



OFFICIAL NOTICE AND AGENDA

of a meeting of a City Board, Commission, Department, Committee, Agency, Corporation, Quasi-Municipal, Corporation, or Sub-unit thereof.

<i>Meeting of the:</i>	POLICE AND FIRE COMMISSION
<i>Date/Time:</i>	Tuesday, January 17, 2017 at 8:30 A.M.
<i>Location:</i>	Community Room – Public Safety Building – 515 Grand Avenue, Wausau
<i>Members:</i>	William Graef (C), Cheryl Bahr, Dennis Huntimer, Laurin Jorstad, Tony Patterson

AGENDA ITEMS FOR CONSIDERATION (All items listed may be acted upon)

- 1) Call to Order/Roll Call
- 2) Approval of Minutes for December 13th and December 22nd Meetings
- 3) Monthly Presentation of Fire Department Operations
 - Activity Report
 - Bigs in Badges
 - Update on 2017 Firefighter/Paramedic Recruitment
- 4) Monthly Presentation of Police Department Operations
 - Activity Report
 - Recruitment Update:
 - Police Officer Recruitment: Police Officers (5-FTE)
 - Grant Funded Positions: Mental Health Therapist (1-FTE), Detective (1-FTE)
 - Clerical Positions: Full-time Administrative Assistant II (1-FTE), Two (2) Part-time Administrative Assistant II (each .5 FTE)
 - Awards Banquet Update
- 5) Discussion of Police and Fire Commission's Authority - Wisconsin Statute Section 62.13
- 6) Discussion to Determine Date for Police and Fire Commission Holiday Dinner
- 7) Adjourn

Note: Next Regularly Scheduled Meeting – February 21, 2017

William Graef - Chairperson

IMPORTANT: THREE (3) MEMBERS NEEDED FOR A QUORUM: If you are unable to attend the meeting, please notify Jennifer Kannenberg by calling (715) 261-6802 or e-mailing at Jennifer.kannenberg@ci.wausau.wi.us

This notice was posted at the Public Safety Building, City Hall and e-mailed to the Wausau Daily Herald, City Pages, and WSAU on 01/13/2017 at 9:30 a.m.

Please note that, upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals through appropriate aids & services. For information or to request this service, contact the City Clerk at 407 Grant Street, Wausau WI 54403 or Phone (715) 261-6620.

Other Distribution: Committee Members, Mayor, City Clerk, Director of Human Resources, City Attorney, Police Chief, and Fire Chief

DRAFT

POLICE AND FIRE COMMISSION

Date/Time: Tuesday, December 13, 2016 at 8:30 a.m.
Location: Community Room – Public Safety Building – 515 Grand Avenue, Wausau
Members Present: W. Graef (C), C. Bahr, D. Huntimer, L. Jorstad, T. Patterson
Member Absent:
Others Present: Mayor Mielke, J. Hardel, J. Kannenberg, T. Kujawa

In accordance with Chapter 19, Wisconsin State Statutes, notice of this meeting was posted at Wausau City Hall and the Public Safety Building, and emailed to the Wausau Daily Herald and City Pages in the proper manner.

Call to Order/Roll Call.

The Police and Fire Commission meeting was called to order at 8:30 a.m. Roll call was taken of present Police and Fire Commission members to include Graef, Bahr, Huntimer, Jorstad, and Patterson.

Approval of the Minutes of the 08/16/16 and 09/20/16 Meetings.

Motion by Jorstad to approve the Police and Fire Commission meeting minutes from November 15, 2016. Second by Huntimer. All ayes. Motion passes 5-0.

Closed Session Pursuant to Section 19.85(1)(c) of the Wisconsin State Statutes for the purpose of consideration of Police Department candidates for appointment as Deputy Police Chief and Patrol Captain.

Motion by Bahr to enter into Closed Session. Second by Huntimer. Roll call was taken of commissioners present: Graef, Bahr, Huntimer, Jorstad, and Patterson. Meeting entered into Closed Session.

Reconvene meeting into Open Session for purpose of acting upon consideration of Closed Session Items.

