



# **MINUTES OF THE PERSONNEL COMMITTEE**

**TUESDAY, MARCH 9, 2021, 4:30 PM**  
**IMMEDIATELY FOLLOWING FINANCE COMMITTEE**  
**Virtual Meeting. Public may join via Zoom.**

## **A. ZOOM MEETING INFORMATION.**

I. This item contains documents which provide call in information and instructions for the Zoom meeting.

## **B. ROLL CALL.**

I. Members: Ald. Bill Galvin, Ald. Barbara Dorff, Ald. Veronica Corpus-Dax, Ald. Brian Johnson

Present: Brian Johnson, Veronica Corpus-Dax, Barbara Dorff, Bill Galvin

Others Present: City Attorney Vanessa Chavez, Finance Director Diana Ellenbecker, Development Director Neil Stechschulte, Police Chief Andrew Smith, Assistant City Attorney Lindsay Mather, Police Commander Kevin Warych, Detective Phil Scanlan, Human Resources Director Joseph Faulds, HR Operations Manager Melanie Falk and others.

## **C. APPROVAL OF THE AGENDA.**

Moved by Ald. Barbara Dorff, seconded by Ald. Veronica Corpus-Dax to approve the agenda.  
Motion carried.

Yes- Barbara Dorff, Bill Galvin, Veronica Corpus-Dax, Brian Johnson, No- None, Abstain- None

## **D. APPROVAL OF MINUTES.**

I. Approval of the minutes from February 23, 2021.

Moved by Ald. Veronica Corpus-Dax, seconded by Ald. Brian Johnson to approve. Motion carried.  
Yes- Barbara Dorff, Bill Galvin, Veronica Corpus-Dax, Brian Johnson, No- None, Abstain- None

## **E. REGULAR BUSINESS.**

I. Consideration with possible action on the request to fill the following replacement positions and all subsequent vacancies resulting from internal transfers.

a. Parking Building Technician - Public Works

b. Neighborhood Compliance Inspector - Community and Economic Development

Moved by Ald. Brian Johnson, seconded by Ald. Barbara Dorff to approve the request to fill the Parking Building Technician position and all subsequent vacancies resulting from internal transfers. Motion carried.

Yes- Barbara Dorff, Bill Galvin, Veronica Corpus-Dax, Brian Johnson, No- None, Abstain- None

Moved by Ald. Brian Johnson, seconded by Ald. Barbara Dorff to approve the request to fill the Neighborhood Compliance Inspector and all subsequent vacancies resulting from internal transfers. Motion carried.

Yes- Barbara Dorff, Bill Galvin, Veronica Corpus-Dax, Brian Johnson, No- None, Abstain- None

2. Consideration with possible action on the request for reconsideration received from the GBPPA on the decision issued on grievance #20-005 filed by the Green Bay Professional Police Association regarding the removal of an officer from the K-9 Unit.

*The Committee may convene in closed session pursuant to Section 19.85(1)(a), Wis. Stats., for purposes of deliberating concerning a case which was the subject of any judicial or quasi-judicial trial or hearing before that governmental body. The Committee will thereafter reconvene in open session pursuant to Section 19.85(2), Wis. Stats., to take action on items discussed in closed session, if appropriate, and to consider the remainder of the agenda.*

Moved by Ald. Brian Johnson, seconded by Ald. Barbara Dorff to open the floor for discussion. Motion carried.

Yes- Barbara Dorff, Bill Galvin, Veronica Corpus-Dax, Brian Johnson, No- None, Abstain- None

Moved by Ald. Brian Johnson, seconded by Ald. Barbara Dorff to close the floor for discussion.  
Motion carried.

Yes- Barbara Dorff, Bill Galvin, Veronica Corpus-Dax, Brian Johnson, No- None, Abstain- None

Moved by Ald. Brian Johnson, seconded by Ald. Bill Galvin to hold this item until the next meeting.  
Motion carried.

Yes- Barbara Dorff, Bill Galvin, Veronica Corpus-Dax, Brian Johnson, No- None, Abstain- None

3. Consideration with possible action on grievance #2020-006 filed by the Green Bay Professional Police Association regarding SWAT team overtime compensation.

