



Office of the City Clerk

Ronald D. Leonhardt  
City Clerk

Jim Owczarski  
Deputy City Clerk

[www.milwaukee.gov](http://www.milwaukee.gov)

January 3, 2008

To the Honorable, Common Council

Dear Members:

Re: Common Council File 071185

Recommendation that the Alarm System Business renewal application of Steven P. Zolman, Agent for Pinnacle Security, LLC, be granted pending receipt and approval of a corrective action plan, based upon a public hearing before the Public Safety Committee, the police report and warnings from the Wisconsin Department of Agriculture, Trade and Consumer Protection Division.

With regard to the items listed above, the Public Safety Committee held an evidentiary hearing on January 3, 2008.

Pursuant to Chapter 105-75, Milwaukee Code of Ordinances, the Committee is transmitting a copy of its Report without a Recommendation, regarding the above matters to your Honorable Body.

Pursuant to City Ordinances, prior to the time the Common Council acts on the Committee's Report, a roll call vote will be taken to confirm that all members present, and voting have read the Committee's Report and any objections that have been filed by the Licensee.

These matters have been scheduled for a hearing before the full Common Council at its meeting on Tuesday, January 15, 2008 at 9:00 A.M. in the Common Council Chambers.

Respectfully,

Robert G. Donovan, Chair  
Public Safety Committee

cc: All Council Members  
CCFN: 071185

## COMMITTEE ASSIGNMENTS

### **CHAIR**

Public Safety Committee

### **MEMBER**

Anti-Graffiti Policy Committee

Finance & Personnel Committee

Steering & Rules Committee



## **ROBERT G. DONOVAN**

Alderman, 8th District

Date: January 3, 2008

To: All Members of the Milwaukee Common Council

From: The Public Safety Committee

Re: Report of the Renewal Application of Steven P. Zolman, as Agent for a Private Alarm System Business renewal application for Pinnacle Security, LLC doing business at 1290 South Sandhill Road, Orem Utah ("Pinnacle Security").

### **FINDINGS OF FACT**

1. Steven P. Zolman, Agent for Pinnacle Security, LLC (hereinafter the "Licensee") is the holder of a Private Alarm System Business license doing business at 1290 South Sandhill Road, Orem Utah ("Pinnacle Security"). Said license expired at midnight, December 31, 2007.
2. An application to renew said license was timely filed with the Office of the City Clerk on October 4, 2007.
3. Pursuant to Chapter 105-75 of the Milwaukee Code of Ordinances, the application was referred to the Milwaukee Police Department for investigation. The Milwaukee Police Department responded with a report that could form the basis of non-renewal or suspension of this license dated October 5, 2007.
4. On November 15, 2007 and again on December 13, 2007, the City Clerk's Office provided notice to the Licensee pursuant to Chapter 105-75-6 of the Milwaukee Code of Ordinances of the police report that could form the basis for non-renewal or suspension and included a copy of the police report. The matter was originally scheduled for hearing on November 29, 2007 at 9:45 AM, and the licensee did not appear. Which resulted in a recommendation of non-renewal based upon non appearance before the Committee to consider the police report. Eventually the licensee requested that the matter be returned to the Public Safety Committee for further proceedings. Accordingly the matter was re-scheduled for a hearing on the police report on January 3, 2008 at 1:45 p.m. in Room 301B of the third floor of City Hall. At said date, time and place the agent of the licensee did not appear, but Mr. Clint Cushing, Milwaukee Regional Manager for Pinnacle Security and Attorney John R. Barlow, General Counsel representing Pinnacle Security appeared.

