



FINANCE AND PERSONNEL COMMITTEE MEETING AGENDA

January 09, 2023 at 5:00 PM

Council Chambers, 828 Center Avenue, Sheboygan, WI

It is possible that a quorum (or a reverse quorum) of the Sheboygan Common Council or any other City committees/boards/commissions may be in attendance, thus requiring a notice pursuant to State ex rel. Badke v. Greendale Village Board, 173 Wis. 2d 553, 494 N.W.2d 408 (1993).

Persons with disabilities who need accommodations to attend this meeting should contact the Finance Department at 920-459-3311. Persons other than council members who wish to participate remotely shall provide notice to the Finance Department at 920-459-3311 at least 24 hours before the meeting so that the person may be provided a remote link for that purpose.

OPENING OF MEETING

1. Call to Order
2. Roll Call (Alderspersons Mitchell, Filicky-Peneski, Perella, Ackley and Felde may attend remotely)
3. Pledge of Allegiance
4. Introduction of Committee Members and Staff

MINUTES

5. Approval of Minutes - December 27, 2022

ITEMS FOR DISCUSSION AND POSSIBLE ACTION

6. Res. No. 118-22-23 / January 4, 2023: A RESOLUTION authorizing the appropriate City officials to execute a Memorandum of Understanding with the Sheboygan Professional Police Officers' Supervisory Association.
7. Direct Referral Gen. Ord. No. 16-22-23 by Alderspersons Mitchell and Filicky-Peneski amending Section 82-33 of the Sheboygan Municipal Code so as to modify the City Table of Organization.

DATE OF NEXT REGULAR MEETING

8. Next Meeting Date - January 23, 2023

ADJOURN

9. Motion to Adjourn

In compliance with Wisconsin's Open Meetings Law, this agenda was posted in the following locations more than 24 hours prior to the time of the meeting:

City Hall • Mead Public Library
Sheboygan County Administration Building • City's website

CITY OF SHEBOYGAN

REQUEST FOR FINANCE AND PERSONNEL COMMITTEE CONSIDERATION

ITEM DESCRIPTION: Resolution 118-22-23, authorizing the appropriate city Officials to execute a Memorandum of Understanding with the Sheboygan Professional Police Officers' Supervisory Association.

REPORT PREPARED BY: Christopher Domagalski, Chief of Police

REPORT DATE: January 6, 2023

MEETING DATE: January 9, 2023

FISCAL SUMMARY:

Budget Line Item:	N/A	Wisconsin	N/A
Budget Summary:	N/A	Statutes:	
Budgeted Expenditure:	N/A	Municipal Code:	N/A
Budgeted Revenue:	N/A		

STATUTORY REFERENCE:**BACKGROUND / ANALYSIS:**

The Police Department through General Ordinance 16-22-23 is requesting approval to restructure the Department Command Staff. The Command Staff currently consists of three Police Captains who are members of the Sheboygan Professional Police Officers' Supervisory Association. The department is requesting to delete one Captain Position and add one Position of Assistant Chief. The department is also requesting to remove all three positions from the Supervisory Association and add them as Non-represented Protective Service Command Staff. The attached MOU with the Supervisory Association would modify the current Collective Bargaining Agreement to allow this to happen.

STAFF COMMENTS:

Staff supports the restructuring and the MOU with the Supervisory Association.

ACTION REQUESTED:

Motion to recommend to Council to Approve the Resolution No. 118-22-23.

ATTACHMENTS:

- I. Res. No. 118-22-23

III

Res. No. 118 - 22 - 23. By Alderpersons Mitchell and Filicky-Peneski.
January 4, 2023.

A RESOLUTION authorizing the appropriate City officials to execute a Memorandum of Understanding with the Sheboygan Professional Police Officers' Supervisory Association.

RESOLVED: That the appropriate City officials are hereby authorized to execute the Memorandum of Understanding between the City of Sheboygan and the Sheboygan Professional Police Officers' Supervisory Association, a copy of which is attached hereto and incorporated herein.

FHP

I HEREBY CERTIFY that the foregoing Resolution was duly passed by the Common Council of the City of Sheboygan, Wisconsin, on the _____ day of _____, 20____.

