

CIVIL SERVICE COMMISSION REGULAR MEETING MINUTES
March 18, 2014
4:00 PM

PRESENT: Lee M. Higgins, Chair
Kenneth Hodar, Co-Chair
Marilyn Sessions, Member
Alicia Schrenk, Civil Service Coordinator

James Soyars, Director of Business Services, Kent City School District
Elizabeth Zorc, HR Manager, City of Kent

The regular meeting of Civil Service Commission was called to order at 3:00 PM on Tuesday, March 18, 2014 by Lee M. Higgins, Chair of the Commission. Higgins established a voice roll call of those in attendance. The Commission reviewed the February 26, 2014 regular meeting minutes. Commissioner Marilyn Sessions motion to approve the regular Civil Service meeting minutes of February 26, 2014. Seconded by Commissioner Kenneth Hodar, approval carried by a voice vote of 3-0.

Commissioner Higgins noted for the record of posting the Warehouse/Maintenance Worker examination on February 12, 2014 until March 4, 2014 and exam was administered on March 8, 2014. The eligible list was posted on March 14, 2014 and is in effect until March 14, 2015. Commission certified ranks #1 to #10 on eligible list to Appointing Authority James Soyars, Director of Business Services, and effective March 14, 2014. Soyars mentioned to Commission that he sent all drivers' licenses of the top ten to Kent City Schools' insurance carrier and when they respond back as to whether these candidates can be employed, and then he plans to set up interviews.

The Commission acknowledged the following personnel change for Community Development Department. On March 7, 2014, full-time Code Enforcement Officer Troy Loomis resigned. The Commission reviewed the updated job description of the Code Enforcement Officer. Commissioner Hodar motion to approve the updated job description, seconded by Commissioner Higgins, approval carried by a voice vote of 2-1. With Commissioner Sessions abstaining. The Commission approved the request to establish an eligible list for the Code Enforcement Officer position. Commission approved to go into agreement with Pat Ramsey and Associate's for the written examination and assessment center with weighted scores of 40% for written exam and 60% for assessment center.

Commissioner Higgins recommended tabling the updated job description of Secretary to the Health Commissioner until further questions were answered regarding financial obligations and fiduciary responsibilities of the position. Human Resources Manager Elizabeth Zorc to investigate how this position processes those items and then to get back to the Commission with her findings.

The Commission acknowledged the following personnel changes for the Kent Police Department. On February 17, 2014, Lindsey Llewellyn was hired as a full-time Police Officer. On February 18, 2014, Michael Carnahan was hired as a full-time Police Officer. On February 19, 2014, Matthew Brooks was hired as a full-time Police Officer.

Noted for the record by the Commission was the eligible list of Detention Officer. It was posted on February 24, 2014 and is in effect until February 24, 2015. Commission certified ranks #1 to #10 to Appointing Authority Dave Ruller, City Manager/Safety Director and Police Chief Michelle Lee. Also noted, was the examination announcement of Clerk/Dispatcher from March 5, 2014 until March 21, 2014. Exam is scheduled for Monday, March 24, 2014 and will be administered by Pat Ramsey & Associates, Inc.

The eligible list for Water Reclamation Facility Manager was posted March 11, 2014 and is in effect until March 11, 2015. The Commission certified ranks #1 to #6 to Service Director Gene Roberts effective March 11, 2014.

Human Resources Manager Zorc requested to remove certified number rank six from eligible list of Water Reclamation Facility Manager. Zorc states that, "that person does not have the minimum requirement that's posted in the job." Higgins interrupts, "by the time this is all done this person might have the certificate." Zorc interrupts, "it is doubtful, we checked, they are sending it back...I understand you are trying to help us out..." Higgins replied, "All we did was give the person who has taken the test and is awaiting his certification." Zorc stated, "Gene explained the process before, it's a lengthy process to go back and forth, its like a thesis about how you can run a water reclamation facility, even though you look at his letter it looks like he is imminently going to get it, but he can not get it, you get like two years back and forth and if he doesn't pass it in two years he has to re-apply and start over."

