

VILLAGE OF GERMANTOWN
N112 W17001 MEQUON ROAD
GERMANTOWN, WI 53022

MEETING:	PUBLIC SAFETY COMMITTEE
DATE AND TIME:	<u>MONDAY, April 5, 2021</u> <u>6:00 p.m.</u> Special General Government and Finance Meeting to follow No earlier than 6:30 p.m.
LOCATION:	Germantown Village Hall Board Room N112 W17001 Mequon Road

NOTICE: Pursuant to the current recommendation of the Centers for Disease Control and Prevention limiting the size of public gatherings, capacity within the Board Room will be limited. Members of the body and citizens may also attend the meeting virtually through the WebEx platform, Meeting #: 182 157 0851 Password: hvEPQPJi222 which can be accessed by phone at 408-418-9388 or by logging on <https://villageofgermantown.my.webex.com/villageofgermantown.my/j.php?MTID=m4b192db7be102c67868b6d0abe31307c> Citizens wishing to view the meeting are encouraged to watch the live broadcast of the meeting through Channel 25 on Spectrum cable, or the livestream on the Village's website. Citizens not wishing to attend the meeting personally or virtually may submit any public comments by sending an email to comments@village.germantown.wi.us by 4 p.m. on the day of the meeting so that it can be provided to the members of the body for their consideration.

- 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 Miller, Trustees Wing, Pieper and Myers.
- III. **PUBLIC COMMENT:** *Please be advised per §19.84(2), information will be received from the public. It is the policy of this municipality that there be a three (3) minute time period, per person, with time extension 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. (15 minutes) Written Public Comments should be directed to comments@village.germantown.wi.us, by 4 p.m. on Monday, April 5.*
- IV. **APPROVAL OF MINUTES:** March 1, 2021, Regular Meeting.
- V. **REPORTS:**
 - A. Police Department.
 1. Monthly.
 - B. Fire Department.
 1. Monthly.
 - C. Policy Updates.
 1. Police Department:
 - a. Policy 328 – Firearm Injury Reporting.
 - b. Policy 329 – Death Investigation.
 - c. Policy 330 – Identity Theft.
 - d. Policy 331 – Private Persons' Arrest.
 - e. Policy 332 – Limited English Proficiency Services.
 - f. Policy 333 – Communications with Persons with Disabilities.
 - g. Policy 334 – Biological Samples.

2. Fire Department:
 - a. Policy 100 – Fire Service Authority.
 - b. Policy 103 – Policy Manual.
 - c. Policy 200 – Organizational Structure.
 - d. Policy 201 – Emergency Action Plan and Fire Prevention Plan.
 - e. Policy 202 – General Orders.

VI. **UNFINISHED BUSINESS:**

- A. None.

VII. **NEW BUSINESS:**

- A. Police Department Commendation – Oliver Radtke
- B. Police Department – Squad Change Over.
- C. Police Department – Severe Weather Sirens Replacement Plan.
- D. Fire Department – Battalion Chief Holiday Pay.
- E. Ordinance 03-2021, An Ordinance Amending Section 12.02 of the Germantown Municipal Code Relating to the Sale of Intoxicating Liquor for Off-Premises Consumption.

VIII. **NEXT MEETING:** Set Possible Special Meeting and April 2021 Meeting Date and Time.

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
MARCH 1, 2021
GERMANTOWN VILLAGE HALL BOARD ROOM

CALL: The meeting was called to order at 6:03 p.m. by Chairman Miller.

ROLL CALL: Chairman Miller, Trustee Myers and Trustee Wing. Trustee Pieper attended virtually on WebEx until her arrival at 6:20 p.m.

Also present were Police Chief Snow, Fire Chief Delain, Battalion Chief Asmondy, Administrator Kreklow, Clerk Braunschweig, HR Manager Tucker.

PUBLIC COMMENT: no comments

APPROVAL OF MINUTES: a motion was made by Myers, seconded by Wing, to approve the minutes of the February 1, 2021 Public Safety Committee meeting. Motion carried unanimously.

POLICE DEPARTMENT MONTHLY REPORT: Snow reported on the following:

- No hardcopy of the monthly report is available yet, department is working on an alternative report
- Department responded to a fatal accident crash on February 9th on I41 which is still under investigation
- 62 applications were received for the police officer position, with 34 testing, interviews with command staff will begin the following day with interviews before the Police & Fire Commission the following week

FIRE DEPARTMENT MONTHLY REPORT: Delain reported on the following:

- Inspections for enforcement of fire codes have begun full time, violations have been detected and the department is seeking compliance in getting those corrected
- Calls for service are still high but have gone down since December, majority of calls are EMS related
- The numbers for COVID calls have decreased

OVERTIME REPORTS: no report

Police Department
Fire Department

POLICY UPDATES FOR POLICE & FIRE DEPARTMENT:

POLICE DEPARTMENT:

Policy 322 – Report Preparation
Policy 323 – Media Relations
Policy 324 – Subpoenas and Court Appearances
Policy 325 – Outside Agency Assistance
Policy 326 – Registered Offender Information

Snow advised the policies included are general policies with none in the high-risk category. Wing questioned whether the department has someone assigned to handle media at an event that draws a higher media response, Snow advised that having a member of the staff trained in media relations is a goal of the department.

FIRE DEPARTMENT: none

UNFINISHED BUSINESS: none

NEW BUSINESS

POLICE DEPARTMENT COMMENDATION: Snow advised he would be bringing commendations before the Public Safety Committee. He read to the committee commendations for Officer Ryan Bloch and Officer Jayna Schmittinger.

RYAN A. BLOCH – commendation for actions while investigating armed robbery 21-1878 on February 1, 2021

JAYNA L. SCHMITTINGER – commendation for actions while investigating retail theft incident 21-1216 on January 21, 2021

Miller commented that excellent work was done by both officers.

POLICE DEPARTMENT – HIRING OF IT POSITION: Snow advised the job description for this position was completed and included with the packet. He added this is a new position for the police department and will replace the former communications supervisor position. Snow stated this position would provide IT support for both police and fire departments.

A motion was made by Myers, seconded by Wing, to forward this request to hire for an IT position to Village Board with a recommendation of approval as presented. Motion carried unanimously.

POLICE DEPARTMENT – HIRING OF CLERK POSITION:

Trustee Pieper arrived at this time, 6:20 p.m.

Snow advised the department had requested to create a new clerk position to handle open records requests and already have someone to take this position, so the department will then have an open clerk typist position to fill.

A motion was made by Myers, seconded by Wing, to forward this request to hire for the Clerk position to Village Board with a recommendation of approval. Motion carried unanimously.

FIRE DEPARTMENT – PURCHASE OF NEW AMBULANCE: Delain advised the department had been approved during the budget process for the purchase of a new ambulance to replace Unit 1754 for up to \$300,000.00. The department was requesting approval for the purchase of a new ambulance from Lifeline Ambulance through Jefferson Fire and Safety for \$283,273.00 which does not include additional small equipment needed for this unit.

A motion was made by Myers, seconded by Wing, to forward this purchase request to Village Board with a recommendation of approval. Motion carried unanimously.

FIRE DEPARTMENT – PURCHASE OF HEART MONITORS: Asmondy advised the department had been approved during the budget process for the purchase of heart monitors for the ambulances in the amount of \$200,000.00. He stated the current monitors they are using were purchased in 2014 and are requiring increasing repairs, and replacement parts will no longer be manufactured next year. Asmondy said they received 2 quotes for the purchase of 4 new monitors from SOS Technologies and Zoll Medical Corporation. He added they had received price quotes from both companies but are still fine-tuning the purchase price and were not sure at this time which vendor they would be purchasing the monitors through.

A motion was made by Myers to approve this purchase without the vendor being named in an amount not to exceed \$200,000.00. Wing seconded the motion but advised he did not want this purchase request to be placed on the consent agenda at the Village Board meeting. Further discussion followed regarding what discounts may be available, receiving credit for the old monitors, service agreement costs, and possible price reductions. Motion carried unanimously with Miller advising this item would be placed on the regular agenda so there could be discussion on additional information the fire department may receive by then.

NEXT MEETING: Monday, April 5, 2021 6:00 p.m., at the Village Hall Boardroom.

ADJOURNMENT: there being no further business, the meeting was adjourned at 6:31 p.m.

Recorded by,
Julie L. Barth
Secretary

BUSINESS OF THE PUBLIC SAFETY COMMITTEE
GERMANTOWN, WI

MEETING DATE: April 5th, 2021

AGENDA ITEM: Reports

ITEM TITLE: Policy Updates

SUBMITTED BY: Chief Mike Snow

SUMMARY EXPLANATION:

Attached are policy updates 328-334

ATTACHMENT: ORDINANCE_____ RESOLUTION_____ OTHER_____

RECOMMENDATION:

BOARD ACTION:

Firearm Injury Reporting

328.1 PURPOSE AND SCOPE

Investigation of cases involving firearm injuries is important to the State of Wisconsin and the safety of the public. Some causes of firearm injuries may not be readily apparent and some cases differ substantially from what they appeared to be initially. The Department takes firearm injury investigations seriously and therefore employees must conduct thorough and complete investigations.

328.2 INVESTIGATION

All bullet wounds, gunshot wounds, powder burns or any other injury or death resulting from the discharge of any firearm shall be thoroughly investigated by this department upon receipt of any report made pursuant to Wis. Stat. § 29.341 and Wis. Stat. § 29.345 or that otherwise is reported to the Department.

Information or reports received from health care professionals shall also be investigated, but the identity of the reporter shall remain confidential as allowed by law (Wis. Stat. § 255.40).

Employees investigating firearm injuries shall contact a supervisor as soon as reasonably possible to determine if further guidance or additional resources are necessary.

All reports or investigations under this section shall be forwarded by the Records Section to the appropriate county or state agency as required.

328.3 HUNTING INJURIES

If a firearm injury is determined to have been caused by an action connected with hunting, fishing or trapping, the Wisconsin Department of Natural Resources (DNR) requests notification on all such firearms related injuries.

