

February 5, 2009

A Regular Meeting of the Board of Fire and Police Commissioners was held on the above date, commencing at 5:40 P.M.

PRESENT: Commissioners: Richard C. Cox, Chair
Carolina M. Stark
Ernesto A. Baca
Kathryn A. Hein
Paoi X. Lor

ABSENT: Commissioner: Ernesto A. Baca (Excused)

ALSO PRESENT: Douglas Holton, Chief, Milwaukee Fire Department; and Edward Flynn, Chief, Milwaukee Police Department.

The Director presented for adoption minutes of the Regular Meeting of January 8, 2009. Commissioner Stark moved approval of the minutes as presented, seconded by Commissioner Hein. The motion carried unanimously. The Director presented for adoption minutes of the Regular Meeting of January 22, 2009. Commissioner Stark moved approval of the minutes as presented, seconded by Commissioner Lor. The motion carried unanimously.

The Director moved the Unfinished Business item to the end of the agenda.

1. COMMITTEE REPORTS:

a) Commissioner Baca presented the report of the Committee on Testing and Recruiting, which had met on January 28, 2009. The Committee received an update on Police Department recruiting efforts. A sub-committee has been formed to look at the Police Aide program in its entirety. The Department of Employee Relations (DER) gave an update on the upcoming Police Officer and Police Aide classes, the draft Police Aide announcement bulletin, and the selection process for Firefighter, which is proceeding on schedule. The Committee held several meetings and received public input regarding the use of the Detective examination for the fluency training study and has decided not to allow its use. An update was received from Labor Relations regarding the Milwaukee Police Supervisors' Organization arbitration ruling and its effect on the promotional process. DER will review it and determine what protocol needs to be put in place to make sure the ruling is complied with. The Committee has started a review of the recruiting and testing functions performed by DER for positions that fall under the jurisdiction of the Board. A report on those functions was received from DER which is available for inspection at the Commission's office. The review will be performed over the next several meetings. The Committee usually meets the Tuesday before the Regular Meeting at 3:30 p.m.

2. EXAMINATIONS:

a) The Director presented for approval an examination announcement bulletin for the position of Police Telecommunicator in the Police Department. Michelle Stein, DER Human Resources Representative, informed the Board that the bulletin will recruit for both regular and seasonal positions. There have been no major changes from previous bulletins. Commissioner Baca moved approval of the bulletin, seconded by Commissioner Hein. The motion carried unanimously.

b) The Director presented for approval an examination announcement bulletin for the position of Police Aide in the Police Department. Ms. Stein informed the Board that the format of the bulletin has changed, and the job description has been updated. Commissioner Baca moved approval of the bulletin, seconded by Commissioner Stark. The motion carried unanimously.

3. FIRE DEPARTMENT:

a) The Director presented a letter dated January 28, 2009, from Chief Holton, wherein he informs the Board of personnel changes that have been made in accordance with the 2009 adopted budget. He also requested that the titles of Information Technology Manager-MFD and Physician, Fire (E) be removed from Fire and Police Commission Rule V, Section 2, as they are no longer in the Positions Ordinance for the department. The request was referred to staff for study and implementation.

b) The Director presented a letter dated January 28, 2009, from Chief Holton, wherein he informs the Board that Firefighter Jan Sanchez successfully completed his probation period on January 21, 2009, which had been extended due to an on-duty injury.

c) The Director presented a letter dated January 28, 2009, from Chief Holton, wherein he notifies the Board that Firefighter Michael A. Jasso has been granted a Military Leave of Absence without pay for an indefinite period of time commencing February 6, 2009.

4. POLICE DEPARTMENT:

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

TO OFFICE ASSISTANT II, from Office Assistant I, effective February 8, 2009:

NICOLE Y. SPENCER.

b) The Director presented a letter dated January 22, 2009, from Chief Edward Flynn, wherein he requests that the newly created civilian position of Finance and Planning Manager be classified as an exempt position under Commission Rule V, Section 4. The letter contained a second request to exempt the position of Police Budget and Administration Manager once that position is vacant. That request was deemed premature and should be submitted to the Board when the position has been vacated. Commissioner Baca moved to exempt the position of Finance and Planning Manager. The motion was seconded by Commissioner Hein and carried unanimously.