*The Committee may convene in closed session pursuant to Section 19.85(1)(a), Wis. Stats., for purposes of deliberating concerning a case which was the subject of any judicial or quasi-judicial trial or hearing before that governmental body. The Committee will thereafter reconvene in open session pursuant to Section 19.85(2), Wis. Stats., to take action on items discussed in closed session, if appropriate, and to consider the remainder of the agenda.*

Moved by Ald. Barbara Dorff, seconded by Ald. Veronica Corpus-Dax to go into closed session.  
Motion carried.

Yes- Barbara Dorff, Bill Galvin, Veronica Corpus-Dax, Brian Johnson, No- None, Abstain- None

Moved by Ald. Barbara Dorff, seconded by Ald. Veronica Corpus-Dax to return to open session.  
Motion carried.

Yes- Barbara Dorff, Bill Galvin, Veronica Corpus-Dax, Brian Johnson, No- None, Abstain- None

Moved by Ald. Brian Johnson, seconded by Ald. Barbara Dorff to deny the grievance and for staff to draft the findings of fact and conclusions of law for the next meeting. Motion carried.

Yes- Barbara Dorff, Bill Galvin, Veronica Corpus-Dax, Brian Johnson, No- None, Abstain- None

## **F. INFORMATIONAL.**

I. Report of routine personnel actions for regular employees.

Moved by Ald. Brian Johnson, seconded by Ald. Veronica Corpus-Dax to receive and place on file.  
Motion carried.

Yes- Barbara Dorff, Bill Galvin, Veronica Corpus-Dax, Brian Johnson, No- None, Abstain- None

2. Next meeting date: March 23, 2021

## **G. ADJOURNMENT.**

Moved by Ald. Brian Johnson, seconded by Ald. Barbara Dorff to adjourn. Motion carried.  
Yes- Barbara Dorff, Bill Galvin, Veronica Corpus-Dax, Brian Johnson, No- None, Abstain- None

## **VERBATIM MINUTES**

- On March the ninth at 4:43 PM. And we'll start with the roll call. Alder Dorff.
- Here.
- Alder Corpus-Dax.
- Here.
- Alder Johnson. Galvin is here. I'll entertain a motion for the agenda.
- Move to approve.
- Second.
- All those in favor.
- Aye.
- Aye.
- And then I'll entertain a motion on the minutes.
- Second.
- Second.
- Okay, I have a motion and a second. All those in favor say, aye.
- Aye.
- Aye.
- That passes unanimously, on a regular business. Number one, consideration with possible action on the request to fill the following replacement positions and all subsequent vacancies resulting from internal transfers. A, is a parking building technician out of public works staff.
- Well, I don't have any questions. Do we have any questions?

- Oh, I'm sorry. Yes, do any of the alders have any questions for staff on the parking building technician position.

- Move to approve.

- Second.

- All those in favor say, aye.

- Aye.

- Aye.

- That passes unanimously and a sub B neighborhood compliance inspector out of community and economic development. Do any alders have any questions for staff on this? I'll entertain a motion.

- Move to approve.

- Second.

- All those in favor say, aye.

- Aye.

- Aye.

- And that passes unanimously.

- Thank you.

- Onto item number two consideration with possible action and requests for reconsideration received from the GB PPA under the decision issued on grievance number 0\_005. Filed by the Green Bay Professional Police Association regarding the removal of an officer from the K-9 Unit. The committee may convenient closed session pursuant to State statute. Any thoughts from the committee?

- Can we, just get an overview on what it, what is it? I guess I'm a little bit not familiar with a reconsideration in this process.

- Sure, I don't know if that'd be Director Faulds or Attorney Mather.

- It's Attorney Mather.

- That's actually going to be me.

- All right.

- Hang on, there we go. Hi, okay. So, there was a mistake actually in the... Factual findings. The one of the findings stated that both parties agreed that the first portion of the grievance was resolved by Chief Smith resending the original letter, removing officer Lynch from the K-9 Unit, and the attorney for the union, sent us, send me an email stating, after receiving their decision, stating that they actually did not agree to that prior to the last meeting and actually held the opposite conclusion. And so the, we concluded that the best way to do it would be for the committee to go back into closed session. We'll discuss whether the first part of the grievance as whether there was whether, so the first issue just to clarify is whether he was removed from the

unit for cause. And so we'll go back and have you guys go back into a closed session, and look at that issue again and determine what needs to happen with that because the parties do not agree that that it was resolved when the letter was rescinded.

- Can we... Would there be any need for us to hear from either party and as their stance on this? Or should we just go straight into close session?

- I don't know how to make a decision going straight into closed session since I have no idea why they're saying unless we just have to accept, okay, they don't, they didn't understand what this is about.

- I think it would be up to the committee whether you want to hear from the parties or just go right into closed session.

- I think personally, I'd like to hear, well, what either side has to say, if they have anything to say, before we do go into closed session.

- And I'd agree and since this is a hearing, do we need to open the floor?

- I would say I think we should have to.

- Motion open the floor to hear from interested parties.

- Second.

- Okay, all those in favor say, aye.

- Aye.

- Aye.

- Anybody opposed?

- No, that passes unanimously. The floor is open. I guess we can go with the GBP PPA first, the here an explanation for their concern. You need to unmute yourself, Phil.

- Thank you, good evening, can you hear me okay?

- I can.

- Okay, I'll be real short. We submitted a document on February 4th, 2021. Address the personnel committee, basically explaining our position for the reconsideration. And I guess if you have that document is written by our attorney, it's probably better than I can explain it. I didn't see it in your agenda packet. I didn't, I printed off the agenda packet. It's lengthy. I want to make sure I didn't miss it. If you haven't the, I'll certainly feel any questions on it, but I don't feel the need to read it here, or highlight portions of it. I think it's, I think it summarizes our opinion on why the association feels you should address the issue of cause and how causes defined, which was at the heart of the issue for the removal grievance. If you have that document, if you could check.

- But we do not have it documented in our packet.

- Did we used to have it. This was at the meeting where we talked about or do originally we had it, are you saying Phil?

- It is in the packet.

- It's in there.

- All right, isn't it, I apologize, Ms., Detective Scanlan, is it the February 11th, letter, is that?

- No, the February 11th document was regarding the retaliation grievance, that that's not what we're asking to be reconsidered. We're asking this, the committee never made a determination on cause what the definition was caused was and that was the February 4th letter, that was at the heart of when, when you basically explained that we never came to agreement with the city on settling, the first portion of this grievance, which was the removal the February 4th document explains that. And you know, it basically says the purpose of a grievance is to obtain your interpretation of the labor agreement. And that I was our position that because the city management at the PD decided to rescind that letter we still wanted your interpretation because at any given day, this could happen again, a dog could get hurt tomorrow and is the removal the removal of the dog cause, we wanted your interpretation of what cause meant. Because that was actually at the heart of all the debate. So I would, and I don't know if I can make a request, if you don't have that document my request would be respectfully that we provide you with that. You get a chance to review that. And then maybe we can address this at a later date. I don't know if that's acceptable with your rules of order. I'd like you to have that document to make a decision on rather than me try to give you a layman non-lawyer lame explanation for it. It's a pretty, it's a three and a half, it's four. It's a lengthy document that addresses that our attorneys, provided the personnel committee with on February 4th, explaining our position on the reconsideration. I think you guys should see it.

- So, you're saying he provided it to us already once or no

- It was, it was emailed on February 4th to, I believe myself, attorney, the Attorney Mather, I'm sorry I pronounced wrong Mather.

- Mather.

- Mather.

- And I think Director Faulds. So, I think it was, I think it was submitted to the personnel committee through Attorney Mather. I think that I think CC was Director Faulds and I was CC'd. So, I would request that you guys get a chance to review that before you, I guess, I don't know how you can tackle the reconsideration without seeing our, our point.

- Yeah, absolutely.

- I am looking back. I don't see it on our February 9th. It was not on that agenda. And then February 23rd, I'm not sure what it's called but there's nothing with those that date on it.

- Yeah, I mean frankly I think it'd be not very beneficial to your time, if I give you some oral argument to explain the document I think it would just be best if you see it, read it. And I don't feel the need to make an oral argument if the city chooses to do that, that's their decision. But I think we've actually just get it and use that as your analysis on our area.

- So then we, the best thing for us to do is move to delay this until our next meeting

- Unless the committee, unless staff can come up with that document and get it to us now, and you want to read through it and discuss it or.

- I do have it, I'll email it to you right now. Just give me one second.

- Okay, and does the committee want to read this in closed session and then, or read it and then ask questions or I would committee like to do that, would you like time to digest this and get at it in two weeks? Well, I guess the other piece of it is when we're looking at I mean, this is a reconsideration and it seems to me the suggestion here is that we didn't answer the initial question. And if that's the case, I'm curious to staff wants to weigh in with an additional legal opinion as they've done with these others, that actually gets to the heart of the actual question.

- Right, because if I understand, we're still saying, it seems like the bargaining unit is looking for us to make a decision going forward. Would any chief in the future have the right to remove a K-9 officer because her dog is no longer part of the team. And I guess we're looking for if I understand that correctly

- Well, and not just that and because there was no plan to add an additional member of the team, because it could happen that a dog might not if something might happen to a dog but the person still is going to get another dog but the number was capped at five. And so this would be the sixth one. I mean, there's more to it than just I think there was more to it.

- Right and that's why I I'd at least like to look it over but I'll go with the wishes of the committee. Do you want to take a look at it, and see if we can tackle it tonight? Or do you want to look at it on a little bit more downtime and then discussing it in two weeks?

- Brian what do you want to do?

- I don't see, I think I'd prefer to hold. I don't like being rushed when we have lengthy documents to review.

- I didn't, I might keep.

- Okay.

- Okay, I keep refreshing it just is not here as it is. Okay, here it is.

- Yeah, it should be coming through momentarily.

- We got it.

- So hopefully you all received it. It's a relatively short read because of the margins and those sorts of things. I would also suggest that the discussion is much more narrow than what then they all of the issues that are covered in the letter. So, like you said alder Galvin as staff there are some points that, that we would like to bring up but those are things we were discussing in closed session.

- If, can I make a comment or no?

- Sure, go ahead. You know, this brief by our attorney came out as, as a conversation between attorneys. This is the personnel committee, his attorney, Ms. Mather and our attorney. It might seem short to her. She understands legalees a lot better than maybe non-lawyers. I see seven pages with a lot of supporting documents and a lot of legal understanding basically kind of defining our position on what we want the personnel committee to do. It's really not an argument purchased an argument of what we want you to rule as, it's a request for you to make a determination of the interpretation of our contract. So going forward, we don't have to be back in front of this committee again, on the same issue, whether your issue is for, or against our opinion on the matter. So I, I mean to, I mean, I don't know how long are your closed sessions last it's the document is full legally. So by now you might've had a chance to prove it. The association. With the association has no concern about the timeline. This is a matter of from 20 as a matter is already year old. So if, if we



would not oppose to re returning to here that gives you an opportunity to have a thorough analysis, and we can return at a later date and get your opinion.

- Well, alder Dorff.

- You're talking about our committee making a decision. If we make a though that's counter to what the decision is you'd wish us to make would this then move on to a different process like arbitration or mediation.

- That would depend on who you know as an association, we'd have the right to do the therapist and patient analysis. And we could file for an arbitration on the matter if we chose to, if we'd have that option.

- All right, me personally, after reading through this it'd be nice for us. I think, to take the time to read through it but also to afford the city attorney's office and human resources or the opportunity to maybe write up a brief with their counter arguments. So we could read through, Director Faulds.

- Yeah, if I can go for, I guess from the city's perspective is that I think that brief, was pertaining to removal for cause and I believe we've already addressed that, what the union is asking for, there is they're asking for a declaratory ruling from the committee. That's not the purpose of the committee. The committee is to remedy the officer Lynch, officer Lynch was asking to be put back on the K-9 team. He's been put back in the K-9 team. That is the city's position. I think though that the committee should take as much time as they need to read their brief and our brief. And it can come back to the next committee meeting

- Alder Dorff.

- But what I hear you saying is we, because we talked a long time about, because I remember that but what I hear you saying is this really isn't germane to what our committee should be deciding. This is the kind of ruling that kind of goes beyond what our committee should be deciding. It goes beyond the actual grievance. And we're trying to make a decision about all future instances like this is, is that what you're saying?

- That is what I'm saying. So a grievance is when a member or multiple members wanting to get a remedy. They feel like they've been wronged. They've gone through the process. We've decided that we would like to settle this. We put them back on the K-9 team. There's been no injury to officer Lynch the grievances over, that as a city's position the committee is able to review that and the union's position to make a determination if they still have to make a finding or if the grievance has been settled. And when it came to the retaliation or discrimination I mean, the city, obviously you guys rolled in said there was no discrimination. And the issue was that the committee found that the union agreed that the removal for cause was over. And they're obviously here saying that it was not. So if the position from the city is that if you wanted to amend that to say that the union does not agree that the first issue was not resolved and the city believes it's resolved and you had the same finding the city is okay with that as well. We disbelieve that this grievance has been resolved and that there's no reason to go forward. So they either can file a declaratory ruling with the WERC or any other type of rule or claim with the WERC for retaliation or discrimination. But that should now be in front of the personnel committee.

- And do I still have the floor alder Galvin?

- Yes.

- I would agree with that. I would agree with that. I felt like we settled this, we handle this. The remedy was, he was put back on. We did not choose to deal with the cause part then I don't think we're going to want, well, I personally do not want to deal with because part now we did deal with the, our events. I don't think this is appropriately in front of us. I don't think we're the right place to make this decision. That would be my opinion.

- Any thoughts? Alder Corpus-Dax or Johnson.

- And I'm kind of agreeing with what Alder Dorff said. We made the decision. So I don't know if we want to, I guess, make that amendment that Director Faulds had said, you know this is what the, you know, I'm sorry, the city what was it that you said Walter, Director Faulds basically that this was the city's position and but, association doesn't agree like they have this other.

- Yeah, the understanding and I understand where the unions coming from, they responded to attorney Mather and said that they did not agree that the for cause portion was agreed upon or was resolved. I, that was my understanding as well. It's just the city's position is we do believe it's been resolved and we do believe there is a retaliation or discrimination. So if the committee would like to take more time and come back next week to resolve that, I believe that is what the issue we have right now is do you believe that the four cause has been already addressed because he was put back on the K-9 team and do you believe that there was discrimination and the city believes both issues have been resolved because he was put back on the K-9 team. There's no injury left. So, if the committee needs to take more time and wants to review and make sure that they review everything in the union's argument, we have no issue with that

- Director Faulds, if stated to the team. And if the committee had made a decision that either, should be put back on the team or not put back on a team would that be setting a precedent as our interpretation of the contract and would that then guide decisions going forward with the K-9 officers in those regards and any of those same circumstances?

- Yeah, so I guess the city's position is that, that's not for the committee to decide the committee doesn't interpret the contract. Whenever there isn't injury, you wait until someone brings a grievance and then you address the injury from there. Now that it's been addressed you don't make a declaratory ruling that's for the union to go to the WERC to file for that.

- And that's why, and that's what I'm asking though. We had to make a decision would that have been what would have happened

- If the, if the city would not ever ascended the letter and this would have looked forward and he would have made a decision that then would have done whatever decision you made the city or the union could have then brought to arbitration. And if they didn't, that then would have been binding, yes.

- Okay. So, so because in essence it was rescinded it never got to the point where we had to make a decision. Thus, the city feels we shouldn't be making a decision now on it.

- That is correct. And the union would like for you to make essentially a declaratory ruling which the personnel committee does not make

- If we side with the city in this case, then would they have any grounds to take this to arbitration or beyond.

- That's up to them? They could, I mean, our position, we would either address what the WERC or the arbitrator in the sense that we could file for dismissal. We could, so, I mean, there'd be other options for us but that's up to the union. That's not our decision.

- So, they don't necessarily need us to make a decision to decide if they want to take this a step further.

- I mean, that's kind of true with anything

- But I just, just getting my things straight in my head here, so.

- Yeah, so essentially like the city's position is, he's back on the K-9 team, ended up the committee then roles that has been resolved there, then going to arbitration saying, we're going to argue that the remedy or his grievance isn't resolved and make a decision on what should happen. That that's what they'd be doing

- Can I ask detective Scanlan? Well, I'm trying to remember I just it's easier just to ask you, was the city, was the bargaining unit looking for any kind of compensation for officer Lynch for anything that the bargaining unit believes occurred when he was removed temporarily from the team?

- Not that I recall.

- Okay. All right, thank you. Alder Johnson.

- I guess the piece that I'm struggling with maybe a little bit right now is recognizing where the personnel committee's responsibilities start and end, and I appreciate the verbal explanation that Director Faulds has given us is this, is this documented anywhere

- From the city's perspective. If you look at the grievance and what's outlined there it's, it's for one person or one member or multiple members to address their injury. There's nothing in there that talks about declaratory ruling for the personnel committee and the contract, that is for the WERC to handle a declaratory ruling which the city or the union can do at any time, we can say we want a declaratory ruling on this language and that would be for them to resolve not for the personnel committee. So you won't find that in the contract.

- Okay.

- Can I ask you to detective Scanlan, detective Scanlan why did you think we would want, we would do this? This really is outside our realm, but then but you must've had some feeling that we might be willing to do this. Why did you think that?

- Well, I don't know that this is outside your realm. Keep in mind. One question I'd like the community to ask, is why didn't they receive this document? It was authored by us to you, address the personnel committee on February 4th. Why didn't you receive it? Why were you not provided it? And why did you not get a chance to review it prior to this hearing? I would like you to ask that question. And I think that we, as the plaintiff, as the grievant, we had a hearing, we gave testimony, the city gave testimony that was contradictory to the decision to give Matt Lynch's assignment back. They argued for a length of time that, that it was cause. And then after the hearing decided to give him his assignment back which was inconsistent with their own argument. And we are asking the personnel committee to address the appoint of the grievance. Our association represents all members of our department not just Matt Lynch. We believe that there that there was no cause to remove him. And that simply putting him back on did not address the fact that there was never cost to start with. We are not addressing at all the retaliation portion. We raised that issue. You made a determination. That is not why we're here. We are strictly here to ask you to reconsider and make a decision on cause regardless of the city's decision to reapply him it would save the city money. It would save our association money. If we knew what the interpretation of that contract language was, it's our right as the grievant to bring it to you. And we are telling you, we are not set, because Director Faulds in the chief, determined to give the Matt Lynch's job back. But we don't think we are telling you that we want your answer. We want to hear what you have to say about it, so we can have a final resolution going forward. Again, that's all in that February 4th document it cites some legal reason to support that, certainly Director Faulds has given you the city's legal reason to not hear that, I would plea you want to know our position. And if you know our position and still agree with Director Faulds, then that's your decision, we'll respect that. But I would hope that you would not hastily make a decision that you don't want to hear what we have to say, where are your employees? And we want you to understand our position. And that's why we gave that document, I guess I don't understand why you never received it.

- So, further he so the grievance was about one person. It was about the officer Lynch? That's what, and that's what we were deciding. And very in the early we were deciding on that grievance this is a bigger issue. This really isn't about what we originally decided on, I'm hearing you say, and I could be wrong. That you'd like us at least just take some time and look this over and read it and digest it and pass and come back and then make a decision. Not make a decision right now. Is that what you're saying?

- Yes, I would respectfully ask that you re review our brief February 4th, brief on why we'd like you to make a determination for cause. And if you come back after having a chance to see it we took the time to write it for you. And if you make a determination ever having a chance to have a legal analysis and certainly time to get the city's counter briefs and read those and make a determination, that's all we're asking for.

- Well, I'm not sure if we even need this city's counter briefs at the point, the point would be we read this and then decide if we feel we need to move forward which we'll make that decision at the next meeting and briefs me maybe written, or may not be written because I don't want to put work onto our law department. If our decision is going to be no more, we're not, we will look at this but we don't know what the decision is. And I see that Director Faulds has his hand raised.

- The city has already addressed whether he should be removed for cause, like our position is he should have been removed for cause. And we could back that up. We settled the grievance and I've told you today that it's not ripe for the personnel committee to make a decision. That's our stands.

- Okay, that's your Stands. Okay, we don't need another brief, good.

