 30 miles per hour fall into the statutory definition of "motorcycle" set forth in section 340.01(32), Wisconsin Statutes. Therefore, a person operating a pocket bike on a highway is also required to hold a motorcycle (Class M) license. A driver who possesses only a Class D, or regular, license (or who possesses no license) can be issued a citation for operating a motorcycle without a license. The penalty for riding a motorcycle without a Class M license is a forfeiture of about \$180, and results in the assessment of three demerit points.

Similarly, because a pocket bike is a "motorcycle" under state law, a person under age 18 is required to wear a helmet if operating or riding on a pocket bike on a highway. Section 347.485, Wisconsin Statutes.

X. WHAT IS A PARENT'S LIABILITY?

A juvenile aged 16 or over is treated as an adult for traffic offenses. For younger offenders, however, a court can require a parent or guardian to appear personally at court hearings involving a traffic citation issued to a child under 16. Sections 938.17(2) and 938.27(1), Wis. Stats. Parents and guardians can also

Motorized scooters
May 31, 2005

be required to pay forfeitures imposed for a child's traffic violations, including operating a motor vehicle with a driver's license or operating an unregistered motor vehicle, and for other post-adjudication services. Sections 938.275(1) and 938.45(1r), Wis. Stats. A parent or other adult who has sponsored a child aged 16-18 in obtaining driver's license can be held liable for any damages or injury caused by the child's negligent or willful misconduct operating a motor vehicle, including vehicles that cannot be registered or legally operated on a highway, such as motorized scooters and pocket bikes. Section 343.15, Wis. Stats.

Any person who lends a pocket bike to another must insure that the rider has required eyewear and, if the rider is under 18 years, a helmet. Section 347.485(3); Wis. Stats. As discussed above, parents can be issued citations for permitting their children to operate play vehicles on a roadway. Section 346.77, Wis. Stats. Finally regardless of responsibility for violations of the traffic laws committed by their children, parents should be especially concerned about potential civil liability for physical injuries resulting from crashes involving these vehicles. Whether accidents occur on or off a highway, the potential for injury and resulting litigation exist.

XI. PENDING LEGISLATION

There is currently legislation pending in the Wisconsin Legislature that would make low-speed electric bicycles legal for on-roadway use in Wisconsin. 2005 Assembly Bill 95. As discussed above, federal law will permit sales of these vehicles for on-highway use provided they meet the safety standards required for bicycles. Under the bill, a regular driver's license will be required to operate a low-speed electric bicycle. To date, no similar legislation is proposed for motorized scooters or pocket bikes.

XII. CONCLUSION

Motorized scooters, pocket bikes, and similar motorized vehicles are "motor vehicles" and are subject to driver licensing and vehicle registration requirements. Motorized scooters and pocket bikes do not meet federal safety standards and are designed for off-road use. State law accordingly largely restricts their use to private property and to "private roads and driveways." The University of Wisconsin System has prohibited their use on private roads and driveways under its jurisdiction. Local authorities can adopt ordinances permitting their operation on some sidewalks, but may not permit their operation on bicycle ways, their unregistered operation within a highway, or their operation by unlicensed drivers. Parents can be held responsible if their children violate any of the legal restrictions applicable to these vehicles.

Like ATV, snowmobile, golf cart, and a host of other off-highway vehicle owners, motorized scooter and pocket bike owners are best advised to operate these vehicles on private property and not on public roads.

Electric Bicycle Laws in Wisconsin

Interest in electric bicycles is growing in Madison. City staff receive many inquiries about the laws governing electric bicycle use. Most of these rules are state laws. The City of Madison does not have the authority to enact laws that differ from these state laws. Below is a summary of the most important of these laws for people considering purchasing an electric bicycle, or people who already have an electric bicycle. The numbers in square brackets refer to the state statutes the information in each section is based upon. You can look these up yourself if interested in the precise wording of the laws. State statutes can be found on the Wisconsin State Legislature's website <https://docs.legis.wisconsin.gov/statutes/prefaces/toc>

What is an electric bicycle?

By definition, an electric bicycle is a type of motor bicycle with an electric motor. It must also have pedals and be able to be operated under pedal power alone. Electric bicycles come in a variety of forms. The most common are pedal assist and power on demand. With pedal assist the electric motor is regulated by pedaling. The pedal assist motor adds to the effort of the rider when they are pedaling. With power on demand the motor is activated by a throttle, usually handlebar mounted like on motorcycles or mopeds.

To be considered an electric motor bicycle,

- The electric motor has to be less than 750 watts,
- The maximum speed has to be less than 20 mph when operated solely by motor power, and
- It has to have fully operative pedals. With the motor completely off it can still be operated via pedal power alone. [340.01(30)(b)]

Driver's License Required

Anyone operating an electric bicycle must possess a valid driver's license, a special restricted operator's license, or an instruction permit.

[343.05(3)(c), 343.07(4)(c), 343.08, 343.135]

Rules of the Road for Electric Bicycles

Electric bicycle operators follow essentially the same rules of the road as bicyclists. Note that these are basically the same rules as for motor vehicle drivers as well. There are a few notable exceptions which will be covered below. [346.02]

Electric Bicycles and Shared Use Paths

The most common question we receive is can electric bicycles be used on the city's shared use paths. Two state laws address this question. First, no motorized vehicles are allowed on paths. Another law specifically prohibits the operation of motor (including electric) bicycles on paths with the motor in operation. An electric bicycle is allowed on paths only when operated solely under human power, as a bicycle, without any motor assist. If the motor is off and it is being pedaled without any motor power, it is considered a bicycle and allowed on the paths. If the motor is on it is a motor vehicle and not allowed on the paths. It does not matter if the electric bicycle is pedal assist or power on demand, the motor has to be turned off when operating on a path. [340.01(5s), 346.79(12), 346.94(12)]

Electric Bicycles and Sidewalks and Crosswalks

No motor vehicle can be operated on a sidewalk, thus an electric bicycle cannot be operated on a sidewalk with the motor in operation. Bicycles can only be used on sidewalks where a local ordinance permits this. Madison does permit bicyclists to operate on sidewalks except where buildings abut the sidewalk. As with shared use paths, an electric bicycle can only be operated on permitted sidewalks in Madison if operated under human power, with the motor off. When operating on a sidewalk, bicyclists must yield the right-of-way to pedestrians and give an audible warning before passing.

Electric bicycles cannot be operated in crosswalks. Although state statutes treat bicyclists in crosswalks similar to pedestrians, and drivers on the street are required to yield to bicyclists in crosswalks the same as for pedestrians, electric bicycles are specifically not covered by these laws. [346.02(4)(b), 346.23, 346.24, 346.37(1)(a)2, (c)2 and (d)2, 346.38, 346.804, 346.94(1)]

Electric Bicycle Registration

Electric bicycles are considered bicycles for vehicle registration purposes. There is no statewide bicycle or electric bicycle registration requirement. If you live in the city of Madison, your electric bicycle needs to be registered with the city's bicycle registration program. [341.05(23), 349.18] See www.cityofmadison.com/bikeMadison/programs/registration.cfm



If you have questions, please contact
City of Madison Traffic Engineering Division
traffic@cityofmadison.com 608-266-4761



PSC
7-27-16

5d
281
①

Part II, General Legislation

- (2) Subsection B provides that violations of this article are subject to the general penalty in § 1-4 of the Code. However, a specific penalty is provided in § 272-4E(2) and F(2) of \$200 for any person submitting false information on an application; and in § 272-21A of \$1,000 for any violation of any provision of this article or any condition included on a license application or on the license itself or for providing any false or inaccurate information on a written application.

Decision:

- In § 272-23B revise "except as otherwise provided in Subsection A herein" to "except as otherwise provided herein."
- Revise as follows: _____
- Make no change.

Art. II, Offenses Ch. 272

Title 11, Ch. 4, of the 1994 Code; amended in its entirety by Ord. No. 2-14-658

No changes are recommended.

Decision:

- Retain as written.
- Revise as follows: _____

Ch. 281, Juveniles

Title 11, Ch. 5, of the 1994 Code

- A. The terms "juvenile" and "minor" are used interchangeably throughout this chapter. If both terms are meant to apply to "a person who is less than 18," we recommend the use of one term.

Decision:

- (b) Change "minor" to "juvenile" throughout the Code.
- Revise as follows: _____
- Make no change; retain both terms.

- B. Section 281-1, Curfew.

- (1) Subsection A begins with curfew hours of 11:00 p.m. to 5:00 a.m. the next day for any person under 18 years of age; however, the subsection goes on to also list additional curfew hours by age. Should the following revision be made?

Curfew established. It shall be unlawful for any person under 18 years of age to be present on any public street, avenue, highway, road, alley, park, school grounds, place of amusement and entertainment, cemetery, playground, public building or any other public place in the City of Monona ~~between the hours of 11:00 p.m. and 5:00 a.m. the next day~~, unless accompanied by his or her parent or guardian, or person having lawful custody and control of his or her person, or unless there exists a reasonable necessity therefore, during the following hours: youth 15 and under: weeknights (Sunday - Thursday) 10:00 p.m. to 5:00 a.m. the next day; weekends (Friday and Saturday) 11:00 p.m. to 5:00 a.m. the next day; youths age 16 and up to 18: weeknights (Sunday - Thursday) 11:00 p.m. to 5:00 a.m. the next day; weekends (Friday and Saturday) 12:00 a.m. to 5:00 a.m. the next day.

Decision:

Revise to read as indicated above.

Revise as follows: _____

Retain as written.

- (2) The wording of Subsection D(1) does not make sense. It could be revised to read as follows:

The first time a juvenile is detained by a law enforcement officer of the City, as provided in Subsection D, the parent, guardian or person having legal custody of such juvenile shall be advised as to the provisions of this section and further advised that any violation of this section occurring thereafter by such juvenile or any other juvenile under the care of such parent, guardian or person having legal custody shall result in a penalty being imposed as hereinafter provided.

Decision:

Revise as suggested.

Revise as follows: _____

Make no change.

- (3) Subsection D(2) sets the penalty for violations of this section. Are these amounts still satisfactory? Additionally, there is missing/awkward wording at the end of the last sentence:

Any minor person under 18 years of age who shall violate this section shall, upon conviction thereof, forfeit not less than \$1 nor more than \$25, together with the costs of prosecution, and upon a second offense conviction thereof, forfeit not less than \$1 nor more than \$50 and for each subsequent conviction.

Part II, General Legislation

Decision:

Revise as follows: "...and upon a second or subsequent offense, upon conviction thereof, forfeit not less than \$1 nor more than \$50 and for each subsequent conviction.

Revise as follows: _____

Make no change.

C. In § 281-4C(2) we have updated the reference to Section 946.71 or 946.715, Wis. Stats., to § 948.31, Wis. Stats.

D. In § 281-5A we will update "carbon copy" to "copy."

E. In § 281-5B we have updated the reference to Sections 48.17(2), 48.343, 48.344 and 48.345 of the Wisconsin Statutes to §§ 938.17(2), 938.343, 938.344 and 938.345, Wis. Stats.

F. Section 281-6B(1) refers to § 938.255(2g), Wis. Stats., however that section does not contain a Subsection (2g).

Decision:

Revise as follows: C.D., E., & F. ABOVE

Other: _____

G. Section 281-6B(6) refers to § 938.348, Wis. Stats., however there is no such section.

Decision:

Delete § 281-6B(6).

Revise as follows: _____

H. Section 281-7, Truancy and school dropouts.

(1) Subsection E(1)(a) no longer matches § 118.163(2)(a), Wis. Stats., which reads as follows:

Suspension of the person's operating privilege for not less than 30 days nor more than one year. The court may take possession of any suspended license. If the court takes possession of a license, it shall destroy the license. The court shall forward to the department of transportation a notice stating the reason for and the duration of the suspension.

City of Monona, WI

Decision:

Revise to match statute.

Revise as follows: _____

Make no change.

- (2) Subsection E(1)(b) could be revised to add "or other community service work as described in § 938.34(5g), Wis. Stats." to conform to § 118.163(2)(b), Wis. Stats.

Decision:

Add wording as indicated above.

Make no change.

- (3) Subsection E(2) no longer matches § 118.163(2m)(a), Wis. Stats., which reads as follows:

...the court may suspend the person's operating privilege until the person reaches the age of 18. The court may take possession of any suspended license. If the court takes possession of a license, it shall destroy the license. The court shall forward to the department of transportation a notice stating the reason for and the duration of the suspension.

Decision:

Revise to match statute.

Revise as follows: _____

Make no change.

- (4) The forfeitures in Subsection E(3)(b) are prescribed by § 118.163(1m), Wis. Stats., and should not be changed.

Ch. 296, Massage Establishments

Title 7, Ch. 9, of the 1994 Code; amended in its entirety by Ord. No. 10-13-652

This chapter requires massage establishments to be licensed by the City. Chapter 460, Massage Therapy and Bodywork, which was added to the statutes by 2001 Act 74, provides for state licensing of massage therapists; § 460.17 provides that "A city, village, town, or county may not enact an ordinance that regulates the practice of massage therapy or bodywork therapy by a person who is licensed by the affiliated credentialing board under this chapter." The City might want to consider the following revisions to this article.

