

POLICE AND FIRE COMMISSION MEETING AGENDA
WEDNESDAY, NOVEMBER 06, 2024 6:30 PM
108 N CAPRON ST-2ND FLOOR COUNCIL CHAMBERS-BERLIN, WI
MEETING IS OPEN TO THE PUBLIC & CITY HALL IS HANDICAPPED ACCESSIBLE
<https://us02web.zoom.us/j/86336829511>
Meeting ID: 863 3682 9511 Passcode: berlin
+1 312 626 6799 US TOLL-FREE

1. Call to order/roll call
2. Seat Virtual Attendees (if necessary)
3. General Public Comments.
4. Approval of open October 02, 2024 Minutes RECOMMENDATION: Approve the October 02, 2024 Police and Fire Commission open minutes.
5. Fire Department Expenses. RECOMMENDATION: Approve the October 2024 Fire Department expenses as presented.
6. Fire Department Truck Committee Bid for new engine. RECOMMENDATION: Discuss the bid for new engine with action as appropriate.
7. Fire Department Fire Inspection Service Contract. RECOMMENDATION: Discuss the contract with action as appropriate.
8. Fire Department Reporting and Updates.
 - Discussion on Fire Department Fire Calls
 - Discussion on Maintenance Issues with Fire Department Equipment
 - Discussion on past month and upcoming month activities
 - Discussion of Fire Department Truck Committee
9. Police Department Expenses. RECOMMENDATION: Approve the October 2024 Police Department expenses as presented.
10. Police Department Reporting and Updates
 - Discussion on Police Department Calls
 - Discussion on past month and upcoming month activities
 - Discussion on patrol hire update
11. Old Business (To be used to request items of old business be put on a future agenda for further discussion or action; or used to make a motion for reconsideration of an item from the current meeting or immediately previous meeting; or to make a motion to take items off the table which were laid on the table only during the current meeting.)

12. New Business (To be used to request items of new business be put on a future agenda)
13. Adjourn

Next regularly scheduled meeting is Wednesday, December 04, 2024 at 6:30 PM

In adherence to the City of Berlin Police Department Public Meeting Participation Policy, public participation will be allowed under the Public Appearance agenda item at the discretion of the presiding officer. Attendees must register their intention to participate on either a general comments section or a specific agenda item prior to the meeting by filling out a Registration Card, which can be obtained from the Berlin Police Department (during normal business hours), Internet (www.cityofberlin.net) (City Department / Police), City Clerk's office or in the City Hall Council Chambers at the podium. Registration Cards should be turned in prior to the meeting at the Berlin Police Department or to a Police & Fire Commission member.

MINUTES
MEETING POLICE & FIRE COMMISSION
BERLIN, WISCONSIN
BERLIN CITY HALL – 2ND FLOOR COUNCIL CHAMBERS
October 02, 2024 -6:30pm

President Joanne Guden called the meeting to order at 6:30pm. Present: Commissioners Joanne Guden, Ron Ross, Gary Knoke, and Denise Krentz, and Keith Hess. Seated virtually: None. Absent: None. Also present: Police Chief Brian Pulvermacher, Police Assistant Chief Noah Knetzger, Emergency Manager Gary Podoll, Fire Chief Robert Paugels, liaison Stobbe, and Berlin Journal: Paul Wiegel. Public appearance: None.

Under approval of minutes, Hess moved to approve the open and closed P&F Commission minutes of September 04, 2024. Knoke seconded the motion which carried by voice vote.

Under Fire and Police Department 2025 Budget, Podoll stated he got together with the interim city admin and this is what we are able to present at this time. Basically, we are taking last year's numbers and going with that for this budget. There are no changes to the fire department budget. Krentz asked if the new engine is within this budget. Podoll stated that it is strictly operational budget. Police budget, Pulvermacher stated this is a preliminary budget for the department. There is no anticipation of needing more money for our operational budget from last year to this year. The union contract is still under negotiation so the line item of wages may differ. Guden asked about overtime and how that will look. Pulvermacher explained that the new software the city has currently is not doing what it should in terms of taking money out of the correct line item. As it stands now it is pulling from normal wage line item and not the overtime line. This is something that will need to be fixed to have a better understanding on where we stand. Knoke moved to approve the budget as presented to Common Council. Hess seconded the motion which carried by voice vote.

Under Fire department expenses, Guden asked where the fire inspection services come from and if the commission could get that contract on for next meeting. Podoll stated that they have had this contract for years and can bring it to the next meeting. Hess moved to approve the fire department expenses as presented. Ross seconded the motion which carried by voice vote.

Under Fire Department reporting and updates Fire Chief Robert Paugels explained there were 100 calls for the year so far. That puts us a little below average at this time. Maintenance issues, there are none. Upcoming events, fire prevention week is next week so we will be attending the schools on Wednesday to do presentations. A week from this Saturday is the open house and pig roast at the fire station. Truck committee, only two bids came back. With those bids they are going through them and finding if there are any issues. Next month they will be here to speak to you on which bid they chose. Training, no updates.

Krentz moved to approve the Police Department expenses as presented. Ross seconded the motion which carried by voice vote.

Chief Pulvermacher stated that the chart provided to the commission shows last month's calls. The chart shows that there were 256 traffic stops, 7 drug investigations, 6 welfare checks, 2 emergency detentions, 2 personal injury crashes, and 7 property damage crashes. The chart indicates, the same or slightly lower totals for this month due to more training events for the

officers. The two injury crashes included minor injuries. Both drivers of those crashes were cited for their violations.

Under Police reporting and updates, Chief Pulvermacher explained the homecoming parade did not have any issues. Three of the newest staff members completed ARIDE training. The department participated in county-wide firearms training focusing on low light shooting. Three staff members completed basic swat training. They will also be attending basic tactical rifle training later this month. One staff member will be attending advanced swat training. We also have state required firearms qualifications later this month. For the patrol hire update we did interview five candidates. Four of those candidates have received the no thank you letter. The one we are considering at this time will still need the academy. With that the anticipated graduation date from there would not be until May of 2025. The current posting, we had expired and a new posting has gone up for our department.

Under old business: None.

Under new business: Fire inspection service contract and the Truck committee bid.

Guden adjourned the meeting at 7:10pm.

*Submitted by Stephanie Skivers
Administrative Assistant*

Next scheduled meeting will be Wednesday, November 06, 2024 at 6:30pm at the Berlin City Hall



BERLIN FIRE DEPARTMENT
226 Spring St.
Berlin, WI 54923



BERLIN FIRE DEPARTMENT ACCOUNTS PAYABLE NOVEMBER 2024

<u>ACCOUNT #</u>	<u>VENDOR</u>	<u>ITEM</u>	<u>AMOUNT</u>
210	Fire Inspections Services Inc.	Monthly payment of fire Inspections contract 2024	1,619.75
340	MacQueen	Jaws of Life Annual & Breathing Air Annual	1,743.38
345	Fuelman	Fuel	110.25

**BERLIN FIRE DEPARTMENT
2024 BUDGET EXPENDITURES**

DATE: October 28, 2024

FIRE DEPARTMENT ACCOUNT #: 52200

<u>ACCOUNT</u>	<u>DESCRIPTION</u>	<u>BUDGET</u>	<u>EXP.</u>	<u>BALANCE</u>
110	Salaries	49,846.00	37,384.50	12,461.50
115	Meeting Pay	21,600.00	00,000.00	21,600.00
118	Fire Fighter Pay	40,886.00	28,106.46	12,779.54
127	Weekend Officer Pay	3,120.00	0,000.00	3,120.00
210	Inspection Service	16,560.00	11,137.25	5,422.75
290	Contracts	3,425.00	3,655.93	-230.93
310	Office Supplies	250.00	00.00	250.00
320	Publications	150.00	000.00	150.00
321	Dues	1,100.00	732.23	367.77
330	Conference & Training	4,000.00	415.84	3,584.16
340	Operating Supplies	6,350.00	2,414.84	3,935.16
345	Maintenance & Fuel	17,000.00	10,457.28	6,542.72
380	Equipment	15,200.00	8,710.97	6,489.03
390	Miscellaneous	1,925.00	000.00	1,925.00
819	Grant Match	6,000.00	0,000.00	6,000.00

City of Berlin Fire Department

Volunteer Payroll Report (Summary)

Date Between {10/01/2024} And {10/23/2024}

Staff Id	Alt Id	Name	Total
0944		Bending, Brian	\$59.17
0954		Bending, Tim	\$137.97
0925		Boeck, Kyle	\$335.07
0905		Brooks, Bill	\$236.52
1188		Cassidy, Jordan	\$98.59
1047		Darnick, Colton	\$19.77
0909		Dewhurst, Douglas	\$354.78
0900		Dollevoet, Aaron	\$275.94
0934		Elendt, Jared	\$611.01
0992		Gehrke, Ronald	\$157.68
0957		Hahn, Chad	\$295.69
0902		Hahn, Troy	\$295.69
0918		Herandez, Jason	\$236.52
0209		Hilgart, Aaron	\$137.97
0998		Johansen, Joel	\$78.84
0933		Knoke, Zach	\$157.68
0911		Paugels, Robert	\$354.78
1226		Petrovich, Dakota	\$197.10
0660		Podoll, Gary V	\$394.20
0929		Radke, Mike	\$591.30
0914		Schrader, John	\$59.17
0921		Walker, Matthew	\$354.78
			<hr/>
			\$5,439.96

