

**WHITELAND TOWN COUNCIL
ORDINANCE NO. 2020-06**

**AN ORDINANCE CLARIFYING THE POWERS AND DUTIES OF THE
TOWN MANAGER**

WHEREAS, Section 34.01 of the Whiteland Town Code enumerates the general powers and duties of the Whiteland Town Manager (the “Town Manager”);

WHEREAS, the Whiteland Town Council (the “Council”) desires to make it clear that the Town Manager has the authority to make employment decisions concerning Town employees without the approval of the Council, to the extent permitted under applicable law;

WHEREAS, the Whiteland Town Council (the “Council”) has reviewed Section 34.01 and determined that the specified powers and duties contained therein are inconsistent with the powers and duties the Council desires for the Town Manager to possess;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Whiteland, Indiana, as follows:

Section 1. Section 34.01 of the Whiteland Town Code is hereby amended to read as follows:

§ 34.01 TOWN MANAGER; POWERS AND DUTIES.

(A) The Town Council may employ a Town Manager to be the administrative head of the town government, to serve at the pleasure of the Town Council and may fix the Town Manager's compensation under the budget and appropriation authority of the Town Council as a salaried employee.

(B) The Town Manager, subject to the direction and oversight of the Town Council and applicable law, shall perform the following duties:

(1) Shall attend the meetings of the Town Council, and any other meetings as the Town Manager deems appropriate, and recommend actions he or she considers advisable;

(2) Shall supervise the operation of all departments, including the utilities and the Town Marshal, and shall, with the recommendations of the department head, consider and adjudicate any disciplinary charges against an employee;

(3) Shall hire town employees according to the pay schedules and standards fixed by the Town Council;

(4) Shall suspend, discharge, remove or transfer any town employee, if necessary for the welfare of the town;

(5) May delegate his authority to an employee responsible to him;

(6) Shall administer and enforce all town ordinances, orders and/or resolutions of the Town Council;

(7) Shall oversee that all statutes that are required to be administered by the Town Council or by a town official subject to the control of the Town Council are faithfully administered;

(8) Shall see that town budget estimates are prepared by all departments and shall submit said estimates to the Town Council for review, consideration, and passage;

(9) Shall execute contracts on behalf of the town for materials, supplies, services or improvements, after completion of the appropriation, notice, and competitive bidding as required by statute; and

(10) May receive service of summons on behalf of the town.

(C) The Town Manager may not serve as a member of any body that hears disciplinary charges against: (1) the Town Marshal; or (2) a member of the Town Police Department.

Section 2. The provisions of all other ordinances or resolutions in conflict with the provisions of this ordinance are of no further force or effect.

Section 3. If any part of this ordinance is held to be invalid, such part will be deemed severable and its validity shall have no effect upon the remaining provisions of this ordinance.

Section 4. The provisions set forth in this ordinance shall become and remain in full force and effect (until their repeal by ordinance) on the date of adoption of this ordinance as evidenced by the signature of the executive as prescribed by Indiana Code 36-5-2-10.

PASSED through first reading by the Town Council on the 14 day of July, 2020, by a vote of 5 in favor and 0 against.

DULY PASSED AND FINALLY ADOPTED on second reading on the 14 day of July, 2020, by a vote of 5 in favor and 0 against.

TOWN OF WHITELAND, INDIANA, TOWN COUNCIL

Voting In Favor

Voting Opposed



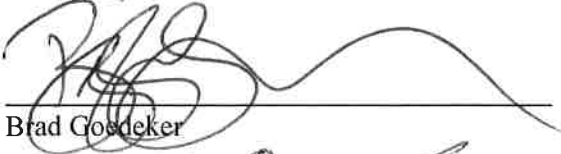
David Hawkins, President

David Hawkins, President



Scot Ford, Vice President

Scot Ford, Vice President



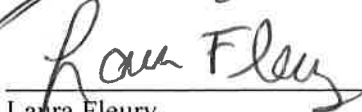
Brad Goedeker

Brad Goedeker



Joseph Sayler

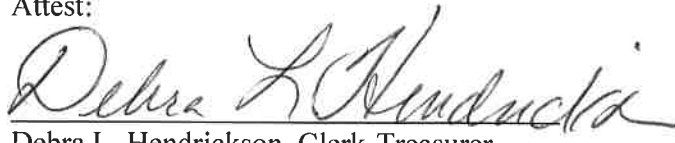
Joseph Sayler



Laura Fleury

Laura Fleury

Attest:

A handwritten signature in cursive script that reads "Debra L. Hendrickson". The signature is written in black ink and is positioned above a horizontal line.

Debra L. Hendrickson, Clerk-Treasurer

