

SPRINGDALE CIVIL SERVICE COMMISSION AGENDA

**Police Dept. Tactical Training Room
201 Spring Street**

Monday September 30, 2024 8:30 a.m.

1. Call to Order - Chairman Bob Downum
2. Roll Call
3. Approval of Minutes for the following meetings: 7/1/24, 7/17/24, 8/14/24, 9/12/24
4. Police Dept – Chief Frank Gamble
 - Request dates for 2025 Police Dept. entry level testing/interviews (*attachment*)
5. Fire Dept– Chief Blake Holte
 - Request dates for 2025 Fire Dept. testing/interviews (*attachment*)
 - Brief discussion on future meeting with SFD recruiting/mentoring team
6. Approve 2025 Civil Service Commission calendar (*attachment*)
7. Comments from Commissioners
8. Executive Session for Police Dept entry level candidate interviews
9. Close Executive Session to Certify candidate list
10. Adjourn



CITY of SPRINGDALE

POLICE DEPARTMENT
OFFICE OF THE CHIEF OF POLICE

To: Civil Service Commission
CC: Mayor Doug Sprouse, HR Director Gina Lewis,
City Attorney Ernest Cate
From: Chief Frank Gamble
Date: September 30, 2024
Re: Civil Service Entry Level Tests for 2025

Commissioners,

I would like to request the following schedule for our 2025 entry level tests for police officer candidates for the Springdale Police Department.

February Test

December 10, 2024 (Tuesday) – Open applications
February 17, 2025 (Monday) – Close applications
February 21, 2025 (Friday) – Written test
February 24, 2025 (Monday) – Civil Service interviews

May Test

February 25, 2025 (Tuesday) – Open applications
April 28, 2025 (Monday) – Close applications
May 03, 2025 (Saturday) - Written test
May 05, 2025 (Monday) – Civil Service interviews

September Test

May 06, 2025 (Tuesday) – Open applications
September 01, 2025 (Monday) – Close applications
September 05, 2025 (Friday) – Written test
September 08, 2025 (Monday) – Civil Service interviews



CITY of SPRINGDALE

POLICE DEPARTMENT
OFFICE OF THE CHIEF OF POLICE

December Test

September 09, 2025 (Tuesday) – Open applications

December 01, 2025 (Monday) – Close applications

December 06, 2025 (Saturday) – Written test

December 08, 2025 (Monday) – Civil Service interviews

This will allow us the time that is necessary to complete backgrounds for the applicants prior to the each police academy.

Respectfully,

A handwritten signature in cursive script, appearing to read "Frank Gamble".

Frank Gamble
Chief of Police

Sarah Manweiler

To: Blake Holte
Subject: RE: Spring 2025 Application Dates

From: Misty Meziere <mmeziere@springdalear.gov>
Sent: Thursday, September 26, 2024 8:26 AM
To: Blake Holte <bholte@springdalear.gov>; Michael Bronner <mbronner@springdalear.gov>; Jim Vaughan <jvaughan@springdalear.gov>
Cc: Pat Lee <plee@springdalear.gov>; Blake Gadberry <bgadberry@springdalear.gov>; Jason Guthrie <jguthrie@springdalear.gov>
Subject: RE: Spring 2025 Application Dates

Chief Holte,

We have the Spring 2025 interviews set:

Chief's Panel Interview- January 21st and 22nd (if needed)
CSC Interviews- February 3rd and 4th (if needed)

Spring Application period for Fall 2025 Recruit Class

March 10th- June 6th

Chiefs' interviews- June 24th and 25th

CSC Interviews- July 7th and 8th

Ops BC Promotional Exam

April 9th and 10th

CSC to certify the list on April 10th @ 1600 via Zoom

From: Blake Holte <bholte@springdalear.gov>
Sent: Monday, September 16, 2024 1:49 PM
To: Misty Meziere <mmeziere@springdalear.gov>; Michael Bronner <mbronner@springdalear.gov>; Jim Vaughan <jvaughan@springdalear.gov>
Cc: Pat Lee <plee@springdalear.gov>; Blake Gadberry <bgadberry@springdalear.gov>; Jason Guthrie <jguthrie@springdalear.gov>
Subject: RE: Spring 2025 Application Dates

Sarah is working on the 2025 CSC calendar. So, we're ready to set testing dates if you've got those.

