

I. EXECUTIVE SESSION

The Board of Public Safety met in the Executive Session on Wednesday, December 18, 2024 at 8:32 a.m. with Board President Dan Jones and Board Members, Darryl Heller, Lee Ross, Pamela Claeys and Attorney Danielle Weiss and Assistant Police Chief Dan Skibbins. Al Kirsits joined at 8:40 a.m and Attorney Kylie Connell joined at 8:45 a.m. The meeting was held in the Boardroom, 13<sup>th</sup> Floor, County-City Bldg., 27 W. Jefferson Blvd., South Bend Indiana, and virtually via Microsoft Teams for the purposes specified in I.C. 5-14-1.5-6.1(b)(2)(B) for discussion of strategy with respect to pending litigation and for purposes as specified in I.C. 5-14-1.5-6.1(6)(A) to receive information concerning alleged misconduct of an individual(s) over whom the Board has jurisdiction. The meeting was adjourned at 9:02 a.m.

BOARD OF PUBLIC SAFETY



Daniel Jones, Member



Darryl Heller, Member



Al Kirsits, Member



Pamela Claeys, Member

ATTEST:



Theresa Heffner, Clerk

II. REGULAR MEETING

The Board of Public Safety met for the Regular Meeting at 9:16 a.m. on Wednesday, December 12, 2024, with Board President Dan Jones, and Board Members Darryl Heller, Al Kirsits, Lee Ross, and Pamela Claeys present. Also, Assistant Police Chief Dan Skibbins, Fire Chief Carl Buchanon, and Attorneys Danielle Campbell Weiss, Adam Taylor, Kylie Connell, and Board Clerk Theresa Heffner were all present. The meeting was held in the Council Chambers 4<sup>th</sup> Floor, County-City Bldg., 227 W. Jefferson Blvd., South Bend, Indiana, and virtually via Microsoft Teams at the following link: <https://tinyurl.com/2024BPSHybrid>

Attorney Weiss asked that everyone mute their microphone when not speaking and reminded attendees that comments from the public should be saved for the Privilege of the Floor portion of the meeting. Attorney Weiss then read through the agenda to note any additions or corrections.

A. ROLL CALL OF MEMBERS

Board President Dan Jones welcomed the public, called roll, and confirmed the presence of the Board Members.

B. APPROVE MINUTES OF PREVIOUS MEETING

Upon a motion by Al Kirsits, seconded by Lee Ross, and carried by roll call, the Board approved the Minutes of the November 20, 2024, regular meeting. Darryl Heller abstained from voting.

C. POLICE DEPARTMENT

1. ACCEPT LETTER OF RESIGNATION - SUMMER DEAN

Police Chief Scott Ruszkowski submitted a letter of resignation for Officer Summer Dean. Chief Ruszkowski stated Office Dean was sworn into the Department on March 16, 2022,

and her effective date of resignation was December 4, 2024. The Board accepted the letter of resignation.

2. APPROVE RECOMMENDED DISCIPLINARY ACTION – EVAN ECKELBARGER  
Police Chief Ruszkowski submitted a letter of recommended disciplinary action to be levied against Police Officer Evan Eckelbarger.

Darryl Heller asked if the disciplinary action was within the disciplinary matrix to which Chief Skibbins answered yes.

Upon a motion by Darryl Heller, seconded by Pam Claeys, and followed by a roll call, the Board approved Chief Ruszkowski’s letter of recommended disciplinary action.

3. APPROVE 2025 SPECIAL POLICE COMMISSIONS  
Police Chief Scott Ruszkowski submitted a letter recommending the Special Police Commissions be renewed and/or issued for the year 2025.

Upon a motion by Pam Claeys, seconded by Al Kirsits, and followed by a roll call, the Board approved Chief Ruszkowski’s letter of recommendation for the Special Police Commissions to be renewed and/or issued for the year 2025.

4. FILE MONTHLY STATISTICAL ANALYSIS REPORT FOR NOVEMBER 2024  
Chief Scott Ruszkowski submitted the November 2024 Monthly Statistical Analysis Report. Chief Skibbins noted that overall crime was down across the board with the exception of rape and arson. He noted criminal assault shooting victims were at fifty-eight (58) compared to last year which was at eighty-one (81).

