

June 18, 2009

A Regular Meeting of the Board of Fire and Police Commissioners was held on the above date, commencing at 5:47 P.M.

PRESENT: Commissioners: Richard C. Cox, Chair
Ernesto A. Baca
Kathryn A. Hein
Paoi X. Lor
Sarah W. Morgan

ABSENT: Commissioner: Carolina M. Stark (Excused)

ALSO PRESENT: Douglas Holton, Chief, 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 5:13 p.m. to 5:40 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 of Fire Captain to Battalion Chief, Fire and a request to participate in Police Sergeant promotional examination.

The Chair congratulated Mary McDougall, Fire Personnel Officer, on her retirement after 33 years of service with the Milwaukee Fire Department.

The Director made an announcement regarding the disciplinary appeal of Sergeant Bradley Dall. The panel voted 3-0 to sustain the charges against Sgt. Dall and voted 2-1 to modify the discipline from a 30 day suspension to a demotion in rank to Police Officer.

The Director presented for adoption minutes of the Regular Meeting of June 4, 2009. Commissioner Hein moved approval of the minutes as presented, seconded by Commissioner Lor. The motion carried unanimously.

1. UNFINISHED BUSINESS:

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

TO DEPUTY CHIEF, FIRE, from Battalion Chief, effective June 28, 2009:

MICHAEL T. ROMAS.

TO BATTALION CHIEF, FIRE, from Fire Captain, effective June 28, 2009:

JEFFREY A. FRIEDRICH.

2. NEW BUSINESS:

a) The Director presented a request from staff to modify Fire and Police Commission Rule III, Section 2 regarding the required quorum to conduct business. The Director also presented a request to modify the Fire and Police Commission Rules XV, XVI, and XVII regarding the procedures for citizen complaints, disciplines,

and trials. The Director stated that the Policies and Standards Committee would meet and there would be a public hearing on the rule changes. He noted that the proposed rule changes will be available on the FPC website. The Chair directed that the requests be laid over until the next meeting of the Policies and Standards Committee, and announced that Commissioner Morgan will join Commissioner Hein on the Policies and Standards Committee.

b) The Director presented an Informational Memorandum regarding the 60 college credit requirement for Police Department members. It states that a new position of Career Development Coordinator was created and filled by Sgt. Michael Schmitz to help monitor personnel and their progress toward the required 60 college credits within five years of appointment to the Police Department.

c) The Director presented the 2009 Milwaukee Police Department (MPD) Overtime Status Report. MPD has reduced its operations and maintenance overtime budget by 32% since 2007 and 39% since 2008. So far this year the department has expended \$3.7 million of overtime, a decrease of \$2.4 million from the same period in 2008. The Director credited Chief Flynn for implementing overtime controls, while still providing adequate police services to the city.

Assistant Chief Ray stated that Chief Flynn has taken a number of steps to see that overtime is monitored and used properly. She also stated that the Assistant Chiefs meet with the Acting Chief of Staff every pay period to look at overtime expenditures.

3. EXAMINATIONS:

a) The Director presented a request from Tim Keeley, Human Resource Representative from the Department of Employee Relations, to amend the current Firefighter eligible List. The amendment consisted of five names that would be added because the candidates returned from their military duty in accordance with the Uniformed Services Employment and Reemployment Act. Commissioner Baca moved approval of the request to amend the current Firefighter eligible list, seconded by Commissioner Lor. The motion carried unanimously.

b) The Director presented a request from Police Officer Devennette Prince to participate in the upcoming Police Sergeant promotional examination. Officer Prince's application was denied by Cassandra Scherer from the Department of Employee Relations due to the length of time of the break in service in the last five years. The break in service was due to disciplinary suspensions. The Board had met with Officer Prince in Executive Session just prior to reconvening in regular session.

Officer Prince then stated she brought letters from her peers and supervisors supporting her. Kerry Flowers, President of the League of Martin, spoke in support of Officer Prince's request. He stated that the Board of the League of Martin also supports Officer Prince. He noted she has developed herself academically and has a strong commitment to the residents of Milwaukee. He noted that previously the Board ruled in favor of an exception based on the value of the person to the department.

The Chair clarified that the Board's previous action for an exception was due to a break in service for educational purposes, not a break in service due to disciplinary purposes. Commissioner Hein moved to deny the request to participate in the upcoming Police Sergeant promotional examination, seconded by Commissioner Morgan. The motion carried unanimously.

4. FIRE DEPARTMENT:

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

TO FIRE CAPTAIN, on a waiver basis, from eligible list established February 19, 2009, effective June 28, 2009:

#3 – DANIEL J. NIKOLAUS.

TO FIRE LIEUTENANT, on a waiver basis, from eligible list established December 6, 2007, effective June 28, 2009:

#29 – JOHN P. WETZEL and #30 – CHARLES J. ZIELKE.

TO NETWORK COORDINATOR-SENIOR, a reclassification from Fire Dispatcher Supervisor, effective December 28, 2008 (per CC File No. 090055):

GARY S. HOGUE.

b) The Director presented two letters dated June 10, 2009, from Chief Holton, wherein he notifies the Board that he has granted Firefighter Craig C. Weiss an unpaid Medical Leave of Absence, effective June 24, 2009, and Firefighter Stephen K. Schultz has returned from an unpaid Military Leave of Absence, effective June 1, 2009.

5. POLICE DEPARTMENT:

a) The Director presented a letter dated June 5, 2009, from Chief Edward Flynn, wherein he nominates Lieutenant of Police Gary J. Gacek to the position of Captain of Police, to be effective July 26, 2009. 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 FORENSIC VIDEO EXAMINER, from Identification Technician, from eligible list established March 19, 2009, contingent upon successful completion of a drug screening, effective June 28, 2009:

#2 – ROBBIE LLOYD.

TO OFFICE ASSISTANT II, from Office Assistant I, effective June 28, 2009:

KATHLEEN M. HORWATH.

TO POLICE DISTRICT OFFICE ASSISTANT, from Office Assistant I, effective June 28, 2009:

KAREN A. BENDER.

c) The Director presented a letter dated June 8, 2009, from Chief Flynn, wherein he nominates Deborah E. Lewis to the exempt position of Police Information Systems Director, to be effective July 27, 2009. Pursuant to Rules of the Board, final action on this nomination was laid over to permit the nominee to be interviewed.

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

TO CUSTODIAL WORKER II, from a Department of Employee Relations reinstatement/transfer list, contingent upon successful completion of a medical examination and drug screening, effective June 29, 2009:

ANDREW J. PUECHNER.

TO SCHOOL CROSSING GUARD (REGULAR), effective May 27, 2009:

JOANNE WILLIS.

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

DANNY A. HARO (5/13/09) and BRIAN A. RAY (5/20/09).

e) The Director presented a letter dated June 3, 2009, from Chief Flynn, wherein he notifies the Board that Probationary Recruit Police Officer Shawn M. Shambeau has been terminated for violation of Department Rules and Regulations under Personnel Order 2009-86 dated June 3, 2009.

6. PUBLIC COMMENT:

John Balcerzak, President of the Milwaukee Police Association (MPA), notified the Board that the MPA has filed two lawsuits regarding the furloughs and pay step freezes and their relationship to the current contracts.

The Chair announced that the meeting dates for the month of July will be July 16th and 30th.

7. ADJOURNMENT:

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

The meeting concluded at 6:09 P.M.

Respectfully submitted,



Michael G. Tobin
Executive Director

MGT:mk