- A. Should "massage technician" be updated to "massage therapist"?

EMERGENCY DISPATCH STUDY REPORT
AUGUST 2016

Participants

- Alderman Doug Wood
- Alderwoman Mary O'Connor
- City Administrator April Little
- Fire Chief Scott Sullivan
- Police Lieutenant Sara Deuman
- Police Chief Wally Ostrenga
- Larry Reed, Public Safety Committee
- Mary Ann Reed, Citizen

I. INTRODUCTION

The participants were assigned the task of reviewing the current emergency dispatch systems for Monona, which encompasses fire, police, and EMS, to investigate whether there may be any improvements to responsiveness, service levels and cost savings. Our goal was to explore various alternatives to service, and to do that in detail. Dispatch is a complicated system in which we must consider technical, service, staffing, security and responsiveness issues in addition to cost. The group took several tours and met with several peer city representatives and the Dane County Public Safety Communications Center, summarized below.

- Tour and discussion of Monona’s dispatch center.
- Tour and discussion of Dane County’s dispatch center.
- Tour and discussion of Sun Prairie’s dispatch center.
- Discussion with Verona’s Police Chief.
- Reviewed draft report and recommendations with Public Safety Commission.

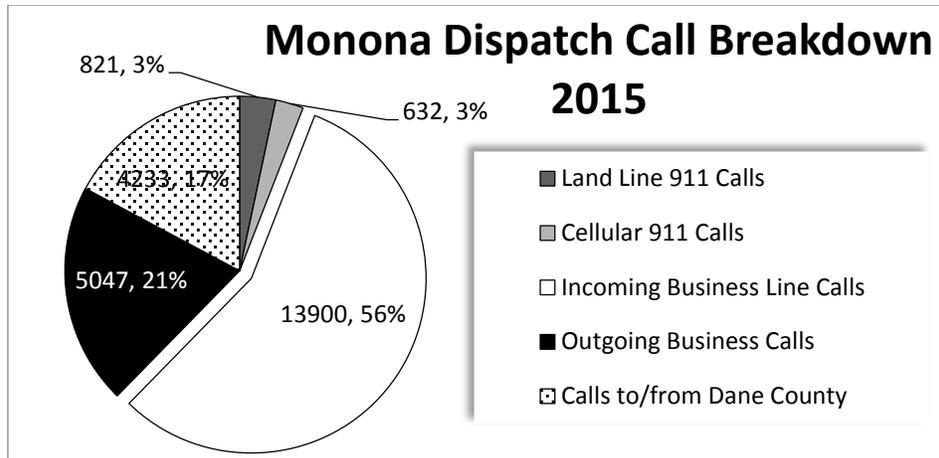
II. OVERVIEW OF CURRENT SITUATION

a. Current Dispatch

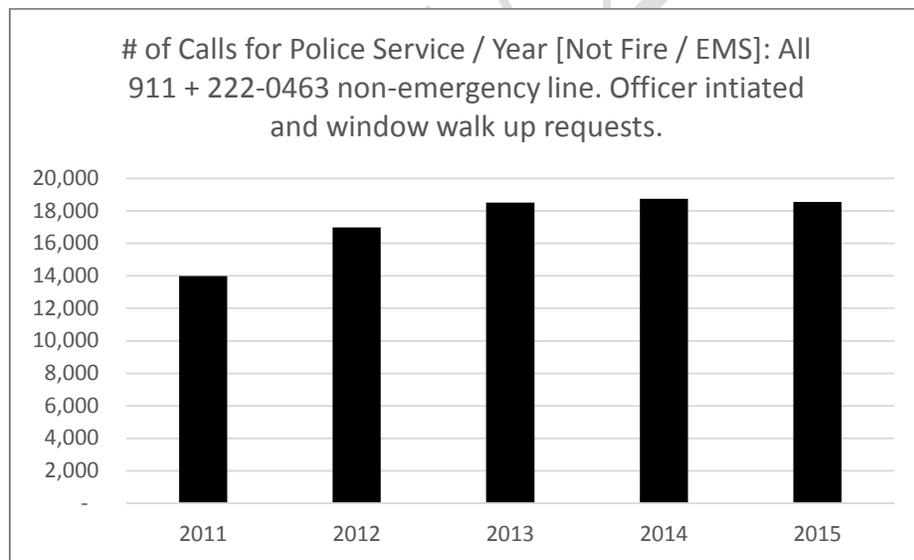
The best way to understand the complex flow of communications traffic is to review exhibits one and two, but below is a brief summary of which agency receives and dispatches which emergency service:

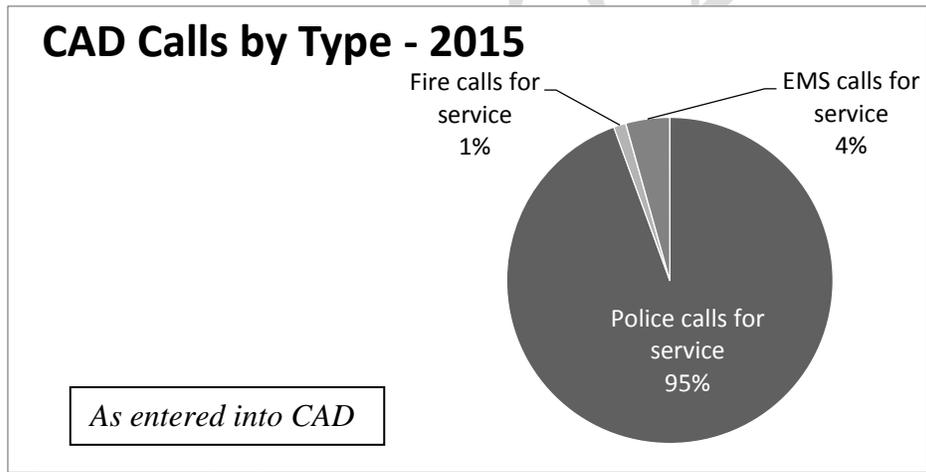
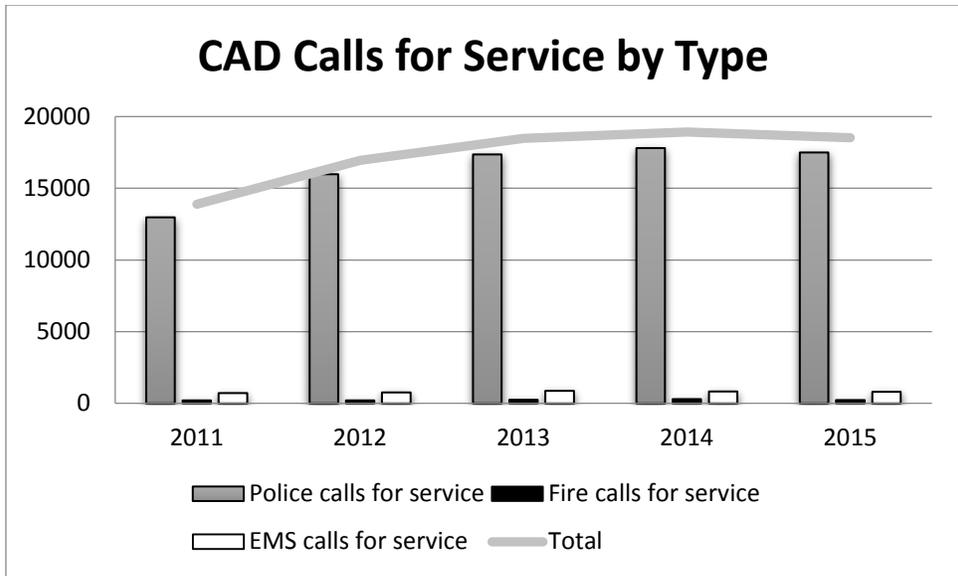
911 Landline	Calls within Monona are received by Monona
911 Cell Phone	Calls received by Dane County and transferred to Monona
Police	Dispatched by Monona
EMS	Dispatched by Dane County with a pre-alert by Monona Dispatch when initial calls are received by Monona
Fire	Dispatched by Monona

In 2015, a total of 24,633 phone calls were made and received by Monona dispatch, which may be broken down as follows. The clear majority were non-911 calls made to the non-emergency number of 222-0463. This is an average of about 53 incoming calls per day. They are handled by four full-time and five-part time dispatchers.



On average, more than 18,000 calls for police service are received and entered into the Global CAD each year. Multiple calls regarding one incident are recorded as one “call” (i.e. if five people call 911 to report a single car accident).





b. Communications Systems

The City of Madison 800 MHz system works great for the Monona police department. It is the same system as used by Madison, and works better for an urban setting. Monona is able to monitor the radio traffic from the Madison Police Department, which is important due to Madison's close proximity. DaneCom was designed to work better for outlying areas. The Fire Department is already required to have DaneCom. It is unknown if we can remain on the 800 MHz system if Monona police were to be dispatched by Dane County. All the 800 MHz Monona portable, mobile and dispatch radios have been replaced during the last five years. Monona has over more than 20 portable radios at \$3500 each. If we were to switch to DaneCom, portable radio replacement would be an additional cost. All squads have an 800 MHz and VHF mobile radio in them, so making a change in the cars would not create additional costs. The biggest question with a switch to the DaneCom system would be if the radios would work in our urban area.

Currently Monona receives four to five 911 calls each day; the trend is toward increasing number of cellular phones (versus land lines). The cellular calls are received by the Dane County Public Safety Center now, and then police or fire calls are transferred back to Monona. Emergency 911 circuits are limited, with only three dedicated to Monona dispatch. Monona EMS, along with the rest of the area is dispatched by Dane County. Currently, Monona dispatch (Police/Fire) uses the Global CAD system; Dane County is on Tri-tech CAD which works well for them. Monona is part of the MPSIS consortium with four other cities using Global. Switching all to Tri-tech would cost \$200,000@ (all); however the annual maintenance fees would be reduced by approximately 50%. Monona's share of this total cost would be about \$25,000 - \$30,000.

Monona EMS is currently using Tri-tech CAD, both Medic 60 and Engine 4 have Tri-tech CAD installed in each vehicle.

III. DISCUSSION OF OPTIONS

Please see exhibit 4 for a discussion of pros and cons for each of these options.

Option 1 – No change

Option 2 – Fire to Dane County

911 Landline	By Monona
911 Cell Phone	By Dane County and transferred to Monona
Police	By Monona
EMS	By Dane County
Fire	By Dane County

Option 3 – Fire + 911 to Dane County

911 Landline	By Dane County and transferred to Monona
911 Cell Phone	By Dane County and transferred to Monona
Police	By Monona
EMS	By Dane County
Fire	By Dane County

Option 4 – All Dane County Dispatch

911 Landline
 911 Cell Phone
 Police
 EMS
 Fire

IV. DISCUSSIONS WITH PEER COMMUNITIES

a. Sun Prairie Dispatch; Meeting with Lt. Teasdale

- i. **Services provided by Dane County.** Sun Prairie has 911 calls answered and Fire now being dispatched by Dane County; police are dispatched by Sun Prairie. They are in a trial phase since February 2016, which has been extended until August because of technical issues to resolve.
- ii. **Protocol for call transfers** – Operational procedures must be standardized. However, this has not worked out as smoothly in practice. Sun Prairie had requested a phone conference from a “tie line,” (so Sun Prairie can pick up the call from Dane County), which was tested but not practical because Dane County’s criteria of an emergency needing a transfer does not match Sun Prairies.
- iii. **Personnel** – Sun Prairie’s existing police dispatch staff is having a difficult time covering all their shifts with qualified personnel.
- iv. **Technical issues** – Fire transition was smooth, no issues. They sent letters and did advertising for alarm switches. Only issue was with school system tests.

To switch 911 calls to Dane County dispatch, AT&T lines must be severed, which is permanent. There is no cost to switch service off, but there would be substantial fees to turn it back on. They do allow a 90-day trial period, and this has been extended.

The group took a tour of the Sun Prairie dispatch center. Sun Prairie has had several concerns with the Dane County dispatch service: awkward CAD screen interface, wrong address, wrong response sent, and lack of communication. One call can generate three incidents (Fire/Ems/Police Department), and it can be easy to miss information updates because of the interface. For example, an address update may not show up on the title screen because Dane County has been putting them in the call notes section. Therefore, they have done a structured analysis to examine problems and determine whether the problem was at the Sun Prairie or Dane County end, and have had discussions with Dane County to resolve.

