



**City of Willowick**  
**CIVIL SERVICE COMMISSION MEETING**

Friday, October 27, 2023 at 9:00am  
City Council Chambers

**ADA NOTICE**

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify the City of Willowick at 440-585-3700 at least three working days before the meeting.

**MINUTES**

**Meeting Called to order by Chairman Lazor at 9:03am**

**Present:** Chairman Mike Lazor  
Commission Member Jim Tobin  
Commission Member Bill Wittlinger

**Also Present:**  
Clerk Christine Morgan  
Chief Rob Daubenmire (late)  
Lieutenant Keith Lawrence (late)

**Absent:**  
Chief Bill Malovrh

**Minutes:**

**Motion made by Mr. Wittlinger to approve the minutes of October 10, 2023 Civil Service Meeting; Seconded by Mr. Tobin.**

**All Aye; No Discussion; Motion Carried.**

**Motion made by Mr. Tobin to approve the minutes of the October 13, 2023, Civil Service Meeting; Seconded by Mr. Lazor; Mr. Wittlinger Abstained.**

**No Discussion; Motion Carried**

**Old Business:**

None

**New Business:**

The Civil Service Rules note in Rule III, Section 3 that no individual may apply for "...original appointment to the Police Division if such person is thirty-five (35) years of age or older as of the date of examination." Lt. Guerrieri was approached by two officers from other departments (age 35 and 38 respectively) who are good viable candidates, but due to age requirements, do not qualify for Willowick Police Department hiring. While discussing the possibilities of changing this age to 40, it goes against the not only the Civil Service rules, but also, the Ohio Revised Code 124.41, which reads in part, "Except as otherwise provided in this section, no person is

eligible to receive and original appointment when the person is thirty-five years of age or older....” It goes on to say that, “The maximum age limitation established by this section does not apply to a city in which an ordinance establishes a different maximum age limitation....” There needs to be a meeting between the police department and the council to consider an ordinance allowing for the change. Mr. Wittlinger weighed in regarding the bigger areas having various departments (traffic, evidence, etc.) to place older officers and asked what the other cities were doing. Based on review by Lt. Guerrieri, some areas have an age limit of forty (40) while others do not. The concern became the testing date, which originally has been set for 11/1/2023 and the age adjustment could not be in effect by that date. It was noted that the police department determined those dates for testing and the dates could be moved and established by what the department finds out with the Civil Service Commission decision. Mr. Tobin noted he was against increasing the age limit explaining that both police and fire are “a young person’s game” based on the physical demands required to perform. Increasing the age limit to 40 would now require an individual to stay to age 65 to retire which is too old to continue working. Mr. Lazor discussed the Deferred Retirement Option Plan (DROP) program and the pension program for older eligible members of police and fire to continue serving. Chief Daubenmire noted that the pool for new officers is low and everyone is looking at the same younger applicants. Then, there is the group outside of the 35-age range, which are not considered and those individuals could be added to the pool to make it bigger. There are two examples of individuals who may be added; one a current officer in another city and the second is not. All municipalities have an age limit with the exception of Eastlake who allows applicants who cannot be the age of 70 by their 25<sup>th</sup> year of service. Chief’s intentions are to open it up to experienced officers who are not happy in their current position, without doing a lateral transfer. Mr. Lazor proposed a motion to vote to remove the language in Rule III, Section 3 of the Civil Service Rules. As read, “No person is eligible as an applicant for admission to any examination for original appointment to the Police Division if such person is thirty-five (35) years of age or older as of the date of examination,” changing that age to forty (40) and allow for posting for seven (7) business days before it is effective. This will allow the police department to work with council and the mayor to determine the dates of the exam. (Council not expected to meet until 11/21/2023). After further and extensive discussion, the vote was to take place on this motion but was later removed as it was later determined the change to the Civil Service rule would be in violation of state statute. An ordinance will be needed prior to the commission changing their rules and may need to go before the safety committee first. Clerk Morgan inquired if the test could move forward with the age limit now and have all this resolved for the next testing set. Chief Daubenmire noted they could only test once a year or if all candidates are eliminated, a new test can be scheduled.

**Miscellaneous:**


None

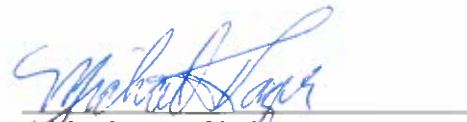
**Adjournment:**

**Motion made by Chairman Lazor to adjourn; Seconded by Mr. Wittlinger**

**All Aye; No Discussion; Motion Carried and Meeting Adjourned 10:09am.**

ATTEST:

  
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Christine Morgan, Clerk

  
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Mike Lazor, Chairman