

MINUTES OF THE
CIVIL SERVICE COMMISSION
Council Chamber
May 6, 2024

Present: John Polinko, Chairman
Richard Tayek, Vice Chairman
William Albrecht, Member
Valerie Rosmarin, Secretary

Also Present: Law Director Gary Ebert, Chief Molnar, and Public Works Administrative Assistant Coleen Spring.

The meeting was called to order at 4 p.m.

1. Approval of Minutes

Motion: Chairman Polinko moved to approve the minutes of April 9, 2024. Seconded by Vice Chairman Tayek. Motion passed 3-0.

2. Police Department

- Entry Level Police Officer Exam

Secretary Rosmarin reported that 24 applications have been received. The application filing deadline is Wednesday, May 7, 2024. The exam will be administered on Saturday, May 11, 2024, at 9 a.m. at Avon Lake High School, Room 114.

- Lateral Entry Police Officer Eligibility List

Chairman Polinko reported that Candidate Kelly Smith has requested removal from the Eligibility List. Chief Molnar stated that a Conditional Offer was extended to Mrs. Smith, and she completed psychological and medical testing. After consideration, Mrs. Smith declined the said Offer.

Motion: Chairman Polinko moved to remove Kelly Smith from the certified Lateral Entry Police Officer Eligibility List. Seconded by Mr. Albrecht. Motion passed 3-0.

- Dispatcher/Records Clerk Appointment

Chairman Polinko reported that a Conditional Offer was extended to Brenda Girgash, Candidate No. 3 on the certified Dispatcher/Records Clerk Eligibility List.

Chief Molnar stated that Ms. Girgash has 20 years of experience as a Dispatcher and is employed with the North Ridgeville Police Department. She has successfully completed the psychological test, and the City is awaiting the results of her drug test. If the results are favorable, her

appointment will be discussed at the Human Resources Committee meeting on May 13, 2024. If approved by the Committee, legislation confirming her appointment, effective June 9, 2024, will be presented at a Council Meeting in May.

Motion: Vice Chairman Tayek moved to accept the Dispatcher/Records Clerk appointment of Brenda Girgash pending the successful completion of pre-employment testing. Seconded by Mr. Albrecht. Motion passed 3-0.

3. Public Works Department

- Engineering Technical Aide I & II Positions

Chairman Polinko reported that the Commission discussed these positions at the Commission's last meeting, and a special meeting was scheduled to have an in-depth discussion on the merits of the positions' classification with Mayor Spaetzel and Law Director Ebert. The special meeting scheduled for April 23, 2024, was canceled, and Mayor Spaetzel could not attend this meeting due to an illness. Therefore, Chairman Polinko recommended scheduling another special meeting or moving this topic to the next regular meeting.

Motion: Chairman Polinko moved to remove the discussion of this topic from today's agenda pending the rescheduling of a special meeting or the next regular meeting. Mr. Albrecht seconded the motion and suggested that a special meeting be held instead of waiting until the next regular meeting. Motion passed 3-0.

Action: A special meeting will be held on Monday, May 13, 2024, at 4 p.m.

4. Rules Review

- Rules 14, 15, and 16¹

Chairman Polinko reported that the Commission retained Attorney Matty to review certain Civil Service Rules, and he provided the following comments to Rules 14, 15, and 16.

Rule 14 Application for Positions in the Police Department

Attorney Matty recommended adding the following three items: exclusory language in Section B.3. regarding the appointment of a police officer after the person's forty-first (41) birthday; exclusory language in Section C.5 that is subject to the qualifications of the Lateral Entry list in Section D.9.; and a new section titled, *Additional Credit for Education Achievement*.

Chairman Polinko stated that the proposed exclusory language was logical, but the Additional Credit for Education Achievement needs further debate because a previous Civil Service Commission removed education bonus points. While this provision is rational, the Commission must revisit why it was removed.

¹ Attorney Matty's recommendations are attached to these minutes.

