

MINUTES
MEETING POLICE & FIRE COMMISSION
BERLIN, WISCONSIN
BERLIN CITY HALL – 2ND FLOOR COUNCIL CHAMBERS
Aug 05, 2020 – 6:30 PM

President Justin Lindahl called the meeting to order at 6:35 pm. Present: Commissioners Ed Marks, Chris Jenkinson, Joanne Guden, Dan Johnson and Justin Lindahl. No one absent. Also present: Chief Lind, Assistant Chief Pulvermacher, Emergency Management Director Gary Podoll, Liaison Alderman James Lehr, Officer Reinhart, Corp Schroeder, Attorney Matt Chier, City Administrator Jodie Olson, Sheriff Podoll, Berlin Journal: Scott Mundro and Mr. Charles Reinhart & Mrs. Carol Reinhart

There were no virtual attendees to seat.

Under approval of minutes, Guden and Marks noted minor grammatical and punctuation changes needed. Guden moved to approve the July 1, 2020 P&F Commission minutes with the noted corrections. Johnson seconded the motion which carried by voice vote.

New Officer Connor Reinhart was sworn in by Chief Lind.

Letters of appreciation were presented to former Commissioner Carey Eckstein for his years of service with the Police & Fire Commission by Gary Podoll and Chief Lind.

Next was a review of the temporary ordinance #05-20 relating to electronic or virtual attendance of meetings that was recently passed. Ald. Lehr read the ordinance to explain the intent. He indicated the ordinance is temporary, and it authorizes commissions, boards, and common council to seat someone virtually at a public open meeting if that person requests it. The intent of it was in case there was an unforeseen circumstance to give the option of going to virtual meetings if the situation dictates it is the safest way to conduct a meeting. It is up to the board or commission to allow it, but under the ordinance the Commission can seat someone virtually if it desires. There is no requirement to vote on this item, but the commission is entitled to vote if it chooses. Attorney Chier concurred and stated that it allows each body to dictate which avenue to take during meetings until the end of the year. It can be put on the agenda every time and that gives the option for one of the board members to call in that night to be seated that way but it can be an issue if there is no quorum physically present. It allows the board the option to make a future meeting virtual if you necessary. Marks noted the virtual meeting at Plan Commission did not go well. There is a Task Force in place that is currently looking into better technology to accommodate virtual meetings. No action was taken therefore meetings will continue in person as they have been for the P&F Commission.

Jenkinson moved to approve the fire department expenses. Marks seconded the motion which carried by voice vote.

Gary Podoll gave a report on the fire department. The department went back to meetings in July and held them in person with masks. They can now go into buildings with only one person going into the building at first. If it is more extensive more will follow. Masks will be worn at all times. There were no maintenance issues to report. He will be working with Jodie next week on the

budget for next year and there are no major issues within the budget. Fire prevention information will be handed out to schools as they are not holding any events in person at this time.

Guden moved to approve the Police Department expenses as presented. Marks seconded the motion which carried by voice vote.

Chief Lind and Asst. Chief Pulvermacher provided an update on the Police Department including a monthly activity abstract. The PD was short staffed for July partly due to resignations. The officers are putting out a solid effort to be out patrolling. Lindahl stated that rumor mill suggested the squads are always sitting at the police department, but he disagreed and noted seeing good police presence, even seeing county patrols. The department has new patches and uniforms. Officer Reinhart started last week and another applicant is going through the psychological tests. If everything goes well they should be able to offer employment and get that person started within the end of the month. The school resource officer position is still in negotiations. The school would like that position to start along with the school year so the time restraints are tight. In moving towards a lateral hiring process, there is an union contract appendix that will be forwarded to Common Council for approval. This provides the chief the discretionary option of matching benefit levels to experience levels and may attract more officers from other agencies because they wouldn't necessarily need to lose benefits by transferring. Other agencies known to have lateral transfer agreements are Green Lake, Portage and Lake Delton. This will be discussed further in closed session.

Chief Lind reported the PD has a new patch; SRO is moving along; they will be working with Jodie on budget next week, and there is a need for updated equipment on a lot of different items; training has been done and will continue to go on. There is a shortage of training officers so officers will be chosen to start going through instructor training; Business cards will all be generic moving forward to save money; Appreciation was given to Ripon Athletics for sewing on all patches to uniforms free. Squad 59 was in a 4th accident in seven months, but it is still running; A new squad will be ordered January 2021, which may not be compatible with current equipment so it may cost more.