The DNR completes the International Hunter Education Association's Annual Report of Hunting and Hunting Related Incidents for compiling nationwide hunting-related statistics and uses the information provided by local agencies for this purpose. The DNR also uses this information to determine whether to investigate or charge a violation of Wis. Stat. § 29.345, failure to report a firearm-related injury sustained in a hunting, fishing or trapping incident.

Death Investigation

329.1 PURPOSE AND SCOPE

The investigation of cases involving death include those ranging from natural causes to homicide. Some causes of death may not be readily apparent and some cases differ substantially from what they appear to be initially. The importance of a thorough death investigation cannot be emphasized enough.

Death investigations shall be conducted pursuant to Wis. Stat. Chapter 979.

329.2 INVESTIGATION CONSIDERATIONS

Death investigation cases require certain actions be taken. Emergency Medical Services shall be called in all suspected death cases, unless the death is obvious (e.g., the person has been decapitated or the body is decomposed). Officers are not authorized to pronounce death unless they are also a Medical Examiner, a Deputy Medical Examiner or an appointed Medical Examiner Investigator. A supervisor shall be notified in all death investigations.

329.2.1 MEDICAL EXAMINER REQUEST

The Medical Examiner shall be called in all sudden or unexpected deaths or deaths due to other than natural causes, including but not limited to the following (Wis. Stat. § 979.01):

- (a) All deaths in which there are unexplained, unusual or suspicious circumstances
- (b) All homicides
- (c) All suicides
- (d) All deaths following an abortion
- (e) All deaths due to poisoning, whether homicidal, suicidal or accidental
- (f) All deaths following accidents, whether the injury is or is not the primary cause of death
- (g) When there was no physician, or accredited practitioner of a bona fide religious denomination relying upon prayer or spiritual means for healing in attendance within 30 days preceding death
- (h) When a physician refuses to sign a death certificate
- (i) When, after reasonable efforts, a physician cannot be located or contacted to sign the death certificate
- (j) Unidentifiable bodies

329.2.2 SEARCHING DEAD BODIES

The Medical Examiner or an assistant and authorized investigators are generally the only persons permitted to move, handle or search a body. Should exigent circumstances indicate to an officer that any other search of a known dead body is warranted prior to the arrival of the Medical

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Death Investigation

Examiner, the investigating officer shall first obtain verbal consent from the Medical Examiner when practicable.

An officer is permitted to make a reasonable search of an individual who it is reasonable to believe is dead, or near death, for a record of anatomical gift or other information identifying the individual as a donor or as an individual who made a refusal (Wis. Stat. § 157.06(12)). If a donor document is located, the Medical Examiner shall be promptly notified. If a donor record of gift or gift refusal is located, and the individual is transported to a hospital, the person responsible for conducting the search shall send the donor record of gift or gift refusal to the hospital.

Whenever reasonably possible, a witness, preferably a relative to the deceased or a member of the household, should be requested to remain nearby the scene and available to the officer pending the arrival of the Medical Examiner. The name and address of this person shall be included in the narrative of the death report. Whenever personal effects are removed from the body of the deceased by the Medical Examiner, a receipt shall be obtained. This receipt shall be attached to the death report.

329.2.3 DEATH NOTIFICATION

When reasonably practicable, and if not handled by the Medical Examiner, notification to the next-of-kin of the deceased person shall be made, in person, by the officer assigned to the incident or by a department chaplain accompanied by the officer assigned. If the next-of-kin lives in another jurisdiction, a law enforcement official from that jurisdiction shall be requested to make the personal notification. If the relatives live outside this county, the local Medical Examiner may be requested to make the notification. The Medical Examiner should be advised if notification has been made. Assigned investigators may need to talk to the next-of-kin.

If a deceased person has been identified as a missing person, this department shall attempt to locate family members and inform them of the death and location of the deceased missing person's remains. All efforts to locate and notify family members shall be recorded in appropriate reports and properly retained.

329.2.4 UNIDENTIFIED DEAD BODIES

If the identity of a dead body cannot be established after the Medical Examiner arrives, the Medical Examiner will issue an incident number for the report.

329.2.5 DEATH INVESTIGATION REPORTING

All incidents involving a death shall be documented on the appropriate form.

329.2.6 SUSPECTED HOMICIDE

If the initially assigned officer suspects that the death involves a homicide, any suspicious circumstances or the manner of death cannot be determined, the officer shall take steps to protect the scene. The Detective Bureau Supervisor shall be notified to determine the possible need for an investigator to respond to the scene for further immediate investigation.

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Death Investigation

329.2.7 EMPLOYMENT-RELATED DEATHS OR INJURIES

Any member of this agency who responds to and determines that a death, serious illness or serious injury has occurred as a result of an accident at or in connection with the victim's employment should ensure that the nearest office of the Wisconsin Department of Health Services (WDHS) is notified with all pertinent information.

Identity Theft

330.1 PURPOSE AND SCOPE

Identity theft is a growing trend that frequently involves related crimes in multiple jurisdictions. This policy is intended to provide guidelines for the reporting and investigation of such crimes.

330.2 REPORTING

- (a) To maintain uniformity in reporting, officers shall initiate a report for victims residing within the jurisdiction of this department when the crime occurred. For incidents of identity theft occurring outside this jurisdiction, officers should observe the following (Wis. Stat. § 943.201(4)):
 - 1. For any victim not residing within this jurisdiction, the officer may either take a courtesy report to be forwarded to the victim's residence agency or the victim shall be informed which law enforcement agency may have jurisdiction. The victim should be encouraged to promptly report the identity theft to the appropriate law enforcement agency.
- (b) While the crime of identity theft should be reported to the law enforcement agency where the victim resides, officers of this department should investigate and report crimes occurring within this jurisdiction that have resulted from the original identity theft (e.g., the identity theft occurred elsewhere, but the fraud, usage of services or receipt of goods were acquired or occurred in this jurisdiction).
- (c) Officers should include all known incidents of fraudulent activity (e.g., credit card number applied for in victim's name when the victim has never made such an application).
- (d) Officers should also cross-reference all known reports made by the victim (e.g., U.S. Secret Service, credit reporting bureaus, U.S. Postal Service and Department of Motor Vehicles) with all known report numbers.
- (e) Following supervisory review and Department processing, the initial report should be forwarded to the appropriate investigator for follow-up investigation, coordination with other agencies and prosecution as circumstances dictate.

330.3 PREVENTIVE MEASURES

The victim should be advised to place a security freeze on his/her consumer report, as allowed by law.

The victim may file an identity theft complaint with the Wisconsin Department of Agriculture, Trade and Consumer Protection, Office of Privacy Protection (OPP) at 800-422-7128, www.privacy.wi.gov , or e-mail at wisconsinprivacy@dacp.state.wi.us .

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Identity Theft

330.4 INFORMATION

The victim should be encouraged to contact the Federal Trade Commission (FTC), which is responsible for receiving and processing complaints under the Identity Theft and Assumption Deterrence Act. The victim can contact the FTC online at <http://www.ftc.gov/bcp/menus/consumer/data/idt.shtm> or by telephone at 877-ID Theft (877-438-4338). Additional information may be found at the U.S. Department of Justice website, <http://www.usdoj.gov>, or the FBI at <http://www.fbi.gov/milwaukee> .

Private Persons' Arrests

331.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance for the handling of private person's arrests made pursuant to Wisconsin common law.

331.2 ADVISING PRIVATE PERSONS OF THE ARREST PROCESS

Officers should use sound discretion in determining whether to advise an individual of the arrest process.

- (a) When advising any individual regarding the right to make a private person's arrest, officers should refrain from encouraging or dissuading any individual from making such an arrest and should instead limit advice to the legal requirements for such an arrest, as listed below.
- (b) Private individuals should be discouraged from using force to effect a private person's arrest. Absent immediate threat to their own safety or the safety of others, private individuals should be encouraged to refer matters to law enforcement officials for further investigation or arrest.

331.3 ARRESTS BY PRIVATE PERSONS

A private person may arrest another under the following circumstances:

- (a) When a felony has been in fact committed and he/she has reasonable grounds to believe the person to be arrested has committed it.
- (b) For a misdemeanor amounting to a breach of the peace and committed in his/her presence.
- (c) When a merchant or service provider, a merchant's or service provider's adult employee or security agent, has reasonable cause to believe that a person has stolen merchandise or services in his/her presence, he/she may detain the person at the place of business where the offense occurred in a reasonable manner for a reasonable length of time to deliver the person to a peace officer or to a parent or guardian in the case of a minor (Wis. Stat. § 943.50(3)).

331.4 OFFICER RESPONSIBILITIES

Any officer presented with a private person who has made a private person's arrest must determine whether there is reasonable cause to believe that such an arrest would be lawful.

- (a) Should any officer determine that there is no reasonable cause to believe that a private person's arrest is lawful, the officer should take no action to further detain or restrain

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Private Persons' Arrests

the individual beyond that which reasonably appears necessary to investigate the matter, to determine the lawfulness of the arrest and protect the public safety (Wis. Stat. § 968.08).

1. Any officer who determines that a private person's arrest appears to be unlawful should promptly release the arrested individual. The officer must include the basis of such a determination in a related report.
 2. Absent reasonable cause to support a private person's arrest or other lawful grounds to support an independent arrest by the officer, the officer should advise the parties that no arrest will be made and that the circumstances will be documented in a related report.
- (b) Whenever an officer determines that there is reasonable cause to believe that a private person's arrest is lawful, the officer may exercise the appropriate option based upon the charges:
1. Take the individual into physical custody for booking.
 2. Release the individual upon issuance of a misdemeanor and/or ordinance citation.
 3. Release the individual pending the filing of formal charges.

331.5 REPORTING REQUIREMENTS

In all circumstances in which a private person is claiming to have made an arrest, the individual must complete and sign a Private Person's Arrest Form. If the person fails or refuses to do so, the arrested subject shall be released unless the officer has an independent reason to take the person into custody.

In addition to the Private Person's Arrest Form (and any other related documents, such as citations and booking forms), officers shall complete a narrative report regarding the circumstances and disposition of the incident.

Limited English Proficiency Services

332.1 PURPOSE AND SCOPE

This policy provides guidance to members when communicating with individuals with limited English proficiency (LEP) (42 USC § 2000d).

