

**REGULAR COUNCIL MEETING**  
**MONDAY, MAY 18, 2020- 7:30 pm**

President Paul Hach called the regular meeting to order at 7:30 PM. City Council convened for a regular meeting in Council Chambers, with the following in attendance in person: Councilpersons Paul Hach, Christine Shoop and Tom Fitzgerald, City Manager Monica Irelan, Law Director Joe Gurley, Assistant City Manager Doug Lewis, Clerk of Council Valerie Vargo and the following in attendance by video conference: Councilpersons Katie Jenkins, Jim Fodor, Lori DiNallo and Nick Augustine.

On roll call for attendance, Christine Shoop, Tom Fitzgerald, Lori DiNallo, Katie Jenkins, Nick Augustine, Jim Fodor and Paul Hach were present.

Mr. Hach asked for a Motion to approve the agenda as submitted.

Mrs. Shoop moved to approve the agenda, seconded by Mr. Fitzgerald.

On roll call, Tom Fitzgerald, Lori DiNallo, Katie Jenkins, Nick Augustine, Jim Fodor, Christine Shoop, and Paul Hach were in favor. Motion carried.

Christine Shoop gave the invocation. The Pledge of Allegiance was recited.

President Hach asked for a motion to approve the meeting minutes as submitted for:

- Regular Meeting 5.4.20

Mr. Fitzgerald motioned to approve the minutes, seconded by Mrs. Shoop.

Lori DiNallo, Katie Jenkins, Nick Augustine, Jim Fodor, Christine Shoop, Tom Fitzgerald, and Paul Hach were all in favor by answering "Aye". Motion carried.

Public comments will be read by the Clerk of Council and received by email.

Mark Mlachak, 411 Glenwood Dr, I have been an advocate of this for many years and encouraged the last two Charter change committees to consider this. There are only two positions in the City where the City Manager is restricted to considering only candidates from within the respective departments, Police and Fire. The Charter simply states

"The positions of Chief of the Division of Police and Chief of the Division of Fire shall be unclassified. Vacancies in the position of either said Chiefs shall be filled by appointment of the City Manager from applicants from the officer ranks of said department. If no applications are received from the officer ranks the City Manager shall extend the request for applications to the other ranks and/or external candidates. Any person appointed from the ranks shall maintain, without loss, any benefits previously earned and acquired by reason of the pension funds established for either police or firemen by the State of Ohio or the City of Painesville, and said appointee shall continue to be a member of the fund as long as he meets the qualifications established by the statutes of Ohio for such membership."(Amended November 4, 2003.) The concerns I have with the way the Charter is presently written include the following. 1. As the Charter is presently written, as long as there is one applicant the City Manager cannot go outside in her search to fill the position, this effectively removes any competition or choice the City Manager may have. 2. The Charter does not even permit the City Manager the ability to set requirements/pre-requisites i.e. education, certifications, experience, etc. There are part-time departments throughout this country that have more stringent pre-requisites for the position of Fire Chief. 3. As the Charter is presently written the union could decide your next Chief by

voting on who would apply.<sup>4</sup> As the Charter is presently written there is truly nothing to encourage an individual to improve themselves and prepare themselves to compete for the position of Fire Chief, they know their competition. I am, as a resident, distressed that the City Manager cannot seek out the most qualified candidate for, arguably, the two most important positions in the City, the Chiefs of Police and Fire. I am not saying that good candidates do not exist within each of these departments but are they the best candidates or are there better candidates elsewhere? One will never know unless you permit the City Manager the ability to open her search to the outside. Dropping the requirement to hire from within would permit the City Manager to set qualifications such as education, experience, certifications, etc. This would permit her to consider a more diverse pool of qualified candidates for these two important positions. Opening the field to outside candidates would not bar those from within the respective departments from applying as long as they met the qualifications sought by the City. I urge you to support the Charter Change and to put it on the November Ballot. Please feel free to contact me should you have any questions.