5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
- A. There have been 15 citations issued to Pinnacle Security between May 2, 2007 and August 9, 2007 for unverified burglar alarm calls to the Milwaukee Police Department. Those citations were written on the dates of May 2, 5, 7, 8, 9, 10, 12(3), 13, June 6, July 5, August 1, 9, and 13, 2007.
  - B. In addition, there are 125 non-verified calls from May 2 through December 22, 2007, which have not been cited as of this date. No citations have been issued because the one Milwaukee police officer dedicated to this duty is literally handling hundreds of such calls from various out-of-state private security firms that call such alarms into the Milwaukee Police Department on a regular basis.
  - C. There have been complaints received from citizens to the Milwaukee Police Department indicating that during aggressive marketing campaigns in the Milwaukee area during the summer months, Pinnacle Security representatives have marketed to the general public the notion that the Milwaukee Police Department will be sent when alarm systems are activated, when, in fact, no such response will be made unless a private security firm verifies the existence of an actual, as opposed to a false alarm. The Milwaukee Police Department has, in the past, provided a great deal of information to the Milwaukee Common Council on how officers responding to false alarms called in from alarm monitoring firms have wasted police resources while calls for real service have gone unanswered because of such wasted resources. In addition, complaints have been received from citizens to the Milwaukee Police Department to the effect that when alarms are activated no service is being provided by Pinnacle.
  - D. Pinnacle Security, LLC has installed alarm systems that can be used as "panic alarms" that are illegal in the City of Milwaukee.
  - E. Pinnacle Security Services has been the subject of three warnings, issued by the Wisconsin Department of Agriculture Trade and Consumer Protection Division regarding disputes involving deceptive marketing and advertising practices, deceptive and false representations inducing members of the general public to enter into contracts, or make sales. These warnings were issued to Pinnacle Security, LLC on March 29, July 23, and September 19, 2007. One of the situations the representatives of Pinnacle Security, LLC were unable to address because they claimed they did not know of it. Two they addressed by demonstrating that the billing issues were corrected to the customer's satisfaction, and allowed her out of

the three year contract she was required to sign, if she wished, but Pinnacle Security, LLC allowed the customer to keep the equipment that had been installed. In the other the complaint resulted from the fact that there is an initial test period following the installation of alarms wherein no response will be had because the likelihood that the customer will inadvertently trip the alarm until being used to it. These test period range from a few hours to a week. In the second case a week trial period was requested, and an actual burglary occurred that resulted in no service from Pinnacle Security, LLC. Pinnacle Security, LLC responded by allowing the customer out of the three year contract if it wished, and allowed the customer to keep the equipment. In addition, Pinnacle Security, LLC reimbursed the customer for the value of the property that was lost or destroyed as a result of the incident.

- F. At hearing the representatives of Pinnacle Security, LLC gave assurances to the Committee that they will present a plan to address the foregoing issues prior to the time that the Common Council is scheduled to meet on and consider this application for renewal of its Private Alarm System Business license.

#### CONCLUSIONS OF LAW

1. The Committee has jurisdiction to hold hearings and provided Findings of Fact and Conclusions of Law and a Recommendation to the full Common Council pursuant to Chapter 105-75-7 and -9 of the Milwaukee Code of Ordinances.
2. Based upon the above facts found, the Committee concludes that the licensee, Steven P. Zolman, as agent for Pinnacle Security, LLC has not met the criteria of Chapter 105-75-9 of the Milwaukee Code of Ordinances to allow the Committee to make a recommendation regarding renewal of the Private Alarm System Business license he holds as Agent for Pinnacle Security, LLC because of the police report, and warnings from the Wisconsin Department of Agriculture, Trade and Consumer Protection Division.

#### RECOMMENDATION

Based upon the Findings of Fact and Conclusions of Law stated above, the Committee, by a vote of five (5) ayes and zero (0) noes forwards this file to the Common Council without recommendation as to the renewal of the Private Alarm System Business license held by Steven P. Zolman as agent for Pinnacle Security, LLC.

Dated and signed at Milwaukee, Wisconsin this 3rd day of January, 2008.

  
ROBERT G. DONOVAN, Chair  
Public Safety Committee

File: 071185  
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