Secretary Rosmarin provided the Commission with supporting documents regarding the education bonus points removal and stated that a Council Member asked the Commission² in 2017 to consider increasing the bonus percentage awarded to veterans from 5% to 15%. The 2017 Commission analyzed the bonus structure and determined that candidates with college degrees performed well, and their ranking changed slightly when education bonus points were added. By removing the education bonus points and keeping the veteran bonus points, a veteran has an advantage, so the request to increase veteran bonus points would be unnecessary.

Secretary Rosmarin stated that if the Commission decides to reinstate bonus points for education, the Commission may want to consider including other Departments and not limit the Rule to only classified positions in the Fire and Police Departments.

Chairman Polinko was unsure how Council would react if the education bonus points were added. In response, Vice Chairman Tayek stated that adding education bonus points would help keep Avon Lake competitive with other cities.

Rule 15 Application for Positions in the Fire Department

Attorney Matty recommended the following four changes: Section A.1., reducing the age of appointment from 21 to 18 years; Section A.2., requiring valid certificates upon the date of hire; Section B, identifying the testing center with a time not to exceed 4 minutes 30 seconds; and new Sections F. and G. regarding bonus points for education and certifications.

Chief Betsa could not attend this meeting, and the Commission will seek his input at a future meeting.

Rule 16 Promotions Generally

Chairman Polinko stated that Attorney Matty added references to the Additional Credit for Education Achievement in this section.

Action: Chairman Polinko will contact Attorney Matty on his recommendations, and Rule 15 will be added to the special meeting agenda for further decisions with Chief Betsa.

5. State Personnel Board of Review (SPBR)
 - 2023 Annual Report

Chairman Polinko reported that last month the Commission received a draft copy of the 2023 Annual Report, and the final copy is included with today's agenda.

Secretary Rosmarin informed the Commission that the final copy contains details of exams conducted in 2023. When she submits the final copy to SPBR, she will include a copy of the latest Civil Service Rules, Law Director Ebert's legal opinion on Avon Lake Regional Water's removal from Civil Service, and the SPBR Investigation Inquiry of former Chairman Rob Baker.

² Chairman Scott Orille, Vice Chairman Jim Janis, and Member Sue Olijar.

Motion: Chairman Polinko moved to submit the requisite documents of the Investigation and Annual Report of Activities for 2023. Seconded by Mr. Albrecht. Motion passed 3-0.

- Procedural Order/Supplementation of Objections

Secretary Rosmarin reported that former Chairman Rob Baker submitted his response to SPBR on April 30th, and a copy was provided to the Commission.

6. Public Comment

Administrative Assistant Spring asked if the job descriptions of the Engineering Technical Aide positions were listed in the Public Works Department or the Engineering Department. She stated these positions have always been in the Engineering Department and were never placed in the Public Works Department.

Secretary Rosmarin responded that when the Service and the Engineering Departments merged into the Public Works Department, the Department title on the job description with the amendments in 2021. The Department is now identified as *Public Works Department - Engineering*.

Administrative Assistant Spring asked if the positions' classification changed from classified to unclassified, would the job descriptions still be valid or have to be amended.

Secretary Rosmarin responded that if the Commission changes the classification, a new job description would be prepared and forwarded to the Human Resources Committee and Council.

Administrative Assistant Spring stated that the Administration has discussed creating an Engineering Department and new job descriptions. If that occurs, hiring staff will be on hold. She asked if the current job descriptions were sufficient to hire someone now.

Secretary Rosmarin responded that if an Engineering Department is created, all job descriptions will be changed. However, she believed the Administration could utilize the current job descriptions to hire if needed.

Chairman Polinko agreed and stated that the job descriptions would be substantially similar.

The meeting was adjourned at 4:35 p.m.

Respectfully submitted,

/s/ Valerie E. Rosmarin

Valerie E. Rosmarin, Secretary

