

# PUBLIC PROTECTION AND SAFETY COMMITTEE

## MINUTES

**DATE:** Wednesday, June 16, 2010

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

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

**MEMBERS PRESENT:** Alderpersons Kittelson, Montemayor, Radtke, Heidemann, and Dekker

**GUESTS PRESENT:** Alderperson VanderWeele

Call to order – The fourth meeting of the 2010-11 Public Protection & Safety Committee  
The meeting was called to order at 5:00 p.m. by Chairperson Kittelson.

Pledge of Allegiance

Introduction of Committee Members and Guests

Approval of the minutes of the Public Protection and Safety Committee meeting from  
May 26, 2010. Alderperson Radtke moved to approve. Seconded by Alderperson Dekker. All  
aye – motion passed.

17. **R. O. No. 74-10-11 (5-35)** from Val Schultz stating he believes the Fire Department should do a study of calls by individual stations, populations served and types of structures in the area and then base their decision on the result of that information and close one station. Mr. Schultz was present and spoke about some of his experiences as a past council member. He added that he feels the two south side stations are located too close together. He would like to see investment in Public Works employees and maintaining the city. Alderperson Dekker moved to file. Seconded by Alderperson Montemayor. Motion to file passed 4 (Dekker, Montemayor, Radtke, Kittelson) to 1 (Heidemann.)
9. **Com. No. 12-10-11 (5-24)** from Kelly Schoen stating her concerns regarding safety for children at the intersection of N. 14<sup>th</sup> St. and Saemann Ave. Jason and Kelly Schoen were present. Jason Schoen spoke about his concern about drivers not paying attention to children crossing the street at the intersection. Ryan Sazama advised that this is an intersection that will be redone as part of the Non-motorized Pilot Program. This is scheduled to occur next year. Alderperson Montemayor moved to file. Seconded by Alderperson Dekker. All aye – motion passed.
1. **R. O. No. 42-10-11 (4-21)** a petition from various citizens requesting that the Mayor and the Common Council keep Fire Station 5, 4504 S. 18<sup>th</sup> St., open. Alderperson Radtke moved to file. Seconded by Alderperson Montemayor. All aye – motion passed.
2. **R. O. No. 52-10-11 (4-49)** from Richard Kummer and Laura Lawrence of Route 43 Harley Davidson requesting that they continue to run the “Roar on Sheboygan Shores” and making various requests of the City. Alderperson Kittelson said she believes this document was filed in Public Works because a new date has been set. They will need to

come in with a new document with the proper date. Alderperson Montemayor noted that it should go to Public Works or Finance. Alderperson Montemayor moved to file. Seconded by Alderperson Heidemann. All aye – motion passed.

