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COMMUNITY DEVELOPMENT COMMITTEE MEETING
Tuesday, October 30, 2007

PRESENT: Alds. Birschel, Didier, Meaux, Minear, Treis -5

EXCUSED: Alds. Donegan, Herzog, Krill

ALSO A. Kesner, City Atty.; N. Welch, Community Dev. Dir.; Chief B. Weber, Police Dept.;
PRESENT: W. Kappel, Dir. of Public Works; W. Ramcheck, Public Works Prog. Analyst

Ald. Treis as Chair called the meeting to order at 8:10 p.m.

Recycling Ordinance Amendment for New Single Stream Program

Mr. Kappel reported that proposed amendments to Chapter 8.25 of the Code delete language associated with the blue bag recycling program and replace it with references to the single stream cart collection program that will begin in December. In addition, specific fee references are being removed and replaced with a reference to the consolidated fee schedule, which can more easily be amended, and penalty amounts have been updated with some increases.

Moved by Ald. Meaux, seconded by Ald. Birschel to recommend to Council introduction of the proposed ordinance. Ayes: 5

Future Consideration of Public Works Yard as Site of Regional Recycling Facility

Mr. Kappel reported that as part of the change from blue bag recycling to a single stream program, staff has been discussing a potential partnership with the City of Milwaukee and Waukesha County. The city's new Waste Management contract will now end at the same time as the Milwaukee and Waukesha County contracts, which would facilitate some joint negotiations, one consideration being to build one large, publicly owned recycling facility. Wauwatosa is in a unique position to potentially accommodate such a facility, having 80-plus acres of land located in close proximity to major transportation arterials. Referring to an aerial map of the public works site, Mr. Kappel noted that a minimum of five acres would be required (the smaller square on the map), and the maximum size would be about 10-12 acres (the larger square). The question at this point is only whether the Council would like this site to remain on the table for consideration as a potential site for a future regional recycling facility.

Asked by Ald. Meaux about potential fiscal impact, Mr. Kappel said that revenues would far exceed the cost of running the facility if all parties participated. Another option being examined is whether the private sector can provide the same thing at equal or better savings. On the question of potential traffic and its effect on nearby residential development, Mr. Kappel said that improvement of the Walnut Road railroad crossing would be needed to allow all truck traffic to access the site from Hwy. 100. The crossing would not be open to the public. Working with the railroad would take some time, but Mr. Kappel felt they would be amenable if they were not liable for the costs and the safety of the crossing were to be improved.

Moved by Ald. Meaux, seconded by Ald. Didier to recommend to Council that the public works yard continue as a potential option for a regional recycling facility –

Randy Geipel, 1225 N. 123rd Street, sought clarification of the railroad crossing's location in relation to the post office, and Gary Kandziora, 6124 W. Martin Drive, was concerned about the potential volume of truck traffic. Mr.

Kappel explained the location and said that a traffic study would be needed if the site is seriously considered. At this point, it is one of many on the table.

Vote on the motion, Ayes: 5

Conditional Use – 7327 W. Center Street

The committee reviewed a request by Valerie Richard and Roger Pumphrey for a Conditional Use for a daycare facility in the AA Business District at 7327 W. Center Street. The Plan Commission unanimously recommended approval. Ms. Richard, 3273 N. 51st Boulevard, Milwaukee, and Judy Moncree, 4172 N. 17th Street, Milwaukee, were present.

Moved by Ald. Meaux, seconded by Ald. Minear to recommend to Council approval of the conditional Use contingent upon hours of operation from 6 a.m. to midnight Monday through Friday and upon obtaining the necessary licenses and permits –

Ald. Birschel reported that it was reported at the Plan Commission meeting that the late night hours are for a limited number of people who might drop off children while they attend a movie or do some other activity. Elizabeth Sundeen, 914 N. 75th Street, then expressed some concern about children being there late at night hours. Ms. Richard and Ms. Moncree explained that they run two shifts because of parents' work schedules. Most who work second shift finish at 11 p.m.

