

*Sycamore Fire and Police Commission
Regular Meeting Minutes
May 11, 2009*

ROLL CALL

Chairman Petersen called the meeting to order at 1:04 p.m. Present at the meeting were: Commissioner Samantha Dailey, Commissioner Teresa Jacobson, Fire Chief Bill Riddle, Police Lieutenant Darrell Johnson, and City Attorney Kevin Buick

APPROVAL OF AGENDA

Motion

Commissioner Dailey moved to approve the agenda and Commissioner Jacobson seconded the motion.

Vote

All Commissioners voted aye. Motion carried 3 - 0.

APPROVAL OF THE MINUTES

Motion

Commissioner Dailey moved to approve the minutes from the March 9, 2009 meeting, as written, and Commissioner Jacobson seconded the motion.

Vote

All Commissioners voted aye. Motion carried 3 - 0.

ELECTION OF OFFICERS

A. Chairman

Motion

Commissioner Dailey moved to nominate Commissioner Jeff Petersen as the Chairman of the Sycamore Fire and Police Commission for the period of May 1, 2009 – April 30, 2010, and Commissioner Jacobson seconded the motion.

Vote

All Commissioners voted aye. Motion carried 3 - 0.

B. Secretary

Motion

Commissioner Jacobson moved to nominate Commissioner Samantha Dailey as the Secretary of the Sycamore Fire and Police Commission for the period of May 1, 2009 – April 30, 2010, and Commissioner Petersen seconded the motion.

Vote

All Commissioners voted aye. Motion carried 3 - 0.

NEW BUSINESS

A. Annual Report to the City Council

Chairman Petersen reported that Recording Secretary Tritle had compiled the Annual Report, which will be presented to the City Council on May 18, 2009. The Annual Report is a review of the Commissioners' activities for the past year. Ms. Tritle pointed out that she had used incorrect dates in the draft copy for the Fiscal Year upon which the report is based, which she corrected in the official copy for the Council.

Motion

Commissioner Dailey moved to approve the Annual Report of the Fire and Police Commission, as written, and Commissioner Petersen seconded the motion.

Vote

All Commissioners voted aye. Motion carried 3 - 0.

B. Establishment of the Schedule of Regular Meetings of the Commission in FY08

The Commissioners set the following schedule for their regular meetings, to occur at 1:00 p.m. on each of the following dates: August 3, 2009, September 28, 2009, December 14, 2009, March 15, 2010, and May 10, 2010.

Motion

Commissioner Dailey moved to approve the schedule of Regular Meetings of the Commission for the upcoming fiscal year and Commissioner Petersen seconded the motion.

Vote

All Commissioners voted aye. Motion carried 3 - 0.

C. End of Probationary Period for Police Officer Andrew Neuman

Chairman Petersen read a letter sent to the Commission from Chief Thomas in which he informed the Commission that Police Officer Neuman successfully completed his probationary period on March 28, 2009. Lt. Johnson reported that Officer Neuman had no notable deficiencies and is progressing very well.

Recording Secretary Tritle informed the Commissioners that a congratulatory letter would be sent to Officer Neuman on their behalf.

D. Discussion on Amending Educational Requirements for Police Officer Candidates

In his absence, Recording Secretary Tritle reported that Chief Thomas had suggested that this item be put on the agenda. During the 2007 Police Officer Testing process, the City received several calls from certified Police Officers and military veterans who expressed the desire to take the written examination, but did not have the requisite 60 hours of college credits. City Manager Bill Nicklas, who was present at the meeting, stated that he did not believe that military service was sufficient criteria for waiving the education requirement. Chief Riddle thought that Chief Thomas may have been thinking about veterans with Military Police experience. City Attorney Kevin Buick stated that State Statutes allow for preference of certified Police Officers in the hiring process; military experienced is not addressed in the Statutes.

Chairman Petersen requested that this topic be referred to the next meeting, when Chief Thomas is present.

