

CITY OF SHEBOYGAN

BOARD OF POLICE AND FIRE COMMISSIONERS MINUTES

JUNE 17, 2021

President Lettre called the meeting to order at 2: 01

p.m. The Pledge of Allegiance followed.

MEMBERS PRESENT: Jeanne Kliejunas, Robert Lettre, and Larry Samet.

MEMBERS EXCUSED:

Andy Hopp, Jerry Jones.

STAFF/OFFICIALS PRESENT: City Attorney Chuck Adams, Chief Domagalski, Chief Montellano, Assistant Chief Klein, Admin. Coordinator Campbell.

OTHERS PRESENT:

Chad Shelton, Melissa Shelton.

MINUTES

Motion by Commissioner Samet, seconded by Commissioner Kliejunas to amend

and approve the minutes of the Board of Police and Fire Commissioners meeting from June

16, 2021, to reflect the order below:

Schuldes, StephenStrzysewski, ChristopherBecker, JoshuaMegan, ArmenCasasola, KyleGarner, ShawntrelHague, Jackson

Motion carried.

HEARING

PROCEEDING BEFORE THE BOARD OF POLICE AND FIRE COMMISSIONERS RELATED TO COMPLAINT FILED BY CHAD SHELTON

City Attorney Adams explained his role as counsel for the Police & Fire Commission and suggested that the Commission provide Mr. Shelton and Chief Domagalski,

on behalf of the Sheboygan Police Department, the opportunity to give their response after his advisement. Attorney Adams noted the issues he raises are

not about the substance of the complaint. If Mr. Shelton has met the threshold required to obtain a hearing with the Commission, then it would be up to the Commission to determine whether the complaint is true or false.

City Attorney Adams advised he does not believe Mr. Shelton has met the threshold to obtain the hearing based on findings in the Zempel Report, specifically for the following reasons:

Failed

to identify the specific person against whom charges are brought

as required by

5 (c).Failed to identify specific rules or policies with which the accused is charged with violating as required by 5 (e).Failed

to meet procedural standards.

City Attorney Adams explained the three choices of action from which the Commission must decide to proceed with:

1. Determine the complaint

does not meet the threshold to obtain a hearing and dismiss Mr. Shelton's complaint. This is City Attorney Adams' recommendation.

2. Take no immediate action - Provide the opportunity to Mr. Shelton to file a new complaint that meets the requirements.

3. Determine the complaint does meet the threshold to obtain a hearing and provide Mr. Shelton with a

hearing before the Commission after providing proper notice to those involved.

Mr. Shelton detailed the timeline of his complaint and

stated that

the Police Department did not abide by

the required response time. He

noted that despite his illness, he gave his best attempt to explain the circumstances behind his complaint and that a letter

suffices based on the procedural requirements regarding filing a complaint.

Chief Domagalski explained that for due process to occur, specific allegations have to be made as no one can defend themselves without being given proper notice of allegations. Chief Domagalski noted that while the normal complaint process deals with 30 days for one complaint, atypical complaints may take longer. In this case, Mr. Shelton filed 16 complaints at once

spanning

10 years, which

required more time.

Commissioner Kliejunas asked City Attorney Adams if Mr. Shelton's attached narrative qualifies as an allegation. City Attorney Adams explained that Mr. Shelton's narrative is not what makes his complaint improper; however, by attaching the narrative instead of following the form Mr. Shelton did not address all the required criteria.

Commissioner Samet asked Mr. Shelton if he understands the criteria he needs to meet. Mr. Shelton stated that he understands his format may not be entirely correct, but he believes he has met the requirements to proceed. Mr. Shelton noted that he did in fact intend to name the Sheboygan Police Department and specifically Chief Domagalski as the primary respondents

as his complaint is against the entire Sheboygan Police Department.

City Attorney Adams advised the Commission that while Mr. Shelton states his complaint is against the Sheboygan Police Department as a whole, the Commission does not have authority to take a complaint against the Police Department as a whole since there is no disciplinary action that can be taken with that.

Commissioners Samet and Kliejunas stated they would be willing to allow Mr. Shelton to re-submit his complaint. Mr. Shelton acknowledged that he understands what he must do to re-submit his complaint.

Motion by Commissioner Samet, seconded by Commissioner Kliejunas

to take no action at this time and provide Mr. Shelton two weeks (Until July 1, 2021)

to file a new complaint following the appropriate procedures. Motion carried.

ADJOURN

Motion by Commissioner Kliejunas, seconded by Commissioner Samet to adjourn. Motion carried.