



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Meeting Minutes POLICE AND FIRE COMMISSION

*Consider: Who benefits? Who is burdened?
Who does not have a voice at the table?
How can policymakers mitigate unintended consequences?*

Thursday, February 8, 2024

9:00 AM

215 Martin Luther King, Jr. Blvd.
Room 204 (Madison Municipal Building)

Special Meeting -- Evidentiary Hearing in the Matter of Charges brought by Police Chief Shon F. Barnes, Complainant v. Sergeant Nicholas Ellis, Respondent

The City of Madison is holding this Special Meeting in person to facilitate the examination of witnesses. All other regular and special meetings will continue to be held virtually unless otherwise specified. Public comment will not be taken at this Evidentiary Hearing.

CALL TO ORDER / ROLL CALL

The meeting was called to order at 9am.

DISCLOSURES AND RECUSALS

There were no disclosures or recusals.

EVIDENTIARY HEARING

A court reporter was present. Both parties requested sequestration of witnesses and the board agreed without objection. Assistant City Attorney Marci Kurtz appeared on behalf of Complainant Police Chief Shon Barnes. Attorney Kate Herrell of the Wisconsin Professional Police Association appeared on behalf of Respondent, Sergeant Nicholas Ellis.

1. Evidentiary Hearing in the Matter of Charges brought by Police Chief Shon F. Barnes, Complainant v. Sergeant Nicholas Ellis, Respondent

Each party made opening statements, then called witnesses.

The commission recessed from 12:10-12:50pm for lunch.

2. The Commission may convene into closed session, pursuant to Wis. Stat. § 19.85(1)(a) (deliberating concerning a case which was the subject of a quasi-judicial hearing before the governmental body); Wis. Stat. § 19.85(1)(c) (considering employment, promotion, compensation or performance evaluation data of any public employee over which the governmental body has jurisdiction or exercises responsibility); and Wis. Stat. § 19.85(1)(g) (conferring with legal counsel for the governmental body who is rendering oral or written legal advice related to pending litigation); specifically:

to receive legal advice regarding the Evidentiary Hearing in the Matter of Charges brought by Police Chief Shon F. Barnes, Complainant v. Sergeant Nicholas Ellis, Respondent and/or to deliberate regarding these charges or motions brought by either party.

A motion was made by Gundlach, seconded by Schauf, to convene into closed session. The motion passed by voice vote/other.

The Commission convened into closed session at 3:47pm.

3. Reconvene into open session to consider any remaining agenda items and to take action, if appropriate, regarding the items discussed in closed session

A motion was made by Schauf, seconded by Figueroa Velez, to reconvene into open session. The motion passed by voice vote/other.

The meeting reconvened at 4:11pm.

ADJOURNMENT

A motion was made by Gundlach, seconded by Figueroa Velez, to Adjourn this meeting and continue the Evidentiary Hearing to February 9, at 9am. The motion passed by voice vote/other.

The meeting adjourned at 4:13pm.