

Joint Municipal Court Committee

Thursday, July 18, 2019

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1 The meeting of the Joint Municipal Court Committee was called to order at 3:30 p.m. on
2 Thursday, July 18, 2019. It was noted that the meeting had been announced and a notice posted
3 at City Hall.

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5 Roll call was taken with the following members present: Village of West Salem Administrator
6 Teresa Schnitzler, Village of Holmen Administrator Scott Heinig, Town of Campbell
7 Representative Terry Schaller, City of Onalaska Financial Services Director/Treasurer Fred
8 Buehler, Village of West Salem Chief of Police Charles Ashbeck, Town of Holland
9 Representative Mike Hoffman

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11 Also Present: Municipal Court Supervisor Hildie McIntyre, City of Onalaska Attorney Amanda
12 Jackson, City of Onalaska Deputy Financial Services Director Kim Isensee, Municipal Court
13 Judge John Brinckman

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15 **Item 2 - Approval of minutes from the previous meeting**

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17 Motion by Scott, second by Mike, to approve the minutes from the previous meeting as printed
18 and on file in the City Clerk's Office.

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20 On voice vote, motion carried.

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22 **Item 3 – Public Input (Limited to 3 minutes/individual)**

23
24 Teresa called for anyone wishing to provide public input and closed that portion of the meeting.

25
26 **Consideration and possible action on the following items:**

27
28 **Item 4 – Clerk of Court:**

29
30 a. Quarterly scorecard for Towns, Cities & Villages (T-C-V)

31
32 The statistics for the second quarter of 2019 are as follows:

- 33
34 • **Total citations filed:** 822
35 • **Citations dismissed:** 58
36 • **Trials:** 0
37 • **Guilty/No Contest/Default:** 670
38 • **Not guilty plea:** 27
39 • **Revocations/suspensions:** 7
40 • **NASP:** 2
41 • **DPA:** 11

Reviewed 7/22/19 by Fred Buehler

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- 42 • **Community service:** 34
- 43 • **Continued:** 79
- 44 • **Total:** 1,710

45

46 Motion by Charles, second by Scott, to accept Quarterly scorecard for Towns, Cities & Villages
47 (T-C-V).

48

49 On voice vote, motion carried.

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51 **Item 5 – Finance Department:**

52

53 a. Financials

54

55 Fred reported the following:

56

- 57 • The City of Onalaska utilizes the State Debt Collection, and \$88,707 was received in
58 2018 via SDC. Fred reported \$93,927 has been received to date.
- 59 • \$111,741.33 has been collected in fines and forfeitures.
- 60 • Court costs total \$49,421.
- 61 • Expenditures total \$96,872.89. Fred held back the month of January (\$14,868.44), but
62 expenditures reconcile with fines and forfeitures when the \$14,868.44 is added to
63 \$96,872.89.

64

65 Motion by Scott, second by Charles, to accept the Financials.

66

67 On voice vote, motion carried.

68

69 b. Joint Municipal Court report regarding forfeitures/court costs

70

71 The report contains the following data from the first and second quarters:

72

73 Municipality	Forfeitures	Court Costs Due City	Total
74 Onalaska	\$74,421.45	\$32,303.54	\$106,724.99
75 Bangor	\$11,073.83	\$5,915.34	\$16,989.17
76 Campbell	\$10,318.96	\$4,520.72	\$14,839.68
77 Holmen	\$17,693.18	\$7,567.64	\$25,260.82
78 Shelby	\$5,216.18	\$1,981.07	\$7,197.25
79 West Salem	\$9,941.76	\$4,950.43	\$14,892.19
80 Totals	\$111,741.33	\$49,421.00	\$161,162.33

81

82 Motion by Scott, second by Mike, to accept the Joint Municipal Court report regarding

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83 forfeitures/court costs.

84

85 On voice vote, motion carried.

86

87 c. Quarterly report containing cases not dismissed

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89 The cases not dismissed data for second quarter of 2019 is as follows:

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91	Agency	No.	YTD	Pct.
92	Onalaska	411	872	55.5414
93	Bangor	16	33	2.1019
94	Campbell	79	179	11.4013
95	Holland	--	--	--
96	Holmen	140	293	18.6624
97	Rockland	--	--	--
98	Shelby	20	26	1.6561
99	West Salem	92	167	10.6369
100	Total	758	1,570	100.0000

101

102 Motion by Fred, second by Scott, to accept the quarterly report containing cases not dismissed.

103

104 On voice vote, motion carried.

105

106 d. First Amendment to the Joint Municipal Court Agreement

107

108 Amanda said the First Amendment to the Joint Municipal Court Agreement, the ordinance
109 revision relating to the Joint Municipal Court, and bond insurance for the Joint Municipal Court
110 judge all correspond to each other. Amanda said the ordinance is out of date and not reflective
111 of the practices of the court and the clerk's office, including bonding and insurance. Amanda
112 also noted the agreement has not been amended since it was signed, and she described the
113 changes as minor, yet they reflect all the municipalities that are members. Also, there are
114 updates to the requirement that the JMC would obtain the insurance policy, or other policies as
115 required by statute.

