

ORDINANCE 2011-04

AN ORDINANCE CREATING THE POSITION OF TOWN MANAGER FOR THE TOWN OF LEO-CEDARVILLE, INDIANA

WHEREAS, the responsibilities of municipal government are growing, while most town councilmembers are only able to devote part of their time to government; and

WHEREAS, Indiana Code Section 36-5-5-1 *et. seq.* authorizes the Town Council to employ a town manager to act as the administrative head of town government, exercising certain executive powers, under the direction of and responsible to the Town Council; and

WHEREAS, the Town Council for the Town of Leo-Cedarville, Indiana has determined that it is in the best interest of the Town and its constituents to hire a town manager.

NOW THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LEO-CEDARVILLE, INDIANA:

Section 1: **Creation of Position of Town Manager:**

Pursuant to I.C. 36-5-5-1 *et. seq.*, the Town Council for the Town of Leo-Cedarville, Indiana hereby establishes the office of Town Manager of the Town of Leo-Cedarville, Indiana. The Town Manager shall serve as the administrative head of the Town and shall have the powers set forth herein.

Section 2: **Employment; Compensation; and Tenure:**

The Town Council shall appoint a qualified person at its discretion to serve as Town Manager by separate resolution. Such person shall serve at the will of the Town Council and may be removed from office at-will, with or without cause and with or without prior notice. However, notwithstanding this section, the Town Council may at its discretion employ a person for a specific fixed term, during which time the person may be removed only for cause, provided that the fixed term does not exceed the longest remaining term in office of a then current member of the Town Council.

The Town Council may, by resolution, appoint a qualified person to perform the duties of the town manager during any period of absence or incapacity by the Town Manager.

The Town Council shall fix the compensation and benefits of the Town Manager, or any acting town manager, which shall be set forth in the Town's Salary Ordinance.

Section 3: **Persons Barred:**

No member of the Town Council, nor any other person holding a lucrative office with the Town of Leo-Cedarville, may serve as the Town Manager of the Town of Leo-Cedarville.

Section 4: **Performance Bond:**

The Town Manager must execute a bond for the faithful performance of his/her duties in compliance with I.C. 5-4-1.

Section 5: **Duties:**

The Town Manager, under the direction of the Town Council, is responsible for performing the following duties:

1. Attend all regularly scheduled meetings of the Town Council, and such other meetings of the Town Council or other boards or commissions of the Town as directed by the Town Council;
2. Prepare the agenda with the assistance of the Town Clerk-Treasurer for all Town Council meetings and assist in gathering and copying any necessary paperwork or other information needing to be submitted to the Town Council at its meetings;
3. Prepare and present written reports to the Town Council at the bi-monthly meetings concerning the status of active projects, personnel issues, and other Town business;
4. Shall prepare budget estimates and submit them to the Town Council when required;
5. Coordinate the communication between the Town Council and the Boards and Departments of the Town and coordinate the communications between the Town Council and other private and public persons or entities as needed;
6. Supervise the employees of the Town, including establishing goals for the employees, monitoring work on a day-to-day basis, evaluating employee job performance and discipline (other than termination from employment), and maintain employee files;
7. The Town manager may only hire or terminate employees of the Town upon the approval of the Town Council;
8. Coordinate the work of the various departments and boards of the Town, and assist all departments in issuing communications, and publishing notices, e-mails to employees, communications to vendors, and solicitations to prospective bidders. The Town Manager shall be primarily responsible for collecting bids for public works projects and delivering them to the

Town Council, appropriate board, or the Town Engineer for opening at the prescribed public meeting;

9. Shall serve as the Town's ombudsman with the public and shall facilitate communication between the Town Council and other Town departments and Boards by accepting and acknowledging public comments, suggestions and complaints and forwarding them, as necessary to the proper department or Town Council. The Town Manager shall answer any questions of a general nature and shall provide information to the public concerning Town services and events. The Town Manager shall also maintain the Town Website and any applicable social media sites.