A major factor is that Sun Prairie and Dane County do not have the same CAD system (Sun Prairie has Global, similar to Monona; Dane County has Tri-Tech). Having the same CAD system would probably solve most issues. Fitchburg, which also uses Global, has had similar issues. The county had one of their technicians write a program that converts the Tri-Tech entry into data that is received by the Global CAD system. They are calling this CAD4CAD. The way it is received by the Global CAD is very confusing and takes a lot of concentration on the part of the dispatcher to understand what services are being requested. Global has been bought out so its future use is a bit in limbo and is being addressed with Monona’s regional consortium, MPSIS. Each mobile unit is a separate license cost. Not being able to have the receiving dispatcher talk directly with a caller is an issue which limits the gathering of pertinent information to relay to officers, sometimes causing officer safety concerns.

b. Verona Dispatch; Discussion with Chief Bernie Coughlin

Verona emergency services (police and fire) are dispatched by Dane County. Coughlin was previously with Brookfield, where they had their own dispatch and then relinquished it to the county. He said the only pro to county dispatch is costs savings, at least initially. Quality and control of future costs are issues. The advantage to having municipal dispatch is quality control based on citizen wants. He felt that Dane County was moving more toward 911 dispatch service rather than dispatch services (other than 911), and 911 are fewer than 10 percent of all calls. For example, if something more important was occurring somewhere else in the county, Dane County may not dispatch someone quickly to a “cold scene burglary,” and that may be an important service to a citizen.

It is harder to speak to a live person with everyday questions. Some of the disadvantages are the Dane County staff understandably do not know local landmarks if a person does not know an address. Also, Dane County will not provide driver’s license data to an officer if needed (i.e. the officer is not in the car or computer is broken); this can be critical information. Non-911 calls are “stacked” (delayed) and local officers are then not dispatched quickly.

Also, a very recent legal change may require a report to be submitted within 24 hours; this can be a problem over the weekend or staff has to be brought in and paid overtime. Coughlin said that it is not possible to eliminate all staff; it does not save as much as you would think. Coughlin said the change from a board to an advisory board was significant, as the municipality does not get to vote on final policy. Coughlin said if Monona goes to county dispatch, “you will regret it.”

The group discussed how the county was going to recoup any additional expenses by adding Monona to their duties. In the past they proposed a fee over three years to take on all dispatch duties (\$300,000 over 3 years), but have now come up with the idea of a levy adjustment. Regarding county levy funding, it was brought up that communities signed up earlier were not being charged.

V. COMMENTS FROM MEETING AT DANE COUNTY EMERGENCY DISPATCH

a. Services from Dane County

Generally, Dane County has different staff members answering incoming calls (“call takers”), who stay on with the caller. “Dispatchers” are staff who actually talk to the units in the field (Police, Fire and EMS) via radio and direct the emergency services. The call taker for example will gather as much information as they can from a caller such as “is he breathing” then enter the information into the CAD which goes to a dispatcher for transmission to field units. The Monona personnel are both call takers and dispatchers. There are also dedicated Dane County dispatchers for fire and ems, separate from police. Overall, the group was impressed with the professionalism of the call takers and dispatchers at Dane County.

i. **Can** provide:

1. Fire calls can be dispatched.
2. Answer all 911 calls and information sent via CAD4CAD to the Monona dispatch center.
3. Police calls for service dispatched – with some adjustments (add channel and staff). Again, these translate to about 18,000 calls per year. They don't know if Monona PD would be able to remain on 800 MHz (possibly sharing a dispatcher with Madison PD), or have to switch to DaneCom.
4. EMS – is currently Dane County-dispatched, but Monona pre-alerts the Monona EMS via intercom and radio if the 911 call is from a land line or from a Police Officer in the field.
5. Middleton currently handles Monona's overflow 911 calls if all 911 lines are busy, although this is a very rare occurrence. Currently, Monona has three dedicated 911 lines.

ii. **Can't** provide:

Dane County Emergency Services would not be able to provide services to Monona that include City Hall 24-hour security and operating hours, fire alarm monitoring, walk up service, local records access, local knowledge of landmarks and events, and emergency notifications for other departments (i.e., Public Works, Administration, etc.).

b. **Protocol for call transfers (obtain copy of policy); Queue for calls**

- i. Non-emergency calls received after hours: Dane County uses an interactive voice response system to prioritize (“press 1...”), which is programmable. Can transfer, but lose call back number; can either conference call or disconnect (can be done both ways).
- ii. Other types of non-emergency notifications
 1. Extreme emergencies – would dedicate one priority dispatcher (backfill)
 2. Public Works calls – would go to call tree. Can set up to dispatch Monona crews.

c. **Staffing** – If Monona's police dispatch is added, Dane County would need to add up to four FTEs.

d. **Technical System Issues**

- i. 800 MHz vs. DaneCom – going digital will not hurt Monona. 800 MHz has superior coverage and performance. Madison, UW and Capitol Police also have 800 MHz. No objections to Monona keeping the system.

- ii. Equipment needs
 - 1. Should be acceptable for Fire to keep its channel, but a Gateway (i.e. a computer link that allows digital and analog to work together on the DaneCom system) will be required whether Fire is dispatched by Monona or Dane County.
 - 2. CAD – Tri-tech or Global? This is unresolved at this moment regardless of which option is chosen, and is being discussed by the MPSIS consortium.
 - iii. DaneCom – Dane County can dispatch through DaneCom or the 800 MHz system. Modeling of impact could be done to determine impact of 800 MHz use. The system is scheduled to go live on November 1, 2016.
- e. **Costs**
- i. 911 and Fire can be absorbed without additional Dane County staffing.
 - ii. Police – would look at staffing and radio reprogramming. Would most likely require levy transfer for hiring dispatchers.
 - iii. If another community would join Dane County dispatch, staffing costs would go down.
- f. **Timeline to implement**
- i. CAD testing and interface are required to take on the 911 calls. Fire can be quick turnaround, approximately 3 – 6 months. Fire and EMS could be 2016; law enforcement would need no less than 12 months to get everything in order for a transfer making, the change in 2017 at the earliest.

RECOMMENDATIONS

The work group unanimously recommends option 2 – moving fire dispatch to Dane County and keeping 911 and police dispatch service in Monona. However, they would be open to discussion of moving 911 service to Dane County at a later date. The work group did have major concerns about Monona’s cost (@\$150,000) and timeliness of 911 system replacement expected to be necessary within the next two years if we keep 911 in-house. The reasons for the recommendation are as follows:

- 1) Allowing Dane County to dispatch Fire and EMS allows for greater consistency across the county, and allows Monona’s dispatch to be dedicated primarily to police services.
- 2) Despite the increasing use of cell phones, 911 calls via land line are still the majority at this time.
- 3) The group would like to continue its observation of Sun Prairie’s transition experiences, to learn from the best processes to make the difficult transition.
- 4) At this time, Monona has the largest population of seniors in Dane County. This population group in particular has expectations of in-person service and faster dispatch. It may also have a great deal of difficulty navigating a phone tree for the non-emergency line.
- 5) The group had concerns with difficulty of an outside agency would have in helping direct services without a concrete addresses. Instead, callers often use landmarks (i.e. “the statue by St.

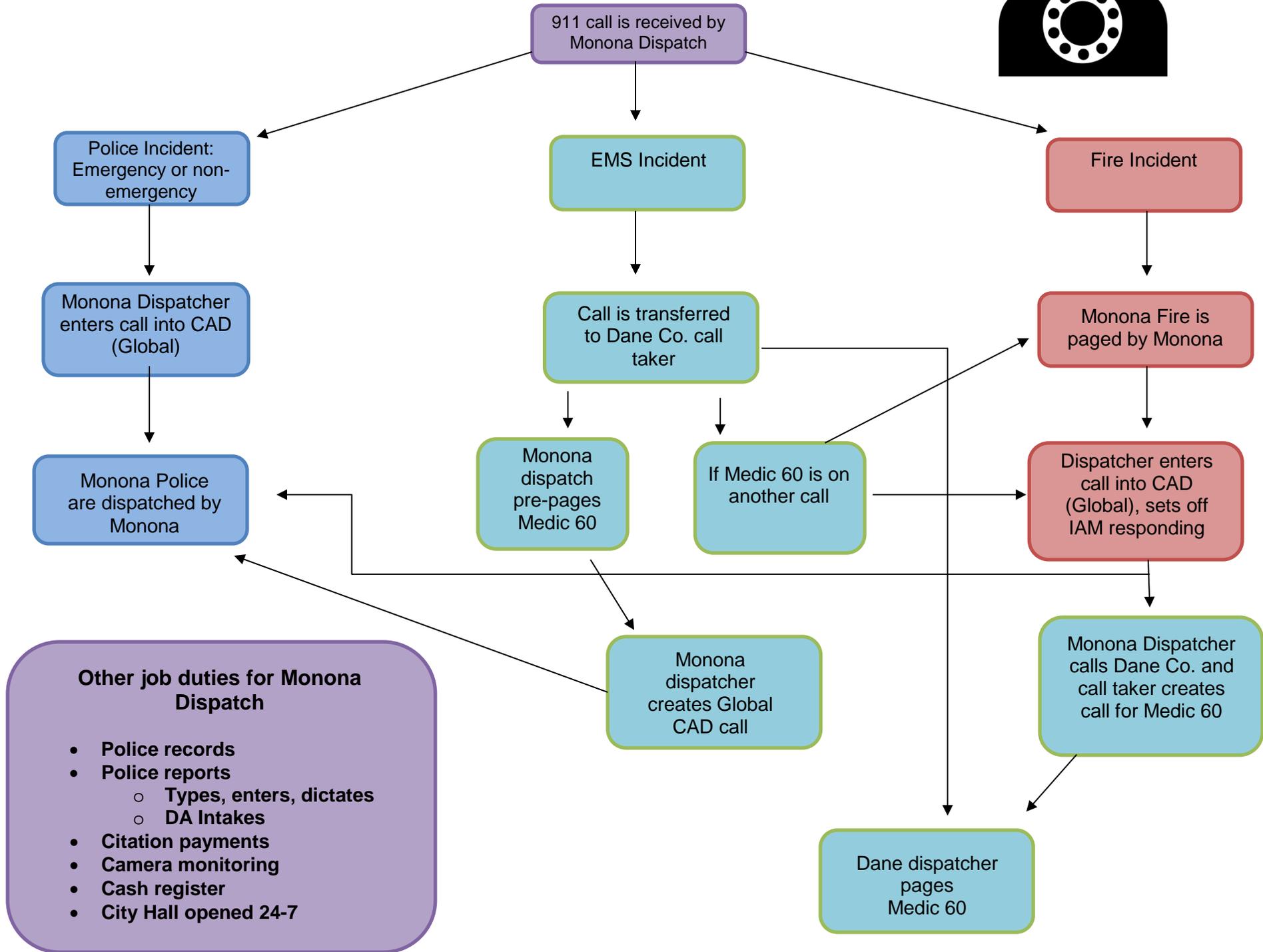
Mary's). Another example is directing emergency personnel to a specific person at a very large event in a large park, such as the Community Festival.

- 6) Allows local control of protocols. This was extremely important to the work group. For example, a call from Wal-Mart regarding theft – the biggest source of calls on the Monona non-emergency number – would be a very low priority county-wide and would probably greatly decrease the number of suspect apprehensions.
- 7) Maintains clerical and non-emergency support staff
- 8) Allows greater direction of staff
- 9) Maintain existing 24 hour emergency services
- 10) Greater familiarity with community and residents
- 11) Higher service level, especially with non-emergency issues. The clear majority of calls are to the non-emergency line and many of these come from commercial businesses. If these non-911 calls are dispatched by Dane County, callers will be directed to a phone tree which may frustrate many callers. A great many calls received relate to strictly non-emergency questions, such as “when is the Community Festival” which obviously Dane County could not be expected to answer for every community.
- 12) Allows City Hall to be open and monitored 24 hours
- 13) Allows 24-hour emergency warming / cooling shelter
- 14) It is uncertain which CAD system will be used by the MPSIS consortium. CAD interface was a source of some trouble.