Blake

2025 Civil Service Commission Meeting Schedule

Day	Date	Topic & Location	Time
*Monday	February 3, 2025 (Feb. 4 th if needed)	SFD: Reg. Mtg. & Entry Level SFD Interviews <i>Mickey Jackson Training Center</i>	8:30 am – All Day
Friday	February 21, 2025	SPD: Written Civil Service test <i>Tiered Training Room</i>	8:30 am
*Monday	February 24, 2025	SPD: Reg. Mtg. & Entry Level SPD Interviews <i>Tactical Training Room, 2nd Floor</i>	8:30 am – All Day
Tuesday	February 25, 2025	SPD: Open Applications for New Hire testing	
*Wednesday & Thursday	April 9 & 10, 2025	SFD: Reg. Mtg. SFD Promotional testing <i>Mickey Jackson Training Center</i>	8:30 am – All Day
Thursday	April 10, 2025	SFD: Certifying Promotional testing results <i>ZOOM</i>	4:00 pm
Monday	April 28, 2025	SPD: Close Applications for New Hire testing	
Saturday	May 3, 2025	SPD: Written Civil Service New Hire test <i>Tiered Training Room</i>	9:00 am
*Monday	May 5, 2025	ANNUAL MEETING; Election of Officers (1 st Mon. in May); & SPD: Entry Level SPD Interviews <i>Tactical Training Room, 2nd Floor</i>	8:30 am – All Day
Tuesday	May 6, 2025	SPD: Open Applications for New Hire testing	
*Monday & Tuesday	July 7 & 8, 2025	SFD: Reg. Mtg. & Entry Level SFD Interviews <i>Mickey Jackson Training Center</i>	8:30 am- All Day
Monday	September 1, 2025	SPD: Close Applications for New Hire testing	
Friday	September 5, 2025	SPD: Written Civil Service New Hire test <i>Tiered Training Room</i>	9:00 am
*Monday	September 8, 2025	SPD: Reg. Mtg. & Entry Level SPD Interviews <i>Tactical Training Room, 2nd Floor</i>	8:30 am- All Day
Tuesday Monday	September 9, 2025 December 1, 2025	SPD: Open Applications for New Hire testing SPD: Close Applications for New Hire testing	
Saturday	December 6, 2025	SPD: Written Civil Service New Hire test	9:00 am
*Monday	December 8, 2025	SPD: Reg. Mtg. & Entry Level SPD Interviews <i>Tactical Training Room, 2nd Floor</i>	8:30 am- All Day

As of September 27, 2024

* Denotes Regular Civil Service Commission Meetings

Tactical Training Room, 2nd Floor – *Tiered Training Room, 2nd Floor* - 201 Spring St., Criminal Justice Building

Mickey Jackson Training Center – 2398 Turnbow Ave.

Civil Service Commission members in attendance:

Bob Downum
Greg Tuck
Julie Loper
Terry Page
Danny McGinley—ABSENT

Others in attendance:

Fire Chief Blake Holte
Asst. Fire Chief Jim Vaughan
Police Chief Frank Gamble
Battalion Chief Pat Lee

Bob Downum called the meeting to order at 8:30 a.m.

APPROVAL OF MINTUES

Commissioner Greg Tuck made the motion to approve the Civil Service Commission minutes for the meetings on May 6, June 4, June 17, and June 20, 2024. Julie Loper made the second.

There was a voice vote of all ayes and no nays.

POLICE CHIEF COMMENTS

Police Chief Frank Gamble reminded everyone that the Police Department is currently accepting entry level applications through September 23, 2024. They will take the written test on September 28, 2024 and then interviews with Civil Service Commission on September 30, 2024.

Chief Gamble also updated the commission on the last group of applicants. There were six hired, and they had two withdraw. There were also two that were not considered, and one that failed the PT test. The question was asked if that was a usual occurrence, and Chief Gamble explained it has been typical recently. The department has five starting Tuesday, July 2nd and one starting on Wednesday July 3rd. They have ten openings they hope to fill with this next open application period. There is a Corporal retiring that has been with the department for 26 years. Additionally, the Police Department was approved for a grant that will allow for eight more positions beginning January 2025. The grant will pay for half of the salaries for three years. Chief Gamble said he believes that the department is in a better position than it was last year.

FIRE CHIEF COMMENTS

Fire Chief Blake Holte said there are currently no changes to the calendar, other than adding the hearing date for Jonathan Kidd which will be held on July 17, 2024 at the Mickey Jackson Training Facility.