Motion by Jorstad to approve the appointment of Benjamin Bliven as Deputy Police Chief and appointment of Todd Baeten as Patrol Captain. Second by Huntimer. All ayes. Motion passes 5-0.

Police Department Operations.

Activity Report. Hardel provided an overview of department activity during the last 30 days including a drug overdose, baby death, and skimming devices on ATM machines.

Recruitment Update. The department will have 7 Police Officer openings by February. Hardel asked the commissioners if they would be available for a special meeting of the Police and Fire Commission to interview conditional offer candidates for the position of Police Officer. It was decided that December 21 would work for the members. The recruitments to fill clerical positions (1 full-time and 2 part-time) are underway. The recruitment for Mental Health Therapist closes on January 1.

Awards Banquet Update. This is in the planning stage. They hope to have the banquet on March 1st at the Jefferson Street Inn and are going to try to get sponsorship from businesses.

Bigs In Blue Program. Hardel said this program was created for officers to go to a school every week to spend time with a child.

Accreditation Update. The department had an onsite visit last week and they have 11 items to correct, but otherwise it went very well.

Carryover Funds: Funds have been carried over from 2016 for the purchase of equipment in 2017.

Academy Graduation. Graduation to be held on December 16th at 3:00 p.m. at NTC.

Motion by Bahr to approve the Police department operations report. Second by Jorstad. All ayes. Motion passes 5-0.

Fire Department Operations.

Activity Report. Kujawa mentioned fire incidents at the Landmark and on Townline Road.

Implementation of Handtevy Pediatric System. The department has submitted a grant for the system but does not know if they will receive it yet. If the department receives the grant for the system it will help treat pediatric patients more efficiently.

Merit Award Presented for Actions Taken by Bystanders. 3 people that assisted by starting CPR on victims of a car fire on October 31st will be honored at the evening Council meeting.

Motion by Bahr to approve the Fire department operations report. Second by Huntimer. All ayes.
Motion passes 5-0.

Future Agenda Items.

No items were mentioned to place on the agenda for next month's meeting.

Next Regularly Scheduled Meeting. The next regularly scheduled meeting is January 17th.

Adjourn. Motion made by Huntimer to adjourn. Second by Jorstad. Motion passes 5-0.
Meeting adjourned.

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POLICE AND FIRE COMMISSION – Special Meeting

Date/Time: Thursday, December 22, 2016 at 8:30 a.m.
Location: Conference Room – Public Safety Building – 515 Grand Avenue, Wausau
Members Present: W. Graef (C), C. Bahr, D. Huntimer, T. Patterson
Member Absent: L. Jorstad
Others Present: Mayor Mielke, J. Hardel, J. Kannenberg

In accordance with Chapter 19, Wisconsin State Statutes, notice of this meeting was posted at Wausau City Hall and the Public Safety Building, and emailed to the Wausau Daily Herald and City Pages in the proper manner.

Call to Order/Roll Call.

The Police and Fire Commission meeting was called to order at 8:30 a.m. Roll call was taken of present Police and Fire Commission members to include Graef, Bahr, Huntimer, and Patterson.

Closed Session Pursuant to Section 19.85(1)(c) of the Wisconsin State Statutes for the purpose of consideration of Police Department candidates for appointment as Police Officer.

Motion by Bahr to enter into Closed Session. Second by Huntimer. Roll call was taken of commissioners present: Graef, Bahr, Huntimer, and Patterson. Meeting entered into Closed Session.

Reconvene meeting into Open Session for purpose of acting upon consideration of Closed Session Item.

Motion by Bahr to approve the conditional offer candidates for appointment as Police Officer contingent on completing all remaining requirements for hire. Second by Patterson. All ayes. Motion passes 4-0.

Adjourn. Motion made by Huntimer to adjourn. Second by Bahr. Motion passes 4-0.
Meeting adjourned.

62.13 Police and fire departments.

(1) Commissioners. Except as provided in subs. [\(2g\)](#), [\(2m\)](#), [\(2s\)](#), and [\(8\) \(b\)](#) each city shall have a board of police and fire commissioners consisting of 5 citizens, 3 of whom shall constitute a quorum. The mayor shall annually, between the last Monday of April and the first Monday of May, appoint in writing to be filed with the secretary of the board, one member for a term of 5 years. No appointment shall be made which will result in more than 3 members of the board belonging to the same political party. The board shall keep a record of its proceedings.

