

February 21, 2013

A Regular Meeting of the Board of Fire and Police Commissioners was held on the above date, commencing at 5:36 P.M.

PRESENT: Commissioners: Sarah W. Morgan, Chair
Kathryn A. Hein
Richard C. Cox
Michael M. O'Hear

ABSENT: Commissioner: Paoi X. Lor (Excused)

ALSO PRESENT: Mark Rohlfing, Chief, Milwaukee Fire Department; and Edward Flynn, Chief, Milwaukee Police Department.

The Chair reconvened the Board in Regular Session, having previously met in Executive Session from 3:30 p.m. to 5:28 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: performance evaluation of candidates for promotion to Assistant Chief of Police and Inspector of Police.

The Director presented for adoption minutes of the Regular Meeting of February 7, 2013. Commissioner Cox moved approval of the minutes as presented, seconded by Commissioner O'Hear. The motion carried unanimously.

1. UNFINISHED BUSINESS:

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

TO ASSISTANT CHIEF OF POLICE, from Inspector of Police, contingent upon successful completion of a drug screening, effective March 3, 2013:

EDITH L. HUDSON and KURT R. LEIBOLD.

TO INSPECTOR OF POLICE, from Deputy Inspector of Police, contingent upon successful completion of a drug screening, effective March 3, 2013:

MARY K. HOERIG and WILLIAM R. JESSUP.

2. COMMITTEE REPORTS:

a) Commissioner Hein presented the report of the Committee on Testing and Recruiting. According to Commissioner Hein, both she and the Chair were in attendance at the meeting on February 13, 2013. The Committee received an update on various application processes and issues associated with them:

Fire Cadet

- 735 applications received.
- 201 applicants passed the written test (held in January), a pass rate of 84% for individuals who took the test.
- Oral examination is the next step in the process.
- Of those applicants still left in the process, 41% are female and 64% are diversity candidates.
- Projected class start date: 26 candidates will begin in July, 2013; Chief Rohlfing said the class would actually start in September due to funding.

Police Aide

- 600 applications received.
- 263 applicants took the written exam; 158 applicants passed the written test, a pass rate of 67% for individuals who took the test.
- Of those applicants still left in the process, 70% are diversity candidates.
- Projected class start date: 10 candidates will begin in July, 2013.

Police Telecommunicator (Regular and Seasonal)

- 644 applications received.
- 224 applicants took the typing test with a pass rate of 60% for individuals who took the test.
- 140 applicants were invited to take the written test.
- Eligible list will be established by April, 2013.

Fire Department Heavy Equipment Operator

- 25 individuals on the current eligible list.
- No test will be administered this year.

Firefighter

- 35 positions are budgeted for 2013.
- Eligible list expires in April, 2013.
- No timeline yet for class.

Police Officer

- 20 positions are budgeted for 2013.
- Eligible list expires in 2014.

Commissioner Cox moved to accept the report; seconded by Commissioner O'Hear. The motion carried unanimously.

3. FIRE DEPARTMENT:

a) The Director presented correspondence dated February 7, 2013, from Chief Rohlfing, wherein he requests that the probationary period of Firefighter Kenneth Veriga be extended for nine (9) 24-hour work shifts, until March 26, 2013, due to an on-duty injury. Commissioner Cox moved approval of the request, seconded by Commissioner Hein. The motion carried unanimously.

b) The Director presented correspondence dated February 14, 2013, from Chief Rohlfing, wherein he notifies the Board that Battalion Chief James Ley, who has been performing homeland security preparedness duties while assigned to the Administration Division, will be transferring back to firefighting duties effective March 17, 2013, due to the expiration of the Urban Area Security Initiatives (UASI) grant.

c) The Director presented a communication from Chief Rohlfing regarding Emergency Medical Service (EMS) Billing and Collection Services. Chief Rohlfing began his comments by discussing a letter sent by the Milwaukee Fire Department (MFD) to the Public Safety Committee detailing MFD's efforts at collecting past due accounts related to EMS.