3. **Com. No. 13-10-11 (5-17)** from Joe R. Richardson stating his concerns regarding the brownouts for the fire stations, wanting to keep five stations open and no ambulances and also questioning why we no longer have the original bridge tenders that made \$8.75 an hour but now \$22.00 an hour are the wages for bridge tenders. Alderperson Montemayor moved to file. Seconded by Alderperson Radtke. All aye – motion passed.
4. **Com. No. 7-10-11 (5-18)** from Rich Genson stating his concerns over the situation where pit bulls are allowed to run loose. Alderperson Radtke moved to file. Seconded by Alderperson Montemayor. Alderperson Kittelson provided information to the committee regarding requirements of the City of Milwaukee pit bull and Rottweiler ordinance and pit bull regulations. Chief Domagalski noted that pit bulls aren't allowed to run loose in the City. There is an ordinance preventing dogs at large. Alderperson Versey is trying to gain support for a specific breed ordinance. All aye – motion passed.
5. **Com. No. 14-10-11 (5-19)** from Jean and Bryon Dickman stating that the City should give the ambulance service back to Orange Cross and then they should have enough firemen for all the stations and if not, then they should close the south side station. Alderperson Dekker moved to file. Seconded by Alderperson Montemayor. All aye – motion passed.
6. **Com. No. 9-10-11 (5-21)** from Jody Booth regarding her concerns that there is no snow emergency route for the James Madison School area. Steve Gilbertson from DPW addressed the committee. He indicated a better option than designating the area as a snow emergency route would be to move it up on the DPW priority list for sanding and salting. The area will get considerably more attention and this would not require any type of ordinance change. This could include 24<sup>th</sup> St. from Georgia Ave. to Broadway Ave. Alderperson Dekker felt that David Ave. in front of the school should be included. DPW uses color coded maps to designate priority in which streets are plowed. Alderperson Dekker moved to make the discussed area a red zone. Seconded by Alderperson Montemayor. Discussion continued regarding the benefit of a snow emergency route versus changing the priority on the salting map. Steve Gilbertson noted that a snow emergency route takes parking away from the area residents. The motion to make the area a red zone on the salting maps passed – all ayes.
7. **Com. No. 10-10-11 (5-22)** from Lauri Moegenburg stating that Paradigm Café doesn't have a bike rack in front of their business and is requesting that the City look at installing one or letting them install a rack. Ryan Sazama advised that he talked to Aaron Brault from the non-motorized program and he plans to get a bike rack there this summer. Alderperson Radtke moved to file. Seconded by Alderperson Montemayor. All aye – motion passed.
8. **Com. No. 11-10-11 (5-23)** submitting a petition from 1,002 residents requesting that immediate action be taken by the Council to re-open Fire Station 5. Alderperson Dekker asked Chief Hermann the date for the next brown-out. Chief Hermann advised Station 4 will close on September 1<sup>st</sup>. Alderperson Montemayor moved to file. Seconded by Alderperson Dekker. Alderperson Heidemann advised the documents concerning the situation in the City are very important to the committee and the community as a whole.

He questioned whether some of the documents should be held until something is resolved by the Common Council. Alderperson Montemayor said that even if it is filed, the committee still has all the documents to refer to and use for information. Motion to file passed – all aye.

10. **R. O. No. 71-10-11 (5-28)** submitting a correction to the report of the Building Inspection Department for the month of April 2010. Alderperson Radtke moved to file. Seconded by Alderperson Montemayor. All aye – motion passed.
11. **R. O. No. 72-10-11 (5-29)** submitting the report of the Building Inspection Department for the month of May 2010. Alderperson Radtke moved to file. Seconded by Alderperson Montemayor. All aye – motion passed.
12. **R. O. No. 89-10-11 (5-30)** from Grace Brown, President of The Wharf, requesting permission to hold the annual Coho Derby on August 8<sup>th</sup> and 9<sup>th</sup> using the parking lot between The Wharf and The Duke of Devon. This was discussed with Items 13 R. O. No. 90-10-11 (5-31) and Item 14 R. O. No. 91-10-11 (5-32.) Alderperson Kittelson noted that these are very routine. Alderperson Radtke moved to approve. Seconded by Alderperson Montemayor. All aye – motion passed.
13. **R. O. No. 90-10-11 (5-31)** from Grace Brown, President of The Wharf, requesting permission to hold the annual All Women’s Power Puff Derby on July 21<sup>st</sup> using the parking lot between The Wharf and The Duke of Devon. This was discussed with Item 12, R. O. No. 89-10-11 (5-30) above. Motion to approve passed 5 – 0.
14. **R. O. No. 91-10-11 (5-32)** from Grace Brown, President of The Wharf, requesting permission to hold the annual Jr. Coho Derby on June 26<sup>th</sup> (rain date June 27<sup>th</sup>) using the parking lot between The Wharf and The Duke of Devon. This was discussed with Item 12, R. O. No. 89-10-11 (5-30) above. Motion to approve passed 5 – 0.
15. **R. O. No. 92-10-11 (5-33)** from Yvonne Montoya, Community Arts Specialist for the John Michael Kohler Arts Center, making various requests from the City to host a Connecting Communities Project called the NOMO Expo July 8 – 11, 2010 (Non-motorized Transportation.) Alderperson Kittelson noted that Item 3 of the request is already taken care of. Alderperson Montemayor moved to approve Items 1 and 2. Seconded by Alderperson Radtke. All aye – motion passed.
16. **R. O. No. 73-10-11 (5-34)** from Miles Henderson, of the Sheboygan Yacht Club, requesting permission to hold the Venetian Night Parade in the Sheboygan Harbor on July 2<sup>nd</sup>, 2010. Alderperson Radtke moved to approve. Seconded by Alderperson Montemayor. All aye – motion passed.
18. **R. O. No. 88-10-11 (5-36)** submitting petitions from various business owners in the City requesting that the Mayor and Council keep five fire stations open in the City and hire additional firefighters to maintain all stations. Alderperson Radtke moved to file. Seconded by Alderperson Montemayor. Alderperson Kittelson reviewed the letters submitted by Sommer’s Woodhaven Community, Verifine Dairy, and Westbrook Management, LLC. All aye – motion passed.