Dated _____ 20____. _____, City Clerk

Approved _____ 20____. _____, Mayor

MEMORANDUM OF UNDERSTANDING
 BETWEEN THE CITY OF SHEBOYGAN AND
 THE SHEBOYGAN PROFESSIONAL POLICE OFFICERS' SUPERVISORY ASSOCIATION

The Parties to the 2022-2023 collective bargaining agreement between the City of Sheboygan and Sheboygan Professional Police Supervisory Officers' Association, signed May 2, 2022 and adopted by the Sheboygan Common Council via Res. No. 9-22-23, do hereby agree as follows:

Any association members promoted to the rank of Captain after December 31, 2022, shall no longer be recognized as members of the Association. Per Article II (a) of the current collective bargaining agreement, the ranks of Lieutenant and Sergeant will continue to be recognized as classifications of employees represented by the Association.

Dated at Sheboygan, Wisconsin, this _____ day of _____, 20____.

FOR THE CITY:

FOR THE SPPOSA:

 Mayor Ryan Sorenson

 President Douglas Teunissen

ATTEST:

 City Clerk Meredith DeBruin

 Vice President Christopher Stephen

CITY OF SHEBOYGAN

REQUEST FOR FINANCE AND PERSONNEL COMMITTEE CONSIDERATION

ITEM DESCRIPTION: Gen. Ord. 16-22-23, amending Section 82-33 of the Sheboygan Municipal Code so as to modify the City Table of Organization.

REPORT PREPARED BY: Christopher Domagalski, Chief of Police

REPORT DATE: January 6, 2023

MEETING DATE: January 9, 2023

FISCAL SUMMARY:

Budget Line Item:	N/A	Wisconsin	N/A
Budget Summary:	N/A	Statutes:	
Budgeted Expenditure:	N/A	Municipal Code:	N/A
Budgeted Revenue:	N/A		

STATUTORY REFERENCE:

BACKGROUND / ANALYSIS:

The Police Department through General Ordinance 16-22-23 is requesting approval to restructure the Police Department Command Staff. The Command Staff currently consists of three Police Captains who are members of the Sheboygan Professional Police Officers' Supervisory Association. The department is requesting to delete one Captain Position and add one Position of Assistant Chief. The department is also requesting to remove all three positions from the Supervisory Association and add them as Non-represented Protective Service Command Staff. In separate action under Res. 118-22-23 the City would enter into an MOU with the Supervisory Association to modify the current Collective Bargaining Agreement to remove these positions from the Collective Bargaining Agreement.

STAFF COMMENTS:

The Sheboygan Police Department is proposing to restructure its Command Staff structure in order to more effectively meet current and anticipated industry trends. Prior to a restructuring that took place circa 2009, the Sheboygan Police Department was managed by a Chief of Police and two Deputy Chiefs of Police, who shared responsibility for directing the Police Department to meet the needs of the City, for managing its budget, and for safeguarding the City's management rights. Since the reorganization, the Police Department has been left with just one non-represented management position: the Chief of Police. This leaves the department without a clear second-in-command in the Chief's absence. This also has led to staff being responsible for defending the city in contract grievances who are themselves covered by a collective bargaining agreement. The addition of an Assistant Chief would provide for more efficient operation of the department, clearer lines of accountability and oversight, and better preservation of the City's position with regard to management rights, especially through contract negotiations or grievances from either of the associations.

The current Captain of Administration position is responsible for recruitment and hiring; facilities, fleet and radio equipment maintenance; policy, training and certifications; and

management of the court services and community service officer sections. While an Assistant Chief would retain some of these responsibilities, it would be most effective for a Lieutenant of Administration position to assume responsibility for some of the current workload of the Captain of Administration. The additional Lieutenant of Administration position would also be expected to place a greater emphasis on department training. The economic reality of police departments across the country is that they are becoming younger and less experienced, and facing greater turnover of officers at all ranks and tenures. This enhances the need for the Police Department to deliver regular training of both basic and advanced skills to increase the effectiveness of police efforts, increase public perceptions of legitimacy, and reduce liability for the department and City.

Additionally, recent societal and regulatory changes have increased the value of and demand for departments to become accredited through organizations such as the Commission on Accreditation for Law Enforcement Agencies (CALEA) or the Wisconsin Law Enforcement Accreditation Group (WILEAG). Any department receiving federal grant funds is currently required to have select policies reviewed and certified by an outside authority. But proposed legislation could make accreditation a requirement for all law enforcement agencies. Accreditation can be a valuable process in certifying that the department adheres to industry best-practice and in minimizing liability exposure, providing transparency and accountability to the public. But it is also an expensive and time-consuming process to manage. The Sheboygan Police Department previously completed accreditation in 2007, which was managed by a Lieutenant of Administration and at a time when there were two more supervisory positions than the department currently has. The accreditation process requires a thorough review of the department's policies and standard operating procedures, as well as maintenance and tracking to ensure continued compliance with the accreditation standards. This would be a primary responsibility of the new Lieutenant of Administration position as proposed.