President Dan Jones asked if the improvement in statistics was the result of a better staffed police force. Chief Skibbins said it was a combination of different things, but better staffing of the detective bureau to investigate crimes and better staffing of the patrol division to utilize crime reduction strategies were key to the improving statistics each month.

The NOVEMBER 2024 analysis is as follows:

| PART 1 OFFENSES       |      |      |        | YEAR TO DATE |      | CHANGE |
|-----------------------|------|------|--------|--------------|------|--------|
|                       | 2023 | 2024 | CHANGE | 2023         | 2024 |        |
| HOMICIDE              | 4    | 0    | -4     | 21           | 8    | -13    |
| JUSTIFIABLE HOMICIDE* | 0    | 0    | 0      | 1            | 2    | 1      |
| RAPE                  | 7    | 7    | 0      | 57           | 68   | 11     |
| ROBBERY               | 17   | 11   | -6     | 219          | 180  | -39    |
| AGGRAVATED ASSLT      | 93   | 80   | -13    | 1119         | 1008 | -111   |
| BURGLARY RES          | 43   | 34   | -9     | 440          | 348  | -92    |
| BURGLARY NON RES      | 19   | 10   | -9     | 229          | 160  | -69    |
| LARCENY               | 177  | 178  | 1      | 2103         | 1687 | -416   |
| MOTOR VEH THEFT       | 25   | 41   | 16     | 423          | 425  | 2      |
| ARSONS                | 1    | 3    | 2      | 29           | 39   | 10     |
| GRAND TOTAL           | 386  | 364  | -22    | 4640         | 3923 | -717   |

Month: NOVEMBER 2024

| PART 1 OFFENSES       | 2023 | 2024 | CHANGE |
|-----------------------|------|------|--------|
| HOMICIDE              | 21   | 8    | -62%   |
| JUSTIFIABLE HOMICIDE* | 1    | 2    | 100%   |
| RAPE                  | 57   | 68   | 19%    |
| ROBBERY               | 219  | 180  | -18%   |
| AGGRAVATED ASSLT      | 1119 | 1008 | -10%   |
| BURGLARY RES.         | 440  | 348  | -21%   |
| BURGLARY NON RES.     | 229  | 160  | -30%   |
| LARCENY               | 2103 | 1687 | -20%   |
| MOTOR VEH THEFT       | 423  | 425  | 0%     |
| ARSONS                | 29   | 39   | 34%    |
| GRAND TOTAL           | 4640 | 3923 | -15%   |

-15% CHANGE IN PART 1 CRIMES THROUGH NOVEMBER 2024

↓  
5a

\* This number does not go into the totals as it is not a crime.

D. FIRE DEPARTMENT

1. APPROVE LEXIPOL POLICIES

- 803 – Patient Medical Record Security and Privacy
- 1010 – Conduct and Behavior
- 1019 – Lactation Breaks

Attorney Adam Taylor submitted the above Lexipol policies for approval. He noted some of the changes in each of the policies and entertained any questions. He also noted these were previously approved by the Board, but new amendments were added and being submitted again for approval.

Regarding Policy 803, Darryl Heller asked if federal law trumped state law. Attorney Taylor stated yes, and that the obligations were to follow federal law and any conflicts could result in litigation.

Regarding Policy 1019, Darryl Heller asked if the changes were made with the consultation of employees whom this would affect. Chief Buchanan stated this was brought up with the Human Relations Committee with the female firefighter representative present.

Upon a motion by Al Kirsits, seconded by Pam Claeys, and followed by a roll call, Lexipol Policies 803, 1010, and 1019 were approved.

2. RECEIVE LEXIPOL POLICIES

- 710 – Department Use of Social Media

Attorney Adam Taylor submitted the above Lexipol policy for review by the Board and to considered for approval at the next Board meeting in January 2025. Attorney Taylor presented a summary of Lexipol 710.