The Fire Department will hold their next open application period beginning on September 16, 2024 and closing on December 13, 2024. The Chiefs' panel interviews will be January 21 and 22, 2025. Chief Holte said they would like to have the Civil Service Commission interviews on February 3, 2025.

Commissioner Greg Tuck made the motion to have the Civil Service Commission interviews on February 3, 2025 for the next Spring Fire Academy Session. Julie Loper made the second.

There was a voice vote of all ayes and no nays.

Chief Holte also mentioned that they recently had 3 promotions. Justin Cobb was promoted to Captain for the Training Division; Aaron Satterfield and Zach Hutchinson were promoted to Driver Operator.

COMMISSION COMMENTS

Commissioner Terry Page asked Both Chief Gamble and Chief Holte their thoughts on lengthening the Civil Service Commission interview portion. Terry Page also inquired about it, and it was decided they would discuss this at a later date due to the large number of applicants they were interviewing.

Commissioner Julie Loper made the motion to adjourn to executive session. Greg Tuck made the second.

The meeting adjourned into executive session for Fire Department Interviews at 9:01 a.m.

FIRE DEPARTMENT INTERVIEWS AND CERTIFICATION

Civil Service Commission returned from executive session at 5:40 p.m.

After the oral interviews, the composite grades were compiled and reviewed.

Commissioner Greg Tuck made a motion to certify the following 28 candidates that scored 70% or higher overall. Terry page made the second

There was a voice vote of all ayes and no nays.

Those certified are:

1. Gavin Kuncel
2. Jake Reiter
3. Patrick Michaels
4. Richard Wiebe
5. Keaton Eagle
6. Jordan Falci
7. Dalton Johnson
8. Christopher Priest
9. Joshua Justice
10. Brady Noyes
11. Matthew Seiter

Springdale Civil Service Commission
July 1, 2024

12. Garrett Griffith
13. Kaleb Pike
14. Braxton Kuri
15. Christopher Oyhenart
16. Sean Flikkema
17. Carter McBride
18. Caleb Chastain
19. Drake Stogsdill
20. Luke Davenport
21. Bryce Jones
22. Tyler Braswell
23. Hudson Robnett
24. Tristen Grogan
25. Benjamin Bemis
26. Reagan Babyar
27. Montana Pace
28. Blaze Willis

The meeting adjourned at 5:45 p.m.

Bob Downum, Chairman or Greg Tuck, Secretary

Date

Civil Service Commission members in attendance:

Bob Downum
Greg Tuck
Julie Loper
Terry Page
Danny McGinley

Bob Downum called the meeting to order at 9:30 a.m.

APPROVAL OF MINTUES

Commissioner Greg Tuck said there were a couple changes that needed to be made to the Civil Service Commission minutes for the meeting on July 1, 2024.

Greg Tuck made the motion to amend the Civil Service Commission minutes for the meeting on July 1, 2024. Terry Page made the second.

There was a voice vote of all ayes and no nays.

POLICE CHIEF COMMENTS

Police Chief Frank Gamble said there was an officer, Jacob East, that left the dept in December 2023. He worked for Springdale Police Dept for two years, but moved to California. He left in good standing, and Chief Gamble asked for him to be reinstated effective in August 2024.

Commissioner Terry Page made a motion to reinstate Jacob East per Chief Gamble's request. Greg Tuck made the second.

There was a voice vote of all ayes and no nays.

COMMENTS

Commissioner Bob Downum went over the rules of the hearing, and let everyone know it is recorded. He stated the reason for the hearing is Jonathan Kidd was employed by the Springdale Fire Dept, and terminated on June 4, 2024.

On June 6, 2024 a written notice of appeal was received by the City Clerk from Mr. Kidd.

On June 20, 2024 the Civil Service Commission met and set a hearing date of July 17, 2024 for Mr. Kidd's appeal at 9:30 AM. Mr. Kidd was notified via email about the date of the hearing, more than 10 days prior to the date of the hearing. Mr. Kidd is representing himself. Springdale Fire Dept is represented by Attorney Susan Kendall.

