

**VILLAGE OF GERMANTOWN
N112 W17001 MEQUON ROAD
GERMANTOWN, WI 53022**

MEETING: **PUBLIC SAFETY COMMITTEE**

DATE AND TIME: **MONDAY, MARCH 7, 2016** **5:30 p.m.**

LOCATION: **VILLAGE HALL BOARD ROOM
N112W17001 MEQUON RD**

- I. **CALL TO ORDER:** This meeting has been given public notice in accordance with Wisconsin Statutes, Section 19.83 and 19.84 in such form that will apprise the general public and news media of subject matter that is intended for discussion and action.
- II. **ROLL CALL:** Chairperson Hughes, Trustees Baum, Daniels and Myers.
- III. **PUBLIC COMMENT:** *Please be advised per State Statute Section 19.84(2), information will be received from the public. It is the policy of this municipality that there be a three minute time period, per person, with time extensions per the Chief Presiding Officer's discretion; be further advised that there may be limited discussion on the information received. However, NO ACTION will be taken under public comments.*
- IV. **APPROVAL OF MINUTES:** February 1, 2016 Regular Meeting
- V. **REPORTS:**
 - A. Police Department
 1. Monthly
 - B. Fire Department
 1. Monthly
 - C. Overtime Reports
 1. Police Department
 2. Fire Department
 - D. Policy Updates
 1. Police Department:
 - a. 6.04; Body Armor Utilization
 - b. 6.31; Racial Profiling Prohibition
 - c. 10.03; Open Records
 2. Fire Department:
None

VI. **UNFINISHED BUSINESS:**

- A. Animal Fancier License thru December 31, 2016:
 - 1. John Swartz, W140N13914 Country Aire, Germantown

VII. **NEW BUSINESS:**

- A. Squad Purchase/Squad Equipment and Changeover
- B. Discuss Re-Chassis vs. New Ambulance

VIII. **NEXT MEETING:** Set April 2016 Meeting Date, Time and Location

IX. **ADJOURNMENT:**

UPON REASONABLE NOTICE, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service please contact the Village Clerk at (262)250-4740 at least 2 days prior to the meeting.

NOTICE is given that a majority of the Village Board may attend this meeting to gather information about an agenda item over which they have decision making responsibility. This may constitute a meeting of the Village Board per State ex rel. Badke v. Greendale Village Board, even though the Village Board will not take formal action at this meeting.

**MEETING MINUTES
PUBLIC SAFETY COMMITTEE MEETING
FEBRUARY 1, 2016
VILLAGE HALL BOARD ROOM**

CALL: The meeting was called to order at 5:40 p.m. by Chairman Hughes.

ROLL CALL: Chairman Hughes and Trustee Baum. Chairman Hughes appointed Trustee Zabel to sit in so there would be a quorum present. Trustee Daniels arrived at 5:57 p.m. and Zabel stepped down at that time. Trustee Myers was absent and unexcused.

Also present were Police Captain Snow and Fire Chief Weiss.

PUBLIC COMMENT: no discussion.

APPROVAL OF MINUTES: a motion was made by Baum, seconded by Zabel, to approve the minutes of the January 4, 2016 Public Safety Committee Meeting. Motion carried unanimously.

POLICE DEPARTMENT MONTHLY REPORT: Snow reported on the following:

- December's report gave a good overview of the year's numbers and showed increases in Reported Crimes, Non-Criminal Calls and Calls for Service
- Annual report for 2015 is underway
- Ongoing investigations include the theft of cheese which media has been following

FIRE DEPARTMENT MONTHLY REPORT: Weiss reported on the following:

- Received grant for portable water tank which has been ordered
- 3 members received certification as CPR instructors and will be providing classes to the community at a cost of \$50 per person
- He will be writing an AED (Automatic External Defibrillator) plan for the community which would qualify Germantown as a Heart Safe designation if 2000 people become certified, an app on their phones could be used as an alert
- Noted the department had responded to several structure fires and had a cardiac save

OVERTIME REPORTS FOR POLICE & FIRE DEPARTMENT: Snow advised that three recent hires had completed their Field Training and were now scheduled in staffing helping to bring the department closer to full staff. An increase in overtime will still be present due to a current staffing shortage of two officer positions which are in the process of being filled.

Weiss reported that overtime was tracking normally and some of the overtime is the result of sending three members through Fire I training.

POLICY UPDATES:

Police Department - Snow advised the police department was updating the following policies as it moves forward in the accreditation process:

- 1.23 Off Duty Conduct
- 1.24 Officer Bill of Rights
- 2.07 Secondary Employment

Zabel noted that secondary employment appears limited as stipulated in the policy and questioned whether Village employment comes first. Snow stated that the department does not accommodate

for secondary employment, the work schedule for the department comes first. He added that secondary employment must be approved by the Chief.