Mr. Kappel said that one of the issues here is the best way to handle parking or drop off. There is currently all-day parking on the opposite side of the street. He recommends that the business apply for a loading zone adjacent to their building, which would allow for safe drop offs, and that there be no parking on the west side of the street. There would be no hardship for residents since the four-family building on the corner has a parking lot and residents could also park on Center Street. There is ample time to make these changes before the business opens. The applicant agreed with the proposals.

Vote on the motion, Ayes: 5

Conditional Use – 1244 N. 68th Street

The committee reviewed a request by Edward Polito, agent for AT & T, and Brookwood Pool, LLC for a Conditional Use to install a pad mounted fiber conversion cabinet in the Residential Planned Development District at 1244 N. 68th Street. The Plan Commission recommended approval 5-1.

Mr. Kesner reported that AT & T still hasn't reached an agreement to provide video programming in Wauwatosa even though they are currently doing so in violation of the law. The matter is pending before the legislature next week. Approval of this use would include the standard contingencies.

Ed Polito, 16510 W. Rogers Drive, New Berlin, said that this will be one of the smaller cabinets nestled within the apartment complex where no one besides residents of the complex will see it. Screening has been provided.

Moved by Ald. Didier, seconded by Ald. Birschel to recommend to Council approval of the Conditional Use contingent upon the standard contingencies for uses of this type. Ayes: 5

Conditional Use – 8612 Watertown Plank Road

The committee reviewed a request by Joe DeRosa for a Conditional Use for a bar expansion in the AA Business District at 8612 Watertown Plank Road. The Plan Commission unanimously recommended approval. Ms. Welch reported that a 150 sq. ft. expansion of the bar area at Eddie Martini's restaurant is proposed. Since the restaurant has

some shared parking with an adjacent daycare facility that does not need the spaces in the evening, the addition can be accomplished without any parking impact.

Moved by Ald. Meaux, seconded by Ald. Didier to recommend to Council approval of the Conditional Use. Ayes: 5

Proposed Public Nuisance Ordinance

City Attorney Kesner reported that the proposed ordinance expands the city's ability to address public nuisances by the use of ordinance citations. It is similar to ordinances in cities throughout the state. Public nuisance is a longstanding legal term with much case law behind it, he noted. He cautioned that the ordinance will not solve all nuisance problems, and a lot of discretion will be needed in its application given that no additional staffing is included. Everything that someone considers annoying will not rise to the level of public nuisance and—similar to speed limit and other traffic regulations—not everything that it covers will be enforced. It simply provides another tool for the city's various enforcement agencies to use in situations where other ordinances, such as those related to human health hazards or disorderly conduct, may not apply. Mr. Kesner noted that the Community Development Director should be added to the list of enforcement officials.

Ms. Welch outlined a number concerns, one being an expectation of enforcement. She reiterated that there is no additional staffing. Many cases could be addressed by clarifying the existing process and making sure it works better. There are very few hazards not covered by some part of the city code. The language in this ordinance is very broad, Ms. Welch said, but providing more enforcement on those items that are truly a threat to the safety and welfare of the citizens of Wauwatosa is not addressed by giving broader powers. Instead, a narrowing and ability to push through and enforce the issues would be more helpful. The difficulty in leaving this to the discretion of staff is that the property owner who believes he is being threatened by something a neighbor does is going to be unhappy if staff doesn't think it warrants enforcement. Residents do have the ability to hire a lawyer and take the matter to civil court, but this ordinance says they can start an action against a neighbor with just a phone call. Ms. Welch suggested thinking about what these powers are and focus on getting the difficult things done without broadening it so that city staff is overburdened with calls and expectations of what constitutes a problem.

