

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

Held September 9, 2014

2:30 p.m.

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

Also Present: Police Chief Spaetzel  
Law Director Ebert

Audience: Nancy Trainer

Chairman Potter called the twelfth meeting of the Civil Service Commission in the year 2014 to order at 2:30 p.m.

**Motion** by Potter, second by Lekan to approve the minutes of the Civil Service Commission meeting held August 18, 2014, with one correction of a typographical error on Page 3.

**Roll Call Vote: Yeas – Potter, Krebs Lekan. Nays – None. Motion passed- 3-0.**

Mr. Potter referred to Page 4 of the minutes of the August 18, 2014 meeting stating: “Police Chief Spaetzel would like an opportunity to further review the existing language in the Bay Village Civil Service Rules and Regulations for seniority credit for the Police Department, and for further consideration of Dr. Lekan’s proposal.” Dr. Lekan had suggested at the August 18 Civil Service Commission meeting that no credit be given for the first three years, and credit begin at four years at one full point for Years 4, 5, 6, 7, 8, and 9.

Chief Spaetzel requested further time to review this proposal. The matter will be reviewed again at the next meeting of the Civil Service Commission.

**Preparations for Entry-Level Police Officer Examination**

The entry level Police Officer test will be conducted on Tuesday, October 7, 2014, at 6 p.m. at the Bay Middle School. Only 200 applications will be accepted. The advertisement will be in *The Sun News* on Thursday, September 11, and will be posted on Cleveland.com until such time as the application process is closed. Chief Spaetzel will distribute the announcements and applications to the police training academies, and the information and applications will be posted on the City’s web site.

Dr. Lekan noted the importance of having adequate funds in the Civil Service budget to prevent any delays in preparing for examinations. Mr. Potter commented that the police officer

examination is being conducted much earlier than originally planned due to the fact that the existing list has been exhausted.

### **Review of Civil Service Rules and Regulations**

Sections XIII, Transfers, Lay-Offs, Leaves of Absence and Resignations; Section XIV, Discharges, Suspensions and Demotions, and Section XV, Appeals to the Commission and Hearing Procedures” of the Bay Village Civil Service Rules and Regulations,

Mr. Potter suggested using the words “Where there is a conflict between the Ohio Revised Code, the Rules of the Civil Service Commission and the Labor Contracts, the language of the contracts shall apply.” Discussion followed. Mrs. Krebs stated that she is not in favor of putting in a blanket clause. Dr. Lekan suggested lifting the language out of the contracts and placing it in the Rules of the Civil Service Commission, subject to any future changes.

Due to the fact that the Law Director had to leave the building to attend to a city emergency, a brief intermission followed to celebrate the birthday of Mrs. Krebs.

After the intermission, Chief Spaetzel commented that he has three bargaining units in his Police Department: the Gold Unit which covers the Sergeants and Lieutenants; the Blue Unit which covers the Patrol Officers, and the AFSCME Agreement, which covers the Clerks. Additionally in the City there is the Fire Union Contract and the AFSCME Service Agreement. All five bargaining agreements have different language.

Dr. Lekan suggested including an Appendix with the Civil Service Rules and Regulations with all of the contract language, subject to future change.

Mrs. Krebs asked if the contracts include the opportunity for the employee to choose what unit a grievance would be filed with, and if it automatically goes to the union without coming to the Civil Service Commission. Chief Spaetzel stated that most of the contracts have arbitration procedures built into the contracts.

Mr. Potter suggested waiting for comments from the Director of Law.

Law Director Ebert returned to the meeting at 3:00 p.m. Mr. Ebert stated that he has not had an opportunity to review Sections XIII, XIV, and XV. He has drafted changes to Section XII, Promotions, Fire and Police Division, and will circulate that draft to the Civil Service Commissioners via email. A brief discussion followed regarding the difference in each bargaining unit contract pertaining to lay-offs. Mr. Ebert noted that the labor contracts do take precedence.

Regarding the maximum age for the entry level Firefighter position, Mr. Ebert noted that the Bay Village Civil Service Rules and Regulations are more restrictive than the Ohio Revised Code

which was recently changed to a maximum age of 41. Chief Lyons will be asked to verify that he would like to keep the maximum age of 32 for entry Firefighter.

Mr. Potter stated that Mr. Ebert was asked to verify with the Mayor that she would concur with the change in the Civil Service Rules and Regulations that she would send notifications to the Civil Service Commission within 30 days of any appointments, transfers, or refusals. Mr. Ebert stated that the Mayor did approve that change of rules for the Civil Service Commission Rules and Regulations.

The Secretary read the following request received from Fire Chief Chris Lyons today:

“Dear Joan – I have a meeting on the east side today that may run long. In the event that I am late to the Civil Service Commission, would you kindly pass on this language for me to the Commission members?

“Thanks!

“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 up to 10%, but not to exceed 10%, will be added to the final score of the Fire promotional examinations.”

The Police Department efficiency credit will be based on the average of the last four evaluations (every six months for a two year period).

Police Chief Spaetzel will further review the seniority credit suggestion of Dr. Lekan.

The next meeting of the Bay Village Civil Service Commission will be held Thursday, September 25 at 2:30 p.m. in the Conference Room of Bay Village City Hall.

There being no further business to discuss the meeting adjourned at 3:17 p.m.

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James R. Potter, Chairman

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Joan T. Kemper, Secretary