### **Committee Report**

Mr. Fodor gave the Finance Committee report. He stated they will be meeting again in the first part of July. He stated they are looking financially sound.

Mrs. Jenkins gave the Safety Committee report. They were presented with the Charter amendment presentation. Two residents thought it should stay the same, one thought it should be changed.

Moving onto Legislation, President Hach stated there is no legislation to discuss. The garage sale legislation would remain tabled.

Under **Unfinished business** Ms. Ireland gave a presentation on the Charter Amendment (See Attached)

Mrs. Shoop asked what the feelings of the Safety Forces representative was at the Safety Committee meeting.

Ms. Ireland stated they expressed their desire to wait until the next charter review and their desire to at least wait in order to bring the fire department up to the level of the police department. They agree to minimum qualifications language. The qualifications would be in the codified ordinance and which would have three readings.

Mrs. DiNallo asked about succession planning and if Painesville has ever looked into it.

Ms. Ireland said she has pushed for that since she came here. She said she is partnering with the Civil Service Committee to make that happen.

Mr. Fitzgerald asked if the Chiefs are currently grooming potential candidates now, is it still done.

Ms. Ireland stated that it is still done by moving candidates around to different departments to learn about the different jobs.

Mr. Fodor explained he was at the Safety Committee meeting to collect information. He expressed that it is different to have residents in front of Council telling them their feelings on a topic. He does not want to rush this decision.

Mrs. Jenkins said that based on the language if someone within the department applied for the position they would get it, if they were qualified or not. She asked Monica to tell Council what she will do if Council does not move forward today.

Ms. Ireland said she will make an effort to team up with the Civil Service Commission and put minimum qualifications in at the earlier steps. That process would be building a foundation for the next decade, not the next Chief.

Mrs. DiNallo said she is in favor of waiting for the charter amendment and working on the succession planning and working with the Civil Service Commission.

Mr. Fodor does not think the city is in a crisis situation and does not think it should go on the ballot.

Mr. Fitzgerald does not want to push a ballot issue through. He wants to get it right before it goes on the ballot. He appreciates all Monica's hard work.

Mrs. Shoop said she does not want to rush it and wants to have open dialogue.

Mrs. Jenkins doesn't want to let it go and wants there to be open dialogue. She doesn't want it to be rushed either.

Mr. Hach stated there doesn't seem to be enough support.

**Under New Business Alternative Council Meeting Locations**

Ms. Ireland stated that it is not about the size of the room, it is about the number of people. If all of Council, Valerie, the Law Director and the City Manager showed up that is 10. The State of Ohio has limited the number of people permitted to gather to 10 no matter how large the space is. Until the Governor changes that we are not permitted to have in person public comment.

**Under Department Presentation None**

**Under Administrative Reports None**

**Under Clerk's Correspondences** The next regular Council meeting will be held on Monday, June 1, 2020 at 7:30 pm. Tentative opening day for the Farmer's market is June 18<sup>th</sup>. The tentative opening day for the Car Cruise is June 19<sup>th</sup>. The Painesville Summer Camp has a potential start date of July 6<sup>th</sup>.

**Closing Comments**

Mr. Fodor reminded residents not to drive over fire hoses. He wished Monica luck with her baby and her maternity leave.

Mrs. DiNallo wished Monica luck and lots of blessings.

Mrs. Jenkins wished Monica luck and said she cannot wait to meet the baby. She reminded everyone of the senior parade tomorrow.

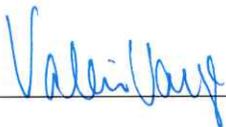
Mrs. Shoop wished Monica luck. She corrected the Painesville Pride article, telling residents that bulk items are being picked up again.

Mr. Fitzgerald congratulated Paul on his son graduating from high school and wished Monica luck.