EXHIBITS

1. Flow Chart for Land Lines
2. Flow Chart for Cellular Calls
3. Illustration of 800 VHF vs. DaneCom
4. Land line vs. cellular call totals for 2015
5. Comparison of Pros and Cons for Each Option
6. Comparison of Cost Impacts for Options
7. Excerpts from Previous Study by MPSIS

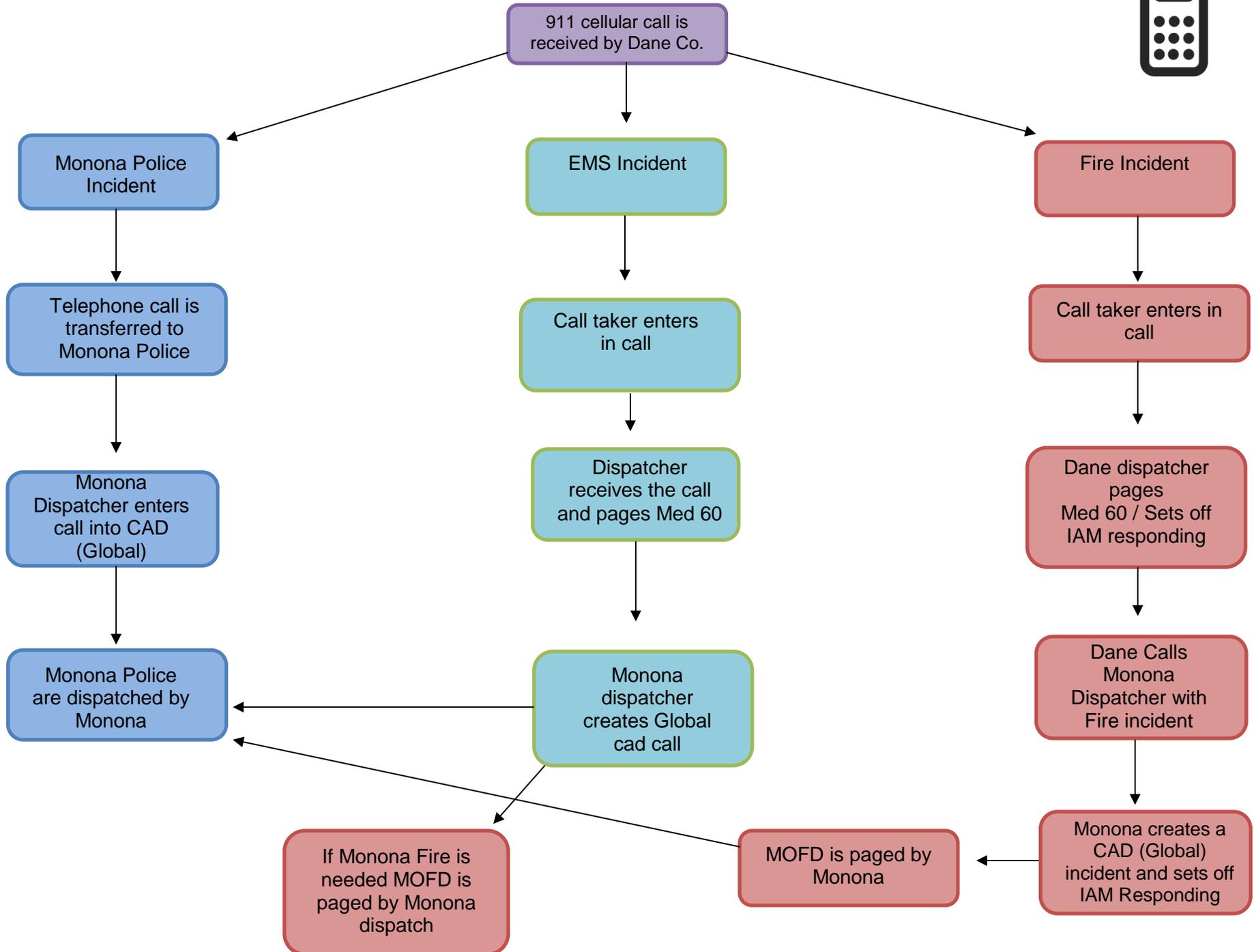
Monona dispatch flow chart – Land Line 911



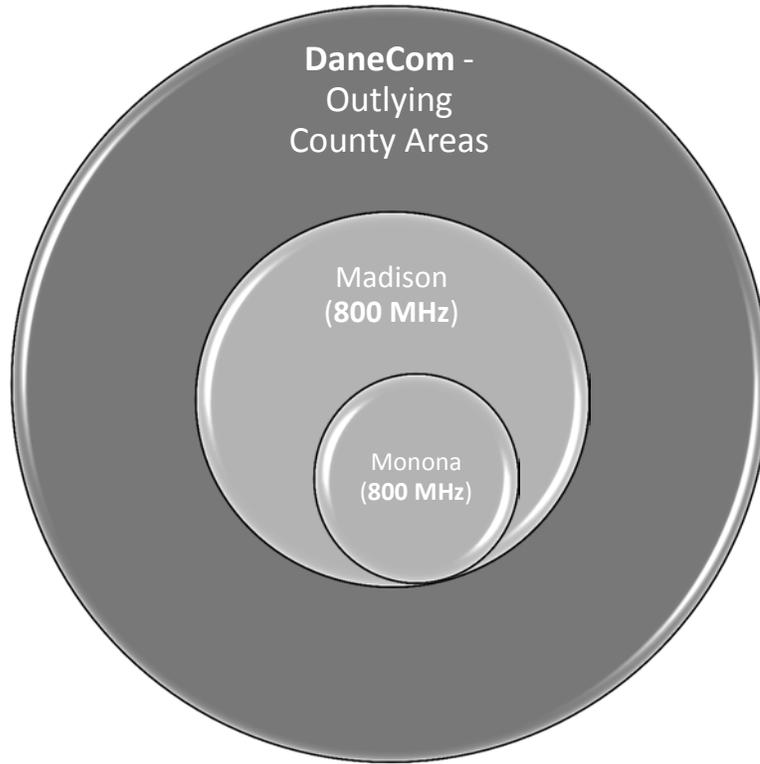
Other job duties for Monona Dispatch

- Police records
- Police reports
 - Types, enters, dictates
 - DA Intakes
- Citation payments
- Camera monitoring
- Cash register
- City Hall opened 24-7

Dane County Communication Center Flow Chart – Cell Phone 911



EMERGENCY SYSTEM COVERAGE DIAGRAM



Options Comparison

OPTIONS	1	2	3	4	NOTES
	No changes	Fire to Dane County	Fire + 911 to Dane County	All Dane County Dispatch	
Pros					
Cost:			Save future capital 911 expenses.	Save future capital 911 and some personnel expenses.	Personnel costs may be imposed by county, but shifted onto county tax roll.
Equipment:					
Staffing:	Allows max control of protocols (except 911)	Allows control of PD protocols (except 911)	Allows max control of PD protocols (except 911)		
	Maintains clerical and non-emergency support	Maintains clerical and non-emergency support	Maintains clerical and non-emergency support		
	Allows greater direction of staff	Allows greater direction of staff	Allows greater direction of staff		
				Majority of LE dispatched by single agency.	
Responsiveness:	Maintain existing 24 hr services	Maintain existing 24 hr services	Maintain existing 24 hr services	Increasing number of 911 calls are wireless	Many 911 calls are for EMS (Dane County dipatched)
	Greater familiarity with community and residents	Greater familiarity with community and residents	Greater familiarity with community and residents		
	Higher service level, especially with non-emergency issues	Higher service level, especially with non-emergency issues	Higher service level, especially with non-emergency issues		
		Fire would use same dispatch system as all other munis	Fire would use same dispatch system as all other munis		
		Dedicated Fire dispatcher (no other duties) - decreases delay	Dedicated Fire dispatcher (no other duties) - decreases delay		
		Eases load on PD dispatch	Eases load on PD dispatch		
		Increased consistency with fire protocols	Increased consistency with fire protocols		
Access:					
Security:	Allows building to be open and monitored 24 hours	Allows building to be open and monitored 24 hours	Allows building to be open and monitored 24 hours		
Other Issues:	Allows 24-hour emergency warming / cooling shelter	Allows 24-hour emergency warming / cooling shelter	Allows 24-hour emergency warming / cooling shelter		

Options Comparison

OPTIONS	1	2	3	4	NOTES
	No changes	Fire to Dane County	Fire + 911 to Dane County	All Dane County Dispatch	
Cons					
Cost:	Future capital 911 expenses.	Future capital 911 expenses.	911 transfer issues with minimal information; cannot talk to caller	Will increase DaneCom costs	
Equipment:				Unknown what radio system will work for MOPD	Would need to change call auto routing, possibly obtain more equipment.
Staffing:				Will still need minimum 2 FT and 1 PT records personnel. Little to no control over personnel issues Reduce alarm monitoring - other dpts (water, SCADA) Reduce window service for ticket collection and non-emergency issues 911 transfer issues with minimal information; cannot talk to caller	Dane County may also need to hire staff; offset on taxes
Responsiveness:				Other community events > reduce Monona air access Little control over protocol Mutual aid responses may increase (less service for Monona)	
		Will require educating alarm monitoring companies of change in contact.	Will require educating alarm monitoring companies and Psa to citizens about change in contact.	Will require educating alarm monitoring companies and Psa to citizens about change in contact.	
Security:				Reduce security camera monitoring of City Hall	
Other Issues:				County has no records access to Monona files Reduce building access after hours (meetings, radio)	

EMERGENCY COMMUNICATIONS	2016	NO CHANGES	FIRE ONLY	FIRE & 911 TO DCCC	ALL TO DCCC
	DEPARTMENT	Cost Increase/ Decrease for	Cost Increase/ Decrease for	Cost Increase/ Decrease for	Cost Increase/ Decrease for
	BUDGET	Option 1	Option 2	Option 3	Option 4
DISPATCH SALARIES	\$174,209.00	\$174,209.00	\$174,209.00	\$174,209.00	\$87,104.50
SHIFT DIFFERENTIAL	\$3,500.00	\$3,500.00	\$3,500.00	\$3,500.00	\$1,750.00
LONGEVITY PAY	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
LEAVE WAGES	\$6,000.00	\$6,000.00	\$6,000.00	\$6,000.00	\$3,000.00
WAGES, PART TIME	\$25,000.00	\$25,000.00	\$25,000.00	\$25,000.00	\$10,000.00
DISPATCH OVERTIME	\$11,000.00	\$11,000.00	\$11,000.00	\$11,000.00	\$1,000.00
FICA	\$16,807.74	\$16,807.74	\$16,807.74	\$16,807.74	\$8,403.87
WISCONSIN RETIREMENT	\$12,850.79	\$12,850.79	\$12,850.79	\$12,850.79	\$6,425.40
LIFE & DISABILITY INSURANCE	\$300.00	\$300.00	\$300.00	\$300.00	\$150.00
HEALTH INSURANCE	\$39,805.00	\$39,805.00	\$39,805.00	\$39,805.00	\$19,902.50
PROFESSIONAL DEVELOPMENT	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$750.00
FITNESS INCENTIVE PROGRAM	\$350.00	\$350.00	\$350.00	\$350.00	\$175.00
UNIFORM ALLOWANCES	\$1,000.00	\$1,000.00	\$1,000.00	\$1,000.00	\$500.00
CRIMINAL RECORDS CHECKS	\$2,300.00	\$2,300.00	\$2,300.00	\$2,300.00	\$2,300.00
SERVICE CONTRACTS (Breakdown below)	\$76,418.00	\$76,418.00	\$76,418.00	\$73,218.00	\$98,799.00
OUTSIDE SERVICES	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
DISPATCH SUPPLIES	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00	\$1,500.00
	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
	<u>\$372,540.53</u>	<u>\$372,540.53</u>	<u>\$372,540.53</u>	<u>\$369,340.53</u>	<u>\$241,760.27</u>

POSSIBLE CAPITAL SAVINGS/EXPENDITURES

911 System Replacement	\$150,000.00	\$150,000.00	(\$150,000.00)	(\$150,000.00)
New Phones For Dispatch/Records 2 positions			\$10,000.00	\$10,000.00
DaneCom / Radio Change from 800 MHZ to VHF*				\$70,000.00
City Hall Main Entrance Door Locks**				\$4,000.00
City Hall Main Entrance Safe Area				\$10,000.00
Phone: City Hall front door phone and signage				\$1,500.00
Camera Update: Lobby and Front Entrance				\$3,000.00
CAD Changeover: 2 Dispatch positions	\$20,000.00	\$20,000.00	\$20,000.00	\$20,000.00
CAD Changeover: Squads/Mobile Software***	\$15,000.00	\$15,000.00	\$15,000.00	\$15,000.00
FD GATEWAY CONNECTION (interface & 1 time pay)	\$8,000.00	\$8,000.00	\$8,000.00	\$8,000.00
****FD would also incur approximately \$7,000 in annual fees - service contracts				
Subtotal	<u>\$193,000.00</u>	<u>\$193,000.00</u>	<u>(\$97,000.00)</u>	<u>(\$8,500.00)</u>

*Possible MOPD could stay on 800 MHz and be on the MPD channels.

