



City of West Allis

7332 W. National Ave.
West Allis, WI 53214

Meeting Minutes

Board of Police and Fire Commissioners

*Commissioner Donald Nehmer, President,
Commissioner Amy Heron, Vice-President,
Commissioner Fred Mikolajewski, Secretary
Commissioners David Princeton and Kurt Kopplin*

Thursday, October 20, 2016

6:00 PM

West Allis Fire Administration

REGULAR MEETING AND CLOSED SESSION

A. CALL TO ORDER

Commissioner Nehmer called the meeting to order at 6:01 pm.

B. ROLL CALL

Present: Commissioners Don Nehmer, Amy Heron, Fred Mikolajewski, David Princeton and Kurt Kopplin

Also Present: Fire Chief Steve Bane and Deputy Chief Mason Pooler – Fire Department; Police Chief Patrick Mitchell – Police Department; Bridget Morawetz, Recording Secretary

C. APPROVAL OF MINUTES

Approval of the September 20, 2016 Regular and Closed Session Meeting Minutes as well as the September 27, 2016 Special Meeting Minutes.

A motion was made by Commissioner Kopplin and seconded by Commissioner Heron to approve the September 20, 2016 Regular and Closed Session Meeting minutes.

The motion carried unanimously.

D. POLICE DEPARTMENT

1. Police Department Financial Report

Chief Mitchell stated that the Police department budget continues to be a consistent spend over the year and within the City's stated budget strategy.

The Commissioners had no additional questions or comments and the report was placed on file.

2. Monthly Performance Report

Chief Mitchell stated that the current balance of the Federal Equitable Sharing Account balance is just below \$400,000. Chief Mitchell indicated that this funding source is still in jeopardy of being dissolved after the first of the year and he will keep the Commissioners apprised of the status.

The Commissioners had no additional questions or concerns and the report was placed of file.

3. Patrol Activity Report

Chief Mitchell briefly reviewed a few of the recent incidents from the September Patrol Activity Report:

- Chief Mitchell discussed the fatal heroin overdose of 2 adult females. Chief Mitchell stated that Officers identified two suspects responsible for providing the heroin and they were arrested and charged accordingly.
- Chief Mitchell reviewed a weapons call that involved a handicapped resident holding 3 people hostage inside a West Allis residence. Chief Mitchell stated that the 3 hostages were released shortly after Officers arrived on scene. Chief Mitchell stated that Officers were able to contact the male offender inside the residence and he eventually followed the Officer's orders and was taken into custody without further incident.

The Commissioners had no additional questions or comments and the report was placed on file.

4. Communications Activity Report

Chief Mitchell stated that the full-time dispatcher recently hired is successfully moving forward in the required training program. Chief Mitchell stated that the Communications Division currently has 1 part-time vacancy and 1 full-time vacancy for dispatcher.

Chief Mitchell shared with the Commissioners that Common Council approved the required expenses to move forward with the digital radio upgrade purchases.

The Commissioners had no additional questions or concerns and the report was placed on file.

5. Community Services Bureau Report

The Commissioners had no additional questions or concerns and the Community Services Bureau report was placed on file.

6. Criminal Investigations Unit Activity Report

Chief Mitchell briefly reviewed a few incidents that took place during the month of September:

- Chief Mitchell stated that after a traffic stop, the driver and passenger of the vehicle both fled the scene but were quickly apprehended and arrested. Chief Mitchell stated that one of the offenders was found to be in possession of drugs. Additionally, Chief Mitchell stated that after further investigation into the 2 offenders, it was revealed that they were involved in a number of thefts from construction sites and garage burglaries.
- Chief Mitchell discussed a sensitive case of prostitution/human trafficking recently discovered taking place at the Days Inn Motel in West Allis as well as a West Allis residence. Chief Mitchell stated that a victim had been rescued from these circumstances and provided additional information about another female victim being held against her will at the West Allis residence. After securing a search warrant for the property, evidence was recovered to indicate human trafficking and prostitution. Chief Mitchell stated that 2 suspects were arrested and charged accordingly.