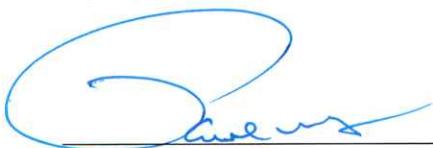
Mr. Hach wished Monica luck and congratulated his son, Ethan, on graduating from high school.

Mrs. Shoop moved to adjourn the regular meeting, seconded by Mr. Fitzgerald

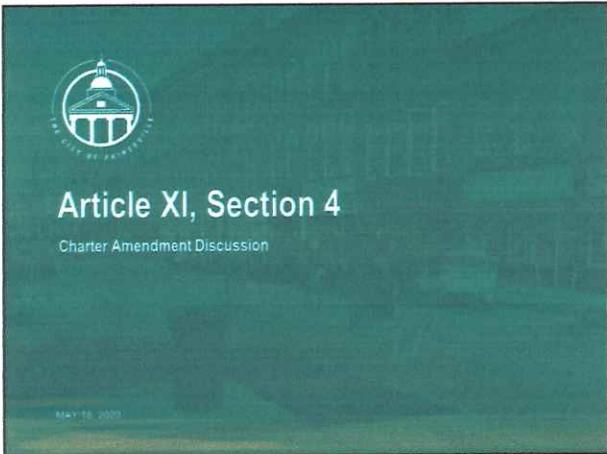
Nick Augustine, Jim Fodor, Christine Shoop, Tom Fitzgerald, Lori DiNallo, Katie Jenkins, and Mr. Hach were all in favor by answering "Aye". Meeting adjourned at 8:58 pm.



Valerie Vargo, CMC  
Clerk of Council



Paul W. Hach II  
President of Council



**Table of Content**

- **Broad Questions:**
  - What are the pros and cons of hiring internal versus external?
  - Has loyalty to employers changed overtime?
- **Regional Level Questions:**
  - What do surrounding communities do?
  - Are there minimum qualifications?
- **Painesville Specific Questions:**
  - History of charter amendment
  - Chiefs exam and qualifications
  - Education and training
  - Citizens Safety Committee feelings



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# RESEARCH ON PROS & CONS

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- WHAT IS BETTER, INTERNAL OR EXTERNAL?**
- According to ChiefExecutive.net, there are five questions that should be asked before deciding which direction to go:
    1. What are the position's demands?
      - Never loose sight of end goal: making your organization work efficiently and productively
      - Think about what your existing team is capable of right now
    2. What can you afford?
      - Effectiveness is the primary goal
      - External nearly always are paid more and stick around for a shorter period of time
    3. How will this affect your existing workers?
      1. Smaller team may not react well to an outsider
      2. New addition will shake up the team
      3. You're not just adding a name to the payroll, you're adding a new face to everyday life
    4. How much risk are you willing to take?
      1. There are hazards inherent to every personnel change
      2. Evaluate every factor including credentials to decide what the right now for your organization
- \*Source: Endnote #1
- THE CITY OF PAINESVILLE

**WHAT IS BETTER**

LOOK OUTSIDE	LOOK WITHIN
Tough org turnarounds or strategic shift	An org is thriving
Succession planning and performance information is inconsistent, absent or hard to access	Succession planning and performance reviews are consistent and transparent
Specific skills are needed that are not readily available within	An abundance of firm and industry specific skills are required for the job
The org culture welcomes multiple perspectives	A unique and strong culture may be hard to understand or fill in with
Processes are in place that support job training and full integration into the position	No or few processes are in place to support job training and integration

\*Source: Endnote #2

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**WHAT IS BETTER**

INTERNAL PRO	INTERNAL CON
Advancing own talent increases retention and improves performance	Fill one position only to open another, domino effect
Positive affect on morale, rewards high performers	Promotes a sense of status quo, limits org from trying new ideas; not effective for shake ups
Hiring cost down, save money on postings	Motive some but increase competition can negatively impact teamwork and culture
Knowing candidate shortens process	Advancement opportunities may cause other to get impatient. Waiting on another to get promoted so they can move up