19. **R. O. No. 75-10-11 (5-38)** from Diane Biederwolf of Coulis Cardiology requesting permission to hold a 2 mile and 5 mile walk on Saturday, September 11, 2010. Diane Biederwolf was present with Nicole Hiebing, the event chair. Ms. Hiebing advised that this will be an awareness event for heart health with the hope that it will be held annually and eventually create a fund to be used for citizens in Sheboygan for better cardiovascular health. Alderperson Dekker moved to file and grant permission. Seconded by Alderperson Montemayor. All aye – motion passed.
20. **R. O. No. 76-10-11 (5-40)** from Eustacio Medina, President of the Sheboygan Hispanic Service Club, requesting a No Parking Zone on the east side of 17<sup>th</sup> St. July 9<sup>th</sup> and July 10<sup>th</sup> for Fiesta Hispana 2010 at Kiwanis Park. Mr. Medina was present and spoke about the event history. Chief Domagalski indicated he had no problem granting the request. Steve Gilbertson advised that per the Public Works Director, the requests for the Fiesta Hispana have not gone through Public Works and the request for extended hours is at the discretion of the Public Works Director. He felt the matters should go in front of the Public Works Committee. Chief Domagalski indicated that this is something he has brought up at past meetings and that the committee has delegated the authority to approve these to the Director of Public Works. He questioned why these communications are being referred to multiple groups. Alderperson Heidemann moved to forward the documents to Public Works. Seconded by Alderperson Dekker. Alderperson Montemayor commented that the Public Works Director has the power on his own to grant this and it doesn't need to come to Public Works Committee. Alderperson Kittelson suggested that the committee clarify through the City Clerk that these types of requests go to the Public Works Department. Discussion continued regarding whether action should be taken in committee or to refer the documents. Alderperson Dekker suggested that this committee could take care of Document 5-40, R. O. No. 76-10-11 and Document 5-41, R. O. No. 77-10-11 (5-41) should be sent to Public Works. Alderperson Radtke moved to approve R. O. No. 76-10-11. Seconded by Alderperson Montemayor. All aye – motion passed.
21. **R. O. No. 77-10-11 (5-41)** from Eustacio Medina, President of the Sheboygan Hispanic Service Club, requesting permission to hold their annual Fiesta Hispana 2010 July 9<sup>th</sup> and July 10<sup>th</sup> at Kiwanis Park and extending the hours per the attached letter. This was discussed with Item 20, R. O. No. 76-10-11 (5-40) above. Alderperson Dekker moved to refer to Public Works with a positive recommendation. Seconded by Alderperson Montemayor. All aye – motion passed.
22. **Res. No. 31-10-11 (5-65)** authorizing application for 2010 Wisconsin Department of Transportation, Bureau of Transportation Safety, Data Driven Approaches To Crime and Traffic Safety Grant Solicitation. Chief Domagalski explained that this is \$25,000 for overtime for patrols within the parameters of the grant. There is a matching part of 25% or \$6,200 but this involves allocation of manpower rather than actual money. The department collects data on crime and traffic safety and maps the data. Alderperson Montemayor moved to approve. Seconded by Alderperson Radtke. All aye – motion passed.
23. **Res. No. 32-10-11 (5-66)** authorizing application for the United States Department of Justice, Office of Community Oriented Policing Services, 2010 COPS Hiring Program. The Chief explained the department is requesting permission to apply for three positions that would be paid for three years. The matching part is that the City has to

agree to retain those three positions for the fourth year. This was discussed with Item 22, Res. No. 31-10-11 (5-65.) Motion to approve passed 5 – 0.

