



# OFFICE OF THE CITY CLERK

DAWN M. JONES, CITY CLERK

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## PERSONNEL AND FINANCE COMMITTEE

OCTOBER 10, 2022, 4:17 P.M.

Committee Members Present: Sheila Niezgodski, Troy Warner, Rachel Tomas Morgan, Henry Davis Jr. (arrived late)

Committee Members Absent: Eli Wax

Others Present: Dawn Jones\*, Victoria Trujillo\*, Bob Palmer\*, Justin LePla\*, John B. Harlan\*, Sharon McBride\*, Lori K. Hamann\*, Angela M. Smith\*, Daniel Parker\*, Shayla Kimbrough\*

Agenda: Bill No. 53-22 – An Ordinance Fixing Salaries and Wages of Deputies and Non-Bargaining Employees Appointed by the City Clerk (Third 3<sup>rd</sup> Substitute)

Bill No. 54-22 – An Ordinance Setting the Annual Salary for the Common Council Members for Calendar Year 2023

Bill No. 55-22 – An Ordinance Fixing the Annual Pay and Monetary Fringe Benefits of Sworn Members of the Sbfd for Calendar Years 2023 and 2024

Bill No. 56-22 – An Ordinance Fixing the Annual Pay and Monetary Fringe Benefits of Sworn Members of the SBPD for Calendar Years 2023, 2024, and 2025

Bill No. 58-22 – An Ordinance Setting the Annual Salary for the South Bend City Clerk for Calendar Year 2023 (Second 2<sup>nd</sup> Substitute)

Bill No. 59-22 – An Ordinance Fixing Teamster 2023 Salary

Bill No. 60-22 – An Ordinance Fixing Maximum Salaries and Wages of Appointed Officers and Non-Bargaining Employees of Executive Department of the City of South Bend for Calendar Year 2023  
Substitute

Bill No. 61-22 – An Ordinance Setting the Annual Salary for the Mayor for Calendar Year 2023

Members marked with an asterisk (\*) are present digitally

Please note the attached link for the meeting recording:

<https://docs.southbendin.gov/WebLink/browse.aspx?dbid=0&mediaid=358012>

Committee Chair Sheila Niezgodski called to order the Personnel and Finance Committee at 4:17 p.m.

**Third (3<sup>rd</sup>) Substitute Bill No. 53-22 – An Ordinance Fixing Salaries and Wages of Deputies and Non-Bargaining Employees Appointed by the City Clerk**

Committee Chair Niezgodski motioned to accept the third (3<sup>rd</sup>) Substitute of Bill No. 53-22, seconded by Committee Member Tomas Morgan, and accepted by a vote of three (3) ayes, with one (1) committee member absent.

Committee Chair Sheila Niezgodski - <i>Aye</i>	Committee Member Troy Warner - <i>Aye</i>
Committee Vice-Chair Eli Wax - <i>Absent</i>	Committee Member Henry Davis Jr. - <i>Absent</i>
Committee Member Rachel Tomas Morgan - <i>Aye</i>	

City Clerk Dawn Jones, with offices on the fourth (4<sup>th</sup>) floor of the Count-City building, stated the main points of the Bill to the Council.

Committee Member Niezgodski held the public hearing, and nobody spoke.

Committee Member Rachel Tomas Morgan stated that the first (1<sup>st</sup>) two (2) versions of this Substitute Bill were incorrect in the way they represented pay caps.

Committee Member Warner motioned to send Bill No. 53-22 to the full council with no recommendation for a public hearing and third (3<sup>rd</sup>) reading on October 24, 2022, seconded by Committee Member Tomas Morgan, and failed by a vote of two (2) ayes and two (2) nays, with one (1) committee member absent.