Susan Kendall mentioned it was a bit of an unusual hearing as most if not all of the facts were undisputed. She distributed a packet of exhibits 1-8 from the Fire Dept for the commission to look at. She did say if she has misstated something for Mr. Kidd to correct or interrupt her. Ms. Kendall stated the Fire Dept is asking the commission to uphold Chief Holte's decision to terminate Mr. Kidd. She mentioned that Mr. Kidd is a current user of marijuana. He worked as a fire fighter for Springdale Fire Dept, which is classified under City of Springdale's policy and the constitution under the medical marijuana act as a safety sensitive position. City of Springdale's personnel policy states that employees that are currently using marijuana may not work in safety sensitive or security sensitive positions. My Kidd was a long-time fire fighter of the department. It is not a dispute that he was a good firefighter. He will be very candid that he has mental health issues, and he received his medical marijuana card to manage his mental health. She said her position to the commission is that none of that is relevant to the decision today. That there is a policy violation in which the policy specifically provides where a Springdale Firefighter can not work a safety sensitive position while being a current user of marijuana. Not to discount anything about his mental health issues, they just aren't relevant for her purpose today.

Ms. Kendall said that Mr. Kidd would like for the Commission to hear his story to hope to seek change in the policy. Therefore, for his purposes this is all relevant, as he is trying to seek change in the policy. The Fire Dept's position is, that the Commission is tasked with enforcing the policy as it is currently written.

On May 22, 2024, Mr. Kidd was notified that he was going to be subjected to a random drug test. In response to the request to report to be tested, Mr. Kidd admitted that he claimed to be sick in an effort to avoid having to take the test that he knew or was concerned he would fail. Mr Kidd interjected, saying he knew he would fail.

Ms. Kendall said he was trying to delay taking the test, and had a conversation with the Chief. He ultimately submitted to the test, and tested positive. The drug screen results letter is Exhibit 1 that she distributed.

Exhibit 2 is the email from Chief Holte along with a notice of pre-disciplinary hearing that was sent to Mr. Kidd. It provides that his employment was being considered for termination based on violation of City's policy. There was a pre hearing held, and Mr. Kidd admitted he lied about being ill to try to avoid taking the test. He was aware of the policy, and was a current user of marijuana.

She defined a current user under the Arkansas Constitution as not meaning someone has shown up to work in an impaired state, but rather someone who has tested positive on a drug screen. She stated that Mr. Kidd has indicated he is going to continue to use medical marijuana as that is an effective way that he has determined to manage his mental health issues.

Exhibit 3 is the notice of termination that Chief Holte sent to Mr. Kidd on June 4th

Exhibit 4 is the email that Mr. Kidd sent to members of the dept. that indicates he was a medical marijuana user, he received his medical certification, he works a safety sensitive position, and that he initially attempted to evade the test.

Exhibit 5 is an email to Mr. Kidd, from Ernest Cate setting this hearing in accordance with Arkansas law on the process for Civil Service appeals.

Exhibit 6 is an excerpt from the Civil Service Commission manual in particular Chapter 8: Conduct, Discipline, and Appeal procedures. She referred the Commission to page 22 which outlines conduct in which disciplinary action may be taken. Which includes (#4) Violations of policy of the City or Dept; (#5) abuse of alcohol or drugs that may interfere with performance, or in violation of the City's drug policy; (#9) dishonesty and moral conduct.

She then referred the Commission to exhibit 7. Which is the Springdale Fire Dept's policies and procedures. This states the Fire Dept has adopted the City of Springdale's personnel policy and procedures manual.

Exhibit 8 is the personnel manual of the City of Springdale. The first page of this being the resolution adopting the revision of the manual on January 24, 2023. Page 30 of the policy, paragraph C states: a safety sensitive position is one in which a momentary lapse of attention may result in immediate danger to the public. Fire dept employees that may directly participate in firefighting activities is classified in this as a safety sensitive position. She asked the commission to refer to page 35 paragraph 7. This states that employees who are currently using marijuana may not work in safety or security sensitive positions. Then referred to page 34 paragraph H: Disciplinary action regarding alcohol and drug testing. Employees may be subject to disciplinary action if they engage in conduct that clearly obstructs the testing process.

Refer the commission to p 32 current users of medical marijuana will normally be excluded from safety sensitive positions, paragraph (Dd) an employee who is about to become or is a current user of medical marijuana must disclose their upcoming or current use immediately to Human Resources. Mr. Kidd did not do that. The employee must provide their current medical marijuana certification card to Human Resources. Mr. Kidd did not do that

It provides that current users of medical marijuana will normally be excluded from safety sensitive positions. The City can accommodate somebody in a safety sensitive job, but if an accommodation is not feasible the employee will be terminated, and eligible for rehire. Mr. Kidd is going to continue being a current user of medical marijuana, so the dept is not able to accommodate him. He was offered a position within the city in a non-safety sensitive job, and has declined.

