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3 **A NON-BINDING RESOLUTION RE-AFFIRMING THE FORT WAYNE COMMON**
4 **COUNCIL'S COMMITMENT TO THE FIRE MERIT SUB-COMMITTEE REVISION**
5 **PROCESS**
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8 WHEREAS, Indiana Code § 36-8-3.5 et seq. outlines the establishment and
9 amendment of police and fire merit systems including the Commission; and

10 WHEREAS, the Commission was established by Common Council under
11 ordinance G-09-08 with authority derived from Indiana Code §36-8-3.5-3; and

12 WHEREAS, the make-up of the Commission was revised by Common Council
13 under ordinance G-25-19, creating an appointment for Common Council and a non-
14 voting Council Member appointment; and

15 WHEREAS, the intent of the Fire Merit Commission is to be impartial in matters
16 of promotion and discipline; and

17 WHEREAS, tensions, which have been documented publically at Common
18 Council meetings, between the local Firefighters Union (IAFF Local 124) and the Fort
19 Wayne fire chief and his administration continued even after these modifications were
20 made, culminating in a veto of bill G-19-12-10 AA and an unsuccessful veto override in
21 January 2020; and

22 WHEREAS, this veto led to the creation of a sub-committee comprised of
23 members of the IAFF Local 124, the Fort Wayne Fire Department administration, and
24 members of Common Council to come to a compromise on the role of the Fire Merit
25 Commission in promotions discipline and the discretion of the Department
26 administration; and

27 WHEREAS, this sub-committee was to report back to Council after 90 days, but
28 due to crisis conditions caused by COVID-19, timelines have been pushed back into
29 later in the summer and will continue meeting once it is safe to do so; and

30 WHEREAS, after a Fire Merit Commission meeting on April 17th, questions about
31 the roles of department administration and the Fire Merit Commission are once again
32 being discussed publically and new issues are coming to light.

33 **NOW, THEREFORE, BE IT RESOLVED BY THE FORT WAYNE COMMON**
34 **COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:**

1 **SECTION 1.** The sub-committee, comprised of members of the IAFF Local 124,
2 the Fort Wayne Fire Department administration, and members of Common Council,
3 shall resume meeting as soon as deemed safe to continue to determine the appropriate
4 roles for each group in promotion and disciplinary matters as it relates to the Fire Merit
5 Commission. If an in-person meeting is not feasible or safe, the sub-committee shall
6 meet telephonically or through other electronic means. In any event, this sub-committee
7 shall make a final recommendation within 60 days of the passing of this resolution to
8 Council.

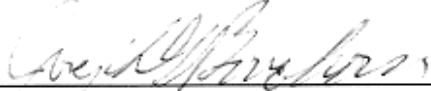
9 **SECTION 2.** In addition to the topics currently under consideration by the sub-
10 committee, the group shall provide an analysis of the current make-up of the Fire Merit
11 Commission, specifically into any conflicts of interest that may have occurred or could
12 possibly occur, with special attention paid to nepotism and when and how an member of
13 the Commission should recuse themselves.

14 **SECTION 3.** If there is found to be any conflicts of interest that have occurred, a
15 recommendation shall be made to Common Council on the appropriate steps to take to
16 define parameters for this lapse not to occur in the future through a further codifying of
17 procedures. In identifying its recommendations, the sub-committee will provide to
18 Common Council a suggested process to manage situations where a conflict of interest
19 exists within the Fire Merit Commission.

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23 _____
24 Paul Ensley, Council Member
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26
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28 APPROVED AS TO FORM AND LEGALITY

29 

30 _____
31 Joseph G. Bonahoom, Attorney for City Council

**REPORT OF COMMITTEE ON REGULATIONS
May 12, 2020**

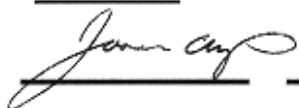
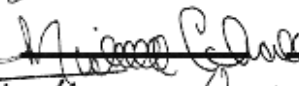
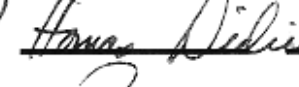

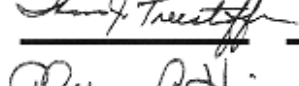
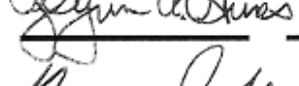



Tom Freistroffer Chair

Glynn Hines Co-Chair

All Council Members

A Non-Binding Resolution re-affirming the Fort Wayne Common Council's commitment to the Fire Merit Sub-Committee Revision Process

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 Freistroffer.

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

Read the third time in full and on motion by Councilperson Freistroffer, 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
JEHL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
PADDOCK	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TUCKER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DATED: May 12, 2020



LANA R. KEESLING, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as

Resolution No. R-20-04-11 on the 12th day of May, 2020

ATTEST:



LANA R. KEESLING
CITY CLERK



PRESIDING OFFICER

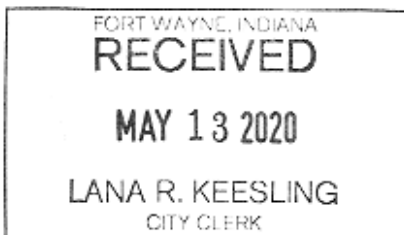
Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 13th day of May 2020, at the hour of 8:30 o'clock AM E.S.T.



LANA R. KEESLING, CITY CLERK

Approved and signed by me this 12TH day of MAY

2020, at the hour of 10:00 o'clock AM E.S.T.




THOMAS C. HENRY, MAYOR