\*Source: Endnote #3

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**WHAT IS BETTER**

EXTERNAL PRO	EXTERNAL CON
Sometimes an org needs revitalization, new perspective and ideas	More expensive, recruiting costs
Opens org to much larger pool of prospects	Longer process with screening and interviews
Have additional skills and experience to complement the role	Takes 3-6 months before you've really got a full picture of an employee's personality and natural behavior traits
Lower chance for internal resentment, competition and conflict when hiring external. Not feel like they're competing with each other to get ahead, foster positive team dynamics	Can end up creating rifts in the culture

\*Source: Endnote #3

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**RESEARCH ON LOYALTY**

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**WHAT IS BETTER, INTERNAL OR EXTERNAL?**

- Society for Human Resources Management (SHRM) did a study of Generational Differences in 2007
  - All employees are looking for security and a way to balance work and lives. They do differ in the most effective way to get that
  - Generationally, the young profession is different than any other generation because of population size, diversity, educational rates and economic conditions
- "Today's definition of loyalty isn't what it once was," said Mike Hughes, managing direction at West Monroe Partners. "Some define loyalty as being focused and giving their best efforts during their time with an organization..."
- 82% say they feel loyalty toward their employer, more than 59% would leave given the right job opportunity

\*Source: Endnote #4 and #5

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**REGIONAL COMPARISONS**

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**COMPARING TO OTHER COMMUNITIES**

- Sent survey to the Mayors and Managers in Lake County to compare our structure: 12 cities, townships and villages replied
- In these communities, the Mayor or City Manager have very similar powers to appoint, demote, transfer or terminate employees
- When it comes to hiring a Chief:
  - 75% of the respondents can do an internal/external search from the start (9 communities)
  - 17% hire internal only (2 communities)
  - 8.3% hire internal first, then external (1 community)

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**COMPARING TO OTHER COMMUNITIES, CONT...**

- Look at Lake County Cities only (8/9 responded):
  - 4 internal/external allowable (50%)
  - 3 internal only (run through Civil Service) (38%)
  - 1 internal only, then external (13%)
- There are only two cities in Lake County that are Council-Manager forms of government
  - Painesville
  - Mentor
- Painesville: Article XI, Section 4
- Mentor: City Manager can look internally or externally in order to find the best candidate. He/she appoints and Council approves

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# HISTORY ON CHARTER

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### PAINESVILLE'S STRUCTURE

- Chartered Community
  - Name, form of government, organizational structure, and legislative and administrative authority
- Council-Manager form of government
- Civil Service
- Article XI, Section 4

#### CHIEFS OF POLICE AND FIRE

*The positions of Chief of the Division of Police and Chief of the Division of Fire shall be unclassified. Vacancies in the position of either said Chiefs shall be filled by appointment of the City Manager from applicants from the officer ranks of said department. If no applications are received from the officer ranks the City Manager shall extend the request for applications to the other ranks and/or external candidates...*



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### HISTORY OF CHARTER AMENDEMENTS

- 1993 – 27 years ago – a charter amendment was placed on the ballot
- "The positions of Chief of the Division of Police and Chief of the Division of Fire shall be unclassified. Vacancies in the position of either said chiefs shall be filled by appointment of the City Manager..."*
- Defeated 1,735 no votes to 1,228 yes votes



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### HISTORY OF CHARTER AMENDEMENTS, CONT

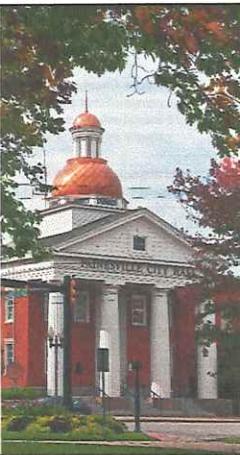
- 2003 –17 years ago- a Charter Amendment was placed on the ballot
- "If no applications are received from the officer ranks the City Manager shall extend the request for applications to the other ranks and/or external candidates."*
- This was approved by the voters.



