

# PUBLIC PROTECTION AND SAFETY COMMITTEE

## MINUTES

**DATE:** Wednesday, February 10, 2010

**TIME:** 5:00 p.m.

**PLACE:** Lower Level Training Room, City Hall

**MEMBERS PRESENT:** Alderpersons Hanna, Wangemann, Rindfleisch and Surek

**MEMBER EXCUSED:** Alderperson Bowers

**GUESTS PRESENT:** Alderpersons Heidemann and Kittelson

Call to order – The nineteenth meeting of the 2009-10 Public Protection & Safety Committee. The meeting was called to order at 5:00 p.m. by Chairman Hanna.

Pledge of Allegiance

Introduction of Committee Members and Guests

Approval of the minutes of the Public Protection and Safety Committee meeting from January 27, 2010. Alderperson Rindfleisch moved to approve. Seconded by Alderperson Wangemann. All aye – motion passed.

4. **R. O. No. 406-09-10 (21-31)** from Susie Patterson of Al & Al's Stein Haus requesting permission to close S. 12<sup>th</sup> St. from the Clara Ave. intersection to the end of their building going west approximately 90' to hold their 3<sup>rd</sup> Annual Heritage Square Oktoberfest on October 1 and 2, 2010 in Heritage Square. Alderperson Rindfleisch inquired whether there were any difficulties in the last two years. Lt. Schafhauser advised there were not. Alderperson Rindfleisch moved to approve. Seconded by Alderperson Surek. Ms. Patterson was present and clarified that her request would include the section of Clara Ave. that goes to the end of the building, as has been done the past two years. Alderperson Rindfleisch moved to approve as amended. Seconded by Alderperson Surek. All aye – motion passed.
1. **Com. No. 79-09-10 (21-23)** from Alderperson Rindfleisch on behalf of a constituent requesting that the 30 minute parking signs on the southeast corner of Clara Ave. and S. 8<sup>th</sup> St. on the east side of S. 8<sup>th</sup> St. and both sides of Clara Ave. be removed as they are affecting the lunch business at Nine 21 Bar and Grill. Ryan Sazama suggested and Jennifer Bray agreed that the request would be amended from eliminating the 30 minute parking to increasing the parking restriction to a two hour limit. Steve Gilbertson added that a loading zone on Clara Ave. for the former Poth Meat Market would be eliminated and that area would also become a two hour zone. Mr. Gilbertson recommended that the snow emergency route on Clara Ave. between S. 7<sup>th</sup> and S. 8<sup>th</sup> Street remain in effect until further notice and discussion with representatives from Paper Box. Alderperson Rindfleisch moved to approve as amended. Seconded by Alderperson Wangemann. All aye – motion passed.

2. **Com. No. 80-09-10 (21-51)** submitting a communication from Keith Brunner requesting removal of the one way sign on the east side of the corner at New York Ave. and N. 5<sup>th</sup> St. because of safety concerns. Alderperson Hanna reviewed comments from Assistant City Attorney Adams indicating he thinks Mr. Brunner is not requesting removal of the sign, but complaining that it has been removed even though it remains a one way street. If so, this is a signage issue. Ryan Sazama suggested and Steve Gilbertson agreed that there would be no problem adding an extra one way sign at the southeast corner of 5<sup>th</sup> St. and New York Ave. Alderperson Wangemann moved to file. Seconded by Alderperson Surek. All aye – motion passed.
  
3. **R. O. No. 405-09-10 (21-29)** from Heidi Payton, Sales and Service Agent for AAA Wisconsin requesting a left turn signal at S. Business Dr. and Wilson Ave. near the Washington Square shopping center for safety reasons. Questions arose as to the specifics of Ms. Payton’s concern. Discussion took place regarding the possibility of a left turn arrow on the traffic signals and it was noted that this would be an expensive fix. Alderperson Rindfleisch and Ryan Sazama will speak with Heidi Payton regarding the specifics of her request. Alderperson Wangemann moved to hold. Seconded by Alderperson Surek. All aye – motion passed.
  
5. **R. O. No. 403-09-10 (21-27)** from James Gierke requesting a waiver to the Sexual Offender Residency restrictions. This item was discussed with **R. O. No. 404-09-10 (21-28)** below. Agent Josh Butzen was present with James Gierke. Agent Butzen indicated that he would like to withdraw the TLP request, dependent upon the outcome of Mr. Gierke’s direct request, as he has no room at the TLP. Mr. Gierke explained that there was a foreclosure on the property where he was residing with his mother and stepfather and he would like to move to 1516 S. 11<sup>th</sup> St. with them. After discussion and questions, Alderperson Wangemann moved to approve Mr. Gierke’s request. Seconded by Alderperson Rindfleisch. All aye – motion passed.
  