Lind then provided a departmental overview of what has occurred from last October. Policies and procedures have been getting updated since December, and they are working with a contractor for shell policies to be tailored to the department. To date, 39 policies have been completed with 73 to go. There have been updates within the police department such as new paint and flooring. In the last 10 months, two officers retired, one probationary officer did not make it, two officers changed agencies, one officer was injured on the job but is back full-time, the administrative assistant retired, a new Assistant chief and administrative assistant were hired as well as two new officers. The PD now has a mission, vision and values; Payroll is now electronic versus paper. The work schedule is also electronic now versus paper. We now have an evaluation system which will help personnel with goals. We have also moved to electronic record keeping verses paper. We have a new server to help with computer needs. We have three new AEDs; we are no longer in dog catching, which frees up officer time; agency award program was instituted; streamlined business; updating ordinances.

Next was the resignation of Interim Police Chief Lind. Lind acknowledged and thanked his wife, City Administration Jodie Olson, Ald. Lehr and the P&F Commission for their support of the police department. He thanked the dedicated members of the Berlin Police Department, Sheriff Mark Podoll, Fire Chief Paugels, and Gary Podoll for all the support for the department. He noted he is leaving for personal reasons and his time here has been challenging but rewarding. He noted that he was truly blessed to have been able to hire and work with Assistant

Chief Pulvermacher as he is very good and brings vast knowledge and talent to the city. The city is very fortunate to have this. Johnson moved to accept the resignation of Chief Lind effective August 21 2020. Guden seconded the motion which carried by voice vote.

Residency for the police department was discussed. Olson noted that current residency requirements are 15 miles, but the Commission made a prior exception to an individual in the past to go over 25 miles. Attorney Chier advised that there should be a policy to follow or get rid of it altogether. He further noted that a policy would have to go before the Common Council and they need to agree. Discussion surrounded difficulties in acquiring candidates and that residency restrictions may be precluding good candidates from applying, from accepting a position, and being retained with the department. Mark Podoll commented many people tend to not want to live where they work anymore. Olson indicated that the issue for the police department is understood, and it is an issue for other departments as well. However, from an administrative point, individual exceptions create a ripple effect through all departments. Olson suggested there be a recommendation to Council to review residency as a whole in lieu of the P&F trying to make a departmental decision or exception. Olson will bring back information on what other agencies are currently doing for residency. Lindahl noted the pool of applicants has been decreasing. The Commission discussed if there was a magic mile number to go with or just eliminate altogether. Chier advised the Commission to not have a policy and then make exceptions for other people as that may constitute a legal issue. Ald. Lehr suggested the Commission place the issue in the Council's hands and recommend they review the policy as a whole for the city. Jenkinson moved to recommend to Common Council a request to have the City as a whole look at residency. Johnson seconded the motion, which carried by voice vote. This item will be placed on the next P&F agenda to discuss.

Next on the agenda was discussion on hiring a consultant to update the police department policy and procedures manual. Marks questioned if there was room in the budget for this. Pulvermacher and Lind noted there are 73 remaining policies remaining. Olson stated this required more budget discussion as the 2020 departmental budget will likely end up being very tight at the end of the year. Pulvermacher noted the contract with the company currently providing templates expires March 31, 2021; however they just provide shell policies and do not consult with departments. No action was taken and staff will continue to review.

At 8:20 p.m. Johnson moved to convene into closed session pursuant to Wis. Stat §19.85(1)(c) to consider employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility, and pursuant to Wis. Stat §19.85(1)(e) to deliberate or negotiate the purchasing of public properties, the investing of public funds, or conducting other specified public business, whenever competitive or bargaining reasons require a closed session (1) Discussion on Interim Police Chief, (2) Police Chief search, (3) residency waiver of current Assistant Police Chief, and (4) Discussion on lateral transfer expediting process as it relates to union contract) Marks seconded the motion. A roll call vote resulted in five (5) ayes, zero (0) nays and zero (0) absent. Motion carried.

Guden moved to seat Jim Lehr, Chief Lind, Jodie Olson, and Mark Podoll for the closed session discussion. Marks seconded the motion which carried by voice vote. Attorney Chier. was present for closed session.

Discussion continued in closed session.

At 9:23 p.m. Jenkinson moved to convene into open session. Johnson seconded the motion which carried by voice vote.

Jenkinson moved to appoint Brian Pulvermacher as Interim Police Chief as of August 22, 2020 with a residency waiver for the duration of his interim position. Johnson seconded the motion which carried by voice vote.

Jenkinson moved to recommend to council approval of the lateral transfer contract addendum to the police union contract. Johnson seconded the motion, which carried by voice vote.

Under old business it was noted that discussion on the recent P&F training session would be discussed.

There was no new business or public appearances.

Motion to adjourn by Guden seconded by Marks at 9:25 p.m. and carried by voice vote.

*Submitted by Stephanie Skivers
Administrative Assistant*

Next scheduled meeting will be Wednesday, September 02, 2020 at 6:30 pm at the Berlin City Hall