10. Shall accept and respond to Public information and records requests;

11. Shall accept service of summons on behalf of the Town.

12. Shall administer and enforce all ordinances, orders and resolutions of the Town Council. Shall investigate public complaints of and/or apparent Town Ordinance violations and work with the Town Attorney in handling or responding to same. Upon a finding of an ordinance violation, the Town Manager may involve the Town Attorney and act to enforce the Town ordinance in a manner consistent with State Law and the Town Code;

13. Research and report to the Town Council or other appropriate Board on appropriate federal and state grants available to the Town, and shall oversee the preparation of grant requests upon the approval of the Town Council or appropriate Board;

14. Shall identify Town service and policy needs and shall make recommendations to the Town Council for any necessary legislative action. The Town Manager shall make recommendations to the Town Council with regard to economic development and any projects related to established goals, including sources of funding;

15. Assist the Town Council in preparing, updating, and executing long range strategic plans including conducting research, communicating with outside entities and gathering information for the Council, and preparing reports, correspondence and other necessary documents;

16. Acts as the purchasing agent per the current Town Purchasing Policy for all departments of the Town and oversees the bid process on all major purchases. Shall make recommendations to the Council or other departments based on research of vendors and their products. The Town manager shall execute contracts on behalf of the Town for materials and supplies, services, or improvements after the completion of any appropriations, notice and competitive bidding required by statute;

17. Be responsible for insuring the maintenance and continued operation of all public property including public grounds, the office, the parks, the rights-of-way, the computer system, copiers, telephone systems, building structures and other facilities, equipment and vehicles of the Town, and shall coordinate the repair of any such property when necessary.
18. Shall coordinate the scheduling of rentals of the park pavilions and sign(s).
19. Shall communicate with the Town Attorney and Town Engineer as necessary to perform the other functions set forth herein.
20. The Town Manager **may not** issue or execute bonds, notes, or warrants of the Town.
21. The Town Manager may delegate any of his/her powers or responsibilities to any employee responsible to him/her, but shall remain directly responsible to the Town Council for the exercise of such powers or responsibilities.
22. The Town Council may assign other duties as needed.

Section 6: **Office Hours:**

The Town shall work out of the Town Office, and shall work no less than forty (40) hours per week. The Town Council may, at its discretion, establish a schedule of regular office hours for the Town Manager. Otherwise, the Town Manager may establish his/her own schedule of office hours. The schedule of the regular office hours of the Town Manager shall be posted on the door of the Town Office for the convenience of the public.

Section 7: **Zoning Duties:**

At the discretion of the Leo-Cedarville Planning Commission, the Town Manager may also serve as the Leo-Cedarville Zoning Administrator and/or the Secretary to the Planning Commission. At the discretion of the Leo-Cedarville Board of Zoning Appeals, the Town Manager may also serve as the secretary to the Board of Zoning Appeals. If so appointed, in addition to the duties set forth above, the Town Manager shall have any other duties set forth in the Town Zoning Code for the Town Zoning Administrator and/or Secretary of the Planning Commission or Secretary of the Board of Zoning Appeals, and any other duties assigned by the Plan Commission or Board of Zoning Appeals.


Section 8: **Miscellaneous:**

This ordinance shall repeal any prior ordinance inconsistent with its terms.

This ordinance shall become effective upon its passage and upon its execution by the Town Executive (i.e. Town Council President) as attested by the Clerk-Treasurer.

Passed and adopted by the Town Council of the Town of Leo-Cedarville, Indiana on this

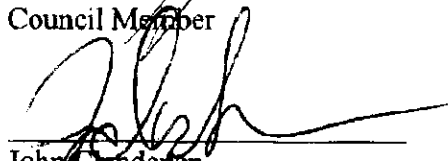
6th day of December, 2011.



R. Paul Steffens
Council Member



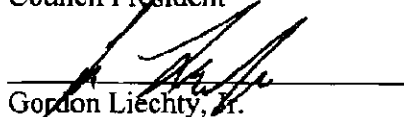
John Eastes
Council Member




John Crunden
Council President



Tim Richards
Council Member



Gordon Liechty, Jr.
Council Member

Attested: 

Pamela Spannuth
Town Clerk Treasurer