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### HISTORY OF CHARTER AMENDEMENTS, CONT

- 2013- no language was put on the ballot however, Charter Review did debate it
- Commission was looking at proposing language to open up the applicant pool to internal/external applicants when a vacancy occurred
- City Manager at the time stated: *"As a City Manager you want flexibility to get the best person for the job. Sometimes it is from within and sometimes it is external. The key to it is managing. If there are criteria that limits the possibilities begin training and put into place these mechanisms so that the perfect person for the job is within the Department. Many communities go outside to hire Chiefs. If the Charter says that you have to hire within then you learn to live within the rules and give the officers the best tools for the job."*



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### HISTORY OF CHARTER AMENDEMENTS, CONT

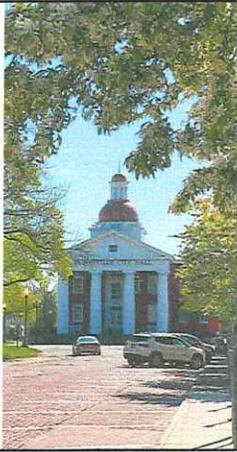
- 2013-Fire Chief on why should the City be limited to hiring from within in only the divisions of Police and Fire? Our goals should be to find the best person to fill the job:
  - "...When a person serves an extended period of time under a system they are less likely to make changes as they have become used to the system as is. This is not to say that change is always necessary but when it is it is difficult."*
  - ...Should the Union/officers desire they could, once the request for applications is issued, determine the next Chief internally by determining and limiting the applications to just one (1)."*
  - Limiting hiring from within reduces the incentive for a person to seek improvement, knowledge and skills on their own...The City would be better serviced to set a minimum qualifications and open the process to all applicants (internal and external). Sometimes you need fresh blood and ideas in order to move a division forward."*



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### HISTORY OF CHARTER AMENDEMENTS, CONT

- 2013- Police Chief
- Internal candidates have established key relationships with residents
- Having acquired knowledge on specific issues that face a community our size prepares officers to make a transition to Chief
- Knowing it is a candidate within puts the it on us to train and "groom" the staff
- Current culture of succession planning is a win-win for the City and Department



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### 2019 QUESTION THAT STARTED IT ALL

- **Q:** When is the next potential Chief Opening?
- **A:** *One Chief is eligible to retire while the other will be within the next two years.*
- **Q:** What if a officer, or a group of officers, apply to the position of Chief and none are qualified to take the job?
- **A:** *We have to hire one of them.*
- **Q:** Promoting from within is important, but shouldn't we be focused on hiring the best person for the job?



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## CHIEF EXAM & QUALIFICATIONS

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### CHIEF EXAM & QUALIFICATIONS

- The Chief is an unclassified employee, along with all other salaried department/division heads in the city
- That means there is no mandated Chiefs examination
- Previously, hired an Assessment Firm to do in-depth assessment of all Chief candidates
- Technically, the only qualification is that the individual is an officer in the department
- There are other qualifications in the job description, but those would only be relevant if there are multiple candidates for the position



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### POLICE CHIEF HISTORY

POLICE CHIEF				
Name	Start Date	End Date	Age	Education
Daniel Waterman	9/2017 - current		21 +	Yes Bachelors Degree (Accounting)
Anthony Powalis	6/2014 - 6/2017		24 +	Yes unknown*
Troy Hager	3/2010 - 6/2014		24 +	Yes unknown**
Gary Smith	3/2006 - 3/2010		22 +	Yes Associates Degree**
Dave Luhta	8/2001 - 3/2006		22 +	Yes Law Enforcement Coursework
Jerry White	7/1984 - 4/2001		17 +	Yes unknown*
Charles White	5/1976 - 6/1984		22 +	Yes unknown*

