

**CITY OF MONONA  
PUBLIC SAFETY COMMISSION  
Wednesday- January 27, 2016**

**MINUTES**

1. **Call to Order:** Chair Holmquist called the meeting to order at 6:00 pm.

2. **Roll Call:**

**Commissioners Present:** Holmquist, Fadness, Hoelzel, Hanson, Bisbee, Fontaine, Reed and Kitslaar.

**Commissioners Excused:** Thomas.

**Staff Present:** Police Chief Ostrenga, Police Detective Sergeant Losby, Police Detective Bomkamp and Fire Chief Sullivan.

3. **Minutes:** A motion was made by Fadness and seconded by Fontaine to approve the minutes of the October 28, 2015 meeting. Motion approved unanimously.

4. **Appearances:** None for items not on the agenda.

5. **Unfinished Business**

**a) Discussion/Action on Volunteer FD Staffing** – Chief Sullivan updated the PSC on the status of the Fire Department. The department is up to 33 Paid on Call Volunteers, 7 Full Time and 1 Intern. They are currently in a hiring process for another full time member and will start recruiting interns once that is complete. The goal is to have another full time firefighter/paramedic on staff by March 1<sup>st</sup>. With the dissolution of the Blooming Grove FD, Monona has picked up 8-10 of their members; which has helped to bolster the Monona FD. Chief Sullivan advised that staffing levels are still the number one issue for the department. This commission and the City Council will need to find ways to fund the Paid-on-Premises program that the ad-hoc committee recommended.

**b) Discussion/Action on Junked Vehicles and Appliances on Private Property 10-5-8**  
Chair Holmquist stated this should remain on the table.

**c) Discussion/Action on the Bray Study**

Chair Holmquist reported this was discussed at last week's Planning Commission meeting, as infrastructure issues are included in the Draft Comprehensive Plan. Chief Ostrenga reminded the PSC that a historical summary dating back to 2011 was reviewed at the last meeting. Infrastructure issues were mentioned for Police, Dispatch and Fire in the Draft Comprehensive Plan.

On conclusion of discussion, topic would be addressed at future meetings.

## **6. New Business**

### **a) Discussion/Action on amending Possession of Controlled Substances; Marijuana 11-2-9.**

#### **Appearances:**

Nate Petreman, 612 Femrite Drive, Monona, spoke in favor of amending the Monona Ordinance to reduce possession in a public place to a \$1 fine. He talked about the nonbinding polls that indicated the residents of Dane County and the City of Monona were in favor of decriminalizing possession of marijuana; how minorities are punished disproportionately more than whites on these types of offenses; and asked that this be sent to the common council for action.

The following all did not speak, but registered in favor of amending this ordinance: Greg Kinsler, 712 McClellan Drive, Madison; Karen Kinsler, 712 McClellan Drive, Madison; and Gary Storch, Pub 3410, Madison.

Chair Holmquist asked Detective Sergeant Losby to start the discussion on this proposal. He reported that in August of 2015, he had met with Petreman, along with Alderman Holmquist and Chief Ostrenga to discuss his proposal. During that meeting some of the items of concern were cleared up, as ordinance violations are considered civil forfeitures and not criminal offenses; possession of 25 grams or less of cannabis are not prosecuted criminally by the DA unless there are extenuating circumstances; Losby indicated there is a trend to legalize marijuana and Petreman had created a draft ordinance that would make it legal to possess marijuana in a private place and if they were using it in a public place it would be a \$1 fine. Losby made some changes to that proposal, as it would not be proper for juveniles to use marijuana. After further consideration it might be better to have 21 as the cut off age to be in line with alcohol consumption. We don't send cases downtown for criminal charges unless they are serious cases, i.e., large amounts, trafficking, etc. It might be an option to just eliminate the ordinance all together for adults, as it would be a waste of resources for officers to write a ticket for \$1, as it could also impact the municipal court.

Chief Ostrenga advised the PSC that there was a case last year where a person was successfully charged through the DA's office for a very small amount (11 grams), but that person was party to another crime that involved a shooting at a local business. Ostrenga provided hard copies of: #1: Current Ordinance; #2 Nates Proposal; and #3 Losby's Proposal. Information was obtained from the Dane County Executive's office with a listing of fines county-wide for possession of marijuana that range from \$1,000 to less than \$100. The trend with several communities is to reduce the fines to \$1 for adults. Fitchburg recently reduced their fine from \$1,000 down to \$1, however they add court costs so the ticket would be \$62.26 for 21 and older; the current fine in Monona is \$200 plus court costs for a total of \$313.

