

## MINUTES OF A SPECIAL MEETING OF THE CLARKSVILLE TOWN COUNCIL HELD ON SEPTEMBER 21, 2010

A special meeting of the Clarksville Town Council was held as advertised on the 21<sup>st</sup> day of September, 2010, at 7:00 P.M. in the meeting room of the Clarksville Municipal Center Administration Building.

Council members present: Gregory Isgrigg, David Fisher, Raymond Richert, Paul Kraft, Vicki Appleby, and Bob Popp. Council members absent: Don Tetley. Also present at the meeting: Town Attorney Chris Sturgeon, F.O.P. Lodge #144 representatives Joel DeMoss, David Kirby, Jason Tackett and Marvin Bostock, F.O.P. Attorney Leo Blackwell, Clerk-Treasurer Gary Hall, and Deputy Clerk-Treasurer Roberta McLemore.

F.O.P. Lodge #144 President Joel DeMoss presented the union's calculated cost estimates for requested increases, stating that if the Town agrees to a 2.8% increase in 2011 and 2012 the F.O.P. would drop its request for increases in rank differential and longevity, although it would still be requesting a 2% increase above the first-class base pay for first-class officers with ten or more years of service. Officer DeMoss pointed out that the Town is now receiving a share of local option income tax for public safety expenses, stating that this F.O.P. proposal seems fair in view of the new LOIT revenues. Officer DeMoss suggested that the Town present its proposals for negotiation and F.O.P. Attorney Leo Blackwell stated that this is the third meeting between Town and F.O.P. representatives, and the Town has presented nothing for the F.O.P.

Town Attorney Chris Sturgeon proposed going through the last proposal, the first of which was that the Chief and Assistant Chief be included as members of the F.O.P. bargaining unit. F.O.P. Attorney Blackwell advised that the research has shown that statutes specifically exclude the Chief and Assistant Chief from being granted this status.

Town Attorney Sturgeon stated that with regard to Article 5, the Town is willing to include language that the Town will make every reasonable effort to fill any rank openings and make every reasonable effort to replace an officer who has resigned, retired, or been terminated within a 45-day period, subject to any Safety Board or PERF actions affecting the procedures. Officer DeMoss responded that the request of the F.O.P. to include language regarding the Town providing a specified amount of overtime was made because officers are not getting called in when the department is short-staffed.

With regard to Article 6, Town Attorney Sturgeon advised that the Town agrees to the number of hours requested for F.O.P. representatives to attend F.O.P. meetings and events, but stated that the Town cannot pay for the time spent on F.O.P. business. Officer DeMoss responded that the contracts have allowed this as non-chargeable leave time for years and that the F.O.P. position is that to eliminate this practice would be a disservice to the community by causing the elimination of the Shop-With-A-Cop program and other activities. F.O.P. Attorney Blackwell stated that attending the state and national conference meetings gives officers important information with regard to various issues, including pension information, and not granting the requested changes with regard to F.O.P. business could be a deal breaker.

Regarding Article 9, Officer DeMoss stated that the F.O.P. has reduced the request for increase of base pay to 2.8% in 2011 and 2012, and would drop the increase in rank differential, but would still asking for specialty pay. Information was presented on how many officers would be eligible for specialty pays, with Officer DeMoss stating that the F.O.P. calculates specialty

pay currently would be about \$5,000 annually and that the approval of the Chief of Police would be necessary for all training for specialty-pay categories.

Discussion also followed regarding requests for Articles 10, 12, 13 holidays and longevity pays and clothing allowances. With regard to Article 14 regarding the option to vote each year on the types of shifts and hours to be worked, Town Attorney Sturgeon stated he would like to talk further with the Chief regarding this proposal. With regard to proposed changes to Article 34 in connection with sick leave, Officer DeMoss stated that the F.O.P. feels that officers being required to provide contact information when taking sick leave is an administrative issue rather than a contractual issue.

Discussion was held regarding other proposed changes, including the F.O.P. stating that they would request no contract language change regarding the number of days in Article 33 regarding work-related illness and injuries. Town Attorney Sturgeon advised he had talked with the PERF Board in connection with provisions for work-related illnesses and injuries and the proper method of certification for the last day of pay status. F.O.P. Attorney Blackwell commented on the provisions and stated that the F.O.P. is willing to negotiate a counter proposal.

Following discussion, Officer DeMoss stated that the F.O.P. wants to finalize the contract and is willing to take a minimal raise and leave everything else in the contract alone. Town Attorney Sturgeon said he would like to have time to discuss this offer with council members. After an objection was made by the attending newspaper representative, David Mann, about the council discussing this matter with the press being permitted to be in attendance, the Town Council President called for and a short break.

Upon F.O.P. and Town Council members returned from the break, discussion was held on possible dates for future meetings and the Council set a special meeting to review 2011 budget requests for Monday, September 27, 2010 at 7:00 P.M., and an executive session for 6:30 P.M. on October 4, 2010, and with the agreement of the F.O.P. representatives present, a special meeting with F.O.P. representatives was scheduled to be held on October 14, 2010, at 7:00 P.M.

There being no further items presented for consideration at this time, the meeting was adjourned at 8:30 P.M.

Minutes prepared by the Clerk-Treasurer of the  
Town of Clarksville, Indiana

Minutes approved by the Clarksville Town Council  
on \_\_\_\_\_,  
2010.

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Gary P. Hall, Clerk-Treasurer  
of the Town of Clarksville, IN

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Gregory L. Isgrigg, President  
Clarksville Town Council