\* did not see this info in personnel file  
\*\*major is unknown

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### FIRE CHIEF HISTORY

FIRE CHIEF				
Name	Date of Chief Service	# of Years Total Fire Dept. Prior to Chief Appointment	Met Minimum Requirements?	College/Coursework or Other Work?
Thomas Hummel Jr.	1/2019 - current	24 +	Yes	no
Mark Mischak	9/2002 - 12/31/2018	22 +	Yes	some college course work - US Naval Academy
Frank Whitaker	2000 - 2002	23 +	Yes	some college course work
Jack Martin	1982 - 1999	11 +	Yes	some college coursework

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## EDUCATION & TRAINING

### POLICE SELF-PAID TRAINING

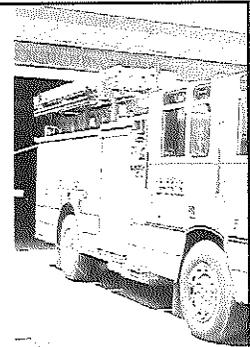
Chief	8th Admin Officers Course (12 weeks), Command, Law, BSI, Executive, Basic Programming	\$14,704
Lieutenant	FBI National Academy (48hrs-continuous) (10 weeks)	\$8,004
Lieutenant	Multiple Tactical & Leadership Instructor Courses, FBI LEEDA "Scholarship Leadership"	200,000
Lieutenant	Ohio Tactical Officers Association (3 days)	\$1,000
Sergeant	Multiple Tactical & Leadership Instructor Courses annually	\$10,000
Sergeant	Police Training Officer	2500
Patrol	RE	30,000
Detention	Multiple Tactical & Leadership Instructor Courses annually	27,000
Detention	Advanced Photography, Equipment & Training	34,000
CSO	Multiple Evening (Hours) Training Courses at Command Level	210,000
	<b>Total Costs do not include cost to obtain degrees most of which were pre-paid</b>	<b>583,200</b>

### POLICE TRAINING COMPARABLE

City	County	Population	White	Black	Hispanic	Police/Pop Ratio	# of Trainees	First Line Supervisors	Lieutenant & Above	Command or Chief	Other
Wheeling City	Franklin	18,062	46%	36%	17%	\$ 44.08	30	John Chen	Jeff CLEE		
Maple Hill City	Cuyahoga	23,130	23%	73%	2%	\$ 30.73	33	PEALS (OS 4 US)			
Sarnusky City	Eric	25,793	67%	24%	7%	\$ 23.08	41	PELO (Ops)			
Statenville City	Jefferson	18,659	79%	15%	3%	\$ 30.28	48	Basic Supervisor		FBI Nat Academy (25%)	
Warrenville City	Cuyahoga	13,540	6%	91%	2%	\$ 35.47	33				
Palmsville City	Lake	13,881	78%	14%	28%	\$ 34.82	35	FBI LEEDA (200 hrs)	OLEP (15 months)	FBI Nat Academy	Jeff SP/Instructor

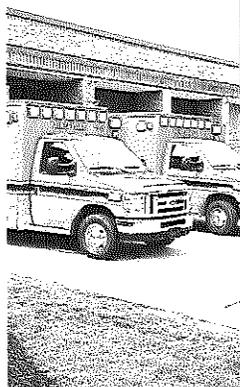
### FIRE DEPT TRAINING

- 2019-2020 was the first year we focused on officer training and development in PCFD
  - Ohio Criminal Justice Training for all officers
  - unions attend FBI/LEEDA Supervisory Leadership training
  - Capable to conduct to take Command, Leadership training (pre-approved due to COVID-19)
  - was required officers scheduled to 6000 Executive Leadership training classes presented over to COVID-19
  - Fire Chief training for transition into the position
  - Plans to send 2 officers in PDIC this year (contracted to in COVID-19)
- Training has begun for a new Lieutenant, to bring that person up to speed for leadership
- All PCFD officers currently have Fire Officer 1 and some have Fire Officer 2. All Officers are trained through NIMS ICS 300. We are wanting to get all Captains (and all officers) trained thru NIMS ICS 400