City of Springdale policy in accordance with Section 3 of the Arkansas Medical Marijuana Amendment Act allows for a city to provide a drug testing policy and exclude from safety sensitive positions those that employers believe are engaged in the current use of marijuana.

Mr. Kidd has admitted that he self-medicated with marijuana prior to obtaining his medical certification.

City Attorney asked if anyone would like to testify on Mr. Kidd's behalf that they testify under oath.

Mr. Kidd said he expects at the end of this, that they will uphold the termination, and he thinks that's the right thing to do. He started by apologizing to the commission that he lied to them and the dept. He said he thinks its important for his story to be heard for others that have dealt with what he has gone through. He spoke about the firefighter job being the best time of his life, and also some of the worst. He said in 2015 he found himself arguing whether or not it would be better for him to be alive. He finally realized that it was the scariest realization he had, the fact that he was even considering in a way he could never take back was now unthinkable to him. He said he realized he felt "normal" again when he used marijuana. He felt like he could be the person, husband, dad, he needed to be even days after he would use it. So, he would take vacation from work, use it the first couple days, knowing it would be out of his system before he came back to work. He would finally feel calm and at peace.

He said he found something that worked, but also knew that in order to do the job he loved he had to try to find something else that worked. He tried other methods and none of them made it possible for him to turn off that adrenaline drift that they get working in this job for so long and experiencing the cumulative trauma. This is why he decided to get his medical card to give him a little bit of protection should he ever get caught, which he hoped he wouldn't. First of all, he lied to everyone that put their trust in him for the last 14 years. He just felt like he didn't have a choice because he needed to get better. He said the study of mental health in the fire service has always been taboo. They are always supposed to be strong without question or hesitation. He went on to discuss some suicide numbers within fire service.

He said there is an amazing peer support program in Springdale Fire dept that have been used to address the mental health struggles. His goal here today is to try to help everyone understand the importance of mental health in the fire service, and if there's something like marijuana that can help And that gets to the people who do have the power to change policy.

Commissioner Greg Tuck asked him how he would personally feel if he was in cardiac arrest and someone taking care of him had used marijuana. Mr. Kidd stated he is not advocating for the ability to use it while on duty. He said he does think that would be dangerous and he wouldn't want someone who is currently on marijuana to be driving a truck or doing any of the things they have to do. That is the benefit to the off-duty life of so many of them that might have otherwise turned to alcohol to try and deal with the same things. Medical marijuana has a much less destructive and less harmful to health.

Mr. Kidd continued by saying; there are so many things in this job that encourage us to deal with stress in unhealthy ways. While medical marijuana isn't the best way, and does have a possibility for abuse and misuse, the potential benefits outweigh the damage of other things they could use like alcohol.

Commissioner Greg Tuck asked if this was the only drug test, he was unable to pass. Mr. Kidd replied, yes and explained when he used it before he had his medical card, based on his research he was aware if one is not a regular user and uses it one day, it will be out of your system in a week instead of a month's time that THC remains in the system of a regular user. With that, he was pretty confident that when he took a couple weeks off twice a year, if he used on day 1, he would have a couple weeks and he should be clean by the time he came back to work. However, he had not been drug tested in that time. He said he hadn't had a random drug test in 10 years.

Commissioner Tuck asked him why he didn't take the other position he was offered within the city. Mr. Kidd said he was fortunate enough to have some other options.

Retired Fire Captain Dave Creek asked to speak. He retired after 33 years of service. He said he isn't contesting the actions taken by the Fire Dept, he just wants to speak of the character of Mr. Kidd.

Dave Creek mentioned he has been retired since 2013, and still misses it every day. He said that is why he understands Mr. Kidd not wanting to take the other position offered to him from the city, because once you're a firefighter, you're always a firefighter.

He continued by saying how well respected and a dedicated fireman Mr. Kidd was. There wasn't an ill word towards him regarding his performance on the job. He said being bound by policy, yes policies are important and need to be followed, but also need to be looked into changing at times.

He also mentioned that his stepson was diagnosed with pancreatic cancer. The Dr's gave him only 6 months to live. However, because of medical marijuana he was able to live 6 years instead of just 6 months. He said if he was to have a shift today, he would want Mr. Kidd backing him up.