City of Berlin Fire Department

Incident List by Incident Number

Incident Number Between "24-0000001" And
"24-0000115"

Incident-Exp#	Alm Date	Alm Time	Location	Incident Type
24-0000001-000	01/05/2024	16:31:00	121 Spring Street	746 Carbon monoxide detector act
24-0000002-000	01/06/2024	18:38:00	347 E Huron ST	744 Detector activation, no fire
24-0000003-000	01/08/2024	20:08:00	499 N Wisconsin ST	746 Carbon monoxide detector act
24-0000004-000	01/08/2024	20:35:00	N260 36th RD	746 Carbon monoxide detector act
24-0000005-000	01/10/2024	10:57:00	225 Memorial DR	353 Removal of victim(s) from st
24-0000006-000	01/12/2024	07:04:00	480 Hillside Drive	531 Smoke or odor removal
24-0000007-000	01/14/2024	10:56:00	258 S Washington Street	746 Carbon monoxide detector act
24-0000008-000	01/14/2024	15:15:00	County F	611 Dispatched & cancelled en ro
24-0000009-000	01/15/2024	08:01:00	347 E Huron ST	741 Sprinkler activation, no fir
24-0000010-000	01/17/2024	15:30:00	702 Broadway ST	746 Carbon monoxide detector act
24-0000011-000	01/23/2024	09:09:00	N1261 Cty X	746 Carbon monoxide detector act
24-0000012-000	02/04/2024	20:45:00	153 W Moore ST	441 Heat from short circuit (wir
24-0000013-000	02/05/2024	05:55:00	S Wisconsin ST	412 Gas leak (natural gas or LPG
24-0000014-000	02/06/2024	14:23:00	Puchyan RD	131 Passenger vehicle fire
24-0000015-000	02/14/2024	08:59:00	N Wisconsin ST	424 Carbon monoxide incident
24-0000016-000	02/15/2024	05:59:00	NW Cumberland	444 Power line down
24-0000017-000	02/17/2024	08:02:00	Hwy 21	611 Dispatched & cancelled en ro
24-0000018-000	02/20/2024	09:20:00	River Rd	551 Assist police or other gover
24-0000019-000	02/23/2024	18:08:00	Cty F	611 Dispatched & cancelled en ro
24-0000020-000	02/25/2024	11:55:00	W704 Riverdale DR	142 Brush or brush-and-grass mix
24-0000021-000	02/27/2024	13:21:00	Cty X	142 Brush or brush-and-grass mix
24-0000022-000	02/27/2024	14:41:00	W894 Klondike Road	746 Carbon monoxide detector act
24-0000023-000	02/28/2024	21:31:00	113 E Huron ST /A	100 Fire, Other
24-0000024-000	02/29/2024	10:25:00	295 Broadway ST	100 Fire, Other
24-0000025-000	03/02/2024	17:41:00	Hwy 49 N	311 Medical assist, assist EMS c
24-0000026-000	03/04/2024	10:14:00	225 Memorial DR	745 Alarm system activation, no
24-0000027-000	03/06/2024	11:17:00	W2981 Big Island Road	611 Dispatched & cancelled en ro
24-0000028-000	03/06/2024	18:47:00	34th Ave	631 Authorized controlled burnin
24-0000029-000	03/07/2024	09:55:00	218 W Berlin Street	111 Building fire
24-0000030-000	03/07/2024	16:29:00	177 Water ST	611 Dispatched & cancelled en ro
24-0000031-000	03/08/2024	09:29:00	247 Mound Street	531 Smoke or odor removal
24-0000032-000	03/12/2024	16:32:00	N1260 Cty XX	111 Building fire
24-0000033-000	03/18/2024	17:55:00	Commercial Street	131 Passenger vehicle fire
24-0000034-000	03/19/2024	14:10:00	Mound Street	551 Assist police or other gover
24-0000035-000	03/21/2024	07:43:00	Highway 91	622 No Incident found on arrival
24-0000036-000	03/23/2024	04:04:00	781 Seward Street	746 Carbon monoxide detector act
24-0000037-000	03/24/2024	14:54:00	36th RD	311 Medical assist, assist EMS c
24-0000038-000	03/30/2024	10:05:00	Cty M	311 Medical assist, assist EMS c
24-0000039-000	04/01/2024	10:59:00	N8566 Hwy 49 S	611 Dispatched & cancelled en ro
24-0000040-000	04/01/2024	21:55:00	427 Sacramento Street	746 Carbon monoxide detector act
24-0000041-000	04/09/2024	11:17:00	609 Broadway ST	745 Alarm system activation, no
24-0000042-000	04/11/2024	10:52:00	N Wisconsin ST	611 Dispatched & cancelled en ro
24-0000043-000	04/24/2024	18:31:00	9110 Casswell RD	611 Dispatched & cancelled en ro
24-0000044-000	04/27/2024	14:29:00	Cty D	142 Brush or brush-and-grass mix

City of Berlin Fire Department

Incident List by Incident Number

Incident Number Between "24-0000001" And
"24-0000115"

Incident-Exp#	Alm Date	Alm Time	Location	Incident Type
24-0000045-000	04/30/2024	17:04:00	W Ceresco Street	611 Dispatched & cancelled en ro
24-0000046-000	05/01/2024	16:46:00	Hwy 21	611 Dispatched & cancelled en ro
24-0000047-000	05/02/2024	15:44:00	Aronald ST	444 Power line down
24-0000048-000	05/04/2024	15:14:00	347 E Huron ST	745 Alarm system activation, no
24-0000049-000	05/08/2024	08:16:00	Cty F	311 Medical assist, assist EMS c
24-0000050-000	05/09/2024	15:03:00	347 E Huron ST	745 Alarm system activation, no
24-0000051-000	05/12/2024	11:38:00	123 S Pearl ST	744 Detector activation, no fire
24-0000052-000	05/19/2024	12:08:00	510 Lake Street	111 Building fire
24-0000053-000	05/19/2024	20:50:00	W3208 Beechnut Rd	111 Building fire
24-0000054-000	05/21/2024	17:24:00	Broadway ST	411 Gasoline or other flammable
24-0000055-000	05/21/2024	18:25:00	County Road VV	444 Power line down
24-0000056-000	05/21/2024	19:33:00	City of Berlin	815 Severe weather or natural di
24-0000057-000	05/21/2024	20:51:00	2007 Rabbit Trail	746 Carbon monoxide detector act
24-0000058-000	05/22/2024	10:31:00	202 S Johnson ST	162 Outside equipment fire
24-0000059-000	05/31/2024	14:57:00	347 E Huron ST	745 Alarm system activation, no
24-0000060-000	06/03/2024	15:21:00	279 SW Ceresco ST	744 Detector activation, no fire
24-0000061-000	06/11/2024	18:03:00	289 E Huron ST	531 Smoke or odor removal
24-0000062-000	06/12/2024	15:48:00	Hwy 91 & Cty E	311 Medical assist, assist EMS c
24-0000063-000	06/14/2024	11:31:00	Highway 91	311 Medical assist, assist EMS c
24-0000064-000	06/14/2024	19:41:00	609 Broadway ST	531 Smoke or odor removal
24-0000065-000	06/16/2024	08:31:00	32 Drive	444 Power line down
24-0000066-000	06/16/2024	10:05:00	375 Kennedy Drive	743 Smoke detector activation, n
24-0000067-000	06/19/2024	07:15:00	225 Memorial DR	744 Detector activation, no fire
24-0000068-000	06/20/2024	06:12:00	412 Broadway ST	746 Carbon monoxide detector act
24-0000069-000	06/25/2024	18:27:00	528 S Industrial Park RD	412 Gas leak (natural gas or LPG
24-0000070-000	06/27/2024	09:11:00	132 W Huron ST	671 HazMat release investigation
24-0000071-000	06/28/2024	19:02:00	W1349 Robert Lane	746 Carbon monoxide detector act
24-0000072-000	06/28/2024	09:00:00	S Industrial Park RD	341 Search for person on land
24-0000073-000	07/03/2024	14:42:00	Cty F	611 Dispatched & cancelled en ro
24-0000074-000	07/05/2024	10:38:00	482 Oak ST	531 Smoke or odor removal
24-0000075-000	07/07/2024	10:34:00	Cty D	611 Dispatched & cancelled en ro
24-0000076-000	07/09/2024	15:51:00	Broadway & Washington	311 Medical assist, assist EMS c
24-0000077-000	07/11/2024	08:20:00	Hwy 49 S	611 Dispatched & cancelled en ro
24-0000078-000	07/11/2024	18:10:00	482 Oak ST	531 Smoke or odor removal
24-0000079-000	07/15/2024	16:03:00	Cty D	311 Medical assist, assist EMS c
24-0000080-000	07/23/2024	13:44:00	Hwy 49 N	412 Gas leak (natural gas or LPG
24-0000081-000	07/25/2024	19:40:00	279 SW Ceresco ST	445 Arcing, shorted electrical e
24-0000082-000	07/28/2024	17:01:00	222 Memorial DR	745 Alarm system activation, no
24-0000083-000	08/01/2024	19:11:00	Cty XX	311 Medical assist, assist EMS c
24-0000084-000	08/06/2024	04:19:00	River Drive	551 Assist police or other gover
24-0000085-000	08/06/2024	06:03:00	235 S Wisconsin ST	743 Smoke detector activation, n
24-0000086-000	08/06/2024	21:32:00	County F	311 Medical assist, assist EMS c
24-0000087-000	08/09/2024	09:32:00	609 Broadway ST	611 Dispatched & cancelled en ro
24-0000088-000	08/16/2024	05:12:00	478 S Industrial Park RD	445 Arcing, shorted electrical e

