



**CIVIL SERVICE COMMISSION
MINUTES OF NOVEMBER 24 2014**

The regular meeting of the Westlake Civil Service Commission was called to order by Chairman Presley at 8:00 a.m.

Members Present: Timothy Warner, Maria Gregg, Steve Presley
Also Present: Clerk of Commissions Nicolette Sackman, Assistant Law Director Robin Leasure, members of the fire and police departments

Approval of Minutes

Motion: Mr. Warner moved, seconded by Mrs. Gregg to approve the minutes of November 5, 2014.
Roll call: Ayes: Warner, Gregg; Abstain: Presley; Nays: None, motion passed

Police Lt. Promotional Exam – letters received re: assessment center

Chairman Presley reported two letters were received, however they were not appealing the scores but the assessment process which is not listed in the civil service rules. The commission will address the concerns raised by Officers Agoston and Cummings but Chairman Presley wished concerns were voiced sooner rather than after the scores. The commission discussed addressing this for future tests. Mrs. Leasure advised that per the civil service rules the candidates have 10 days to protest the calculations of the scores and what is really being protested is the integrity of the assessment process. The rules don't provide for appeals as to the integrity of the assessment center and that if there was a time for said appeals, it would be after the assessment, but before the scores are released. The commission will not ignore appeals that are filed, but that the 10 day protest period does not apply in this situation. There is a five day protest period after a written exam to review the exam questions and answers. Ms. Leasure added relative to doing things differently in the future is not an admission by the commission that the appeals are well taken. She stated that the Commission reviews its process and makes changes to make sure that the candidates are happy and comfortable with the process and to avoid any issues arising, that does not mean that these issues raised have merit, which Chairman Presley agreed.

The commission requested that the Ohio Association of Chiefs of Police (OACP) respond to the concerns raised (the use of an observer, if the observer participated in the assessment center in any way, and the use of two of the assessors). The OACP memo indicated that the observer, Rocky River Chief Stillman, did not participate in the assessment and was only an observer, which did not impact the scoring.

Officer Cummings addressed the commission and expressed concerns/protests that he did not realize that the head assessor Chief Baumgart had been an assessor at a previous Westlake assessment center until he saw him the day of the assessment center. He did receive a bio from the clerk on all the assessors but Chief Baumgart's bio did not indicate that he had given assessment centers in Westlake previously or include a photo of the assessors. Officer Cummings expressed that both himself and Office Krumheuer participated in a previous assessment center with Chief Baumgart and Chief

Baumgart should not have been able to participate in this assessment center and the entire assessment center should be thrown out and a new assessment center given.

Chairman Presley reported that correspondence from the OACP indicates that Chief Baumgart did not recall individuals at the assessment center. Chief Baumgart was one of three assessors and Chairman Presley commented that each assessment center is started with a clean slate as it is a new assessment center.

Officer Agoston addressed the commission and expressed concerns/protests that Rocky River Chief Stillman was an observer and the role play exercise that he observed should not be counted. He expressed that the commission is very cautious to maintain anonymity of the candidates to the testing company. He noted that other candidates knew Chief Stillman and Officer Krumheuer served on the swat team with him. Officer Agoston felt this was a violation of the civil service rules and in the past when a candidate indicated who he was on an exam it was removed. Ms. Leasure stated that per the OACP Chief Stillman did not participate in any way and was there only in the role of an observer. She further advised that there is no evidence that Chief Stillman did participate, he was not part of the assessment team, and that the candidates appealing have not provided any evidence that Chief Stillman participated in the assessment or behaved in a manner which affected the integrity of the exam. Chairman Presley stated that the OACP has denied that Chief Stillman participated in any manner and as an observer has no impact on the scoring. Officer Agoston has concerns that other candidates in the assessment center do know and have a relationship with Chief Stillman. He felt the role play exercise should be removed from the scoring and the remaining exercises count. Officer Cummings expressed that the OACP is a business and will deny there is a problem and felt the entire assessment center should be thrown out and a new assessment center conducted. He felt that Chief Baumgart should have noted on his bio that he had previously been an assessor for a Westlake assessment center. Commission members, legal counsel, Officers Cummings and Agoston discussed concerns raised.

Motion: Mr. Presley moved, Mr. Warner seconded that the objections of Officer T. Cummings regarding the Police Lieutenant exam be denied.

Roll call: Ayes: Warner, Gregg, Presley; Nays: None, motion passed

Motion: Mr. Presley moved, Mr. Warner seconded that the objections of Officer J. Agoston regarding the Police Lieutenant exam be denied.

Roll call: Ayes: Warner, Presley; Nays: Gregg, motion passed

Assistant Fire Chief Promotional Exam – quotes

Commission members reviewed the quotes received from the Ohio Fire Chief's Association and Clancy & Associates. Chief Hughes spoke favorably of the Ohio Fire Chief's Association and expressed the Chief's Association has conducted exams for the city in the past.

Motion: Mr. Warner moved, Mrs. Gregg seconded to select the Ohio Fire Chief's Association as the testing company for the Assistant Fire Chief Promotional Exam.

Roll call: Ayes: Warner, Gregg, Presley; Nays: None; motion passed

Discussion ensued that the promotional exam should be a written exam and assessment center and the members of the commission discussed the weights for each portion.

Motion: Mr. Presley moved, Mr. Warner seconded to set the weights for the Assistant Fire Chief Promotional Exam to be 40% written and 60% assessment center with a passing score of 70% on the

written exam in order to move on to the assessment center.

Roll call: Ayes: Warner, Gregg, Presley; Nays: None; motion passed

Removal of names off the Police Entrance Eligibility List

Chairman Presley reported that two individuals requested to be removed from the Police Entrance Eligibility List.

Motion: Mr. Presley moved, Mr. Warner seconded to remove David Swaffield from the Police Entrance Eligibility List.

Roll call: Ayes: Warner, Gregg, Presley; Nays: None; motion passed

Motion: Mrs. Gregg moved, Mr. Presley seconded to remove Daniel Celis from the Police Entrance Eligibility List.

Roll call: Ayes: Warner, Gregg, Presley; Nays: None; motion passed

Miscellaneous

Fire Lieutenant Tim Zack, who was in the audience, questioned if copies of the feedback results for the Fire Chief test will be made available to the candidates. Ms. Leasure advised they would not as per the testing company (Ramsey and Associates) they contain trade secrets that are not to be copied. She did advise that candidates are able to view the results which are on file in the clerk's office.

Adjournment

Motion: Mr. Warner moved, Mrs. Gregg seconded by to adjourn the meeting at 8:40 am.

Roll call: Ayes: all in favor; Nays: None, motion passed

Steve Presley, Chairman

Nicolette A. Sackman, MMC
Clerk of Commissions

Approved: _____