3. APPROVE FIREFIGHTER HIRING LIST

a. Remaining Eligible Applicants Ranked in Order of Hiring Eligibility

|                  |                  |
|------------------|------------------|
| Adam Storm       | Joseph Parker    |
| Benjamin Carlson | Evan Lazar       |
| Chloe Harding    | Patrick Langel   |
| Colton Heiser    | Christopher Lord |
| Kyle Kirsits     | Jacob Richards   |
| Tristan Anderson | Carson Legault   |
| Alex Whims       | Noah Cunningham  |
| Daulton Ryans    | Elliot Granados  |

b. Firefighter Candidates with Conditional Offers in the Fire Academy

|                     |                       |
|---------------------|-----------------------|
| Collin Millin       | Francesco Lizzi       |
| Oscar Miranda       | Collin Dudek          |
| Dementrius Williams | Zachary Petrie        |
| Zhane Smith         | Elvin Castro Murillo  |
| Elliott Knight      | Nicholas Cantanzarite |
| Derrick Dawson      | Steven Singh          |
| Jordan Smith        | Ethan Knight          |
| Brandon Briggs      | Jesus Martinez        |
| Grant De La Paz     | Eric Kolver           |
| Chase Merz          | Eric Peterson         |
| John Posego         | Araiza Emanuel        |

Chief Carl Buchanan submitted the hiring eligibility list for Board approval.

Upon a motion by Pam Claeys, seconded by Lee Ross, and followed by a roll call, the

hiring eligibility list was approved.

4. APPROVE JANUARY 1, 2025 RANK CHANGES

a. Current 3<sup>RD</sup> Class Firefighters Achieving Rank of 2<sup>nd</sup> Class Firefighter

|                  |                  |
|------------------|------------------|
| Adam Storm       | Joseph Parker    |
| Benjamin Carlson | Evan Lazar       |
| Chloe Harding    | Patrick Langel   |
| Colton Heiser    | Christopher Lord |
| Kyle Kirsits     | Jacob Richards   |
| Tristan Anderson | Carson Legault   |
| Alex Whims       | Noah Cunningham  |
| Daulton Ryans    | Elliot Granados  |

b. Current 2<sup>nd</sup> Class Firefighters Achieving the Rank of 1st Class Firefighter

|                 |                      |
|-----------------|----------------------|
| Dylan Bikowski  | Erik Johnson         |
| Alan Johnston   | Samuel Moon          |
| Timothy Payne   | Joseph Streeter      |
| Dustin Worm     | Eduardo Salinas      |
| Devan Garcia    | Fernando Lopez       |
| John Bennett    | Hunter Giannetti     |
| Robert Henry    | Matthew Partridge    |
| Trevon Eppenger | Matthew Applegate    |
| Devon Farrer    | Zachary Kanczuzewski |
| Henry Nunez     | Andrea Tuttle        |
| Kevin Weinberg  |                      |

Chief Carl Buchanon submitted the January 1, 2025 changes in rank structure for Board approval.

Upon a motion by Darryl Heller, seconded by Pam Claeys, and followed by a roll call, the January 1, 2025 changes in rank structure was approved.

5. APPROVE BRYCER, LLC SERVICE AGREEMENT – THE COMPLIANCE ENGINE

Assistant Chief Derek Erquhart submitted a service agreement with Brycer – The Compliance Engine for Board approval. He clarified this is an agreement with Brycer (an internet-based tool for fire code officials to track compliance) to help with the building inspections within the City of South Bend. Partnering with Brycer will help streamline the process and take some of the burden off the limited staffing of the SBF. Fire inspection service providers that are hired by building owners would provide all of the inspection, testing, and maintenance reports by uploading the documents to Brycer for the SBF to review and check compliance. He stated this is no-cost to the City and the three (3) year contract states that the service provider will handle the administrative fee to Brycer. This agreement will ultimately help with life safety and property conservation. He clarified these inspections are not new to building owners as Indiana Fire Code already requires the inspections and tests, but the cloud service will allow reports to be readily available to the SBF and Brycer will assist in making sure owners are on schedule with their tests and inspections.