City of Berlin Fire Department

Incident List by Incident Number

Incident Number Between "24-0000001" And
"24-0000115"

Incident-Exp#	Alm Date	Alm Time	Location	Incident Type
24-0000089-000	08/21/2024	19:20:00	Hwy 21	311 Medical assist, assist EMS c
24-0000090-000	08/30/2024	15:21:00	Hwy 91 & Cty E	352 Extrication of victim(s) fro
24-0000091-000	09/05/2024	18:14:00	319 E Moore Street	746 Carbon monoxide detector act
24-0000092-000	09/10/2024	18:00:00	S Church ST	311 Medical assist, assist EMS c
24-0000093-000	09/15/2024	16:31:00	110 E Liberty ST	424 Carbon monoxide incident
24-0000094-000	09/18/2024	08:33:00	E Huron ST	311 Medical assist, assist EMS c
24-0000095-000	09/21/2024	19:19:00	310 Mound Street	745 Alarm system activation, no
24-0000096-000	09/26/2024	05:51:00	County F	611 Dispatched & cancelled en ro
24-0000097-000	09/26/2024	10:32:00	S Washington Street	611 Dispatched & cancelled en ro
24-0000098-000	09/27/2024	17:42:00	Hwy 21	311 Medical assist, assist EMS c
24-0000099-000	09/29/2024	00:57:00	County Road F	311 Medical assist, assist EMS c
24-0000100-000	10/02/2024	07:46:00	609 Broadway ST	111 Building fire
24-0000101-000	10/03/2024	06:57:00	County F	311 Medical assist, assist EMS c
24-0000102-000	10/07/2024	02:28:00	544 River View	746 Carbon monoxide detector act
24-0000103-000	10/07/2024	16:44:00	284 Mound Street	745 Alarm system activation, no
24-0000104-000	10/07/2024	22:12:00	531 NW Cumberland	611 Dispatched & cancelled en ro
24-0000105-000	10/09/2024	11:04:00	Hwy 21	311 Medical assist, assist EMS c
24-0000106-000	10/11/2024	13:29:00	277 Jackson ST	142 Brush or brush-and-grass mix
24-0000107-000	10/14/2024	20:12:00	Cty XX	311 Medical assist, assist EMS c
24-0000108-000	10/15/2024	11:15:00	445 Sacramento Street	111 Building fire
24-0000109-000	10/16/2024	05:42:00	River Rd	611 Dispatched & cancelled en ro
24-0000110-000	10/17/2024	05:50:00	SW Franklin Street ST	611 Dispatched & cancelled en ro
24-0000111-000	10/18/2024	14:39:00	Puchyan RD	142 Brush or brush-and-grass mix
24-0000112-000	10/20/2024	02:26:00	Banner Hill Road	111 Building fire
24-0000113-000	10/20/2024	14:03:00	Mountain Road	142 Brush or brush-and-grass mix
24-0000114-000	10/20/2024	16:01:00	Cty M	611 Dispatched & cancelled en ro
24-0000115-000	10/22/2024	06:41:00	215 Power Drive	611 Dispatched & cancelled en ro

Total Incident Count 115



BERLIN FIRE DEPARTMENT
226 Spring Street
Berlin, WI 54923



DATE: October 28, 2024

TO: Berlin Police and Fire Commission Members

FROM: Bob Paugels, Fire Chief

SUBJECT: Fire Engine Bid

Attached you will find the Proposal from Custom Fire and the break-down of the percentage cost between the City and Towns.

Attached also are the signatures of the Towns approving the Fire Engine Proposal. The Town of Warren was at our September 26, 2024 meeting and approved the New Fire Engine. They were unable to attend the October 24, 2024 meeting, so a signature page was sent out to them to sign.

The Berlin Fire Department New Fire Engine Committee will be at the Police & Fire Commission meeting to go over the Bid and their recommendation.



Custom Fire Apparatus, Inc. ■ 509 68th Ave., Osceola, WI 54020-4044 ■ 715.294.2555 Fax 715.294.2168
www.customfire.com

To: **Berlin Fire Department**
108 North Capron Street
Berlin, WI 54923

August 30, 2024

SALES PROPOSAL FOR FULL RESPONSE PUMPER

Dear Sirs:

We hereby propose and agree to furnish, after your acceptance of this proposal and the signing of a contract, the following new Apparatus and Equipment:

"One (1) Full Response Crew Cab Equipped Pumper built on a tandem 2025 Kenworth T880 2-door chassis to include a Full Response® crew cab, Waterous 1500 GPM Pump and FoamPro Foam System, 2700 gallon water, stainless steel body with painted roll up compartment doors, NFPA warning lights and updated scene lights.

- *Customer furnished Cascade Air Bottles*
 - *3 seats in Crew Cab*
 - *3 speedlays below Crew Seating*

PROPOSAL PRICE

The above offer is made for the sum of: **USD \$950,174.00** Delivered to Your Fire Department Headquarters in Berlin, Wisconsin.

"The pricing contained in this proposal is based on prevailing material and labor costs and due to volatility, surcharges from component Vendors may be added after contract and will be disclosed and passed on to buyer at our cost. Surcharges shall not be deemed suitable reason for contract termination by either party."

SALES TERMS

A Progress Payment in the amount of **\$194,171.00** is due upon shipment of the Chassis to our factory in Osceola, Wisconsin. Balance of payment is due on day of apparatus delivery and equipment.

You may pre-pay any undue portion of the contract within 10 Calendar Days of execution and receive a flat 4% discount on undue amount paid.


PROPOSAL VALIDITY

Till December 1, 2024

DELIVERY SCHEDULE

480 Working Days/24 Months

Respectfully Submitted,
CUSTOM FIRE APPARATUS, INC.


James M. Kirvida
President of the Corporation

**BERLIN FIRE DEPARTMENT
NEW FIRE ENGINE
COSTS
(Based on 2023%)**

City of Berlin	49.0933%	\$ 466,471.77
Town of Berlin	18.9939%	\$ 180,475.10
Town of Seneca	6.6776%	\$ 63,448.82
Town of Aurora	17.4969%	\$ 166,250.99
Town of Nepeuskun	6.0608%	\$ 57,588.15
Town of Warren	1.6775%	<u>\$ 15,939.17</u>
Total		\$950,174.00

BERLIN FIRE DEPARTMENT
NEW FIRE ENGINE
CHASSIS COSTS
DUE 2ND QUARTER OF 2025
(Based on 2023 %)

City of Berlin	49.0933%	\$ 95,324.95
Town of Berlin	18.9939%	\$ 36,880.65
Town of Seneca	6.6776%	\$ 12,965.96
Town of Aurora	17.4969%	\$ 33,973.91
Town of Nepeuskun	6.0608%	\$ 11,768.32
Town of Warren	1.6775%	<u>\$ 3,257.21</u>
Total		\$194,171.00

THE FOLLOWING TOWNS AGREE TO THE
PURCHASE OF THE NEW FIRE ENGINE

TOWN



BERLIN FIRE DEPARTMENT
226 Spring St.
Berlin, WI 54923



DATE: October 21, 2024

TO: Berlin Police and Fire Commission Members

FROM: Bob Paugels, Fire Chief

SUBJECT: Fire Inspection Information

Attached you will find the Fire Inspections Contract requested at the October Police & Fire Commission meeting. We have also attached other information in regards to inspections.

Attachments as follows:

1. Fire Inspection Contract with Fire Inspections Services with the current Fee Schedule.
2. City of Berlin Fire Department Fire Inspection Enforcement Procedures.
3. Meeting Minutes of the Police & Fire Commission Approval of Procedures.
4. City of Berlin Code of Ordinance Chapter 26 Fire Prevention and Protection.

The Fire Inspection Company has done a Great Job in getting the inspections completed. We have not had any complaints from the public about the job they do. We have always passed our 2% audit and completing fire inspections is a very large part of that audit. The 2% monies that we receive pays for the service.

One of the things that we were looking at is going from two inspections per occupancy per year to one inspection per year for the ones that are not now required to have two. The department could save money by doing that and use the 2% money in the equipment area, the Chief would only have to look at it once a year and then follow up with appropriate action.

In the first half of 2024 in the City of Berlin, the Inspection Service did 389 inspections with 15 uncorrected violations, which is about a 96% compliancy. I have been following up on the referrals.