116

117 Scott said it is his understanding, per past discussions, that the JMC will take that on and not the
118 individual communities.

119

120 Amanda told Scott he is correct.

121

122 Scott asked if the City of Onalaska is seeking a recommendation from the committee to take to
123 the Common Council, and he asked if this already has been submitted.

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Teresa asked if these changes must be taken back to each individual municipality.

Amanda said she is asking the committee to approve the First Amendment to the Joint Municipal Court Agreement. Amanda also said she does not object to each community representative taking it back to their respective communities for approval.

Teresa asked if committee members could receive a clean copy.

Fred said that would be possible.

In reference to Item 5c, Amanda said the City of Onalaska is required by law to offer identical ordinances, and she told committee members she believes the appropriate action to take is for each representative to take the ordinance revision back to their respective communities for approval.

Scott asked, “Has the city already done this? Or are you at the same level we are?”

Amanda told Scott the City of Onalaska has not approved the agreement.

Fred said he believes the city is waiting for the committee to take action.

Motion by Scott, second by Charles, to ask that every member of the Joint Municipal Court Committee individually actively approve the First Amendment to the Joint Municipal Court Agreement.

Scott said, “It would probably be wise for all parties to have done this at least within the next 90 days, realistically, because you have some statutory timelines. But if he could provide you with a Word document and put it in a codification, you should be able to do it quite easily in that timeframe, but certainly before the end of the year so that we’re all consistent.”

On voice vote, motion carried.

- e. Ordinance revision relating to Joint Municipal Court

Amanda said the committee does not need to act on Item 5c.

- f. Bond insurance for Joint Municipal Court judge

Fred told committee members he does not believe the city had the information pertaining to bond insurance at the April 18 Joint Municipal Court Committee meeting. Fred said the city has the

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165 available options to present to the committee, noted there are different levels, and told committee
166 members Option No. 3 has a \$10,000 deductible, with an annual premium of \$673. The
167 premium would be part of an expenditure within the JMC that would be prorated out to all the
168 municipalities.

169

170 Motion by Scott, second by Fred, to accept Option No. 3 regarding bond insurance for the Joint
171 Municipal Court judge.

172

173 On voice vote, motion carried.

174

175 g. Update regarding Joint Municipal Court software

176

177 Fred said this item will give him an opportunity to update the committee regarding what has
178 transpired over the last nine months. Fred noted the Finance Department began assuming a more
179 significant role with the JMC when Hildie began her duties as Municipal Court Supervisor in
180 October 2017. Fred said that between Hildie, Kim, and Finance Support Clerk Jackie Peters, the
181 reports he receives are “dead on,” a pattern was established regarding when items need to be
182 advanced to the next level, and when items are forwarded to the State Debt Collection. Fred told
183 committee members that when Hildie attended her last seminar, there were conversations
184 regarding the TiPSS software, which is utilized by 121 of 240 areas in the State of Wisconsin.
185 Fred noted the City of Madison and the City of Prairie du Chien had converted to TiPSS, and
186 also that the City of Waukesha is in the process of converting to TiPSS. Fred addressed the
187 TraCS software and noted it will run its sampling through TiPSS. Fred said TiPSS “plays a very
188 strong role” of what occurs,” and he referred to a document distributed to committee members
189 stating the deficiencies in the Tyler Technologies software. The deficiencies include:

190

- 191 • The CT number will never be fixed, and it always will require manual entry.
- 192 • The docket number will never be auto-loaded. It always will require manual entry, and
193 since it cannot be fixed it will affect all the other municipalities.
- 194 • It never will auto-attach documents/citations to Incode file.
- 195 • It is unable to archive/purge old files.
- 196 • History cannot be tracked.
- 197 • It is unable to search for certain things, such as statutes. Attorneys have made requests,
198 and they cannot be accommodated.
- 199 • There are scheduler issues (cannot be tracked). There is no reliability or dependability in
200 the product.
- 201 • It is unable to mass-suspend driver’s licenses and registrations.
- 202 • It is unable to mass-post SDC payments. It must be manually entered.
- 203 • It is unable to en mass dispose of what has been paid.
- 204 • One must manually make changes to status codes when payments are made, rather than
205 auto-update.

