

**COMMITTEE ASSIGNMENTS**

**CHAIR**

Public Safety Committee

**MEMBER**

Anti-Graffiti Policy Committee

Finance & Personnel Committee

Steering & Rules Committee



**ROBERT G. DONOVAN**

Alderman, 8th District

**AMENDED 12/10/07 TO INCLUDE WRITTEN OBJECTIONS**

November 29, 2007

To the Honorable, Common Council

Dear Members:

Re: Common Council File 071015

Recommendation of non-renewal, based upon a public hearing and the police report, of the Private Alarms System Business renewal application with change of officer of Ryan J. Newcomer, Agent for "Firstline Security" 370 W. Center Street, Orem, UT.

Recommendation of non-renewal, based upon non-appearance of the Private Alarm System Business renewal application of Anthony C. Thomas, Agent for "Disc Security Alarm Services Inc." 2904 Sierra Avenue.

Recommendation of non-renewal, based upon a public hearing and the police report, of the Private Alarms System Business renewal application with change of officer of Mark D. Wiedemann, Agent for "HSM Electronic Protection Services" 65 n S Eastmound Drive, Waukesha.

Recommendation of non-renewal, based upon non-appearance of the Private Alarm System Business renewal application of Steven P. Zolman, Agent for "Pinnacle Security" 12909 S. Sandhill Road, Orem, UT.

With regard to the items listed above, the Public Safety Committee held an evidentiary hearing on November 29, 2007.

Pursuant to Chapter 100-54, Milwaukee Code of Ordinances, and § 349.24, Wis. Stats., the Committee is transmitting a copy of its Report and Recommendations, 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, December 11, 2007, at 9:00 A.M. in the Common Council Chambers.

Respectfully,

Robert G. Donovan, Chair  
Public Safety Committee

cc: All Council Members  
CCFN: 071015

**COMMITTEE ASSIGNMENTS**

**CHAIR**

Public Safety Committee

**MEMBER**

Anti-Graffiti Policy Committee

Finance & Personnel Committee

Steering & Rules Committee



**ROBERT G. DONOVAN**

Alderman, 8th District

**Date:** November 29, 2007

**To:** All Members of the Milwaukee Common Council

**From:** The Public Safety Committee

**Re:** Report of the Renewal Application of Ryan J. Newcomer as Agent for a Private Alarm System Business renewal application and change of Agent for Firstline Security, Inc. doing business at 370 West Center Street in the City of Orem, Utah 84057 ("Firstline Security").

**FINDINGS OF FACT**

1. Ryan J. Newcomer, Agent for Firstline Security, Inc. (hereinafter the "Licensee") is the holder of a Private Alarm System Business license doing business at 370 West Center Street in the City of Orem, Utah 84057 ("Firstline Security"). Said license expires at midnight, December 31, 2007.
2. An application to renew said license was timely filed with the Office of the City Clerk on October 23, 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 on October 30, 2007.
4. On November 15, 2007, the City Clerk's Office provided notice to the Licensee pursuant to Chapter 105-75 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 scheduled for a hearing on the police report on November 29, 2007 at 9:45 a.m. in Room 301B of the third floor of City Hall. At said date, time and place the licensee did appear, but was not represented by counsel.

5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:

- A. On September 16, 2006 Firstline Security called the Milwaukee Police Department to report a panic alarm for a residence at 3950 North 24<sup>th</sup> Place. Panic alarms are a prohibited alarm system per City of Milwaukee ordinance. The licensee was charged with prohibited alarm system and found guilty on December 6, 2006 and fined \$160.00.
- B. On September 22, 2006 Firstline Security reported to the Milwaukee Police Department an activated burglar alarm at 3953 North 39<sup>th</sup> Street, without first verifying that an attempted or actual crime had occurred. The licensee was charged with first responder verification required and found guilty on December 6, 2006 and fined \$160.00.
- C. On September 25, 2006 Firstline Security reported to the Milwaukee Police Department an activated burglar alarm at 2615 North 39<sup>th</sup> Street, without first verifying that an attempted or actual crime had occurred. The licensee was charged with first responder verification required and found guilty on December 6, 2006 and fined \$160.00.
- D. On September 29, 2006 Firstline Security reported to the Milwaukee Police Department an activated burglar alarm at 7001 West Grantors Drive, without first verifying that an attempted or actual crime had occurred. The licensee was charged with first responder verification required and found guilty on December 6, 2006 and fined \$160.00.
- E. The Milwaukee Police Department alarms officer, Police Officer Ann McCarthy, reported the following on August 17, 2007:

Firstline Security, Inc. located in Orem, Utah, canvassed the Milwaukee area in the summer of 2007 and increased its customer base. As a result of this, the incidence of non-verified burglar alarm calls and illegal panic alarms have increased and approximately 30-40 calls a month are reported to the Milwaukee Police Department. The alarms officer has been in contact with a Firstline Security, Inc, employee, Sandra Meeks, for approximately one year in an effort to decrease the number of non-verified burglar alarm calls reported to the Milwaukee Police Department, but the number of non-verified alarms spiked this summer.

The officer reported Firstline Security installs a 2-way speaker phone type of alarm system, which can be used and is used as a panic alarm, which is prohibited by city ordinance.