If you have any questions you can call me on my cell 920-572-0134.

**FIRE INSPECTION SERVICES INC.
W155 ALLEN ROAD
OCONOMOWOC, WI 53066-9048
(414) 567-9764**

INSPECTION AGREEMENT

This Inspection Agreement is entered into this 1 day of August, 1997, by and between Fire Inspection Services Inc. (hereinafter referred to as the Contractor) and Berlin Fire Department, (hereinafter referred to as Fire Department).

WHEREAS, the Fire Department requires fire inspection services sensitive to community needs; and

WHEREAS, Fire Inspection Services Inc. performs such services;

NOW THEREFORE, the parties agree as follows:

1. **Term.** This agreement will begin August 1, 1997 (to be referred to as the services commencement date) and will end December 31, 1998. After the initial seventeen months of the term, the contract will renew on identical terms on a year-to-year basis, except that either party may terminate this Agreement on the last day of each 12 month term by providing to the other party written notice of termination at least thirty (30) days prior to the last day of any 12 month term.

2. **Contractor Duties.** The Contractor will provide for the Fire Department:

- A. Fire Inspections by inspectors certified or qualified in fire inspections as defined in Chapter 101 of the Wisconsin Statutes.
- B. Salary of the Inspectors.
- C. Vehicle for the inspectors.
- D. Vehicle, fuel, and auto insurance for its inspectors.
- E. A staff of specialists in back-up.
- F. Wisconsin license fees for the Contractor's inspectors.
- G. Field communication equipment.
- H. Necessary contact with residents and municipal officials.
- I. Software for fire inspection programs, but excluding incident reporting software.

3. **Compensation to Contractor.** The Fire Department agrees to pay Contractor based on the attached Fee Schedule. In the event there are special enforcement duties (including, but not limited to, appearing before administrative bodies or testifying) or other functions not covered by fees, such time shall be provided by Contractor based on \$29.00 per hour. Any special meetings requiring the attendance of any inspector shall have a charge of \$29.00 per hour of actual meeting time. The Contractor shall perform no-permit-fee inspections such as complaints and maintenance types at the direction of the Fire Chief and forward those reports to the appropriate person(s) with the findings, and shall be reimbursed at the rate of \$29.00 per hour for such services.

4. **Billing from Contractor.** At the end of each month, the Contractor shall provide a summary of inspections and violations and a statement for services rendered. The Fire Department shall pay the statement in full within 30 days of being provided with the statement.

5. **Designation of Fire Inspectors.** The Fire Department is designating the Contractor to perform fire inspections for their fire area. This is done in accordance with Section 101.14 (2), Wisconsin State Statutes. This empowers the Contractor to exercise all rights under this Section.

6. **Hiring of Contractor's Prior Inspector.** If the Fire Department has received written notice from the Contractor of the termination of employment of any of Contractor's inspectors, the Fire Department shall not hire for fire inspection purposes the former Contractor's inspector for a period of one year after the inspector leaves Contractor's employment. In the event of actual or threatened breach of the restrictions contained herein, Contractor shall, in addition to any other remedy, be entitled to an injunction restraining the Fire Department from such actual or threatened breach. In relation thereto, it is agreed that a violation of this paragraph constitutes an act of irreparable injury for purposes of determining if a temporary injunction should be issued.

7. **Severability.** In the event that any sentence, paragraph, section or provision of the Agreement shall be held to be invalid or unenforceable for any reason whatsoever, it is agreed such invalidity or unenforceability shall not affect the validity of any other provision of this Agreement, which shall remain in full force and effect.

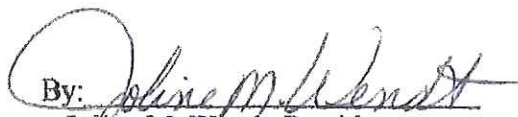
8. **Applicable Law.** This Agreement shall be interpreted in accordance with the internal laws of the State of Wisconsin.

9. **Notices.** All notices provided for under this Agreement shall be in writing and shall be sufficient if sent by registered or certified mail to the last known address of the party to whom such notice is to be sent, currently as follows: Contractor at W155 Allen Road, Oconomowoc, WI 53066-9048 and to Fire Department Chief as the representative of the Fire Department. Any such notice shall be effective and deemed "provided" upon hand delivery to the addressee or upon deposit, postage prepaid, in the United States mails.

10. **General.** This Agreement supersedes all prior agreements between the parties, written or oral and is intended as a complete and exclusive statement of the terms of the Agreement between the parties. This Agreement may be modified only by a written document executed by all parties. The headings contained in the Agreement are for reference purposes only and shall not affect in any way the meaning or interpretation of this Agreement. Nothing in this Agreement, expressed or implied, is intended to confer upon any person other than the parties hereto, any right or remedies under or by reason of this Agreement.

Signed the above stated date.

Fire Inspection Services Inc.

By: 
Joline M. Wendt, President

By: 
John Stetter, Fire Chief
Berlin Fire Department

**FIRE INSPECTION SERVICES INC.
40 NASHOTAH ROAD
NASHOTAH, WI 53058
(262) 567-9764**

FEE SCHEDULE

1. Fire Inspection: \$46.50 per inspectable occupancy* per year for semi-annual fire inspections. Inspections will be completed 2 times per occupancy per year at a rate of \$23.25 per occupancy in each half of each calendar year.
2. The Fire Chief will determine which occupancies Fire Inspection Services Inc. will inspect and inform Fire Inspection Services Inc. of any occupancies requiring inspection which Fire Inspection Services Inc. is not aware of or is not currently inspecting.
3. Upon request of the Fire Chief, Fire Inspection Services may provide consultative services for the Fire Department at a rate of \$75.00 per hour.
4. Any time Fire Inspection Services is called in by the Fire Department to conduct a fire inspection that is outside of the normal inspection cycle, we will charge a flat fee of \$200 per inspection, to be collected at the time of the inspection.

1 and 2 above include the following services by Fire Inspection Services Inc.: A maximum of one re-inspection during each inspection cycle, maintenance of an on-line database of inspectable occupancies and violations, possible representation during the Wisconsin Department of Safety and Professional Services audit to explain the inspection program, and referrals to other agencies as needed.

*In a building containing more than one occupant, each individual occupied unit shall be an "inspectable occupancy". For example, in a shopping mall, each store or otherwise occupied unit shall be an "inspectable occupancy".



BERLIN FIRE DEPARTMENT
226 Spring St.
Berlin, WI 54923



City of Berlin Fire Department
Fire Inspection Enforcement Procedures

Effective Date: August 5, 2015

The City of Berlin and City of Berlin Fire Department would like to inform you of our Fire Inspection Enforcement Procedures. The City looks forward to working with you and hopes this letter will assist you in taking a proactive approach complying with Fire Inspection related issues. We request that you take the time to make yourself familiar with the procedures and most frequent violations to make your inspections quick and easy.

The City of Berlin Fire Inspector will continue to inspect your property bi-annually. The first inspection will be done by June 30th and the second inspection will be completed by December 31st. Violations observed during the first inspection will be documented and the inspector will give you a detailed report on what needs to be corrected. You will then have several opportunities to work with the inspector to get your property up to code.

If you fail to comply with the fire inspector's correction notices, all violations will be forwarded to the Fire Department for enforcement action. Citations will be issued for each uncorrected violation with the first offense being \$50 plus court/administration costs, 2nd offense \$100 plus court/administration costs, and 3rd offense \$200 plus court/administration costs. Once convicted, a citation can be issued daily for any and all violations until they are corrected. The City does not desire to cite our property owners and are hopeful for voluntary compliance to make your property safe.

To assist our property owners the City has compiled a list of the most common violations that our Fire Inspector finds. Several of them are very easy to check and keep up to date.

- **Fire Extinguishers Annual Service Violations**
- **Fire Alarm Testing and Maintenance Violations**
- **Exit Lights Maintenance Violations**
- **Extension Cord improper use Violations**
- **Fire Exits Blocked Violation**
- **Fire /Smoke Detector Violations**

Lastly we are looking forward to working with you and are available for any questions that you may have to keep your property up to code.

Sincerely,

Robert Paugels
Fire Chief City of Berlin

**MEETING POLICE & FIRE COMMISSION
BERLIN, WISCONSIN
BERLIN CITY HALL – 2ND FLOOR COUNCIL CHAMBERS
AUGUST 5, 2015 – 6:30 PM**

President Pionke called the meeting to order at 6:30 pm. Present: Commissioners Lindahl, Guden, and Eckstein (4). Absent: Schubert (1). Also present were Chief Plantz, Emergency Services Director Gary Podoll, Fire Chief Paugels, and P&F Liaison Alderman Secora.

Motion by Guden to approve the open session minutes from the July 1, 2015 meeting, seconded by Lindahl, carried by voice vote.

Motion by Eckstein to approve the closed session minutes from the July 1, 2015 meeting, seconded by Guden, carried by voice vote.