The Chair suggested taking time to talk with the city attorney about some of the concerns. Ald. Meaux said that this was brought forward at his request and that of several others. He noted that Ald. Donegan had some questions at the previous meeting about the exact circumstances under which this would be applied. He felt it would be appropriate to further clarify and narrow the scope of the ordinance.

The Chair ruled that the matter should be brought back to this committee in four to six weeks.

Proposed Sex Offender Residence Locations Ordinance

City Attorney Kesner reported that much information has been exchanged since the last meeting and there has been a lot of community discussion on the subject of the proposed sex offender residence locations ordinance. Up to 20 communities in Wisconsin, and perhaps more, have similar ordinances, and a number have taken up the subject and determined not to proceed. There is much supporting documentation on the issue, but it hasn't been fully tested in the courts. The legislation as drafted provides a legal ordinance that can be enforced. There are arguments in both directions on its effectiveness in reaching its goals. It is up to the Common Council to make a policy determination on whether to move forward.

Ald. Didier read a statement regarding the ordinance. Its most important element, she believes, is that it would prohibit offenders from moving into Wauwatosa unless they lived here at the time of the crime. She noted that the map prepared by engineering staff shows that there are areas throughout the city where offenders could live outside the ordinance's 500 ft. safety zones, which makes the argument of pooling invalid. Besides allowing for residency, this does not make it impossible for offenders to find work. The ordinance also has an appeals process and a non-loitering aspect that empowers police to charge offenders. Ald. Didier said that there is no solid evidence that these

types of ordinances are counter-productive, as some have stated. The alternative of doing nothing is not acceptable. She referred to a Fond du Lac Reporter article in which the police chief advocates slowing everything down on sex offender restrictions and then read a statement from the police chief of Franklin where an ordinance is in place. The Franklin chief related incidents in which the ordinance helped remove three offenders from the city, two involving individuals who were on the state registry but were living within restricted limits and the other involving an offender who was operating an ice cream truck throughout the city. Ald. Didier advocated taking action and being proactive.

Joseph Mikolajczak, a Cudahy alderman, said he proposed the Cudahy ordinance and made it happen there. With a 500 ft. restriction and a loitering clause, it is almost identical to Wauwatosa's proposed ordinance. It also has penalties for rental or sale to offenders and includes an appeals process. There are 22 communities in Wisconsin with residency ordinances; their legality has not yet been challenged here. The Iowa Supreme Court has found them to be constitutional as did the Court Appeals for the 8th Circuit. Mr. Mikolajczak read a statement on an Iowa Supreme Court case in which they found that it is up to legislators to determine the best way to protect residents. Cudahy had over 50 offenders but only four committed the crime in Cudahy. He referred to reports that the sheriff's office found 11 offenders trick or treating this year. He challenged those who say that re-offense percentages are small to talk to the victims who represent that small percentage.

Gail Kowalkowski representing the Sexual Offender Registry Program, 3099 E. Washington Street, Madison, spoke of concerns about the unintended consequences of sex offender residency ordinances. She is responsible for registrants who are off of supervision and in the past six weeks has spent time training law enforcement officers about non-compliance. Wisconsin does hold offenders accountable and has the highest rate of compliance. Iowa's non-compliance rate has risen since their residency restrictions were enacted, and they are considering repeal of their law. It has been found that sex offenders go underground and non-compliance goes up. Ms. Kowalkowski urged the committee to think about the non-compliance rate and the intent of offender registration.

Dave Zerwick, 154 N. 86th Street, Children's Court employee, is familiar with cases of juveniles charged with sexual assault because of contact with someone under 13, which is first degree, or under 16, which is second degree. The importance of complete treatment needs to be emphasized, he felt. There is an excellent program in Milwaukee County dealing with juvenile offenders. The amount of energy and resources being directed at this issue is extensive, and it seems that there are ample protections in state and federal laws. He was concerned about the reported drops in compliance rates and the possibility of leaving people with sexual predilections homeless, making them more desperate and dangerous. It is better to have an address so they can be monitored as the law provides.