c) The Director presented a letter dated January 27, 2009, from Assistant Chief Ray, wherein she nominates John J. Ledvina to the exempt position of Finance and Planning Manager in the Police Department, to be effective February 23, 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 POLICE AIDE, from eligible list established January 22, 2009, contingent upon successful completion of a medical examination, psychological evaluation, drug screening, updated background investigation, and number of vacancies, effective February 23, 2009:

#1 – ELIGIO CAVAZOS III; #2 – DANIELLE D. SCOTT; #5 – TWYLA M. SHEFFA; #10 – JESSE J. BENITEZ; #11 – DUSTIN J. MCINNES; #17 – TOUA THAO; #22 – MARKEL R. MCKINLEY; #25 – JACOB S. ANDERSON; #33 – RAQUEL R. LINDER; #39 – RYAN J. FIDLIN; and #47 – TRAVIS J. CAPELLE.

TO SCHOOL CROSSING GUARD, effective January 6, 2009:

BLANCA N. LOPEZ.

TO SUBSTITUTE SCHOOL CROSSING GUARD, effective January 13, 2009:

CLEMMIE AUSTIN.

- e) The Director presented a letter dated January 20, 2009, from Chief Flynn, wherein he notifies the Board that Police Officer Carl V. Howell, Jr. has been suspended for ten working days without pay for violation of Department Rules and Regulations under Personnel Order 2009-07 dated January 20, 2009.
- f) The Director presented a letter dated January 29, 2009, from Chief Flynn, wherein he notifies the Board that Detective Michael Crivello returned from an unpaid Military Leave of Absence effective January 12, 2009; Police Officer Eugene Burns returned from an unpaid Military Leave of Absence effective December 31, 2008; and Police Aide Adam P. Dettman was granted an unpaid Military Leave of Absence commencing January 1, 2009 and concluding February 21, 2010.
- g) The Director presented a letter dated January 22, 2009, from Chief Flynn, wherein he requests that four positions of Police Officer, assigned to the Open Records Section, be reclassified to civilian positions as these duties do not require a sworn person to perform them. The Chair referred the request to the Department of Employee Relations for study and report.
- h) The Director presented a letter dated January 22, 2009, from Chief Flynn, wherein he requests that an examination be conducted for the position of Police Sergeant as soon as possible since the eligible list will expire soon. The Director noted that a communication had been received from Police Officer Hollis Smith regarding this matter. The Chair referred the request to the Department of Employee Relations for implementation.
- i) The Director presented a letter dated February 2, 2009, from Chief Flynn, wherein he requests that the probationary period of Police Officer Matthew O'Malia be extended for a period of 37 days upon his return to duty as he is currently on military leave. Commissioner Stark moved approval of the request, seconded by Commissioner Lor. The motion carried unanimously.

The Director presented a letter dated February 2, 2009, from Chief Flynn, wherein he requests that the probationary period of Police Officer Adam J. Isleb be extended for a period of 40 days upon his return to duty as he is currently on military leave. Commissioner Lor moved approval of the request, seconded by Commissioner Baca. The motion carried unanimously.

5. PUBLIC COMMENT:

John Balcerzak, President of the Milwaukee Police Association, thanked Chief Flynn for including him in the advanced leadership training, which he views as being beneficial to the department as a whole.

6. UNFINISHED BUSINESS:

- a) The Director returned to the Board a request from Matthew J. Markowski for reappointment to the position of Police Officer. This request was initially made at the November 6, 2008 meeting and was laid over for more information. That information has been received. Mr. Markowski requested to meet with the Board in closed session on this matter. Commissioner Stark moved to go into closed session, as had been provided for in the notice of this meeting, 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 pursuant to 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. Commissioner Hein seconded the motion. The motion carried unanimously on a roll call vote of 5-0, and the Board went into closed session at 5:59 p.m.

The Board reconvened at 6:37 p.m., and the Chair called for a motion. Commissioner Stark moved to deny the request for reappointment, seconded by Commissioner Lor. The motion carried unanimously.

7. ADJOURNMENT:

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

The meeting concluded at 6:38 P.M.

Respectfully submitted,

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

Michael G. Tobin
Executive Director

MGT:REK:rk