Through discussions with the City Administrator, Mayor and Finance Director it is understood that it is not now feasible to add an additional position to the Table of Organization. However, with the retirement of Captain Steve Cobb on December 31, 2022 and an upcoming retirement in one of the other Captain Positions, now prior to promoting others into these positions, is the most appropriate time to accomplish this portion of restructuring.

Job Description Questionnaires (JDQ's) for the positions of Assistant Chief and Captain of Police have been prepared and shared with Carlson Dettmann for placement into the correct classifications.

ACTION REQUESTED:

Motion to recommend to Council to Approve the General Ordinance No. 16-22-23.

ATTACHMENTS:

- I. Gen. Ord. 16-22-23

DIRECT REFERRAL TO FINANCE AND PERSONNEL COMMITTEE

Gen. Ord. No. 16 - 22 - 23. By Alderpersons Mitchell and Filicky-Peneski.
January 9, 2023.

AN ORDINANCE amending Section 82-33 of the Sheboygan Municipal Code so as to modify the City Table of Organization.

THE COMMON COUNCIL OF THE CITY OF SHEBOYGAN DO ORDAIN AS FOLLOWS:

Section 1. Section 82-33 of the Sheboygan Municipal Code entitled, "List of Classes and Class Specifications" is hereby amended so that Section D of section 82-33 of the supplement to the Code on file in the city clerk's office is amended as follows:

D. POLICE DEPARTMENT

	<u>Class Title</u>	<u>Class Grade</u>	<u>No. of Employees</u>
DELETE:			
2.	Criminal Investigation Division		
	Captain of Criminal Investigation	Unclassified	1.0
3.	Patrol Division		
	Captain of Patrol	Unclassified	1.0
4.	Administration Division		
	Captain of Criminal Investigation	Unclassified	1.0
ADD:			
1.	Police Department		
	Assistant Chief of Police	20	1.0
2.	Criminal Investigation Division		
	Captain of Criminal Investigation	19	1.0
3.	Patrol Division		
	Captain of Patrol	19	1.0

Section 2. All ordinances or parts thereof in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict, and this ordinance and attached revised job descriptions shall be in effect from and after its passage and publication; except that the change related to the Captain of Criminal Investigation shall be effective upon the retirement of the incumbent holding that position.

I HEREBY CERTIFY that the foregoing Ordinance was duly passed by the Common Council of the City of Sheboygan, Wisconsin, on the _____ day of _____, 20____.

Dated _____ 20____. _____, City Clerk

Approved _____ 20____. _____, Mayor

Direct Supervisor: Chief of Police
Department: Police
Version Date: January 2023
Salary Grade: 20
FLSA Status: Exempt, Non-Represented



Position Summary:

Is second-in-command of the department and responsible for executive leadership and oversight of the department. Fulfills the role of Chief of Police in his or her absence, including acting as representative of the department to elected officials and other agencies or stakeholders. Ensures professionalism, transparency, collaboration and trust in relations with other city departments, and responsible allocation of resources to accomplish the mission of the department as set forth by the Chief, including crime control strategies and budget development and implementation. Responsible for oversight of hiring, promotional and special assignment processes and assists the Chief in deciding such appointments, as well as overseeing departmental disciplinary investigations and determining appropriate corrective action.

Essential Responsibilities:

- Serves as a member of the Chief's executive staff.
- Responsible for the overall level of trust and the professional reputation of the department and the level of professionalism among all members of the department.
- Responsible for the transparency of operations and decisions in the eyes of the public and the level of collaboration and quality of relationships that exist among city departments, service providers and other external service providers.
- Responsible for defining and distributing information and actionable intelligence and the management of accurate, timely and important information that is brought to the attention of the Chief of Police.
- Oversees the efficient and effective performance of all personnel within the department by providing direction, supervision and control of all subordinates and maintaining order and discipline within the department.
- Evaluates the performance of all subordinates, maintains work records, and recommends personnel for promotions, transfers, disciplinary actions, and discharges.
- Ensures guidance, training and resources are provided through subordinate supervisors while ensuring fair evaluation standards are maintained.
- Ensures the administration and coordination of the personnel selection process of the Department, including preliminary screening and testing of applicants, and oversees the background investigations of prospective recruits.
- Ensures uniform application of the department's progressive discipline policy, oversees personnel investigations, and determines appropriate disciplinary actions with the Chief including recommendations for remedial training, reprimands, suspensions and termination.
- In the absence of the Chief, represents the department with local elected officials, department heads and other government leaders and agencies, collaborates with other state, local and federal law enforcement agencies to develop and implement multi-agency plans to address crime and public safety problems., and develops plans with other city departments to address crime and quality-of-life problems in the community and ensure efficient delivery of city services.