Pam Claeys asked if this would save time for the SBF and Chief Erquhart stated it would as it would help them avoid chasing down reports and the SBF would only have to physically go out to a building if the reports from service providers showed deficiencies such as an initial report showing a faulty fire alarm in a building.

President Dan Jones asked for clarification on the contracting and money involved. Chief Erquhart stated Brycer contracts with service providers who have certified technicians who can go out to do the inspections and tests. The service providers are hired by the building owners for their inspections. Service providers upload the reports to Brycer and the SBF

can view them.

Chief Buchanon added that this process helps give peace of mind by making sure businesses are doing what they are legally required to do and protecting their employees and customers by having regularly inspected and maintained buildings and equipment. Given the amount of buildings that need inspected within South Bend, if SBF D were responsible for all of them, they would not be able to cycle through them within a reasonable amount of time.

Pam Claeys asked if the SBF D received notification if inspections are late or missed. Chief Erquhart stated the fire code official comes in when building reports come back and there are deficiencies. They will reach out to the owner to get a timeline of the repair.

Attorney Taylor noted that even though it is a three (3) year agreement, the agreement can be terminated at any time.

Upon a motion by Pam Claeys, seconded by Al Kirsits, and followed by a roll call, the service agreement with Brycer – The Compliance Engine was approved.

6. STATISTICAL ANALYSIS REPORT FOR OCTOBER 2024

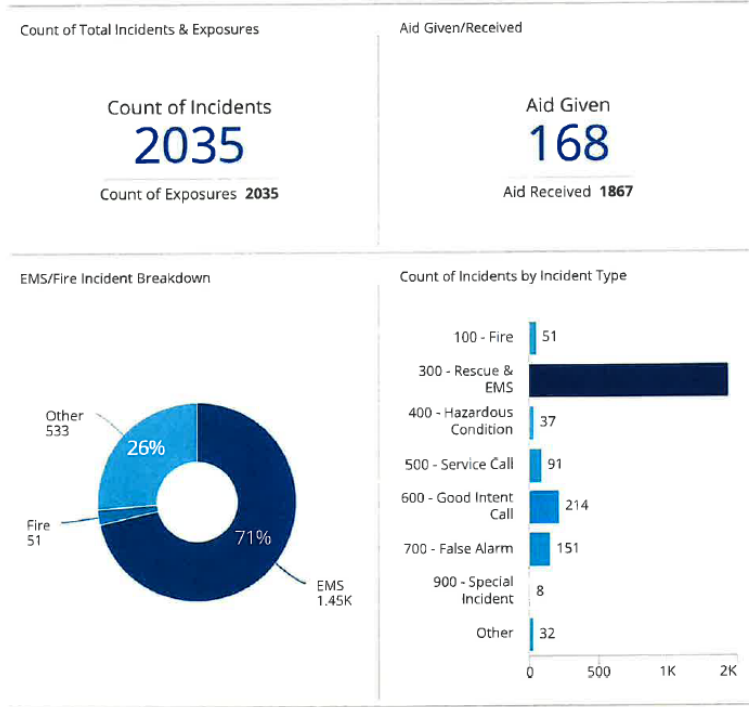
Chief Buchanon submitted the monthly statistical analysis report for November 2024. Chief Buchanon noted significant property damage and loss for the month of November. In November 2023, the SBF D was able to do ninety-seven (97) inspections with three (3) full time inspectors and in November of 2024 they completed 122 inspections. He added the SBF D’s investigators respond to all fires. The SBF D responded to 6,274 calls for the month. Lastly, Chief Buchanon emphasized his desire to take fire prevention and safety to the next level in 2025 through education and by providing detectors to residents.

| NOVEMBER<br>2023  | NOVEMBER<br>2024  |
|---|---|
| STRUCTURE FIRES<br>Property Damage--Buildings & Contents<br>(Estimates) |   |
| \$N/A   | \$ 1,537,300  |
| INSPECTION DIVISION   |   |
| 97 Inspections  | 122 Inspections   |
| INVESTIGATION DIVISION  |   |
| 17<br>Investigations  | 8<br>Investigations   |
| 0 Incendiary<br>17 Accidental<br>0 Natural<br>0 Undetermined            | 0 Incendiary<br>5 Accidental<br>0 Natural<br>3 Undetermined |

