

MINUTES OF MEETING  
2020 CHARTER REVIEW COMMISSION  
MAY 7, 2020

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Members Present: John Urban, Pat Roberts, Linda Bartolozzi, Trevor McAleer, Bill Brink, Tony Bucaro, Steve Polly, John Lanning

Presence Noted: Andrew Bemer, Law Director  
Michael O'Shea, Assistant Law Director

Administration: Mayor Pamela Bobst  
Rich Snyder, Director of Public Safety-Service

Council Members Present: Jim Moran, City Council President  
Christopher Klym, At-Large Council Member

Guests: Michael Harvey, Civil Service Commission Member  
Anjanette Arabian Whitman, Civil Service Commission Member  
Jim Riedl, Civil Service Commission Member  
Michael Greco, Civil Service Commission Secretary  
Police Chief Kelly J. Stillman  
Lieutenant George Lichman  
Fire Chief Aaron Lenart  
Firefighter Eric Fledderjohann  
Firefighter Jerome Cahill  
Firefighter Kevin Bednarski

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Mr. Urban began by welcoming the invited guests to the meeting and thanked them for attending. Tonight's discussion will cover ARTICLE V – CIVIL SERVICE COMMISSION and the discussion will be facilitated by Commission member, Bill Brink.

Mr. Urban asked if the Commission members have any changes to the minutes of the April 30, 2020 meeting. Mr. McAleer moved to accept the minutes as presented. Mrs. Roberts seconded. Motion was passed by unanimous acclamation.

Mr. Brink began by explaining that he has developed an order of guests that he will call on for comments. He explained that ARTICLE V – CIVIL SERVICE COMMISSION is made up of 3 sections, which include the membership, powers and duties and additional powers and duties, and then job classifications. He said that he reviewed the minutes of the 2014 meeting and there was discussion about Section 2A, but nothing was placed on the Master List for further discussion at that time.

Mr. Brink asked Fire Chief Lenart to comment first. Chief Lenart thanked the Commission for their time and the important work they are doing for the City. He has been Fire Chief since 2015 the Civil Service Commission section of the Charter has worked very well for the Fire Division. They have gotten very good quality people in the department and he is happy with where everything stands as they keep pushing their operation forward. He is happy to provide input for anyone who has questions.

Firefighter Eric Fledderjohann, Union President for the Fire Department thanked the Commission for the opportunity to be part of the meeting. The only thing that the firefighters would like to propose for consideration by the Commission is the possibility of reducing their probationary period from the current 2 years, to a 1 year probationary period to align with the Ohio Revised Code. They believe that the 2-year probation was put into place back in the day when they used to hire candidates who did not have their fire or paramedic training. The City would employ them and then send them to receive that training, which took well over 1 year to complete. The City now hires candidates that are already qualified and have all of the credentials. They are ready to perform the functions of a firefighter paramedic and they no longer have the need for a 2-year long probationary period.

Firefighter Fledderjohann said that to reduce the probationary period would be at no cost to the City. There is currently a starting wage and they progress in earnings all the way to the third year on the job when they reach top pay, and all of that would remain the same. The Department has a rotation process where a new hire spends 4 months on each shift for a year and during that time he is evaluated by his peers and by his officers. The new hire is also expected to complete a 6-month test, which teaches proficiency in equipment usage and locations, a street test to be sure he knows all of the streets in the City, and then he is allowed to have driving privileges for the medic units. During the course of the next 6 months, the new hire will learn skills associated with ladder company operations, engine company operations, pump operations, along with building locations, stand pipe locations, and all of the things that are essential in job performance for a firefighter. At the completion of the 1-year probationary period, he takes another test to show proficiency in all of those things and his training is essentially finished. After the completion of 1 year, they remain on probation for an additional year and then take a 2-year test, which is a summary of everything they have learned and shown proficiency in. They feel that a candidate is trained and knowledgeable enough after a period of 1 year and can sufficiently be removed from probation. It is their opinion that the second year is not beneficial any longer. Also, the Ohio Revised Code states that a firefighter is eligible after he serves 48 months, not including his probationary period. So as it stands, a member of the Rocky River Fire Department is not eligible to take a promotional exam for 6 years, when he would be eligible for promotion after the completion of 5 years if they followed the Ohio Revised Code. The 1-year difference offers a firefighter the opportunity to advance in his career and it allows more candidates to become eligible, which creates a more competitive process, and they feel that is extremely important. During the time they are studying for promotion, the firefighter is bettering their knowledge to perform better at their job. Firefighter Fledderjohann said that they took a survey of the Department membership and they did not have anybody respond that they are opposed to a change such as this and the overwhelming majority of firefighters are in support of it.

