

Minutes of the Protection and Health Committee (February 19th 2013)

A meeting of the Protection and Health Committee of the City of Prairie du Chien was held on Tuesday February 19th 2013 at 7:00 PM in the Council Chambers of City Hall. Chairwoman Jean Titlbach called the meeting to order.

1. Call to order/Roll Call

PRESENT – Jean Titlbach (Chairman), Mark Thein, Ken Fleshner, Frank Pintz ABSENT – Sharon Boylen

CITY STAFF ALSO PRESENT – Police Chief Chad Abram, Police Lieutenant Terry Sprosty, Police Sergeant Kyle Teynor, City Administrator Aaron Kramer, Mayor Dave Hemmer

2. Certification of the open meeting law agenda requirements and approval of the agenda

MOTION: Fleshner SECOND: Thein VOTE: 4-0

3. APPROVAL – Minutes of the January 29th 2013 meeting

ACTION: To approve MOTION: Pintz SECOND: Fleshner VOTE: 4-0

4. PUBLIC HEARING - Proposed non-metallic mining ordinance

At its January 29th meeting, the Committee agreed to hold a public hearing on the proposed Ordinance, which would only regulate future mining operations not current operations. Titlbach opened the floor to public input and comment. Dave Troester (Crawford County Land Conservation Department) addressed the Committee on the progress of passing similar ordinances in townships across the county. He said all except the Town of Bridgeport had either passed such ordinances or placed a mining moratorium in place while they considered an ordinance. He also presented a proposed service agreement between the City and the Land Conservation Department to possibly be used if the Ordinance passes. Ethel Drenberg (Wauzeka) questioned the Committee on why it had taken so long to pass such an ordinance in Prairie du Chien, and what the City planned to do about the Pattison Sand operations along the Highway 18 bypass. The City Administrator informed Drenberg that tonight's proposed ordinance does not address the Pattison operations, and it related to future mining operations. He also said the Ordinance, if passed, would be on the March 5th Council agenda.

5. ACTION on aforesaid agenda item

ACTION: To recommend the Council approve Ordinance 2013-03 (CREATING CHAPTER 12.41 (NON-METALLIC MINING REGULATIONS) OF THE MUNICIPAL CODE OF THE CITY OF PRAIRIE DU CHIEN, CRAWFORD COUNTY, WISCONSIN) with additional language defining a "dwelling" as used in the Fair Housing Code of the Municipal Code, and has staff reviewed the proposed services agreement between the City and Land Conservation Department before the March 5th Council agenda MOTION: Fleshner SECOND: Thein VOTE: 5-0

6. DISCUSSION AND ACTION – Wyalusing Academy

At the January 29th meeting, the Committee discussed several issues - creating a community-advisory committee, consisting of neighbors, law enforcement officials, Wyalusing personnel and city officials; lobbying state lawmakers to change the laws regulating facilities like Wyalusing in addressing disciplinary issues; inviting officials from Wyalusing to a Committee meeting to review and discuss the issues being discussed tonight; and considering an ordinance which would establish a surcharge for police calls which exceed an acceptable normal. Representatives from Wyalusing Academy (Mary Beth Specht, Executive Director, and Dave Rinder, Director of Clinical Services) and the Crawford County Social Services Department (Dan McWilliams) were in attendance. Considerable discussion was held on the service calls to the Academy and the state rules regarding detention and physical restraint. Specht provided the Committee with a copy of the state administrative code – DCF 52.42 (Behavior Management and Control). ACTION: To propose the following: 1) have staff draft a letter to Senator Shilling, Representative Nerrison, Governor Walker and the Secretary of Health and Human Services, with assistance from Wyalusing Academy, requesting changes be made to the physical restraint laws and policies, 2) have staff draft a resolution for the Committee to consider requesting the changes in state law covered in part 1 of the motion, 3) direct staff to draft an Ordinance creating a Wyalusing

Academy Community Advocacy Committee, consisting of five members (one alderman from the two representing the Wyalusing Academy area, appointed by the Mayor; one staff member from Wyalusing Academy, appointed by the Academy; one police officer, appointed by the Chief of Police; and two at-large community members, appointed by the Mayor, who work or reside within one mile of the Academy), to meet, at a minimum, quarterly to discuss neighborhood and city concerns and issues involving Wyalusing Academy and make policy and ordinance recommendations to the Protection and Health Committee, and 4) direct staff to draft a "Police, Fire and Emergency Services Cost Recovery Ordinance" MOTION: Pintz SECOND: Titlbach VOTE: 4-0

7. DISCUSSION AND ACTION - Proposed anti-cyberbullying ordinance

A proposed Ordinance was included the packet for the Committee to consider. This Ordinance would make cyberbullying a municipal code violation. Considerable discussion was held on the proposal, including its intent and application. The City Administrator said, if passed, the Ordinance would go before the Council on March 5th. ACTION: To recommend the Council adopt Ordinance 2013-04 (CREATING CHAPTER 9.34 (CYBERBULLYING PROHIBITED) OF THE MUNICIPAL CODE OF THE CITY OF PRAIRIE DU CHIEN, CRAWFORD COUNTY, WISCONSIN), with staff making some minor changes to the definition of cyberbullying as discussed by the Committee MOTION: Titlbach SECOND: Pintz VOTE: 4-0

8. ADJOURNMENT

The City Administrator informed the Committee its next meeting is tentatively scheduled for Tuesday March 12th to review and take action on a proposed Municipal Court.
MOTION: Pintz SECOND: Thein VOTE: 4-0

Submitted by City Administrator Aaron Kramer