Fire Chief Paugels stated the first bill listed is annual maintenance contract and then the total inspection and pump tests on all trucks. Podoll stated maintenance is in the negative and still have one repair on Engine 66 to do. Last month had 3 house fires and the department has been very busy. Pres. Pionke read a thank you note from Mrs. Gelhar and stated the City of Berlin is fortunate to have such a good fire department. Pionke questioned when the new truck would be ready and Paugels stated the middle of August. Podoll stated after training is done on the new truck by Darley with all firefighters and all equipment is off the old truck that transfers to the new truck, then the old truck will have photos taken and put on line for sale. The department will also receive from Darley a DVD specific to the new truck showing operations and instructions. Paugels stated the main decision regarding a fire will be to decide between how much water vs foam. Motion by Guden to file and approve Fire Dept. report and vouchers for payment, seconded by Lindahl which carried by voice vote.

Podoll stated the 1968 Fire Department jeep hasn't been used in several years and is not safe to be on the road as an emergency vehicle. Would like to sell it and the proceeds would go towards possible replacement of jeep and would be brought back to the P&F. Motion by Lindahl to proceed with sale of jeep and will be brought back to P&F, seconded by Eckstein, carried by voice vote.

Chief Paugels reviewed working with Chief Plantz, Captain Block, and Atty Chier the last 1.5-2 years on the process and consequences for non-compliant fire inspection violations and repeat offenders. The first inspection would be done with a 30 day warning given, second re-inspection done and then a third re-inspection done if still not done then would talk to PD for issuance of citation. Violation fees are per violation so if 2 violations then 2 citations could be issued. Citation fees would go into the general fund. The fee listed on the warning is the bond amount and then court costs are added to that. Podoll stated most businesses are 90% compliant. **Motion by Guden to approve and accept Fire Inspection Enforcement Procedure with wording of "court/administrative costs" added behind each fine amount. Seconded by Lindahl, carried by voice vote.**

Podoll stated he had met with Jodie on the 2016 budget and there would be 0% increase in operations. Inspections cost went up and revenue 2% dues went up so end result is decrease of \$300. Pagers were purchased five years ago and are obsolete and can't be fixed anymore. With 30 pagers, plan is to replace 10 per year and fit into the budget so no increase with everything else remaining the same. Pionke questioned cost of foam with Podoll stating it comes in 5 gal buckets and DNR grant is applied to cost. Working on getting information together for new Federal Fire Fighter Grant for SBCA's, which is out in November and only open for 30 days. Motion by Guden to approve Fire Department budget and forward to City Council, seconded by Eckstein, carried by voice vote.

Chief Plantz stated July was very busy with 346 calls for service and department has continued to watch all park areas especially in the back by campers and also request people to call in anything they might suspect in the parks. In the midst of budget items and discussion and union negotiations are coming up. Plantz stated there have been numerous eggings in the City and what starts as a prank can result in damage to property and charges being filed. Continuing to revoke persons from parks for park violations. Meeting with DPW Supervisor Zabel to dispose of the old squad. The new Squad Ford Explorer is very nice with much more room. Working with the budget items and one is the Pepwave to transmit data from squads and currently using US Cellular but looking at Verizon as a provider. Officer Olson stated US Cellular will now only allow for equipment from US Cellular to be used and squads 59 & 62 will work grandfathered in but squad 60 will not. Verizon will support customer owned hardware and if needed would buy out US Cellular. Olson stated the County has been using Verizon and have had no complaints except in the extreme remote areas. This is currently for informational only as it would be discussed during budget talks. Guden requested prices on each provider and also inquired as to length of contract for Leads on Line with Chief Plantz stating it was for one year. Motion by Eckstein to approve and file the Police Department report and approve vouchers for payment, seconded by Guden, which carried by voice vote.

Old Business – None

New Business: None

Public Appearances: None

Adjourn; Motion by Guden, seconded by Lindahl, carried by voice vote.

Submitted by Vicki Murphy

Next scheduled meeting Wednesday, September 2, 2015 at 6:30 PM at the Berlin Fire Department, 226 Spring Street.

Chapter 26 - FIRE PREVENTION AND PROTECTION

Footnotes:

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Cross reference— Fire chief, § 2-221 et seq.; police and fire commission, § 2-481 et seq.; buildings and building regulations, ch. 14.

ARTICLE I. - IN GENERAL

Sec. 26-1. - Adoption of state codes.

The following orders, rules and regulations of the Department of Safety and Professional Services (SPS), all of which are set forth in the Wisconsin Administrative Code, as amended from time to time, are incorporated in this section by reference and adopted as part of this chapter:

- (1) Wis. Admin. Code ch. SPS 305; Licenses, certifications and registrations.
- (2) Wis. Admin. Code ch. SPS 307; Explosives and fireworks.
- (3) Wis. Admin. Code ch. SPS 308; Mines, pits and quarries.
- (4) Wis. Admin. Code ch. SPS 310; Flammable, combustible and hazardous liquids.
- (5) Wis. Admin. Code ch. SPS 314; Fire prevention.
- (6) Wis. Admin. Code ch. SPS 314; Appendix.
- (7) Wis. Admin. Code ch. SPS 316; Electrical.
- (8) Wis. Admin. Code ch. SPS 318; Elevators, escalators and lift devices.
- (9) Wis. Admin. Code ch. SPS 320; Administration and enforcement.
- (10) Wis. Admin. Code ch. SPS 321; Construction standards.
- (11) Wis. Admin. Code ch. SPS 322; Energy conservation.
- (12) Wis. Admin. Code ch. SPS 323; Heating, ventilating and air conditioning.
- (13) Wis. Admin. Code ch. SPS 324; Electrical standards.
- (14) Wis. Admin. Code ch. SPS 325; Plumbing.
- (15) Wis. Admin. Code ch. SPS 320-325; Appendix.
- (16) Wis. Admin. Code ch. SPS 320-325; Index.
- (17) Wis. Admin. Code ch. SPS 326; Manufactured home communities.
- (18) Wis. Admin. Code ch. SPS 327; Camping Units.
- (19) Wis. Admin. Code ch. SPS 328; Smoke detectors and carbon monoxide detectors.
- (20) Wis. Admin. Code ch. SPS 330; Fire department safety and health.

- (21) Wis. Admin. Code ch. SPS 332; Public employee safety and health.
- (22) Wis. Admin. Code ch. SPS 333; Passenger ropeways.
- (23) Wis. Admin. Code ch. SPS 334; Amusement rides.
- (24) Wis. Admin. Code ch. SPS 335; Infectious agents.
- (25) Wis. Admin. Code ch. SPS 335; Appendix.
- (26) Wis. Admin. Code ch. SPS 340; Gas systems.
- (27) Wis. Admin. Code ch. SPS 341; Boilers and pressure vessels.
- (28) Wis. Admin. Code ch. SPS 341; Appendix Excerpts from boiler, pressure vessel and piping codes and standards.
- (29) Wis. Admin. Code ch. SPS 343; Anhydrous ammonia.
- (30) Wis. Admin. Code ch. SPS 343; Appendix.
- (31) Wis. Admin. Code ch. SPS 345; Mechanical refrigeration.
- (32) Wis. Admin. Code ch. SPS 345; Appendix.
- (33) Wis. Admin. Code ch. SPS 346; Risk screening and closure criteria for petroleum product contaminated sites, and agency roles and responsibilities.
- (34) Wis. Admin. Code ch. SPS 346; Appendix Nonparametric statistical tests for determining the effectiveness of natural attenuation.
- (35) Wis. Admin. Code ch. SPS 347; Petroleum environmental cleanup fund.
- (36) Wis. Admin. Code ch. SPS 347; Appendix.
- (37) Wis. Admin. Code ch. SPS 348; Petroleum and other liquid fuel products.
- (38) Wis. Admin. Code ch. SPS 360; Erosion control, sediment control and storm water.
- (39) Wis. Admin. Code ch. SPS 361; Administration and enforcement.
- (40) Wis. Admin. Code ch. SPS 362; Buildings and structures.
- (41) Wis. Admin. Code ch. SPS 363; Energy conservation.
- (42) Wis. Admin. Code ch. SPS 364; Heating, ventilating and air conditioning.
- (43) Wis. Admin. Code ch. SPS 365; Fuel gas appliances.
- (44) Wis. Admin. Code ch. SPS 366; Existing buildings.
- (45) Wis. Admin. Code ch. SPS 361-366; Appendix A.
- (46) Wis. Admin. Code ch. SPS 361-366; Appendix B.
- (47) Wis. Admin. Code ch. SPS 367; Rental unit energy efficiency.
- (48) Wis. Admin. Code ch. SPS 371; Solar energy systems.
- (49) Wis. Admin. Code ch. SPS 372; Cleaning methods for historic buildings.
- (50) Wis. Admin. Code ch. SPS 375; Definitions and general requirements.

