

November 6, 2008

A Regular Meeting of the Board of Fire and Police Commissioners was held on the above date, commencing at 6:35 P.M.

PRESENT: Commissioners: Richard C. Cox, Chair
Carolina M. Stark
Leonard J. Sobczak
Ernesto A. Baca
Earl A. Buford
Kathryn A. Hein
Paoi X. Lor

ALSO PRESENT: Douglas Holton, Chief, Milwaukee Fire Department; and Dale Schunk, Assistant Chief, representing the Milwaukee Police Department.

The Chair reconvened the Board in Regular Session, having previously met in Executive Session from 4:36 p.m. to 6:30 p.m. pursuant to Section 19.85 (1)(c) Wis. Stats. to consider employment, promotion, compensation or performance evaluation data of any public employee over whom the Board has jurisdiction or exercises responsibility, and Section 19.85 (1)(f) Wis. Stats. to consider financial, medical, social or personal histories of specific candidates for employment which, if discussed in public, would be likely to have a substantial adverse effect upon the reputation of any person referred to in such histories, to wit: promotion evaluation interviews for Deputy Chief, Fire and Battalion Chief, Fire; and objection to promotion to Fire Lieutenant.

The Director apologized for the late start and informed the public present that Commissioner Cox had been elected Chair at the last meeting and Commissioner Stark the Vice-Chair. Three new standing committees were created relating to complaints and discipline, policies and standards, and testing and recruiting.

The Director presented for adoption minutes of the Regular Meeting of October 16, 2008. Commissioner Stark moved approval of the minutes as presented, seconded by Commissioner Baca. The motion carried unanimously.

1. UNFINISHED BUSINESS:

a) The following promotions, as presented by Chief Douglas Holton, were approved by the Board:

TO DEPUTY CHIEF, FIRE, from Battalion Chief, effective November 16, 2008:

RANDALL E. ZINGLER.

TO BATTALION CHIEF, FIRE, on a waiver basis, from Fire Captain, effective November 16, 2008:

ALONZO G. CHAPMAN.

2. FIRE DEPARTMENT:

a) The Director presented a letter dated October 29, 2008, from Chief Douglas Holton, wherein he nominates Fire Paramedic Field Lieutenant Doran J. Kemp to the exempt position of Administrative Captain—EMS in the Fire Department, to be effective November 30, 2008. Pursuant to Rules of the Board, final action on this nomination was laid over to permit the nominee to be interviewed.

b) The following promotions, as presented by Chief Holton, were approved by the Board:

TO FIRE CAPTAIN, on a waiver basis, from eligible list established February 15, 2007 and amended on October 16, 2008, effective retroactive to November 4, 2007:

#8A–BRADLEY W. DAVIS.

TO FIRE LIEUTENANT, on a waiver basis, from eligible list established December 6, 2007, previously promoted through the Fire Lieutenant Paramedic special promotion process, effective November 16, 2008:

#17–ENRIQUE RODRIGUEZ and #18–WILLIAM J. ECHEVARRIA.

TO FIRE LIEUTENANT, on a waiver basis, from eligible list established December 6, 2007, effective November 16, 2008:

#19–ANDREW P. TIMM.

c) The Director presented a letter dated October 29, 2008, from Chief Holton, wherein he objects to the promotion of Heavy Equipment Operator Timothy J. Beaumont to the position of Fire Lieutenant based on excessive sick leave and injury leave usage. The Director stated that the Board had met earlier in closed session on this matter with Mr. Beaumont and Chief Holton. Bobbie Webber, President of Local 215, spoke against the objection of the Chief, saying that only an individual's ability to perform the duties of the job should determine whether a promotion should occur. Measures have been put in place to address any issues of abuse in the department. He asked the Board to honor Mr. Beaumont's place on the eligible list and approve the promotion.

The Chair took issue with the presumption that the Board may not consider other factors after an eligible list has been adopted. Mr. Webber opined that if sick leave usage was to be a prerequisite for consideration of promotion, it should have been announced at the time of the examination so that candidates could have been disqualified at that point. Commissioner Baca spoke about the level of responsibility and example to others that must be set by lieutenants.

The Chair called for a motion three times without success. Hearing no motion, the Director informed the Board that Rule XI, Section 4 requires the Board to determine whether Mr. Beaumont's name is to remain on the eligible list. Commissioner Sobczak moved to remove #20–Timothy J. Beaumont from the Fire Lieutenant Eligible List. The motion was seconded by Commissioner Baca and carried unanimously.

d) The Director presented a letter dated October 28, 2008, from Chief Holton, wherein he notifies the Board that Fire Lieutenant Dennis P. Koback has been granted a Military Leave of Absence without pay for an indefinite period of time, effective November 19, 2008.

