

VILLAGE OF GERMANTOWN
N112 W17001 MEQUON ROAD
GERMANTOWN, WI 53022

MEETING: **PUBLIC SAFETY COMMITTEE**

DATE AND TIME: **MONDAY, FEBRUARY 1, 2016** **5:30 p.m.**

LOCATION: **VILLAGE HALL BOARD ROOM**
N112W17001 MEQUON RD

- I. **CALL TO ORDER:** This meeting has been given public notice in accordance with Wisconsin Statutes, Section 19.83 and 19.84 in such form that will apprise the general public and news media of subject matter that is intended for discussion and action.
- II. **ROLL CALL:** Chairperson Hughes, Trustees Baum, Daniels and Myers.
- III. **PUBLIC COMMENT:** *Please be advised per State Statute Section 19.84(2), information will be received from the public. It is the policy of this municipality that there be a three minute time period, per person, with time extensions per the Chief Presiding Officer's discretion; be further advised that there may be limited discussion on the information received. However, NO ACTION will be taken under public comments.*
- IV. **APPROVAL OF MINUTES:** January 4, 2016 Regular Meeting
- V. **REPORTS:**
- A. Police Department
 - 1. Monthly
 - B. Fire Department
 - 1. Monthly
 - C. Overtime Reports
 - 1. Police Department
 - 2. Fire Department
 - D. Policy Updates
 - 1. Police Department:
 - a. Section 1.23 - Off Duty Conduct
 - b. Section 1.24 - Officer Bill of Rights
 - c. Section 2.07 - Secondary Employment
 - 2. Fire Department:
 - a. Chapter 1 Administration – Progressive Discipline
 - b. Chapter 1 Administration – Complaint Matrix

VI. **UNFINISHED BUSINESS:**

- A. Update on Fire Department Staffing

VII. **NEW BUSINESS:**

- A. Animal Fancier License thru December 31, 2016:
1. John Swartz, W140N13914 Country Aire, Germantown
B. Purchase New Ambulance – Fire Dept.
C. Purchase 5 Recliners for Fire Station #2 – Fire Dept.

VIII. **NEXT MEETING:** Set March 2016 Meeting Date and Time

IX. **ADJOURNMENT:**

UPON REASONABLE NOTICE, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information or to request this service please contact the Village Clerk at (262)250-4740 at least 2 days prior to the meeting.

NOTICE is given that a majority of the Village Board may attend this meeting to gather information about an agenda item over which they have decision making responsibility. This may constitute a meeting of the Village Board per State ex rel. Badke v. Greendale Village Board, even though the Village Board will not take formal action at this meeting.

**MEETING MINUTES
PUBLIC SAFETY COMMITTEE MEETING
JANUARY 4, 2016
VILLAGE HALL BOARD ROOM**

CALL: The meeting was called to order at 5:32 p.m. by Chairman Hughes.

ROLL CALL: Chairman Hughes, Trustees Baum, Daniels and Myers.

Also present were Police Captain Snow, Fire Chief Weiss and Communications Supervisor Schmidt.

PUBLIC COMMENT: no discussion.

APPROVAL OF MINUTES: a motion was made by Baum, seconded by Daniels, to approve the minutes of the December 7, 2015 Public Safety Committee Meeting. Motion carried unanimously.

POLICE DEPARTMENT MONTHLY REPORT: Snow reported on the following:

- Increased activity in Traffic/Other due to traffic grants
- Recent activity including busy holiday season and wrong lane driver on 41
- 4 officers currently in Field Training, 3 will be on solo patrol in mid-January
- Application process ongoing for 2 open officer positions

FIRE DEPARTMENT MONTHLY REPORT: Weiss reported on the following:

- December a busy month with calls for gas leak, brush fire, combine fire, structure fire, vehicle fire and dumpster fire
- Department had a cardiac save
- Adjustments made to fees for fire inspections have increased revenue
- Calls for service increased 8.3% from 2014 to 2015

OVERTIME REPORTS FOR POLICE & FIRE DEPARTMENT: Snow reported that the police department overtime is still tracking higher than normal due to staffing shortages, and the month of December will also show higher overtime numbers, but these numbers should offset with lesser amounts coming out of the salary budget.

Weiss reported that the overtime costs are tracking lower than normal due to most of their calls coming in during daytime hours. He added that December's numbers will show higher numbers due to more nighttime calls and a busy night during the snowstorm.

POLICY UPDATES: Police Department - Snow advised the police department had none.

Fire Department - Weiss advised the fire department had none at this time, but were in the process of preparing a policy for Progressive Discipline.

UNFINISHED BUSINESS: at the request of Chief Weiss, a motion was made by Baum, seconded by Daniels, to pull items A (Discussion of Fire Department Manning Issues) and B (Discussion on Staffing for Vietnam Moving Wall Event - Fire Department) from the agenda. Motion carried unanimously.

REVIEW OF 2016 CAPITAL BORROWING: Hughes advised that General Government and Finance had forwarded a memorandum to all Departments requesting that they review their 2016 Capital Borrowing items and prioritize the list, then forward that information to Administrator Schornack.

Baum added that the Village Board has concerns about the amount they would need to borrow for Capital Borrowing.

Discussion followed with Weiss advising the fire department had already removed their request for a new tender truck from the budget and the only item remaining in Capital Borrowing was their new ambulance. He explained that ambulance styles were changing and would be less of a budgetary burden in the future as they will be made so the box can be removed and only the chassis and cab will need to be replaced.

C.S. Schmidt advised that Chief Hoell would be in charge of any prioritizing of the police department's Capital Borrowing items. She went on to state that the items listed for the police department are necessary replacements, such as the 911 system which is at the end of its time, and the ProPhoenix interface which will be required by the State for the D.A.'s office. Schmidt added that the security system updates will be done keeping as much intact as possible from the 2009 remodel, and that the department did their best to keep costs down by using old items when possible.

Hughes advised that further discussion of Capital Borrowing would be happening at the Village Board level.

SQUAD PURCHASE/SQUAD EQUIPMENT & CHANGEOVER - POLICE DEPARTMENT: Snow advised that there was a late change in price from Schmit Ford which put them higher than Ewald, so the low bid would now be from Ewald at \$26,533 per squad, and the department was requesting two Ford SUV Police Interceptors with changeover costs for a total of \$81,066.00.

A motion was made by Daniels, seconded by Myers, to forward this purchase request to Village Board with a recommendation of approval for the purchase of two Ford SUV Police Interceptors from Ewald Automotive Group in Oconomowoc at \$26,533 per squad, \$53,066 for both, and equipment/changeover costs of \$28,000.00, not to exceed \$81,066.00 from account 10-521-570-8100. Motion carried unanimously.

UPGRADE/REPAIR EMERGENCY LIGHT ON TRUCK 71 IN THE AMOUNT OF \$3960.00 - FIRE DEPARTMENT: Weiss advised that the wiring on Truck 71 has become corroded and is in need of an upgrade. He stated they have available funds in their 2015 budget and are requesting to carry those funds over to cover this repair using account 10-522-530-5400.

A motion was made by Baum, seconded by Daniels, to forward this purchase request to Village Board with a recommendation of approval to repair emergency lighting for the side intersection lighting and one rotator with LED lights on truck 71, using the services of Light It Up EVS, for a cost of \$3960 using funds from the 2015 budget and added to the Budget Carryover Resolution. Motion carried unanimously.

PAY ANNUAL SUPPORT FOR PROPHOENIX FIRE/RMS/WDA AND NETMOTION IN THE AMOUNT OF \$9652.68 - FIRE DEPARTMENT: Weiss advised this request is to cover the annual support fees for ProPhoenix for 2016.

A motion was made by Baum, seconded by Myers, to forward this item to Village Board with a recommendation of approval to pay the annual support fees to ProPhoenix for Fire/RMS/WDA and Netmotion in the amount of \$9652.68 for 2016. Motion carried unanimously.

REVIEW OF 2016 CAPITAL BORROWING - (CONTINUED): Trustee Zabel advised that he wished to add to the prior discussion of the 2016 Capital Borrowing. He advised that the final numbers for the Capital Borrowing items just needed to be reviewed and refined if necessary. He noted that early on in the budget process, the numbers submitted can be an approximation of what the actual costs may be.

NEXT MEETING: Hughes advised that next month's meeting would be held on Monday, February 1, 2016 at 5:30 p.m. at the Village Hall Boardroom.

ADJOURNMENT: There being no further business, the meeting was adjourned at 6:00 p.m.