- F. At hearing the Mr. Ryan Newcomer testified that the system was fixed by correcting a problem in the computer system which had not been first contacting a private first responder to verify that a crime or attempted crime had been committed before contacting the Milwaukee Police Department, as is required by Section 105-75-14-g of the Milwaukee Code of Ordinances. Also, Mr. Newcomer and his associate, Mr. Taylor Proudfit, testified that Ms. Sandra Meeks was simply not informing them of the problem with the City of Milwaukee regarding non-verified burglar alarms, but was simply paying the fines.
- G. However, Police Officer Ann McCarthy testified that during the summer of 2007 there was a spike in the number of non-verified alarms attributed to Firstline Security, Inc.. Further, Officer McCarthy testified that she had regularly sent by fax to one Sandra Meeks, a secretary at Firstline, the information on the number of non-verified alarms that had been called into the Milwaukee Police Department by Firstline's alarm monitoring company, Security Associates, Inc., which is the alarm monitoring company used by Firstline Security, Inc.
- H. Officer McCarthy further testified that there would have been more citations written but she was attempting to obtain voluntary compliance on the part of Firstline Security, Inc., but contacting Ms. Meeks to see if the number of non-verified burglar alarm calls could be reduced.
- I. The records of the Milwaukee Police Department bear out the testimony of Officer McCarthy and dispute the testimony of the Agent. In November 2007 the Department logged 23 non-verified calls for service from Firstline Security. In October 2007 the Department logged 33 non-verified calls for service from Firstline Security. In September 2007 the Department logged 33 non-verified calls for service from Firstline Security. In August 2007 the Department logged 40 non-verified calls for service from Firstline Security. In July 2007 the Department logged 36 non-verified calls for service from Firstline Security. In June 2007 the Department logged 14 non-verified calls for service from Firstline Security. In May 2007 the Department logged 4 non-verified calls for service from Firstline Security. In March 2007 the Department logged 4 non-verified calls for service from Firstline Security. In January 2007 the Department logged 5 non-verified calls for service from Firstline Security. In December 2006 the Department logged 2 non-verified calls for service from Firstline Security. In November 2006 the Department logged 6 non-verified calls for service from Firstline Security. In May 2006 the Department logged 2 non-verified calls for service from Firstline Security. In June 2006 the Department logged 9 non-verified calls for service from Firstline Security. In July 2006 the Department logged 6 non-verified calls for service from Firstline Security, Inc. The Department did not cite all of these instances as an ordinance violation because the Department

was, according to Officer McCarthy trying to get Firstline Security to comply with the local ordinances rather than issue citations.

- J. The Department expressed its concern, through Officer McCarthy, that these calls were tying up the out of state emergency phone line available to the Department.

#### 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, Ryan J. Newcomer has not met the criteria of Chapter 105-75-9 of the Milwaukee Code of Ordinances to allow renewal of the Private Alarm System Business license he holds as Agent for Firstline Security, Inc. because of the danger his activities and those of Firstline Security, Inc. poses to the health, safety and welfare of the citizens of the City of Milwaukee based upon the police report on file herein and the testimony of the witnesses regarding the operations of this business.
3. In order to protect the health, safety and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Public Safety Committee that the full Common Council of the City of Milwaukee should exercise its judgment to not renew the Private Alarm System Business license held by Ryan J. Newcomer as Agent for Firstline Security, Inc. doing business at 370 West Center Street in the City and County of Milwaukee, Wisconsin ("Firstline Security") because of the police report and witness testimony. The Committee finds the police report, as stated above, to be true.

#### 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 recommends that the Private Alarm System Business license held by Ryan J. Newcomer not be renewed.

Dated and signed at Milwaukee, Wisconsin this 29<sup>th</sup> day of November, 2007.

  
ROBERT G. DONOVAN, Chair  
Public Safety Committee

12-10-07

To:

Milwaukee City Common Council

2007 DEC 10 PM 1:28  
RONALD D. LEONHARDT  
CITY CLERK


Firstline Security, Inc. hereby requests the right to appeal the decision to deny alarm business license renewal for the following reasons:

1. Firstline Security, Inc. was accused of violating 105-75-11 for the use of "prohibited systems" which according to the definition are alarm systems that activate either mechanically, electronically or by any other automatic means initiate a call and deliver a recorded message to any telephone number of any city of Milwaukee agency.
  - a. Firstline Security does not program any alarm system to call a direct police department or city agency. Every one of the security systems Firstline uses only calls and or contacts a central monitoring station.
  - b. The Milwaukee Police Department incorrectly cited Firstline Security, Inc. because the central station was using the common verbiage of saying they received a "panic alarm" signal from customer alarm panels which refers to a signal type purposefully tripped by the customer for a medical, fire or police emergency either on or near their property. The definitions of panic alarm are vastly different between the alarm industry in general and Milwaukee City.
    - i. The central monitoring station with live assistance is the only entity that contacts the police department and therefore no violation of Milwaukee City 105-75-11 has ever occurred.
2. Firstline Security, Inc. was accused of multiple violations of 105-75-9d-3 which cites "failure of the licensee to obtain, in the case of a burglary alarm, a verified response that an attempted or actual crime has occurred at the alarm site before the alarm signal is transmitted to the police department".
  - a. The ordinance refers to the licensee violating the act. Firstline Security, Inc. would not be the licensee violating this ordinance.
  - b. Firstline Security, Inc. is the sales and installation company and initially sets up and activates the alarm customers and contracts to various licensed central stations within Milwaukee City which are entirely responsible for dispatch services and performance of protocol. Firstline Security, Inc. has never dispatched and cannot dispatch any police department or private responder service. Any violation of the above cited ordinance would be committed by the central monitoring station, not Firstline Security Inc.

- i. Even though the central monitoring station is responsible for the actual performance of the dispatch, Firstline Security, Inc. can and has the ability to provide instruction at the time of account creation as to the protocol of who and when to dispatch the authorities or private responder service. Firstline Security Inc. can provide instruction but ultimately the central monitoring station is the only entity that can perform or neglect to perform protocol.
3. Firstline Security, Inc. recognizes that even though they are not in direct control of the performance of dispatch protocol for Milwaukee city, Firstline has the ability to end contracted services with central monitoring stations that are not in keeping with Milwaukee City ordinances and has chosen to do so in order to drastically minimize the risk of violation of city ordinances. New procedures auditing central station protocol to double check correct dispatch procedures specifically requiring private responder service will be implemented.

Firstline Security Inc. requests the common council take into consideration the above named exceptions and move to approve renewal of licensure and allow a probationary time period and subsequent hearing as to the results of the compliance with Milwaukee city ordinances.

