

November 20, 2008

A Regular Meeting of the Board of Fire and Police Commissioners was held on the above date, commencing at 5:32 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: Brian Glassel, Assistant Chief, representing the Milwaukee Fire Department; and
Monica Ray, Assistant Chief, representing the Milwaukee Police Department.

The Chair reconvened the Board in Regular Session, having previously met in Executive Session from 5:05 p.m. to 5:30 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, to wit: promotions of Fire Paramedic Field Lieutenant to Administrative Captain-EMS in the Fire Department and Police Sergeant to Administrative Lieutenant of Police in the Police Department.

The Director presented for adoption minutes of the Regular Meeting of November 6, 2008. He noted that Commissioner Baca had asked at that meeting for information on how leaves of absence are affecting police overtime. Commissioner Stark moved approval of the minutes as presented, seconded by Commissioner Sobczak. The motion carried unanimously.

The Director presented for adoption minutes of the Committee on Testing and Recruiting meeting of November 11, 2008. Commissioner Baca moved approval of the minutes as presented, seconded by Commissioner Buford. The motion carried unanimously.

1. UNFINISHED BUSINESS:

a) The following promotion, as presented by Fire Chief Douglas Holton, was approved by the Board:

TO ADMINISTRATIVE CAPTAIN - EMS, on a waiver basis, from Fire Paramedic Field Lieutenant, effective November 30, 2008:

DORAN J. KEMP.

The following promotion, as presented by Chief of Police Edward Flynn, was approved by the Board:

TO ADMINISTRATIVE LIEUTENANT OF POLICE, from Police Sergeant, contingent upon successful completion of a drug screening, effective November 30, 2008:

DEXTER R. HINES.

The Chair stated that the Board has been very impressed with the quality of the nominees for the last few exempt positions. He congratulated both chiefs on their selection process and asked them to relay his comments to Chief Holton and Chief Flynn.

b) The Director returned to the Board a request from the Police Department to retitle the position of Chief Document Examiner to Chief Latent Print Examiner. In a report dated November 13, 2008, Maria Monteagudo, Director of Employee Relations (DER), recommends that in the Salary Ordinance, under Pay Range 812, delete the title “Chief Document Examiner” and add the title “Chief Latent Print Examiner” and in the Positions Ordinance, under Police Department, Administration Services Decision Unit, Identification Division, delete one position of “Chief Document Examiner” and add one position of “Chief Latent Print Examiner.” Andrea Knickerbocker, DER Human Resource Manager, spoke about the reasons for the change. She also noted that the union will be able to do impact bargaining if this title is created. Commissioner Hein moved approval of the recommendation, seconded by Commissioner Sobczak. The motion carried unanimously.

c) The Director announced that a Decision and Final Order has been entered in the case of Kevin Dudley v. Board of Fire and Police Commissioners of the City of Milwaukee. Mr. Dudley’s appeal from discipline had been heard by the Board and its decision appealed to Circuit Court. A key point in the Board’s and the Court’s decision was that the Chief had issued a written letter advising Dudley he could lose his job if there were any other incidents of misconduct. The decision of the Court concluded that the Board had just cause to discharge Mr. Dudley as its decision was supported by credible and substantial evidence and made on a correct theory of law.

d) The Director stated that at the Board’s meeting of November 6, 2008, the Police Department was asked what impact the great number of current leaves of absence was having on the budget. In a letter dated November 14, 2008 from Assistant Chief Dale Schunk, it is noted that the overall overtime hours for 2008 are 32,218.40 hours less than the comparable number from 2007, or \$739,793.55 less. The Department is unable to be more specific as to how particular divisions are coping, especially since initiative deployment strategies may skew the data more than the shortage of personnel. Commissioner Baca congratulated the Chief on managing his personnel efficiently.

2. NEW BUSINESS:

a) The Director presented the following proposed modifications to Fire and Police Commission Rules I, III, V, VI, X, XI, and XIV. In Rule 1, Sections 1 (c) and (e), eliminate subsections 1 (c) and (e) and renumber the remaining subsections. In Rule III, Section 2, rescind Section 2 and replace with the following language: “A majority of the members-elect of the Board shall constitute a quorum necessary for the transaction of business. However, a 3-member panel of the Board may conduct and decide by majority vote a trial concerning a disciplinary appeal pursuant to section 62.50(12) Wis. Stats. and FPC Rule XV or XVI and may hear and decide by majority vote charges regarding a complaint filed by an aggrieved person pursuant to section 62.50(19) Wis Stats. or Milwaukee City Charter section 22-10 and FPC Rule XVII.” In Rule V, Section 2, delete the position title of Fire Cadet. In Rule VI, Section 5 (c), delete the entire subsection 5 (c). In Rule VI, Sections 6 (b) and 7, delete all references to the position of Fire Cadet. In Rule X, Section 1 (a), delete all language after the first sentence and substitute the following language: “Eligible lists remain in effect for two (2) years or as otherwise determined by the Board unless exhausted, rescinded, abolished or extended by formal action of the Board.” In Rule XI, Section 12, delete this section in its entirety. In Rule XIV, delete all references to requiring a staff recommendation for residency extension requests.

