

The meeting was called to order at 7:00 PM by Mayor Tutaj. Following the Pledge of Allegiance and a moment of silence for the community, roll call was taken.

Present: Mayor Tutaj, Alderpersons Wattawa, Schandel, Brickner, Feirer, Damon and Drew

Also Present: City Administrator Johnsrud, City Attorney Alexy, City Clerk/Treasurer Uecker, City Engineer Dejewski, Fire Chief Poplar, Police Chief Hunter, Public Health Administrator Ove and interested citizens

Statement of Open Meetings Compliance:

City Clerk/Treasurer Uecker stated that the meeting had been properly posted and noticed.

Public Hearing:

- None

Moved by Alderman Feirer, seconded by Alderwoman Schandel to suspend the agenda and take up Item #1 under Resolutions and Ordinances. Motion carried.

Resolutions and Ordinances:

Moved by Alderwoman Schandel, seconded by Alderman Wattawa to introduce and adopt a Resolution of Commendation for Service to the City of St. Francis Conferred on James Lindhorst. Motion carried. **Resolution No. 2797**

Presentation:

- Resolution of Commendation for Service to the City – Jim Lindhorst

Consent Agenda:

Moved by Alderman Wattawa, seconded by Alderman Brickner to place on file with reference in the minutes and approve all items listed under Consent Agenda on the February 19, 2020 Common Council Agenda. Motion carried.

Items Removed from Consent Agenda:

- None

Recommendation of Action from Committees/Commissions/Boards:

Moved by Alderman Brickner, seconded by Alderman Wattawa to approve Beverage Operator's Licenses - New for Craig Staszewski. Motion carried.

Moved by Alderman Wattawa, seconded by Alderman Brickner to approve the temporary employment of Mark Krawski as the Plumbing Inspector. Motion carried.

Resolutions and Ordinances:

Moved by Alderman Wattawa, seconded by Alderman Brickner to introduce and adopt an Ordinance to Repeal and Recreate Section 245-2 of the Code of Ordinances for the City of St. Francis Entitled "Inspection Duty and Authority of Fire Chief". Motion carried. **Ordinance No. 1458**

Discussion Items with Possible Action:

Moved by Alderman Damon, seconded by Alderman Feirer to place on file and approve the City Agreement and Consent to TIF Pledge and Security Agreement for St. Francis Property Owner, LLC (4200 South Lake Drive) in substantially the form presented and to authorize the City Attorney and City Administrator to make any changes. Motion carried.

Appointments to Committees/Commissions/Boards:

- None

Correspondence with Possible Action or Referral to Committees/Commissions/Boards:

Moved by Alderman Brickner, seconded by Alderman Feirer to place on file with reference in the minutes the correspondence dated December 6, 2019 from Milwaukee Fire Chief Rohlfing regarding provision of Fire and Other Protection Services for the Democratic National Convention and to enter into the agreement. Motion carried.

Adjourn:

Moved by Alderman Wattawa, seconded by Alderman Brickner to adjourn. Motion carried.

Time: 7:53 p.m.

Resolution No. 2797

RESOLUTION OF COMMENDATION FOR
SERVICE TO THE CITY OF ST. FRANCIS
CONFERRED ON JAMES LINDHORST

At a regular meeting of the Common Council of the City of St. Francis, Milwaukee County, Wisconsin, held on the 19th day of February, 2020 quorum being present and a majority of the Council voting therefore, said Council does resolve as follows:

WHEREAS, JAMES LINDHORST began as the Senior Engineer with the City of St. Francis on August 22, 1983, received his Professional Engineer license on April 2, 1993 and was promoted to Assistant City Engineer in 2011; and

WHEREAS, JAMES LINDHORST is a licensed Professional Engineer, is a member of the Wisconsin Chapter of the American Public Works Association, American Society of Engineers and National Society of Professional Engineers; and

WHEREAS, JAMES LINDHORST has performed the duties of City Forester, City Weed Commissioner, and City “Special Assessment Guru”; and

WHEREAS, JAMES LINDHORST has diligently, dutifully, conscientiously and consistently provided the most professional of engineering services to the City by working on and overseeing approximately 75 road projects equating to more than 95,000 feet of roadway including the impactful projects of the extension of E. Howard Avenue, the expansion of S. Lake Drive, the overlay of S. Kinnickinnic Avenue, the construction of S. Whitnall Avenue; approximately 20 sanitary and storm sewer projects including the creation of the City’s first stormwater management plan and stormwater utility; and the planting of over 5,000 trees; and

WHEREAS, JIM LINDHORST retired on February 14, 2020.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of St. Francis, Milwaukee County, Wisconsin, on behalf of itself and all the residents of the City of St. Francis that it hereby highly commends JAMES LINDHORST for more than thirty-six years of exemplary service with the City of St. Francis and 41 years in the engineering profession.