Ostrenga agreed the national trend seems to be moving towards decriminalization of marijuana, which has had an effect on Federal and State drug forfeiture cases. Based on this trend it might be time to examine this ordinance, but that should be a city council decision as he is not convinced the time is right to do away with it. It should not be about money, but the fiscal impact to consider is that in 2015 there were 77 citations issued,

which is equivalent to \$24,101 in revenue the city would collect if they were all paid. If this ordinance were reduced to a \$1 fine, that amount would be reduced to \$77. Another concern is residents in apartment complexes. Without this ordinance we would not be able to cite people smoking marijuana in their private residences, even when it is having a negative effect on their neighbor's quality of life. Rather than have a separate Juvenile section, I think an adjustment to fines for over and under 21 would be more appropriate, as it would tie in with alcohol consumption.

Detective Bomkamp explained the current Madison ordinance, which allows possession of marijuana in a private residence.

After discussion of the Madison ordinance, (with the aid of Detective Bomkamp), drug paraphernalia, and children that might be present during usage, and court costs; the PSC would like to see some edits to the proposal to include the following:

- Amend the ages to address under and over 21 years of age;
- Amendment to the drug paraphernalia ordinance;
- Amend the open intoxicant ordinance to include public use of marijuana; and
- Example of fines being eliminated or defined.

Item to be under old business for the next meeting.

**b) Discussion/Action on proposed Bridge Road signage – Ostrenga**

Chief Ostrenga presented information to the PSC on proposed changes to the stop signs at Bridge and Winnequah and at Bridge and Frost Woods. The Public Works Committee is going to be discussing this at their meeting on February 6<sup>th</sup>.

There are two proposals for Bridge and Winnequah. One would create a two-way stop control with the elimination of the current stop sign for westbound Bridge. The other would be to create an all-way stop-control, by placing a stop sign on the eastbound approach and the southbound turn lane.

For the intersection of Bridge and Frost Woods there is a proposal to make this a 3-way stop-control by placing a new stop sign on southbound Bridge.

This discussion was for information only, as the authority for signs and street markings is with the Public Works Committee.

**c) Discussion/Action on Resolution approval for Purchase of Police Squad Cars – Ostrenga**

There was a motion by Hanson, seconded by Reed, to approve the purchase of two new squad cars. Motion approved unanimously.

**7. Review Monthly Financial Reports: Law Enforcement, Fire Protection, Emergency Communications and Ambulance.** Chief Ostrenga and Chief Sullivan summarized the end of year 2015 budget totals.

**8. Discussion of future agenda items.**

Chief Sullivan discussed issues with stored lawn mowers and snow blowers being allowed to run in the garage attached to the FD.

Member Hoelzel wanted to know the status of the house next to city hall, as it is extremely unsightly. Holmquist asked that Jeremy Small provide a report for the next PSC meeting with a status on code enforcement.

Member Reed would like to meet the new City Administrator.

**9. Reports:**

**Fire:** Chief Sullivan advised on 2015 call volume and how revenues can fluctuate based on the age of the patients. The new fire truck has been ordered and is expected to be delivered in October. The new Plymovent vehicle exhaust system is installed and crews will be trained on it the first week of February. The FD will be conducting Ice Rescue training the 2<sup>nd</sup> and 3<sup>rd</sup> Tuesdays of February and he invited all committee members to come out and watch or participate in the training if they are available.

**Police:** Chief Ostrenga said the department's projects in the PD and Dispatch are complete. There is a potential contract settlement with the police union, whose contract expired on 12/31/15. Jon Fenrick resigned earlier this month and returned to the Wisconsin State Patrol. Heather Mielke has passed the background investigation and is scheduled to be sworn in at 9 am on 2/1/15. This brings staffing up to full strength, but 2 officers will be in field training.

**Building Inspection:** No Report

**11. Next meeting date:** The next scheduled meeting will be on February 24, 2016

**12. Adjournment** Motion was made by Fontaine and seconded by Fadness to adjourn. Motion approved unanimously at 7:44 pm.