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- 206 • There is no way to know if citations are paid unless files are posted. This leads to
207 communication issues with the court and missed removals of suspensions.
208 • Customer service is substandard, even with a dedicated employee.
209

210 Fred told committee members the city has been struggling with Tyler Technologies “on a variety
211 of different levels, and he referred them to the second page of a handout they had received. This
212 page shows the number of hours Hildie, Kim, and Jackie had spent at different levels on Tyler.
213 Fred noted the three had spent approximately 91 monthly hours at a total cost of \$36,050.77, and
214 he said he, Hildie, Kim, Jackie, and City Administrator Eric Rindfleisch had met with Tyler
215 representatives, at which time City Administrator Rindfleisch told the representatives either to
216 address and fix the issues or the City of Onalaska would seek out alternate sources. Fred said
217 weekly meetings have been held for months, and he told committee members individuals who
218 commit violations are assigned a CT number, which comes up when they receive a notice that
219 they must make restitution. Fred said these individuals do not know what a CT number is
220 because it is a number Tyler sent, and the individuals have a citation number.
221

222 Hildie explained the ordinance citations issued by the Wisconsin Department of Transportation
223 are all 10 digits or characters, and Tyler only accepts nine. Thus, Hildie said Tyler creates a
224 “fictitious” CT number, and every report (Jackie’s reports, Hildie’s reports to WisDOT, various
225 police departments) refers to the citation number. Hildie said once the CT number is gone, it is
226 gone permanently and may never again be re-referenced.
227

228 Fred said Tyler refused to make any modifications.
229

230 Hildie said Tyler is unable to make any modifications because it would need to make
231 modifications in every other state that utilizes its services.
232

233 Kim said both Hildie and Jackie must manually change the CT number all on incoming citations
234 through TraCS, and they also must change another field just to input the citations into the
235 system. Kim noted that every citation must be changed.
236

237 Hildie said the CT number must be changed on ordinances only.
238

239 Scott asked if Tyler’s representatives had been indifferent about the issue at hand.
240

241 Kim said Tyler’s representatives had “dragged their feet” because other municipalities were
242 operating without it.
243

244 Hildie said WisDOT has 10 numbers and noted Tyler operates in Texas, Iowa, and Illinois, and
245 its program is universal.
246

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247 Fred noted there currently is a missing step when files are brought in from the police department,
248 and asked for an explanation as to how this situation could be addressed with TiPSS.

249

250 Kim explained that all the files must currently be accepted manually, whereas the new system is
251 Windows-based. Kim described Tyler's system as being "archaic" in the sense that it is DOS-
252 based (Disk Operating System), and she explained the Windows-based system will accept
253 everything automatically. Kim said TiPSS is very IT-driven.

254

255 Hildie said that when she inputs citations from TraCS, the citations are received via email,
256 copied over to an S-Drive, and then imported. Hildie said having TiPSS will eliminate having to
257 do that because the court's copy of the citation will come over directly on the import.

258

259 Scott asked Hildie if she believes that will save \$20,000 worth of time. (The estimated cost
260 savings listed on the handout given to committee members is \$25,432.63).

261

262 Hildie said yes.

263

264 Fred noted 25 hours are devoted monthly to addressing suspensions, and he told committee
265 members they can be done "as a batch" with TiPSS.

266

267 Hildie said it would be reported directly to WisDOT. Hildie also explained that while Tyler
268 allows her to mass print the letters, she must go into each individual citation, click on a box that
269 says "Suspension," input the date, and click four different boxes under "Judgment" before being
270 able to print.

271

272 Scott asked how long the software has been utilized.

273

274 Fred said he believes city staff knows more about the software than "the people on the other end
275 telling us."

276

277 Scott asked for an estimated timeline to implement TiPSS.

278

279 Fred told Scott that is addressed on the final page of the handout.

280

281 Charles asked if anything would change when citations are transferred from the other
282 municipalities.

283

284 Hildie said it all is TraCS-based and nothing will change in terms of how police departments
285 send over citations.

286

287 Scott asked where TiPSS is based.

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Fred said that while it is based exclusively out of Wisconsin, TiPSS has police modules in Illinois. Fred also reiterated 121 of 240 areas in Wisconsin utilize the TiPSS software.