332.1.1 DEFINITIONS

Definitions related to this policy include:

Authorized interpreter - A person who has been screened and authorized by the Department to act as an interpreter and/or translator for others.

Interpret or interpretation - The act of listening to a communication in one language (source language) and orally converting it to another language (target language), while retaining the same meaning.

Limited English proficient (LEP) - Any individual whose primary language is not English and who has a limited ability to read, write, speak or understand English. These individuals may be competent in certain types of communication (e.g., speaking or understanding) but still be LEP for other purposes (e.g., reading or writing). Similarly, LEP designations are context-specific; an individual may possess sufficient English language skills to function in one setting but these skills may be insufficient in other situations.

Qualified bilingual member - A member of the Germantown Police Department, designated by the Department, who has the ability to communicate fluently, directly and accurately in both English and another language. Bilingual members may be fluent enough to communicate in a non-English language but may not be sufficiently fluent to interpret or translate from one language into another.

Translate or translation - The replacement of written text from one language (source language) into an equivalent written text (target language).

332.2 POLICY

It is the policy of the Germantown Police Department to reasonably ensure that LEP individuals have meaningful access to law enforcement services, programs and activities, while not imposing undue burdens on its members.

The Department will not discriminate against or deny any individual access to services, rights or programs based upon national origin or any other protected interest or right.

332.3 LEP COORDINATOR

The Chief of Police shall delegate certain responsibilities to an LEP Coordinator. The LEP Coordinator shall be appointed by, and directly responsible to, the Captain or the authorized designee.

The responsibilities of the LEP Coordinator include, but are not limited to:

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Limited English Proficiency Services

- (a) Coordinating and implementing all aspects of the Germantown Police Department's LEP services to LEP individuals.
- (b) Developing procedures that will enable members to access LEP services, including telephonic interpreters, and ensuring the procedures are available to all members.
- (c) Ensuring that a list of all qualified bilingual members and authorized interpreters is maintained and available to each Patrol Lieutenant and Communications Supervisor. The list should include information regarding the following:
 - 1. Languages spoken
 - 2. Contact information
 - 3. Availability
- (d) Ensuring signage stating that interpreters are available free of charge to LEP individuals is posted in appropriate areas and in the most commonly spoken languages.
- (e) Reviewing existing and newly developed documents to determine which are vital documents and should be translated, and into which languages the documents should be translated.
- (f) Annually assessing demographic data and other resources, including contracted language services utilization data and community-based organizations, to determine if there are additional documents or languages that are appropriate for translation.
- (g) Identifying standards and assessments to be used by the Department to qualify individuals as qualified bilingual members or authorized interpreters.
- (h) Periodically reviewing efforts of the Department in providing meaningful access to LEP individuals, and, as appropriate, developing reports, new procedures, or recommending modifications to this policy.
- (i) Receiving and responding to complaints regarding department LEP services.
- (j) Ensuring appropriate processes are in place to provide for the prompt and equitable resolution of complaints and inquiries regarding discrimination in access to department services, programs and activities.

332.4 FOUR-FACTOR ANALYSIS

Since there are many different languages that members could encounter, the Department will utilize the four-factor analysis outlined in the U.S. Department of Justice (DOJ) Guidance to Federal Financial Assistance Recipients, available at the DOJ website, to determine which measures will provide meaningful access to its services and programs. It is recognized that law enforcement contacts and circumstances will vary considerably. This analysis, therefore, must remain flexible and will require an ongoing balance of four factors, which are:

- (a) The number or proportion of LEP individuals eligible to be served or likely to be encountered by department members, or who may benefit from programs or services within the jurisdiction of the Department or a particular geographic area.

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Limited English Proficiency Services

- (b) The frequency with which LEP individuals are likely to come in contact with department members, programs or services.
- (c) The nature and importance of the contact, program, information or service provided.
- (d) The cost of providing LEP assistance and the resources available.

332.5 TYPES OF LEP ASSISTANCE AVAILABLE

Germantown Police Department members should never refuse service to an LEP individual who is requesting assistance, nor should they require an LEP individual to furnish an interpreter as a condition for receiving assistance. The Department will make every reasonable effort to provide meaningful and timely assistance to LEP individuals through a variety of services.

The Department will utilize all reasonably available tools, such as language identification cards, when attempting to determine an LEP individual's primary language.

LEP individuals may choose to accept department-provided LEP services at no cost or they may choose to provide their own.

Department-provided LEP services may include, but are not limited to, the assistance methods described in this policy.

332.6 WRITTEN FORMS AND GUIDELINES

Vital documents or those that are frequently used should be translated into languages most likely to be encountered. The LEP Coordinator will arrange to make these translated documents available to members and other appropriate individuals, as necessary.

332.7 AUDIO RECORDINGS

The Department may develop audio recordings of important or frequently requested information in a language most likely to be understood by those LEP individuals who are representative of the community being served.

332.8 QUALIFIED BILINGUAL MEMBERS

Bilingual members may be qualified to provide LEP services when they have demonstrated through established department procedures a sufficient level of skill and competence to fluently communicate in both English and a non-English language. Members utilized for LEP services must demonstrate knowledge of the functions of an interpreter/translator and the ethical issues involved when acting as a language conduit. Additionally, bilingual members must be able to communicate technical and law enforcement terminology, and be sufficiently proficient in the non-English language to perform complicated tasks, such as conducting interrogations, taking statements, collecting evidence or conveying rights or responsibilities.

When a qualified bilingual member from this department is not available, personnel from other Village departments, who have been identified by the Department as having the requisite skills and competence, may be requested.

Limited English Proficiency Services

332.9 AUTHORIZED INTERPRETERS

Any person designated by the Department to act as an authorized interpreter and/or translator must have demonstrated competence in both English and the involved non-English language, must have an understanding of the functions of an interpreter that allows for correct and effective translation, and should not be a person with an interest in the department case or investigation involving the LEP individual. A person providing interpretation or translation services may be required to establish the accuracy and trustworthiness of the interpretation or translation in a court proceeding.

Authorized interpreters must pass a screening process established by the LEP Coordinator which demonstrates that their skills and abilities include:

- (a) The competence and ability to communicate information accurately in both English and in the target language.
- (b) Knowledge, in both languages, of any specialized terms or concepts peculiar to this department and of any particularized vocabulary or phraseology used by the LEP individual.
- (c) The ability to understand and adhere to the interpreter role without deviating into other roles, such as counselor or legal adviser.
- (d) Knowledge of the ethical issues involved when acting as a language conduit.

332.9.1 SOURCES OF AUTHORIZED INTERPRETERS

The Department may contract with authorized interpreters who are available over the telephone. Members may use these services with the approval of a supervisor and in compliance with established procedures.

Other sources may include:

- Qualified bilingual members of this department or personnel from other Village departments.
- Individuals employed exclusively to perform interpretation services.
- Contracted in-person interpreters, such as state or federal court interpreters, among others.
- Interpreters from other agencies who have been qualified as interpreters by this department, and with whom the Department has a resource-sharing or other arrangement that they will interpret according to department guidelines.

332.9.2 COMMUNITY VOLUNTEERS AND OTHER SOURCES OF LANGUAGE ASSISTANCE

Language assistance may be available from community volunteers who have demonstrated competence in either monolingual (direct) communication and/or in interpretation or translation (as noted in above), and have been approved by the Department to communicate with LEP individuals.

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Where qualified bilingual members or other authorized interpreters are unavailable to assist, approved community volunteers who have demonstrated competence may be called upon when appropriate. However, department members must carefully consider the nature of the contact and the relationship between the LEP individual and the volunteer to ensure that the volunteer can provide neutral and unbiased assistance.

While family or friends of an LEP individual may offer to assist with communication or interpretation, members should carefully consider the circumstances before relying on such individuals. For example, children should not be relied upon except in exigent or very informal and non-confrontational situations.

332.10 CONTACT AND REPORTING

While all law enforcement contacts, services and individual rights are important, this department will utilize the four-factor analysis to prioritize service to LEP individuals so that such services may be targeted where they are most needed, according to the nature and importance of the particular law enforcement activity involved.

Whenever any member of this department is required to complete a report or other documentation, and interpretation services are provided to any involved LEP individual, such services should be noted in the related report. Members should document the type of interpretation services utilized and whether the individual elected to use services provided by the Department or some other identified source.

332.11 RECEIVING AND RESPONDING TO REQUESTS FOR ASSISTANCE

The Germantown Police Department will take reasonable steps and will work with the Department of Administration to develop in-house language capacity by hiring or appointing qualified members proficient in languages representative of the community being served.

332.11.1 EMERGENCY CALLS TO 9-1-1

Department members will make every reasonable effort to promptly accommodate LEP individuals utilizing 9-1-1 lines. When a 9-1-1 call-taker receives a call and determines that the caller is an LEP individual, the call-taker shall quickly determine whether sufficient information can be obtained to initiate an appropriate emergency response. If language assistance is still needed, the language is known and a qualified bilingual member is available in Dispatch, the call shall immediately be handled by the qualified bilingual member.

If a qualified bilingual member is not available or the call-taker is unable to identify the caller's language, the call-taker will contact the contracted telephone interpretation service and establish a three-way call between the call-taker, the LEP individual and the interpreter.

Dispatchers will make every reasonable effort to dispatch a qualified bilingual member to the assignment, if available and appropriate.

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While 9-1-1 calls shall receive top priority, reasonable efforts should also be made to accommodate LEP individuals seeking routine access to services and information by utilizing the resources listed in this policy.

332.12 FIELD ENFORCEMENT

Field enforcement will generally include such contacts as traffic stops, pedestrian stops, serving warrants and restraining orders, crowd/traffic control and other routine field contacts that may involve LEP individuals. The scope and nature of these activities and contacts will inevitably vary. Members and/or supervisors must assess each situation to determine the need and availability of language assistance to all involved LEP individuals and utilize the methods outlined in this policy to provide such assistance.

Although not every situation can be addressed in this policy, it is important that members are able to effectively communicate the reason for a contact, the need for information and the meaning or consequences of any enforcement action. For example, it would be meaningless to request consent to search if the officer is unable to effectively communicate with an LEP individual.

