

PUBLIC SAFETY COMMITTEE

May 18, 2020

The Public Safety Committee of the Village of Mount Horeb met virtually on the above date at 6:00 p.m. Chairperson Jason Fendrick called the meeting to order at 6:06 p.m. All members were present except Steve Holum and Jessica Jackson. Mount Horeb Police Chief, Doug Vierck, and Village Administrator, Nic Owen, were also present.

PUBLIC SAFETY COMMITTEE MINUTES

Cathy Scott moved; Mike McNall seconded to approve the February 17, 2020 meeting minutes. Motion carried.

PUBLIC COMMENTS

Jason Fendrick explained that this would be the time to comment on something in general, however, if an individual wanted to comment on something that is on the agenda, those comments would be taken at that time. Joe Drapeau indicated he had some comments regarding agenda item #5, and that he would wait for that discussion.

POLICE CHIEF REPORT

Chief Vierck indicated he has been with the department just short of 100 days. During that period of time, several things have been addressed. The department has worked through the Covid-19 global pandemic and we are now beginning to try to figure out how to get out of that. Chief Vierck did an analysis of the major functions of the department. Policies and procedures are being updated to get up to best practices. A strategic plan has been created to develop tracking equipment planning and budgeting. An oversight committee is being created to help plan development and training for the department.

Major incidents over the last 100 days, we assisted Dane County in clearing a homicide case. We had an armed subject at McDonald's. We had multiple drug arrests. There was a fatal fire. We assisted Iowa County with ending a pursuit for a reckless homicide suspect. We had a robbery and battery and a juvenile death this past week. It's been pretty chaotic for the last 100 days.

The department has also undergone several staffing changes. We have hired three officers. The school resource position was created and Officer Rosemeyer was selected to fill that position. The department is starting the process to hire two Sergeants instead of one Lieutenant. Officer Zander retired on April 13, 2020.

DISCUSS PEDESTRIAN CROSSWALK SIGNAGE AND OPTIONS AT SPRINGDALE & 8TH STREET

This was a continuation of discussions from previous meetings. Andy Winga, a representative from the Wisconsin Department of Transportation began the discussion. Wisconsin DOT has also had staffing turnovers as well and the previous two people that have worked on this subject have moved on. Andy is familiar with the intersection in question and after reviewing the intersection, DOT has determined that no additional signage needs to be added and that the current signage meets standards and is in the property place.

One of the DOT staff members and Andy had a previous conversation about this and there was some discussion about putting in RRFB (Rectangular Rapid Flash Beacons) at this intersection. Andy indicated that is an option that the Village could consider and DOT would permit that to the Village. It's not a common installation at a roundabout, in particular at a single lane roundabout. This particular roundabout is kind of a combination. There are a couple legs that have two lanes for a very short period. One of the two lane areas is the crossing where the accident occurred. In the general sense, the exits of the roundabout in the studies he has seen are more dangerous than the entrances for pedestrians. If looking at addressing certain things, he would recommend starting by looking at the exits and the multi lanes if the plan is to do something different.

Jason reiterated that if the Village would choose to put up the RRFB's that this is something that would be permitted by DOT and it would not be prohibited. Andy indicated that it is allowed. He stated it would be an expense that would be borne by the Village. DOT would give the Village a permit and then the Village would be responsible to pay for the installation, maintenance, repairs, etc. Andy stated that DOT and the Village would have to work together because generally that device goes in conjunction with the sign and the sign is DOT's. The details would have to be worked through.

Andy would recommend placing RRFB's at every single crossing. That is a lot of equipment to put at a fairly small intersection. He stated it is not a common treatment and it could get relatively expensive. He looked at crashes from the past 10 years back and the only pedestrian crash was the one from December. There is not a pattern of pedestrian crashes at this intersection, so that is one thing to take into consideration.

Jason asked if there would be any other traffic calming that would be allowed or not prohibited within a ½ block to a block of entering the roundabout to slow traffic down before entering the roundabout so people are not exiting the roundabout at a faster pace than they should be. Andy explained that the roundabouts are designed inherently to slow traffic down. They are traffic calming and they force people to slow down. Narrowing it up, which has some impacts on the operation and design of it, is the only thing Andy could think of. There are some treatments that other communities have tried, but he is not sure if they have been successful, i.e. flags. Any place a pedestrian is going to cross there is always going to be the potential for some kind of issue. The pedestrians have to make

sure they are being cautious as well. The RRFB's are a good device to help draw attention to the crossing and the one thing that is nice about them is they draw attention to the sign themselves. In theory, the drivers will see the flashing, which will then draw their attention to the crossing and the place where the pedestrian is standing. But, the concern with them is that they are pedestrian activated and you need to educate people that just because you hit the button doesn't mean people are going to stop. Just because you push the button doesn't necessarily make it safer.