6. **R. O. No. 404-09-10 (21-28)** from the State of Wisconsin Department of Corrections to file an appeal to the Sex Offender Residency restrictions on behalf of State inmate James Gierke. This item was discussed with **R. O. No. 403-09-10 (21-27)** above. Agent Josh Butzen advised that he would like to withdraw the TLP request. Alderperson Rindfleisch moved to file. Seconded by Alderperson Surek. All aye – motion passed.
  
7. **R. C. No. 417-09-10 (21-19)** by Alderperson Hanna repealing and recreating Article VI Division 3 of Chapter 50 of the Municipal Code so as to update the smoke detector ordinance and require specific types of smoke alarms; recommends that the attached Substitute Ordinance be passed. Alderperson Hanna reviewed notes from ACA Adams, stating this document was sent back to committee to deal with some issues brought up by Building Inspection after the committee meeting. Inspection had been asked to comment but it appears lack of staff delayed the response. Several changes were made to make sure there were no conflicts between the dwelling code and the fire code. Fire Inspector Kocmoud explained that two issues came forth from conversations with the Building Inspection Dept. One was a conflict with the original document that said you had to have a smoke detector within six feet of a bedroom door. New code requirements can extend that up to 21 feet based on the layout of the building or unit. The code now states you need to have a smoke detector in the sleeping area and it doesn’t define a 6 foot or a 21 foot rule. The other issue that came forward was that under the proposed change in the smoke detector ordinance, there are two options – one is an interconnected 110 volt with

battery backup system or a ten year lithium in older properties. Another technology is a radio transmitted interconnected system and an addition to the code was made to allow radio transmitted interconnected systems in single family, owner occupied homes. The main detector in the basement is wired 110 volt with a battery, and all additional heads throughout the house would be radio transmitted.

Aldersperson Rindfleisch inquired whether smoke detectors are required in each bedroom and Inspector Kocmoud advised that under the new code, a detector would be required in each bedroom. Inspector Kocmoud explained that this is consistent with the code for new construction for apartments and single family homes. He added that bedrooms are the second leading area of the home where fires occur. Aldersperson Rindfleisch indicated he felt the requirement for a detector in every bedroom is excessive. Aldersperson Hanna added that his constituents feel the requirement is an imposition.

Chief Hermann advised that in his experience as a Shift Commander, he found issues with non working smoke detectors in more than half of the single and two family homes where the fire department responded to calls. Almost all of the cases involved 9 volt smoke detectors where the detectors were over ten years old and no longer worked, or batteries were missing or backed off. He advised that the fire department will work with the community to help citizens to make their homes compliant with the new codes.

Aldersperson Wangemann indicated he agreed with the technology of the ten year lithium detectors and the gradual phase in period, but had a problem with the requirement of a detector in every bedroom. The discussion was opened to members of the public.

After discussion, Aldersperson Hanna suggested that the ordinance state that ten year lithium detectors will be required within five years, and placement in individual bedrooms is recommended. Required placements would match the current ordinance. Chief Hermann stated for the record that he recommends the substitute ordinance be passed as it is currently written. He added that it is the safest ordinance for the citizens at a reasonable cost.

Aldersperson Wangemann moved to request ACA Adams to sit down with fire officials and craft a document that is a compromise. Aldersperson Surek indicated that he would like to add that there should be an education program to get the word out. ACA Adams advised that an ordinance is not the place for a recommendation. He suggested that recommendations could be passed in a resolution. Aldersperson Wangemann stated he would so amend his motion. Aldersperson Hanna clarified that lithium detectors will be required in five years in the current standards. There will be a complementary resolution to give the fire inspector a document to state the committee's recommendation for placement in bedrooms. Aldersperson Hanna asked ACA Adams to come back with a companion resolution with the appropriate recommendations in two weeks. Motion seconded by Aldersperson Surek. Motion passed 3 (Surek, Wangemann, Hanna) to 1 (Rindfleisch.)

8. Discussion and possible action regarding the acquisition of a fire pumper/rescue truck along with a new equipment schedule. Aldersperson Hanna suggested that Chief Hermann may want to give an abbreviated presentation, as he spoke with Aldersperson Gischia and they would like to hold a joint meeting of Public Protection & Safety with the Finance Committee. A broader presentation could be presented at the joint meeting. Aldersperson Rindfleisch moved to request that Finance and Public Protection & Safety have a joint meeting to discuss and possibly act regarding

acquisition of a fire pumper/rescue truck and lifting the hiring freeze. Seconded by Alderperson Wangemann. All aye – motion passed. Chief Hermann advised that the rescue/pumper pricing is guaranteed through March 8<sup>th</sup> and a delay beyond that date may result in additional fees to purchase the vehicle.

9. Discussion and possible action regarding lifting the hiring freeze to fill positions created by 2009 retirements. This item was discussed with Item 8 above. Motion to request a joint Finance and Public Protection & Safety meeting passed 4 – 0.

ADJOURNMENT: The meeting was adjourned at 6:44 p.m.

MARK HANNA – CHAIRMAN  
ERIC RINDFLEISCH – VICE CHAIRMAN

MH:lmh