Recorded by,

Julie L. Barth
Secretary

V. C.

Overtime Report for Police & Fire Departments

2016 Year to date through:

17-Jan-16

2016						2015			
Empl #	Employee Name	Total OT Hours Paid	Total Cost of OT Paid	Total OT Hrs to Comp	Time off Hours	Total OT Hours Paid	Total OT Hrs to Comp	ANNUAL Total of OT hours worked	ANNUAL Total OT to Pay
Police Dept									
90	Ball, Brian	26.50	1,567.74	3.50	5.25	24.50	82.50	107.00	1,407.16
92	Bloch, Ryan	4.50	239.36	0.50	0.75	145.25	50.25	195.50	7,501.44
141	Borden, Ray	0.00	0.00	2.00	3.00	68.50	105.00	173.50	3,636.32
115	Case, Robert	9.50	505.31	0.00	0.00	338.50	16.13	354.63	17,481.83
153	Jones, Matthew	0.00	0.00	1.00	1.50	0.00	0.00	0.00	0.00
101	Jones, Shawn	10.50	558.50	0.00	0.00	311.75	99.75	411.50	16,100.33
88	Laux, Kevin	4.00	212.76	2.25	3.38	92.25	145.13	237.38	4,764.25
142	Marten, Shawn	3.00	159.57	1.00	1.50	87.75	156.38	244.13	4,531.85
102	Mikulec, Dan	0.00	0.00	0.00	0.00	148.50	164.63	313.13	7,023.31
152	Miller, Timothy	8.50	452.12	0.00	0.00	159.00	42.75	201.75	8,211.56
86	Moschea, Daniel	4.50	239.36	3.75	5.63	166.00	124.88	290.88	8,573.07
138	Olson, Toni	8.25	450.70	0.00	0.00	116.50	125.25	241.75	6,184.40
137	Pesch, Justin	0.00	0.00	4.00	6.00	0.00	40.88	40.88	0.00
133	Pierce, Catherin	0.00	0.00	1.25	1.88	0.00	12.75	12.75	0.00
96	Pierzchalski, David	49.50	2,632.91	0.00	0.00	337.75	165.38	503.13	17,443.10
98	Rechlicz, Justin	0.00	0.00	0.00	0.00	162.75	133.88	296.63	8,405.22
136	Rollinger, Kevin	0.00	0.00	0.00	0.00	13.25	32.63	45.88	503.24
121	Schubert, Matthew	3.00	159.57	0.50	0.75	104.50	40.13	144.63	5,396.90
128	Stieve, Jeffrey								
99	von Bereghy, Darren	9.50	408.26	0.00	0.00	224.50	106.13	330.63	10,617.73
Total Police			7,586.13					*	127,781.70
Annual Budget			95,000.00						95,000.00

State Aid Reimbursement 0.00 01.26.2016
Hunting/Concealed Carry Permit 0.00 01.26.2016

Total year end actual = \$1: \$ 168,155.29
* (difference from report due to personnel changes)
2015 State Aid Reimb \$25,091.02
2015 Hunting/Concealed Carry Permit 0.00

Note: Overtime hours to comp are reflected in regular wages

Fire Dept - Full Time									
*	523 Delain, John	40.75	1,327.64	0.00	0.00	473.25	0	473.25	15,418.49
*	563 Rossman, Craig	17.50	570.15	6.00	9.00	381	0	381	12,412.98
*	593 Smith, Steve	23.25	757.49	7.50	11.25	99.25	13.125	112.375	3,233.57
Fire Dept Regular Part-time									
		over 60				over 60			
		Hrs over 60 @ Reg Rate	Over 80 hrs	True OT cost		Hrs over 60 @ Reg Rate	Over 80 hrs	True OT cost	
**	625 Goetz, Steve	1.00	17.64	12.00	317.52	229	4,039.56	33.00	9,108.59
**	617 Hass, Thomas	25.75	454.23	0.00	0.00	1122	19,792.08	445.50	32,890.28
**	605 Rodriguez	65.50	1,097.78	65.50	1,646.67	1574	26,380.24	848.75	47,456.74
**	609 Asmondy	57.25	959.51	103.16	2,036.34	1144	19,173.44	311.50	29,242.64
					4,000.53				118,698.25

Effective July 24, 2013 - POC's over 53 hours/week

	Hrs over 53 2015 Cost	2015 Hours	2015 Cost	Overtime True Costs through:
*** 576 O'Shea, Vicky				01.17.2016
*** 629 McCullough, Jim				
*** 639 Rammel, Brian				
*** 650 Harris, Tim				
*** 653 Asmondy, Robert		14.50	455.45	
*** 658 Silvis, Pete		8.75	354.53	
*** 660 Schodron, Kevin				
*** 669 Zemlicka-Retzlaff, Jake				
*** 673 Neu, Jeremy				
total POC overtime	0.00	0.00	23.25	809.98
* Full time, hours are over and above the 20 normal overtime hours reflected in their base wages				
** Part time hours worked over and above 60 normal hours in two weeks. Some of which are paid at 1.5 times				

Budget -- included within general wages THRU 12.31.1 6061.22 268,461.53
Total Fire Dept - OT wages paid through 12.31.15 129,824.98
Total Fire Dept - OT wages paid through 12.31.14 207,125.76

BUSINESS OF THE PUBLIC SAFETY COMMITTEE
GERMANTOWN, WI

MEETING DATE: 02-01-2016

AGENDA ITEM: Policy Updates

ITEM TITLE: Policy Updates

SUBMITTED BY: Capt. Mike Snow

SUMMARY EXPLANATION:

Updates to the following policies:

1.23; Off Duty Conduct

1.24; Officer Bill of Rights

2.07; Secondary Employment

ATTACHMENT: ORDINANCE_____ RESOLUTION_____ OTHER_____

RECOMMENDATION:

BOARD ACTION:



POLICY & PROCEDURE

GERMANTOWN POLICE DEPARTMENT

SUBJECT: **OFF-DUTY CONDUCT**

SCOPE: All Department Personnel

DISTRIBUTION: Policy & Procedure Manual

REFERENCE: WI State Statute: 175.40

NUMBER: 1.23

ISSUED: 01/26/2016

EFFECTIVE: 02/05/2016

☐ RESCINDS

☐ AMENDS

WILEAG 4TH EDITION

STANDARDS: 1.6.1

INDEX AS: Expander of Jurisdiction
Off Duty Conduct/Powers of Arrest

PURPOSE: The purpose of this Policy & Procedure is to provide guidelines to officers of the Germantown Police Department regarding acceptable criteria for affecting an off-duty arrest and other off-duty related conduct.

This Policy & Procedure consists of the following numbered sections:

I. DEFINITIONS

II. POLICY

III. PROCEDURE

I. DEFINITIONS

- A. Personally Involved: An officer is deemed personally involved where the off-duty officer, a family member, or a friend becomes engaged in a dispute or incident involving a personal matter with the person to be arrested or any other person connected with the incident. This does not apply to situations where the police officer is a crime victim.

II. POLICY

- A. Off-duty officers are often faced with situations involving criminal conduct that they are neither equipped nor prepared to handle in the same manner as if they were on duty. This may lead to unnecessary injuries to off-duty officers, and confusion for those on-duty officers arriving at the scene trying to correctly assess the facts.

In order to promote safety and efficiency, it is the policy of the Germantown Police Department to determine and regulate those situations and locations in which a sworn member is authorized to make an arrest while off duty.

III. PROCEDURES

- A. The intent of this Policy & Procedure is that there is no alcohol in the officer's system when action is taken.

B. Authorized Off-Duty Arrests.

1. When off duty and within the legal authority of the Department, an officer may make an arrest only when all of the following occur:
 - a) There is an immediate need to prevent a crime or apprehend a suspect;
 - b) The crime would require an arrest;
 - c) The arresting officer possesses police identification.
2. The legal authority for these actions are covered by State Statute and outlined in Policy & Procedure 1.09: Jurisdiction.

C. Off-Duty Responsibilities.

1. While off duty, when possible, an officer should report any suspected or observed criminal activities to on-duty authorities. When an officer is prohibited from taking off-duty enforcement actions under provisions of this Policy & Procedure, the officer should act as a trained observer and witness to the offense and should summon on-duty personnel as soon as reasonably possible. Where an arrest is necessary, the off-duty arresting officer should abide by all Department Policy & Procedures.

D. Prohibitions of Off-Duty Arrests.

1. Despite the fact that an officer has police powers and responsibilities 24 hours a day throughout the jurisdiction, the off-duty officer generally should not attempt to make arrests or engage in other enforcement actions when the provisions of section III. A, B, & C of this policy are not met or when any of the following circumstances exist:

- a) The officer is personally involved in the incident underlying the arrest.
- b) The officer's ability or judgment to use a firearm or take a person into custody has been impaired by use of alcohol, non-prescription and prescription drugs, or other medication by a physical ailment or injury.
- c) A uniformed police officer is readily available to deal with the incident.
- d) The officer has consumed alcohol within 12 hours of the event precipitating the need for arrest or other law enforcement activity.

Peter G. Hoell
Chief of Police

This Policy & Procedure cancels and supersedes any and all written directives relative to the subject matter contained herein.