### FIRE DEPT ADDITIONAL TRAINING

- Anyone can seek out training on their own, as self-paid
- There is an institutional resistance to completing any training without compensation. There is also an issue with taking the necessary time off, because scheduling requires very advanced planning to take personal leave
- There has been recent inquiries about what the educational stipend as provided in the CBA can be applied to.
  - Historically, this was applied only to college-level classes, but the language in the CBA may allow some flexibility for other applications. Working with HR for answers



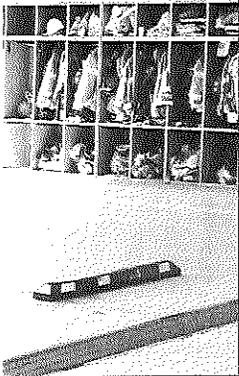
### EMPLOYEE PAYBACK

- In the last round of negotiations, we added language to the Police Patrol Collective Bargaining Agreement for payback for hiring expenses if they choose to leave (\$2,500)
- We don't have any type of agreement with CSOs or Police Promoted
- We don't have any type of agreement with the Fire Union as we could not come to a consensus on language



**EMPLOYEE PAYBACK**

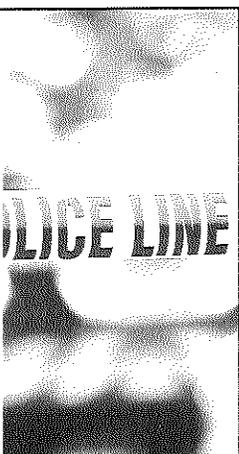
- In the last round of negotiations, we added language in the Police Patrol Collective Bargaining Agreement for payback for rising expenses if they choose to leave (52,500)
- We don't have any type of agreement with CSOs or Police Promoted
- We don't have any type of agreement with the Fire Union as we could not come to a consensus on language



**CITIZENS SAFETY COMMITTEE**

**CITIZENS SAFETY COMMITTEE SUMMARY**

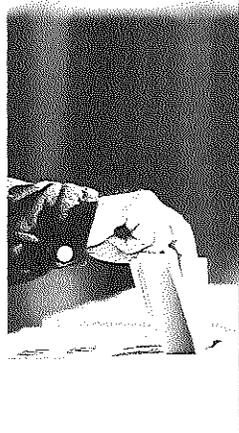
- Three (3) members of Council and three (3) members of the board (fourth citizen seat is vacant at the moment)
- Met on Thursday, May 14
- One citizen remembers the discussion in 1988 and the compromised language in 2003. Feels the language can stay the same for now.
- Another citizen agrees
- Third citizen feels the language should be changed to ensure the best candidate is given the job regardless of internal or external candidate
- Council members did not share the opinions and no formal vote was taken



**WRAP UP**

**WRAP UP**

- The research shows that sometimes hiring from the outside is the best option for the health and growth of a division
- Recently, the City of Fairview had the most successful Charter negotiations to the benefit of the Police and Fire Chiefs
  - They achieved a new salary scale of the 400+ employees in Fairview that the structure in the new city
- Our union employees receive the duty of a job at a level or higher than similar community jobs in Ohio
  - Some degree of autonomy and safety on the job was agreed upon being
- Our fire employees are starting to receive money at a level that is higher than similar community jobs
  - At least to some extent to living in the city
- Citizens on the Citizens Safety Committee were split 1-2 on if the language should change. Council members did not share their feelings and no formal vote was taken



**END NOTES**

- 1) Listro, Francesco: Factors When Deciding Internal vs. External Hiring.
- 2) Krell, Eric: Weighing Internal vs. External Hires.
- 3) MacDonald, Angela: Promoting From Within vs. Hiring Externally: Which Is Better?
- 4) Schramm, Jennifer: Generational Differences: Myths and Realities, No. 4, 2007.
- 5) Wilkie, Dana: Just Because Your Workers Feel Loyal Doesn't Mean They'll Stay.