

**NORTH RIDGEVILLE CIVIL SERVICE COMMISSION
MINUTES OF
REGULAR MEETING APRIL 16, 2013**

To Order: The meeting was called to order at 6:30 P.M.

Roll Call: Present was Russ Friedrich and Chairman Jim Yost.

Dan Zezena was excused.

Also present was Law Director Andrew Crites, Police Chief Michael Freeman,
Fire Chief John Reese and Acting Recording Secretary Tara L. Peet.

Minutes:

Chairman Yost asked for any corrections or changes to the minutes. No discussion was offered.

It was moved by Mr. Friedrich and seconded by Chairman Yost to accept the minutes of
March 19, ~~2012~~ 2013 as submitted.

MOTION CARRIED (2-0)

Reports:

A memorandum from Assistant Law Director Toni Morgan regarding the Amendment placed
under Unfinished Business was noted.

A copy of the Annual Report 2012 submitted to State Personnel Review Board was noted.

Copies of letters sent to two candidates being removed from the Firefighter Paramedic Eligibility
List were noted.

Unfinished Business:

Amendment to Civil Service Rules and Regulations:

Mr. Crites explained he will present two different proposed language changes to Rule VIII,
Section 1, paragraph 1 as **Exhibit A** and **Exhibit B** attached hereto and made a part hereof. He
requested action be taken on the matter. Mr. Crites suggested then discussing the issue of
depleted certified lists.

The Commission was in agreement.

Mr. Crites explained currently Rule VIII reads that the Commission certifies the top ten and then
appointments are made from one of the top three from the top ten list. Mr. Crites stated **Exhibit
A** proposes a language amendment allowing appointment from ~~the~~ any of the top ten certified list
versus the top three of the top ten certified list. **Exhibit B** proposes a language amendment
allowing appointment from any of the top ten certified list or from the top twenty-five percent of
the eligible list, whichever is greater.

Mr. Friedrich stated he felt inserting the top twenty-five percent clause into the Rule would be a huge expense to the City. Chairman Yost was in agreement.

Police Chief Freeman stated using the top twenty-five percent language could cause an issue.

Law Director Crites stated he derived the language from Ohio Revised Code but added the following: "When the appointing authority notifies the Civil Service Commission . . ." Mr. Crites eliminated one sentence as was written in the Ohio Revised Code: "The appointing authority may select from any of the listed candidates."

Police Chief Freeman inquired about the meaning of veteran's preference.

Law Director Crites stated when there is a tie regarding rank, the veteran wins. Mr. Crites stated he would research the issue and get back to either the Commission or the Chief's.

Chairman Yost suggested if the candidates are tied in score, fitness and personal evaluation, veterans preference would be the tiebreaker.

Law Director Crites stated that the clause does not insulate a veteran from disqualification.

Moved by Chairman Yost and seconded by Mr. Friedrich to revise Rule VIII, Section 1 with **Exhibit A** attached hereto and made a part hereof.

MOTION CARRIED (2-0)

New Business:

Law Director Crites distributed a Rule amendment to Rule VIII, second paragraph as **Exhibit C** attached hereto and made a part hereof. Chairman Yost stated he would like to see the certified list consistently remain at ten.

Mr. Crites explained the use of the words eligible list and certified list will need cleaned up in the Rules moving forward due to all the confusion.

Chairman Yost asked if language should be added specifying a timeframe, perhaps each month.

Mr. Crites explained not defining the timeframe gives flexibility.

The Commission stated they would like to see names replaced each time a certified list is below ten.

Chairman Yost stated the Commission will receive notification at the respective Civil Service Commission meeting (placed on the agenda) that a certified list is below ten and the Commission will ~~certified~~ *certify* names to put the certified list back to ten.

Police Chief Freeman asked if this could be done through email.

Law Director Crites stated it needs to happen during an open meeting.

Fire Chief Reese stated he only has one name left on his certified list.

Moved by Chairman Yost and seconded by Mr. Friedrich pursuant to Rule 14 to waive rules regarding notice, cloture and time frame regarding a rule change.

