

January 20, 2011

A Regular Meeting of the Board of Fire and Police Commissioners was held on the above date, commencing at 5:50 P.M.

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

ALSO PRESENT: Mark Rohlfling, 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 3:49 p.m. to 5:45 p.m. pursuant to Section 19.85 (1)(g) Wis. Stats. to confer with a representative of the City Attorney's Office who will render oral or written advice concerning strategy to be adopted by the Board with respect to litigation in which it is or is likely to become involved and 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: Curley v. City of Milwaukee, annual review of Chief of Police Edward Flynn, and employment evaluation of Fire Chief Mark Rohlfling.

The Director presented for adoption minutes of the Regular Meeting of January 6, 2011. He noted at that meeting the second part of the Fire Department reorganization was discussed. Commissioner Hein moved approval of the minutes as presented, seconded by Commissioner Lor. The motion carried unanimously.

1. NEW BUSINESS:

a) The Director presented a letter dated January 7, 2011, from staff, wherein Firefighter John Cooley requests a temporary exemption of the City residency requirement. He currently owns a home in Mequon and has a daughter attending high school there. The Chair asked when his daughter's semester ends. Firefighter Cooley responded that her semester ends in June. Commissioner Morgan asked why the exemption was not requested sooner. Firefighter Cooley responded that he has been working with an agent looking for homes and it has just come down to the wire because he has yet to find a home to purchase. Commissioner Hein asked how long of an extension he is looking for. Firefighter Cooley responded he would like six months if possible. Commissioner Stark asked if he is trying to sell his home. Firefighter Cooley responded that he plans to put it on the market in the spring in the hopes of the market doing better. The Chair asked what his plans would be for his daughter finishing her junior year. Firefighter Cooley responded that he would like his daughter to finish her junior year in Mequon and would drive her to Mequon for school if necessary. The Chair said he is not inclined to disrupt a child's school year. Dave Seeger, President of Local 215, spoke on behalf of Firefighter Cooley's request. He emphasized that Firefighter Cooley was notified four days before the recruit class started that he was in the class and also that he requires the assistance of his parents to care for his children given the unusual schedule of a firefighter. Commissioner Stark asked what his daughter will do for her senior year. Firefighter Cooley responded he has not made plans for that yet. The Chair stated his concern is with his daughter finishing her school year in Mequon and will support an extension that will let her do so. Commissioner Morgan moved approval of the extension request until July 7, 2011, seconded by Commissioner O'Hear. The motion carried 4-2, with Commissioner Lor and Commissioner Stark voting against.

b) The Director presented a classification report dated January 14, 2011, from Maria Monteagudo, Director of Employee Relations, regarding two new positions of Police Services Specialist-Investigator (PSSI), funded under a Homeland Security grant. The application was written for two PSSIs to conduct property threat

assessments in the southeastern Wisconsin, five county Urban Area Security Initiative (UASI) area. Sarah Trotter, Human Resources Representative, was present and spoke regarding the report. She stated the positions would be assigned to the Intelligence Fusion Center of the Criminal Investigation Bureau in Pay Range 465. Commissioner O'Hear moved approval of the report, seconded by Commissioner Morgan. The motion carried unanimously.

2. EXAMINATIONS:

a) The Director presented for approval an examination announcement bulletin for the position of Inventory Control Assistant III in the Fire Department. Fire Personnel Officer Juliet Battle stated that there are no major changes in the bulletin from previous ones other than the title change of Fire Stores Clerk to Inventory Control Assistant. Commissioner Morgan moved approval of the bulletin, seconded by Commissioner Hein. The motion carried unanimously.

3. FIRE DEPARTMENT:

a) The Director presented a letter dated January 18, 2011, from Chief Rohlfing, wherein he nominates Gerard M. Washington to the exempt position of Assistant Fire Chief in the Fire Department, to be effective February 6, 2011. Pursuant to Rules of the Board, final action on this nomination was laid over to permit the nominee to be interviewed.

The Director presented a letter dated January 18, 2011, from Chief Rohlfing, wherein he nominates Ellen T. Spatt to the exempt position of Battalion Chief, Fire in the Fire Department, to be effective February 6, 2011. Pursuant to Rules of the Board, final action on this nomination was laid over to permit the nominee to be interviewed.