These changes do not affect current procedures or the substance of existing rules but are necessary to comply with changes in the law, delete language which is no longer applicable, and more accurately reflect the Commission’s current direction and responsibilities. The Chair directed that the proposed modifications be referred to the new Committee on Policies and Standards for study and recommendation to the full Board.

b) The Director presented to the Board for approval the 2009 schedule of meeting dates: January 8 and 22, February 5 and 19, March 5 and 19, April 2 and 23, May 7 and 21, June 4 and 18, July 16 and 30, September 3 and 17, October 1 and 15, November 5 and 19, and December 3 and 17. Some of the dates

do not fall on the usual first and third Thursdays due to holidays. The Director stated that he would like to hold a meeting out in the community every quarter.

3. COMMITTEE REPORTS:

a) Commissioner Baca presented the report of the Committee on Testing and Recruiting. The Committee had met on November 11, 2008, with Commissioners Baca, Buford, and Lor in attendance. Commissioner Baca was elected chair. A discussion was held with Department of Employee Relations (DER) personnel regarding the Police Aide recruitment process. A more lengthy discussion was held with Shannon Lopez, who is interested in conducting fluency training for the Detective examination. Ms. Lopez is requesting to use the current Detective examination on candidates who are not eligible to apply for the exam, and DER is objecting to that request. The Director and DER will look into whether alternative tests can be used. Commissioner Baca opined that this training will be of benefit to the Police Department in the long run. The next meeting of the Committee will be on Tuesday, December 16, 2008, at 3:30 p.m. Commissioner Baca hopes to have an update on the Firefighter examination process for that meeting.

4. FIRE DEPARTMENT:

a) The following promotion, as presented by Chief Douglas Holton, was approved by the Board:

TO FIRE LIEUTENANT, on a waiver basis, from eligible list established December 6, 2007, effective November 30, 2008:

#21–THOMAS C. TREUTELAAR.

b) The Director presented a letter dated November 13, 2008, from Chief Holton, wherein he requests that one position of Fire Paramedic Field Lieutenant be reclassified to Fire Lieutenant due to a promotion, in accordance with the Salary Ordinance. Commissioner Stark moved approval of the request, seconded by Commissioner Hein. The motion carried unanimously.

5. POLICE DEPARTMENT:

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

TO POLICE SERGEANT, from eligible list established April 19, 2007, contingent upon successful completion of a drug screening, effective November 30, 2008:

#31–SCOTT A. RANDOW and #32–DAVID H. ARNDT.

Note: The promotion of #32 is on a waiver basis.

TO POLICE DISTRICT OFFICE ASSISTANT, from Office Assistant I, effective November 30, 2008:

FLORISA S. WHITELEY.

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

TO SCHOOL CROSSING GUARD, with effective dates:

DERRICK D. FALCONER (10/27/08), LIZANDRA FELICIANO-RODRIGUEZ (11/3/08), KENNETTE J. MENDEZ FELICIANO (11/3/08), LASHANDA I. MITCHELL (11/3/08), MADELINE C. SHEETS (11/3/08), SUSAN S. WOLFE (10/27/08), and JEAN M. WILKOWSKI (11/6/08).

TO SUBSTITUTE SCHOOL CROSSING GUARD, with effective dates:

STEVEN K. ELLIS (10/14/08), SHERRY A. HUDDLESTON (11/3/08), and WILLETTE BANKS (11/6/08).

c) The Director presented a letter dated October 13, 2008, from Chief Flynn, wherein he notifies the Board that Inspector Edward Liebrecht will no longer serve as Acting Deputy Chief.

d) The Director presented a letter dated November 12, 2008, from Chief Flynn, wherein he notifies the Board that the effective date of appointment for Micah T. Billings to Office Assistant I has been changed from November 10 to November 17, 2008. This appointment had been approved at the November 6, 2008 meeting of the Board.

e) The Director presented a letter dated November 5, 2008, from Chief Flynn, wherein he notifies the Board that Police Officer Nancy Acosta returned from an unpaid Medical Leave of Absence effective October 28, 2008; Police Officer Jason L. Leistiko returned from an unpaid Military Leave of Absence effective October 28, 2008; Police Services Specialist–Investigator William J. Stawicki returned from an unpaid Medical Leave of Absence, effective October 27, 2008; Police Sergeant Jason Metoxen has been granted an unpaid Military Leave of Absence commencing October 6, 2008 and concluding January 19, 2009; and Police Dispatcher Darlene Groholski has been granted an unpaid Maternity Leave of Absence commencing October 4, 2008 and concluding January 1, 2009.

6. PUBLIC COMMENT:

There was no comment made from the public present. Commissioner Baca asked Assistant Chief Ray to convey the Board's thanks to Inspector Liebrecht for having filled in as Acting Deputy Chief.

7. ADJOURNMENT:

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

The meeting concluded at 5:47 P.M.

Respectfully submitted,



Michael G. Tobin
Executive Director

MGT:REK:rk