

**CITY OF FRANKLIN
POLICE & FIRE COMMISSION MEETING
FRANKLIN CITY HALL COUNCIL CHAMBERS
9229 W. Loomis Road, Franklin, Wisconsin
June 8, 2015 @ 6:00 p.m.**

MINUTES

- I. The June 8, 2015 Police & Fire Commission Meeting was called to order at 6:04 p.m. by Commission President Donohoo in the Council Chambers at Franklin City Hall. Members present were Commissioners Donohoo, Nelson, Lindner, and Sass. Commissioner Maher-Johnson was excused. Also in attendance was Human Resources Coordinator Zahn. Attorney Gordon Leech was present via conference call on behalf of Rabinovich and Attorney Kyle Gulya was present via conference call on behalf of the City.
- II. Discipline Hearing – A discipline hearing pursuant to WI Stat. sec. 62.13(5) concerning the charges filed by City of Franklin Police Chief Richard P. Oliva against City of Franklin Police Officer Steven Rabinovich.

Commission President Donohoo stated: (1) the police chief has filed formal charges against City of Franklin Police Officer Steven Rabinovich recommending that the Commission terminate Rabinovich's employment with the City as a Police Officer; (2) Attorney Gordon Leech represented Rabinovich and Attorney Kyle Gulya represented the City of Franklin and Chief Oliva; (3) Attorney Leech, at the first pretrial conference, orally demanded a stay of the proceedings before the Commission pursuant to the Servicemembers Civil Relief Act (SCRA)-Rabinovich is a United States Air Force reservist and has received orders to report for active duty on or about June 16, 2015; (4) Attorney Leech subsequently submitted a written demand; (5) Attorney Gulya filed a written objection to the demand for a stay of the proceedings; (6) the issue of a stay of the proceedings was discussed at a pretrial conference on June 4, 2015; (7) Donohoo determined that he would make the decision on the stay motion acting as the hearing examiner (8) numerous written items were submitted on behalf of Rabinovich; (9) Donohoo, after an extensive amount of legal research on the stay issue including the SCRA, determined that the SCRA was applicable to the Commission proceedings to terminate Rabinovich's employment, that a stay of the proceedings was mandatory and that a stay of the proceedings, if not mandatory, would be granted as a discretionary decision; (10) that the stay of the proceedings would continue until Rabinovich is released from Active Duty. No full Commission action is required but all the Commission members who were present agreed with Donohoo's decision.

III. Future Meeting Dates and Agenda Items

No additional meetings are needed at this time.

IV. Adjournment

Motion by Commissioner Sass and seconded by Commissioner Lindner to adjourn the Police & Fire Commission meeting at 6:26 p.m. Motion carried: Ayes-All.