- (51) Wis. Admin. Code ch. SPS 376; Factories, office and mercantile buildings.
- (52) Wis. Admin. Code ch. SPS 377; Theaters and assembly halls.
- (53) Wis. Admin. Code ch. SPS 378; Schools and other places of instruction.
- (54) Wis. Admin. Code ch. SPS 379; Apartment houses, hotels and places of detention.
- (55) Wis. Admin. Code ch. SPS 381; Definitions and standards.
- (56) Wis. Admin. Code ch. SPS 382; Design, construction, installation, supervision and inspection of plumbing.
- (57) Wis. Admin. Code ch. SPS 382; Appendix.
- (58) Wis. Admin. Code ch. SPS 383; Private onsite wastewater treatment systems.
- (59) Wis. Admin. Code ch. SPS 383; Appendix.
- (60) Wis. Admin. Code ch. SPS 384; Plumbing products.
- (61) Wis. Admin. Code ch. SPS 384; Appendix.
- (62) Wis. Admin. Code ch. SPS 385; Soil and site evaluations.
- (63) Wis. Admin. Code ch. SPS 386; Boat and on shore sewage facilities.
- (64) Wis. Admin. Code ch. SPS 387; Private onsite wastewater treatment system replacement or rehabilitation financial assistance program.
- (65) Wis. Admin. Code ch. SPS 390; Design and construction of public swimming pools and water attractions.
- (66) Wis. Admin. Code ch. SPS 390; Appendix.
- (67) Wis. Admin. Code ch. SPS 391; Sanitation.
- (68) Wis. Admin. Code ch. SPS 391; Appendix.
- (69) Wis. Admin. Code ch. SPS 431; Diesel truck idling reduction grants.
- (70) Wis. Admin. Code ch. SPS 431; Appendix.
- (71) Wis. Admin. Code ch. SPS 456; Manufactured housing rehabilitation and recycling.

(Code 1989, § 5-3-1; Ord. No. 05-13, 7-16-2013; Ord. No. 02-19, 4-9-2019)

Sec. 26-2. - Open burning.

- (a) *Prohibited.* No person shall build any outdoor fire within the corporate limits of the city, except as set forth in subsection (b) of this section.
- (b) *Exceptions.* Exceptions to the provision set forth in subsection (a) of this section are as follows:
 - (1) Cooking fires, subject to the following conditions:
 - a. All cooking fires shall be in UL-listed or FM-listed outdoor cooking appliances, (i.e., charcoal grills, propane grills, etc.)
 - b. All cooking fires shall be extinguished after cooking is completed.

- c. All cooking fires shall be burned in a safe manner.
 - d. A competent person shall continually attend all cooking fires. The person shall have readily available approved extinguishing equipment (i.e., fire extinguisher or garden hose connected to water supply).
- (2) Outdoor fireplaces, subject to the following conditions:
- a. Outdoor fireplaces shall be used in a safe manner and in accordance with the manufacturer's instructions.
 - b. The creation of excessive smoke is prohibited and only dry wood is to be burned in such fireplaces. Paper, leaves, trash or other material is prohibited.
 - c. The outdoor fireplace shall be complete with a burn pan, lid and fire screen completely around the device.
 - d. A competent person shall continually attend all fires in an outdoor fireplace. The person shall have readily available approved extinguishing equipment (i.e., fire extinguisher or garden hose connected to water supply).
- (3) Outdoor cooking or burning in designated city-owned park fireplaces or in designated firepits in designated campgrounds within a city park (see section 50-72(7) for further park burning regulations).
- (4) Controlled burning of grass or similar vegetation for environmental management purposes, with the prior written approval of the fire chief.
- (5) Ceremonial campfires or bonfires, with the prior written approval of the fire chief.
- (6) Other occasions of desirable outdoor burning not otherwise specified in this subsection (b), but not as an alternative to refuse removal or disposal, with the prior written approval of the fire chief.
- (c) *Approval and special permit granted.* Whenever approval and a special permit are granted by the fire chief under subsections (b)(4), (5) and (6) of this section for outdoor burning, the permit may specify and be conditioned on observance of safety restrictions and insurance requirements in amounts as set forth in the schedule of required insurance on file with the city clerk-treasurer, set forth in such permit.
- (d) *Prohibition by fire chief.* The fire chief shall be permitted to prohibit any or all outdoor fires when atmospheric conditions or local circumstances make such fires hazardous.
- (e) *Burning on streets.* No materials may be burned upon any street, curb, gutter or sidewalk within the city.
- (f) *Liability.* Persons utilizing and maintaining outdoor fires within the city shall be responsible for any liability resulting from damage caused by such fire.

(Code 1989, § 5-2-9; Ord. No. 05-03, 7-8-2003)

Sec. 26-3. - Keeping of combustible materials; lighting fires.

- (a) No person within the city shall keep any ashes, live coals or cinders within 25 feet of any wooden building, fence, wood pile, lumber or any combustible material, unless it shall be placed in a depository constructed of brick, stone or other fireproof material.
- (b) No person shall build any bonfire or burn any shavings, leaves or combustible materials within 30 feet of a building, lumber pile or wood pile, or within ten feet of a fence or sidewalk.

(Code 1989, § 5-2-10)

Sec. 26-4. - Careless smoking prohibited; posting of notice.

- (a) No person, by reason of careless, willful or wanton conduct in smoking or the use of lighters or matches in smoking, whether intentional or not, shall set fire to any bedding, carpet, curtain, draperies, furniture, household equipment or other goods or chattels, or to any building.
- (b) A plainly printed notice of the provisions of this section shall be posted in a conspicuous place in every sleeping room of each hotel, roominghouse, lodginghouse, tourist home, tourist court or other place renting rooms for the accommodation of the public within the city. Such printed notices shall also be posted in any place of public assembly where smoking is permitted.
- (c) In the interest of public safety, the fire chief shall post or cause to be posted "No Smoking" signs on any premises or in any building, or any section of such premises or building, where the presence of flammable liquids, varnishes, paints, oils, lacquers, fillers, explosive dust, loose combustible materials or other highly combustible materials, in his opinion, makes the act of smoking a fire hazard. Such signs shall be not less than ten inches by 12 inches in size, and shall be posted conspicuously at intervals of not less than 30 feet. Such signs shall contain the words "No Smoking" printed across the top of such sign in large letters, state the authority by which they are posted in smaller letters, and bear the signature of the fire chief or his duly authorized representative.

(Code 1989, § 5-2-11)

Sec. 26-5. - Bulk storage stations.

Bulk gasoline storage stations within the city shall be constructed in conformity with the Wisconsin Administrative Code.

(Code 1989, § 5-2-12)

Sec. 26-6. - Interference with use of hydrants.

No person shall occupy with a motorized vehicle or other vehicle any portion of a street or alley between a fire engine, fire truck or other fire apparatus, or any hydrant to which a fire hose may be, or is about to be, attached.

(Code 1989, § 5-2-8)

Sec. 26-7. - Damaging fire hose; parking by hydrants; blocking fire lanes.

- (a) It shall be unlawful for any person to willfully injure in any manner any hose, hydrant or fire apparatus belonging to the city. No vehicle shall be driven over an unprotected hose of the fire department when such hose is laid down on any street, private driveway or other place and is to be used at a fire or alarm of fire, without the consent of the fire department official in command.
- (b) It shall be unlawful for any person, at any time, to park any vehicle or leave any object within ten feet of any fire hydrant within the city.
- (c) It shall be unlawful for any person, in case of a fire, to drive or park any vehicle within one block from the location of the fire without the consent and authority of the fire chief or a police officer.

(Code 1989, § 5-2-4)

Sec. 26-8. - Impeding fire equipment.

No person shall impede the progress of a fire engine, fire truck or other fire apparatus of the fire department along the streets or alleys of the city at the time of a fire or when the city fire department is using such streets or alleys in response to a fire alarm or for practice.

(Code 1989, § 5-2-2)

Sec. 26-9. - Vehicles to yield right-of-way.

If there is a fire or fire alarm, or the fire department shall be out for practice, each person driving or riding in a motorized vehicle or other vehicle within the city shall move to the side of the street and remain there until the fire engine, fire truck and other fire apparatus shall have passed.

(Code 1989, § 5-2-7)

Secs. 26-10—26-40. - Reserved.

ARTICLE II. - FIRE DEPARTMENT

Sec. 26-41. - Organization; goals.

- (a) *Established.* The Berlin Fire Department shall be responsible for the program of fire defense for the citizens and property within the city.
- (b) *Fire defense program.*
 - (1) The primary objective of the fire defense program is to serve all citizens of the city, without prejudice or favoritism, by safeguarding, collectively and individually, their lives against the effects of fire and explosion.
 - (2) The second objective of the fire defense program is to safeguard the general economy and welfare of the city by preventing major conflagrations and the destruction by fire of industries and businesses.
 - (3) The third objective of the fire defense program is to protect the property of all citizens against the effects of fire and explosions. All property deserves equal protection, regardless of location or monetary value of such property.
- (c) *Composition.* The city fire department shall, unless otherwise provided, consist of one fire chief, one deputy chief, two assistant chiefs, three captains, three lieutenants and not less than 14, nor more than 36, firefighters.
- (d) *Appointment; terms.* The police and fire commission shall appoint the fire chief, who shall hold office during good behavior, subject to suspension or removal by the board of police and fire commissioners for cause. The fire chief shall appoint subordinate members of the department subject to approval by the board of police and fire commissioners. Such appointments, promotions, suspensions and removals shall be made as provided in Wis. Stats. § 62.13.
- (e) *Rules and regulations.* Members of the fire department shall be governed by the rules and regulations adopted by the fire chief, mayor and common council, and resolutions and ordinances of the common council and statute.

