

December 3, 2009

A Regular Meeting of the Board of Fire and Police Commissioners was held on the above date, commencing at 5:35 P.M.

PRESENT: Commissioners: Richard C. Cox, Chair  
Carolina M. Stark  
Ernesto A. Baca  
Kathryn A. Hein  
Sarah W. Morgan

ABSENT: Commissioner: Paoi X. Lor

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 November 19, 2009. The Director noted that at the last meeting former Fire Chief Douglas Holton was commended for his service to the Department, Assistant Chief Michael Jones was appointed to Acting Chief, Deputy Chief Debra Weber was appointed to Acting Assistant Chief, and the Wills for Heroes program was presented with the pilot program starting on Saturday. Commissioner Hein moved approval of the minutes as presented, seconded by Commissioner Morgan. The motion carried 4-1, with Commissioner Stark abstaining.

1. UNFINISHED BUSINESS:

a) The Director returned to the Board a request from Chief Flynn to rescind Milwaukee Police Department Rules 3 and 8 and establish Standard Operating Procedures 005 – Responsibility of Command and 015 – Membership in Authorized Organizations. The changes remove Rules 3 and 8 and turn them verbatim into a standard operating procedure. The Rules in question are more applicable as procedures than rules. The labor unions were notified of the proposed changes and none had any objections. Commissioner Baca moved approval, seconded by Commissioner Hein. The motion carried unanimously.

2. NEW BUSINESS:

a) The Director presented a correspondence dated November 20, 2009 from Mark Nicolini, Budget and Management Director, and Chief Flynn regarding the Milwaukee Police Department (MPD) Overtime Status Report. Year-to-date there has been a \$3.6 million decrease in MPD overtime, which is a 27% decrease in overtime hours compared to 2008. The tax levy supported overtime has decreased over 40% since 2007 and 30% since 2008. The compensatory time has decreased as well.

Chief Flynn stated he is making sure overtime is spent appropriately and some business practices have been changed to decrease overtime. He stated his goal is to spend the remaining funds on appropriate overtime, not on regular police services. Chief Flynn is also working on court overtime with the Chief Judge and the District Attorney's office to cut down on witnesses at preliminary hearings when they are not needed to testify. A study found in one calendar quarter that 83% of people subpoenaed do not testify. The Chair commended Chief Flynn for monitoring overtime and reducing costs to taxpayers.

b) The Director presented information from the Legislative Reference Bureau regarding the approval of a grant for the continuation of the Milwaukee Police Citizen Academy program. The grant will allow the Department to run three more Police Citizen Academy classes within the next year. The program was started in 2002 by an ad hoc Diversity Committee of the Board. Since then the Police Department has expanded the program and will continue with this grant.

### 3. COMMITTEE REPORTS:

a) Commissioner Baca presented a verbal report of the Committee on Testing and Recruiting. The Committee met on December 1<sup>st</sup> and discussed the Police Aide and Police Officer processes. There was a successful open house at the Academy on November 4<sup>th</sup>, and visitors enjoyed the live demonstration of the Physical Ability Test (PAT). A total of 858 people applied for Police Aide, and 685 of those applications were accepted. Those that were rejected were mainly due to age. The Police Aide written test is scheduled for December 4<sup>th</sup> and the PAT practice for December 5<sup>th</sup>. The PAT and run will be given in January. The oral exam and writing sample will be given in February. Background investigations will be done in March with appeal hearings in May. The anticipated class start date is mid-July. A total of 78 names remain on the Police Officer Eligible List, of which 44 have passed the background investigation, 24 have failed and appeals are expected. The anticipated class start date is early June. There are currently over 4,500 applications on file for Police Officer. No other Police Officer class is anticipated for 2010. Chief Flynn's office met with the Department of Employee Relations to discuss the Police Officer testing process. Another meeting is scheduled for January.

The Chair stated the testing process takes 10-12 months to complete and if the Department is anticipating vacancies, they should try and expedite the process. In terms of the budget the Department should look at reclassifying some positions. Chief Flynn stated the Department received the COPS grant to fund a class of 50 police officers for four years but does not anticipate seeing more money in the future.

The Director stated the city-wide automatic calling system was used to remind applicants of the Police Aide exam. The hope is to increase the number of applicants who appear for the exam. Val Williams, Personnel Administrator, Milwaukee Police Department stated the automatic calling system was successful in contacting all but 13 applicants, and those applicants will be contacted by the Department.

### 4. FIRE DEPARTMENT:

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

TO FIRE LIEUTENANT, on a waiver basis, from the Fire Lieutenant, Paramedic, special promotion process, effective December 13, 2009:

DANIEL G. ZIDEK.

The Director stated a Fire Lieutenant Eligible List will come before the Board by the end of the year and asked Chief Jones if there was a reason this promotion could not wait until the regular Fire Lieutenant Eligible List is approved. Chief Jones responded there is a current vacancy for a Fire Lieutenant Paramedic, and Mr. Zidek would only work on a paramedic unit. To promote this person would be more fiscally responsible than to keep filling it with temporary Lieutenants.

The Commissioners asked several questions about the time frame of the next promotion, how much money would actually be saved, how long the position has been vacant, and what the difference between the two promotional processes are.

Chief Jones stated that the people on the Fire Lieutenant Eligible List go into a pool for a relief spot on an engine or truck and would not be eligible to work on a paramedic unit unless they have paramedic training and then only on an overtime basis. This promotion is for a special Lieutenant who would work only on paramedic units, not an engine, on a permanent basis. The Fire Department conducts an internal examination for the special promotion process, and Mr. Zidek's name is the next on the list.