Sincerely,



Ryan J Newcomer  
Vice President of Compliance  
Firstline Security, Inc.  
801-478-2490 ext. 3015-office  
801-362-9441-mobile  
mewcomer@4firstline.com



**COMMITTEE ASSIGNMENTS**

**CHAIR**

Public Safety Committee

**MEMBER**

Anti-Graffiti Policy Committee

Finance & Personnel Committee

Steering & Rules Committee



**ROBERT G. DONOVAN**

Alderman, 8th District

**Date:** November 29, 2007

**To:** All Members of the Milwaukee Common Council

**From:** The Public Safety Committee

**Re:** Report of the Renewal Application of Anthony C. Thomas as Agent for a Private Alarm System Business renewal application for Disc Security Alarm Services, Inc. doing business at 2904 Sierra Avenue, Plainfield, Illinois ("Disc Security Alarm Services").

**FINDINGS OF FACT**

1. Anthony C. Thomas, Agent for Disc Security Alarm Services, Inc. (hereinafter the "Licensee") is the holder of a Private Alarm System Business license doing business at 2904 Sierra Avenue, Plainfield, Illinois ("Disc Security Alarm Services"). Said license expires at midnight, December 31, 2007.
2. An application to renew said license was timely filed with the Office of the City Clerk on October 22, 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 on October 23, 2007.
4. On November 15, 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 scheduled for a hearing on the police report on November 29, 2007 at 9:45 a.m. in Room 301B of the third floor of City Hall. At said date, time and place the licensee did not appear, and was not represented by counsel.



5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
- A. On January 16, 2005 Honeywell International was cited for a prohibited alarm system at 4160 South 13<sup>th</sup> Street. The licensee was charged with a prohibited alarm system and found guilty on March 7, 2005 and fined \$152.00.
  - B. On March 9, 2005 Honeywell International was cited for alarm system requirement-first responder verification required. The licensee was charged with alarm system requirement-private first responder verification required and found guilty on May 2, 2005 and fined \$152.00.
  - C. On July 10, 2005 HSM/Honeywell Alarm Company reported to the Milwaukee Police Department an activated burglar alarm at 2240 North 17<sup>th</sup> Street without verifying from a private first responder that an attempted or actual crime had occurred. The licensee was charged with private first responder verification required and found guilty on September 12, 2005 and fined \$152.00.
  - D. On July 10, 2005 HSM/Honeywell Alarm Company reported to the Milwaukee Police Department an activated burglar alarm at 4080 North Port Washington Road without verifying from a private first responder that an attempted or actual crime had occurred. The licensee was charged with private first responder verification required and found guilty on August 12, 2005 and fined \$152.00.
  - E. On July 13, 2005 HSM/Honeywell Alarm Company reported to the Milwaukee Police Department an activated burglar alarm at 11900 West Park Place without verifying from a private first responder that an attempted or actual crime had occurred. The licensee was charged with private first responder verification required and found guilty on September 12, 2005 and fined \$152.00.
  - F. On July 20, 2005 HSM/Honeywell Alarm Company reported to the Milwaukee Police Department an activated burglar alarm at 10850 West Park Place without verifying from a private first responder that an attempted or actual crime had occurred. The licensee was charged with private first responder verification required and found guilty on October 17, 2005 and fined \$152.00.
  - G. On July 28, 2005 HSM/Honeywell Alarm Company reported to the Milwaukee Police Department an activated burglar alarm at 11900 West Park Place without verifying from a private first responder that an attempted or actual crime had occurred. The licensee was charged with

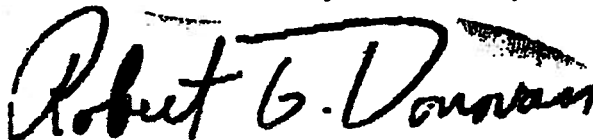
private first responder verification required and found guilty on October 17, 2005 and fined \$152.00.

- H. On August 23, 2005 HSM/Honeywell Alarm Company reported to the Milwaukee Police Department an activated burglar alarm at 3727 South 78<sup>th</sup> Street without verifying from a private first responder that an attempted or actual crime had occurred. The licensee was charged with private first responder verification required and found guilty on October 17, 2005 and fined \$152.00.
- I. On August 23, 2005 HSM/Honeywell Alarm Company reported to the Milwaukee Police Department an activated burglar alarm at 710 North Plankinton Avenue without verifying from a private first responder that an attempted or actual crime had occurred. The licensee was charged with private first responder verification required and found guilty on October 17, 2005 and fined \$152.00.
- J. Between January 1, 2006 and March 25, 2006, HSM/Honeywell operated a private alarm system business in the City of Milwaukee without having a license to do so. On March 25, 2006 HSM/Honeywell called the Milwaukee Police Department with an activated burglar alarm at 316 North Milwaukee Street. The Milwaukee Police Department alarms officer reported that HSM/Honeywell employees Michael Dickmann and Mary Brown had been advised numerous times regarding the licensing requirements in the City of Milwaukee. A check with the City of Milwaukee License Division on March 28, 2006 showed that no effort had been made from this company to comply with the licensing requirements. The licensee was charged with alarm business license required and found guilty on June 15, 2006 and fined \$2,500.00.

Items K-CC, for HSM/Honeywell pertain to Mark D. Wiedemann of HSM Electronic Protection Services, who has been the licensee since May 9, 2006.

- K. On October 4, 2006 HSM/Honeywell Alarm Company reported to the Milwaukee Police Department an activated burglar alarm at 325 East Chicago Street without verifying from a private first responder that an attempted or actual crime had occurred. The licensee was charged with private first responder verification required and found guilty on January 10, 2007 and fined \$160.00.
- L. On November 6, 2006 HSM Electronic Protection Services was cited for private first responder verification required. The licensee was charged with private first responder verification required and found guilty on January 10, 2007 and fined \$160.00.