Higgins replied, "well the reality of the situation is he probably won't be a candidate that you will be interested in but from a candidate, or potential candidate stand point he kind of fit in to what we were looking at and I don't see any need to pull him from that and if we did pull him from the eligible list and two weeks from now he got his certificate, then we couldn't get him back on..."

Zorc interrupts "Well, I disagree when you advertise the minimum requirements for a job, those are what you should stick to, you can't just...well maybe...this guy will have it by then, and what about other people who are working to get their class IV and they didn't apply because they didn't meet the minimum requirements, you know what a mind field, and you do too, in what employee relations are, and these people all know each other and if word gets to someone because they were disgruntle because they didn't apply and this person got on the list then we can have some problems, do you know what I mean?"

Commissioner Sessions asked “if we could put #6 on a hold until he has test in hand and the process continues to move forward?” Higgins interrupted, “No, I think you give him the length of time that the eligible list is enforced.” Zorc interrupted, “Well, I’m very disappointed because this office has to work under the same amount of integrity as everybody else when you advertise a minimum requirement you should stick to that.” Then Zorc irately stated, “We are not running a charity!” Commissioner Higgins replied, “I understand what you’re saying, but he does meet minimum requirements having...” Zorc irately interrupted Higgins, “He does not!” Higgins begins again, “he does meet the minimum requirements...the only thing he doesn’t have is his certificate in hand.” Zorc interrupted Higgins again and stated, “which is the number one requirement, is the class IV license, you knew that when we started this whole process.”

Commissioner Higgins stated, “To Marilyn’s point, if we put him on a suspended status until he accomplishes that, that would probably suffice I would think.” Zorc replied, “I mean if that’s what you feel you want to do, um, but I...I...don’t want to see this practice continue every time you have a job opening.” Commissioner Session inquired, “Is he number 6?” Zorc responded, “Yes, he’s number 6!” Commissioner Session then stated, “Take #1-5 or #1-4.” Sessions then stated, “It is my understanding that the test needs graded in a sense, is that what’s happening?” Higgins replied, “That was my understanding of this, but I understand Gene says it’s back and forth but I don’t have experience with that.” Sessions questioned Zorc, “Have you talked to the state about him?” Zorc replied, “Bob Brown has talk to the State about him.” Sessions questioned, “Isn’t Bob Brown one of the candidates?” Zorc said, “Yes, he’s number one of the list and he is also the Water Plant Manager currently.” Sessions stated, “But I think that’s where we get kind of into a bad situation if Bob Brown is one of the candidates and if he’s talking to the state about another candidate, can Gene talk to the State about him instead?” Zorc replied, “Well, sure he can, but he will get the same answer.” Higgins questioned Zorc, “Why is Bob involved in this?” Zorc replied, “Because he’s the current plant manager.” Higgins replied, “But he’s not the hiring authority.” Zorc interrupted Higgins and said, “No, Gene is.” Higgins stated, “Correct.” Zorc interrupted Higgins again and said, “Well Bob knows the guy who does the testing...I told you it was a small community...very few people are involved in this job.” Higgins replied, “It’s a bit incestuous they know everybody.” Higgins then stated, “Even at that, Bob shouldn’t be discussing the merits of particular candidates when he is also a candidate, that’s not right.” Zorc stated, “No, that’s not right, but I just...we can’t gray up what’s black and white, we cant oh well, this person, probably a nice person, we feel bad we should just put him on the list, we can’t just do that.” Sessions stated, “What if you go through the whole process, and when its his turn, he’s number six, right?” Commissioner Higgins interrupted, “they probably won’t get to him for an interview.” Sessions asked, “Then put him on a suspended status...” Higgins interrupted, “the only way he would become a candidate is if all the other ones above him became ineligible.” Zorc interrupted Higgins again, “and he still wouldn’t if he didn’t have a license and then we would be up the creek and Bob would have to stay!” Higgins then stated to Zorc, “Well you know what we wouldn’t be in this situation if we had some direct...honest discussion at the start.” Zorc replied, “Well, I think, Gene tried to explain it to you more than once.” Higgins replied to Zorc, “Oh yeah, he explained to me that Bob was retiring and to the Commission that Bob was retiring and that no way he was coming back to work here.” Zorc stated, “I don’t recall him saying that.” Higgins replied, “It’s in the minutes.” Zorc questioned, “I’d like to see that.” Schrenk replied to Zorc, “you all ready have them.”

