

**AGENDA**  
**BOARD OF PUBLIC SAFETY**  
**Tuesday, January 28, 2025**  
**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 2315 336 8350

Password Safety25

1. **ROLL CALL**
2. **APPROVE AGENDA**
3. **APPROVE MINUTES: Regular Meeting January 14, 2025**
4. **POLICE DEPARTMENT**
5. **FIRE DEPARTMENT**
6. **COMMUNICATIONS CENTER**
  - **December 2024 Month End Report**
7. **BUILDING AND CODE ENFORCEMENT**
  - **Elkhart County Auditor Contract Agreement for Real Estate Records**      **Regarding Online Access**
8. **OTHER PUBLIC SAFETY MATTERS**
  - **Police Merit Commission Minutes**
9. **PUBLIC PARTICIPATION**
10. **FIREFIGHTER GRIEVANCE HEARING**
11. **ADJOURNMENT**

BOARD OF PUBLIC SAFETY  
Tuesday, January 14, 2025

Vice-Chairman LaLaesha Black called a regular meeting of the Board of Public Safety to order at 9:00 a.m., Tuesday, January 13, 2025. Clerk Nancy Wilson called the roll. Laesha Black, Dacey Davis, and proxy Tim Reecer were present. Kara Boyles was absent. Anthony Coleman attended on Webex. There is one vacancy on the Board of Safety.

1. APPROVE AGENDA

On motion by Tim Reecer, seconded by Dacey Davis and carried 3-0, the agenda was approved as presented.

2. MINUTES- Regular Meeting December 10, 2024

On motion by Dacey Davis, seconded by Tim Reecer and carried 3-0, the minutes from December 10, 2024 were approved as presented.

3. POLICE

Chief Milanese presented a Commendation for Sgt. Jesus Carlos Contreras. Carlos was on his way home from working an extended 12-hour shift when he heard the call go out. He recognized that he could benefit the investigation and most parties involved by speaking Spanish. He went to the call knowing he would work several more hours. Lt. Walsh of the Elkhart County Homicide Unit said Carlos was knowledgeable on the progress of the investigation which greatly assisted when they were communicating with people. He assisted the homicide unit with interviews. He said Carlos helped the investigation and his efforts and willingness to do what he knew needed to be done were appreciated. Sgt. Contreras was commended for his hard work and taking the initiative to support his fellow officers on a complex call after working an extended shift.

Chief Milanese presented a Commendation for Det. Jesse Morganthaler. Sgt. Snow formally commended Cpl. Morganthaler for his exceptional productivity and initiative in combating the issues of drug-related crimes and gun violence within our community. His dedication to getting dangerous subjects off the streets has significantly contributed to public safety. Det. Morganthaler's collaborative efforts with fellow officers and various agencies have not only led to successful investigations but have fostered a spirit of teamwork that is essential in our line of work. Captain Hamlin agreed with Sgt. Snow and commended Det. Morganthaler for all of the hard work and dedication he puts forth in the profession. Every day he shows up to work with a passion that is unmatched. Congratulations!

On motion by Tim Reecer, seconded by Dacey Davis and carried 3-0, the commendations were accepted and placed on file.

4. COMMUNICATIONS CENTER

911/Communications Department Head Dustin McLain presented the November Month End Report for approval. On motion by Dacey Davis, seconded by Tim Reecer and carried 3-0, the Board accepted the November Month End Report and placed it on file.

5. BUILDING AND CODE ENFORCEMENT

Tim Vistine presented the November and December Month End Reports and the Year End Report for 2024 for review. On motion by Dacey Davis, seconded by Tim Reecer and carried 3-0, the reports were accepted and placed on file.

Tim Vistine presented a list of properties for an Order to Take Action Hearing on 1-29-25, noting 309 State Street was taken off the list. At the conclusion of



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discussion, on motion by Tim Reecer, seconded by Dacey Davis and carried 3-0, the information was accepted and placed on file.

