

Police Commission Meeting Minutes – May 25, 2021

Chairman Krauski called the meeting to order at 5:00 pm and the Deputy Clerk confirmed appropriate meeting notice had been given.

Members present: Schmidt, Barry, Krauski, Miller and Non-Voting Council Representative Schellpeper
Excused Members: Gossett
Staff present: Pfister, Timm, Trebatoski, Posnik, Ald. Rosek, Atty Stadler and Wallace

2. **Approve minutes from March 23, 2021:** Motion by Miller to approve the March 23, 2021 minutes as written; second by Schmidt. Motion carried 4-0.
 - 3.a. **Closed Session:** Motion by Miller to go into Closed Session, per Wis. Stats. 19.85(1)(c) Considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility regarding consider appointment of police officer candidate; second by Schmidt. Motion carried 4-0. Closed Session convened at 5:04 PM.
 - b. **Reconvene into open session, per WIS. Stats. 1985(2):** Motion by Schmidt to reconvene into Open Session; second by Miller. Motion carried 4-0. Open Session reconvened at 5:17 PM.
 - c. **Consider/act on confirming Police Chief's appointment to police officer position:** Motion by Schmidt to approve the Police Chief's appointment of Kami Berlin for entry level police officer position; second Miller. Motion carried 4-0.
 - d. **Discuss Potential Written Procedures of Police Commission:** Atty Stadler stated he looked at the best ways to have the Board operate in terms of procedures. Somethings are statutory and some is policy decisions. Atty Stadler stated once the Bylaws are adopted you can change them in the future. There is a provision for 2/3 vote where the Board can suspend the rules. He suggested calling this document the Bylaws. The Commissioners all agreed. Stadler went through the Bylaws. He recommended the Board review the Bylaws every 2 years as necessary. Per Statute, the Board consists of 5 members. Barry asked for clarification on the role of the non-voting member. Stadler stated a year ago he gave the Commission an opinion that having a 6 member of the Commission is that the ordinance is in violation of the law. He stated Atty Riffle's opinion says the current ordinance should be repealed and revised to provide for the appointment of 5 members. Both attorneys agree that five means five. They both have different opinions on whether a Council member can be one. Stadler stated that Riffle's opinion is you can have a Council Member. His recommendation is if you have that 6th member then you should address in the Bylaws how that 6th member is going to operate on the Board. Ex-officio can vote on things, but the City Council structured it as a non-voting ex-officio member. Stadler stated at some point the City needs to address the ordinance. The Commissioner's suggested that Council and the two attorneys involved resolve this issue. Commissioners discussed the draft Bylaws and made the following changes: 1) Page 7, 5.2.5. - add language "Chief conferring with the Board about the promotion process"; 2) Page 4, 2.1 – clarify Board Secretary; 3) Page 4, 2.2 – add language "Board records"; 4) Page 5, 3.5 – add language "Board Chair sets the agenda"; 5) Page 7, 4.3.2 – add language "Board Secretary can delegate some of these functions to clerical staff"; 6) Page 8, 5.1 – add language "referencing guidelines". Krauski stated she will work with Posnik on the hiring process for Chief and will submit the information to Atty Stadler; 7) Page 8, 5.2.1, strike second sentence; 8) Page 8, 5.2.3, first sentence, add language "and written test scores as well as physical agility"; 9) Page 8, 5.2.3 & 5.2.4, clean up language and change pool to list; and 10) Page 9, 6.2, add language "Any citizen complaint maybe filed pursuant to the Departments complaint form". Krauski requested that once the changes are made that the Board receive the draft Bylaws ahead of time for review and then schedule a meeting. Atty Stadler stated he will make the changes and will get the Board a blackline version before the next meeting. Also, Pfister will bring forward the job description for Sergeant for the Board to review in the future.
4. **Comments from Police Commissioners:** Commissioners thanked Atty Stadler for his time.

Motion by Miller to adjourn; second by Schmidt. Motion carried 4-0. The meeting adjourned at 7:22 p.m.

