



City of West Allis

11301 W. Lincoln Ave.
West Allis, WI 53227

Meeting Minutes

Board of Police and Fire Commissioners

*Commissioner Joseph Kempen, President,
Commissioner Kevin Haass, Vice-President,
Commissioner Wayne Clark, Secretary
Commissioners Harold Mester, Donald Nehmer*

Thursday, January 17, 2013

6:00 PM

Police Court Center

REGULAR MEETING AND CLOSED SESSION

A. CALL TO ORDER

Commissioner Kempen called the meeting to order at 6:00 pm

B. ROLL CALL

Present: Commissioners Joseph Kempen, Wayne Clark, Kevin Haass and Don Nehmer

Excused: Commissioner Harold Mester

Also Present: Fire Chief Steven Hook, Assistant Chief Martin King, Battalion Chief Mike Schauz, Firefighter Dan Becker – Fire Department; Acting Police Chief Charles Padgett, Sergeant Scott Waarvik – Police Department; 4th District Alderman Dan Roadt, Assistant City Attorney Sheryl Kuhary, Chief Administrative Officer, Paul Ziehler – City of West Allis

C. APPROVAL OF MINUTES

A motion was made by Commissioner Haass and seconded by Commissioner Nehmer and unanimously passed to approve them minutes of the December 20, 2012 Regular and Closed Session Meeting Minutes.

D. FIRE DEPARTMENT

1. Firefighting Activity Report

Chief Hook submitted the Firefighting Activity Report prepared by Assistant Chief Streicher as well as the corresponding maps (to include the 2012 year end incident map).

Chief Hook reported on two fire incidents that occurred in December. He stated that on December 17th, the department responded to a dumpster fire that happened at 2749 S. 108th St. Chief Hook stated that this fire is currently being investigated as a possible arson. Chief Hook stated that on December 31, the department responded to a fire at Happy Hobby located at 8021 W. National Ave. Chief Hook stated that when the crews arrived, flames and smoke was coming out of the building's three front windows. Chief Hook stated that the damage to the building was extensive and was eventually determined to be a total loss.

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

2. Fire Department Financial Report

Chief Hook submitted the department's Financial Report.

Chief Hook stated that he worked effectively within the 2012 budget constraints and finished the year slightly under budget. The Chief's budget target was reduced by approximately \$300,000 to prepare for the impact of delays in employee ETF contributions. This target was met in 2012. Chief Hook stated that he is working with CAO, Paul Ziehler to carry over 2012 budgeted money to accommodate the 2013 accreditation process.

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

3. Training Activity Report

Chief Hook submitted the Training Activity Report prepared by Acting Assistant Chief Jay Scharfenberg

Chief Hook stated that the month of December was very busy and included:

- Recertification of 30 paramedics for ACLS (advanced cardiac life support)
- Emergency Medical Dispatching (EMD) program training
- ALS (advanced life support) for BLS (basic life support) review. A training program where ALS concepts and procedures are presented in BLS terms.
- Anti-harassment training program presented by CVMIC for all personnel
- Officer Development meetings in early December

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

4. Fire Prevention Activity Report

Chief Hook submitted the Fire Prevention Activity Report prepared by Assistant Chief King

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

5. Emergency Medical Services Activity Report

Chief Hook submitted the Emergency Medical Services Activity Report prepared by Assistant Chief Bane

Chief Hook stated that call volume was up approximately 2% in 2012. Additionally he stated that the use of mutual aid, both given and received, increased slightly as well.

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

6. Emergency Medical Services Revenue Report

Chief Hook submitted the Emergency Medical Services Revenue Report prepared by Assistant Chief Bane.

Chief Hook stated that EMS revenue was approximately \$160,000 above the estimated revenue for the year.

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

7. Sick and Injured Report

Chief Hook submitted the Sick and Injured report.

Chief Hook noted that long term and FML had decreased significantly by the end of 2012 and overall, 2012 sick and injured numbers were less than 2011.

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

8. Master Plan Performance Snapshot

Chief Hook submitted the Master Plan Performance Snapshot.