If available, officers should obtain the assistance of a qualified bilingual member or an authorized interpreter before placing an LEP individual under arrest.

332.13 INVESTIGATIVE FIELD INTERVIEWS

In any situation where an interview may reveal information that could be used as the basis for arrest or prosecution of an LEP individual and a qualified bilingual member is unavailable or lacks the skills to directly communicate with the LEP individual, an authorized interpreter should be used. This includes interviews conducted during an investigation with victims, witnesses and suspects. In such situations, audio recordings of the interviews should be made when reasonably possible. Identification and contact information for the interpreter (e.g., name, address) should be documented so that the person can be subpoenaed for trial if necessary.

If an authorized interpreter is needed, officers should consider calling for an authorized interpreter in the following order:

- An authorized department member or allied agency interpreter
- An authorized telephone interpreter
- Any other authorized interpreter

Any *Miranda* warnings shall be provided to suspects in their primary language by an authorized interpreter or, if the suspect is literate, by providing a translated *Miranda* warning card.

The use of an LEP individual's bilingual friends, family members, children, neighbors or bystanders may be used only when a qualified bilingual member or authorized interpreter is unavailable and there is an immediate need to interview an LEP individual.

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332.14 CUSTODIAL INTERROGATIONS

Miscommunication during custodial interrogations may have a substantial impact on the evidence presented in a criminal prosecution. Only qualified bilingual members or, if none is available or appropriate, authorized interpreters shall be used during custodial interrogations. *Miranda* warnings shall be provided to suspects in their primary language by the qualified bilingual member or an authorized interpreter.

In order to ensure that translations during custodial interrogations are accurately documented and are admissible as evidence, interrogations should be recorded whenever reasonably possible. See guidance on recording custodial interrogations in the Investigation and Prosecution Policy.

332.15 BOOKINGS

When gathering information during the booking process, members should remain alert to the impediments that language barriers can create. In the interest of the arrestee's health and welfare, the safety and security of the facility, and to protect individual rights, it is important that accurate medical screening and booking information be obtained. Members should seek the assistance of a qualified bilingual member whenever there is concern that accurate information cannot be obtained or that booking instructions may not be properly understood by an LEP individual.

332.16 COMPLAINTS

The Department shall ensure that LEP individuals who wish to file a complaint regarding members of this department are able to do so. The Department may provide an authorized interpreter or translated forms, as appropriate. Complaints will be referred to the LEP Coordinator.

Investigations into such complaints shall be handled in accordance with the Personnel Complaints Policy. Authorized interpreters used for any interview with an LEP individual during an investigation should not be members of this department.

Any notice required to be sent to an LEP individual as a complaining party pursuant to the Personnel Complaints Policy should be translated or otherwise communicated in a language-accessible manner.

332.17 COMMUNITY OUTREACH

Community outreach programs and other such services offered by this department are important to the ultimate success of more traditional law enforcement duties. This department will continue to work with community groups, local businesses and neighborhoods to provide equal access to such programs and services.

332.18 TRAINING

To ensure that all members who may have contact with LEP individuals are properly trained, the Department will provide periodic training on this policy and related procedures, including how to access department-authorized telephonic and in-person interpreters and other available resources.

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The Lieutenant shall be responsible for ensuring new members receive LEP training. Those who may have contact with LEP individuals should receive refresher training at least once every two years thereafter. The Lieutenant shall maintain records of all LEP training provided, and will retain a copy in each member's training file in accordance with established records retention schedules.

332.18.1 TRAINING FOR AUTHORIZED INTERPRETERS

All members on the authorized interpreter list must successfully complete prescribed interpreter training. To complete interpreter training successfully, an interpreter must demonstrate proficiency in and ability to communicate information accurately in both English and in the target language, demonstrate knowledge in both languages of any specialized terms or phraseology, and understand and adhere to the interpreter role without deviating into other roles, such as counselor or legal adviser.

Members on the authorized interpreter list must receive refresher training annually or they will be removed from the authorized interpreter list. This annual training should include language skills competency (including specialized terminology) and ethical considerations.

The Lieutenant shall be responsible for coordinating the annual refresher training and will maintain a record of all training the interpreters have received.

Communications with Persons with Disabilities

333.1 PURPOSE AND SCOPE

This policy provides guidance to members when communicating with individuals with disabilities, including those who are deaf or hard of hearing, have impaired speech or vision, or are blind.

333.1.1 DEFINITIONS

Definitions related to this policy include:

Auxiliary aids - Tools used to communicate with people who have a disability or impairment. They include but are not limited to, the use of gestures or visual aids to supplement oral communication; a notepad and pen or pencil to exchange written notes; a computer or typewriter; an assistive listening system or device to amplify sound; a teletypewriter (TTY) or videophones (video relay service or VRS); taped text; qualified readers; or a qualified interpreter.

Disability or impairment - A physical or mental impairment that substantially limits a major life activity, including hearing or seeing, regardless of whether the disabled person uses assistive or adaptive devices or auxiliary aids. Individuals who wear ordinary eyeglasses or contact lenses are not considered to have a disability (42 USC § 12102).

Qualified interpreter - A person who is able to interpret effectively, accurately and impartially, both receptively and expressively, using any necessary specialized vocabulary. Qualified interpreters include oral interpreters, transliterators, sign language interpreters and intermediary interpreters. Qualified sign language interpreters will be licensed as required (Wis. Stat. § 440.032).

333.2 POLICY

It is the policy of the Germantown Police Department to reasonably ensure that people with disabilities, including victims, witnesses, suspects and arrestees have equal access to law enforcement services, programs and activities. Members must make efforts to communicate effectively with individuals with disabilities.

The Department will not discriminate against or deny any individual access to services, rights or programs based upon disabilities.

333.3 AMERICANS WITH DISABILITIES (ADA) COORDINATOR

The Chief of Police shall delegate certain responsibilities to an ADA Coordinator (28 CFR 35.107). The ADA Coordinator shall be appointed by, and directly responsible, to the Captain or the authorized designee.

The responsibilities of the ADA Coordinator shall include, but not be limited to:

- (a) Working with the Village ADA coordinator regarding the Germantown Police Department's efforts to ensure equal access to services, programs and activities.
- (b) Developing reports, new procedures, or recommending modifications to this policy.

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- (c) Acting as a liaison with local disability advocacy groups or other disability groups regarding access to department services, programs and activities.
- (d) Ensuring that a list of qualified interpreter services is maintained and available to each Patrol Lieutenant and Communications Supervisor. The list should include information regarding the following:
 - 1. Contact information
 - 2. Availability
- (e) Developing procedures that will enable members to access auxiliary aids or services, including qualified interpreters, and ensure the procedures are available to all members.
- (f) Ensuring signage is posted in appropriate areas, indicating that auxiliary aids are available free of charge to people with disabilities.
- (g) Ensuring appropriate processes are in place to provide for the prompt and equitable resolution of complaints and inquiries regarding discrimination in access to department services, programs and activities.

333.4 FACTORS TO CONSIDER

Because the nature of any law enforcement contact may vary substantially from one situation to the next, members of this department should consider all information reasonably available to them when determining how to communicate with an individual with a disability. Members should carefully balance all known factors in an effort to reasonably ensure people who are disabled have equal access to services, programs and activities. These factors may include, but are not limited to:

- (a) Members should not always assume that effective communication is being achieved. The fact that an individual appears to be nodding in agreement does not always mean he/she completely understands the message. When there is any doubt, members should ask the individual to communicate back or otherwise demonstrate their understanding.
- (b) The nature of the disability (e.g., deafness or blindness vs. hard of hearing or low vision).
- (c) The nature of the law enforcement contact (e.g., emergency vs. non-emergency, custodial vs. consensual contact).
- (d) The availability of auxiliary aids. The fact that a particular aid is not available does not eliminate the obligation to reasonably ensure access. However, in an emergency, availability may factor into the type of aid used.

333.5 INITIAL AND IMMEDIATE CONSIDERATIONS

Recognizing that various law enforcement encounters may be potentially volatile and/or emotionally charged, members should remain alert to the possibility of communication problems.

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Members should exercise special care in the use of all gestures, and verbal and written communication to minimize initial confusion and misunderstanding when dealing with any individual with known or suspected disabilities.

In a non-emergency situation, when a member knows or suspects an individual requires assistance to effectively communicate, the member shall identify the individual's choice of auxiliary aid or service.

The individual's preferred communication method must be honored unless another effective method of communication exists under the circumstances (28 CFR 35.160).

Factors to consider when determining whether an alternative method is effective include:

- (a) The methods of communication usually used by the individual.
- (b) The nature, length and complexity of the communication involved.
- (c) The context of the communication.

In emergency situations involving an imminent threat to the safety or welfare of any person, members may use whatever auxiliary aids and services that reasonably appear effective under the circumstances. This may include, for example, exchanging written notes or using the services of a person who knows sign language but is not a qualified interpreter, even if the person who is deaf or hard of hearing would prefer a qualified sign language interpreter or another appropriate auxiliary aid or service. Once the emergency has ended, the continued method of communication should be reconsidered. The member should inquire as to the individual's preference and give primary consideration to that preference.

If an individual who is deaf, hard of hearing or has impaired speech must be handcuffed while in the custody of the Germantown Police Department, consideration should be given, safety permitting, to placing the handcuffs in the front of the body to facilitate communication using sign language or writing.

333.6 TYPES OF ASSISTANCE AVAILABLE

Germantown Police Department members shall never refuse to assist an individual with disabilities who is requesting assistance. The Department will not charge anyone to receive auxiliary aids, nor shall they require anyone to furnish their own auxiliary aid or service as a condition for receiving assistance. The Department will make every reasonable effort to provide equal access and timely assistance to individuals who are disabled through a variety of services.

A person who is disabled may choose to accept department-provided auxiliary aids or services or they may choose to provide their own.

Department-provided auxiliary aids or services may include, but are not limited to, the assistance methods described in this policy.

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333.7 AUDIO RECORDINGS AND ENLARGED PRINT

The Department may develop audio recordings to assist people who are blind or have a visual impairment with accessing important information. If such a recording is not available, members may read aloud from the appropriate form, for example a personnel complaint form, or provide forms with enlarged print.

