



MINUTES OF THE REGULAR CIVIL SERVICE COMMISSION MEETING

August 1, 2023

Members Present: Tim Fenwick, Chair
Kyle Herman, Vice-Chair
Gary Spring

Members Absent: None

Also Present: Mike Lang, Assistant Fire Chief
Jeffrey Film, Police Chief
Deb Berkey, Supervisor, Mayor's Office

I. CALL TO ORDER

Mr. Fenwick called the regular Civil Service Commission meeting of August 1, 2023 to order at 8:00 a.m. and Ms. Berkey called the roll.

II. APPROVAL OF MINUTES

Motion:

Mr. Fenwick moved and Mr. Spring seconded to approve the minutes of April 18, 2023 and May 3, 2023 as submitted.

Yes, Votes: Fenwick, Herman, Spring

No Votes: None. The motion carried.

III. OLD BUSINESS

None.

IV. NEW BUSINESS

A. EXTEND POLICE OFFICER LATERAL TRANSFER LIST

Chief Film stated two (2) candidates remain on the lateral transfer list, and both are very good candidates. Currently, we do not have an open position; however, he would like the Commission to extend the lateral transfer list until a new list is in place. Police Officer testing opens in two weeks and will be open for almost a month. Our hope is to have a new list in place at the end of September or early October. Two sergeants are planning to retire – one at the end of this year and one in March. He does not have their retirement notifications yet; however, if he were to receive them soon, it is possible we would go back to one of these candidates.

Motion:

Mr. Spring moved and Mr. Herman seconded to approve the extension of the Police Officer Lateral Transfer List until further action.

Yes Votes: Fenwick, Herman, Spring

No Votes: None. The motion carried.

B. FIRE LIEUTENANT PROMOTIONAL EXAMINATION

Assistant Chief Lang stated the Fire Department is requesting a new Lieutenant examination. The last examination was certified in May 2022. There has been one promotion off the list, and we anticipate a second promotion this fall due to a retirement. The list started with four (4) candidates, but after the second promotion only two (2) candidates will remain. This request for another test is to have a full list of top three (3) candidates from which to choose.

Motion:

Mr. Fenwick moved and Mr. Herman seconded to approve the promotional exam and start the RFP process.

Yes Votes: Fenwick, Herman, Spring

No Votes: None. The motion carried.

V. OTHER BUSINESS

- A. Chief Film provided an overview of the PoliceApp process. He noted some areas are restricted by the Civil Service Department because of possible conflict with the Police Department having the ability to change scores, etc.; however, it is still a point of contention with our administration and the Civil Service Department. He is seeking further guidance and asked if they could be given more access, but it does not have to be full access, under the guidance of the Civil Service Department. As an example, for the last test there were 12-20 candidates who only completed one part of the process (i.e., they tested but did not complete an application or they completed the application but did not test). The Police Department would like to reach out to these people to let them know the process is incomplete. Mr. Fenwick asked if there was a way for the Police Department to get limited access to just the status in the process as opposed to grades tied to it; Chief Film replied he would check. Mr. Fenwick stated that is what the Commission would need to see. He recalled the problem in the past was seeing the grades. Chief Film stated he would reach out to National Testing Network. Mr. Spring thought the idea was to make sure the department is not only notifying certain candidates that they wanted. He thought Ms. Bennington could notify everyone. Chief Film stated he did not want to burden Ms. Bennington as she has a lot of work already and he knows when they suggested this before they were overloading one person. That is why they were looking at doing it. It is in the best interest of the community for our administration to have some access to it without making it a conflict of interest or violating the Civil Service Rules. Chief Film stated we now have a Human Resources Director and he does not know what the roles are going to be in the future. He does not know how much longer Ms. Bennington is going to be here.

- B. Mr. Herman stated City Council has proposed an amendment to the charter that will require all Boards & Commissions to meet in Council Chambers and record their meetings live. He asked if there were any concerns that it may prevent them from having candid conversations such as discussing sensitive personnel issues, or if it would be good to broadcast discussions about anticipated retirements, demographics of certain candidates, or importance of diversity in our Police and Fire forces. Does that transgress into concerns with people who are in the application process having their demographic data shared?

Mr. Fenwick stated he is familiar with the charter amendment and does not think those issues are primary concerns. Everything we do is open to the public and minutes are available. Anyone can come to a meeting at any time. He is personally not in favor of requiring it as it is just another thing to deal with pertaining to scheduling and room availability. He does not see any real benefit. If someone is interested, they are able to attend our meeting. As far as worrying about what we discuss, it should not change anything.

Mr. Spring commented the Commission could go into executive session to talk about individuals. It would not be subject to the Sunshine Laws for hiring decisions or somebody we want to remove from the list. Mr. Fenwick added, or a specific appeal from somebody due to personal reasons. Mr. Spring asked if scores were protected; Mr. Fenwick replied scores are a public record and available after they are certified.

Mr. Fenwick asked if there were any other thoughts on the requirement of every meeting being live streamed. Assistant Chief Lang replied everything that was just said he would reflect that 100%. Chief Film stated the purpose of the legislation is transparency. We already make public notifications of the meetings, and the minutes are documented and available on-line. He does not think adding a video adds any more transparency, and it will require additional personnel. Mr. Spring thought it adds more complications. Mr. Herman asked if, as a Commission, they wanted to express their thoughts to Council on how it would affect them. His understanding is they were appointed as volunteers to provide the civilian oversight, and it is an open meeting. He had concerns about the way it seems to be politicizing Boards & Commissions and he does not think anyone should be put in a position where they think they have to play grandstand for a camera rather than being able to have a candid conversation like is done now. Mr. Fenwick stated he has not followed any of the political ramifications but he knows there are some disputes. He would not want the Commission as a whole to make a blanket statement. However, a general comment as a member of the Commission that you had conversations and nobody on the Commission is necessarily in favor of this because it creates another step would be fine.

Mr. Spring thought the Commission had already passed something in a previous meeting that they did not want this. Mr. Fenwick replied we did, we voted that we did not feel it was necessary. Ms. Berkey stated all of the Commissions voted that way. It adds a scheduling problem for the secretaries of the commissions because it requires the meetings to be held in one room, Council Chambers. In addition, an IT person would need to attend to ensure everything is working and to run the equipment. Mr. Fenwick stated many times our meetings are very short and asked would all of that be worth it.

VI. NEXT MEETING

A special meeting is scheduled for August 22, 2023 at 8:00 a.m. to review proposals received for the Fire Lieutenant promotional examination.

VII. ADJOURNMENT

Mr. Fenwick moved and Mr. Herman seconded to adjourn the meeting at 8:18 a.m.

Tim Fenwick
Chair, Civil Service Commission

Deb Berkey
Supervisor, Mayor's Office

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