- If anything we would need it. I mean if we do decide to consider the bargaining units request then I guess that we would need some kind of a brief explaining why the city is. I think we should be reconsidering it. I do have another question for detective Scanlan, How many people since the decision you're asking us to make is about K-9 officers of which there are now six but with the latest contract, apparently officer Lynch falls into kind of a, and I don't know of any other officers fall into a certain box that doesn't apply to the other K-9 officers because they came on after this, the contract was changed. Contract was different when Lynch and officer Merrill and others were became K-9 officers. But since that time, the contract has changed. And so I'm wondering how many individuals do you think this narrow box applies to? Are there any other officers out there besides Lynch that could be affected by this? If we do decide to make a decision.

- I can tell you certainly that officer Rodriguez, was a K-9 handler prior to the 2016. I can, Matt Lynch,

- Is Reit still our K-9 officer.

- He is.

- okay.

- I would have to look at a seniority roster. I don't, let's we have a lot of members, I don't know when exactly when people are hired, I don't think officer, I think, I think that's it, right now with the officer Mill took a community policing spot. He would've applied, I think it's just Lynch and Reit.

- Okay. I will entertain a motion.

- Move to close the floor.

- All right.

- I'll entertain a motion on that.

- I'll second that.

- Okay, all those in favor say, aye.

- Aye.

- Aye.

- That passes unanimously. And then I'll entertain a motion as to how the committee would like to move forward. Attorney Mather, go ahead.

- I just want some state,

- Really quickly it is entirely my fault that the committee did not get that brief. I just didn't forward it to Sarah to put it on the agenda. It just slipped through the cracks. It was an honest mistake and I do apologize to Detective Scanlan and the union and everybody for making that mistake. And now getting it to you sooner.

- I appreciate that Attorney Mather. Okay, a motion.

- I'm going to make a motion that we hold until the next meeting to take up the discussion on this matter to allow members of the committee to review that particular brief from the union's attorney.

- Okay, I'll second that motion. Is there anything that anybody would like to see if we do, if this does pass, I mean just want to review the brief from the bargaining unit or be like any more subsequent information from staff explain their point of view of why we shouldn't even consider this or are you just satisfied with getting the brief from the bargaining unit,

- But the staff has indicated they don't have anything additional to add. And of course they can correct me if I'm wrong on that front. But so I think we've got their position. I just, I think it's important that we are thorough with our work and that we do take the opportunity to read both sides of the argument here. And I think it's pretty apparent that we haven't seen the other one. If there's no time sensitivity to this. And there's no objection from staff that we hold this over, I'm more than comfortable doing that. And making sure that, like, the last thing I want to do is make any type of rush decision because we're missing certain pieces of information, whether they're relevant or not. So, I would feel personally way more comfortable making a decision on this. Having had the opportunity to read it and think through this.

- Okay, all those in favor say, aye.

- Aye.

- Aye.

- All those opposed say, no. Or, nay, any opposed say, nay. No, nobody alright. That passes in. So this will be held until the next personnel committee meeting. Onto item number three, consideration of possible action on grievance number 2020\_006. wild ball by the D regarding SWAT team overtime compensation staff.

- Alder Galvin, I apologize it was last minute again, but I did send you a script.

- Yes, I do. Yes and I actually looked at it. Okay, give me one sec. Okay, we're on the item. Number three, consideration with possible action. And the grievance filed by officer Luke Lawns Bach regarding overtime pay, this grievance was before the personnel committee meeting at this time on the mutual agreement of the parties for extensions of time, rather than at the meeting that was first available after filing this is a quasi judicial matter. It is the goal of the personnel committee to provide and conduct a fair, a hearing that is fair

inform appearance and substance to ensure that this hearing satisfy these goals, each member of a personnel committee please confirm the following by stating, I confirm. Number one, I do not have an interest or conflict of interest in this matter Alder Dorff.

- I confirm.

- Alder Johnson.

- Confirm.

- Alder Corpus-Dax. I read your lips and you said, I confirm, and I confirm that also. Number two, I have not received any communication from any person or party about this matter, alder Dorff.

- I confirm.

- Alder Johnson.

- I confirm.

- Alder Corpus-Dax.

