

STATE OF INDIANA
CITY OF CHARLESTOWN
CHARLESTOWN CITY COUNCIL

ORDINANCE NO. 2007 - OR - 15

**ORDINANCE OF THE CHARLESTOWN CITY COUNCIL
ESTABLISHING A POLICE MERIT BOARD
FOR THE CITY OF CHARLESTOWN, INDIANA**

WHEREAS, Charlestown is a Civil City of the 3rd Class organized and governed by the terms of IC 36-4-1-1 and has a full time public police department employed for the safety of the public; and

WHEREAS, IC 36-8-3.5-1, et seq. allows for cities such as Charlestown to establish merit systems for its police department; and

WHEREAS, the City of Charlestown annexed new territory into the City that expanded the geographic size of the municipal boundaries requiring additional police protection; and

WHEREAS, it is appropriate to remove the police department from political oversight and to replace that oversight with a merit commission which would administer a merit system free from political influence; and

WHEREAS, it is appropriate to allow a merit board to establish professional rules and guidelines to be applied to the hiring, discipline and termination of police officers in the normal day-to-day operations of a police department to free the police officers from political influence; and

WHEREAS, it is in the best interests of the citizens of Charlestown, Indiana to further professionalize the full time police department for the safety, protection and well-being of all individuals residing within the City now and in the future by the adoption of a police merit system;

NOW THEREFORE, BE IT ORDAINED by the City Council of Charlestown:

Section 1. That a five (5) member Merit Board for the Police Merit Commission shall be established pursuant to the terms of IC 36-8-3.5-1, et seq.

Section 2. That the Merit Commission shall adopt rules governing the items referred to in IC 36-8-3.5-1, et seq., including, but not limited to, the following:

- a. Applications and hiring
- b. Conduct of police officers
- c. Performance ratings and evaluations of officers
- d. Promotions
- e. Discipline of police officers

- f. Demotion of police officers
- g. Dismissal of police officers from the department
- h. Due process for all of the above
- i. Any appropriate matter added to IC 36-8-3.5-1, et seq. by future legislation or any Federal or State case law which may govern police departments and their administration.

Section 3. That each commissioner shall serve a four (4) year term of office with no limitations of terms other than the appointment by the respective appointive body.

Section 4. That the Mayor of the City shall appoint two (2) members [during the initial appointment one (1) shall serve two (2) years and one (1) shall serve four (4) years] who must be of different political parties.

Section 5. That the police department shall by its members elect two (2) members [during the initial appointment one (1) shall serve two (2) years and one (1) shall serve four (4) years] who must be of different political parties and not active members of any police or fire department.

Section 6. That the Common Council of Charlestown shall appoint one (1) member for a four (4) year term.

Section 7. That within sixty (60) days of adoption of this Ordinance, the Public Works and Safety Board shall give at least three (3) weeks written notice to all active members of the police department that a meeting will be held to approve or reject the merit system.

Section 8. The notice shall be personally delivered to all active police officers and accompanied by a copy of this Ordinance and a full copy of IC 36-8-3.5-1, et seq. at least one (1) week prior to the meeting.

Section 9. That at the meeting, each active police officer shall have the right of secret written ballot.

Section 10. That any active police officer on duty for the public safety at the time of the meeting shall have an opportunity to cast his or her vote prior to the meeting.

Section 11. That the Merit System shall take effect January 1 following the vote and Commissioners shall be appointed by March 1 of that year.

Section 12. That the Commission shall elect a President, Vice-President and Secretary and shall record all proceedings.

Section 13. That the minutes of all meetings shall be kept in written form and signed by the members present and voting.

Section 14. This ordinance hereby incorporates all other aspects and components of IC 36-8-3.5-1, et seq.

Section 15. All ordinances in conflict herewith are hereby repealed.

Section 16. This ordinance shall be in full force and effect from and after its passage by the Common Council or as otherwise provided by law.

ADOPTED by the City Council of Charlestown, Indiana, this 3rd day of December 2007.

	AYE	NAY	ABSTAIN	ABSENT
<u>Jeff Aaron</u> Jeff Aaron	_____	<input checked="" type="checkbox"/>	_____	_____
<u>Bruce Bottorff</u> Bruce Bottorff	<input checked="" type="checkbox"/>	_____	_____	_____
<u>Ted Little</u> Ted Little	_____	<input checked="" type="checkbox"/>	_____	_____
<u>Terry Pierce</u> Terry Pierce	<input checked="" type="checkbox"/>	_____	_____	_____
<u>Brian Walker</u> Brian Walker	<input checked="" type="checkbox"/>	_____	_____	_____

APPROVED: Michael D. Hall
Michael D. Hall, Mayor

DATE: 12/3/07

ATTEST: Donna Coomer
Donna Coomer, Clerk-Treasurer

DATE: 12/3/07

*attad
to memo*



Charlestown Police Department

CITY OF CHARLESTOWN

701 Main Street, Charlestown, Indiana 47111 (812) 256-6345

www.ctownpd.com



Steve Dean
Chief of Police

Keith McDonald
Assistant Chief of Police

February 4, 2008.

Charlestown City Council
304 Main Cross Street
Charlestown, Indiana 47111

Gentleman:

On December 3, 2007 the Council passed ordinance 2007-OR-15, Police Merit Board. The active members of the Charlestown Police Department were given a copy of ordinance 2007-OR-15 on December 13, 2007 by then Major Chuck Ledbetter. Major Ledbetter had a meeting scheduled for December 30, 2007 at 4:00 PM, but cancelled the meeting until the new council took office.

A meeting was scheduled for February 3, 2008 at 2:00 PM, a notification of that meeting was hand delivered to all active personnel January 25, 2008. The meeting was attended by 12 Twelve sworn personnel. Lieutenant Devin Bizer who had been elected as chairman conducted a vote. The vote was unanimous against ordinance 2007-OR-15.

Any question need to be entertained, contact me at 256-6345 any time.

Respectfully,

Handwritten signature of Keith McDonald in black ink.

Major Keith McDonald,
Assistant Chief of Police

Cc: Mayor Bob Hall
Chief Steve Dean
Members City Council