E. Discussion on the Rules and Regulations Regarding Discipline and Suspension

City Manager Bill Nicklas explained that he was attending today's meeting in order to apprise the Commissioners on a matter that has arisen during contract negotiations with the Police (FOP) union. He reported that management and the union do not agree on an issue regarding the appeal of discipline that is supported by the State FOP Labor Council. Under the current Rules and Regulations of the Commission and the current FOP contract, the Chief of Police has the right to suspend any Officer under his command for a period of time not to exceed five days. The Police Officer may appeal this suspension

to the Commission or to arbitration. It is the opinion of the State FOP lodge that, in the appeal of any discipline greater than five days, including termination, an Officer should similarly have two tracks, namely, the option of an appeal to the Commission or to an independent arbitrator. The FOP Labor Council, which represents the local FOP Lodge 133, believes Commissions are not truly independent bodies because of the appointment of their members by mayors. In addition, the FOP Council believes members of the Commissions too often have little or no experience with the day-to-day work of Police Officers and are not qualified to judge the fitness of such professionals in matters of discipline. Recent independent arbitration rulings on this point have been in favor of the FOP Labor Council. Because the City is a Home Rule community, the Council and the Commission can choose to depart from the five-day threshold in State law. At this point, the City supports the status quo, but it appears that the FOP Labor Council will take the City to arbitration on this issue during the current bargaining round. In the brief discussion that followed, the Commissioners asked some questions of the City Manager but did not voice interest in departing from the current Rules and Regulations. The proposed changes to the disciplinary process are a part of a statewide movement and not due to any displeasure with Sycamore's Fire and Police Commission on the part of the local Lodge.

F. Destruction of Audio Tapes from Closed Sessions that are over 18 months Old

Mr. Buick explained that, while the Commissioners had reviewed the written minutes from all past closed session meetings at their January 12, 2009 meeting, they also needed to approve the destruction of the audio tapes from these sessions that are over 18 months old. This must be done by a written resolution, which he had prepared. The Resolution authorizes the destruction of the audio tapes from the following dates: August 1, 2005, November 8, 2005, April 6, 2006, June 27, 2006, August 7, 2006, October 30, 2006, November 13, 2006, January 11, 2007, March 14, 2007, and April 2, 2007.

Motion

Commissioner Dailey moved to approve the Resolution authorizing the destruction of audio recordings of closed meeting sessions and Commissioner Petersen seconded the motion.

Vote

All Commissioners voted aye. Motion carried 3 - 0.

G. Establishment of the Testing Schedule for Entry-level Police Officer Candidates

The current list of Entry-level Police Officers expires on November 1, 2009. In 2007, the written exam was administered in August, with the oral exams being completed in September. The Commissioners agreed on using this time frame again this year. Orientation and the written exam will be scheduled on August 15th, with August 22nd as an alternate date. Ms. Tritle will call I/O Solutions to reserve the date and will call the Library to reserve their meeting room for the same date. Oral exams are tentatively scheduled to take place on September 14 – 18, 2009.

H. Fire Chief

Chief Riddle had no report.

I. Police Chief

Lt. Johnson reported that Police Officer Christie Haas graduated from the Academy in March and was in the second step of her three step training process with a Field Training

Officer. She should be ready to run solo in July. Lt. Johnson said that Officer Haas' Spanish speaking skills have been very helpful to the Department.

CLOSED SESSION TO DISCUSS PERSONNEL MATTERS

Chairman Petersen reported that there were no personnel issues that needed to be discussed in closed session.

Ms. Tritle asked Mr. Buick if it is acceptable to e-mail closed sessions minutes to the Commissioners to review prior to their meeting. Mr. Buick answered that this is a risky practice, as e-mail is not secure. The best practice is to review the minutes during closed session and approve them in open session at the next meeting.

ADJOURNMENT

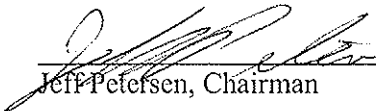
Motion

Commissioner Dailey moved to adjourn the meeting at 1:40 p.m. and Commissioner Jacob seconded the motion.

Vote

All Commissioners voted aye. Motion carried 3 - 0.

Minutes accepted by:

 8-3-09
Jeff Petersen, Chairman Date

Attest:

 8/3/09
Jean Tritle, Recording Secretary Date