



**Board of Fire and Police Commission Regular Minutes
109 E. Olive Street, Bloomington, IL
Council Chambers**

TUESDAY, MAY 2, 2017 at 4:00 P.M.

I. Call to Order

Commissioner Dean Messinger called the meeting to order at 4:00 PM

II. Pledge of Allegiance

III. Roll Call of Attendance

Commissioner Messinger called the roll:

Commissioners: Jim Jordan, Keith Rich, and Dean Messinger present.

Staff Present: Daniel Esquivel, Clay Wheeler, Eric Vaughn, George Boyle, and Nikita Richards

IV. Public Comment

Kyle Tieman

Consideration of approving the Commission minutes of Regular Session, 2017.

Item was withdrawn as the minutes were not ready.

V. Human Resources Liaison Discussion

A. Mr. Esquivel wanted to take a moment to introduce Nikita Richards. She is the new employment coordinator and will eventually be taking over the Commission as the City staff representative; not any time soon so he did not want to overwhelm her, but just looking towards the future, she will at some point take over the Commission. He states they will be interchangeable in that regard so if she is out, he can step in and vice versa. Nikita Richards introduced herself and is formally of the legal department of the City of Bloomington. She states she recently assumed this position about a week and a half ago, stating this is brand new. She looks forward to working with all of the council and thanks them for the opportunity.

VI. Fire Liaison Discussion

A. Eric Vaughn started off by stating the Fire Department is requesting that they move ahead with the hiring process or getting the next hiring process started. He stated they just had the last candidate from the former list that now has a hire date of May 15th, so they are

bringing him on board and so they are looking to start the process over. He stated they have five openings and will actually have six in about two weeks. They have a gentleman who is retiring, our training officer, so they will be down six and they need to get this process moving as quickly as possible. Working with HR, he states they have devised a unique plan of moving forward which includes online testing this time with the Council approval.

Commissioner Messinger asked if the online testing replaces the written test.

Eric Vaughn states it will still be the written test but they will be doing is coming in to a designated spot and actually doing the test on the computer and they will be able to grade those tests right there, so these candidates will leave with their score. He states they are hoping that it will not only speed up the process but the candidates will have that instant feedback, as well.

Commissioner Messinger questioned where the testing sites will be.

Eric Vaughn responded that the sites will all be here in Bloomington. He states he believes they will be at the Consistory/Performing Arts Center. He states that the next academy class is a summer academy class that they cannot make, but the next class they are looking for if they need to send anybody will be in October. Minus that, he stated they will be sending them to a winter academy which begins in January.

Commissioner Messinger stated that as with the Police, other departments have experienced officers that will petition and will look at hiring those. He asked if that ever happened in fire.

Eric Vaughn stated that they can no longer do that. They did that for a while but because of the Illinois Hiring Act, that really took that out of play for us so they are no longer able to do that. He stated they may have some experience from additional departments, but they are starting out at the basic level. Depending on what that experience is, they may receive an extra point or two, a preference point, but they have to meet very strict guidelines to receive those.

Commissioner Messinger asked what can be done to help.

Eric Vaughn stated that he needed the Commission to approve fire moving ahead with the hiring.

Commissioner Messinger asked to get a motion.

Motion by Commissioner Rich, seconded by Commissioner Jordan, that they begin the process of the firefighting and hiring process and included in that would be permission to do some online testing

Commissioner Jordan asked who is the oversight on the testing on the computer.

Eric Vaughn stated that staff from HR will be proctoring the exam. He stated the exam actually comes from a company called CPS that they have used for the last 5

cycles. He stated they also do their promotion for Captain and Battalion Chief. He stated they are a very good company and they are actually based out of California.

Ayes:Commissioners Jordan, Rich and Messinger.

Nays: None.

Motion carried

Commissioner Messinger asked do they have to submit that they have passed their prescribed physical standard.

Eric Vaughn stated that is correct.

VII. Police Liaison Discussion

- A. Clay Wheeler asked for consideration for approval of promotional list to be withdrawn because they are not ready for that at this moment.
- B. Clay Wheeler states that the conditional offer for candidate 17194, very strong candidate that they are hoping they can go ahead and extend a conditional offer so they can go the next step with getting him hired.

Motion by Commissioner Rich, seconded by Commissioner Jordan, to offer a conditional offer to the candidate 17194

Ayes:Commissioners Jordan, Rich and Messinger.

Nays: None.

Motion carried

- C. Motion by Commissioner Jordan, seconded by Commissioner Rich, to table the approval of the police department's promotional list.