24. **Res. No. 33-10-11 (5-67)** authorizing application for 2010 Justice Assistance Grant Program Award (Local Solicitation) and entering into Memorandum of Understanding with Sheboygan County. The Chief advised that the City of Sheboygan qualified for \$14,600 but the County did not qualify for any money under their violent crime data. Because the County incurs costs in housing the individuals arrested by the City, the City and County have to take the money together. The City has to enter into a Memorandum of Understanding with the County and agree how the money is going to be spent. After discussions with the Sheriff's Department, it was agreed that the majority of the money would be used to buy a total station which is a measuring device for accident reconstruction. The remaining money would be used to buy a motor for the dive team boat. This was discussed with Item 22, Res. No. 31-10-11 (5-65.) Motion to approve passed 5 – 0.
25. **Gen. Ord. No. 6-10-11 (5-77)** amending portions of Sec. 26-1008 of the Municipal Code relating to certification of compliance with Clearwater requirements. Alderperson Heidemann moved to hold. Seconded by Alderperson Radtke. All aye – motion passed.
26. **R. O. No. 86-10-11 (5-83)** from Linda Emery, Property Manager of Piggly Wiggly Midwest, requesting permission to install a mail box and appropriate reserved or no parking signage in a designated area directly in front of their offices at 2215 Union Ave. which will be devoted to USPS trucks only. Ryan Sazama advised that he will work with Linda Emery on getting a loading zone and he will draft an ordinance. Alderperson Montemayor moved to file. Seconded by Alderperson Dekker. All aye – motion passed.
27. **Com. No. 15-10-11 (5-86)** from the Greater Sheboygan Committee with the subject matter being "Sheboygan Fire Department Issues & Answers." Gary Maples and Eldon Burg were present. Mr. Maples spoke about the genesis of the communication. He explained that the Greater Sheboygan Committee is a group of business people that was formed approximately three years ago and is a registered political action committee. Mr. Maples spoke about the major component of the document which he believes is staffing in the long run. He suggested that the long run deficit needs to be addressed. Alderperson Heidemann moved to hold this document. Seconded by Alderperson Dekker. Chief Hermann advised that he has issues with the fact that no research was done with his department before the paper was put out and other points in the document. He suggested that it may be more appropriate to analyze the report when more aldermen are present. Discussion took place on whether the document should be held. Alderperson Heidemann advised that he would appreciate an opportunity for the Chief to come back to the committee with answers to the communication. The motion to hold the document passed – 4 (Dekker, Heidemann, Kittelson, Radtke) to 1 (Montemayor.)
28. **R. O. No. 87-10-11 (5-87)** from Kathryn DuFour sending the rationale for the "Waiter Crossing" signs on S. 8<sup>th</sup> St. Ryan Sazama indicated that the sign might promote jaywalking, which is illegal. Alderperson Montemayor moved to file. Seconded by Alderperson Heidemann. All aye – motion passed.