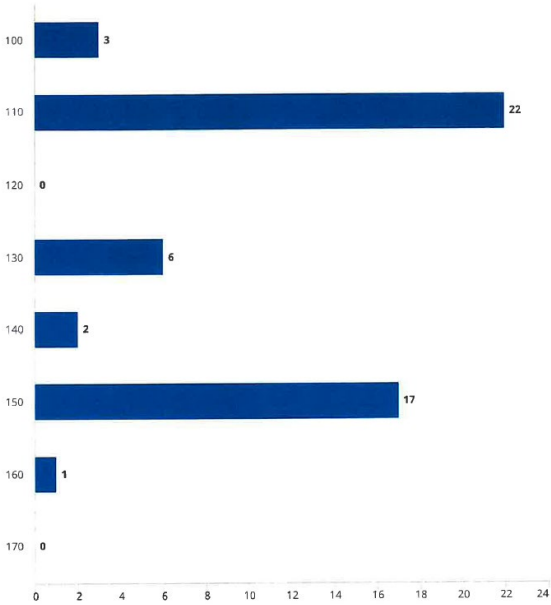
| Investigated Fire Incidents                       |  | 2024 November  |
|---|--|----------------|
| <b>Incident Type</b>                              |  |                |
| Attempt to burn                                   |  | 2              |
| Building fire                                     |  | 15             |
| Chimney or flue fire, confined to chimney or flue |  | 2              |
| Total for month                                   |  | 19             |
| <b>Property Use</b>                               |  |                |
| 1 or 2 family dwelling                            |  | 9              |
| Multifamily dwelling                              |  | 3              |
| Food and beverage sales, grocery store            |  | 2              |
| None  |  | 1              |
| Restaurant or cafeteria                           |  | 2              |
| Total for Month                                   |  | 17             |
| <b>Cause Of Ignition</b>                          |  |                |
| Unintentional                                     |  | 5              |
| Cause undetermined after investigation            |  | 3              |
| Total for Month                                   |  | 8              |
| <b>Property loss</b>                              |  |                |
| Attempt to burn                                   |  | 0              |
| Building fire                                     |  | 1106314        |
| Chimney or flue fire, confined to chimney or flue |  | 0              |
| Total for Month                                   |  | \$1,106,314.00 |
| <b>Conitent Loss</b>                              |  |                |
| Attempt to burn                                   |  | 300            |
| Building fire                                     |  | 1537000        |
| Chimney or flue fire, confined to chimney or flue |  | 0              |
| Total for Month                                   |  | \$1,537,300.00 |
| <b>Civilian Injury/Death Incidents</b>            |  |                |
| Total for Month                                   |  | 0              |
| <b>Fire Service Injury/Death Incidents</b>        |  |                |
| Total for Month                                   |  | 0              |
| <b>Smoke Alarms Present</b>                       |  |                |
| None present                                      |  | 6              |
| Present   |  | 9              |
| Total for Month                                   |  | 15             |

# Fire Index - Incident Type Breakdown

This measure comes from the ESO Fire Index. See national performance at: <https://www.eso.com/resources/fire-index/>



Count of Fire Incidents by Type



| 2024 November  | Unit   |
|----------------|--------|
| Apparatus Name | Totals |
| E11            | 185    |
| M11            | 207    |
| M10            | 170    |
| R1             | 243    |
| F102           | 135    |
| E4             | 238    |
| E6             | 186    |
| TR6            | 87     |
| E8             | 203    |
| E9             | 185    |
| E2             | 279    |
| M2             | 383    |
| M1662          | 246    |
| F103           | 194    |
| F116           | 97     |
| M1660          | 153    |
| M1661          | 279    |
| M9             | 298    |
| E1             | 321    |
| M1             | 358    |
| E5             | 159    |
| M5             | 274    |
| M4             | 340    |
| TR7            | 108    |
| E7             | 223    |
| TR1            | 168    |
| E10            | 200    |
| E3             | 210    |
| TR3            | 118    |
| F112           | 6      |
| BOAT9          | 1      |
| F118           | 3      |
| F105           | 1      |
| M6             | 1      |
| HAZ1           | 4      |
| F114           | 5      |
| HAZ2           | 4      |
| F123           | 2      |
| Totals         | 6274   |