Committee Chair Sheila Niezgodski - <i>Nay</i>	Committee Member Troy Warner - <i>Aye</i>
Committee Vice-Chair Eli Wax - <i>Absent</i>	Committee Member Henry Davis Jr. - <i>Nay</i>
Committee Member Rachel Tomas Morgan - <i>Aye</i>	

Committee Member Warner motioned to send Bill No. 53-22 to the committee of the whole with no recommendation, seconded by Committee Member Tomas Morgan, and carried by a vote of four (4) ayes, with one (1) committee member absent.

Committee Chair Sheila Niezgodski - <i>Aye</i>	Committee Member Troy Warner - <i>Aye</i>
Committee Vice-Chair Eli Wax - <i>Absent</i>	Committee Member Henry Davis Jr. - <i>Aye</i>

Committee Member Rachel Tomas Morgan - <i>Aye</i>	
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**Bill No. 54-22 – An Ordinance Setting the Annual Salary for the Common Council Members for Calendar Year 2023**

Common Council President Sharon McBride, with offices on the fourth (4<sup>th</sup>) floor of the County-City building, stated that this Bill talks about a three percent (3%) salary increase for non-bargaining positions.

Committee Chair Niezgodski held the public hearing, and nobody spoke.

Committee Member Tomas Morgan motioned to send Bill *No. 54-22* to the committee of the whole with favorable recommendation, seconded by Committee Member Warner, and carried four (4) ayes, with one (1) committee member absent.

Committee Chair Sheila Niezgodski - <i>Aye</i>	Committee Member Troy Warner - <i>Aye</i>
Committee Vice-Chair Eli Wax - <i>Absent</i>	Committee Member Henry Davis Jr. - <i>Aye</i>
Committee Member Rachel Tomas Morgan - <i>Aye</i>	

**Bill No. 55-22 – An Ordinance Fixing the Annual Pay and Monetary Fringe Benefits of Sworn Members of the Sbfd for Calendar Years 2023 and 2024**

Dan Parker, City Controller, with offices on the twelfth (12<sup>th</sup>) floor of the County-City building, stated that this Bill is like the previous Bills from 2020 and 2021 except for the addition of lieutenant rank, with compensation the same as captain rank.

Councilmember Hamann asked for clarification regarding the elimination of clothing and uniform allowances.

Daniel Parker reported that the elimination of the allowances is part of the three year-agreement and, as part of the agreement, the city and the union decided to put more compensation into the base wage.

Eric Griffin, Vice President of South Bend Fire Fighters Association (SBFFA), with offices at 4025 Lincolnway West, reported that the local union did not have a conversation about the bill and was unaware that the bill was being passed. There were no formal conversations about adding the rank of lieutenant. Without conversations surrounding the bill, the local would not be inclined to make amendments to its collective bargaining agreement. Transitioning captains to the rank of lieutenant would require significant uniform changes.

Dan Parker stated that there will be further conversations with the chiefs following the meeting.

Committee Member Henry Davis Jr. stated that he would like to see more conversations with the South Bend Fire Fighters Association.

Eric Griffin stated that he does not understand the need for lieutenants.

Councilmember Hamann asked who would have been responsible for this communication with the SBFFA.

Daniel Parker reported that he will contact the chiefs to discuss the bill further. The chiefs are primarily responsible for maintaining communication with the union.

Councilmember Karen White asked if the chiefs are unable to be reached, what would be the impact in terms of the next meeting.

Dan Parker stated there would be no impact to continue discussions regarding the bill into the next committee meeting.

Committee Member Davis Jr. motioned to table Bill No. 55-22 until October 24, 2022, and there was no second (2<sup>nd</sup>).

Committee Member Warner motioned to send Bill No. 55-22 to the committee of the whole with favorable recommendation, seconded by Committee Member Tomas Morgan, and carried by a vote of four (4) ayes, with one (1) committee member absent.

