

February 18, 2010

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
Kathryn A. Hein
Paoi X. Lor
Sarah W. Morgan

ALSO PRESENT: Michael Jones, Acting Chief, Milwaukee Fire Department; and Edward Flynn, Chief, Milwaukee Police Department.

The Director presented for adoption minutes of the Regular Meeting of February 4, 2010. He noted at the meeting the testing and recruiting status of Firefighter and Police Officer was discussed, as well as the recruitment effort and job announcement bulletin for Police Telecommunicator – Seasonal. Commissioner Stark moved approval of the minutes as presented, seconded by Commissioner Morgan. The motion carried unanimously.

1. NEW BUSINESS:

a) The Director presented a letter dated January 27, 2010, from Police Dispatcher Jaunette M. DeWindt who requests a temporary exemption of the City residency requirement. Ms. DeWindt was not present for comment. There was some discussion regarding a time frame for the residency exemption. Commissioner Cox suggested reviewing the matter at the first meeting in June if necessary. Commissioner Stark moved to approve the temporary residency exemption until May 31, 2010, seconded by Commissioner Lor. The motion carried unanimously.

2. EXAMINATIONS:

a) The Director presented a correspondence dated February 10, 2010, from Cassandra Scherer, Human Resource Representative from the Department of Employee Relations requesting retroactive approval of the eligible list for the position of Crime Analyst in the Police Department, consisting of four names, to November 20, 2009. The eligible list was mistakenly approved by the Civil Service Commission, not the Board. Commissioner Morgan moved retroactive approval of the list, seconded by Commissioner Hein. The motion carried unanimously.

b) The Director presented for adoption an eligible list for the position of Police Aide in the Police Department, consisting of 240 names. He noted that the candidates on the eligible list are still subject to the remaining testing components. Commissioner Lor moved approval of the list, seconded by Commissioner Hein. The motion carried unanimously.

3. FIRE DEPARTMENT:

a) The Director presented a letter dated February 11, 2010, from Acting Chief Michael Jones, wherein he informs the Board that he has granted Fire Equipment Repairer II Wayne H. Beckner an extension to his unpaid medical leave of absence. The leave became effective November 7, 2009 and will now expire May 7, 2010.

b) The Director presented a letter dated February 11, 2010, from Acting Chief Michael Jones, wherein he requests that Fire and Police Commission Rule V, Section 2, be revised to reflect the current positions ordinance. The Chair laid the matter over to the next meeting.

c) The Director presented a letter dated February 12, 2010, from Acting Chief Jones, wherein he requests that an examination be conducted for the newly created positions of Fire Education Specialists in the Bureau of Instruction and Training. The Chair referred the request to the Department of Employee Relations for implementation.

4. POLICE DEPARTMENT:

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

TO POLICE SERGEANT, on a waiver basis, from eligible list established October 1, 2009, contingent upon successful completion of a drug screening, effective February 21, 2010:

#12 – JOSHUA M. WHITEN.

TO AREA MAINTENANCE SUPERVISOR, without competitive examination, from Help Desk Specialist I, an underfill for Building Maintenance Supervisor II, effective February 21, 2010:

LISHUNDA L. PATTERSON.

TO OFFICE ASSISTANT II, from Office Assistant I, effective February 21, 2010:

ALBERTA WITHERSPOON.

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

TO SCHOOL CROSSING GUARD (REGULAR), with effective dates:

DAVID L. BELL (2/9/10); JAMES E. CRISS (2/4/10); and YESENIA DELGADO-SOTO (2/3/10).

c) The Director presented a letter dated February 9, 2010, from Chief Flynn, wherein he notifies the Board that Captain of Police David Clark has been granted a one year extension to his leave of absence for the purpose of continuing to assume an exempt position of Sheriff for Milwaukee County. The leave shall expire March 25, 2011, and may be renewed upon request.

d) The Director presented a letter dated January 28, 2010, from Chief Flynn, wherein he notifies the Board that Police Sergeant Roosevelt Jenkins, Jr. has been suspended for twenty (20) working days for violation of Department Rules and Procedures under Personnel Order 2010-15 dated January 28, 2010.

e) The Director presented a letter dated January 28, 2010, from Chief Flynn, wherein he notifies the Board that Administrative Services Specialist Kara C. Schurman has been suspended for ten (10) working days for violation of Department Rules and Procedures under Personnel Order 2010-18 dated January 28, 2010.

f) The Director moved the reappointment request to the end of the agenda.

