

April 6, 2017

A Regular Meeting of the Board of Fire and Police Commissioners was held on the above date, commencing at 5:39 P.M.

PRESENT: Commissioners: Steven M. DeVougas (Chair)
Kathryn Hein
Ann Wilson
Fred Crouther

ABSENT: Commissioners: Marisabel Cabrera
Angela McKenzie
Nelson Soler

ALSO PRESENT: Gerard Washington, Assistant Chief, representing the Milwaukee Fire Department; and Terrence Gordon, Inspector, representing the Milwaukee Police Department.

The Chair reconvened the Board in Regular Session, having previously met in Executive Session from 4:20 p.m. to 5:35 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: evaluate nominees for promotion to Detective, Police Sergeant, Police Lieutenant, and Battalion Chief, Fire; and also pursuant to Section 19.85 (1)(f) Wis. Stats. to consider financial, medical, social or personal histories or disciplinary data of specific persons, preliminary consideration of specific personnel problems or the investigation of charges against specific persons 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 or data, or involved in such problems or investigations, to wit: consider Fire and Police personnel requests for temporary residency exemptions.

The meeting was staffed by Executive Director MaryNell Regan. The Chair opened the meeting with Public Comment.

1. PUBLIC COMMENT:

Ms. Mary Watkins expressed her continued opposition to the proposed changes to MPD Standard Operating Procedure 220 – Arrest Authority and requested an update. She also called for more information to be released on the death of Jerome Claybrooks and stated the family believes his neck was broken from the Pitt maneuver. Ms. Watkins urged people to vigorously oppose Assembly Bill 48, the "Blue Lives Matter" bill introduced by Representative David Steffon, which extends hate crime protections for law enforcement officers. She believes that individuals who harm law enforcement officers already receive stiffer penalties and that officers do not need an additional layer of protection.

2. CONSENT AGENDA:

The Director presented the following items for approval on the consent agenda. (Detailed information concerning the items can be found under the appropriate regular meeting agenda heading in the minutes.)

- A. Regular Meeting Minutes – March 16, 2017
- B. Promotions:
 - 1. Emergency Communications Operator II
 - 2. Police Records Specialist III
 - 3. Police Records Specialist II (4 positions)
 - 4. Office Assistant III (Police Department)
- C. Appointments:
 - 1. Office Assistant I (3 positions) (Police Department)
 - 2. School Crossing Guard (5 positions)

- D. Correspondence regarding Termination of Probationary Office Assistant I
- E. Request for Communications Facilities Coordinator Examination

There being no objections, all of the items were approved for adoption.

3. UNFINISHED BUSINESS:

a) The Director returned to the Board an objection from Chief Flynn to promote Police Officer Adrian M. Harris to the rank of Detective. Officer Harris is No.35 on the Detective eligible list dated December 17, 2015. The Chair laid the matter over to the next meeting.

b) The Director returned to the Board a request to amend FPC Rule VIII, Examinations, first paragraph of Section 6 and Section 6(a) as follows: "Applicants who obtain a final passing score on any entry-level examination, and who meet one or more of the following criteria, shall be entitled to additional points, not to exceed an aggregate of ten (10) points total ~~(except in the case of disabled veterans receiving 15 points and disabled veterans with disabilities of at least 30% receiving 20 points), to be added to the final passing score of the applicant, as follows:~~ (a) "Additional points shall be awarded for ~~military service or related military disability as defined within Section 230.16(7) Wis. Stats., applicable to examinations for all entry-level positions. Award of these additional points shall be in conformity with state law.~~ Qualified veterans shall receive 3 military preference points added to the final passing score; a DD-214 is required as proof of service. Persons not yet released from active duty may present individual orders or a letter from their commanding officer attesting to honorable service and the dates thereof in lieu of the DD-214." The Chair asked for a motion and Commissioner Hein moved to approve the changes, seconded by Commissioner Crouther. The motion carried unanimously.

4. NEW BUSINESS:

a) The Director presented a temporary hardship residency extension request from Police Officer Chance Bamba to reside outside of the 15-mile jurisdictional boundary for emergency personnel until October 31, 2017. The Board previously met with Officer Bamba in Executive Session and at that time he requested an exemption for a year. The Director recommended approval of the hardship request for a year, subject to an annual review. Commissioner Hein moved approval of the Director's recommendation and was seconded by Commissioner Crouther. The motion carried unanimously.

b) The Director presented a temporary residency extension request from Heavy Equipment Operator Brett Biesboer to receive more time to find a home near where his son resides and which is also within the 15-mile jurisdictional boundary for emergency personnel. He has been actively working with a realtor and has made five offers since January 2017, none of which have been accepted. The Director recommended granting a temporary extension for good cause until August 1, 2017. Commissioner Crouther moved approval of granting an extension until August 1, 2017, seconded by Commissioner Hein. The motion carried unanimously.

c) The Director presented a temporary hardship residency extension request from Detective Thomas Guthrie. The Board previously met with Detective Guthrie during Executive Session to discuss his request and circumstances. The Director explained that under the Charter Ordinance the Board is unable to grant a hardship exemption for his situation, nor is it permitted to grant an extension longer than six months. Therefore, she recommends granting a temporary extension for good cause until October 1, 2017. Commissioner Crouther moved approval of the Director's recommendation, seconded by Commissioner Hein. The motion carried unanimously.

d) The Director presented a temporary residency extension request from Probationary Firefighter Jamie Morgan to receive more time to move within the 15-mile jurisdictional boundary for emergency personnel. His current lease expires on July 15, 2017. The Director recommended granting a temporary

extension for good cause until August 1, 2017. Commissioner Crouther moved approval of the Director's recommendation, seconded by Commissioner Hein. The motion carried unanimously.