Committee Chair Sheila Niezgodski - <i>Aye</i>	Committee Member Troy Warner - <i>Aye</i>
Committee Vice-Chair Eli Wax - <i>Absent</i>	Committee Member Henry Davis Jr. - <i>Aye</i>
Committee Member Rachel Tomas Morgan - <i>Aye</i>	

**Bill No. 56-22 – An Ordinance Fixing the Annual Pay and Monetary Fringe Benefits of Sworn Members of the SBPD for Calendar Years 2023, 2024, and 2025**

Daniel Parker reported that the tentative agreement is a three-year (3) agreement. The rate of wage increases are as follows: eight percent (8%) in 2023, four-point-five percent (4.5%) in 2024, and four-point-twenty five percent (4.25%) in 2025. All overtime will be paid at double (2) regular base pay throughout the agreement to incentivize overtime hours.

Strategic increases of add pays are as follows:

- Increase in city residency from three thousand dollars (\$3,000) to three thousand five hundred dollars (\$3,500)
- Re-establishment of twenty-five (25) plus year longevity and increasing it to eight thousand five hundred dollars (\$8,500) over the three-year (3) contract
- Establishment of detective bureau, homicide crime scene tech, and traffic duty add pays
- Increasing certain strategic add pays

To incentivize lateral entries, the maximum lateral incentive bonus would be raised from five thousand dollars (\$5,000) to ten thousand dollars (\$10,000).

There is a reduction in certain payments to help offset costs including an elimination of the 8+ (8) year shift differential and a reduction of cash allowance from one thousand four hundred dollars (\$1,400) to five hundred dollars (\$500) per officer.



Daniel Parker presented the analysis of costs.

A nineteen-point seven percent (19.7%) increase in pension base will take effect over three (3) years (from seventy-one thousand five hundred seventy-six dollars (\$71,576) in 2022 to eighty-five thousand dollars six hundred fifty-four dollars (\$85,654) in 2025). When taken with the current two-year (2) contract, 2020 to 2025 will represent the largest five-year (5) raise in wages for police officers in twenty (20) years. The city believes this is the best chance to make sure that the compensation package is competitive enough for the department to be fully staffed for the first time in years. The tentative agreement represents a financial stretch for the city and will require continued and enhanced conversations in the upcoming years on prioritization within the budget.

Committee Member Tomas Morgan asked when FOP and the Board of Public Safety will vote on the agreement.

Daniel Parker reported that the Board of Public Safety will meet on October 19, 2022.

Aaron Nepar, Treasurer of FOP, 701 W. Sample Str., reported that the FOP voting will conclude on October 12, 2022.

Committee Member Davis asked why the proposed bill is considered a long stretch and whether the city will be able to upkeep the high increases.

Daniel Parker reported that the budget is a manageable stretch. The department has had staffing issues for years and is making strides to solve those issues by remaining competitive.

Councilmember Hamann asked what the annual cash allowance is.

Daniel Parker reported that the annual cash allowance is a stipend paid quarterly given to every officer meant to cover uniform costs. It will be reduced from one thousand four hundred dollars (\$1,400) annually to five hundred dollars (\$500) within each of the three (3) years.

Aaron Nepar reported that the consensus of the FOP is to support the bill even though the vote has not been finalized.

Committee Chair Niezgodski motioned to send Bill No. 56-22 to the committee of the whole for a public hearing and third (3<sup>rd</sup>) reading on October 24, 2022, seconded by Committee Member Tomas Morgan, and carried by a vote of four (4) ayes, with one (1) committee member absent.

Committee Chair Sheila Niezgodski - <i>Aye</i>	Committee Member Troy Warner - <i>Aye</i>
Committee Vice-Chair Eli Wax - <i>Absent</i>	Committee Member Henry Davis Jr. - <i>Aye</i>
Committee Member Rachel Tomas Morgan - <i>Aye</i>	

**Second (2<sup>nd</sup>) Substitute Bill No. 58-22 – An Ordinance Setting the Annual Salary for the South Bend City Clerk for Calendar Year 2023**

Committee Member Warner motioned to accept the second (2<sup>nd</sup>) Substitute Bill *No. 58-22*, seconded by Committee Member Tomas Morgan, and accepted by a vote of three (3) ayes, with two (2) committee members absent.