Captain Wormington was also willing to speak. Susan Kendall interjected, and just reminded everyone that Mr. Kidd's performance as a firefighter or his character was not in question. This is just about the policy violations.

Springdale firefighter Rance Richardson spoke to Mr. Kidd's behalf. He said he was amazing employee, rose up in the ranks, and looked up to by a lot of people.

He also said he knows its not changing the outcome of this decision, but it is something that needs to be looked at in the policy going forward. He mentioned there are a lot of studies done about mental health and the benefits from medical marijuana.

He then went over some survey results from the fire dept regarding medical marijuana.

There were some questions about Mr. Kidd and his eligibility for rehire. That was addressed by Ms. Kendall, she said based upon policy he is eligible for rehire in a non-safety sensitive position as a current marijuana user.

Chief Holte said this had nothing to do with Mr. Kidd's performance. He had nothing negative to say about him. This was strictly the responsibility he had as a city dept head. Chief Holte continued by saying this is an evolution, and there is work to be done, but as it stands today, he is executing his responsibility as a dept head for the city to uphold the current policies and procedures.

Commissioner Julie Loper made a motion to enter into executive session. Terry Page made the second.

The meeting adjourned into executive session at 10:39 a.m.

Civil Service Commission returned from executive session at 10:50 a.m.

Greg Tuck made a motion to uphold Chief Holte's decision for the termination bases upon policy violation. Terry page made the second.

Commissioner Bob Downum said this was just a decision to uphold the policy or not.

There was a voice vote of all ayes and no nays.

City Attorney, Ernest Cate let Mr. Kidd know he did have the right to appeal to the Washington county circuit court, and had 30 days to do so.

There was no further discussion. The meeting adjourned at 10:52 a.m

Springdale Civil Service Commission
July 17, 2024

Bob Downum, Chairman or Greg Tuck, Secretary

Date

Civil Service Commission members in attendance:

Bob Downum
Terry Page
Danny McGinley
Greg Tuck
Julie Loper

Others in attendance:

Police Chief Frank Gamble
Asst police Chief Derek Hudson
Captain Derek Wright
Captain Jeff Taylor
City Attorney Ernest Cate
Asst Fire Chief Jim Vaughn
HR Director Gina Lewis
Sarah Manweiler

Meeting was called to order by Bob Downum at 10:30 a.m.

Commissioner Bob Downum started by asking if there were any questions or comments.

COMMENTS

Police Chief Frank Gamble said he thinks there are capable people within the department to take on the police chief job, and would like the commission to consider staying in house for the police chief search.

City Attorney, Ernest Cate said that the Mayor was not able to be at the meeting, but he expressed to him that he was open to the idea of going externally for the search, should the commission choose to do so, especially since there was plenty of time before Chief Gamble retires.

Chief Gamble said there are two people that meet the qualifications within the department now; Asst. Chief Derek Hudson and Captain Derek Wright.

Commissioner Downum asked HR Director Gina Lewis how much time would it take since he is not retiring until March 21, 2025. She said if they decided to open the search outside the department, HR would need about 3 months to run the ad, schedule, and conduct interviews.

Commissioner Greg Tuck asked Gina, what the process was if they do open the search externally. Gina explained that it would be posted just like any other position within the city. The applicants would go through the online application process, HR would eliminate the applicants that don't meet the minimum requirements of the job, HR would then hand over the rest of the applications to the Civil Service Commission to select who they want to interview, and HR would schedule interviews.

Gina also mentioned that there are several sites they will post the job on. When asked how do current employees know about the jobs, she explained that they send out an email to all employees for all job openings.

Commissioner Bob Downum asked what were the requirements in order to be Police Chief. Chief Gamble explained they have to have 7 years management experience, must have a degree, and 11 years law enforcement experience. He said the reason we don't have more eligible is because some don't have the degree and others don't have the 7 years in management.

Captain Jeff Taylor wanted to make a comment, and said just from previous experience of having someone hired inside the department vs. someone outside; most officers would prefer selecting someone already within the department. He went on to say when you get someone from outside the department, you don't know what they will bring, how they will change things, and it could be detrimental to the culture of the department. He used the example that it happened in Rogers, where they brought someone from outside the state, and it did not end well at all, and caused so much turmoil in the department.

Commissioner Downum asked looking to the future, years down the road, will we have more become eligible. Chief Gamble explained, yes as time goes on there will be more eligible. Currently there isn't any others because the department has had a lot of retirements, so all of the command staff is newer. He also stated there are a large number within the department that have degrees.

