

The City of Canal Fulton

CANAL FULTON CIVIL SERVICE COMMISSION MEETING

Wednesday, June 30, 2004

MINUTES

REGULAR CIVIL SERVICE COMMISSION MEETING

John Bailey called the June 30, 2004 Civil Service Commission meeting to order at 7:00 PM in Council Chambers at City Hall.

CALLING OF THE ROLL

Present: John Bailey, Scott Fellmeth, Ed Ahwajee

OTHERS PRESENT

Victor Colaianni, Council Person; Ed Harbaugh; Police Department

CORRECTING & ADOPTING THE RECORD OF PROCEEDINGS

Mr. Bailey made a motion to suspend the reading of the minutes of the last meeting; motion seconded by Mr. Fellmeth. **ROLL CALL: Yes – All (Motion passes)**

REPORTS AND COMMUNICATIONS – No report.

NEW BUSINESS

Civil Service Commission Election of Civil Service Chairman (First Meeting of the Year

Mr. Fellmeth nominated John Bailey as Chairman of the Civil Service Commission; seconded by Mr. Ahwajee. **ROLL CALL: Yes – ALL (Motion passes)**

New Police Officer Jeffrey Brogan Resigns His Commission with the Canal Fulton Police Department /

New Civil Service Commission Test for Position of Police Officer

A resignation letter from Officer Jeffrey Brogan was submitted in writing to Chief McNeely, who accepted the resignation. Officer Brogan will be here until August 2004. Chief McNeely requested a new Civil Service Commission test be given for the position of police officer. Mr. Bailey sent a memo in response to the letter. It's covered in the Civil Service Rules that they have an existing examination and the examination list is good for a period up to 12 months and can be extended an additional 12 months (referencing Section 7.1 of the Civil Service Rules and Regulations). The Commission also has in effect the Rule of Three, where the top three candidates for the job (on the final Candidates List) are eligible. There was a background examination done on the other two candidates in the top three of the Candidates List. Chief McNeely was able to determine that neither

one of these two men qualified or met all the requirements for employment as a Police Officer in Canal Fulton. Number one candidate was Daniel Reed; the Chief stated he failed to complete paperwork for the background investigation. Mr. Reed was given an extension to complete the paperwork, but chose not to comply with it. Because of that, Chief McNeely requested that he be removed from the eligibility list. Number three candidate was Todd Lightner. According to Chief McNeely, Mr. Lightner was an employee of another police agency in the State of Ohio and had been involved in two traffic accidents while in a police vehicle – both determined to be his fault. He'd also been cited for driving without a license. For those reasons, the Chief McNeely requested that Todd Lightner be removed from the eligibility list. Mr. Bailey concurred, and in accordance with Civil Service Rules, he requested that letters be drawn by the City secretary informing Mr. Reed and Mr. Lightner that their names would be removed from the Canal Fulton Candidacy List for the Position of Police Officer for those reasons. Those letters, according to the Civil Service Rules and Regulations have to be sent out by Registered Mail, and Mr. Bailey was informed that both letters were signed for as being received. Mr. Bailey asked for comments; no comments.

Mr. Bailey stated Civil Service Rules gives the City the right to remove somebody from the eligibility list for due cause.

Mr. Bailey had the results of the Civil Service Test; Mr. Reed, Mr. Brogan, and Mr. Lightner were the top three finishers; Matthew G. Shilling from North Lawrence was ranked Number 4; Matthew D. Chupp from Smithville was ranked Number 5; Shawn Griffith from Navarre was ranked Number 6.

Mr. Bailey made a motion that Mr. Shilling, Mr. Chupp, and Mr. Griffith be moved up to positions Number 1, 2, and 3 on the current Eligibility List for Police Officer of Canal Fulton; seconded by Mr. Ahwajee. **ROLL CALL: Yes – ALL (Motion passes)**

Mr. Bailey stated Chief McNeely is going to have to contact the three men; do a background investigation; see if they're still interested, if they still live there, or if they have moved; if they have moved and have not notified Civil Service that is one of the stipulations for being removed off of the Candidacy List. Officer Harbaugh will tell this to Chief McNeely.

Officer Harbaugh asked that supposing the applicants become ineligible for whatever reason the Charter gives, do they have to have another hearing to move someone else up. Mr. Bailey replied the test was good for 12 months plus an additional 12 months; there is a large eligibility list. Officer Harbaugh asked when the test expires. Mr. Bailey stated they'll have to go back on the records to see when that test was verified and qualified by the City of Canal Fulton. Once it's certified, he doesn't know the exact date because they're the ones that come up with the final dates on that test. The test was given July 12, 2003, so they have another year that they can go on that Eligibility List. They can make a motion to extend that another year, but Mr. Bailey wants to see when the test was actually certified and accepted by the City as being the final list. There was a big turnout, and the test cost approximately \$800, so they can't just have a test every year. Officer Harbaugh was asked if the Police Department had an opinion about keeping the current list, or did they want a new test. Officer Harbaugh stated, "Without seeing the applications for these guys, I'm not sure. I do know that when the test was originally given, there wasn't really any qualifications listed . . . Those three people, if they're not certified, we'll have to pay for them to go to the academy." Mr. Bailey stated that when the City advertises for another Police test, they have to set the requirements - that's not up to the Civil Service Commission; the Police Department and the City of Canal Fulton has to state the

qualifications. It was stated that it should probably be a requirement in the future that applicants will have gone through some type of police training before they apply for the job. Mr. Bailey stated the City has to make the decision regarding what they require of their applicants, and what the Civil Service Commission does is set the rules that you have to advertise for it, they oversee the test itself; they make sure all the rules and regulations are followed. Mr. Bailey went on to state that another thing to consider is that Civil Service Rules can always be changed, just like the Charter, you can have an amendment to it, and it could be brought up to Council that you can increase the testing to a Rule of Five instead of a Rule of Three. The Chief can speak to Council about this. Mr. Colaianni stated, "Basically what we have to do is by a resolution. If you're going to change it to the top five, it would just have to be in resolution form, which that could be done (like an Ordinance) without a formality."