| 2024 November                                    |       |
|--|-------|
| Count of Inspection Type                         |       |
| Inspection Type                                  | Total |
| Automotive Repair & service Center City Licenses | 1     |
| Commercial Hood Acceptance                       | 2     |
| Complaint  | 4     |
| Construction site visit                          | 10    |
| Contact information update                       | 9     |
| Emergency Planning                               | 2     |
| Final Building                                   | 7     |
| Fire Evacuation Drills                           | 3     |
| Food Vending Vehicle City Licenses               | 1     |
| General Life Safety                              | 45    |
| NFPA 13 Acceptance                               | 1     |
| Plan Review                                      | 23    |
| Pre-Fire Plan                                    | 1     |
| Restaurants City Licenses                        | 10    |
| Secondhand Dealers City Licenses                 | 1     |
| Tattoo Establishments City Licenses              | 2     |
| Underground - Thrust Block                       | 1     |
| Grand Total                                      | 123   |

| 2024 November                                    | Inspector       |         |         |          |                 |       |             |
|--|-----------------|---------|---------|----------|-----------------|-------|-------------|
| Inspection Type                                  | Erquhart, Derek | FLEMING | Hlykema | Weinberg | Weinberg, Kevin | Yoder | Grand Total |
| Automotive Repair & service Center City Licenses |                 |         | 1       |          |                 |       | 1           |
| Commercial Hood Acceptance                       |                 |         | 1       | 1        |                 |       | 2           |
| Complaint  | 1               |         |         | 1        |                 | 2     | 4           |
| Construction site visit                          | 3               |         | 4       | 2        |                 | 1     | 10          |
| Contact information update                       |                 |         | 4       | 5        |                 |       | 9           |
| Emergency Planning                               | 1               |         | 1       |          |                 |       | 2           |
| Final Building                                   |                 | 2       | 2       | 2        |                 |       | 6           |
| Fire Evacuation Drills                           | 1               | 2       |         |          |                 |       | 3           |
| Food Vending Vehicle City Licenses               |                 | 1       |         |          |                 |       | 1           |
| General Life Safety                              |                 | 1       | 30      | 8        |                 | 6     | 45          |
| NFPA 13 Acceptance                               |                 |         |         | 1        |                 |       | 1           |
| Plan Review                                      |                 | 8       | 10      | 5        |                 |       | 23          |
| Pre-Fire Plan                                    |                 |         |         |          |                 | 1     | 1           |
| Restaurants City Licenses                        |                 | 2       | 4       | 4        |                 |       | 10          |
| Secondhand Dealers City Licenses                 |                 | 1       |         |          |                 |       | 1           |
| Tattoo Establishments City Licenses              |                 |         | 2       |          |                 |       | 2           |
| Underground - Thrust Block                       |                 |         | 1       |          |                 |       | 1           |
| Grand Total                                      | 6               | 17      | 60      | 29       |                 | 1     | 122         |



| 2024             | Jan. | Feb. | March | April | May | June | July | Aug. | Sept. | Oct. | Nov. | Dec. | Y.T.D. |
|------------------|------|------|-------|-------|-----|------|------|------|-------|------|------|------|--------|
| Smoke Alarms     | 81   | 131  | 197   | 79    | 124 | 3    | 1    | 31   | 34    | 50   | 9    |      | 740    |
| Carbon Monoxides | 28   | 41   | 14    | 4     | 53  | 1    | 0    | 8    | 7     | 16   | 1    |      | 174    |
| Combinations     | 0    | 0    | 2     | 0     | 0   | 0    | 0    | 0    | 0     | 0    | 0    |      | 2      |
| Batteries        | 9    | 16   | 2     | 21    | 8   | 0    | 0    | 3    | 0     | 6    | 3    |      | 68     |
| Hearing Impaired | 0    | 0    | 0     | 0     | 2   | 1    | 0    | 0    | 0     | 0    | 0    |      | 3      |