Ms. Anjanette Whitman asked if anyone has been dismissed in the second year of probation and Firefighter Fledderjohann responded that they have not dismissed anyone in the second year of probation. Law Director Bemer explained that Chapter 124 of the Ohio Revised Code addresses Civil Service Commissions and classified employees who achieve their status of jobs in safety forces through merit and fitness. There is somewhere between 30 to 35 subsections that deal exclusively with safety forces. The cases he sent the Commission in advance clearly identify that Charter communities can deviate from the Ohio Revised Code under home rule authority. In Civil Service law, any deviation must be expressly stated in the Charter on that particular topic in order to supersede State Law. According to state law, the probationary period is 6 months, and somewhere in the past the Charter Review Commissions and the citizens of Rocky River have accepted the proposition that probationary periods can be established by the Civil Service Commission to be up to 2 years. This clearly is a managerial tool, in that it is the one contract provision in collective bargaining agreements that does not apply to the person who is on probation in terms of the fact that, if they are not meeting the standards, then they can be terminated without cause. Those who are on probation are members of the union, but they do not have the protection of just cause termination.

Mayor Bobst said that she would like to add that as a practical matter, as we look at the Charter, which is the guiding document for our City, she is not sure that sending a proposal to have less of a probationary period to the residents as a ballot issue would be successful. She asked Law Director Bemer if it could be a collective bargaining issue since it specifies that a probationary period is in place for up to 2 years, but now the candidates come to the City already trained. Law Director Bemer said that the Civil Service Commission could change the probationary period through their rules and regulations and it does not have to go to ballot to do it. Mr. Polly agreed that this is a Civil Service issue and potentially a CBA issue.

Fire Chief Lenart said that since he became Fire Chief, they have had a couple of guys go back to their former departments for seniority and various other reasons. Every person they have in the department is very well trained coming in and they have not sent anybody out for training in a long time. They learn how our system and vehicles operate and a lot of how the City operates, from the streets to the building functions and to our medical command and control. They have been getting very good candidates from their hiring process who he considers to be 30-year people, which is what he looks for. They use the probationary process to get people out who are not going to be 30-year people for us.

Mr. Kevin Bednarski said he would like to add a few things. Making the Civil Service rules subject to collective bargaining would probably be a gray area because he is not sure if probationary period could be a subject for collective bargaining. In addition, he would like to add that any portion of the Charter should make the City a better, more efficient and safer place to work, and it should make the residents feel comfortable that they are getting the services they want and need. The question is what a 2-year

probationary period does for the residents of the City. He thinks it is almost a detriment to have the 2 year probationary period because Civil Service tests are very competitive and they have been seeing a steady decline in the number of candidates who are testing. He thinks that we are one of the few communities in the area with a 2-year probationary period and he feels that 2 years is not competitive for candidates and we can lose the best candidates they can get to other cities. He said that there has been a steady decline in the number of people taking promotional tests and we should try to expand that as much as we can so we can get the best candidates. Making the probationary period only 1 year expands the pool of candidates that can take the test. The younger candidates are already at a disadvantage because Civil Service allows for seniority points and there are measures of maturity and things like that which go into promoting someone. He does not see that it harms the department to cut back the probationary period to 1 year and it might benefit both the fire department and the citizens.