333.8 QUALIFIED INTERPRETERS

A qualified interpreter may be needed in lengthy or complex transactions (e.g., interviewing a victim, witness, suspect or arrestee), if the individual to be interviewed normally relies on sign language or speechreading (lip-reading) to understand what others are saying. The qualified interpreter should not be a person with an interest in the case or the investigation. A person providing interpretation services may be required to establish the accuracy and trustworthiness of the interpretation in a court proceeding.

Qualified interpreters should be:

- (a) Available within a reasonable amount of time but in no event longer than one hour if requested.
- (b) Experienced in providing interpretation services related to law enforcement matters.
- (c) Familiar with the use of VRS and/or video remote interpreting services.
- (d) Certified in either American Sign Language (ASL) or Signed English (SE).
- (e) Able to understand and adhere to the interpreter role without deviating into other roles, such as counselor or legal adviser.
- (f) Knowledgeable of the ethical issues involved when providing interpreter services.

Members should use department-approved procedures to request a qualified interpreter at the earliest reasonable opportunity, and generally not more than 15 minutes after a request for an interpreter has been made or it is reasonably apparent that an interpreter is needed. No individual who is disabled shall be required to provide his/her own interpreter (28 CFR 35.160).

333.9 TTY AND RELAY SERVICES

In situations where an individual without a disability would have access to a telephone (e.g., booking or attorney contacts), members must also provide those who are deaf, hard of hearing or have impaired speech the opportunity to place calls using an available TTY (also known as a telecommunications device for deaf people, or TDD). Members shall provide additional time, as needed, for effective communication due to the slower nature of TTY and TDD communications.

The Department will accept all TTY or TDD calls placed by those who are deaf or hard of hearing and received via a telecommunications relay service (28 CFR 35.162).

Note that relay services translate verbatim, so the conversation must be conducted as if speaking directly to the caller.

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333.10 COMMUNITY VOLUNTEERS

Interpreter services may be available from community volunteers who have demonstrated competence in communication services, such as ASL or SE, and have been approved by the Department to provide interpreter services.

Where qualified interpreters are unavailable to assist, approved community volunteers who have demonstrated competence may be called upon when appropriate. However, department members must carefully consider the nature of the contact and the relationship between the individual with the disability and the volunteer to ensure that the volunteer can provide neutral and unbiased assistance.

333.11 FAMILY AND FRIENDS

While family or friends may offer to assist with interpretation, members should carefully consider the circumstances before relying on such individuals. The nature of the contact and relationship between the individual with the disability and the person offering services must be carefully considered (e.g., victim/suspect).

Children shall not be relied upon except in emergency or critical situations when there is no qualified interpreter reasonably available.

Adults may be relied upon when (28 CFR 35.160):

- (a) There is an emergency or critical situation and there is no qualified interpreter reasonably available.
- (b) The person with the disability requests that the adult interpret or facilitate communication and the adult agrees to provide such assistance, and reliance on that adult for such assistance is reasonable under the circumstances.

333.12 REPORTING

Whenever any member of this department is required to complete a report or other documentation, and communication assistance has been provided, such services should be noted in the related report. Members should document the type of communication services utilized and whether the individual elected to use services provided by the Department or some other identified source. If the individual's express preference is not honored, the member must document why another method of communication was used.

All written communications exchanged in a criminal case shall be attached to the report or placed into evidence.

333.13 FIELD ENFORCEMENT

Field enforcement will generally include such contacts as traffic stops, pedestrian stops, serving warrants and restraining orders, crowd/traffic control and other routine field contacts that may involve individuals with disabilities. The scope and nature of these activities and contacts will inevitably vary.

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The Department recognizes that it would be virtually impossible to provide immediate access to complete communication services to every member of this department. Members and/or supervisors must assess each situation and consider the length, complexity and importance of the communication, as well as the individual's preferred method of communication, when determining the type of resources to use and whether a qualified interpreter is needed.

Although not every situation can be addressed in this policy, it is important that members are able to effectively communicate the reason for a contact, the need for information and the meaning or consequences of any enforcement action. For example, it would be meaningless to verbally request consent to search if the officer is unable to effectively communicate with an individual who is deaf or hard of hearing and requires communications assistance.

If available, officers should obtain the assistance of a qualified interpreter before placing an individual with a disability under arrest. Individuals who are arrested and are assisted by service animals should be permitted to make arrangements for the care of such animals prior to transport.

333.13.1 FIELD RESOURCES

Examples of methods that may be sufficient for transactions, such as checking a license or giving directions to a location or for urgent situations such as responding to a violent crime in progress, may, depending on the circumstances, include such simple things as:

- (a) Hand gestures or visual aids with an individual who is deaf, hard of hearing or has impaired speech.
- (b) Exchange of written notes or communications.
- (c) Verbal communication with an individual who can speechread by facing the individual and speaking slowly and clearly.
- (d) Use of computer, word processing, personal communication device or similar device to exchange texts or notes.
- (e) Slowly and clearly speaking or reading simple terms to individuals who have a visual or mental impairment.

Members should be aware that these techniques may not provide effective communication as required by law and this policy depending on the circumstances.

333.14 CUSTODIAL INTERROGATIONS

In an effort to ensure that the rights of individuals who are deaf, hard of hearing or have speech impairment are protected during a custodial interrogation, this department will provide interpreter services before beginning an interrogation, unless exigent circumstances exist or the individual has made a clear indication that he/she understands the process and desires to proceed without an interpreter. The use of a video remote interpreting service should be considered, where appropriate, if a live interpreter is not available. *Miranda* warnings shall be provided to suspects who are deaf or hard of hearing by a qualified interpreter or by providing a written *Miranda* warning card.

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In order to ensure that communications during custodial investigations are accurately documented and are admissible as evidence, interrogations should be recorded whenever reasonably possible. See guidance on recording custodial interrogations in the Investigation and Prosecution Policy.

333.15 ARRESTS AND BOOKINGS

If an individual with speech or hearing disabilities is arrested, the arresting officer shall use department-approved procedures to provide a qualified interpreter at the place of arrest or booking as soon as reasonably practicable, unless the individual indicates that he/she prefers a different auxiliary aid or service or the officer reasonably determines another effective method of communication exists under the circumstances.

When gathering information during the booking process, members should remain alert to the impediments that often exist when communicating with those who are deaf, hard of hearing, who have impaired speech or vision, are blind, or have other disabilities. In the interest of the arrestee's health and welfare, the safety and security of the facility and to protect individual rights, it is important that accurate medical screening and booking information be obtained. If necessary, members should seek the assistance of a qualified interpreter whenever there is concern that accurate information cannot be obtained or that booking instructions may not be properly understood by the individual.

Individuals who require and possess personally owned communication aids (e.g., hearing aids, cochlear processors) should be permitted to retain them while in custody.

333.16 COMPLAINTS

The Department shall ensure that individuals with disabilities who wish to file a complaint regarding members of this department are able to do so. The Department may provide a qualified interpreter or forms in enlarged print, as appropriate. Complaints will be referred to the department ADA Coordinator.

Investigations into such complaints shall be handled in accordance with the Personnel Complaints Policy. Qualified interpreters used during the investigation of a complaint should not be members of this Department.

333.17 COMMUNITY OUTREACH

Community outreach programs and other such services offered by this department are important to the ultimate success of more traditional law enforcement duties. This department will continue to work with community groups, local businesses and neighborhoods to provide equal access to such programs and services.

333.18 TRAINING

To ensure that all members who may have contact with individuals who are disabled are properly trained, the Department will provide periodic training that should include:

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- (a) Awareness and understanding of this policy and related procedures, related forms and available resources.
- (b) Procedures for accessing qualified interpreters and other available resources.
- (c) Working with in-person and telephone interpreters and related equipment.

The Lieutenant shall be responsible for ensuring new members receive training related to interacting with individuals who have disabilities, including individuals who are deaf, hard of hearing, who have impaired speech or vision, or are blind. Those who may have contact with such individuals should receive refresher training at least once every two years thereafter. The Lieutenant shall maintain records of all training provided, and will retain a copy in each member's training file in accordance with established records retention schedules.

333.18.1 CALL-TAKER TRAINING

Emergency call-takers shall be trained in the use of TTY equipment protocols for communicating with individuals who are deaf, hard of hearing or who have speech impairments. Such training and information should include:

- (a) The requirements of the ADA and Section 504 of the Rehabilitation Act for telephone emergency service providers.
- (b) ASL syntax and accepted abbreviations.
- (c) Practical instruction on identifying and processing TTY or TDD calls, including the importance of recognizing silent TTY or TDD calls, using proper syntax, abbreviations and protocol when responding to TTY or TDD calls.
- (d) Hands-on experience in TTY and TDD communications, including identification of TTY or TDD tones.

Training should be mandatory for all Dispatch members who may have contact with individuals from the public who are deaf, hard of hearing or have impaired speech. Refresher training should occur every six months.

Fire Service Authority

100.1 PURPOSE AND SCOPE

The purpose of this policy is to affirm the legal authority of the Germantown Fire Department and the individual members.

100.2 POLICY

It is the policy of the Germantown Fire Department to limit its members to only exercise the authority granted to them by law.

While the Germantown Fire Department recognizes the authority of members granted to them, members are encouraged to use sound discretion in the exercise of their authority, and this department does not tolerate abuse of authority.

100.3 ORGANIZATIONAL POWERS

This department is authorized by Wisconsin law and local ordinance to perform fire suppression and related services including, but not limited to:

- (a) Fire prevention and fire code enforcement.
- (b) Fire suppression services.
- (c) Fire cause and origin investigation.
- (d) Emergency Medical Services (EMS).
- (e) Firefighting training.
- (f) Public education.

100.4 FIREFIGHTER POWERS

Firefighters are members of this department and are authorized to exercise the following authority pursuant to applicable Wisconsin law and local ordinance:

- (a) Participate in a wide range of emergency and rescue activities, including EMS, extrication and heavy rescue
- (b) Perform fire suppression duties, including the suppression of structural, aircraft, marine, wildland and other types of fires
- (c) Investigate the cause and origin of fires
- (d) Collect and preserve evidence when a fire is of a suspicious origin
- (e) Participate in firefighter training
- (f) Perform specialty services, including hazardous materials response, technical rescue, water rescue and additional services as authorized by the Fire Chief
- (g) Provide fire code enforcement inspection and plan review services

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- (h) Provide public education and fire prevention activities and services

100.5 CONSTITUTIONAL REQUIREMENTS

When exercising their authority, members shall observe and comply with every person's clearly established rights under the United States and Wisconsin Constitutions.