According to Chief Rohlfing, MFD began research into the collections of unpaid medical bills in 2011. Then, MFD compiled a list of requirements and submitted its draft of a Request for Proposal (RFP) for Medical Collections to City Purchasing in January, 2012. Under the guidance of City Purchasing, an evaluation team comprised of members from the City Attorney's office, the Comptroller's office, the Budget office, and MFD completed a thorough and detailed process to contract with Harris & Harris Collections. To complete the process, Chief Rohlfing said several legal documents had to be written; i.e., two business agreements with

Harris & Harris Collections and MFD's billing company, ADPI Intermedics, a write-off policy, and a standard operating procedure relating to the transfer of patient accounts from billing to collections. MFD's goal is to have the process fully functional in March. The first step in the process will be a letter that is being sent to customers advising them in advance of the collections process, providing them with a customer service number, and letting them know payment options before the account is turned over to collection. Customers will have options to pay the bill in full, set up a payment plan, or apply for a hardship exemption. To apply for a hardship exemption, the individual must complete an application form and, if the criteria are met, the bill will be written off. Finally, if an individual is deceased, MFD will accept payment from the estate. Chief Rohlfing said MFD hopes to increase revenue by approximately \$300,000 to \$500,000 per year through the collections effort as well as the Tax Intercept Program (TIP).

Commissioner O'Hear asked Chief Rohlfing what TIP is. Chief Rohlfing said TIP allows creditors, such as MFD, to intercept funds from State tax refunds. Commissioner O'Hear asked several more questions regarding how many urban fire departments pursue collections, the number of people who will receive letters, the financial criteria for write-offs, and the extent to which the collection agency will pursue funds from a deceased individual. Chief Rohlfing responded that it is very common for urban fire departments to pursue collections. MFD expects to send out 10,000 letters regarding past due accounts because they intend to pursue collections as far back as the statute of limitations will allow. Chief Rohlfing said he could not present the financial criteria at this time, but would forward it to Commissioner O'Hear. Finally, Chief Rohlfing said they would pursue standard collection from a deceased individual's estate, but would not pursue the family if the estate is depleted.

The Director asked if, given the number of letters being sent out, MFD will provide an information fact sheet to the Fire and Police Commission (FPC). Chief Rohlfing said MFD would provide a fact sheet for FPC and council members. The Chair asked if the fact sheet would include the boundaries for the financial hardship. Chief Rohlfing said it would be included in the fact sheet.

Commissioner O'Hear asked what people are told at the time of service regarding their financial responsibility. Chief Rohlfing said he does not believe citizens are notified when MFD arrives on scene that they will be billed for services, although it has been publicized through the media that MFD has charged for Advanced Life Support (ALS) treatments and transports to hospitals since 2006. According to Chief Rohlfing, it may be difficult to provide customers with exact information regarding financial responsibility because Medicare and Medicaid have mandatory write-offs which MFD cannot bill beyond and insurance companies pay different amounts as well. Commissioner O'Hear indicated this was an issue of fairness and he supposed that many people may be under the impression this is a public service and covered through taxes. Chief Rohlfing said he believed that individuals who have never used this service before may be surprised, but regular users are aware. Commissioner O'Hear asked that a standard notice be provided to customers at the point of service. Chief Rohlfing responded that ALS patients typically have no choice whether or not to be transported due to the nature of their injuries and Basic Life Support (BLS) patients are typically not transported by MFD. BLS patients do have the choice to request a private ambulance or be transported by a friend or family member. Although, Chief Rohlfing noted, most individuals who call for an ambulance have no other way to get to the hospital.

Commissioner Hein asked questions regarding the number of accounts that will be reviewed. Chief Rohlfing said he believes approximately 37,000 or 38,000 accounts are being reviewed and he does not know how many bills will be sent out by ADPI before the account is turned over to collections.

The Chair asked why this is only related to ALS service and not BLS service as well. Chief Rohlfing said MFD only charges for ALS and he assumes private ambulance services have been doing collections regarding BLS services for quite some time.

4. POLICE DEPARTMENT:

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

TO POLICE LIEUTENANT, from eligible list established January 17, 2013, contingent upon successful completion of a drug screening, effective February 24, 2013:

#1 – JUSTIN CARLONI; #2 – RICHARD STEIN; #3 – PAUL FORMOLO; #4 – SEAN HANLEY; #5 – CATHLEEN WICHMANN; #6 – CHRISTOPHER BLASZAK; #7 – M'JOHNO FOSTER; #8 – DENNIS TRZCINSKI; #9 – WARREN ALLEN; #10 – PAUL LOUGH; #11 – THOMAS CASPER; #12 – TIMOTHY LEITZKE; #13 – SHANNON SEYMER-TABASKA; #14 – CRAIG HENRY; #15 – DAVID CHAVEZ; #16 – SHAUN DOYNE; #17 – JOSEPH MCLIN; #18 – STEVEN CABALLERO; #19 – JOSEPH SEITZ; and #20 – STEVEN KELLY*.