**Possible front doors may need replacement due to there being no frame around doors for installation of locking mechanism causing a substantial increase in this estimate

***Possible MPSIS will pay this amount due to change from Global to Tri-Tech CAD

**Breakdown of Service Contracts
SERVICE CONTRACTS**

Global RMS/CAD Fees (Potential reduction in CAD)	\$48,005.00	\$48,005.00	\$48,005.00	\$48,005.00	\$48,005.00
MAPD 800 MHz Radio	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00	\$4,000.00
General Communications (Radio, dispatch equip service)	\$6,204.00	\$6,204.00	\$6,204.00	\$6,204.00	\$6,204.00
AT&T Phone Circuits DPW & Fire Radio	\$2,800.00	\$2,800.00	\$2,800.00	\$2,800.00	\$2,800.00
AT&T Positron Phone System Access (Co remote access)	\$1,600.00	\$1,600.00	\$1,600.00	(\$1,600.00)	(\$1,600.00)
TIME System Charges (Criminal history and license cks)	\$1,440.00	\$1,440.00	\$1,440.00	\$1,440.00	\$1,440.00
Language Line (Translation service)	\$250.00	\$250.00	\$250.00	\$250.00	\$250.00
Dane Co. / Madison Program Fees (jail and police records)	\$2,250.00	\$2,250.00	\$2,250.00	\$2,250.00	\$2,250.00
DaneCom Fees (*Estimated Radio System Fees)	\$4,419.00	\$4,419.00	\$4,419.00	\$4,419.00	\$30,000.00
Leads Online (Pawn transaction access)	\$1,750.00	\$1,750.00	\$1,750.00	\$1,750.00	\$1,750.00
Schedule Anywhere (Employee scheduling program)	\$576.00	\$576.00	\$576.00	\$576.00	\$576.00
Deer Creek (Policy and Employee tracking software)	\$624.00	\$624.00	\$624.00	\$624.00	\$624.00
TraCS Support (Citation and Accident report program)	\$2,500.00	\$2,500.00	\$2,500.00	\$2,500.00	\$2,500.00
Fire Alarm Monitoring 5211 Schluter					\$5,000.00
IT Room Heat Monitoring 5211 Schluter					???
	<hr/>	<hr/>	<hr/>	<hr/>	<hr/>
	\$76,418.00	\$76,418.00	\$76,418.00	\$73,218.00	\$98,799.00

Capital/Operational Expenditures

City Hall Main Entrance Door Locks					\$4,000.00
City Hall Main Entrance Safe Area					\$10,000.00
Phone: Front Door & Sign					\$1,500.00
Phones: Dispatch x 2 positions					\$10,000.00
Camera Update: Lobby and Front Entry					\$8,000.00

Radio Change Over: 20 new portables @ \$3,500 each**	\$70,000.00
FD Gateway (1/2 capital, 1/2 annual costs)	\$15,000.00
CAD Changeover x 2 Dispatch positions	\$20,000.00
CAD Changeover Squads x 10*	\$15,000.00
DaneCom fees may increase substantially	\$30,000.00
Total	\$183,500.00

OPTION 3: DISPATCH BY DC PSC

A third option for consideration is to transfer call taking and dispatch services to DC PSC.

Current Services Provided

The DC PSC provides 9-1-1 and non-emergency call dispatching services to the City of Madison, the Dane County Sheriff's office, and all Dane County towns and municipalities with the exception of Fitchburg (9-1-1 call taking only), Middleton, Monona, Stoughton, Sun Prairie, the Capitol Police, and the UW Police Department.

While MPSIS municipalities maintain their own communication centers, they also receive service from the DC PSC. 9-1-1 land line calls are answered by local communication centers. If the call is deemed to be for EMS services, basic information is obtained and the call is forwarded to the DC PSC for coding and dispatch of services. Fire service calls are routed to the DC PSC for final dispatch in the city of Middleton. Sun Prairie dispatches fire calls within its city limits, but transfers any fire calls located outside of the city to the DC PSC. Monona dispatches all its fire department's calls.

Law enforcement calls are generally answered and dispatched by each local center. Fitchburg, however, has a unique arrangement with the DC PSC. Fitchburg's 9-1-1 land lines are routed to the DC PSC and are answered there. Calls requiring a law enforcement response are entered into DC PSC's software, which interfaces with Fitchburg's software and notifies the communicator there to dispatch appropriate services. Lastly, all cellular calls (emergency and non-emergency) are routed to the DC PSC, with the exception of those originating in the City of Middleton. Cellular calls are answered by the DC PSC and either dispatched or transferred to the appropriate local center for dispatch of services, depending upon the type of call.

Governance

The DC PSC is governed by the Public Safety Communications Board. The Board consists of several representatives who provide operational direction to the Center. While the Board may have input into the budget submitted by the Center Director, it does not have funding authority. That authority remains with the County Executive and County Board.

The City of Madison Police, Fire/EMS and the Dane County Sheriff's Office each have a representative on the Board. All other law enforcement agencies' interests are represented by one Board position, appointed by the Dane County Chiefs of Police Association. County Fire and EMS departments' interests are represented similarly, each by one Board position appointed by the Dane County Fire Chiefs Association and the Dane County EMS Association respectively.

DC PSC Operations

The DC PSC has 86 employees, which includes 70 full time and 2 part time communicators, 8 supervisors, and 4 IT staff. Work shifts generally run from 6:30 a.m. to 2:30 p.m., 2:30 p.m. to 10:30 p.m., and 10:30 p.m. to 6:30 a.m., with three additional power shifts scheduled to accommodate high volume call times throughout the day. Shifts are staffed with call takers to attain a standard of service equivalent to 90 percent of 9-1-1 calls being answered in 10 seconds or less. Dispatchers are staffed according to the radio channels monitored. Currently, dispatchers are assigned as follows:

- Fire/EMS Dispatch: one for the City of Madison and one for Dane County 7x24

- Police Dispatch: one for City of Madison and one for the county 7x24
 - (plus) one additional City of Madison dispatcher from 1200 – 0230 daily
 - (plus) tactical dispatchers taken from the call taker ranks when needed

- Data Dispatch: one for the entire county (with a back-up who typically is engaged in call-taking until the primary data dispatcher becomes busy, at which time the back-up assists) 7 x 24. This dispatcher also handles animal services and MPD civilian parking

Table 9 shows the existing number of county and suburban officers assigned to one DC PSC law enforcement dispatcher. These officers are assigned to routine calls for service.

Table 9: Ratio of DC PSC County Law Enforcement Dispatcher to Officers

Time Period Beginning	Units Checked In and Assigned to Routine CFS
00:01	38
04:00	29
08:00	40
12:00	46
16:00	46
20:00	47

Call volumes and calls for service reported by the DC PSC are listed in Table 10.

Table 10: DC PSC Call Volumes and Calls for Service

	2010	2011
Wireless 9-1-1 phone calls	120,584	127,760
Wire line 9-1-1 phone calls	44,850	41,733
Non-emergency phone calls	178,907	171,993
Police calls for service	360,000	354,000
Fire calls for service	7,300	8,000
EMS calls for service	27,687	31,970

The DC PSC has fourteen 9-1-1 phone lines and eight non-emergency lines. The non-emergency lines feed into an electronic phone tree, which diverts non-emergency calls for service from 9-1-1 lines to keep them available for true emergency calls.

The center's 2010 operating budget was \$6,699,853, and its 2011 operating budget was \$6,822,030. The DC PSC reports that no revenue was received for services provided from municipalities dispatched by the center in either year.

DC PSC Service Proposal

The MPSIS members authored a survey for the DC PSC to complete as part of this project. The survey contained questions designed to garner information about the costs and benefits of authorizing the DC PSC to answer and dispatch 9-1-1 emergency and non-emergency calls (see Attachment 9).

The DC PSC envisions a future where it would serve as the sole communications center in Dane County and is actively working toward that goal. In the survey response, DC PSC Director John Dejung stated that the DC PSC added extra workspace during its remodel in anticipation of future consolidation with local public safety dispatch centers in Dane County. He also stated that the DC PSC is in the process of implementing a new CAD system from TriTech and references a capital improvement plan that includes technological and equipment upgrades to move the county toward the next generation of 9-1-1 telephony. These technological improvements and their benefits would be available to any municipality serviced by the DC PSC (see Attachment 9).

The DC PSC responded that it could accommodate both the MPSIS members and the Stoughton Communication Center by adding 12 to 15 full time communicator positions for a cost between \$780,276 and \$975,345 annually. It could accept calls from the members as early as 2013, with two months notice, but would prefer to wait until 2014 when the CAD project will be complete and the DaneCom radio system will be operational.

These positions would allow the DC PSC to add one call taker and dispatcher position 24 hours per day. The DC PSC would add a call taker position to most shifts and an additional dispatcher position would be used to introduce a division of the current county radio traffic pattern into “east” and “west” sectors. The existing dispatcher position for the county radio traffic will be assigned one division and the proposed dispatcher position would be assigned the other division. There would continue to be one data dispatcher for the entire county. Monona officers would be assigned to City of Madison talk groups, as they both operate on the same radio system. Table 11 below shows how this proposed radio traffic split would affect the number of county and suburban law

enforcement officers assigned to the DC PSC dispatcher with Fitchburg, Middleton, and Sun Prairie units added.

Table 11: County and Suburban Law Enforcement Officers per DC PSC Dispatcher with Proposed Radio Traffic Spilt

Time Period Beginning	County and Suburban Officers Assigned to Routine CFS
00:01	(38 exist + 22 new) / 2 groups = 30 officers
04:00	(29 exist + 22 new) / 2 groups = 26 officers
08:00	(40 exist + 31 new) / 2 groups = 36 officers
12:00	(46 exist + 31 new) / 2 groups = 39 officers
16:00	(46 exist + 27 new) / 2 groups = 37 officers
20:00	(47 exist + 27 new) / 2 groups = 37 officers

Table 12 shows how the City of Madison talk groups would be affected with the addition of Monona units.

Table 12: Number of Madison and Monona Law Enforcement Officers assigned per DC PSC Dispatcher

Time Period Beginning	Madison and Monona Officers Assigned to Routine CFS
00:01	(40 exist + 4 new) / 2 groups = 22 officers
04:00	(29 exist + 4 new) / 2 groups = 17 officers
08:00	(29 exist + 4 new) / 2 groups = 17 officers
12:00	((40 exist / 2 disp) + 4 new) / 2 groups = 12 officers
16:00	((46 exist / 2 disp) + 5 new) / 2 groups = 14 officers
20:00	((48 exist / 2 disp) + 5 new) / 2 groups = 15 officers

There are some unknown issues regarding the proposal costs. It is unclear how long the annual proposal costs would be assessed. When asked for clarification of this issue, Director John Dejung explained that his personal intent would be to assess the amounts discussed in the proposal for the first year and then decrease that amount annually with all charges ending by 2020. However that the decision ultimately lies with the Dane County Board and it has not yet been discussed or approved (Attachment 9). There has also been no indication of the method of assessing these costs to each individual city (i.e. population, calls for service), or how the costs might change depending upon the number of cities deciding to accept the DC PSC’s proposal.

While a decision has not been made on the best manner of cost allocation across the cities, an assumption has been made in this report so costs can be further discussed. The allocation formula discussed and used in option two has been applied here to the shared salary costs referenced above.

Services Provided

The DC PSC proposes to answer and dispatch 9-1-1 calls for the MPSIS member municipalities. This proposal would include access to all DC PSC's communications staff and technology. It also appears to include future capital purchases currently approved in DC PSC's capital plan, but it is unclear how future capital expenses that may be required as a result of this proposal would be funded.

The DC PSC also proposes to process non-emergency calls. MPSIS members would be required to publish a non-emergency phone number, which would be answered by police department staff during business hours and a computerized automated attendant after hours. There are eight phone lines feeding the phone tree. Four lines are designated for incidents that are occurring now and four lines are designated for incidents that already occurred. DC PSC communicators monitor the phone tree for incidents that need current attention and police contact. Other incidents are dealt with as time permits. It is not known how often the calls are reviewed to ensure that incidents are not missed. It is also not known how the phone tree system assigns priority to calls it receives requiring police assistance or whether these cities' calls would compete with all other calls for priority in dispatching.

Services Not Provided

There are existing services that will not be offered by the DC PSC. Some of these services were specifically identified in the survey, while others are either known not to be provided or are part of a draft DC PSC policy 2.3.3 "Services" (Attachment 10) which proposes changes to services currently provided. The DC PSC prefers that the draft policy 2.3.3 not be consulted as part of this review because it was not crafted with service consolidation in mind. However, the document is referred to in this section as it is a draft policy before the Public Safety Communications Center Board and it contains changes to future services that may result in fees not currently assessed.

The first service change will be the manner in which non-emergency calls are answered and processed. During business hours, non-emergency calls will be answered by police department staff and then forwarded to an automated attendant for processing in a computerized phone tree. After hours, calls will automatically forward to that system. This is a significant change for all MPSIS member communities. MPSIS communicators answer non emergency calls 24 hours per day and direct callers immediately to the appropriate information or voicemail box.

Another service that will not be provided is the answering of administrative calls. Administrative calls are calls that in general would not require police interaction, such as calls for general information, office calls for command staff, detectives, and officers, or after-hour city calls. Should administrative calls be received by the DC PSC non-emergency electronic phone tree, it will provide callers with the appropriate municipal phone number to call for further information. Should the caller then proceed to call the municipal phone number outside of business hours, he/she would receive a message from the municipality asking him/her to leave a message or call back during business hours. All of this information would be provided to callers via an electronic recording. While there is an option for callers to speak to a live person, the DC PSC has been clear that it will not act as a clearing house for these calls. Current non-emergency phone calls counts for the MPSIS member centers also include administrative calls, so determining the impact this change would have on existing staff may be challenging.

