

1 APPEARANCES:

2 COMMISSION MEMBERS PRESENT:

3 Grady L. Pettigrew, President
4 Larry Price
5 Jennifer Lynch

6 PRESENTERS:

7 Jennifer Shea
8 Carol Lagemann
9 Tammy Rollins

10 ALSO PRESENT:

11 Wendy Brinnon
12 Amy DeLong

13 - - -

14
15
16
17
18
19
20
21
22
23
24

1 P R O C E E D I N G S

2 BE IT REMEMBERED THAT, on the 27th day of
3 September, 2021, the Municipal Civil Service
4 Commission came for a regular meeting, Grady L.
5 Pettigrew, President; and the parties appearing in
6 person and/or by counsel, as hereinafter set forth,
7 the following proceedings were had:

8 - - -

9 PRESIDENT PETTIGREW: We'll call to order
10 the City of Columbus, Ohio, Municipal Civil Service
11 Commission regular meeting for September 2021. We
12 will be following the printed agenda. The first item
13 is a review and approval of the minutes from the
14 August 30, 2021, regular meeting.

15 MR. PRICE: I move that we approve the
16 minutes from the August 30, 2021, regular meeting.

17 MS. LYNCH: Second the motion.

18 PRESIDENT PETTIGREW: All in favor say,
19 "aye."

20 COMMISSION MEMBERS: Aye.

21 PRESIDENT PETTIGREW: That is passed.

22 The second item is the prehearing
23 conference reviews for the trial board of Robin
24 Garrison versus City of Columbus firefighter

1 termination. The trial board is scheduled for
2 November 4, 2021, at 10:00 a.m. and November 5, 2021,
3 at 10:00 a.m. That's appeal No. 21-CA-0001.

4 MS. SHEA: Thank you. Good afternoon.
5 Jennifer Shea, personnel administrative manager with
6 Civil Service Commission. For Mr. Garrison's
7 prehearing conference, we held that on September 8.
8 And the appellant was represented by counsel, and the
9 City of Columbus was represented by attorneys from
10 the City Attorney's office. This is a termination of
11 a firefighter for violation of certain central work
12 rules and division policies.

13 We discussed, and as this commission
14 knows, the need in this instance for a two day
15 hearing. The parties -- Both sides requested a two
16 day hearing based on the number of witnesses, as well
17 as some of the documented evidence that will be
18 presented. The appellant as of right now listed four
19 witnesses to potentially be called. The City of
20 Columbus listed ten witnesses to potentially be
21 called. However, they did note that they were hoping
22 to pare that number of witnesses down as we got
23 closer to the hearing date. If we get an update from
24 them prior to the hearing dates, I'll communicate

1 that with you, commissioners.

2 Other than that, the prehearing conference
3 I just went over what we typically go over. The
4 parties were reminded of the evidence procedures and
5 making sure that we bring enough copies for all of
6 the commissioners as well as for opposing counsel.
7 They also were advised right now the current COVID
8 restrictions and mask requirement. We also indicated
9 to them that if any of that changes prior to the
10 hearing, Civil Service will communicate that with
11 them.

12 I believe there was one other thing. Oh.
13 They were notified that if there was any video or
14 audio evidence, that that should be submitted in
15 advance, although I was advised that there is
16 no -- they don't anticipate any evidence of this
17 nature to be presented in the hearing.

18 If there are any questions. I have just a
19 few reminders unrelated to Mr. Garrison's case. But
20 does the commission have any questions related to
21 this trial board?

22 PRESIDENT PETTIGREW: You said City
23 attorneys will be representing the City. Who is the
24 attorney for the appellant?

1 MS. SHEA: William O'Malley.

2 PRESIDENT PETTIGREW: Did he indicate any
3 experience appearing here before?

4 MS. SHEA: He made a comment that he -- he
5 may have in the past done a hearing with the
6 commission, but it was not clear. I can provide
7 personal information that I know he is a civil trial
8 attorney with some experience.

9 PRESIDENT PETTIGREW: I'm familiar with
10 that. I just --

11 MS. SHEA: Okay.

12 PRESIDENT PETTIGREW: The problem that I
13 was really trying to focus on is the different
14 standard that we have here, that a lot of hearsay
15 objections and so forth don't apply.

