

AGENDA
BOARD OF PUBLIC SAFETY
Tuesday, July 23, 2024
9:00 A.M.
Council Chambers

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

<https://signin.webex.com/join>

1-415-655-0001 Meeting number 2313 412 9898

Password Safety24

- 1. ROLL CALL**
- 2. APPROVE AGENDA**
- 3. APPROVE MINUTES: Regular Meeting June 25, 2024**
- 4. POLICE DEPARTMENT**
- 5. FIRE DEPARTMENT**
 - Separation of Employment- Seth Skipper, Kandy Rogers
- 6. COMMUNICATIONS CENTER**
- 7. BUILDING AND CODE ENFORCEMENT**
- 8. OTHER PUBLIC SAFETY MATTERS**
 - Police Merit Commission Minutes
- 9. PUBLIC PARTICIPATION**
- 10. ADJOURNMENT**

BOARD OF PUBLIC SAFETY
Tuesday, June 25, 2024

Chairman Kara Boyles called a regular meeting of the Board of Public Safety to order at 9:00 a.m., Tuesday, June 25, 2024. Clerk of the Board Nancy Wilson called the roll. Kara Boyles, Brian Thomas, Anthony Coleman and Dacey Davis were present. LaLaesha Black was absent. Audio was not available for the meeting until the grievance began.

1. APPROVE AGENDA

On motion by Anthony Coleman, seconded by Dacey Davis and carried 4-0, the agenda was approved as presented.

2. MINUTES- Regular Meeting June 11, 2024

On motion by Dacey Davis, seconded by Anthony Coleman and carried 4-0, the minutes from June 11, 2024 were approved as presented.

3. POLICE

Chief Dan Milanese presented a contract with Party Starters for the Night Out Against Crime Event on August 6, 2024. On motion by Brian Thomas, seconded by Anthony Coleman and carried 4-0, the Board approved a contract between the EPD and Party Starters for \$550.00. Chief Milanese presented a second contract for the Night Out Against Crime Event for advertisement broadcast with WNDV-FM-AM for \$500.00. On motion by Brian Thomas, seconded by Anthony Coleman and carried 4-0, the Board approved a contract between the EPD and WNDV-FM-AM for advertisement broadcast for \$500.00.

Captain Travis Hamlin presented the updated Policy 1023 Personal Appearance Standards for approval. Standards for tattoos, body piercing or alterations and facial hair were added. On motion by Anthony Coleman, seconded by Laesha Black and carried 4-0, the Board approved revised Policy 1023 Personal Appearance Standards.

4. BUILDING AND CODE ENFORCEMENT

On motion by Dacey Davis, seconded by Anthony Coleman and carried 4-0, the Board accepted and placed on file the Building and Code Enforcement May Month End Reports.

5. OTHER PUBLIC SAFETY MATTERS

Ratify Fire Pension Board Special Meeting Notice

On motion by Dacey Davis, seconded by Anthony Coleman and carried 4-0, the Board ratified notice of the Elkhart Firefighter Local Pension Board Special Meeting on June 17, 2024.

Police Merit Commission Minutes

On motion by Dacey Davis, seconded by Anthony Coleman and carried 4-0, the Board accepted and placed on file the Police Merit Commission minutes from May 13, 2024.

** Chairman Boyles took a recess to prepare for the grievance hearing. During the recess audio was restored. At 9:15 a.m., Chairman Boyles called the meeting back to order.

6. GRIEVANCE HEARING: FIREFIGHTER TOMMY ROHRER

Chairman Kara Boyles introduced the grievance for FF Tommy Rohrer and reviewed the Grievance Hearing Format. Clerk of the Board Nancy Wilson swore in

BOARD OF PUBLIC SAFETY
Tuesday, June 25, 2024

all of the people who were giving testimony.

Jason Gour, President of the IAFF Local 338 represented Tommy Rohrer and gave the grievant's opening statement.

Attorney Maggie Marnocha represented the City and gave management's opening statement.

Mr. Gour examined his witness Chief Rodney Dale. Attorney Marnocha cross-examined the witness. Mr. Gour re-directed examination of the witness. Attorney Marnocha re-cross examined the witness. The Grievant rested his case. Attorney Marnocha rested her case.

Jason Gour gave the grievant's final argument.

Attorney Maggie Marnocha gave management's final argument.

Brian Thomas, Dacey Davis, Anthony Coleman, and Kara Boyles asked questions during their deliberation. The Board discussed the resolutions sought by Firefighter Rohrer.

