

Minutes of a Meeting of  
City of Bay Village Civil Service Commission

Held December 19, 2014

4:30 p.m.

Members Present: James Potter, Marty Krebs, Dr. Dennis Lekan,

Also Present: Fire Chief Lyons  
Jacob Peters, Intern Student from Miami University  
Nancy Trainer

Chairman Potter called the fifteenth meeting of the Civil Service Commission in the year 2014 to order at 4:30 p.m.

**Motion** by Lekan, second by Potter, to approve the minutes of the Civil Service Commission meeting held October 22, 2014.

Dr. Lekan suggested a statement in the revised Civil Service Rules, when completed, a comment that within the confines of the applicable laws that union agreements will take precedence over the Civil Service Rules. Mrs. Krebs stated that the court cases in the state cover those circumstances, and it would be preferred to not include that comment in the Civil Service Rules. Mr. Potter added that the Law Director has affirmed that the union agreements would take precedence. Mr. Potter expressed agreement with Mrs. Krebs, noting that it would be superfluous to make an over-all statement.

Fire Chief Lyons stated that the comments from Mr. Ebert indicated that the performance evaluation credit was revised for the Police Department, but there was nothing to indicate discussion relative to the Fire Department performance evaluation credit.

The following will be added as an addendum to the October 22, 2014 meeting minutes:

**Fire Department Performance Evaluation**

In the Fire Division only, additional credit for Evaluated Performance shall be added to promotional examination grades in the following manner: The average of the last three Departmental Personnel Evaluations (or as many as are available, if three have not been completed) will be used to determine Performance Credit. An average of 100% on Personnel Evaluations will be worth 10% credit, an average of 90% will be worth 9% credit, an average of 80% will be worth 8% credit, and so on. Up to 10%, but not to exceed 10%, will be added to the final score of the Fire promotional examinations for Performance Credit.

On the motion to approve the minutes of October 22, 2014, as corrected.

**Roll Call Vote: Yeas – Potter, Krebs, Lekan**  
**Nays – None.**

**Motion passed 3-0.**

**Request by the Fire Chief to conduct a Civil Service Entry Level Firefighter Examination**

Fire Chief Lyons has requested that an entry level Firefighter test be conducted early in the year of 2015. Mayor Sutherland has agreed with Chief Lyons request. Chief Lyons stated that the interviewing of candidates has gone more than half-way into the current eligibility list. Five firefighters have been hired from that existing list which is due to expire in August of 2015. An additional motivating factor is that an additional resignation has been received from a long-serving Firefighter. A vacancy will occur after Christmas Day on one of the shifts, and the longer it is necessary to wait to fill the vacancy, the more difficult it is on the members of the Fire Department.

The Fire Department currently has 25 full time employees. With this latest retirement, there will be 23 Firefighters and the Chief. The Chief explained that the demographics of the Fire Department are such that many of the veterans of the Fire Department have taken part in the Deferred Retirement Option Program. The net effect is that program encouraged some of the Firefighters to stay around longer. Additionally, there was a major expansion of the Fire Department in 1976 when the Paramedic Program was instituted, increasing the number of Firefighters by six. Over the last four years, a large number of Firefighters have retired.

Mr. Potter asked the Fire Chief if he is aware of any Firefighter leaving for a higher rate of compensation in another community. Chief Lyons stated that two or three years ago two new Firefighters were lost to communities in the region who offered higher salaries.

Mr. Potter asked if there have been any adjustments to Bay Village rate of compensation to make Bay Village more competitive with surrounding communities. Chief Lyons stated that Bay Village is not at the bottom, but there are other communities that are similar in terms of affluence that offer comparatively higher salaries.

There will be a wage increase of 2% in 2015. Mr. Potter asked if there is a concern that we will lose firefighters to other communities because of compensation. Chief Lyons stated that he is trying very hard to make sure that doesn't happen again by putting safeguards into the interviewing process.

After further discussion, it was **MOVED** by Potter, second by Lekan, to conduct an Entry Level Firefighter Test at 10 a.m. on Saturday, February 28, 2015, at the Dwyer Memorial Center.

**Vote resulted: Yeas – Potter, Krebs, Lekan.  
Nays – None.**

**Motion carried 3-0.**

**Physical Qualifications for Police Officer**

A memorandum dated December 17, 2014 from Police Chief Mark Spaetzel to the Civil Service Commission was read regarding a clear set of criteria to establish a minimum level of physical qualifications for the position of Police Officer. Chief Spaetzel's concern is that basic physical requirements for the job, including but not limited to hearing and vision, are not being tested on an individual offered a position as Police Officer.

Mrs. Krebs suggested that Law Director Ebert be included in the discussion of this issue.

The secretary stated that the City of Avon does not require vision or hearing testing. The same information came from Rocky River, whose Human Resource Administrator advised that Rocky River follows the Ohio Police and Fire Pension Fund requirements, which are available on the Ohio Police and Fire Pension Funds' website. Rocky River does not require vision or hearing testing.

Mr. Potter agreed with Mrs. Krebs that the Law Director work with the Civil Service Commission to review this request of the Police Chief.

Fire Chief Lyons expressed the same concern as Chief Spaetzel. He noted that the Fire Department has even more stringent job requirements than the Police Department relative to vision and hearing.

Mr. Potter complimented the Fire Department on their volunteer efforts to assist the Bay Village Kiwanis with the Christmas Tree sales. He asked that this commendation be passed on the Firefighters who have assisted the Kiwanis members with the heavy work involved in the sale of Christmas trees.

**Civil Service Rules and Regulations**

A copy of the revised Civil Service Rules and Regulations, as prepared with the assistance of Jacob Peters, an intern who has worked solely for school credit during the Christmas break from Miami University, was distributed to the members of the Civil Service Commission for their review.

Bay Village resident Jacob Peters stated that he has searched through all of the minutes of the Civil Service Commission during their review of the Civil Service Rules and Regulations, and has highlighted every single change. All the changes that are known to be correct are written in italics, and those that could not be completely confirmed are noted in bold.

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The Civil Service Commission will review the rules and regulations at their first meeting in 2015.

Mr. Potter asked the Secretary to include the designation of a Chairman of the Civil Service Commission for 2015 and 2016 on the agenda for the next meeting. Mr. Potter was complimented for his work by Mrs. Krebs and Dr. Lekan and it was suggested that Mr. Potter continue as Chairman.

The next meeting of the Civil Service Commission will be held Tuesday, January 13, at 2 p.m. in the conference room of Bay Village City Hall. Mr. Potter expressed appreciation to the Civil Service Commission for their extraordinary efforts in 2014, and wished everyone a happy and healthy new year. Fire Chief Lyons thanked the Civil Service Commission for their work on behalf of the Police and Fire Departments.

There being no further business to discuss the meeting adjourned at 4:55 p.m.

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James R. Potter, Chairman

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Joan T. Kemper, Secretary