Fire Department - Weiss advised the fire department is rewriting their policy manual and he has 2 new policies for review:

- 0102.07 Progressive Discipline
- 0102.08 Complaint Matrix

Weiss stated that the Progressive Discipline policy is a standard in the organization and the Complaint Matrix categorizes discipline. He added that copies of these policies are provided to the union for their review and input, and policies are reviewed during the training process. Weiss stated that if concerns are brought forward they are assessed for possible changes to the policies.

UPDATE ON FIRE DEPARTMENT STAFFING: Weiss advised they were implementing a new staffing schedule for POC members which would consist of 3 days on followed by 7 days off, then 4 days on followed by 7 days off. He stated there would be 3 groups following this rotation which would allow better off time on weekends and would be more attractive to the POC personnel, reducing burnout. Weiss also advised this work schedule would reduce the amount of equipment on the road responding to calls which would save on wear and tear of the equipment. He went on to explain the different types of responses to various calls and what equipment is used. Weiss also stated that weekend staffing would be changed with 2 firefighter/EMT's on Saturdays 6:00AM - 6:00PM, 2 on from 6:00PM until Sunday 6:00AM, and 2 on Sunday, 6:00AM - 6:00PM.

Trustee Daniels arrived at this time, 5:57 p.m., and Trustee Zabel stepped down.

Weiss continued with discussion and stated these staffing changes would be effective February 22, 2016. He said these changes are the first step in trying to work out staffing issues and the changes would also create some savings to the Village. Weiss added that he would be coming before the committee at a later date asking for three additional personnel.

ANIMAL FANCIER LICENSE THROUGH DECEMBER 31, 2016 FOR JOHN SCHWARZ, W140 N13914 COUNTRY AIRE DRIVE: Hughes advised a letter had been received from a neighbor of the applicant, Mr. Schwarz, but that neither party was present at tonight's meeting. Daniels stated that the letter indicated there had been an attack between the dogs where the owner seemed to be injured. Snow stated that according to police records, the fight was between the dogs and the blood present was also from the dogs, no one else was injured. He added that there were several other complaints dating back some time regarding dogs at large incidents, but the only recent complaint was the dogs fighting.

Baum made a motion that a decision on this application should be deferred until the applicant is able to appear before the committee. Motion was seconded by Daniels. Hughes advised that since this item is being postponed, a motion would not be necessary.

PURCHASE NEW AMBULANCE - FIRE DEPARTMENT: Weiss advised he is requesting to purchase a new ambulance to replace Ambulance 53, a 2001 light duty unit. He explained that the unit he is requesting to purchase is different from the older style ambulances and does not use the International cab/chassis. The new style, which is a Ford F450 or 550 4WD or similar unit, can have the box removed when it comes time for replacement, and the box would be placed on a new cab/chassis which can save over \$100,000. The approximate total cost for the new ambulance would be \$229,500 and would include computer, stretcher, radio, painting and installation. Weiss added this estimate was from one vendor, the purchase would need to go to bid if approved. He

added that he was also recommending that they sell Ambulances 53 and 56 which could bring in about \$21,000 and they would consider using these funds to then purchase a power lift if approved.

Discussion followed with Baum questioning whether the current ambulances could be updated by moving the boxes onto new cab/chassis, Weiss stated they could not due to being a different style. Daniels stated he was not completely sold on this option and wondered how the boxes would hold up over time. He also asked how the mechanics felt about working on the new style, Weiss responded they would prefer the International but this style would still be ok to work on. Baum also asked how long these ambulances would last, Weiss stated they should last about 10-15 years.

A motion was made by Baum, seconded by Daniels, to forward this purchase request to Village Board with a positive recommendation. Motion carried unanimously.

PURCHASE FIVE RECLINERS FOR FIRE STATION 2 - FIRE DEPARTMENT: Weiss stated the department was requesting to purchase five recliners for Fire Station 2 from Fire Station Outfitters for a total cost of \$3375.00. He said the current furniture being used was from donations and hand-me-downs and is in need of replacement. Weiss added the recliners are made specifically for fire stations and can withstand hard use. He also advised the department would like to spend \$500 for a dining table/chairs and wall mount for the television. Weiss stated the items would be purchased from account 10-522-570-8100 and was under budget.

Discussion followed with Baum stating he would not support this purchase, Daniels stated he understands that the fire department works under a different type of working environment and he would support the purchase request. A motion was made by Daniels, seconded by Baum, to forward this purchase request to Village Board with a positive recommendation. Motion carried 2-1 with Hughes and Daniels voting aye, Baum voting nay.

NEXT MEETING: Next meeting date set for Monday, March 7, 2016 at 5:30 p.m. at the Village Hall Boardroom.

ADJOURNMENT: There being no further business, the meeting was adjourned at 6:26 p.m.

