

NEW BERLIN SAFETY COMMISSION MINUTES

Wednesday September 9th, 2009 **6:00 pm**

New Berlin Public Safety Building

16300 W. National Ave.

Please Note: Minutes are unofficial until approved by the Safety Commission at the next regularly scheduled meeting.

Present: Paul Rozek, Paul Repischak, Paul Milkovich, Ron Schildt, Fred Witty, Chuck Trevorrow, and Earl Strandt. The meeting was called to order at 6:00 pm.

Excused: Scott Gillard, Paul Kreutzer, and Joe Poshepny

Approval of Minutes: Fred Witty made a motion to accept the August 12th, 2009 minutes as read. The motion was seconded by Paul Milkovich. The motion carried unanimously.

01 08 09 Proposed changes to the City of New Berlin Municipal Code pertaining to vicious dogs *152-10 G. (1) – (4)*.

Paul Repischak made a motion to remove Section I from our recommended amendment to the ordinance. This was the section that called for issuing a copy ordinance and requiring signatures from dog license applicants. Paul Rozek seconded the motion and it carried unanimously.

The Safety Commission and two citizen attendees discussed at length various definitions for vicious dog/ animal. At the conclusion of our discussion Ron Schildt made a motion to recommend the following changes to Section II in our recommended amendment:

G. Prohibitions against the keeping of a vicious or nuisance animal.

1. Vicious Animal.

(b) Vicious Animal defined.

(1) Except as provided in subsection (b) below, an animal is deemed vicious under this section when:

- a. Without provocation or extenuating circumstance in an apparent attitude of attack causes injury to a person or domestic animal. Injuries include but are not limited to; lacerations requiring stitches or cosmetic surgery, broken bones, and injuries requiring treatment at a hospital or medical clinic.

- b. In a vicious or terrorizing manner the animal approaches any person in an apparent attitude of attack, whether or not the attack is consummated or capable of being consummated; or
- c. When a propensity of the animal to attack or bite persons, pets, or domestic animals shall exist and is known or reasonable to be known to the owner or to any member of the owner's immediate family who resides with the owner.

- 2. Exceptions... (Remains the same)
- 3. Unreasonable Animal Noises Prohibited... (Remains the same)

(c) Any vicious animal which is found off the premises of its owner may be seized by any police officer or humane officer and, upon establishing to the satisfaction of the court of vicious character of such animal by testimony under oath, reduced to writing may be killed by the *Humane Animal Welfare authorities*.

2. Nuisance animal (Remains the same)

Fred Witty seconded the motion. The motion carried with Schildt, Rozek, Witty, Milkovich, Trevorrow, and Repischak in favor and Earl Strandt opposed.

01 09 06 Speeding Vehicles on Lincoln Avenue near 15165 W. Lincoln Ave.

Ron Schildt presented the results of the most recent traffic studies (including studies done between Woodshire and Sunnyslope Road). Schildt advised that the east section (Woodshire to Sunnyslope) showed similar problems as the west end with average speeds near 35 mph and frequent instances of vehicles driving at excessive speeds. Schildt reported that the traffic studies and crash data support the installation of permanent or temporary speed humps along the entire stretch of Lincoln Avenue. Schildt advised the citizens in attendance that normally there are mixed views on installing speed humps among the people living in the area. Schildt urged the citizens to get their Aldermen involved in the process so some sort of consensus could be reached among people affected.

Paul Rozek made a motion that the Safety Commission recommend to the Common Council that temporary speed humps be purchased and placed on Lincoln Avenue between Parkside Drive and Moorland Road during the months of May through October. Rozek's motion included City

Engineering sending out notice to residence on Lincoln Avenue (Moorland to Sunnyslope) of the Safety Commission's intent to recommend the speed humps. The motion was seconded by Earl Strandt and carried unanimously.

01 09 07 Request for a stop sign at the intersection of El Dorado Drive and Monterey Drive.

Ron Schildt presented the results of a current traffic study that showed traffic volumes were actually less than the previous study. The speed data showed average speeds below the posted 25 mph speed limit. The speed data showed that incidents of vehicles operating at excessive speeds were rare. The crash data shows only a single "property damage only" accident in at least the past 10 years. All the data gathered indicated the intersection does not meet the criteria for any type of traffic control.

Three citizens were in attendance and again voiced their concerns for the safety of their children. They claimed the crash data does not show the abundant number of "near-miss" accidents. They also claimed the traffic studies don't take into account the visibility issues and pedestrian traffic.

Schildt advised that the City Code Compliance officer mailed out notices to residents in violation of the "vision triangles."

Ron Schildt made a motion not to recommend any traffic control at the intersection and to have the police department monitor the intersection between now and the next meeting. Paul Milkovich seconded the motion and it carried unanimously.

Tabled Items:

02 03 08 Revisit parking problems near Glen Park School athletic field.

Next Meeting Date: October 14th, 2009 at 6:00 pm.

Meeting Adjourned: Paul Rozek made a motion to adjourn the meeting at 7:40 pm. The motion was seconded by Fred Witty and carried unanimously.

Lt. Paul Repischak