Tim Vistine presented Board of Safety Resolution 25-R-01, a Resolution of the Board of Public Safety of the City of Elkhart, Indiana, to designate and authorize the Building Commissioner to sign and execute Compliance Agreements on behalf of the Board of Safety. At the conclusion of discussion, on motion by Dacey Davis, seconded by Tim Reecer and carried 3-0, the Board adopted Board of Safety Resolution 25-R-01 authorizing the Building Commissioner to sign and execute Compliance Agreements on behalf of the Board of Safety.

Tim Vistine presented an Agreement for Asbestos Inspection and Abatement with A&G Environmental for approval. At the conclusion of discussion, on motion by Tim Reecer, seconded by Dacey Davis and carried 3-0, the Board approved the Agreement between the City of Elkhart and A&G Environmental Solutions, LLC and authorized the Building Commissioner to sign the Agreement on behalf of the City.

6. OTHER PUBLIC SAFETY MATTERS

Police Merit Commission Minutes

On motion by Dacey Davis, seconded by Tim Reecer and carried 3-0, the Police Merit Commission minutes from November 25, 2024 were accepted and placed on file.

Firefighter Grievance Hearing Requests (28)

On motion by Tim Reecer, seconded by Dacey Davis and carried 3-0, the Firefighter Grievance Hearing for 28 Grievances was set for January 28, 2025 at 9:00 a.m. Corey Brewer of IAFF Local 338 explained the Policy is the same for each one, but the context is a little different, so that is why they are filed separately. He asked the Board to rule on each grievance separately. After brief discussion, Laesha called for the vote and the hearing was set for 1-28-25.

7. PUBLIC PARTICIPATION

Mayor Rod Roberson thanked the Board for all of the work they do for the Board of Public Safety. As we move into our ASPIRE plan for one of the platforms which is neighborhoods, we are working diligently to make sure our codes and ordinances are up to snuff. We want to make sure our neighborhoods have that balance, and part of what this board will be doing is making decisions on that. Happy New Year, I look forward to a very aggressive 2025 making sure our neighborhoods are livable, and that we have presented a platform for neighbors to improve their properties, and at the same time live in their properties with a sense of security that the City is supporting them.

8. ADJOURNMENT

Vice-Chairman LaLaesha Black adjourned the Board of Safety meeting at 9:31 a.m.

\_\_\_\_\_ LaLaesha Black, Vice-Chairman

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

**Rod Roberson**  
Mayor

**Dustin McLain**  
Department Head



574.293.2175  
Fax: 574.294.5530

**Elkhart City Communications**  
135 East Franklin Street  
Elkhart, Indiana 46516

Date: January 15, 2025

To: Mayor Rod Roberson  
Elkhart City Board of Public Safety  
Common Council

From: Dustin McLain, Department Head  
Elkhart Communications Center

Re: **December 2024 Month End Report**

We processed 7,178 incoming & outgoing emergency and non-emergency phone calls. This was a decrease of 701 calls from December of 2023. Below is a summary of the calls we handled in Communications.

CALL SOURCES	911 *This includes Landlines, Wireless, VoIP, TexTTY, and abandoned.* (as reported by INDigital State reporting online)	Administrative (non-emergency)	<b>TOTAL</b> (including outbound)
	1826	5352	7178
<b>2023 TOTALS</b>	1950	5929	7879

By shift, we entered 7,251 calls into the CAD, an increase of 922 calls from December of 2023. Below is a breakdown of the call volume by shift.

	POLICE CALLS	FIRE CALLS	OTHER	<b>TOTALS</b>
Day Shift	2198	349	346	2893
Afternoon Shift	1876	387	301	2564
Midnight Shift	1522	173	99	1794
<b>All Shifts</b>	<b>5596</b>	<b>909</b>	<b>746</b>	<b>7251</b>
<b>2023 Totals</b>	4790	822	717	6329

\*Other Calls refers to calls made to communications that either required a response by other departments, such as Parks Dept., Street Dept., etc. This also includes calls that are dispatched out as attempts to locate, repossessions and/or private impounds.

**OTHER BUSINESS**

- For the month of December 2023 we handled 29 AUDIO REQUESTS for the Prosecutor's Office and Police Dept. We provided 10 (FOIA) Public Records Requests to individuals.