e) The Director presented a temporary residency extension request from Police Officer Joseph Spingola, Jr. to reside outside of the 15-mile jurisdictional boundary for emergency personnel until the construction of his house is completed in May 2017. The Director recommended granting a temporary extension for good cause until July 1, 2017. Commissioner Wilson moved approval of granting the extension until July 1, 2017, seconded by Commissioner Hein. The motion carried unanimously.

f) The Director presented a temporary hardship residency exemption request from Police Officer Robert Toeller to reside outside of the 15-mile jurisdictional boundary for emergency personnel, based upon the medical condition and needs of his two youngest children. The Director recommended granting a temporary hardship exemption on an annual basis to be reviewed each year hereafter. Commissioner Crouther moved approval of the Director's recommendation, seconded by Commissioner Hein. The motion carried unanimously.

g) The Director presented a temporary residency extension request from Heavy Equipment Operator Michael Volz to receive more time to sell his residence in New Holstein and move within the 15-mile jurisdictional boundary for emergency personnel. The Director recommended granting a temporary extension for good cause until August 1, 2017. Commissioner Wilson moved approval of the Director's recommendation, seconded by Commissioner Crouther. The motion carried unanimously.

5. FIRE DEPARTMENT:

a) The Director presented three letters dated March 29, 2017, from Chief Mark Rohlfing, wherein he nominates Fire Captains James A. Hardy, Andrew P. Timm, and Todd J. Van Roo to the exempt position of Battalion Chief, Fire. Pursuant to Rules of the Board, final action on the nominations was laid over to the next meeting to permit all of the nominees to be interviewed.

6. POLICE DEPARTMENT:

a) The Director presented five letters dated March 21, 2017, from Chief Edward Flynn, wherein he nominates Police Lieutenants Kristin M. Riestra, Paul J. Formolo, Alexander Ramirez, Jeffrey B. Norman, and William R. Beauchene to the position of Captain of Police. Pursuant to Rules of the Board, final action on the nominations was laid over to the next meeting and the May 4, 2017 meeting, to permit all of the nominees to be interviewed.

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

TO POLICE LIEUTENANT, on a waiver basis, from eligible list established July 16, 2015, contingent upon successful completion of a drug screening, effective April 23, 2017:

#28 – CHRISTOPHER R. SCHROEDER.

TO POLICE SERGEANT, on a waiver basis, from eligible list established May 5, 2016, contingent upon successful completion of a drug screening, effective April 23, 2017:

#17 – MATTHEW M. GADZALINSKI*; #20 – AMY M. BARTOL and #21 – MARCIN S. PAGACZ.

*Retroactive to March 26, 2017

c) The following promotions, as presented by Chief Flynn, were received and approved by the Board under the Consent Agenda, Items B 1-4:

TO EMERGENCY COMMUNICATIONS OPERATOR II, from Emergency Communications Operator I, effective April 23, 2017:

CAROLINE R. STRICKLIN.

TO POLICE RECORDS SPECIALIST III, from Police Records Specialist II, pursuant to the reclassification of the position approved at the July 10, 2014 Regular Meeting of the Board, retroactive to March 12, 2017:

TAMMY R. SCHOENECKER.

TO POLICE RECORDS SPECIALIST II, from Police Records Specialist I, pursuant to the reclassification of the position approved at the July 10, 2014 Regular Meeting of the Board, with the following retroactive effective dates:

VERNITA ROBINSON-MADDOX (1/29/17); ANTHONY F. RUPERT (2/26/17); NATALIE C. POLICHT (1/01/17); and JANET E. ADAME (2/28/16).

TO OFFICE ASSISTANT III, from Office Assistant II, effective April 23, 2017:

RACHEL LAMBOY.

d) The following appointment, as presented by Chief Flynn, was approved by the Board:

TO HUMAN RESOURCES ADMINISTRATOR, from eligible list adopted March 2, 2017, contingent upon successful completion of a medical exam, drug screening and background investigation, effective April 9, 2017:

#1 – ARVIS WILLIAMS.

e) The following appointments, as presented by Chief Flynn, were approved by the Board under the Consent Agenda, Items C 1-2:

TO OFFICE ASSISTANT I, from Department of Employee Relations (DER) eligible list, contingent upon successful completion of a medical exam and drug screening, effective April 10, 2017:

ORIE L. BORGES; KELLY J. CARR; and PHILICIA K. MCHENRY.

TO SCHOOL CROSSING GUARD, with the following retroactive effective dates:

JAMES S. BYRD (3/07/17); SIMON C. MCCANTS (2/03/17); RICHARD J. RANDALL (2/07/17); KEITH E. SIKORA (3/01/17) and ELLEN WALKER (2/07/17).

f) The following communications, as presented by the Director, were previously received by the Board under the Consent Agenda, Items D & E:

A letter dated March 22, 2017, from Chief Flynn, wherein he notifies the Board of the termination of Probationary Office Assistant I Johanna Linton, effective March 21, 2017, pursuant to Code of Conduct Core Value 1.00 – Competence, referencing Guiding Principle 1.01.

A letter dated March 23, 2017, from Chief Flynn, requesting that DER conduct a recruitment and examination to establish an eligible list for the position of Communications Facilities Coordinator, as soon as administratively possible.

g) The Director presented a communication dated March 20, 2017, from Chief Flynn, wherein he presents a request for reappointment to the position of Communications Systems Manager from John M. Mesich. The Chief does not recommend his reappointment to Communication Systems Manager, but encourages him to apply for any open positions related to his qualifications. Commissioner Hein moved to deny the request for reappointment, seconded by Commissioner Crouther. The motion carried unanimously.

7. ADJOURNMENT:

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

The meeting concluded at 5:57 P.M.

Respectfully submitted,



MaryNell Regan
Executive Director

MNR:JCS:js