Recorded by,

Julie L. Barth
Secretary

Overtime Report for Police & Fire Departments

2016 Year to date through:

14-Feb-16

		2016				2015			
Empl #	Employee Name	Total OT Hours Paid	Total Cost of OT Paid	Total OT Hrs to Comp	Time off Hours	Total OT Hours Paid	Total OT Hrs to Comp	ANNUAL Total of OT hours worked	ANNUAL Total OT to Pay
Police Dept									
90	Bali, Brian	32.50	1,922.70	9.75	14.63	24.50	82.50	107.00	1,407.16
92	Bloch, Ryan	22.50	1,196.78	4.25	6.38	145.25	50.25	195.50	7,501.44
141	Borden, Ray	3.00	163.89	8.25	12.38	68.50	105.00	173.50	3,636.32
115	Case, Robert	33.50	1,781.87	0.00	0.00	338.50	16.13	354.63	17,481.83
153	Jones, Matthew	2.00	78.24	2.00	3.00	0.00	0.00	0.00	0.00
101	Jones, Shawn	16.50	877.64	0.00	0.00	311.75	99.75	411.50	16,100.33
88	Laux, Kevin	15.25	811.15	3.50	5.25	92.25	145.13	237.38	4,764.25
142	Marten, Shawn	18.75	997.31	6.75	10.13	87.75	156.38	244.13	4,531.85
102	Mikulec, Dan	2.50	107.44	9.00	13.50	148.50	164.63	313.13	7,023.31
152	Miller, Timothy	8.50	452.12	0.00	0.00	159.00	42.75	201.75	8,211.56
86	Moschea, Daniel	4.50	239.36	5.75	8.63	166.00	124.88	290.88	8,573.07
138	Olson, Toni	26.75	1,461.35	9.00	13.50	116.50	125.25	241.75	6,184.40
137	Pesch, Justin	27.50	1,075.80	4.00	6.00	0.00	40.88	40.88	0.00
133	Pierce, Catherin	0.00	0.00	8.75	13.13	0.00	12.75	12.75	0.00
96	Pierzchalski, David	69.75	3,710.00	0.00	0.00	337.75	165.38	503.13	17,443.10
98	Rechlicz, Justin	7.00	372.33	0.00	0.00	162.75	133.88	296.63	8,405.22
136	Rollinger, Kevin	0.00	0.00	9.00	13.50	13.25	32.63	45.88	503.24
121	Schubert, Matthew	18.50	984.02	0.50	0.75	104.50	40.13	144.63	5,396.90
128	Stieve, Jeffrey								
99	von Bereghy, Darren	25.00	1,074.38	0.00	0.00	224.50	106.13	330.63	10,617.73
Total Police			17,306.35					*	127,781.70
Annual Budget			95,000.00						95,000.00
State Aid Reimbursement			0.00	2.23.2016		Total year end actual = \$1: \$ 168,155.29			
Hunting/Concealed Carry Permit			0.00	2.23.2016		* (difference from report due to personnel changes)			
						2015 State Aid Reimb \$25,091.02			
						2015 'Hunting/Concealed Carry Permit 0.00			

Note: Overtime hours to comp are reflected in regular wages

Fire Dept - Full Time									
*	523 Delain, John	77.00	2,508.66	0.00	0.00	473.25	0	473.25	15,418.49
*	563 Rossman, Craig	125.25	4,080.65	13.00	19.50	381	0	381	12,412.98
*	593 Smith, Steve	35.25	1,148.45	7.50	11.25	99.25	13.125	112.375	3,233.57
Fire Dept Regular Part-time									
		over 60				over 60			
		Hrs over 60	@ Reg Rate	Over 80 hrs	True OT cost	Hrs over 60	@ Reg Rate	Over 80 hrs	True OT Cost
**	625 Goetz, Steve	3.00	52.92	12.00	317.52	229	4,039.56	33.00	9,108.59
**	617 Hass, Thomas	27.25	480.69	22.75	601.97	1122	19,792.08	445.50	32,890.28
**	605 Rodriguez	180.75	3,029.37	157.50	3,959.56	1574	26,380.24	848.75	47,456.74
**	609 Asmondy	103.75	1,738.85	166.16	3,620.17	1144	19,173.44	311.50	29,242.64
					8,499.22				118,698.25

Effective July 24, 2013 - POC's over 53 hours/week

		Hrs over 53 2015 Cost	2015 Hours	2015 Cost	Overtime True Costs through:
					01.17.2016
***	576 O'Shea, Vicky				
***	629 McCullough, Jim				
***	639 Rammel, Brian				
***	650 Harris, Tim				
***	653 Asmondy, Robert		14.50	455.45	
***	658 Silvis, Pete		8.75	354.53	
***	660 Schodron, Kevin				
***	669 Zemlicka-Retzlaff, Jake				
***	673 Neu, Jeremy				
total POC overtime		0.00	0.00	23.25	809.98
* Full time, hours are over and above the 20 normal overtime hours reflected in their base wages					
** Part time hours worked over and above 60 normal hours in two weeks. Some of which are paid at 1.5 times					