# Memorandum

**To:** Elkhart City Board of Safety

**CC:** Tim Vistine, Building Commissioner

**From:** Aimee Lattimer, Customer & Executive Services Manager

**Date:** 1/28/2025

**Re:** Elkhart County Auditor Contract regarding Online Access Agreement for Real Estate Records.

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Attached you will find a contract from the Elkhart County Auditor regarding an Online Access Agreement that will provide us with more accurate Real Estate Records. This service will allow us to do a more accurate job in notifying property owners of violations at their properties. We are requesting Plan A, which will charge us \$50/month and we will use the account line *Subscriptions & Memberships* to pay for the monthly fee. The attached contract has been reviewed by the Legal Department.

**Please approve the contract for the Elkhart County Auditor regarding Online Access Agreement.**

Thank you,

Tim Vistine  
Building Commissioner

Elkhart County Auditor

117 North Second Street  
Goshen, IN 46526  
574-535-6710

**ONLINE ACCESS AGREEMENT**  
**Regarding Furnishing of Online Access to Real Estate Records**

This Agreement is made and entered into this \_\_\_ day of \_\_\_\_\_, 20\_\_ by and between the Elkhart County Auditor ("Auditor") by authority of the Elkhart County Commissioners and \_\_\_\_\_ ("Customer").

1. The Auditor agrees to furnish non-exclusive online access to certain information and records (SBS Portals Records) in its office. The index of records is available beginning January 1, 1962. Any transfers, splits, combinations, annexations, block changes, etc. will be added on a timely basis. If a change is being processed, the system will reflect a notation stating "Deed in Process" in red to advise that there is a pending change. Documents are recorded on the date presented or the next working day but can take several days to be processed in the Auditor's office.
2. The index is not to be construed as true and complete; rather it is a working index subject to error, omission, and future modification. Online access is furnished in "as is" condition and with all faults; no warranties, express or implied, are provided. The Auditor will endeavor to provide notice of any computer issues that may affect this access.
3. The Customer agrees to refrain from selling copies of this database or images to third parties. If the Customer wishes to give copies of individual documents to certain customers, Customer shall either verbally or in writing explain the source of the images to the recipient. Customer acquires no ownership rights or interest in the SBS Portals Records under this Agreement.
4. Customer shall select one of the following User Plans:

Plan A:	0-250 minutes	\$50.00/month	.20 per minute overage*
Plan B:	251-1000 minutes	\$100.00/month	.15 per minute overage*
Plan C:	1001-3000 minutes	\$200.00/month	.12 per minute overage*
Plan D:	Unlimited minutes	\$250.00/month	

\* Per minute charge for each minute over the accepted plan

5. When the SBS Portals program is operating, after 2 minutes of no activity, the user will receive an automatic disconnect notice. Regardless of whether the user elects to continue, cancel, or disable this automatic disconnect notice, the Customer agrees to pay the normal fees for all online time until the SBS Portals session is closed.
6. This Agreement requires a minimum three-month commitment. Either party may, upon reconciliation of any money owed by Customer, terminate this Agreement upon written notice to the other party. Customer may change user plans within the first 5 days of any given month. Customer is not permitted to assign this Agreement without the written consent of Elkhart County.

CUSTOMER AGREES TO THE TERMS OUTLINED ABOVE

Signed \_\_\_\_\_ Date \_\_\_\_\_  
Customer

Signed \_\_\_\_\_ Date \_\_\_\_\_  
Elkhart County Auditor

(To subscribe to SBS Portals, please fill out the form on the next page.)