Jason asked if we have flags at that intersection right now. Nic indicated that we did have them by the real estate office, but he wasn't sure about the other side. The main problem we have seen with flags is that they have a tendency to disappear and they are not a big help.

Cathy Scott has a note from January stating showing that Tapco RRFB solar signs are \$7,500.00/sign. Andy stated that Tapco is a distributor out of Milwaukee that supplies the majority of the RRFB's. Cathy wanted to clarify if RRFB's are \$7,500.00 per sign. Andy does not know the price, but he has heard from other communities that for a set they are usually in the teens, so that would sound about right. You would want one on each side and on the two-lane area, you would probably want to put one in the median as well. He is not sure if the islands are big enough.

Cathy questioned who designed the roundabouts – the Village or DOT. She also wondered if they were designed by DOT years ago, would they be designed the same way as they are now. IT was a DOT led project. He believes an outside consultant was hired. Over time periods, they have made changes and minor adjustments to the way they are designed. Overall, the roundabout designs are pretty similar, especially in the lower speed versions. Mike McNall stated he was on the board when the Village had the option of stoplights or roundabouts. The state came out and made a presentation for the roundabouts and he believed that the state designed the roundabout as well.

Joe Drapeau took the floor at this time and stated he likes the discussion because he thinks something beyond the flags needs to be done. He doesn't feel the flags are beneficial. He understands the RRFB's are expensive, and he doesn't know if it's worth putting them on all four sides of the roundabout. He encourages doing some kind of signage or RRFB's to bring more awareness to the drivers that people are trying to cross. Joe appreciates DOT's comments and the continued thoughts about RRFB's.

Rebecca Cullen took the floor. She is the mother of the teenager who was involved in the incident. She highlighted that his twin brother had to jump out of the way in order to not get struck by the same driver. She extended her thanks to DOT and the committee to address the situation. She thanked Andy for clarifying the state's guidance as far as signage. She asks that the Village consider additional lights or signage. She understands it is expensive and she's not sure every point in that intersection needs to be signed, but she feels that at least a couple through the main traffic areas be considered. She appreciates the efforts to look into this and asks the Village to fund some additional signage at this intersection.

Jason indicated that in earlier conversations, there was some discussion about the possibility of some funds being available to help cover any costs – Safe Path to School type of program. Nic stated early on when this happened, we talked to the school district about doing a Safe Routes to School grant application for any other signage or improvements. Nic suggests we talk to the school to determine what signs would be good here as well as other places in the Village and then make a bigger grant application to the Safe Routes program.

Nic will bring information back to the committee at a later meeting pricing and the financial options for RRFB's. Jason thanked Andy for clarifying that RRFB's could be installed if the Village chooses to go this route. Jason asked Nic to move forward to start getting some pricing down. Cathy and Mike agreed. Mike stated when the roundabout was put in and the presentation made to the Village about it, it was designed to be 15 miles per hour. Mike asked if some additional signage such as strictly enforced 15 mile per hour speed zone entering the roundabout would help. Jason asked Chief if the speed trailer could be put up at that intersection. Chief will talk with the Community Service Officer to see if we can get the speed trailer in that area. Jason mentioned this would be a good first step.

No further discussion from the members of the committee regarding this topic. Jason thanked Andy, Joe and Rebecca for their time and input. This topic will be on a future agenda for the committee.

DISCUSS RELEASE OF NAMES IN POLICE SUMMARY REPORTS

Jason turned this discussion over to Cathy. Cathy doesn't see why the names aren't released. She mentioned years ago the names were in the paper. Then the laws were changed and the names were taken out. Around 2014, the laws changed again so the names could be included. Many papers do include names based on what the towns decide and some do not.

Chief explained that there are two main parameters for releasing the names and information. One is the Driver's Privacy Protection Act, which is federal ruled. It was created for two reason 1) a growing threat from stalkers and criminals, and 2) states have a practice of selling information to businesses. It was to limit the release of an individual's personal information contained in driver's license records to those with a legitimate and lawful need for the information. This rule relates to information that should not be released; DL photo, DL number, SS number, name, address, telephone number, medical or disability information. DL photo, SS number and medical or disability information are considered highly restricted personal information. This was all created so this personal information isn't just released to anybody and isn't released out to the public unless there is a legitimate and lawful need for the information.

One of the exemptions to this is for any government agency in carrying out its function. So, in law enforcement, if making traffic stops and we have to verify information, we have

access to that. It's also why we have to restrict it as well, because we have that unrestricted access. One of the things that can be released is crashes. Crash forms are allowed to be released without redaction, which we do release. Cathy asked if the police department does that through the newspaper right now. She was requesting clarification about where they are released. Chief explained that if someone comes in and requests a copy, we release it.

