

## **Minutes of the Police and Fire Commission**

### **October 1<sup>st</sup> 2014**

A meeting of the Police and Fire Commission of the City of Prairie du Chien was held on Wednesday October 1<sup>st</sup> 2014 at 6:30 PM in the Council Chambers of City Hall. Chairperson Roy George called the meeting to order.

#### **GENERAL ITEMS TO BE ACTED UPON:**

**1. Call to order/Roll Call** - PRESENT – Roy George (Chairperson), Mike Leard, Kersten Rocksvold, Gary Knickerbocker ABSENT - Mike McCoy CITY STAFF PRESENT – City Administrator Aaron Kramer, Fire Chief Harry Remz, City Attorney Tom Peterson

**2. Certification of the open meeting law agenda requirements and approval of the agenda** – MOTION: Leard SECOND: Rocksvold VOTE: 4-0

**3. APPROVAL – Minutes of the August 21st 2014 meeting** – MOTION: Knickerbocker SECOND: Rocksvold VOTE: 4-0

NOTE: At this time, George stepped down as chairman. ACTION: To name Gary Knickerbocker as acting chairman for the meeting MOTION: Leard SECOND: Rocksvold VOTE: 3-0

#### **ACTION ITEMS**

##### **4. DISCIPLINARY HEARING - Ben Pintz and Frank Pintz**

Per State Statute 62.13 (5) (d), "...(t)he hearing on the charges shall be public, and both the accused and the complainant may be represented by an attorney and may compel the attendance of witnesses by subpoenas which shall be issued by the president of the board on request and be served as are subpoenas under ch. 885." Attorney Peterson presented the procedural process for the hearing. The following witnesses were called: Frank Pintz, Jr.; Ben Pintz, and Remz. Testimony began at 6:35 PM and concluded at 7:21 PM. Frank Pintz, Ben Pintz and Peterson provided closing statements.

##### **5. ADJOURN into closed session (7:31 PM)**

ACTION: To go into closed session under Wisconsin State Statute 19.85 (1) (b) Considering dismissal, demotion, licensing or discipline of any public employee or person licensed by a board or commission or the investigation of charges against such person, or considering the grant or denial of tenure for a university faculty member, and the taking of formal action on any such matter; provided that the faculty member or other public employee or person licensed is given actual notice of any evidentiary hearing which may be held prior to final action being taken and of any meeting at which final action may be taken. RE: Deliberation of aforesaid agenda item MOTION: Leard SECOND: Knickerbocker VOTE: 3-0

##### **6. CONVENE into open session (8:21 PM)**

MOTION: Leard SECOND: Rocksvold VOTE: 3-0

##### **7. ACTION from the closed session**

ACTION: The following statement was to be read into the record: We, the members of the Police and Fire Commission, do hereby determine the following: In the case of Frank Pintz, Jr. - We hereby find, by a unanimous vote, that said person is in violation of Article 5 (Incident Attendance) of the By-Laws of the Prairie du Chien Fire Department, revised August 24, 2014, and furthermore; We hereby find, by a unanimous vote, that said person is in violation of Article 9 (Conduct) of the By-Laws of the Prairie du Chien Fire Department, revised August 24, 2014, and furthermore; We, by a unanimous vote, render the decision that the services of Frank Pintz, Jr. with the Prairie du Chien Fire Department shall be terminated immediately, with Pintz being permitted to re-apply with Prairie du Chien Fire Department no earlier than January 1st 2016. In the case of Benjamin Pintz: We hereby find, by a unanimous vote, that said person is not in violation of Article 5 (Incident Attendance) of the By-Laws of the Prairie du Chien Fire Department, revised August 24, 2014, and furthermore; We hereby find, by a unanimous vote, that said person is in violation of Article 9 (Conduct) of the By-Laws of the Prairie du Chien Fire Department, revised August 24, 2014, and furthermore; We, by a unanimous vote, render the decision that the minutes of this meeting of the Prairie du Chien Police and Fire Commission, the transcript of

this hearing, and a letter of reprimand from the Fire Chief be placed in the personnel records of Benjamin Pintz. Signed, this 1st day of October, 2014: Kersten Rocksvold, Member, Prairie du Chien Police and Fire Commission; Mike Leard, Member, Prairie du Chien Police and Fire Commission; Gary Knickerbocker, Acting Chairman, Prairie du Chien Police and Fire Commission MOTION: Leard SECOND: Rocksvold VOTE: 3-0

**8. ADJOURNMENT (8:26 PM)**

MOTION: Leard SECOND: Rocksvold VOTE: 3-0

Submitted by City Administrator Aaron Kramer