(Code 1989, § 5-2-1)

Sec. 26-42. - Police power; investigation of fires.

- (a) *Authority at fires.* The fire chief and all other persons in control of the scene of a fire shall have the authority granted by Wis. Stats. § 213.095.
- (b) *Fire inspection duties.*
 - (1) The fire chief shall be the fire inspector of the city, and shall have the power to appoint one or more deputy fire inspectors, and shall perform all duties required of the fire inspector by law and rules of the department of commerce, particularly Wis. Stats. § 101.14.
 - (2) While acting as fire inspector pursuant to Wis. Stats. § 101.14(2), the fire chief, or any officer of the fire department designated by the fire chief, shall have the right and authority to enter any building or premises in the city at all reasonable hours for the purpose of making

inspections or investigations which, under the provisions of this article, he may deem necessary. If the fire inspector finds that any provision of this chapter relating to fire hazards and the prevention of fires is being violated, or that a fire hazard exists which should be eliminated, it shall be his duty to give such directions for the abatement of such conditions as he shall deem necessary and, if such directions shall not be complied with, to report such noncompliance to the common council for further action. The fire department shall be responsible for investigating all fires; except if a fire appears to be of suspicious origin, the fire department and police department shall jointly conduct an investigation of such fire under the general auspices of the fire department.

- (3) The fire chief is required, by himself or by officers or members of the fire department designated by him as fire inspectors, to inspect all buildings, premises and public thoroughfares, except the interiors of private dwellings, for the purpose of ascertaining and causing to be corrected any conditions which are liable to cause a fire, or any violations of any law or ordinance relating to the fire hazard or to the prevention of fires. Such inspections shall be made at least once every six months in all of the territory served by the fire department, or more often if the fire chief so orders. Each six-month period shall begin on January 1 and July 1 of each year.
- (4) Written reports of inspections as set forth in this subsection (b) shall be made and kept on file in the office of the fire chief in the manner and form required by the department of commerce. A copy of such reports shall be filed with the fire chief.

(Code 1989, § 15-2-3)

State Law reference— Chiefs generally, Wis. Stats. § 101.14(2).

Sec. 26-43. - Firefighters' right to enter adjacent property; removal or destruction of property.

- (a) It shall be lawful for any firefighter, while acting under the direction of the fire chief or any other officer in command, to enter upon the premises adjacent to or in the vicinity of a building or other property then on fire for the purpose of extinguishing such fire, and in case any person shall hinder, resist or obstruct any firefighter in the discharge of his duty as provided in this subsection, the offender shall be deemed guilty of resisting a firefighter in the discharge of his duty.
- (b) During the progress of a fire, the fire chief or his assistant shall have the power to order the removal or destruction of any property necessary to prevent the further spread of the fire, provided that it is inevitable that, unless such property is removed, other property is in danger of being destroyed by fire.

(Code 1989, § 5-2-5)

Secs. 26-44—26-75. - Reserved.

ARTICLE III. - FIREWORKS

Sec. 26-76. - Regulation.

Regulation of fireworks shall be pursuant to Wis. Stats. § 167.10, whereby such statute, with the exception of any penalty provisions, is hereby adopted by reference.

Secs. 26-77—26-110. - Reserved.

ARTICLE IV. - HAZARDOUS MATERIALS AND INFECTIOUS AGENTS

Footnotes:

--- (2) ---

Cross reference— *Health and sanitation, ch. 30.*

Sec. 26-111. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Hazardous materials mean those materials that:

- (1) Can cause death or disabling injury from brief exposure;
- (2) Could cause a lost-time injury from exposure; and
- (3) Could cause temporary disability or injury without permanent effects;

which are used, researched, produced or stored within or on the premises, except those household consumer products used at the point of consumption and not used for commercial or experimental purposes. This term shall include radioactive materials.

Infectious agent means a bacterial, mycoplasmal, fungal, parasitic or viral agent known to cause illness in humans, which is used, researched, produced or stored within or on the premises.

(Code 1989, § 5-3-2(b))

Cross reference— Definitions generally, § 1-2.

Sec. 26-112. - Disclosure; applicability.

- (a) Any person researching or producing hazardous materials and/or infectious agents within the city shall notify the fire department as set forth in section 26-113.
- (b) The provisions of this article shall apply to all persons using, researching, producing or storing hazardous materials and/or infectious agents.

(Code 1989, § 5-3-2(a))

Sec. 26-113. - Information required.

- (a) Any person using, researching, producing and/or storing hazardous materials within the city shall provide the following information in writing to the fire department:
 - (1) The address and location where hazardous materials are used, researched, stored or produced;
 - (2) The trade name of the hazardous material;
 - (3) The chemical name and any commonly used synonym for the hazardous material and its major components;
 - (4) The exact location on the premises where hazardous materials are used, researched, stored and/or produced;
 - (5) The amounts of hazardous materials on the premises and the exact location thereof;
 - (6) The boiling point, vapor pressure, vapor density, solubility in water, specific gravity, percentage volatile by volume, evaporation rate for liquids and appearance and odor of the hazardous material;
 - (7) The flashpoint and flammable limits of the hazardous material;
 - (8) Any permissible exposure level, threshold limit value or other established limit value for exposure to a hazardous material;
 - (9) The stability of the hazardous material;
 - (10) Recommended fire extinguishing media, special firefighting procedures and fire and explosion hazard information for the hazardous material;
 - (11) The effect of overexposure to the hazardous material, emergency and first aid procedures and telephone numbers to call in an emergency;
 - (12) Any condition or material which is incompatible with the hazardous material and which must be avoided;
 - (13) Any personal protective equipment to be worn or used, and special precautions to be taken when handling or coming into contact with the hazardous material;
 - (14) Procedures for handling or coming into contact with the hazardous material.
- (b)

Any person using, researching, producing and/or storing an infectious agent and/or the carrier of an infectious agent shall provide the following information in writing to the fire department:

- (1) The name and any commonly used synonym of the infectious agent;
- (2) The address and location where infectious agents are used, researched, stored and/or produced;
- (3) The exact location on the premises where infectious agents are used, researched, stored and/or produced;
- (4) The amount of infectious agents on the premises and the exact location thereof;
- (5) Any methods of route of transmission of the infectious agents;
- (6) Any symptoms or effect of infection, emergency and first aid procedure and a telephone number to be called in an emergency;
- (7) Any personal protective equipment to be worn or used, and special precautions to be taken when handling or coming in contact with the infectious agents;
- (8) The procedure for handling, cleanup and disposal of infectious agents which are leaked or spilled.

(Code 1989, § 5-3-2(c))

Sec. 26-114. - Reimbursement for cleanup of spills.

Any person who possesses or controls a hazardous material or infectious agent within the city which was discharged or caused the discharge of a hazardous material or infectious agent shall reimburse the city for actual and necessary expenses incurred by the city or its agent to contain, remove or dispose of the hazardous material or infectious agent, or take any other appropriate action which is deemed appropriate under the circumstance.

(Code 1989, § 5-3-2(d))

Sec. 26-115. - Recovery of costs.

- (a) Each person using, storing, handling or transporting flammable or combustible liquids, chemicals, gasses or other hazardous materials within the city shall comply with the requirements of Wisconsin Administration Code, as amended from time to time.
- (b) Each person using, storing, handling or transporting (whether by rail or on the highways) flammable or combustible liquids, chemicals, gasses or other hazardous materials within the city shall be liable to the city for the actual cost of labor and materials associated with the use of any specialized extinguishing agent, chemical, neutralizer or similar material or equipment employed to extinguish, confine or cleanup any such hazardous material which is involved in any accidental spill or in the threat of a fire or accidental spill.

(Code 1989, § 5-3-3)

Sec. 26-116. - Cleanup of spilled or accidentally discharged wastes.

(a) *Purpose.* The purpose of this section is to:

- (1) Ensure safe and effective hazardous materials and hazardous waste management in the city; and
- (2) Establish a program of regulation over the storage, transportation, treatment and disposal of hazardous materials and hazardous waste in the city.

(b) *Findings.* The city finds that:

- (1) Increasing production and consumption rates, and continuing technological development and energy requirements have led to the generation and use of greater quantities of hazardous materials and associated hazardous waste;
- (2) The problems of disposing of hazardous waste are increasing as a result of air and water pollution controls and a shortage of available landfill sites;
- (3) While it is technologically and financially feasible for hazardous waste generators to dispose of their waste in a manner which has a less adverse impact on the environment than current practices, such knowledge is not being utilized to the extent possible;
- (4) Even though the city is not heavily industrialized, there is significant daily hazardous waste disposal problems within the city; and
- (5) The public health and safety and the environment are threatened when hazardous materials and wastes are not managed in an environmentally sound manner.

(c) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Disposal means the discharge, deposit, injection, dumping, spilling, leaking or placing of any hazardous material or hazardous waste into or on any land or water so that the it may enter the environment, be emitted into the air or discharged into the waters, including groundwaters.