THRU 2.14.16 18012.6

268,461.53

Budget - included within general wages

Total Fire Dept - OT wages paid through 12.31.15 129,824.38

Total Fire Dept - OT wages paid through 12.31.14 207,125.76

D. I

BUSINESS OF THE PUBLIC SAFETY COMMITTEE
GERMANTOWN, WI

MEETING DATE: 03-07-2016

AGENDA ITEM: Policy Updates

ITEM TITLE: Policy Updates

SUBMITTED BY: Capt. Mike Snow

SUMMARY EXPLANATION:

Updates to the following policies:

6.04; Body Armor Utilization

6.31; Racial Profiling Prohibition

10.03; Open Records

ATTACHMENT: ORDINANCE_____ RESOLUTION_____ OTHER_____

RECOMMENDATION:

BOARD ACTION:



POLICY & PROCEDURE

GERMANTOWN POLICE DEPARTMENT

SUBJECT: **BODY ARMOR UTILIZATION**

SCOPE: All Department Personnel
DISTRIBUTION: Policy & Procedure Manual

REFERENCE:

NUMBER: 6.04
ISSUED: 03/01/2016
EFFECTIVE: 03/08/2016
☐ RESCINDS
☐ AMENDS
WILEAG 4TH EDITION
STANDARDS: 6.1.7

INDEX AS: Body Armor
High-Risk Body Armor

PURPOSE: The purpose of this Policy & Procedure is to ensure that all sworn personnel of the Germantown Police Department have body armor and also requires that body armor is worn by personnel involved in agency defined high risk situations.

This Policy & Procedure consists of the following numbered sections:

- I. POLICY
- II. BODY ARMOR

I. POLICY

- A. It is the policy of the Germantown Police Department to maximize officer safety through the use of body armor in conjunction with the practice of prescribed safety procedures. While body armor provides a significant level of protection, it is not a substitute for sound, basic safety procedures.

II. BODY ARMOR

- A. Issuance of body armor

1. Newly hired officers shall receive Department issued NIJ approved level IIIA or level II body armor and ballistic plate with their uniform unless they prefer to use previously purchased body armor that is less than five years old and is approved by the Department.
 - a) The under the uniform vest carrier must be navy in color.
 - b) Officers may prefer to wear an authorized over the uniform shirt vest carrier that matches the uniform shirt.
2. All body armor issued by the Department will comply with the current minimum protective standards prescribed by the National Institute of Justice and should afford protection consistent with the threat to which officers are exposed.
3. The Department will replace body armor that is five years old or damaged in the line of duty.
4. Body armor that must be replaced due to misuse, neglect or abuse by the officer shall be paid for by the officer.
5. All issued body armor is the property of the Department. Officers shall turn in their old body armor at the time new body armor is issued or upon terminating employment with the Department.
6. The Department will maintain records documenting at minimum, officer name, issuance date, body armor ballistic level, body armor manufacturer and body armor serial numbers.
7. Replaced body armor and tactical vests can be utilized for training purposes, donated to other law enforcement agencies with approval from the Chief of Police and/or his designee, or destroyed in a controlled environment.

B. Use of body armor

1. Department issued body armor shall be worn immediately upon issuance.
2. Both uniformed and non-uniformed officers are required to wear the Department issued body armor at all times while engaged in field duties on duty unless exempted as follows:
 - a) When the officer is involved in undercover or plain-clothes work that a supervisor determines would be compromised by the wearing of body armor.
 - b) When the officer is assigned to perform an administrative function or duty such as school liaison or conducting administrative presentations.
 - c) When a physician determines that an officer has a medical condition that would preclude the wearing of body armor.

- d) When the department determines that circumstances make it inappropriate to mandate wearing body armor.
- 3. Command officers will have the option of not wearing their body armor while on duty; however, they must have their body armor immediately accessible.
 - a) Body armor that is not worn must be carried on duty and must be properly encased, maintained, and secure so that it is immediately accessible, if needed.
 - b) Body armor will not be stored in department vehicles from work shift to work shift unless that vehicle is primarily used by one officer.
 - c) Body armor shall be worn by all sworn personnel engaged in pre-planned, high risk situations.
 - (1) High-Risk-Assignments are defined as tasks that place, or could reasonably be expected to place, officers in high risk situations where they would be required to act in enforcement rather than administrative or support capacities. Examples of high-risk field activities include, but are not necessarily limited to search warrants, high-risk arrests, high-risk surveillance, active shooter situations, hostage/barricaded subject situations and crowd control.

D. Inspection of body armor

- 1. Officers shall be responsible for ensuring that Department issued body armor is worn and maintained as required by this policy. Supervisors shall periodically inspect body armor to ensure the officers are in compliance.
- 2. Officers shall be responsible for regular inspection of all Department issued body armor for fit, cleanliness, signs of damage, abuse and wear.

C. Care and maintenance of Department issued body armor

- 1. Each officer is responsible for the proper storage of body armor in accordance with manufacturer's instructions and daily inspection for signs of damage and general cleanliness.
- 2. Since dirt and perspiration may erode ballistic panels, each officer shall be responsible for cleaning his/her body armor in accordance with the manufacturer's instructions. Officers should check with the manufacturer to ensure that spray deodorants do not adversely affect the ballistic panels.
- 3. Officers are responsible to request replacement of worn body armor carriers as a part of regular uniform maintenance.
- 4. Officers are responsible for immediately reporting damage or excessive wear to the ballistic panels, or cover, to the Chief of Police via inter-office memorandum.