Dated and signed at Milwaukee, Wisconsin this 29th day of November, 2007.

A handwritten signature in black ink that reads "Robert G. Donovan". The signature is written in a cursive style with a large, prominent initial "R".

ROBERT G. DONOVAN, Chair  
Public Safety Committee

126319

**COMMITTEE ASSIGNMENTS**

**CHAIR**

Public Safety Committee

**MEMBER**

Anti-Graffiti Policy Committee

Finance & Personnel Committee

Steering & Rules Committee



**ROBERT G. DONOVAN**

Alderman, 8th District

**Date:** November 29, 2007

**To:** All Members of the Milwaukee Common Council

**From:** The Public Safety Committee

**Re:** Report of the Renewal Application of Mark D. Wiedemann, as Agent for a Private Alarm System Business renewal application and change of Agent for HSM Electronic Protection Services, Inc. doing business at 65 N S Eastmound Drive, Waukesha, Wisconsin ("HSM Electronic Protection Services").

**FINDINGS OF FACT**

1. Mark D. Wiedemann, Agent for HSM Electronic Protection Services, Inc (hereinafter the "Licensee") is the holder of a Private Alarm System Business license doing business at 65 N S Eastmound Drive, Waukesha, Wisconsin ("HSM Electronic Protection Services"). Said license expires at midnight, December 31, 2007.
2. An application to renew said license was timely filed with the Office of the City Clerk on October 18, 2007.
3. Pursuant to Chapter 105-75-6 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 on October 29, 2007.
4. On November 15, 2007, the City Clerk's Office provided notice to the Licensee pursuant to Chapter 105-75-6-b 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 scheduled for a hearing on the police report on November 29, 2007 at 9:45 a.m. in Room 301B of the third floor of City Hall. At said date, time and place the licensee did appear, but was not represented by counsel.

5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
- A. On January 16, 2005 Honeywell International was cited for a prohibited alarm system at 4160 South 13<sup>th</sup> Street. The licensee was charged with a prohibited alarm system and found guilty on March 7, 2005 and fined \$152.00.
  - B. On March 9, 2005 Honeywell International was cited for alarm system requirement-first responder verification required. The licensee was charged with alarm system requirement-private first responder verification required and found guilty on May 2, 2005 and fined \$152.00.
  - C. On July 10, 2005 HSM/Honeywell Alarm Company reported to the Milwaukee Police Department an activated burglar alarm at 2240 North 17<sup>th</sup> Street without verifying from a private first responder that an attempted or actual crime had occurred. The licensee was charged with private first responder verification required and found guilty on September 12, 2005 and fined \$152.00.
  - D. On July 10, 2005 HSM/Honeywell Alarm Company reported to the Milwaukee Police Department an activated burglar alarm at 4080 North Port Washington Road without verifying from a private first responder that an attempted or actual crime had occurred. The licensee was charged with private first responder verification required and found guilty on August 12, 2005 and fined \$152.00.
  - E. On July 13, 2005 HSM/Honeywell Alarm Company reported to the Milwaukee Police Department an activated burglar alarm at 11900 West Park Place without verifying from a private first responder that an attempted or actual crime had occurred. The licensee was charged with private first responder verification required and found guilty on September 12, 2005 and fined \$152.00.
  - F. On July 20, 2005 HSM/Honeywell Alarm Company reported to the Milwaukee Police Department an activated burglar alarm at 10850 West Park Place without verifying from a private first responder that an attempted or actual crime had occurred. The licensee was charged with private first responder verification required and found guilty on October 17, 2005 and fined \$152.00.
  - G. On July 28, 2005 HSM/Honeywell Alarm Company reported to the Milwaukee Police Department an activated burglar alarm at 11900 West Park Place without verifying from a private first responder that an attempted or actual crime had occurred. The licensee was charged with

private first responder verification required and found guilty on October 17, 2005 and fined \$152.00.

- H. On August 23, 2005 HSM/Honeywell Alarm Company reported to the Milwaukee Police Department an activated burglar alarm at 3727 South 78<sup>th</sup> Street without verifying from a private first responder that an attempted or actual crime had occurred. The licensee was charged with private first responder verification required and found guilty on October 17, 2005 and fined \$152.00.
- I. On August 23, 2005 HSM/Honeywell Alarm Company reported to the Milwaukee Police Department an activated burglar alarm at 710 North Plankinton Avenue without verifying from a private first responder that an attempted or actual crime had occurred. The licensee was charged with private first responder verification required and found guilty on October 17, 2005 and fined \$152.00.
- J. Between January 1, 2006 and March 25, 2006, HSM/Honeywell operated a private alarm system business in the City of Milwaukee without having a license to do so. On March 25, 2006 HSM/Honeywell called the Milwaukee Police Department with an activated burglar alarm at 316 North Milwaukee Street. The Milwaukee Police Department alarms officer reported that HSM/Honeywell employees Michael Dickmann and Mary Brown had been advised numerous times regarding the licensing requirements in the City of Milwaukee. A check with the City of Milwaukee License Division on March 28, 2006 showed that no effort had been made from this company to comply with the licensing requirements. The licensee was charged with alarm business license required and found guilty on June 15, 2006 and fined \$2,500.00.

Items K-CC, for HSM/Honeywell pertain to Mark D. Wiedemann of HSM Electronic Protection Services, who has been the licensee since May 9, 2006.

- K. On October 4, 2006 HSM/Honeywell Alarm Company reported to the Milwaukee Police Department an activated burglar alarm at 325 East Chicago Street without verifying from a private first responder that an attempted or actual crime had occurred. The licensee was charged with private first responder verification required and found guilty on January 10, 2007 and fined \$160.00.
- L. On November 6, 2006 HSM Electronic Protection Services was cited for private first responder verification required. The licensee was charged with private first responder verification required and found guilty on January 10, 2007 and fined \$160.00.