Mrs. Bartolozzi asked what the candidates did for the first year when they did not come with their training and certifications in years past. Chief Lenart said that those candidates would be in class, such as in Columbus for 6 weeks. When they are here, they would be out of the station during class time, but when they were on duty they would be in the station when they weren't in class. Until they reached certain certification levels, they were not considered a countable part of the manning for the day. They would get their fire school and EMT school done during the first year and then they would move right into their paramedic school, which was somewhere in the area of 2000 hours of schooling with classroom and clinical time. Mrs. Bartolozzi said that since they are no longer doing their training and taking their classes during the first year, then maybe it makes sense that there is not a need to have a 2 year probation period. Or, maybe they could make probation a two-step process so that if you meet certain goals after one year, you promoted, but if you still need time to improve then your probation would be extended to 2 years.

Mr. Urban said that it is time to move on to hear from the Police Department and asked Chief Stillman to comment. Chief Stillman said that the Civil Service Commission he works with is the best in Cuyahoga County, if not the best in the State of Ohio. He does not think any changes should be made to the Civil Service Commission because it is working very well. He cannot speak for the Fire Department, but he can say from the Police Department's point of view that they should not change the 2 year probationary period. It takes 2 years to rotate a brand new patrolman to each platoon. There are 4 platoons and 12 hour shifts. Following the rotations, all the shift bosses get together and evaluate the new patrolman and see if he is worthy to continue on to be a 30 year benefit to the City. In his 10 years as Police Chief, he has let go 2 patrolman, just past the first year and one was 2 weeks prior to completion of his second year. Had they been forced to have a 1 year probation period, they would have been stuck with 2 patrolman who were far from the quality they want serving the community of Rocky River. Two years is adequate to evaluate whether someone is worthy of spending another 30 years in this police department. He feels strongly that they should not shorten the 2 year probationary

period and it is a managerial right for them to govern it as best they can. As it stands now, he asked that they do not force him or the future Chief of Police to make a decision within 1 year whether a new candidate is worthy to serve the community for 30 years.

Lieutenant George Lichman said that he hears and understand the firefighters and they may be in a different situation than they are in the Police Department. He strongly agrees with what Chief Stillman said and added that even if they come to them ready to hit the streets after a 12 to 14 week field training program, 9 months is not enough time to observe as people get more comfortable in their job. They need longer to examine how they will be for the City long term, and he supports the 2 year probationary period as it is now.

Council Member Moran said that these are not issues that City Council deals with, but he feels it is very important to listen to what the Police and Fire Chiefs need to run their departments and make sure they have qualified candidates and sufficient time to evaluate them. His recommendation is to listen to the Chiefs because they know their departments better than anyone else.

Mr. Brink said he would like to move to the Civil Service Commission members for their comments. Mr. Mike Harvey thanked Police Chief Stillman for his comments and having been part of the Civil Service Commission for over 6 years, he agrees that it works very well. The Chiefs have been very organized in their presentations and they keep their meetings very efficient. Regarding the 2 year probation period, this is the first he has heard of the issue from the Fire Department, and it is one that the Civil Service should talk about at some point. The members of the community put the 2 year probationary period into the Charter, but it may well be time for discussion that it should be adjusted. This is the reason that the Civil Service Commission exists.

Mr. Urban asked Mr. Harvey about the fact that the Charter says that the Civil Service Commission may by rule, establish a probationary period of not more than 2 years. When reading that, he does not feel that it would be a ballot issue for Rocky River, but it would be something that the Civil Service Commission would have to take up. Mr. Harvey agreed and said that he has never heard this issue raised by the Fire personnel before tonight. While he is not discounting that it is important for them and for the City, there are obviously many different aspects of this that need to be examined. It is a deep issue and there are many factors to consider. Now that he has heard these concerns, he would like to get to these issues at some point very soon.

Ms. Anjanette Arabian Whitman said that she is hearing that the needs of the police and fire are different, even though they both fall under Civil Service Commission. She thinks that if there was a different way they could approach both departments, it would be a great thing.

