



Fire and Police Commission

Sarah W. Morgan
Chair
Kathryn A. Hein
Vice-Chair
Michael M. O'Hear
Ann Wilson
Marisabel Cabrera
Steven M. DeVougas
Commissioners

November 6, 2014

Alderman Michael J. Murphy
Common Council President
City Hall, Room 205
200 East Wells Street
Milwaukee, WI 53202

Re: Milwaukee Police Department 2015 Salary and Compensation

Dear President Murphy:

On November 6, 2014, the Fire and Police Commission (FPC) considered and reviewed the request from Budget and Management Director Mark Nicolini regarding a decrease in salary and compensation as outlined in his revised correspondence of November 5, 2014. The FPC publicly noticed the review specifically with reference to consideration of changes to police department members' salary and compensation.

Upon conclusion of its review, the Board of Fire and Police Commissioners approved a resolution to recommend to the Milwaukee Common Council a decrease in the salary and compensation in 2015 of all sworn members of the Milwaukee Police Department up to and including a decrease that is in accordance with Mr. Nicolini's revised letter of November 5, 2014, subject to and in accordance with sec. 62.50(10) Wis. Stats.

Sincerely,

Sarah W. Morgan
Chair

Kathryn A. Hein
Vice-Chair

SMW/KAH:cj

Att. 11/5/14 Revised Letter from Mark Nicolini

cc: Alderman Nik Kovac
Mark Nicolini, Budget and Management Director
Deborah Ford, Labor Negotiator
Grant Langley, City Attorney

CITY CLERK'S OFFICE

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CITY OF MILWAUKEE



Department of Administration
Budget and Management Division

Tom Barrett
Mayor

Sharon Robinson
Administration Director

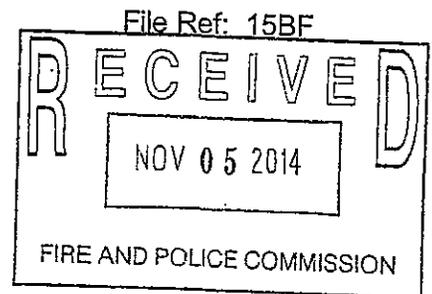
Mark Nicolini
Budget and Management Director

November 5, 2014

Re: Revised Correspondence

Board of Fire and Police Commissioners
Fire and Police Commission
City Hall Room 706A

Dear Commissioners:



I ask that you consider at your meeting Thursday, November 6, a matter relative to the city's adoption of the 2015 budget, and an implementing resolution pertinent to this request. The Mayor's 2015 Executive Budget proposal has been submitted to the Common Council.

The 2015 budget is dealing with multiple challenges. These include most notably:

- An inflation-adjusted loss of more than \$95.1 million (\$22.1 million in nominal dollars) to State Shared Revenue since 2003;
- State-imposed levy limits.

As a result; the 2015 Proposed Executive Budget will reflect three mandatory unpaid furlough days for all sworn employees of the Milwaukee Police Department, the scheduling of such furlough days being subject to passage of a resolution by the Common Council authorizing them.

We are requesting your recommendation to the Common Council of salary modifications for members of the Police Department as described in this proposal to ensure compliance with a statutory provision found in s. 62.50 (10) of the Wisconsin Statutes that potentially applies to furloughs of protective services personnel. That statute provides in pertinent part:

The salary and compensation of all members of the force in such departments shall be at all times subject to change by the common council, but the salary or compensation of the members of the force in the service of either [the fire or police] department may not be decreased, except upon the previous recommendations of such change made in writing by the board to the common council.

(Emphasis added).



November 5, 2014

The City Attorney has advised us that the 2015 furloughs as described are legally permissible. Although it can be argued that the furloughing of sworn Police Department members is not subject to the s. 62.50 (10) requirement for a prior recommendation from the Fire and Police Commission, the law in this area is not well developed. Obtaining the Commission's recommendations would help ensure that no credible challenges citing a violation of the statute occur.

Accordingly, we ask that the Fire and Police Commission formally recommend to the Common Council a decrease in the salary and compensation of all sworn members of the Police Department in 2015, up to and including the decrease in salary and compensation that is associated with three unpaid furlough days for each affected member in that year. Additionally, given the language of s. 62.50 (10), we ask that this recommendation be promptly communicated in writing to the Common Council, to the attention of the Council President and the Finance and Personnel Committee Chair, through correspondence signed by the Commission's Chair and its Executive Director, or a designee. Please be sure this written communication is hand-delivered to the City Clerk, Mr. James Owczarski, no later than 9:00 a.m. on Friday, November 7, 2014.

Sincerely,



Mark Nicolini
Budget and Mangement Director

MN:dmr

Common/budget/15budget/2015budgetresolutions/15-l-fpc-furloughs-140899