

2  
3 AN **ORDINANCE** amending § 33.003: Term Limits and Removal  
4 of the City of Fort Wayne Code of Ordinances  
5

6 WHEREAS, the Fort Wayne City Council has statutorily granted authority via state and local code  
7 to appoint Council persons and community members to boards and commissions, as well as  
8 permissions granted by non-profit organizations and community groups; and  
9

10 WHEREAS, on June 27, 2023, the Fort Wayne City Council implemented term limits for  
11 appointments made by the body, with an expectation that the same would occur for appointments  
12 made by the Mayor; and  
13

14 WHEREAS, the Mayor’s term limits did not come to fruition, and the balance of power, with one  
15 portion of the government abiding by rules that the other is not bound by, is inequitable; and  
16

17 WHEREAS, Council has the ability to change appointments after a term expires and term limits  
18 are unnecessary.  
19

20 NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF  
21 FORT WAYNE, INDIANA,  
22

23 **SECTION 1. Section 33.003 shall be amended and replaced as follows:**

24 **§ 33.003 REMOVAL OF A COUNCIL APPOINTEE FROM A BOARD OR**  
25 **COMMISSION**

26  
27 (A) *Removal from a board or commission.* Appointments made by Common Council to any  
28 board or commission may be rescinded at any time by a vote of Council, unless removal is  
29 specifically governed by state or local code.

30 (1) The Council Review Committee (“Committee”) is created, consisting of three members  
31 of Council: one Democrat, one Republican, and the President of Council (or designee).

32 (2) Removal may be for any of the following reasons:

33 (a) Failure to attend meetings as deemed necessary by the board or commission.

34 (b) Failure to participate in meetings and other activities as deemed necessary by the  
35 board or commission.

36 (c) Participating in an activity contrary to the mission of the board or commission.

37 (d) Failure to provide a report to the staff liaison to be submitted to Council.

38 (e) Failure to appropriately disclose conflicts of interest or to engage in conduct or  
39 personal proclivity that is unreasonably disruptive to the work or mission of the board.

1 (3) (a) The Committee shall consider any information provided by a member of the board  
2 in question or City of Fort Wayne staff member. This information must be submitted to staff in  
3 the City Council office with a written request to be shared with the Committee, who will  
4 determine if the information should be referred to the Council body. Any member of Council  
5 may request the information be referred to the body during the review period of the Committee.

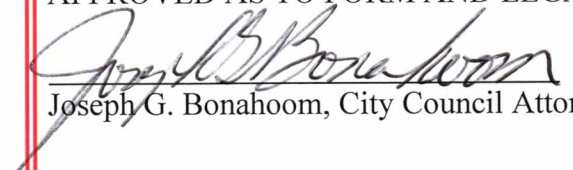
6 (b) The Committee shall review submitted materials and determine if the matter warrants  
7 a referral to Council for a vote on removal from the board. Any information submitted to Council  
8 by the Committee shall be placed on the next available agenda for discussion and any needed  
9 votes.

10 **SECTION 2.** That this Ordinance shall be in full force and effect after any and all necessary  
11 approval by the Mayor.

12  
13  
14  
15  
16  
17  
18   
19 Jason Arp, Council Member

20  
21  
22  
23   
24 Thomas Didier, Council Member

25  
26  
27  
28  
29  
30  
31 APPROVED AS TO FORM AND LEGALITY

32   
33 Joseph G. Bonahoom, City Council Attorney  
34

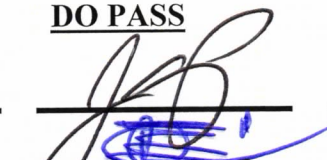
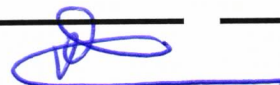
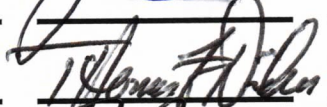
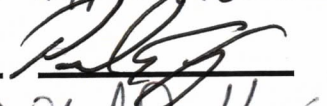
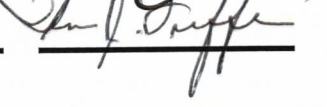
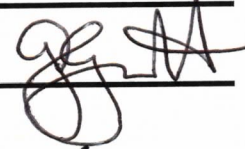
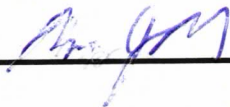


**BILL NO. G-23-08-19**

**REPORT OF COMMITTEE ON REGULATIONS  
September 5, 2023**

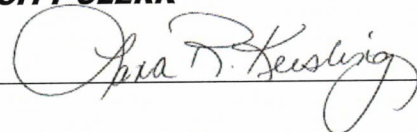
**Sharon Tucker Chair  
Tom Freistroffer Co-Chair  
All Council Members**

An Ordinance amending § 33.003: Term Limits and Removal of the City of Fort Wayne Code of Ordinances

**COMMITTEE ON REGULATIONS HAVE HAD SAID Ordinance under consideration and beg leave to report back to the Common Council that said Ordinance**

| <u>COUNCIL MEMBER</u> | <u>DO PASS</u>  | <u>DO NOT PASS</u>   | <u>ABSTAIN</u> |
|-----------------------|---|--|----------------|
| ARP                   |   |   |                |
| CHAMBERS              |   |  |                |
| DIDIER                |  |  |                |
| ENSLEY                |  |  |                |
| FREISTROFFER          |  |  |                |
| HINES                 |   |  |                |
| JEHL                  |  |  |                |
| PADDOCK               |   |  |                |
| TUCKER                |   |  |                |

**LANA R. KEESLING  
CITY CLERK**



Public Hearing Date: N/A

Read the first time in full and on motion by Councilperson Tucker.

Read the second time by title and referred to the Regulations Committee.

Read the third time in full and on motion by Councilperson Tucker, placed on passage by the following vote:


| <u>TOTAL VOTES</u> | <u>AYES</u>                         | <u>NAYS</u>                         | <u>ABSTAINED</u>         | <u>ABSENT</u>            |
|--------------------|-------------------------------------|-------------------------------------|--------------------------|--------------------------|
| ARP                | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> |
| CHAMBERS           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| DIDIER             | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> |
| ENSLEY             | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> |
| FREISTROFFER       | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> |
| HINES              | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| JEHL               | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> |
| PADDOCK            | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| TUCKER             | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

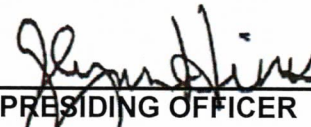
DATED: September 12, 2023

  
 \_\_\_\_\_  
 LANA R. KEESLING, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as General Ordinance No. G-23-08-19 on the 12th day of September, 2023

ATTEST:

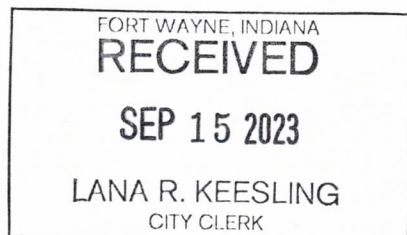
  
 \_\_\_\_\_  
 LANA R. KEESLING  
 CITY CLERK

  
 \_\_\_\_\_  
 PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th of September 2023, at the hour of 9:50 o'clock A.M. E.S.T.

  
 \_\_\_\_\_  
 LANA R. KEESLING, CITY CLERK

Approved and signed by me this 15<sup>TH</sup> day of SEPTEMBER 2023, at the hour of 11:00 o'clock AM E.S.T.



  
 \_\_\_\_\_  
 THOMAS C. HENRY, MAYOR