Chief Hook stated that he is completing and will update the report to reflect end of the year numbers and provide an updated copy to the Commissioners when available. He noted that this report will also be added to the 2012 Fire Department Annual Report.

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

9. Communication: Engine 2 Repairs and Body work

Chief Hook submitted to the Commissioners a report prepared by AC Streicher relating to recent repairs to Engine 2.

Chief Hook stated that all compartments, the undercarriage and exterior of Engine 2 were repaired and many surfaces were replaced. Chief Hook further noted that the vehicle's mechanical performance is good and it continues to pass pump tests and performs well on the road. He stated that the City's Fleet Maintenance mechanics have adequate access to replacement parts and are predicting that Engine 2 should meet the department's future expectations with continued proper care.

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

10. Request for Approval: Blanket Order for Sole Source Purchase (Firefighting Personal Protective Equipment)

Chief Hook submitted for approval a blanket order for sole source purchase (firefighting personal protective equipment (PPE)).

Chief Hook explained to the Commissioners that billed individually, a set of firefighting protective gear would not require the Board's approval, however, the department's clothing vendor often bills multiple orders together, surpassing the \$5,000 limit allowed by the City's purchasing ordinance. Further, Chief Hook stated that the department typically replaces approximately 15 full sets of PPE annually, totaling over \$20,000, thus, the Board's approval of this "blanket order" enables the fire department to purchase this equipment as a sole source form our local vendor.

A motion was made by Commissioner Clark and seconded by Commissioner Haass to approve the blanket order for sole source purchase. The motion carried by the following vote:

Votes: Aye – 4, Commissioners Kempen, Clark, Haass and Nehmer
No - 0

- 11. Request for Approval: Blanket Order for Sole Source Purchase (Emergency Medical Services Equipment)

Chief Hook submitted for approval a blanket order for sole source purchase (Emergency Medical Services (EMS) Equipment)

Chief Hook explained that billed individually, occasional equipment restock orders would not require the Board’s approval, however the current EMS equipment vendor occasionally bills multiple orders together, surpassing the \$5,000 limit allowed by the City’s purchasing ordinance. Thus, the Board’s approval of this “blanket order” enables the fire department to purchase this equipment as a sole source from our local vendor.

A motion was made by Commissioner Clark and seconded by Commissioner Haass to approve the blanket order for sole source purchase. The motion carried by the following vote:

Votes: Aye – 4, Commissioners Kempen, Clark, Haass and Nehmer
No - 0

- 12. Request for Approval: Promotion to Lieutenant

Chief Hook submitted a request for approval regarding a promotion to Lieutenant.

Chief Hook stated that Firefighter Becker joined the department in 2004 and is currently assigned to the Bureau of Training and Safety as an acting Lieutenant. Additionally, Chief Hook stated that Firefighter Becker also works as an Advanced Life Support instructor coordinator for Waukesha County Technical College and he’s a member of the training center faculty for Community Memorial Hospital in Menomonee Falls.

If approved, this promotion would be effective on Monday, January 21, 2013 and will be probationary for one year.

A motion was made by Commissioner Haass and seconded by Commissioner Nehmer to approve this request. The motion carried by the following vote:

Votes: Aye – 4, Commissioners Kempen, Clark, Haass and Nehmer
No - 0

- 13. Request for Approval: Completion of Firefighter Probationary Period and placement on Fire Department roster (Zeke Dombrowski, Andrew Schoessow and Christopher Thode)

Chief Hook submitted a request for approval of three (3) probationary firefighters to be placed on the fire Department roster.

PFF Zeke Dombrowski
PFF Andrew Schoessow
PFF Christopher Thode

Chief Hook stated that all 3 probationary firefighters began their career with the department on January 23, 2012 and completed the requirements of their probationary year in December 2012. Chief Hook stated that based on reports from their mentoring officers and

observations by Acting Chief Jay Scharfenberg, he would recommend that all three be placed on the permanent West Allis Fire Department roster effective January 23, 2013.