An existing service that would not be provided is the remote monitoring of any cameras. Each communication center currently monitors several building cameras. Cameras in the public meeting areas are helpful, but cameras existing in non-public areas can be important to officer staffing and safety. Cameras enable officers to process arrested subjects without additional officers present. They also enable the communications center to quickly send additional officers, should an arrested subject become violent. Absent active monitoring of those cameras, two officers may be required when subjects are brought into the building. Some centers also monitor cameras in their parks, banks, and schools. This data may be less valuable if not monitored live, so that officers can be notified immediately of issues in those locations.

There are other important services that may not be provided. For example, the DC PSC will not have access to the MPSIS members' local contact and records information.

Therefore, when an officer comes into contact with a subject, the DC PSC communicator will not be able to relay any prior local contacts, historical information, or cautions other than what exists in its software. The MPSIS members have utilized their software since 2003 and have a significant contact database established. It is unclear whether the DC PSC would consider checking this database real-time, if software were made available to them, and whether that service would require a fee.

A similar concern related to the migration to DC PSC's CAD software is the call data that will be captured and recorded. DC PSC will capture a standard set of call data in its software. It is likely that the data fields captured will not be the same or as extensive as data that is currently captured by the MPSIS member centers. The current software is set up to populate much of the call information from CAD into the RMS software without any employee effort. This automatic population will no longer be available, and any call information available from DC PSC's CAD software will need to be hand entered by police records staff. Further, the existing centers would need to map and convert their call codes to those established by the DC PSC. For example, Sun Prairie may use a call code designated as "family trouble," but DC PSC may classify those calls as "disturbance." While this change appears subtle, it can be fairly significant when searching historical data.

Currently, officers enjoy significant discretion to ask communicators to complete additional phone calls, research, and Internet searches that may assist them. This discretion will likely disappear when the communicators are no longer governed by local municipal work rules, but rather by DC PSC operational practices developed and approved by a majority of its governing board.

There are likely other services that may not be provided by the DC PSC. It is a significant challenge to anticipate all the things that a larger center has to standardize or streamline for efficient operations, and how they might affect existing local business practices. It is also difficult to ascertain what may or may not occur with a draft policy

document. As stated by the DC PSC in its survey, it prefers to negotiate the terms of any service consolidation individually and when better information becomes available.

Proposal Costs

The costs for this proposal include the salaries and benefits of twelve to fifteen additional communicators, for a cost between \$780,276 and \$975,345 annually.

There will be one-time charges related to either purchasing a full seat of TriTech CAD software or some number of administrative access points to that software. Each city will also need to purchase seats of the TriTech mobile software for its squad cars. There will also be annual maintenance charges for both the cad and mobile software.

After review of the survey response from DC PSC and discussion with MPSIS members, funds have been included to retain two positions per city under this proposal. These positions would perform certain essential functions that the member Chiefs have jointly identified as critical and essential for a safe community. Two full time positions equate to an annual salary and benefit cost of \$115,060 annually for each community. For Monona, these positions would also be responsible for its police records functions.

To enable local staff to answer and dispatch non-emergency calls, additional equipment would be required. Each city would need to purchase a Harris VIP console for \$17,000 and a DaneCom gateway for \$66,000 to enable communication on the DaneCom system. These equipment costs have already been included in each city's DaneCom radio project budget. They are not additional costs and are mentioned here only to document the equipment requirement. Table 13 provides actual proposal costs.

Table 13: Cost of DC PSC proposal

COST OF DC PSC PROPOSAL				
	Fitchburg	Middleton	Monona	Sun Prairie
<i>Up-front costs:</i>				
Harris radio console	\$17,000	\$17,000	\$17,000	\$17,000
DaneCom interoperability gateway	\$66,000	\$66,000	\$66,000	\$66,000
Tritech-Global RMS interface	\$14,482	\$12,082	\$7,285	\$15,750
Tritech CAD clients	\$10,000	\$10,000	\$10,000	\$10,000
Tritech mobile clients	\$16,000	\$14,000	\$6,000	\$21,000
<i>Subtotal up-front costs:</i>	\$123,482	\$119,082	\$106,285	\$129,750
<i>Annual costs:</i>				
DCCC staff costs	\$290,308	\$235,689	\$142,107	\$307,242
Additional municipal staff costs (2 FTE)	\$115,060	\$115,060	\$115,060	\$115,060
Tritech annual maintenance	\$4,680	\$4,320	\$1,836	\$5,580
<i>Subtotal Annual Costs:</i>	\$410,048	\$355,069	\$259,003	\$427,882
Current operating & MPSIS budget	\$514,413	\$613,960	\$353,103	\$791,086
Proposed operating & MPSIS budget	\$532,074	\$455,477	\$298,944	\$556,579
<i>Annual Savings</i>	\$ (17,661)	\$158,483	\$54,158	\$234,507

Acceptance of this proposal would still require many of the MPSIS expenditures. Those expenditures eliminated under consolidation would include Global CAD and AVL maintenance, totaling \$62,700 per year. Table 13 shows that the proposed operating costs from DC PSC and the proposed MPSIS operating costs are less than the existing center operating budgets and MPSIS operating costs for all cities, except for Fitchburg. As Fitchburg currently has DC PSC answer its 9-1-1 calls for no charge and believes it must retain two positions to maintain essential services, the City would be paying \$290,308 annually to DC PSC for the agency to answer and dispatch its non-emergency calls outside of business hours.

Proposal Impacts

Benefits

Reduction of costs is one benefit of this proposal, and in most cases as noted above, there are savings to be had by consolidating with the DC PSC. There may also be other benefits to consolidation. One benefit can be improved staffing stability. While large centers experience staffing shortages, their larger employee pool tends to benefit them with flexibility. Local communication centers generally operate leanly with regard to staff. When a communicator leaves unexpectedly, it can create a void in the schedule until another communicator is hired and fully trained (20-25 weeks). The DC PSC may have more flexibility to fill such schedule gaps because it simply has more staff available.

Another benefit of the proposal is that it may eliminate some redundant services and spending. Fitchburg, Middleton, Monona, Sun Prairie and DC PSC are each hiring staff, purchasing equipment, and funding technology to provide 9-1-1 services. While the local centers provide many important services beyond 9-1-1 calls, the taxpayers in those cities are being assessed at a local and county level for 9-1-1 services. Savings may be possible under this proposal because the cost of 9-1-1 equipment, technology and staffing levels would be shared.

There is also likely a benefit to having all 9-1-1 call taking and dispatching services handled at one location. Currently, all land line 9-1-1 calls are answered by each MPSIS member communication center (with the exception of cellular calls for all cities but Middleton). If the call is determined to be an EMS or fire call, the call is transferred to DC PSC for dispatching after the initial gathering of information. While local centers are more intimate with their communities and residents, there is a risk when transferring emergency calls between centers. Calls can be dropped, information can be conveyed incorrectly or misunderstood, and general confusion can occur on either end. It can also be confusing and frustrating for the caller, who in the middle of an emergency situation must be transferred to another agency after already providing basic information. If call taking and dispatching were to occur in one center, those risks may be reduced because the number of emergency calls requiring transfer prior to dispatch would be reduced.

Lastly, sharing the risk and financial burden of a communications center could be a benefit of this proposal. Operating a 9-1-1 PSAP is a serious financial commitment and the risk of not keeping equipment and technology current is great. Transferring the responsibility of 9-1-1 calls to DC PSC could be one way to reduce the liability associated with mishandling 9-1-1 calls, as well the financial burden of keeping 9-1-1 equipment and technology current.

Concerns

Just as there are benefits to this proposal, there are also concerns to be addressed.

One of the most significant concerns about this proposal is the lack of local control over decisions and operations at the DC PSC. The cities would be required to conform to DC PSC's protocols and procedures, which could lead to significant changes in local business practices that may not be beneficial and are currently not fully understood. As protocols, policies and procedures need to be uniform for the DC PSC to run efficiently, there is concern that they will tend to favor the larger agencies due to their size and transaction volume.

Along those lines, the current governance structure does not provide an adequate voice for each city on the center board. There is one representative for the municipal police departments appointed by the Dane County Chiefs Association. While that representative may be knowledgeable about local concerns, he/she may not be able to speak to individual city needs or he/she may be asked to represent cities with conflicting needs. When asked in the survey for this project if the center was open to considering other governance models, the DC PSC responded that it would be open to considering other governance structures, but that those changes would need to be approved at the county board level.

In addition to the concerns discussed regarding the automated non-emergency attendant system, there is concern about the increased number of non-emergency calls that would need to be handled by that system. The additional volume may slow the system at peak times and result in the need for additional phone lines and additional costs for MPSIS members. There is also a general lack of knowledge regarding the automated system and how it prioritizes calls for dispatch. One concern is the perception of residents who may have placed a non-emergency call to the attendant and are awaiting an officer's arrival, while officers may be driving around the area unaware of the call because it has not yet been dispatched. Local centers do hold calls from time-to-time but with lower call volumes overall those calls are often assigned to the next available officers. Another concern is that the MPSIS member calls may be competing with those calls from all other agencies dispatched by DC PSC for priority. Given these concerns about the automated phone attendant and the volume of non-emergency and administrative calls processed daily by MPSIS member centers, two communicator positions have been retained in the costs of this proposal. These positions would answer and dispatch non-emergency and administrative calls as well as complete other duties during the heaviest call volume times of 8:00 A.M. to 8:00 P.M., Monday through Friday.

A related concern is the decreased service level that will occur under this proposal. The DC PSC proposal does not offer coverage for all of the services currently provided by local communicators (see Attachment 1). As mentioned above, each municipality would

likely retain two positions to maintain the most vital of those services during the heaviest call periods. It is possible that residents may receive varied levels of service depending on the time of day and day of the week because the retained positions would not be available 24 hours per day. The positions would help to offset those services not offered in the DC PSC proposal, but it will not be possible to maintain service levels as they exist today. Some service level decreases are known, but others still unknown should be anticipated and may not be fully realized until the service transfer has occurred.

Another concern is the increased number of officers assigned to DC PSC communicators. MPSIS member officers currently enjoy low officer to communicator ratios. Table 14 below shows existing officer to communicator ratios by shift for Fitchburg, Middleton, and Sun Prairie and then compares those to the DC PSC proposed ratios. Table 15 shows the same ratios for Monona officers and compares those to the DC PSC proposed ratios.

Table 14: Fitchburg, Middleton & Sun Prairie officers assigned per communicator compared to the DC PSC proposed officer ratios

Shift Time	Fitchburg	Middleton	Sun Prairie	DC PSC Proposal
01:00	8	6	8	30
04:00	8	6	8	26
08:00	14	15	11	36
12:00	14	8	8	39
16:00	10	5	8	37
20:00	8	6	8	37

Table 15: Monona officers assigned per communicator by shift compared to the DC PSC proposed officer ratios

Shift Time	Monona	DC PSC Proposal
01:00	4	22
04:00	4	17
08:00	8	17
12:00	8	12
16:00	5	14
20:00	4	15

It is clear that the ratio of officers per communicator would increase significantly under the DC PSC proposal. There are three factors to keep in mind when reviewing this data. First, the DC PSC communicators identified in the above charts are responsible for dispatching and managing radio traffic only, but those responsibilities would cover officers from several communities. The MPSIS communicators referenced are responsible for call taking, dispatching, radio traffic, running data, and other duties. Second, the DC PSC survey response did identify that additional communicators may be available to assist and improve these ratios should call activity warrant. The concern of course is that if the radio is busy then the phones are likely busy as well, and there may not be staff available to assist. Third, these ratios were calculated using industry standards. It is difficult to assess the impact of this change prior to implementation, but it is referenced as a concern as the changes in these ratios are significant.

There is also concern about the job loss associated with this proposal. While the intent of this proposal may be to trim expenses, these are exemplary and long-term staff members. DC PSC has not been able to guarantee that existing staff would receive preferential hiring status in the process to fill the necessary twelve to fifteen communicator positions.

All staff will struggle with the termination of the Global CAD and mReach mobile products. The Global software suite is designed so that call data needs to be entered once (in CAD), and then the data flows seamlessly through all other modules. The removal of the Global CAD software under this proposal means that whatever data is not dumped via an interface between TriTech CAD and Global RMS must be entered by staff. The officers may also struggle with reduced access to data that they currently enjoy in the mobile environment. Officers would have access to whatever call data is provided by the TriTech mobile client, but they would no longer have access to historical call data in the squad.

Additionally, MPSIS members and staff spent years developing and testing software to refine it to the useful product it is today. They invested significant time and money in the MPSIS project because the belief that they could do more together was strong. Departments worked together and now not only share data freely, but training and human resources as well. It may be a challenge for many to abandon the project without reaping the full intended benefit.

There is significant concern for the unknowns of this proposal. It is unknown if or how existing staff may receive preferential status in the hiring process for the new communicator positions. It is unknown if or how additional annual fees may be assessed for services, staff, or capital expenditures. It is unknown how long annual fees would be charged for how the formula might change. It is unknown if the way the DC PSC does business will positively or negatively impact local operations. The long term effects of this proposal on service levels are difficult to measure or account for today because they will not be fully realized until after the service transfer occurs.

