

MINUTES OF THE
CIVIL SERVICE COMMISSION MEETING
Remote Meeting
March 30, 2020

Attendance: Robert Baker, Chairman
John Polinko, Vice Chairman
Richard Tayek, Secretary
Valerie Rosmarin, Clerk of Council
Patty Knip, Civil Service Clerk

Also, in attendance: Mayor Zilka, HR Director Siwierka, Chief Streator, Chief Betsa, Marty O'Donnell, Recreation Director Tim Pinchek, Law Director Gary Ebert, Lt. Vince Molnar, Police Officer Jim Valencic, and Police Officer Justin Ludwig.

The meeting commenced at 4:00 p.m.

1. Police Department

- Police Officer Eligibility List

The Clerk of Council reported that after the results of the exam were posted, candidate Austin Reid, who ranked 6, contacted the Clerk, Patty Knip because he did not receive bonus points as a veteran. Mr. Reid never submitted his DD214. He claimed that when he filed his application, he was informed that he could turn it in at the exam. He never provided the Commission with his DD214 at the exam. He stated that at the exam he attempted to give his DD214 to a police officer standing in the hallway at the high school and was instructed to give it to someone in the classroom. No one proctoring the exam was approached by this applicant. He submitted the DD214 after the exam results were posted. If the Commission awarded him with the bonus points, he would be ranked number one. He has asked the Commission to reconsider awarding him bonus points.

Chairman Baker responded that this is the same individual discussed last month. This was discussed at the last meeting because there was a precedence where the Commission has accepted DD214s up to the date of the test but has never accepted a DD214 after the test. After speaking to everyone at the exam, it is difficult to believe that he ever approached anyone regarding his DD214. It is my opinion that the Commission has already ruled on this item and unfortunately, it was not submitted timely.

Vice Chairman Polinko stated that based on what has been done historically, the precedent has been to accept DD214s at the test, and since nobody was approached by the applicant at the exam, he agrees with Chairman Baker.

Secretary Tayek commented that there was no documentation that the form was ever received prior to the exam and it is appropriate not to award him any bonus points.

Law Director Ebert responded that he and Chairman Baker discussed this briefly from a legal standpoint and would agree with that statement. The notice has indicated that it must be submitted at the time of application. Taking the document after the test has been completed would be erroneous and would not serve the Commission as far as what the rules state.

HR Director Siwierka agreed with all the comments that were stated. This individual will most likely get an interview as the City will probably be hiring three or four individuals over the next two years due to retirements.

The Clerk of Council reported that there are a total of 73 on the eligibility list and the top ten individuals are Ryan Passanisi, Jeremy Weissinger, Zachary Metzger, Patrick Stokes, Jordan Greene, Austin Reid, Matthew Kreider, Jessica Howard, Thomas McGervey and Nicholas Zingale.

Motion: Secretary Tayek made a motion to certify the Police Officer eligibility list from the civil service exam that was held on February 29, 2020 for one year. The motion was seconded by Vice Chairman Polinko. Motion passed 3-0.

- Lieutenant Promotion

Due to the retirement of Lt. Scott Fishburn effective May 2, 2020, a vacancy will occur in the Lieutenant rank. The next eligible candidate on the list to fill the vacancy is Alessandro Giardini.

Motion: Chairman Baker made a motion to certify the appointment of Alessandro Giardini to the position of Lieutenant effective May 3, 2020, pending the vacancy and approval of Council. The motion was seconded by Vice Chairman Polinko. Motion passed 3-0.

- Sergeant Promotion

Due to the appointment of Sgt. Giardini to the rank of Lieutenant, the next eligible candidate on the list to fill the Sergeant vacancy is James Valencic.

Motion: Chairman Baker made a motion to certify the appointment of Patrolman James Valencic to the position of Sergeant effective May 3, 2020, pending the vacancy and approval of Council. The motion was seconded by Vice Chairman Polinko. Motion passed 3-0.

- Police Chief, Lieutenant, and Sergeant Promotional

The Clerk of Council reported that Lt. Bockelman, Lt. Molnar, and Lt. Tibbitts are eligible to test for the Police Chief position; Sgt. Carrender, Sgt. Reikowski and Sgt. Cantleberry are eligible for the Lieutenant position; and there are 14 patrolmen eligible to test for the Sergeant position. The Ohio Association of Chiefs of Police and Clancy & Associates provide quotes for those promotional tests.

Chairman Baker responded that he received copies of the quotes provided by OACP and Clancy & Associates. The quote provided by Clancy & Associates is \$6,240 lower and they have waived the fee to write and administer the written exams if they conduct the oral assessment for the positions.