BE IT FURTHER RESOLVED that the best wishes for health, happiness and success are hereby tendered to JAMES LINDHORST in all his future endeavors.

PASSED and APPROVED this 19th day of February, 2020

/s/Ken Tutaj

Mayor

ATTEST:

/s/Anne B. Uecker, MMC/WCPC

City Clerk/Treasurer

STATE OF WISCONSIN

CITY OF ST. FRANCIS

MILWAUKEE COUNTY

ORDINANCE NO. 1458

AN ORDINANCE TO REPEAL AND RECREATE SECTION 245-2 OF THE
CODE OF ORDINANCES FOR THE CITY OF ST. FRANCIS
ENTITLED "INSPECTION DUTY AND AUTHORITY OF FIRE CHIEF"

WHEREAS, the City of St. Francis, Wisconsin has currently existing ordinances pertaining to the Fire Prevention that are located in Chapter 245 of the City of St. Francis Code of Ordinances; and

WHEREAS, the Fire Department has recommended that the Legislative Committee consider certain revisions to Chapter 245 to reflect developments in fire prevention practices; and

WHEREAS, the Legislative Committee has recommended the adoption of the revisions proposed by the Fire Department; and

WHEREAS, the Common Council finds that the proposed revisions to Chapter 245 of the Code of Ordinances will promote the health, safety, and welfare of the residents.

NOW, THEREFORE the Common Council of the City of St. Francis, Wisconsin does ordain as follows:

SECTION 1: Section 245-2 of the City of St. Francis Code of Ordinances, entitled "Inspection duty and authority of Fire Chief", is hereby repealed and recreated to read as follows:

§ 245-2. Inspection duty and authority of Fire Chief; hazardous vacant building placarding.

A. It shall be the duty of the Chief of the Fire Department to inspect or cause to be inspected as often as may be necessary all buildings and premises, except the interior of private dwellings, for the purpose of ascertaining and causing to be corrected any conditions liable to cause fire or any violations of the provisions of this chapter.

(1) Whenever any such inspector shall find in any building or upon any premises combustible waste material or explosive matter which is so situated as to endanger property, or shall find in any building or structure obstructions to or on fire escapes, stairs, passageways, doors or windows liable to interfere with the operations of the Fire Department or egress of occupants in case of fire, the inspector may order the same to be removed or remedied.

(2) Whenever any such inspector shall find any building or other structure that, for want of repairs, lack of sufficient fire escapes, automatic or other fire alarm apparatus, or fire extinguishing equipment, or by reason of age or dilapidated conditions, or from any other cause, is especially liable to cause or support fire and which is so situated as to endanger other property or the occupants thereof, and whenever such inspector shall find in any building combustible waste material, explosive matter or flammable conditions dangerous to the safety of such building or the occupants thereof, the inspector may order such dangerous conditions or materials to be removed or remedied.

(3) If in any existing building or structure, because of its use or occupancy, additional

exits are required or repairs to existing exits are necessary or where repairs to any structural part of such building or structure are required, the inspector will notify the Building Inspector, who may reinspect such building or structure, thereafter instituting the proper remedies as may be required.

B. The Chief of the Fire Department is hereby empowered to order compliance with the regulations of this chapter and all other lawful orders or laws relating to fire prevention and fire protection in all existing buildings and structures. Further, the Chief of the Fire Department is hereby empowered to close any building or structure and order it vacated whenever violations of any of the regulations of this chapter are found and are not corrected within the time stipulated by the Chief or the Chief's authorized representative. Where the public is exposed to immediate danger, the Chief is hereby empowered to order the closing and vacating of the building at once. This section shall apply to all buildings, structures and premises in the City of St. Francis.