Lindsey Draper, 11111 W. Courtland Avenue, commented that there seems to be much more concern about families and children who live in the restricted zone than those in areas open to offenders, who are often mobile and not necessarily someone who lives in the neighborhood. This provides a false sense of security—it says we are tough but doesn't provide protection and might drive people into hiding. It is interesting that the offenders reportedly found by the sheriff were caught violating laws that were already in existence, not residency laws. .

Peggy Kendricksen, Assistant Regional Chief, Community Corrections, 4160 N. Port Washington Road, Glendale, said she supervises all the units of agents that work with all the sex offenders in Milwaukee County and was with county sheriff personnel on the trick-or-treat apprehensions. After working in this field for many years, she is not convinced that residency restrictions achieve what is intended. She has studied the research on this issue, which tells us that closely monitoring sex offenders is what works and what is being done. That is why they were out on Halloween. In Milwaukee County, the recidivism rate is 3% among people with whom they are working. They use a continuum approach of treatment, supervision and monitoring, the latter of which includes regular polygraphs of people on supervision. The state legislature has studied the residency issue, and the Coalition on Sexual Assault took a position against it because they didn't believe it would enhance community safety. They are endorsing creation of child safety zones where loitering would be prohibited, something that could be looked at more closely in the proposed ordinance. Sex offenders followed in Minnesota over a 16 year period were found to not have re-offended within their community. Although we want to believe the problem is strangers, 90% of children who are sexually assaulted know the person; and 75% of all sexual assaults also are not perpetrated by strangers but by persons known to the victim. Residency laws have definitely created a problem with willingness to cooperate with the process once people are off of supervision. Iowa, Minnesota and Florida have sex offenders living under bridges

right now. Ms. Kendricksen acknowledged the intent to enhance community safety but said she is not convinced this is an effective approach and believes it would require quite substantial police force time for enforcement.

Chief Weber spoke of his experience of over 34 years in law enforcement and over 17 years as chief and his education in criminal justice and law enforcement management. Responding to the report of a 3% re-offense rate in Milwaukee County, he asked what parents of a child who falls into that 3% might be told. While it may be true that there should be a statewide statute, he noted the current legislature's problems with even passing a state budget. An offender who sees we have an ordinance might decide he doesn't want to be here, he suggested. Re-offending does occur. How many times do we hear of someone committing a crime while out on bail, probation, or parole? Chief Weber said that he is in favor of the ordinance, although he understands it might be hard to enforce. He does not think it offers a false sense of security but that it provides one more way to say we don't tolerate this here and will make it as unpleasant as possible. Government's first priority is to protect its citizens, he concluded.

Dr. Charles Lodl, a psychologist working with sex offenders and victims for about 25 years, agreed that the goal is to protect children as well as adults but said the issue is what really works. He said that the majority of sex offenses occur inside the victim's home. Over 53% of the offenders fall into that category. The remainder, up to about 90%, are neighbors and other acquaintances, sometimes people the victim has dated. These are people we don't yet know of whom the ordinance won't touch and can't stop. The statistics cited are for offenders that we do know, people already arrested. Any ordinance should include consideration of what good research has shown about those types of people. To say that these offenders have the highest recidivism rates isn't true. Law enforcement, mental health, and community resources are all factors in rehabilitating offenders, and the primary issues that help them not reoffend are a good job, housing, and community support. Dr. Lodl said that he was among a group of professionals in the 1980s who worked to get Milwaukee County to consider sex offenders as warranting something much more serious than deferred prosecution, and he believes that was achieved. Sex offenders are under the most rigorous probation or parole rules. They cannot live next to schools. The level of risk for re-offense drops way down once an individual stays offense free for a certain period of time. The question is how to prevent offenses. By pushing people out so that they can't move close to resources and jobs, have we created or added to the problem or done something that substantially helps? Not one of the individuals in examples of those who were asked to leave communities had committed a re-offense. Offenders in other states have been asked whether residency rules would stop them from re-offending, and the vast majority said no. Not living somewhere would not stop them from driving there. Ultimately it becomes issue of "me too" ordinances.