3. POLICE DEPARTMENT:

a) The Director presented a letter dated October 27, 2008, from Chief Edward Flynn, wherein he nominates Police Sergeant Dexter R. Hines to the exempt position of Administrative Lieutenant of Police in the Police Department, to be effective November 30, 2008. Pursuant to Rules of the Board, final action on this nomination was laid over to permit the nominee to be interviewed.

b) The following promotions, as presented by Chief Flynn, were approved by the Board:

TO POLICE SERGEANT, on a waiver basis, from eligible list established April 19, 2007, contingent upon successful completion of a drug screening, effective November 16, 2008:

#30–ADAM K. RILEY.

TO OFFICE ASSISTANT III, from Office Assistant II, from Department of Employee Relations (DER) eligible list, effective November 16, 2008:

SUSAN M. BOL.

TO OFFICE ASSISTANT III, from Office Assistant II, a promotion without competitive examination underfilling an Office Assistant IV vacancy, effective November 16, 2008:

ROXANN FISHER.

c) The following appointments, as presented by Chief Flynn, were approved by the Board:

TO OFFICE ASSISTANT I, from DER eligible list, contingent upon successful completion of a medical examination and drug screening, effective November 10, 2008:

MICAH T. BILLINGS, PAULINE GARRY, KAREN A. BENDER and KATHLEEN M. HORWATH.

TO SCHOOL CROSSING GUARD, effective September 30, 2008:

DONEISHIA M. CRAWFORD.

d) The Director presented a letter dated October 31, 2008, from Chief Flynn, wherein he requests that Lieutenant of Detectives Gary Schuster serve as Acting Captain of the Sensitive Crimes Division for more than 30 days until a promotion to Captain can be made. Commissioner Sobczak moved approval, seconded by Commissioner Buford. The motion carried unanimously.

The Director presented a letter dated October 31, 2008, from Chief Flynn, wherein he requests that Lieutenant of Police Edith Hudson serve as Acting Captain of District 3 for more than 30 days until a promotion to Captain can be made. Commissioner Hein moved approval, seconded by Commissioner Baca. The motion carried unanimously.

The Director presented a letter dated November 5, 2008, from Chief Flynn, wherein he requests that Lieutenant of Police Stephen R. Basting serve as Acting Captain of the Neighborhood Task Force for more than 30 days until a promotion to Captain can be made. Commissioner Sobczak moved approval, seconded by Commissioner Stark. The motion carried unanimously.

e) The Director presented a letter dated October 22, 2008, from Chief Flynn, wherein he notifies the Board that Lieutenant of Police Kurt Leibold will no longer serve as Acting Captain of the Professional Performance Division effective October 19, 2008, due to the transfer of Deputy Inspector Denita Ball to that division.

f) The Director presented Personnel Order No. 2008-179 dated October 27, 2008, from Chief Flynn, wherein he suspends Police Sergeant Bradley R. Dall for 30 working days.

g) The Director presented a letter dated October 23, 2008, from Chief Flynn, wherein he notifies the Board of the following personnel transactions: Police Sergeant April Hoffman returned from a Family and Medical Leave Act unpaid leave which commenced January 1, 2008, effective September 17, 2008; Police Officer Edgardo Bauzo-Santiago returned from an unpaid Military Leave of Absence which commenced August 16, 2008, effective September 12, 2008; Police Officer Adam Bradley returned from an unpaid Military Leave of Absence which commenced August 2, 2008, effective August 28, 2008; Police Officer Jill Glidewell returned from an unpaid Child Rearing Leave of Absence which commenced August 30, 2008, effective September 29, 2008; Police Officer Adam Isleb returned from an unpaid Military Leave of Absence which commenced September 9, 2008, effective October 3, 2008; Police Officer Trisha Klauser returned from an unpaid Child Rearing Leave of Absence which commenced July 4, 2008, effective October 20, 2008; Police Officer