(2) Exception.

(a) Except as provided under sub. [\(6m\)](#), subs. [\(1\)](#) to [\(6\)](#) shall not apply to cities of less than 4,000 population except by ordinance adopted by a majority of all the members of the council. A repealing ordinance may be adopted by a like vote.

(b) A city that creates a joint police or fire department with a village under s. [61.65](#) is not required to create a separate board of police and fire commissioners under this section. The city shall create a joint board of commissioners to govern the joint department, as required in s. [61.65](#). If the city also creates one separate protective services department in addition to the joint protective services department, the city shall create a separate board of commissioners to govern that department. A city's joint board of commissioners is subject to s. [61.65 \(3g\) \(d\)](#). A city's separate board of commissioners is subject to this section.

(2e) Combined protective services.

(a) A city may provide police and fire protection services by any of the following:

1. A combined protective services department which is neither a police department as otherwise constituted under this section nor a fire department as otherwise constituted under this section, in which the same person may be required to perform police protection and fire protection duties without being required to perform police protection duties for more than 8 hours in each 24 hours except in emergency situations, as described under sub. [\(7n\)](#).

2. Persons in a police department or fire department who, alone or in combination with persons designated as police officers or fire fighters, may be required to perform police protection and fire protection duties without being required to perform police protection duties for more than 8 hours in each 24 hours except in emergency situations, as described under sub. [\(7n\)](#).

(b) The governing body of a city acting under par. [\(a\)](#) may designate any person required to perform police protection and fire protection duties under par. [\(a\)](#) as primarily a police officer or fire fighter for purposes described in subs. [\(7m\)](#), [\(7n\)](#), [\(10m\)](#), and [\(11\)](#) and ss. [891.45](#), [891.453](#), and [891.455](#).

(2g) Contracting for police protective services. A city may enter into a contract for police protective services with a village, a town, another city, or a county. A city that contracts for police protective services shall pay the full cost of services provided. A city that contracts for all of its police protective

services under this subsection and for all of its fire protective services under sub. [\(8\) \(b\)](#) is not required to have a board of police and fire commissioners. A city that contracts for all of its police protective services under this subsection, but not for all of its fire protective services under sub. [\(8\) \(b\)](#), shall have a board of police and fire commissioners under this section, but the board may only address issues related to the fire department. A city may not contract with a county to provide all of the city's police protective services under this subsection.

(2m) Joint departments, contract services.

(a) A city may create a joint police department or a joint fire department, or both, with another city.

(b) A city that creates a joint police department or a joint fire department, or both, with another city under par. [\(a\)](#) is not required to create a separate board of police and fire commissioners under this section. The cities shall create a joint board of commissioners to govern the joint department. If only one joint department is created, each city shall retain its existing board of police and fire commissioners to govern the separate department. The cities may jointly determine the number of commissioners to be appointed to the joint board by each city and the length of the commissioners' terms. A majority of the commissioners is a quorum. A joint board of commissioners that is created under this paragraph to govern a joint police department is subject to the provisions of subs. [\(3\)](#) to [\(7n\)](#), a joint board of commissioners that is created under this paragraph to govern a joint fire department is subject to the provisions of subs. [\(8\)](#) to [\(12\)](#) and a joint board of commissioners that is created under this paragraph to govern a joint police and fire department is subject to the provisions of subs. [\(2\)](#) to [\(12\)](#).

(2s) Abolition of police department, county law enforcement.

(a) Subject to pars. [\(b\)](#) to [\(d\)](#), a city may abolish its police department or combined protective services department if it enters into a contract with a county under s. [59.03 \(2\) \(e\)](#) for the county sheriff to provide law enforcement services in all parts of the city. If the city is located in more than one county, it may not abolish its police department or combined protective services department under this paragraph unless the city enters into a contract under this paragraph with the county in which the greatest amount of the city's equalized value, population or territory is located. If a city that is located in more than one county enters into a contract with a county under this paragraph, the jurisdiction of the contracting county's sheriff and deputies includes the entire territory of the city.