C. The Fire Chief and the Chief's designees are authorized to issue citations for violations of this chapter.

D. The fee for third and subsequent inspections for the same violation or violations shall be as provided in the current fee schedule on file with the City Clerk.

E. Hazardous Vacant Building Placarding.

1. Definition. In this subsection, "hazardous vacant building" means any building or other structure that is vacant or abandoned or has been ordered closed, removed, shutdown or otherwise vacated under Wis. Stat. § 66.0413 or by court order.

2. Warning Placard Authorized. The Fire Chief is authorized to:

a. Mark any hazardous vacant or abandoned building with a first responder warning placard alerting first responders to the existence of the structural or interior hazards at the building of the type that warrant extreme caution when conducting interior firefighting or rescue operations at such building or exterior operations with entry only occurring for known life hazards.

b. Remove a first responder warning placard when the authority responsible for ordering the building closed, removed, shutdown or otherwise vacated lifts the applicable order or otherwise determines that the building is no longer a hazardous vacant building.

3. Placard Design and Placement. Any hazardous vacant building determined by the Fire Department to be especially unsafe in case of fire, under § 110, ch. 9.52, International Fire Code, as amended, shall be identified and marked with one or more first responder warning placards in accordance with the following:

a. Design of Placards.

1. A square with a diagonal line from the bottom left corner to the upper right corner shall mean that structural or interior hazards exist and interior firefighting or rescue operations should be conducted with extreme caution.
2. A square with 2 diagonal lines, one from the bottom left corner to the upper right corner and another from the bottom right corner to the upper left corner, shall mean that structural or interior hazards exist to a degree that consideration should be given to limit firefighting to exterior operations only, with entry only occurring for known life hazards in a known location.
3. Additional symbols consistent with current Fire Department policy shall be

used to further designate descriptive hazards on the hazardous vacant building placard.

b. Location and visibility.

1. The placard shall be applied on the front of the hazardous vacant building and be visible from the street. Additional placards may be applied to the side of each entrance to the building and on penthouses.
2. Each placard shall be 16 inches by 16 inches minimum in size with a white background, orange reflective stripes and an orange reflective border. The stripes and border shall have a 1-inch minimum stroke.
3. Symbols shall include red lettering 3 inches minimum in height.

c. Inspections. Prior to receiving a placard, every hazardous vacant building shall be inspected by the Fire Chief or the Fire Chief's designee

4. Removal Of Placard Prohibited. It shall be unlawful for any person, other than authorized City officials or their respective designees, to cover, obliterate, deface, damage or remove any first responder warning placard unless written permission to engage in such activity has first been obtained from the Fire Chief.

5. Notice Of Demolition Required. If any building marked with a first responder warning placard is to be wrecked, demolished or razed, the owner of the building or the owner's agent shall notify the Building Inspector for proper removal.

6. Penalty For Violation. Any person who violates any requirement of this subsection (E) shall be fined not less than \$500 nor more than \$1,000 for each offense together with the costs of prosecution.

7. Rules And Regulations. The Fire Chief is authorized to promulgate rules and regulations necessary or appropriate to implement the requirements of this section, including, but not limited to, rules and regulations pertaining to the location, number, size, color, reflective marking, date of application, design, construction, use, symbols or removal of first responder warning placards per current Fire Department policy.

8. Construction of Subsection. The marking of a building with a first responder warning placard is informational only and shall not be construed to limit in any way the discretion of the on-scene incident commander or similar Fire Department personnel. The absence of such warning placard on any building shall not be construed to mean that entry to such building is permitted or that such building is safe or otherwise free of dangerous and hazardous conditions.

SECTION 2: SEVERABILITY.

The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision and shall not affect the validity of any other provisions, sections or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that conflict.

SECTION 3: EFFECTIVE DATE.

This ordinance shall take effect immediately upon passage and publication as provided by law.

Passed and adopted at a regular meeting of the Common Council of the City of St. Francis this 19th day of February 2020.

CITY OF ST. FRANCIS

BY: /s/Ken Tutaj

Ken Tutaj, Mayor

ATTEST:

/s/Anne B. Uecker, MMC/WCPC

Anne B. Uecker, City Clerk/Treasurer