Matthew Kronschnabel returned from an unpaid Military Leave of Absence which commenced August 7, 2008, effective August 24, 2008; Police Officer Tracy Martinez returned from an unpaid Maternity Leave of Absence which commenced July 13, 2008, effective August 23, 2008; Police Officer Sharell McIntosh returned from an unpaid Medical Leave of Absence which commenced May 3, 2008, effective September 4, 2008; Police Officer Bradley Nickel returned from an unpaid Military Leave of Absence which commenced May 21, 2007, effective August 4, 2008; Office Assistant III Sallie A. Foster returned from a Family and Medical Leave Act unpaid leave which commenced October 2, 2008, effective October 13, 2008; Office Assistant II Kelly Didrickson returned from an unpaid Medical Leave of Absence which commenced September 2, 2008, effective September 22, 2008; Office Assistant II Angelita Mendez returned from a Family and Medical Leave Act unpaid leave which commenced September 21, 2008, effective October 6, 2008; Office Assistant II Rebecca Smith returned from a Family and Medical Leave Act unpaid leave which commenced February 22, 2008, effective August 4, 2008; Police Identification Supervisor Cassandra Libal was granted an unpaid Maternity Leave of Absence commencing June 26, 2008 and concluding January 3, 2009; Detective Michael Crivello was granted an unpaid Military Leave of Absence commencing September 9, 2008 and concluding January 31, 2009; Police Officer Danilo Cardenas was granted an unpaid Military Leave of Absence commencing August 22, 2008 and concluding September 24, 2009; Police Officer William Feely was granted an unpaid Military Leave of Absence commencing July 16, 2008 and concluding March 14, 2009; Police Officer Andrew Holzem was granted an unpaid Military Leave of Absence commencing July 15, 2008 and concluding July 13, 2009; Police Officer Matthew Knight was granted an unpaid Military Leave of Absence commencing August 10, 2008 and concluding March 9, 2009; Police Officer Jason Leistikko was granted an unpaid Military Leave of Absence commencing October 3, 2008 and concluding October 27, 2008; Police Officer Thomas Lieske was granted an unpaid Military Leave of Absence commencing July 16, 2008 and concluding June 24, 2009; Police Officer Darren Picard was granted an unpaid Military Leave of Absence commencing July 27, 2008 and concluding June 30, 2009; Police Officer David Skonieczny was granted an unpaid Military Leave of Absence commencing June 29, 2008 and concluding March 27, 2009; Police Officer Tinathea Baker was granted a Family and Medical Leave Act unpaid leave commencing September 9, 2008 and concluding November 20, 2008; Police Officer Virgil Cotton was granted a Family and Medical Leave Act unpaid leave commencing June 28, 2008 and concluding November 9, 2008; Police Officer Jolene Lopez was granted an unpaid Maternity Leave of Absence commencing August 9, 2008 and concluding January 3, 2009; Police District Office Assistant Nancy A. Leknes was granted an extended Medical Leave of Absence commencing August 22, 2008 and concluding November 22, 2008; Police District Office Assistant Norma Waller-Powell was granted a Family and Medical Leave Act unpaid leave commencing September 16, 2008 and concluding December 9, 2008; and Police Services Specialist William Spencer was granted a Family and Medical Leave Act unpaid leave commencing August 23, 2008 and concluding December 28, 2008.

Commissioner Baca asked how all of the above leaves are impacting the department's overtime usage. Assistant Chief Schunk stated that overtime usage overall is down, but he will need to get specific information to answer the question.

h) The Director presented a letter dated October 29, 2008, from Chief Flynn, wherein he presents a request for reappointment to the position of Police Officer from Matthew J. Markowski. Mr. Markowski was appointed on April 28, 2003, and resigned in good standing on March 8, 2008. Chief Flynn recommends reappointment. Commissioner Sobczak moved approval of the request, seconded by Commissioner Baca.

The Director noted that the letter from Chief Flynn includes information on sick leave usage and that none of the time was taken under the Family and Medical Leave Act. Mr. Markowski was counseled in the past regarding his sick leave usage. He has agreed to maintain a regular work schedule and provide medical substantiation for his absences for a period of one year if reappointed. The Director asked whether sick leave usage increased or decreased after the counseling occurred in 2007. Assistant Chief Schunk noted that the sick leave statistics in the letter are not detailed enough to answer the question. The Commissioners indicated a desire for this information. Commissioner Sobczak withdrew his motion. The Chair laid the

matter over until the department provides the information. The Director asked that the information include whether Mr. Markowski has complied with the medical substantiation requirement since 2007 as well. Mr. Markowski stated that he had submitted substantiation, and that many of his injuries were sport related.

4. PUBLIC COMMENT:

There was no comment made from the public present.

5. ADJOURNMENT:

Commissioner Sobczak moved to adjourn the meeting, seconded by Commissioner Hein. The motion carried unanimously.

The meeting concluded at 7:03 P.M.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael G. Tobin".

Michael G. Tobin
Executive Director

MGT:REK:rk