100.6 SUPERVISORY AUTHORITY

Any chief officer may relieve a member under his/her command from duty when, in his/her judgment, an offense committed is sufficiently serious to warrant immediate action. A report of such action shall be made immediately through the appropriate channels to the appropriate Battalion Chief, followed by written documentation of the charges, in accordance with department procedures. All such processes shall comply with established rules, regulations and applicable collective bargaining agreements.

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103.1 PURPOSE AND SCOPE

The Policy Manual of the Germantown Fire Department is hereby established and shall be referred to as the Policy Manual or the manual. The manual is a statement of the current policies, rules and guidelines of this department. All members are expected to conform to the provisions of this manual.

All prior and existing policies, manuals, orders and regulations that are in conflict with this manual are revoked, except to the extent that portions of the existing manuals, procedures, orders and other regulations that have not been included herein shall remain in effect where they do not conflict with the provisions of this manual.

103.2 POLICY

Except where otherwise expressly stated, the provisions of this manual shall be considered as guidelines. It is recognized that fire and rescue work is not always predictable and circumstances may arise that warrant departure from these guidelines. It is the intent of this manual to be viewed using an objective standard, taking into consideration the sound discretion entrusted to the members of this department under the circumstances reasonably available at the time of any incident.

103.2.1 DISCLAIMER

The provisions contained in the Policy Manual are not intended to create an employment contract nor any employment rights or entitlements. The policies contained within this manual are for the internal use of the Germantown Fire Department and shall not be construed to create a higher standard or duty of care for civil or criminal liability against the Village, its officials or members. Violations of any provision of any policy contained within this manual shall only form the basis for department administrative action, training or discipline. The Germantown Fire Department reserves the right to revise any policy content, in whole or in part.

103.2.2 SEVERABILITY

In the event that any term or provision of this Policy Manual is declared illegal, invalid or unenforceable by any court or any federal or state government agency, the remaining terms and provisions that are not affected shall remain in full force and effect. If any provision of the Policy Manual is found to be in conflict with a local, state or federal law, Village policy or collective bargaining agreement, such law, Village policy or collective bargaining agreement shall take precedence over that provision of the Policy Manual.

In the event that any of the terms or provisions of the Policy Manual are determined to conflict with any portion of a collective bargaining agreement, the Department will seek to resolve the conflict.

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103.3 AUTHORITY

The Fire Chief shall be considered the ultimate authority for the content and adoption of the provisions of this manual and shall ensure compliance with all applicable federal, state and local laws. The Fire Chief or the authorized designee is authorized to issue General Orders, which shall modify those provisions of the manual to which they pertain. General Orders shall remain in effect until such time as they may be permanently incorporated into the manual.

103.4 DEFINITIONS

The following words and terms shall have these assigned meanings throughout the Policy Manual, unless it is apparent from the content that they have a different meaning:

Adult - Any person 18 years of age or older.

Village - The Village of Germantown.

Civilian - Employees and volunteers who are not engaged in fire suppression as part of their primary duties.

Department/GFD - The Germantown Fire Department.

Fire Code - NFPA 1, Fire Code of the National Fire Protection Association, 2012 edition as adopted by reference and modified by the State of Wisconsin (Wis. Admin. Code § SPS 314.001).

Firefighter - Those members, regardless of rank, who perform fire suppression duties as part of their primary duties as members of the Germantown Fire Department.

Health and Safety Officer - Members designated by the Fire Chief as responsible for the administration of health and safety-related programs and policies for the Germantown Fire Department. The Fire Chief shall assume responsibility for health and safety-related policy and program administration if there is no designee.

Manual - The Germantown Fire Department Policy Manual.

May - Indicates a permissive, discretionary or conditional action.

Member - Any person who is employed or appointed by the Germantown Fire Department, including firefighters, reserve firefighters, Civilian members and volunteers.

On-duty - Member status during the period when he/she is actually engaged in the performance of his/her assigned duties.

Order - A written or verbal instruction issued by a superior.

Rank - The title of the classification held by a firefighter.

Shall or will - Indicates a mandatory action.

Should - Indicates a generally required or expected action, absent a rational basis for failing to conform.

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Supervisor - A person in a position of authority regarding hiring, transfer, suspension, promotion, discharge, assignment, reward or discipline of other department members, directing the work of other members or having the authority to adjust grievances. The supervisory exercise of authority may not be merely routine or clerical in nature but requires the use of independent judgment.

The term "supervisor" may also include any person (e.g., firefighter-in-charge, lead or senior worker) given responsibility for the direction of the work of others without regard to a formal job title, rank or compensation.

103.5 DISTRIBUTION OF THE POLICY MANUAL

An electronic version of the Policy Manual will be made available to all members on the Department network for viewing and printing. No changes shall be made to the manual without authorization from the Fire Chief or the authorized designee.

Each member shall acknowledge that he/she has been provided access to, and has had the opportunity to review, the Policy Manual and Interim directives. Members shall seek clarification as needed from an appropriate supervisor for any provisions that they do not fully understand.

103.6 PERIODIC REVIEW OF THE POLICY MANUAL

The Fire Chief will ensure that the Policy Manual is periodically reviewed and updated as necessary.

103.7 REVISIONS TO POLICIES

All revisions to the Policy Manual will be provided to each member on or before the date the policy becomes effective. Each member will be required to acknowledge that he/she has reviewed the revisions and shall seek clarification from an appropriate supervisor as needed.

Members are responsible for keeping informed of all Policy Manual revisions.

Each Battalion Chief will ensure that members under his/her command are aware of any Policy Manual revision.

All department members suggesting revision of the contents of the Policy Manual shall forward their written suggestions to their supervisors, who will consider the recommendations and forward them to the command staff as appropriate.

Organizational Structure

200.1 PURPOSE AND SCOPE

The purpose of this policy is to establish the organizational structure of the Germantown Fire Department. This policy also provides guidance regarding the Department's reporting process through the chain of command.

200.2 POLICY

It is the policy of the Germantown Fire Department to organize its resources in a manner that allows for effective and efficient service delivery to the public. To ensure effective organizational communication, members should generally adhere to the established chain of command unless there is a good faith and reasonable basis for utilizing an alternate channel of communication.

200.3 BUREAUS

The Fire Chief is responsible for managing the Germantown Fire Department. The following Bureaus make up the Germantown Fire Department:

- Administration Bureau
- Fire Operations Bureau
- Investigations Bureau

200.3.1 ADMINISTRATION BUREAU

The Administration Bureau is directed by a Battalion Chief and provides administrative support to the Fire Chief; prepares and coordinates the Department budget; acts as liaison with the Support Services and the Police and Fire Commission regarding recruitment, promotion and performance appraisals; manages information technology systems and payroll functions; and reviews, prepares and presents staff reports to the Department, the Village staff and Village officials.

It is the responsibility of the Administration Battalion Chief to prepare and maintain a current organizational chart.

200.3.2 FIRE OPERATIONS BUREAU

The Fire Operations Bureau is directed by a Battalion Chief. The Fire Operations Bureau responds to all fire, rescue and medical aid calls for service; manages major disaster responses; and staffs various emergency response apparatus and support units.

The Fire Operations Battalion Chief may also oversee the management of Dispatch.

200.3.3 INVESTIGATIONS BUREAU

The Investigations Bureau is directed by a Fire Marshal. The Investigations Bureau's mission is to engage in investigation, education, prevention and mitigation of fire incidents or accidents.

Organizational Structure

The Investigations Bureau performs inspections of businesses and occupancies as mandated by applicable law. In addition, the Bureau may be the lead agency or act as a support service in the investigation of all major fires occurring within the jurisdiction of the Germantown Fire Department.

200.4 UNITY OF COMMAND

The principles of unity of command ensure efficient supervision and control within the Department. Generally, each member is accountable to a single supervisor at any time for a given assignment or responsibility. Except where specifically delegated or where authority exists by virtue of policy or a special assignment (e.g., emergency incidents), any supervisor may temporarily direct the subordinate of another supervisor if an operational need exists.

200.5 CHAIN OF COMMAND

Respect for rank is essential for administrative and operational efficiency. All members of the Germantown Fire Department shall adhere to the chain of command. All members shall be thoroughly familiar with the National Incident Management System (NIMS) and the Incident Command System (ICS) and operate within their parameters throughout the duration of all emergency incidents.

A supervising or commanding officer will be identified for each department member. This supervisor/commanding officer is the first step in the organizational chain of command, followed by the next level of commanding officer as set forth in the Department's organizational structure. In the event that no supervisory officer is available, rank will be determined by seniority in rank.

Members of the Germantown Fire Department shall generally conduct department business through the established chain of command. Members shall consult with and report to their commanding officer/supervisor when making recommendations for changes, alterations or improvements concerning department matters. Members shall forward all reports and recommendations through the chain of command. The submission should include written comments from the member's immediate supervisor to indicate whether he/she approves of the recommendation. No memo or recommendation should be stopped in the chain of command before it reaches its intended destination/officer.

Other than the exceptions set forth below, no member of the Germantown Fire Department shall initiate contact with any member of the governing board or with any other local, regional, state or federal official regarding any matter affecting the Germantown Fire Department without having first informed the Fire Chief through the chain of command.

200.6 DIRECTIVES AND ORDERS

Members shall comply with lawful directives and orders from any department supervisor or person in a position of authority, absent a reasonable and bona fide justification.

A member who believes any written or verbal order to be unlawful or in conflict with another order shall:

Organizational Structure

- (a) Immediately inform the supervisor issuing the order, and also the member's immediate supervisor or the Fire Chief of the conflict or error of the order.
- (b) Provide details explaining the grounds for believing there is a conflict or error.
- (c) Request clarification, guidance and direction regarding following the order.
- (d) Request the order in writing, absent exigent circumstances, should the conflict or perceived error be unresolved.
- (e) Respectfully inform the supervisor that he/she intends to disobey what he/she reasonably believes to be a conflicting or unlawful order.