The Director presented a letter dated January 18, 2011, from Chief Rohlfing, wherein he nominates Christopher J. Snyder to the exempt position of Battalion Chief, Fire in the Fire Department, to be effective February 6, 2011. Pursuant to Rules of the Board, final action on this nomination was laid over to permit the nominee to be interviewed.

The following promotions, as presented by Chief Rohlfing, were approved by the Board:

TO HEAVY EQUIPMENT OPERATOR, on a waiver basis, from eligible list established September 2, 2010, effective January 23, 2011:

#16 – JERRY L. ALLEN; and #17 – DANIEL C. KURTH.

b) The Director presented a letter dated January 11, 2011, from Chief Rohlfing, wherein he requests that one position of Administrative Captain-EMS be reclassified to Fire Captain. The Chair referred the request to the Department of Employee Relations for study and report.

4. POLICE DEPARTMENT:

a) The Director presented a letter dated January 10, 2011, from Chief Flynn, wherein he nominates Daniel F. Rotar to the exempt position of Police Budget and Administration Manager in the Police Department, to be effective February 6, 2011. Pursuant to Rules of the Board, final action on this nomination was laid over to permit the nominee to be interviewed.

The Director presented a letter dated January 13, 2011, from Chief Flynn, wherein he nominates Charles P. Burki to the exempt position of Police Information Systems Director in the Police Department, to be effective February 28, 2011. Pursuant to Rules of the Board, final action on this nomination was laid over to permit the nominee to be interviewed.

b) The Director presented a letter dated January 13, 2011, from Assistant Chief of Police Edward Liebrecht, wherein he requests that the probation period for Police Officer Bradley Tremblay be extended by six months. Officer Tremblay was present and spoke regarding his probation extension. He has been involved in critical incidents and suffered an on-duty injury. He made a plan with his direct supervisor to monitor his progress during his first probation extension. He feels his direct supervisor did not follow up with the plans they agreed upon. He was advised the issues were corrected, his abilities improved, and he was satisfactory. He spoke with Lt. MacGillis about his concerns regarding the probation extension and Lt. MacGillis feels he was not properly supervised. Officer Tremblay feels he was not advised of the issues that required an extension of probation. Commissioner Stark asked if Chief Flynn has any response to Officer Tremblay's concerns. Chief Flynn stated the probation extension is an attempt to help Officer Tremblay succeed. He also noted that Lt. MacGillis is present. Commissioner Morgan asked what the consequence would be if the probation was not extended. Chief Flynn responded that if he did not successfully complete probation, Officer Tremblay may be in jeopardy and extending his probation is a way to ensure his success. Commissioner Morgan asked Officer Tremblay what he is asking of the Board. Officer Tremblay responded he has concerns about what will happen in the additional six months and the reasons behind the extension request. Commissioner O'Hear asked if Officer Tremblay wanted the Board to reject the extension request or address his concerns regarding probation management. Officer Tremblay responded he wanted to address issues moving forward because he was unaware of issues with his current progress. Chief Flynn stated Officer Tremblay's concerns are not without merit and he is looking at the probation issues between the Academy and Districts and better coordination between the two. Commissioner Morgan asked how Officer Tremblay will be notified of areas in need of improvement. Chief Flynn responded that the concerns are technical shortcomings and supervisory issues and can be fixed. Commissioner Stark thanked Officer Tremblay for being present and addressing his concerns with the Board. Commissioner O'Hear moved approval of the request, seconded by Commissioner Hein. The motion carried unanimously.

c) The Director presented a letter dated January 13, 2011, from Chief Flynn, wherein he notifies the Board that he has approved an educational leave of absence for Police Officer Matthew Curler. The leave will commence January 20, 2011 and expire January 20, 2012.

d) The Director presented a letter dated January 7, 2011, from Chief Flynn, wherein he notifies the Board that Detective Michael G. Garcia has been suspended for 14 working days and discharged for violation of Department Rules per Personnel Order 2011-02 dated January 7, 2011.

5. PUBLIC COMMENT:

David Seeger, President of Local 215, wants the Board to be able to understand the Fire Department and thanked the Commissioners for sitting on the Committee that selected Chief Rohlring. He is also excited and ridiculously tickled by the promotions and progress Chief Rohlring has made for the Fire Department.

6. ADJOURNMENT:

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

The meeting concluded at 6:34 P.M.

Respectfully submitted,



Michael G. Tobin
Executive Director