D. Training

1. The firearms instructors shall be responsible for maintaining the following information:
 - a) Training programs that inform the officers about body armor and emphasize its safe and proper use.
 - b) Technological advances in the body armor industry that may necessitate a change in body armor.
 - c) A description of weapons and ammunition currently in use, and whether or not issued body armor can withstand their impact.

Peter G. Hoell
Chief of Police

This Policy & Procedure cancels and supersedes any and all written directives relative to the subject matter contained herein.

Initial XX/XX/2014



POLICY & PROCEDURE

GERMANTOWN POLICE DEPARTMENT

SUBJECT: **RACIAL PROFILING
PROHIBITION/TRAFFIC STOPS**

SCOPE: All Department Personnel
DISTRIBUTION: Policy & Procedure Manual

REFERENCE: WI State Statutes: 16.964(16)(a), 349.027, Office of Justice Assistance (OJA) 1

NUMBER: 6.31

ISSUED: 03/01/2016

EFFECTIVE: 03/08/2016

☐ RESCINDS

☐ AMENDS

WILEAG 4TH EDITION

STANDARDS: N/A

INDEX AS: Ethnic Profiling
Racial Profiling
Searches/Traffic Stops
Traffic Stops
Traffic Stops/Complaints
Traffic Stops/Data Collection

PURPOSE: The purpose of this Policy & Procedure is to unequivocally state that racial and ethnic profiling in law enforcement is totally unacceptable; to provide guidelines for officers of the Germantown Police Department to prevent such occurrences; and to protect officers when they act within the dictates of the law and policy from unwarranted accusations.

This Policy & Procedure consists of the following numbered sections:

- I. DISCUSSION
- II. POLICY
- III. DEFINITIONS
- IV. PROCEDURE
- V. TYPES OF INFORMATION REQUIRED TO BE COLLECTED BY OFFICERS
- VI. PROCESS AND FORMAT FOR SUBMITTING DATA TO OJA

VII. COMPLAINTS OF RACIAL/ETHNIC PROFILING

I. DISCUSSION

- A. A fundamental right guaranteed by the Constitution of the United States to all who live in this nation is the equal protection under the law. Along with this right to equal protection is the fundamental right to be free from unreasonable searches and seizures by government agencies. Citizens are free to walk and drive our streets, highways, and other public places without police interference so long as they obey the law. They also are entitled to be free from crime, and from the depredations of criminals, and to drive and walk our public ways safe from the actions of reckless and careless drivers.
- B. The Department is charged with protecting these rights, for all, regardless of race, color or ethnicity.
- C. Because of the nature of their business, law enforcement officers are required to be observant, to identify unusual occurrences and law violations, and to act upon them. It is this proactive enforcement that keeps our citizens free from crime, our streets and highways safe to drive upon, and that detects and apprehends criminals.
- D. This Policy & Procedure is intended to assist law enforcement in accomplishing this total mission in a way that respects the dignity of all persons and yet sends a strong deterrent message to actual and potential lawbreakers that if they break the law, they are likely to encounter the police.

II. POLICY

- A. It is the policy of the Germantown Police Department to patrol in a proactive manner, to aggressively investigate suspicious persons and circumstances, and to actively enforce the motor vehicle laws, while insisting that citizens will only be stopped or detained when there exists reasonable suspicion to believe they have committed, are committing or are about to commit, an infraction of the law.

III. DEFINITIONS

- A. Racial profiling: The detention, interdiction, or other disparate treatment of any person on the basis of their racial or ethnic status or characteristics.
- B. Reasonable suspicion: Also known as articulable suspicion. Suspicion that is more than a mere hunch, but is based on a set of articulable facts and circumstances that would warrant a person of reasonable caution in believing that an infraction of the law has been committed, is about to be committed, or is in the process of being committed, by the person or persons under suspicion.

This can be based on the observations of a police officer combined with his or her training and experience, and or reliable information received from credible outside sources.

- C. Probable cause: Probable cause exists where the facts and circumstances within the arresting officer's knowledge, and of which such officer had reasonably trustworthy information, are sufficient in themselves to warrant a person of reasonable caution in the belief that an offense has been or is being committed.