- Prepares and evaluates annual budget request for the Chief and oversees budget implementation by ensuring all supervisors understand budget priorities, guidelines, restrictions and limitations, and that proper expenditure control and approval systems are developed and adhered to.
- Reviews and prepares applications for state and federal grants to support overall departmental performance and maintain fiscal oversight and control over grant program implementation, including completing required reporting.
- Ensures oversight of federal equitable sharing and state asset forfeiture accounts, including maintenance of appropriate records, required reporting and approval of expenditures.
- Maintains knowledge of the state of crime and disorder problems in the city and research regarding current strategies to address crime problems.
- Develops and directs implementation of coordinated responses to emerging crime trends by subordinate supervisors through enforcement, community education and outreach, and cooperation with other agencies and community stakeholders consistent with best practices and constitutional requirements.
- Is responsible for the uniform application and enforcement of all of the Wisconsin Statutes and Municipal Ordinances for which the department has responsibility and all rules, regulations, special orders, policies, and memoranda of the department.
- Ensures the protection of individual constitutional rights of all persons in departmental investigations by having a strong desire to recognize and protect the individual rights of all persons, regardless of race, creed, sex, color, or physical defect.
- Assumes command of special projects or research dedicated to the improvement of law enforcement by adoption of innovative new programs.
- Researches, develops, and writes professional standards, policies, procedures for the Sheboygan Police Department and manages the implementation and maintenance of professional standards.
- Evaluates department policy, performance standards and standard procedures to ensure actions that support the department mission, are legally defensible, and consistent with law enforcement best practices.

Education & Experience:

- A bachelor's Degree from an accredited college or university. Master's Degree preferred with coursework in criminal justice, public administration or other organizational management-related field. Seven years of supervisory experience. Must have attained the rank of Captain, plus above average performance rating for the immediate past three consecutive years.

Qualifications & Skills:

- Demonstrated ability to lead, inspire and motivate a team of employees, and to coach, mentor and train others.
- Ability to maintain proper discipline and order and effectively supervise people.
- Thorough knowledge of Sheboygan Police Department Policies, Procedures, Rules and Regulations, as well as modern police strategies, tactics and research.
- Ability to communicate clearly and concisely and to develop and administer budgets.
- Ability to create and nurture a teamwork environment within the Police Department and with other city departments.

- Any additional requirements as established by the Board of Police and Fire Commissioners pursuant to their authority contained in Chapter 62.13(3) of the Wisconsin Statutes.

Post Job Offer Requirements:

Job offers for this position are contingent on the individual passing a pre-employment drug screen and background check.

Work Environment:

The work environment and physical demands characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable qualified individuals with disabilities to perform the essential functions.

Department Summary:

The Sheboygan Police Department is a progressive full time Police agency that employs a community based, neighborhood focused, problem oriented, and data driven Strategy.

Acknowledgement:

The job description includes the essential responsibilities of the position and is not to be construed as all-inclusive. The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific essential responsibilities does not exclude them from the position if the work is similar, related, or is a logical assignment to the position.

The job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.

My signature below is both an acknowledgement of my understanding of the job description for this position, as well as my commitment to uphold and promote the mission, vision, and core values of the City of Sheboygan, and work to fulfill the six values of the City's Strategic Plan.

Employee Name: _____ Employee Number: _____

Employee Signature: _____ Date: _____

Direct Supervisor: Assistant Chief of Police
Department: Police
Version Date: January 2023
Salary Grade: 19
FLSA Status: Exempt, Non-Represented



Position Summary:

Is responsible for command of an assigned Police Division. Reports directly to the Assistant Chief of Police. Ensures all subordinates achieve clearly-defined goals established by the Police Department. Performs administrative police work involving, but not limited to, planning, coordinating, supervising, and effectively directing the functions of a Police Division.