A motion was made by Commissioner Clark and seconded by Commissioner Haass to approve this request. The motion carried by the following vote:

Votes: Aye – 4, Commissioners Kempen, Clark, Haass and Nehmer
No - 0

14. Other related items:

Chief Hook made the Commissioners aware that a flooding incident happened at an apartment complex located at 12030 W. Greenfield Ave. and all of the residents of the complex had to be evacuated and will be displaced for several months due to the extensive water damage to the complex.

E. POLICE DEPARTMENT

15. Communication: Active Shooter Training Explanation – Sgt. Scott Waarvik

Acting Chief Padgett introduced Sergeant Scott Waarvik to the Commissioners noting that Sgt. Waarvik has been with the department for 26 years and had been on the department's SWAT team for 16 years.

Sgt. Waarvik stated that the Department of Homeland Security defines an active shooter as "an individual actively engaged in killing or attempting to kill people in a confined and populated area." Sgt. Waarvik stated that all law enforcement agencies have different policies and procedures for responding to active shooter calls, however, many agencies share a few common procedures:

1. Contact Team – the first arriving officers will form a "contact team." The sole purpose of this team is to locate the perpetrator(s) and stop the killing;
2. Rescue Team – this team consists of officers who enter the scene to render aid and remove wounded individuals. The rescue team must also be prepared to encounter and stop the perpetrator(s), if the opportunity arises;
3. Communications and control – it is important for officers to establish an Incident Command System as soon as possible, to track contact and rescue teams and coordinate the response to other agencies that will be required.

Sgt. Waarvik stated that officers have done numerous walk thrus of the West Allis Schools in order to better familiarize themselves with the layout of these buildings. Additionally, the department's school liaison officers have hand guns with them at all times, and are trained and prepared to respond, as necessary, to a potential active school shooting scenario.

The Commissioners thanked Sgt. Waarvik for his informative presentation and the report was placed on file.

16. 1st Shift Activity Report

Acting Chief Padgett submitted the 1st Shift Activity Report prepared by Captain Navarrette

A/Chief Padgett stated that Officer Shook responded to a bank robbery call at Equitable Bank located at 7400 W. Oklahoma Ave. Prior to his arrival, the robbery suspect had fled on foot from the bank and was seen by Cpl. Zientek running thru yards and after a several block

foot chase, the suspect was caught and taken into custody. A/Chief Padgett stated that all the money from the bank was recovered and the suspect was charged with robbery.

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

17. 2nd Shift Activity Report

Acting Chief Padgett submitted the 2nd Shift Activity Report prepared by Captains Mason and Marks and Lieutenant Nohelty

A/Chief Padgett stated that officers responded to a shoplifting incident at a local food mart on Schlinger Avenue. He stated that upon arriving, the Officers found the suspect detained by several citizens, one of whom had the suspect in a head lock. A/Chief Padgett stated that the suspect was handcuffed, as protocol in these situations, and upon being turned over, the suspect was found to be not breathing. Officers immediately removed the handcuffs and started CPR until paramedics arrived on scene to administer advanced life support procedures. The suspect was successfully resuscitated, however did pass away after several days in the hospital. A/Chief Padgett stated that Detective Napoli is working with the District Attorney's homicide unit regarding this incident and he noted this is a very complicated situation and the investigation will continue for some time.

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

18. 3rd Shift Activity Report

Acting Chief Padgett noted the following Third Shift Patrol Officers were promoted during the month of December:

- Officer Jason Vanderwerff – promoted to Detective and assigned to the Criminal Investigations Bureau;
- Officer Caleb Porter - promoted to Sergeant of Police and assigned to third shift patrol division;
- Sergeant Colin Hughes – promoted to Lieutenant of Police and assigned to the Special Investigations Unit;
- Officer Phil Noche – appointed to the position of Specialist II, Accreditation Compliance Officer and assigned to Administration.

A/Chief Padgett shared with the Commissioners a letter of appreciation he received from Lt. Tim Sharpee of the Wauwatosa Police Department. This letter was in reference to the additional help provided to the Wauwatosa Police Department on December 24, 2012 relating to the death of Wauwatosa Police Officer Jen Sebena.