(b) If a city wishes to contract with a sheriff for law enforcement services, the common council shall adopt a resolution, as described under s. [59.03 \(2\) \(a\)](#), requesting that such services be provided. The resolution shall provide that such services are to be provided exclusively by the county.

(c) The contract described under par. [\(a\)](#) shall address at least all of the following elements:

1. The division, with the county, of the city's assets and liabilities that relate to the city's police department and the amount that the county will pay, if any, for such assets.

2. A description of the level of law enforcement and the number of deputies that the county will provide to the city and the amount that the city will pay for the services in excess of the city's portion of the county's law enforcement levy.

3. A procedure for the city to request, or require, that the county provide additional law enforcement services and the cost the county may charge the city for providing additional services.

4. The term of the agreement and procedures for the renewal, extension, or termination of the agreement.

(d) No contract that is entered into under this subsection may take effect until all of the following occur:

1. The county board approves under s. [59.03 \(2\) \(a\)](#) the resolution adopted under par. [\(b\)](#).

2. The governing bodies of the city and the county approve the contract.

3. The expiration of any collective bargaining agreement between the city and its police department employees.

4. The city and county discuss the provision of emergency "911" telephone service within the area to which the contract applies.

(3) Chiefs. The board shall appoint the chief of police and the chief of the fire department or, if applicable, the chief of a combined protective services department, who shall hold their offices during good behavior, subject to suspension or removal by the board for cause.

(4) Subordinates.

(a) The chiefs shall appoint subordinates subject to approval by the board. Such appointments shall be made by promotion when this can be done with advantage, otherwise from an eligible list provided by examination and approval by the board and kept on file with the clerk.

(b) Any person who, on June 23, 1943 has served and acted as a full-time city police patrolman, patrolwoman or police officer performing the services by virtue of regular assignment therefor under the orders and supervision of the chief of police of said city, and receiving his or her salary on the regular official payroll of said police department for a continuous period of more than 10 years, although not regularly appointed from an eligible list, is deemed to have been regularly appointed, as of the time of the commencement of his or her service.

(c) For the choosing of such list the board shall adopt, and may repeal or modify, rules calculated to secure the best service in the departments. These rules shall provide for examination of physical and educational qualifications and experience, and may provide such competitive examinations as the board shall determine, and for the classification of positions with special examination for each class. The board shall print and distribute the rules and all changes in them, at city expense.

(d) The examination shall be free for all U.S. citizens over 18 and under 55 years of age, with proper limitations as to health and, subject to ss. [111.321](#), [111.322](#), and [111.335](#), arrest and conviction record. The examination, including minimum training and experience requirements, shall be job-related in compliance with appropriate validation standards and shall be subject to the approval of the board and may include tests of manual skill and physical strength. All relevant experience, whether paid or unpaid, shall satisfy experience requirements. The board shall control examinations and may designate and change examiners, who may or may not be otherwise in the official service of the city, and whose compensation shall be fixed by the board and paid by the city. Veterans and their spouses shall be given preference points in accordance with s. [63.08 \(1\) \(fm\)](#).

(e) The council of any city of the 2nd, 3rd or 4th class may provide that members of the police force shall be of both sexes. The fire and police commission shall select each police officer from an eligible list.

(5) Disciplinary actions against subordinates.

(a) A subordinate may be suspended as hereinafter provided as a penalty. The subordinate may also be suspended by the commission pending the disposition of charges filed against the subordinate.

(b) Charges may be filed against a subordinate by the chief, by a member of the board, by the board as a body, or by any aggrieved person. Such charges shall be in writing and shall be filed with the president of the board. Pending disposition of such charges, the board or chief may suspend such subordinate.

(c) A subordinate may be suspended for just cause, as described in par. [\(em\)](#), by the chief or the board as a penalty. The chief shall file a report of such suspension with the commission immediately upon issuing the suspension. No hearing on such suspension shall be held unless requested by the suspended subordinate. If the subordinate suspended by the chief requests a hearing before the board, the chief shall be required to file charges with the board upon which such suspension was based.