Vicki Ostry, 1409 N. 64th Street, said that experts disagree on what works, but the bottom line is we will become a destination if we don't restrict residency while other communities around us do. While we wait for state action, we would have an ordinance that might even the playing field. Not being able to track offenders is not an argument against putting it in place. A lot of what we require of felons makes it hard to track them and puts a burden on the parole agents, but we do not eliminate those restrictions. The interest of offenders must be balanced with the community's needs. It isn't fair to let them live across from a school or playground and is not in their best interest to be there. Everyone seems to agree that offenders do better with continued frequent monitoring by parole agents, and knowing there are eyes on them here would make a difference. The purpose of the residence restriction is to keep them from re-offending. Tony Ostry, 1409 N. 64th Street, spoke of a family member who is a currently incarcerated sex offender. He would not want him to move into his neighborhood because he knows that he will offend again.

Marie Phillips, 2536 N. 91st Street, felt we should be proactive, especially if Milwaukee is thinking of a similar ordinance, so that offenders are not already living among us when we try to do something.

Mary Kay Keyes, 7803 Geralayne Drive, said that children believe they are safe around schools and parks, even though we can try to teach them otherwise. Predators work to develop a relationship with a child over a period of time so that they become someone that the child knows. She favors the ordinance and 500 ft. restriction.

Christopher Tyre, 2034 N. 81st Street, a psychologist who evaluates sex offenders for the prison system, said he does not have a position either way about enacting the ordinance but urged using clear and precise language. He noted that this law would affect the liberties of a potentially very large number of people who have paid debts for past mistakes and may have spent years in the community and become active participants.

Mary Jo Randall, 727 N. 59th Street, noted that she has provided quite a bit of information to Council members. We should take advantage of the information available from other communities and states that have enacted an ordinance and from other professionals. Iowa, which was first, not only does not have evidence of success but has evidence of difficulty in tracking offenders. Not separating those who are very dangerous from those who aren't is another issue. It is important to know that the ordinance would not prevent an offender from living next door to any house that isn't near a school or park. Ms. Randall said that we may be doing children the greatest disservice by entering into this without careful consideration and intelligent, thoughtful decision making.

Joe Tierney, 7717 GERALAYNE Drive, felt the issue needs to be addressed given the fact it is being considered by a lot of other communities. We should avoid being the last so that we don't end up being the dumping ground. He urged care with language and comparison with other ordinances. Iowa's is a substantially different and broader law.

Jason Kahout, 9995 W. North Avenue, spoke in support, particularly of having a protected area. Predators are most comfortable in places where we are most vulnerable, he commented.

Mr. Kesner read an e-mail from Stan Stojkovic, chair of the Governor's Sexually Violent Persons Transitional Facility Siting Advisory Committee, who is also a Wauwatosa resident. Mr. Stojkovic commented on the issue of adequately housing sex offenders within Milwaukee County and efforts to pass ordinances in various communities. He stated that "...any attempt to simply 'zone out' sex offenders is a wasted effort... Generally speaking, these types of ordinances tend to be too broad, poorly defined, and have no practical value, since a small number of offenders can simply live elsewhere and still offend." He also said that most sexual violence against children and others is perpetrated by family members and other intimates. He urged seeking clarity on what is to be achieved with an ordinance and noted that there is no research that supports these ordinance approaches to curbing sexual violence.

Ald. Birschel spoke of concerns about a community of people who are offenders and re-offenders but have never been incarcerated, are not on any registry, and move from city to city. He has received 19 e-mails and one other contact, all in favor.