16 But the thing that came up with our last
17 trial board is the issue concerning documents. We
18 had this description of that being a documents case,
19 200 pages or whatever it was. But what I found is
20 that we were given the history of documents because
21 they were in a thread of emails.

22 Then we ended up having objections to
23 someone reading a part of that thread even though the
24 entire document had been admitted, not -- There was

7

1 never an admission that said this -- the email dated
2 September -- No. It was the whole thread identified
3 by letter.

4 So I think that, again, we want to be on
5 the alert for that because they either need to redact
6 a part that they're not asking to be admitted or just
7 simply focus on the email that all of them have
8 that's that one document. And I know we haven't had
9 that -- I haven't seen that before. So that's
10 something that you'll -- I'll ask you to be on the
11 alert for.

12 MS. SHEA: Sure. I can do that,
13 especially once they submit -- if they submit their
14 exhibits right before the hearing too.

15 PRESIDENT PETTIGREW: Yes. Okay. Any
16 other -- Okay. Then you wanted reminders.

17 MS. SHEA: Just as an update at -- I know
18 that I discussed the David Creighton versus Columbus
19 City Schools trial board hearing -- the prehearing
20 conference review at our last August meeting. This
21 is just a friendly reminder that that is our only
22 trial board set in August. So it is set August 21
23 here.

24 And, Commissioner Pettigrew, you're the

1 presiding commissioner on that case. Oh, I'm so
2 sorry. I had a note that I presented it at the
3 August commission meeting, but it is October 21
4 beginning at 10:00 a.m.

5 PRESIDENT PETTIGREW: Okay.

6 MS. SHEA: And then we only have one other
7 trial board or appeal currently pending besides the
8 two I've just discussed. That is John Holycross. It
9 is a firefighter case versus the City of Columbus.

10 However, that had to be rescheduled from
11 its previous date. And that -- The next date is
12 still pending. We are reaching out -- or will be
13 reaching out to try and figure out when would be an
14 appropriate time to reschedule that.

15 PRESIDENT PETTIGREW: It's been scheduled
16 a number of times, so they can't say that they're not
17 prepared for it.

18 MS. SHEA: Correct.

19 PRESIDENT PETTIGREW: Okay. So you're
20 looking at it for before end of the year?

21 MS. SHEA: I believe so. I'd also look to
22 Director DeLong.

23 DIRECTOR DELONG: If possible.

24 MS. SHEA: If possible, yes. But other

1 than that, there are no other pending appeals or
2 trial boards aside from what we've discussed today.

3 PRESIDENT PETTIGREW: All right. Thank
4 you.

5 Items four and five are to be joined
6 together. Item four: Request of the Civil Service
7 Commission staff to approve the specification review
8 for the classification Surveyor Manager with no
9 revisions. And No. 5 is for the classification
10 E-Government Programs Manager with no revisions.

11 MS. LAGEMANN: Carol Lagemann, Personnel
12 Analyst II with the Civil Service Commission. The
13 review of these classifications is part of our effort
14 to review all classifications every five years.
15 After reviewing the specification and comment
16 questionnaires and/or discussion with department
17 representatives, it was decided that the current
18 specifications accurately describe the work;
19 therefore, it's recommended the review of the
20 specification for classifications Surveyor Manager
21 and E-Government Program Manager be approved with no
22 revisions.

23 MR. PRICE: I move to approve the
24 specification review for the classification Surveyor

1 Manager with no revisions.

2 PRESIDENT PETTIGREW: And join
3 E-Government.

4 MR. PRICE: I'm sorry. I also move to
5 approve the specification review for the
6 classification E-Government Program Manager with no
7 revisions.

8 MS. LYNCH: Second the motion.

9 PRESIDENT PETTIGREW: All in favor say,
10 "aye."

11 COMMISSION MEMBERS: Aye.

12 PRESIDENT PETTIGREW: They are approved.
13 Item Nos. 6 and 7 will be joined together. Item No.
14 6: Request of the Civil Service Commission staff to
15 revise the specification for the classification
16 Surveyor in Training. And item No. 7 is to revise
17 the specification for the classification Surveyor.

18 MS. LAGEMANN: Again, Carol Lagemann
19 Personnel Analyst with the Civil Service Commission.
20 The review of these classifications is part of our
21 effort to review all classifications every five
22 years.

23 Within the Surveyor classification, there
24 was some lingo and examples of work that was proposed

11

1 to be revised. In addition, there was some work
2 performed by improvements, professionally evaluate
3 surveying work of consultants; and that is better
4 representative of the proposed updates to the
5 definition and examples of work. One knowledge is
6 elevated to thorough with regard to mapping
7 technologies. Within Surveyor in Training, it's
8 proposed to add guidelines for class use to specify
9 that it is intended to be a tiered classification for
10 the Surveyor classification. It is proposed to
11 update the minimum qualifications and add a special
12 note to accommodate the state board of registration
13 for professional engineers and surveyors, revision of
14 the requirements in the education portion of Surveyor
15 licensure; and, therefore, the intern certification
16 as well. We recommend that these classifications be
17 approved as proposed.

18 MR. PRICE: I move to revise the
19 specification for the classification Surveyor in
20 Training. I also move to revise the specification
21 for the classification Surveyor.

22 MS. LYNCH: I second the motion.

23 PRESIDENT PETTIGREW: All in favor say,
24 "aye."

1 COMMISSION MEMBERS: Aye.

2 PRESIDENT PETTIGREW: They are approved.

3 Item Nos. 8 and 9 will be joined together. No. 8:
4 Request of the Civil Service Commission staff to
5 revise the specification for the classification
6 Wastewater Plant Assistant Manager. And item No. 9
7 is for the classification Wastewater Plant Manager.

8 MS. LAGEMANN: Carol Lagemann again,
9 personnel analyst for Civil Service. The review of
10 these classifications is part of our effort to review
11 all classifications every five years. Within
12 Wastewater Plant Manager, we propose to add a
13 knowledge and an ability to the KSA section to
14 address supervision.

15 Wastewater Plant Assistant Manager, we
16 propose to remove the statement that they're acting
17 for the Wastewater Plant Manager in his or her
18 absence as management is allowed to assign the work
19 however makes sense. It is recommended these
20 classifications be approved as proposed.

21 MR. PRICE: I move to revise the
22 specification for the classification Wastewater Plant
23 Assistant Manager. I also move to revise the
24 specification for the classification Wastewater Plant

1 Manager.

2 MS. LYNCH: Second the motion.

3 PRESIDENT PETTIGREW: All in favor say,
4 "aye."

5 COMMISSION MEMBERS: Aye.

6 PRESIDENT PETTIGREW: They are approved.

7 Item No. 10 is request of the Civil
8 Service Commission staff to abolish the specification
9 for the classification Wastewater Plant Coordinator
10 and amend Rule 11 accordingly.

11 MS. LAGEMANN: Carol Lagemann again.
12 Review of this classification is part of our effort
13 to review all classifications every five years.
14 Wastewater Plant Coordinator has been vacant for more
15 than ten years, and it shares the same pay rate grade
16 as the Wastewater Plant Manager. Since this was
17 intended to be the highest level in the wastewater
18 plant series and the two classes are now at CWA 60,
19 which is the highest range in the CWA pay table,
20 wastewater Plant Manager classification becomes
21 essentially unusable. In addition, the department
22 did not foresee a need for this classification going
23 forward. It is therefore recommended that the
24 classification be abolished and Rule 11 amended

1 accordingly.

2 MR. PRICE: I move to abolish the
3 specification for the classification Wastewater Plant
4 Coordinator and amend Rule 11 accordingly.

5 MS. LYNCH: Second the motion.

6 PRESIDENT PETTIGREW: All in favor say,
7 "aye."

8 COMMISSION MEMBERS: Aye.

9 PRESIDENT PETTIGREW: It's approved. Item
10 No. 11 is a request of the Civil Service Commission
11 staff to revise the specification for the
12 classification Public Health Environmental Health
13 Specialist Aide by assigning a probationary period of
14 365 days, designating the examination type as
15 noncompetitive and amending Rule 11 accordingly.

16 MS. LAGEMANN: Carol Lagemann, Civil
17 Service. The review of this classification was per a
18 class action request of the Public Health Department.
19 They've had recruitment concerns and -- with this
20 classification, and after reviewing the
21 classifications work more thoroughly, it was proposed
22 to change the exam type from competitive to
23 noncompetitive.

24 The Public Health Environmental Health

1 Aide performs supportive and seasonal work for
2 mosquito and rat control vector programs. And the
3 skills for the work are learned on the job, and
4 therefore this work meets the unskilled positions
5 requirement as described in the City charter.

6 In addition, with accordance with Civil
7 Service internal operating policies and procedures
8 concerning probationary periods, it is proposed to
9 update the probationary period to 365 days. It is
10 therefore recommended that the classification be
11 revised as proposed and Rule 11 amended accordingly.

12 MR. PRICE: I move to revise the
13 specification for the classification Public Health
14 Environmental Health Specialist Aide by assigning a
15 probationary period of 365 days, designating the
16 examination type as noncompetitive and amending Rule
17 11 accordingly.

18 MS. LYNCH: Second the motion.

19 PRESIDENT PETTIGREW: All in favor say,
20 "aye."

21 COMMISSION MEMBERS: Aye.

22 PRESIDENT PETTIGREW: It's approved. Item
23 No. 12 is request the Civil Service Commission staff
24 to revise the specification for the classification

1 Pretreatment Program Manager.

2 MS. LAGEMANN: Carol Lagemann, Civil
3 Service Commission. The review of this
4 classification is part of our effort to review all
5 classifications every five years. The only proposed
6 revision is to remove the variety of degree field
7 from the bachelor's degree requirement as the
8 experience that's required is pretty field specific
9 and at a high level. It is therefore recommended
10 that this classification be revised as proposed.

11 MR. PRICE: I move to revise the
12 specification for the classification Pretreatment
13 Program Manager.

14 MS. LYNCH: Second.

15 PRESIDENT PETTIGREW: All in favor say,
16 "aye."

17 COMMISSION MEMBERS: Aye.

18 PRESIDENT PETTIGREW: It's approved. Item
19 No. 13 is a request of the Civil Service Commission
20 staff to create the specification for the
21 classification Inspector General and designate it to
22 be part of the unclassified service.

23 MS. ROLLINS: Good afternoon. Tammy
24 Rollins, Civil Service. This request is to create

17

1 the specification for the classification Inspector
2 General Unclassified to serve as the executive head
3 of the department of the Inspector General. The
4 creation of this department was a recommendation
5 originating from the Columbus Community Safety
6 Advisory Commission. An amendment to the Columbus
7 City Charter was placed and approved on the November
8 2020 ballot. More recently legislation was passed by
9 City Council which provided much of the detailed
10 structure associated with this department.

11 The proposed specification before you is
12 largely drafted from the language contained within
13 the City Charter and then also within the terms and
14 duties section of the Columbus City Code as far as
15 the duties falling under the specific departments.

16 MR. PRICE: I move to create the
17 specification for the classification Inspector
18 General Unclassified and designate it to be part of
19 the unclassified service.

20 MS. LYNCH: Second the motion.

21 PRESIDENT PETTIGREW: All in favor say,
22 "aye."

23 COMMISSION MEMBERS: Aye.

24 PRESIDENT PETTIGREW: It is approved. We

1 have no residency hearing reviews for background
2 removals. We have the following applicants removed
3 pre-exam: Sam Aaron, position applied for, police
4 officer, reinstate; Dawn Lyons, 911 call taker, do
5 not reinstate.

6 Applicants removed post exam. The first
7 applicant is David White, applied for position as a
8 firefighter, do not reinstate. And the second one is
9 Joseph Roberts, applied to be a firefighter, do not
10 reinstate.

11 We have no further administrative or
12 judicial reviews and no disciplinary trial board; so,
13 therefore, we are adjourned.

14 - - -

15 And, thereupon, the meeting was adjourned
16 at 12:53 p.m.

17 - - -

18

19

20

21

22

23

24

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18

C-E-R-T-I-F-I-C-A-T-E

I do hereby certify that the foregoing is
a true, correct and complete written transcript of
the proceedings in this matter, taken by me on the
27th day of September, 2021, and transcribed from my
stenographic notes.

MARILYN K. MARTIN
Notary Public in and for the State of Ohio
and Registered Professional Reporter.

My Commission Expires October 15, 2021.

Grady L. Pettigrew, President

Date