A member's decision to disobey an order that he/she believes to be unlawful is not a bar to discipline should the order be determined as lawful.

200.7 ALTERNATE CHANNELS OF COMMUNICATION

All members shall endeavor to keep their supervisors informed of any matters that may affect the safety, welfare or operations of the Department.

As a general matter, any concern about a workplace situation should first be raised with the member's immediate supervisor. It is recognized, however, that there may be occasions where the use of the established chain of command may not be appropriate. If an issue is of a personal nature, involves a sensitive matter, is of significant importance to the Department or involves other members or supervisors, the member may consult directly with the Battalion Chief, the Fire Chief or a representative of the Support Services.

All members are free to make or prepare to make, in good faith, any complaint that identifies ethical or legal violations, including fraud, waste, abuse of authority, gross mismanagement, violations of the law or practices that may pose a threat to the health, safety and security of the public or members without fear of actual or threatened discrimination, retaliation or reprisal. Such complaints are not subject to the chain of command and may be made to any supervisor or directly to the Support Services. Nothing in this policy shall diminish the rights or remedies of a member pursuant to any applicable federal law, provision of the U.S. Constitution, applicable state law, ordinance or collective bargaining agreement.

Any form of reprisal or retaliation against any member for making or filing a complaint in good faith or for participating in the investigation of a complaint is prohibited. Any member engaging in any form or type of reprisal or retaliation is subject to the Anti-Retaliation Policy.

Emergency Action Plan and Fire Prevention Plan

201.1 PURPOSE AND SCOPE

The purpose of this policy is to provide for member and visitor safety in the event of an emergency at a department facility and ensure compliance with Wisconsin regulations mandating all employers to develop and maintain an Emergency Action Plan (EAP) and a Fire Prevention Plan (FPP) (Wis. Stat. § 101.055; Wis. Admin. Code § SPS 332.50; 29 CFR 1910.38; 29 CFR 1910.39).

201.2 POLICY

The Germantown Fire Department is committed to preparing for natural or human-created emergency incidents and providing for the safety of its members and visitors.

201.3 EMERGENCY ACTION PLAN AND FIRE PREVENTION PLAN

The Administration Battalion Chief will develop and maintain an EAP and FPP to provide for the safety of department members and visitors in the event of an emergency. The EAP and FPP will address the specific requirements contained in 29 CFR 1910.38 and 29 CFR 1910.39, and will address all buildings, facilities and regular places of work or visitor access that are controlled by the Department. The plan also will address actions that members of the Department and visitors must take to ensure their safety and that of visitors from fire and other emergencies.

- (a) The EAP shall be in writing and at a minimum shall include (29 CFR 1910.38):
 - 1. Emergency evacuation procedures, including escape procedures and emergency escape route assignments.
 - 2. Procedures to be followed by members who remain to operate critical plant operations before they evacuate.
 - 3. Procedures to account for all members after an emergency evacuation has been completed.
 - 4. Rescue and medical duties.
 - 5. Means of reporting fires and other emergencies.
 - 6. Names or job titles of persons or departments that can be contacted for further information or an explanation of duties under the plan.
 - 7. The alarm system that will be used to notify members and visitors in the event of a fire or other emergency situation.
 - 8. The types of evacuations to be used in emergency circumstances.
- (b) The FPP shall be in writing and at a minimum shall include (29 CFR 1910.39):

Germantown Fire Department

Policy Manual

Emergency Action Plan and Fire Prevention Plan

1. A list of major fire hazards, including proper handling and storage procedures for hazardous materials, potential ignition sources and control procedures and the type of fire equipment necessary to control the hazard.
 2. Names and job titles of persons responsible for maintaining the equipment to prevent or control sources of ignition or fires.
 3. Names and job titles of persons responsible for control of fuel source hazards.
 4. Procedures to control the accumulation of flammable and combustible waste.
 5. Maintenance procedures for heat-producing equipment to prevent accidental ignition of combustible materials.
- (c) The written EAP and FPP shall be kept at the workplace and made available for member and visitor review.

201.4 TRAINING

The Department will provide training supporting the EAP and FPP to all members and also to those persons who become members at the time they are assigned to the facility, as described in the Emergency Action Plan and Fire Prevention Plan Training Policy.

General Orders

202.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a process to make immediate changes to department policy. The Germantown Fire Department will, as necessary, issue General Orders that will immediately modify or change and supersede the sections of this manual to which they pertain.

202.2 POLICY

It is the policy of the Germantown Fire Department to make any immediate changes to policy and procedure in accordance with the current collective bargaining agreement. Generally the establishment of General Orders is management's prerogative but employee participation may be sought in the development of those policies. It is the policy of the Department to comply with any meet-and-confer requirements between labor groups and authorized department representatives.

202.3 RESPONSIBILITIES

The Fire Chief shall issue all General Orders.

All department officers and/or supervisors shall be responsible for communicating General Orders to all members under their command and/or direct supervision.

General Orders will be rescinded upon incorporation into this manual.

All General Orders shall be reviewed periodically to authenticate or determine if they are currently applicable to the mission of the Department.



OFFICE OF THE CHIEF OF POLICE
GERMANTOWN, WISCONSIN

Michael S. Snow
Chief

COMMENDATION

Oliver A. Radtke
Police Officer

On February 9, 2021 at approximately 6:43 a.m., Germantown Communications received multiple 911 calls reporting a rollover car crash on I41 southbound.

A northbound vehicle on I41 operated by a 50-year-old Kewaskum female crossed the center median cables and struck a southbound vehicle driven by a 50-year-old Milwaukee man. The northbound vehicle then spun and was struck by another southbound vehicle driven by a 29-year-old female with a 3 1/2 month old female passenger from West Bend. The northbound vehicle then rolled into the west ditch line of I41 southbound. A fourth vehicle driven by a 49-year-old male crashed into the median cables while avoiding the initial crashes. The crash scene had 4 vehicles involved with one of the vehicles in the right lane of traffic. There was debris in all lanes of traffic and an overturned car on the right shoulder.

Officer Radtke was the first officer on scene. He immediately assessed the scene and found that the victim in an overturned car was the priority patient. He was able to crawl through a small opening to assess the patient. He immediately noted that the patient did not have a seat belt on and was lying on the roof of the car. He noted that the patient was unconscious, had agonal breathing, and there was gasoline dripping on her. Due to these circumstances, Officer Radtke decided that he needed to remove the patient from the car as there was a high potential for a fire to ignite. Officer Radtke was able to drag her out of the car and noted she was still breathing. Germantown Rescue arrived and tended to the patient.

Officer Radtke acted swiftly and professionally and used great assessment skills. He displayed courage and compassion during this stressful event. Officer Radtke's actions are indicative of the level of character and training which this officer possesses, and of the caliber of personnel employed by the Germantown Police Department.

My sincere congratulations to Officer Oliver Radtke for a job well done.

Dated this 23rd day of March 2021

Michael S. Snow, Chief

Thomas J. Schreihart, Lieutenant

Oliver A. Radtke, Police Officer



BUSINESS OF THE PUBLIC SAFETY COMMITTEE
GERMANTOWN, WI

MEETING DATE: 04/05/2021

AGENDA ITEM: New Business

ITEM TITLE: Officer Commendation

SUBMITTED BY: Chief Mike Snow

SUMMARY EXPLANATION:

See attached commendation for Officer Oliver Radtke.

ATTACHMENT: ORDINANCE_____ RESOLUTION_____ OTHER_____

RECOMMENDATION:

BOARD ACTION:

**BUSINESS OF THE PUBLIC SAFETY COMMITTEE
GERMANTOWN, WI**

MEETING DATE: April 5th, 2021

AGENDA ITEM: New Business

ITEM TITLE: Squad Change-over

SUBMITTED BY: Chief Mike Snow

SUMMARY EXPLANATION:

We are requesting funds to complete the change over for squads 12 and 17. The new squads had been ordered earlier in the year and are scheduled for change over sometime in April. The quotes from General Fire have been attached.

We are requesting \$35,967.93, from account 10-521-570-8100, to compete the change-over of both squads.

ATTACHMENT: ORDINANCE_____ RESOLUTION_____ OTHER_____

RECOMMENDATION:

BOARD ACTION:



General Fire Equipment Co., Inc

975 North Hawley Rd
Milwaukee, WI 53213

Phone: 414/475-0959

Order Number B19068-C

Order Date 03/12/21

Bid Expiration Date 06/12/21

Required Date 03/12/21

Bill To:

Germantown Police Department
P.O. Box 96
N112 W16877 Mequon Road
Germantown, WI 53022

Ship To:

Germantown Police Department
P.O. Box 96
N112 W16877 Mequon Road
Germantown, WI 53022

THIS IS A BID/ESTIMATE

Customer	Ship Via	F.O.B.	Terms	Purchase Order Number	Salesperson	Reference No.
GERM02	Install	Origin	Net 25 Days		BW03	
Qty. Ordered	Qty. Shipped	Item Number	Unit of Measure	Unit Price		Extended Price
	Back Ordered	Item Description (Customer Part No.)		Discount %	Tax	
1	0	INS-BATTERY		105.00		105.00
		High amperage battery, 27 AHR		N		
1	0	INS-BB		35.00		35.00
		Right Angle battery Hold Down Bracket, Powder Coated		N		
6	0	INS-B1004		14.00		84.00
		Right Angle Bkt, 1-1/2" x 3-1/4"(Slot) x 6-1/8"(Slot)		N		
1	0	AME862		38.00		38.00
		Amerex Heavy Duty Vehicle Bracket, Fits 5# Extgs		N		
1	0	INS-B1008		20.00		20.00
		Rear Hatch adapter bracket for Radar and Sticks		N		
1	0	MISC		0.00		0.00
		Install CS wiring for Axiom camera system		N		
1	0	001		300.00		300.00
		Labor to strip equipment old squad		N		
1	0	001		3125.00		3125.00
		Labor Charges For Installation Of Equipment Into Squad		N		
				Shipping Subtotal		450.00
				Non Taxable Subtotal		17530.68
				Taxable Subtotal		0.00
				Tax		0.00
				Total Order		17980.68