The Director added that if Mr. Zidek is promoted, he must take the next Fire Lieutenant exam and place on the Fire Lieutenant Eligible List in order to maintain his position as a special lieutenant. If he does not

place on the list, he will be removed from his position. The Chair clarified that because of the unique nature of the position, there is a special promotion process for paramedics only, whereas the Fire Lieutenant Eligible List is open to all eligible firefighters.

TO HEAVY EQUIPMENT OPERATOR, on a waiver basis, from eligible list established July 16, 2009, effective December 13, 2009:

#9 – DAVID S. O'CONNELL.

5. POLICE DEPARTMENT:

a) The following promotion, as presented by Assistant Chief Gregory Habeck, was approved by the Board:

TO LIEUTENANT OF POLICE, on a waiver basis, from eligible list established May 15, 2008, contingent upon successful completion of a drug screening, effective December 13, 2009:

#7 – MICHELE D. GRAHAM.

b) The following appointments, as presented by Assistant Chief Gregory Habeck, were approved by the Board:

TO POLICE DISPATCHER, from eligible list established February 19, 2009, contingent upon successful completion of a background investigation, medical examination, and drug screening, effective December 14, 2009:

#20 – VERONICA SANTIAGO; #23 – PAMELA HUFF; and #27 – DENITA L. HARRIS.

c) The Director presented a letter dated November 9, 2009, from Chief Flynn, wherein he notifies the Board that Probationary Police Officer Justin T. Solsvig has been terminated for violation of Department Rules and Regulations under Personnel Order 2009-191 dated November 9, 2009.

d) The Director presented a letter dated November 30, 2009, from Chief Flynn, wherein he presents the proposed Police Department Layoff Plan. The 2010 budget approved by the Common Council eliminated four positions in the Department. One of the positions was the Safety Director which is a Mayoral appointment; the other three positions require a layoff plan be put in place. The employees in these three positions have been offered transfers to other locations in the Department.

Val Williams, Personnel Administrator, Milwaukee Police Department, stated one person will be taking a layoff, one person will be transferring to the same position in a different work location, and she is working with the remaining person to identify a suitable position.

Commissioner Stark moved approval of the Milwaukee Police Department Layoff Plan, seconded by Commissioner Morgan. The motion carried unanimously.

6. PUBLIC COMMENT:

The Chair asked if there was any public comment not related to the Fire Chief search. Hearing none, the Chair turned the gavel over to Commissioner Morgan who is Chair of the Fire Chief Selection Committee to hear public comment regarding qualifications of the next Fire Chief.

The Director announced that the Board will also take comments in writing or via email over the next few weeks regarding qualifications of the next Fire Chief. Applications will be accepted into January and a qualifications brochure will be published.

Al Jansen, Lieutenant, Milwaukee Fire Department, stated there have been no complaints against the Fire Department for the first six months of 2009. The Department is doing a good job externally and it is not due to a Fire Chief, but to the members of the Department who do their job daily. They know their responsibilities, requirements, and expectations of the citizens they serve, which is why there are no external complaints. Lt. Jansen stated over 70% of the Command staff has retired in 2009 and the loss of knowledge and leadership affects the Department. The last Fire Chief served for 18 months and he sent out a memo mentioning uncertain fiscal times. The amount that it cost to search for a Fire Chief who served for that short of a period of time and now to have to spend money to search again is unacceptable. The one quality needed in a Fire Chief is commitment to excellence, the job at hand, the job ahead including diverse hiring. The next Chief needs to have a consistent and committed approach to the citizens of Milwaukee, the command staff, and to the members of the Fire Department.

Doris Wallace, a Milwaukee resident, wants someone who is honest and experienced with firefighting in Milwaukee, who knows the techniques, but also knows the concerns of the community that need to be addressed. The next Fire Chief should continue the commitment to the community, for example Project Save Lives, wants to see Milwaukee prosper, has a stake in Milwaukee, and lives in Milwaukee. The next Fire Chief should be someone who has the ability to work with the union and the community, and is aware of Milwaukee's financial problems.

Alonzo Chapman, Battalion Chief, Milwaukee Fire Department, stated the process does not allow for a Battalion Chief to participate. There are many individuals at the Battalion Chief level who should be given an opportunity to participate in the selection process. If nothing else, it would be good for the morale of those individuals. There is an accredited program called the Executive Development Institute, like the Executive Fire Officer certification program, but it was set up to allow women and people of color to get the training that is necessary to compete for Fire Chief positions. Battalion Chief Chapman feels that opening up the process to people who have participated in the Executive Development Institute would be beneficial to the search and promote diversity.

Ed Schott, Lieutenant, Milwaukee Fire Department, stated the Fire Department needs a non-traditional look at a Fire Chief, for example a Chief Financial Officer of a minor corporation who has developed plans on a shrinking budget to incorporate new and ingenious ways of saving money and not losing 25% of the staffing.

Alex Runner, Staff Assistant for Common Council President Willie Hines, Jr., thanked the Board on behalf of President Hines for its service and for undertaking the search for a new Fire Chief. He stated it is possible to find someone to uplift the entire Fire Department and to transform the members. President Hines has full confidence that the Board will do that.

Commissioner Morgan notified the public that any further comments can be submitted via email, in writing or by phone to the Fire and Police Commission staff.

Commissioner Cox thanked the public who appeared and their interest in a job that is so important to the City of Milwaukee in these challenging times.

7. ADJOURNMENT:

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

The meeting concluded at 6:16 P.M.

Respectfully submitted,



Michael G. Tobin  
Executive Director

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