

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

Held March 16, 2016

3:00 p.m.

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

Also Present: Police Chief Spaetzel, Fire Chief Lyons (arrived at 3:15 p.m.) Police Sergeant Kathleen Leasure and Police Sergeant Elliot Silva.

Audience: Nancy Trainer, representing the League of Women Voters.

Chairman Potter called the third meeting of the Civil Service Commission in the year 2016 to order at 3:00 p.m.

Mr. Potter called for approval of the minutes of the meeting of the Civil Service Commission held March 7, 2016. **Motion** by Krebs, second by Lekan, to approve the minutes of March 7, 2016 as prepared and distributed.

Roll Call Vote: Yeas – Potter, Krebs, Lekan.

Motion carried. 3-0.

Inquiry of Firefighter Jason Goodwin

Firefighter Jason Goodwin has asked the Civil Service Commission via email (copy attached to these minutes as if fully incorporated herein) if firefighters who do not have three years' service time presently, but will reach the three year mark during the life of the eligibility list to be created as a result of the Fire Lieutenant examination to be conducted on April 20, 2016, will be permitted to take the Fire Lieutenant examination.

Mr. Potter stated that he does favor that the three years' time and grade must be reached at time of appointment, which would qualify an additional five candidates to be tested.

Motion by Lekan, second by Krebs, that the qualifying requirement of service time and grade would be satisfied at the time of appointment to the position of Fire Lieutenant.

Roll Call Vote:

Yeas – Potter, Krebs, Lekan

Motion carried 3-0.

Preparation for Police Lieutenant Testing

The purpose of the meeting this date was to take under consideration the requests of Police Sergeant Kathleen Leasure and Police Sergeant Elliot Silva concerning the choice of the lead assessor for the April 9, 2016 Police Lieutenant Examination. Concern has also been expressed by Police Sergeant Robert Gillespie. Copies of the letters sent to the Civil Service Commission by Sergeant Leasure, Sergeant Silva, and Sergeant Gillespie are attached to the minutes of this meeting as if fully incorporated herein.

Chairman Potter stated that the concerns expressed by the Police Sergeants are valid, since the lead assessor chosen has had numerous contacts with the Police Department staff. Police Chief Spaetzel stated that whether the concern is realistic or there is a perception of bias, he would have no objection to the consideration of another assessor.

Sergeant Leasure and Sergeant Silva thanked the Commission for their support. Dr. Lekan suggested that the Commission meet the new assessor. Mr. Potter and Mrs. Krebs stated that the assessor meets with the Commission in preparation for the test, but it would not be recommended that the Commission interview the assessor prior to his assignment. Dr. Lekan asked if there is any concern that the assessor is from the same organization as the original assessor. Sergeant Leasure stated that they all come from the Ohio Association of Chiefs of Police and there are many that the candidates do not know.

Commissioner Krebs asked Sergeant Leasure if there is anything else Sergeant Silva or she wished to add to their letter. Sergeant Leasure stated that there is concern on her part due to having worked with the assessor previously, and the assessor should not have had previous professional exposure or experience with the applicant.

Chief Spaetzel will contact the Ohio Associations of Chiefs of Police for information concerning a new assessor.

After further discussion it was **MOVED** by Potter, second by Krebs, to apprise the Ohio Association of Chiefs of Police to assign a new lead assessor for the Police Lieutenant Examination, with adjustments to the schedule of the assessment process as necessary.

Roll Call Vote: Yeas – Potter, Krebs, Lekan.
Motion carried. 3-0.

Sergeants Leasure and Silva expressed appreciation to the Civil Service Commission for hearing their concerns and taking appropriate action.

Preparations for Fire Lieutenant Testing

The date for the Fire Lieutenant written examination has been scheduled for April 20, 2016 at 11:00 a.m. at the Bay Lodge. The written examination will be conducted by Clancy and Associates. The weekend of May 14 and 15 was originally chosen for the oral assessment portion of the examination, but after taking into consideration the time needed for a review period following the written exam the dates will be moved to May 21 and May 22, 2016.

Discussion followed regarding Civil Service Rule No. 12, Promotion, Section 4. Eligibility. Chief Lyons expressed that he would have difficulty with the appointment of a candidate with only three to five years' service time to the position of Lieutenant. Mr. Potter suggested letting the candidates take the examination because it gives practical experience to the firefighters. Further discussion followed. Chief Lyons stated that if the City followed the state Civil Service Rules, which is not required since Bay Village is a Charter City and the Bay Village Civil Service Rules are more restrictive, the probationary time served is not included in the service time required for promotion.

It was noted that in the past the Commission had permitted candidates who would have three years' service time during the life of the eligibility list to take the examination for promotion.

Dr. Lekan stated that there is a possibility that there could be a problem in the future if not controlled at this time. He stated that he is in favor of reversing the previous decision and saying that it is necessary to have three years' service in order to take the examination. Seniority then makes more sense and the loyalty of the people who serve gets rewarded. Mrs. Krebs stated that it also means the candidates will have more experience, and by the time of appointment will have even more experience.

The Commission reviewed the motion made and adopted earlier in this meeting to permit candidates who would reach three years' service time and grade to take the examination for promotion.

Motion by Lekan, second by Krebs, to rescind the following motion made at this meeting of this date, March 16, 2016:

“Motion by Lekan, second by Krebs, that the qualifying requirement of service time and grade would be satisfied at the time of appointment to the position of Fire Lieutenant.”

Roll Call Vote:

Yeas – Potter, Krebs, Lekan

Nays – None.

Motion passed 3-0

Motion by Lekan, second by Krebs, to amend the Bay Village Civil Service Rules and Regulations, Rule XII, Promotions, Section 4, Eligibility which presently reads as follows: “Application for promotion in the safety-services must be a safety service employee for a minimum of three years from date of hire prior to appointment to the new position” to add the following sentence: “Application for examination for promotion must have been a safety service employee for a minimum of three years from date of hire prior to the examination.”

Roll Call Vote:

Yeas – Potter, Krebs, Lekan

Nays – None.

Motion passed 3-0

Mr. Potter asked Chief Lyons to explain to the staff of the Fire Department the enactment of this resolution of the Civil Service Commission this date which may change eligibility to take the examination.

Chief Lyons stated that this will correspond to the notifications of testing sent to the eligible Firefighters.

Dr. Lekan asked that the change be made in the Rules and Regulations of the City of Bay Village Civil Service Commission with the date of the change noted.

Commissioner Krebs reviewed the information received when she attended the State Personnel Board of Review (SPBR) conference in Columbus, Ohio on March 10, 2016. Several of the speakers stressed that on any application for employment not to have the box that says to check the box if convicted of a felony. It is permissible to say that employment is contingent upon a background check. Mrs. Krebs stated that a majority of the attendees at the conference were Human Resources administrators from throughout the state. Several of the speakers were from the Attorney General's Office in Columbus. Much of the advice given was directed to the use of social media. A prospective employer should only check social media of the applicant once an offer of conditional employment is made.

The Commission reviewed the application form being used for Civil Service entrance examinations and will incorporate the changes in accordance with the requirements of the Office of the Attorney General.

Dr. Lekan addressed Police Chief Spaetzl and stated that the Police Sergeants who expressed their concerns about the lead assessor for the forthcoming Police Lieutenant examination acted in a very professional manner.

Mr. Potter advised that there is a change of date necessary for the examination the secretary may proceed with necessary arrangements and notification of personnel.

There being no further business to discuss, the meeting adjourned at 3:56 p.m.

James R. Potter, Chairman

Joan Kemper, Secretary