The Commissioners had no additional questions or concerns and the report was placed on file.

7. Tavern Violation Report

Chief Mitchell stated that Heartbreakers continues to have issues with customers for various infractions – drug deals, fighting and fraud. Chief Mitchell stated that they are on the radar of the City’s licensing board, and Heartbreaker representatives have had conversations with the licensing board committee regarding these and other ongoing issues.

The Commissioners had no additional questions or concerns and the report was placed on file.

8. Training Report

Chief Mitchell stated that staff development is an important aspect of successful succession planning and as part of that development process, Lt. Todd Clementi applied for and was accepted to the Wisconsin Command College program. Chief Mitchell stated that the program is very comparable to the FBI Academy and noted that this is an extremely intense, 6-week in-residence leadership, management and development training program.

Chief Mitchell stated that fall in-service training session, which began in September, will be devoted to the patrol rifle. He noted that all officers and detectives will be trained in several aspects of the rifle and all will have access to a rifle after training is complete in November.

Chief Mitchell was happy to report that Common Council approved the department’s request for funding to allow contracting with an architect to finalize plans for the police training house. Chief Mitchell stated he is hopeful construction on the facility will be able to begin in fall of 2016.

The Commissioners had no additional questions or concerns and the report was placed on file.

9. Overtime Comparison

Chief Mitchell indicated that it has made a noticeable difference regarding incurred OT hours since responsibility for OT has been shifted and included as part of the Command Staff duties.

The Commissioners had no additional questions or concerns and the report was placed on file.

10. Sick, Injured and Light Duty Report – September

The Commissioners had no additional questions or concerns and the report was placed on file.

11. Closed Session: Discipline of a Police Officer

Closed session topic

E. FIRE DEPARTMENT

12. Firefighting Activity Report

Deputy Chief Pooler submitted the Firefighting Activity Report as well as the corresponding Incident Counts map.

DC Pooler stated that fire calls to date were down slightly, however, EMS calls increased for the month of September. DC Pooler also noted that the heavy rain storm on September 7th resulted in the department handling 18 emergency calls within a 3-hour timespan and required multi-unit responses.

DC Pooler then briefly discussed the fire incidents reported by AC Scharfenberg and reviewed the incident counts map.

The Commissioners had no other questions or concerns and the report was placed on file.

13. Fire Department Financial Report

DC Pooler stated that the overage in the department's Overtime budget line corresponds with the department continuing to run lean in general, however, the department does continue to be short-staffed, which results in calling personnel back incurring OT. DC Pooler noted that the 8 new firefighters have completed their academy training and have been assigned to 24 hour duty. DC Pooler stated that this will be helpful in controlling the OT somewhat thru the end of the year.

The Commissioners had no additional questions or concerns and the report was placed on file.

14. Training Activity Report

DC Pooler submitted the Training Activity Report prepared by DC Joe Levenhagen.

The Commissioners had no additional questions or concerns and the report was placed on file.

15. Fire Prevention Activity Report

DC Pooler stated that after being behind on required fire inspections due to State Fair and Fire Prevention Week responsibilities, the fire prevention bureau completed 450 annual fire inspections and the bureau is dedicated to continue at that pace to ensure complete compliance by the end of 2016.

DC Pooler shared with the Commissioners that on October 1st members of the department visited homes from 72nd street to 76th street to inspect their smoke and carbon monoxide alarms. DC Pooler stated that Alderman Dan Roadt and members of the Thomas Moore Community Robotics Club Team #1714 also participated in the door-to-door visits. DC Pooler stated that 53 homes were visited, 154 smoke alarms were installed and 54 carbon monoxide alarms were installed.

The Commissioners had no additional questions or concerns and the report was placed on file.

16. Emergency Medical Services Activity Report

Chief Bane submitted the EMS Activity Report prepared by AC Kurt Zellmann.