Committee Chair Sheila Niezgodski - <i>Aye</i>	Committee Member Troy Warner - <i>Aye</i>
Committee Vice-Chair Eli Wax - <i>Absent</i>	Committee Member Henry Davis Jr. - <i>Absent</i>
Committee Member Rachel Tomas Morgan - <i>Aye</i>	

City Clerk Dawn Jones clarified that the changes made were regarding the five percent (5%) to three percent (3%) consistent with staff needs.

Committee Chair Niezgodski held the public hearing, and nobody spoke.

Councilmember Tomas Morgan stated that this Bill is accompanied by an incorrect cover letter regarding salary wages for bargaining employees.

Committee Member Tomas Morgan motioned to send Bill *No. 58-22* to the committee of the whole with no recommendation, seconded by Committee Member Warner, and carried by a vote of three (3) ayes, with two (2) committee members absent.

Committee Chair Sheila Niezgodski - <i>Aye</i>	Committee Member Troy Warner - <i>Aye</i>
Committee Vice-Chair Eli Wax - <i>Absent</i>	Committee Member Henry Davis Jr. - <i>Absent</i>
Committee Member Rachel Tomas Morgan - <i>Aye</i>	

**Bill No. 59-22 – An Ordinance Fixing Teamster 2023 Salary**

Dan Parker stated that this Bill would reaffirm the current Bill in place for 2023 with the exception that the proposing to move the city residency incentive from one thousand dollars (\$1,000) to two thousand dollars (\$2,000) consistent with the proposal for non-bargaining employees.

Councilmember Hamann asked for the statement to be read again.

Dan Parker stated the city residency incentive change again.

Committee Chair Niezgodski held the public hearing, and nobody spoke.

Committee Member Niezgodski motioned to send Bill *No. 59-22* to the committee of the whole with favorable recommendation, seconded by Committee Member Tomas Morgan, and carried by a vote of four (4) ayes, with one (1) committee member absent.

Committee Chair Sheila Niezgodski - <i>Aye</i>	Committee Member Troy Warner - <i>Aye</i>
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Committee Vice-Chair Eli Wax - <i>Absent</i>	Committee Member Henry Davis Jr. - <i>Aye</i>
Committee Member Rachel Tomas Morgan - <i>Aye</i>	

**Substitute Bill No. 60-22 – An Ordinance Fixing Maximum Salaries and Wages of Appointed Officers and Non-Bargaining Employees of Executive Department of the City of South Bend for Calendar Year 2023**

Committee Member Warner motioned to accept the Substitute Bill No. 60-22, seconded by Committee Member Tomas Morgan, and accepted by a vote of four (4) ayes, with one (1) committee member absent.

Committee Chair Sheila Niezgodski - <i>Aye</i>	Committee Member Troy Warner - <i>Aye</i>
Committee Vice-Chair Eli Wax - <i>Absent</i>	Committee Member Henry Davis Jr. - <i>Aye</i>
Committee Member Rachel Tomas Morgan - <i>Aye</i>	

Daniel Parker reported that the standard non-bargaining raise is three percent (3%). The bill proposes to increase city residency incentives from one thousand dollars (\$1,000) to two thousand dollars (\$2,000).

Non-standard changes include:

- Nineteen (19) new FTEs
- Strategic non-standard increases in salary cap for forty-one (41) employees
- Title changes for six (6) positions

The administration would like to continue the conversation about moving the Ordinance Violation Bureau from the city clerk’s office to the administration offices. The 2023 budget has one (1) position funded in the general fund – both the city clerk’s office and the Department of Administration and Finance are funded from the general fund. If the change was made, it would require a separate ordinance to change the municipal code, particularly Section 2-212.

Committee member Davis Jr. asked why the same recommendation is being made for multiple departments.

Daniel Parker reported that the police department has had a city residency incentive for many years while the other departments are new. The increase is being proposed incrementally rather than all at once. Non-bargaining and Teamster employees live in the city at a higher rate so there is a higher need to incentivize people to live in the city.

