



**CIVIL SERVICE COMMISSION  
MINUTES OF JULY 6, 2023**

The meeting of the Westlake Civil Service Commission was called to order by Chairman Kucler at 8:06 a.m.

Members Present: Dennis Kucler, Claudia Dillinger  
Also Present: Clerk of Commissions Nicolette Sackman, Assistant Law Director Robin Leasure,  
Assistant Fire Chief Mike Freeman, Firefighter Patrick Crawford

**Approval of Minutes**

Motion: Chairman Kucler moved, seconded by Ms. Dillinger to approve the minutes of May 31, 2023 and June 6, 2023

Roll Call: Ayes: Kucler, Dillinger, Nays: None, motion passed

**Fire Lieutenant Promotional Exam Protests**

Chairman Kucler advised that protests were received for two questions. Discussion ensued regarding the testing company's recommendations and the applicant's protest reasoning.

Motion: Chairman Kucler moved, seconded by Ms. Dillinger to approve the protest to question #8.

Roll Call: Ayes: None, Nays: Kucler, Dillinger, motion failed

The answer for question #8 shall remain as scored.

Motion: Chairman Kucler moved and Ms. Dillinger moved, seconded by Ms. Dillinger to approve the protest to question #32 to accept answers A and D.

Roll Call: Ayes: Kucler, Dillinger, Nays: None, motion passed

**Miscellaneous**

Chairman Kucler added miscellaneous to the agenda. He advised a memo was received from Mayor Clough with requests from Chief Bielozer pertaining to the Police Sergeant Promotional Exam. He explained there were only two applicants so the test had to be cancelled as three are required. Chief Bielozer has requested that the rule requiring three years of experience with 12 months within the city be waived as there are numerous interested candidates that have three years of experience but have not been employed with the city for more than 12 months. Members of the commission discussed the request and potential issues with a waiver. They determined waiving the rule would allow the test to move forward.

*Section 5. PROMOTION OF POLICE OFFICER AND FIRE FIGHTER.*

*Vacancies in the position above the rank of firefighter or police officer shall be filled on competitive examination only. The certification of eligibles shall be the person achieving the highest passing grade. No person serving in the rank of firefighter in the Fire Department or police officer in the Police Department shall be eligible to take the promotional examination for Lieutenant in the Fire Department or Sergeant in the Police Department unless he has completed his probationary period*

*as established for his position within his respective department and has at least three (3) years of full time experience in the rank of fire fighter or police officer with a minimum of two (2) of the three (3) years of experience in the respective Westlake Fire or Police Departments. No person shall be eligible to take a promotional examination for the positions higher in rank than Lieutenant in the Fire Department or Sergeant in the Police Department unless the person shall have served at least twelve (12) months in the Westlake Fire or Police Departments in that rank from which the promotion is to be made. In those cases where less than three (3) are eligible and willing to take such examination, the twelve (12) month rule may be waived. Where an eligible list exists and a vacancy occurs which may be filled from such list, the vacancy shall be filled within forty-five (45) days from the date of such vacancy. Whenever a vacancy occurs in the Police or Fire Departments and no promotional eligible list exists for such rank, the Commission shall make every reasonable effort within one hundred twenty (120) days of such vacancy to hold a competitive promotional examination [except in the case of paragraph 5.1 herein]. Upon certification; the vacancy shall be filled within forty-five (45) days.*

Motion: Chairman Kucler moved and Ms. Dillinger moved, seconded by Ms. Dillinger to waive the 12-month requirement for service with the City of Westlake of Rule 9 Section 5 and applicants will be required to have three years of full time service to apply for the Sergeant Promotional Exam.

Roll Call: Ayes: Kucler, Dillinger, Nays: None, motion passed

Chairman Kucler advised that additional requests were received from Chief Biezozer. One is to change Rule 9 section 2(e) requiring two hires from the eligibility list to every one lateral hire. He would like the rule amended to allow freedom to hire off the eligibility list or lateral without a ratio if permitted per state law; or to reverse the ratio to two lateral hires to every one hire from the eligibility list. Commission members discussed the request and were not in favor of not having some sort of ratio between lateral hires and hires from the eligibility list, as that negates the purpose of holding entrance exams as anyone could be hired at any time. They discussed if there should be a percentage of hires of each within a 12-month period or changing the ratio amount for lateral hires and hires from the eligibility list as suggested, or another ratio. They discussed any rule change should pertain to both the fire and police departments. Further research is needed and a draft rule change submitted for consideration.

The second request is to change the number of times an applicant on the eligibility list can be certified before being removed from the list. *Rule 9 Section 6 Limitation of Certification: A person certified from an eligible list more than three times to the same appointing authority to the same or similar position may be omitted from future certification to such appointing authority provided that certification from temporary appointment shall not be counted as one of such certifications.* Chief Biezozer is requesting the number be changed to two to allow the ability to receive new applicants sooner if an applicant certified twice is to be omitted. Applicants do not need to be omitted just because they have been certified twice but can be if needed. Members of the commission discussed the current rule is to certify more than three times, which is four times, and agreed the number of times certified could be reduced. This would apply to both the fire and police departments. A draft rule change will be submitted.

Meeting adjourned at 8:45 a.m.

Dennis Kucler  
Chairman Dennis Kucler

Nicolette Sackman  
Clerk of Commissions Nicolette Sackman, MMC

Approved: August 8, 2023