IV. PROCEDURE

- A. The Department's efforts will be directed toward assigning officers to those areas where there is the highest likelihood that crashes will be reduced and/or crime prevented through proactive patrol.
- B. Officers will receive initial and ongoing training in proactive enforcement tactics, including training in officer safety, courtesy, cultural diversity, and the laws governing search and seizure, and interpersonal communications skills.
- C. Training programs will emphasize the need to respect the rights of all citizens to be free from unreasonable government intrusion or police action.
- D. Traffic enforcement will be accompanied by consistent, ongoing supervisory oversight to ensure that officers do not go beyond the parameters of reasonableness in conducting such activities.
- E. Motorists shall only be subjected to stops, seizures or detentions upon reasonable suspicion that they have committed, are committing, or are about to commit an infraction. Each time a motorist is stopped, the officer shall radio to the dispatcher the location of the stop, the description of the person or vehicle being detained, the reason for the stop, and any impediments to observing the persons in the vehicle, and this information shall be logged.
- F. The Department recognizes that with experience, individual officers may develop individualized approaches that they find work best for them in minimizing conflict during officer/violator contacts. Refer to Policy & Procedure 6.06: Traffic Stops and Approach to Violator's Vehicle.
- G. Appropriate enforcement action should always be completed in the form of a verbal warning, written warning, citation or arrest.
- H. No motorist, once cited or warned, shall be detained beyond the point where there exists no reasonable suspicion of further criminal activity, and no person or vehicle shall be searched in the absence of a warrant, a legally recognized exception to the warrant requirement, or the person's voluntary consent.

In each case where a search is conducted, this information shall be recorded, including the legal basis for the search, and the results thereof. It is strongly recommended that consent searches be conducted when possible with written consent, using the proper department form. If the individual indicates that they will consent to a search but are refusing to sign the form, fill out the form anyway and indicate "consented to search but refused to sign", inserting initials and the signature of any witness in the signature block.

- I. If the police vehicle is equipped with a video camera, the video and sound shall be activated prior to the stop, to record the behavior of the vehicle or person, and shall remain activated until the person is released and resume their journey.
- J. In the absence of specific, credible information containing a physical description, a person's race or ethnicity shall not be a factor in determining probable cause for an arrest or reasonable suspicion for a stop.
- K. The deliberate recording of any misleading information related to the actual or perceived race, ethnicity, gender, or sexual orientation of a person stopped for investigative or enforcement purposes is prohibited and a cause for disciplinary action, up to and including dismissal.

V. COMPLAINTS OF RACIAL/ETHNIC PROFILING

- A. Any person may file a complaint with the department if they feel they have been stopped or searched based on racial or ethnic profiling, and no person shall be discouraged, intimidated, or coerced from filing such a complaint, or discriminated against because they have filed such a complaint.
- B. Any officer contacted by a person who wishes to file such a complaint, shall provide the citizen with the proper directions for obtaining and completing a citizen complaint form which may be mailed or delivered in person to the police department.
- C. Supervisors receiving such a report shall forward it to the internal affairs section and all such complaints shall be reviewed, the complaint acknowledged to the complainant in writing, and the complainant shall be informed of the results of the department's review within a reasonable period of time. The report and the reviewer's conclusion shall be filed with the Chief of Police of the department, and shall contain findings and any suggestions for disciplinary action or changes in policy, training, or tactics.

Peter G. Hoell
Chief of Police

This Policy & Procedure cancels and supersedes any and all written directives relative to the subject matter contained herein.

Initial XX/XX/2014



POLICY & PROCEDURE

GERMANTOWN POLICE DEPARTMENT

SUBJECT: **OPEN RECORDS**

SCOPE: All Department Personnel
DISTRIBUTION: Policy & Procedure Manual

REFERENCE: WI State Statutes: 19.32(2), 19.34(1),
19.35

NUMBER: 10.03
ISSUED: XX/XX/2014
EFFECTIVE: XX/XX/2014
☐ RESCINDS
☐ AMENDS
WILEAG 4TH EDITION
STANDARDS: 10.2.1

INDEX AS: Open Records
Release of Information

PURPOSE: The purpose of this Policy & Procedure is to provide information on the proper procedures to release information collected by the Germantown Police Department to ensure compliance with the Wisconsin Open Records Law.

This Policy & Procedure consists of the following numbered sections:

- I. DEFINITIONS
- II. RELEASE OF INFORMATION BY PERMISSION OF CHIEF OF POLICE ONLY
- III. RECORDS ACCESSABILITY
- IV. AVAILABILITY OF RECORDS
- V. ASSOCIATED/APPLICABLE FEES

I. DEFINITIONS

- A. RECORD: Any material on which written, drawn, printed, spoken, visual, or electromagnetic information is recorded or preserved. Records do not include drafts, notes, preliminary computations, and like materials as stated in WI Statute 19.32(2).

- B. COPY OF THE REPORT: A copy of the report that was generated after all the information which the law prohibits disclosure of and all the information which the law permits law enforcement to refuse disclosure of has been removed.