(d) Following the filing of charges in any case, a copy thereof shall be served upon the person charged. The board shall set date for hearing not less than 10 days nor more than 30 days following service of charges. The 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](#).

(e) If the board determines that the charges are not sustained, the accused, if suspended, shall be immediately reinstated and all lost pay restored. If the board determines that the charges are sustained, the accused, by order of the board, may be suspended or reduced in rank, or suspended and reduced in rank, or removed, as the good of the service may require.

(em) No subordinate may be suspended, reduced in rank, suspended and reduced in rank, or removed by the board under par. [\(e\)](#), based on charges filed by the board, members of the board, an aggrieved person or the chief under par. [\(b\)](#), unless the board determines whether there is just cause, as described in this paragraph, to sustain the charges. In making its determination, the board shall apply the following standards, to the extent applicable:

1. Whether the subordinate could reasonably be expected to have had knowledge of the probable consequences of the alleged conduct.
2. Whether the rule or order that the subordinate allegedly violated is reasonable.
3. Whether the chief, before filing the charge against the subordinate, made a reasonable effort to discover whether the subordinate did in fact violate a rule or order.
4. Whether the effort described under subd. [3.](#) was fair and objective.
5. Whether the chief discovered substantial evidence that the subordinate violated the rule or order as described in the charges filed against the subordinate.
6. Whether the chief is applying the rule or order fairly and without discrimination against the subordinate.
7. Whether the proposed discipline reasonably relates to the seriousness of the alleged violation and to the subordinate's record of service with the chief's department.

(f) Findings and determinations hereunder and orders of suspension, reduction, suspension and reduction, or removal, shall be in writing and, if they follow a hearing, shall be filed within 3 days thereof with the secretary of the board.

(g) Further rules for the administration of this subsection may be made by the board.

(h) No person shall be deprived of compensation while suspended pending disposition of charges.

(i) Any person suspended, reduced, suspended and reduced, or removed by the board may appeal from the order of the board to the circuit court by serving written notice of the appeal on the secretary of the board within 10 days after the order is filed. Within 5 days after receiving written notice of the appeal, the board shall certify to the clerk of the circuit court the record of the proceedings, including all documents, testimony and minutes. The action shall then be at issue and shall have precedence over any other cause of a different nature pending in the court, which shall always be open to the trial thereof. The court shall upon application of the accused or of the board fix a date of trial, which shall not be later than 15 days after such application except by agreement. The trial shall be by the court and upon the return of the board, except that the court may require further return or the taking and return of further evidence by the board. The question to be determined by the court shall be: Upon the evidence is there just cause, as described under par. [\(em\)](#), to sustain the charges against the accused? No costs shall be allowed either party and the clerk's fees shall be paid by the city. If the order of the board is reversed, the accused shall be forthwith reinstated and entitled to pay as though in continuous service. If the order of the board is sustained it shall be final and conclusive.

(j) The provisions of pars. [\(a\)](#) to [\(i\)](#) shall apply to disciplinary actions against the chiefs where applicable. In addition thereto, the board may suspend a chief pending disposition of charges filed by the board or by the mayor of the city.

(5m) Dismissals and reemployment.

(a) When it becomes necessary, because of need for economy, lack of work or funds, or for other just causes, to reduce the number of subordinates, the emergency, special, temporary, part-time, or provisional subordinates, if any, shall be dismissed first, and thereafter subordinates shall be dismissed in the order of the shortest length of service in the department, provided that, in cities where a record of service rating has been established prior to January 1, 1933, for the said subordinates, the emergency, special, temporary, part-time provisional subordinates, if any, shall be dismissed first, and thereafter subordinates shall be dismissed in the order of the least efficient as shown by the said service rating.

(b) When it becomes necessary for such reasons to reduce the number of subordinates in the higher positions or offices, or to abolish any higher positions or offices in the department, the subordinate or subordinates affected thereby shall be placed in a position or office in the department less responsible according to the subordinate's efficiency and length of service in the department.

