

June 7, 2012

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  
Kathryn A. Hein  
Sarah W. Morgan  
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 5:06 p.m. to 5:30 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 Battalion Chief, Fire.

The Director presented for adoption minutes of the Regular Meeting of May 17, 2012. Commissioner Morgan moved approval of the minutes as presented, seconded by Commissioner Hein. The motion carried unanimously.

1. UNFINISHED BUSINESS:

a) The following promotion, as presented by Acting Chief Gerard Washington, was approved by the Board:

TO BATTALION CHIEF, FIRE, from Fire Captain, effective June 10, 2012:

DAVID C. VOTSIS.

b and c) The Director returned to the Board a request from the Police Department to classify one new position of Police Fleet Supervisor and two new positions of Building Maintenance Mechanic II. Sarah Trotter, Human Resources Representative, presented the report dated June 7, 2012, from Maria Monteagudo, Director of Employee Relations, recommending that in the Salary Ordinance, under Pay Range 1BX, add the title "Police Fleet Supervisor" and in the Positions Ordinance, under Police Department, Administration Services Decision Unit, Administration Bureau, Facilities Services Section, delete one position of "Assistant Fleet Maintenance Supervisor" and add one position of Police Fleet Supervisor". Commissioner Morgan moved approval of the recommendation for one new position of Police Fleet Supervisor, seconded by Commissioner Hein. The motion carried unanimously. Commissioner Stark moved approval of the recommendation for two new positions of Building Maintenance Mechanic II, seconded by Commissioner Hein. The motion carried unanimously.

d) The Director indicated this item had been removed from the agenda.

e) The Director returned to the Board a request from Police Officer Michael Kuykendall to extend his temporary residency exemption in order to continue to care for his grandmother in her home in Greenfield. Commissioner O'Hear moved to approve another six month extension, seconded by Commissioner Hein. The motion carried unanimously.

2. NEW BUSINESS:

a) The Director presented correspondence dated June 4, 2012, from Police Officer Frank Vrtochnick who requests a temporary exemption of the City residency requirement due to on-duty injuries sustained when he was struck by a hit and run driver on December 25, 2011. Officer Vrtochnick is still recovering from the accident, is unable to live alone, and requests to reside in Sussex with his fiancée during his recovery. Commissioner Morgan moved to approve the temporary residency exemption for six months with a status update to be given at the December 6, 2012 meeting, seconded by Commissioner Stark. The motion carried unanimously.

3. EXAMINATIONS:

a) The Director presented for adoption an eligible list for the position of Police Aide in the Police Department, consisting of 48 names. Commissioner Stark moved approval of the list, seconded by Commissioner O'Hear. The motion carried unanimously.

4. FIRE DEPARTMENT:

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

TO FIRE CAPTAIN, on a waiver basis, from eligible list established February 20, 2011, effective June 10, 2012:

#12 – GLENN A. MISH.

TO FIRE LIEUTENANT, on a waiver basis, from Heavy Equipment Operator, using the Fire Lieutenant, Paramedic special promotion process, effective June 10, 2012:

DENNIS J. KOWALSKI.

b) The Director presented correspondence, dated May 23, 2012, May 29, 2012, and May 30, 2012, from Chief Rohlfing, wherein he notifies the Board that Firefighter Stephen K. Schultz returned from an unpaid military leave of absence which commenced July 16, 2010, effective May 23, 2012; Fire Lieutenant William J. Echevarria was granted an unpaid military leave of absence until further notice, effective May 23, 2012; Firefighter Jason L. Leistiko was granted an unpaid military leave of absence until further notice, effective May 29, 2012; and Firefighter Michael K. Shea was granted an unpaid medical leave of absence ending August 13, 2012, effective May 13, 2012.

5. POLICE DEPARTMENT:

a) The following promotion, as presented by Chief Flynn, was approved by the Board:

TO POLICE DISTRICT OFFICE ASSISTANT, from Office Assistant I, effective June 10, 2012:

KAITLIN L. MATTHIAS.

b) The Director presented correspondence dated May 22, 2012, from Chief Flynn, wherein he notifies the Board that Police Officer Eric D. Wurth has been suspended without pay for thirty (30) days and discharged for violation of Department Rules and Procedures under Personnel Order 2012-83, dated May 22, 2012.

c) The Director presented correspondence dated May 7, 2012, from Chief Flynn, wherein he notifies the Board that probationary Police Officer Danielle Scott was terminated for violation of Department Rules and Procedures under Personnel Order 2012-65, dated May 7, 2012.

d) The Director presented correspondence dated May 15, 2012 and May 22, 2012, from Chief Flynn, wherein he notifies the Board that Police Officer Devlin H. Burriss was issued two (2) District Level Reprimands and was suspended without pay for ten (10) days for violation of Department Rules and Procedures under Personnel Order 2012-67, dated May 15, 2012 and Police Officer Robert Moore, Jr. was issued two (2) District Level Reprimands and was suspended without pay for six (6) days for violation of Department Rules and Procedures under Personnel Order 2012-86, dated May 22, 2012.

e) The Director presented correspondence dated May 22, 2012, from Chief Flynn, wherein he notifies the Board that Court Liaison Officer Joanne M. Sunn was issued two (2) District Level Reprimands and was demoted to the rank of Police Officer for violation of Department Rules and Procedures under Personnel Order 2012-80, dated May 22, 2012.

f) The Director presented correspondence dated May 23, 2012, from Chief Flynn, wherein he notifies the Board that Diane Marek has been granted a one year extension to her leave of absence for the purpose of filling the exempt position of Special Assistant to Comptroller Martin Matson. The leave shall expire June 7, 2013, and may be renewed upon request.

#### 6. PUBLIC COMMENT:

Thomas Klusman, Milwaukee Police Supervisors' Organization (MPSO), spoke regarding the Police Lieutenant promotional process. Mr. Klusman's comments provided background information regarding the issue and suggested that the Board should not acquiesce its statutory authority to the labor negotiator for contract negotiations. In addition, Mr. Klusman asked the Board to assign value to supervisory time in the Lieutenant promotional process so that the FPC does not lose credibility with Sergeants in the Department.

Mike Crivello, Milwaukee Police Association, spoke in response to Mr. Klusman's comments only to remind the Board that there is a contract in place and the issues raised by the MPSO had been discussed with the Chief prior to ratification and acceptance by the Common Council and the Mayor's office.

Chief Flynn responded that he first became aware of these issues when the contract was agreed to.

Chris Ahmuty, Executive Director of the American Civil Liberties Union (ACLU) of Wisconsin, spoke regarding their ongoing request for public records related to allegations of police misconduct in the area of strip searches. Mr. Ahmuty indicated that the Milwaukee Police Department (MPD) has yet to honor the ACLU's request for completed strip search authorization forms because all forms are under investigation. According to Mr. Ahmuty, if the information is unavailable due to a departmental systematic review of the issue then he would like to commend the Chief. If, on the other hand, MPD is keeping forms for no reason then it is a lack of transparency. Mr. Ahmuty requested the Chief let the public know what is happening with the investigation.

Commissioner Stark noted that this would be her last meeting. She thanked the public for allowing her to serve during these past four years, her fellow Commissioners, and the respective departments for the good working relationships they have had. Commissioner Cox thanked her for her service to the Board.

7. ADJOURNMENT:

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

The meeting concluded at 6:04 P.M.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael G. Tobin".

Michael G. Tobin  
Executive Director

MGT:kj