MOTION CARRIED (2-0)

Moved by Mr. Friedrich and seconded by Chairman Yost to amend Rule VIII, second paragraph to read the following:¹

“In the event that an eligible list becomes exhausted, through inadvertence or otherwise, and until a new list can be created, or when no eligible list for such position exists, names may be certified from eligible lists which the Commission determines to be most appropriate for the group or class in which the position to be filled is classified. In the event the list of the top ten (10) candidates which has been certified by the Commission for appointment from the eligible list at any time falls to a number of less than ten (10) candidates due to unavailability, disqualification or appointment of candidates, the Commission may certify in order of rank on the eligible list the number of candidates necessary to replenish the list from which appointment shall be made to ten (10) candidates.

MOTION CARRIED (2-0)

Moved by Mr. Friedrich and seconded by Chairman Yost to certify and replenish the Fire Department’s top ten certified list pursuant to the recently amended Rule VIII.

MOTION CARRIED (2-0)

Moved by Chairman Yost and seconded by Mr. Friedrich to certify and replenish the Police Department’s top ten certified list pursuant to the recently amended Rule VIII.

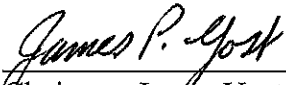
MOTION CARRIED (2-0)

Moved by Mr. Friedrich and seconded by Chairman Yost to adjourn the meeting.

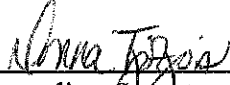
MOTION CARRIED (2-0)

Meeting adjourned at 7:02 P.M.

¹ Commission amended language slightly from what was distributed as Exhibit C on the floor.



Chairman James Yost



Recording Secretary

May 21, 2013
Date Approved

Proposed Rule:

Rule VIII, Section 1, paragraph 1:

“Appointments to all positions in the classified civil service, that are not filled by promotion, transfer, or reduction, as provided in sections 124.01 to 124.64 of the Revised Code, shall be made only from those persons whose names take rank order on an eligible list, and no employment, except as provided in those sections, shall be otherwise given in the classified civil service. When the appointing authority notifies the Civil Service Commission that it has a position in the classified civil service to be filled it shall appoint in the following manner: each time a selection is made, it shall be from one of the names that ranks in the top ten names certified to the appointing authority by the Civil Service Commission from the eligible list. Each person who qualifies for the veteran's preference under section 124.23 of the Revised Code, who is a resident of this state, and whose name is on the eligible list for a position is entitled to preference in original appointment to any such competitive position in the classified civil service of the state over all other persons who are eligible for those appointments and who are standing on the relevant eligible list with a rating equal to that of the person qualifying for the veteran's preference.”

Proposed Rule:

Rule VIII, Section 1, paragraph 1:

“Appointments to all positions in the classified civil service, that are not filled by promotion, transfer, or reduction, as provided in sections 124.01 to 124.64 of the Revised Code, shall be made only from those persons whose names take rank order on an eligible list, and no employment, except as provided in those sections, shall be otherwise given in the classified civil service. When the appointing authority notifies the Civil Service Commission that it has a position in the classified civil service to be filled it shall appoint in the following manner: each time a selection is made, it shall be from one of the names that ranks in the top ten names certified to the appointing authority by the Civil Service Commission from the eligible list, **or from the top twenty-five per cent of the eligible list, whichever is greater.** Each person who qualifies for the veteran's preference under section 124.23 of the Revised Code, who is a resident of this state, and whose name is on the eligible list for a position is entitled to preference in original appointment to any such competitive position in the classified civil service of the state over all other persons who are eligible for those appointments and who are standing on the relevant eligible list with a rating equal to that of the person qualifying for the veteran's preference.”

**Proposed Rule Amendment; Rule VIII (second paragraph) re: Depleted
Certified List for Appointment**

Current Language:

"In the event that an eligible list becomes exhausted, through inadvertence or otherwise, and until a new list can be created, or when no eligible list for such position exists, names may be certified from eligible lists which the Commission determines to be most appropriate for the group or class in which the position to be filled is classified."

Proposed Amendment:

"In the event that an eligible list becomes exhausted, through inadvertence or otherwise, and until a new list can be created, or when no eligible list for such position exists, names may be certified from eligible lists which the Commission determines to be most appropriate for the group or class in which the position to be filled is classified. **In the event the list of the top ten candidates which has been certified by the Commission for appointment from the eligible list falls to a number of less than ^{ten (10)} six (6) candidates due to unavailability, disqualification or appointment of candidates, the Commission may certify in order of rank on the eligible list the number the candidates necessary to replenish the list from which appointment shall be made to ten (10) candidates.**