AGENDA
CIVIL SERVICE COMMISSION

Scheduled for

Tuesday, July 27, 2010 3:30PM

Municipal Office Building, Room 301

1) Call to order

2) Approval of minutes of meeting held January 5, 2010

3) Citizen's comments

4) Grievance Hearing: Dennis Jantzen Termination

5) Other business

6) Adjournment

The Civil Service Commission may go into Closed Session under Authority of Chapter 19.85 (1) (a)(b)(c) of the Wisconsin Statutes for the purpose of discussing the above items.

To: Jim Schultz 5/20/10
From: Nick Torcivia NT
Re: Dennis Jantzen

Regarding the issue of the relationship between Dennis Jantzen and Harpe Construction, the following is my account of what I am aware of.

In March of this year, Karen Hurley notified me that she had received an anonymous concern that Dennis was working for Harpe Construction, on a project in "Lake Geneva" or somewhere in that area.

I approached Dennis, and questioned him regarding his relationship with Harpe. He said he had no relationship other than inspecting his projects. I brought up the lake Geneva project, and Dennis stated the project was in Janesville. He had been asked to prepare a bid package for a family friend named Simonivich. He was aware that one of the bidders was Harpe. I asked if he was in any way working for Harpe, and he said no, he was working for Simonivich. and if the project went forward, he would be paid by Simonivich.

At that point, we discussed the perception of what he had done, and how it might look to others. We also discussed the code of conduct and how these types of issues could easily be misconstrued. We discussed the importance of image as well as what constitutes a conflict of interest.

At that point, he asked that should another similar opportunity arise, could he come to me for advice, and I stated that he definitely should do that.

At that point, I was satisfied with his response to my questions, and felt there was no issue. I informed Karen of my conversation with Dennis, and that there didn't seem to be any issue.

A few weeks later, during a conversation with Paula Blise, she made an incidental comment about Dennis working for Harpe. I felt then that I needed to discuss with Harpe.

I ran into Dustin Harpe at our office, and told him that I heard third hand that Dennis was working for him in some capacity. He said that was not true.

I brought up the Janesville project, and he said that he was aware that Dennis had prepared the bid package for Simonivich. He also said that he felt he got the job because of his friendship with Simonivich, but that there was no connection with Dennis.

Again, I felt there was no substance to the concern at this point, and did not pursue it any further.

Mr. James M. Schultz
Department of Neighborhood Services & Inspections
Room 100
625 52nd Street
Kenosha, WI. 53140

Mr. James Schultz:

The following is my formal response to the meeting with you, my direct supervisor Nick Torcivia on May 20, 2010 regarding the Rock River project located in Janesville, Wisconsin and my relationship with Harpe Development. My involvement with this project through Jantzen Construction Management is the following; Jantzen Construction Management LLC which I am the sole proprietor was retained by Mel Simonvich to handle the pre-construction services. The pre-construction services included organizing the bid packages, writing the project specifications and organizing the cost estimates.

While Harpe Development has been selected to be the general contractor, Jantzen Construction Management does not have a monetary working relationship with Harpe Development. Jantzen Construction is not and will not be paid by Harpe Development and does not report to Harpe Development. Jantzen Construction represents the project owner's interest and if the project moves forward will be paid through the owner.

I have been friends with the Simonvich family for approximately 16 years. I have been involved with this project for approximately two years. Unknown to me, Dustin Harpe is also a family friend. I have been involved with this project longer than Dustin Harpe and did not refer his contracting services.

To summarize, Jantzen Construction Management has not and will not be paid by Harpe Development or report to Harpe Development. If the project moves forward Jantzen Construction Management will be compensated through the project owner.

Sincerely,

Dennis C. Jantzen

Fwd: Rock River Commons Janesville Project

From : Jim Schultz <jschultz@kenosha.org> Tue, Jun 01, 2010 09:49 AM

Subject : Fwd: Rock River Commons Janesville Project

To : Frank J. Pacetti <fpacetti@kenosha.org>, Steve Stanczack <sstanczak@kenosha.org>, Ed Antaramian <eantaramian@kenosha.org>

Gentlemen,

FYI, I talked to Dennis Jantzen last week about his outside employment with the Janesville project. I told him about our conflict of interest concerns and that he needed to remove himself from the outside emplyment. Attached is his response. I also asked him to remove the statement of concern on a Facebook web page. He said he would do so. I will try to verify this.

Jim

James M. Schultz
Director
City of Kenosha
Department of Neighborhood Services and Inspections
625 52nd Street, Kenosha, WI 53140
Phone: 262-653-4263
Cell: 262-945-9052
Fax: 262-653-4254
Email: jschultz@kenosha.org

----- Forwarded Message -----
From: "Dennis Jantzen" <djantzen@kenosha.org>
To: "Jim Schultz" <jschultz@kenosha.org>, "Nick Torcivia" <ntorcivia@kenosha.org>
Sent: Tuesday, June 1, 2010 7:57:07 AM
Subject: Rock River Commons Janesville Project

I have decided to voluntary discontinue my involvement with the Rock River Commons project located in Janesville, WI. Jim, I will write you a formal letter stating the above this morning. I consider this matter closed.

Thank you,

Dennis C. Jantzen
Residential Building Inspector
City of Kenosha
262-653-4267

DEPARTMENT OF NEIGHBORHOOD SERVICES AND INSPECTIONS

JAMES M. SCHULTZ
Director

Building Inspection • Property Maintenance • Zoning Enforcement

TO: Dennis Jantzen, Building Inspector
Department of Neighborhood Services and Inspections

FROM: James M. Schultz, Director
Department of Neighborhood Services and Inspections

SUBJECT: Secondary Employment – Conflict of Interest

DATE: June 10, 2010

I am glad that you have taken steps to remove the conflict of interest issue by discontinuing your working relationship on the Rock River Project located in Janesville, Wisconsin.