Ald. Meaux asked the Department of Corrections representative for comments on the Administrative Rule on residency. Ms. Kendricksen said that an offender released from prison must return to the county of conviction. There is an appeal process, but it is unusual and there have been less than five appeals in three years. She mentioned some appeals being heard where the offense occurred in a place apart from where the offender resided and where his family and support system was located.

Ald. Meaux noted that there are some concerns with the ordinance as currently drafted and challenged committee members to review all of the materials that have been made available. Some of the information on recidivism also reports that rates for other populations of sex offenders are quite less. He cited information provided earlier or presented tonight that urges great caution in residency restrictions. There is compelling research that there are unintended consequences. He said he has not seen one page of research supporting effectiveness other than the report of police identifying two individuals that had moved into a community. He referred to the previously quoted e-mail from Dr. Stan Stojkovic, who is the Dean of Social Welfare at UW-M.

Ald. Meaux felt this is an opportunity for leadership but said we are basically being followers. We are being asked to wield great power and, in essence, embark into criminal penalties. He spoke of consensual acts between adults or where one party is an adult to which this law would apply. In five years with statewide ordinances, such a person would not be able to live and work just anywhere in the state but would be limited to Wauwatosa. If that person was 14 at the time and 10 years later is going to college, he would be able to return only to a particular zone. In Doe vs. Miller, which was basically a split decision, one of the issues was the concept of banishment, which usually requires moving outside a certain area. With these ordinances in place, the requirement is not to leave but to live within the confines of a certain area, which is internal banishment. He also mentioned the concept of stigmatism in asking people to live within a certain place within our society. Also, if a child is victimized by another family member, the result over time is that you are asking that family to split up.

Ald. Meaux said that he is not completely opposed to the ordinance but strongly encourages considering what the offenses are and whether they are truly high risk and meet the definition of a sexually violent person. Consider whether it should apply to juveniles and whether they can be rehabilitated. Juveniles should be separated out from adults in this ordinance, he felt. He noted an e-mail he received from Ald. Donegan stating that he regrets his vote in favor at the previous meeting and favors further staff research and a legal opinion. Ald. Meaux reiterated that he expects Wauwatosa to be a leader and make a thoughtful decision. He believes there is reason to hesitate and reconsider, to refine this and work with staff so that the end product is what we want, which is safety of our children.

Moved by Ald. Meaux to hold this matter for a minimum of 4-6 weeks so that staff can have time to look at the information brought forward and so we can digest what we are doing and make an informed, rational decision – Motion fails for lack of a second.

Linda Geipel, 1225 N. 123rd Street, commented that she does feel that youth and adult offenders should be separated in this ordinance considering that more crimes are being committed by juveniles now.

Ald. Didier responded to previous comments. She said that the appeals process should protect individuals and address situations involving a juvenile. Although the Department of Corrections puts restrictions on sex offenders during parole, she questioned what happens when parole is completed. Are they being monitored or getting treatment? She noted that because parole officers are very busy, there are times when they have not followed up. Referring to the volume of information mentioned by Ms. Randall, she encouraged review of the large stack of supporting documents from municipalities around this area that the City Attorney has. She said that a sex offender convicted on 10 counts does not have the right to have a park as his backyard. Countering statements about offenders' liberties, she said that when an offender abuses a child, he takes away that child's liberty for life. She agreed that banishment from the community is not the answer but said she is more concerned with making it slightly more difficult for the offender. The ordinance does not deny access to jobs, family, and community support; it just prevents them from living near schools and parks. If 50% of the crimes occur inside the home, it leaves a huge percentage to be protected outside the home. If 90% know the offender, that could be due to the fact that offenders pick their marks and grow that relationship. We should prohibit access to allow them to do that. The ordinance would give police the ability to act in cases of loitering at a school. She commended what the state does in regard to registration and trusts that the state would do its job regarding homeless or unregistered offenders. If the ordinance is enacted, it is possible that we might not get one more offender in our community. If Iowa's compliance rate has dropped, what about other places with ordinances where they are not seeing a decrease? Ald. Didier felt the ordinance is not creating a false sense of security but is a step to empower police to protect our children any way we can. If it doesn't work, someone will challenge it and we will deal with it. We don't have statistics because the ordinances are new. She has read all the information submitted but believes they are not apples-to-apples comparisons. Many include complete banishment within a community. We should look at the Wauwatosa ordinance on its own merits.