Essential Responsibilities:

- Serves as a member of the Chief's executive staff.
- Is responsible for the overall level of trust and the professional reputation of the department.
- Is responsible for the level of professionalism among all members of the department.
- Is responsible for the transparency of operations and decisions in the eyes of the public.
- Is responsible for the level of collaboration and the quality of the relationships that exist among city departments, service providers and other external service providers.
- Is responsible for the allocation of resources in order to maintain an adequate level of police services.
- Is responsible for defining and distributing information and actionable intelligence.
- Is responsible for the management of accurate, timely and important information that is brought to the attention of the Assistant Chief of Police.
- Is responsible for the efficient and effective performance of a Police Division.
- Provides effective supervision, direction, and control of all subordinate personnel and is strictly responsible for maintaining proper order and discipline within the respective division.
- May recommend personnel for promotions, transfers, disciplinary actions, and discharges.
- Evaluates the performance of personnel and maintains employee work records.
- Is responsible for the provision of officer's needs for guidance, training, professional development and resources.
- Is responsible for balancing expenditures associated with the areas of responsibility so they are consistent with the overall mission of the department.
- Is responsible for having knowledge of the state of crime in the city and the quality of strategies to address that crime.
- Is responsible for the uniform application and enforcement of all of the Wisconsin Statutes and Municipal Ordinances for which the department has responsibility and all rules, regulations, special orders, policies, and memoranda of the department pertaining to the division.
- Coordinates with other division commanders in order to achieve the goals set forth by the Police Department.
- Ensures the protection of individual constitutional rights of all persons in departmental investigations by having a strong desire to recognize and protect the individual rights of all persons, regardless of race, creed, sex, color, or physical defect.
- Ensures the uniform application of the Sheboygan Police Department Progressive Discipline Policy and recommends appropriate disciplinary actions to the Assistant Chief of Police. Ensures the application

includes the initiation of personnel investigations wherein subordinate personnel are accused of violating any laws, ordinances, or any of the departmental rules, regulations, and policies.

- Oversees the evaluation of the performance of personnel programs of the department, making certain that there is uniformity of effort, paying particular attention that the criteria applied are fair and equitable to the persons affected.
- Assumes command of special projects or research dedicated to the improvement of law enforcement by adoption of innovative new programs in their respected assigned division.
- Researches, develops, and writes professional standards, policies, procedures for the Sheboygan Police Department and manages the implementation and maintenance of professional standards.
- Ensures the administration and coordination of the personnel selection process of the Department, including preliminary screening and testing of applicants, and oversees the background investigations of prospective recruits.
- Is able to prepare applications for Federal and State grants to support special programs for upgrading the overall police function and maintains fiscal supervision and control over all such efforts, including the filing of required reports.
- Coordinates planning and survey work; receives, reviews, and analyzes operational reports; evaluates the effectiveness of the division; and takes corrective actions when necessary to provide efficient and effective law enforcement, identifying deficiencies within the division.
- Meets regularly with subordinate supervisors in the development of plans, methods, and procedures to increase the proficiency of functional units of the department and in evaluating the practicability and feasibility of proposed organizational and operational changes.

Education & Experience:

- A bachelor's Degree from an accredited college or university. Work on a Master's Degree or Master's Degree preferred. Five years of supervisory experience. Must have attained the rank of Lieutenant, plus above average performance rating for the immediate past three consecutive years.

Qualifications & Skills:

- Demonstrated ability to lead, inspire and motivate a team of employees.
- Demonstrated ability to coach, mentor and train others.
- Ability to maintain proper discipline and order and effectively supervise people.
- Thorough knowledge of Sheboygan Police Department Policies, Procedures, Rules and Regulations.
- Thorough knowledge of modern strategies, tactics and research.
- Ability to express oneself clearly and concisely, orally and in writing.
- Ability to create and nurture a teamwork environment within the Police Department and with other city departments.
- Ability to develop and administer budgets.
- Any additional requirements as established by the Board of Police and Fire Commissioners pursuant to their authority contained in Chapter 62.13(3) of the Wisconsin Statutes.

Post Job Offer Requirements:

Captain of Police

Item 7.

Job offers for this position are contingent on the individual passing a pre-employment drug screen and background check.

Work Environment:

The work environment and physical demands characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable qualified individuals with disabilities to perform the essential functions.

Department Summary:

The Sheboygan Police Department is a progressive full time Police agency that employs a community based, neighborhood focused, problem oriented, and data driven Strategy.

Acknowledgement:

The job description includes the essential responsibilities of the position and is not to be construed as all-inclusive. The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific essential responsibilities does not exclude them from the position if the work is similar, related, or is a logical assignment to the position.

The job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.

My signature below is both an acknowledgement of my understanding of the job description for this position, as well as my commitment to uphold and promote the mission, vision, and core values of the City of Sheboygan, and work to fulfill the six values of the City's Strategic Plan.

Employee Name:_____ Employee Number:_____

Employee Signature:_____ Date:_____