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

19. Crime Prevention Activity Report

Acting Chief Padgett submitted the Crime Prevention Activity Report prepared by Lieutenant Chad Evenson

A/Chief Padgett stated that the 2012 New Year's CADD event was successful and approximately 600 people attended the festivities.

A/Chief Padgett noted that in 2012, the department sent an underage person into 18 randomly selected businesses to purchase alcohol and sent an underage person into 56 randomly selected businesses to purchase tobacco, and he was pleased to report that none of the businesses sold to the underage person and were in 100% compliance with the law.

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

20. Sensitive Crimes Activity Report

Acting Chief Padgett submitted the Sensitive Crimes Activity Report prepared by Lt. Jessica Johnson

A/Chief Padgett stated that Detective Napoli registered one (1) new sex offender during the month of December.

A/Chief Padgett stated the Lt. Johnson and her team investigated two sexual assaults and one child neglect case during the month of December. These investigations continue to be ongoing as additional evidence continues to be collected as it relates to these crimes.

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

21. Criminal Investigations Unit Activity Report

Acting Chief Padgett submitted the Criminal Investigations Unit Activity Report prepared by Captain Christopher Botsch

A/Chief Padgett stated that a number of residential burglaries over the past months have been resolved and the perpetrator has been charged with at least five (5) counts of burglary. A/Chief Padgett stated that the CI Unit continues to address and investigate many open and ongoing robbery, burglary and additional crimes on a daily basis.

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

22. Crime Analyst Activity Report

Acting Chief Padgett submitted the Crime Analyst Activity Report prepared by Crime Analyst Chrisie Hunter as well as corresponding police bulletins.

A/Chief Padgett stated that Chrisie's crime analysis work continues to be very helpful and timely and produces information that has proved to be accurate and effective in resolving open investigations.

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

23. Special Investigation Unit Report – 4th Quarter 2012

Acting Chief Padgett submitted the Special Investigation Unit report prepared by Lieutenant Colin Hughes

A/Chief Padgett stated that during the fourth quarter of 2012, West Allis Police Department drug investigations, including the patrol division and those by the Special Investigations/Gang Suppression Unit yielded the following results:

- Defendants: 142
- Felony Arrests: 36 for a total of 49 state criminal offenses
- Misdemeanor Arrests: 14 for a total of 15 state criminal offenses
- Federal Arrests: Zero
- Local Arrests: 92 for a total of 124 municipal citations
- Total Arrest: 142 for a total of 64 state criminal offenses and 124 municipal citations

Additionally, A/Chief Padgett noted that a total of eight (8) search warrants and three (3) buy/bust operations were conducted during this time period. He noted that the Special Investigations Unit received 26 new drug tips and reviewed 119 drug arrests by the patrol division.

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

24. Drug and Graffiti Report – Second half of 2012

Acting Chief Padgett stated that West Allis does not have much gang related activity per say, however he noted that there are members of gangs that do live in within the city limits and the department is investigating ways to better track their activities and actions.

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

25. Traffic Bureau Activity Report

Acting Chief Padgett submitted the Traffic Bureau Activity Report prepared by Lieutenant Brian Saftig

A/Chief Padgett stated that Officers continue to participate in the following initiatives:

- Alcohol Enforcement
- Seat Belt Enforcement
- Speed Enforcement

A/Chief Padgett noted that during the month of December, officers arrested 46 individuals for OWI (Operating While Under the Influence). He further noted that three of the 46 were arrested for their 5th offense and one was arrested for a 6th offense. A/Chief Padgett stated that meetings have been developed with the City Attorney's office to discuss more effective and efficient ways to handle these OWI issues and procedures in the future.

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

26. Tavern Violation Report

Acting Chief Padgett submitted the Tavern Violation Report.

A/Chief Padgett stated that officers responded to a fight at the HD Hideout Bar located at 62nd & Mitchell. A/Chief Padgett stated that two citations were issued and the bar owner will need to appear in front of the License and Health Committee for additional discussion regarding this incident.