Regarding the reference to an individual with 10 prior offenses living close to a park, Ald. Meaux said he does not dispute that but believes thought should be given to applying those extreme examples to someone who committed one offense maybe 10 years ago. This is a lifetime situation. Also, consensual acts would be between adults or possibly teenagers and are not included as sexually violent offenses but have been put in our ordinance, once again broadening its reach. If an offender wants to move here and goes to the police department knowing the restriction is in place, the police would look at the offense and pull reports but wouldn't have knowledge of what was presented at trial in trying to make their decision. It is assumed they would look for any further violations of this nature, but they could include others, and would have to determine if this is still a sexually violent person. It is possible that a social worker might be needed at some time to make that determination. Ald. Meaux felt that our appeals process would not be able to handle those situations nor is it something that our police want to do. In the Doe vs. Miller case, there is a suggestion that even experts in the field could not predict whether a particular person will re-offend. If there are mounds of research, it should be sent to all our academic institutions since there may be some things they don't have access to.

Ald. Didier commented that the 8th Circuit has upheld the restrictions as a way to protect the public and not as a way to punish the offender.

Ald. Meaux added that the opinion of Doe vs. Miller addressed the issue of whether restrictions would fall under the banishment concept. The courts have not resolved this because the issue of banishment is so foreign and the concept has changed and is evolving. It seems that we are quickly making a map and not fully recognizing the far-reaching impact of our decisions.

Moved by Ald. Didier, seconded by Ald. Birschel to recommend to Council adoption of the proposed ordinance –

The Chair expressed concern about his own lack of knowledge despite much discussion and excellent information from experts in the field as well as from parents. He would like more time to review all that information. If we act right now without taking time to consider the ramifications, he will not feel he has done his job.

Mr. Kesner said that staff can review the ordinance in more detail. Most of the language, including the preamble, is drawn from other communities that have already gone through this debate. He could come up with a new version of those comments and do some further research, but he believes the ordinance is legally supportable and defensible. He noted that he hasn't commented about its effectiveness or merits, which he couldn't do without a lot of independent research considering that there are statistics on both sides. In the past, he has prosecuted these types of cases and knows a lot about research on recidivism and treatment. This is a complicated issue on which there may never be a perfect answer. Ultimately, the ordinance becomes more of a policy question for the Council.

Vote on the motion, Ayes: 3; Noes: 1 (Meaux); Present: 1 (Treis);

County Procedure for Routing Subdivision or Certified Survey Plats

Ms. Welch summarized a request by the Milwaukee County Land Information requesting that the city pass legislation requiring that all subdivision and certified survey maps that are sent to the County Register of Deeds for recording also be routed to the Land Information office. The rationale for this change is to protect infrastructure from contractor damage by providing more timely updates to Diggers Hotline.

Ms. Welch advised that the best system would instead be for the Register of Deeds to provide the information to the Land Information office as well as any other county departments that need it, much as city departments share information with each other as needed. Also, it is not uncommon for a document to be rejected by the Register of Deeds for a variety of reasons, which could result in some confusion if the information had already been provided to the Land Information office. Ms. Welch concluded that the county should be responsible for coordinating its own internal communications.

Moved by Ald. Didier, seconded by Ald. Birschel to recommend to Council that the matter be placed on file. Ayes: 4; Noes: 1 (Meaux)

Conditional Use – 3180 N. 124th Street

The applicant requested that this matter be held.

The meeting adjourned at 10:42 p.m.

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Carla A. Ledesma, City Clerk
Wauwatosa, Wisconsin