Committee member Davis Jr. asked why the Ordinance Violation Bureau is in the clerk’s office.

Daniel Parker reported that municipal code Section 2-212 mandates the bureau to be in the clerk’s office. The administration believes that the bureau clerk is a position that should be

responsible solely for ordinance violation and wants to ensure that the position is working efficiently and as intended. He confirmed that a second bill would be brought to the committee to change the location of the Ordinance Violation Bureau and that the current bill allows the administration to start the conversation.

Councilmember White asked if Dan Parker would work alongside the Clerk’s office to make these changes.

Dan Parker stated that there would have to be another ordinance presented to council before the OVB changes can be made.

Clerk Jones reported that she is in opposition to the bill and expressed concerns with the bill as it was not discussed with her and impacts her office.

Councilmember White asked if further conversations will indeed happen.

Dan Parker stated that this ordinance will allow for conversations to happen, with future ordinances to solidify these changes.

Committee Member Tomas Morgan stated her support for these conversations.

Committee Member Davis Jr. stated that the Clerk’s office should be included in all conversations regarding their staffing.

Councilmember Lee stated that he hopes changes are made moving forward if this position is taken out of the Clerk’s Office to ensure the office is fully staffed.

Committee Chair Niezgodski stated that she looks forward to positive and inclusive conversations.

Committee Member Tomas Morgan motioned to send Substitute Bill No. 60-22 to the committee of the whole with favorable recommendation, seconded by Committee Member Warner, and carried by a vote of four (4) ayes, with one (1) committee member absent.

Committee Chair Sheila Niezgodski - <i>Aye</i>	Committee Member Troy Warner - <i>Aye</i>
Committee Vice-Chair Eli Wax - <i>Absent</i>	Citizen Member Henry Davis Jr. - <i>Aye</i>
Committee Member Rachel Tomas Morgan - <i>Aye</i>	Citizen Member Aaron Steiner - <i>Absent</i>

**Bill No. 61-22 – An Ordinance Setting the Annual Salary for the Mayor for Calendar Year 2023**

Dan Parker stated that this ordinance sets the Mayor’s salary for 2023, like that of the City Clerk’s office, with a three percent (3%) raise.

Councilmember Hamann asked if it was common practice for the chief of police to make more money than the mayor.





Dan Parker reported that he would need to review other salary ordinances; however, there are multiple chief positions with salaries higher than the mayor.

Committee Member Tomas Morgan reported that there have been multiple years where the mayor and council’s salaries have remained stagnant and that it is important to consider moving forward.

Committee Member Davis Jr. asked for clarification on the Mayor’s salary increase in the past.

Councilmember White stated that these changes occurred when tax caps were happening, not only the Mayor but the department heads did not accept their salary increase. They gave back a certain percentage.

Dan Parker reported that according to Indiana Code 36-4-7-2, Subsection C, the salaries of elected officials, including the council, mayor, and city clerk, cannot be decreased, but do not need to be increased.

Committee Member Davis Jr. stated that salary does determine someone’s status in society, and how our leadership should receive the proper pay increases.

Committee Member Warner motioned to send Bill No. 61-22 to the committee of the whole with favorable recommendation, seconded by Committee Member Tomas Morgan, and carried by a vote of four (4) ayes.

Committee Chair Sheila Niezgodski - <i>Aye</i>	Committee Member Troy Warner - <i>Aye</i>
Committee Vice-Chair Eli Wax - <i>Absent</i>	Member Henry Davis Jr. - <i>Aye</i>
Committee Member Rachel Tomas Morgan - <i>Aye</i>	

With no further business, Committee Chair Sheila Niezgodski adjourned the Personnel and Finance Committee meeting at 5:40 p.m.

Respectfully Submitted,

Sheila Niezgodski, Committee Chair

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Auxiliary Aid or Other Services may be Available upon Request at No Charge.  
Please give Reasonable Advance Request when Possible