Mr. Bailey said, "So that's something that the Mayor and the City Manager and the Chief can all discuss, plus other department heads too; because from what I understand, we're going to have to give another test. So it's something that we debated when the Civil Service Rules were put together, we thought – we kicked around the number 5 and the number 10, and we came to land on number 3, thinking that gives you a wide enough berth to pick from. And, a lot of that is even considering promotions too because this Rule of Three is not for just new hires. It's also for promotions." Mr. Colaianni said, "I think it's good going forward, if you do have a Rule of Five, simply because looking 5, 10, 15 years down the road (depending on how much we grow), you're probably going to run into that." Mr. Bailey replied, "Right, and you could limit that to "New Hire" positions – leave the Rule of Three in for the promotional positions, but just for the new positions within the City, you could make it maybe a Rule of Five."

Entry-Level Position in the Water Department

Mr. Bailey stated that the City Manager informed him that there is going to be an opening (entry-level position) in the Water Department, and the City has asked for a test for that position. They use Clancy and Associates from the Akron area. They give the test, grade it, and send the Civil Service Commission the results. The requirements for that posting are going to have to come from the City. The City will notify the Civil Service Commission when they can have a test. Once the test date is determined, they will have it published. Mr. Colaianni stated they will bring it up next Tuesday (July 6, 2004) at the City Council meeting.

Mr. Fellmeth made a motion that an examination be given for the entry-level position in the City of Canal Fulton Water Department; seconded by Mr. Ahwajee. **ROLL CALL: Yes – ALL (Motion passes)**

Moving Amy Geier from a Level 2 to Level 3 Clerk Typist

Mr. Bailey had a letter from Mayor Grogan, who wants to move Amy Geier (a clerk typist in the Police Department) up a class. Officer Harbaugh stated this would basically bring Ms. Geier in line with the secretaries in City Hall; stating they've all been bumped up and Amy hasn't. Mr. Bailey stated it was amazing that the City paid \$750 for Barrett & Associates to do this study based on a questionnaire filled out by Amy Geier. Mr. Colaianni stated (to clarify) that the Barrett study is similar to a GS rating. Within secretarial or clerk typist or administrative assistants, there are different levels. They've got several people at City Hall that are at a Level 4 rate. Ms. Geier is at Level 2 (two steps down), which

is classified by Barrett's as a clerk typist. He went on to say that obviously, Ms. Geier's position has extended way beyond that given technology and different things she does to prepare court documents and whatever. The reason the Mayor made the request (the City has been using Barrett for the past five or six years) is to bring Ms. Geier up to a Level 3, which would be an increase in pay. There has been lengthy discussions since the beginning of the year about whether this was just a Council decision or if it had to come to the Civil Service Commission or if it was just something that the Personnel Committee had to handle. Ultimately, because Ms. Geier is a Civil Service employee, it has to be up to the Civil Service to approve her going up one grade level. Mr. Bailey asked if there has been an opinion from the Law Director, and Mr. Colaianni said the Law Director stated that Civil Service has to approve changing grade levels. Mr. Bailey stated now she is under Civil Service, and asked if this pay raise would take her out of Civil Service. Mr. Colaianni stated, "No, but the stipulation is . . . the Personnel Committee from City Council normally makes recommendations on pay raises, but because she is under Civil Service Rules – a Civil Service employee – that recommendation to Council and to the Personnel Committee has to come from you. The big question was no one knew if it was Personnel Committee and City Council or Civil Service to have to make the recommendation. Ultimately, the Law Director did decide that you guys would have to make the motion to change the grade level." He went on, "What Barrett does is they look at surrounding similar size cities and looks at salary levels. Some cities are larger; some cities are smaller than what we are, and then they come up with a salary range – an hourly rate Now, the hourly rate would be based on longevity (Personnel Committee decides), and it's based on what the range is within the grade levels of the Barrett study, which has been done and then that (in turn) is what she is brought up to. . . . The only consideration that your committee has to make a recommendation is the grade level that they are recommending be approved by you." Mr. Bailey wanted to state for the record he didn't see any reason to hire someone and pay him \$750 and thought it could have been handled internally.

Mr. Ahwajee made a motion to move Amy Geier from a Level 2 to Level 3 clerk typist, as recommended by Barrett & Associates; seconded by Mr. Fellmeth. **ROLL CALL: Yes – ALL (Motion passes)**

City Council has the Civil Service Commission's recommendation that Amy Geier be moved up to a Clerk Typist 3 position, as determined by Barrett & Associates.

ADJOURNMENT

Mr. Ahwajee made a motion to adjourn the meeting; seconded by Mr. Fellmeth. **ROLL CALL: Yes – ALL (Motion passes)**

Mr. Bailey adjourned the meeting at 7:30 PM.

John Bailey, Chairman
Civil Service Commission