g) The Director presented a memorandum dated February 12, 2010, from Judy Pal, Chief of Staff, wherein she requests that two positions of Data Entry Operator in the Administration Bureau be deleted and one position of full-time Crime & Intelligence Specialist (CIS) be created. Chief Flynn stated Ms. DeMotto, the current CIS, has proven herself invaluable and previously held a similar position in Madison. It is not uncommon in similar sized jurisdictions to have eight to ten people in the crime analyst section; currently the Milwaukee Police Department has one person. Ms. DeMotto has done an extraordinary amount of good. The Director stated the CIS is currently grant-funded. By eliminating the Data Entry Operator positions, the CIS position will become permanent. Commissioner Hein moved approval of the request, seconded by Commissioner Lor. The motion carried unanimously.

h) The Director presented a letter dated February 12, 2010, from Chief Flynn, wherein he requests that an examination be conducted for the newly created rank of Police Lieutenant. Michael Crivello, President of the Milwaukee Police Association (MPA), stated the opinion of the MPA is that an equal opportunity is maintained between the ranks of Detective and Sergeant and both of the eligible lists should be exhausted before creation of a new list. The Director stated there have been no decisions made regarding the two existing eligible lists. The Chair referred the request to the Department of Employee Relations for implementation.

i) The Director presented a report regarding the Safety Division Transition Plan. The Safety Division was eliminated as part of the 2010 budget, and transitioned into the Community Services Division. The report details what happened to its responsibilities and personnel. Commissioner Stark moved approval of the report, seconded by Commissioner Morgan. The motion carried unanimously.

5. PUBLIC COMMENT:

Scott Charles, representing the Milwaukee Police Supervisor's Organization (MPSO), stated the MPSO has a vested interest and desire to work with the Board, the City government, and the Milwaukee Police Department. The MPSO's primary concern is the promotional path leading to the rank of Police Lieutenant. The MPSO will not be supportive of any promotion made through a rank other than Police Sergeant. He acknowledged the Milwaukee Police Association's concern that Detective would be a dead-end rank, and responded it would not be a dead end, just a shift. Allowing the Detectives to bypass Sergeants who have years of supervisory experience is not prudent. Mr. Charles clarified that this is the official position of the MPSO.

6. POLICE DEPARTMENT

f) Returning to the item laid over earlier in the meeting, the Director presented a letter dated February 9, 2010, from Chief Flynn, wherein he presents a request for reappointment to the position of Police Officer from Melissa Ramskugler. The Director stated for the record that the correspondence the Commissioners received contained the following: a letter from Chief Flynn dated February 9, 2010 giving the reasons for recommending the denial of Ms. Ramskugler's reappointment; a letter dated June 11, 2009 from Chief Flynn detailing Ms. Ramskugler's history with the Department; a letter dated December 17, 2009 from Gina Buono, M.D., of the Lakeshore Medical Clinic, who is an independent medical examiner; a letter dated December 4, 2009 from Administrative Lieutenant Mercedes Cowan of the Medical Section to Dr. Buono with certain interrogatories that were answered by Dr. Buono with respect to the examination; and lastly a letter dated June 29, 2009 addressed to the Board from Ms. Ramskugler requesting reappointment.

Ms. Ramskugler was present and read a prepared written statement dated February 18, 2010, which she submitted to the Board to be made part of the record.

Chief Flynn stated he stands by the record that was presented to him. He assured Ms. Ramskugler that no differential standard of treatment has been applied, he takes into account opinions of competent medical authorities, and acts in the best interest of the Department and the City. He has been advised that Ms. Ramskugler is unable to complete field training, which is a vital part to becoming a Police Officer. He stated the issue is whether or not field training can be completed.

Ms. Ramskugler responded that she gave the City full access to her medical records, and her concern is that they were not used in making this determination. She stated that what the City doctors say is in direct conflict with what her orthopedic surgeon states.

The Chair entertained a motion to convene in closed session in Room 301-B, City Hall, 200 E. Wells Street, pursuant to Section 19.85 (1)(f) Wis. Stats. to consider financial, medical, social or personal histories of specific persons which, if discussed in public, would be likely to have a substantial adverse effect upon the

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reputation of any person referred to in such histories, in order to consider discussion on Ms. Ramskugler's request. The Board will then reconvene in open session in the Room 301-B, City Hall, 200 E. Wells Street, concerning the request following the closed session. Commissioner Stark moved to convene in closed session regarding the request in the Police Department, seconded by Commissioner Morgan. The roll call vote was 5-0, and the Board went into closed session at 5:55 p.m.

The Chair reconvened the Board in open session at 6:03 p.m., and Commissioner Stark moved to deny the reappointment request, seconded by Commissioner Morgan. The motion carried unanimously.

7. ADJOURNMENT:

Commissioner Morgan moved to adjourn the meeting, seconded by Commissioner Lor. The motion carried unanimously.

The meeting concluded at 6:05 P.M.

Respectfully submitted,



Michael G. Tobin
Executive Director

MGT:mk