Initial 01/26/2016



POLICY & PROCEDURE

GERMANTOWN POLICE DEPARTMENT

SUBJECT: **LAW ENFORCEMENT OFFICERS
BILL OF RIGHTS**

SCOPE: All Department Personnel

DISTRIBUTION: Policy & Procedure Manual

REFERENCE: WI State Statutes: Chapter 164

NUMBER: 1.24

ISSUED: 01/26/2016

EFFECTIVE: 02/05/2016

☐ RESCINDS

☐ AMENDS

WILEAG 4TH EDITION

STANDARDS: 1.9.4

INDEX AS: Bill of Rights, Officers
Law Enforcement Officers Bill of Rights

PURPOSE: The purpose of this Policy & Procedure is to inform the Germantown Police Department law enforcement personnel of their rights under Wisconsin State Statutes.

This Policy & Procedure consists of the following numbered sections:

- I. POLICY
- II. DEFINITION
- III. LAW ENFORCEMENT OFFICER RIGHTS

I. POLICY

- A. It is the policy of the Germantown Police Department to ensure that all Department law enforcement personnel know and understand the Law Enforcement Officers Bill of Rights as enacted by Wisconsin State Statute, Chapter 164.

II. DEFINITION

- A. Section 164.01: Definition. In Sections 164.015 to 164.05, "law enforcement officer" means any person employed by the state or by a city, village, town or county for the purpose of detecting and preventing crime and enforcing laws or ordinances, who is authorized to make arrests for violations of the laws or ordinances which he or she is employed to enforce.

III. LAW ENFORCEMENT OFFICER RIGHTS

- A. Section 164.015: Engaging in Political Activity. No law enforcement officer may be prohibited from engaging in political activity when not on duty or not otherwise acting in an official capacity, or be denied the right to refrain from engaging in political activity.
- B. Section 164.02: Interrogation.
1. If a law enforcement officer is under investigation and is subjected to interrogation for any reason which could lead to disciplinary action, demotion, dismissal or criminal charges, the interrogation shall comply with the following requirements:
 - a) The law enforcement officer under investigation shall be informed of the nature of the investigation prior to any interrogation.
 - b) At the request of any law enforcement officer under interrogation, he or she may be represented by a representative of his or her choice who, at the discretion of the officer, may be present at all times during the interrogation.
 2. Evidence obtained during the course of any interrogation not conducted in accordance with Subsection (1) may not be utilized in any subsequent disciplinary proceeding against the law enforcement officer.
- C. Sec.164.03 Recrimination. No law enforcement officer may be discharged, disciplined, demoted or denied promotion, transfer or reassignment, or otherwise discriminated against in regard to employment, or threatened with any such treatment, by reason of the exercise of the rights under this Chapter.
- D. Sec.164.04 Rights not to be Diminished. The rights under this Chapter shall not be diminished or abridged by any ordinance or provision of any collective bargaining agreement. These rights may be supplemented and expanded by ordinance or collective bargaining agreement in any manner not inconsistent with this Chapter.
- E. Section 164.05: Applicability. Sections 164.01 to 164.04, Wis. Stats., apply only to law enforcement officers employed by a city, village, town, or county.
- F. Sec.164.06 Officers May Be Candidates.

1. In this Section, "law enforcement officer" means any person employed by a city, village, town or county, other than a first class city or a county having a population of five hundred thousand (500,000) or more, for the purpose of detecting and preventing crime and enforcing laws or ordinances, who is authorized to make arrests for violations of the laws or ordinances which he or she is employed to enforce.
2. No city, village, town or county may prohibit a law enforcement officer from being a candidate for any elective public office, if that law enforcement officer is otherwise qualified to be a candidate. No law enforcement officer may be required, as a condition of being a candidate for any elective public office, to take a leave of absence during his or her candidacy.

This Section does not affect the authority of a city, village, town or county to regulate the conduct of a law enforcement officer while the law enforcement officer is on duty or otherwise acting in an official capacity.

Peter G. Hoell
Chief of Police

This Policy & Procedure cancels and supersedes any and all written directives relative to the subject matter contained herein.

Initial 01/26/2016



POLICY & PROCEDURE

GERMANTOWN POLICE DEPARTMENT

SUBJECT: **SECONDARY EMPLOYMENT**

SCOPE: All Sworn Personnel

DISTRIBUTION: Policy & Procedure Manual

REFERENCE:

NUMBER: 2.07

ISSUED: 01/26/2016

EFFECTIVE: 02/05/2016

☐ RESCINDS

☐ AMENDS

WILEAG 4TH EDITION

STANDARDS: 2.4.7

INDEX AS: Extra-Duty Employment
Off-Duty Employment
Secondary Law enforcement Employment

PURPOSE: The purpose of this Policy & Procedure is to establish guidelines for secondary employment by members of the Germantown Police Department.

This Policy & Procedure consists of the following numbered sections:

- I. POLICY
- II. DEFINITIONS
- III. EXTRA-DUTY OR SECONDARY LAW ENFORCEMENT EMPLOYMENT
- IV. SECONDARY EMPLOYMENT
- V. LIMITATIONS
- VI. RETENTION OF SECONDARY EMPLOYMENT RECORDS

I. POLICY

- A. It is the policy of the Germantown Police Department to provide guidelines for any secondary employment by any member of the Department.

II. DEFINITIONS

- A. OFFICER: An officer is defined as sworn personnel employed by the Germantown Police Department.
- B. EMPLOYMENT: Work, as customary trade, craft, service, or vocation in which one's labor or services are paid for by an employer or for which a consideration is received. Employment does not include volunteer charity work.
- C. SECONDARY LAW ENFORCEMENT EMPLOYMENT: Any employment by a member in another law enforcement agency or agencies, which is part-time and/or the member is sworn personnel.
- D. EXTRA-DUTY EMPLOYMENT: Any employment that is conditioned on the actual or potential use of Germantown Police Department law enforcement powers by the Department employee and for which there is a contract or agreement between the Department and the employer.
- E. SECONDARY EMPLOYMENT: Any employment where the member acts or works as a contracted employee or part-time employee for any employer other than the Germantown Police Department.
- F. MEMBER: Any person employed by the Germantown Police Department, whether sworn or non-sworn.

III. EXTRA DUTY OR SECONDARY EMPLOYMENT (Law Enforcement Related)

- A. Officers of the Department may engage in outside employment without limitation provided nominal notification requirements are complied with and that outside employment does not result in a conflict of interest or cause the Officer to be unfit for regular duties.
- B. Request for Approval: Any Officer requesting extra duty or secondary employment shall prepare an inter-office report with the subject heading "Request for Outside Employment" and submit it to the Chief of Police, for approval.

This form will be distributed as follows:

- 1. Original - Personnel file.
 - 2. Copy – Employee Requesting the extra duty or secondary Employment.
- C. Officers granted approval of an "outside" employment request shall re-submit an inter-office report with the subject heading "Request for Outside Employment" for renewal as follows:
 - 1. Immediately upon any significant change in the specific duties or employer outlined in prior request.

- D. Denial of Requests: Requests for approval of outside employment shall be denied, if the circumstances of the employment are contrary to Department Policy & Procedures, Directives and/or Orders.
- E. Revocation of Extra Duty or Secondary Employment Status: Extra Duty or Secondary Employment may be denied or revoked for any of the following reason(s):
 - 1. Any violation of this procedure.
 - 2. Excessive use of sick leave.
 - 3. Low on-duty performances or productivity.
 - 4. Nature of off-duty work.
 - 5. Where conflict of interest exists.

IV. SECONDARY EMPLOYMENT

- A. Members may engage in secondary employment that meets the following criteria:
 - 1. Employment that presents no potential conflict of interest between duties as a Germantown Police Department employee and duties for a part time secondary employer. Examples of employment representing a conflict of interest are:
 - a. As a re-possessor, bill collector, or other employment in which law enforcement authority might tend to be used to collect money or merchandise for private purposes.
 - b. Personnel investigations for the private sector or any employment which might require a member to have access to law enforcement information, files, records or services as a condition of employment.
 - c. Conduct which assists (in any manner) the case preparation for the defense in any criminal or civil action or proceeding.
 - d. Or a business or labor group that is on strike.
 - e. In occupations that are regulated by, or that must be licensed through the Department or the Village of Germantown.
- B. Employment that does not constitute a threat to the status or dignity of the Department as a professional occupation. Some examples of employment representing a threat to the status or dignity of the Department profession are:
 - 1. Establishments which sell pornographic books, magazines, videos, or sexual devices, or that otherwise provides entertainment or services of a sexual nature.

2. Any employment involving the sale, manufacture or transport of alcoholic beverages as the principle business.
 3. Any gambling establishment not exempted by law.
- C. Members engaged in secondary employment are required to notify the Chief of Police in writing of the secondary employment in which they are engaged.