Zorc stated, “No I only have one, and that’s January.” Schrenk said to Zorc, “Yeah its in the January minutes.” Higgins interrupted Schrenk and stated, “No it’s in the December Minutes, wasn’t it? Well, if you were here at that meeting I specifically asked Gene is there anything we can do to keep Bob in the position and even have him come back as a consultant, and Gene said no he’s going fishing and he doesn’t want to work here any more.” Zorc replied, “I don’t remember that.” Then Zorc asked Commissioner Sessions if she remembered Gene saying this, and Session replied “Yes, I remember that.” Zorc then replied, “I need to see that.” Higgins stated, “Oh I do, that specifically because I was shocked. Then at the next meeting Gene asked if we could give him, or consider him for a temporary assignment for 120 days or for at that period of time the max, which is 120 days.” Sessions commented, “I think we were all surprised when Bob applied, like oh, we didn’t...” Higgins interrupted, “let me finish the timeline, I then asked Gene to get Bob to consider coming on as a consultant until temporary or whatever and Gene said its costing me a trip to Idaho to go fly-fishing, there was Gene saying he had to give Bob a trip, he had convinced...” Zorc interrupted Higgins, “he said that in a meeting? Oh for God’s sake!” Commissioner Sessions commented, “With all of this happening my bigger issue is that we have a candidate talking to the State about another candidate!” Higgins agreed with Sessions, “Yeah that’s, that’s kind of an issue.” Sessions replied, “Yeah, that’s a real issue.” Zorc interrupted the Commission and stated, “that doesn’t change the facts, just because he talk to them and got information that he was getting his test back, it doesn’t change the fact that he does not have a class IV license.” Sessions questioned Zorc, “why was it being sent back? Was it not complete?” Zorc replied, “We’re sending back corrections and they want this done and that done and sending it back.” Commissioner Sessions replied, “That’s a game changer there.” Commissioner Hodar questioned, “He doesn’t have the certificate?” Sessions told the Commission what Zorc was saying that the candidate’s packet wasn’t good enough so the State is sending it back to him to get it corrected.

Higgins stated to the audience, “I think all we can really do at this moment because the information apparently is coming from is from another candidate, I would hate to remove him from eligibility list based on the hear say from what another candidate has said.” Zorc interrupted Higgins and stated, “Well we can have Gene call down there and do it more officially.”

Hodar questioned, “Can we get a letter from them stating his status of certification?” Higgins then stated, “We have to have an understanding that Bob can not be discussing any of these candidates, whom is also a candidate which you can see the conflict of interest there.” Zorc replied, “Yes, absolutely.” Higgins then stated, “And then maybe someone can help us understand why Bob was the first applicant for the job when he wasn’t going to work and was going to work part time and now he’s then applying for it again, there’s a lot of monkey motion going here.” Discussion between Commission and Zorc regarding Bob Brown’s retirement and not coming back continued for the next five minutes.

At 4:48 PM, Commissioner Higgins moved to adjourn the meeting into Executive Session to discuss rules and regulations regarding eligible lists, seconded by Commissioner Sessions. At 5:15 PM, Commissioner Session moved to adjourn the Executive Session back into regular meeting, seconded by Commissioner Hodar and Higgins. The regular meeting adjourned at 5:16 PM.

Minutes approved: 04/09/2014

Lee M. Higgins
Chair

Kenneth J. Hodar
Co-Chair

Marilyn Sessions
Member