II. RELEASE OF INFORMATION BY CHIEF OF POLICE ONLY

- A. Since the Chief of Police bears the full responsibility for the lawful and orderly operation of the Department, any and all information will only be released by the Chief of Police or his/her authorized designee.
- B. Furthermore, information relating to cases which may involve potential civil liability for the Department shall be withheld until prompt review and approval has been obtained from the Department legal counsel. If there is reason to believe a request involves information which concerns potential liability of the Department, the person making the request should be referred to the Chief of Police.
- C. It shall be the policy of the Department that absolutely no official document and/or report, handwritten documentation, or verbal information pertaining to juveniles, driving records and criminal histories shall be released by any personnel of this Department to any party without expressed permission of the Chief of Police or his/her designee. The only exception is a request from another law enforcement agency. This policy shall apply to information release requests whether juvenile or adult.
- D. It shall also be the policy of the Department to follow guidelines for the release of records derived from the Department of Motor Vehicles to third parties as instructed by the Driver's Privacy Protection Act (DPPA); refer to Policy & Procedure 10.04: DPPA.
- E. Juvenile Records
 - 1. A juvenile record may be released to the following:
 - a) News media representatives who wish to obtain information for the purpose of reporting news without revealing the identity of the juvenile involved.
 - b) School district administrator of the school in which the juvenile attended.
 - c) Other law enforcement agencies for the purpose of investigation.
 - d) Social welfare agencies under contract from a county.
 - e) Victim witness coordinators.
 - f) Fire investigators under WI ss 165.55(15).
 - 2. If a juvenile release form is signed, a juvenile record may be released to the following:

- a) Victims' insurance companies for the purpose of seeking restitution.
- b) The juvenile's attorney or guardian ad litem.
- c) Records can be released to the parent, guardian, legal custodian or juvenile (age 14 or older) upon their request.
- d) The victim of injury, loss or damage of a juvenile act, and only for the purpose to obtain restitution.
- e) Juveniles waived into adult court.

III. RECORDS ACCESSABILITY

- A. The Germantown Police Department lobby is open 24 hours per day. Request for information will be accepted at any time. Germantown form GPD-147, "Request for Public Record Inspection or Copy", should be filled out (not mandatory) by the requestor or an employee taking the request, in an effort to assist the Department in locating a record in a prompt and efficient manner.

IV. AVAILABILITY OF RECORDS

- A. The Chief of Police is designated as the legal custodian of all departmental records. Inquiries about the availability of records may be made at police headquarters during regular office hours.

When records are legally available for public inspection, copies may be made by photocopy at the Village's current rate.

VI. ASSOCIATED/APPLICABLE FEES

- A. **Copy Fees.** Copies of documents/transcription fees will be charged at the rate of \$0.25 per page. [See WI Statute 19.35(3)(a)].
- B. **Copies of Photographs/Tapes, Etc.** Fees for photographs, tapes, etc. will be charged. [See WI Statute 19.35(3)(b)].
- C. **Location Costs.** Fees will be charges. [See WI Statute 19.35(3)(c)].
- D. **Mailing and Shipping Fees.** Fees will be charged. [See WI Statute 1935.(3)(d)].
- E. **Waiver/Reduced Rate.** Waivers or reduced rates may be authorized at the Police Chief's discretion on a case-by-case basis. [See WI Statute 19.35(3)(e)].
- F. **Prepayment.** The Department may require prepayment for any request that will result in anticipated charges of Forty-Five Dollars (\$45.00) or more. [See WI Statute 19.35(3)(f) and *Hill v. Zimmerman*, 196 Wis. 2d 419, 538 N.W.2d 608 (Ct. App. 1995).

G. ***Adjustment of Fees.*** All fees hereunder may be adjusted from time to time.

Peter G. Hoell
Chief of Police

This Policy & Procedure cancels and supersedes any and all written directives relative to the subject matter contained herein.

Initial 03/01/2016

VILLAGE OF GERMANTOWN
OFFICE OF THE VILLAGE CLERK
N112 W17001 MEQUON ROAD, P.O. BOX 337
GERMANTOWN, WI 53022
PHONE: (262) 250-4740 FAX: (262) 253-8255

RECEIVED

JAN 08 2016

OFFICE OF VILLAGE CLERK
VILLAGE OF GERMANTOWN

VI. A

paid
1-8-16
\$25.00

APPLICATION FOR ANIMAL FANCIER'S ESTABLISHMENT

Chapter 12.16 of the Municipal Code

Annual Fee: \$25.00

NAME: JOHN SWARTZ

ADDRESS: W140 N13914 COUNTRY AIRE

CITY, STATE, ZIP CODE: GERMANTOWN, WI

Home Phone No. _____ Date of Birth: _____

Zoning of Property: RS-2 ** See back of form for Zoning Limitations**

Please Note: Animal Fancier's License will not be issued unless all of the individual cat or dog licenses are paid and issued prior to December 31st.

Purpose of requesting an animal fancier's permit:

HISTORICAL FARM LAND w/ BARN & ACREAGE
ALWAYS HAD ANIMALS DEB PECK COMPLAINED
USED POLICE TO INCITE THIS REQUEST.