Chief Bane briefly discussed an incident that involved a trench rescue. Chief Bane stated that this type of rescue is dangerous, and the potential for full collapse was a very real threat. Chief Bane stated that in the end, the patient was able to free himself and climb out of the trench with the assistance of his co-workers. The patient was then transported to a local trauma center for further evaluation.

The Commissioners had no additional questions or concerns and the report was placed on file.

17. Emergency Medical Services Revenue Report

Chief Bane submitted the EMS Revenue Report prepared by AC Kurt Zellmann.

The Commissioners had no additional questions or concerns and the report was placed on file.

18. Sick, Injured and Light Duty Report

Chief Bane stated that short-term sick is up slightly, but overall sick time hours are down.

The Commissioners had no additional questions or concerns and the report was placed on file.

19. Master Plan Performance Snapshot

Chief Bane submitted the Master Plan Performance Snapshot report.

The Commissioners had no additional questions or concerns and the report was placed on file.

20. Communication: 2017 ALS Billing Rates

Chief Bane submitted the recently approved billing rates for 2017 Advanced Life Support services. Chief Bane stated that in November or December, he will be submitting to Common Council a request to increase the Basic Life Support rates, noting that these rates have not been increased since 2009.

The Commissioners had no additional questions or concerns and the report was placed on file.

F. POLICE AND FIRE COMMISSION

21. Police & Fire Commission Financial Report

The Commissioners had no additional questions or concerns regarding the report.

22. Communication: Confirmation of November Police Officer Candidate interview dates

Commissioners and Chief Mitchell confirmed the dates of the Police Officer candidate interviews for Monday, November 14th and Tuesday, November 15th.

23. Discussion and Adoption: Marijuana use criteria for pre-employment purposes

Discussion ensued between Chief Mitchell and the Commissioners regarding the marijuana use criteria for pre-employment purposes. Chief Mitchell stated that the psychological testing provided by Dr. Childs has vetted out candidates who admitted to using marijuana within a 3-year timeframe of applying to the department. Chief Mitchell stated that the 3-year timeframe is the national standard regarding the use of pot.

Chief Mitchell stated that given the department's new and aggressive approach to recruiting police officer candidates, the potential for pot use within 3 years of these candidates applying to the department is increased thus, they would not be eligible to apply to the department and/or would immediately be dismissed after meeting with Dr. Childs.

Additional discussion ensued between the Commissioners and Chief Mitchell regarding how the departments and Dr. Childs are able to effectively work with amending this standard and still ensure that the best candidates will be presented to the Police & Fire Commission Board. Chief Mitchell stated that it would be preferable that a candidate, if admitting to pot use, was 3 plus years past, however, consideration would be given if less than 3 years, but additional questioning would be utilized to determine their career intentions and other factors regarding their past pot use.

Commissioner Nehmer stated that the interview process for both departments are in-depth and complex, and he felt confident that the best candidates were always presented to the Board of Commissioners. Commissioner Nehmer stated that as Chiefs' of their respective departments, it is their responsibility to ensure the best candidates are always presented and felt comfortable allowing leeway regarding this particular situation.

All of the Commissioners were agreeable to Chief Mitchell's request and considered it a best practice moving forward.

24. Discussion: Sub-committee PFC Rules & Regulations proposed revisions

Commissioner Princeton presented and reviewed with the Commissioners an updated, draft version of the PFC Rules & Regulations booklet. Commissioner Princeton stated that on the advice of City Attorney Sheryl Kuhary, language referencing specific gender was changed to he/she as this is more in tune with the current environment of both departments. Additionally, Commissioner Princeton stated that the sub-committee had been challenged to ensure the rules and regulations were clear yet concise in content and would require minimal changes going forward.

Discussion ensued as Commissioner Princeton presented the various recommended changes and updates to the booklet. Commissioner Princeton indicated that Rule 15 and forward relating to the hiring and promotional process for the police and fire departments were not reviewed by the sub-committee. Commissioner Princeton indicated that he would like to have the direct input of both Chief's regarding these rules/regulations as well as input from the City's HR Director, Audrey Key.

