

MINUTES of COLUMBUS POLICE AND FIRE COMMISSION
October 16, 2024
Columbus City Hall, Council Chamber
105 N Dickason Blvd., Columbus, WI 53925

- 1) Meeting called to order at 6:01 p.m. by PFC Chair Olson.
- 2) Roll Call: PFC Members present: L. Olson, B. Lewke. M. Meier, Z. Kianovsky. PFC members absent: R. Rule. (CFD Chief Hazeltine, CPD Chief Weiner , and City Counsel Liaison T. Reed also present)
- 3) Notice of compliance with Open Meeting law—Notice of Meeting and Posted Agenda by Olson.
- 4) Motion by Meier to approve agenda. Seconded by Lewke. Motion carried unanimously.
- 5) Motion by Olson to approve minutes of meeting of 08/28/2024. Motion seconded by Meier. Motion carried unanimously.
- 6) Public Comments: None.
- 7) New Business.

Motion by Meier to go into closed session per Sec. 19.85(1)(c) Wis. Stats. to consider employment, promotion, compensation or performance evaluation data of any public employee over which the PFC has jurisdiction or exercises responsibility. Seconded by Lewke. Motion passed unanimously.

Whereupon the PFC convened in closed session at 6:05 p.m. to consider applications for entry level positions in CFD and application for entry level patrol position in CPD.

Motion to reconvene in open session by Meier. Seconded by Kianovsky. Motion passed unanimously.

Whereupon PFC reconvened in open session at 7:25 p.m.

Motion by Meier to table the interviews of CFD applicants Michael Marshall and Nicolas Figol to the next quarterly PFC meeting, pending receipt of a complete application from each applicant for position. Seconded by Lewke. Motion passed unanimously.

Motion by Meier to waive minimum age of twenty-one for CPD officer position as set forth at Sec. 2.01(g) of PFC Rules and Regulation, for current hiring process only. Seconded by Lewke. Discussion: Kianovsky questioned whether Sec 15.01 of Rules and Regulations, which indicates that the Rules “may be amended, repealed, or modified by majority action of the PFC at a regular meeting thereof,” grants the PFC authority to make a one-time “waiver” of a Rule. After discussion of this question, Meier withdrew motion, and Lewke withdrew his seconding of motion.

Motion by Meier to amend Section 2.01(g) of Rules and Regulations to remove the minimum age of twenty-one for CPD officer position, on a one-time basis. Seconded by Lewke.

Discussion: Kianovsky raised two issues – First, that if a rule is amended it would likely need another amendment to reinstate the former version of the rule, rather than being applicable on a one-time basis and reverting to the prior version automatically, and second, that a vote to amend the rule was not noticed on the meeting agenda and therefore could be considered a violation of the Open Meeting laws, as the agenda listed consideration of a “waiver” of a provision of the Rules, not an “amendment” of the Rules. After discussion of these issues, Meier withdrew the motion, and Lewke withdrew his seconding of motion.

Olson indicated he had received written communication from Attorney Steven Zach advising that the PFC has authority to waive the requirement on a one-time basis pursuant to the language contained in Rule 15.01 of the Rules indicating that the Rules “may be amended, repealed, or modified by majority action of the PFC at a regular meeting thereof.”

Motion by Meier to waive Sec. 2.01(g) for current hiring process only, based on communication from Attorney Steven Zach regarding authority to do so per Sec. 15.01 of Rules. Discussion: Kianovsky questioned the applicability of Sec 15.01 to this motion to waive a rule on one-time basis, and whether a decision to waive a rule on one-time basis is authorized under authority to amend, repeal or modify a rule.

Roll call vote was requested by Kianovsky.

Vote: Lewke- Aye; Meier- Aye; Olson- Aye; Kianovsky - No. Motion passed three to one.

Motion by Meier to approve applicant Madeline Kraus for eligibility for entry level patrol position with CPD. Seconded by Olson. Discussion: Kianovsky indicated he planned to abstain because of concerns raised during discussion of the prior motions. Roll call vote requested by Kianovsky. Vote: Lewke- Aye; Meier- Aye; Olson- Aye; Kianovsky - Abstained. Motion passed with three votes and one abstention.

The PFC then discussed scheduling for a meeting to review proposed draft by-laws for PFC, with consideration of November 9 and November 16, 2024. As all members present and both Chiefs are available on the 16th, Olson indicated he will set a special meeting for that date beginning at 8:00 am at City Hall.

- 8) Motion to adjourn by Meier, seconded by Kianovsky. Motion to adjourn carried unanimously.

The next regular meeting of the PFC is scheduled for 6:00 p.m., on Wednesday, December 11, 2024 at the City of Columbus Council Chambers. Special Meetings may be called in the interim as needed.

Minutes submitted by Zev Kianovsky, Secretary, Columbus Police and Fire Commission, City of Columbus, Wisconsin. Minutes are drafted for approval.

Minutes approved by PFC on _____