Chief Streator stated that the Commission used Ramsey & Associates for the written exam and OACP for the assessment center for the last Sergeant promotional and Ramsey & Associates for the written exam and Pradco for the assessment center for the Lieutenant promotional.

Chairman Baker asked if the Commission should use OACP for the higher ranks and Clancy & Associates for the Sergeant promotional or should one organization be used for the oral assessment and the other for the written exam.

Chief Betsa responded that the Commission used Pradco for the assessment center for the rank of Fire Chief and Assistant Fire Chief and highly recommends Pradco for the position of Lieutenant and above. It is designed for administrative, leadership, and work ethic aspects of these positions. It identifies the qualities of the candidate along with their desire to lead the department, versus the traditional assessment center offered by the other companies.

HR Director Siwierka stated that Pradco evaluates the psychological measurements of stress levels and teamwork.

Chief Streator agreed that Pradco would provide a comprehensive view, looking at many components of the job and give a better evaluation of the candidates. OACP is better for the Sergeant assessment. For all the written tests, Clancy & Associates can tailor the test to be Avon Lake specific and include questions pertaining to city ordinances, policies and procedures.

Motion: Chairman Baker made a motion to secure Clancy & Associates for the written exams of Sergeant, Lieutenant and Chief, setting a budget of \$3,000. The motion was seconded by Vice Chairman Polinko. Motion passed 3-0

Motion: Chairman Baker made a motion for the oral assessments of Lieutenant and Chief to be conducted by Pradco, with a budget of \$12,000 and the Sergeant oral exam to be administered by OACP, with a budget of \$12,000. The motion was seconded by Vice Chairman Polinko. Motion passed 3-0.

The Clerk of Council noted that Clancy & Associates may not be able to secure textbooks until the end of April. Vanessa Nietert from Clancy will provide Chief Streator with the list of textbooks. After he has selected the books, Vanessa will determine when they will arrive.

2. Program Manager - Recreation Department

The exam for Program Manager was administered on March 10th at the high school; 16 passed, 2 failed, and 1 failed to show. The results were provided to the Commission prior to this meeting.

The Clerk of Council reported that Rosemary David, who ranked number 7, protested five questions on the exam.

Chairman Baker stated that he reviewed the protested questions first without having the answers, then researched the actual answers. A common thread Mrs. David had with all the questions was she agreed that she answered incorrectly but felt another response could have been correct. Clancy & Associates allows protests to be decided by the Commission; however, when asked to intervene, there is a cost associated with their responses. Based on the questions, Chairman Baker felt confident that the Commission could respond and handle the protests internally thereby deferring costs.

Recreation Director Pinchek stated that after the list is certified, he will reach out to the top five candidates to set up phone interviews next week and a candidate will be selected before the April 13th Council meeting.

Motion: Chairman Baker made a motion to deny Rosemary David's protest of questions 82, 66, 49 and 10 as presented and eliminate question 80 for all candidates, maintaining the score list as is. The motion was seconded by Secretary Tayek. Motion passed 3-0.

Motion: Vice Chairman Polinko made a motion to certify the Program Manager Eligibility List for the Recreation Department for one year. The motion was seconded by Chairman Baker. Motion passed 3-0.

3. Civil Service Rule Review

Chairman Baker reported on the previous discussions conducted regarding Avon Lake Civil Service Rule 9, Section B, additional credit for military service. Discussion of this rule was planned to be conducted when the Commission reviews all the rules, but there have been issues about the definition of honorably discharged. The Commission received an NGB (National Guard Bureau) Form 22 and 23 from a Police Officer candidate. The candidate needed to provide one form but only someone who worked in that field and reviewed those types of forms could decipher whether this candidate had the required time of service. After having worked in that capacity, Chairman Baker believed that the applicant had enough time.

The proposed rule amendment evolves from one paragraph to a page with six points; Veteran Defined, Disabled Veteran Defined, Under Honorable Conditions Defined, Proof of Eligibility, Preference Points, and Limitations. This proposed rule amendment would also be aligned with state law. A draft of objectives of this rule amendment is included. It provides insight on how disabled veterans are viewed and brings the City in line with best practices and Veteran's Preference Act of 1944.

Motion: Chairman Baker made a motion to submit the proposed rule amendment to Council for review and approval. The motion was seconded by Secretary Tayek. Motion passed 3-0. The Clerk of Council stated that the rule amendment will be forwarded to the Human Resources Committee.

Motion: Chairman Baker made a motion to adjourn. The motion was seconded by Secretary Tayek. Motion passed 3-0.

Meeting was adjourned at 5:07 p.m.

Respectfully submitted,

Patty Knip, Clerk