Civil Service Commission Secretary Greco said that he started his position in 2016 and they have had 9 entrance exams since then. That means that he has sat in on 135 interviews between Police and Fire because they take the top 15 candidates. He can tell them with confidence that when the group of individuals make the second or third cut, they have found the union contract of the city online, they have researched the comparables of all of the cities, and the probation period has never once come up as a factor they consider when deciding to take the job. It's a great discussion, but he feels that it is something for the Civil Service Commission to discuss along with the departments.

Mr. Jim Riedl said that they spend a lot of time listening to the Chiefs and there is certainly room for discussion here. He thinks that the Fire and the Police can be two separate issues with probation, because Rule 5(1), has Police and Fire as separate. They can discuss this as a Civil Service Commission and it should not go to ballot.

Mr. Rich Snyder, Director of Public Safety Service said that he is relatively new to this position, but he has had very deep conversations with both Chiefs. He does not think that they want to limit probation and their responsibility is to provide patrolman and firefighters to this community for 30 years. He agrees that the Civil Service Commission can address the probationary period and it is not necessary to change it in the Charter.

Mr. Brink asked the members of City Council if they have any other comments. Council Member Klym said that he has had a good chance to be involved over the years because he was on the Civil Service Commission for 4 years and served on the Charter Review Commission before that. He believes that the probationary period predated 1996 when he served on the Charter Review Commission, Section 2(b) regarding percentage added for military service is what they ultimately put on the ballot. He thinks that the points made by the Fire Department tonight are very interesting and should be considered, but he believes it is a management's rights issue and may have something to do with collective bargaining. He is in favor of leaving it the way it is in the Charter and giving the Civil Service Commission the ability to reduce it if they think they need to. He would like to make sure that they look at whether the Charter is affecting the number of quality candidates that they are bringing in for fire and police right now. He does not know whether the Charter is affecting that. It may be that they simply don't have as many people interested in those positions right now.

Council Member Moran said he is not clear on what large advantages there would be to drop the probationary period from 2 years to 1 year and his feeling is to leave it at 2 years and let the two Chiefs evaluate their candidates.

Mr. Mike O'Shea said that he would like to add that he has worked with Lieutenant Lichman and Chief Stillman for nearly a decade now. He travels all over the state in his criminal defense practice and he has never seen a better functioning Police Department in his experience. He firmly believes that if it isn't broken, then don't fix it.

Mr. Brink said that as residents of the City, they are extremely proud of the members of our Police and Fire Department and thanked both departments for keeping the community safe. He would like to turn to the members of the Commission after Mayor Bobst has an opportunity to comment.

Mayor Bobst said that she is happy to have the opportunity to thank the Civil Service Commission. They meet very early in the morning and they are a very efficient group. The process has served them well and the quality of the candidates is excellent because she believes that the Chiefs have created very desirable work environments. The concern about the number of candidates is an issue across the state and probably other states as well. She is happy to hear Civil Service Commission member Mike Harvey say that it was never brought up to them, and added that perhaps it requires further discussion and exploration on the part of the Civil Service Commission, the administration and the impacted employees.

Mr. Brink asked Law Director Bemer if he has any comments. Law Director Bemer directed their attention to the email he sent regarding the Charter of the City of Strongsville, where it gives the Civil Service Commission blanket authority to promulgate rules and regulations for everything dealing with classified employees and in particular, the safety forces. It even included how many candidates could be presented to the Mayor for appointment, the scoring and the probation. It included how to test for merit and fitness, probation, layoffs, transfers, leaves of absence, discipline and more. This created food for thought as to whether it is desirable to expand the Charter to give the Civil Service Commission blanket authority to supersede the Ohio Revised Code or whether we continue to maintain what we have and limit it to those specific areas that either safety force has determined a need to deviate from that are contained in the Ohio Revised Code. In Law Director Bemer's research, he has found that there are some Charters that stipulate that modification of rules by a Civil Service Commission is done by recommendation to City Council, and City Council then has the authority to either adopt or reject the recommendation. He did not find anywhere that City Council had the authority to revise the rules outside of the recommendation of the Civil Service Commission, and failure to act outside of a certain period of time constitutes an acceptance. Case law does not indicate that City Council determinations are given any greater priority over Civil Service Commissions in promulgating rules and regulations and he believes that the way we do things is legal and proper.