Lastly, there is concern regarding the equality of DC PSC's proposal for services. The MPSIS cities are being asked to pay for the additional resources required for the DC PSC to assume their emergency and non emergency calls and provide dispatching services. The agencies listed in Table 16 are dispatched by the DC PSC. They did not pay fees initially, they do not pay fees today, and there has been no indication of future fees, other than potential service changes proposed under the draft 2.3.3 document. Similarly, the additional communicators funded by the MPSIS agencies under this

proposal improve the ratio of officers per communicator, and in some cases significantly. This benefit would come at no expense to existing agencies.

Table 16: Agencies Dispatched by DC PSC at No Additional Cost

Belleville FD, PD, EMS	Fitch-Rona EMS
Black Earth FD	Madison PD, FD, EMS
Blooming Grove FD	Town of Madison PD, FD, EMS
Blue Mounds PD	Maple Bluff FD, PD, EMS
Brooklyn FD, PD, EMS	Marshall PD, FD, EMS
Cambridge FD, EMS	Mazomanie FD
Cottage Grove PD, FD	McFarland PD, FD, EMS
Cross Plains, PD, FD, EMS	Mount Horeb PD, FD, EMS
Dane FD, PD	Oregon Village PD, FD, EMS
Dane County Medical Examiner	Oregon Constable
Dane County Emergency Management	Public Health of Madison
Dane County Sheriff	Dane County Animal Services
Deerfield PD, FD	Shorewood Hills PD, FD, EMS
Deer-Grove EMS	Stoughton FD, EMS
DeForest PD, FD, EMS	Verona PD, FD
District One EMS	Waunakee PD, FD
Fitchburg FD	Waunakee Area EMS

To: Mayor Miller and City Administrator Marsh

From: Chief Ostrenga

Date: January 11, 2013

Re: MPSIS Dispatch Study

We are scheduled to meet with the MPSIS group on Monday, January 28, 2013 at 1 pm at the Fitchburg City Hall. The MPSIS Dispatch Study is attached. The following is a summary of some of the pros and cons I see from this study.

A. General Comments for the MPSIS Group having their own dispatch centers. This consists of Fitchburg, Middleton, Sun Prairie and Monona. Verona is dispatched by Dane County.

1. Positives:

- Consolidation has the potential to save all the departments on capital expenditures and equipment updates.
- Consolidation could save operations expenditures for Middleton and Sun Prairie, but only if all the departments consolidate.
- Consolidation could provide an environment with a higher standard of training, professionalism and more uniform dispatch protocols.

2. Negatives:

- Creation of a governing board with multiple levels of supervision, which would have accountability, but also has a lack of local control.
- Lack of local knowledge.
- Potential that a larger center will ultimately restrict the type of calls the local centers handle on a daily basis.
- Larger volume of calls by one center, which could lead to lower service level (i.e., timers put on the allowable length of call).
- Ratio of officers on the radio to dispatchers will be increased. This will lead to conflicts over air time use.
- Officer safety issue, as officers might not be able to call off each traffic stop with additional units on the air.
- None of the communities share common borders that would encourage sharing a common frequency. Therefore a serious incident in one community could disrupt radio use in another sharing the same frequency.
- There is no guarantee that all of the current dispatchers would be hired by the new consolidated center.
- There may be issues with changing software on all squad laptops to different Mobile Data Programs depending on the option selected. This may lead to increased costs due to consultation with outside agencies IT personnel for programming.

B. Individual Comments pertaining to Monona:**1. Positives:**

- All of the above in section A.1., and the following.
- During serious incidents there would be additional personnel available to assist in managing the calls.
- In the event of our dispatch center goes out of service, there would be a backup center readily available using the same systems.

2. Negatives:

- All of the above in section A.2., and the following.
- Monona would still have to fund two full time records personnel, thereby negating any savings to the annual operations budget. It would actually cost Monona more to participate in a consolidation with the MPSIS model.
- Monona operates on the Madison 800 MHz radio frequency. We've been told by the DaneCom group that the new system was not designed to function very well for daily use in the Madison/Monona area. So there are questions regarding communications with the MPSIS group and also if Dane County dispatched us on a Madison 800 MHz channel.
- Ratio of officers on the radio to dispatchers will be increased. This will lead to conflicts over air time use. The current ratio for Monona averages 2-4 officers and our Fire Department to 1 dispatcher. This would increase to 10-12 officers to 1 dispatcher with the MPSIS model; and excess of 25-35 officers or more to 1 dispatcher with the Dane County model.
- The Monona Fire Department would have to change their communications operations and radio procedures with any change to the current dispatching system.
- Officers might not be able to call off each traffic stop with additional units on their assigned frequency. This has an effect on officer safety and traffic enforcement productivity.
- There would be additional consolidation expenses for radios, computers, programming, licenses, CAD software, etc.
- The Monona City hall would have to be locked up and secured at the end of regular business hours and weekends. Also a call box or special phone would have to be installed for after hours emergencies.
- The city hall complex fire alarms, along with all the wells would have to be monitored by another agency.
- Under the MPSIS model, the number of video cameras being monitored live now would be reduced from 12 down to 2. Under the Dane County model, no cameras would be monitored.
- Officers who may be out at the police department with a prisoner would have no one to call for back up if they were to become engaged in a physical altercation at the PD. Currently our dispatcher can hear/monitor these officers and call for appropriate back up if needed.
- Outside agencies (i.e. State Patrol, DNR, etc.) would be unable to access the police department to process arrests (OWI) without calling a Monona PD officer off the road to allow them access to the building.

- Runs parking ticket data
- Transfer callers to appropriate city voicemail boxes
- Serve as a member of the shift team and is briefed on all shift activities
- Provide background checks for business licenses
- Provide information, directions, and general assistance to public
- Assist with emergency operations center duties
- Serve as TAC officer and provide TIME training for department
- Serve as key pick up location for park shelters, meeting rooms, etc.
- Monitors park cameras
- Provide information to the community regarding crime, traffic and media alerts

The 2012 communications center budget is \$492,412. Approximately 84% of the budgeted expenses are personnel-related costs. The communications center plans to purchase two IP dispatch consoles and a gateway to accommodate the new DaneCom radio system. These purchases are estimated at \$200,000.

The City of Monona

The Monona communications center was formed in 1961. It serves 7,533 residents, 20 sworn officers, and the fire department. The center is housed in the police department and is staffed twenty-four hours per day by four full time and three part time communicators. Three full time communicators work a five days on, two days off, five days on, three days off, five days on, two days off schedule. One full time communicator works a five days on, two days off, five days on, two days off, four days on, three days off rotating schedule. These communicators also serve as the police department's record staff. They type police reports, enter citations into the department's software, process citation payments, and staff the public window.

A Police Lieutenant has direct oversight of the center's day-to-day operations. There are two dispatch consoles available for use in the center, with only one staffed outside

of special events. The center communicates on the City of Madison's 800 MHz radio system.

The communications center is a PSAP and accepts all 9-1-1 land line calls for the City of Monona. Cellular 9-1-1 calls are automatically routed to and answered by DC PSC, where a call taker there gathers pertinent information and transfers any police or fire calls to the Monona Communications Center for final dispatching of those resources. EMS resources, in contrast, are dispatched by DC PSC. Monona communicators answered 1,694 land line 9-1-1 calls in 2010.

The center also answers all non-emergency and administrative calls for service. In 2010, the center answered an estimated 14,400 non-emergency calls and processed 14,874 calls for service. In addition to answering phones and dispatching officers, the communicators also handle several other duties:

- Monitor building security cameras and alarms
- Monitor fire alarms for other City buildings
- Run data for municipal court
- Manage location information in software
- Pre-alert EMS personnel to incoming calls prior to county dispatch
- Serve as after-hours contact for the City
- Enter and update contact information in CAD software
- Record officer-initiated activity not otherwise recorded
- Run data for officer reports
- Process warrants
- Serve as initial response to walk-in complaints
- Answer calls regarding citations, payments, parking, etc.
- Maintain business contacts and key holder information
- Provide timely research of subjects during call with cad/records software, internet, jail files, etc.
- Maintain vacation watch registry
- Manage CIB validations and enters/removes stolen articles in NCIC

- Runs parking ticket data
- Transfer callers to appropriate city voicemail boxes
- Serve as a member of the shift team and is briefed on all shift activities
- Provide background checks for business licenses
- Provide information, directions, and general assistance to public
- Assist with emergency operations center duties
- Serve as TAC officer and provide TIME training for department
- Merge master name index files
- Type officer reports
- Enter person, property, and vehicle information into officer reports as needed
- Prepare reports for intake at the Dane County District Attorney's office
- Review citations for accuracy and confirm transmission into software
- File citations and reports for municipal court
- Upload traffic crashes to website
- Scan report attachments into laser fiche
- Manage parking citation process (court dates, letters, suspensions)
- Process citation payments
- Process payments for records requests
- Enter self-reports into software
- Answer after hours calls for public works for trees down, water main breaks and well alarms

The 2012 communications center budget is \$353,103, which does not include the wages for the position supervising the center. Future capital expenditures planned for the center include replacement dispatch consoles, six computer monitors, and possibly Motorola 800 MHZ radios.



CAPITAL IMPROVEMENTS REQUEST FORM

1. Project Name: Police - Squad Car and Equipment
2. Year Proposed: 2017 Rank: 1
4. Requested By: Police
5. Prepared By: Walter J. Ostrenga, Chief of Police

6. Project Description and Justification:

This project is for the replacement of one marked (1) police vehicle.

Vehicles anticipated for replacement in 2017 are:

1. 2014 Ford Explorer

7. Total Project Cost: **\$41,000.**

Component Costs: Project includes the purchase of one marked (1) police vehicle.

This allows funding for the vehicle, equipment and changeover costs. Changeover

- A. costs would include striping out equipment from the old car, installation of equipment in the new car, exterior marking and the need to replace aging equipment (light bars, sirens, control units, etc.). The new model vehicles require a substantial investment, as much of the old equipment is not compatible. We are also going to a new upfitter for 2017, as our current vendor is retiring from doing this service.

- B. Source of Funding:





CAPITAL IMPROVEMENTS REQUEST FORM

1. Project Name: Police – Squad Video
2. Year Proposed: 2017 Rank: 2
4. Requested By: Police
5. Prepared By: Walter J. Ostrenga, Chief of Police

6. Project Description and Justification:

This project is for the purchase of one (1) Panasonic Arbitrator HD Digital Video recording unit to be placed in one of our newer squads. To date we have replaced several other squads with the new HD systems and it is very evident the new technology produces better evidence. As vehicles are replaced we try to also update the video equipment.

7. Total Project Cost: **\$6,250**

- A. Component Costs: Project includes the purchase of one (1) Panasonic Arbitrator HD Digital Video system and installation.

B. Source of Funding:





CAPITAL IMPROVEMENTS REQUEST FORM

1. Project Name: Police – Squad Laptops x 2
2. Year Proposed: 2017 Rank: 3
4. Requested By: Police
5. Prepared By: Walter J. Ostrenga, Chief of Police

6. Project Description and Justification:

This project is for the replacement of two (2) Squad Car Laptop Computers, printers, docking stations and one (1) Modem with GPS antenna system.

The squad laptop computers currently in use are Panasonic Model CF-31's that were placed in service in 2011. They would be replaced by the most current model at the time of purchase. The distributor in this area is Baycom, Inc. located in Green Bay, WI. The average useful life of this type of computer is generally three to four years.

7. Total Project Cost: **\$11,000**

- Component Costs: Includes two (2) laptop computers and printers @ \$4,758.00 each and all necessary hardware to install them.
- A. One (1) AirLink modem with GPS antenna system @ \$900; and installation and support @ \$500.

B. Source of Funding:





CAPITAL IMPROVEMENTS REQUEST FORM

1. Project Name: Police – LPR System
2. Year Proposed: 2017 Rank: 4
4. Requested By: Police
5. Prepared By: Walter J. Ostrenga, Chief of Police

6. Project Description and Justification:

This project is for the purchase of a Mobile LPR (License Plate Recognition) System.

This proposal is to purchase a Mobile LPR System. As a member of the MULTIJURISDICTIONAL PUBLIC SAFETY INFORMATION SYSTEM (MPSIS), Monona is the only agency of the five members to not have an LPR system in place. In fact, all of the other agencies have multiple LPR systems in operation. Even Dane County is in the process of procuring an LPR system and will incorporate it into the MPSIS group. These systems are extremely helpful in locating and tracking criminal activity. With the increasing numbers of fraud, theft and other more serious crimes, this would be an excellent crime solving tool to add to our departments operations.

7. Total Project Cost: **\$22,000.00**

A. Component Costs: Project involves the purchase of a 3M Mobile Four-Camera System, Mounting Equipment, license, and installation.

B. Source of Funding:





CAPITAL IMPROVEMENTS REQUEST FORM

1. Project Name: Police – TASER Replacement x 2
2. Year Proposed: 2017 Rank: 5
4. Requested By: Police
5. Prepared By: Walter J. Ostrenga, Chief of Police

6. Project Description and Justification:

Starting in 2011, all the TASER's will be over 5 years old and the warranties will start to expire. It is recommended that a replacement plan be initiated that will gradually phase in new units. The TASER has proven to be an excellent tool that has defused many tense situations with their mere presence visible on the officer's belts.