- M. On November 7, 2006 HSM Electronic Protection Services was cited for private first responder verification required. The licensee was charged with private first responder verification required and found guilty on January 10, 2007 and fined \$160.00.**
- N. On November 13, 2006 HSM Electronic Protection Services was cited for private first responder verification required. The licensee was charged with private first responder verification required and found guilty on January 10, 2007 and fined \$160.00.**
- O. On December 1, 2006 HSM Electronic Protection reported to the Milwaukee Police Department an activated burglar alarm at 325 East Chicago Street without verifying from a private first responder that an attempted or actual crime had occurred. The licensee was charged with private first responder verification required and found guilty on March 14, 2007 and fined \$160.00.**
- P. On December 6, 2006 HSM Electronic Projection reported to the Milwaukee Police Department an activated burglar alarm at 720 North Water Street without verifying from a private first responder that an attempted or actual crime had occurred. The licensee was charged with private first responder verification required and found guilty on March 14, 2007 and fined \$160.00.**
- Q. On December 9, 2006 HSM Electronic Projection reported to the Milwaukee Police Department an activated burglar alarm at 765 North Broadway Street without verifying from a private first responder that an attempted or actual crime had occurred. The licensee was charged with private first responder verification required and found guilty on March 14, 2007 and fined \$160.00.**
- R. On December 15, 2006 HSM Electronic Protection reported to the Milwaukee Police Department an activated burglar alarm at 1532 East Oklahoma Avenue without verifying from a private first responder that an attempted or actual crime had occurred. The licensee was charged with private first responder verification required and found guilty on March 14, 2007 and fined \$160.00.**
- S. On December 30, 2006 HSM Electronic Protection reported to the Milwaukee Police Department an activated burglar alarm at 305 North Plankinton Avenue without verifying from a private first responder that an attempted or actual crime had occurred. The licensee was charged with private first responder verification required and found guilty on March 14, 2007 and fined \$160.00.**

- T.** On January 7, 2007 HSM Electronic Protection reported to the Milwaukee Police Department an activated burglar alarm at 325 East Chicago Street without verifying from a private first responder that an attempted or actual crime had occurred. The licensee was charged with private first responder verification required and found guilty on March 14, 2007 and fined \$160.00.
- U.** On January 13, 2007 HSM Electronic Protection reported to the Milwaukee Police Department an activated burglar alarm at 2845 West Fond du Lac Avenue without verifying from a private first responder that an attempted or actual crime had occurred. The licensee was charged with private first responder verification required and found guilty on March 14, 2007 and fined \$160.00.
- V.** On May 5, HSM Electronic Protection 2007 reported to the Milwaukee Police Department a multiple trip burglar alarm at 3045 North Dr. Martin Luther King Jr. Drive without verifying from a private first responder verification or an e-mail regarding the multiple trips and without verification that an attempted or actual crime had occurred. The licensee was charged with failure to meet alarm business requirements and found guilty on July 3, 2007 and fined \$160.00.
- W.** On May 8, 2007 HSM Electronic Protection reported to the Milwaukee Police Department an activated burglar alarm at 600 East Vienna Avenue without verifying from a private first responder that an attempted or actual crime had occurred. The licensee was charged with private first responder verification required and found guilty on July 3, 2007 and fined \$160.00.
- X.** On August 1, 2007 HSM/Honeywell reported to the Milwaukee Police Department an activated burglar alarm at 5900 West Port Avenue without verifying from a private first responder that an attempted or actual crime had occurred. The licensee was charged with private first responder verification required and the matter was arraigned on October 31, 2007.
- Y.** On August 1, 2007 HSM/Honeywell reported to the Milwaukee Police Department an activated burglar alarm at 600 East Vienna Avenue without verifying from a private first responder that an attempted or actual crime had occurred. The licensee was charged with private first responder verification required and the matter was arraigned on October 31, 2007.
- Z.** On August 12, 2007 HSM/Honeywell reported to the Milwaukee Police Department an activated burglar alarm at 4080 North Port Washington Road without verifying from a private first responder that an attempted or actual crime had occurred. The licensee was charged with private first responder verification required and the matter was arraigned on October 31, 2007.



- AA. On August 16, 2007 HSM/Honeywell reported to the Milwaukee Police Department an activated burglar alarm at 403 South Hawley Road without verifying from a private first responder that an attempted or actual crime had occurred. The licensee was charged with private first responder verification required and the matter was arraigned on October 31, 2007.**
- BB. On August 17, 2007 HSM/Honeywell reported to the Milwaukee Police Department an activated burglar alarm at 1028 South 9<sup>th</sup> Street without verifying from a private first responder that an attempted or actual crime had occurred. The licensee was charged with private first responder verification required and the matter was arraigned on October 31, 2007.**
- CC. On August 25, 2007 HSM/Honeywell reported to the Milwaukee Police Department an activated burglar alarm at 6161 North 64<sup>th</sup> Street without verifying from a private first responder that an attempted or actual crime had occurred. The licensee was charged with private first responder verification required and the matter was arraigned on October 31, 2007.**

#### **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, Mark D. Wiedemann has not met the criteria of Chapter 105-75-9 of the Milwaukee Code of Ordinances to allow renewal of the Private Alarm System Business license he holds as Agent for HSM Electronic Protection Services, Inc. because of the danger his activities and those of HSM Electronic Protection Services, Inc. poses to the health, safety and welfare of the citizens of the City of Milwaukee based upon the police report on file herein and the testimony of the witnesses regarding the operations of this business.**
- 3. In order to protect the health, safety and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Public Safety Committee that the full Common Council of the City of Milwaukee should exercise its judgment to not renew the Private Alarm System Business license held by Mark D. Wiedemann, as Agent for HSM Electronic Protection Services, Inc. doing business at 65 N S Eastmound Drive, Waukesha, Wisconsin ("HSM Electronic Protection Services ") because of the police report and witness testimony. The Committee finds the police report, as stated above, to be true.**