Commissioner Nehmer thanked Commissioner Princeton and the other sub-committee members for their work regarding the booklet revisions. He suggested that the changes/revisions be incorporated and presented again for review/approval.

25. Discussion and Adoption: Proposed PFC Rule #13 Change (Disciplinary Actions)

Chief Mitchell submitted a proposed change to PFC Rule #13 regarding Disciplinary Actions. He stated that after review of this rule with the City Attorney Sheryl Kuhary, it was determined that the current language might provide an opportunity for an employee to revisit

a disciplinary action very late after the fact. Chief Mitchell proposed language that would require the employee to request a hearing, in writing, within fifteen (15) calendar days of being served with said discipline. Chief Mitchell requested that if approved, this change be incorporated immediately into the updated PFC Rules & Regulations booklet.

A motion was made by Commissioner Mikolajewski and seconded by Commissioner Princeton to approve the change to Rule #13 as presented by Chief Mitchell. The motion carried by the following votes:

Aye: 5, Commissioners Nehmer, Heron, Mikolajewski, Princeton and Kopplin
No: 0

26. Discussion and selection: Fire Chief recruitment sub-committee members

Commissioner Nehmer stated that in anticipation of the retirement of Fire Chief Steve Bane, he is requesting that a sub-committee be formed to begin discussion and organization of the recruitment process. Upon asking for volunteers, Commissioner Mikolajewski volunteered to be on the committee and take the lead; additionally, Commissioners Heron and Kopplin also volunteered to be on the committee. Commissioner Nehmer asked that Commissioner Mikolajewski follow-up with Recording Secretary Bridget Morawetz to schedule a first meeting to begin laying the necessary groundwork for the recruitment process.

G. CLOSED SESSION

PLEASE TAKE NOTICE that the Board of Police and Fire Commissioners of the City of West Allis will, upon conclusion of open session, consider and vote on a motion to convene in closed session at said time and place to discuss the discipline of a Police Officer.

A closed session for the above purposes is authorized pursuant to the provisions of Section 19.85(1)(b) and (f) of the Wis. Stats., to consider dismissal, demotion, licensing or discipline of any public employee or person licensed by a board or commission or the investigation of charges against such persons, and to consider financial, medical, social or personal histories or disciplinary data of specific persons, preliminary consideration of specific personnel problems or the investigations of charges against specific persons except where par.(b) applies 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 or data, or involved in such problems or investigations

Immediately upon completion of the closed session, the Board of Police and Fire Commission will reconvene in open session at said time and place to consider any other matters on the agenda.

On a motion made and seconded, the meeting convened into closed session at 8:05 pm.

Closed session topics discussed

On a motion made and seconded, the meeting reconvened into open session at 8:22 pm.

H. ADJOURNMENT

There being no further business, on a motion made and seconded, the meeting adjourned at 8:23 pm.

Public Meetings

All meetings of the West Allis Board of Police and Fire Commissioners are public meetings. In order for the general public to make comments at the meetings, an individual should schedule an appearance with the President of the Board, or with the appropriate Chief, otherwise, the meeting is a working session for the Commission itself, and discussion by those in attendance is limited to Board members, the Mayor, alderpersons, staff and others that may be a party to the matter being discussed.

Nondiscrimination Statement

The City of West Allis does not discriminate against individuals on the basis of race, color, religion, age, marital or veterans' status, sex, national origin, disability or any other legally protected status in the admission or access to or treatment or employment in, its services, programs or activities.

American with Disabilities Act Notice

Upon reasonable notice the City will furnish appropriate auxiliary aids and services when necessary to afford individuals with disabilities an equal opportunity to participate in and to enjoy the benefits of a service, program or activity provided by the City.

Limited English Proficiency Statement

It is the policy of the City of West Allis to provide language access services to populations of persons with Limited English Proficiency (LEP) who are eligible to be served or likely to be directly affected by our programs. Such services will be focused on providing meaningful access to our programs, services and/or benefits.