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

27. Overtime Report

Acting Chief Padgett submitted the Overtime Report

A/Chief Padgett noted that OT numbers for report writing and training were higher than normal as newly hired officers continue to learn the systems and continue their training process.

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

28. Sick & Injured Report

Acting Chief Padgett submitted the Sick & Injured Report

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

29. Retirements in February 2013

Acting Chief Padgett noted that the following Officers will retire at the end of February:

- Sergeant Mark Sura
- Traffic Investigator Mark Sopa
- Detective Steve Fabry
- Corporal/Warrant Officer Tom Buerger
- Officer Paul Rosen
- Officer James Schumitsch
- Officer Michael Gyurina
- Officer Brian Duerr

A/Chief Padgett also stated that in early January, two officers voluntary resigned and took new positions outside of the police service field.

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

30. Update on Officer Hiring Process

Acting Chief Padgett stated that eight (8) new hire officers will begin their training on Monday, January 21. He noted that four (4) of them were on other Police Departments prior to starting with West Allis.

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

31. Other related items

No additional items for discussion

F. POLICE AND FIRE COMMISSION

- 32. Request for Approval: Sole Source Contract – CovertTrack Group, Inc.

The City of West Allis Purchasing Department submitted a request for approval from Milwaukee HIDTA to contract with CovertTrack Group, Inc. to purchase GPS tracking devices.

A motion was made by Commissioner Clark and seconded by Commissioner Haass to approve the Sole Source Contract with CovertTrack Group, LLC for the total sum of \$14,439.70

The motion carried by the following votes:

Vote: Aye: 4, Commissioners Kempen, Clark, Haass and Nehmer
 No: 0

- 33. Request for Approval: Milwaukee HIDTA contract for various continuing services for calendar year 2013

The City of West Allis Purchasing Department submitted a request for approval from Milwaukee HIDTA to contract for various continuing services for the calendar year 2013 totaling \$1,045,120.31.

A motion was made by Commissioner Clark and seconded by Commissioner Nehmer to approve the Milwaukee HIDTA contract as noted above.

The motion carried by the following votes:

Vote: Aye: 4, Commissioners Kempen, Clark, Haass and Nehmer
 No: 0

- 34. Discussion: Notice of Injury

Commissioner Kempen stated that a personal injury claim has been filed by the family on behalf of a man who was arrested by the West Allis Police Department and died after being taken to the hospital. Commissioner Kempen further stated that all information and the personal injury claim documents have been turned over to the City Attorney’s office and this incident will be handled directly by their office going forward.

- 35. Discussion: Death of a minor during a shoplifting incident on December 14, 2012 at VJ’s Food Mart

Commissioner Kempen noted thanked Acting Chief Padgett for his review of this incident during his report and asked that the Commissioners be kept abreast of the situation as necessary.

- 36. Discussion: Potential discipline of Police Officers

This agenda item was discussed in closed session

- 37. Discussion: Chief of Police selection process update

This agenda item was discussed in closed session

38. Discussion: Update on Police Chief Candidate interviews

This agenda item was discussed in closed session.

G. CLOSED SESSION

PLEASE TAKE NOTICE that the Board of Police and Fire Commission 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 potential discipline of Police Officers, the Chief of Police selection process and discussion of interviews of Police Chief candidates.

A closed session for the above purposes is authorized pursuant to the provision of Section 19.85(1)(c) of the Wis. Stats., which authorizes a governmental body, upon motion duly made and carried, to convene in closed session to consider employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility.

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.

A motion was made by Commissioner Haass and seconded by Commissioner Nehmer to convene into closed session. The motion carried unanimously.

Commissioner Kempen called the meeting to closed session at 7:25 pm

Closed session agenda items were discussed

A motion was made by Commissioner Haass and seconded by Commissioner Clark to reconvene into open session at 8:48 pm. The motion carried unanimously.

H. ADJOURNMENT

There being no further business, on a motion made, seconded and unanimously passed, the meeting adjourned at 8:49 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.