We have several units that are out of service, with expired warranties and cannot be repaired. We anticipate that some of the older units will still work, but being out of warranty they could fail at any time as they are constantly exposed to adverse weather, temperature and conditions where they can be bumped or dropped that could lead to a malfunction.

By phasing in replacement units a few at a time we will be better able to maintain a supply of working units.

7. Total Project Cost: **\$5,600**

Component Costs: X2 TASER \$1395.39; Holster \$68.15 and TASER CAM \$708.82.
\$2172.36 Two (2) units = \$4,344.72

A.

X2 cartridges are \$32.90 each. A case of 10 = \$329.00.
Four (4) cases = \$1,316.00

B. Source of Funding:





CAPITAL IMPROVEMENTS REQUEST FORM

1. Project Name: Police – Emergency Squad Equipment
2. Year Proposed: 2017 Rank: 6
4. Requested By: Police
5. Prepared By: Walter J. Ostrenga, Chief of Police

6. Project Description and Justification:

This project is for the purchase of Emergency Squad Equipment.

This proposal is to purchase Emergency Squad Equipment to equip all the squads in a uniform manner. Some equipment is worn out and in other cases we don't have critical equipment for all the patrol squads. Items to be purchased would include: One (1) AR-15 rifle (with scope, light, and sling); sixty (60) AR-15 magazines; squad equipment storage boxes; another AED and other miscellaneous emergency equipment. These items would exceed our operations budget and would be expected to last beyond 5-10 years of use.

7. Total Project Cost: **\$6,000.00**

- A. Component Costs: Project involves the purchase of miscellaneous Emergency Response Equipment.
- B. Source of Funding:



CAPITAL IMPROVEMENTS REQUEST FORM

1. Project Name: Police – Training Equipment
2. Year Proposed: 2017 Rank: 7
4. Requested By: Police
5. Prepared By: Walter J. Ostrenga, Chief of Police

6. Project Description and Justification:

This project is for the purchase of Training Safety Equipment.

This proposal is to purchase safety equipment used by our department during in-service training. We stress practical hands on training scenarios that require students to demonstrate hands on defensive and de-escalation tactics. For the protection of the instructors they need to wear protective suits to reduce the chance of injury. We also use training weapons that make it impossible to fire any live ammunition during simulated exercises, such as active shooter training. Some of the more expensive items would include: Redman WDS (weapon defense suits) (\$1,600 each); Taser Instructor Suit (\$600 each); Glock FX Training conversion kit (\$520 each + cost of weapon); AR-15 FX Training conversion kit (\$800 each). These items would exceed our operations budget and would be expected to last beyond 5-10 years of use.

7. Total Project Cost: **\$10,000.00**

A. Component Costs: Project involves the purchase of miscellaneous safety equipment.

B. Source of Funding:



Redman WDS Suit



Taser Suit



FX Simunition Training



CAPITAL IMPROVEMENTS REQUEST FORM

1. Project Name: Logging Recorder
2. Year Proposed: 2017 3. Rank: 1
4. Requested By: Emergency Communications
5. Prepared By: Walter J. Ostrenga, Chief of Police

6. Project Description and Justification:

This project is for the replacement of the Logging Recorder.

The current logging recorder in the Dispatch area is in use 24 hours a day to record all incoming and outgoing phone calls and radio traffic to the dispatch center. The current logger was purchased in 2011 and will be out of warranty in January of 2017. It has well exceeded its normal lifespan.

7. Total Project Cost: **\$19,500.00**

- Component Costs: Include NexLog 740 base system, power supplies, DVD drives, license fees, programming and installation, 5-year extended warranty (to January 2023), 7" color LCD touch screen display and call evaluation software.
- A.
- B. Source of Funding:





CAPITAL IMPROVEMENTS REQUEST FORM

1. Project Name: Dispatch Computer
2. Year Proposed: 2017 3. Rank: 2
4. Requested By: Emergency Communications
5. Prepared By: Walter J. Ostrenga, Chief of Police

6. Project Description and Justification:

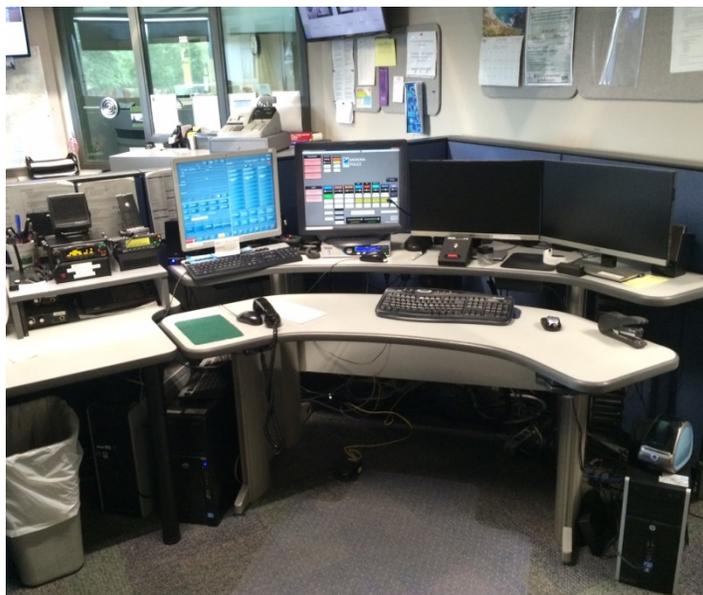
This project is for the purchase of a new dispatch computer with a new dual video card for the dispatch center. This equipment is operated 24 hours a day, 365 days a year and requires that we replace the primary dispatch computer every two years. The backup dispatch computer should be replaced using the same calculations as other computers, which is on a three to four year cycle. Monitors are fairly inexpensive and can be replaced as they show signs of excessive wear or failure.

7. Total Project Cost: **\$2,500.00**

Component Costs: \$2,500.00 per unit to include installation costs. In 2017 we are

- A. replacing the backup dispatch computer with dual video card. This computer has been in use since 2012.

- B. Source of Funding:





CAPITAL IMPROVEMENTS REQUEST FORM

1. Project Name: Dispatch – Additional Video Cameras for City Hall and DPW
2. Year Proposed: 2017 Rank: 3
4. Requested By: Emergency Communications
5. Prepared By: Walter J. Ostrenga, Chief of Police

6. Project Description and Justification:

There is a request to install two (2) additional cameras to the exterior of the DPW garage; and one (1) additional interior camera to the front of City Hall. Also as part of the camera replacement program, there is a proposal to replace five (5) of the older interior cameras with new IP cameras in the City Hall and Police Station.

7. Total Project Cost: **\$11,500.00**

A. Component Costs: Each new IP interior camera is \$1,200.00; each IP exterior camera is \$1,900; and additional expenses for providing power outlets and wiring.

B. Source of Funding:



Exterior Camera



Interior Camera



CAPITAL IMPROVEMENTS REQUEST FORM

1. Project Name: Dispatch Chair
2. Year Proposed: 2017 3. Rank: 4
4. Requested By: Emergency Communications
5. Prepared By: Walter J. Ostrenga, Chief of Police

6. Project Description and Justification:

This project is for the replacement of office furniture.

The dispatch chairs are used 24 hours a day, 365 days a year, and take an incredible beating. Two (2) new chairs were purchased in 2008 and 2009 with an expected 5 year lifespan.

Proposal is to replace one (1) of the dispatch chairs in 2017.

7. Total Project Cost: **\$1,800.00**

A. Component Costs: \$1,800.00. Replacement of one dispatch chair.

B. Source of Funding:





CAPITAL IMPROVEMENTS REQUEST FORM

1. Project Name: Cash Register
2. Year Proposed: 2017 3. Rank: 5
4. Requested By: Emergency Communications
5. Prepared By: Walter J. Ostrenga, Chief of Police

6. Project Description and Justification:

This project is for the replacement of the Cash Register.

The current cash register in the Police/Dispatch area is used on a daily basis and is used to track fines and fees paid to the City of Monona Police Department and the Court Clerk's office. This item was purchased in 2008 and has well exceeded its normal lifespan. One of the issues we have during the annual audits is that our cash register does not allow for a more detailed receipt for record keeping.

7. Total Project Cost: **\$500.00**

A. Component Costs: \$500.00. Replacement of current electronic cash register.

B. Source of Funding:



**Resolution 16-
Monona Common Council**

**PURCHASE APPROVAL OF FIRE DEPARTMENT COMMUNICATION SYSTEM
UPGRADE TO INCORPORATE FREQUENCY ON THE DANECOM SYSTEM**

WHEREAS, maintaining a highly operational communication system is critical to the operation and safety of the Fire Department; and,

WHEREAS, the 2014 Capital Budget included funding in the amount of \$6,500 for the purchase of a port on the Fitchburg gateway equipment to connect the Monona Fire Frequency to the DaneCom system; and,

WHEREAS, the actual cost of the gateway port will be \$8205.38, determined by equally dividing the total cost by the number of ports; and,

WHEREAS, the Gateway connection is essential for interoperability of communications to all surrounding county fire departments; and,

WHEREAS, the Gateway port scheduled for purchase was only part of the equipment and does not include the control station equipment that will need to be purchased; and,

WHEREAS, the City received a proposal on February 24th, 2016 from General Communications, for the purchase of the control station and installation in the amount of \$7115.00; and,

WHEREAS, on July 27, 2016, the Public Safety Committee reviewed the proposals and has recommended the purchase of a port on the Fitchburg Gateway and the purchase of the control station from General Communications for the combined price of \$15320.38.

NOW, THEREFORE, BE IT RESOLVED, by the Common Council of the City of Monona, Dane County, Wisconsin, that the proposal submitted by the City of Fitchburg and General Communications for stated communications equipment in the amount of \$15,320.38 is hereby approved, and staff is authorized to proceed with the purchase.

Adopted this 1st day of August, 2016.

BY ORDER OF THE CITY COUNCIL
CITY OF MONONA, WISCONSIN

Robert E. Miller
Mayor

ATTEST:

Joan Andrusz
City Clerk

Approval Recommended By: Fire Chief – 6/20/16

Council Action:
Date Introduced:
Date Approved:

MEMORANDUM OF UNDERSTANDING
BETWEEN
CITY OF FITCHBURG
-AND-
CITY OF MONONA

This Memorandum of Understanding (MOU) is intended to document the intentions of The City of Fitchburg, a Wisconsin municipal corporation (Fitchburg) and the City of Monona, a Wisconsin municipal corporation (Monona) to share certain communications facilities owned by Fitchburg in order to improve public services communications in the geographical area of Monona.

WHEREAS, Fitchburg owns radio communications equipment, towers and related facilities, including an interoperability gateway allowing the interface between Fitchburg communications system and the Dane County Communications system (DaneCom); and

WHEREAS, Fitchburg has excess capacity in its gateway; specifically, unused communications ports on the gateway that Fitchburg does not anticipate that they will ever need to meet Fitchburg's communications needs; and

WHEREAS, Monona's communications with DaneCom are insufficient to provide full coverage and suitable building penetration within certain areas of Monona, and it is believed that by utilizing the unused gateway ports in Fitchburg's system, the deficiencies can be minimized or eliminated;

THEREFORE, Fitchburg and Monona have reached an understanding to allow Monona to use the unused port(s) on Fitchburg's gateway indefinitely.

Monona shall be solely responsible for the costs of selected port(s), installation, repairs, maintenance and operation of all equipment necessary to allow for radio signals between Monona and DaneCom to utilize Fitchburg's gateway.

Monona shall assure that Monona's equipment does not cause unreasonable damage to any building or structure of Fitchburg and does not interfere with the operation of Fitchburg's radio signals. The parties anticipate that the installation of the equipment will require attachment of an antenna on the roof of Fitchburg's building at 5520 Lacy Road using common fasteners on an existing rooftop equipment, but that no structural or significant change in any building or structure will otherwise be made. Monona shall repair any damage to Fitchburg's building or structures caused by Monona's equipment or the installation or maintenance thereof. In addition, Monona will use rack space in Fitchburg's transmitter room to place radio control stations which will be interfaced to the unused port(s) on the gateway.

Monona shall be afforded access to its equipment twenty-four (24) hours per day, seven (7) days per week.

The parties intend that this MOU will continue indefinitely. However, in the event Fitchburg determines it necessary to discontinue Monona's use of Fitchburg facilities, it shall give Monona 180 days notice so that Monona can make alternative arrangements for facilitating emergency communications.

This MOU incorporates the entire understanding of the parties relating to the specific subject matter addressed herein and supersedes any prior discussions or understandings related thereto.

City of Fitchburg

City of Monona

By: _____
Steve Arnold, Mayor Date

By: _____
Bob Miller, Mayor Date

Attest: _____
Patti Anderson, City Clerk Date

Attest: _____
April Little, City Clerk Date