

July 30, 2009

A Regular Meeting of the Board of Fire and Police Commissioners was held on the above date, commencing at 6:17 P.M.

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

ALSO PRESENT: Douglas Holton, 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 3:03 p.m. to 6:10 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: promotion of Deputy Chief, Fire to Assistant Fire Chief; promotion of Battalion Chief, Fire to Deputy Chief, Fire; promotion of Fire Captain to Homeland Security Preparedness Chief; promotion of two Fire Captains to Battalion Chief, Fire; and a Police Chief quarterly review.

The Director presented for adoption minutes of the Regular Meeting of July 16, 2009. Commissioner Hein moved approval of the minutes as presented, seconded by Commissioner Morgan. The motion carried unanimously.

1. UNFINISHED BUSINESS:

a) The following promotions, as presented by Chief Douglas Holton, were approved by the Board, (Commissioner Baca abstained from the votes for Assistant Fire Chief, Deputy Chief, Fire, and Homeland Security Preparedness Chief because he was not at the promotional interviews.):

TO ASSISTANT FIRE CHIEF, from Deputy Chief, Fire, effective August 9, 2009:

MICHAEL L. JONES.

TO DEPUTY CHIEF, FIRE, from Battalion Chief, Fire, effective August 9, 2009:

MICHAEL A. PAYNE.

TO BATTALION CHIEF, FIRE, from Fire Captain, effective August 9, 2009:

DANIEL M. BERENDT and RICHARD A. KAISER.

TO HOMELAND SECURITY PREPAREDNESS CHIEF, from Fire Captain, effective August 9, 2009:

JAMES H. LEY.

b) The Director announced that a panel of Commissioners met earlier to review the full record and deliberate on Citizen Complaint No. 06-25 of Jose Perez Perez pursuant to Chapter 19.85 of Wis. State Statutes. The panel's decision was to dismiss the complaint due to a lack of credible evidence in the record to sustain the charges against the officer.

2. NEW BUSINESS:

a) The Director reported that pursuant to the Rules of the Board, the Commission is required to have an election of officers for the ensuing year for the positions of Chair and Vice-Chair. The Chair turned the gavel over to Commissioner Baca, who called for nominations for the position of Chair. Commissioner Hein nominated Commissioner Cox. Commissioner Stark seconded the nomination. Nominations were closed. Commissioner Cox was elected Chair on a 5-0 roll call vote, with Commissioner Cox abstaining.

Commissioner Baca called for nominations for the position of Vice-Chair. Commissioner Cox nominated Commissioner Stark. Commissioner Hein seconded the nomination. Nominations were closed. Commissioner Stark was elected Vice-Chair on a 5-0 roll call vote, with Commissioner Stark abstaining.

3. COMMITTEE REPORTS:

a) Commissioner Baca presented the report of the Committee on Testing and Recruiting. The Committee met on July 20, 2009. Recruiting for Police Officer will continue, and it is anticipated that applications will increase due to the launch of the Branding Campaign. Despite the large number of applicants on hold, a written test date is yet to be determined and is based on financial considerations. The Police Aide class is tentatively scheduled to start on September 24, 2009. There are a total of 24 eligible candidates, but the number will likely decrease once background investigations are completed. The recruitment for the new Police Aide class will start in August to coincide with the school year; the class is expected to start in June 2010. The Police Aide announcement bulletin will be presented at an October Board meeting. There are currently 251 candidates for Firefighter, and the Department of Employee Relations is finalizing the background investigation process. All candidates will be reviewed by the same panel. There are 65 candidates who are currently taking EMT classes at the Training Academy, and 30 candidates already have their EMT license. An eligible list should be presented to the Board at an October meeting. The tentative start date for the Firefighter class is October 19, 2009, which is earlier than the projected start date in December.

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 August 9, 2009:

#4 – BRIAN J. MCNULTY; #5 – ERICH J. RODEN; #6 – RONALD L. FIRNROHR, JR; and #7 – BRIAN R. O'CONNOR.

TO FIRE LIEUTENANT, on a waiver basis, from eligible list established December 6, 2007, effective August 9, 2009:

#32 – KEVIN P. HART\*; #33 – DAVID R. SEAGER, JR; #34 – BERNARD A. HATCH; #35 – KEVIN J. KABELOWSKY; and #36 – MATTHEW A. BRYANT.

\*Note: #32 was previously promoted to Fire Lieutenant through the Fire Lieutenant Paramedic special promotion process on March 8, 2009.