V. LIMITATIONS

A. Limitations on secondary employment are as follows

1. Members who are on medical leave shall be limited in extra duty or secondary employment in compliance with medical restrictions set forth by the attending physician(s) and shall not work extra duty or secondary employment during their normal duty hours.
2. Members when engaged in extra duty or secondary employment are prohibited from wearing the Germantown Police Department uniform or any part or item of the uniform. Members are prohibited from using Germantown Police Department issued equipment when engaged in extra duty or secondary employment. Members are prohibited from utilizing Department information, reports, records or other documents for extra duty or secondary employment purposes.
3. Work hours for extra duty or secondary employment must be scheduled in a manner that does not conflict or interfere with the member's performance of duty.
4. A member engaged in extra duty or secondary employment is subject to call-out in case of emergency, and may be expected to leave their extra duty or secondary employment in such situations.
5. A member who is injured working extra duty or secondary employment is ineligible to receive Village of Germantown Worker's Compensation payments for disability resulting from secondary employment.
6. A member who engages in secondary employment that presents a conflict of interest between their employment with the Germantown Police Department and the secondary employment or that presents a threat to the status or dignity of the Department may be subject to discipline.
7. Engaging in secondary employment is solely and completely at the risk of the employee.

VI. RETENTION OF SECONDARY EMPLOYMENT RECORDS

- A. All secondary employment records shall be permanently maintained in each employee's personnel file.

Peter G. Hoell
Chief of Police

This Policy & Procedure cancels and supersedes any and all written directives relative to the subject matter contained herein.

Initial 01/26/2016

V. D2

BUSINESS OF THE PUBLIC SAFETY COMMITTEE

GERMANTOWN, WI

Fire Department

MEETING DATE: February 1, 2016

AGENDA ITEM: New Business

ITEM TITLE: Fire Department Policy

SUBMITTED BY: Chief Gary L. Weiss

SUMMARY EXPLANATION: Attached are some updated policies for the fire department.

ATTACHMENT: ORDINANCE___ RESOLUTION___ OTHER__X__

Policy:

0102.07-Progressive Discipline

010208-Complaint Matrix

RECOMMENDATION:

This was for the information/update of the PSC.



0102.07 PROGRESSIVE DISCIPLINE

Chapter: 1 Administration

Subject: 102 Progressive Discipline

Topic: .07 Progressive Discipline

A. PURPOSE

The purpose of this policy is to administer discipline fairly, consistently, and to communicate to the officers and members, the elements and processes for disciplinary actions. The focal point of this policy shall be to correct employee misconduct or inappropriate behavior, and eliminate future occurrences.

It is the overall intent of this policy not to create an atmosphere of tension or stifle creativity. When risks are taken to improve operational effectiveness, there is a chance it may fail. Punishing a failure is not an effective method of leading an organization. However, a breach of discipline will undermine the integrity of an organization and cannot be tolerated at any level. The vast majority of incidents can and should be handled through mentoring, coaching, and leadership. There may be certain circumstances that will need more stern actions taken. While the guidelines below are meant to act as a structure to this end, they are not all-inclusive. Officers will need to exercise common sense and discretion as to which penalty the transgression warrants. In order to assist in this effort, officers must be fair and consistent with their handling of any incident.

B. SCOPE

This policy shall apply to all members of the Department. All action taken pursuant to this Procedure will be in conformity with Department Rules and Regulations as well as state and federal Law.

This guideline shall apply to all new or revised Standard Operating Guidelines issued by the Fire Chief of Germantown Fire Department.

C. TERMS AND DEFINITIONS

1) As listed in the body of this policy.



0102.02 PROGRESSIVE DISCIPLINE

D. GUIDELINE

- A. All Department members are expected to meet a standard of conduct appropriate to the reputation of the Department. Members are responsible to be aware of and abide by existing rules and regulations.
- B. All Department members are expected to perform their job duties to the best of their abilities and to standards set forth in their job descriptions, or as otherwise established.
- C. The Department endorses a policy of progressive discipline. However the Department retains the right to administer discipline, up to and including termination of employment, depending on the circumstances.

I. CRITERIA FOR DISCIPLINARY ACTIONS:

- A. The overall governing doctrine for the application of disciplinary actions shall be that of progressive discipline.
- B. Progressive discipline incorporates a series of increasingly severe penalties for repeated violations, misconduct, or for a series of unrelated problems involving job performance or behavior.
- C. The progression or level of discipline may vary depending on the nature and severity of the behavior or misconduct. Supervisors should make decisions on the level of discipline to impose, based on the seriousness of the incident, mitigating circumstances i.e. provocation or degree of involvement, prior disciplinary records, and the member's past performance, conduct and history with the Department.
- D. More severe discipline, including suspension and termination of employment, shall be applied if the actions giving rise to the need for discipline occur in relative proximity to other disciplinary matters, represent second or subsequent similar infractions, or are incidents of a more severe nature, that are intentional, malicious or of significant consequence.

**Supervisors may review an employee's personnel file for whom they are administering or considering administering disciplinary action to.*

II. PROGRESSIVE DISCIPLINE STEPS:

A. Coaching, Instruction, Training

- 1. These items are not a part of progressive discipline but should be documented to show that attempts had been made to correct deficiencies on the member's part. Supervisors should document items such as these in the Annual Performance Evaluation.



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B. Investigation

1. Every action that could potentially lead to discipline of a department member shall be investigated by the reporting officer or by an officer assigned by the Chief of the Department or his designee.
2. The investigation shall be prompt, thorough, and unbiased and comply with the standards set forth in Wis. Stats. Sec. 62.13(5)(em):
 - a. Could the member reasonably be expected to have had knowledge of the probable consequences of the alleged conduct?
 - b. Was the rule or order that the member allegedly violated reasonable?
 - c. Whether the Chief, or his designee, made a reasonable effort to discover whether the member did in fact violate a rule or order?
 - d. Was the investigation effort fair and objective?
 - e. Did the investigation discover substantial evidence that the member violated the rule or order?
 - f. Has the rule or order been applied fairly and without discrimination to the member?
 - g. Does the proposed discipline reasonably relate to the seriousness of the alleged violation and the member's record of service with the Department?
3. The Discipline Investigation Checklist Appendix A shall be completed as part of the investigation process.

B. Counseling

1. An informal private meeting between the member and supervisor where the member is made aware of his/her inappropriate behavior, rule violation, etc., and guidance is provided as to how the member can improve the member's behavior.
2. Counseling may be more formal, involving a third party if warranted, if the inappropriate behavior, rule violation, etc. is significant.
3. Counseling should be designed to resolve the problem early and avoid the need to take more severe disciplinary action.



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4. A record of the counseling session, known as a Letter of Counsel, shall be documented and forwarded through the chain of command to the Fire Chief for permanent inclusion in the member's Personnel File. The Letter of Counsel should include a plan to correct future behavior.

C. Documented Verbal Reprimand

1. Verbal reprimands are given when counseling has failed to produce the desired result or the behavior is clearly unacceptable.
2. Supervisors should meet with the member in private to discuss their behavior or conduct and future expectations, including a clear explanation of the consequences of failure to correct the problem. A corrective action plan is suggested for these circumstances.
3. Verbal Reprimands shall be documented on the Germantown Fire Department Warning Record (Appendix B) and forwarded after the member's signature through the chain of command for inclusion in the member's Personnel file.
4. Verbal Reprimands must include evidence that the member was advised that "further violations will result in more severe discipline up to and including termination".
5. Verbal reprimands shall be retained in the member's Department personnel file indefinitely.

E. Written Reprimand

1. The Written Reprimand is a formal disciplinary warning which becomes a permanent part of the employee's personnel file.
2. A Written Reprimand may be issued without prior lesser forms of discipline when the action giving rise to discipline is determined to involve a serious rule violation, involve intentional or malicious conduct or have significant consequences.
3. A copy of the Written Reprimand on the Germantown Fire Department 108 Warning Record Form (Appendix B) shall be forwarded through the chain of command for their review after the accused member has been given an opportunity to make a statement.
4. Written Reprimands must include evidence that the member was advised that "further violations will result in more severe discipline up to and including termination". It is recommended a corrective action plan be established.



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5. The member shall be given a copy of the written reprimand after the chain of command review has been completed and final disposition has been determined.
6. Copies of the Warning Record shall be placed in the members Personnel File.

E. Suspension.

1. The suspension is a formal disciplinary warning.
2. A suspension occurs when prior discipline has not been successful in correcting the member's behavior or the conduct or violation is more serious in nature.
3. Subsequent suspensions of increased duration are consistent with the concept of progressive discipline.
4. A suspension must include evidence that the member was advised that "further violations will result in more severe discipline up to and including termination."
5. A copy of the Warning Record shall be forwarded through the chain of command for review after the accused member has been given an opportunity to make a statement.
6. A suspension may be considered an appropriate level of discipline under one or more of the following conditions:
 - a. If the event or action by the member had a significant impact on the efficiency or operation of the Department.
 - b. If it involves a serious rule violation.
 - c. If it involves intentional or malicious conduct.
 - d. If there have been multiple infractions arising from the same or similar circumstances.
 - e. If there have been three prior infractions for which lower forms of discipline have previously been issued. The time which has passed since the last infraction shall be taken into consideration.
7. The Fire Chief or the Fire Commission may order a suspension as a disciplinary action in accordance with Fire Commission Rules.
8. If the Fire Chief orders a suspension, he/she must file a report with the Chair of the Fire Commission immediately upon issuing the order of suspension.