37. **R. O. No. 499-09-10 (25-57)** from Keith Bauer filing an appeal to the Sexual Offender Residency restrictions. Keith Bauer was present. Mr. Bauer requested to move from 1427 N. 10<sup>th</sup> Street to 2527 N. 8<sup>th</sup> Street. After review, Alderperson Montemayor moved to approve the waiver. Seconded by Alderperson Radtke. All aye – motion passed.
29. **R. O. No. 78-10-11 (5-43)** from Josh Butzen, of the State of Wisconsin Department of Corrections, filing an appeal to the Sex Offender Residency restrictions on behalf of Rhyan Zimmerman. Josh Butzen was present with Rhyan Zimmerman's father, Kim Zimmerman. Captain Veeseer advised that Rhyan Zimmerman is presently incarcerated and upon release on June 29<sup>th</sup> requests to move in with his father at 1427 N. 10<sup>th</sup> Street. He will not be under supervision upon release but will be on a GPS bracelet. Mr. Butzen added that he does have a lifetime requirement for GPS, which is a passive system that will track his movements. Alderperson Montemayor moved to give him the waiver to live with his father, provided that he is in an adjoining room to his father. Seconded by Alderperson Dekker. Motion passed 3 (Dekker, Kittelson, Montemayor) to 2 (Heidemann, Radtke)
30. **R. O. No. 79-10-11 (5-44)** from Josh Butzen, of the State of Wisconsin Department of Corrections, filing an appeal to the Sex Offender Residency restrictions on behalf of Daryvon Rogers. Josh Butzen was present and requested placement in a TLP. Captain Veeseer advised Mr. Rogers is currently living in Virginia. In 2009, Mr. Rogers had his probation transferred to Virginia because he wished to live there with his sister. The sister is being re-stationed somewhere else. In February 2009 he was approved to move into a TLP by the committee. After review, Alderperson Dekker moved to file. Seconded by Alderperson Heidemann. Josh Butzen advised that under the interstate compact, Mr. Rogers has expressed his wishes to return and under federal law he has to be taken back. Alderperson Radtke moved to call the question. Alderperson Dekker asked for a further explanation of the federal regulation. Chief Domagalski explained the process. Motion to file failed 1 (Heidemann) to 4 (Dekker, Kittelson, Montemayor, Radtke.) Alderperson Montemayor moved to put him in the TLP. Seconded by Alderperson Radtke. Motion passed – all ayes.
31. **R. O. No. 80-10-11 (5-45)** from Josh Butzen, of the State of Wisconsin Department of Corrections, filing an appeal to the Sex Offender Residency restrictions on behalf of William Evans. Josh Butzen was present for William Evans. Captain Veeseer advised that Mr. Evans is currently in the Racine County Jail and is slated to be released on July 13<sup>th</sup>. He wishes to move to a TLP. After review, Alderperson Montemayor moved to approve putting Mr. Evans in a TLP. Seconded by Alderperson Radtke. Motion passed – all ayes.
32. **R. O. No. 81-10-11 (5-46)** from Lester James Green filing an appeal to the Sexual Offender Residency restrictions. Lester Green was not present. Captain Veeseer advised that Mr. Green is currently living at 912 Indiana Avenue, Apt. 5, which is in violation of the ordinance. After review, Alderperson Radtke moved to deny. Seconded by Alderperson Heidemann. After additional discussion, Alderperson Radtke called the question. Motion to deny passed – all ayes.
33. **R. O. No. 82-10-11 (5-47)** from Chad R. Schmidt filing an appeal to the Sexual Offender Residency restrictions. Chad Schmidt was present with his social worker from Family Services. Josh Butzen is his agent. He requested to move from a TLP to 1913 S. 14<sup>th</sup>

Street and plans to live by himself. After review, Alderperson Dekker moved to file. Seconded by Alderperson Heidemann. Motion to file passed 3 (Dekker, Heidemann, Radtke) to 2 (Kittelton, Montemayor.)

34. **R. O. No. 83-10-11 (5-48)** from Christopher Mulwitz filing an appeal to the Sexual Offender Residency restrictions. Mr. Malwitz was not present. Alderperson Montemayor moved to file. Seconded by Alderperson Radtke. Motion passed – all ayes.
35. **R. O. No. 84-10-11 (5-49)** from Gabriel Ramirez filing an appeal to the Sexual Offender Residency restrictions (Superior Ave.) Gabriel Ramirez was present. Captain Veaser advised that Mr. Ramirez requests to move from 1411 N. 4<sup>th</sup> Street to either 405 Superior Avenue or 1724 N. 13<sup>th</sup> Street. His sister, Sandra Sosa, and her family live at 405 Superior Avenue. Captain Veaser advised that due to the length of time his sister has been at her current address, the waiver is not required. Gabriel Ramirez stated he wishes to live at 405 Superior Avenue.
36. **R. O. No. 85-10-11 (5-50)** from Gabriel Ramirez filing an appeal to the Sexual Offender Residency restrictions (N. 13<sup>th</sup> St.) This was discussed with Item 35, R. O. No 84-10-11 (5-49) above. Gabriel Ramirez advised that he wishes to live at 405 Superior Avenue. Alderperson Montemayor moved to file. Seconded by Alderperson Radtke. Motion passed – all ayes.

ADJOURNMENT: The meeting was adjourned at 7:32 p.m.

JEAN KITTELSON – CHAIRMAN

MARILYN MONTEMAYOR – VICE CHAIRMAN

JK:lmh