| 2024          | Community  | Risk        | Reduction   | Services             | Pub Ed Hours  |
|---------------|------------|-------------|-------------|----------------------|---------------|
|               | Events     | Children    | Adults      | Educational Supplies |               |
| January       | 7          | 64          | 58          | 71                   | 9             |
| February      | 50         | 58          | 108         | 50                   | 1,500         |
| March         | 7          | 25          | 82          | 97                   | 17            |
| April         | 2          | 125         | 242         | 518                  | 16            |
| May           | 6          | 84          | 1294        | 151                  | 10            |
| June          | 14         | 523         | 428         | 0                    | 25            |
| July          | 30         | 579         | 237         | 248                  | 26.5          |
| August        | 27         | 256         | 623         | 260                  | 30            |
| September     | 16         | 163         | 117         | 117                  | 27.5          |
| October       | 16         | 874         | 530         | 486                  | 14.5          |
| November      | 13         | 52          | 84          | 64                   | 20            |
| December      |            |             |             |                      |               |
| <b>Totals</b> | <b>188</b> | <b>2803</b> | <b>3803</b> | <b>2,062</b>         | <b>1695.5</b> |

| 2024          | Requested APRA's | Collected Fees  |
|---------------|------------------|-----------------|
| January       | 13               | \$36.00         |
| February      | 16               | \$9.00          |
| March         | 18               | \$27.00         |
| April         | 21               | \$9.00          |
| May           | 20               | \$9.00          |
| June          | 13               | \$0.00          |
| July          | 17               | \$18.00         |
| August        | 15               | \$9.00          |
| September     | 25               | \$0.00          |
| October       | 32               | \$18.00         |
| November      | 7                | \$18.00         |
| December      |                  |                 |
| <b>TOTALS</b> | <b>197</b>       | <b>\$153.00</b> |

**E. DISCUSSION OF TRANSITION TO MERIT BOARDS**

Attorney Weiss gave the following updates regarding the merit boards:

- The Police Merit Board Ordinance passed Council on 11/25, after also having an informational meeting about the topic on 11/20.
- The proposed Fire Merit Board Ordinance (attached) went for first reading at Council on 12/9. Because Council canceled its second meeting in December due to the holidays, it will be considered for adoption at the 1/13/25 meeting.
- Powers regarding hiring, promotion, demotion, discipline, and termination cannot be shifted immediately to the merit boards after their creation. First,, members will have to be selected for each merit board, and then certain rules and procedures will need to be established. This may take a few months. In the meantime, BPS will continue to operate as it currently is.
- There is a resolution on the agenda for tomorrow’s BPS meeting memorializing that BPS

would retain its current powers until each merit board is fully functional, and this has also been written into the Council ordinances establishing each merit board.

- We are working through figuring out some of the process pieces now for how elections will take place for the merit board members, and will have more to share on that at the next BPS meeting on 1/15/25.
- To my knowledge, a decision has not been made yet as to what will happen once the merit boards are fully functional. There are still two options being considered:
  - (A) BPS continues on as it has, just with less items under its purview. If this is the case, the meeting schedule may be adjusted to meeting less frequently; OR
  - (B) BPS is recombined with the Board of Public Works (BPW) and the items not assumed by the merit boards would be considered at BPW meetings.

In either case, I think any of you would be eligible to be considered to serve as a merit board member (for either police or fire) if you were interested in doing so.

Chief Buchanan added that the merit boards were not brought about by the City of South Bend, it was brought up from the southern part of the state. He added that this is something that the Governor signed and we have to comply. Both Fire and Police will adhere to whatever the mandate it; we are not the ones pushing for or against it.

F. APPROVE RESOLUTION NO. 05-2024 – A RESOLUTION OF THE BOARD OF PUBLIC SAFETY OF THE CITY OF SOUTH BEND CONCERNING AUTHORITY DURING MERIT SYSTEM TRANSITION AND ESTABLISHING A 2025 MEETING SCHEDULE

Upon a motion by Al Kirsits, seconded by Pam Claeys, and followed by a roll call, the Resolution was approved.