TO HEAVY EQUIPMENT OPERATOR, on a waiver basis, from eligible list established July 16, 2009, effective August 9, 2009:

#1 – JOHN R. DICKINSON; #2 – JOHN T. KOWALSKI; #3 – JACOB M. NAWROCKI; and #4 – JACOB A. HOFFER.

b) The Director presented a letter dated July 22, 2009, from Chief Holton, wherein he notifies the Board that Deputy Chief Michael L. Jones is serving in the capacity of Acting Assistant Chief, and Battalion Chief Michael A. Payne is serving in the capacity of Acting Deputy Chief, Bureau of Instruction and Training, effective July 12, 2009, pursuant to FPC Rule XI, Section 13.

c) The Director presented a letter dated July 22, 2009, from Chief Holton, wherein he requests that an examination be conducted as soon as practicable for the newly classified civilian management position of Fire Technical Services Manager in the Bureau of Administration, Technical Services Section. The Chair referred the request to the Department of Employee Relations for implementation.

d) Chief Holton presented a report regarding the Deputy Chief selection process. He noted that there are two upcoming vacancies and the selection process will be changing. The new process will involve an assessment center with four parts: a written assessment, an oral interview, a fire assessment, and a budget spreadsheet assessment. The written assessment will consist of 10 questions, the oral interview will be conducted by a select panel of non-department members, the fire assessment will include an incident command exercise in which the raters will be from other fire departments, and the budget assessment spreadsheet will be in Microsoft Excel and the candidates will have an hour to complete the exercise. All components of the assessment will be scored equally, and the assessment is similar to that of Battalion Chief. The assessment exercise will be given in early August, with results to appear at a future Board meeting.

#### 5. POLICE DEPARTMENT:

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

TO LIEUTENANT OF DETECTIVES, on a waiver basis, from eligible list established January 22, 2009, contingent upon successful completion of a drug screening, effective August 9, 2009:

#5 – PAUL R. KAVANAGH.

TO OFFICE ASSISTANT II, from Office Assistant I, effective August 9, 2009:

KIMBERLY L. HOGAN.

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

TO NETWORK COORDINATOR-SENIOR, from a Department of Employee Relations eligible list, contingent upon successful completion of a background investigation, medical examination, and drug screening, effective August 24, 2009:

NICHOLAS M. POPOWYCZ.

TO CUSTODIAL WORKER II, from a Department of Employee Relations eligible list, contingent upon successful completion of a medical examination and drug screening, effective August 10, 2009:

TODD G. WEHAUSEN.

TO SCHOOL CROSSING GUARD (REGULAR), effective July 6, 2009:

VICTORIA M. STRICKLAND.

TO SCHOOL CROSSING GUARD (SUBSTITUTE), effective July 14, 2009:

ELINA G. LAGRONE.

- c) The Director presented a letter dated July 9, 2009, from Chief Flynn, wherein he notifies the Board that Police Officer Vincent K. Woller has been discharged for violation of Department Rules and Regulations under Personnel Order 2009-119 dated July 15, 2009. Police Officer Woller has filed an appeal with the Board.
- d) The Director presented a letter dated July 9, 2009, from Chief Flynn, wherein he notifies the Board that Police Officer Jason A. Dewitt has been suspended for 30 consecutive working days for violation of Department Rules and Regulations under Personnel Order 2009-111 dated July 9, 2009. Police Officer Dewitt has filed an appeal with the Board.
- e) The Director presented a letter dated July 23, 2009, from Chief Flynn, wherein he presents a request from Detective Scott A. Kempinski for voluntary demotion to his former rank of Identification Technician, to be effective August 9, 2009. Commissioner Baca moved approval of the request, seconded by Commissioner Lor. The motion carried unanimously.
- f) The Director presented a letter dated July 21, 2009, from Chief Flynn, wherein he presents a request from Office Assistant III Sallie A. Foster for voluntary demotion to Police District Office Assistant, to be effective September 20, 2009. Commissioner Baca moved approval of the request, seconded by Commissioner Stark. The motion carried unanimously.
- g) The Director presented a letter dated July 14, 2009, from Chief Flynn, wherein he notifies the Board of the following personnel transactions: Identification Technician Charles Rotramel was granted an extension to his unpaid military leave of absence, which commenced March 31, 2009, and will conclude on August 10, 2009; Police Officer Diana Barcus was granted an unpaid military leave of absence, which commenced June 18, 2009, and will conclude in August 2010; Police Officer Anthony Rivera was granted an unpaid military leave of absence, which commenced June 18, 2009, and will conclude in July 2010; and Police Officer Micolette Acevedo was granted an unpaid maternity leave of absence, which commenced June 1, 2009, and will conclude August 22, 2009.

6. PUBLIC COMMENT:

There was no comment made from the public present. The Chair reminded the public present that the Board does not meet in August.

7. ADJOURNMENT:

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

The meeting concluded at 6:40 P.M.

Respectfully submitted,

Michael G. Tobin  
Executive Director