



City of Milwaukee

200 E. Wells Street
Milwaukee, Wisconsin
53202

Meeting Minutes PRIVATE ALARM SYSTEMS TASK FORCE

ALD. ROBERT PUENTE, CHAIR

Ald. Willie Hines, Jr., Richard Pfaff, Ann McCarthy, David Stanosz, Raymond Statis and Christopher Utter

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Thursday, March 25, 2010

10:00 AM

Room 303, City Hall

Meeting convened: 10:05 A.M.

Present 6 - Puente, Stanosz, Pfaff, Statis, Utter and McCarthy

Excused 1 - Hines Jr.

1. Review and approval of the minutes of the March 11th meeting.

Mr. Utter moved, seconded by Ms. McCarthy, for approval of the minutes. There were no objections.

2. Customer service issues relating to contracts, installation and monitoring

Ald. Puente thinks there needs to be some type of permit for users, as that is what provides control and accountability by the City. Mr. Utter, Ald. Puente, Ms. McCarthy and Richard Withers, Legislative Reference Bureau, attended an alarm conference last week which resulted in some potential changes that could be recommended by this body related to certification, training, classes and private services related to alarm services.

Atty. Stanosz said that the City can require that installers, as well as owners, obtain permits. The owners' permits would be for the use and maintenance of the alarm system. In Appleton, according to Ald. Puente, installers must have certification while owners obtain permits.

Mr. Richard Paur, Dept. of Neighborhood Services, said that under City ordinances installers are seen as doing electrical work and variances have been obtained to permit the alarm-installation work. Art Dahlberg, Dept. of Neighborhood Services, noted that if a permit is required to install an alarm, that would also be the time to require certification of installers.

Mr. Statis noted that there are a number of applications, such as residential, commercial, small business and those systems which involve cameras as well and those may need to be treated differently. Mr. Utter noted that the definition of "alarm" could be created to include or not include those alarms which the task force wishes.

Ald. Puente thinks that a number of senior citizens get into signed contracts, perhaps

not fully aware of what they are signing. He would like to see a longer length of time for customers to cancel contracts without penalty. Mr. Utter would like to have no back-out provisions for commercial alarm systems. Mr. Statis said that no company will install a system prior to the passage of the deadline for the right of rescission dates. Ald. Puente suggested having the standard contracts include a longer term to back out (which would lead to a delay in installing a system as companies would not install a service until that date has passed). Atty. Stanosz noted that there may be legal issues if the City's back-out provisions are longer than those permitted by the state (which is currently three days). Atty. Stanosz will research whether the city is pre-empted from enacting more stringent customer protection law. Ms. McCarthy noted that the owners' permits could also incorporate best practices within the permit to provide additional consumer protection.

Mr. Utter will get the best practices from the national conference being held this week; the best practices primarily relate to the sales and installation. He will obtain a copy for distribution to members.

Mr. Statis noted that if the City charges for permits to install as well as for annual permits, costs may become prohibitively expensive for homeowners. Mr. Utter recommended having subcontractors come and speak to this task force relating to how other cities deal with installation/maintenance/permitting. Mr. Withers will speak with the subcontractors about what services they can offer. The task force discussed how the right of rescission, installation permits and owner permits would function administratively. Mr. Utter suggested a longer period of back-out time if the company initiated the contact versus the customer contacted the company. Atty. Stanosz said that the direct sales ordinance could be enhanced to deal with companies who sell their services door-to-door.

Mr. Statis recommended requiring a specific text size or highlighting standards across all contracts. Mr. Dahlberg suggested requiring a very basic contract that clearly spells out what the user is purchasing. Mr. Utter noted that the city permit could alert homeowners to how to avoid fines and "what you should know."

Mr. Pfaff wondered how the city would rescind a permit. Ms. McCarthy noted that the city has more problems with first responders, rather than with non-verified alarms. Mr. Utter supported an annual renewal of an alarm company license so as individuals change, the city is aware of those changes.

Recommendations up to this point:

Increased text or highlighting of what the customer is signing.

Photo identification of employees at the point of sale provided by the company.

Atty. Stanosz noted that the alarm ordinance could be amended to include direct seller legislation or the direct seller legislation could be amended (and strengthened at the same time). Mr. Pfaff noted that the direct sellers of private alarms would need to be tied to specific companies so the companies can be held responsible for the actions of its sellers. Mr. Pfaff will forward the direct sellers ordinance to Ms. Elmer, who will forward it to members.

Ms. McCarthy noted that most of the complaints are related to sales, not installation. The License Division has received one complaint in five years related to installation. Mr. Withers noted that the majority of cities fined the users for non-verified alarms. The thinking is that the user is someone whom the city has jurisdiction over, rather than the company. Ald. Puente noted that the user is often the one who generates the non-verified alarms. Mr. Withers noted that a number of cities do have mechanisms for denial, suspension and non-renewal of licenses. Mr. D'Amato was

concerned if permits are public records, then those who do not have alarms might be more targeted by criminals.

Mr. Utter would like to have required training of installers; there were no objections. The task force will look at this issue. The task force will also look at fly-by-night operators.

3. Permitting/licensing of systems, salespersons, installers and first responders

This was discussed under item #2, except for the issue of first responders.. Both Mr. Statis and Mr. Utter feel that first responders are not a responsibility of this body; the alarm companies subcontract for this service. Mr. Pfaff noted that at the present time the companies are being held responsible for the actions of the first responders. Ms. McCarthy has a hard time tracking down contact information related to first responders. Atty. Stanosz recommended noting that if a company is changing first responders, then that information should be updated by the alarm companies, which is currently required. If the License Division gets this information, then it needs to be disseminated to the Police Department. First responders are licensed by the state, not the city. Mr. Utter would like to replace discussion of first responders with dealing with technological changes and conforming the Code with the Police Department's Standard Operating Procedure.

4. Set next meeting date and agenda

*Agenda topic:
Come to the conclusions as to what was reached at today's meeting.*

April 15th at 10 a.m.

*Meeting adjourned: 11:58 A.M.
Linda M. Elmer
Staff Assistant*