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9. Suspensions may be appealed by the member to the Fire Commission. If the member requests a review of the suspension then the Chief will file charges against the member as required under Wis. Stats. Sec. 62.13 (5)(c) (see Fire Commission Rules).

G. Demotion and Termination.

1. Formal charges may be filed with the Fire Commission against a member who falls under the authority of the Fire Commission seeking demotion or termination in accordance with Fire Commission Rules.

2. The Fire Commission may conduct a hearing for the purpose of reviewing the charges.

3. The Fire Commission may administer whatever discipline they deem appropriate after the hearing in accordance with Fire Commission Rules.

H. Administrative Leave.

1. An Administrative Leave is a leave from duties while an investigation is underway into allegations that may lead to disciplinary actions. The purpose of this leave is to remove the member from the situation surrounding the allegations to protect all of the department members involved in the alleged incident.

2. An Administrative Leave notice shall not be made part of a member's personnel file and shall not be used to prejudice any disciplinary actions.

III. AUTHORITY FOR DISCIPLINARY ACTIONS:

A. Coaching, Instruction, Training

1. All officers may administer.

B. Counseling

1. All officers may administer.

2. A copy of the Letter of Counsel shall be placed in the member's personnel file and remain as a permanent entry.

C. Documented Verbal Reprimand

1. All officers may issue a Documented Verbal Reprimand.



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2. A copy of a Verbal Reprimand shall be placed in the member's Personnel File and remain as a permanent entry.

D. Written Reprimand

1. All Officers may initiate a Written Reprimand

2. A copy of a Written Reprimand shall be placed in the member's Personnel 180 File and remain as a permanent entry.

E. Disciplinary Suspension

1. All Officers shall have the authority to recommend to the Chief of the Department that a member be given a Disciplinary Suspension.

2. The Chief of the Department and/or the Fire Commission shall be solely responsible for issuing a Disciplinary Suspension.

F. Demotion and Termination

Fire Commission Rules describe who can file charges against a member that could result in demotion and termination.

G. Administrative Leave

The Chief of the Department shall have the authority to place a member on an administrative leave pending issuing of disciplinary action.

IV. NOTICE TO MEMBER:

A. The member shall be notified in a timely manner as to any disciplinary proceeding. This is normally done during the investigation portion of the disciplinary proceedings.

B. The member must be given the opportunity to explain their version of the event during the investigation of the incident.

C. The member will be afforded the opportunity to have a representative with them in any meeting that may result in disciplinary action.

D. The member shall be given a copy of the Warning Record after the chain of command review has been completed.

E. Members shall be asked to sign an acknowledgement of the disciplinary action. If a member refuses to sign, the initiating supervisor shall note that fact on the report, and



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bring in another department member, preferably an officer, as a third party witness. The third party shall sign the report as a witness to the refusal.

V. APPEAL OF ACTION:

The accused member shall have the right to appeal discipline in accordance with Fire Commission Rules and applicable Laws.

VI. GENERAL SEQUENCE OF EVENTS FOR INVESTIGATION OF FORMAL CHARGES (Formal Charges are required for Appeals of Suspension, Demotion and/or Termination):

- A. An officer or other member initiates charges.
- B. An officer is assigned to investigate the charges.
- C. The charges are investigated.
- D. The member is notified of the charges and a statement taken. Garrity Warning will be provided to and signed by the member prior to taking his/her statement.
- E. The investigation is finalized and recommendations made.
- F. The Chief of the Department reviews charges.
- G. The accused is allowed to make a statement in defense of their actions.
- H. A final determination of discipline is made by the Fire Chief.
- I. The discipline is administered at a final meeting with the member.
- J. The member should sign the discipline form and copies are placed in the appropriate files.
- K. Appeals are handled/conducted in accordance with Department Rules and Regulations and Fire Commission Rules.



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Appendix A

Germantown Fire Department Discipline Investigation Checklist

Member initiating investigation: _____ Date: _____

Charges/Events being investigated:

Investigating Officer: _____

____ Witnesses interviewed and statements taken.

____ Witness: _____

____ Accused interviewed and statements taken.

____ Seven Steps of Just Cause followed. The investigation shall be prompt thorough, and un-biased and comply with the standards set forth in Wis Stats. Sec. 62.1313(5)(em).

1. Could the member reasonably be expected to have had knowledge of the probable consequences of the alleged conduct?
2. Was the rule or order that the member allegedly violated reasonable?
3. Whether the Chief, or his designee, make a reasonable effort to discover whether the member did in fact violate a rule or order?
4. Was the investigation effort fair and objective?
5. Did the Investigation discover substantial evidence that the member violated the rule or order?
6. Has the rule or order been applied fairly and without discrimination to the member?



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7. Does the proposed discipline reasonably relate to the seriousness of the alleged violation and the member's record of service with the Department?

____ Personnel file reviewed.

____ Review telephone records, video tapes, schedules, attendance records, emails, voicemails photos and any other pertinent records.

____ Other supervisors interviewed for similar events by other members.

____ Applicable rules/policies reviewed.

____ Statements, summary of findings, recommendations for disciplinary action attached. This document shall indicate whether the alleged action was:

1. Unfounded: The allegation is false or not factual.
2. Exonerated: The incident occurred but was lawful and proper.
3. Not sustained: There was insufficient evidence to prove or disprove the allegation.
4. Sustained: The allegation is supported by a preponderance of evidence to justify a reasonable conclusion that the incident occurred.

____ Investigation completed and discipline /charges drafted with 14 days of the notification of the incident.

Signed _____ Date _____
Investigating Officer



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Germantown Fire Department Warning Record

Employee Name:

Current Assignment:

Date of this Report:

Time:

Date of Violation:

Time:

Location:

Nature of Violation: Check all that apply

___ Substandard Work

___ Conduct

___ Violation of SOP

___ Disobedience

___ Carelessness

___ Violation of Rules & Regs

___ Other: List _____

Has the Dept. Member Been Previously Warned For This Type of Violation YES NO

Please Check Form of warning and Write By Whom

First Warning	Second Warning	Third Warning
Oral Written	Oral Written	Oral Written
Given By:	Given By:	Given By:

Remarks Regarding Violation:

Employee Remarks:

I Have entered My Version of the Matter Above. (The absence of any statement on the part of the Department members indicates his/her agreement with the report.) I have read this Warning and understand it:

Employee

Date



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Action To Be Taken:

Officer Who Prepared Warning: _____ Date: _____

Recommended By: _____ Date: _____

Reviewed By: _____ Date: _____

Approved By Fire Chief _____ Date: _____



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Appendix C Germantown Fire Department Garrrity Warning

You are being questioned as part of an internal investigation by the Germantown Fire Department. You will be asked questions specifically directed and narrowly related to the performance of your duties or fitness for office. You have the right to not criminally implicate yourself as guaranteed by the Constitution. However, if you refuse to truthfully and completely answer 303 questions related to the performance of your duties or fitness for duties, then you will be subject to serious discipline up to and including termination.

If you do truthfully and completely answer questions, then neither your statements nor any information or evidence which is gained by reason of such statements can be used against you in 308 any subsequent criminal proceedings. However, your statements and information or evidence 309 which is gained by reason of such statements can be used against you in relation to the Department's internal investigation.

In the event that you wish to remain silent or in the event you fail to truthfully and completely 313 answer questions, your silence or failure to truthfully and completely answer such question ma be used as evidence in this investigation and, depending on the evidence before the Department, the Department may draw negative inferences from your silence or failure to truthfully or completely answer questions.

If you are a represented employee you have the right to have a union representative present during this interview. During this questioning, if you want to confer with your representative, then we will allow you that opportunity. If you choose to have someone appearing on your behalf, then you are informed that the individual will not be allowed to interfere with the interview. Any such interference may be considered a refusal to cooperate with this interview and you may be considered as part of any disciplinary action that may be taken against you. Your reliance will not shield you from the consequences of you decisions. You and your advisor will be allowed to give a statement at the end of this interview.

I have received a copy of this notice, and I understand the order given to me.

-END-



0102.08 COMPLAINT MATRIX

Chapter: 1 Administration

Subject: 102 Progressive Discipline

Topic: .08 Complaint Matrix

A. PURPOSE

This procedure outlines the guidelines and expectations for the Village of Germantown Fire Department's (GFD) response to complaints and the steps involved in the investigation of complaints. This procedure begins with a description of the Discipline Matrix. The discipline matrix aims to achieve consistency in discipline and to eliminate the appearance of disparity. This matrix does not remove discretion; it provides a range of possible sanctions, thus providing clarity.

B. SCOPE

This policy shall apply to all members of the Department. All action taken pursuant to this Procedure will be in conformity with Department Rules and Regulations as well as state and federal Law.