**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 recommends that the Private Alarm System Business license held by Mark D. Wiedemann not be renewed for HSM Electronic Protection Services, Inc. doing business at 65 N S Eastmound Drive, Waukesha, Wisconsin 53186.**

**Dated and signed at Milwaukee, Wisconsin this 29th day of November, 2007.**

  
**ROBERT G. DONOVAN, Chair**  
**Public Safety Committee**

126328



December 7, 2007

City Clerk  
Attn: Milwaukee Common Council  
City Hall, Room 205  
200 East Wells St.  
Milwaukee, WI 53202

CITY OF MILWAUKEE  
07 DEC -7 PM 2:20  
DONALD G. LEHRMAN 2007  
CITY CLERK

RE: Objection to Report of the Public Safety Committee  
File: 071015  
126323

I, Mark D. Weidemann, hereby object to the recommendation of the Public Safety Committee not to renew the Private Alarm Business License I hold as Agent for HSM Electronic Protection Services, Inc. ("HSM") for the reasons set forth below:

I. HSM IS A LEADER IN THE SECURITY BUSINESS AND HAS BEEN SERVING THE MILWAUKEE COMMUNITY FOR OVER 100 YEARS.

HSM, through its heritage and evolution in the security industry, has been rooted in the City of Milwaukee since 1893. HSM was formally created by the divestiture from Honeywell Inc. of its security division in June of 2004. At that time, the dedicated employees and long-term customers of Honeywell formed the foundation for the organization that now conducts its business through 55 field offices across the United States. In January of 2007, HSM was acquired by the Stanley Works Company and is now a key component of Stanley's Convergent Security Services Division. The Stanley Works (NYSE: SWK), an S&P 500 company, is a worldwide supplier of consumer products, industrial tools and security solutions for professional, commercial, industrial and consumer use.

The primary focus of HSM is to provide state-of-the-art electronic security solutions to local and national commercial and industrial customers. HSM is currently the number two provider of electronic security solutions and services to commercial and national account customers in the industry, and is the number four provider of security services across the United States. Its reputation for outstanding customer service, support of municipal requirements, and dedication to the communities it serves is unparalleled. To learn more about HSM, please visit our website at [www.HSMSecurity.com](http://www.HSMSecurity.com).

The Milwaukee District of HSM has been serving the citizens and businesses of the city since the Merchants Police was founded more than 110 years ago. The district currently serves more than 5,500 commercial and residential customers in Southeast Wisconsin, with the majority of the accounts residing in the City of Milwaukee. Many of our customers have been with HSM for more than 25 years and the company's employees have an average tenure in excess of 15 years, with many employee's having in excess of 30 years continuous employment. The Milwaukee District serves, and holds significant relationships with, many of Milwaukee's most prominent citizens, largest employers, and most distinguished commercial business entities.

The district supports the community through its memberships with the Milwaukee Area Chamber of Commerce, Waukesha Chamber of Commerce, West Suburban Chamber of Commerce, Wisconsin Better Business Bureau, and the Wisconsin Council of Safety. Additionally, the district actively participates in community events such as the annual MDA Black-n-Blue Ball and the Extencicare Golf Outing, is the primary sponsor for the annual LadLake "Golf for Kids" Charity Golf Outing, and delivers Senior Meals to the citizens of Waukesha in support of the Waukesha Department of Senior Services.

## II. A REVIEW OF THE FACTS AND EVIDENCE DEMONSTRATES THAT HSM HAS AN ACCURACY RATE OF 99.9% WHEN RESPONDING TO ALARMS.

As stated at the time of the hearing, and according to the documentation provided, HSM was cited 16 times in the previous 12 months. The event records maintained at HSM's monitoring center indicate that during the same period, HSM received 12,025 burglar alarm signals from the customers in the City of Milwaukee. The actions taken by the monitoring center operators successfully verified 12,012 events, resulting in 85 verified dispatches. Of the 16 errors, 3 accounts could not be accounted for as HSM customers, leaving 13 errors. The verification process of HSM's monitoring specialists, according to the figures, defines an accuracy rate of 99.9%. While we continue to enhance our processes to ensure that the numbers of errors are reduced, it's unfortunately human error that creates the exception to the rule. In a proactive effort to further reduce inadvertent dispatches, HSM has redirected the signal traffic from the City of Milwaukee to a specialized action team in our central station. This change will allow the organization to provide more focused training to a smaller team of senior monitoring specialists. This will ensure even greater consistency in HSM's response to Milwaukee burglar alarms.

## III. HSM SUPPORTS EFFORTS TO REDUCE FALSE ALARMS AND HAS BEEN RECOGNIZED IN THE INDUSTRY FOR ITS EFFORTS TO ENHANCE THE SERVICES IT PROVIDES.

At the time of the hearing, a number of out-of-state companies that employ "summer interns" to solicit residential subscribers were also present, and had their license renewals denied for excessive non-verified alarm activity generated to the Milwaukee Police Department. Unfortunately, it appears as though HSM may have mistakenly been associated with these out-of-state companies that aggressively solicit your constituents and burden the MPD with unnecessary dispatch activity. HSM shares in your disappointment and concern for the burden caused on the municipal services in Milwaukee by un-reputable security firms that have been engaged in "unfair" business practices in the city. As a result of the tactics used by certain companies, HSM has been mistakenly associated with them across the country and is highly supportive of your efforts to "clean up" the industry.

Enclosed is an informational package, which includes some of the industry recognition HSM has received for its efforts to enhance the solutions and services offered to its customers. HSM has continually supported the efforts of the industry to reduce false alarms and lessen the burden the industry places on the municipalities it serves.

#### IV. CONCLUSION

For the reasons set forth above, HSM and I respectfully request that the Council reconsider the recommendation of the Public Safety Committee and that it renew the Private Alarm System Business license held by me as agent for HSM Electronic Protection Services, Inc.