Be advised that secondary employment that conflicts with your full-time employment with the City of Kenosha is not allowed and must be avoided. Future like occurrences may result in disciplinary action up to and including termination.

Thank you for your cooperation in resolving this matter.

RECEIVED
JUN 17 2010

JMS:kah
c: Frank J. Pacetti, City Administrator
Steve Stanczak, Director, Human Resources

625 52nd Street, Room 100 • Kenosha, WI 53140 • (262) 653-4263 • Fax (262) 653-4254

Re: org chart

From : Richard Baumann <rbaumann@kenosha.org> Thu, Jun 17, 2010 03:32 PM

Subject : Re: org chart

To : Dennis Jantzen <djantzen@kenosha.org>

Cc : Mark Sanchez <msanchez@kenosha.org>, Kevin Mikolas <kmikolas@kenosha.org>, Chris Pagels <cpagels@kenosha.org>, Martha Swartz <mswartz@kenosha.org>, Rick Hillesland <rhillesland@kenosha.org>, Louis Chiappetta <lchiappetta@kenosha.org>, John Dumke <jdumke@kenosha.org>

Dennis, In case you have forgotten it is a violation of city work rules to use city property of any kind for personal gain.
As your Association representative Martha nor myself would be able to defend this type of violation of City Policy.

----- Original Message -----
From: "Dennis Jantzen" <djantzen@kenosha.org>
To: "Mark Sanchez" <msanchez@kenosha.org>, "Richard Baumann" <rbaumann@kenosha.org>, "Kevin Mikolas" <kmikolas@kenosha.org>, "Chris Pagels" <cpagels@kenosha.org>, "Martha Swartz" <mswartz@kenosha.org>, "Rick Hillesland" <rhillesland@kenosha.org>, "Louis Chiappetta" <lchiappetta@kenosha.org>, "John Dumke" <jdumke@kenosha.org>
Sent: Thursday, June 17, 2010 9:25:49 AM
Subject: org chart

Rich, attached is the NSI organizational chart that I created. We will be discussing this chart in our meeting with Steve and Jim.

Dennis C. Jantzen
Residential Building Inspector
City of Kenosha
262-653-4267

----- Forwarded Message -----
From: NSIestudio@kenosha.org
To: "Dennis Jantzen" <djantzen@kenosha.org>
Sent: Thursday, June 17, 2010 8:05:46 AM
Subject: Scanned from MFP-05295074 06/17/2010 08:05

Scanned from MFP-05295074.
Date: 06/17/2010 08:05
Pages:1
Resolution:200x200 DPI
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625 - 52nd Street - Room 205
Kenosha, Wisconsin 53140
Phone (262) 653-4130
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Jobline (262) 653-4137
www.Kenosha.org

DEPARTMENT OF
HUMAN RESOURCES
Steve M. Stanczak - Director
Labor Relations
Recruitment & Selection
Employee Benefits

June 22, 2010

Mr. Dennis Jantzen
820 - 97th Street
Pleasant Prairie, WI 53158

Dear Mr. Jantzen:

You met with Jim Schultz and Nick Torcivia on several occasions during the final two weeks of May, 2010 arising from concerns brought forward to the City of a possible conflict of interest in your secondary employment and how it impacted the Department of Neighborhood Services and Inspections. During these meetings, the department's expectations of you were explained and was followed up by a letter from Mr. Schultz dated June 10, 2010 wherein it was reiterated to you that "future like occurrences may result in disciplinary action up to and including termination."

On June 17, 2010, an invoice (dated June 17) that you created for your secondary employment was discovered in the office. This document would suggest that you had disregarded your prior warning from the department. In order to ascertain whether this was an isolated incident, a review of your email files from April 29 through June 17 revealed a continuing pattern and practice of engaging in several secondary employment activities while on City time. Most troubling is your defiance of your department's stern warning of June 10, not to mention the verbal directives given to you by Mr. Schultz and Mr. Torcivia. A review of your e-mails revealed the following as it relates to your secondary employment (inspection business and condominium rental): 2 invoices created on June 17; 3 invoices and 2 inspection checklists created on June 16; 3 emails on June 7/8; 2 inspection checklists created on June 3; two spreadsheets created on City time and emailed on June 1; multiple emails sent and received on May 27; a loan statement emailed on May 24. This is far from an all-inclusive list that continues on through April 29 (at which point the City's review stops).

As you are aware, your supervisors had questioned you about your relationship with Harpe Development as it related to a complaint concerning the appearance of a possible conflict of interest as well as the City's concern of the possible disparagement of the name of a co-worker as it appeared on your Facebook page. You indicated that you had no relationship with Harpe. Upon a review of your emails, specifically April 29, 30 and May 7, the City concludes that you did have some relationship with them. Mr. Schultz and Mr. Torcivia have concluded that your characterization of the relationship was not truthful, or at the very least, was not forthright.

Based on the above, we find that you have violated the following City work rules: performing personal work on City time, giving false or incomplete information, engaging in personal activity on City premises, and use of City equipment for non-City purposes.

You are hereby discharged effective June 23, 2010. If you wish to appeal this decision, you may do so within five (5) days of the date of this letter.

Sincerely,

James M. Schultz
Director of NSI

Steve M. Stanczak
Director of Human Resources