Mr. Brink said that he would like to turn this over to Commission Member Urban since we have heard from all of the invited guests, members of the Administration and City Council members. Mr. Urban asked if any of the Charter Review members have any questions for the invited guests. Commission Member, Polly asked about the meaning of the second paragraph of ARTICLE V – CIVIL SERVICE COMMISSION, Section 2A, Additional Powers and Duties. Mr. Bucaro agreed and said he believes that paragraph to

be poorly written. Law Director Bemer agreed and said that he will look at that section to be sure it is not a scrivener's error.

Mr. Bucaro asked Law Director Bemer if he is suggesting the replacement of Sections 2 and 2A of ARTICLE V. Law Director Bemer said that Strongsville's provision is the most all-encompassing section. It supersedes the entire Chapter 124 of the Ohio Revised Code, and it has to do with process. Strongsville basically provided the opportunity to bypass the electorate anytime there is an issue that the police or fire department determines they want changed. It is an interesting way of shortcutting any particular issue that may come up. He said that he is not advocating changes, but is simply presenting it to the Commission for their review. However, he defers heavily to the two departments to determine their particular needs. He should have highlighted the entire subsection (d) of the Strongsville Charter, which would replace Section 2 of our Charter. Strongsville erred on the side of redundancy to be sure that there is no doubt in what they are saying.

Mr. McAleer said that the Cuyahoga County Charter has similar language to Strongsville, in that it gives their Personnel Review Commission very similar powers and he thinks that it has been working well for the last decade. If this is something that Law Director Bemer would recommend, he thinks the Commission should look at this because it works well from a functional standpoint.

Mr. Urban asked Chief Stillman and Chief Lenart whether there is anything that is needed in the Charter or that should be taken out of the Charter that affects their job. Chief Lenart said that everything has been working very well for him in the Charter and there is no fine tuning of it that needs to be done. Chief Stillman said that he has no issues with the Charter. When he was hired in 1984, there was a 2 year probation, so that provision has been part of the culture for a long time.

Mr. Urban said that the Commission will now enter into a discussion relating to what issues should be placed on the Master List or should go onto the ballot if there is time. He said that the invited guests are welcome to stay or they can leave the meeting now if they wish.

Mr. Urban said that he does not think that the issue of whether ARTICLE V – CIVIL SERVICE COMMISSION, Section 2(a) regarding the probationary period of 2 years is a ballot issue, because our Charter states it is a function of the Civil Service Commission. They heard from Mr. Harvey that the topic has never come up and he is willing to look at it as a Civil Service Commission. Mrs. Roberts asked if they could make a recommendation to the Civil Service Commission that they establish guidelines for a staggered probation period based on credentials of the candidate. Mr. Urban agreed and said he made a note that they should recommend to the Civil Service Commission that they review that section and he does not believe that they have to tell them what specifically they have to consider doing with it.

The Commission agreed that they will recommend to the Civil Service Commission that they review ARTICLE V – CIVIL SERVICE COMMISSION, Section 2 without suggesting any guidelines for their review.

Regarding Law Director Bemer's proposal to remove and re-write Section 2A, Additional Powers and Duties, Mr. Urban asked if they want to provide all of that power to the Civil Service Commission and take it away from City Council and the electorate. Mr. McAleer asked Law Director Bemer whether they can make it that the Civil Service Commission would have to go to City Council for approval of the things that they recommend as changes. They do that at the county so that they don't have to go to the voters every time they want to make a change. Mrs. Roberts agreed with that proposition because she feels that it is complicated and may be difficult because residents may be worried about interpretation. She wonders if there is another way to accomplish this and she thinks it is a great idea. Law Director Bemer said that they would need to give the authority for the Civil Service Commission to deviate from the Ohio Revised Code but some communities do not give that unilateral authority to the Civil Service Commission and recommendations must be approved and adopted by City Council. All of the areas in which the Commission is intending to allow the Civil Service Commission to initiate changes that supersede state law must be stated in the Charter. That benefits us by giving blanket authority to deviate from the Ohio Revised Code in all aspects of Civil Service and if something comes up, it can be avoided by making a recommendation to City Council and they can approve or reject it. The way it works now, a proposition must be made through a Charter Review Commission or a direct presentation by the Administration to City Council to pass an ordinance for it to become a ballot issue and then wait for an election. It shortcuts the entire process of things that are unforeseen at the time, but that are deemed to need to be changed.

Mr. Urban suggested that Law Director Bemer develop sample language for them to review. Law Director said that he is not comfortable giving the Civil Service Commission the kind of blanket authority that Strongsville has given theirs. He would be much more comfortable with a councilmanic approval process and that would be the type of language he would present. Mr. Urban said that it is not a good idea to have people who have not been elected by the residents be the ones who determine what the laws are for the City and Mr. McAleer and Law Director Bemer agreed. Law Director Bemer will draft language for the Commission to review.

Mr. Urban asked about ARTICLE VII – FINANCE, Section 1. Tax Limitation, relating to whether "personal" services was a typo, which was meant to say "professional" services. Law Director Bemer said that he has documentation on that and "personal" services is the proper language. Beginning in the 1940's there is case law that has interpreted personal services to include everything from attorney, accountant, specialized engineer, etc., because they have a unique skill and the bidding process can be avoided.

They clearly talk about personal services which includes all of the professional services and he said that he will pass this information along to the Commission.

Mr. Urban said that they should look at the language in the second paragraph of Section 2A, Additional Powers and Duties which was changed in 2002 to see if the language is correct as written in that paragraph. Law Director Bemer said that he will research that information.

There being no items to add to the Master List of Items for Further Discussion following tonight's discussion, Mr. Urban suggested they discuss the first item on the Master List, which is the term of office for the Mayor and for City Council. This has been a topic of discussion over the last two Charter Review Commissions but it did not make it to the ballot. He wonders who will campaign to promote a 4 year term. Mr. Brink said because this topic has come up numerous times, he feels it is time to give it to the voters. We have not really tested this because we have Council Members and Mayors who have been office for many years and the City runs like a well-oiled machine because of that. He thinks they may have had different discussions if they had a situation where things were not getting done because of the lack of continuity of mayors.

Commission member Pat Roberts said that she agrees with Mr. Brink and things are running very well because people keep getting elected every 2 years. She believes that 4 year terms gives internal consistency and that is important. Recording Secretary Straub said that she knows that the Mayor would like to say a few more words about this topic when the Commission discusses it and she wonders if the Commission would mind if she asked the Mayor to join them again. Mr. Brink said that the Mayor has made her position very clear and he does not see the need for her to join them again. He assumes she will basically reiterate the very good points she already has made. Mr. Lanning said that the people actually have spoken because it has been on the ballot a couple of times and they have not passed it. The people are happy with 2 years and they should continue it that way. If they have a bad mayor, then that mayor can be voted out as quickly as possible.

Mr. Polly said that he agrees with Mr. Lanning and even though 4 years feels good, 2 years has clearly worked and he wonders why they would change it. Mr. Bucaro said that it seems like this issue comes up every time a Charter Review Commission gets together. He asked if anyone has heard anything from the community, outside of this Commission, saying that they want 4 year terms. Mr. Lanning said that in business, every year you are responsible for performing and that is what they are asking here. They want the Mayor and Council to perform for the 2 year term. If they do a good job, then they are re-elected.

Mr. McAleer said that since they are missing one Charter Review Member, he requests that they wait to have this discussion until they are all present. He would prefer a 4 year staggered term for all of the elected offices, including the Law Director.

Mrs. Bartolozzi said that if they put in the language to have staggered terms, which is a valid point, then they are almost forcing the issue to make it 4 years because otherwise, there is a new team every year. She said that if you put it on the ballot simply as 2 year versus 4 year terms, then she believes people would easily understand it and they would say they would prefer to evaluate the performance of their elected officials after 2 years and not 4 years. She feels that if it is not broken, then there is no need to fix it. Mr. McAleer said that this Commission cannot make the decision to actually change the terms to 4 years, but they can certainly decide to put it on the ballot.

Mr. Lanning said that it is the voter who decides how long an elected official's term is, and they are able to allow them to stay in office for well over 4 years. However, if there is a bad elected official, he wants the opportunity to vote them out sooner. Mr. McAleer said that the voters have a recall provision that is available to them. Mr. Brink said that in this day and age, the Mayor gets reviewed every single day on the community Facebook page, so if a voter is not happy with something, social media will take care of it. He agrees with Mr. McAleer in that they should let the people decide. Mr. McAleer said that in any given election, multiple elected officials can be voted out and he thinks that if that happened, then they may be having a different discussion right now.

Mr. Polly asked whether the residents in the community are calling for this and said that he doesn't know why this is an issue. He does not understand the compelling reason to go from 2 years to 4 years and if it isn't broken, they shouldn't fix it. Mrs. Bartolozzi agreed with Mr. Polly. Mr. Brink said that his compelling reason is that it has been talked about every 6 years and it was voted on 18 years ago. He feels that because it is argued by every Charter Review Commission they should do the next Commissions a favor and put it on the ballot one more time.

Mr. Urban said that they are missing one member of the Commission so this discussion should be tabled. Something else to think about is whether they should also propose staggered terms for City Council members if they decide this should go to the ballot. Mrs. Bartolozzi said that the issue of 2 or 4 year terms for City Council members and staggering the terms of City Council are two separate issues. Some people might prefer the option of having 2 year terms and they are not concerned about staggered terms. Mr. McAleer asked if they can put staggered terms as part of the same ballot issue as the length of terms and Law Director Bemer said that he will have to look into that.

Law Director Bemer said that the biggest challenge to putting this on the ballot is that they will be telling the electorate that they want to take away their opportunity to either recertify their elected official or turn them out of office. He thinks that asking them to remove their opportunity to do that every 2 years is a tough thing to justify. Mr. Brink said that if they are going to operate on the theory of, "If it ain't broke, don't fix it," then they may as well disband this group right now because most of the City is operating very well. It is their job to look at things to possibly improve them. Mr. Lanning said he does not agree with Mr. Brink because 2 year terms has worked for the past 60 years. Mr.

McAleer said that he does not think it is fair that these 9 members decide that question and he thinks that the voters should have the opportunity to decide.

There were no issues that the Commission wished to add to the Master List of Items for Further Discussion. The Commission agreed that they will recommend to the Civil Service Commission that they consider reviewing ARTICLE V – CIVIL SERVICE COMMISSION, Section 2(a) and amending the probationary period to one (1) year for firefighters.

Discussion of the next agenda was had and will be as follows:

- **ARTICLE IV – ADMINISTRATIVE DEPARTMENTS**  
Section 1. General Provisions  
Section 4. Department of Public Safety Service  
Section 2. Department of Law  
Discussion Leader: Tony Bucaro  
Invited Guests: Rich Snyder, Director of Public Safety-Service  
Andy Bemer, Law Director
  
- **ARTICLE VI – BOARDS AND COMMISSIONS**  
Discussion Leader – Pat Roberts  
Invited Guests: Members of Boards and Commissions

There being no further business, the meeting was adjourned at 8:00 p.m.

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Date

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John Urban, Chairman

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Trevor McAleer, Vice Chairman

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Kate Straub, Recording Secretary