

*Sycamore Fire and Police Commission  
Special Meeting Minutes*

*November 9, 2010*

**ROLL CALL**

Chairman Petersen called the meeting to order at 11:00 a.m. Present at the meeting were Commissioner Samantha Dailey, Commissioner Teresa Jacobson, Fire Chief Mark Kessler, and City Attorney Kevin Buick.

**AGENDA**

**Motion**

Commissioner Dailey moved to amend the agenda to add Fire Chief Comments and Commissioner Jacobson seconded the motion.

**Vote**

All Commissioners voted aye. Motion carried 3 – 0.

**COMMUNICATIONS**

**A. Letter from the City Manager**

**1. Retirement of Fire Lieutenant Jack Spartz**

Chairman Petersen read a letter from the City Manger to the Commissioners in which he reports the Fire Lieutenant Spartz will retire on Friday, November 5, 2010 after more than 30 years of employment with the Sycamore Fire Department. A letter will be sent to Lt. Spartz from the Commissioners to thank him for his service to the City.

**2. Promotion of the Next Candidate on the Fire Lieutenant Promotional List**

The letter from the City Manager authorizes the Commissioners to promote Firefighter Darrin Hepker, the next candidate on the Fire Lieutenant Promotional List, to fill Lt. Spartz's position. Chief Kessler reported that Firefighter Hepker is an exceptional Firefighter and Paramedic as well as a good leader when he acts as the Officer in Charge on his shift. Chief Kessler added that he has no reservations concerning Firefighter Hepker's promotion. His promotion will be effective November 10, 2010 and he will be sworn in that morning. He will be introduced to the City Council at their meeting on November 15, 2010.

City Attorney Buick reminded the Commissioners that Chapter VII, Section 1 of the Rules and Regulations allows them to apply the "Rule of Three" to promotions. The Rules and Regulations also allow the candidate to request a waiver of the promotion within 7 days of being notified of his/her promotion. The Board can choose not to accept the request for the waiver, which would then strike the candidate's name from the list. The candidate has only one opportunity to use this waiver. The Rules and Regulations also state that candidates must accept the appointment in writing; their signature on their Oath of Office does not

count. Language will be added to the letter the Board sends to candidates to notify them of their promotion that will require them to acknowledge their promotion by signing and returning the letter to the Board.

Chief Kessler asked City Attorney Buick if there is written criteria to use with the Rule of Three as justification for not appointing the next candidate on the promotional list. Mr. Buick said there is not; the Board can make their decision based upon their knowledge about the top three candidates.

**Motion**

Commissioner Jacobson moved to promote Firefighter Darrin Hepker to the position of Fire Lieutenants and Commissioner Dailey seconded the motion.

**Vote**

All Commissioners voted aye. Motion carried 3 – 0.

**FIRE CHIEF**

Chief Kessler informed the Commissioners that Lt. Robert Maciejewski has decided to voluntarily rescind his promotion and return to the position of Firefighter/Paramedic. Chief Kessler explained that, since Lt. Maciejewski's promotion in January, his performance has not been satisfactory. The Chief started mentoring exercises with Lt. Maciejewski in May and since that time has seen no improvement in his performance. Since there are no provisions for rescinding a promotion in State Statutes or in the IAFF contract, the only option available to him to remedy this situation is discipline with termination due to lack of fitness for duty. He said that a written agreement will be worked out with Lt. Maciejewski, which will stipulate that he cannot participate in the promotional testing cycle for four years or act as the Officer in Charge for three years. After this period of time, an internal peer review panel comprised of two union members and two Chiefs will conduct an assessment to see if his skills have improved; if they have he will once again be allowed to participate in the promotional testing process. The Agreement will protect both Lt. Maciejewski and the City. Chief Kessler also said that the Article pertaining to promotions in the IAFF contract will be amended to allow for this action.

Chief Kessler asked Mr. Buick if the Commissioners will need to reinstate Lt. Maciejewski to the rank of Firefighter/Paramedic when he officially rescinds his promotion. Mr. Buick answered that this would not be necessary as his original appointment to the position of Firefighter/Paramedic has never been rescinded; he is losing his rank but not his position, so, from the perspective of the Rules and Regulations, the classification of his employment is not a factor and the Board does not need to act on this. The Commissioners would only become involved if this were a disciplinary issue.

Chief Kessler explained that Lt. Maciejewski has shown that he is not cut out for critical decision making under pressure. This is something that is difficult to discover in the oral interview process. He recommended that the oral interview process be changed and conducted as an assessment center in which the candidates are asked to perform a task to a specific standard. He suggested that three in-basket exercises be performed in a 30-minute time frame, adding that this is a more objective evaluation process.

Recording Secretary Tritle asked the Commissioners to review the proposed items on the agenda for their regular meeting on December 6, 2010. She also asked Mr. Buick about the new Illinois law regarding identity theft protection and the use of Social Security numbers, specifically on employment applications. Mr. Buick said that he would research the new law and report back to the Commission on December 6<sup>th</sup>.

**ADJOURNMENT**

**Motion**

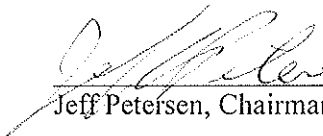
A motion to adjourn the meeting was made by Commissioner Dailey and was seconded by Commissioner Jacobson.


**Vote**

All Commissioners voted aye. Motion carried 3 – 0.

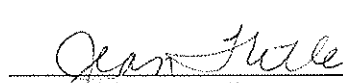
The meeting was adjourned at 11:30 a.m.

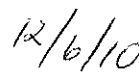
Minutes accepted by:

  
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Jeff Petersen, Chairman

  
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Date

Attest:

  
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Jean Tritle, Recording Secretary

  
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Date