*Promoted on a waiver basis.

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

TO HUMAN RESOURCES ANALYST – SENIOR, transferring from the Department of Employee Relations, contingent upon successful completion of a background investigation, medical examination, and drug screening, effective March 4, 2013:

KATRINA WHITTLEY.

TO HELP DESK SPECIALIST II, from eligible list established May 3, 2012, contingent upon successful completion of medical and drug screening, effective March 4, 2013:

#13 – HOWARD HOPGOOD.

TO POLICE SERVICES SPECIALIST – INVESTIGATOR (FULL-TIME), contingent upon successful completion of background, medical, and drug screening, effective March 4, 2013:

CHESTER R. ULICKEY.

5. PUBLIC COMMENT:

Chris Ahmuty, Executive Director of the American Civil Liberties Union of Wisconsin, read a prepared statement regarding Governor Scott Walker's proposal to eliminate Milwaukee's residency requirement for municipal employees, including members of the Fire and Police Departments. Mr. Ahmuty expressed the ACLU's position that residency requirements for municipal employment violate civil liberties, unless the requirement is supported by a compelling government interest directly related to employment. To that end, Mr. Ahmuty expressed the need for public safety employees to live and work in the communities they serve. Police officers who live in the city they serve have a stake in the city and its schools; they also have more opportunities to understand city residents even if they live in different neighborhoods. In addition, residency requirements advance diversity in the ranks and help ensure employment opportunities for persons best acquainted with the city they serve. Mr. Ahmuty said while the police department is fairly diverse, future diversity is not secure given the makeup of recent classes of recruits. Further, MFD needs to become more diverse as soon as possible. The ACLU believes, according to Mr. Ahmuty, that if there was a significant exodus of public safety employees from the city, it would only strengthen the perception many residents hold that police officers and firefighters are not part of the community and may be racially biased. The ACLU urges the FPC to oppose the Governor's proposal and to find ways to encourage officers to live in the city.

Michael Crivello, President of the Milwaukee Police Association, congratulated the Assistant Chiefs, Inspectors, and Police Lieutenants promoted at tonight's meeting. Mr. Crivello said approximately half of those individuals promoted to Lieutenant come from the Detective rank and the Detective rank has been depleted over the last six (6) years. There is an authorized strength of 250 detectives, but there are only 170 individuals who currently hold that rank. This degrades the department's ability to fully investigate crimes and puts a great burden on uniformed officers. Mr. Crivello said this needs immediate attention. He referenced a Finance and Personnel meeting in November, 2012 wherein the Finance and Personnel Chair made it clear to the Director that something needed to be done about this soon. Mr. Crivello said he recalled the Director indicating it would move forward in March, 2013. To date, Mr. Crivello has not heard anything regarding this.

Marty Wall, resident, expressed his concern regarding the disorder with regard to traffic in the City of Milwaukee, especially the north side. As a public utility worker, Mr. Wall has been working on the streets of Milwaukee for approximately 25 years and has seen the traffic situation deteriorate. Poor drivers pass on the right, use bike lanes as an additional passing lane, and interfere with emergency vehicles and funeral processions. If there are 13,000 accidents per year, it translates to 40 major accidents per day with no concerted effort on the part of the police department to address the traffic problem. Mr. Wall fears a bus shelter filled with individuals will be hit by one of these drivers. He also noted that when he drives to work on a Monday morning, he notices damaged hydrants, downed traffic signals, and property and tree damage all because of traffic accidents. Mr. Wall said he would rather resources be spent on traffic control than police focusing resources on meaningless drug busts. Commissioner Cox asked Mr. Wall to look at the Police Department Annual Report (<http://city.milwaukee.gov/Police/AnnualReports20763.htm>) so he can see that traffic stops have increased dramatically over the last several years. He said it is not as though resources are not being directed in this area, but he does agree with Mr. Wall that he has witnessed poor driving as well. Mr. Wall responded that he has seen the report and he feels it has become a boiler plate response and the stops are not working. Mr. Wall said that while MPD has been making more stops during the last four (4) years, they are letting the drivers go and these efforts are not working.

6. ADJOURNMENT:

Commissioner O'Hear moved to adjourn the meeting, seconded by Commissioner Cox. The motion carried unanimously.

The meeting concluded at 6:08 P.M.

Respectfully submitted,



Michael G. Tobin
Executive Director

MGT:kj