Hildie told committee members that TiPSS will test programs such as the electronic TVRP program, a suspension of a driver’s license, and the conviction status report before WisDOT brings them online.

Fred reiterated the City of Madison and the City of Prairie du Chien already are utilizing TiPSS, and the City of Waukesha is preparing to convert to TiPSS.

Hildie noted Lakeshore has 15 different municipalities on TiPSS.

Fred addressed the last page of the handout and told committee members some of the listed prices for the TiPSS software have increased, particularly with licensing.

Kim addressed licensing and told committee members four people (herself, Hildie, Jackie, Linda) need to have access at all times, so four full access licenses will be required. Kim said three “view only” licenses allows three additional people to enter and depart the system, adding that this would allow access to materials that need to be printed the evenings court is in session. In addition, the licensing would allow five additional jurisdiction view passes. Kim noted the cost of this licensing is \$47,165. The cost of an additional license is \$3,965. Kim next addressed the TiPSS Cash Register program, telling committee members the individuals who collect payments will be able to enter the system and click on the name of the individual who has a citation. The citations will come up on the monitor for the employee, who then can take action and be done.

Fred addressed the TiPSS Web Payment software, noting it does a dropdown of an individual and all the citations he/she has. The individual may choose which citation he/she wishes to pay, meaning there will be no missed payments.

Judge Brinckman asked if an individual may choose to pay one jurisdiction over the other if, for example, he/she receives two or three citations in the Village of West Salem, and then another one in the City of Onalaska.

Fred said he believes that would be allowed unless that individual has been mandated to do otherwise.

Kim described the \$12,000 conversion cost as “middle of the road” and told committee members TiPSS representatives would work with the City of Onalaska’s IT Department.

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329 Hildie said individuals who requested a copy of their citation would be able to receive one.

330

331 Kim said individuals would not be able to obtain anything attached to their citation, noting that
332 would be a higher conversion cost.

333

334 Hildie said clerk's notes are not something that will be converted at the \$12,000 cost.

335

336 Kim said the notes would be there, but scanned items would not. Kim said she believes the IT
337 Department employees will be able to locate a path that saved these items onto the city's server
338 and merge this information themselves. Kim estimated doing this will save approximately
339 \$3,000.

340

341 Fred addressed the State Debt Collection conversion (\$7,500 cost) and said there initially some
342 concern as to whether the City of Onalaska could convert. Fred said that when the City of
343 Onalaska first began utilizing SDC either in 2014 or 2015, it had hired Strand Associates to
344 perform a conversion of the data. Fred said TiPSS representatives were "very pleased" when
345 they examined the Strand file and stated they believe the conversion "will go very well."

346

347 Kim said TiPSS representatives told her they can convert all but 20 citations.

348

349 Scott asked if the proposals are actual costs of quotes based on that assumption.

350

351 Fred and Kim both said yes.

352

353 Scott asked, "It's not an estimate that could go up or down?"

354

355 Fred said no and told committee members he wanted to show them what he called "the worst-
356 case scenario." Fred told committee members the process will take nearly six months, and he
357 said he wants to introduce this to the City of Onalaska Finance and Personnel Committee so that
358 the process may begin. The following is a summary of the costs:

359

- 360 • **Licensing and Fees:** \$46,365
- 361 • **Conversion:** \$19,500
- 362 • **Total:** \$65,865
- 363 • **JMC (47%):** \$30,957
- 364 • **City of Onalaska (53%):** \$34,908

365

366 Fred told committee members he believes it is imperative to move forward with the process and
367 said he does not believe any action may be taken today as it is listed as an update on the meeting
368 agenda. Fred said, "I want to get a good nod from this group because we really do need to make
369 a switch. We are wasting our resources, and that's why it was so important that we quantify

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370 these hours.” Fred said that if both the Finance and Personnel Committee and the Common
371 Council approve proceeding with converting to TiPSS, “I’d like to have this place, and for the
372 towns, cities, and villages, we would budget in the 2020 budget. But if we have to pay in
373 advance, I just have an accounts payable within the Joint Municipal Court. Obviously you don’t
374 have dollars in the budget for 2019 to make payments like this, but I really feel this is a very
375 strong thing we need to do.”

376
377 Scott asked why the Tyler system was even being utilized, asking if that was the system that was
378 available at the time.