- I confirm. And I also confirm that. A decision will be made based upon the labor agreement in the city of Green Bay, and the Green Bay Professional Police Association in effect as of the date of the event complained of, personnel committee will either announce its decision tonight or take that matter under advisement and have a decision at the next committee meeting. The personnel committee will make findings of fact and conclusions of law, based upon the record before it, at this time the following materials have been submitted into the record. Number one, Green Bay Professional Police Association contract violation information form, for grievance number 20\_006, dated December 1, 2020, and through departmental correspondence from chief of police officer Lansbach, in response to grievous number 20\_006, dated December 17th, 2020. Number three, is a GB PPA contract violation information form, step two for grievance number 20\_006. Date of January 6th, 2021. Number four, Human Resources Director, Joseph Faulds. Step two, grievance response for grievance number 20\_006. Date January 30th, 2021. Number five, findings of fact and conclusions of law from the personnel committee concerning SWAT team minimum call in time, dated November 27, 2018. Number six, Director Faulds. Step three, grievance response that a personnel committee regarding grievance number 20\_006, pursuant to section 3.8 0.3 of the labor agreement. The committee may decide whether to hold a fact finding hearing, is either party requesting a hearing at this time. Detective Scanlan.

- The association is not requesting a fact finding hearing. Thank you.

- Okay, and Director Faulds.

- We are not.

- All right. Okay. Okay, the either parties would like to make arguments in support of the written submissions. Detective Scanlan.

- Thank you, the association is doesn't have any intention to make a new oral argument. We've supplied our grievance documents. We've we have a chance to review the city's rebuttals to our grievance and we will leave the documents as the standing of the personnel committee, thank you.

- Okay, Director Faulds.

- Yeah, we have the same position, nothing to add.

- Okay then, I guess the committee then should move into our closed session to discuss this situation.
- Make a motion that we move into closed session.
- Hold on a second, detective Scanlan.
- Yeah, I don't know how long you're planning to be in there, can we just be notified of your answer or do you want us to stick around? I see the sunshine in the background. I'll gladly wait if... I know in the past you've typically told us after or send us your answer in writing. We're fine either way.
- Okay, I think we can do that, if the rest of the committee is okay with that.
- I'm okay with that.
- All right. All right, yeah, I'd say you can head out and go enjoy the day.
- Thank you for your time.
- All right.
- Have a good night.
- All right, then the alder Dorff, do you want to read the language?
- Sure, are the committee made convenient closed session pursuant to section 19.8518 Wisconsin statutes for purposes of deliberating concerning a case which was the subject of any judicial quasi judicial trial or hearing before that governmental body the committee will thereafter reconvening and section 19.852 Wisconsin statutes, should take action items discussed in closed session if appropriate and you consider the remainder of the agenda.
- All right, Director Faulds has a comment.
- All right, did someone second that motion?
- I think I did.
- Yep, I could have sworn alder Corpus-Dax...
- I thank you.
- All right. Well, so all those in favor say, aye.
- Aye.
- Aye.
- All right, we will be going into closed session.
- We're recording now, and did we make a motion here to come out.
- I'm trying to do that. Waiting till we were we're recording, that we return to open session.

- Second.
- All those in favor say, aye.
- Aye.
- Aye.
- That passes unanimously.
- The motion is to, to deny the grievance indirect direct staff to draft a findings of fact and conclusion to be presented for adoption before this committee and its next meeting.
- Second.
- I have a second and a motion. All those in favor say, aye.
- Aye.
- Aye.
- None are opposed that passes unanimously. All right onto informational, we have a report of routine personal actions for regular employees. We have any questions for staff on that. If not, I'll entertain a motion of receiving place on file.
- Receive on place I will second.
- All right.
- All in favor say, aye.
- Aye
- Aye.
- Our next meeting is March 23rd, 2021. I, should be able to attend that, if I can make sure my daughter is going to have WI-Fl, for Brian and she doesn't have a pool. So I guess... I will be at that meeting hopefully I'll let you know if anything comes up. So, should we have a motion to adjourn.
- Motion to adjourn
- Okay, all those in favor say, aye,
- Aye.
- Aye.
- That passes everyone take care and have a safe a week.
- Thanks to you, bye bye.
- Bye.



- Bye Brian.
- Bye, don't get sunburned.
- I invested in some lotion.