(c) The name of a subordinate dismissed for any just cause set forth in this section shall be left on an eligible reemployment list for a period of 2 years after the date of dismissal, except that if the dismissal was for disciplinary reasons the subordinate may not be left on an eligible reemployment list. If any vacancy occurs, or if the number of subordinates is increased, in the department, the vacancy or new positions shall be filled by persons on the eligible reemployment list in the inverse order of the dismissal of the persons on the list.

(6) Optional powers of board.

(a) The board of fire and police commissioners shall have the further power:

1. To organize and supervise the fire and police, or combined protective services, departments and to prescribe rules and regulations for their control and management.
2. To contract for and purchase all necessary apparatus and supplies for the use of the departments under their supervision, exclusive of the erection and control of the police station, fire station, and combined protective services station buildings.
3. To audit all bills, claims and expenses of the fire, police, and combined protective services departments before the same are paid by the city treasurer.

(b) The provisions of this subsection shall apply only if adopted by the electors. Whenever not less than 70 days prior to a regular city election a petition therefor, conforming to the requirements of s. [8.40](#) and signed by electors equal in number to not less than 20 percent of the total vote cast in the city for governor at the last general election, shall be filed with the clerk as provided in s. [8.37](#), the clerk shall give notice in the manner of notice of the regular city election of a referendum on the adoption of this subsection. Such referendum election shall be held with the regular city election, and the ballots shall conform with the provisions of ss. [5.64 \(2\)](#) and [10.02](#), and the question shall be "Shall s. [62.13 \(6\)](#) of the statutes be adopted?"

(6m) If a city of less than 4,000 population has not by ordinance applied subs. [\(1\)](#) to [\(6\)](#) to the city, the city may not suspend, reduce, suspend and reduce, or remove any police chief, combined protective services chief, or other law enforcement officer who is not probationary, and for whom there is no valid and enforceable contract of employment or collective bargaining agreement which provides for a fair review prior to that suspension, reduction, suspension and reduction or removal, unless the city does one of the following:

(a) Establishes a committee of not less than 3 members, none of whom may be an elected or appointed official of the city or be employed by the city. The committee shall act under sub. [\(5\)](#) in place of the board of police and fire commissioners. The city council may provide for some payment to each member for the member's cost of serving on the committee at a rate established by the city council.

(b) Appoint a person who is not an elected or appointed official of the city and who is not employed by the city. The person shall act under sub. [\(5\)](#) in place of the board. The city council may provide for some payment to that person for serving under this paragraph at a rate established by the city council.

(7) Compensation. The salaries of chiefs and subordinates shall be fixed by the council. Unless the council otherwise provides, in cities of the 4th class rewards for the apprehension of criminals may be retained by the person entitled thereto. Such salaries when so fixed may be increased but not decreased by the council without a previous recommendation of the board. The council may provide that the salaries shall increase with length of service.

(7m) Rest day.

(a) The council of every city of the fourth class shall provide for, and the chief of the police or fire department, or the chief of the combined protective services department, shall assign to, each subordinate police officer, or each subordinate designated as primarily a police officer under sub. [\(2e\)](#) [\(b\)](#), in the service of such city one full rest day of 24 consecutive hours during each 192 hours, except in cases of positive necessity by some sudden and serious emergency, which, in the judgment of the chief of police, the fire chief, or the chief of the combined protective services department, demands that such day of rest not be given at such time. Arrangements shall be made so that each full rest day may be had at such time or times as will not impair the efficiency of the department.

(b) The council of every city of the second or third class shall provide for, and the chief of the police or fire department, or the chief of the combined protective services department, shall assign to, each subordinate police officer, or each subordinate designated as primarily a police officer under sub. [\(2e\)](#) [\(b\)](#), in the service of such city 2 full rest days of 24 consecutive hours each during each 192 hours, except in cases of positive necessity by some sudden and serious emergency, which, in the judgment of the chief of police, the fire chief, or the chief of the combined protective services department, demands that any such day of rest not be given at such time. Arrangements shall be made so that each full rest day may be had at such time or times as will not impair the efficiency of the department. This section shall not apply to villages to which s. [61.65](#) is applicable.