Respectfully submitted,



Mark D. Weidemann, District General Manager  
HSM Electronic Protection Services, Inc.  
Office: (262) 432-0995  
MWeidemann@Stanleyworks.com

## **COMMITTEE ASSIGNMENTS**

### **CHAIR**

Public Safety Committee

### **MEMBER**

Anti-Graffiti Policy Committee

Finance & Personnel Committee

Steering & Rules Committee



## **ROBERT G. DONOVAN**

Alderman, 8th District

**Date:** November 29, 2007

**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 expires 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 on October 5, 2007.
4. On November 15, 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 scheduled for a hearing on the police report on November 29, 2007 at 9:45 a.m. in Room 301B of the third floor of City Hall. At said date, time and place the licensee did not appear, and was not represented by counsel.

5. Based upon the sworn testimony heard and the evidence received at the hearing, the Committee finds the following:
  - A. A notice of the hearing as well as a copy of the police report was sent to Steven P. Zolman, Agent for Pinnacle Security, LLC, 9766 North Canterbury Park Circle, Highland, Utah 84003 on November 15, 2007 by U.S. prepaid first-class mail in an envelope bearing the return address of the License Division. The address of 9766 North Canterbury Park Circle, Highland, Utah 84003 is the address given by the Licensee on his application. The envelope was not returned to the License Division by the United States Postal Service. The Licensee failed to appear at the hearing on November 29, 2007.

#### 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 has not met the criteria of Chapter 105-75-9 of the Milwaukee Code of Ordinances to allow renewal of the Private Alarm System Business license he holds as Agent for Pinnacle Security, LLC because of nonappearance.
3. In order to protect the health, safety and welfare of the citizens of the City of Milwaukee, it is the recommendation of the Public Safety Committee that the full Common Council of the City of Milwaukee should exercise its judgment to not renew the Private Alarm System Business license held by Steven P. Zolman, as Agent for Pinnacle Security, LLC doing business at 1290 South Sandhill Road, Orem, Utah ("Pinnacle Security ") because of nonappearance.

#### 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 recommends that the Private Alarm System Business license held by Steven P. Zolman not be renewed due to nonappearance.

Dated and signed at Milwaukee, Wisconsin this 29th day of November, 2007.

  
ROBERT G. DONOVAN, Chair  
Public Safety Committee

126337



**pinnacle**  
SECURITY

1290 Sandhill Road  
Orem, Utah 84058  
Telephone: (801) 437-9058  
jbarlow@pinnaclesecurity.com

December 7, 2007

Diana Morgan  
Staff Assistant  
Public Safety Committee

**Re: Pinnacle Security**

Dear Diana:

Thank you for your assistance in getting the matter concerning the renewal of Pinnacle's private alarm system business license (the "**Renewal**") sent back to the Public Safety Committee for reconsideration on January 3, 2008. Pinnacle takes the Renewal very seriously, and we appreciate your thoughtful and timely response to my call yesterday. We are very grateful that this issue is being remanded to the Public Safety Committee on January 3, 2008, for reconsideration, as it is our desire to maintain a relationship with the city of Milwaukee for years to come.

**Reasons for Reconsideration of the Renewal by the Public Safety Committee:**

As discussed and as partially explained in my letter to you dated December 6, 2007 (See **Attachment A**), Pinnacle requested that the Renewal be sent to the Public Safety Committee for reconsideration for two primary reasons. *First*, I would have personally attended the initial Public Safety Committee hearing as held on November 29, 2007, if Pinnacle would have timely received notice. Pinnacle's agent, Mr. Steve P. Zolman, did not receive notice of the Public Safety Committee hearing until November 29, 2007, the very day of the scheduled hearing. Such delayed notice was caused by the Notice being sent to Mr. Zolman's previous address. We believe we have now updated you concerning Mr. Zolman's address, and we apologize for any confusion. *Second*, per Chapter 105-75-9 of the Milwaukee Code of Ordinances, Pinnacle has seven days after receipt of written notice to respond in writing to the Public Safety Committee's Report and Recommendation. Since Pinnacle only received the Report and Recommendation on December 5, 2007, then if the Milwaukee Common Council is held on December 11, 2007, then Pinnacle would not be afforded the seven-day period permitted by Chapter 105-75-9. Again, thank you for your willingness to listen to our concerns.

CITY OF MILWAUKEE  
07 DEC 10 AM 10:30  
RONALD D. LEONHART  
CITY CLERK



**Initial Response to Ms. Ann McCarthy's Letter dated June 26, 2007:**

Turning to Ms. Ann McCarthy's letter dated June 26, 2007, to the Milwaukee Captain of Police (the "*McCarthy Letter*") (See **Attachment B**), I would like to briefly address her claim, and I look forward to addressing such in more detail at the Public Safety Committee meeting on January 3, 2008.

Honestly, we were very surprised and disappointed that we had not been able to effectively communicate and resolve any outstanding concerns of Milwaukee. Our local regional manager, Clint Cushing, believed he had followed-up with Ms. McCarthy to resolve any outstanding issues. We apologize for any perceived or actual failure to do so on our part.

In the McCarthy Letter, Ms. McCarthy makes reference that certain of the alarm monitoring equipment installed by Pinnacle in customers' residences was illegal because such equipment was contacting and dispatching the Milwaukee Police Department without first dispatching a private first response service to verify whether an actual crime had been committed at the monitored locations.

The type of alarm monitoring equipment that was installed by Pinnacle representatives at the locations at issue is capable of being programmed to dispatch either the police department or our first responder service, Securitas, in the event of an alarm activation. Through the citations that were issued to Pinnacle, and through Pinnacle representative Clint Cushing's (our regional manager) continuous dialogue with Officer McCarthy, we were able to detect that the equipment was being inadvertently programmed to contact the Milwaukee Police Department in the event of activation. Upon attaining this information, on June 7, 2007, Pinnacle believed it promptly corrected the mistake and reprogrammed each system installed in Milwaukee to dispatch first to our first responder service to verify actual break in at each monitored location, before notifying the Milwaukee Police Department.