This guideline shall apply to all new or revised Standard Operating Guidelines issued by the Fire Chief of Germantown Fire Department.

C. TERMS AND DEFINITIONS

1) As listed in the body of this policy.

D. GUIDELINE

The matrix lists GFD Work Rule violations, Policy and Procedure violations, Standard Operating Guideline violations (SOG). It then provides sanction categories **A** through **E**. The least punitive sanctions are category **A**, with sanctions becoming more severe as the categories progress to category **E**.

In each category, there is a recommended guideline of sanctions.

This matrix captures the most common potential violations and sanctions. There are GFD work rules/procedural categories that are not covered in this matrix. There is the expectation that all policies and procedures will be followed. GFD understands that as times change, policies and expectations will change, and there will be violations that are not covered on the matrix. These violations shall be added to the matrix as deemed appropriate. For violations not specified on the matrix, the sanction will be determined by the Fire Chief.



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Category A	Category B	Category C	Category D	Category E
Conduct violation in a single incident that has a minimal negative impact on the operations or reputation of the GFD. Sanctions listed below this category are not considered discipline. Sanction guidelines may include: • Verbal Counseling • Mediation • Documented Counseling A single sanction or a combination of the above listed sanctions may be deemed appropriate. Training can also be ordered in conjunction with any sanctions listed above	Violations that have more than minimal impact on the operations or reputation of the GFD or that negatively impact relationships with other officers, agencies or the public. This includes repeated acts from Category A within time frames listed below. Sanction guidelines may include thereof: • Verbal Counseling • Mediation • Documented Counseling • Letter of Instruction • Letter of Reprimand (First Level of Discipline) A single sanction or a combination of the above listed sanctions may be deemed appropriate. Training can also be ordered in conjunction with any sanctions listed above	Violations that have a pronounced negative impact on the operations or reputation of the GFD or on relationships with employees, other agencies or the public. This includes repeated acts from Category B within time frames listed below. Sanction guidelines may include: • Letter of Instruction • Letter of Reprimand • Suspension without pay for one to two shifts or on-call time period. A single sanction or a combination of the above listed sanctions may be deemed appropriate. Training can also be ordered in conjunction with any sanctions listed above	Violations that are contrary to the core values of the GFD or that involve a substantial risk of employee or public safety. This includes repeated acts from Category C within the time frames listed below. Sanctions guidelines may include: • Suspension without pay for two to six shifts or on call time period Training can also be ordered in conjunction with any sanctions listed above	Violations that are contrary to the core values of the GFD. This includes acts of serious misconduct or acts of criminal conduct. This also involves any conduct that will effectively disqualify an employee from continued employment with Village of Germantown Fire Department. Sanction guidelines may include: • Suspension without pay for six shifts or more including on call time periods. • Reduction in rank • Separation from service Training can also be ordered in conjunction with any sanctions listed above



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Repeated Acts

Repeated acts of the same or similar violations of category **A** within **one year** will increase the repeated violation into category **B**.

Repeated acts of the same or similar violations of category **B** within **two years** will increase the violation to category **C**.

Repeated acts of the same or similar violations of category **C** within **three years** will increase the violation to category **D**.

Repeated acts of the same or similar violation of category **D** within **five years** will result in **separation of service**.

- D. *The matrix categories may not be sequentially followed in cases where there may be a number of similar violations or in cases where there are particularly egregious circumstances. The matrix is considered a guideline only and it is within the Fire Chief's discretion to deviate from the matrix based on the individual case*

Discipline Matrix

	Categories skipped have not had recent previous discipline associated.	Category				
		A	B	C	D	E
	Knowledge of rules and regulations of the Department					
	Failure to familiarize themselves with rules and regulations of the Department.					
	Training					
	Failure to attend required training sessions.					
	Duties					
	Failure to perform duties as outlined in the Department's rules and regulations.					
	Company Officer Responsibilities					
	Failure to preserve order and discipline.					
	Failure to enforce strict compliance with the rules and regulations of the Department.					



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		A	B	C	D	E
	Company Officer Performance					
	Failure to abstain from violent, abusive, or immoderate language.					
	Failure to see that all rules and orders are strictly obeyed.					
	Job Courtesy and Property Handling					
	Failure to exercise due care toward all members of the Department.					
	Failure to exercise due care when using Department equipment, apparatus, and other property.					
	Members shall be efficient and capable in the service and must not neglect their duty					
	Failure to hold themselves in readiness, at all times, to answer the calls and obey orders of their superior officers.					
	Failure to treat superiors with respect.					
	Failure to be courteous and considerate, guarding themselves against envy, jealousy, or other unfriendly feeling.					
	Failure to refrain from all communication to their discredit, except to their superior officers, whom it is their duty to inform of every neglect or disobedience of orders that may come to their knowledge.					
	Failure to conform to the rules and regulations of the Department, observe the laws and ordinances, and render their services to the city with zeal, courage, and discretion and fidelity.					
	Vehicle Operation-Departmental and Personal during Response					
	Failure to exercise judgment and care with due regard to the safety of life and property when responding to an emergency call.					
	Failure to have safe control of the apparatus.					
	Respect: Addressing by Proper Title					
	Failure to address superior officers by their proper titles					
	Authority					
	Officers exceeding their authority in giving orders.					



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Failure to observe orders of a superior in rank.					
	A	B	C	D	E
Professional Conduct					
Failure to conduct themselves in a quiet, civil, and orderly manner.					
Failure to be attentive and zealous in their job performance.					
Failure to control their temper and failure to exercise the utmost patience and discretion.					
Failure to refrain from harsh, violent, coarse, and profane language.					
Reliability and Observance of Rules					
Failure to obey all laws, ordinances, rules, regulations, and orders, whether general, special, or verbal, when emanating from due authority.					
Failure to be on time to the minute					
Truthfulness					
Failure to be truthful, under oath or otherwise.					
Employees shall not make false reports or knowingly enter false information into any record.					
Department Reputation					
Failure to conduct themselves so as not to bring the Department in disrepute.					
Reporting					
Failure to report to their superior officer or to the Chief any and all violations of the Rules and Regulations which may come under their notice.					
Harassment					
Employees shall not harass coworkers because of their sexual orientation either by the use of derogatory verbal or written comments, graphic materials, gestures, or conduct which would interfere with the performance of their duties.					
Appropriate Use of City Computer Resources					
Failure to adhere to the specific rules, guidelines, and procedures					
Social Media and Department Websites Policy					
Failure to adhere to the specific rules, guidelines, and procedures					



0102.08 COMPLAINT MATRIX

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		A	B	C	D	E
	Personal Equipment and Appearance: Uniform Types					
	Failure to adhere to the specified rules, guidelines, and procedures outlined in Police and Procedure 10.3					
	Records and Reports: Confidentiality Policy and Procedure					
	Failure to adhere to the specified rules, guidelines, and procedures outlined in Police and Procedure 12.13					
	Emergency Procedure: EMS and Fire Reporting					
	Failure to adhere to the specified rules, guidelines, and procedures outlined for reports					
	Records and Reports: Confidentiality Policy and Procedure					
	Failure to adhere to the specified rules, guidelines, and procedures outlined in the Policy/SOG Guidelines					
	Reporting					
	Failure to report to their superior officer or to the Chief any and all violations of the Rules and Regulations which may come under their notice.					
	Harassment					
	Employees shall not harass coworkers because of their sexual orientation either by the use of derogatory verbal or written comments, graphic materials, gestures, or conduct which would interfere with the performance of their duties.					

See GFD, Policy and Procedures, Standard Operating Guidelines (SOGs), and Village Policy Manual Procedure for detailed description of policies/procedures. The above-described policies/procedures are general summaries and are not meant to be all inclusive.

Not all policies are listed in the matrix; however, all conduct/procedural violations will be enforced. For violations not listed in the matrix, sanction levels will be determined by the Fire Chief.



0102.08 COMPLAINT MATRIX

Sanction Options in Complaint Investigations

These levels **are not considered formal discipline**:

1. Verbal Counseling.
2. Training.
3. Mediation: In minor complaints, if both parties are GFD employees and mutually agree, mediation will be arranged through Employee Assistance Program (EAP) using a professional mediator.
4. Documented Counseling.
5. Letter of Instruction (placed in the employee's personnel file)

The levels covered below **are considered formal discipline** and are placed in the employee's personnel file:

1. Letter of Reprimand.
2. Suspension without Pay.
3. Reduction in Rank.
4. Separation of Service.

Multiple Violations

In cases where there may be multiple conduct/procedural violations involved with a single investigation, each violation may receive a separate and distinct sanction.

Rights of the Fire Chief/Right of Deviation

The Fire Chief reserves the right of suspension, transfer of assignment and extension of probation, counseling, alcohol/drug assessment, psychiatric evaluation, fitness for duty evaluation, or any other training, treatment or evaluation reasonably deemed necessary by the Fire Chief, in certain cases.