Hazardous material means any element, compound or combination thereof which is flammable, corrosive, etc., and which, because of handling, storage, processing or packaging, may have detrimental effects on operating and emergency personnel, the public, equipment and/or the environment.

Hazardous waste means any waste or combination of wastes of a liquid, gaseous or semisolid form which, because of its quantities, concentration or physical, chemical or infectious characteristics, may cause or significantly contribute to an increase in mortality or in serious irreversible or incapacitating reversible illness, or pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported or disposed of, or otherwise managed. Such wastes include, but are

not limited to, those which are toxic, carcinogenic, flammable, irritants, strong sensitizers or which generate pressure through decomposition, heat or other means, as well as containers and receptacles previously used in the transportation, storage, use or application of substances described as hazardous waste.

Generation means the act or process of producing hazardous waste.

Person means an individual, partnership, corporation, including a government corporation, trust, association, firm, joint stock company, organization, commission, the city or federal government, or other entity.

Storage means containment in such a manner as not to constitute disposal.

Transport means the movement from the point of production, generation or use to any intermediate site and finally to the point of ultimate storage or disposal.

Treatment means any method, technique or process, including neutralization, designed to change the physical, chemical or biological character or composition of hazardous waste so as to neutralize or render it nonhazardous, safer for transport, amenable for recovery or storage, or reduced in volume.

Treatment facility means a location for treatment, including an incinerator or a facility where generation has occurred.

(d) *Prohibited discharge.* No person shall discharge or cause to be discharged, leak, leach or spill upon any public street, alley or public property, or onto the ground, surface waters, subsurface waters, aquifers or on any private property, except those areas specifically licensed for waste disposal or landfill activities within the city, any hazardous materials as defined in subsection (c) (2) of this section.

(e) *Containment, cleanup and restoration.*

(1) Any person delivering, hauling, disposing, storing, discharging or otherwise handling potentially polluting substances, solid, liquid or gas within the city shall be immediately reported to the fire chief and the county emergency management director.

(2) Any person in violation of the provisions of this section shall, upon authorization by the fire chief and the county emergency management director, begin immediate action to contain, cleanup and remove to an approved repository the offending materials, and restore the site to its original condition. Should any person fail to engage or complete the requirements of this subsection, the fire chief and the county emergency management director may order the required actions to be taken by public or private resources, with all costs incurred by the city to be reimbursed by the person violating this subsection.

(f) *Access.* Access to any public or private site where a prohibited discharge is indicated or suspected shall be provided to the fire chief and the county emergency management director for the purpose of evaluating the threat to the public and monitoring containment, cleanup and

restoration of the site.

- (g) *Public protection.* If any prohibited discharge occurs that reasonably causes a threat to the life, safety or health of the public, the senior fire officer on the scene may order an evacuation of the area or take other appropriate protective steps for a period of time as he deems necessary for the safety of the public.
- (h) *Financial liability.* Any person in violation of the provisions of this section shall be liable to the city for any expense incurred by the city, or loss or damage sustained by the city by reason of such violation, and to any individual whose person or property was damaged by such violation. The person responsible for the release, escape or discharge of any hazardous waste or hazardous material shall be held financially liable for the cost of any cleanup or attempted cleanup deemed necessary or desirable and undertaken by the city or its designated agent in an effort to minimize the pollutional effects of the discharged waste or hazardous material.

(Code 1989, § 8-2-1)

Sec. 26-117. - Storage of polluting substances.

It shall be unlawful for any person to store any potentially polluting substance unless such substance is stored in such a manner as to securely prevent it from escaping onto the ground surface, air and/or into any street, sewer, ditch or drainageway, lake or stream within the jurisdiction of the city.

(Code 1989, § 8-2-2)

POLICE AND FIRE COMMISSION MEETING

11/06/2024

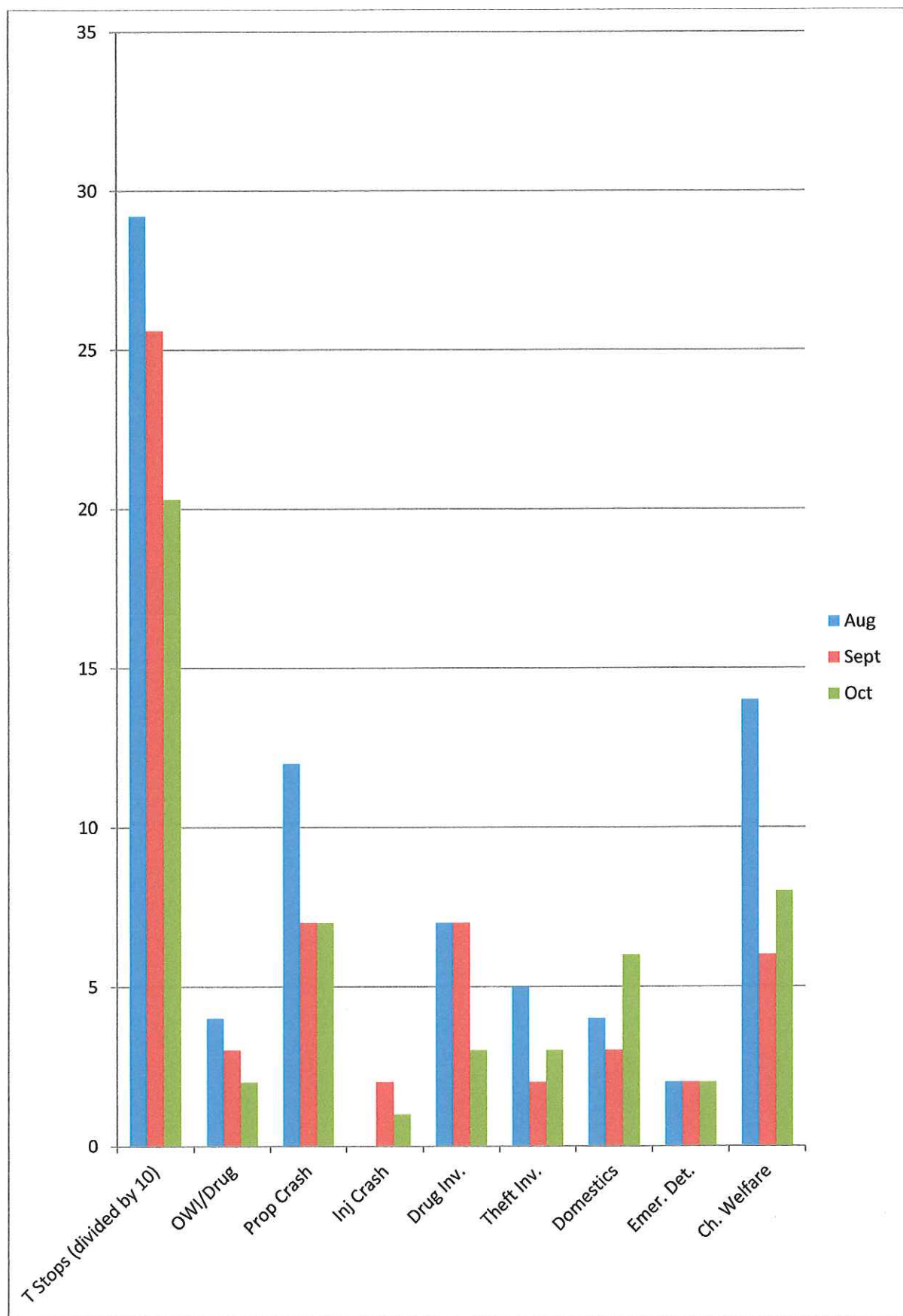
BERLIN POLICE DEPARTMENT ACTIVITY EXTRACT

September 23, 2024 to October 23, 2024

203	Traffic Stops
2	OWI / Drug OWI arrest
7	Property Damage crash
1	Personal Injury crash
3	Drug Investigation (3 MJ, 0 MJ + other, 0 other)
1	Theft Investigation
6	Domestic Abuse Investigation
2	Emergency Detention (2 detention, 0 diversion)
8	Check Welfare

Statistic notes:

As you know, there was a significant amount of training near the end of September and into early October which impacted available patrol staff. Traffic contacts were down considerably. Of the seven property damage crashes, four of them took place in parking lots. Domestic abuse incidents were nearly double the monthly average. We executed a search warrant that was part of an Internet Crimes Against Children case, which is an ongoing investigation.



September 04, 2024 P&F MEETING

BPD VOUCHERS

Acct #52-10001-***

Acct #52-17100-195 (Uniform)

[illegible]

160	0	TOTAL	\$11,980.64
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184	127.5
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190 0

210 0

221 0

290	54.35
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310 0

321 0

330 0

340 0

344 0

345	284.39
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360 0

380 0

401 11175

Uniforms 195	339.4
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September 04, 2024 P&F MEETING

BPD CREDIT CARD PAYMENTS

Acct #52-10001-***

Acct #52-17100-195 (Uniform)

[illegible]

160	74.76	TOTAL	\$721.27
184	0		
190	0		
210	7.76		
221	144.08		
290	0		
310	379.72		
321	0		
330	0		
340	0		
344	0		
345	0		
360	0		
380	0		
401	0		
Uniforms 195	114.95		