**RESOLUTION NO. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**A RESOLUTION OF THE CITY OF GREENFIELD BOARD OF PUBLIC**

**WORKS AND SAFETY ESTABLISHING THE VOTING PROCEDURES FOR THE ACTIVE FULL-TIME, PAID MEMBERS OF THE CITY OF GREENFIELD POLICE DEPARTMENT TO VOTE ON THE RESOLUTION TO REJECT THE ESTABLISHMENT OF A MERIT SYSTEM**

**WHEREAS,** on August 14, 2024, the City of Greenfield Common Council (“Council”) adopted Resolution No. 2024/10 (“Resolution”) to affirm the use of the City of Greenfield Board of Works and Public Safety (“Board”) and reject the establishment of a merit system to oversee personnel matters related to the City of Greenfield Police Department (“Department”); and

**WHEREAS,** pursuant to IC 36-8-3.5-5.5(e), following the Council’s adoption of the Resolution, the active full-time, paid members of the Department (“Members”) must also vote on the Resolution; and

**WHEREAS,** IC 36-8-3.5-4 sets forth the voting procedure for the Members, it allows the Board to determine other procedures (“Procedures”) for the Members to vote; and

**WHEREAS,** the Procedures are to be posted in accordance with IC 36-8-3.5-4(a) along with the notice for the meeting(s) where the voting will occur.

 **NOW, THEREFORE, BE IT RESOLVED,** that the Board has determined that the procedures incorporated herein as Exhibit A shall be followed in conducting the meeting(s) for Members to vote on the Resolution and the Procedures shall be posted along with the notice for the meeting(s).

 This Resolution shall be in full force and effect from and after its passage in accordance with the law.

Adopted this 27th day of August, 2024.

**CITY OF GREENFIELD BOARD OF PUBLIC WORKS AND SAFETY**

Voting Affirmative: Voting Opposed:

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Guy Titus, Mayor Guy Titus, Mayor

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Larry Breese Larry Breese

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Katherine Locke Katherine Locke

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Brent Robertson Brent Robertson

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Glenna Shelby Glenna Shelby

Attest:

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Lori Elmore, Clerk-Treasurer

**EXHIBIT A**

**PROCEDURES GOVERNING THE REFERENDUM FOR THE**

**ACTIVE FULL-TIME, PAID MEMBERS OF THE CITY OF GREENFIELD POLICE DEPARTMENT TO VOTE ON THE RESOLUTION TO REJECT THE ESTABLISHMENT OF A MERIT SYSTEM**

1. After the adoption of a resolution to reject the establishment of a merit system by the Greenfield Common Council (“Resolution”), a vote on the resolution shall take place within sixty (60) days by active members of the City of Greenfield Police Department (“Department”).
2. The Greenfield Board of Works and Safety (“Board”) shall give all active members of the Department no less than three (3) weeks’ notice that a meeting will be held to conduct the vote.
3. The Board shall ensure that a notice is posted in prominent places in the police station. The notice must designate the time, place, and purpose of the meeting. The notice shall also provide a time and place that is subsequent to the first meeting in the event that the first meeting must be continued due to lack of majority being present to vote or lack of majority to adopt the resolution therefore creating the need for members who were not present at the first meeting to cast their vote.
4. A copy of the Resolution shall be distributed to each active member of the Department at least one (1) week before the meeting.
5. At the site of the meeting, but prior to the meeting, the City attorney and/or the City attorney’s designee shall explain the purpose of the meeting and the statutory procedures for conducting the meeting. In addition, the City Clerk-Treasurer or the Clerk-Treasurer’s designee shall be present. After explaining the procedures for the meeting, the City attorney and/or City attorney’s designee and the City Clerk-Treasurer and/or the Clerk-Treasurer’s designee shall depart the meeting room.
6. Only active members of the Department may attend the meeting and only active full-time, paid members of the Department are permitted to vote.
7. The chief of the Department shall call the meeting to order and conduct a vote for the selection of one (1) active member of the Department to be selected as Chair of the meeting. The Chair shall preside over the meeting and oversee the voting on the Resolution. The voting shall be conducted by secret written ballot. The selected Chair shall then conduct a vote for the selection of one (1) active member of the Department to serve as Secretary for the meeting. The Secretary shall take notes and prepare a memorandum of the meeting’s proceedings.
8. The Chair shall distribute a ballot to each active full-time, paid member of the Department who is present to vote in accordance with a roster listing active full-time, paid members of the Department. The Chair shall keep count the number of ballots distributed and ensure that the ballots distributed match the number of active full-time, paid members on the roster who are present to vote. Before voting begins, the Chair shall announce the number of voters present and whether that number is a majority of the active, full-time paid members of the Department.
9. The voting section on the ballot shall read as follows:

Please cast your vote by marking one of the following boxes with an X:

* YES, I am in favor of the resolution to REJECT the establishment of a merit system for the City of Greenfield Police Department. [This vote indicates you *do not* want a merit system to be established.]
* NO, I am not in favor of the resolution to REJECT the establishment of a merit system for the City of Greenfield Police Department. [This vote indicates that you *do* want a merit system to be established.]
1. Each voting member shall mark their ballot, fold it in half and place it in the ballot collection box.
2. After all ballots are placed in the collection box, if a majority of active full-time, paid members of the Department voted, then the Chair shall announce that the meeting will be continued until the next subsequent meeting date, which was provided in the notice. The ballots shall not be opened or counted and the Clerk-Treasurer shall hold the ballot collection box in a secured location and be responsible for its security until the ballot box is needed for the subsequent meeting.
3. After all ballots are placed in the collection box, if a majority of the active full-time, paid members *were* present to vote, the Chair shall announce that the meeting is in recess, the City attorney and/or the City attorney’s designee and the Clerk-Treasurer and/or the Clerk-Treasurer’s designee shall be on hand to watch the counting of the ballots in front of the active members. The Chair shall open each ballot placed in the ballot collection box, announce for each ballot opened whether it is marked YES or NO, and upon opening and announcing all ballots, announce the final vote count.
4. If a majority of the active full-time, paid members of the Department vote “YES” to reject the establishment of a merit system, then a merit system is not established and the Board of Works and Safety will continue to oversee Department personnel matters for the City. If a majority of the active full-time, paid members of the Department vote “NO” to not reject the establishment of a merit system, then unless a merit system is established prior to December 31, 2024 in accordance with IC 36-8-3.5-3, a merit system is automatically established under the provisions of IC 36-8-3.5-5.5 on January 1, 2025.
5. If there is a number of active full-time, paid members of the Department who were not present to vote at the first meeting and if these members *were* to vote and their vote could potentially change the outcome of adopting the Resolution, then the Chair shall announce that it will be necessary to continue the meeting to the subsequent meeting date in order for only these members to vote. The Chair shall recess the meeting and announce the subsequent meeting date. The reconvened meeting on the subsequent meeting date is subject to the rules and procedures provided herein.
6. Should a third subsequent meeting date be required, the Chair shall announce the subsequent meeting date and written notice shall be required 48-hours in advance by posting at prominent locations within the police station. In addition, the notice shall be emailed by the Police Chief to the active full-time, paid members to alert the active full-time, paid members who haven’t voted of the opportunity to vote.
7. The Clerk-Treasurer shall hold all counted ballots in a secured location and be responsible for their security. The Clerk-Treasurer shall also retain a copy of the meeting memorandum signed by the meeting Secretary.