(7n) Hours of labor. Except when a labor agreement under subch. [IV of ch. 111](#) that governs hours of employment exists, the council of every 2nd, 3rd or 4th class city shall provide for a working day of not more than 8 hours in each 24 except in cases of positive necessity by some sudden and serious emergency, which, in the judgment of the chief of police, the fire chief, or the chief of the combined protective services department, demands that such workday shall be extended beyond the 8-hour period at such time; and, when such emergency ceases to exist, all overtime given during such emergency shall be placed to the credit of such subordinate police officer, or each subordinate designated as primarily a police officer under sub. [\(2e\) \(b\)](#), and compensatory time under s. [103.025](#) given therefor.

(8) Fire department.

(a) The council may provide by ordinance for either a paid or a volunteer fire department and for the management and equipment of either insofar as not otherwise provided for by law. In the case where a combination of paid and volunteer fire department is provided for, such city shall be reimbursed by the department of transportation, not to exceed \$500 for any fire calls on a state trunk highway or on any highway that is a part of the national system of interstate highways and is maintained by the department of transportation if the city submits written proof that the city has made a reasonable effort to collect the cost from the insurer of the person to whom the fire call was provided or from the person to whom the fire call was provided, except that the city may attempt to collect the cost from the person only if the city is unsuccessful in its efforts to collect from the person's insurer or if the person has no insurer. If the city collects the cost from an insurer or such person after the department reimburses the city, the city shall return the amount collected to the department.

(b) A city may enter into a contract for fire protective services with a village, a town, or another city. A city that contracts for fire protective services shall pay the full cost of services provided. A city that contracts for all of its fire protective services under this paragraph and for all of its police protective services under sub. [\(2g\)](#) is not required to have a board of police and fire commissioners. A city that contracts for all of its fire protective services under this paragraph, but not for all of its police protective services under sub. [\(2g\)](#), shall have a board of police and fire commissioners under this section, but the board may address only issues related to the police department.

(10m) Rules governing leaving city. Subject to approval of the common council the fire chief, police chief, or the chief of the combined protective services department, may establish rules requiring subordinate fire fighters, or each subordinate designated as primarily a fire fighter under sub. [\(2e\) \(b\)](#), to obtain permission before leaving the city.

(11) Fire fighters, rest day. The common council of every 4th class city, having a population of 5,000 or more and a fire department, or a combined protective services department, shall provide for, and the chief of the fire department, police department, or combined protective services department shall assign to each full paid subordinate member of the fire department or subordinate designated as primarily a fire fighter under sub. [\(2e\) \(b\)](#), a period of 24 consecutive hours off duty during each 72 hours, except in cases of positive necessity by some sudden and serious fire, accident or other peril,

which, in the judgment of the chief engineer or other officer in charge demands that the day of rest not be given at that time. The provisions of this section shall not apply to cities having a 2-platoon or double shift system. The provisions of this subsection apply to a person designated as primarily a fire fighter who is employed by a police department, as described in sub. [\(2e\)](#).

(11a) Fire department platoons.

(a) The common council, or other governing body of every city of the first, second and third class, whether organized under a general or special charter, having a paid fire department, shall provide for, and the governing power of the fire department shall divide the full paid fire fighting force in the fire department into 2 or more bodies or platoons. Each platoon shall work, or be on duty, alternately an equal number of hours or as nearly so as the governing power of the fire department of each such city decides, but no member of said platoon shall be on duty for a longer continuous period of time than the governing power of the fire department designates, except in cases of positive necessity by some sudden and serious fire, accident, or other peril, which in the judgment of the chief engineer or other officer in charge demands.

(b) The hours of duty of each member of the fire fighting force of the fire department in every city of the first class shall be limited to 72 hours in any one week. If any such department shall be on a platoon system of hours of duty, 12 hours may be added to one of 2 successive weeks and such period of time deducted from the previous or succeeding week, as the case may be.

(12) Legislative intent. Section [62.13](#) and [chapter 589, laws of 1921](#), [chapter 423, laws of 1923](#), and [chapter 586, laws of 1911](#), shall be construed as an enactment of statewide concern for the purpose of providing a uniform regulation of police, fire, and combined protective services departments.