Ayes: Commissioners Jordan, Rich and Messinger.

Nays: None.

Motion carried

- D. Clay Wheeler states they will revisit the Section 17 of board rules and that deals with the disqualifications. He wanted to direct their attention to a rather large section in blue that lists the permanent disqualifiers, temporary disqualifiers, additional disqualifiers. He stated that will be something that maybe the group except for Commissioner Jordan has likely seen before. This was brought to them before and reviewed it and considered approval, but states that some different things have happened and we found out they needed to revisit to make sure it is in the board rules appropriately. He stated that these are what

was looked prior and was accepting to being part of the process here. He stated that they are bringing that back to the Council for approval and review of that and review of the Board rules identified a few things. The list that starts in Section 17 could just be a little bit of a contradiction so he wanted to line out under controlled substance, possession of a controlled substance.

Commissioner Messinger asked why is there a change from 30 to 110.

Clay Wheeler stated he would come back to that. The possession of controlled substance - as the items are looked at in blue - the use of drugs, especially controlled substance, are referenced in here. He states that unfortunately there are some controlled substances that may be a long period ago you could use as long as you had not used habitually and so forth and it is allowing for some of that. He stated that for them to do an automatic disqualification of ever possessing a controlled substance is contradictory with that because, how could a person have used it once if they were never allowed to possess it because they would have had to have possessed it to be able to use it. He stated they just need to line out the possession of controlled substance. He stated that is is still a felony, as well. If they were actually arrested and convicted of just possession of a controlled substance, they would have been disqualified anyway for that felony conviction. He then stated that the next thing that was mentioned was possession of cannabis over 30 grams. The state law in regards to cannabis was changed and 30 grams to 100 grams is now a class A misdemeanor where it used to be over 30 grams became a felony so since the amount for the felony has changed, they are just making this properly reflect the law which is 100 grams now. This is just basically being consistent with the change in the law. He stated that while he was researching that law, he also noticed that delivery of cannabis for some reason was listed here as 30 and when you look at the law, that is actually 10 grams. He does not know if there was some other reason that 30 was in there or if it was just kind of a typo that they listed 30 because the one above it was 30 or whatever.

Discussion continued about the controlled substance laws.

Commissioner Rich stated he had no discussion.

Motion by Commissioner Rich, seconded by Commissioner Jordan, to approve changes of the board rules were as outlined by Clay

Ayes: Commissioners Jordan, Rich and Messinger.

Nays: None.

Motion carried

Commissioner Messinger asked where do we stand as far as the next hiring with folks we have interviewed.

Clay Wheeler responds by stating that one thing they have been waiting for is to get this matter taken care of because what we need to do is get this posted for 10 days so that we could be certain as to what the rules are for the backgrounds. He stated that they have completed most of them but they have been unable to be able to come to the board and say

these are the people that should be removed for failing it because we wanted to make sure that they were looking at it from the proper set of rules. He stated that once this is posted for 10 days, then we will take a look at that, we will identify the people we feel have failed background, and then we will be coming to ask for those to be removed from the list.

Clay Wheeler stated that July is the next academy and the next step would be to prioritize the hires from the remaining people that have passed the new rules now and then we will come to the Council for conditional offers so we will need to get into another meeting at some point for conditional offers so we they can send them off to be tested, the physical and medical and psychological.

Commissioner Messinger asked are we going to need a special meeting before the regular meeting.

Clay Wheeler responded that yes they would have to have a special meeting probably and would be nice if they had one in about 2 weeks if that is possible.

Commissioner Messinger stated what would be helpful to them is to say here is the date that I could be ready and then we could at least look out and see.

Clay Wheeler states that as long as it gets posted within the next 6 days so that it is done being posted by the next time we have the meeting, so about 2 weeks from now.

VIII. Future Discussion Items

None

IX. Next Scheduled Regular Meeting Date:

Commissioner Messinger stated that the next meeting is June 6th; based on what might come out of the determination, we will look for a special meeting popping up.

Mr. Esquivel stated they will have a new commissioner in the next week or so and Commissioner Rich was gracious enough to help us out in a bind so he was actually a hold-over and thanked him for that. He states that the next time we meet, we should have a new commissioner.

X. Adjournment

Motion by Commissioner Jordan, seconded by Commissioner Rich, that the meeting be adjourned.

Ayes: Commissioners Jordan, Rich and Messinger.

Nays: None.

Motion carried, (viva voce).