**RESOLUTION NO. 05-2024**

**A RESOLUTION OF THE BOARD OF PUBLIC SAFETY OF THE CITY OF SOUTH BEND CONCERNING AUTHORITY DURING MERIT SYSTEM TRANSITION AND ESTABLISHING A 2025 MEETING SCHEDULE**

WHEREAS, the South Bend Board of Public Safety (“Board”) exists and operates pursuant to I.C. § 36-4-9-5 and Ind. Code § 36-8-3-2 and has exclusive control over all matters relating to the South Bend Police and Fire Departments, including selection, appointment, promotion, demotion, disciplinary action, and dismissal of members of the City of South Bend Police and Fire Departments; and

WHEREAS, the Police and Fire Departments have proposed Merit Systems established under either I.C. 36-8-3.5 or I.C. 36-1-4-1, and which Merit Systems will have primary authority for the selection, appointment, promotion, demotion, disciplinary action, and dismissal of members of the City of South Bend Police and Fire Departments; and

WHEREAS, there will be a delay in the Merit Systems exercising their authority due to the period for appointment of Commissioners and the adoption of rules and policies governing the Merit Systems; and

WHEREAS, until such time as the respective Merit Systems are able to assume their responsibilities, the Board of Public Safety will retain authority over selection, appointment, promotion, demotion, disciplinary action, and dismissal of members of the City of South Bend Police and Fire Departments; and

WHEREAS, the Board desires to approve and adopt a schedule of regular meeting dates and times for its meetings in calendar year 2025.

NOW, THEREFORE, BE IT RESOLVED BY THE Board of Public Safety of the City of South Bend:

1. The Board of Public Safety shall retain the power of selection, appointment, promotion, demotion, disciplinary action, and dismissal of members of the City of South Bend Police and Fire Departments, pursuant to Indiana law, until the South Bend Police and the Fire Department Merit Systems are each fully operational.

2. Upon receiving notice from the respective Merit Systems, the Board of Public Safety will no longer address any new matters of selection, appointment, promotion, demotion, disciplinary action, and dismissal of members.

3. At the time of transition to the Merit System, any matters that are in a pending status before the Board but that have not had final action taken may, in the discretion of the City of South Bend Police and Fire Departments, be retained by the Board until final action is taken or transferred to the Merit System for final action.

4. The Board approves and adopts as its regular meeting schedule for calendar year 2025 the meeting dates and times stated in the schedule attached hereto as **Exhibit A**.

5. Unless otherwise announced, regular meetings shall be held without further notice at 9:15 a.m., local time, in the Council Chambers, 4<sup>th</sup> Floor County-City Building, 227 West Jefferson Boulevard, South Bend, Indiana 46601 and/or virtually via Microsoft Teams at <https://tinyurl.com/2025BPSHybrid>.

6. This Resolution will be in full force and effect upon its adoption.

ADOPTED this 18th day of December, 2024.

s/Daniel Jones, President  
s/Darryl Heller, Member  
s/Lee Ross, Member  
s/Alfred Kirsits, Member  
s/Pamela Claeys, Member

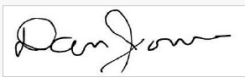



ATTEST:  
s/Theresa Heffner/Clerk


G. PRIVILEGE OF THE FLOOR  
No one was online or in person wanting to speak.

H. ADJOURNMENT

There being no further business to come before the Board, upon a motion by Darryl Heller, seconded by Lee Ross, and carried by roll call, the meeting was adjourned at 10:05 a.m.

BOARD OF PUBLIC SAFETY

  
\_\_\_\_\_  
Daniel Jones, Member  
  
\_\_\_\_\_  
Darryl Heller, Member  
  
\_\_\_\_\_  
Al Kirsits, Member  
  
\_\_\_\_\_  
Pamela Claeys, Member

ATTEST:  
  
\_\_\_\_\_  
Theresa Heffner, Clerk