A motion was made by Brian Thomas that the Board of Safety accept the Union grievance for Fire Fighter Tommy Rohrer. Anthony Coleman seconded the motion. During discussion, Brian Thomas asked if the resolutions could be amended. Attorney Marnocha responded yes. Jason Gour suggested dropping the second resolution and accepting the first and third. Kara said the Board can accept the grievance and make it contingent upon the resolutions it chooses. The Board can amend the motion. A motion was made by Anthony Coleman to amend the motion to accept resolutions one and three. Kara said if the Board accepts resolution one, two will follow and it appears we are all not in favor of that. There was no second and Mr. Coleman's motion to amend failed. A motion was made by Brian Thomas to amend the motion as it stands to change resolution item number three, "that the approving authority consider compensating the fire fighter who was wrongfully required to holdover 12 hours of compensatory time", dropping "all" to "the fire fighter", assuming "the fire fighter" refers to Tommy Rohrer. Anthony Coleman seconded the amendment. The Board discussed the motion. On a roll call vote, the amendment carried 3-1, Dacey Davis was opposed. Kara called for the vote on the amended motion. The motion failed 2-2, Dacey Davis and Kara Boyles were opposed, and the grievance for Fire Fighter Tommy Rohrer was denied.

7. ADJOURNMENT

Chairman Kara Boyles adjourned the Board of Public Safety meeting at 10:32 a.m.

_____ Kara Boyles, Chairman

Attest: _____ Nancy Wilson, Clerk of the Board

Elkhart Fire
500 East Street
Elkhart, IN 46516

Phone: (574) 293-8931
Fax: (574) 522-1023
Fire.Admin@Elkhartfire.org



Rodney Dale
Fire Chief

Kristi Sommer
Assistant Fire Chief

July 23rd, 2024

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

RE: Separation of employment
Seth Skipper

Dear Board Members:

On June 15th our local pension board met, at the request of Seth Skipper, and collectively we approved Seth for a class 1 medical pension, immediately ending his employment with the Elkhart Fire Department.

If you have any questions, or would like further information, please do not hesitate to contact me.

Respectfully,

A handwritten signature in blue ink, appearing to read "Rodney Dale", is written over the typed name.

Rodney Dale
Fire Chief

Elkhart Fire
500 East Street
Elkhart, IN 46516

Phone: (574) 293-8931
Fax: (574) 522-1023
Fire.Admin@Elkhartfire.org



Rodney Dale
Fire Chief

Kristi Sommer
Assistant Fire Chief

July 23rd, 2024

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

RE: Separation of employment
Kandy Rogers

Dear Board Members:

On July 11th our local pension board met, at the request of Chief Rodney Dale, and collectively we approved Kandy for a class 1 medical pension, immediately ending her employment with the Elkhart Fire Department.

If you have any questions, or would like further information, please do not hesitate to contact me.

Respectfully,

A handwritten signature in blue ink, appearing to read "Rodney Dale", is written over the word "Respectfully,".

Rodney Dale
Fire Chief

POLICE MERIT COMMISSION
Monday, June 10, 2024

President Jim Rieckhoff called a regular meeting of the Police Merit Commission (PMC) to order at 9:00 a.m., Monday, June 10, 2024. Clerk Nancy Wilson called the role. Commissioners Jim Rieckhoff, Brad Billings, Thomas Barber, and Clifton Hildreth attended in person. Jean Mayes attended on WebEx.

1. APPROVE AGENDA

On motion by Brad Billings, seconded by Cliff Hildreth and carried 4-0, the agenda was approved as presented.

2. APPROVE MINUTES: Regular Meeting May 13, 2024

On motion by Clifton Hildreth, seconded by Thomas Barber and carried 5-0, the minutes from May 13, 2024 were adopted.

3. POLICE DEPARTMENT

Assistant Chief Andrew Whitmyer presented a Notice of Charges, Tentative Hearing Date, and Rights for Cpl. Steven Jones. Jim Rieckhoff said in preparation for the meeting today, the calendar has been cleared for August 22 and August 23, 2024 to hear the disciplinary hearing for Corporal Steven Jones. On motion by Brad Billings, seconded by Cliff Hildreth and carried 5-0, the PMC adopted the dates August 22 and August 23, 2024 at 9:00 a.m. for the Corporal Steven Jones disciplinary hearing.

4. ADJOURNMENT

On motion by Brad Billings, seconded by Clifton Hildreth and carried 5-0, the City of Elkhart, Indiana Police Merit Commission was adjourned at 9:07 a.m.



Jim Rieckhoff, President

Attest: 

Clifton Hildreth, Secretary