General Fire Equipment Co., Inc

975 North Hawley Rd
Milwaukee, WI 53213

Phone: 414/475-0959

Order Number B19071-E

Order Date 03/15/21

Bid Expiration Date 06/15/21

Required Date 03/15/21

Bill To:

Germantown Police Department
P.O. Box 96
N112 W16877 Mequon Road
Germantown, WI 53022

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Germantown, WI 53022

THIS IS A BID/ESTIMATE

Customer	Ship Via	F.O.B.	Terms	Purchase Order Number	Salesperson	Reference No.
GERM02	Install	Origin	Net 25 Days		BW03	
Qty. Ordered	Qty. Shipped	Item Number	Unit of Measure	Unit Price		Extended Price
	Back Ordered	Item Description (Customer Part No.)		Discount %	Tax	
1	0	SQD		0.00		0.00
		Squad 12 2020 PI Utility (2013 PIU) Clean Top	N			
2	0	SOUETSS100J		187.50		375.00
		Sound-Off 100 Watt Composite Face Sealed Speaker	N			
2	0	SOUETSSVBK01		48.00		96.00
		Sound-Off Speaker Bracket for 2020 PI Utility	N			
2	0	SOUEMPSA05C2-		169.20		338.40
		Sound-Off 4"X2" mPower Led Light Head, Stud mt Dual Color (R/W + B/W)	N			
2	0	SOUPMP2BKUMB4		32.00		64.00
		Under Mirror Mount Braket Kit 2020 Ford PI Utility	N			
1	0	SOUENFWBFS12-		987.00		987.00
		Sound-Off nForce Interior Windshield 12 LED Lightbar w/Optio	N			
		Ford Explorer/PI Utility (2020) Split Front (DRV) S09 D12 D12 D12 D12 D12 D12 S09 (PAS) RED R_W R_W R_W B_W B_W B_W BLU				
		DSC w/ Breakout Box (Included)				
		Eos #QE0556648				
		List \$ 1645				
2	0	SOUETSSVBK01		48.00		96.00
		Sound-Off Speaker Bracket for 2020 PI Utility	N			



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GERM02	Install	Origin	Net 25 Days		BW03	
Qty. Ordered	Qty. Shipped	Item Number	Unit of Measure	Unit Price		Extended Price
	Back Ordered	Item Description (Customer Part No.)		Discount %	Tax	
3	0	INS-RJ45-25		15.00		45.00
		25' Cat 5 Cable w/ Snag Proof Ends		N		
5	0	INS-B1001		8.50		42.50
		Right Angle Bkt, 1" x 2-1/4"(Slotted) x 1-3/8"(1/4" Hole)		N		
1	0	INS-B1008		20.00		20.00
		Rear Hatch adapter bracket for Radar and Sticks		N		
1	0	001		3300.00		3300.00
		Labor Charges For Installation Of Equipment Into Squad		N		
1	0	001		200.00		200.00
		Labor Charges For Tear Down Of old squad		N		
				Shipping Subtotal		350.00
				Non Taxable Subtotal		17637.25
				Taxable Subtotal		0.00
				Tax		0.00
				Total Order		17987.25

**BUSINESS OF THE PUBLIC SAFETY COMMITTEE
GERMANTOWN, WI**

MEETING DATE: April 5th, 2021

AGENDA ITEM: New Business

ITEM TITLE: Severe Weather Sirens

SUBMITTED BY: Captain Todd Grenier

SUMMARY EXPLANATION:

In 1997 the village purchased severe weather (tornado) sirens and had them placed in 15 locations throughout the village. The sirens are now 25 years old and the manufacturer is recommending we replace, or at least begin the process of replacing, the sirens to avoid failure. I have reached out to the vendor, Federal Signal and asked for the cost associated with replacing siren heads. The following is a breakdown of the costs.

<u>Siren Head Replacement (each)</u>	\$7,989.28
<u>Installation for Each Siren Head</u>	\$1,195.00
<u>Desktop PC and Monitor (replacement of old one)</u>	\$2,951.52
<u>Software Upgrade</u>	\$1,734.00
<u>Installation of PC / Software (approx.)</u>	<u>\$1,500.00</u>
Total	\$143,949.72

If a decision is made to move forward with a three-year replacement plan as opposed to and “all at once” purchase the breakdown would be as follows:

<u>Year 1</u>	\$52,106.92	
<u>Year 2</u>	\$45,921.40	(years 2 and 3 are just for siren heads and installation)
<u>Year 3</u>	\$45,921.40	

With the sirens comes a maintenance contract that keeps the sirens in proper working order, our current contract for this maintenance is \$5,913.00 per year. This cost does not include any repairs that need to be done or for any back up batteries that need replacing. The cost of a new battery is \$225.00 This cost also does not include the replacement of any signal boxes that fail. Each signal box costs \$7,480.72 plus installation.

If the choice is made to not move forward with signal replacement there are two sites, one in Spassland Park and the other on Lovers Ln. near Pleasantview where the poles that the sirens sit on are leaning to the point they need to be straightened. The cost to straighten these poles is \$2,450.00. This cost cannot be covered in this year's budget because it already has been exhausted with the yearly maintenance contract and two other unanticipated repairs.

ATTACHMENT: ORDINANCE_____ RESOLUTION_____ OTHER_____

RECOMMENDATION:

BOARD ACTION:

The Business of the Germantown Public Safety Committee

Submitted by: Chief John Delain

Agenda Item: New Business

Meeting Date: 4/5/2021

Item Name: Battalion Chief off days

Agenda item description:

The GFD Battalion Chief are not paid Holiday Pay for holidays worked like other FD employees. They are also required to work village holidays. The village schedules 11 holidays per year or 88 hours for a regular employee. I am requesting that the Battalion Chiefs receive 3 days (72 hours) paid time off to use as their holidays.

Back up included: ____ yes No____

**BUSINESS OF THE PUBLIC SAFETY COMMITTEE &
VILLAGE BOARD
GERMANTOWN, WI**

MEETING DATE: April 5th, 2021

AGENDA ITEM: Ordinance change

SUBMITTED BY: Attorney Sajdak and Village Clerk

SUMMARY EXPLANATION:

In response to lobbying from the Tavern League, the Wisconsin Assembly and Senate passed a bill allowing bars and restaurants holding Class B liquor licenses to sell individual glasses or cups of mixed drinks and wine in to-go containers as long as the drinks have a "tamper evident seal." Governor Evers signed the bill into law as Act 21, which took effect on Sunday, March 28. Previously, a Class B liquor license allowed for the sale by the glass for consumption on the licensed premises, or in the original container for off-premises consumption. Act 21 modifies this rule to allow for the sale of drinks for off-premises consumption in any container provided that the container has a tamper evident seal.

Discussion

The proposed Ordinance modifies the Municipal Code to incorporate the changes from Act 21.

RESULT:

Motion to adopt An Ordinance Amending Section 12.2 of the Germantown Municipal Code Relating to the Sale of Intoxicating Liquor for Off-Premises Consumption, If adopted the ordinance would be in place after publication.

**BUSINESS OF THE PUBLIC SAFETY COMMITTEE &
VILLAGE BOARD
GERMANTOWN, WI**

MEETING DATE: April 5th, 2021

AGENDA ITEM: Ordinance change

SUBMITTED BY: Attorney Sajdak and Village Clerk

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Discussion

The proposed Ordinance modifies the Municipal Code to incorporate the changes from Act 21.

RESULT:

Motion to adopt An Ordinance Amending Section 12.2 of the Germantown Municipal Code Relating to the Sale of Intoxicating Liquor for Off-Premises Consumption, If adopted the ordinance would be in place after publication.

ORDINANCE NO. 03-2021

AN ORDINANCE AMENDING SECTION 12.02 (8) OF THE GERMANTOWN MUNICIPAL CODE RELATING TO THE SALE OF INTOXICATING LIQUOR FOR OFF PREMISES CONSUMPTION

A. The Village Board previously adopted section 12-02 of the Germantown Municipal Code which establishes a retail Class B liquor license within the Village.

B. Under Wisconsin Statute, a “Class B” liquor license allowed for the sale of intoxicating liquors by the glass for consumption on the licensed premises, and also in the original packaging or container for consumption off-premises.

C. The Wisconsin Legislature passed 2021 Wis. Act 21, which authorizes a “Class B” license holder to sell intoxicating liquor in a container other than the original container for consumption off-premises provided that the container has a tamper-evident seal.

D. The Village Board wishes to update section 12.02 to match the state regulations.

E. The regulation of the sale of alcohol within the Village furthers the health, safety, and welfare of the community.

BASED UPON THE FOREGOING RECITALS, THE VILLAGE BOARD OF THE VILLAGE OF GERMANTOWN, WASHINGTON COUNTY, STATE OF WISCONSIN, DO ORDAIN AS FOLLOWS:

SECTION I

Addition: Section 12.02(8b) Sale of “Class B” Intoxicating Liquor for Off-Premises Consumption. The Germantown Municipal Code is amended to read as follows (NOTE: Added text is underlined; Deleted text is ~~struck through~~):

(8b) Sale Restrictions of “Class B” Intoxicating Liquor for Off-Premises Consumption. "Class B" intoxicating liquor licenses shall authorize the retail sale of intoxicating liquor to be consumed by the glass on the premises where sold or off the premises if the licensee seals the container of intoxicating liquor with a tamper-evident seal, as that term is defined in the Wisconsin Statutes, before the intoxicating liquor is removed from the premises.

SECTION II

The terms and provisions of this ordinance are severable. Should any term or provision of this ordinance be found to be invalid by a court of competent jurisdiction, the remaining terms and provisions shall remain in full force and effect.

SECTION III

All ordinances and parts of ordinances in contravention to this ordinance are hereby repealed.

SECTION IV

This Ordinance shall become effective the day after its publication as provided by law.

Introduced by _____

Adopted: April 5, 2021

Vote: Ayes: Nays: Absent:

Dean Wolter, Village President

ATTEST:

Deanna Braunschweig, Village Clerk

Approved as to form:

Brian C. Sajdak, Village Attorney

Published: