



Merit System Commission

~Agenda~

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Clerk of Council
937-535-1005

March 24, 2025

8:30 AM

Payne Recreation Center

- I. Call to Order**
- II. Approval of Minutes**
 - A. Merit System Commission Meeting Minutes - March 6, 2025
- III. Business**
 - A. Fire Lieutenant - Promotional - Certify and Release
- IV. Other Business**
- V. Adjournment**

RECORD OF PROCEEDINGS

Minutes of Merit System Commission

Held March 6, 2025

Call to Order

Meeting called to order 8:30 AM.

Mary Woeste	Chair	Present
Jim Kempe	Vice Chair	Present
Tom Watts	Member	Present
Gina Delph	Member	Present

Staff Present:

Police Chief Craig Richardson	Law Director Martina Dillon
Build. Maint. Superintendent Rocky Bangert	Deputy Fire Chief Michael Guadagno
Build. & Zoning Admin. Brent Carpenter	Street Superintendent Chris Dunn
Public Information Officer Aaron Vietor	Clerk of Council Karen Powell

Approval of Minutes

Merit System Commission Meeting Minutes - January 17, 2025

Mrs. Woeste asked if there were any changes or corrections to the January 17, 2025, Merit System Commission meeting minutes. Hearing none, the minutes were approved as submitted.

Business

Police Division Hiring

Full-Time Police Officer (Lateral Entry)

Police Chief Craig Richardson distributed the current list of applicants. He reported that since the process was changed, the Police Division is receiving more applications because the advertisement is posted longer and more people are able to view the ad. He said an offer was made to a cadet, and the background check is pending. He noted that regarding the lateral entry and entry level positions, interviews and background checks are still in progress. He stated that no offers have been made, but there are some suitable candidates. He said once offers are out and accepted, he will ask Mr. Vietor to close the ad. He explained the Division needs two officers because in April he will ask for a Sergeant Process, and there are more officers who are eligible for this process.

Mr. Kempe said it is nice to see a lot of names on the list.

Chief Richardson said this advertisement has been left open until filled, so there are more applicants.

Full-Time Police Officer (Entry Level, No OPOTA Required)

Chief Richardson said the same list given to the commission also includes the names of applicants for the Full-Time Police Officer (Entry Level, no OPOTA required) position. He stated the background checks are in progress.

Full-Time Police Cadet

Chief Richardson said there is an offer pending, and the applicant is on the aforementioned list.

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Mrs. Woeste confirmed with Chief Richardson that he feels the Police Division will fill the two positions from the existing list.

Fire Division Hiring

Full-Time Firefighter (Entry Level)

Deputy Chief Michael Guadagno reported that the Fire Division is finishing up the list for Entry Level Firefighter, and two have been given job offers and start next week. He said seven applicants were excluded for various reasons.

Full-Time Firefighter (Lateral Entry)

Deputy Chief Guadagno noted there were only three applicants for the lateral process, and the only eligible applicant was eliminated through the background check. He stated the lateral process has closed, and in April Chief Kuzminski will ask the Merit System Commission to open up the entry-level process. He said the Fire Division has one open position with the possibility of a second later in the year. He mentioned the Promotional Lieutenant testing will follow this meeting.

Ms. Powell reminded the commission members that the Police Division list required certification.

Chief Richardson said he included Entry Level, Lateral and Entry level, and Cadet on the same list.

After discussion by the commission members, it was decided that a vote would be taken to approve the first stage of testing.

Mr. Kempe moved to approve; Mrs. Woeste seconded the vote.

RESULT: Passed (*Yes 3, No 0, Abstained 1*)
MOVER: Jim Kempe
AYES: Mary Woeste, Jim Kempe, Tom Watts
NAYS: None
ABSTAIN: Gina Delph

Proposed MSC Rule 2 Amendment

Law Director Martina Dillon reviewed the reason she has suggested a rule change for Rule 2 in the definition of Appointing Authority. She noted that in looking at the Charter, the Charter provides in Section 5.3 that the City Manager has the power and authority to "appoint and remove all officers and employees of the City." She said there was a line in the Personnel Manual that provided the Finance Director with the power and authority to appoint Finance Director employees. She remarked that in looking at the Charter, the language in the Personnel Manual appeared to be in direct conflict with the Charter which indicates the City Manager is the ultimate appointing authority for removal and appointment of all City employees. She reported that on September 12, 2024, City Council adopted Ordinance 2165-24 which made the same revision to the Personnel Manual. She said she wants to make sure the MSC Rules are consistent with the Charter and Personnel Manual. She said if the commission agrees, the first reading would be today, and the second reading would be at least seven days out from today's date. Mrs. Dillon said the commission could make the motion to revise MSC Rule 2, Section 2 to appointing authority as indicated in the revision attached in the meeting packet.

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Mr. Watts asked for an open reading today with the first reading following in April.

Mrs. Dillon said the proposed MSC Rule 2 amendment would be to Rule 2, Definition of Terms, Section 2, Appointing Authority which states "The City Manager will appoint and/or remove all employees of the City in the Classified service except those within the Department of Law and the Clerk of Council as provided in the Charter. The officers and employees in these departments will be appointed or removed by the respective Director." She said the current MSC Rules indicate the City Manager will appoint and/or remove all officers and employees of the City in the Classified service except those within the Departments of Finance and Law and the Clerk of Council as provided in the Charter. The officers and employees in these departments will be appointed or removed by the respective Director.

Mr. Watts noted the position of Clerk of Council would fall underneath the City Manager as far as hiring or firing and not City Council when he or she is directly employed by City Council.

Mrs. Dillon said she could revise the MSC Rules to say what Council adopted in the Personnel Manual: "The appointing authority is authorized by law to make personnel appointments to City positions. The City Council is the appointing authority for the City Manager, Clerk of Council, Director of the Department of Finance, and Director of Department of Law. The City Manager is the appointing authority for all other positions." Mrs. Dillon suggested that she revise the wording to make it consistent with the Personnel Manual.

Mr. Watts said he believes that would be more consistent with what the original fathers of the City's charter introduced.

Mrs. Dillon said she just wants to make the MSC Rules consistent with those of the Charter. She said she will revise the language and bring this item back to the commission in April.

Other Business - None

Adjournment

Meeting adjourned at 8:44 AM.

Fire Lieutenant - Promotional - Certify and Release

Department: Clerk of Council

Request: Action Item

Item Background and Purpose:

Financial Impact:

Is Item Budgeted?: No

Funding Source:

Attachments: