

**AGENDA**  
**BOARD OF PUBLIC SAFETY**  
**Tuesday November 23, 2021**

**9:00 A.M.**  
**Council Chambers**

**Municipal Building, 229 S. Second Street, Elkhart, IN 46516**

<https://coei.webex.com/coei/j.php?MTID=mbbe861c817c07090a6400e391bcc9d50>

1-415-655-0001 Meeting number 2312 977 1157

Password Safety21

- 1. ROLL CALL**
- 2. APPROVE AGENDA**
- 3. OPEN DEMOLITION BIDS: 131 N. Sixth, 1616 Toledo Rd.**
- 4. APPROVE MINUTES: Regular Meeting November 9, 2021**
- 5. POLICE DEPARTMENT**
  - Medical Leave of Absence- Cpl. Holmes
- 6. FIRE DEPARTMENT**
  - October Month End Report
  - Medical Leave- FF Lechlitrner, Engineer Brevard
- 7. COMMUNICATIONS CENTER**
- 8. BUILDING AND CODE ENFORCEMENT**
  - Award Order to Take Action Demolition Bids:
- 9. OTHER PUBLIC SAFETY MATTERS**
  - FOP Lodge 52 MOU
  - Police Merit Commission Minutes
  - Resolution 21-R-07
  - Resolution 21-R-08
- 10. PUBLIC PARTICIPATION**
- 11. ADJOURNMENT**

# Memorandum

**To:** Elkhart City Board of Safety  
**CC:** Henry Terrazas, Building Commissioner  
**From:** Aimee Lattimer, Customer & Executive Services Manager  
**Date:** 11/15/2021  
**Re:** Order to Take Action Demolition Bids

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On November 23, 2021, bids were open for the demolition of 131 N SIXTH ST. \_\_\_\_\_ ( ) bids were received at that time and given to the City's Building Department for review.

The bids have been reviewed and the results are as follows.

DEMOLITION CONTRACTOR	TOTAL BID AMOUNT

After review, staff's recommendation is to award the demolition contract to \_\_\_\_\_ at \$ \_\_\_\_\_, as the lowest, responsive, responsible bidder.

# Memorandum

**To:** Elkhart City Board of Safety  
**CC:** Henry Terrazas, Building Commissioner  
**From:** Aimee Lattimer, Customer & Executive Services Manager  
**Date:** 11/15/2021  
**Re:** Order to Take Action Demolition Bids

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On November 23, 2021, bids were open for the demolition of 1616 Toledo Rd. \_\_\_\_\_ ( ) bids were received at that time and given to the City's Building Department for review.

The bids have been reviewed and the results are as follows.

DEMOLITION CONTRACTOR	TOTAL BID AMOUNT

After review, staff's recommendation is to award the demolition contract to \_\_\_\_\_ at \$ \_\_\_\_\_, as the lowest, responsive, responsible bidder.

BOARD OF PUBLIC SAFETY  
Tuesday, November 9, 2021

Chairman Robert Woods called a regular meeting of the Board of Public Safety to order at 9:00 a.m., Tuesday, November 9, 2021. Robert Woods, Corinne Straight, Charlie Cross, and Anthony Coleman were present. Carol Loshbough attended on WebEx. Elkhart Council liaison Arvis Dawson was absent.

1. APPROVE AGENDA

On motion by Charlie Cross, seconded by Anthony Coleman and carried 5-0 the agenda was adopted as presented.

2. OPEN BIDS: Demolition of 2135 Autumn Ridge

One bid was received for the demolition of 2135 Autumn Ridge from Pelley Excavating for \$11,557.00. On motion by Corinne Straight, seconded by Carol Loshbough and carried 5-0, the bid was assigned to staff to review and report back later in the meeting.

3. MINUTES of Regular Meeting October 26, 2021

On motion by Anthony Coleman, seconded by Charlie Cross and carried 5-0, the minutes from October 26, 2021 were approved as presented.

4. POLICE

Chief Kris Seymore presented Policy 348 Honor Guard for approval. The core mission of the Honor Guard is to convey the department's respect, empathy and condolences in a formal setting in order to assist a grieving community, and also utilized to celebrate achievement, and other occasions in which presentation of the colors is appropriate. On motion by Carol Loshbough, seconded by Corinne Straight and carried 5-0, the Board approved Policy 348 Honor Guard as presented.

Chief Seymore presented Policy 349 Remote Restraint Device for approval. This Policy provides guidelines for the issuance and use of BolaWrap, a remote restraint device, in order to minimize injury to suspects, subjects, and officers. Chief Seymore answered questions from the Board about the new product and the Policy. On motion by Carol Loshbough, seconded by Charlie Cross and carried 5-0, the Board approved Policy 349 Remote Restraint Device as presented.

5. FIRE

Chief Shaun Edgerton was available for questions. The Board did not have anything for him.

6. COMMUNICATIONS

Adam Amsden attended on WebEx. He submitted the October Month End Report. Bob asked a question about funding. Adam explained the funding from the State is distributed to the County, and they distribute it to the Cities. On motion by Corinne Straight, seconded by Anthony Coleman and carried 4-0, the Board accepted the Communications Center October Month End Report and placed it on file.

7. BUILDING & CODE ENFORCEMENT

Henry Terrazas presented the October Month End Report. On motion by Corinne Straight, seconded by Charlie Cross and carried 4-0, the Board accepted the Building and Code Enforcement Month End Report for October.

On motion by Anthony Coleman, seconded by Corrine Straight and carried 4-0, the Board awarded the demolition of 2135 Autumn Ridge to Pelley Excavating, Inc. for \$11,557.00 as the lowest, responsive, and responsible bidder.

BOARD OF PUBLIC SAFETY  
Tuesday, November 9, 2021

8. ADJOURNMENT

On motion by Corinne Straight, seconded by Charlie Cross and carried 5-0, the Board of Public Safety meeting was adjourned at 9:28 a.m.

\_\_\_\_\_ Robert Woods, Chairman

Attest: \_\_\_\_\_ Nancy Wilson, Clerk of the Board

Rod Roberson  
Mayor

Kris Seymore  
Chief



Police Department  
175 Waterfall Dr.  
Elkhart, IN 46516

574.295.7070  
Fax: 574.293.0679

November 15, 2021

Board of Public Safety  
Municipal Building  
229 S. 2nd Street  
Elkhart, IN 46516

RE: Cpl. Breann Holmes - Medical Leave of Absence

Dear Board Members:

According to Article XIII, Section 2 of the Police Officer Collective Bargaining Agreement it states that:

"If the Board of Public Safety finds that an officer who has been employed by the Police Department for longer than one (1) year is injured, ill, or disabled from any cause and is physically unfit to perform his regular duties during the period of such disability, then the Board of Public Safety shall grant a leave of absence with pay up to a maximum period of one-hundred-eighty (180) days commencing from the date of such injury, illness, or disability and said days shall run consecutively. The officer shall be required to use up to three (3) paid sick days prior to receiving extended leave for any non-line-of-duty injury."

Due to an unforeseen medical condition we are requesting that you grant a leave of absence with pay for Cpl. Holmes. She began her medical leave on November 12, 2021; her return to work date has yet to be determined.

Thank you for your consideration in this matter.

Respectfully,

Kris Seymore  
Chief of Police

A handwritten signature in blue ink, appearing to be "Kris Seymore", is written over the printed name and title.

Cc: Payroll  
Personnel File





Rod Roberson  
Mayor

Shaun Edgerton  
Fire Chief

Rodney Dale  
Assistant Fire Chief

Kristl Sommer  
Assistant Fire Chief

Bette Howard  
Administrative Assistant

Fire Department  
500 East Street  
Elkhart, Indiana 46516

Phone: (574) 293-8931  
Fax: (574) 522-1023

Email:  
fire@elkhartfire.org

November 16, 2021

Elkhart Board of Safety  
229 S. Second St  
Elkhart, IN 46516

RE: Monthly Report, Medical Leave Extensions

Members,

Attached you will find the monthly report for the month of October. Please review this submission at your convenience. If there are any questions, I will endeavor to provide answers.

In addition to this submission, I have received requests from FF Aaron Lechlitner and Engineer David Brevard for extensions to their negotiated departmental medical leave.

FF Lechlitner sustained an injury during a training exercise on 5/6/21. His date of return shall be on or before 12/20/21.

Engineer Brevard sustained a previous on duty injury that required additional surgical invention. His date of return shall be on or before 12/20/21.

I ask that the board review and affirm the requests for extension of these individuals.

Respectfully Submitted,

Shaun Edgerton  
Fire Chief

Cc: Personnel File

ANALYTICS  
Total Record Volume By Incident Type

EDITED

Custom

Oct 1, 2021 - Nov 1, 2021

Filters

Trend Lines

29%

FIRE  
Percentage of Total  
Incidents

71%

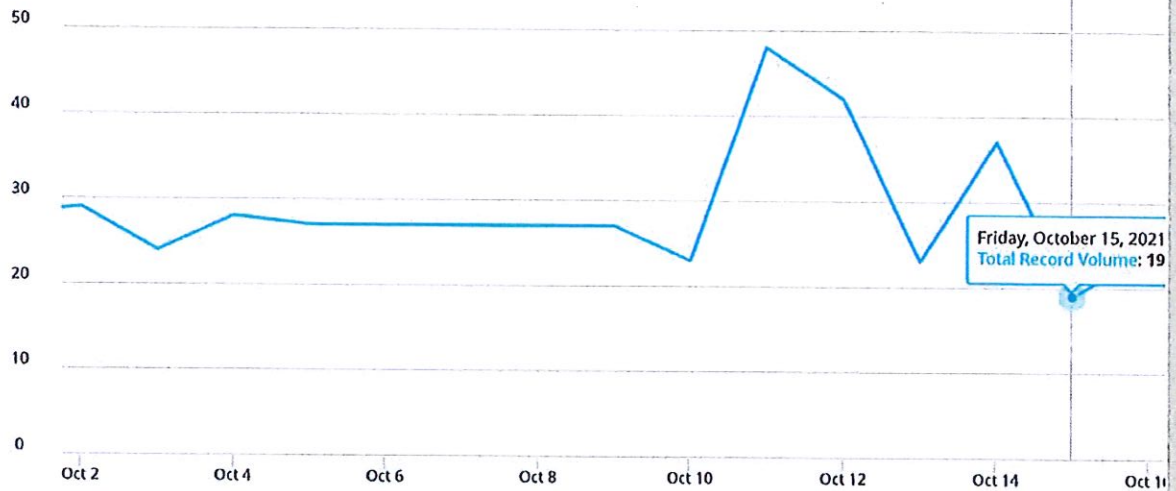
EMS  
Percentage of Total  
Incidents

897

INCIDENTS  
In Selected Time Slice

31

DAYS  
In Selected Time Slice



Counts	% Rows		% Columns		% All											
Week Ending	10/3/21	10/10/21	10/17/21	10/24/21	10/31/21	11/7/21	11/14/21	11/21/21	11/28/21	12/5/21	12/12/21	12/19/21	12/26/21	Total		
(11) Structure Fire	1	2	4	3	2	-	-	-	-	-	-	-	-	12		
(13) Mobile property (vehicle) fire	-	-	1	-	1	-	-	-	-	-	-	-	-	2		
(14) Natural vegetation fire	-	-	1	1	1	-	-	-	-	-	-	-	-	3		
(15) Outside rubbish fire	1	1	3	1	-	-	-	-	-	-	-	-	-	6		
(16) Special outside fire	-	-	-	1	-	-	-	-	-	-	-	-	-	1		
(31) Medical assist	-	-	-	-	1	-	-	-	-	-	-	-	-	1		
(32) Emergency medical service (EMS) incident	52	143	151	140	132	13	-	-	-	-	-	-	-	631		
(35) Extrication, rescue	1	-	1	-	-	1	-	-	-	-	-	-	-	3		
(38) Rescue or EMS standby	-	1	-	-	-	-	-	-	-	-	-	-	-	1		
(40) Flammable gas or liquid condition, other	-	-	1	-	-	-	-	-	-	-	-	-	-	1		



## MEMORANDUM OF UNDERSTANDING

The City of Elkhart, Indiana (City) and the Fraternal Order of Police, Lodge 52 (FOP) are the parties to a collective bargaining that has a term which began on January 1, 2020 and which term expires on December 31, 2022. In 2021 the City of Elkhart proposed paying out employees that had carried over vacation from the previous year due to staffing issues and the Covid 19 pandemic causing staffing issues.

By agreement between Elkhart and FOP, Article 19, Vacation, states vacation time and pay are not cumulative from one year to the next and must be taken during each calendar year.

Elkhart and FOP agree that due to the staffing level issues and the inability to provide an opportunity for officers to take the earned vacation, officers are being forced to carry over vacation time past the agreed time frames.

It is agreed that officers, due to the staffing level and inability to schedule vacation time, would have the opportunity to sell back the earned vacation that would not be used in the previously agreed to term. The officer would be paid for the vacation at the officer's current rate of pay. The officer would submit the designated form requesting payment for the excess vacation that will not be used in the designated time frame.

All remaining Articles in the agreement remain as previously written and agreed upon without amendment.

Dated \_\_\_\_\_ 2021 \_\_\_\_\_

FOP Lodge 52

City of Elkhart  
Board of Safety

\_\_\_\_\_  
Jason Ray, President

\_\_\_\_\_  
Robert Woods, Chairman

\_\_\_\_\_  
Rod Roberson, Mayor

POLICE MERIT COMMISSION  
Monday, October 11, 2021

President James Rieckhoff called a meeting of the Police Merit Commission to order at 9:00 a.m., Monday, October 11, 2021. Clerk of the Commission Nancy Wilson called the role. Commissioners James Rieckhoff, Clifton Hildreth, Thomas Barber and Brad Billings attended in person. Jean Mayes was absent.

1. APPROVE AGENDA

On motion by Brad Billings, seconded by Clifton Hildreth and carried 4-0, the agenda was approved as amended by adding a statement regarding Carlton Conway.

2. MINUTES- Regular Meeting September 13, 2021

On motion by Clifton Hildreth, seconded by Tom Barber and carried 4-0, the minutes from September 13, 2021 were approved as presented.

3. POLICE DEPARTMENT

Chief Seymore presented prospective officer Adam J. Jackson for hire. Mr. Jackson passed all of the required medical and psychological screenings, as well as the appropriate background searches necessary to become employed with the Elkhart Police Department as a police officer. He asked the Commissioners to approve the hiring of this candidate and swear him in.

On motion by Clifton Hildreth, seconded by Brad Billings and carried 4-0, the Police Merit Commission hired Adam J. Jackson as a police officer for the City of Elkhart Police Department.

Mayor Rod Roberson swore him in as follows: "I Adam Jeffery Jackson, swear that I will diligently, honestly, faithfully and impartially, perform all my duties as a police officer of the City of Elkhart, according to law. I will support and defend the Constitution of the United States; and the Constitution of the State of Indiana. I will observe the rules and regulations established by the Police Merit Commission, and the Chief of Police of the Elkhart Police Department." Mayor Roberson congratulated him. Jim Rieckhoff took a recess for photos.

Jim called the meeting to order. Chief Seymore presented a Change of Status promotion for Captain Dan Milanese. Effective October 1, 2021 he was appointed to the rank of Assistant Chief of Police. The Chief said he is absolutely qualified and a great addition to the command staff. Jim Rieckhoff noted he is an executive officer and the Police Merit Commission has no jurisdiction over the appointment. He thanked Chief Seymore for the formal notification. Asst. Chief Milanese was present and Jim welcomed him saying he is looking forward to great things.

Chief Seymore presented a Change of Status promotion for Acting Lieutenant Andrew Whitmyer to the rank of captain over the Services Division effective October 1, 2021.

Chief Seymore presented a Change of Status promotion for Cpl. James Wrathell to the rank of Acting Lieutenant in the Professional Standards Division effective October 4, 2021. Jim Rieckhoff noted the formal notification.

Chief Seymore presented notification of retirement for Lt. Carlton Conway. His retirement took effect October 8, 2021. He served the Elkhart Police Department just over 23 years. Chief Seymore thanked him for his service to the Police Department and the Elkhart community.

Jim Rieckhoff announced the disciplinary hearing set for Lt. Conway on

POLICE MERIT COMMISSION  
Monday, October 11, 2021

October 13, 2021 is moot and therefore cancelled.

4. ADJOURNMENT

On motion by Brad Billings, seconded by Clifton Hildreth and carried 4-0, the City of Elkhart, Indiana Police Merit Commission was adjourned at 9:16 a.m.

James Rieckhoff James Rieckhoff, President

Attest: Clifton R. Hildreth Clifton Hildreth, Secretary

**RESOLUTION NO. 21-R-07**

**A RESOLUTION OF THE BOARD OF PUBLIC SAFETY OF THE CITY OF  
ELKHART, INDIANA, AUTHORIZING THE DEPARTMENT OF LAW TO OBJECT  
TO THE APPLICATION OF TARYN ASHLEY LANZEN FOR DISABILITY  
BENEFITS AT THE HEARING OF THE LOCAL PENSION BOARD**

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WHEREAS, the Board of Public Safety authorized the Department of Law of the City of Elkhart to perform a due diligence inquiry into the application of Taryn Lanzen for disability benefits and report the same to the Safety Board for its consideration and presentation to the Local Pension Board; and

WHEREAS, on this date, City Attorney Rose M. Rivera of the Department of Law reported to this Board of Public Safety the results of its investigation into the application for disability filed by Taryn Ashley Lanzen; and

WHEREAS, on motion of City Attorney Rose M. Rivera on behalf of the Board of Public Safety, Rod Roberson, as President of the Local Police Pension Board, ordered Taryn Lanzen to submit to an independent [REDACTED] examination, to contact Dr. Warren [REDACTED] and otherwise cooperate with and provide information to facilitate the independent [REDACTED] examination; and

WHEREAS, Taryn Ashley Lanzen failed to cooperate with the independent [REDACTED] examination ordered by the Local Pension Board on behalf of this Board of Public Safety.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF ELKHART, INDIANA:

- A. That the Department of Law of the City of Elkhart, be, and hereby is, authorized to object, on behalf of the Board of Public Safety, to the application of Taryn Ashley

Lanzen for disability pension benefits, having failed to cooperate with the independent  
[REDACTED] examination preventing this Public Safety Board from performing its due  
diligence inquiry into the merits of her application for disability pension benefits.

SO RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF ELKHART, this  
23rd day of November, 2021.

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Dr. Robert Woods  
Chairman of the Board of Public Safety

**RESOLUTION NO. 21-R-08**

**A RESOLUTION OF THE BOARD OF PUBLIC SAFETY OF THE CITY OF  
ELKHART, INDIANA, DENYING NATHAN LANZEN'S REQUEST FOR PAID  
MEDICAL LEAVE UNDER THE COLLECTIVE BARGAINING AGREEMENT**

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WHEREAS, Nathan Lanzen submitted his application for paid medical leave under the collective bargaining agreement; and

WHEREAS, the Chief sought a second medical opinion regarding Nathan Lanzen's medical condition;

WHEREAS, the second medical opinion does not support Nathan Lanzen's inability to perform his job duties due to his claimed medical condition;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF ELKHART, INDIANA:

A. That Nathan Lanzen's Medical Leave is denied.

SO RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF ELKHART, this  
23rd day of November, 2021.

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Dr. Robert Woods  
Chairman of the Board of Public Safety