We understand that any continuing violations or alleged incorrect programming after June 7, 2007, would be frustrating to Milwaukee. Frankly, they are frustrating to us. We were not aware that the problem was continuing, and we would like to remedy any continuing violations. However, we understand that the purpose of Private Alarm Systems and Regulations (105-75, *et. seq.*) as set forth in 105-75(1. Purpose) is as follows: "The purpose of this section is to regulate alarm systems and to *minimize* false alarms from these systems (emphasize added)." While it is our absolute goal to have no false alarms, we acknowledge that some of false alarms may occur despite everyone's best efforts. We would hope that you would be kind enough to work with us through any remaining issues.

We genuinely thought that the issue had been resolved as complaints slowed and citations became minimal. It was not until we received the Public Safety Committee's notice of hearing that we realized that there were still some issues outstanding. We

would very much like to take your guidance and resolve any outstanding issues. We look forward to meeting with the Public Safety Committee on January 3, 2008. I plan to attend personally, and I will bring Clint Cushing, our Milwaukee regional manager, with me to that meeting.

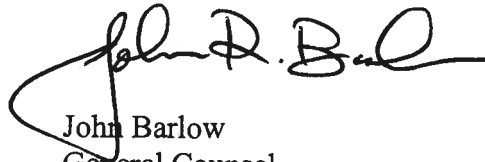
**Public Health and Welfare:**

We want to clear up any remaining issues because we believe any termination of our license would harm the public health and welfare of our customers in Milwaukee for at least two reasons. *First*, customers would have less access to security services which we believe would per se be against the public health and welfare of those persons. *Second*, we currently have 1,278 customers spread throughout Milwaukee, and any termination of our license would not permit us to provide service to these customers and such customers would not be protected by the security they purchased. Again, this would harm the public health and welfare of these customers in our opinion.

**Conclusion:**

We appreciate your assistance in this matter, and look forward to a continued relationship. Should you have any further questions or comments please feel free to contact me. Otherwise, we will plan to see you on January 3, 2008. We believe we can work together to resolve any outstanding issues.

Very truly yours,

A handwritten signature in black ink, appearing to read "John D. Barlow". The signature is fluid and cursive, with a large initial "J" and "B".

John Barlow  
General Counsel  
(801) 437-9058

**ATTACHMENT A**

Pinnacle Letter dated December 6, 2007



**pinnacle**  
SECURITY

1290 Sandhill Road  
Orem, Utah 84058  
Telephone: (801) 437-9058  
jbarlow@pinnaclesecurity.com

December 6, 2007

Diana Morgan  
Staff Assistant  
Public Safety Committee  
City Hall  
200 East Wells Street  
Milwaukee, WI 53202

**Re: Pinnacle Security – Private Alarm System Business License**

Dear Diana:

Thank you for your timely response to my call today. Pursuant to our conversation today, December 6, 2007, I am writing to confirm your statement that a motion will be made (without further action from Pinnacle Security) at the Common Council level to resend the matter concerning the renewal of Pinnacle Security's Private Alarm System Business License back to the Public Safety Committee for reconsideration on January 3, 2008. Therefore, the matter will not be heard by the Milwaukee Common Council on December 11, 2007. To the extent that this is not correct, please contact me immediately.

Thank you for your timely your assistance and attention to this matter. Should you need additional information please do not hesitate to contact me. We look forward to working with you and your staff for years to come.

Very truly yours,

John R. Barlow

General Counsel, Pinnacle Security

**ATTACHMENT B**

McCarthy Letter

MILWAUKEE POLICE DEPARTMENT

PAS 1479

Communications Division

June 26, 2007

In The Matter Of: Pinnacle and Firstline Alarm Companies

To: ANDRA P. WILLIAMS

Captain of Police

Sir,

This report is written by Police Alarm Operator Ann McCARTHY, Communications Division, Alarm Office.

On May 1, 2007, I received a call from Alderman PUENTE'S office. I spoke with "CHRIS" regarding an Aldermanic complaint. He informed me that they have recently received complaints from citizens regarding Pinnacle Security Alarm Company. In April the Pinnacle Company, located in Orem, Utah, assigned representatives to the City of Milwaukee to sell alarm systems by canvassing neighborhoods and going door-to-door. CHRIS stated that the affected citizens felt confused and possibly misinformed by the Pinnacle representative. The complaints generally state that Pinnacle representatives are advising citizens that they (Pinnacle Security Co.) will notify police in the event of an activated burglar alarm whether the alarm is verified or not. Pinnacle also markets a 2-way speakerphone alarm system and informs citizens that police will respond when Pinnacle receives an audio notification from the resident. This 2-way speakerphone system is a prohibited system; we do not respond to audio and/or panic alarms. This type of alarm could potentially be used as a panic alarm by allowing the homeowner to contact the police department through the Pinnacle Company for reasons other than a burglar alarm.

I contacted the Milwaukee Regional Pinnacle Manager, Clint CUSHING, 10300 Fountain Av., 801-865-426, who stated that the Pinnacle Company has the required permits needed for door-to-door sales and they have an alarm business license to operate in the City of Milwaukee. City of Milwaukee records confirmed that Pinnacle Security Company is a licensed alarm company. CUSHING said he is aware of the City of Milwaukee's alarm ordinances and he assured me his representatives were not misleading the citizens of Milwaukee. I advised CUSHING that their 2-way speakerphone system is a prohibited system. I then contacted Michelle THOMAS, the Operations Manager for the Pinnacle Security Company in Orem, Utah, and advised her of this situation. She stated she would convey this information to the administrators of their company and would follow up with CUSHING to ensure that their sales representatives are not misleading Milwaukee citizens. A total of 11 citations have been issued to the Pinnacle Alarm Company since May 1<sup>st</sup> for Failure To Meet Alarm Business Requirements, 105-75-14(g). Several citations are pending for the same violation.