Listing of each animal:

NAME	MALE/ FEMALE	COLOR	BREED	RABIES TAG NO. & EXPIRATION DATE:
DOG / CAT:				
<u>JULIE</u>	<u>FEMALE</u>	<u>MIX</u>	<u>MIX</u>	<u>NEED TO UPDATE FOR 2016</u>
<u>TAD</u>	<u>MALE</u>	<u>MIX</u>	<u>MIX</u>	<u>NEED TO UPDATE FOR 2016</u>
<u>PUPPY</u>	<u>MALE</u>	<u>MIX</u>	<u>MIX</u>	<u>...</u>
<u>SALVADOR</u>	<u>MALE</u>	<u>BLACK/WHITE</u>	<u>MIX</u>	<u>NEED TO CATCH & UPDATE</u>
<u>RACK</u>	<u>FEMALE</u>	<u>MIX</u>	<u>MIX</u>	<u>NEED TO CATCH & UPDATE</u>
_____	_____	_____	_____	<u>FOR 2016</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

If there are more animals, attach a separate sheet or use the back of this form giving required information. Also, attach a copy of the plot plan showing dog runs, etc., if applicable.

NAME OF VETERINARIAN: ANIMAL DOCTORS BETSY

ADDRESS: HARTFORD

CITY, STATE, ZIP CODE: _____

PHONE NO.: _____

Signature of Owner: [Signature] Date: 1-8-2016

PERMIT NO. _____ DATE ISSUED: _____

N140 W13843 Cedar Lane
Germantown, WI 53022
January 25, 2016

RECEIVED

JAN 27 2016

Office of the Village Clerk
Germantown, WI 53022

OFFICE OF VILLAGE CLERK
VILLAGE OF GERMANTOWN

To the Members of the Public Safety Committee:

I am contacting you today to ask that you deny the application by John Swartz, et al, for an Animal Fancier's License.

They currently have 3 large unneutered male dogs that live on a second story outdoor deck. The dogs have viciously attacked each other several times and injured the owner so seriously that a neighbor had to drive her to the Urgent Care Clinic.

I witnessed one of these attacks a few weeks ago when I responded to screams for help from the owner and her young daughter who were trapped amidst the fighting dogs. The scene was horrific. Blood was spattered everywhere and on everyone. The owner could not stop the fight, even using a shovel.

Just 3 days ago the young daughter was outside alone with the pit-bull cross. It was not on a leash! It came onto my property under my horse pasture fence and was stopped by our dog's yard fence. The pit-bull was barking aggressively the entire time until the owner finally came to get the dog. Their dogs coming on our property are a danger to my horse and to me when I ride.

We often exercise our dogs in our front yard, and other neighbors do likewise. We now fear for our pets' safety. According to noted experts, once a dog has attacked other dogs with that level of intent, neutering will not keep it from repeating the attacks.

Unfortunately, over the years they have repeatedly let their animals "run at large" including goats, pigs, horses, and a cow, often causing property damage and a hazard on the road. While we are glad they no longer let their dogs continually roam the neighborhood, I feel their dogs can be dangerous and can't be allowed off leash at any time. If you'd seen what I'd witnessed you would agree.

Being animal lovers, we have been tolerant of the frequent dog barking when no one is home, and of the numerous wild unneutered cats that they feed, but this underscores a lack of good animal husbandry.

From our perspective, they are not responsible pet owners and their request for an Animal Fanciers License should be denied.

Sincerely,



Debra D. Peck

BUSINESS OF THE PUBLIC SAFETY COMMITTEE
GERMANTOWN, WI

MEETING DATE: 03-07-2016

AGENDA ITEM: New Business

ITEM TITLE: Squad Purchase/Squad Equipment and Changeover

SUBMITTED BY: Capt. Mike Snow

SUMMARY EXPLANATION:

Funds to purchase a 2016/17 Ford Police SUV Interceptor have been included in the 2016 capital budget under account 40-521-570-8510.

We are requesting to use those funds to replace the training car, a 2003 Ford Crown Victoria with over 112,000 miles. This vehicle has experienced frequent maintenance issues over the past several years, beyond routine maintenance. The exterior of the vehicle has also degraded to the point where it is in need of significant body work. The Chief's old squad, a 2009 Dodge Charger would be used as the new training squad.

After sending out bid requests the lowest bid was submitted by Ewald Ford in the amount of \$26,533. We are requesting funds not to exceed \$34,000 for the purchase of the squad, from Ewald Ford, and the purchase of equipment and changeover costs.

ATTACHMENT: ORDINANCE_____ RESOLUTION_____ OTHER_____

RECOMMENDATION:

BOARD ACTION:

BUSINESS OF THE PUBLIC SAFETY COMMITTEE

GERMANTOWN, WI

Fire Department

MEETING DATE: March 7, 2016

AGENDA ITEM: New Business

ITEM TITLE: Discuss Re-Chassis vs. New Ambulance

SUBMITTED BY: Chief Gary L. Weiss

SUMMARY EXPLANATION: Brief discussion on the advantages of re-chassis two ambulances vs the purchase of one new ambulance.

ATTACHMENT: ORDINANCE___ RESOLUTION___ OTHER___