

Present were Committee Members: Trustee Prott and Trustee Stillman. Also present was Trustee Martin

Staff present: Village Administrator Tom Christensen, HR Director Toni Muise, Captain Brian Wall, Detective Melissa Stardy, Officer Brian Collins, Union Representative Attorney Robert Weber, Utility Manager Anthony Bunkelman and Commissioner Howard Stacey, Utility Manager Bob Lui and Public Works Director Tom Lazcano.

1. Call to Order

Trustee Prott called the meeting to order at 6:00 p.m.

2. Approval of Minutes

Trustee Stillman approved the minutes of August 6, 2018 as presented. Seconded by Trustee Prott. Motion carried unanimously.

3. Presentation of police union grievance #18-02 regarding its denial by Current Commander

Christensen felt the grievance spoke for itself. Neither Christensen nor Muise had any additional comments to add.

Attorney Weber explained Officer Collin's background and how it relates to him following orders. Collins has served the Village for 30 years and has never had any charge comparable to this. A similar grievance was filed shortly after by a different officer and was filed by the same Commander over almost the exact scenario. Attorney Weber ultimately felt there was no insubordination committed. The memo that had been put out was changed and he felt that supported the notion that the matter was unclear to begin with. He addressed concerns regarding timeliness and felt the grievance was in fact filed appropriately given the granted extension. Contrary to the final written response from the current Commander, they believe there was a contractual violation because it was inappropriate discipline, and an unreasonable exercise of management rights and that is the imposition of an arbitrary and unreasonable penalty which deprives Collins of the opportunity to work overtime in the court position that he is qualified for and granted. They are requesting back pay and to reinstate Collins to his court duties.

Trustee Prott asked if Collins set the signs up for court or not? Collins responded that the signs were a new process and proceeded to explain that he placed the signs where he thought they were supposed to be. He said his direction came from Muise and that he was under the impression the signs were already moved to their designated spot. He asked her if she wanted the signs put up, but reminded her that there were no jury trials scheduled or preliminaries so the court cases were small that week and it may not warrant having the signs. He said her response was to not worry about it this week, but he would need to make sure the signs and barricades were in place next week. He assumed everything was fine until he was asked to write a memo regarding this incident.

Trustee Stillman asked if there was an issue with the signs once or twice? Collins thought the new signs were replacement for the barricades. He thought he was placing the

signs according to the written memo. The officer the following week also placed the signs in the spot Collins put them because that's how they read the instructions. He thought the sign should be placed pointing towards the building to signify where court was being held, but later found out they wanted the sign pointed towards Crawford Park. He did not ask if he correctly placed the signs, but was never corrected during the matter. Instead a sergeant was called to move it instead. The initial instructions to place the signs came from Captain Brian Wall. Collins maintains he never refused to move the signs, and feels he was not insubordinate during this matter.

Three different officers placed the signs in the same place per the directions of the memo, and all three officers placed the sign incorrectly. Because of this, they feel the issue is with the directions, and not the work being done. Afterwards, the memo was altered and pictures were provided to make the directions more clear.

Captain Wall felt the issue was when the grievance was filed, and if it was filed in a timely manner. It is clearly written in the policy that grievances should be filed within 10 days. But the grievant should have known that discipline was imposed. The memo was dated July 6th, which would have given Collins until the 16th to file his grievance. The grievance was filed on July 24th.

Attorney Weber felt that since Collins asked for an extension so he could meet with the Captain, and since the extension was requested and agreed to. At that point the grievance had been denied, a new response was sent and the grievance was then filed in 10 days. Captain Wall stated the extension granted Collins more time to explain his position, not more time to file a grievance.

Attorney Weber, Collins and Melissa left at 6:13 p.m.

4. The Personnel Committee will take up a motion to go into CLOSED SESSION pursuant to 19.85(1)(c)&(e), WI Stats., to discuss step 2 of police union grievance #18-02

Motion by Trustee Prott to go into closed session. Seconded by Trustee Stillman.
Motion carried unanimously.

5. The Personnel Committee reserves the right to RECONVENE INTO OPEN SESSION to take possible action on the item(s) discussed during the CLOSED SESSION and to move on to the remaining items on this agenda

Motion by Trustee Stillman to reconvene into open session. Seconded by Trustee Prott.
Motion carried unanimously.

Motion by Trustee Stillman to deny the grievance based on timeliness and the collective bargaining agreement was not violated and authorize Muise to draft up a letter in response to the grievance. Seconded by Trustee Prott.

6. Resolution 2018-73 – Resolution Authorizing Filling The Vacant Utility District Operator

Muise explained they are seeking approval to fill the vacant Utility District Operator position that was vacated on August 8th due to a termination. They're seeking to fill either the District Operator role or an Apprentice role – which is dependent on the qualifications of the applicant. This is before the Committee because Resolution 2013-33 requires Village Board authorization prior to filling any vacant position.

There was some discussion regarding the policy requiring the Board to authorize filling vacant position.

Motion by Trustee Stillman to recommend the Board adopt Resolution 2018-73.
Seconded by Trustee Prott. Motion carried unanimously.

7. Clothing Allowance Reimbursement Policy

Muise explained that they are looking to have one reimbursement policy for the Utility, Highway, Engineering and Building Departments. Reimbursement has been set from \$400 to \$450 to accommodate increased costs and also specifies what the Village provides. This policy supersedes all reimbursement policies except the Police Management part of the policy. This new policy is better, safer, and more consistent than previous policies.

Motion by Trustee Stillman to accept the new policy. Seconded by Trustee Prott.
Motion carried unanimously.

8. Adjournment

Motion by Trustee Stillman to adjourn. Seconded by Trustee Prott. Motion carried unanimously

Meeting adjourned at 6:38 pm

Respectfully submitted,

Karie Torkilsen
Village Clerk