Commissioner Terry Page asked Gina how soon this timeline would begin. Gina let them know as soon as the commission let her know their decision. Terry Page then asked if there is a time crunch on the transition period once the Chief has retired if the commission has not made a decision. There was discussion with City Attorney Ernest Cate saying there can be an overlap with a new chief being hired before Chief Gamble has retired. That is happening in other departments as well to have a seamless transition. Commissioner Page wanted to confirm, if they were under any time constraints by law. Ernest let them know they were not to his knowledge.

Chief Gamble mentioned that there was a seamless transition between the previous Police Chief Mike Peters and himself. He was the Assistant Chief., and once Civil Service selected him as the new chief, he was able to work alongside Chief Peters until his retirement.

Julie Loper made a motion to move to executive session. Greg tuck made the second.

The meeting adjourned into executive session at 10:45 a.m.

Civil Service Commission returned from executive session at 11:23 a.m.

Terry Page made a motion to open the police chief search externally. He also mentioned they are very excited about the two qualified internal applicants and look forward to interviewing them.

Greg Tuck made the second.

There was a voice vote of all ayes and no nays.

Springdale Civil Service Commission
August 14, 2024

The meeting adjourned at 11:24 a.m.

Bob Downum, Chairman or Greg Tuck, Secretary

Date

Civil Service Commission members in attendance:

Bob Downum
Terry Page
Danny McGinley
Greg Tuck
Julie Loper

Others in attendance:

City Attorney Ernest Cate
Police Chief Frank Gamble
Fire Chief Blake Holte
Pat Lee
Sarah Manweiler

Meeting was called to order by Bob Downum at 4:00 p.m.

FIRE DEPT DRIVER/OPERATOR CERTIFICATION

Chief Blake Holte said everyone should have the certified eligible list of Driver Operator. The testing concluded September 12, 2024. There were 12 members that successfully completed the process, and are listed in order.

Commissioner Bob Downum asked if there were any that didn't pass. Chief Holte said there were two that didn't meet the minimum requirements.

Bob Downum asked what the top score was, and clarified that the bottom score has to be a minimum of 70%. Greg Tuck asked if the list was in any particular order, and Chief Holte explained that it is in order of how they finished as that is how they have to promote. They take the top 3 from each available position, and that's why they place them how they ranked on the list.

Commissioner Danny McGinley asked how many openings for Driver/Operator were there currently. Chief Holte said there are zero, but they have to keep an updated list of those certified, and their previous list had been completely exhausted. The list is good for two years.

Chief Holte also explained that anyone that can be eligible within the two years (even if they're currently not eligible), can test even though they won't be eligible until the date they list on the certification list.

Commissioner Danny McGinley the motion to certify the list for Diver/Operator. Julie Loper made the second.

There was a voice vote of all ayes and no nays.

The Driver/Operator's certified are:

1. Eric Kaltenberger
2. Jacob Northrop
3. Daniel Hopping
4. Anthony Spero
5. *Will Silvey
6. Dylan Poe
7. Tyler Lentz
8. Cole Bohannon
9. Ian Burnett
10. Tanner Goodwin
11. Ryan Peck
12. Michael Applegate

*Candidate will not be eligible until after March 6, 2026

FIRE CHIEF COMMENTS

Chief Blake Holte requested that the Civil Service Commission would consider hearing an argument to change the wording from resigned to separated service in the Civil Service Commission Manual Chapter 7; Section 1.

He said there is a conflict with the intent that HR has in the personnel manual; by allowing someone who is terminated solely for having or using medical marijuana because they allow them to remain eligible for rehire. Eligible for rehire means they are separating in good standing regardless of whether it was a discharge or a resignation.

Ernest Cate stated the state law gives the Civil Service Commission the authority to adopt and amend the Civil Service Commission manual after public notice and hearing. So, the purpose of this is to determine whether they want to hold a public hearing and have a discussion on a possible amendment. He then read Chapter 7 section 1 which states an employee that resigns may be reinstated within a year of resigning from the position. He also used this example to show how this has traditionally been used: A police officer goes to work in another dept. or a different line of work and within a year decides they want to come back. He noted that the City of Springdale personnel manual states that with medical marijuana in safety sensitive positions; if accommodation is not feasible, employees may be terminated although they will be considered eligible for rehire.