379
380 Fred noted he has been a City of Onalaska employee since 1981 and told Scott the city has
381 utilized Tyler for several years. Fred said the city had not changed systems because no one had
382 sought out a better system. Fred noted there is a separate server to handle this module, and he
383 told committee members Jackie has three monitors on her desk because she cannot mix. Fred
384 said it is imperative the city utilize a Windows-based system.

385
386 Scott asked Fred if he sees the \$25,000 savings in time being reflected in costs back to the court
387 in terms of hours.

388
389 Fred told Scott that Hildie will be able to accomplish the tasks she is currently unable to
390 complete.

391
392 Scott asked, “So it’s not necessarily going to save money for the court, but it’s going to save
393 efficiency so you can get more done for the operation?”

394
395 Hildie told Scott he is correct.

396
397 Scott said he believes there is sufficient evidence to support this type of investment.

398
399 Fred reiterated the costs shown in the handout are the “worst-case scenario.” Fred also told
400 committee members that Tyler representatives told city staff the method to address the docket
401 field, which is blank, is to insert a fictitious number.

402
403 Hildie noted there have been weekly meetings with Tyler representatives every Tuesday for
404 months.

405
406 Kim said Tyler executives have begun participating in the meetings because they know the city
407 is seeking a resolution, and she questioned why they did not do so earlier this year when they
408 were told the city was experiencing difficulties.

409
410 Hildie told committee members that when she began her employment with the City of Onalaska

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411 and would utilize TraCS, a citation would come over without the issuing agency and the officer's
412 number. Hildie said every citation that came through needed to have this issue corrected, and
413 she told committee members that when she contacted Tyler representatives by telephone it took
414 them three months to tell her she had to check a different box up front from the default to the
415 ORI (agency) number. Hildie said, "They don't know their own system," and she told
416 committee members she once had missed half a court session because she was attempting to get
417 Tyler representatives to complete a task they should have addressed several months prior.

418
419 Fred told committee members Tyler representatives had told city staff to speak with another
420 individual regarding Amanda's ability to access documents, and that individual stated he was
421 unsure as to why the call had been directed to him as he had not been in technical support for two
422 years.

423
424 Scott asked if perhaps three licenses could initially be purchased, and then another one could be
425 purchased at a later date if it was needed.

426
427 Fred told Scott all four licenses would be utilized.

428
429 Charles referred to Tyler's annual maintenance cost of \$9,388 and asked if TiPSS' annual
430 maintenance costs would be \$12,200, as stated on the document.

431
432 Fred said yes and told Charles the cost of the software is a one-time cost. Fred also noted there
433 would be a return on the investment on this option by the second year.

434
435 Charles asked if there is a termination date by which Tyler must be given notice.

436
437 Fred said city staff will speak to Tyler representatives about a few of the modules and noted the
438 JMC municipalities had paid slightly more than \$5,000 for its current module.

439
440 Hildie noted the module has never functioned properly.

441
442 Fred said Tyler stands "to lose more than just this," noting the city has several modules with
443 Tyler.

444
445 Charles asked Fred if the City of Onalaska will continue to utilize Tyler.

446
447 Fred told Charles yes and said he has no issues with the other Tyler modules such as the
448 financials, which is a Windows-based module.

449
450 Scott noted the increase in maintenance costs from \$9,388 to \$12,200 would be significant.

451

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452 Amanda asked if there would be maintenance costs the first year.

453

454 Fred said he believes the first six months should be free and expressed confidence that it would
455 happen. Therefore, the maintenance costs would be \$6,100.

456

457 Charles asked if the City of Onalaska would pay the 53 percent (\$34,908) and the other
458 municipalities would pay the other 47 percent (\$30,957).

459

460 Fred told Charles that percentage came from the cases not dismissed.

461

462 Scott said that speaking as the Village of Holmen's representative he approves of the proposal.

463

464 Fred said if the committee members state their approval, he can share that information with the
465 Finance and Personnel Committee.

466

467 Committee members told Fred they approve of him proceeding.

468

469 Hildie told committee members she had reached out to Quick Clerk and said its program is
470 designed to handle smaller jurisdictions. Hildie also noted Quick Clerk does not utilize TraCS,
471 does not have the capability to go paperless, has never performed a Tyler conversion, and could
472 not provide her with a conversion cost.

473

474 **Item 6 – Next meeting date – August 15th or 22nd, 2019**

475

476 The Joint Municipal Court Committee will meet on Thursday, August 15.

477

478 **Adjournment**

479

480 Motion by Scott, second by Terry, to adjourn at 4:45p.m.

481

482 On voice vote, motion carried.

483

484

485 Recorded by:

486

487 Kirk Bey