As far as releasing names, etc., we have open records. Some of the exceptions to open records are juvenile information, any open or active investigations, and if releasing information would cause more harm than good. Domestic violence would be an example of that. It's Chief's job as the manager/protector of records to do the balancing act – what is need to know, what isn't need to know, what would ruin that policy, and what would be in violation of the policy.

Chief has worked with Matt Geiger at the newspaper regarding what should go in the newspaper and what shouldn't. It really isn't necessary for the name of every person who gets a speeding ticket. However, if it is someone who gets speeding tickets or driving through stop signs day after day after day, it then is a problem for the community and would be considered a danger, that should be released. Drunk drivers would be considered a danger to the community and should be released. We are releasing more names. Starting last week, every Friday Chief is releasing a list of all the incidents we have had throughout the week to Matt Geiger. He goes through and picks out the ones that would of particular interest to the newspaper and to the public in his eyes, and he asks for a copy of those reports. The reports are sent out after Chief reviews them to make sure none of the protected information is in them and then Matt is going to start posting those. Names will be released on a weekly basis through the newspaper. Chief is just making sure none of the restricted information is released. With major incidents, the Chief releases press releases for those almost immediately. Things that don't generate that much attention will be released to the newspaper on a weekly basis. Those include names of people who are arrested or cited depending on what Matt is looking for when he reads those. Cathy asked if that would include all OWI's. Chief responded that it would.

Jason asked if another media outlet would request that same information, i.e. the Wisconsin State Journal or even an online police watchdog/community information news site, would they be getting the same treatment that Matt Geiger is getting right now. Chief stated that as long as it was allowed under DPPA and open records, they would get the same record. He would use the same balance test.

Cathy questioned why the editor has the power to decide what to be put in the newspaper. The information is sort of being protected not by a rule, but being protected by a person. Jason mentioned that is why he asked the question because the editor has some discretion. But, if others were to request that information and they are getting that information in the same manner, we as the Village can't necessarily say that all papers have to print everything. That becomes more of a first amendment issue for the papers and it becomes an issue for more outlets to receive this information if they so choose.

Chief mentioned that he can't tell Matt what to print and what not to print unless there are specialty circumstances. Chief releases everything he legally can to Matt and then it is his choice as to what he prints and what he doesn't.

Cathy stated she is glad that the Chief is doing this. Chief stated it's a matter of what reduces the impact on the police department for records clerical staff to have to pull those reports and do those things and what gets the information out the best we can with minimal added work for the department. There may be changes down the road if something isn't working and as Chief gets further into this role, and make more connections with the greater Madison area media, there may be more requests and there may be more press releases sent out to other sources. This, at least, gets the ball rolling.

Cathy asked if Municipal Court releases the end result of someone who has been written up. Jason stated he has seen it before. Chief believes they do. Cathy asked if the reports give the names. Cathy asked what percent of our violations bypass Municipal Court and go to Dane County. Chief reported approximately 90% of the traffic violations stay in Mount Horeb Municipal Court. We keep as many of the violations as possible in Municipal Court to avoid having to take people to Dane County. The large majority stay in Mount Horeb. Often times it depends on the nature of the violation. Cathy asked if Dane County has the capability of doing a filter of their reports from Mount Horeb and release that if they have a vehicle to do it to the paper. Chief was not sure. Jason suggested Cathy speak with Matt Geiger about that. Jason stated from his personal experience as a practicing attorney, most of those records are going to be considered public. As far as convictions, those are public and he believes the Wisconsin State Journal will publish those from time to time, but there is not obligation for them to publish those.

Cathy and Jason thanked Chief for checking into this and for reviewing practices and adapting them to fit his personality and policy positions.

FUTURE AGENDA ITEMS

Jason stated that the biggest agenda item for the future is going to be to continue to look at options for the roundabout seeing what kind of cost options are and exploring available options for the school program to see if we can get some reimbursements for that and what the requirements would be for us to get those reimbursements.

Jason mentioned that another possible future agenda item would be to see some preliminary budget items for next year. Chief stated that he is already putting different things in place trying to access what we spent last year and figuring out what we have this year. Chief is looking at the needs and trying to reduce large capital purchases into regular recurring purchases to keep cycling equipment a little bit better rather than having to buy 10 or 20 computers all at once – maybe buy one or two a year and cycling them out. Chief stated he is hoping to have the preliminary numbers ready by early June.

The next Public Safety Committee meeting will be June 15, 2020 at 6:00 p.m.

ADJOURN

Mike McNall moved; Cathy Scott seconded, to adjourn at 7:02 p.m. Motion carried.

Respectfully submitted, Kit Witte, Mount Horeb Police Department Administrative Assistant.