**Elkhart County, IN SBS Portals Subscriber Information**

Name \_\_\_\_\_

Title \_\_\_\_\_

Name of Company \_\_\_\_\_

Street Address \_\_\_\_\_

City, State, Zip Code \_\_\_\_\_

Phone \_\_\_\_\_

Email Address \_\_\_\_\_

Date \_\_\_\_\_

Signature \_\_\_\_\_

**Elkhart County SBS Portals Price:**

- |    |                   |                                      |
|----|-------------------|--------------------------------------|
| A. | 0-250 minutes     | \$50.00/month (\$0.20/Min. Overage)  |
| B. | 251-1000 minutes  | \$100.00/month (\$0.15/Min. Overage) |
| C. | 1001-3000 minutes | \$200.00/month (\$0.12/Min. Overage) |
| D. | Unlimited         | \$250.00/month                       |

Plan (Circle One): A B C D

Username: \_\_\_\_\_

Password: \_\_\_\_\_



POLICE MERIT COMMISSION  
Friday, December 13, 2024

President Jim Rieckhoff called a special meeting of the Police Merit Commission (PMC) to order at 9:00 a.m., Friday, December 13, 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 Clifton Hildreth, seconded by Thomas Barber and carried 5-0, the agenda was approved as presented.

2. APPROVE MINUTES: Regular Meeting November 25, 2024

On motion by Brad Billings, seconded by Clifton Hildreth and carried 5-0, the minutes from November 25, 2024 were adopted.

3. POLICE

Chief Dan Milanese presented two prospective officers for hire. Prospective Officer Gabriel Lee Freyermuth 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 of his hiring and that he be sworn in. On motion by Clifton Hildreth, seconded by Thomas Barber and carried 5-0, the PMC hired Gabriel Lee Freyermuth as a Police Officer with the Elkhart Police Department.

Prospective Officer Arthur Edward Arriaga 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 of his hiring and that he be sworn in. On motion by Thomas Barber, seconded by Clifton Hildreth and carried 5-0, the PMC hired Arthur Edward Arriaga as a Police Officer with the Elkhart Police Department.

Mayor Rod Roberson swore the new Officers in as follows: "I 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." Jim Rieckhoff took a brief recess.

Chief Milanese presented a Disciplinary Notice for Lt. Anthony Tweedy. He violated Policy 320.5.8 (c) Standards of Conduct- Performance and received a 3-day suspension without pay and Remedial Training. Jim Rieckhoff formally accepted the notification and placed it on file.

Chief Milanese presented a Disciplinary Notice for Sgt. Jeremy Snow. He violated Policy 422.5(b) In-car Mobile Camera Use and Policy 320.5.10(d) Safety and received a 2-day suspension without pay and Corrective Training. Jim Rieckhoff formally accepted the notification and placed it on file.

4. 2025 PMC Appointments


Jim Rieckhoff announced that Thomas Barber was re-appointed by the Mayor to serve another term. Brad Billings was appointed by the Elkhart City Common Council to serve another term. Jim Rieckhoff was elected by the on-duty Police Officers to serve another term. The new term for all three newly appointed Commissioners is from January 1, 2025 to December 31, 2028.



POLICE MERIT COMMISSION  
Monday, November 25, 2024

5. 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 9:29 a.m.

 Jim Rieckhoff, President

Attest:  Clifton Hildreth, Secretary

**BEFORE THE CITY OF ELKHART  
BOARD OF PUBLIC SAFETY**

**IN RE: The Matter of the Grievances Regarding the Use of Sick Leave**

**Motion to Consolidate Grievances**

**Background**

Each of the 24 separate grievances filed by firefighters before the Board of Safety sets forth the same alleged contract violation and seeks the same relief pertaining to application of the sick leave language of the collective bargaining agreement.

Specifically, the Board needs to determine whether firefighters, who were paid an attendance incentive for not using sick days, can then use paid sick days to take time off.

Since each of the grievances allege the same contract violation and request the same relief, in the interests of efficiency and consistency the City requests that the grievances be consolidated.

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a copy of the foregoing has been duly served by email transmission this 23rd day of January, 2025 to the following:

Cory Brewer  
cory.brewer@elkhartfire.org  
corybrewer88@gmail.com

Nancy Wilson  
nancy.wilson@coei.org  
Board of Safety

/s/Wayne J. Belock, Esq.  
Wayne J. Belock, Director of Human Resources  
City of Elkhart  
201 S. Second Street Elkhart, Indiana 46516