The Fire Chief also reserves the right to file charges with the PFC as outlined above.

The Fire Chief or designee will approve all discipline.

The Fire Chief reserves the right to hold suspension days in abeyance.

The Fire Chief reserves the right to deviate outside the recommended Matrix guidelines. If a deviation occurs, the factors leading to the deviation shall be addressed in the discipline notice to the employee. Deviation may be based on mitigating or aggravating factors.

The Fire Chief will make the final determination of disposition.

EXAMPLES OF MITIGATING AND AGGRAVATING FACTORS

Mitigating factors include but are not limited to:

- Ordered by supervisor.
- Mistake of facts.
- Necessity.
- Unintentional.



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Aggravating Factors include but are not limited to:

- Inappropriate use of force
- Intentional deviation from proper patient care protocols.
- Personal motive.
- Intoxication.
- Conspiracy.
- Criminal conduct.
- Deception.
- Intentional act.

The Fire Chief may file formal charges against an employee, with the appropriate authorities, irrespective of an internal investigation.

Probationary Period

This matrix may not apply to probationary firefighter/officers whose employment status is subject to their probationary performance.

-END-

BUSINESS OF THE PUBLIC SAFETY COMMITTEE

GERMANTOWN, WI

Fire Department

MEETING DATE: February 1, 2016

AGENDA ITEM: New Business

ITEM TITLE: Update on New Fire Department Staffing Schedule

SUBMITTED BY: Chief Gary L. Weiss

SUMMARY EXPLANATION:

One of the issues that the POC members continually speak about is "burn-out". To reduce "burn-out" we are implementing a new staffing schedule. Again this is a stop-gap until we can staff the station 24/7.

The advantages of the new schedule are several:

-  Reduces Burn-Out-Staffing will be 3 days on, follow by 7 days off, 4 days from followed by 7 days off, 3 days on followed by 7days off rotation. With this rotation one moth you are only on call one weekend, and the following month you are on call 2 weekends.
-  Saturday day shift will be reduced to 2 firefighter/EMT's.
-  Sunday day shift will be reduced to 2 firefighter/EMT's.
-  An additional shift on Saturday night (6pm-6am) will be staffed.
-  No ESR on Saturday.
-  Reduction of the amount of apparatus responding to minor calls.
 - First EMS call will be covered by the one ambulance.
 - Second EMS call will be covered by the second ambulance.
 - Car accidents, fire alarms, etc. will be covered by the on-duty crew.
 - All Calls will only be used for Structure Fires, Unique Calls or if the on-call Chief feels additional firefighters/equipment is need above the on-call group.

ATTACHMENT: ORDINANCE___ RESOLUTION_____ OTHER__X__

1. Staffing Matrix by Qualifications
2. Schedule

RECOMMENDATION:

This was just an update for the PSC Members.

Germantown Fire Department

Shift Staffing by Qualifications

Shift	A-Shift (Green)	B-Shift (Yellow)	C-Shift (White)
Ambulance	FF/EMT IV TEC	FF/EMT IV TEC	FF/EMT IV TEC
Ambulance	FF/EMT	FF/EMT	FF/EMT
Ambulance	FF/EMT IV TEC	FF/EMT IV TEC	FF/EMT IV TEC
Ambulance	FF/EMT	FF/EMT	FF/EMT
Engine	Capt/EMT IV Tec	Capt/EMT IV Tec	Capt/EMT IV Tec
Engine	FF/MPO	FF/MPO	FF/MPO
Engine	FF	FF	FF
Engine	FF	FF	FF

2016 Germantown Fire Department Shift Schedule

January	February	March	April	May	June	July	August	September	October	November	December
1 Fr Meet Yeats Day	1 Mo	1 Tu	1 Fr	1 Su	1 We	1 Fr	1 Mo	1 Th	1 Sa	1 Tu	1 Th
2 Sa	2 Tu	2 We	2 Sa	2 Mo	2 Th	2 Sa	2 Tu	2 Fr	2 Su	2 We	2 Fr
3 Su	3 We	3 Th	3 Su	3 Tu	3 Fr	3 Su	3 We	3 Sa	3 Mo	3 Th	3 Sa
4 Mo	4 Th	4 Fr	4 Mo	4 We	4 Sa	4 Mo Independence Day	4 Th	4 Su	4 Tu	4 Fr	4 Su
5 Tu	5 Fr	5 Sa	5 Tu	5 Th	5 Su	5 Tu	5 Fr	5 Mo Labor Day	5 We	5 Sa	5 Mo
6 We	6 Sa	6 Su	6 We	6 Fr	6 Mo	6 We	6 Sa	6 Tu	6 Th	6 Su	6 Tu
7 Th	7 Su	7 Mo	7 Th	7 Sa	7 Tu	7 Th	7 Su	7 We	7 Fr	7 Mo	7 We
8 Fr	8 Mo	8 Tu	8 Fr	8 Su	8 We	8 Fr	8 Mo	8 Th	8 Sa	8 Tu	8 Th
9 Sa	9 Tu	9 We	9 Sa	9 Mo	9 Th	9 Sa	9 Tu	9 Fr	9 Su	9 We	9 Fr
10 Su	10 We	10 Th	10 Su	10 Tu	10 Fr	10 Su	10 We	10 Sa	10 Mo Columbus Day	10 Th	10 Sa
11 Mo	11 Th	11 Fr	11 Mo	11 We	11 Sa	11 Mo	11 Th	11 Su	11 Tu	11 Fr Veterans Day	11 Su
12 Tu	12 Fr	12 Sa	12 Tu	12 Th	12 Su	12 Tu	12 Fr	12 Mo	12 We	12 Tu	12 Mo
13 We	13 Sa	13 Su	13 We	13 Fr	13 Mo	13 We	13 Sa	13 Tu	13 Th	13 Su	13 Tu
14 Th	14 Su	14 Mo	14 Th	14 Sa	14 Tu	14 Th	14 Su	14 We	14 Fr	14 Mo	14 We
15 Fr	15 Mo Patriotic Service Day	15 Tu	15 Fr	15 Su	15 We	15 Fr	15 Mo	15 Th	15 Sa	15 Tu	15 Th
16 Sa	16 Tu	16 We	16 Sa	16 Mo	16 Th	16 Sa	16 Tu	16 Fr	16 Su	16 We	16 Fr
17 Su	17 We	17 Th	17 Su	17 Tu	17 Fr	17 Su	17 We	17 Sa	17 Mo	17 Th	17 Sa
18 Mo Martin L. King Day	18 Th	18 Fr	18 Mo	18 We	18 Sa	18 Mo	18 Th	18 Su	18 Tu	18 Fr	18 Su
19 Tu	19 Fr	19 Sa	19 Tu	19 Th	19 Su	19 Tu	19 Fr	19 Mo	19 We	19 Sa	19 Mo
20 We	20 Sa	20 Su	20 We	20 Fr	20 Mo	20 We	20 Sa	20 Tu	20 Th	20 Su	20 Tu
21 Th	21 Su	21 Mo	21 Th	21 Sa	21 Tu	21 Th	21 Su	21 We	21 Fr	21 Mo	21 We
22 Fr	22 Mo	22 Tu	22 Fr	22 Su	22 We	22 Fr	22 Mo	22 Th	22 Sa	22 Tu	22 Th
23 Sa	23 Tu	23 We	23 Sa	23 Mo	23 Th	23 Sa	23 Tu	23 Fr	23 Su	23 We	23 Fr
24 Su	24 We	24 Th	24 Su	24 Tu	24 Fr	24 Su	24 We	24 Sa	24 Mo	24 Th Thanksgiving Day	24 Sa
25 Mo	25 Th	25 Fr	25 Mo	25 We	25 Sa	25 Mo	25 Th	25 Su	25 Tu	25 Fr	25 Su Christmas Day
26 Tu	26 Fr	26 Sa	26 Tu	26 Th	26 Su	26 Tu	26 Fr	26 Mo	26 We	26 Sa	26 Mo Christmas Day (Obs.)
27 We	27 Sa	27 Su	27 We	27 Fr	27 Mo	27 We	27 Sa	27 Tu	27 Th	27 Su	27 Tu
28 Th	28 Su	28 Mo	28 Th	28 Sa	28 Tu	28 Th	28 Su	28 We	28 Fr	28 Mo	28 We
29 Fr	29 Mo	29 Tu	29 Fr	29 Su	29 We	29 Fr	29 Mo	29 Th	29 Sa	29 Tu	29 Th
30 Sa		30 We	30 Sa	30 Mo Memorial Day	30 Th	30 Sa	30 Tu	30 Fr	30 Su	30 We	30 Fr
31 Su		31 Th		31 Tu		31 Su	31 We		31 Mo		31 Sa

MEMORANDUM

TO: Public Safety Committee
FROM: Timmerly Tamborino, Deputy Clerk
DATE: January 19, 2016
SUBJECT: New Animal Fancier License

Attached is an application for an Animal Fancier License received January 8, 2016.