Ernest said, the young man that the appeal hearing was on in July, is eligible for rehire, and the next rehire for Fire Dept is in the Spring. However, based on the language in the Civil Service Commission manual, as it is currently written, he is not eligible for reinstatement, in his opinion.

He continued, by saying he is always leery anytime a change is made for one person about the precedent being set. He's not sure there is a conflict in how its stated, because reinstatement is a separate thing from someone being terminated due to medical marijuana.

Commissioner Bob Downum asked what the difference between the wordings “resigned” and “separated from service” was. Chief Holte explained resigned is willfully on your own; discharged is a decision made by the dept head or the City to end the service.

Ernest Cate mentioned that this gentleman’s recourse was to appeal to Circuit Court, not to have the Civil Service Manual amended, but that was ultimately up to the Commission.

Bob Downum agreed, and clarified he was offered a different position with the city, but turned it down.

Chief Holte explained he would have to go through the hiring process again if he was rehired verses being reinstated. He would have to start at ground zero, whereas if he was reinstated, he would retain some of his benefits. Currently there is not a Driver/Operator position available, so specific to Jonathan Kidd, he would only be able to be reinstated as a firefighter, and he’s aware of that. He would also have to certify high enough on the list to be hired. The Civil Service testing process is such that they have to choose from the top 5 in hiring for each open position. He also said that while he understands the precedent it might appear to set, he doesn’t see it that way, because with any other city dept., he could apply and be hired back. The Fire Dept operates with only 2 testing processes a year, and that’s the only time they can hire people. He would have to pay to go through testing again and hope he beats everyone else out. Chief said if it wasn’t a 15-year employee, that is already a paramedic, has firefighter qualifications, and all the value that this has to the dept, it would be easier decision.

Commissioner Danny McGinley asked if he was a Driver/Operator. Chief Holte said yes, he was. McGinley continued and said he will never be able to be Driver/Operator as long as he’s using medical marijuana. Chief explained that he’s not even eligible for rehire as long as he’s using medical marijuana, so he would have to test negative before he was able to be rehired. Commissioner Downum asked if he would be subject to an increased amount of drug tests. Chief Holte said that is up to HR, and they would address that if and when the time came.

Bob Downum stated that the commission and city spent a lot of effort, time, and money on the hearing a couple months ago. He also stated according to the policy it states “an employee with a good record”; and both Commissioner Downum and Terry Page both said they don’t consider his situation to be “with a good record” as it states for rehiring purposes.

Downum and Page both continued saying he may have done a good job at what he was doing, but if he comes back to work, and for some reason or another someone dies, if he was tested again and had marijuana in his system, how would the City handle that in a lawsuit. Both of them understand he was a valuable employee, but also the city could be liable in the future if something was to happen and he tested positive. Other Commissioners Julie Loper and Greg Tuck agreed.

Chief Blake Holte clarified that rehiring is different than reinstating, the Dept. can hire him back. The Fire Dept. can hire people with past convictions, unlike the Police Dept. Provided he tests negative and maintains negative throughout his career.

Downum asked if they changed the terminology, what would happen with regard to Mr. Kidd. Ernest explained he would be eligible for reinstatement, upon approval from Civil Service Commission.

Chief Holte explained he feels like there is a discourse between the Civil Service manual and the Personnel manual, because according to the Personnel manual he is eligible to come back to work, but

under Civil Service manual he isn't. He stated they try to keep both aligned as closely as possible, and that is his reason for bringing this forward.

Commissioner Julie Loper asked both Chiefs if outside of this situation had they ever felt like this needed to be changed before. They both said no.

Bob Downum said Police and Fire are both life and death jobs therefore the civil service manual doesn't necessarily have to match up with the personnel manual.

All commissioners decided that this needed to be brought up again in the future for discussion.

Greg Tuck made a motion for a Civil Service meeting on Monday October 14, 2024 at 10:00 a.m. to discuss possible changes to the Civil Service Commission manual. Julie Loper made the second.

There was a voice vote of all ayes and no nays.

POLICE CHIEF COMMENTS

Chief Gamble reminded the commission of the interviews for new hires for Police Dept on September 30, 2024. He said currently there are 88 applications, and typically 50% show up for the test. He said this is the most applications the dept. has had in the last couple years. Chief also let the commission know that HR will have some police chief applications to give them at the September 30 meeting.

The meeting adjourned at 4:47 p.m.

Bob Downum, Chairman or Greg Tuck, Secretary

Date