I mailed out letters to the neighbors within 300 feet of each property. If I receive any correspondence regarding this application, I will provide it to the Committee prior to the meeting.

Thank you.

VILLAGE OF GERMANTOWN
OFFICE OF THE VILLAGE CLERK
N112 W17001 MEQUON ROAD, P.O. BOX 337
GERMANTOWN, WI 53022
PHONE: (262) 250-4740 FAX: (262) 253-8255

RECEIVED

JAN 08 2016

OFFICE OF VILLAGE CLERK
VILLAGE OF GERMANTOWN

*paid
1-8-16
\$25.00*

APPLICATION FOR ANIMAL FANCIER'S ESTABLISHMENT
Chapter 12.16 of the Municipal Code
Annual Fee: \$25.00

NAME: JOHN SWARTZ

ADDRESS: W140 N13914 COUNTRY AIRE

CITY, STATE, ZIP CODE: GERMANTOWN, WI

Home Phone No. 1-262-923-0574 Date of Birth: 3-6-66

Zoning of Property: RS-2 ** See back of form for Zoning Limitations**

Please Note: Animal Fancier's License will not be issued unless all of the individual cat or dog licenses are paid and issued prior to December 31st.

Purpose of requesting an animal fancier's permit: HISTORICAL FARM LAND ¹⁰⁰/BARN & ACREAGE
ALWAYS HAD ANIMALS DEB PECK COMPLAINED?
USED POLICE TO INCITE THIS REQUEST.

Listing of each animal:

	NAME	MALE/ FEMALE	COLOR	BREED	RABIES TAG NO. & EXPIRATION DATE:
DOG	<u>JULIE</u>	<u>FEMALE</u>	<u>MIX</u>	<u>MIX</u>	<u>NEED TO UPDATE FOR 2016</u>
DOG	<u>TAD</u>	<u>MALE</u>	<u>MIX</u>	<u>MIX</u>	<u>NEED TO UPDATE FOR 2016</u>
DOG	<u>PUPPY</u>	<u>MALE</u>	<u>MIX</u>	<u>MIX</u>	<u>...</u>
AT	<u>SALVADOR</u>	<u>MALE</u>	<u>BLACK/WHITE</u>	<u>MIX</u>	<u>NEED TO CATCH & UPDATE</u>
AT	<u>RACK</u>	<u>FEMALE</u>	<u>MIX</u>	<u>MIX</u>	<u>NEED TO CATCH & UPDATE</u>
					<u>FOR 2016</u>

If there are more animals, attach a separate sheet or use the back of this form giving required information. Also, attach a copy of the plot plan showing dog runs, etc., if applicable.

NAME OF VETERINARIAN: ANIMAL DOCTORS BETSY

ADDRESS: HARTFORD

CITY, STATE, ZIP CODE: _____

PHONE NO.: _____

Signature of Owner: [Signature] Date: 1-8-2016

PERMIT NO. _____ DATE ISSUED: _____

See back of form for Zoning Limitations

N140 W13843 Cedar Lane
Germantown, WI 53022
January 25, 2016

RECEIVED

JAN 27 2016

Office of the Village Clerk
Germantown, WI 53022

OFFICE OF VILLAGE CLERK
VILLAGE OF GERMANTOWN

To the Members of the Public Safety Committee:

I am contacting you today to ask that you deny the application by John Swartz, et al, for an Animal Fancier's License.

They currently have 3 large unneutered male dogs that live on a second story outdoor deck. The dogs have viciously attacked each other several times and injured the owner so seriously that a neighbor had to drive her to the Urgent Care Clinic.

I witnessed one of these attacks a few weeks ago when I responded to screams for help from the owner and her young daughter who were trapped amidst the fighting dogs. The scene was horrific. Blood was spattered everywhere and on everyone. The owner could not stop the fight, even using a shovel.

Just 3 days ago the young daughter was outside alone with the pit-bull cross. It was not on a leash! It came onto my property under my horse pasture fence and was stopped by our dog's yard fence. The pit-bull was barking aggressively the entire time until the owner finally came to get the dog. Their dogs coming on our property are a danger to my horse and to me when I ride.

We often exercise our dogs in our front yard, and other neighbors do likewise. We now fear for our pets' safety. According to noted experts, once a dog has attacked other dogs with that level of intent, neutering will not keep it from repeating the attacks.

Unfortunately, over the years they have repeatedly let their animals "run at large" including goats, pigs, horses, and a cow, often causing property damage and a hazard on the road. While we are glad they no longer let their dogs continually roam the neighborhood, I feel their dogs can be dangerous and can't be allowed off leash at any time. If you'd seen what I'd witnessed you would agree.

Being animal lovers, we have been tolerant of the frequent dog barking when no one is home, and of the numerous wild unneutered cats that they feed, but this underscores a lack of good animal husbandry.

From our perspective, they are not responsible pet owners and their request for an Animal Fanciers License should be denied.

Sincerely,



Debra D. Peck

BUSINESS OF THE PUBLIC SAFETY COMMITTEE
GERMANTOWN, WI
Fire Department

MEETING DATE: February 1, 2016

AGENDA ITEM: New Business

ITEM TITLE: Purchase New Ambulance

SUBMITTED BY: Chief Gary L. Weiss

SUMMARY EXPLANATION: As part of the budget process a new ambulance was included in the capital borrowing. I am requesting approval to move to the General Government and Finance Committee the support of the PSC for the purchase of the ambulance.,

Currently our fleet is as follows:

Ambulance 53:	2001 light duty
Ambulance 54:	2003 light duty
Ambulance 56:	2008 medium duty
Ambulance 52	2011 medium duty

The new ambulance would replace Ambulance 53. I am also suggesting selling Ambulance 53 and Ambulance 56. Speaking with an ambulance broker we can get an estimated \$21,000 for the two units.

The ambulance that I am requesting to purchase is a light duty unit, instead of using the International cab and chassis. The specification is for a Ford F-450 or 550 four wheel drive, or similar unit. There are several advantaged to this type of ambulance.

Below is a list of some of the advantages:

-  Cost-there would be an approximate \$100,000 saving in the overall ambulance cost (including radio/stretchers and computer).
-  Better ride for the patient
-  When it's time to replace the unit-we can remove the "box" and just replace the cab/chassis. This equates to a saving of over \$100,000.

BUSINESS OF THE PUBLIC SAFETY COMMITTEE

Continued

Page 2

Cost Estimates for the New Ambulance

\$199,500.00 Ambulance

\$5,000 Computer (this is the lower cost computer that the FD is now using, the old style would be over \$7000.00)

\$15,948 Stryker Power Pro Stretcher

\$6,000.00 Vehicle Radio

\$3000.00 Additional Painting/Installation/Contingency

TOTAL-\$229,500.00

Understand that this estimate for the ambulance is from one company. The FD would still need to go to complete bid once approved.

ATTACHMENT: ORDINANCE____ RESOLUTION____ OTHER____

RECOMMENDATION:

Approve to move forward to the GGF



New Style Ambulance



Current Style Ambulance (Ambulance 52)

BUSINESS OF THE PUBLIC SAFETY COMMITTEE
GERMANTOWN, WI
Fire Department

MEETING DATE: February 1, 2016

AGENDA ITEM: New Business

ITEM TITLE: Purchase 5 Recliners for Fire Station #2

SUBMITTED BY: Chief Gary L. Weiss *GLW*

SUMMARY EXPLANATION: As part of the Fire Departments Budget (line item 10-522-570-8100) is the purchase of 5 recliners for Fire station #2. I am recommending purchase the chair from Fire Station Outfitters; they build the chair designed to withstand "fire station life". MFFD just replaced their chairs from this company and are completely satisfied with them. Several of our firefighters have stopped at MFFD Station 1 and looked at the chairs and liked them.

Cost- \$690.00 each-discounted to \$675.00. Total Cost \$3,375.00.

Additionally, I would like an additional \$500.00 for a TV wall mount, Dining Room Table and Chairs.

Total Request for \$3875.00. This is \$625 below the budgeted amount.

ATTACHMENT: ORDINANCE___ RESOLUTION___ OTHER__X__

Estimate for Chairs

RECOMMENDATION:

Approve to move forward to the Village Board.



Fire Station Outfitters

PO Box 175

Empire, CA 95319

dave@firestationoutfitters.com

888-380-2345

Cell 209-596-5524

Fax 209-575-2143

December 28, 2015

Germantown Fire Department

Gary Weiss

Quote for;

5 recliners,

\$690.00 discounted to \$675.00

Total \$3375.00

This price includes basic shipping and handling.

(All Fire Station Outfitter Recliners are sold exclusively by Fire Station Outfitters and cannot be purchased in retail outlets.)

Tax ID Number 27-1520313

Dave

Fire Station Outfitters

dave@firestationoutfitters.com

XTREME Seating – Quality Built – Made in the USA

Firestationoutfitters.com

dave@firestationoutfitters.com